

STATE OF TEXAS)(
 CITY OF FRIENDSWOOD)(
 COUNTIES OF GALVESTON/HARRIS)(
 JUNE 04, 2018)

MINUTES OF A REGULAR MEETING OF THE FRIENDSWOOD CITY COUNCIL THAT WAS HELD ON MONDAY, **JUNE 04, 2018**, AT 5:30 PM AT FRIENDSWOOD CITY HALL COUNCIL CHAMBERS, 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS, WITH THE FOLLOWING PRESENT CONSTITUTING A QUORUM:

MAYOR	MIKE FOREMAN
MAYOR PRO-TEM	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

Councilmember John Scott was absent from the meeting.

REGULAR SESSION

Mayor Foreman called the meeting to order.

The invocation was given by Pastor David Bridges with Friendswood Friends Church.

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

COMMUNICATIONS FROM THE PUBLIC

Thad Roher, Friendswood Independent School District Superintendent, thanked Friendswood Police Chief Bob Wieners, the Police Department Staff, City Manager Morad Kabiri, Mayor Foreman, and Council for providing the school district with additional security the last two weeks of school. This allowed the school district to continue their mission of educating students. It was a big task and stated he wished he could share all the comments from parents and even students. The school district is grateful for the additional support that was provided.

Bob Selig, Friendswood resident, addressed Council and stated he moved to Friendswood in 2011, heard their house had never flooded, during Hurricane Harvey his house had two feet of water in it for four days, and over the last nine months he has been dealing with flooding and bureaucracy issues. He stated he is concerned that he is not seeing activity to indicate that flooding is being addressed, developer issue on Dixie Farm Road, is city really interested in getting the flooding problem solved, lives a quarter of a mile from Clear Creek, and asked Council to address the flood issue and work with all government agencies necessary to focus not only on draining/dredging the creeks but also work on cleaning out the sewer system which has not been cleaned out in years.

Deirdre Brown, Friendswood resident, addressed Council and stated she is a recovering grass roots advocate, tried to extract herself from dealing with city issues, but have seen some incredulous emails posted on social media and have concerns with efforts to try to sensor citizens on social media. She stated she was hopeful after Mayor Foreman was elected that citizens would see transparency, have not seen the efforts for transparency to date, habitual issue of altering documents, and has not heard back from any of Council after e-mailing them. She further stated she has seen recent emails which have been alarming to many who have read them, sat on the dais before, did her own research to get her own information on issues, complimented Councilmember Griffon, came across with glowing

recommendations from parties present at the Council retreat, have heard and seen councilmembers try to sensor citizens, and remains hopeful that the city will have councilmembers with pride.

Connie Ratisseau, Friendswood resident, address Council and welcomed the new councilmembers, does not want to keep coming to Council, wants to turn away, flooding is personal for a lot of people in Friendswood, when citizens hear of engineers contacting the city about reverting to old flood maps and what it means to their development, get on social media to know what citizens are concerned about, tries to be forthcoming with information that she has access to, and difficult at times to get. It is nine months after Hurricane Harvey and city is in a worse place now, received 54 inches of rain, people say it is a once-in-a-lifetime event, did not take 54 inches to flood her house or others. She stated in February saw the creeks rise with less amount of rain, listed sites on social media for citizens to receive information related to flooding, it is personal and hopes Council does something.

Rene Nowalk, Friendswood resident, addressed Council and stated she moved to Friendswood in 1997, concerned about dirt relocation on Edgewood and Timber Creek, fill dirt is being used to raise the elevation of the corner of Timber Creek and Edgewood, flooding could occur, asks the city to provide transparency on how the elevation or mitigation has been implemented, Southbend Subdivision dirt near Brio site, discussed chemicals found on site, given the proximity of the Brio site to Southbend Subdivision there is a possible negative impact to the dirt, and asked the city to seek an independent assessment of the environmental impact of the waste fill.

Dolly Cruise, Friendswood resident, addressed Council and stated she has lived in Friendswood since 1986, concerned for her neighbors and friends, read an email sent by Kathy Curry, a concerned citizen that lived near the Brio site concerned with dirt being distributed from the Brio site to other areas, and asked Council to listen.

Don Johnson, Friendswood resident, addressed Council and congratulated Mayor Foreman, Councilmembers Hanks, Rockey and Griffon on their election. At the meeting as a citizen of the City of Friendswood, lives on Clear Creek, has been following Clear Creek for years, no structural changes to improve the conveyance of water has been made to Clear Creek in 50 years, upstream Brazoria Drainage District Four has managed to straighten the creek out, to widen it, to put a slope on the banks, and to clear all of the underbrush. There is a need to improve the conveyance and detention area to try and protect residents of Friendswood, all have been distracted by development on Dixie Farm Road where a permit was issued surprisingly for 150,000 cubic yards to be dumped on an 11 acre plat, asking Council to revoke the permit, and go back to the 2007 flood maps.

