

Julie Masters, Mayor
Charles Suderman, Mayor Pro Tem
Sean Skipworth
Walter Wilson

MINUTES
City of Dickinson
CITY COUNCIL
REGULAR MEETING

Wally Deats
Louis Decker
William H. King III
Chris Heard, City Administrator

January 28, 2020

The Dickinson City Council met in a duly called and announced **REGULAR MEETING** on **Tuesday, January 28, 2020, at 7:00 p.m.** The meeting was held in the City Council Chambers located at 4403 Highway 3, Dickinson, Galveston County, Texas, and was held for the purpose of considering the following items:

ITEM 1.) CALL TO ORDER AND CERTIFICATION OF A QUORUM

Mayor Pro-Tem Suderman called the meeting to order at 7:02 p.m. City Secretary Alun Thomas called roll and certified a quorum. Council Members present were as follows: Mayor Pro-Tem Charles Suderman, and Council Members Sean Skipworth, Walter Wilson, Wally Deats, and Louis Decker. Mayor Julie Masters and Council Member William H. King, III were absent. Also present were City Attorney David Olson, Finance Director Kristen Woolley, Court Administrator Irma Rivera, Police Captain Jay Jaekel, Assistant to the City Administrator Kerilyn Bascle, and Assistant to the Director of Public Works Andrew Crawford. City Administrator Chris Heard was absent.

ITEM 2.) INVOCATION

Mayor Pro-Tem Suderman gave the invocation.

ITEM 3.) PLEDGE OF ALLEGIANCE

Council Member Deats led the Pledge of Allegiance.

ITEM 4.) PROCLAMATIONS

A.

ITEM 5.) ANNOUNCEMENTS AND PRESENTATIONS:

A. Council Comments.

- Welcome and thank you to all for attending the meeting.
- Mayor Masters is ill with influenza, and Council Member King is currently in the hospital. Best wishes to both for a quick recovery.
- Thank you to Galveston County Water Control and Improvement District No. 1 for working so hard on the new solid waste collection agreement. Residents will soon be able to pay for solid waste collection through their water bills. Recycling will also be offered, but only as an opt-in service.

- The City currently has some major construction projects underway, and grant funds are still making their way to the City to fund even more.
- Council Member Skipworth complimented the City's Public Works department, saying that he has heard more compliments than complaints about the department this week.
- Thank you to Code Enforcement Officer Tammy Edmonds for professionally resolving an issue on Casa Grande Street recently.
- The City Administrator's Report looks great this month; thank you to Assistant to the City Administrator Kerilyn Bascle for creating the report.
- Appointments to boards and commissions is an agenda item today. Some of the appointments expired more than six months ago, and some of the boards and commissions lack descriptions on the City's website. There also appears to be two versions of the application form to serve on a board or commission.
- The City Charter amendment ordinance was delivered to Council this morning, which did not allow many members of Council the opportunity to fully read it.
- Staff performance evaluations should have taken place already, but they have not.
- Council Member Skipworth suggested that the City should consider hiring more consultants to get the work done that staff is not.
- There are some major contracts on tonight's agenda that did not come with agenda item data sheets, despite the request during the last meeting that such data sheets be included. Staff is asked to include the sheets in the future.
- There has been no update on the City's four major vacant staff positions, on the vacation rental ordinance, or the interlocal agreement with Dickinson Economic Development Corporation.
- Work on Oleander Street needs to be completed.
- The next Knights of Columbus fish fry will be on February 7, then weekly from February 28 through April 3.
- City Administrator Chris Heard failed to notify Council that he would not be attending tonight's meeting and failed to designate a member of staff to fill in during his absence. He needs to send Council proper notification of such absences.

B. Quarterly Investment Report & Financials for Period Ending December 31, 2019 (Finance Director Kristen Woolley).

Finance Director Kristen Woolley presented the report and addressed questions regarding reconciliations and budget amendments.

ITEM 6.) REPORTS:

- A. Update on Activities of the Dickinson Bayou Watershed Partnership (Council Member Decker).

