

STATE OF TEXAS)
CITY OF FRIENDSWOOD)
COUNTIES OF GALVESTON/HARRIS)
FEBRUARY 04, 2019)

MINUTES OF A REGULAR MEETING OF THE FRIENDSWOOD CITY COUNCIL THAT WAS HELD ON MONDAY, **FEBRUARY 04, 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 Mike Ross with Friendswood Church of Christ.

Girl Scouts Cadettes Vivian Moon and Mallory Rollins led the Pledge of Allegiance to the United States and to the State of Texas.

COMMUNICATIONS FROM THE PUBLIC

Bob Selig, Friendswood resident, addressed Council and stated he has lived in Friendswood since 2011, is at the meeting to discuss water rates and drainage issues. The proposed 21% increase on water and sewer rates will impact every homeowner and renter in the city. Is this what is best for the city, will not help Council be re-elected, and some residents have long memories. He is not opposed to raising taxes for something beneficial, and has Council thought through the water rate increase.

Daniel Coget, Friendswood resident, addressed Council and stated he has been a Friendswood resident for 25 years, is a retired school bus driver. A year and a half ago, the water main blew out in front of his house, hole was eight feet deep, filled back in with wet mud and dirt, mailbox and driveway entrance is messed up, no compaction used when hole was filled, 36 holes in his sidewalk and driveway to try to repair, asked for him to pay for repairs, there is a five inch drop from the curb end to the driveway, yard has sunk three inches, has dealt with Staff and is looking for help from Council.

WORK SESSION

Mayor Foreman opened the discussion between Council, Staff, and the Planning and Zoning Commission regarding amendments to Appendix B, Subdivision Ordinance, Appendix C, Zoning Ordinance, and the Design Criteria Manual in an effort to increase the beautification standards of the city.

Planning and Zoning Commission Chair Joe Matranga opened the Planning and Zoning Commission's portion of the Joint Work Session and gave the floor to Community Development Director/City Planner Aubrey Harbin who explained that Staff and the Planning and Zoning Commission (P&Z) have been working on proposed ordinance changes to present to Council. Ms. Harbin presented a PowerPoint presentation regarding proposed ordinance changes to the Subdivision Ordinance, Zoning Ordinance, and Design

Criteria Manual. The Scenic City Certification Program supports and recognizes Texas municipalities that implement high-quality scenic standards for public roadways and public spaces, and certified Scenic Cities must reapply every five years. There are four levels to the certification program, based off a point system, the City of Friendswood earned a bronze status in 2014, city's certification is due for recertification, and the deadline is March 31, 2019. In the Subdivision Ordinance, current requirements include easy access, street or pedestrian connections, preserve wildlife, existing trees and shrubs, minimize conflict with adjacent land uses. Proposed new requirement is to add that a park shall not have impervious cover exceeding 20% of the open space area. In the Zoning Ordinance regarding landscaping in parking lots, current requirement provides a minimum area in islands based on the amount of paving area and plant one tree per island. Proposed new requirements include planted islands shall have curbs, integrate groundcovers and small shrubs to avoid obstructing visibility of pedestrians and vehicles, use porous pavements around trees to allow water and air exchange, and install proper irrigation to encourage deep root growth and survivability. In the Zoning Ordinance regarding protection of landscaping during construction activities, the current requirement is to protect trees throughout construction process. Proposed new requirements include install barriers to avoid vehicular encroachment, prohibit parking or storing of vehicles, equipment, or materials within the protective root zone, install protective barricades a minimum of 10-feet around all protected trees, and protective barricades may be removed only to prepare the development site for final landscaping activities. In the Zoning Ordinance regarding signage, there are no current requirements. Proposed new requirement is to prohibit clearing of vegetation on public rights-of-way to provide better view of off-premise signs. In the Zoning Ordinance regarding dumpster screening, the current requirement is dumpsters must be screened in the Community Overlay District (COD), screening material must be the same as the main structure. Proposed new requirements are to locate dumpsters to minimize their visibility from public streets, screen to a height sufficient to screen the refuse from public view, opening in the enclosure a minimum of twelve feet for every dumpster added, an additional ten feet in width is required, enclosures required to have walls on three sides with the service opening not directly abutting a public sidewalk, and the fourth side to be enclosure doors. In the Zoning Ordinance regarding Staff clarifications, current requirement is the location of the eight-foot-tall tree requirement appears to only apply to buffer trees; it should apply to all, including the one tree required for residential lots. Proposed Staff clarification is to create a new paragraph and clarify that all required trees used to meet minimum landscape requirements be eight feet tall. In the Zoning Ordinance regarding Staff clarifications, current requirement requires a property owner, commercial and residential, to only maintain the required landscaping for a period of two years following issuance of a Certificate of Occupancy. Proposed Staff clarification is to remove all references to the follow-up period of two years and require owners to maintain the required landscaping indefinitely. In the Design Criteria Manual, current requirement in the Zoning Ordinance requires lateral electrical service to be installed underground. Proposed new requirements include utility infrastructure to be mounted on pads at ground level and shall not block sidewalks or visibility at intersections. Individual utility service, lines which originate in a public road right-of-way and extend to any building or structure, shall be installed underground. On side streets with above-ground utility services which intersect with a roadway with underground utility lines, the first pole supporting the above ground service shall be placed on such side street at least one hundred (100) feet from the center of the roadway with the underground utilities. Proposed Staff clarifications included an update of lift station criteria as it pertains to controls, a clarification of minimum line size for a line with two meters, correct reference to regional detention requirements, remove max fence height, parking table corrections for schools and general business offices. The proposed changes would help increase the city's recognition from Bronze Level to either Silver, Gold, or Platinum. A timeline was discussed for the required joint public hearing, P&Z recommendation, Council's consideration of ordinance amendments and a resolution for the Scenic City application to be submitted by March 31, 2019.