Cheryl Johnson, Friendswood resident, addressed Council and stated she lives in Friendswood Estates between FM 2351 and Dixie Farm Road upstream from the Forest of Friendswood and across the creek from the paintball zone. She stated she wrote letters to Council, Planning and Zoning Commission (P&Z), Zoning Board of Adjustment and Appeals, Construction Board of Adjustment and Appeals, and the Community and Economic Development Committee, has done a tremendous amount of correspondence and research, asked that any proposed zoning change on Dixie Farm Road be rejected by P&Z, needs to be a detention site, city should revert back to the 2007 flood maps, knows that with a two-inch rain now in Houston the creek rises where she lives 17 feet, asked Council to revoke the development permit because it is flawed, if not hold the developer's feet to the fire and do what they are supposed to do.

Councilmember Rockey asked if this item could be placed on a future agenda. City Attorney Mary Kay Fischer answered as the topic relates to threatened litigation it would not be in the city's best interest to discuss in a public forum.

Councilmember Gustafson stated he was not aware of any threatened litigation.

City Attorney Mary Kay Fischer stated there was a Notice of Claim filed against the city.

City Manager Morad Kabiri stated a Public Information Request can be submitted for the Notice of Claim and the environmental reports that have been done on the dirt.

WORK SESSION

Mayor Foreman opened the discussion regarding Capital Projects update. Director of Public Works/City Engineer Patrick Donart presented a PowerPoint presentation regarding the progress made on Capital Projects since the May Council meeting. He reported on Old City Park, Blackhawk Boulevard Phase II, Pavement Management Study, Lift Station No. 23, Blackhawk Wastewater Treatment Plant, current Texas Department of Transportation (TxDOT) projects, and current Galveston County Consolidated Drainage District projects throughout the city.

Discussion took place between Mayor, Council, and Staff regarding that the dog park is anticipated to be opened for dogs by Fall, Staff is working on a Request for Proposal (RFP) for the desilting of 140,000 linear feet of storm sewer system. Pavement Management Survey, cost per mile evaluation is \$1.4 Million per mile, total estimated cost over a five year period is \$39 Million, Pavement Condition Index (PCI) score of 67, structural integrity of streets, various budget levels of repairs, to maintain a PCI of 67 estimated to spend \$1.8 Million per year on repairs, sales tax revenue for streets is approximately \$1.4 Million a year, Staff will evaluate the opportunity to capitalize on funds available to install sidewalks, sales tax revenue can only be spent on street repairs but sidewalks can be installed in conjunction with the repairs, and estimated cost is for light surface, asphalt versus concrete roads. Staff will go out for an RFP for unit prices on street repairs to see how much funding can be applied across the needs, and then Council can direct Staff on the batch of streets to tackle with the funding available.

Mayor Foreman opened the discussion between Council, Staff, and the Planning and Zoning Commission regarding proposed changes to the Zoning Ordinance related to the Permitted Use Table and Regulation Matrix as enumerated in the Joint Public Hearing language.

Planning and Zoning Commission Chair Rhonda Neel opened the Planning and Zoning Commission's portion of the Joint Work Session.

Community Development Director/City Planner Aubrey Harbin stated the Planning and Zoning Commission (P&Z) has been working on a few changes to the Zoning Ordinance for Council to review. The proposed changes are in reference to the Permitted Use Table (PUT), classifies business uses to determine if allowed in certain zoning districts. The North American Industry Classification System (NAICS) is a reference book used by Staff to determine business uses, updated every five years, includes reference numbers to classify businesses and the numbers are used in the city's Permitted Use Table (PUT). The city's current PUT references the 2012 numbers, need to update to 2017, summary of changes in Council's backup material, were not any significant changes that affected the city's PUT. Staff recommends a couple of proposed changes after reviewing the PUT, current text in the zoning ordinance references the 1997 version of NAICS, update to the 2017 NAICS, expand all the use numbers out to a minimum of three digits, add NAICS Use No. 425, Wholesale Electronic Markets and Agents and Brokers, and expand NAICS Use No. 447, Gas Stations to include NAICS Use No. 447190, Other Gasoline Stations (gas stations without convenience stores, truck stops and marine service stations).

