

STATE OF TEXAS)
CITY OF FRIENDSWOOD)
COUNTIES OF GALVESTON/HARRIS)
SEPTEMBER 10, 2018)

MINUTES OF A REGULAR MEETING OF THE FRIENDSWOOD CITY COUNCIL THAT WAS HELD ON MONDAY, **SEPTEMBER 10, 2018**, AT 4:30 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
CARL GUSTAFSON (Arrived at 4:39 PM)
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.

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

COMMUNICATIONS FROM THE PUBLIC

Linda Richard, Friendswood resident, addressed Council and stated she is opposed to the carousel project because if the project fails it could not easily be sold, likely scenario is that the horses would be given back to donors that paid for them, and remaining components could be sold for parts.

Jerry Ericsson, Friendswood resident, addressed Council and stated he is in favor of the carousel project, it would bring quaintness to the downtown area. The Friends of Downtown Friendswood Association have tried to define the downtown area and make it more attractive with renovations. He believes the premise of the carousel project was to bring people into the City of Friendswood who will spend money.

Lonnie Moffitt, Friendswood resident, addressed Council and stated he is in favor of the carousel project, would be a great addition to the city, being built and supported with private funds, and Friends of Downtown Friendswood Association has done a marvelous job of improving the downtown area.

Janis Lowe, Friendswood resident, addressed Council and stated she is opposed to alcohol sales in city parks, current policy was adopted by Council in 2014, no consumption of alcohol or controlled substances, no economic benefit, and believes it is better to keep alcohol out of the parks just like school campuses. She further stated she is opposed to the consideration or discussion of a Memorandum of Understanding with Friends of Downtown Friendswood Association at this time. Citizens were promised town hall meetings to discuss possible uses of the Fire Station No. 1 site when the building was demolished in November and hopes Council has reviewed the Friends of Downtown Friendswood Association's business plan before taking any further consideration or discussion. There are questions that should be answered regarding the desired use of public land. Ms. Lowe asked Council to review Resolution R2017-02, legal description and geographical references are incorrect. She is opposed to the request for park dedication funds to correct mistakes made at Old City Park, opposes Council's action to put in a detention pond in 1776 Park, violates the deed of gift, and Council needs to review the deed. The proposed pond boundaries breaches the park

boundaries.

Jim Gerland, Friendswood resident, addressed Council and stated he is in favor of the carousel, some on social media were lobbying people to speak in opposition, alcohol sales will not be tied to the carousel, project has been ongoing for a few years, coming to fruition now, he and his wife are crazy about kids, create something that will go on for generations, and encouraged residents that are opposed to the carousel project to hear the presentation at one of Friends of Downtown Friendswood Association's meetings.

Suzie Hand, Friendswood resident, addressed Council and stated she has lived on Laurelfeld Drive for two years, was in favor of the carousel when she first heard about it, from what she heard on social media the carousel project seems to be like a small Kemah, concerned about alcohol being served anywhere near the park, and believes there are issues with transparency causing trust issues.

Shari Permenter, Friendswood resident, addressed Council and stated there was a study conducted through Clinical Pediatrics Journal that investigated childhood injuries involving rides and amusement park attractions. The study was analyzed by the National Electronic Injury Surveillance System which stated 93,000 children sought treatment at an emergency room following an amusement park injury. The data revealed the 21% of the injuries occurred on a carousel. She believes that is a staggering number, and quite a bit of liability for the City of Friendswood.

Jeff Weisell, Friendswood resident, addressed Council and stated he is opposed to the carousel project due to parking and noise levels, concerned with parking, people park in his driveway and street, has caused an issue at past events, concerned with alcohol being served in a public park, and the carousel combined with Concerts in the Park will be loud.

Mary Katherine Heeb, Friendswood resident, addressed Council and stated she is opposed to the carousel, will be a commercial venture that will ultimately be a monetary, security, parking, and noise level liability to the park. Stevenson Park is well designed and used by local citizens, why bring people in from other cities, why is an amusement supposedly for children including a vendor to sell alcohol, who will provide security, less parking spaces means more neighborhood overflow parking, and nearby neighborhoods will endure hours of the carousel music played over and over.

