

STATE OF TEXAS)
CITY OF FRIENDSWOOD)
COUNTIES OF GALVESTON/HARRIS)
JUNE 03, 2019)

MINUTES OF A REGULAR MEETING OF THE FRIENDSWOOD CITY COUNCIL THAT WAS HELD ON MONDAY, **JUNE 03, 2019**, AT 6:00 PM AT FRIENDSWOOD CITY HALL COUNCIL CHAMBERS, 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS, WITH THE FOLLOWING PRESENT CONSTITUTING A QUORUM:

MAYOR
MAYOR PRO-TEM
COUNCILMEMBER
COUNCILMEMBER
COUNCILMEMBER
COUNCILMEMBER
COUNCILMEMBER
CITY ATTORNEY
CITY MANAGER
CITY SECRETARY

MIKE FOREMAN
JOHN SCOTT
STEVE ROCKEY
SALLY BRANSON
TRISH HANKS
ROBERT J. GRIFFON
BRENT ERENWERT
MARY KAY FISCHER
MORAD KABIRI
MELINDA WELSH

REGULAR SESSION

Mayor Foreman called the meeting to order.

The invocation was given by City Manager Morad Kabiri.

Girl Scouts Emily Hernandez and Katherine Lomoc with Girl Scout Troop 26222 led the Pledge of Allegiance to the United States and to the State of Texas.

COMMUNICATIONS FROM THE PUBLIC

Kathy Rogers, Friendswood resident, addressed Council and stated she is at the meeting to speak on Agenda Item 12, naming the Stevenson Park Gazebo. There has been talk of naming the gazebo, Council should follow the city's policy, and she could offer suggestions for naming the gazebo, is a bad precedent to not follow policies, and requested Council defer the agenda item to a later date.

WORK SESSION

Mayor Foreman opened the discussion regarding the Multi-Year Financial Plan. Administrative Services Director Katina Hampton presented a PowerPoint presentation regarding the city's Multi-Year Financial Plan (MYFP), which primarily focuses on the General Fund and Debt Service Fund used in decision making. The scope of detail for the MYFP includes revenue projections, expenditure projections, and Decision Package impacts carried out through the plan. The plan will impact the Fiscal Year 2020 projected operating and fund balances. Ms. Hampton discussed planning assumptions with the key revenue source being property taxes. Tax revenue is based on projected tax values with an estimated 2% growth in tax base throughout the plan, other revenue sources are based on population projections, and are increased by 2% per year throughout the plan. Revenue planning data includes residential/commercial growth projected, current trends considered, tax base is identified, fiscal policies are considered, revenue forecasting, fee adjustment and/or new fees, and alternative revenue options available.

Discussion took place between Mayor, Council, and Staff regarding the estimated 2% growth in tax base throughout the plan is lower than past years. In the city's budget document there is a table that shows net taxable value and the growth from year to year for a historical view, and Staff will present a historical view of projections versus actual growth in tax base at a future Council meeting.

Ms. Hampton continued the PowerPoint presentation with Fiscal Year 2020 Projected General Fund Revenue, total General Fund Revenue of \$30,001,639 with non-tax revenue being \$5,352,870, franchise taxes being \$2,274,485, sales tax being \$6,540,267, and property taxes being \$15,834,016. The sales tax revenue generated from the half-cent sales tax approved by voters in 2016 for street improvements and the Friendswood Downtown Economic Development Corporation (FDEDC) is recorded and expanded in funds separate from the General Fund. Non-tax revenue includes building permits, intergovernmental grant revenue, court fines, and interfund transfers. Property tax components include gross appraised values approximates market, taxable value, tax levy, and tax revenue. The tax rate has two parts that are considered when adopting the tax rate debit services along with Operations and Maintenance (O&M) for General Fund. Tax rate drivers include property tax revenue in the MYFP is based on the Effective Tax Rate, and approximately the same revenue for the same properties is generated with the Effective Tax Rate. Revenue growth relating to property values, in the MYFP is projected from revaluations and new construction. Tax rate increases for possible general obligation bond issuance. Planning assumptions in regards to expenditures include personnel expenditures to increase 3% annually throughout the plan, increase due to salaries and related benefits, and non-personnel expenditures to increase 2% year over year based on historical average. Planning assumptions for fund balance, target of 90-days operating reserves, undesignated fund balance uses are emergencies, one-time expenditures without operating cost increase, major capital purchases, and start-up expenditures for new programs. The MYFP indicates 90-day operating reserve maintained through Fiscal Year 2022. With current projections and assumptions, no Decision Packages are funded in the five-year planning window. The Citizens Advisory Team was formed in March 2019 and have been meeting to discuss future capital project needs and potential funding sources. Council's role is guidance on tax rate, input on existing and alternative revenues, programmatic changes, and participation in budget development.