Planning and Zoning Commissioner Richard Sasson stated P&Z formed a subcommittee to review the Staff's proposed changes, subcommittee found no fault in the proposed changes, updating to current NAICS reference book will make consistent with the remainder of codes and permits, and administratively improves things.

Community Development Director/City Planner Aubrey Harbin stated the next item is to add an exception to the Regulation Matrix for residential zoning districts. There have been a couple of Zoning Board of Adjustments (ZBOA) applications that have been processed due to residents elevating their homes on existing foundations. When raising a home, the stairs have to be extended further in front of the house and encroach the building line. In the current zoning ordinance definitions, stairs are not supposed to encroach the front building line. There have been two variances so far. Staff has a proposed exception so that residents do not have to apply to ZBOA for a variance. It is proposed to allow stairs to encroach the front building line in specific circumstances, must be uncovered stairs, be a minimum of 10 feet from

the property line, house has to be being elevated or reconstructed on an existing foundation to either meet or exceed current flood plain standards, stairway projection is limited to a minimum area required to meet the accessibility requirement per the building code, and at the widest point the stairs cannot be wider than 10 feet.

CLOSED EXECUTIVE SESSION

Mayor Foreman asked if anyone would like to speak regarding the Executive Sessions. No one spoke.

Council convened into Executive Session in accordance with the Texas Government Code, pursuant to Section 551.071 – Consultation with Attorney, to seek the advice of its attorney on matters subject to the attorney-client privilege, Section 551.071 – Consultation with Attorney about pending litigation, Cause No. 18-CV-0108; Joseph Tostado v. City of Friendswood; in the 122nd Judicial District Court of Galveston County, Texas, and Section 551.071 – Consultation with Attorney about pending litigation, Cause No. 18-CV-0687; Christine Audibert v. Zoning Board of Adjustment of the City of Friendswood, Texas; in the 405th Judicial District Court of Galveston County, Texas.

RECONVENE INTO OPEN SESSION

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

JOINT PUBLIC HEARINGS

Mayor Foreman and Planning and Zoning Commission Chair Rhonda Neel called a Joint Public Hearing to order to receive comments from the public both oral and written, regarding a zone classification change request for 2.504 acres of land out of Lot 12 Block 2, Friendswood Subdivision, located at 213 East Heritage Drive, Friendswood, Galveston County, Texas, to change from Single Family Residential (SFR), Multi-Family Residential Low Density (MFR-L), and Multi-Family Residential Low Density/Specific Use Permit (MFR-L/SUP) to Planned Unit Development (PUD).

Community Development Director/City Planner Aubrey Harbin explained that the property had an original Specific Use Permit (SUP) that was approved in 1974, sustained more than 50% damage during Hurricane Harvey, zoning needs to be brought into compliance in order for building to be brought into compliance, additional parking lot was not included in the original SUP, purpose of request is to correct zoning, Permitted Use Table (PUT) no longer allows a nursing home use with an SUP in the Multi-Family Residential Low Density zoning district, ordinance would be written specifically for this property, nursing home use would be the only use allowed, building would remain as the existing site plan, are not in a high hazard flood zone, and does meet the current elevation requirements for Galveston County.

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

Richard Pierson, applicant, stated he is a representative of Plan Review in League City, have been charged with creating a Planned Unit Development (PUD), property was permitted in 1974 and are trying to bring zoning up to date, owner will remodel the facility, low impact and traffic, scale of building fits the neighborhood, and a lot of the resident's families live nearby.

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

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

Phil Ratisseau, Friendswood resident, stated the facility flooded during Hurricane Harvey, a Councilmember and volunteers had to evacuate the facility, a shelter had to be opened for residents, did not plan for emergencies, though the elevation meets the requirements in the past it would not pass under current requirements, would hate to see elderly citizens go through the same thing again, lucky

there was no fatalities, and no one needs to go through what the residents of the facility went through.

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

Mayor Foreman and Planning and Zoning Commission Chair Rhonda Neel called a Joint Public Hearing to order to receive comments from the public both oral and written, regarding amending Appendix C, Zoning Ordinance of the City of Friendswood Code of Ordinances, regarding amendments to Section 7.P.5. North American Industry Classification System (NAICS) Codes to change version reference from "1997" to the "current" North American Industry Classification System (NAICS) Codes; and Section 7.P.6. Permitted Use Table (PUT) to update the reference to the 2017 NAICS Codes; to add NAICS Use No. 425 Wholesale Electronic Markets and Agents and Brokers; and to add NAICS Use No. 447190, Other Gasoline Stations (gas stations without convenience stores, truck stops and marine service stations).

