

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

April 28, 2020

The Dickinson City Council met in a duly called and announced **REGULAR MEETING** on **Tuesday, April 28, 2020, at 7:00 p.m.** In accordance with order of the Office of the Governor issued March 16, 2020, the City Council of the City of Dickinson, Texas conducted the meeting by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19). The meeting was held for the purpose of considering the following items:

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

Mayor Masters called the meeting to order at 7:07 p.m. City Secretary Alun Thomas called roll and certified a quorum. Council Members present were as follows: Mayor Julie Masters, Mayor Pro-Tem Charles Suderman, and Council Members Sean Skipworth, Walter Wilson, Wally Deats, Louis Decker, and William H. King, III. Also present were City Attorney David Olson, City Administrator Chris Heard, Finance Director Kristen Woolley, and Assistant to the City Administrator Kerilyn Bascle.

ITEM 2.) INVOCATION

Council Member King gave the invocation.

ITEM 3.) PLEDGE OF ALLEGIANCE

Council Member Skipworth led the Pledge of Allegiance.

ITEM 4.) PROCLAMATIONS

None.

ITEM 5.) ANNOUNCEMENTS AND PRESENTATIONS:

A. Council Comments.

- Welcome to everyone, especially members of the public who are participating through teleconference. The City misses having the public physically present at its meetings and looks forward to when people can again attend its meetings in person.
- The new Bayou Animal Services shelter’s interior has come together as planned, and Council Member Wilson said that he was very proud of the facility and of the staff who work there.

- Texas Governor Greg Abbott recently presented his plan to reopen the state. The plan is difficult to monitor and enforce, but everyone is asked to please adhere to the guidelines as presented and be cautious in general. Such vigilance will be beneficial in the long run.
- Thank you to City Administrator Chris Heard who hired a contractor to collect the 2,200 Republic Services solid waste containers that were left at homes across Dickinson following the termination of the City's solid waste contract with the company.
- Dickinson Economic Development Corporation had a large number of applicants to its business grant program. The program, designed to help businesses during the difficult economic times caused by the Coronavirus (COVID-19) pandemic, should be of great assistance. Council Member Skipworth said that the City should explore doing more to help business during this time.
- Dickinson's many graduating seniors in the Class of 2020 are learning the hard way that life does not always go as expected. To help ease the loss of formal graduation ceremonies, people are encouraged to recognize the seniors' achievement through gifts and congratulations. Council Member King is a participant in the Galveston County "adopt a senior" program, which aims to honor the seniors, and he encouraged others to join the cause. Council Member Skipworth asked that Mayor Masters consider issuing a Proclamation in the seniors' honor.
- Thank you to Emergency Services Director and Co-Emergency Management Coordinator Derek Hunt for his frequent and timely communication and thank you to our first responders during this time.
- The asphalt on St. Goar Street at Highway 3 is seriously damaged and in need of repair.
- Mayor Masters said that the City's disaster declaration in response to the Coronavirus (COVID-19) expires on May 24.
- The need for business grants at the moment is great. Harris County's \$10,000,000 grant program received so many applications that Harris County exhausted its allocated funds in mere minutes.
- Council Member King said that he hopes that Congress will remember the need that cities have during this time, noting that some cities are already having to lay off staff.
- Council Member King met with Mike Temple at Gulf Coast Workforce Solutions to help create a job clinic for veterans, youth, and ex-offenders.
- Condolences to the family of Julia Mae Wright Benford on her recent passing-away.
- Condolences to the Ratliff family on their recent loss of Frankie Lee Ratliff.
- Volunteers cleaned up historic Magnolia Cemetery on April 25, 2020.

- The Knights of Columbus will host a fish fry on May 1 from 5:00-7:30 p.m. The food will be available by drive-through only but hopefully will be available in June for dine-in.
- Happy early Mother's Day to all mothers. Motherhood is difficult enough without a pandemic, and the City appreciates how much effort mothers expend in caring for their children.
- Council Member Suderman recently had a stent inserted into an artery to improve blood flow. As part of the pre-surgery procedures, he was tested for Coronavirus, and said that the unpleasant nature of the test should serve as encouragement for everyone to be careful.
- Condolences to the family of longtime Dickinson resident Ron Loomis on his recent passing-away.