Discussion took place between Mayor, Council, the Planning and Zoning Commission, and Staff regarding proposed changes would help increase the city's ranking for the Scenic City Certification Program, higher ranking would allow the city to apply for beautification grants, and existing properties would be grandfathered.

Planning and Zoning Commission Chair Joe Matranga adjourned the Planning and Zoning Commission's portion of the Joint Work Session.

Mayor Foreman opened the discussion between Council, Staff, and the Planning and Zoning Commission regarding separate public hearings versus joint public hearings.

Planning and Zoning Commission Chair Joe Matranga opened the Planning and Zoning Commission's portion of the Joint Work Session and gave the floor to Community Development Director/City Planner Aubrey Harbin who explained the Planning and Zoning Commission (P&Z) has recommendations that would make things better for the commission, Staff, and applicants. Ms. Harbin presented a PowerPoint presentation regarding public hearings versus joint public hearings. P&Z requests that Council authorize separate public hearings for ordinance changes and zone changes, which includes Specific Use Permit applications and Planned Unit Development applications. The proposed change is being recommended by P&Z because the current process is confusing for applicants and residents. Council sometimes adjourns before P&Z makes a recommendation; this delays the process for the applicant by a full 30 days, and the upstairs conference room sometimes cannot accommodate the number of residents attending the meeting. Changes in the past that have caused the need for P&Z's recommended changes include in 2012 Council changed its schedule to meet once a month along with the meeting start time moved to 4:30 PM, and in 2015 the city's legal representation changed to a single internal employee rather than a firm with multiple attorneys. Pros of the proposed recommendation include presence of legal counsel, all meetings would be recorded and televised, Council Chambers provides a formal setting and accommodates more attendees, less confusing for applicants, consistent schedule for applicants/Commissioners/Staff, and allows P&Z to present further explanation of the commission's recommendation, if needed. Cons of the proposed recommendation include increased time frame for applicants by an average of 25 days (time frame is from the time of application to second reading of an ordinance) and requires Staff and applicants to return on a different day. Timelines were explained for joint public hearings and separate public hearing and gave examples of timelines. The city's processing time would remain reasonable and be comparable to other cities.

Discussion took place between Mayor, Council, the Planning and Zoning Commission, and Staff regarding the consensus of Council was for the Planning and Zoning Commission to move forward with implementing the proposed change.

Planning and Zoning Commission Chair Joe Matranga adjourned the Planning and Zoning Commission's portion of the Joint Work Session.

With concurrence of Council, Mayor Foreman moved to Agenda Item 8A, Recognize Westwood Elementary School students.

SPECIAL RECOGNITION AND ACKNOWLEDGEMENTS

Mayor Foreman introduced the Friendswood Student Education Outreach program and stated the program was created to help students learn more about democracy and understand the value of community service. Council wishes to foster leadership development in students, and the school district's Character Education Program.

Mayor Foreman thanked the teachers from Westwood Elementary and Friendswood Independent School District for participating in the program. The Mayor introduced the second graders that would take Council's place at the dais, Mayor Tinsley Leitner, City Secretary Evelyn Nelson, City Attorney Joseph Ford, City Manager Lara Malkani, Council Position No. 1 Adeline Livesay, Council Position No. 2 Sarah Falzon, Council Position No. 3 Hunter Brinkmann, Council Position No. 4 Ryan Goebel, Council Position No. 5 Corley Padgett, and Council Position No. 6 Madeline Schmid. Mayor Foreman turned the meeting over to the Westwood Elementary students.

