

STATE OF TEXAS)
CITY OF FRIENDSWOOD)
COUNTIES OF GALVESTON/HARRIS)
FEBRUARY 05, 2018)

MINUTES OF A REGULAR MEETING OF THE FRIENDSWOOD CITY COUNCIL THAT WAS HELD ON MONDAY, **FEBRUARY 05, 2018**, AT 5:00 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
COUNCILMEMBER	CARL GUSTAFSON
CITY ATTORNEY	MARY KAY FISCHER
CITY MANAGER	ROGER ROECKER
CITY SECRETARY	MELINDA WELSH

Councilmember John Scott was absent.

REGULAR SESSION

Mayor Holland called the meeting to order.

The invocation was given by Pastor Ralph Hobratschk with Hope Lutheran Church.

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

COMMUNICATIONS FROM THE PUBLIC

Don Johnson, Friendswood resident, addressed Council and stated he had recently sent correspondence to the City about dump trucks moving dirt and dumping it near Clear Creek. The dirt is from the Harris County Flood Control project where they are digging detention to try and protect the south belt neighborhoods. The project documents indicate that 100,000 cubic yards are planned to be dumped near Blackhawk Boulevard and Dixie Farm Road. There have been previous discussions years ago that the field the dirt is being dumped on would be a great location to put a 2,000 to 4,000 foot detention area, but with the amount of dirt being dumped there now that would not be economically feasible. Mr. Johnson plans on talking to Clear Creek Watershed on February 13, 2018, and asked the City to look at what is being done on the property to see if anything can be done about the issue.

Billy Enochs, Friendswood resident, addressed Council and stated a year ago he announced that he would not seek reelection for Friendswood City Council in order for him to be able to run for Galveston County Commissioner Precinct 4. If elected as County Commissioner, he would like to find ways to work with judges and not waste millions of taxpayer's dollars on attorneys by fighting with judges. He has been running on the campaign slogan "Great Leaders Care", and to him it is more than a slogan, it is a job description. First and foremost, everything he will do as a representative of the Commissioner's Court he will be a person of character. Second, he will be about doing the people's business, not playing politics. He is committed to taking care of the county's infrastructure, employees, and the needs of the county's citizens. He believes the position is a very important position and will be results oriented. There are 1,200 employees in Galveston County with a budget of almost \$200 Million and it will be his job as County Commissioner to make sure the County is inspiring those employees and setting them up for success. His job will also include maximizing the budget to get the most out of the \$200 Million and figuring out where the County can work with municipalities. He would be honored to represent all in the County Commissioner Precinct Four position, and thanked Council for their service to the community.

WORK SESSION

Mayor Holland opened the discussion regarding the Capital Projects update. Director of Public Works/City Engineer Patrick Donart presented a PowerPoint presentation regarding the progress made on Capital Projects since the January Council meeting. He reported on Old City Park, restroom and pavilion at Lake Friendswood, Lift Station No. 23, Mandale Bridge, Pavement Management Survey, 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 that Staff will verify the number of parking spaces on the design plans before advertising for bids on Old City Park. Staff's meeting with Texas Department of Transportation (TxDOT) was productive, and Staff will continue to meet with TxDOT monthly. Sales tax revenue to date from the additional street sales tax is \$1.116 Million, Staff plans to identify streets with certain quality levels and below to start tackling first, and should have a proposal to Council this summer.

