

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

OCTOBER 12, 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, OCTOBER 12, 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 September 14, 2010
- B. Approval of Minutes of Regular Council Meeting of September 14, 2010
- C. 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 AGREEMENT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND R.B. EVERETT & COMPANY FOR CONSTRUCTION EQUIPMENT RENTAL (CAT SS250B SOIL STABILIZER AND A BOMAG MODEL 100 SOIL STABILIZER) FOR FISCAL YEAR 2010-2011; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; PROVIDING FOR THE INCORPORATION OF PREMISES; AND PROVIDING AN EFFECTIVE DATE.**
- 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 AGREEMENT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND UNITED RENTALS NORTHWEST, INC. FOR CONSTRUCTION EQUIPMENT RENTAL (CAT 312 EXCAVATOR, CAT 320 EXCAVATOR, CAT D4C BULLDOZER, CAT D5C BULLDOZER AND A 2,000 GALLON WATER TRUCK) FOR FISCAL YEAR 2010-2011; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; PROVIDING FOR THE INCORPORATION OF PREMISES; 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 AGREEMENT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND AAA ASPHALT PAVING, INC. AS CONTRACTOR FOR AVENUE J STREET REHABILITATION PROJECT FROM HOLLAND DRIVE TO HILTON LANE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; 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. Update on HVAC Issues.

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

- A. Outfall Drainage Ditch at 29th Street and California
- B. Lovers Lane Reconstruction Project
- C. Avenue J Reconstruction Project
- D. 44th Street Reconstruction Project
- E. Sunset Drive (Timber Drive to Highway 3) Reconstruction Project
- F. Oak Ridge Reconstruction Project
- G. Cherry Drive Bridge

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.

NEW BUSINESS

- ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number XXX-2010 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN AGREEMENT FOR JOINT USE OF PARKING FACILITIES BY AND BETWEEN THE CITY OF DICKINSON, TEXAS, DICKINSON ECONOMIC DEVELOPMENT CORPORATION, AND DICKINSON FIRST UNITED METHODIST CHURCH; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.
- ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number XXX-2010 – AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, REVISING THE PAY CLASSIFICATION STRUCTURE FOR FULL-TIME EMPLOYEES CONTAINED IN APPENDIX B OF THE CITY OF DICKINSON PERSONNEL POLICY (2005) TO INCLUDE THE POSITIONS OF “ASSISTANT BUILDING OFFICIAL,” “COMMUNICATIONS SUPERVISOR” AND “JAILER” AND PAY RANGES FOR SUCH POSITIONS; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE (First of three readings).
- ITEM 11.) PUBLIC HEARING:** Regarding Statement of Intent and Application of CenterPoint Energy Houston Electric, LLC for Authority to Change Rates Within the City of Dickinson.
- A. Presentation of Proposed Rate Increase by CenterPoint Energy Houston Electric, LLC
 - B. Adjournment of Public Hearing.
- ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number XXX-2010 - AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS FINDING THAT THE EXISTING ELECTRIC DISTRIBUTION RATES OF CENTERPOINT ENERGY HOUSTON ELECTRIC LLC (“CENTERPOINT” OR “COMPANY”) ARE UNREASONABLE AND SHOULD BE REDUCED; ORDERING CENTERPOINT TO REDUCE ITS EXISTING RATES WITHIN THE CITY; ORDERING CENTERPOINT TO SUBMIT TARIFFS CONSISTENT WITH THE RECOMMENDATION OF THE GULF COAST COALITION OF CITIES’ CONSULTANTS IN PUBLIC UTILITY COMMISSION OF TEXAS DOCKET NO. 38339; ORDERING CENTERPOINT TO REIMBURSE THE CITY FOR ITS REASONABLE COSTS INCURRED IN THIS RATE CASE AND ANY RELATED RATEMAKING PROCEEDINGS OR APPEALS OF SAID PROCEEDINGS; AUTHORIZING THE GULF COAST COALITION OF CITIES TO ACT ON BEHALF OF CITY AND INTERVENE IN ANY PROCEEDINGS BEFORE ADMINISTRATIVE OR JUDICIAL BODIES; REQUIRING DELIVERY OF

THIS ORDINANCE TO THE COMPANY AND LEGAL COUNSEL; AND PROVIDING AN EFFECTIVE DATE (First and only reading).

ITEM 13.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Approval of Award of 2010 COPS Hiring Program (CHP) Grant

ITEM 14.) 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 551.072 of the Texas Government Code - Deliberate the purchase, exchange, lease, value or sale of real property owned by Jeff Wyatt on Winding Brook in Dickinson, Texas.
- B. Section 551.074 – Personnel Matters to deliberate the appointment, evaluation, reassignment, duties, or dismissal of a public officer or employee, to wit: the members of the Dickinson Economic Development Corporation.

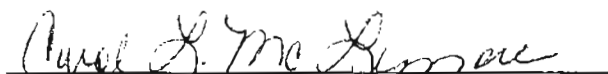
ITEM 15.) RECONVENE

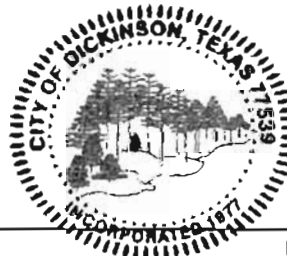
ITEM 16.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number XXX-2010 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A CONSENT TO ENCROACHMENT AGREEMENT BETWEEN THE CITY OF DICKINSON AND JEFF WYATT, AGREEING TO THE CONTINUED ENCROACHMENT INTO THE UNNAMED TWENTY FOOT DRAINAGE EASEMENT, BY THREE AND EIGHT-TENTHS FEET, OF THE IMPROVEMENTS, LOCATED AT 5210 WINDING BROOK DRIVE 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 17.) ADJOURN

CERTIFICATION

This is to certify that a copy of the Notice of the Regular City Council Meeting for **TUESDAY, OCTOBER 12, 2010**, was posted on the bulletin board at City Hall, 4403 Highway 3, Texas, on this the 7th day of October, 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.