Council Member Decker said that the January 21, 2020 meeting of the Dickinson Bayou Watershed Partnership was unable to be held due to lack of a quorum. The next meeting is scheduled for February 18.

- B. Update on Activities of the Houston-Galveston Area Council (Council Member King).

Council Member King was absent from the meeting, so this Item was not discussed.

- C. Update on Public Works Projects (Interim Director of Public Works Ron Sullivan).

Interim Director of Public Works Ron Sullivan was absent from the meeting, so this Item was not discussed.

- D. City Administrator's Report (City Administrator Chris Heard).

City Administrator Chris Heard was absent from the meeting, so this Item was not discussed.

- E. Update on Activities of the Dickinson Economic Development Corporation (Dickinson Economic Development Corporation Chief Executive Officer Scott Jones).

Dickinson Economic Development Corporation's Chief Executive Officer Scott Jones provided Council with updates, including the Corporation's search for new office space. In response to the concern expressed during Council Comments, he noted that DEDC had sent the City a draft of the proposed interlocal agreement a few weeks ago but that he had received no response. DEDC has also decided to hold off on a financial audit until the City's audit is conducted in February.

ITEM 7.) PUBLIC COMMENTS: At this time, any person with city-related business may speak to the Council. In compliance with the Texas Open Meetings Act, The City Council may not deliberate. **Comments from the public should be limited to a maximum of three (3) minutes per individual speaker.**

John Dougan, 1009 Royal Oak Drive, Dickinson, Texas – Mr. Dougan hopes that the Charter amendments get considered today. He also said that streetlights need to be installed on Deats Road in front of the Public Works department. Lastly, Mr. Dougan commended the owners of Hollister

Apartments on Deats Road for doing such a good job in renovating their property.

Melissa Washington, Community Outreach Coordinator for Community Development and Revitalization (Disaster Recovery) at Texas General Land Office – Ms. Washington thanked Dickinson Economic Development Corporation’s Chief Executive Officer Scott Jones and the Dickinson Chamber of Commerce for supporting small businesses in Dickinson after Hurricane Harvey. She described a new “Texas Back in Business” grant program at the General Land Office, and encouraged businesses to apply.

Robert E. Bolen, 614 Renaldo Street, Dickinson, Texas – The asphalt on Renaldo Street is deteriorating and is being patched by City crews about every sixty days. Mr. Bolen believes that such frequent patching of a poor-quality street is tantamount to throwing money away. Renaldo Street also has problems with people parking vehicles on the street. Recently, both a school bus and an ambulance have been unable to drive down the street due to the presence of vehicles parked on both sides and blocking the lane of traffic. Mr. Bolen also noted that the drainage ditches along the street, which were recently dug out, were made far too deep.

Greg Smith, 717 Renaldo Street, Dickinson, Texas – Mr. Smith agreed with Mr. Bolen’s comment that the drainage ditches are now too deep. The street now suffers from standing water, algae, and water-loving weeds growing in the ditches. He believes that the culverts near Donald’s Donuts are too small. Although City staff are courteous and helpful, they have created a drainage issue on the street that did not exist before. Mr. Smith encouraged members of Council to drive through the subdivision and hold the company performing the work accountable for its errors. Council Member Deats said that he has expressed many of these concerns to the City Administrator, as the same issues are now present on Rau Drive. The drainage ditches, Council Member Deats said, are now worse than when the work began.

Shannon DeMeritt, 3802 Rau Drive, Dickinson, Texas – Lucas Construction Company broke the water line and sprinklers at 3802 Rau Drive, then just covered the damage with dirt and drove away. A message left for Interim Director of Public Works Ron Sullivan was never returned, and now it is unclear when or if the damage will ever be repaired.

ITEM 8.) CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION:

The following items are considered routine by the City Council and will be enacted by one motion. There will not be a separate discussion on these items unless a Council member requests, in which event, the item will be removed from the consent agenda and discussed after the consent agenda.