Terri Brunt, Friendswood resident, addressed Council and stated she would like Council to strongly not consider the Memorandum of Understanding for the Friends of Downtown Friendswood Association for the proposed carousel project. The project would take away a significant amount of space from Stevenson Park, land is currently being used for additional parking, would only be used 183 days a year for eight hours a day, would be closed 182 days, taxpayers should have full access to park, private organization should provide their own land, is unconscionable to use taxpayer land and then restrict for taxpayer use, told no taxpayer dollars would be used, should put in writing, Council should make same guarantee, serious concern for taxpayers since they will not have a vote, only vote was to vote for Council, land belongs to taxpayers and not a private organization.

Sangi Gardiner, Friendswood resident, addressed Council and stated she is at the meeting to ask Council to consider the sale of alcohol in the park for certain events, represents Friendswood Fine Arts, raises funds to donate back to school district, offers free alcohol now and have never had a problem, monitors it, Galveston has an art walk, alcohol is monitored with no problems, and helps generate funds to donate back to the community.

Janice Rich, Friendswood resident, addressed Council and stated she has lived in Friendswood since 1979, has remained the same for a number of years especially Stevenson Park, is opposed to the sale or consumption of alcohol in the park, who will choose the vendor, who gets to come in and sell alcohol, Stevenson Park was designed for park purposes and not an alcohol venue, will contribute to security and litter, ludicrous to believe that people will sit and consume alcohol only at the carousel, also concerned with where the liability will fall, concerned with parking since she lives close to the park, and does not want people to trample on her property.

Dave Yelovich, Friendswood resident, addressed Council and stated he has lived in Friendswood for 22 years, recently rebuilt after Hurricane Harvey, appreciated the help from multiple departments throughout the city, have more important things to worry about than a carousel. The city does have beautiful parks, do not have a park on Harris County side, had Wedgewood Park which was a beautiful park but Hurricane Harvey washed it away. The infrastructure in Harris County portion of the city is approaching 50 years, going to have to spend money on Harris County portion of the city, are there funds in the budget. He is opposed to the carousel project, and in favor of a Harris County park.

Deirdre Brown, Friendswood resident, addressed Council and stated she does not want to be at the meeting, was resigned to not come back after last meeting, thanked Council for the approval of flood plain maps, received phone calls about an ordinance regarding open records issues, there is all kinds of ways to get records, do not know why the ordinance is being purposed by Staff and not being addressed by Council before an ordinance is drafted. City Council sets policy, do not know how Council could be adequately prepared for the nature of the issues on this meeting's agenda, very important issues with limited backup documents. There is no backup documentation or nothing new regarding the Memorandum of Understanding from the last time there was a town hall meeting or workshop on the issue, suggests to give equal time in a workshop format to those that are concerned about the proposed project. With respect to alcohol in parks, consider demand and do research, cannot prohibit different groups must be open to everyone. She stated she does not understand why the carousel project is not going through Friendswood Downtown Economic Development Corporation (FDEDC), thought the purpose of FDEDC was to develop a strategy for the Downtown District, looks as though the city is circumventing FDEDC by going through Friends of Downtown Friendswood Association for such a major proposal for downtown.

Ron Lovely, Friendswood resident, addressed Council and stated the list of projects for Clear Creek Watershed are provided on the Harris County Flood Control District's (HCFCD) website, per the United States Army Corps of Engineer and HCFCD engineers none of the projects are designed for a Hurricane Harvey type storm, and Council will have to fight for a Hurricane Harvey type storm to be a requirement for drainage designs. Due to the City of Friendswood's size and location, it received seven times more water than fell on it, the amount of funds allocated to the Clear Creek Watershed from HCFCD is \$436 Million, most of the funds are for projects upstream for smaller storms, two small detention ponds and a small amount of channel maintenance have been earmarked for Friendswood. The two detention ponds will hold 1,000 acre feet of water combined, and channel maintenance will convey a small amount of water downstream more effectively. The city would be better off if it weaned itself off of public assistance and fixed the problems, there are funds to solve the problem, and Council should not give up until the job gets done.