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

Community Development Director/City Planner Aubrey Harbin explained the request would update the NAICS reference to 2017, adding NAICS Use No. 425 Wholesale Electronic Markets and Agents and Brokers, and expand NAICS Use No. 447190 Other Gasoline Stations to better define the use of other gas stations.

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

Mayor Foreman and Planning and Zoning Commission Chair Rhonda Neel called a Joint Public Hearing to order to receive comments from the public both oral and written, regarding amending Appendix C, Zoning Ordinance of the City of Friendswood Code of Ordinances, regarding amendments to Section 7.Q.3. Area and Height exceptions, to allow stairs of an elevated house to encroach the front building line in certain situations.

Community Development Director/City Planner Aubrey Harbin stated must be elevated to meet or exceed flood requirement, must maintain 10 feet from property line, must be uncovered stairs, and cannot be wider than 10 feet.

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

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

COMMUNICATIONS FROM THE PUBLIC

David Allen, Friendswood resident, addressed Council and stated he passed out a portion of the Declaration of Independence and Bill of Rights which is not being taught in school. It is legally enforceable, if citizens do not know their rights they will lose them. Is a registered engineer, majored in forestry, dirt being moved should be checked, there is usually organic compounds that have been buried that have disintegrated to harmless things, had a friend that passed away essentially of radiation poisoning after working next to a uranium diffusion plant, check for radioactive contamination, who knows what people dump on sites at night, check for a broad spectrum of things, if it reads low then it is basically nothing, raising the area two feet should have a hydrologic study done, drainage will run off very quick compared to other properties in the area, and possible culverts are needed into Clear Creek to help with drainage.

Deirdre Brown, Friendswood resident, addressed Council and stated there were some comments made regarding the Dixie Farm permit issue, citizens have the right to free speech, recently ran the San Diego

half marathon, there was a wear a blue mile portion of the marathon, most emotional time she has experienced related to physical activity, the mile had a stream of flags with fallen soldiers on them, and you realize how important free speech is. One of the first things she did in the City of Friendswood was to push for the city to get recognized as a top city by CNN Money, a good idea but took her three times to get there, knows she has to speak up over and over to make sure change happens, and status quo is not always the best. She stated the City Attorney said an item should not be placed on a future agenda due to pending litigation, checked Harris County District Clerk, Galveston County District Clerk and Travis County District Clerk, and did not see any pending litigation, if there is pending litigation. Council dictates its agenda, not the City Attorney, and Council can discuss items that are pending litigation. She further stated she would like to encourage Council to speak with the public, know the process, and do not just accept what you are told.

Ryan Lockridge, Friendswood resident, addressed Council and stated he would like to speak on Agenda Item 17D regarding approving an application for Utility Service outside the city limits, 18119 County Road 253, Pearland, TX, and would like to clarify the address will be a future home site for his family, asking the city's approval to move water over 100 feet into the City of Pearland, is paying for expenses, only 133 feet into the City of Pearland, and is next door to his aunt's house who resides in the City of Friendswood.

Phil Ratisseau, Friendswood resident, addressed Council and stated he is concerned about drainage, future flooding, and City of Friendswood Staff following procedures. In November, the previous Council approved an ordinance readopting 1999 Federal Emergency Management Agency (FEMA) flood maps, allowed the city to issue permits for homeowners to rebuild their homes, two weeks prior to Council's approval Staff approved a permit to allow dirt to be brought onto a property along Dixie Farm Road, property is in the floodway of Harris County flood maps, and a permit should not have been issued. This was allowed to elevate the property thus making it viable for commercial development. The developer has submitted an application to the Planning and Zoning Commission for a zone change, where is the concern for the citizens and homeowners downstream, many citizens of the City of Friendswood flooded during Hurricane Harvey, should be a major concern for Council, heard during the election that drainage and flooding was at the top of the list of concerns, make it serious enough that something will be done. The simplest way to resolve the issue would be to readopt the 2007 Harris County flood maps, and reinstate new development requirements for the City of Friendswood.

Kathy Young, Friendswood resident, addressed Council and stated she is astounded that the dirt from the former Brio Superfund site was used for development, gave a history of the Brio site and birth defects, why does the city believe it is safe to use this dirt, would like to see study results done on the dirt, independent testing should be allowed, dirt is 3,000 feet from the creek, and treatment plants are not designed to remove chemicals. She stated she is concerned about flooding, during Hurricane Harvey her house did not flood, sustained a little bit of damage from water pulling, read an article that flood insurance rates for the City of Friendswood were going to increase, cannot afford to pay any more for insurance, and would appreciate anything Council could do to help citizens.