Council Member Deats asked that Item 8C be removed from the consent agenda and discussed after the consent agenda.

- A. Approval of the Minutes of the Regular Council Meeting of January 14, 2020.
- B. Resolution Number 1811-2020 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF DICKINSON, TEXAS, AND TEXAS DEPARTMENT OF PUBLIC SAFETY FOR THE FAILURE TO APPEAR (“FTA”) SYSTEM; PROVIDING FOR THE TERMINATION OF THE PREVIOUS SUCH INTERLOCAL AGREEMENT; PROVIDING FOR THE INCORPORATION OF PREMISES; AUTHORIZING EXECUTION OF THE INTERLOCAL COOPERATION AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.**
- D. Resolution Number 1813-2020 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF DICKINSON, TEXAS, AND THE GULF COAST CENTER, REGARDING FIXED ROUTE TRANSPORTATION SERVICE IN THE GALVESTON COUNTY MUNICIPALITIES OF TEXAS CITY, LA MARQUE AND DICKINSON; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE INTERLOCAL AGREEMENT BY THE CITY ADMINISTRATOR; AND PROVIDING AN EFFECTIVE DATE.**

Council Member Wilson made a motion to approve Items 8A, 8B, and 8D, and Council Member Skipworth seconded the motion. There being no discussion, Mayor Pro-Tem Suderman called for the vote.

VOTE:

5 AYES (Suderman, Skipworth, Wilson, Deats, Decker)

0 NAYS

MOTION PASSED

- C. Resolution Number XXX-2020 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, REPEALING RESOLUTION NUMBER 1079-2009; ADOPTING A REVISED POLICY AND APPLICATION AND AGREEMENT REGARDING USE OF MUNICIPAL MEETING ROOMS AND CITY GROUNDS AND FACILITIES; AND PROVIDING AN EFFECTIVE DATE.**

City Administrator Chris Heard was not present to answer Council's questions concerning the proposed fees, so Council Member Deats made a motion to table Item 8C. Council Member Decker seconded the motion. There being no further discussion, Mayor Pro-Tem Suderman called for the vote.

VOTE:

5 AYES (Suderman, Skipworth, Wilson, Deats, Decker)

0 NAYS

MOTION PASSED

- ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1814-2020 – **A RESOLUTION OF THE CITY OF DICKINSON, TEXAS, PROVIDING FOR THE HOLDING OF A GENERAL ELECTION ON MAY 2, 2020 FOR THE PURPOSE OF ELECTING THE MAYOR AND THREE (3) COUNCIL MEMBERS FOR POSITIONS 1, 3 & 5; PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION; PROVIDING FOR THE INCORPORATION OF PREAMBLE AND AN EFFECTIVE DATE.**

Council Member Wilson made a motion to approve the Resolution, and Council Member Deats seconded the motion. There being no discussion, Mayor Pro-Tem Suderman called for the vote.

VOTE:

5 AYES (Suderman, Skipworth, Wilson, Deats, Decker)

0 NAYS

MOTION PASSED

- ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1815-2020 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 2, 2020, FOR THE PURPOSE OF FILLING AN UNEXPIRED TERM FOR CITY COUNCIL POSITION NO. 2; PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION; PROVIDING FOR THE INCORPORATION OF PREAMBLE AND AN EFFECTIVE DATE.**

Council Member Deats made a motion to approve the Resolution, and Council Member Wilson seconded the motion. Council Member Decker said that holding the Special Election at the same time as the General Election will save the City approximately \$15,000. There being no further discussion, Mayor Pro-Tem Suderman called for the vote.