City Manager Lara Malkani stated Mayor and Council, tonight you have before you Resolution **R2019-03** declaring February 5, 2019, Westwood Elementary Day in Friendswood, Texas. As you know, Westwood Elementary is part of Friendswood Independent School District and is an exemplary campus and a source of pride for the community.

Mayor Tinsley Leitner asked if the City Attorney approved the wording of the resolution, and City Attorney Joseph Ford answered that the draft wording of the resolution is in line with the Vision Statement of the City of Friendswood.

Mayor Tinsley Leitner asked City Secretary Evelyn Nelson to read the City of Friendswood's Vision Statement for the record.

City Secretary Evelyn Nelson stated the City of Friendswood has the following statement as its vision; together we build our future in a friendly place to live, work, play, learn, and worship.

Mayor Tinsley Leitner read Resolution **R2019-03** – A resolution of City of Friendswood, Texas, declaring February 5, 2019, as Westwood Elementary School Day in the City of Friendswood, Texas.

****Councilmember Adeline Livesay moved to approve Resolution R2019-03** – A resolution of City of Friendswood, Texas, declaring February 5, 2019, as Westwood Elementary School Day in the City of Friendswood, Texas.

Seconded by Councilmember Sarah Falzon. The motion was approved unanimously.

Councilmember Adeline Livesay stated at Westwood Elementary we pledge to be kids with character and bucket fillers.

Councilmember Sarah Falzon stated at Westwood Elementary we will be honest, reliable, and worthy of trust.

Councilmember Hunter Brinkmann stated Westwood Elementary students will be responsible and fair, doing what they must.

Councilmember Ryan Goebel stated at Westwood Elementary students show with their words and actions that they care.

Councilmember Corley Padgett stated Westwood Elementary students will be good citizens and do their share.

Councilmember Madeline Schmid stated Westwood Elementary students respect themselves and others.

All City Council in unison stated Westwood Elementary students would expect the best in all they do.

Mayor Tinsley Leitner adjourned the Westwood Elementary portion of the meeting.

Mayor Foreman stated Council would formally consider Resolution **R2019-03**.

With concurrence of Council, Mayor Foreman moved to Agenda Item 15A, Resolution R2019-03.

RESOLUTIONS

****Councilmember Branson moved to approve Resolution R2019-03** – A resolution of City of Friendswood, Texas, declaring February 5, 2019, as Westwood Elementary School Day in the City of Friendswood, Texas.

Seconded by Councilmember Griffon. The motion was approved unanimously.

Mayor Foreman stated cookies and punch would be served in the foyer.

Mayor Foreman recessed the meeting at 6:03 PM, and reconvened the meeting at 6:10 PM.

With concurrence of Council, Mayor Foreman moved to Agenda Item 8B, Recognition of members of the Friendswood Police Department and the Friendswood Volunteer Fire Department/Emergency Medical

Services for their vital assistance managing a pediatric patient they responded to on January 6, 2019.

SPECIAL RECOGNITION AND ACKNOWLEDGEMENTS (continued)

City Manager Morad Kabiri stated the Friendswood Police Department, Friendswood Volunteer Fire Department/Emergency Management Services responded to a house in regards to an infant child choking on a video monitor cord on January 6, 2019. Everyone that was involved acted with great due diligence, speedy response, and saved the young boy's life. Council would like to recognize the first responders for their actions that evening. Mr. Kabiri introduced the first responders, Telecommunications Officers Reynell Lundry and Ashley Hempel, Friendswood Volunteer Fire Department Medic David McCord, Friendswood Police Officers Shaun McCaffrey, Marcelo Bini, and James Ruthstrom, Friendswood Emergency Medical Services Assistant Chief Roy Hunter, Friendswood Emergency Medical Services Captain Blake Brazzel, Friendswood Volunteer Fire Department Medic Captain Andrew Chalk, and Friendswood Emergency Medical Technician Mark Lavelle.

Mayor Foreman thanked the first responders for their service.

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 Texas Government Code, pursuant to Section 551.071 – Consultation with Attorney regarding 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 action taken later in the meeting regarding Section 551.071 – Consultation with Attorney regarding 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.

ACTION ITEMS

**Councilmember Hanks moved to approve the Rule 11 agreement regarding settlement. Seconded by Councilmember Rockey. The motion was approved unanimously.

