

STATE OF TEXAS)
CITY OF FRIENDSWOOD)
COUNTIES OF GALVESTON/HARRIS)
JANUARY 14, 2019)

MINUTES OF A REGULAR MEETING OF THE FRIENDSWOOD CITY COUNCIL THAT WAS HELD ON MONDAY, **JANUARY 14, 2019**, AT 5:00 PM AT FRIENDSWOOD CITY HALL COUNCIL CHAMBERS, 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS, WITH THE FOLLOWING PRESENT CONSTITUTING A QUORUM:

MAYOR	MIKE FOREMAN
MAYOR PRO-TEM	JOHN SCOTT
COUNCILMEMBER	STEVE ROCKEY
COUNCILMEMBER	SALLY BRANSON
COUNCILMEMBER	TRISH HANKS
COUNCILMEMBER	ROBERT J. GRIFFON
COUNCILMEMBER	CARL GUSTAFSON
CITY ATTORNEY	MARY KAY FISCHER
CITY MANAGER	MORAD KABIRI
CITY SECRETARY	MELINDA WELSH

REGULAR SESSION

Mayor Foreman called the meeting to order.

The invocation was given by Pastor Lynn Colby with Calvary Church.

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

COMMUNICATIONS FROM THE PUBLIC

Mayor Foreman asked if anyone would like to speak. No one spoke.

WORK SESSION

Mayor Foreman opened the discussion regarding bond election strategy and stated he believes discussions regarding a bond election in November should begin, drainage subcommittee should recommend projects soon, and would like to kick off discussions well in advance of the November Election Day.

City Manager Morad Kabiri presented a PowerPoint presentation regarding the bond strategy discussion. Staff has evaluated the best way to approach bond projects when it comes to the City of Friendswood and putting measures before voters. Some of the reasons for pursuing bonds include infrastructure needs over the next five to seven years for drainage, streets, and facilities, need for matching funds to pursue state and federal grant dollars, and projects that exceed operating budget financial capacities. In 2013, the city called for volunteers to serve on a Bond Advisory Group, which consisted of 80 plus residents. The group met for a period of six plus months to review the city's needs, vet potential projects, and evaluate potential impacts to the tax rate. The advisory group broke up into four subgroups including facilities, parks, street/drainage, and finance. If a Bond Advisory Group was replicated for 2019 similar subgroups could be done but do not necessarily have to be replicated and Staff would encourage a finance component like in 2013. Staff recommends the creation of a new advisory group for a possible November Bond Election. Recommendations from the current drainage subcommittee can feed into a Bond Advisory Group. Staff is looking for direction from Council. If Council agrees, Staff could take the same approach as 2013 and begin soliciting for volunteers and assistance.

Discussion took place between Mayor, Council, and Staff regarding that ballot language would be needed by August for a November Bond Election, would allow eight months for advisory group to work together and

make a recommendation to Council. Staff could do typical solicitation for volunteers, process would give citizens a chance to vet and decide if they would like to move forward, and Staff would provide a list to the group of things the city will need to tackle within the next ten years.

Mayor Foreman opened the discussion regarding the Utility Rate Study. City Manager Morad Kabiri presented a PowerPoint presentation regarding utilities cost of services and rate study follow-up. At the December Council meeting presented a list of \$39 Million in projects for the City of Friendswood on the water/sewer side, projects are not luxury items, and city is contractually obligated for projects listed. Projects are needed to ensure clean delivery of water to each home in the City of Friendswood along with the removal of wastewater from homes, and to ensure that there is no disruption or down time to city facilities. Since the December Council meeting, Staff has included a reduction of \$6.5 Million to the five-year Utilities Capital Improvement Plan (CIP), proposed debt to be issued as \$7 Million in 2022 and \$6 Million in 2024, future debt issued with 30-year repayment, and year one average bi-monthly bill of \$175. The total budget in the Utilities CIP was reduced to \$32.5 Million by postponing additional sanitary sewer capacity purchases, postponing automated meter implementation, pursuing a waterline interconnect project along FM 528 with a developer partnership, and five-year plan extended to seven-year plan. Proposed water/sewer rates were shown for the next five-years after the updates to the Utilities CIP, and a 21% increase to average bi-monthly bill. A comparative benchmark chart was shown to compare the City of Friendswood's current and proposed rate to neighboring cities of Pearland, League City, and Alvin.

