

MINUTES
City of Dickinson
CITY COUNCIL
REGULAR MEETING

June 23, 2020

The Dickinson City Council met in a duly called and announced **REGULAR MEETING** on **Tuesday, June 23, 2020, 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 AND CERTIFICATION OF A QUORUM

Mayor Masters called the meeting to order at 7:05 p.m. City Secretary Alun Thomas called roll and certified a quorum. Council Members present were as follows: Mayor Julie Masters, Mayor Pro-Tem Charles Suderman, and Council Members Sean Skipworth, Walter Wilson, Wally Deats, Louis Decker, and William H. King, III. Also present were City Attorney David Olson, City Administrator Chris Heard, Director of Community Services Kola Olayiwola, Library Director Julianne Lane, Assistant Library Director Kathy Soehl, and Assistant to the Community Services Director Andrew Crawford.

ITEM 2.) INVOCATION

Council Member King gave the invocation.

ITEM 3.) PLEDGE OF ALLEGIANCE

Council Member Decker led the Pledge of Allegiance.

ITEM 4.) PROCLAMATIONS

None.

ITEM 5.) ANNOUNCEMENTS AND PRESENTATIONS:

A. Council Comments.

- Welcome to everyone attending the meeting.
- The next Knights of Columbus fish fry will be on July 3, from 5:00 to 7:30 p.m., and will be drive-through only.
- Condolences to the family of Sue Winkler on her recent passing-away.
- The number of confirmed cases of coronavirus (COVID-19) continues to increase. We all need to work together to minimize our exposure by wearing masks and maintaining social distance.

- Condolences to the family of Bennie Nipper on her recent passing-away. Ms. Nipper ran the Harbour Playhouse on Highway 3 and will be missed.
- Significant rainfall is forecast for tonight.
- Tree branches near the library block the view when pulling onto Highway 3, so need to be trimmed. There is also a dead tree there that needs to be removed.
- Juneteenth was celebrated last week. The day represents an important day of freedom for African Americans.
- Condolences to the Foster and Lewis families.
- Thank you to those who have been helping those in need during these times, including Mayor Masters, Galveston County Food Bank, and M.I. Lewis Social Service Center.
- Galveston Community Action Council provides help to people who are struggling to pay their rent or utility bills.
- Senior citizens who need help with air conditioning can receive up to \$5,000 in free assistance this summer.
- Thank you to Melissa Washington with the Texas General Land Office for attending this meeting.

B. Drainage Operations and Maintenance Plan (City Administrator Chris Heard).

City Administrator Chris Heard introduced the item, and Joe Myers, Vice President of Huitt-Zollars, the City's contract hydrological engineers, presented the plan. Mr. Myers explained that the plan will help make the City's operations better. Council Member Deats expressed his support for the plan and for the Fulcrum system, which is a geospatial data collection application. Mr. Heard said that he has been trying to implement a system but that he has been held back by everyone when he tries. Mr. Heard also said that the City staff is both limited and computer illiterate, which he would like to change. Mr. Heard also complained that previous street reconstruction projects undertaken by the City did not consider drainage needs.

Council Member Deats asked for an update on the staffing levels of the Public Works division of the Community Services department. Mr. Heard said that there are four employees there currently, but that interviews are underway for a street superintendent position. He plans for the division having either three crews of four people or four crews of three people within the next two or three months. The current staff, Mr. Heard said, does not know how to operate much of the equipment, so are accidentally damaging it. He said that the City does not have training programs or safety protocols for the division, and that it needs good leadership.

C. Comprehensive Plan Request for Qualifications (City Administrator Chris Heard).

City Administrator Chris Heard introduced the item, noting that Director of Community Services Kola Olayiwola produced the draft and that it needs more detail, but that it would go out to the public in mid-July. He said that the City has approximately \$100,000 to \$150,000 to spend on a new Comprehensive Plan. The Texas General Land Office's grant program for such plans will have its funding released in January 2021. In the meantime, Mr. Heard said, staff will be making the City's code more conducive to development, hopefully with the assistance of Galveston County Water Control and Improvement District No. 1.