VOTE:

5 AYES (Suderman, Skipworth, Wilson, Deats, Decker)

0 NAYS

MOTION PASSED

- ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1816-2020 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING AN AGREEMENT WITH HUITT-ZOLLARS, INC. FOR ENGINEERING AND SURVEYOR SERVICES IN CONNECTION WITH HURRICANE HARVEY COMMUNITY**

DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY (CDBG-DR) PROGRAM INFRASTRUCTURE PROJECTS; AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE AN AGREEMENT FOR SUCH SERVICES; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

Council Member Wilson made a motion to approve the Resolution, and Council Member Decker seconded the motion. Council Member Skipworth said that, while he has no problem with the Resolution in principle, he wished that the City Administrator or the Public Works Director was present at the meeting to answer questions about it.

Council Member Deats asked what the Resolution was for. Greg Wine, Senior Vice President of Huitt-Zollars, Inc., said that in a previous City Council meeting, Huitt-Zollars, Inc. had presented Council with three proposed main drainage projects: Pin Oak Drainage, Gum Bayou Tributary, and Nicholstone Detention Area. This agreement, Mr. Wine explained, would be for the first two projects. The third project is shovel-ready but is unfunded. Travis Sellers, Senior Vice President at IDS Engineering added that, per Patrick Wiltshire at Public Management Inc., the projects must be completed by October, 2021. There being no further discussion, Mayor Pro-Tem Suderman called for the vote.

VOTE:

5 AYES (Suderman, Skipworth, Wilson, Deats, Decker)

0 NAYS

MOTION PASSED

- ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number 1817-2020 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN AGREEMENT BETWEEN THE CITY OF DICKINSON, TEXAS (CITY), AND PURPLE WAVE, INC. (AUCTIONEER), AUTHORIZING PURPLE WAVE TO CONDUCT PROPERTY AUCTIONS ON BEHALF OF THE CITY OF DICKINSON; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.**

Council Member Wilson made a motion to approve the Resolution, and Council Member Decker seconded the motion. City Secretary Alun Thomas gave background information on the Resolution. There being no further discussion, Mayor Pro-Tem Suderman called for the vote.

VOTE:

5 AYES (Suderman, Skipworth, Wilson, Deats, Decker)

0 NAYS

MOTION PASSED

ITEM 13.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number 1818-2020 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING TWO PROFESSIONAL SERVICES AGREEMENTS WITH IDS ENGINEERING GROUP, INC. FOR PROFESSIONAL SERVICES FOR THE PREPARATION OF CONSTRUCTION DOCUMENTS FOR THE RECONSTRUCTION OF MULTIPLE ROADWAYS IN THE CITY OF DICKINSON; AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE AN AGREEMENT FOR SUCH SERVICES; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.**

Council Member Deats made a motion to approve the Resolution, and Council Member Wilson seconded the motion. There being no discussion, Mayor Pro-Tem Suderman called for the vote.

VOTE:

5 AYES (Suderman, Skipworth, Wilson, Deats, Decker)

0 NAYS

MOTION PASSED

ITEM 14.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number XXX-2020 – **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 2, 2020, TO SUBMIT PROPOSED CHARTER AMENDMENTS TO THE VOTERS FOR THEIR APPROVAL; PROVIDING AN ESTIMATE OF THE ANTICIPATED FISCAL IMPACT TO THE CITY IF THE PROPOSED AMENDMENTS ARE APPROVED; PROVIDING FOR THE PUBLICATION OF NOTICE OF THE ELECTION; AND MAKING OTHER FINDINGS AND PROVISIONS RELATING TO THE HOLDING OF SUCH ELECTION.**

Council Member Deats made a motion to approve the first reading of the Ordinance, and Mayor Pro-Tem Suderman seconded the motion. Council Member Skipworth had questions regarding the organization of the proposed amendments but said that he had not had enough time to fully review the Ordinance. He would prefer that people have a chance to speak and that Council table the first reading until all members of Council were present at a meeting. Council Member Decker said that it would be hard for him to vote for the Ordinance as it currently reads.