Elizabeth Mantoura, Friendswood resident, addressed Council and stated she has lived in Friendswood for 30 years, owns a building across the street from the dirt, believes it will affect her business, and not a lot of consideration was given regarding drainage for neighborhoods downstream. She further stated she does not feel that the City of Friendswood has done enough between Tropical Storm Alison and Hurricane Harvey to protect citizens from flooding. The City of Pearland did a great job taking care of its citizens, all the water came to Friendswood, does not want to leave Friendswood, and would like everything taken care of.

Cheryl Johnson, Friendswood resident, addressed Council and stated she is concerned with what happens in the City of Friendswood, showed a picture of her children and grandchildren, bought property in Friendswood 30 years ago, after 10 years saved enough to build a house on the property, took six weeks to get a permit because the property was in a flood plain, built up 4 feet, had to mitigate to make sure no one else was in danger, and her children grew up in Friendswood Independent School District. Over 19 years she has watched the effects of rain, there has been a lack of action where she is and too much action to the north, had no water in their house after Hurricane Harvey but still cleaning up, and

decisions made by Council will determine if her family will stay. Quit blocking citizens ability to talk, open doors to understand, and does not want to be the next Woodlands Township suing developers who are engineering their way out of flood impacts.

COMMUNICATIONS FROM COMMITTEES AND SPECIAL REPORTS

Friendswood Public Library Board Chair Mike Czarowitz presented the annual report and stated statistics show there was an impressive increase in all areas over the previous year. A great deal of credit goes to Staff who were prepared and hit the ground running. The door count showed that 180,303 patrons visited the library throughout the year, an increase from the previous year of 37,000 patrons, about 600 patrons per day, and the library issued 2,899 new library cards. Items checked out totaled 340,917, which was an increase of over 10%. In order to stay current, the library added over 9,024 new items, raised over \$5,000 through the sale of purged books and donated items. The library held programs in the past year for both children and adults with attendance exceeding 29,000. The youth services program included story time sessions for children of all ages. Adult service programs have included basic computer literacy classes, job search programs, and genealogy programs. The library also provided monthly cultural and educational programs featuring local authors, poets, veterans, artists, and musicians. The library hosted the first annual poetry contest, second annual adult spelling bee, a classic movie night and book club monthly. Use of the library's public computer's total 78,166 internet sessions, and the library personnel responded to over 40,000 reference questions. With the expanded space, the library scheduled 2,508 meeting room usages for meetings, presentations, and study groups. The Friendswood Public Library qualified for the Texas Municipal Library Directors Association Achievement of Library Excellence award by demonstrating excellence in 10 service categories. A special thanks to the Friends of the Library for their support in providing funds for initial 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. Circulation desk attendant Linda Frano will retire in August after 22 years of service. Friendswood Public Library Director Mary Perroni will retire in August after 32 years of service to the city. Ms. Perroni started as a part-time reference librarian in 1985, in June of 1995 she became the library director, has served in that capacity for 23 years, and will be missed around the library.

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 123rd 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 "Friendswood Strong." 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 "Chinatown", will headline the night's entertainment, and will be playing music from the 80's, 90's, 2000's, and today. 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 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 the Friendswood Police Department and Police Chief Bob Wieners are proud to recognize Friendswood Deputy Chief Luke Loeser as the recipient of the Fifty Club Officer of the Year Award for his 39 years of service to the residents of Friendswood. Deputy Chief Loeser is deserving of this lifetime achievement award for the long-term leadership role he has held with the Friendswood

Police Department. It is in honor of the service and sacrifices he has made to the law enforcement profession. Deputy Chief Loeser will retire from the Friendswood Police Department in October 2018. He began his career with the Alvin Community College Police Department in 1978, joined the Friendswood Police Department as a patrol officer in 1979, when the department had 17 sworn police officers, and since that time, the department has grown to a force of 64 police officers. Deputy Chief Loeser brings 39 years of knowledge, experience and service in advancing the law enforcement profession. He has been at the forefront of developing innovative policing strategies and leading organizational change for the past 20-plus years. He has served in many roles in every division of the department, including interim police chief, and is the longest tenured policeman in the department, and has served as a role model through his actions and appearance. Deputy Chief Loeser has had a colorful career, marked by stories of police chases, unusual arrests and interesting calls for service. Deputy Chief Loeser is married to his wife, Carol and they have three children who have blessed them with three grandchildren.