Discussion took place between Mayor, Council, and Staff regarding neighboring cities used for benchmarking. The City of Friendswood is not growing at the rate of the cities used, are there costs that are being absorbed related to their growth, and every entity has its own unique set of requirements on infrastructure and on maintenance and operations. Billing is consumption based pricing. The two main projects delayed were the automated meter reading and additional sewer capacity from the City of Houston. The City of Friendswood historically has been able to keep rates low because Friendswood has been extremely good stewards of the infrastructure and dollars given to operate the system, and water capacity was purchased in years past to ensure the city would be situated favorably moving forward along with wastewater needs. The City of Houston has additional capacity available for purchase, opportunity to purchase at cost, might be in the city's best interest to purchase additional capacity as funds become available.

Mayor Foreman opened the discussion regarding the quarterly Capital Projects update. Director of Public Works/City Engineer Patrick Donart presented a PowerPoint presentation regarding the progress made on Capital Projects over the last quarter. He reported on Old City Park, Blackhawk Boulevard Phase II, 2018 street maintenance contract, de-silting project, storm sewer cleaning and inspection, sidewalks on Greenbriar Drive, Lift Station No. 23, reconstruction of the pool restroom and ticket booth, current Texas Department of Transportation (TxDOT) projects, and current Galveston County Consolidated Drainage District projects.

Discussion took place between Mayor, Council, and Staff regarding the layout of the dog park at Old City Park, one section of the Blackhawk Boulevard Phase II project should be completed by the March Council meeting, contractor for project is in constant communication with residents along the road during progress, and the scope of work for Greenbriar Drive sidewalk project. Consensus of Council was for Staff to discuss intermittent curbs with the contractor for the Greenbriar Drive sidewalk project.

With concurrence of Council, Mayor Foreman moved to Agenda Item 8, Special Recognition and Acknowledgements.

SPECIAL RECOGNITION AND ACKNOWLEDGEMENTS

City Manager Morad Kabiri stated Eagle Scout Candidate Troop 452 Zeke Dryer has worked closely with the Friendswood Volunteer Fire Department, Fire Marshal's Office, Public Works Department and others throughout the community to install fire hydrant markers in Wedgewood and Forest Bend Subdivisions on the Harris County side of Friendswood.

Zeke Dryer stated his group replaced 55 missing hydrant markers that were found missing or needing repairs in the neighborhoods, two to three extra were reported missing after the initial count and were replaced, all markers have been accounted for, reflect properly, and are in good working order.

City Manager Morad Kabiri stated the hydrant markers are critical for the city's first responders, markers allow the fire department to know where the closet hydrant is located, and the city appreciates the work Zeke Dryer and his group did.

Zeke Dryer introduced his mother, Angela Black, and stated the crew that helped him with the hydrant markers consisted of his fellow scouts, four volunteer fire fighters and two fire fighters, Friendswood Volunteer Fire Department Vice President Jeff Smith, and a photographer.

Friendswood Volunteer Fire Department Vice President Jeff Smith stated on behalf of the Friendswood Volunteer Fire Department they are excited about the hydrant marker project, 300 to 400 hydrant markers were looked at, hydrant markers replaced were damaged during debris cleanup from Hurricane Harvey, thanked Mr. Dryer and his troop for their service, and it has made a difference in the community.

With concurrence of Council, Mayor Foreman moved to Agenda Item 19, Consent Agenda.

CONSENT AGENDA

**Councilmember Scott moved to approve the Consent Agenda as presented: A. Authorizing the final acceptance of Old City Park Improvements Project into the contractor's one-year maintenance period. B. Approving the Blackhawk Testing contract with Terracon. C. Accepting the December 2018 Property Tax Report. D. Approving the minutes of the December 03, 2018, Council Meeting. Seconded by Councilmember Branson. The motion was approved unanimously.

With concurrence of Council, Mayor Foreman moved to Agenda Item 12, Communications from Committees and Special Reports.

COMMUNICATIONS FROM COMMITTEES AND SPECIAL REPORTS

Zoning Board of Adjustment and Appeals (ZBOA) Chair Greg Hughes presented the annual report. He stated there are five regular members and four alternate members on ZBOA, and the main job of ZBOA is to consider variances and special exceptions to certain items. The committee held nine meetings over the past year. The committee hears evidence on cases and collectively votes, and by state law a super-majority is required to grant an exception or variance. If either party is not happy with the findings of ZBOA, the only recourse is to file a lawsuit with the district or county court in which the property is located.

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

CLOSED EXECUTIVE SESSION

Mayor Foreman 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 551.071 – Consultation with Attorney about pending litigation, Cause No. 18-CV-0687; Christine Audibert v. Zoning Board of Adjustment of the City of Friendswood, Texas; in the 405th Judicial District Court of Galveston County, Texas.

RECONVENE INTO OPEN SESSION

Council reconvened into Open Session with no action taken later in the meeting.

