

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

AGENDA
City of Dickinson
CITY COUNCIL
REGULAR MEETING

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

SEPTEMBER 14, 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, SEPTEMBER 14, 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 August 24, 2010
- B. Approval of Minutes of Regular Council Meeting of August 24, 2010
- C. Approval of Minutes of Special Council Workshop of August 31, 2010
- D. Approval of Resolution Number XXX-2010 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL AGREEMENT BETWEEN CITY OF DICKINSON, CITY OF FRIENDSWOOD, AND CITY OF WEBSTER FOR SECURING GROUP HEALTH BENEFITS FOR CITY EMPLOYEES AND THEIR DEPENDENTS; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE MAYOR; 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 THE TERMS AND CONDITIONS OF AN INTERLOCAL COOPERATION AGREEMENT BY AND BETWEEN THE CITY OF**

DICKINSON AND DICKINSON MANAGEMENT DISTRICT NO. 1 FOR THE PROVISION OF SERVICES BY THE CITY OF DICKINSON TO DICKINSON MANAGEMENT DISTRICT NO. 1 FOR FISCAL YEAR 2010-2011; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE MAYOR; AND PROVIDING 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.

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

- A. Winding Brook Drainage Project
- B. Outfall Drainage Ditch at 29th Street and California
- C. Lovers Lane Reconstruction Project
- D. Avenue J Reconstruction Project
- E. 44th Street Reconstruction Project
- F. Sunset Drive (Timber Drive to Highway 3) Reconstruction Project
- G. Oak Ridge Reconstruction Project
- H. Hughes Road from Highway 3 to Humble Camp – Galveston County Bond Project

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

ITEM 8.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Update on Dickinson Economic Development Corporation Meeting

ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Approval of Ordinance Number 705-2010 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, REVISING SUBSECTION (6) OF SECTION 5-05, PROCEDURE FOR DETERMINATION AND ABATEMENT; NOTICE; HEARING; APPEAL, OF CHAPTER 5, BUILDINGS, OF THE CODE OF ORDINANCES OF THE CITY OF DICKINSON TO CLARIFY A DUAL APPEAL PROCESS; PROVIDING FOR THE INCORPORATION OF PREAMBLE, A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE** (Second of three readings).

NEW BUSINESS

ITEM 10.) PUBLIC HEARING with regard to the submission of an application for disaster recovery activities through the Texas Community Development Block Grant Program 2008 Supplemental Disaster Recovery Fund as

administered by the Texas Department of Rural Affairs and to obtain citizen views and comments concerning:

1. Efforts to affirmatively further fair housing
2. Development of disaster recovery needs
3. Amount of funding available
4. Eligible activities under the CDBG Disaster Recovery Program
5. Use of Past CDBG contract funds
6. Estimated funds to serve low to moderate income persons
7. Plans to minimize displacement of persons

ITEM 11.) PUBLIC HEARING ON BUDGET AND TAX RATE: Convene a Public Hearing Regarding the Proposed Fiscal Year 2010-2011 Budget and Tax Rate.

- A. Presentation of Proposed Budget and Tax Rate.
- B. Those In Favor.
- C. Those Against.
- D. Adjourn Public Hearing.

ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number XXX-2010 – **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE CITY OF DICKINSON, TEXAS, FOR FISCAL YEAR 2010-2011; MAKING APPROPRIATIONS FOR THE CITY FOR SUCH FISCAL YEAR AS REFLECTED IN SAID BUDGET; PROVIDING FOR THE INCORPORATION OF PREAMBLE; MAKING CERTAIN FINDINGS AND CONTAINING CERTAIN PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE** (First and only reading).

ITEM 13.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number XXX-2010 – **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, APPROVING THE 2010 AD VALOREM TAX (DEBT) RATE AND LEVY OF \$0.07889 PER HUNDRED DOLLARS OF ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY AND APPROVING THE 2010 AD VALOREM TAX (MAINTENANCE AND OPERATION) RATE AND LEVY OF \$0.32971 PER HUNDRED DOLLARS OF ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY; PROVIDING FOR THE ASSESSMENT, LEVY AND COLLECTION OF AD VALOREM TAXES OF THE CITY OF DICKINSON, TEXAS, FOR THE YEAR 2010 AND FOR EACH YEAR THEREAFTER UNTIL OTHERWISE PROVIDED; PROVIDING THE DATE ON WHICH SUCH TAXES SHALL BE DUE AND PAYABLE; PROVIDING FOR PENALTY AND INTEREST ON ALL TAXES NOT TIMELY PAID; AUTHORIZING EXEMPTIONS; AND PROVIDING A REPEALER CLAUSE AND AN EFFECTIVE DATE** (First and only reading)

- ITEM 14.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ratification of Increased Property Tax Revenues Reflected in the FY 10-11 Budget Adopted Pursuant to Ordinance Number XXX-2010
- ITEM 15.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number XXX-2010 - **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE DICKINSON ECONOMIC DEVELOPMENT CORPORATION FOR FISCAL YEAR 2010-2011; MAKING APPROPRIATIONS FOR THE CITY FOR SUCH FISCAL YEAR AS REFLECTED IN SAID BUDGET; PROVIDING FOR THE INCORPORATION OF PREAMBLE; MAKING CERTAIN FINDINGS AND CONTAINING CERTAIN PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE** (First and only reading).
- ITEM 16.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Award of Competitive Sealed Bid Number 1007-03 for the Historic Railroad Center Re-Roofing Project.
- ITEM 17.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number XXX-2010 - **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS SUSPENDING THE OCTOBER 1, 2010 EFFECTIVE DATE OF TEXAS-NEW MEXICO POWER COMPANY'S ("TNMP'S") REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH OTHER TNMP CITIES; HIRING LLOYD GOSSELINK ATTORNEYS AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; DIRECTING TNMP TO REIMBURSE THE CITY'S RATE CASE EXPENSES ON A MONTHLY BASIS; 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 18.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Acceptance of Resignation of Jasper Liggio from the Board of Adjustments and Appeals and Appointments to fill Vacancy Created by Resignation and Vacancy of Alternate Member.
- ITEM 19.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Casting Ballot for TML-IRP Board of Trustees Election.
- ITEM 20.) 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. City of Dickinson, Texas v. Scott Shearer.

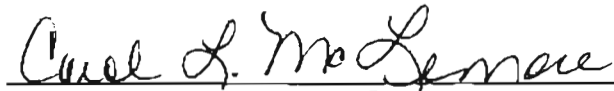
ITEM 21.) RECONVENE

ITEM 22.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Matters discussed in Executive Session.

ITEM 23.) ADJOURN

CERTIFICATION

This is to certify that a copy of the Notice of the Regular City Council meeting for **TUESDAY, SEPTEMBER 14, 2010**, was posted on the bulletin board at City Hall, 4403 Highway 3, Texas, on this the 9th day of September, 2010, 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.