The City Manager reported that on May 18, 2018, Friendswood Police Sergeant Anthony Aprile and Friendswood Police Officer Andrew Whitaker were en route separately to College of the Mainland for Tactical Patrol Rifle Training when they were alerted at approximately 7:41 AM of an active shooter at Santa Fe High School. Sergeant Aprile was pulling into the parking lot of College of the Mainland and Officer Whitaker was on Interstate 45 southbound approaching the FM 517 exit. Both Sergeant Aprile and Officer Whitaker immediately, without hesitation, responded directly to Santa Fe High School. Sergeant Aprile arrived at the school at approximately 7:50 AM just nine minutes after receiving the notification, and Officer Whitaker arrived several minutes later. It should be noted, both officers were unaware of the location of Santa Fe High school and were still able to accomplish an impressive response time. They both, without hesitation, responded immediately to the school and entered the building while shots were still being fired. Both officers did not have any history of the building layout having never been to the school, and were properly equipped even though they were only en route to training. The required response from officers in an active shooter situation is to advance on the threat until it is neutralized. The officers' response is consistent with all of the training that has been published since the Columbine High School Shooting in 1999. The officers remained in Santa Fe and assisted briefly at Santa Fe Police Department before returning to College of the Mainland for training.

The City Manager reported that Waste Connections provided scholarships to Clear Creek Independent School District (CCISD) and Friendswood Independent School District (FISD) graduating seniors as part of their commitment to 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 Caroline Mims from Friendswood High School, Blake Fox from Clear Springs High School, and Amy Luong from Clear Brook 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 "Libraries Rock". 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 Houston Astros "Orbit" will be at the library on June 26, 2018, to help encourage summer reading. 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 the Friendswood Police Department is coordinating with Pasadena Police Department to install two of the three police department owned covert surveillance cameras at Stevenson Park specifically at the Shadwell Lane and Cedarwood Drive entrance. The cameras operate independently on cellular service and will be recorded on a standalone Friendswood Police Department owned server housed at the Friendswood Police Department. This is a temporary solution until a more fixed solution is decided for Stevenson Park. The cameras have been updated and Pasadena Police Department visited the park for a site evaluation, and Staff is currently waiting on the installation of the cameras.

The City Manager reported that the city has completed the Federal Emergency Management Agency (FEMA) reimbursable debris pickup. Over the past months, the city has worked with Waste Connections on doing additional sweeps for areas hit harder during Hurricane Harvey. If resident's debris was not picked up on the scheduled date, leave the debris at the curb. Due to the volume of storm and construction debris, Waste Connections will have to do another pass to collect all debris. Following the sweeps made by Waste Connections, residents are encouraged to contact their contractors to haul off reconstruction debris, or to contract directly with a service provider to haul off debris. The city has expended \$4.7 Million in debris removal monitoring services as well as other emergency protective measures, and to date the city has been reimbursed \$1.3 Million. There was an article in the Galveston Daily News regarding the Community Rating System score, is a community rating system program offered by FEMA to help residents in municipalities reduce their flood insurance premiums as a cost saving measure based upon outreach measures the city does, and less than 7% of Texas cities participate in the rating system. The City of Friendswood does participate, in 2003 Friendswood scored a five, 2015 Friendswood was downgraded to a seven due to changes in the manual, and unfortunately the article did not accurately depict what took place. The downgrade occurred three years ago, no one's insurance premium was impacted related to the rating in the article.

Councilmember Rockey stated Council met on June 02, 2018, and authorized a subcommittee to have a coordinated look at all the drainage efforts for the City of Friendswood. Councilmember Gustafson and himself will serve on the subcommittee, and encourages citizens that are interested to submit a volunteer application and indicate an interest in the drainage subcommittee, will be hard work and an interesting effort.

ACTION ITEMS

****Councilmember Branson moved to approve the appointment of Terry McKee to the Fourth of July Steering Committee to fill a vacancy with a term to expire November 2020, reappointment of Patrick McGinnis, Rebecca Hillenburg, Paul Marx, Elmer "Bubba" Johnson, Jr., Ron Cox, Arden (Trey) Hill, and Alton Todd to the Friendswood Downtown Economic Development Corporation with terms to expire July 2020, appointment of Marcus Perry to the Planning and Zoning Commission to fill a vacancy with a term to expire July 2019, appointment of Lisa Lundquist to the Planning and Zoning Commission to fill a vacancy with a term to expire July 2021, and reappointment of Richard Sasson to the Planning and Zoning Commission with a term to expire July 2021.**

Seconded by Councilmember Rockey. The motion was approved 6-0.

