

Julie Masters, Mayor  
Charles Suderman  
Mary Dunbaugh  
Walter Wilson

# MINUTES

City of Dickinson  
**CITY COUNCIL**  
**REGULAR MEETING**

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

**MAY 12, 2009**

The Dickinson City Council met in a duly called and announced **REGULAR MEETING** on **TUESDAY, MAY 9, 2009**. The meeting was held in the City Council Chambers located at 1621 FM 517 East, 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**

Invocation and Pledge of Allegiance

Mayor Julie Masters called the meeting to order at 7:00 p.m. Carol McLemore gave the Invocation and Charles Suderman led the Pledge of Allegiance. City Secretary Carol McLemore called roll and certified a quorum. Council Members present were as follows: Mayor Julie Masters, Mayor Pro Tem William King and Council Members Charles Suderman, Walter Wilson, Kerry Neves, and Louis Decker. Council Member Mary Dunbaugh was absent. Also present were City Attorney, Loren Smith, City Administrator Julie Johnston, Police Chief Ron Morales, Director of Public Works Kellis George, Finance Director Mary Young, Library Director Vicki McCallister, and Assistant to Public Works Director Ana Garcia.

**ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:**

A. Proclamation – “Motorcycle Safety and Awareness Month” – May, 2009

Mayor Julie Masters read and proclaimed May, 2009 as “Motorcycle Safety and Awareness Month” in the City of Dickinson. She presented the proclamation to members of the Bay Area V-Twins Motorcycle Riders Club.

Council commented on the following topics:

- Welcome to everyone present and thanks for coming.
- Congratulations to Officer Tracy Watson who was recognized as Dickinson Police Department Officer of the Year by the Fifty Club.
- Keep Dickinson Beautiful Fundraiser at Harbour Playhouse on May 21.
- Recent break-in at Festival of Lights storage.
- Galveston County Mayors and Councilman’s Association Meeting held at Tiki Island
- Upcoming Dickinson High School Band Competition in Dallas.

**ITEM 3.) PUBLIC COMMENTS:**

Jeffrey Bean, 5793 Winding Brook, appeared before Council to ask why he is being charged for the drainage fee on his water bill. He noted that the detention ponds are maintained by the Green Isle Homeowner's Association and they do not receive any monetary support or help from the City.

Peggy Wright, 4216 Scenic Drive, asked that the Mayor and Council sign a letter to TCEQ requesting a re-hearing on the motion to grant a permit to Marlin Atlantis for a wastewater treatment plant. She noted that the letter needed to be in the TCEQ office prior to 5:00 p.m. Thursday, May 14.

**ITEM 4.) CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION:**

The following items were considered routine by the City Council and were enacted by one motion. There was not a separate discussion on these items.

- A. Approval of Minutes of Special Workshop Council Meeting of April 28, 2009
- B. Approval of Minutes of Regular Council Meeting of April 28, 2009
- C. Approval of Minutes of Special Council Meeting of May 5, 2009
- D. Approval of Resolution Number 1032-2009 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, RATIFYING THE ACTIONS OF THE CITY ADMINISTRATOR IN EXECUTING A MASTER SERVICE INTERLOCAL COOPERATIVE PURCHASING AGREEMENT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND HARRIS COUNTY DEPARTMENT OF EDUCATION; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Pro Tem King made a motion to approve the Consent Agenda. Councilman Suderman seconded the motion.

**VOTE:**

5 AYES (Suderman, Wilson, Neves, Decker and King)

0 NAYS

**MOTION PASSED.**

**OLD BUSINESS**

**ITEM 5.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** City Hall/Library Project

- A. PCC #18 – Add Set of Outlets, Data, Computer Outlet and Duplex Outlet to Desk Wall in Clerks 276 per Architects RFP No. 11.

City Administrator Julie Johnston and Fire Marshal Norman Hicks gave a brief update on the status of the project construction. Council reviewed PCC#18. Ms. Johnston noted that the changes were for additional electrical and computer outlets in the WCID area of the building and that WCID had agreed to pay for all costs associated with the change order. Councilman Suderman made a motion to approve PCC #18. Councilman Decker seconded the motion.

**VOTE:**

5 AYES (Suderman, Wilson, Neves, Decker and King)

0 NAYS

**MOTION PASSED.**

**ITEM 6.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Update on Public Works Projects

Public Works Director Kellis George gave updates on the following public works projects:

- A. Oleander Bridge Project  
Mr. George noted that no progress has been made and no start date has been set.
- B. Tanglebriar Street Construction Project  
Mr. George gave a report on the progress and projected date of completion.
- C. Sunset Drive Street Construction Project  
Mr. George noted that the pre-construction meeting was held with the bidders on Monday, May 11, and that bids were due on Friday, May 15. He said that the award of bid for the project would be on the May 26 Council Agenda.

**ITEM 7.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Update on Contract Negotiations with Dickinson Independent School District for School Officers.

Chief Ron Morales noted that the Dickinson ISD Board of Trustees had approved the annual contract for two officers. He said that he does not feel that two officers can adequately cover the problems in the schools, and he recommended that Council request Dickinson ISD pay for an additional officer to improve officer safety at the schools. After some discussion, it was the consensus of the Council that Chief Morales send a letter to Dickinson ISD advising that, unless it approves the funding of three officers in the schools, the City would no longer provide school liaison officers.