Edith Gregg, Friendswood resident, addressed Council and stated she is opposed to the carousel, is a waste of money, has lived in her house since before the city adopted the portion of Harris County she lives in, then Heritage Park Subdivision was built, when Houston drains it drains toward Friendswood, received four feet of water during Hurricane Harvey from Heritage Park drainage, have lived through three floods and never had a drop of water until Heritage Park Subdivision was built, not paying attention to water coming from Houston, Harris County built a holding tank that was supposed to last ten years, Harris County is not to be trusted, freeways have been built up and underpasses lowered, and evacuation will be difficult if needed.

Tania Brown, Friendswood resident, addressed Council and stated she has lived in the Harris County portion of Friendswood since 1995, is Vice President of her Homeowner's Association, not opposed to carousel but not on city land, everyone has dreams and would never tell someone not to follow their dreams, do not interject your dreams on other people, large pieces of property are available, anywhere but on city land.

John Maisel, Friendswood resident, addressed Council and stated he did not choose to be a poster boy for the Hurricane Harvey article that was in Galveston Daily News, spokesperson for people who are still without any relief from Federal Emergency Management Agency (FEMA), spent \$21,000 to clean up his property and then was designated as distressed property. Friendswood could become a focal point attempting to bring together Galveston County residents to bring attention to the people who have been

without a home for a year, and work together to expedite getting people back into their homes.

Edith Greg, Friendswood resident, addressed Council and stated her neighborhood is at the mercy of Heritage Park Subdivision and Harris County. Two days after Hurricane Harvey, Heritage Park Subdivision had no water in their yards, and owns three cars/ If she had parked on the other side of the fence she would not have flooded, is opposed to the carousel, Wedgewood Park has deteriorated, and she can no longer go there and walk.

WORK SESSION

Mayor Foreman opened the discussion regarding the city's proposed Fiscal Year 2018-2019 General Fund Budget. Administrative Services Director Katina Hampton presented a PowerPoint presentation regarding Fiscal Year 2019 total revenue of \$58.6 Million, Fiscal Year 2019 total expenditures of \$ 58.3 Million, current tax rate of \$0.5273, proposed tax rate of \$0.5324, reviewed historical tax rate, historical tax rate adoption, General Fund Revenue of \$27.7 Million, new and updated General Fund revenues, General Fund Expenses of \$28.2 Million, reviewed historical population figures, full-time equivalent personnel per capita, governmental funds expenditures per capita, General Fund Decision Packages total \$645,082, unfunded Decision Packages, General Fund balance with 90-day reserve, Water and Sewer Fund revenues of \$12.7 Million, Water and Sewer Fund expenses of \$12.7 Million, Water and Sewer Fund Forces at Work, Water and Sewer Fund Decision Packages total of \$678,905, unfunded Decision Packages, and Public Works Water and Sanitary Sewer five-year Capital Improvement Plan.

Discussion took place between Mayor, Council, and Staff regarding revenue from ambulance billing estimates are conservative, additional school resource officer agreement for Friendswood Independent School District agreement has been executed, vacancies in the Police Department and retaining quality officers, effective tax rate versus other tax rate, unfunded Decision Packages, and potential flood and drainage projects would require a bond.

Mayor Foreman opened the discussion regarding alcohol sales in public parks. Parks and Recreation Director James Toney and Assistant Parks and Recreation Director Michael Boyett presented a PowerPoint presentation regarding the possible sale of alcohol in city parks, discussed cities that allow and do not allow alcohol sales in the park, current regulations, and requirements to sell alcohol in surrounding city parks. A draft of proposed requirements was discussed, organization must be a 501(c)(3) nonprofit organization, require City Manager approval with his/her designee, must provide Texas Alcoholic Beverage Commission (TABC) permit and servers must be TABC certified, must obtain and provide proof of public liability and property damage insurance listing the City of Friendswood as additional insured on the policy, must obtain a Galveston County Health Permit, must secure transportation for intoxicated guests, must provide security for entire event (Police Department would determine appropriate number of officers), and must provide required details of the event. A draft of proposed rules was discussed, park attendants will be required (additional fees will apply), sales allowed only at Stevenson Park and Centennial Park, a janitorial fee could be required depending on the size of the event, portable toilets to be placed on site in addition to park restrooms could be required depending on the size of the event, alcohol never sold to minors or during an event intended solely for minors, glass containers prohibited for attendees, and a deposit of \$1,000 must be paid (alternate fee schedule may apply).