Mayor Foreman stated the Friendswood Downtown Economic Development Corporation is required by state law due to the 1/8 cent sale tax that is applied to economic development for the City of Friendswood's Downtown District. The corporation consists of seven people that report to Council, all serve two-year terms, and Council would like to stagger three of the seven terms in the future.

****Councilmember Rockey moved to nominate John Scott as Mayor Pro-Tem for 2018-2019.**

Seconded by Mayor Foreman. The motion was approved 6-0.

****Councilmember Branson moved to approve the disposition of RFP No. 2018-13 for emergency response equipment and services and award to Garner Environmental Services as the primary contract and United Rentals as the secondary contract for the provision of services during emergencies.**

Seconded by Councilmember Rockey. The motion was approved 6-0.

ORDINANCES

****Councilmember Branson** moved to approve the First reading of Ordinance No. **T2018-13** – An ordinance adopting and enacting a new code for the City of Friendswood, Texas; providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such code; and providing when such code and this ordinance shall become effective.

Seconded by Mayor Foreman. The motion was approved 6-0.

Community Development Director/City Planner Aubrey Harbin reported that the Planning and Zoning Commission had a unanimous positive recommendation for Agenda Item 15B, First reading of Ordinance No. T2018-15, An ordinance amending the Code of Ordinances of the City of Friendswood, Texas, Appendix C – “Zoning,” Section 7, “Schedule of District Regulations,” Subsection 7.P.5, “North American Industry Classification System (NAICS) Codes” by changing the reference from “1997” to “current” and amending Subsection 7.P.6, “Permitted Use Table,” by adding the “2017 NAICS” reference, by adding NAICS Use No. 425, Wholesale Electronics Markets and Agents and Brokers; and providing for the expansion of NAICS Use No. 447 by adding NAICS Use No. 447190, Other Gasoline Stations (gas stations without convenience stores; truck stops; and marine service stations).

****Councilmember Gustafson** moved to approve the First reading of Ordinance No. **T2018-15** – An ordinance amending the Code of Ordinances of the City of Friendswood, Texas, Appendix C – “Zoning,” Section 7, “Schedule of District Regulations,” Subsection 7.P.5, “North American Industry Classification System (NAICS) Codes” by changing the reference from “1997” to “current” and amending Subsection 7.P.6, “Permitted Use Table,” by adding the “2017 NAICS” reference, by adding NAICS Use No. 425, Wholesale Electronics Markets and Agents and Brokers; and providing for the expansion of NAICS Use No. 447 by adding NAICS Use No. 447190, Other Gasoline Stations (gas stations without convenience stores; truck stops; and marine service stations); 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 6-0.

Community Development Director/City Planner Aubrey Harbin reported that the Planning and Zoning Commission had a unanimous positive recommendation for Agenda Item 15C, First reading of Ordinance No. T2018-16, An ordinance amending the Code of Ordinances of the City of Friendswood, Texas, Appendix C – “Zoning,” Section 7, “Schedule of District Regulations,” Subsection 7.Q.3. “Area and Height Exceptions” by adding “g. Stairs in Certain Situations,” an exception to allow stairs of an elevated house to encroach the front building line in certain situations

****Councilmember Griffon** moved to approve the First reading of Ordinance No. **T2018-16** – An ordinance amending the Code of Ordinances of the City of Friendswood, Texas, Appendix C – “Zoning,” Section 7, “Schedule of District Regulations,” Subsection 7.Q.3. “Area and Height Exceptions” by adding “g. Stairs in Certain Situations,” an exception to allow stairs of an elevated house to encroach the front building line in certain situations; 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 6-0.

****Councilmember Branson** moved to approve the First reading of Ordinance No. **T2018-17** – An ordinance amending Ordinances No. 2012-04 and 2016-46 in order to approve an annual rate adjustment as provided for in the City of Friendswood – Progressive Waste Solutions of TX, Inc., d/b/a WC of Texas (formerly known as IESI TX Corporation) Solid Waste Franchise. (Waste Connections)

Seconded by Councilmember Griffon. The motion was approved 5-1 with Councilmember Rockey opposed.

City Manager Morad Kabiri explained that city’s current waste collection services contract is with Waste

Connections, are allowed an annual rate adjustment based on Consumer Price Index (CPI) with fuel cost index taken into account, usually happens in April on the anniversary but had delays, and adjustment requested is 2.39%.

