

Julie Masters, Mayor  
Charles Suderman  
Mary Dunbaugh  
Walter Wilson, Mayor Pro Tem

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

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

**JUNE 8, 2010**

**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, JUNE 8, 2010** at **7:00 p.m.** at: 4403 Highway 3, 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:**

**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 Special Council Workshop of May 25, 2010.

B. Approval of Minutes of Regular Council Meeting of May 25, 2010.

C. Award of Request for Proposals for Police Authorized Towing Services to DeWitt Wrecker, Interstate Wrecker and Towing, Liggio's Wrecker Service, Inc. and Wayne's Pro-Tows, Inc.

D. Approval of Resolution Number XXX-2010 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING A POLICE AUTHORIZED TOW AGREEMENT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND DEWITT WRECKER; PROVIDING FOR INCORPORATION OF PREAMBLE; AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE ANY AND ALL**

**DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT;  
AND PROVIDING AN EFFECTIVE DATE.**

- E. Approval of Resolution Number XXX-2010 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING A POLICE AUTHORIZED TOW AGREEMENT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND LIGGIO'S WRECKER SERVICE, INC.; PROVIDING FOR INCORPORATION OF PREAMBLE; AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**
- F. Approval of Resolution Number XXX-2010 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING A POLICE AUTHORIZED TOW AGREEMENT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND WAYNE'S PRO-TOWS, INC.; PROVIDING FOR INCORPORATION OF PREAMBLE; AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**
- G. Approval of Resolution Number XXX-2010 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE RE-APPOINTMENT OF FIVE MEMBERS AND APPOINTMENT OF ONE NEW MEMBER TO THE GALVESTON COUNTY UNITED BOARD OF HEALTH; PROVIDING FOR THE INCORPORATION OF PREMISES; AND PROVIDING AN EFFECTIVE DATE.**
- H. Approval of Resolution Number XXX-2010 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE SUBMISSION OF AN UPDATED GRANT APPLICATION FOR THE 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.**

**OLD BUSINESS**

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

- A. Update on HVAC Issues.
- B. Update on Landscaping Through TxDOT Grant and Installation of Irrigation System and Drains.
- C. Update on Installation of Manual Emergency Transfer Switch at Dickinson City Hall.

- D. Update on Installation of Texas Accessibility Standard (TAS) Approved Door Operating System for the Main Entrance at Dickinson City Hall.

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

- A. Winding Brook Drainage Project
- B. Thornwood Circle Drainage Project
- C. Outfall Drainage Ditch at 29<sup>th</sup> Street and California
- D. Lovers Lane Reconstruction Project
- E. Avenue J Reconstruction Project
- F. 44<sup>th</sup> Street Reconstruction Project
- G. Sunset Drive (Timber Drive to Highway 3) Reconstruction Project
- H. Oak Ridge Reconstruction Project
- I. Cherry Street Bridge Reconstruction
- J. Deats Road Construction from Nichols to FM 1266

**ITEM 7.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Update on Hurricane Ike CDBG Projects

- A. Comprehensive Drainage Study
- B. Round 1 Infrastructure Projects

**ITEM 8.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Identification and Prioritization of Infrastructure Projects for FY 2010-2011 to be Considered by the Dickinson Economic Development Corporation and/or Dickinson Management District Number 1.

**ITEM 9.) DISCUSSION AND DIRECTION CONCERNING:** The City of Dickinson's Possible Membership in Proposed Galveston County Transit District.

**NEW BUSINESS**

**ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Approval of Appointments/Reappointments to Dickinson Economic Development Corporation

**ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Recommendations for Use of Undesignated/Unexpended Fund Balance from FY 2008-2009.

**ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number XXX-2010 - **A RESOLUTION OF THE CITY OF DICKINSON, TEXAS AUTHORIZING INTERVENTION IN TEXAS-NEW MEXICO POWER COMPANY'S REQUEST FOR APPROVAL OF AN ADVANCED METERING SYSTEM (AMS) DEPLOYMENT PLAN AND REQUEST FOR AMS SURCHARGES FILED AT THE PUBLIC UTILITY COMMISSION OF**

TEXAS; APPROVING COOPERATION WITH CITIES SERVED BY TEXAS-NEW MEXICO POWER COMPANY TO REVIEW THE 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 LEGAL COUNSEL; AND PROVIDING AN EFFECTIVE DATE.

