

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

MINUTES
City of Dickinson
CITY COUNCIL
REGULAR MEETING

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

OCTOBER 12, 2010

The Dickinson City Council met in a duly called and announced **REGULAR MEETING** on **TUESDAY, OCTOBER 12, 2010**. The meeting was held in the City Council Chambers located at 4403 Highway 3, 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. Kevin Byal gave the Invocation and Kerry Neves 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 Walter Wilson and Council Members Charles Suderman, Mary Dunbaugh, Kerry Neves, Louis Decker and William King. Also present were City Attorney, Loren Smith, City Administrator Julie Johnston, Chief Ron Morales, Director of Public Works Kellis George, Finance Director Mary Young, Fire Marshal Norman Hicks, Development Coordinator Angela Forbes.

ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:

Mayor Masters read a proclamation and proclaimed October as "Breast Cancer Awareness Month" in the City of Dickinson. She presented the proclamation to breast cancer survivors, City Administrator Julie Johnston and City Secretary Carol McLemore

Council commented on the following topics:

- Welcome to everyone present and thanks for coming
- Congratulations to breast cancer survivors
- Julie Johnston's recent interview on Channel 2 about her battle with breast cancer
- Fall Festival at True Cross Catholic Church
- Dickinson Beautiful Wag and Walk at Ray Holbrook Park
- Continuing work for Festival of Lights
- Upcoming election and early voting
- Candidates Forum scheduled at Dickinson VFW
- Dickinson Historical Society Reception scheduled at the Depot
- New roof at the Depot
- National Night Out and thanks to Tony Valdes for his work in getting it organized

- Dickinson Gators Football
- Upcoming Household Hazardous Waste Event at Gulf Greyhound Park

ITEM 3.) PUBLIC COMMENTS:

There were no public comments.

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 Council Workshop of September 14, 2010
- B. Approval of Minutes of Regular Council Meeting of September 14, 2010
- C. Approval of Resolution Number 1152-2010 – **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 1153-2010 - **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 1154-2010 – **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.**

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

VOTE:

6 AYES (Suderman, Dunbaugh, Wilson, Neves, Decker and King)

0 NAYS

MOTION PASSED.

OLD BUSINESS

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

A. Update on HVAC Issues.

Fire Marshal Norman Hicks briefed Council on the latest events in the ongoing HVAC issues with the City Hall building.

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

Public Works Director Kellis George updated Council on the ongoing Public Works projects. He noted that the cleaning of the outfall drainage ditch at 29th Street and California that runs from Texas Avenue to Owens Drive had been completed and showed before and after photographs. The City Administrator gave a brief report of the Lovers Lane reconstruction project. Mr. George noted that work on Avenue J would begin since the contract had been approved tonight. He also told Council that the bid packet for 44th Street, Sunset Drive and Oak Ridge had been released and bids would be presented at the first meeting in November. He gave a brief report on the Cherry Drive Bridge project.

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

City Administrator Julie Johnston gave a brief update on the Hurricane Ike CDBG grant projects.

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

Mark Townsend, President of the Dickinson Economic Development Corporation, gave a brief report of the October meeting. He noted that the DEDC was changing its regular meeting date from the first Thursday of the month to the first Monday of the month beginning with the November meeting.

NEW BUSINESS

ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number 1155-2010 – **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.**

Mayor Masters read the resolution by caption only. Councilman Suderman made a motion to approve Resolution Number 1155-2010. Councilman Decker seconded the motion.

VOTE:

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

MOTION PASSED.

ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number 709-2010 – **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).**

Mayor Masters read the ordinance by caption only. Councilman King made a motion to approve Ordinance Number 709-2010 on first reading. Councilwoman Dunbaugh seconded the motion.

VOTE:

6 AYES (Suderman, Dunbaugh, Wilson, Neves, Decker and King)

0 NAYS

MOTION PASSED.

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.

Mayor Masters opened the Public Hearing at 7:39

A. Presentation of Proposed Rate Increase by CenterPoint Energy Houston Electric, LLC

No one appeared from CenterPoint Energy to make a presentation.

B. Adjournment of Public Hearing.

Mayor Masters adjourned the Public Hearing at 7:40 p.m.

ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number 710-2010 - **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).**

Mayor Masters read the ordinance by caption only. Mayor Pro Tem Wilson made a motion to adopt Ordinance Number 710-2010 on first and only reading. Councilman King made the second to the motion.

VOTE:

6 AYES (Suderman, Dunbaugh, Wilson, Neves, Decker and King)

0 NAYS

MOTION PASSED.

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

Councilwoman Dunbaugh made a motion to approve the award of the 2010 COPS Hiring Program Grant. Councilman Suderman seconded the motion. Chief Ron Morales explained the funding and the use of the additional officers.

VOTE:

6 AYES (Suderman, Dunbaugh, Wilson, Neves, Decker and King)

0 NAYS

MOTION PASSED.

ITEM 14.) 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 551.072 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.

Mayor Masters recessed the meeting into Executive session at 7:46 p.m.

ITEM 15.) RECONVENE

Mayor Masters reconvened the meeting at 8:31 p.m.

ITEM 16.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number 1156-2010 – **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.**

Mayor Masters read the resolution by caption only. Councilman Suderman made a motion to approve Resolution Number 1156-2010. Councilman Decker seconded the motion.

VOTE:

6 AYES (Suderman, Dunbaugh, Wilson, Neves, Decker and King)

0 NAYS

MOTION PASSED.

ITEM 17.) ADJOURN

Mayor Pro Tem Wilson made a motion to adjourn the meeting at 8:32 p.m. Councilman King seconded the motion.

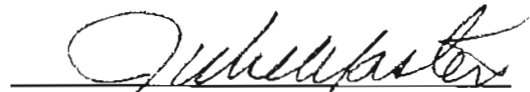
VOTE:

6 AYES (Suderman, Dunbaugh, Wilson, Neves, Decker and King)

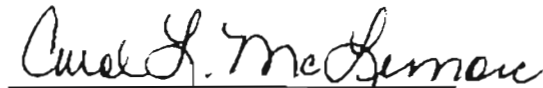
0 NAYS

MOTION PASSED.

PASSED, APPROVED AND ADOPTED this the 26th day of October, 2010.


Julie Masters, Mayor

ATTEST:


Carol L. McLemore
City Secretary