****Councilmember Hanks moved to approve the First and Final reading of Ordinance No. 2018-18 – 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 IX" 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 Branson. The motion was approved 6-0.**

COMMUNICATIONS FROM THE MAYOR AND COUNCILMEMBERS

Councilmember Branson stated Harris County Judge Ed Emmett sent out a notice that there will be seven different meetings that will occur for residents of Harris County. One of the meetings will be in League City so a discussion can be held about the needs for over \$2 Billion to be allocated for Harris County and Houston, and would like to get the information out to citizens. She thanked the two Friendswood Police Officers that responded to Santa Fe High school. There has been a recurring issue regarding downtown parking, would like suggestions from the Planning and Zoning Commission (P&Z) on a future agenda for discussion, looking for creative thinking, example of cement fibers that look like grass but is really a parking lot, rear fenestration of buildings could also be addressed, would like recommendations from P&Z, is excited the utility poles and wires are coming down on one side of Friendswood Drive, and would like to have a forward thinking plan that the poles will not be replaced with new poles and wires.

Councilmember Hanks stated she would like to show her appreciation for the Friendswood Police Department's extra involvement in local schools. The officers' response to Santa Fe High School is everyone's worst nightmare, and appreciates all that has been done. She congratulated Library Director Mary Perroni on the amazing library report, so many great programs offered, and commended the library Staff for all they do.

Councilmember Gustafson stated he would like to speak to the residents that came to the meeting to address drainage issues in the city and the dirt issue, does not know a lot about the sourcing of the dirt but will find out, sympathetic for those who have concerns with drainage, Council and Staff have not been sitting on their hands for the last nine to ten months, have personally met with several dignitaries. He stated that one item that came up is Governor Abbott had been speaking with Senator Ted Cruz, there are some Hurricane like items that have been funded but have not been done, United States Army Corps of Engineers has been the delay, no fault of the city's, there are a lot of moving parts, political components, funding issues, can something be set up that can handle 54 inches of rain, the cost may be outrageous and not really practical. Looking forward to working with Councilmember Rockey on the drainage subcommittee, have a challenging deadline, decentralized system of handling of the work associated with the creek, numerous entities and people with fingers in the pie, and a solution may be that there ultimately needs to be a larger regional authority that is larger than Galveston County Consolidated Drainage District. He stated he does not want anybody thinking that Council or Staff have not been addressing the issue because they have and welcomes anyone's input.

Councilmember Branson welcomed the two newest members of Council, great to have you all on board, and congratulated Mayor Foreman on his first Council meeting.

Mayor Foreman stated he appreciates Councilmembers Rockey and Gustafson working on the subcommittee, with help from Staff some residents will be selected to serve on the committee, with help from the drainage districts and counties will try to come up with solutions for the City of Friendswood, and welcomed Councilmembers Hanks and Griffon to Council.

Councilmembers Rockey and Griffon stated they had nothing to report.

CONSENT AGENDA

**Councilmember Branson moved to approve all items on the Consent Agenda as presented: A. Authorizing acceptance of a Deed of Gift from Autumn Creek Development, Ltd dedicating Restricted Reserves "A" of Austin Chase at West Ranch Section Two, according to the plat thereof recorded under Clerk's File No. 2016008227 of the Real Property Records of Galveston County, Texas to the City. B. Regarding ratifying the Mayor's signature on an Earnest Money Contract with Wesley West Cattle LP, to purchase property adjacent to Lake Friendswood and authorize the City Manager to execute associated closing documents. C. Approving the appointments of City Council Liaisons to Committees, Boards, and Commissions. D. Approving an application for Utility Service outside the city limits, 18119 County Road 253, Pearland, TX. E. Authorizing the disposal of a Police Department vehicle through Houston Auto Auction. F. Approving American Tower addition at 1606 Whitaker Drive, behind the Public Safety Building. G. Accepting the April 2018 Property Tax Report. H. Approving the Minutes of the April 02, 2018, and May 07, 2018, Council Meetings. Seconded by Councilmember Rockey. The motion was approved 6-0.

CLOSED EXECUTIVE SESSION

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

Council convened into Executive Session in accordance with the Texas Government Code, pursuant to Section 551.074 – Personnel Matters; to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. (Evaluation of the City Attorney)

RECONVENE INTO OPEN SESSION

Council reconvened into Open Session with action taken later in the meeting.

ACTION ITEMS (continued)

**Councilmember Rockey moved to approve giving the City Attorney a 4% salary increase. Seconded by Councilmember Branson. The motion was approved 6-0.

The meeting was adjourned at 8:46 PM.



Mayor Mike Foreman

Attest:



Melinda Welsh, TRMC
City Secretary

