

Julie Masters, Mayor
Charles Suderman
Bruce Henderson
Walter Wilson

MINUTES
City of Dickinson
CITY COUNCIL
REGULAR MEETING

Wally Deats, Mayor Pro Tem
Louis Decker
William H. King III
Chris Heard, City Administrator

August 28, 2018

The Dickinson City Council met in a duly called and announced **REGULAR MEETING** on **Tuesday, August 28, 2018, at 7:00 p.m.** 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

Mayor Masters called the meeting to order at 7:08 p.m.

ITEM 2.) INVOCATION

Council Member King gave the invocation.

ITEM 3.) PLEDGE OF ALLEGIANCE

Council Member Henderson led the Pledge of Allegiance.

ITEM 4.) ROLL CALL

Deputy City Secretary Gabrielle Bernal called roll and certified a quorum. Council Members present were as follows: Mayor Julie Masters, Mayor Pro-Tem Wally Deats, and Council Members Charles Suderman, Bruce Henderson, Walter Wilson, Louis Decker, and William H. King, III. Also present were City Administrator Chris Heard, Assistant City Administrator/Chief Financial Officer Stephanie Russell, City Attorney David Olson, Director of Community Development Zachary Meadows, Director of Public Works Bryan Milward, and Police Chief Ron Morales. City Secretary Alun Thomas was absent.

ITEM 5.) PROCLAMATIONS AND ANNOUNCEMENTS:

A. Proclamations.

- a. Laundered with Kindness Day

Mayor Masters read and presented the Proclamation.

B. Announcements.

- a. Council Comments.

- Welcome and thank you to all for attending the meeting.

- The next “Coffee with the Chief” event will be held on September 4.
 - “Meet the Teacher” nights are approaching, please be careful while driving due to the increased number of children in the area.
 - Everyone is encouraged to thoroughly research potential contractors before giving them money, as many people scam others during disaster recovery.
 - Thank you to City Administrator Chris Heard for attending and speaking at the First United Methodist Church’s Hurricane Harvey anniversary event.
 - Please contact Jack at First United Methodist Church if you would like to volunteer to help people recover from Hurricane Harvey.
 - Thank you to City Administrator Chris Heard for facilitating the repair of the railroad crossing on FM 517.
 - Installation of traffic lights at FM 517 and Rau Drive has now been completed.
 - Hurricane Harvey was a humbling experience, and the City is working to help those affected, including by staff working with outside entities. The City is still waiting on some funding.
 - The State of Texas is working on laws that would limit local control in the state, which would be to our City’s detriment.
 - The next Knights of Columbus fish fry will be held on September 7. Everyone is invited to attend.
 - True Cross schools have reopened after making repairs from Hurricane Harvey. Thank you to Father Larry for his commitment and leadership during the rebuilding efforts.
 - The Festival of Lights is seeking volunteers to assist with the Festival this year.
 - Everyone is encouraged to contact their congressmen and other elected representatives to try to get more hurricane recovery funding for the City of Dickinson.
- b. Update on Activities of the Houston-Galveston Area Council (Council Member King).

There was not a quorum for the August 21 Planning Committee meeting, but the members present discussed the financial report and education improvements. Also discussed was hurricane recovery funding; Dickinson remains first on the list of recipients for others’ unexpended funds.

- c. Update on Activities of the Dickinson Bayou Watershed Partnership (Council Member Decker).

There was not a quorum for the August 20 meeting, for the fourth meeting in a row. Some members, such as Alvin and Manvel, never attend the meetings. Those present discussed the need for detention ponds, and not just additional waterflow into Dickinson Bayou. Council Member Deats posed questions about the organization's charter and authority.

- d. Update on Activities of the Dickinson Economic Development Corporation (Director of Economic Development Angela Forbes).

Ms. Forbes was not present at the meeting, so this item was not discussed.

- e. Update of Public Works Projects (Bryan Milward).

Director of Public Works Bryan Milward provided an update to Council, and addressed questions concerning project timelines and project engineering.

ITEM 6.) 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.**

None.

ITEM 7.) 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.

Council Member Deats asked that Items 7A and 7C be removed from the consent agenda and discussed after the consent agenda.

- B. Approval of the Minutes of the Regular Council Meeting of August 14, 2018.
- D. Approval of the Minutes of the Regular Council Meeting of February 25, 2003.
- E. Approval of the Minutes of the Special Council Meeting of February 27, 2003.
- F. Resolution Number XXX-2018 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE**

RENEWAL OF AN INTERLOCAL AGREEMENT BETWEEN CITY OF DICKINSON AND GALVESTON COUNTY FOR EMERGENCY MEDICAL RESPONSE SERVICES IN UNINCORPORATED PORTIONS OF GALVESTON COUNTY ADJACENT TO THE CITY OF DICKINSON; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE RENEWAL BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.

Council Member Wilson made a motion to approve Items 7B, 7D, 7E, and 7F, and Council Member Henderson seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Henderson, Wilson, Deats, Decker, King)

0 NAYS

MOTION PASSED

- A. Approval of the Minutes of the Council Workshop Meeting of August 14, 2018.