With concurrence of Council, Mayor Foreman moved to Agenda Item 9, Public Hearing.

PUBLIC HEARING

Mayor Foreman called a Public Hearing to order to receive comments from the public, both oral and written, regarding the 2018 Update Study of Land Use Assumptions, Capital Improvements Program and Impact Fees.

Community Development Director/City Planner Aubrey Harbin stated Director of Public Works/City Engineer Patrick Donart and herself would present a PowerPoint presentation to explain the Public Hearing items. Mrs. Harbin reported on what impact fees are, state local government code allows the city to assess and collect impact fees, funds that expansions to the water and sewer systems as a result of new development, collected when the building permit is issued, rate for developer is locked in at the time of platting, and based on Land Use Assumptions and the Capital Improvements Plan. Requirements for a city to charge impact fees include an update to Land Use Assumptions and Capital Improvements Plan every five years, and must have a Capital Improvements Advisory Committee that provides a written report. The Planning and Zoning Commission currently acts as the City of Friendswood's committee, and holds a Public Hearing to notify the public. Part of the study to justify new fees is the Land Use Assumption, study projects growth rate and population increase over the next ten years, growth rate of 1.5% over the next ten years, and estimated population growth of 6,492 over the next ten years. Mr. Donart reported on the Capital Improvement Plan, water and sewer projects that will be funded with impact fee funds, and Staff anticipates completing the projects within the next ten years, water projects approximate cost of \$6,852,000 and wastewater projects approximate cost of \$13,731,000, projects were listed and maps shown for each water project. The equivalent service unit is 2,434 units for the 2018-2028 planning period based off projected population increase. The recommended impact fee is determined by using estimated population growth and funds needed for water and sewer projects. The current impact fee charged is \$2,928, and showed a chart of impact fees charged by surrounding cities. Staff's recommendation is to charge \$4,227 for total impact fee, at Council's discretion, city can charge a lower impact fee than the recommended amount but cannot charge more.

Mayor Foreman asked if the impact fee would go up from an estimated \$2,800 to \$4,200 per new home, and Mr. Donart answered yes.

Councilmember Rockey asked what percentage of water and sewer capital projects the proposed impact fee would cover, and Mr. Donart answered 50% of new projects listed over the next ten years, does not include existing items, impact fees cannot be charged for existing water and sewer projects.

Mrs. Harbin stated the remaining 50% balance for new projects would come from water bills once the new homes are built.

Mayor Foreman asked if anyone would like to speak in favor or in opposition of the request. No one spoke.

Mayor Foreman stated there are many new water and sewer projects that need to be done to support new houses and business that are coming to the City of Friendswood.

Mayor Foreman adjourned the Public Hearing.

COMMUNICATIONS FROM THE PUBLIC

Linda Richard, Friendswood resident, addressed Council and stated not many citizens seem to be keeping up with the Friendswood Downtown Economic Development Corporation, applauds the board for their thoughtful approach to the commission and their desire to be fiscally responsible. When the conversation turns to the city needing money it reminds her of these corporation funds and how the sales tax was proposed by special interest group for only a defined narrow section of Friendswood. The \$40,000 to \$50,000 in sales tax revenue will only grow as business increases in the City of Friendswood, could be a good thing, sales tax does not sunset, City Council does have options, and asked if this is an effective use of citizen's tax dollars.

Gail Lovely, Friendswood resident, addressed Council and stated she appreciates that the city has committees that citizens can participate in, concerned due to huge commitments, proposed bond committee discussed is weekly meetings for eight months, suggested to host town hall meetings and send a survey to all residents to lighten the commitment to the committee, she wonders herself what other citizens think, everyone lives in small communities, and Council often does not get to hear from the whole community, encouraged Council to host a town hall meeting or send a survey before going for a bond election, and asked Council to keep working and thinking of ways to keep people involved.

Rodolfo Gonzales, Friendswood resident addressed Council and stated he heard promises during the election, would like Council to address roads that need repairs, Brazoria County has fixed their portion, spoke to someone from the city and was told there were no funds earmarked, suggested the city call State Representative Larry Taylor to assist in getting money to repair roads, a lot of traffic and big trucks on roadways, and more maintenance is needed. At the intersection of FM 2351 and Sunset Drive, the right turn access going eastbound on FM 2351 has been blocked, and whoever is responsible has blocked citizen's freedoms to be able to drive how they choose to drive. In America, citizens have freedom to practice their religion but money from city tax dollars should not be used to pay for Christmas lights.