ITEM 6.) REPORTS:

- A. Quarterly Investment Report & Financials for Period Ending March 31, 2020 (Finance Director Kristen Woolley).

Finance Director Kristen Woolley presented the report to Council and addressed questions.

- B. March Revenue & Expense Reports (Finance Director Kristen Woolley).

Finance Director Kristen Woolley discussed the March revenue and expense reports, noting that the amounts were in line with expectations for this time. Mrs. Woolley addressed questions from Council regarding the City's audit, for which a draft report is expected soon; and sales tax revenues, which City Administrator Chris Heard said may soon decline due to the effect of the City's 380 agreements and its reliance on sales tax from house construction and oil. Mr. Heard said that he would work with Mrs. Woolley to provide Council with frequent, real-time sales tax revenue updates. Council then discussed when staff would present it with an opportunity to reconcile unbudgeted expenditures, with some members wishing to do it more frequently than the once-per-year frequency that the City has used for the past two years.

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

Council Member King provided updates on the Houston-Galveston Area Council's meetings of April 21, 2020, which was conducted via video conference.

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

Dickinson Economic Development Corporation (DEDC) Chief Executive Officer Scott Jones provided Council with an update on DEDC's activities and addressed the questions of Council.

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.**

None.

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.

A. Approval of the Minutes of the Regular Council Meeting of April 14, 2020.

Council Member Wilson made a motion to approve the Consent Agenda, and Council Member Decker seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Skipworth, Wilson, Deats, Decker, King)

0 NAYS

MOTION PASSED

ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number 1831-2020 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, ACCEPTING THE OFFERS OF DEDICATION OF STREET RIGHT-OF-WAYS EASEMENTS AND IMPROVEMENTS AS SHOWN ON THE AMENDING PLAT OF BAYOU MAISON SUBDIVISION SECTION TWO AS RECORDED UNDER DOCUMENT NUMBER 2019009023, IN THE OFFICE OF THE COUNTY CLERK OF GALVESTON COUNTY, TEXAS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A REPEALER CLAUSE, SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.**

Council Member Wilson made a motion to approve the Resolution, and Council Member King seconded the motion. City Administrator Chris Heard confirmed that the City had examined the street rights-of-way, easements, and improvements to ensure that they met the City's standards. The examination, he said, was conducted by Huitt-Zollars (one of the City's

contracted engineers), representatives from Galveston County Water Control and Improvement District No. 1, and City of Dickinson Chief Building Official S. R. Burgess. There being no further discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Skipworth, Wilson, Deats, Decker, King)

0 NAYS

MOTION PASSED

- ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number XXX-2020 – **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, AMENDING APPENDIX B, PAY GRADE CLASSIFICATION STRUCTURE FOR ALL EMPLOYEES, OF THE CITY OF DICKINSON PERSONNEL POLICY (2005) TO ESTABLISH THE POSITIONS AND PAY RANGES FOR CITY EMPLOYEES WHICH ALIGN WITH HOUSTON-GALVESTON AREA COUNCIL AVERAGES.** (First of Three Readings)

Council Member Wilson requested an explanation of what the ordinance would accomplish. City Administrator Chris Heard explained that it would authorize and memorialize the combination of the Public Works and Community Development departments into a new Community Services Department; and that it would remove the position of Public Works Director, and add a Street – Drainage Superintendent position.

- ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** The Dickinson Economic Development Corporation and City of Dickinson Employee Benefits and Administrative Services Interlocal Agreement.

Council Member Skipworth made a motion to approve the Interlocal Agreement, and Council Member Deats seconded the motion. City Administrator Chris Heard and Dickinson Economic Development Corporation's Chief Executive Officer Scott Jones confirmed that Dickinson Economic Development Corporation's board has approved the Agreement. Council Member Wilson expressed concern that the Agreement does not explicitly state that employees of Dickinson Economic Development Corporation (DEDC) are actually City of Dickinson employees, even though they are. Mr. Heard said that if Council wished to discuss policies, it must direct him to take further action later. Mr. Heard also confirmed that employees of DEDC are City employees.