**ITEM 8.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1033-2009 - **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 AND GALVESTON COUNTY, TEXAS AUTHORIZING THE CITY TO PARTICIPATE IN THE ELEVATION PORTION OF HOME BUYOUT/ELEVATION PROGRAM AUTHORIZED PURSUANT TO THE FEMA HAZARD MITIGATION GRANT PROGRAM; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Masters read the resolution by caption only. Mayor Pro Tem King made a motion to approve Resolution Number 1033. Councilman Decker made the second.

**VOTE:**

5 AYES (Suderman, Wilson, Neves, Decker and King)

0 NAYS

**MOTION PASSED.**

**ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 668-2009 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, AMENDING CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES OF THE CITY OF DICKINSON BY THE ADDITION OF A NEW ARTICLE VI TO BE ENTITLED "LIBRARY ADVISORY BOARD"; ENABLING AND CREATING A LIBRARY ADVISORY BOARD AND PRESCRIBING THE DUTIES, RESPONSIBILITIES, AND POLICIES OF THE BOARD; PROVIDING A CUMULATIVE REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE** (First of three readings).

Mayor Masters read the ordinance by caption only. Councilman Suderman made a motion to approve the ordinance on first reading. Mayor Pro Tem King seconded the motion.

**VOTE:**

5 AYES (Suderman, Wilson, Neves, Decker and King)

0 NAYS

**MOTION PASSED.**

**ITEM 10.) 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.

Council took no action in this matter.

- ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Update on Method of Distribution for Hurricane Ike CDBG Funds Proposed by Galveston County.

The City Administrator gave a brief update on the Galveston County Commissioner's Court Meeting and the upcoming public hearing for distribution of the Hurricane Ike CDBG funds.

### **NEW BUSINESS**

- ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1034-2009 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, AUTHORIZING REVIEW OF CENTERPOINT ENERGY GAS' COST OF SERVICE ADJUSTMENT ("COSA") TARIFF; APPROVING COOPERATION WITH THE GULF COAST COALITION OF CITIES TO REVIEW CENTERPOINT'S APPLICATION; HIRING LEGAL AND CONSULTING SERVICES; APPROVING NEGOTIATION WITH THE COMPANY AND DIRECTING 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.**

Mayor Masters read the resolution by caption only. Councilman Wilson made a motion to approve Resolution Number 1034-2009. Councilman Suderman seconded the motion.

**VOTE:**

5 AYES (Suderman, Wilson, Neves, Decker and King)

0 NAYS

**MOTION PASSED.**

- ITEM 13.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1035-2009 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, REPEALING RESOLUTION NUMBER 550-2001; ADOPTING A NEW POLICY ESTABLISHING PROCEDURES AND GUIDELINES GOVERNING THE INSTALLATION OF STREET LIGHTS WITHIN THE CITY OF DICKINSON; PROVIDING FOR THE INCORPORATION OF PREAMBLE AND AN EFFECTIVE DATE.**

Mayor Masters read the resolution by caption only. Councilman Suderman made a motion to approve Resolution Number 1035-2009. Mayor Pro Tem King seconded the motion.

**VOTE:**

5 AYES (Suderman, Wilson, Neves, Decker and King)  
0 NAYS

**MOTION PASSED.**

- ITEM 14.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1036-2009 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A FIRST AMENDMENT TO THE INTERLOCAL TAX COLLECTION AGREEMENT BETWEEN THE CITY OF DICKINSON, TEXAS, AND GALVESTON COUNTY FOR THE COLLECTION OF CURRENT AND DELINQUENT TAXES ON ALL REAL AND PERSONAL PROPERTY LOCATED WITHIN THE CITY OF DICKINSON'S JURISDICTIONAL BOUNDARIES; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Masters read the resolution by caption only. Councilman Suderman made a motion to approve Resolution Number 1036-2009. Councilman Decker seconded the motion.

**VOTE:**

5 AYES (Suderman, Wilson, Neves, Decker and King)  
0 NAYS

**MOTION PASSED.**

- ITEM 15.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1037-2009 – **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 CRIMINAL JUSTICE DIVISION OF THE GOVERNOR'S OFFICE; AND PROVIDING FOR INCORPORATION OF PREAMBLE AND AN EFFECTIVE DATE.**

Mayor Masters read the resolution by caption only. Councilman Decker made a motion to approve Resolution Number 1037-2009. Mayor Pro Tem King seconded the motion.

**VOTE:**

5 AYES (Suderman, Wilson, Neves, Decker and King)  
0 NAYS

**MOTION PASSED.**

- ITEM 16.) EXECUTIVE SESSION:** The City Council held 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. Status of Negotiations with Dickinson Volunteer Fire Department.

Mayor Masters recessed the meeting into Executive Session at 8:04 p.m.

**ITEM 17.) RECONVENE**

Mayor Masters reconvened the meeting at 8:49 p.m. and noted that a joint meeting would be scheduled with Dr. Fine, EMS and the Dickinson Volunteer Fire Department to define each department's responsibilities.

**ITEM 18.) ADJOURN**

Councilman Suderman made a motion to adjourn the meeting at 8:50 p.m. Councilman Wilson seconded the motion.

**VOTE:**

5 AYES (Suderman, Wilson, Neves, Decker and King)

0 NAYS

**MOTION PASSED.**

**PASSED, APPROVED AND ADOPTED** this the 26<sup>th</sup> day of May, 2009.

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Julie Masters, Mayor

**ATTEST:**

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Carol L. McLemore  
City Secretary