Cheryl Johnson, Friendswood resident, addressed Council and stated according to the consultant's PowerPoint presentation, if the city completes all projects on the Capital Improvement Plan and funded solely with water and sewer rates there will be an increase of 44% to 70% by 2023. She further stated she is glad the automated meters have been removed from the proposed projects, proposed increase is huge and ten times the rate of inflation, a lot of savings could be had, or other funding sources found. She believes a lot of the projects are necessary but does not agree with funding solely with water and sewer funds. Council should consider funding projects with bond money, concerned with validity of data, provided a survey found on Clear Lake City Water Authority's website, in the past due to foresight from city leaders Friendswood's rate was able to remain low on the list of surrounding cities, and Council needs to ask the consultant what else the water rates are paying for. Requests that Council consider all funding sources and lay out all proposed projects, send a survey to residents, include some of the projects on a bond, and she would like to go on record as stating she is opposed to the funding source of water and sewer rates solely.

CITY MANAGER'S REPORT

City Manager Morad Kabiri reported that the Annual Tree Giveaway sponsored by Keep Friendswood Beautiful will be held January 19, 2019, starting at 8:00 AM at City Hall. Over 100 – fifteen-gallon trees will be given away to residents. The trees chosen this year include Live Oak, Chinese Fringe, Kay Parris Magnolia and Drummond Maple. 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 of Friendswood 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 he would like to commend the Friendswood Police Department, Friendswood Volunteer Fire Department (FVFD) and Police Communications Division for its vital assistance managing a pediatric patient they responded to on January 6, 2019. The call first started with Communications Operator Reynell Lundry and Communications Trainer and Operator Ashley Hempel who calmly gave prior arrival instructions to the infant's father, assisting him in starting Cardio Pulmonary Resuscitation (CPR) on his child. FVFD Medic David McCord, who lived next door, heard the call for service and immediately went next door to assist the with CPR. Officer Shaun McCaffrey, Officer Marcelo Bini, and Officer James Ruthstrom were the next to arrive on the scene. Officer Bini immediately began CPR with Mr. McCord. Then, Officer McCaffrey took over CPR while Emergency Medical Services (EMS) Assistant Chief Roy Hunter and EMS Captain Blake Brazzel came in and started advanced life support on the infant.

The infant was moved to an ambulance for transport with additional Medics Captain Andrew Chalk and Emergency Medical Technician Mark Lavelle. It is without a doubt that the Police Department and FVFD's timely and direct assistance, working with EMS during this response, allowed the successful resuscitation of the 18-month old infant found not breathing and with no heartbeat. Not only should all these professionals be commended for their excellent assessment skills, but also for their interpersonal skills. The patient's family expressed appreciation for all Friendswood's first responders, for their concern and for keeping them informed of the infant's status. It is field performances such as this that display the excellent teamwork that gives the Friendswood Police Department and the FVFD the reputation it deserves for providing excellent services to the community.

The City Manager reported that Friendswood Independent School District has been named the number one safest school district in the Greater Houston area according to a Niche 2019 ranking, and Clear Creek Independent School District ranked as number 14. Niche analyzed data from the United States Department of Education alongside reviews of students and parents to create the ranking of safest districts. According to the report, rankings were based on a series of factors that include school related arrests, law enforcement referrals, expulsions, out of school suspensions, in school suspensions, student absenteeism, expenses per student and parent and student surveys on health and safety. The self-reported parent and student surveys carried the most weight in rankings, accounting for 50% of a district's total score. Expenses per student carried 10% of the total score and were compiled from the National Center for Education Statistics.

The City Manager reported that Staff continues to work with Federal Emergency Management Agency (FEMA) representatives to finalize project worksheets to maximize reimbursement dollars for funds expended responding to Hurricane Harvey. In late December, Staff learned the city's Hazard Mitigation Grant Program buyout application was approved. Staff and the city's consultant are awaiting paperwork to start the next phase of the program. Staff continues to pursue Community Development Block Grant-Disaster Recovery dollars, as well as funds for the elevation of Whispering Pines Bridge over Clear Creek, emergency shelter dollars for the Blackhawk facility, regional detention ponds in Harris County, and emergency evacuation/connectivity project (Friendswood Lakes Boulevard). The Galveston County Consolidated Drainage District is working on design plans for the shelving and off-line regional detention pond in Imperial Estates/1776 Park.

A video was shown regarding 2018 year in review.

With concurrence of Council, Mayor Foreman moved to Agenda Item 13, Discussion and possible action regarding the disposition of Bid No. 2018-21 for Construction of Greenbriar Sidewalk.

ACTION ITEMS

****Councilmember Rockey moved to approve the disposition of Bid No. 2018-21 for the Construction of Greenbriar Sidewalk and award to Teamwork Construction Services, Inc.**
Seconded by Councilmember Hanks. The motion was approved unanimously.