City Manager Morad Kabiri stated the proposed sale of alcohol would be for special events only, in conjunction with an event the city is either hosting or allowing someone to host on city property.

Discussion took place between Mayor, Council, and Staff regarding that currently citizens are allowed to bring their own alcohol to events in Stevenson and Centennial Parks, the sale of alcohol is not allowed, if approved would help secure sponsorships to help offset the annual budget for the Fourth of July event, and further discussed the pros and cons of selling alcohol at events in city parks.

With concurrence of Council, Mayor Foreman moved to Agenda Item 9B, Annual Collection Report from Delinquent Tax Attorney Mike Darlow with Perdue, Brandon, Fielder, Collins & Mott, LLP.

COMMUNICATIONS FROM COMMITTEES AND SPECIAL REPORTS

Delinquent Tax Attorney Mike Darlow gave the annual collection report and stated the City of Friendswood does not have a delinquent tax collection problem, status report shows 32% of the money owed to the city involves people that are over 65 years of age, have a homestead deferral or disability deferral, historically have an aggregate resolution of almost 80% of the money for accounts turned over by the city, and have a great working relationship with Staff.

With concurrence of Council, Mayor Foreman moved to Agenda Item 5C, Memorandum of Understanding with Friends of Downtown Friendswood Association.

WORK SESSION (continued)

Mayor Foreman opened the discussion regarding a Memorandum of Understanding (MOU) with Friends of Downtown Friendswood Association (FDFA). City Manager Morad Kabiri stated at the August 2017 Council meeting it was discussed to move forward with an MOU. After Hurricane Harvey, both sides decided to put the project on hold indefinitely, and have started discussions about gauging Council's interest in pursuing an MOU. There is nothing on the agenda to vote on but members of FDFA are present to give a brief presentation on the proposed carousel project.

Friends of Downtown Friendswood Association (FDFA) member David Smith presented how FDFA has spent the last few years to bring the proposed carousel project to Council, visited carousels throughout the world, researched nine carousels to learn more about community benefit and revenues/expenses, met to discuss pros and cons of the project, researched the National Association of Carousels and the United States Foundation of Carousels, and developed a conceptual plane. In the 1990's, a task force developed Vision 2020 for when the City of Friendswood would reach buildout and when building revenues would run out, will be harder to generate revenue and provide services. Part of Vision 2020 was understanding that diversification of the local economy would be important to maintain the type of services residents would like and relieve the burden of homeowners from a property tax standpoint. At buildout, the city will no longer be able to sustain, base of revenue should be kept at 80% residential and 20% commercial, and what will happen when there is no new land to develop. A Main Street Task Force was created to assess the needs for Friendswood's downtown area. There have been significant changes in the downtown area throughout the years, regulations made it difficult for businesses to invest in downtown, Staff and Council have worked on deregulating building requirements and drainage issues, have had partnerships with other entities to accomplish goals, and a lot of work has gone into the downtown area over the past 20 to 25 years. A group of volunteers and citizens formed FDFA to support the downtown effort, and needed to draw businesses into deregulated areas. FDFA believes the carousel project is an economic engine that will draw businesses into the downtown area, and will be something Friendswood citizens would want to spend their time and money on.