Discussion took place between Mayor, Council, and Staff regarding the revenue impacts on Effective Tax Rate versus a Flat Tax Rate, and Decision Packages and Forces-At-Work will be added into the budget process later. The Citizen Advisory Team is scheduled to present their recommendations to Council late in June, and Council has until August to call for a bond election in November if desired.

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 551.074 – Personnel Matters; to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee with possible discussion and action related thereto in open session (Evaluation of the City Attorney).

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 with possible discussion and action related thereto in open session (Evaluation of the City Attorney).

COMMUNICATIONS FROM THE PUBLIC

Lisa Cushing, Friendswood resident, addressed Council and stated she is at the meeting to discuss Agenda Item 12, naming the Stevenson Park Gazebo. She further stated she has no issue with former Mayor Schrader being honored and his service should be recognized. The gazebo should remain unnamed if it cannot be named after the person who designed it and worked around the clock for the gazebo to be completed in time to celebrate the nation's bicentennial celebration in 1976. The gazebo was her father's gift to the community, the City of Friendswood paid only for construction materials, and her father solely bore the cost of this treasured landmark. David Bolton helped her father build the gazebo, not sure her father would want his name on the gazebo, he never sought attention, but it does not feel right for anyone else's name to be put on the gazebo.

Connie Ratisseau, Friendswood resident, addressed Council and stated she was inspired by the budget discussion and options before Council, appreciates that Friendswood is conservative, would ask for a more practical approach on planning, cover the bases of what is coming up and needs to be done.

CITY MANAGER'S REPORT

City Manager Morad Kabiri reported that the Fourth of July Steering Committee and the City of Friendswood would like to invite all to participate in the city's 124th Annual Friendswood Fourth of July Celebration. The daylong celebration is packed full of entertainment, food and fun for the entire family. The theme for this year's celebration is "There is No Place Like Home." The day will kick off with the Grand Parade that will travel down Friendswood Drive. The parade will begin at 10:00 AM at the corner of FM 518 and Heritage Drive, and will feature over 100 entries from Friendswood and around the State of Texas. The parade will conclude at Stevenson Park where over 50 vendor booths, rides, games, food, live entertainment, and fun for the entire family will take place. The activities will begin shortly after the conclusion of the parade, and will conclude at approximately 3:30 PM. The evening program will be held at Centennial Park and begins at 7:30 PM. The band "Molly Ringwalds", will headline the night's entertainment, and will be playing music from the 80's. The evening will conclude with a fantastic fireworks extravaganza that will light up the sky beginning at approximately 9:20 PM. The fireworks will be choreographed to patriotic music and the show is expected to be one of the best fireworks displays in the Houston area. Public parking will not be available at Centennial Park for the evening program, but a free shuttle service is provided to gain admittance into the park. The shuttle service will be available from Friendswood United Methodist Church and from Friendswood High School and will begin running at 6:30 PM. Do not miss out on this family event as the community of Friendswood celebrates our country's independence in patriotic style.

The City Manager reported that Waste Connections provided scholarship to Clear Creek Independent School District (CCISD) and Friendswood Independent School District (FISD) graduating seniors as part of their community involvement within the City of Friendswood with \$500 being contributed to Clear Brook High School, \$500 to Clear Springs High School, and \$1,000 to Friendswood High School. Each school's scholarship committee selects the recipients and the scholarships are awarded according to financial need, academics, and community service. This year's scholarship recipients were Sallianne Roher from Friendswood High School, Nhi Nguyen from Clear Brook High School, and Marcella Adams from Clear Springs High School. The city appreciates Waste Connections continued support and assistance to our high school graduates in pursuing their college education.

The City Manager reported that the theme for this year's Summer Reading Clubs is "A Universe of Stories". Participants can sign up for Summer Reading Clubs online through the library's website. The library has a reading club for all ages, prizes are awarded for the number of books read, and the library will offer their usual summer programming with crafts, magic shows, live animals and more for all ages. Contact the Friendswood Public Library for more information.