**ITEM 13.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number XXX-2010 - AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, REPEALING ORDINANCE NUMBER 613-2007, CODIFIED AS ARTICLE VII, JUVENILE CURFEW, OF CHAPTER 12, OFFENSES – MISCELLANEOUS, OF THE CODE OF ORDINANCES OF THE CITY OF DICKINSON; AMENDING CHAPTER 12, OFFENSES – MISCELLANEOUS, OF THE CODE OF ORDINANCES BY DELETING THE CURRENT ARTICLE VII, JUVENILE CURFEW, AND SUBSTITUTING THEREFOR A NEW ARTICLE VII, JUVENILE CURFEW, ESTABLISHING A CURFEW BETWEEN THE HOURS OF 12:00 MIDNIGHT AND 5:00 A.M. ON ANY DAY OF THE WEEK, FOR PERSONS UNDER 17 YEARS OF AGE; ESTABLISHING A DAYTIME CURFEW BETWEEN 7:00 A.M. AND 2:30 P.M. ON ANY SCHOOL DAY FOR PERSONS UNDER 17 YEARS OF AGE; CONTAINING DEFINITIONS; PROVIDING IT IS UNLAWFUL FOR ANY PERSON SUBJECT TO A CURFEW TO REMAIN IN ANY PUBLIC PLACE OR ON THE PREMISES OF ANY ESTABLISHMENT WITHIN THE CITY DURING CURFEW HOURS; PROVIDING IT IS UNLAWFUL FOR ANY PARENT OR GUARDIAN OF A PERSON SUBJECT TO A CURFEW TO KNOWINGLY PERMIT, OR BY INSUFFICIENT CONTROL ALLOW, SUCH PERSON TO REMAIN IN ANY PUBLIC PLACE OR ON THE PREMISES OF ANY ESTABLISHMENT WITHIN THE CITY DURING CURFEW HOURS; PROVIDING IT IS UNLAWFUL FOR ANY PERSON OWNING, OPERATING, OR IN THE EMPLOYMENT OF ANY ESTABLISHMENT IN THE CITY TO KNOWINGLY ALLOW A PERSON SUBJECT TO A CURFEW TO REMAIN ON THE PREMISES OF SUCH ESTABLISHMENT DURING CURFEW HOURS; PROVIDING DEFENSES TO PROSECUTION FOR VIOLATIONS; PROVIDING FOR A PENALTY FOR MINORS AND FOR PARENTS OF MINORS NOT TO EXCEED \$500 AND THAT EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES SHALL BE DEEMED A SEPARATE OFFENSE; MAKING CERTAIN FINDINGS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE (First of three readings).

**ITEM 14.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number XXX-2010 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE SUBMISSION OF A

**SOLID WASTE IMPLEMENTATION GRANT APPLICATION TO HOUSTON-GALVESTON AREA COUNCIL FOR A COUNTY-WIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION, DISPOSAL, AND EDUCATIONAL EVENT IN GALVESTON COUNTY; PROVIDING FOR INCORPORATION OF PREAMBLE AND AN EFFECTIVE DATE.**

**ITEM 15.) 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 potential or contemplated litigation or a matter in which the duty of the City Attorney requires to be discussed in closed meeting.

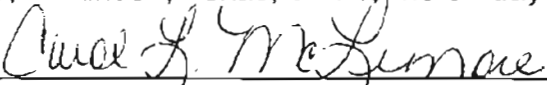
1. Status of litigation related to code enforcement issues on properties located at 2922 45<sup>th</sup> Street and 4419 St. Goar.

**ITEM 16.) RECONVENE**

**ITEM 17.) ADJOURN**

**CERTIFICATION**

This is to certify that a copy of the Notice of the Regular City Council meeting for **TUESDAY, JUNE 8, 2010**, was posted on the bulletin board at City Hall, 4403 Highway 3, Dickinson, Texas, on this the 3<sup>rd</sup> day of June, 2010, prior to 6:00 p.m.

  
\_\_\_\_\_  
Carol L. McLemore, City Secretary



In compliance with the Americans with Disabilities Act, the City of Dickinson shall 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.

**CERTIFICATION**

This is to certify that a copy of the **AMENDED** Notice of the Regular City Council meeting for **TUESDAY, JUNE 8, 2010**, was posted on the bulletin board at City Hall, 4403 Highway 3, Dickinson, Texas, on this the 4<sup>th</sup> day of June, 2010, prior to 12:00 noon.

  
\_\_\_\_\_  
Carol L. McLemore, City Secretary