Council Member Wilson made a motion to approve Item 7A with a correction to Item 14 within the minutes to note that the proposed policy to stay revenue-neutral would be subject to the growth and development within the city, and not a standard policy. Council Member Deats seconded the motion. There being no further discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Henderson, Wilson, Deats, Decker, King)

0 NAYS

MOTION PASSED

- C. Approval of the Minutes of the Council Workshop Meeting of August 21, 2018.

Council discussed the verbiage proposed for the minutes for the final discussion under Item 2. It was the consensus of Council that Council Member Deats' rebuttal be included in the minutes, and that City Secretary Alun Thomas should review the audio recording for the meeting to ensure that the final discussion is properly reflected.

Council Member Deats made a motion to table Item 7C pending the correction, and Council Member Henderson seconded the motion. There being no further discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Henderson, Wilson, Deats, Decker, King)

0 NAYS

MOTION PASSED

OLD BUSINESS

None.

NEW BUSINESS

- ITEM 8.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution 1692-2018 – A RESOLUTION OF THE CITY OF DICKINSON, TEXAS, WAIVING THE DRAINAGE CHARGES UNDER THE MUNICIPAL DRAINAGE UTILITY SYSTEM FOR THE 2018 CALENDAR YEAR; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

Council discussed the drainage fee, and its low collection rate of approximately 53%. Council Member Wilson expressed concerns about waiving the fee, given that next year's tax rate has yet to be adopted. City Administrator Chris Heard reminded Council that the waiver proposed under this Item would only be for the 2018 calendar year.

Council Member Henderson made a motion to approve the resolution, and Council Member Suderman seconded the motion. There being no further discussion, Mayor Masters called for the vote.

VOTE:

3 AYES (Suderman, Henderson, Deats)

3 NAYS (Wilson, Decker, King)

There being a tie vote, Mayor Masters cast an "AYE" vote to break the tie.

MOTION PASSED

- ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Setting a Date for a Public Hearing to Consider a Proposed Ordinance to Abandon the Municipal Drainage Utility System.

Assistant City Administrator/Chief Financial Officer Stephanie Russell presented the item, and discussed the billing cycle for the drainage fee, which is billed by calendar year and not by fiscal year. Ms. Russell noted that the date for the public hearing would have to allow the City time to post a 30 day notice of the hearing. After a brief discussion, Council Member King made a motion to set the public hearing date as October 9,

2018, and Council Member Wilson seconded the motion. There being no further discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Henderson, Wilson, Deats, Decker, King)

0 NAYS

MOTION PASSED

ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Designation of City Representative and Alternate to the Houston-Galveston Area Council 2019 General Assembly.

Council Member Wilson made a motion to reappoint Council Member King as the City's representative, and to reappoint Council Member Deats as the City's alternate representative to the Houston-Galveston Area Council 2019 General Assembly. Council Member Decker seconded the motion. There being no further discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Henderson, Wilson, Deats, Decker, King)

0 NAYS

MOTION PASSED

ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance XXX-2018 – **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, DELETING SECTION 2-27 SUBSECTION D, COUNCIL MEETINGS: ORDER OF AGENDA, CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES OF THE CITY OF DICKINSON, TEXAS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.** (First of Three Readings)

Council discussed the proposed ordinance, including whether the order of the agenda should be prescribed through codification or should allow for the City to have more flexibility in how the agenda is arranged. Council Member Suderman expressed his concern at removing the subsection and effectively leaving a blank hole in the City's Code of Ordinances.

Council Member King made a motion to approve the first reading of the ordinance, and Council Member Decker seconded the motion. There being no further discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Henderson, Wilson, Deats, Decker, King)

0 NAYS

MOTION PASSED

ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number 1688-2018 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH HUITT-ZOLLARS, INC. FOR ENGINEERING SERVICES IN SUPPORT OF IMPROVING THE CITY'S DRAINAGE SYSTEM; AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE AN AGREEMENT FOR SUCH SERVICES; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

Council discussed the proposed hydrological study, with Council Member Wilson expressing his concerns about the soundness of spending money on studies for unfunded projects. City Administrator Chris Heard informed Council that the study would help the City be proactive in addressing flooding concerns, and for standard maintenance, projects, and proposals.

Greg Wine, Senior Vice President of Huitt-Zollars, Inc. addressed questions regarding the City's drainage system capacity, noting that the system must handle more than just the conveyance of water to Dickinson Bayou. The main outcome of the proposed project is the identification of projects that could be completed to improve the drainage system. Mr. Heard said that any projects identified through the study would be brought to Council separately, and he ultimately would be responsible for project management. Council Member King expressed his approval for the resolution, given that the City must work quickly to present projects to the General Land Office for funding.

Council Member Decker made a motion to approve the resolution, and Council Member Henderson seconded the motion. There being no further discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Henderson, Wilson, Deats, Decker, King)

0 NAYS

MOTION PASSED

ITEM 13.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number 1689-2018 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH HUITT-ZOLLARS, INC. FOR PREPARATION OF FEMA SECTION 406 HAZARDOUS MITIGATION PROPOSAL; AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE AN AGREEMENT FOR SUCH SERVICES; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

Council Member Wilson made a motion to approve the resolution, and Council Member Deats seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Henderson, Wilson, Deats, Decker, King)

0 NAYS

MOTION PASSED

- ITEM 14.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Rejecting All Proposals for Request for Proposal (RFP) #1811 for Group Medical Insurance.