Council discussed the timeframe for the new Comprehensive Plan, which Mr. Heard said will take one year to do properly. Council Member King stressed that the City did not need a weakened Comprehensive Plan, and Council Member Skipworth said that the draft Request for Qualifications looked quite good and asked that the City solicit input on it from the public.

D. Presentation and Acceptance of Fiscal Year 2018-2019 Audited Comprehensive Annual Financial Report and Federal Single Audit Report Prepared by Belt, Harris Pechacek, LLLP, Certified Public Accountants (Belt, Harris Pechacek, LLLP).

City Administrator Chris Heard discussed the reports and said that he worked with the auditors to remove the comment about the City not timely paying Texas Department of Transportation from the final document. Mr. Heard then addressed questions from Council about the identified deficiencies in the City's grant administration, saying that much of that issue is attributable to how the City managed its \$10,000,000 advance from Federal Emergency Management Agency (FEMA). FEMA, he said, changed its mind three times about how the City needed to handle the funds. Mr. Heard said that when the new Finance Director starts in July, the City can begin correcting its financial processes.

Council Member King made a motion to accept the Fiscal Year 2018-2019 Audited Comprehensive Annual Financial Report and Federal Single Audit Report, and Council Member Skipworth seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

ITEM 6.) REPORTS:

- A. Update on Activities of the Houston-Galveston Area Council (Council Member King).

Council Member King provided Council with an update on the June 16th meetings of the Houston-Galveston Area Council, including a discussion of job training and placement opportunities that are available for young people, and HGAC's Weather Aware program, which encourages people to have an evacuation plan in place for hurricane season.

- B. Update on Activities of the Dickinson Economic Development Corporation (Dickinson Economic Development Corporation Chief Executive Officer Scott Jones).

Dickinson Economic Development Corporation (DEDC) Chief Executive Officer Scott Jones presented to Council and discussed DEDC's programs and projects. He discussed a possible upcoming program to provide scholarships for Dickinson Independent School District graduates who live in the city limits of Dickinson.

Mr. Jones said that DEDC would like to have a strategic plan in place by next fiscal year. Mayor Masters said that the strategic plan should be done in coordination with the City's upcoming revisions to its Comprehensive Plan. Mr. Jones said that it would be better if DEDC did not have to wait another year before having a strategic plan to guide its activities. Mr. Jones concluded his report by saying that he would like more joint meetings between DEDC and City Council.

- C. City Administrator's Report and Update on Public Works Projects (City Administrator Chris Heard).

City Administrator Chris Heard said that, in the interest of time, he would not present the report this evening. The written report was made available to Council last week through its inclusion in the Council Packet.

ITEM 7.) 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.**

John Dougan, 1009 Royal Oak Drive, Dickinson, Texas – Mr. Dougan questioned why City Administrator Chris Heard was still a board member of the Dickinson Economic Development Corporation (DEDC), noting that on May 26, 2020 Council Member Deats had asked for a City Council agenda

item to allow for Mr. Heard's removal from the board, and that such an item was never added to an agenda. He said that in the June 16, 2020 Joint Meeting of DEDC and City Council, Mayor Masters said that Mr. Heard was the City's liaison to DEDC, yet Mr. Heard seldom attends DEDC meetings and failed to attend the most recent one. City Council members also rarely attend DEDC meetings, although DEDC Chief Executive Officer Scott Jones does provide Council with frequent updates.

Mr. Dougan said that Council is "gaslighting" (a term used to refer to a specific type of manipulation where the manipulator is trying to get one or more other people to question their own reality, memory or perceptions), and that the truth is that the City has lost many employees because of Mr. Head. Now, Mr. Dougan believes, Mr. Heard is working to sabotage DEDC's relationship with a property developer. City Council, he said, needs to stop being weak and start doing what is in the best interests of the city. He also urged Council to remove Mr. Heard from the board of DEDC so that people need not work through Mr. Heard or Mayor Masters, who Mr. Dougan said have worked together to create a hostile work environment for staff. Mr. Dougan concluded his comments by asking where Mr. Heard's performance evaluation was; the City's response to Mr. Dougan's public information request for the record said that it was to be released to the public today.