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

JOINT PUBLIC HEARINGS

Mayor Foreman and Planning and Zoning Commission Chair Joe Matranga called a Joint Public Hearing to order to receive comments from the public both oral and written, regarding a zone classification change request for a 1.91 acre tract of land out of Lot 4 (4-1) Block 11, Friendswood Subdivision & adjacent abandoned Hatcher Lane right-of-way, located at 104 Whispering Pines Avenue, Friendswood, Galveston County, Texas, to change from Single Family Residential (SFR) to Downtown District (DD).

Community Development Director/City Planner Aubrey Harbin explained the request is to change zoning to Downtown District, and would be subject to uses and supplementary regulations of Downtown District. Currently there is a church on the property, non-conforming use that will not be stopped, if a new church were to buy the property and make exterior changes they would have to apply for a Special Use Permit, and does not appear the church use will continue.

Planning and Zoning Commission Chair Matranga asked if the applicant would like to speak.

Donna Winfrey, Commercial Estate Broker, stated she serves on the City of Baytown's Planning and Zoning Commission, represents the buyer Texas Behavioral Health, currently have offices and do business in the City of Friendswood.

Zeeshan Haq, Texas Behavioral Health Chief Financial Officer, stated facility would be a behavioral health practice, currently has four locations throughout the Houston area, started practice in Friendswood seeing psychiatric patients and mental health issues, moving administrative offices to a central location in Friendswood, and would like Friendswood to be their headquarters.

Donna Winfrey, Commercial Estate Broker, stated the plan for the site is to combine the administrative work for multiple locations, need to expand their offices, will add to tax base, will look aesthetically pleasing, will keep big tree in the middle and allow access to doctor's offices in the back, and beautiful landscape.

Councilmember Griffon stated he read the deed for the property, reversionary right to go back to church diocese, and asked if due diligence has been done.

Tracy Barnett, Pastor with New Life Assembly of God, stated reversionary right would be only if the church ceased to meet as a church for any reason for six months and the church totally dissolved as a body.

Planning and Zoning Commission Chair Matranga asked if the property would be occupied while a building is constructed, and Mr. Haq answered the space will be occupied while minor changes are made in their district structure, and the new building will be done in phases.

Councilmember Rockey asked if anyone has discussed the plans with the neighborhood across the street, and Ms. Winfrey answered yes.

Councilmember Rockey asked if anyone had spoken to the property owner that is right next door to the property, and Ms. Winfrey answered that she has not spoken with the property owner but has spoken with his realtor.

Councilmember Gustafson stated there will be offices at the facility to see patients but the facility will not be a residential facility.

Mr. Haq stated the facility would not be a residential facility, will be an outpatient clinic.

Planning and Zoning Commission Chair Matranga asked if anyone would like to speak in favor of the request.

Mona Miller, Infinity Real Estate Group, stated she represents the seller, title is good to convey, seller hates to leave the City of Friendswood, does feel that new buyer is something that will fit well with surrounding properties, and understands Downtown District is the preferred zoning for the property.

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

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

Mayor Foreman and Planning and Zoning Commission Chair Joe Matranga called a Joint Public Hearing to order to receive comments from the public both oral and written, regarding amending Appendix B, Subdivision Ordinance of the City of Friendswood Code of Ordinances, regarding amendments to Section IV. Parkland Dedication, f. Additional Requirements to add impervious cover maximum for parks.

Community Development Director/City Planner Aubrey Harbin stated this was one of the items discussed in the Joint Work Session, proposed amendment to the Subdivision Ordinance, states impervious cover in parks can exceed 20% of the open space.

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

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

Mayor Foreman and Planning and Zoning Commission Chair Joe Matranga called a Joint Public Hearing to order to receive comments from the public both oral and written, regarding amending Appendix C, Zoning Ordinance of the City of Friendswood Code of Ordinances, regarding amendments to Section 7.5 Community Overlay District to add a reference to the new dumpster screening requirements.

Community Development Director/City Planner Aubrey Harbin explained this amendment is to add reference to the new dumpster screening requirements in Section 7.5 Community Overlay District.

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

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

Mayor Foreman and Planning and Zoning Commission Chair Joe Matranga called a Joint Public Hearing to order to receive comments from the public both oral and written, regarding amending Appendix C, Zoning Ordinance of the City of Friendswood Code of Ordinances, regarding amendments to Section 8 Supplementary District Regulations regarding landscaping and dumpster screening requirements.