****Councilmember Branson moved to approve the City Wide Traffic Study agreement.**
Seconded by Councilmember Griffon. The motion was approved unanimously.

****Councilmember Scott moved to approve an Economic Development Agreement with Leisure Lane, LLC.**
Seconded by Councilmember Griffon. The motion was approved 6-1 with Councilmember Rockey opposed.

RESOLUTIONS

****Councilmember Branson moved to approve Resolution **R2019-01** – A resolution of the City Council of the City of Friendswood, Texas, authorizing and approving the 2018 Community Development Block Grant – Disaster Recovery. (CDBG-DR).**
Second by Councilmember Rockey. The motion was approved unanimously.

****Councilmember Branson moved to approve Resolution R2019-02 – A resolution of the City Council of the City of Friendswood, Texas, adopting the City Council Candidate Campaign Philosophy document. Seconded by Councilmember Hanks. The motion was approved 4-3 with Councilmembers Rockey, Griffon, and Scott opposed.**

Councilmember Rockey asked City Manager Morad Kabiri to read the resolution.

City Manager Morad Kabir read Resolution R2019-02.

ORDINANCES

****Councilmember Rockey moved to approve the First reading of Ordinance No. T2019-01 – An ordinance of the City of Friendswood, Texas, City Council, amending Appendix D of the Friendswood City Code to establish the rates to be charged by the city for water and sewer utility services for Fiscal Years 2019-2023. Seconded by Councilmember Branson. The motion was approved unanimously.**

****Councilmember Rockey moved to approve the First reading of Ordinance No. T2019-02 – An ordinance amending and updating Land Use Assumptions and Capital Improvements Plan and imposition of Impact Fees pursuant to the Texas Local Government Code annotated, § 395.001 et. seq.; amending the Friendswood City Code, Chapter 74 "Taxation", Article III, Impact Fees, Section 74-52(d) and Appendix D to include updated impact fee amounts; providing a penalty in an amount not to exceed \$500 for violation of any provisions hereof by inclusion in the Code of Ordinances; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; providing for severability; and providing for publication and effective date.**

Seconded by Councilmember Branson. The motion was approved 6-1 with Councilmember Scott opposed.

****Councilmember Branson moved to approve the First and Final reading of Ordinance No. 2019-03 – An ordinance amending City of Friendswood, Texas, Ordinance No. 2018-28, passed and approved October 1, 2018, same being an ordinance approving and adopting the City's General Budget for Fiscal Year 2018-2019 by approving "Budget Amendment III" to the "Original General Budget of the City of Friendswood, Texas, for the Fiscal Year 2018-2019"; providing for supplemental appropriation and/or transfer of certain funds; providing for severability; and providing other matters related to the subject.**

Seconded by Councilmember Griffon. The motion was approved unanimously.

COMMUNICATIONS FROM THE MAYOR AND COUNCILMEMBERS

Councilmember Branson stated she would like to thank City Manager Morad Kabiri and Director of Public Works/City Engineer Patrick Donart for giving her and Councilmember Gustafson a tour of the Public Works facility. Laurie Whitehead passed away December 1, 2018, a lot of her art work is hanging on the walls in City Hall, had a memorial service at the First Baptist Church, and there will be an art exhibition for her at Friendswood Frame and Gallery on February 2, 2019, at 4:00 PM. If anyone has an original of her artwork and would be willing to loan it out for the exhibition, contact Luis Briones at Friendswood Frame and Gallery.

Councilmember Hanks stated her congratulations to the longevity of the city employees, says a lot about the culture of the city, the environment in which they work, and the citizens they serve. Congratulated the Friendswood Police Department and Friendswood Independent School District on their great working relationship, have invested a lot of hours into a lot of things, it takes the whole community, and encourages all groups to continue working together.

Councilmember Griffon wished everyone a happy new year, and now it is time for Council to roll up their sleeves and go to work.

Councilmember Gustafson stated he has been honored to serve as a Councilmember for the past five and a half years. Council has accomplished quite a bit during his years of service, his seat for Council is up for election in May, and would like to remain being involved in developing solutions in the challenges the city continues to face, particularly in regards to drainage and economic development. For those reasons, he is

announcing his intention to run for another term as Councilmember in the upcoming election.

Mayor Foreman stated he is looking forward to see who will get involved in the bond committee: there is a lot of work to be done, and looking forward to seeing the committee move forward.

Councilmembers Rockey and Scott stated they had nothing to report.

The meeting was adjourned at 7:54 PM.



Mayor Foreman

Attest:



Melinda Welsh, TRMC
City Secretary

