

Julie Masters, Mayor
Charles Suderman
Mary Dunbaugh
Walter Wilson

AGENDA
City of Dickinson
CITY COUNCIL
REGULAR MEETING

Kerry Neves
Louis Decker
William H. King III, Mayor Pro Tem
Julie M. Johnston, City
Administrator

APRIL 28, 2009

NOTICE is hereby given of a **REGULAR MEETING** of the City Council for the City of Dickinson, County of Galveston, State of Texas, to be held on **TUESDAY, APRIL 28, 2009**, at **7:00 p.m.** at: 1621 FM 517 East, Dickinson, Texas 77539 for the purpose of considering the following numbered items. The City Council of the City of Dickinson, Texas, reserves the right to meet in a closed session on any of the below items should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

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

Invocation and Pledge of Allegiance.

ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:

A. National Crime Victims Rights' Week – April 26 – May 2, 2009

ITEM 3.) 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.**

ITEM 4.) 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 Minutes of Regular Council Meeting of April 14, 2009.

B. Approval of Resolution Number XXX-2009 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE AERIAL SPRAYING FOR THE ABATEMENT OF MOSQUITOES OVER AND WITHIN THE CITY OF DICKINSON BY THE GALVESTON COUNTY MOSQUITO CONTROL DISTRICT AND PROVISIONS RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.**

C. Approval of Resolution Number XXX-2009 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE RE-APPOINTMENT OF SEVEN MEMBERS TO THE GALVESTON COUNTY UNITED BOARD OF HEALTH; PROVIDING**

FOR THE INCORPORATION OF PREMISES; AND PROVIDING AN EFFECTIVE DATE.

OLD BUSINESS

- ITEM 5.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** City Hall/Library Project including the following items:
- A. List of Outstanding Items for Which City is Responsible on Project Updated as of April 23, 2009.
 - B. Update on Previously Approved Expenditures.
 - C. Approval of Purchase of Fiber Optic Installation Services for new City Hall and Library Complex from Devolve in the amount of \$11,872.27.
 - D. Approval of Payment to Galveston County Water Control & Improvement District No. 1 for Materials for Site Utilities for new City Hall and Library Complex in the amount of \$34,397.96.
 - E. Review of Options for Dedication Plaques and Signage for City Hall and Library Buildings
- ITEM 6.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Update on Public Works Projects
- A. Oleander Bridge Project
 - B. Tanglebriar Street Construction Project
 - C. Sunset Drive Street Construction Project
- ITEM 7.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Update on Dickinson Bayou Watershed Steering Committee.

NEW BUSINESS

- ITEM 8.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Request by Elray Durgens of the Dunbar Alumni Association to rename 23rd Street J. O. Williams Street.
- ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Authorizing City Staff to Submit an Application for the Assistance to Firefighters Grant (AFG), Fire Prevention and Safety for the purchase of Additional Gear and Equipment.
- ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** A Resolution Of The City Council Of The City Of Dickinson, Texas, Ratifying And Approving The Submission Of A Grant Application For The Emergency Management Performance Grant Program To The Officer Of The Governor Of The State Of Texas; Agreeing To Provide Matching Funds For The Project; And Providing For Incorporation Of Preamble And An Effective Date.

- ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** A Resolution Of The City Council Of The City Of Dickinson, Texas, Approving The Submission Of A Grant Application For The Edward Byrne Justice Assistance Grant Program To The U. S. Department of Justice, Office of Justice Programs; And Providing For Incorporation Of Preamble And An Effective Date.
- ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** A Resolution Of The City Council Of The City Of Dickinson, Texas, Ratifying and Approving The Submission Of A Grant Application For COPS Universal Hiring Program To The U. S. Department of Justice, Office of Community-Oriented Policing Services; And Providing For Incorporation Of Preamble And An Effective Date.
- ITEM 13.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** A Resolution Of The City Council Of The City Of Dickinson, Texas, Approving The Submission Of A Grant Application For The Bulletproof Vest Partnership Grant Program To The U. S. Department of Justice, Office of Justice Programs; And Providing For Incorporation Of Preamble And An Effective Date.
- ITEM 14.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Authorizing City Staff to Submit an Application Under the Hurricane Ike Emergency Watershed Protection Program Administered by the USDA Natural Resource Conservation Service for Assistance in Removing Debris Deposited into Dickinson Bayou and Its Tributaries as a Result of Hurricane Ike.
- ITEM 15.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ratification of Execution of Memorandum of Understanding for 2009 Texas SCORE Program Sponsored by Texas-New Mexico Power.
- ITEM 16.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number XXX-2009 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, AUTHORIZING INTERVENTION IN CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC'S APPLICATION FOR DETERMINATION OF HURRICANE RESTORATION COSTS FILED AT THE PUBLIC UTILITY COMMISSION OF TEXAS; APPROVING COOPERATION WITH THE GULF COAST COALITION OF CITIES TO REVIEW CENTERPOINT'S APPLICATION, HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL; AND PROVIDING AN EFFECTIVE DATE.**

ITEM 17.) 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 a matter in which the duty of the City Attorney requires to be discussed in closed meeting.