Community Development Director/City Planner Aubrey Harbin explained it includes relocating language to clarify minimum tree requirements for landscape, adds criteria for tree protection during and after construction, specific guidelines to require curbs around landscape islands within parking lots, require irrigation for long-term landscaping maintenance, and adds more specific dumpster screening requirements.

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

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

Mayor Foreman recognized Colonel Drew Morgan, United States Army Astronaut, who was in the audience, is launching to the space station in July, taking City of Friendswood coin, and will bring back to present to Council at a future meeting.

COMMUNICATIONS FROM THE PUBLIC

Parks and Recreation Director James Toney introduced Daniel Morgan with Troup 452. Mr. Morgan has been working with the Parks and Recreation Department on his Eagle Scout project, will present information about his Eagle Scout project and have Mayor and Council accept the project as completed.

Daniel Morgan, Senior Patrol Leader for American Catholic Church Scout Troop 452, addressed Council and stated he is a freshman at Friendswood High School, is at the meeting with his Dad, Andrew Morgan,

and Scoutmaster/Troop Committee Chairman Peter Zaire, and is currently a Life Scout working to complete his Eagle Scout project. The Eagle Scout rank is Boy Scouts highest award, and represents many years of hard work and is an honor he will carry with him the rest of his life. One requirement to achieve Eagle Scout rank is to complete a service project with an organization outside of Boy Scouts America. Scout Morgan wished to do a project that would last for years to come, show respect for his country, and serve his immediate community. He stated that the goal he would like to achieve was to provide a location in the City of Friendswood for dignified retirement of American flags. He has raised almost \$3,000 in contributions from local residents and organizations, spent approximately 20 hours to plan the project, and a commercially built flag retirement box was installed behind City Hall. Thanked Dustin Johnson, owner of Tandem Services, for donating his expertise, labor, and materials to guide volunteers in pouring the concrete slab. Thanked everyone who made donations to the project, will be able to gift several hundred dollars to the city to maintain the retirement box. Thanked his scout leaders and fellow scouts for their support in making the project a success. He has learned over the course of two months working on the project that leadership is not always easy, but people are much more willing to listen to you if you smile.

Paula Oddo, Friendswood resident, addressed Council and stated she has lived in Friendswood for 37 years, concerned water rates will be raised 44%, is a retired teacher, current bill is already \$300, lives in Sundmeadow Subdivision, a lot of the houses in Sunmeadow need to be repiped, will be expensive, would like an explanation about the increase in rates and a scheduled timeline.

City Manager Morad Kabiri stated Council could move up Ordinance No. T2019-01 in order to answer Ms. Oddo's question.

With concurrence of Council, Mayor Foreman moved to Agenda Item 16A, Ordinance No. T2019-01.

ORDINANCES

****Councilmember Rockey moved to approve the Second and Final reading of Ordinance No. 2019-01 – 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.

City Manager Morad Kabiri stated Council has discussed a proposed water and sewer rate increase for the last several months, and initially had \$39 Million in projects to tackle over the next five years. Projects are contractually obligated projects with the City of Houston and partners at the city's wastewater treatment plant. After the initial discussion with Council, there were concerns raised over the magnitude of the proposed increases and the impact to Friendswood's residents. The overall list of projects was reduced by \$6.5 Million to \$32.5 Million, extended the Capital Improvement Plan from five to seven years, lengthened the debt amortization from 20 years to 30 years, rate increase average is 21%, and is a consumption based service. Mr. Kabiri showed a slide of neighboring cities' rates, and the City of Friendswood proposed rate is still one of the lowest rates.

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

CITY MANAGER'S REPORT

City Manager Morad Kabiri reported that the Annual Tree Giveaway sponsored by Keep Friendswood Beautiful (KFB) was held at City Hall, on January 26, 2019. A total of 100 trees were given away to Friendswood residents within 30 minutes and residents were lined up as early as 6:05 AM. The city appreciates the efforts of KFB and the city's Parks and Recreation Department towards making this event a huge success.

The City Manager reported that the Supreme Court of Texas has denied the petition for review of a case eight Friendswood residents brought against the City of Friendswood, (now former) Mayor Kevin Holland, and Councilmembers Carl Gustafson and (now Mayor) Mike Foreman. The decision leaves intact the

results of the May 7, 2016, Special Election in which voters authorized a Sales and Use Tax to fund local economic development.

The City Manager reported that a ranking of "Top 10 Safest Cities in Texas" has placed Friendswood ninth, according to The Home Security Advisor.com. The most up-to-date (2017) Federal Bureau of Investigation (FBI) Uniform Crime Report results with respect to towns and cities with ten thousand residents or higher was used for the designation.