The City Manager reported that in Friendswood, Galveston and Harris Counties are responsible for mosquito control. The City of Friendswood supplements the counties' efforts by spraying at all city facilities, public parks, and by providing additional spraying in public rights-of-way in the Harris County portion of Friendswood, due to Harris County only focusing on areas that have been impacted by confirmed cases of mosquito-borne diseases. Residents can also call their respective county to request spraying in a specific area. Galveston County residents can also check to see where the county has sprayed and the schedule for future mosquito spraying at the county's website www.co.galveston.tx.us/mosquito_control. Harris County Mosquito Control's online information can be found at: <http://www.hcphes.org/hcmosquitocntrl/>.

The City Manager reported that in July 2018, Staff received the final Pavement Management Analysis Report from Infrastructure Management Services (IMS). High-tech sonar equipment was utilized to catalog the surface and subgrade conditions of all roadways in Friendswood, minus Texas Department of Transportation (TxDOT) facilities. All city streets were ranked and prioritized by IMS. The asphalt roads or portions thereof identified in the contract that have been completed to date include East Viejo Drive, East Spreading Oaks Avenue, West Spreading Oaks Avenue (Staff is working with contractor to correct issues

with paving), Moore Road, Falling Leaf Drive, East Winding Way, West Winding Way, and Wilderness Trail. Striping has been completed on Moore Road, Falling Leaf Drive, and temporary on Spreading Oaks. The items or portions thereof identified in the contract that remain to be completed per the city's current contract with Angel Brothers include chip seal application on Baker Road, concrete rehab/crack seal on Stonestrow, asphalt replacement/repair on Spreading Oaks Avenue (deficient quality from contractor), striping on West Spreading Oaks Avenue, and reinstall damaged loop detectors on Spreading Oaks Avenue. Staff anticipates finalizing the scope of concrete work through construction consulting with IMS, propose engineering/surveying consultant, and prepare/advertise bid package.

The City Manager reported that the legislative session for the state of Texas closed. There were numerous bills that passed that are being sent to the Governor's office that will affect the City of Friendswood that include Texas Board of Plumbing Examiners and Plumbing License Law which are in limbo, and prior law requiring licensure "sunset" due to lack of action. House Bill 852 prohibits cities from charging building permit fees based off of construction valuations, effective immediately, and Staff is currently evaluating alternatives. House Bill 2439 prohibits cities from regulation of aesthetic finishing materials, bill has not been signed, and later in the meeting Council will consider a resolution requesting Governor Abbott to veto the legislation.

The City Manager reported in regards to Hurricane Harvey update, Mayor Foreman and Staff have been in contact with United States Representatives Randy Weber and Pete Olson's office on a number of applications the city has submitted, and Staff is anticipating receiving word on buyout applications in the coming weeks.

COMMUNICATIONS FROM COMMITTEES AND SPECIAL REPORTS

Friendswood Public Library Board Chair Diane Freeman presented the annual report and stated she is proud to be able to present positive news from the library. The door count showed that 186,169 patrons visited the library throughout the year, which is a 3% increase from the previous fiscal year, about 630 patrons per day, and the library issued 2,747 new library cards. Items checked out totaled 348,554, which was an increase of 3%. In order to stay current, the library added over 8,500 new items, raised over \$5,000 through the sale of purged books and donated items. The library hosted 872 programs over the past year for both children and adults with attendance exceeding 33,000. The library's expanded meeting and study rooms were scheduled for use 3,564 times by library patrons. Use of the library's public computers totaled 122,000 internet sessions, and the library personnel responded to over 43,000 reference questions. For the fifth consecutive year, the Friendswood Public Library qualified for the Texas Municipal Library Director's Association Achievement of Library Excellence award by demonstrating excellence in 10 service categories. Recently, the library hosted "May the Fourth Be With You: A Star Wars Celebration", and over 600 people attended the event. A special thanks to the Friends of the Library for their support in providing funds for additional programs and activities such as summer reading programs, sponsored Staff attendance to library association conferences, purchase of gift giveaways during National Library Week, and provided personnel for the book sale and book nooks. Since October, the adult and children book nooks have provided donated books for sale on an ongoing basis. Ms. Freeman congratulated Matthew Riley on his promotion to Library Director, and in August he will celebrate 30 years with the Friendswood Public Library. Karen Hart was promoted to Assistant Library Director, Lisa Wilkins was promoted to Administrative Assistant, Kim Zurich was promoted to Supervisor of Reference and Adult services, Richard Halley was promoted to Library Associate, and Drew Watkins recently joined the library's reference staff. The library is a big part of Friendswood's future, and now offers a 3D printer, a poster printer, green screen technology, a new listening station for playing your choice of vinyl records, CDs and audiobooks, thousands of downloadable eBooks, audio books and magazines and streaming videos, and a virtual reality system is being discussed.

