

STATE OF TEXAS)(
 CITY OF FRIENDSWOOD)(
 COUNTIES OF GALVESTON/HARRIS)(
 JANUARY 08, 2018)(
)

MINUTES OF A REGULAR MEETING OF THE FRIENDSWOOD CITY COUNCIL THAT WAS HELD ON MONDAY, **JANUARY 08, 2018**, AT 5:30 PM AT FRIENDSWOOD CITY HALL COUNCIL CHAMBERS, 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS, WITH THE FOLLOWING PRESENT CONSTITUTING A QUORUM:

MAYOR	KEVIN HOLLAND
MAYOR PRO-TEM	STEVE ROCKEY
COUNCILMEMBER	SALLY BRANSON
COUNCILMEMBER	JIM HILL
COUNCILMEMBER	MIKE FOREMAN (Arrived at 5:43 PM)
COUNCILMEMBER	JOHN SCOTT
COUNCILMEMBER	CARL GUSTAFSON
CITY ATTORNEY	MARY KAY FISCHER
CITY MANAGER	ROGER ROECKER
CITY SECRETARY	MELINDA WELSH

REGULAR SESSION

Mayor Holland called the meeting to order.

The invocation was given by Pastor Mike Cervantes with New Hope Church.

Mayor Holland led the Pledge of Allegiance to the United States and to the State of Texas.

COMMUNICATIONS FROM THE PUBLIC

Omar Peck, Friendswood resident, addressed Council and stated he announced his candidacy one year ago for Councilmember in the 2017 election, and tonight he stands before Council to announce he has intentions to run in the 2018 election for the position of Mayor. As citizens endeavor to maintain the founder's core values of faith, family, and education, they are faced with many struggles. Some of the struggles are the impact of growth on the City and the ability to maintain a bedroom community. The preamble of the City Charter states a good government can only be defined as that which is holy and justly participated in by citizens under its jurisdiction. He is announcing his intention to run for the position of Mayor for the City of Friendswood, and looks forward to working with all of the citizens to make the City of Friendswood better.

Tom Dickens, Galveston resident, addressed Council and stated he is running for District Attorney in Galveston County. He is currently retired, and had some people tell him to run for District Attorney (DA). His background is pretty simple, he worked his way through undergraduate, graduate, and law school as a policeman. It is relevant for him to run for DA because he knows the hardships and difficulties, the difference between bad, evil people and stupid people and people who just cannot help themselves. He believes core values need to be changed in the DA's office, a DA should be leader, politics and statistics should be taken out of the DA's office, community relations with the DA's office should be improved, and due process needs to return to Galveston County. He has spent years in the courtroom, knows what it takes to convince juries, and knows what to do with evidence.

WORK SESSION

Mayor Holland opened the discussion regarding the Capital Project update. Director of Public Works/City Engineer Patrick Donart presented a PowerPoint presentation regarding the progress made on Capital Projects since the December Council meeting. He reported on Old City Park, restroom and pavilion at

Lake Friendswood, Lift Station No. 23, Mandale Bridge, Pavement Management Survey has begun, concrete maintenance street repairs, Blackhawk Boulevard Phase II, Blackhawk Wastewater Treatment Plant, current Texas Department of Transportation (TxDOT) projects and county projects throughout the City.

Discussion took place between Mayor, Council, and Staff regarding the consensus of Council was to remove the trees in Lake Friendswood near the pavilion area since they are not hardwood.