The City Manager reported that on January 16, 2019, at 10:35 AM, Friendswood Police Department Telecommunications Operators Stephanie Price and Mindy Sanchez received a 911 call from Mrs. Kirov at 431 Gleneagles Drive. Mrs. Kirov called 911 and reported her husband, Tzvetko Kirov, had collapsed, was not breathing, and had no pulse. Ms. Price and Ms. Sanchez initiated cardiopulmonary resuscitation (CPR) instructions over the phone. Mrs. Kirov knew CPR and started immediately. Friendswood Volunteer Fire Department Emergency Management Services (EMS) and Fire responded to the location and found Mrs. Kirov performing CPR. The fire department crew on scene consisted of Battalion Chief Jeff Smith, Captain Dan Key, Firefighters David Pate, Hobert Hoggard, David Secci, Chase Ellison and Chad Darrow. Mrs. Kirov was relieved of CPR by the fire crew on scene who assisted with CPR. Captain Rhonda Fillman and Captain Blake Brazzel with Friendswood EMS placed Mr. Kirov on the cardiac monitor and found a rhythm that could receive a "shock" or a defibrillation. CPR was continued and medications were administered. At 10:46 AM, Mr. Kirov had a heart beat return. The Medics and Firefighters continued to breathe for Mr. Kirov and moved him to the ambulance. The crew transported Mr. Kirov to Clear Lake Regional Medical Center, and Mr. Kirov continued to improve upon arrival at the Emergency Room at 11:15 AM. Mr. Kirov was taken immediately to the catheterization laboratory. Due to the service of all the medics and firefighters, Mr. Kirov is in the Intensive Care Unit, awake and alert, and progressing very well. Without all the links in the chain of surviving a cardiac event being in place, this could have had a different ending.

The City Manager reported that the city has submitted a number of applications to various agencies both state and federal agencies with respect to disaster recovery. Applications have been submitted to the Community Development Block Grant Disaster Recovery funds for both Galveston and Harris County for various projects. A Hazard Mitigation Grant Application was submitted to the state of Texas to assist the city with the elevation of Whispering Pines Bridge over Clear Lake. The city received notification that the 24 buyout applications previously submitted have been approved, process has started, but delayed some due to government shut down. A buyout application has been submitted through the Texas Water Development Board Flood Mitigation Assistant Program and Staff is awaiting the result of the application.

Councilmember Hanks asked regarding the election contest could the lost sales taxes on streets and downtown be recaptured, and City Manager Morad Kabiri answered the State Comptroller's Office restricted the city from collections after the original contest was filed until January 1, 2017, which was estimated to be \$450,000 for street improvements and the Downtown District.

Councilmember Hanks asked if the funds could be recouped, and City Manager Morad Kabiri answered Staff could check with the State Comptroller's Office to see if the collection period could be extended.

City Attorney Mary Kay Fischer stated an extension could not be done for the Economic Development Corporation, possibly for street improvements, and she will have to check with the State Comptroller's Office.

ACTION ITEMS (continued)

**Councilmember Scott moved to approve a contract with Galveston County for Election Services. Seconded by Councilmember Griffon. The motion was approved unanimously.

**Councilmember Scott moved to approve a contract for armored car services subject to the city's receipt of Form 1295. Seconded by Councilmember Rockey. The motion was approved unanimously.

**Councilmember Griffon moved to approve a contract with RJN Group, Inc., for Sanitary Sewer Assessment Phase V and Phase VI.
Seconded by Councilmember Gustafson. The motion was approved unanimously.

With concurrence of Council, Mayor Foreman moved to Agenda Item 15B, Resolution R2019-04.

RESOLUTIONS (continued)

Councilmember Scott moved to approve Resolution **R2019-04 – A resolution approving and adopting updates/amendments to the “Design Criteria Manual” for the City of Friendswood, Texas; approving the standards contained therein for the design, construction and installation of public infrastructure and related facilities and improvements within the city; and repealing all prior Design Criteria Manuals and repealing other resolutions or parts of resolutions inconsistent or in conflict herewith.
Seconded by Councilmember Branson.

Councilmember Griffon stated he would like the motion to be tabled to allow Council additional time to review the design pages to evaluate the impact on Friendswood residents.

***Councilmember Scott moved to **amend** the main motion and to **table** in order to allow Council additional time to review the design pages to evaluate the impact on Friendswood residents.
Seconded by Councilmember Griffon. The **amended** main motion to **table failed** 3-4 with Mayor Foreman and Councilmembers Branson, Hanks, and Gustafson opposed.

