

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
Julie M. Robinson, City
Administrator

March 8, 2016

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, March 8, 2016, 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.

Mayor Masters called the meeting to order at 7:02 p.m. Minister Sowell with Mount Olive Baptist Church gave the invocation, and Council Members led the Pledge of Allegiance. Deputy City Secretary Alun Thomas 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, Louis Decker, Walter Wilson, Bruce Henderson, and William H. King, III. Also present were City Administrator Julie Robinson, City Attorney David Olson, City Secretary Carolyn Anderson, Administrative Services Manager Stephanie Russell, Director of Community Development Zach Meadows, Public Works Director Kellis George, Fire Marshal Lee Darrow, and Chief Ron Morales.

ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:

- Welcome to everyone present
- Encouragement to residents to prepare for the forecasted bad weather
- Thanks to City Secretary Carolyn Anderson for her service to the City of Dickinson and well wishes for the future
- Thanks to Minister Sowell for giving the invocation
- Council Member King recently attended the memorial service for Linda Trippodo Rogers, wife of City employee Michael Rogers, in League City. The eulogist was Jasper Liggio.
- Congratulations to Captain Melvin Mason for completing the LEMIT course at Sam Houston State University and to the other officers who have previously completed the course.
- Council Member King attended a celebration for Pastor Lewis Little on his pastor's anniversary two weeks ago

- Council Member King conducted a food distribution event this past Saturday
- The Optimist Club will hold an Easter egg hunt at the Dickinson ISD Administration Building on Saturday, March 26, 2016, for children ages 2-13
- Trash Bash is Saturday, April 2, 2016, at the boat ramp on Highway 3. Registration begins at 8:00-8:30am.
- Thank you to the Dickinson Police Department and Dickinson Volunteer Fire Department for their efforts in trying to find the missing man who unfortunately drowned last night in Dickinson Bayou. Thank you also to Detective Cromie for his handling of the media.
- March 12 is the start of Daylight Saving Time
- The Knights of Columbus will host fish fries this Friday, March 11, March 18, and April 1. Drive-through service is available.
- Council Member Suderman thanked everyone for their prayers for his daughter who had surgery yesterday
- Mayor Masters encouraged everyone to say prayers for Jimmy Wright, husband of TABC employee Carol Wright, who will undergo surgery in the morning
- The First United Methodist Church will have a fish fry on Good Friday
- Condolences to the Reagan family on the death of former First Lady Nancy Reagan

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.**

None.

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 the Minutes of the Workshop Council Meeting of February 23, 2016
- B. Approval of the Minutes of the Regular Council Meeting of February 23, 2016
- C. Resolution Number 1508-2016 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE AERIAL SPRAYING FOR THE ABATEMENT OF MOSQUITOES OVER AND WITHIN THE CITY OF DICKINSON BY THE GALVESTON**

COUNTY MOSQUITO CONTROL DISTRICT AND PROVISIONS RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.

Council Member Wilson made a motion to approve the Consent Agenda. Council Member King seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

At this time, Mayor Masters asked if there was any objection to taking up Agenda Items 8, 9, and 10 at this time, and there was no objection.

ITEM 8.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Award Of Competitive Sealed Bid #1601-01 For City Of Dickinson Street Rehabilitation 2016 For 35th Street (Kansas Ave. To California Ave.), Nebraska Street (46th Street To WWTP), And Johnson Street (Dead End North Of Lobenstein Ln To Dead End South Of Lobenstein Ln) To Aranda Brothers Construction Co., In An Amount Not To Exceed \$1,328,696.00.

Council Member Deats made a motion to approve the Award of Competitive Sealed Bid #1601-01 for the City of Dickinson Street Rehabilitation 2016 for 35th Street (Kansas Ave. to California Ave.), Nebraska Street (46th Street To WWTP), and Johnson Street (Dead End North Of Lobenstein Ln to dead end south of Lobenstein Ln) to Aranda Brothers Construction Co., in an amount not to exceed \$1,328,696.00, and Council Member Henderson seconded the motion.