Council had a lengthy discussion concerning the importance of the Ordinance, with some members expressing the desire to pass the first reading now, and others saying that such an important matter should not be rushed. Council Member Deats said that the Council needed to trust the voters to make informed, intelligent decisions, and encouraged Council to approve placing all of the proposed amendments on the ballot for consideration. Mayor Pro-Tem Suderman said that he was confident in the

Charter Review Commission's work, especially since one of its members is a former City of Dickinson City Administrator. The Charter, he added, is not an unchangeable document, and can be amended as needed upon approval of the voters. Council Member Decker expressed his opposition to the proposed amendment to provide for financial compensation to members of Council.

Council Member Skipworth made a motion to table the Item, and asserted that he was allowed to make this motion even with a different motion already on the floor. He said that, as a political science professor, he well understands how the process should work. He encouraged other members of Council to schedule a special meeting so that Council could further discuss the Ordinance. Council Member Deats countered that the information has been publicly-available on the City's website for two weeks already and that the current meeting already provides a forum for discussion. Council Member Decker then seconded the motion to table. There being no further discussion, Mayor Pro-Tem Suderman called for the vote on the motion to table.

VOTE:

2 AYES (Skipworth, Wilson)

3 NAYS (Suderman, Deats, Decker)

MOTION FAILED

Next, Mayor Pro-Tem Suderman called for the vote on the motion to pass the first reading of the Ordinance.

VOTE:

2 AYES (Suderman, Deats)

3 NAYS (Skipworth, Wilson, Decker)

MOTION FAILED

Council scheduled a special meeting for reconsideration of the Ordinance, to be held on Tuesday, February 4, 2020 at 6:00 p.m.

ITEM 15.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:
Appointments/Reappointments to Boards and Commissions.

Council discussed the appointment process. Council Member Wilson said that the City will have at least two new members of Council in May, and that at least one of the applications was from someone who did not live in Dickinson. Council Member Wilson then made a motion to table the Item until after the election, and Council Member Skipworth seconded the motion. Mayor Pro-Tem Suderman said that City Administrator Chris Heard, who is also a board member of Dickinson Economic Development Corporation ("DEDC"), had not attended at least the last eight or nine meetings of DEDC, but he believes that the incoming Council should be

allowed to make its own appointments. There being no further discussion, Mayor Pro-Tem Suderman called for the vote.

VOTE:

4 AYES (Suderman, Skipworth, Wilson, Decker)

1 NAY (Deats)

MOTION PASSED

Council Member Skipworth made a motion to have the City Secretary contact each applicant for a board or commission and ask that they submit their application on the new version of the application form. Council Member Decker seconded the motion. City Secretary Alun Thomas clarified Council's direction. There being no further discussion, Mayor Pro-Tem Suderman called for the vote.

VOTE:

5 AYES (Suderman, Skipworth, Wilson, Deats, Decker)

0 NAYS

MOTION PASSED

ITEM 16.) EXECUTIVE SESSION: The City Council will now hold a closed executive meeting pursuant to the provision of Chapter 551, Government Code, Vernon's Texas Codes annotated, in accordance with the authority contained in:

- A. Section 551.071 – Consultation with Attorney regarding pending litigation and matters in which the duty of the City Attorney requires to be discussed in closed meeting.
- B. Section 551.072 – Deliberation Regarding Real Property – Discussion Regarding the Purchase, Exchange, Lease or Value of Real Property.

Mayor Pro-Tem Suderman recessed the regular meeting at 8:43 p.m.

ITEM 17.) RECONVENE

Mayor Pro-Tem Suderman reconvened the regular meeting at 9:00 p.m.

ITEM 18.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Matters Discussed in Executive Session.

None.

ITEM 19.) ADJOURN

Council Member Deats made a motion to adjourn the meeting at 9:01 p.m., and Council Member Skipworth seconded the motion. There being no discussion, Mayor Pro-Tem Suderman called for the vote.

VOTE:

5 AYES (Suderman, Skipworth, Wilson, Deats, Decker)

0 NAYS

MOTION PASSED

PASSED, APPROVED AND ADOPTED this the 11th day of February, 2020.

ATTEST:



Alun W. Thomas, City Secretary




Julie Masters, Mayor