Mayor Holland opened the discussion regarding City fees update. Administrative Services Director Katina Hampton stated that over the past year Staff has worked together to review the City's fees, some proposed fees were included in the adopted budget for Fiscal Year 2017-2018 and some are due to changes in state law that have gone into effect. The proposed fee adjustments related to the Administrative Services Department include administrative fees and credit card convenience fees specifically in Utility Billing. Staff has surveyed neighboring cities and studied the costs associated with some of the services Utility Billing, Public Works, and have incurred along with credit card fees. Staff found that the City's current fee structure is not sufficient in some areas to offset the cost of services. Due to the nature of the proposed fees related to services offered the proposed fee adjustments would not impact most utility customers. The City currently incurs approximately \$100,000 a year in credit card fees when customers pay their utility bills or other City service fees with their credit cards. The credit card convenience fee was discussed during the recent budget process, Staff surveyed surrounding cities comparable to the City of Friendswood, and found that some of the cities charge less than the proposed fees, but a lot of the cities are looking at reviewing their fees to see if they are meeting the actual cost of the services they are providing. Staff is proposing a fee adjustment to include service connection second trip fees, water meter second re-read fees, proof of residency documentation form fees, letter of utility account credit history form fee, and a credit card convenience fee. Ms. Hampton introduced Deputy Director of Community Development/City Planner Aubrey Harbin to explain the proposed fee adjustments from the Community Development Department for administrative fees, building permits, telecommunication fees, and subdivision fees. Ms. Harbin stated the proposed adjustments to the Zoning Board of Adjustment's application fee, Specific Use Permit (SUP) application fee, and Planned Unit Development (PUD) application fee is to bring the City in line with the fees of other communities. The City of Friendswood is by far the most reasonable in the area in regards to fees, but take into consideration the Staff time and documents it requires to process all the applications. Staff recommends not making an adjustment to the Zone Change Application due to the simple application process, but when a PUD and SUP is required there are detailed site plans that, for the most part, include a site plan review. The proposed adjustment to the base permit fee is due to the City not being allowed by the state to charge electrician registration fees as of October 1, 2018. The state does not allow the City to charge plumbers, fire companies that install and service fire alarm or sprinkler systems, and now they have added electricians to the list. Anytime a Permit Technician receives an application, Staff has to verify that the applicant's insurance and license is current with the state. Since the state keeps limiting the City's ability to charge registration fees, Staff's recommendation is to increase the base permit fee due to the work that is required every time Staff processes a permit. Staff's recommendation is not to significantly increase revenue but to try to compensate for Staff's time. The proposed addition of grease trap inspections and water meter installation is to add fees that have been missing from the application for years, and Staff time that is used to go out and do the inspections was taken into consideration on the proposed fee adjustment. The current proposed ordinance is effective immediately after the second reading, but an effective date could be added to the proposed ordinance in order to give adequate notice.

Discussion took place between Mayor, Council, and Staff regarding the consensus of Council was for Council to not take action on the proposed fee ordinance, Staff will present two separate ordinances for the different types of fees at the next Council meeting, and for Staff to provide more detail regarding revenue impact related to the proposed fee adjustments.

With concurrence of Council, Mayor Holland moved to Agenda Item 11, City Manager's Report.

CITY MANAGER'S REPORT

City Manager Roger Roecker reported that the Annual Tree Giveaway sponsored by Keep Friendswood Beautiful (KFB) will be held January 20, 2018, starting at 8:00 AM at City Hall. Over 100 – fifteen gallon container trees will be given away to residents. The trees chosen this year include Nuttall Oak, Chinese Fringe, and Monterrey Oak. The trees have been provided by Alvin Tree Farms. The giveaway is limited to one tree per family (first come-first served) and is for Friendswood residents only. A City water bill or driver's license is required. For more information, please contact the City of Friendswood Parks and Recreation Department.

The City Manager reported that every year in December the City recognizes its employees for their years of dedicated service. Awards are given in five year increments and presented at the Employee Christmas Party. The City appreciates all the employees across all departments and the hard work they do to provide the quality services the citizens of Friendswood expect.

The City Manager reported that the City has applied to the Texas Water Development Board for a Flood Mitigation Assistance Grant related to Hurricane Harvey, application included 44 homes for potential buyout, has been forwarded to Federal Emergency Management Agency (FEMA) for review, and the City is awaiting a response from FEMA. The 44 homes reported in the application total \$13.4 Million in value, and the local share of the grant if awarded is \$1.2 Million. To date, the City has spent \$1.6 Million related to debris removal and monitoring services, emergency protective measures are estimated to total \$1.1 Million, the City has received \$1.3 Million for debris removal and other protective measures, includes a check Mayor Holland received from Governor Greg Abbott for \$126,600. Staff has received calls from citizens expressing concerns about trailers appearing in resident's driveways, and the City is currently allowing trailers if they are being used by residents who received damage from Hurricane Harvey with acceptable permits.