There was a discussion concerning the increase in costs to the City to bid out all of the street rehabilitation work compared to the previous process used by the City wherein Public Works crews performed the subgrade work and the differences between what work was included in the bids versus the work included in the City's original estimates for the projects. Administrative Services Manager Stephanie Russell advised Council that, excluding internal labor costs, bidding out the entire project had approximately doubled the cost for the project compared to the previous method cost. The Council discussed the need to be able to compare absolute project costs to determine whether to proceed with bidding out all aspects of the street rehabilitation projects in the future, and Mrs. Russell agreed to provide overall per-linear-foot costs to Council going forward to facilitate that comparison.

Council requested an update on the status of the search for a construction inspector in light of the fact that the different bids were being awarded. Mrs.

Russell advised Council that the Request for Proposals for Construction Inspection has been issued, and the deadline for submissions is March 23.

There being no further discussion, Mayor Masters called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

- ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Award Of Competitive Sealed Bid #1601-02 For City Of Dickinson Street Rehabilitation 2016 For Gill Road (Rodeo Bend Drive To Bess Road), Hollywood Street (Timber Drive To S.H. 3), Mariner Way (Commodore Drive To Bayou Drive), And Pine Oak Circle (Pine Oak Drive To Dead End Of Pine Oak Circle) To MAR-CON Services, LLC., In An Amount Not To Exceed \$1,148,612.60.

Council Member Suderman made a motion to approve the Award of Competitive Sealed Bid #1601-02 For City Of Dickinson Street Rehabilitation 2016 for Gill Road (Rodeo Bend Drive To Bess Road), Hollywood Street (Timber Drive To S.H. 3), Mariner Way (Commodore Drive To Bayou Drive), and Pine Oak Circle (Pine Oak Drive To Dead End Of Pine Oak Circle) to MAR-CON Services, LLC., in an amount not to exceed \$1,148,612.60, and Council Member Deats seconded the motion.

There was discussion concerning whether the City had coordinated with the City of League City or Galveston County to have the remainder of Gill Road completed concurrently with the City's project. Public Works Director Kellis George advised Council that the remainder of the street, which is now entirely within the City of League City as a result of its recent annexation, is an asphalt street that is in good condition and therefore not in need of replacement at this time.

There being no further discussion, Mayor Masters called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

- ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Award Of Competitive Sealed Bid #1601-03 For Bayou Chantilly Outfall Repair To RAC Industries, LLC., In An Amount Not To Exceed \$94,300.00.

Council Member Henderson made a motion to approve the Award of Competitive Sealed Bid #1601-03 for Bayou Chantilly Outfall repair to RAC

Industries, LLC., in an amount not to exceed \$94,300.00, and Council Member King seconded the motion.

There was discussion concerning why the scope of this project had not been included in the last round of CDBG work in Bayou Chantilly and why the bids were so much greater than the engineer's estimate. Mr. Travis Sellers with IDS Engineering advised the Council that this project includes five separate outfalls and lies within an overgrown easement which will require many large trees to be removed, and several air conditioning units to be relocated, and as such was planned to be a future project. Mr. Sellers explained that the work will be conducted between the bulkhead at Dickinson Bayou and 40 feet back from the bulkhead, and that each of the outfalls will be equipped with backflow preventers at the street. Each outfall pipe will be replaced, not sleeved. Mr. Sellers had previously looked at the cost of adding sleeves to the lines, or working in the Bayou, but both were cost-prohibitive. With regard to the increased bid amounts, Mr. Sellers advised that the engineer's estimate was based upon an estimate provided by Conrad Construction while they were performing work in the City on another CDBG project. The estimate anticipated lower mobilization costs due to the fact that the company was already working in the City, and the submitted bids were from companies that are not currently working in the City.

There being no further discussion, Mayor Masters called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

OLD BUSINESS

ITEM 5.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Update of Public Works Projects

- A. Fiscal Year 2014-2015 Street Maintenance Sales Tax Projects [48th Street (East of Highway 3), Leonetti Lane, 33rd Street (East), 28th Street (West of Highway 3), Oleander (Palm to Bridge), Greenbriar Street]
- B. Dakota Street Reconstruction Project [Fiscal Year 2013-2014 Street Maintenance Sales Tax Project]
- C. Eastside Drainage Project [Disaster Recovery CDBG Round 2.2: 26th Street, 29th Street, Briar Glen Subdivision Drainage]
- D. Issues Related To Luhning Drive

Public Works Director Kellis George presented Council with an update on the status of the current Public Works Projects and addressed the questions of Council.