1. A matter in which the duty of the City Attorney requires to be discussed in closed meeting.

2. Contract Negotiations with Dickinson Volunteer Fire Department.

B. Section 551.072 – Deliberation regarding Real Property – Discussion regarding the purchase, exchange, lease or value of real property.

ITEM 18.) RECONVENE

ITEM 19.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Matters discussed in Executive Session.

ITEM 20.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number XXX-2009 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A CONSENT TO ENCROACHMENT AGREEMENT BETWEEN THE CITY OF DICKINSON AND DICKINSON INDEPENDENT SCHOOL DISTRICT, AGREEING TO THE CONTINUED ENCROACHMENT INTO THE UNNAMED ROADWAY RIGHT-OF-WAY, BY THIRTY-TWO FEET, OF THE IMPROVEMENTS, LOCATED IN THE 5200 BLOCK OF THE UNNAMED ROADWAY WITHIN THE CITY OF DICKINSON; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.**

ITEM 21.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number XXX-2009 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS APPROVING A ROADWAY DEDICATION DEED FROM DICKINSON INDEPENDENT SCHOOL DISTRICT FOR A 60' STREET RIGHT-OF-WAY THAT RUNS EAST-WEST ON THE NORTH SIDE OF SAM VITANZA STADIUM BETWEEN BAKER DRIVE AND OWENS STREET; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION BY THE CITY ADMINISTRATOR OF ANY DOCUMENTS REQUIRED TO IMPLEMENT THE ROADWAY DEDICATION DEED; AND PROVIDING AN EFFECTIVE DATE.**

ITEM 22.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number XXX-2009 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, NAMING A DEDICATED PUBLIC ROADWAY, IDENTIFIED AND DESCRIBED IN EXHIBIT “A” ATTACHED HERETO AND MADE A PART HEROF, “BIG AL DRIVE”; PROVIDING FOR INSTALLATION OF STREET SIGNS, DESIGNATION OF STREET NAME ON MAPS, AND NOTIFICATION OR APPROPRIATE AGENCIES OF STREET NAME; PROVIDING FOR INCORPORATION OF PREAMBLE; PROVIDING FOR A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE (First of three readings).

ITEM 23.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number 647-2009 - AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, FINDING AND DETERMINING THAT THE PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF MELVIN UTLEY ROAD LYING EAST OF THE PUBLIC ROAD KNOWN AS BAKER DRIVE AND WEST OF THE PUBLIC ROAD KNOWN AS OWENS DRIVE LOCATED IN THE F. P. SURVEY, ABSTRACT NO. 60, GALVESTON COUNTY, TEXAS, AS DESCRIBED IN A DEED FROM DICKINSON INDEPENDENT SCHOOL DISTRICT TO THE CITY OF DICKINSON, TEXAS RECORDED AT FILM CODE NO. 006-77-0466 OF THE OFFICIAL PUBLIC RECORDS OF GALVESTON COUNTY, TEXAS; VACATING, ABANDONING, AND CLOSING SAID PORTION OF MELVIN UTLEY ROAD; AUTHORIZING THE MAYOR AND CITY SECRETARY TO EXECUTE AND ATTEST, RESPECTIVELY, A QUIT CLAIM DEED IN CONSIDERATION FOR THE PAYMENT TO THE CITY OF FAIR MARKET VALUE THEREFOR; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT (Third of three readings).

ITEM 24.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Update on Contract Negotiations with Dickinson Independent School District for School Officers.

ITEM 25.) ADJOURN

CERTIFICATION

This is to certify that a copy of the Notice of the Regular City Council meeting for 2009, was posted on the bulletin board at City Hall, 1621 FM 517 East, Dickinson, Texas, on this 23rd day of April, 2009, prior to 6:00 p.m.

Carol L. McLemore, City Secretary

In compliance with the Americans with Disabilities Act, the City of Dickinson will provide reasonable accommodations for disabled persons attending City Council Meetings. Requests should be received at least 24 hours prior to the scheduled meeting, by contacting the City Secretary's office at 281-337-6217, or by FAX at 281-337-6190.