ITEM 8.) 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 Regular Council Meeting of June 9, 2020.
- B. Approval of the Minutes of the Joint Special Workshop Council Meeting of June 16, 2020.
- C. Resolution Number 1844-2020 – **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 ("CITY"), DICKINSON INDEPENDENT SCHOOL DISTRICT ("DISD"), AND GALVESTON COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 ("WCID#1") FOR A JOINT ELECTION FOR THE NOVEMBER 3, 2020, GENERAL ELECTION; 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.**
- D. Resolution Number 1845-2020 – **A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, DESIGNATING**

AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TxCDBG) CONTRACT NUMBER 7219110.

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

VOTE:

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

0 NAYS

MOTION PASSED

- ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 957-2020 – **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, DELETING ARTICLE V, FLOOD HAZARD AREAS, OF CHAPTER 14, PLANNING AND DEVELOPMENT, OF THE CODE OF ORDINANCES AND ADOPTING A NEW ARTICLE V, FLOOD DAMAGE PREVENTION AND PROTECTION, OF CHAPTER 14, PLANNING AND DEVELOPMENT OF THE CODE OF ORDINANCES; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$500 FOR EACH DAY OF VIOLATION HEREOF; AND PROVIDING A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.**
(Second of Three Readings)

Council Member Suderman made a motion to approve the Ordinance in two readings, and Council Member Wilson seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

- ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1846-2020 – **A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS ACCEPTING THE COMMISSIONER'S COURT OF GALVESTON COUNTY INVITATION TO JOIN THE GULF COAST TRANSIT DISTRICT (GCTD) AND AUTHORIZING THE CITY ADMINISTRATOR TO FACILITATE THE TRANSFER OF EXISTING INTERLOCAL AGREEMENTS FOR TRANSIT SERVICES, AND OTHER RELATED AGREEMENTS, WITH THE GULF COAST CENTER TO THE GCTD.**

Council Member Suderman made a motion to approve the Resolution, and Council Member King seconded the motion. In response to a question, Mayor Masters confirmed that the Resolution includes appointing her as the City's representative to the Gulf Coast Transit District. There being no further discussion, Mayor Masters called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

- ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1847-2020 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, AUTHORIZING THE CITY ADMINISTRATOR TO ISSUE AN ORDER FOR TASK WORK AUTHORIZATION NUMBER 5 FOR DRAINAGE REPAIR AND CULVERT REPAIR ON PALM DRIVE, 43RD STREET, ANCHOR WAY, AND FALCO STREET; PROVIDING FOR INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.**

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

VOTE:

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

0 NAYS

MOTION PASSED

- ITEM 12.) 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 and matters in which the duty of the City Attorney requires to be discussed in closed meeting.

Mayor Masters recessed the regular meeting at 8:43 p.m.

- ITEM 13.) RECONVENE**

Mayor Masters reconvened the regular meeting at 9:33 p.m.

ITEM 14.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Matters Discussed in Executive Session.

None.

ITEM 15.) ADJOURN

Council Member Wilson made a motion to adjourn the meeting at 9:33 p.m., and Council Member Deats seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

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

0 NAYS

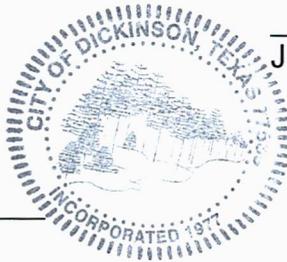
MOTION PASSED

PASSED, APPROVED AND ADOPTED this the 14th day of July, 2020.

ATTEST:



Alun W. Thomas, City Secretary


Julie Masters, Mayor