- ITEM 6.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 836-2016 – **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, ADOPTING CHAPTER 3, ECONOMIC DEVELOPMENT, OF THE COMPREHENSIVE PLAN; PROVIDING FOR THE INCORPORATION OF PREMABLE; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE.** (Second of Three Readings)

Mayor Masters read the ordinance by caption only. Council Member Deats made a motion to approve the ordinance in two readings, and Council Member Decker seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

NEW BUSINESS

- ITEM 7.) PRESENTATION AND DISCUSSION CONCERNING:** Annual Traffic Contact Report As It Relates To Senate Bill 1074 (Racial Profiling) For Calendar Year 2015 Required By Article 2.134 Of The Texas Code Of Criminal Procedure (TCCP).

Chief Ron Morales and Fire Marshal Lee Darrow presented the Council with summaries of their respective Departments' Annual Traffic Contact Reports as it relates to Senate Bill 1074 for the Calendar Year 2015 required by Article 2.134 of the Texas Code of Criminal Procedure for Dickinson Police Department and the Fire Marshal's Office. Chief Morales and Fire Marshal Darrow addressed the questions of Council.

- ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number XXX-2016 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, AUTHORIZING AND APPROVING THE DICKINSON ECONOMIC DEVELOPMENT CORPORATION'S PROJECT TO EXPEND FUNDS FOR THE DEVELOPMENT OF A RETAIL TRADE CENTER; CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.** (First of Two Readings)

Mayor Masters read the resolution by caption only. Council Member Deats made a motion to approve the first reading of the resolution, and Council Member Decker seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number 1509-2016 – **A RESOLUTION OF THE CITY OF DICKINSON, TEXAS, DECLARING CANDIDATES FOR COUNCIL MEMBER POSITION NUMBERS 2, 4 AND 6 UNOPPOSED; AND DECLARING CANDIDATES FOR COUNCIL MEMBER POSITION NUMBERS 2, 4, AND 6 ELECTED; PROVIDING FOR THE CANCELLATION OF THE MAY 7, 2016, GENERAL ELECTION; CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING FOR SEVERABILITY, A REPEALER CLAUSE AND AN EFFECTIVE DATE.**

Mayor Masters read the resolution by caption only. Council Member King 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, Wilson, Henderson, Deats, Decker and King)

0 NAYS

MOTION PASSED

ITEM 13.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Establishment Of And Appointment Of Committee Members To An Animal Services Advisory Committee.

Administrative Services Manager Stephanie Russell advised the Council that, in addition to the named representatives on the agenda item, the City of Clear Lake Shores has selected Pege Wright as their representative to the new Animal Services Advisory Committee. Mrs. Russell further explained that establishment of the Committee is required by state law since the animal shelter is located within the City of Dickinson's city limits.

Council Member Wilson made a motion to establish an Animal Services Advisory Committee and appoint the members as recommended by City staff, and Council Member Decker seconded the motion.

There being no discussion, Mayor Masters called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

Mayor Masters recessed the regular meeting at 7:48 p.m.

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 551.071 – Consultation with Attorney regarding pending or contemplated litigation or a matter in which the duty of the City Attorney requires to be discussed in closed meeting.
- B. Section 551.072 – Deliberation Regarding Real Property – Discussion Regarding the Purchase, Exchange, Lease or Value of Real Property.
- C. Section 551.087- Discuss or deliberate regarding commercial or financial information that the City of Dickinson has received from a business prospect that the City of Dickinson seeks to have locate, stay or expand in or near the City and which the City of Dickinson is conducting economic development negotiations.

ITEM 15.) RECONVENE

Mayor Masters reconvened the regular meeting at 8:24 p.m.

ITEM 16.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Matters Discussed in Executive Session.

None.

ITEM 17.) ADJOURN

Council Member Wilson made a motion to adjourn the meeting at 8:25 p.m., and Council Member Henderson seconded the motion.

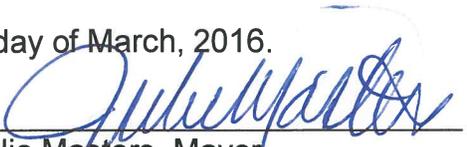
VOTE:

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

0 NAYS

MOTION PASSED

PASSED, APPROVED AND ADOPTED this the 22nd day of March, 2016.


Julie Masters, Mayor

ATTEST:


Alun W. Thomas, Interim City Secretary