Councilmember Gustafson moved to approve Resolution **R2019-04 – A resolution approving and adopting updates/amendments to the “Design Criteria Manual” for the City of Friendswood, Texas; approving the standards contained therein for the design, construction and installation of public infrastructure and related facilities and improvements within the city; and repealing all prior Design Criteria Manuals and repealing other resolutions or parts of resolutions inconsistent or in conflict herewith.
Seconded by Councilmember Branson. The motion was approved 5-2 with Councilmembers Griffon and Scott opposed.

With concurrence of Council, Mayor Foreman moved to Agenda Item 16B, Ordinance No. T2019-02.

ORDINANCES (continued)

Councilmember Branson moved to approve the Second and Final reading of Ordinance No. **2019-02 – 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 Hanks. The motion was approved 5-2 with Councilmembers Griffon and Scott opposed.

Councilmember Scott moved to approve the First and Final reading of Ordinance No. **2019-04 – An ordinance of the City Council of the City of Friendswood, Texas, calling for the holding of a General Election on May 04, 2019, for the purpose of electing two (2) Councilmembers (Position Numbers 4 and 6); ordering a Runoff Election on June 08, 2019, if necessary; and making other provisions related to the subject.
Seconded by Councilmember Griffon. The motion was approved unanimously.

Community Development Director/City Planner Aubrey Harbin reported that the Planning and Zoning Commission’s vote for Agenda Item 16D, First reading of Ordinance No. T2019-05, An ordinance amending Appendix C – “Zoning,” Section 8, “Supplementary District Regulations,” Subsection I, “Landscaping and Screening Requirements”, by amending various landscape requirements and amending Subsection I.

"Reserved," by adding screening details for dumpsters and recycling storage containers was **approved unanimously**.

****Councilmember Branson** moved to approve the First reading of Ordinance No. **T2019-05** – An ordinance amending Appendix C – "Zoning," Section 8, "Supplementary District Regulations," Subsection I, "Landscaping and Screening Requirements", by amending various landscape requirements and amending Subsection I. "Reserved," by adding screening details for dumpsters and recycling storage containers; providing a penalty for violation in an amount not to exceed \$2,000, or as otherwise provided by law; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability.

Seconded by Councilmember Hanks. The motion was approved 5-2 with Councilmembers Griffon and Scott opposed.

Community Development Director/City Planner Aubrey Harbin reported that the Planning and Zoning Commission's vote for Agenda Item 16E, First reading of Ordinance No. T2019-06, An ordinance amending Appendix C – "Zoning," Section 7.5, "Community Overlay District," Subsection 3, "Screening", Subsection D, "Refuse Storage Areas, Dumpsters, and all Related Activities" by adding a reference to Section 8.I. for additional screening details for dumpsters and recycling storage containers was **approved unanimously**.

****Councilmember Branson** moved to approve the First reading of Ordinance No. **T2019-06** – An ordinance amending Appendix C – "Zoning," Section 7.5, "Community Overlay District," Subsection 3, "Screening", Subsection D, "Refuse Storage Areas, Dumpsters, and all Related Activities" by adding a reference to Section 8.I. for additional screening details for dumpsters and recycling storage containers; providing a penalty for violation in an amount not to exceed \$2,000, or as otherwise provided by law; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability.

Seconded by Councilmember Rockey. The motion was approved 5-2 with Councilmembers Griffon and Scott opposed.

Community Development Director/City Planner Aubrey Harbin reported that the Planning and Zoning Commission's vote for Agenda Item 16F, First reading of Ordinance No. T2019-07, An ordinance amending Appendix B – "Subdivisions," Section IV, "Parkland Dedication," Subsection F, "Additional Requirements", Subsection 2, guidelines used in designing parks and adjacent development, adding Subsection (G), identifying impervious cover requirements of the open space area was **approved unanimously**.

****Councilmember Branson** moved to approve the First reading of Ordinance No. **T2019-07** – An ordinance amending Appendix B – "Subdivisions," Section IV, "Parkland Dedication," Subsection F, "Additional Requirements", Subsection 2, guidelines used in designing parks and adjacent development, adding Subsection (G), identifying impervious cover requirements of the open space area; providing a penalty for violation in an amount not to exceed \$2,000, or as otherwise provided by law; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability.

Seconded by Councilmember Hanks. The motion was approved 5-2 with Councilmembers Griffon and Scott opposed.