Mayor Holland opened the discussion regarding City fees update. Administrative Services Director Katina Hampton stated the work session would be a follow up from the January Council meeting discussion on City fees update. Ms. Hampton presented a PowerPoint presentation regarding the fees that were proposed from Administrative Services at the last meeting including service initiation second trip, meter reread second trip, copy of proof of residency document, and copy of letter of credit document. Based on discussion with Council at the last Council meeting, the financial impact to the City for providing these services is minimal, and Staff will reevaluate these fees during the budget process. The City currently absorbs the cost associated with credit card processing fees, and the estimated total of processing fees is \$100,000 annually. Staff recommends passing credit card fees to customers of 2.5% of the fees on all debit or credit card payments, convenience fee charge will allow credit card payment for larger fees such as building permits, would allow the City to recoup most or all the fees that the City would incur, and Staff would review annually the cost of fees incurred versus the fees paid by users. Ms. Hampton introduced Deputy Director of Community Development/City Planner Aubrey Harbin to explain the proposed increases in development fees for Specific Use Permit, Planned Unit Development and Zoning Board of Adjustment applications being processed, has not been increased since 1998, and the proposed increase in fees is due to the amount of Staff time required to process the applications. Building and building regulation proposed changes include changing wording on fee types to Building (electrical), Building (mechanical), Building (plumbing) as a result of House Bill No. 239, clarify that permanent signs and irrigation permit fees are based on valuation, and remove a reference to Building Valuation Data Table that is outdated. The state does not allow the City to charge registration fees for plumbers, fire contractors, and electricians. Staff's recommendation is to recoup fees in permit issuance fees for electrical, mechanical, plumbing and gas permits via a processing fee on all other permit types. A comparison was shown of Fiscal Year 2016 registration fees actually collected which totaled \$40,810 with proposed fee changes would have collected \$39,905 versus Fiscal Year 2017 registration fees actually collected totaled \$39,100 with proposed fee changes would have collected \$39,820. Ms. Harbin further explained proposed changes/increases in permit and inspection fees, telecommunication fees due to the Local Government Code Chapter 284 that went into effect October 1, 2017, and changes to Appendix B – Subdivisions.

Discussion took place between Mayor, Council, and Staff to clarify the ordinance listed later on the agenda for Council's approval is only for the proposed credit card convenience fee. Staff will bring back an ordinance to Council for the telecommunications fees, and revisit the remaining proposed fee adjustments during the budget cycle.

Mayor Holland opened the discussion between Council, Staff, and the Planning and Zoning Commission regarding the Major Thoroughfare Plan.

Planning and Zoning Commission Vice Chair Bret Banfield opened the Planning and Zoning Commission's (P&Z) portion of the Joint Work Session. Mr. Banfield stated the last time the Major

Thoroughfare Plan was updated and revised was 2007, overdue for a refresh, P&Z formed a subcommittee to review and make a recommendation, Staff was helpful in putting the subcommittee's recommendations together, recommendation was brought to P&Z for full review, P&Z decided to seek public input; after public input and property owner input P&Z is now ready to provide Council with their recommendation.

Deputy Director of Community Development/City Planner Aubrey Harbin stated the proposed changes to the Major Thoroughfare Plan are to update roads that have been built since 2004 including West Boulevard, Falcon Ridge Boulevard, and West Ranch to be widened or acquired. West Ranch Drive has been built so it will be removed, Friendswood Lakes Boulevard will be updated for the sections that have been built, label San Joaquin Parkway, Lake Mist Lane/Pleasantville Drive as collector streets through West Ranch and San Joaquin, update the Friendswood Trails roads currently under construction and the proposed roads. The City has acquired the right-of-ways but the roads have not been built yet including Blackhawk Boulevard adjacent to Galloway School and a section of Friendswood Lakes Boulevard. Roads that have been widened to sufficient width include Melody Lane and Friendswood Link Road. P&Z would also like to update the proposed route for the Grand Parkway which has changed from the last update. A developer and local property owner has approached City Council, P&Z, and the Community and Economic Development Committee to request the Blackhawk Boulevard extension from FM 2351 to Beamer Road be removed from the map. He cited difficulty in building the road due to existing oil well drill sites. The property owners do not own the drill sites and cannot dedicate the property to the City as right-of-way. The City does not have funding to build the road and ultimately, it would be a boulevard road that the City would have to maintain and would run parallel to a state-maintained roadway just 600 feet away. P&Z's recommendation is to remove the Blackhawk Boulevard extension from FM 2351 to Beamer Road and three other proposed boulevard extensions in panhandle area.