Friends of Downtown Friendswood Association (FDFA) President Brett Banfield stated FDFA began in April 2015, read the mission statement, make downtown the heart and soul of the community, had a lender 20 years ago that thought the city was a low income city based on the appearance of the downtown area, create a downtown area that people can enjoy, and downtown improvements have made a difference. Accomplishments of FDFA include sponsorship of their inaugural music festival and it is in its fourth year, campaigned for additional sales tax, brought back ice-cream socials with cooperation from other community organizations, popular scarecrow contest, raised private donations for Friendswood's first mural, currently working on a second mural, worked with many other nonprofits to fund three benches for the park, relied on private donations to take down abandoned utility poles on public property, helped with Hurricane Harvey relief, and since inception FDFA has put \$260,000 back into Friendswood's Downtown District. The carousel is on everyone's mind, will clear up some misconceptions, location will be a one acre square on the old Fire Station No. 1 site, the fire station being demolished was not initiated by FDFA, and would like to transform the site into something that fits with Friendswood's values. FDFA is proud to be made up of Friendswood residents, strong volunteer values, and would like to create a family friendly event for residents to have something to do in their hometown. The goal of FDFA with the carousel project is to create an elegant park that will be landscaped and have other amenities, conceptual plan will change based on

feedback from the community, carousel will be handcrafted, and two years to complete the build. The project will add green space to Stevenson Park, would establish a 501(c)(3) charitable foundation separate from FDFA, will be responsible to raise all private funds for the carousel park, and no city tax dollars will be utilized. The charitable foundation will oversee all design and construction aspects along with all operational components, operational costs will be funded mainly from ticket sales, project will be completed in phases, net proceeds received over operational costs will be donated back to Stevenson Park, and have put the word out that volunteers are needed to join the team to create something beautiful. FDFA is aware people have concerns, will answer all questions at public events hosted by FDFA, willing to meet in small groups with neighbors, and will be as transparent as possible.

Friends of Downtown Friendswood Association (FDFA) member Kim Brizendine gave an overview of the business plan, is a lot of moving parts, cannot be definitive since delivery of the carousel will take two years, a forecast based on visits to carousels over the world, and formulated business plan from profit/loss statements reviewed. Estimated schedule is to have the Memorandum of Understanding considered in November 2018, place order for carousel in December 2018, site preparation and staffing would be scheduled for the second half of 2020, and carousel assembly would be the first quarter of 2021. Concerns have been mentioned regarding parking and pedestrian transportation from off-site parking, schedule would allow additional time for FDFA to work with the city regarding existing parking problems, and look to see how the carousel park can minimize traffic. Citizens have every right to ask hard questions and even disagree, process helps move the agenda forward or kill an agenda, and community input is important. Gave a quick overview of the operational plan, will be closed during the school year, planning to open essentially half the year, trying to attract young families with kids, concerned with making a profit, will minimize the impact on traffic and Stevenson Park, will accommodate special events, operate eight hours a day, charge \$1 per ride, and projected one full-time and two part-time or contract employees. The operational plan consists of a breakeven point for the carousel at five cycles per hour with 15 paid customers per cycle, have tried to take a conservative reflection on what is achievable. Safety will be an issue, Kemah's carousel has seat belts, and 15 paid customers is achievable but may ebb and flow. Based off of research, FDFA feels that visitors can be pulled from a 10 to 15 mile radius. FDFA would like to hear citizens' concerns and will do everything they can to address them.

Discussion took place between Mayor, Council, Friends of Downtown Friendswood Association (FDFA) members, and Staff regarding a contingency plan if revenue projections are not met, currently have \$700,000 in written commitments for the carousel park, FDFA will continue to have public meetings, breakeven point is 109,000 riders, special events will have more riders, impact on Stevenson Park, possible gift shop and stage area for special events, carousel aspect will be fenced, public will have access to carousel park all year, FDFA will not sell alcohol in the park, to reach phase one of the project \$1.5 Million in private funds will need to be raised, and a general Memorandum of Understanding (MOU) would be executed first then a licensing and lease agreement. All contingencies will be included in an agreement to protect the city and its citizens. In August 2017, Council directed Staff to move forward with an MOU but after Hurricane Harvey the city and FDFA put the effort on hold, and Staff decided to bring the item back to Council to see if there is still an interest to move forward with an MOU.

Deidre Brown, Friendswood resident, addressed Council and stated other proposals for the property have been suggested, have not had the same opportunity to present to Council, and Staff has already decided the direction to take is through a Memorandum of Understanding.

The Capital Projects update was not given due to time constraints.