Community Development Director/City Planner Aubrey Harbin reported that the Planning and Zoning Commission's vote for Agenda Item 16G, First reading of Ordinance No. T2019-08, An ordinance amending the Code of Ordinances of the City of Friendswood, Texas, Appendix C – "Zoning," by amending the zoning classification for a tract or parcel containing 1.91 acres of land, being part of Abstract 151, Page 6, part of Lot 4 (4-1), Block 11, Friendswood Subdivision & adjacent abandoned Hatcher Lane right-of-way, Galveston County, Texas; amending the zone classification from Single-Family Residential (SFR) to Downtown District (DD); providing for amendment of the Official Zoning Map was **approved unanimously**.

****Councilmember Branson** moved to approve the First reading of Ordinance No. **T2019-08** – An ordinance amending the Code of Ordinances of the City of Friendswood, Texas, Appendix C – "Zoning," by amending the zoning classification for a tract or parcel containing 1.91 acres of land, being part of Abstract 151, Page 6, part of Lot 4 (4-1), Block 11, Friendswood Subdivision & adjacent abandoned Hatcher Lane right-of-way, Galveston County, Texas; amending the zone classification from Single-Family Residential (SFR) to

Downtown District (DD); providing for amendment of the Official Zoning Map; providing a penalty in an amount not to exceed \$2,000 for each day of violation of any provision hereof; and providing for severability. Seconded by Councilmember Hanks. The motion was approved unanimously.

****Councilmember Scott** moved to approve the First and Final reading of Ordinance No. **2019-09** – 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 IV" 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 Rockey congratulated the Parks and Recreation Department (P&R) on a successful Daddy/Daughter Dance, the event keeps growing every year, will possibly need a new venue, and challenged P&R to come up with a Mom/Son event.

Councilmember Branson stated Sherry Goen retired as Keep Friendswood Beautiful (KFB) Chair, served as Chair for eight years, member of KFB for ten years, thanked Ms. Goen for her service, Natasha McAfee will be KFB's new Chair, and is looking forward to working with Ms. McAfee.

Councilmember Hanks thanked Mayor, Council, and Staff for a great retreat on February 02, 2019, encouraged everyone to go see the high school musical, blown away by the amount of talent in the community, this month is American Heart Association Heart Healthy Month, and thanked Sherry Goen for her years of service on Keep Friendswood Beautiful.

Councilmember Griffon thanked Sherry Goen for her years of volunteer service to the City of Friendswood and Keep Friendswood Beautiful, announced he will be running for City Council Position No. 4, has taken his position on Council seriously, honored to be a representative of the residents of Friendswood, thankful for the last nine months he has served on Council, and is hopeful he will get three more years.

Councilmember Gustafson thanked Sherry Goen for her years of service on Keep Friendswood Beautiful (KFB), congratulated KFB on another greet tree giveaway, will be running in May for another term in his position, would be honored to continue to serve in this role, there is quite a bit more work to do, believes he is the person to do a lot of that work, and hopes the citizens of Friendswood will agree with him.

Mayor Foreman thanked Sherry Goen for her years of service on Keep Friendswood Beautiful, the Daddy/Daughter dance was tremendous, congratulated the Parks and Recreation Department on their success with the event, was reminded that he used to take his daughter to the Daddy/Daughter dance several years ago, and is glad to see the event still going strong.

Councilmember Scott stated he had nothing to report.

CONSENT AGENDA

****Councilmember Scott** moved to approve the Consent Agenda as presented: A. Approving closing Shadwell Lane (approximately 1000 feet) for an extended period of time per the Special Event Permit Application. B. Accepting the November 2018 Property Tax Report. C. Approving the minutes of the January 14, 2019, Council meeting. Seconded by Councilmember Griffon.

Councilmember Rockey asked to remove Consent Agenda Item A.

*****Councilmember Scott** moved to **amend** the main motion to approve all items on the Consent Agenda as presented **with the exception of Agenda Item A**, B. Accepting the November 2018 Property Tax Report.

C. Approving the minutes of the January 14, 2019, Council meeting.
Seconded by Mayor Foreman. The **amended** main motion was approved unanimously.

**Councilmember Rockey moved to approve Consent Agenda Item A. Approving closing Shadwell Lane (approximately 1000 feet) for an extended period of time per the Special Event Permit Application. Seconded by Councilmember Scott. The motion was approved unanimously.

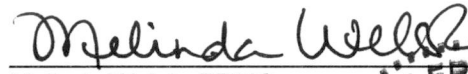
Councilmember Rockey stated there is one resident that lives on Shadwell Lane. Could accommodations be made for him to have access in and out, and City Manager Morad Kabiri answered yes.

The meeting was adjourned at 8:01 PM.



Mayor Mike Foreman

Attest:



Melinda Welsh, TRMC
City Secretary