Discussion took place between Mayor, Council, and Staff regarding that there was no opposition from property owners to remove the Blackhawk Boulevard extension from FM 2351 to Beamer Road, and the consensus of Council was to include a comprehensive citywide traffic analysis with the Major Thoroughfare Plan. Population has increased, need to look at increasing mobility throughout the City, and Staff will look into funding options during the next budget cycle.

With concurrence of Council, Mayor Holland moved to Agenda Item 10, City Manager's Report.

CITY MANAGER'S REPORT

City Manager Roger Roecker reported that the Annual Tree Giveaway sponsored by Keep Friendswood Beautiful (KFB) was held at Friendswood City Hall, on January 20, 2018, where 100 trees were given away to residents within 25 minutes and residents were lined up as early as 6:45 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 City has applied to the Texas Water Development Board for a Flood Mitigation Assistance Grant related to Hurricane Harvey. The 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 \$1.9 Million related to debris removal and monitoring services, and the City has received \$1.3 Million for debris removal and other protective measures. The estimated number of residential dwelling units impacted is 2,711 throughout the City. There have been 2,382 permits issued to-date as result of Hurricane Harvey.

Assistant City Manager Morad Kabiri discussed a recent Houston Chronicle article regarding Hurricane Harvey. The City of Friendswood has historically, prior to Tropical Storm Allison, followed the 1999 Flood Plain maps, and the same flood insurance maps were used for both Galveston and Harris County. Shortly after Tropical Storm Allison in 2001, Harris County funded a study to update the Harris County Flood maps. The study provided a new map for Harris County's jurisdictions, and in 2007 the City of Friendswood adopted the update Harris County flood maps. Federal Emergency Management Agency

(FEMA) never recognized the updated Harris County flood maps. The net result was that a number of Friendswood residents were inadequately insured. Hurricane Harvey hit the City of Friendswood, and the City of Friendswood proposed repealing the updated Harris County maps to give residents the most flexibility as they evaluate their current conditions. The flood plain maps do not alleviate flooding, and the City wants to make sure homeowners are adequately prepared to secure flood insurance as needed.

The City Manager presented a video to recognize the hard work that has been done by volunteers and Staff over the past year.

With concurrence of Council, Mayor Holland moved to Agenda Item 16, Consent Agenda.

CONSENT AGENDA

Councilmember Hill recused himself for a conflict of interest.

******Councilmember Foreman moved to approve all items on the Consent Agenda as presented: A. Authorizing the disposal of a Police Department vehicle through auction. B. Approving a license agreement between the City of Friendswood and Johnson Five Holdings, LLC, for a request to use existing and add new parking spaces within the City's right-of-way located at Shadwell Lane. C. Accepting the December 2017 Property Tax Report. D. Approving the Minutes of the January 08, 2018, Council Meeting.

Seconded by Councilmember Branson. The motion was approved 5-0 with Councilmember Hill recusing himself.

With concurrence of Council, Mayor Holland moved to Agenda Item 15, Communications from the Mayor and Councilmembers.

COMMUNICATIONS FROM THE MAYOR AND COUNCILMEMBERS

Councilmember Rockey announced he will be getting married on February 17, 2018, and he could not be any happier.

Councilmember Branson stated the City was honored to have Budweiser Clydesdales in the City of Friendswood, she and her father got to ride on the wagon, and it was a great day.

Councilmember Hill stated Clear Creek Steering Committee along with the Army Corp of Engineers will have a meeting on February 13, 2018, at 11:00 AM at Galveston County Consolidated Drainage District, will discuss flooding issues, and encourages anyone to attend.

Mayor Holland stated he has reconsidered and will not be running for Mayor in the upcoming election, will spend time with his family.

Councilmember Foreman stated he would like to formally announce he is running for Mayor. The City is on a positive trajectory, and thanked Mayor Holland for his leadership, would like to continue to move Council forward, overwhelmed by the amount of support he has received as people have heard that he is running for Mayor, and is excited to be running for the Mayor of Friendswood.

Councilmember Gustafson stated he 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 551.071 – Consultation with Attorney regarding pending litigation, Cause No. 18-CV-0108; Joseph Tostado v. City of Friendswood; in the 122nd Judicial District Court of Galveston County, Texas, 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 551.074 – Personnel Matters; to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee (City Manager and Assistant City Manager).