Mayor Foreman recessed the meeting at 7:41 PM and reconvened the meeting at 8:03 PM.

PUBLIC HEARING

Mayor Foreman called a Public Hearing to order to receive comments from the public, both oral and written, regarding the proposed Fiscal Year 2018-2019 General Operating Budget for the City of Friendswood.

David Allen, Friendswood resident, stated remember if alcohol is sold in city parks people might fall off the

carousel.

Phil Ratisseau, Friendswood resident, asked if \$500,000 was budgeted for street repair and maintenance, and Mayor Foreman answered yes. Mayor Foreman stated Council has continued to keep a \$500,000 line item in the budget to pay for streets even though there is an income stream coming from the sales tax referendum citizens voted on in 2016, sales tax could sunset, Council wanted to assure funds were available for streets.

COMMUNICATIONS FROM THE PUBLIC

Linda Richard, Friendswood resident, addressed Council and stated she did not go to Friends of Downtown Friendswood Association's (FDFA) presentation on the proposed carousel, does not oppose FDFA, have done some great things in downtown, wants someone to ask about FDFA purchasing their own land, and proposed location for carousel is perfect for multiple uses. She stated she does not have a problem with the carousel but does not want it put on taxpayers' land.

Janis Lowe, Friendswood resident, addressed Council and stated the proposed carousel's business plan is evolving. Friends of Downtown Friendswood Association (FDFA) will not run the operations but a new corporation, facets continue to change, item should be proposed to Council by Friendswood Downtown Economic Development Corporation, project should go through the Planning and Zoning Commission, possible rezoning due to music, operations, lights, and City Attorney should review that the city is following the proper process. At this time alcohol is not allowed to be served in city parks, policy adopted in 2014 states no alcohol consumption is allowed, and she agrees the policy should remain the same. Since Stevenson Park was established in 1975 there have been two events that allowed alcohol sales without permission, policy was revised in August 2013 and still supports the prohibition of alcohol sales.

Brandon Bailey, President of Friendswood Disc Golf Club, addressed Council and stated he understands that 1776 Park will be gone soon, disc golf is primarily played at 1776 Park. In 2016, when he took over the Disc Golf Club, they had 35 members and currently have 360 plus members. They started playing at the park in 2014, there was underage parking, but since they have started playing disc golf there the problem has practically gone away, worked with Parks and Recreation Director James Toney and put in a ton of work at the park, understands the need for drainage, and would hate to see the club leave Friendswood.

David Allen, Friendswood resident, addressed Council and stated if additional office space is needed can build straight up and more land would not be needed. He listens to infowars.com for his news source, interviewed a guy that invented e-mail in the 1990's, recommended the postal service get in e-mail and they did not, already had laws relating to privacy and free speech, and visit infowars.com to find out what is going on.

Gail Lovely, Friendswood resident, addressed Council and stated she comes a little heartbroken that drainage does not get the same emotion that a carousel does. She has lived in Friendswood for 17 years, bought her home the week of Tropical Storm Alison because it did not flood, and during Hurricane Harvey her house flooded. One year after the Galveston storm of 1900, an impossible idea was hatched to build a seawall and raise an entire island seventeen feet. Within two years of the storm the seawall had begun construction, plans were made and inventions created to raise the island, and 500 city blocks had been raised by 1911. It has been one year since Hurricane Harvey, city has moved to argue about carousels and alcohol in parks, citizens are still damaged and hurting/worrying. Quakers Landing Subdivision still has families living in their garages and trailers, and people are upset because of the lack of fight and determination seen in city leadership, need to think and act bigger, pretending it did not happen and not talking about the issues will not solve anything.

Connie Ratisseau, Friendswood resident, addressed Council and stated she is opposed to the carousel in Stevenson Park, citizens are grateful for Stevenson Park. In 1973, two bonds were presented to citizens of Friendswood, both bonds were turned down, there were more important things to be concerned about.