Council Member Wilson made a motion to reject all proposals for Request for Proposal (RFP) #1811 for Group Medical Insurance, and Council Member King seconded the motion. There being no further discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Henderson, Wilson, Deats, Decker, King)

0 NAYS

MOTION PASSED

- ITEM 15.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Recessing the Regularly Scheduled Meeting of the City Council in Order to Conduct Business as the City of Dickinson Employee Benefits Trust.

Mayor Masters recessed the Regular Meeting at 9:03 p.m.

- ITEM 16.) RECONVENE**

Mayor Masters reconvened the Regular Meeting at 9:04 p.m.

- ITEM 17.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1687-2018 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, ACCEPTING THE ACTION OF THE CITY OF DICKINSON EMPLOYEE BENEFITS TRUST TO ACCEPT THE RENEWAL OFFER FOR EMPLOYEE MEDICAL AND PHARMACY INSURANCE FROM BLUE CROSS BLUE SHIELD, THE RENEWAL OFFER FOR EMPLOYEE DENTAL INSURANCE FROM GUARDIAN, THE RENEWAL OFFER FOR LIFE INSURANCE FROM GUARDIAN, AND THE RENEWAL OFFER FOR VISION INSURANCE FROM HUMANA COMP BENEFITS; RE-AUTHORIZING FUNDING; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE RENEWALS BY THE ASSISTANT CITY ADMINISTRATOR; AND PROVIDING AN EFFECTIVE DATE.**

Council Member Henderson made a motion to approve the resolution, and Council Member Wilson seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Henderson, Wilson, Deats, Decker, King)

0 NAYS

MOTION PASSED

ITEM 18.) CONDUCT A PUBLIC HEARING CONCERNING: Public Proposed Tax Rate of \$0.455 per \$100 in Assessed Value for The Fiscal Year Beginning October 1, 2018 And Ending September 30, 2019.

Mayor Masters opened the public hearing at 9:06 p.m.

A. Staff Presentation

Assistant City Administrator/Chief Financial Officer Stephanie Russell presented the proposed tax rate to Council, noting that this public hearing was above and beyond the City's minimum requirements for public input on the proposed tax rate.

B. Those In Favor

None.

C. Those Opposed

None.

D. Announcement: The City of Dickinson's tax rate is scheduled for adoption on Tuesday, September 11, 2018, at 7:00 p.m., at a Regular City Council Meeting, to be held in the City of Dickinson Council Chambers, located at 4403 Highway 3, Dickinson, Texas 77539.

E. Adjourn Public Hearing

Council Member King made a motion to adjourn the public hearing at 9:07 p.m., and Council Member Henderson seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Henderson, Wilson, Deats, Decker, King)

0 NAYS

MOTION PASSED

ITEM 19.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution 1691-2018 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, CONFIRMING THE REAPPOINTMENTS AND NEW APPOINTMENTS OF MEMBERS TO THE GALVESTON COUNTY UNITED BOARD OF HEALTH; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

Council Member Henderson made a motion to confirm the reappointment or new appointment of Holly Lilley, Della Grusendorf Brown, Tripp Montalbo, Curtis Klages, Mary Jo Godinich, Patrick McGinnis, and Dewey H. Bruntto the Galveston County United Board of Health, and Council Member Wilson seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Henderson, Wilson, Deats, Decker, King)

0 NAYS

MOTION PASSED

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 pending litigation, specifically the Armstrong lawsuit, and matters in which the duty of the City Attorney requires to be discussed in closed meeting.
- B. Section 551.071 – Consultation with Attorney regarding the role of the City Council in the supervision of the Dickinson Economic Development Corporation ("DEDC") and the DEDC employees, as well as the implementation of DEDC policies and procedures.

Mayor Masters recessed the meeting at 9:09 p.m.

ITEM 21.) RECONVENE

Mayor Masters reconvened the regular meeting at 10:16 p.m.

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

Council Member Wilson made a motion to remove Darrell Carney, Chris Tucker, and Elizabeth Moreno from the board of Dickinson Economic Development Corporation, and Council Member Henderson seconded the motion. There being no discussion, Mayor Masters called for the vote.


VOTE:
6 AYES (Suderman, Henderson, Wilson, Deats, Decker, King)
0 NAYS
MOTION PASSED

ITEM 23.) ADJOURN

Council Member Wilson made a motion to adjourn the meeting at 10:17 p.m., and Council Member King seconded the motion. There being no discussion, Mayor Masters called for the vote.


VOTE:
6 AYES (Suderman, Henderson, Wilson, Deats, Decker, King)
0 NAYS
MOTION PASSED

PASSED, APPROVED AND ADOPTED this the 11th day of September, 2018.



Julie Masters, Mayor

ATTEST:



Alun W. Thomas, City Secretary