RECONVENE INTO OPEN SESSION

Council reconvened into Open Session with action taken later in the meeting regarding Section 551.074 – Personnel Matters; to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee (City Manager and Assistant City Manager).

ACTION ITEMS

**Councilmember Rockey moved to approve giving the City Manager a 3.5% salary increase. Seconded by Councilmember Foreman. The motion was approved 6-0.

**Councilmember Hill moved to approve the employment agreement with Morad Kabiri for the City Manager's position. Seconded by Councilmember Branson. The motion was approved 6-0.

COMMUNICATIONS FROM THE PUBLIC

Trish Hanks, Friendswood resident, addressed Council and stated 35 years ago she and her husband chose to live in Friendswood. The strong sense of community that influenced her decision back then needs to be protected, and the founding values of faith, family, and education are still important to her. Like all longtime Friendswood residents, she has experienced numerous changes mostly due to growth, grateful to the current and past people who stepped up to meet the challenges that accompany growth, and is willing to offer her experience and knowledge to serve the Friendswood community. She had the privilege to lead the Friendswood Independent School District for 15 years, and has learned over the years success does not just happen, it takes a lot of hard work. During her tenure as Superintendent she met with senior City Staff nearly every month, developed a good understanding of how the City operates, and mutually respectful relationships were formed. She pledges to listen to residents and Staff with the intent to understand and examine all facts before making a decision. She appreciates Staff and the jobs they are tasked with, grateful to City Manager Roger Roecker for his service, and excited Assistant City Manager Morad Kabiri will be following Mr. Roecker as the new City Manager. She clearly understands the different roles involved as City Manager, Council, and Mayor, has worked successfully for 16 different elected officials over the years, and is confident her experience would be beneficial. Ms. Hanks announced her candidacy for City Council Position No. 3, excited to offer her leadership experience and knowledge of Friendswood to serve the City in a different leadership capacity, and pledges to work to ensure Friendswood remains the city of choice for families and businesses now and in the future. Ms. Hanks thanked Council for allowing her time to make her announcement.

David Allen, Friendswood resident, addressed Council and stated he also has lived in Friendswood for 30 plus years, has been an amazing place and a lot of changes, yet still very patriotic and well intentioned. Will talk about the stock market which went down 1,500 points, weapons grade uranium was sold to the Russians by the Clinton Foundation essentially as a bribe. Most recently a dossier was created and paid for with campaign funds so the opposition party was the Federal Intelligence Surveillance Act (FISA) Foreign Intelligence Surveillance Court, was told it was good data to enable spying on the Trump campaign, same as what Nixon did in 1972, is pretty serious. The Rosenberg's were put to death for giving weapons secrets to the Russians, will be interesting to see what happens to the former sitting President, essentially another Watergate, and the stock market is reacting to the issue. Visit the website infowars.com for real news, is very interesting, and keep praying for the country.

Michael Wood, Friendswood resident, addressed Council and stated he would like to announce he is running for Council Position No. 1 in the upcoming election. His platform will be based on three principles including the best government is the smallest, most transparent government with the most efficient use of taxpayer's money, government regulation of private business should be minimal and no taxpayer funds should be used to augment private business, and he believes the City of Friendswood should remain a hometown and not a destination. The City of Friendswood is a small landlocked city that is quickly approaching buildout, is time to get spending under control, and the appropriate ratio of business to residences established.

COMMUNICATIONS FROM COMMITTEES AND SPECIAL REPORTS

Animal Shelter Advisory Committee Chair Dr. Donald Stran presented the annual report from the Animal Shelter Advisory Committee. Dr. Stran stated under the leadership of Deputy Police Chief Luke Loeser, the advisory committee is doing well. The Animal Shelter had over 1,500 calls in 2017, there were 358 dogs picked up, and 196 of those dogs were returned to their owners almost immediately due to the microchip program. The Animal Shelter has purchased a few handheld microchip devices to place in their units increasing the number of animals returned to their owners immediately. Animal adoptions are open six days a week, and the program is running great.