With concurrence of Council, Mayor Holland moved to Agenda Item 15, Consent Agenda.

CONSENT AGENDA

****Councilmember Rockey moved to remove Consent Agenda Item A. Endorse the Mayor's appointment of a board member to the Board of Directors of the Harris-Galveston Subsidence District to fill a term expiring January 31, 2020, from the Consent Agenda.**

Seconded by Councilmember Hill. The motion was approved unanimously.

****Councilmember Scott moved to approve all items on the Consent Agenda as presented with the exception of Agenda Item A. B. Accepting the November 2017 Property Tax Report. C. Approving the Minutes of the December 04, 2017, Council Meeting.**

Seconded by Councilmember Rockey. The motion was approved unanimously.

****Councilmember Rockey moved to approve Consent Agenda Item A. Endorse the Mayor's appointment of a board member to the Board of Directors of the Harris-Galveston Subsidence District to fill a term expiring January 31, 2020, and nominate Shannon Lucas to the Harris-Galveston Subsidence District.**

Seconded by Councilmember Gustafson. The motion was approved unanimously.

With concurrence of Council, Mayor Holland moved to Agenda Item 14, Communications from the Mayor and Councilmembers.

COMMUNICATIONS FROM THE MAYOR AND COUNCILMEMBERS

Councilmember Rockey stated City Council Position No. 1 is up for reelection in May, and has decided he is going to run again. It has been an honor to serve the citizens of Friendswood, believes the City will have a difficult year or two due to the storm and other things, and his experience will be helpful.

Mayor Holland stated he would like to wish everyone a Happy New Year, suggested that trees be planted at Friendswood Lake Park since trees are being removed from the lake, but do not block the view of the lake. It has been an honor to serve the City of Friendswood as Mayor, has been a great opportunity but it

comes with sacrifices. He stated that after a lot of soul searching and praying he has decided he will run again for the position of Mayor. Thanked the citizens for allowing him to serve as their Mayor for the past two terms.

Councilmembers Branson, Hill, Foreman, Scott, and Gustafson stated they had nothing to report.

With concurrence of Council, Mayor Holland moved to Agenda Item 6, Closed Executive Session.

CLOSED EXECUTIVE SESSION

Mayor Holland asked if anyone would like to speak regarding the Executive Session. No one spoke.

Council convened into Executive Session in accordance with the Texas Government Code, pursuant to Section 551.072 – Deliberations about Real Property; to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governing body in negotiations with a third party, and Section 551.071 – Consultation with City Attorney regarding pending or contemplated litigation involving Comcast franchise.

RECONVENE INTO OPEN SESSION

Council reconvened into Open Session with action taken later in the meeting regarding Section 551.071 – Consultation with City Attorney regarding pending or contemplated litigation involving Comcast franchise.

ACTION ITEM

**Councilmember Foreman made a motion to authorize the City to file a lawsuit against Comcast. Seconded by Councilmember Branson. The motion was approved unanimously.

JOINT PUBLIC HEARING

Mayor Holland and Planning and Zoning Commission Chair Rhonda Neel called a Joint Public Hearing to order to receive comments from the public both oral and written, regarding a request to vacate a 40-foot drainage easement for a 0.069 acre tract of land (3031.41 sq. ft.) located within Lot 5, Block 1, Section 9 of Autumn Creek Subdivision, property located at 10 Steven Luke Lane, Friendswood, Harris County, Texas.

Planning and Zoning Commission Chair Neel asked if anyone would like to speak in favor of or in opposition of the request. No one spoke.