ACTION ITEMS

******Councilmember Rockey moved to approve the appointment of Dianna Le Nell Hall to Keep Friendswood Beautiful to fill a vacancy with a term to expire November 2021, reappointment of Diane Freeman, Bryan Corey and Neeta Jambhekar to the Library Board with terms to expire July 2022, reappointment of alternate

members JoBeth Brizendine, Benette Rowley and Madeline Short to the Library Board with terms to expire July 2022, and reappointment of Joe Matranga, Richard Clark and Marcus Perry to the Planning and Zoning Commission with terms to expire July 2022.

Seconded by Councilmember Branson. The motion was approved unanimously.

No motion was made on discussion and possible action regarding naming city facilities, Stevenson Park Gazebo.

****Councilmember Rockey** moved to approve revisions to the Social Media Policy.

Seconded by Councilmember Hanks. The motion was approved unanimously.

City Attorney Mary Kay Fischer explained that the revisions would update the latest Social Media Policy from 2016, applies to third-party websites, does not impair a city employee from having a personal account, the city will post certain information on the website advising the public of the content of a specific post, and notifies the public what they cannot do on a post.

****Councilmember Hanks** moved to extend the City Attorney's contract through June 2022 and approve giving the City Attorney a 3.5% salary increase.

Seconded by Councilmember Griffon. The motion was approved unanimously.

RESOLUTIONS

****Councilmember Scott** moved to approve Resolution **R2019-17** – A resolution of the City of Friendswood, Texas, approving an amendment to Section 3.1 “Terms” of the bylaws of the Friendswood Downtown Economic Development Corporation; and repealing all other resolutions inconsistent or in conflict herewith. Seconded by Councilmember Branson. The motion was approved unanimously.

****Councilmember Scott** moved to approve Resolution **R2019-18** – A resolution of the City Council of the City of Friendswood, Texas, finding and determining that the proposed Certificate of Amendment to the Certificate of Formation is advisable; approving the form of the proposed amendment to Article VIII., regarding the terms of the directors; authorizing the adoption of the amendment; authorizing the Board of Directors of the Friendswood Downtown Economic Development Corporation to file the Certificate of Amendment with the Texas Secretary of State's office; repealing all other resolutions inconsistent or in conflict herewith and providing an effective date.

Seconded by Councilmember Griffon. The motion was approved unanimously.

****Councilmember Scott** moved to approve Resolution **R2019-19** – A resolution of the City of Friendswood, Texas, Galveston/Harris Counties, endorsing the appointment of two (2) new members to the Galveston County United Board of Health.

Seconded by Councilmember Hanks. The motion was approved unanimously.

****Councilmember Hanks** moved to approve Resolution **R2019-20** – A resolution of the City Council of the City of Friendswood, Texas, requesting Governor Abbott to veto House Bill 2439.

Seconded by Councilmember Branson. The motion was approved unanimously.

ORDINANCES

****Councilmember Scott** moved to approve the Second and Final reading of Ordinance No. **2019-16** – An ordinance amending Appendix C – “Zoning,” Section 8.N.1., “Geographic limits,” to amend the established boundary of the Downtown District map; 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 Branson. The motion was approved unanimously.

****Councilmember Scott** moved to approve the Second and Final reading of Ordinance No. **2019-17** – An ordinance amending Appendix C – “Zoning,” “Section 8.F. Off-street parking and loading regulations” and

"Section 8.G. Off-street loading regulations" to relocate Downtown District (DD) related language to "Section 8.N.3. Parking" and amendments to reduce the head in parking distance requirement from 400 feet to 75 feet, including minor grammatical corrections; 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 Branson. The motion was approved unanimously.

****Councilmember Griffon moved to approve the Second and Final reading of Ordinance No. 2019-18 – An ordinance amending Appendix C – "Zoning," "Section 7.I." and "Section 8.N.4." to allow cement fiber board installed as lap siding in the Downtown District (DD); "Section 8.N.4." to change the fenestration requirements in the Downtown District (DD), and "Section 8.N.4." to restate that service laterals must be installed underground, prohibit garage bay doors from fronting FM 518 in certain situations, limit exterior building colors to earth tone colors, require that screening materials match the main structure and add a reference to dumpster screening requirements, including minor grammatical corrections; 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 Branson. The motion was approved unanimously.