Max Goodgame, Friendswood resident, addressed Council and stated he lives in Imperial Estates Subdivision, city has helped with flooded house, would like to move back into his house, is a civil engineer, understands drainage issues, would like a new bridge built to replace Devil's Dip, not a huge fan of a detention pond in 1776 Park, do not tear down trees, city does not have many parks, do not plow them down.

Ed Hernandez, Friendswood resident, addressed Council and stated he lives in Imperial Estates Subdivision, trees cause the water flow to slow down for drainage issues, creek needs to be widened and straightened out, bridge is accessible to many residents, taking the bridge away would take away a safe route, bridge is well used by all age groups, and asked Council to find a way to replace the bridge.

CITY MANAGER'S REPORT

City Manager Morad Kabiri reported that National Night Out has been scheduled for Tuesday, October 2, 2018. National Night Out is a great opportunity for citizens and law enforcement to partner up against crime. To join in on National Night Out event get your neighbors to turn their porch lights on, organize a block party or some type of neighborhood event, fill out and return a National Night Out application to Officer Kevin Crouch at the Friendswood Police Department.

The City Manager reported that this summer the City of Friendswood Library had 2,096 readers join the Summer Reading Club, and they read 39,826 books over 9,259.5 hours. Story time was attended by 3,094 kids and adults, 3,124 people attended the all age programs that included magicians, Astros mascot Orbit, Texas A&M Chemistry Road Show, live animals and much more. Over 1,000 people attended the craft sessions for children. There were 802 tweens and young adults that attended 35 programs including the exclusive end of summer party and lock-in. There were 145 adults that registered for the summer reading challenge, a total of 426 books were read throughout the challenge, 53 of the registrants logged at least one book, and through a random prize drawing 11 of those participants received prizes. The summer programs were successful because of the great help from many teen volunteers along with a number of businesses who donated goods and services. The businesses include Altitude Trampoline Park, Bedrock City Comics, Chara Dance Academy, Dunn Brothers Coffee, Half Price Books, HEB Grocery Store, Luna's Mexican Restaurant, McDonald's, Pirate's Bay Waterpark, Rainforest Pet Store, Sonic, Texas A&M Chemistry Road Show, TCBY, and Whataburger.

The City Manager reported that the Government Treasurers' Organization of Texas (GTOT) has awarded a Certificate of Distinction to the City of Friendswood for its Investment Policy for a two-year period ending August 31, 2020. The city has been commended for its commitment to maintain a comprehensive written investment policy that meets the criteria set forth in the GTOT Investment Policy Review Checklist. The GTOT Investment Policy Certification Program assists organizations in developing investment policies that are compliant with the Texas Public Funds Investment Act (PFIA). To earn the GTOT Investment Policy Certificate of Distinction, an organization must submit its adopted investment policy and identify where each PFIA regulation is addressed in the organization's investment policy. The GTOT Investment Policy Review Committee determines if an organization's investment policy meets the established criteria and offers suggestions for policy improvements, if needed.

The City Manager reported that the Clear the Shelter event held in August helped Friendswood Animal Control reach a record of 53 adoptions for the month. The City Manager thanked the volunteers, Staff and especially the people who adopted dogs and cats. For information regarding pet adoptions from the City of Friendswood's Animal Control Facility, please stop by 3000 West Parkwood or call 281-996-3390.

The City Manager reported that in addition to the more than 2,400 Friendswood homes and more than 70 businesses which were damaged by Hurricane Harvey, the medians on FM 2351 were also heavily affected. Keep Friendswood Beautiful has been notified that they are the recipient of a \$10,000 grant to restore the medians. The grant application specified that funds could only be used for restoration and beautification of public property. The \$10,000 grant from Keep Texas Beautiful will purchase new sod and plants for all of the FM 2351 medians within Friendswood city limits. The City of Friendswood was one of nine cities awarded a grant.

The City Manager reported that the Fire Marshal's Office, with the assistance of other departments, continue to make headway in closing out projects with Federal Emergency Management Agency (FEMA). Staff anticipates that the majority of items currently under review by FEMA should be finalized later this calendar year, leaving the mitigation component of the public infrastructure damage recovery projects still under review.