Mr. Jones discussed the history of the City handling DEDC's finances, remarking that DEDC's board has directed him to seek approval of the agreement so as to avoid possible legal issues. City Attorney David Olson

said that the Agreement should direct to DEDC's bylaws, which can be addressed later.

Mayor Masters said that the salary ranges utilized by DEDC should always conform with Houston-Galveston Area Council's most recent salary survey, and that the ranges should be approved by the City Council. She asked that Council Member Skipworth amend his motion to include that requirement.

Council Member Skipworth then made a motion to amend his original motion to instead approve the interlocal agreement with the condition that it includes language that says that Dickinson Economic Development Corporation will adhere to salary ranges from the Houston-Galveston Area Council's salary survey. Mayor Masters questioned why DEDC's bylaws provide for the payment of unused sick pay at the time of an employee's termination, noting that it is inconsistent with City policies. She asked that Council give Mr. Heard direction to review and amend DEDC's bylaws. There being no further discussion, Mayor Masters called for the vote on the motion to amend the original motion.

VOTE:

6 AYES (Suderman, Skipworth, Wilson, Deats, Decker, King)

0 NAYS

MOTION PASSED

Mr. Jones said that he would forward to City Secretary Alun Thomas all of policy and bylaw changes made by DEDC in the past six months. There being no further discussion, Mayor Masters called for the vote on the motion to approve the Interlocal Agreement.

VOTE:

6 AYES (Suderman, Skipworth, Wilson, Deats, Decker, King)

0 NAYS

MOTION PASSED

Following the vote, Council directed that Mr. Heard review all policies, procedures, and bylaws of DEDC to ensure that they are in line with the City's policies and procedures. Council Member Deats emphasized that Mr. Heard must work cooperatively with Mr. Jones during the review. Mr. Jones agreed, noting that the changes have already been drafted and approved by DEDC with Mr. Heard's approval.

- ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Approval of the Dickinson Economic Development Corporation Chief Executive Officer ("CEO") and Executive Director's Employment Agreement and the Funding Thereof, and Authorizing the Mayor to Sign the Agreement Acknowledging that the CEO Will be Receiving City Benefits.

Mayor Masters questioned why this item was on the agenda. City Secretary Alun Thomas informed Mayor Masters that the item was tabled at the last meeting, and so was required to be considered again at this meeting. Additionally, he added, consistent with the Mayor's instruction to the City Secretary that City Administrator Chris Heard had been delegated the Mayor's agenda setting and approval authority, Mr. Heard had approved the item's inclusion on the agenda.

Council Member Deats questioned why Council needed to approve the agreement. City Attorney David Olson said that it was to confirm that Council would like to authorize the expenditure of funds. He recommended that such legal questions be reserved for Executive Session.

ITEM 13.) 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 Masters recessed the regular meeting at 8:26 p.m.

ITEM 14.) RECONVENE

Mayor Masters reconvened the regular meeting at 9:55 p.m.

ITEM 15.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Matters Discussed in Executive Session.

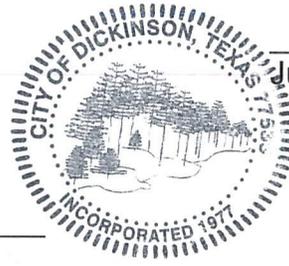
City Administrator Chris Heard was directed to review the agreement from Item 11 for any possible legal issues.

ITEM 16.) ADJOURN

Council Member Wilson made a motion to adjourn the meeting at 9:56 p.m., and Council Member Suderman seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:
6 AYES (Suderman, Skipworth, Wilson, Deats, Decker, King)
0 NAYS
MOTION PASSED

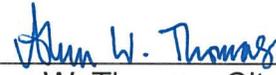
PASSED, APPROVED AND ADOPTED this the 12th day of May, 2020.





Julie Masters, Mayor

ATTEST:



Alun W. Thomas, City Secretary