****Councilmember Griffon moved to approve the Second and Final reading of Ordinance No. 2019-19 – An ordinance amending Appendix C – "Zoning," "Section 8.N.8. Adjacent property, buffer maintenance and installation" duplicating requirements for buffering from "Section I.2. Perimeter landscaping and screening;" and amendments to "Section 8.N.3. Parking" duplicating requirements for parking from "Section I.2.c. Off-street parking landscaping;" and relocating language PUD modification from "Section 8.H. Modification of standards proposed within a PUD" to "Section 7.J. PUD, Planned Unit Development, general purpose and description," including minor grammatical corrections; 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 Branson. The motion was approved unanimously.

****Councilmember Scott moved to approve the Second and Final reading of Ordinance No. 2019-20 – An ordinance amending Appendix A, Signs, "Section 9. Prohibited signs" to prohibit LED storefront lights in the Downtown District boundary; 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 unanimously.

****Councilmember Scott moved to approve the First and Final reading of Ordinance No. 2019-23 – 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 VIII" 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 stated there will be a fabulous celebration for the 50th anniversary of Apollo 11 starting July 4, 2019, and events are planned for kids and adults throughout the whole week. There is a committee working on the celebration, if anyone is interested in working on the committee let them know, and keep the event on your calendars.

Councilmember Branson stated there is a beautiful new garden area in Stevenson Park, dedication of the Pollinator Garden will be June 7, 2019, at 6:30 PM, and encouraged everyone to go take a look at the garden.

Councilmember Hanks stated that Mayor Foreman, Councilmember Branson, and herself recently attended

a Texas Municipal League Leadership Conference, met some great people from across the state, learned a lot about their own leadership styles, was a good quality conference, and appreciates being able to go. She attended three committee meetings over the past month, there are a lot of volunteers in the city, and the City of Friendswood has a great heritage of citizens volunteering.

Councilmember Griffon stated the Friendswood Public Library gave a wonderful report; over 186,000 people visited the library over the past year. Council's predecessors had great foresight when designing the library for future use, and imagine what a community civic center could do for the downtown area.

Councilmember Erenwert stated over the last month Staff has introduced him to everyone, still has orientation to go through, and Council has been outstanding in helping him get acquainted. The Memorial Day celebration was fantastic, and everyone should be thankful to live in a city that pays that kind of tribute to people from the community that have served and lost their lives for freedom. The high school's Culinary Arts Department put on a fantastic Cake Wars event, and they are doing a lot of neat things at their facility. Being the new guy, he would like to continue to meet everyone, would like to attend Homeowner's Association meetings to meet residents, and looks forward to serving the community.

Mayor Foreman stated there is a lot going on in the city, there was a Culture and Cuisine event last weekend at the Evelyn Newman Amphitheater, was entertained by ballet and the high school symphonic band, 124th Fourth of July celebration coming up, and need to start planning the 125th celebration for next year. He stated he is excited for the upcoming Apollo 11 commemoration events to celebrate 50 years since the mission. Currently, there are 58 active United States Astronauts at National Aeronautics and Space Administration's (NASA) Johnson Space Center, 15 of them live in the City of Friendswood, and will be a terrific series of events.

Councilmember Scott stated he had nothing to report.

CONSENT AGENDA

Councilmember Griffon recused himself due to a conflict of interest.

****Councilmember Hanks moved to approve all items on the Consent Agenda as presented:** A. Authorizing the Mayor to call a Special Meeting of the City Council on June 24, 2019, to receive recommendations from the Citizen Advisory Team. B. Approving the disposal of one Police Department vehicle and one Animal Control vehicle through Houston Auto Auction. C. Authorizing the final acceptance of the Sterling Creek, Section 3B, Paving and Utilities improvements at the completion of the contractor's one-year maintenance period. D. Authorizing the final acceptance of the Greenbriar Sidewalk Paving and Utilities improvements at the completion of the contractor's one-year maintenance period. E. Approving an agreement with Hill Sand for Debris Disposal Services. F. Approving an engagement letter with Gabriel, Roeder, Smith and Company for actuarial valuations and authorize the Mayor to execute said document. G. Accepting the April 2019 Property Tax Report. H. Approving the Minutes of the May 06, 2019, and May 13, 2019, Council Meetings.

Seconded by Councilmember Branson. The motion was approved 6-0 with Councilmember Griffon recusing himself.

The meeting was adjourned at 7:51 PM.

Mayor Mike Foreman

Attest:

Melinda Welsh, TRMC
City Secretary