Deputy Director of Community Development/City Planner Aubrey Harbin explained that the portion of the drainage easement the requestor is requesting the City vacate is completely in a private lot, requestor would like to do an addition to their house, and nothing has been installed within the drainage easement.

Planning and Zoning Commission Chair Neel adjourned the Planning and Zoning Commission's portion of the Joint Public Hearing. Mayor Holland left Council's portion of the Joint Public Hearing open.

COMMUNICATIONS FROM THE PUBLIC

Phillip Ratisseau, Friendswood resident, addressed Council and stated he has decided to run for City Council Position No. 3. He has been asked to run to represent his family, friends, and other citizens of the City of Friendswood, and to make the workings of the City known. He would like to fill Councilmember Hill's position, and is looking forward to a good election season.

Kathy Rogers, Friendswood resident, addressed Council and stated she would like to speak on the Consent Agenda item for the Harris-Galveston Subsidence District nomination, but understands it was moved up in the meeting and has already been voted on. The Board of Directors is rather heavy on

Friendswood representation, she is a board member appointed by the county, Don Johnson is currently a board member, she is wondering why Mayor Holland made the recommendation without soliciting volunteers from the City, and why Mayor Holland did not work with other cities for the nomination.

Mayor Holland stated in November 2017, Council approved Shannon Lucas to fill an unexpired position.

Kathy Rodgers, Friendswood resident, stated Council concurred but also needed six other cities to agree with the appointment.

Mayor Holland stated it is a nomination.

Kathy Rodgers, Friendswood resident asked if the City worked with other cities.

Mayor Holland answered that is all he was going to say.

COMMUNICATIONS FROM COMMITTEES AND SPECIAL REPORTS

Mayor Holland stated Zoning Board of Adjustment Chair Greg Hughes was not present at the meeting to give the annual report for the Zoning Board of Adjustment.

Friendswood Downtown Economic Development Corporation (FDEDC) President Ron Cox presented the annual report. Mr. Cox introduced the members of FDEDC and stated the Board's last report was in August 2017, and there has been a lot done since then. The Board has worked together for well over a year now, and a lot of things have been done behind the scenes. The first few months were centered on organizational issues, followed by a planning retreat to discuss FDEDC's mission relative to the ballot language. At the end of the FDEDC report in August, it was stated that the Board was going into an information-gathering mode. The Board invited the City of Pearland and City of Nassau Bay to discuss the improvements they are making in their cities, and additional research by the Board on the internet showed that over 200 cities participate and have a 4A or 4B sales tax. A number of projects have been identified that are feasible projects for the downtown area including street lighting, sidewalks, benches, and the other items discussed in the ballot language. The Board realized in planning their priorities that outside assistance was needed in what the projects would consist of and the location of the projects. With the assistance of Economic Development Coordinator Karen Capps, the Board asked three different landscape architect companies in the Houston area to make a presentation on the type of projects they have been involved with and what they could do for the City of Friendswood's downtown effort. The Board unanimously recommends Laura Griffith and Associates to assist the Board. The process includes citizen engagement and to identify specific projects with specific budgets. At the next Board meeting there will be additional conversations with Laura Griffith and Associates to discuss their proposal and to begin to formulate a budget. The Board will bring to Council the proposal and a budget amendment to identify budget items needed. A Public Hearing will be required on the proposed project. Council has approved a project that is currently ongoing in regards to the removal of utility poles and wires. FDEDC's vision is that downtown Friendswood be a family friendly destination with beautiful streetscapes and unique businesses. FDEDC's mission is to communicate and engage with citizens as part of the planning process, make well planned strategic recommendations to Council, and exercise fiduciary responsibilities to the taxpayers.

Discussion took place between Mayor, Council, and Friendswood Downtown Economic Development Corporation (FDEDC) President Ron Cox regarding that Laura Griffith and Associates would lead the process of receiving citizen input on projects.