With concurrence of Council, Mayor Holland moved to Agenda Item 11, Discussion and possible action regarding disposition of Invitation to Bid No. 2018-01 One-Time Purchase of Vehicles for Public Works Fleet Replacement.

ACTION ITEMS (continued)

****Councilmember Rockey** moved to approve the disposition of Invitation to Bid No. 2018-01 for One-Time Purchase of Vehicles for Public Works Fleet Replacement and approve the purchase of fourteen vehicles. Seconded by Councilmember Foreman. The motion was approved 6-0.

****Councilmember Branson** moved to approve the Friendswood Downtown Economic Development Corporation (FDEDC) contract with Lauren Griffith Associates, authorize the expenditure of funds, and authorize the FDEDC President to execute the contract. Seconded by Councilmember Foreman. The motion was approved 6-0.

Economic Development Coordinator Karen Capps stated Friendswood Downtown Economic Development Corporation (FDEDC) met on January 23, 2018, to hold a public hearing on a downtown improvement plan project and approved a contract with Houston-based landscape architectural firm Lauren Griffith Associates (LGA). The contract will help create an implementable improvement plan to ensure a cohesive, functional and vibrant downtown streetscape that reflects the character desired by Friendswood residents, business owners, and other stakeholders. The project will take an estimated six months to complete, will include public input, and will include six public meetings held throughout different stages of the project.

RESOLUTIONS

****Councilmember Hill** moved to approve Resolution **R2018-01** – A resolution of the City Council of the City of Friendswood, Texas, designating the Mayor as the City's representative in seeking eligible grant funds under General Victim Assistance Direct Services Program; and authorizing the submission of such grant application to the Criminal Justice Division of the Office of Governor. Seconded by Councilmember Gustafson. The motion was approved 6-0.

****Councilmember Gustafson** moved to approve Resolution **R2018-02** – A resolution of City of Friendswood, Texas, urging the Texas Congressional Delegation to request and support funding for the U.S. Army Corps of Engineers ("Corps") authorized construction ready project on Clear Creek for 2018. Seconded by Councilmember Branson. The motion was approved 6-0.

****Councilmember Branson moved to approve Resolution R2018-03 – A resolution of the City of Friendswood, Texas, Galveston/Harris Counties, submitting a nomination(s) to the Board of Directors of the Galveston Central Appraisal District for 2018-2019-Filling a Vacancy (Scott Brast).**
Seconded by Councilmember Gustafson. The motion was approved 6-0.

ORDINANCES

****Councilmember Branson moved to approve 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 of credit card processing convenience fees.**
Seconded by Councilmember Foreman. The motion was approved 6-0.

****Councilmember Foreman moved to approve the Second and Final reading of Ordinance No. 2018-03 – 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 Branson. The motion was approved 6-0.

****Councilmember Branson moved to approve the First and Final reading of Ordinance No. 2018-05 – 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 IV" 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 Rockey. The motion was approved 6-0.

****Councilmember Hill moved to approve the First and Final reading of Ordinance No. 2018-06 – An ordinance of the City Council of the City of Friendswood, Texas, calling for the holding of a General Election on May 05, 2018, for the purpose of electing a Mayor and two (2) Councilmembers (Position Numbers 1 and 3); ordering a runoff election on June 09, 2018, if necessary; and making other provisions related to the subject.**
Seconded by Councilmember Gustafson. The motion was approved 6-0.

****Councilmember Rockey moved to approve the First and Final reading of Ordinance No. 2018-07 – An ordinance of the City Council of the City of Friendswood, Texas, calling for the holding of a Special Election on May 05, 2018, for the purpose of electing a Councilmember (Position Number 4) to fill the remainder of the unexpired term; ordering a runoff election on June 09, 2018, if necessary; and making other provisions related to the subject.**
Seconded by Councilmember Branson. The motion was approved 6-0.

The meeting was adjourned at 7:27 PM.

Mayor Kevin Holland

Attest:

Melinda Welsh, TRMC
City Secretary