Landowner and developer Dan Rucker gave a report and presented a PowerPoint presentation regarding the development of the North Panhandle area. Mr. Rucker gave an overview and perspective on the Friendswood Panhandle region including land use and ownership of the Webster Unit, land use and ownership of the Panhandle area, land use and ownership of the Panhandle Floodplain and well locations, preliminary plan for the Northern Panhandle and infrastructure, Hotel Feasibility Study by University of Houston finding that City of Friendswood resulted in too high of a risk for a convention

center/resort type hotel, area transportation planning including Harris County is in the final planning stage for the next phase of Beamer Road at FM 2351 but have no plans to incorporate future Blackhawk Boulevard into Beamer Road projects, and Petition for Abandonment of proposed extension of Blackhawk Boulevard signed by owner's requesting the City of Friendswood set aside by resolution the extension of Blackhawk Boulevard.

Discussion took place between Mayor, Council, and Dan Rucker regarding that the consensus of Council was for Mr. Rucker to take his request to the Planning and Zoning Commission (P&Z) for a recommendation to be brought to Council from P&Z.

With concurrence of Council, Mayor Holland moved to Agenda Item 12, Discussion and possible action regarding dedication of a public sidewalk easement at 1729 South Friendswood Drive for the CareNow site.

ACTION ITEM (continued)

****Councilmember Hill** moved to approve the dedication of a public sidewalk easement at 1729 South Friendswood Drive for the CareNow site.

Seconded by Councilmember Branson. The motion was approved unanimously.

ORDINANCES

No motion was made on the First reading of Ordinance No. T2018-01 – An ordinance amending Appendix D of the Code of Ordinances of the City of Friendswood, Texas, by providing for the addition or adjustment of administration fees, buildings and building regulations fees, business permit fees, telecommunications fees, utility service fees and credit card processing convenience fees

No motion was made on the First reading of Ordinance No. T2018-02 – An ordinance of the City of Friendswood, Texas, amending the Code of Ordinances, Chapter 14, "Buildings and Building Regulations" by amending Section 14-2 Registration and Licensing of Providers and Repair Services", Section 14-64 "License Required", Section 14-118 "Responsibility for Inspection and Fees", Section 14-160 "Who may obtain", Section 14-162 "Schedule of Fees" and repealing Section 14-230 through 14-232 relating to electrician's licensing; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; providing for severability, publication and an effective date.

Deputy Director of Community Development/City Planner Aubrey Harbin reported that the Planning and Zoning Commission's vote for Agenda Item 13C, First reading of Ordinance No. T2018-03, An ordinance approving a vacation of a portion of a public easement located within the property located at 10 Steven Luke Lane in Autumn Creek Section 9 Subdivision; authorizing the Mayor to execute and the City Secretary to attest a Quitclaim Deed by and between the City and Chris Fuke was **approved unanimously**.

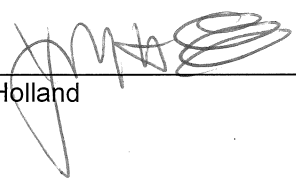
****Councilmember Scott** moved to approve the First reading of Ordinance No. **T2018-03** – An ordinance approving a vacation of a portion of a public easement located within the property located at 10 Steven Luke Lane in Autumn Creek Section 9 Subdivision; authorizing the Mayor to execute and the City Secretary to attest a Quitclaim Deed by and between the City and Chris Fuke.

Seconded by Councilmember Hill. The motion was approved unanimously.

****Councilmember Branson** moved to approve the First and Final reading of Ordinance No. **2018-04** – An ordinance amending City of Friendswood, Texas, Ordinance No. 2017-32, passed and approved October 2, 2017, same being an ordinance approving and adopting the City's General Budget for Fiscal Year 2017-2018 by approving "Budget Amendment III" to the "Original General Budget of the City of Friendswood, Texas, for the Fiscal Year 2017-2018"; providing for supplemental appropriation and/or transfer of certain funds; providing for severability; and providing other matters related to the subject.

Seconded by Councilmember Hill. The motion was approved unanimously.

The meeting was adjourned at 7:53 PM.



Mayor Kevin Holland

Attest:



Melinda Welsh, TRMC
City Secretary