Discussion took place between Mayor, Council, and Staff regarding the bridge at Devil's Dip, Staff is working with Galveston County Consolidated Drainage District and United States Army Corps of Engineers on a low water crossing, want to improve drainage but also keep area as a park, relocating Disc Golf Course, and the drainage subcommittee will give an update at the October Council meeting.

COMMUNICATIONS FROM COMMITTEES AND SPECIAL REPORTS

A video was shown regarding activities provided at the Friendswood Activity Center throughout the past year.

Senior Citizens Advisory Committee Chair Nancy Mastrofrancesco reported on activities at the Senior Center. Like most Friendswood residents, the committee is still recovering from Hurricane Harvey, members were affected, some temporarily displaced, and some have not returned or are still dealing with their own damage. The Friendswood Activity Center is still being used by city departments whose offices flooded. The Friendswood Public Library has generously allowed the seniors to use their facilities for Tai Chi and Yoga classes, and classes have grown with the additional space. Average daily attendance at the center has been around 370 visits per week, and there are approximately 800 members. There are a variety of activities offered to appeal to the diverse and active seniors that visit the center. Exercise programs offered throughout the year include Tai Chi, Yoga, Chair Yoga, Zumba Gold, chair volleyball, line dancing, tap dancing, clogging, and a fitness room. Other activities offered throughout the year to keep the seniors minds sharp include painting classes, Spanish classes, recorder (musical instruments) and ukulele classes, crochet classes, and AARP Smart Driver courses (offered twice a year). The Senior Center brings in guest speakers throughout the year to discuss topics that include Medicare and Veterans benefits, caring and communication solutions, avoiding scams which particularly target seniors, dealing with stress, and planning healthy meals. Games played at the Senior Center include bridge, bunco, dominos, mahjong, karaoke, wee balling tournament, bingo, canasta, hand and foot game, and hosts two monthly hand and foot tournaments. Transportation to and from the Senior Center is provided for seniors who do not drive for monthly shopping trips and to go out to lunch or breakfast. Over the past year, the bus was used for 32 field trips that included a tour of Ronald McDonald House, lavender farm in Brenham, museums, historic homes, and Asian culturing history at Lucky Land, Wortham Theatre to see a Beethoven performance, College of the Mainland's Spring Concert, Magical Winter Lights, Linear Theological facility, Minute Maid Park, Discovery Green, Bay Watch Dolphin Tour Boat, American Undersea Warfare Center, Houston Rodeo, Galveston County Fair, Houston Police Mounted Patrol facility, two Astro's games, Pasadena Opera, a mystery trip, three trips to Couthatta, and a five-night Western Caribbean Cruise. Social activities available included the fall and spring picnic, Easter egg hunt, health fair, casino extravaganza, watermelon bash and bingo, Christmas in September, wacky hat luncheon, pajama day, monthly movie matinee, and National Senior Citizens Day. The holiday events included a Veteran's luncheon, Thanksgiving potluck, breakfast with Santa, Valentine's Day luncheon, Go Texan luncheon, Cinco De Mayo luncheon, Mother's Day tea, and donuts for Dad. Special events included two annual fundraisers that help support the activities offered, the spaghetti luncheon, and the barbeque lunch. The landscaping has been replaced in front of the activity building and makes the center more inviting. A sidewalk from the activity building to the library has been completed. City Staff continues to do an outstanding job, and Friendswood's Senior Citizen Program is still a well-kept secret but the advisory committee is trying to get the word out to the community.

With concurrence of Council, Mayor Foreman moved to Agenda Item 10, Discussion and possible action regarding action on the proposed AD Valorem Tax Rate for 2018 (Fiscal Year October 1, 2018, through September 30, 2019) to place a proposal to adopt a rate on the October 1, 2018, City Council agenda, and to schedule any required Public Hearings.

ACTION ITEMS

****Councilmember Scott** moved to approve the proposed AD Valorem Tax Rate for 2018 (Fiscal Year October 1, 2018, through September 30, 2019) to place a proposal to adopt a rate on the October 1, 2018, City Council agenda, and to schedule any required Public Hearings.

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

****Councilmember Rockey** moved to approve the disposition of Bid No. 2018-17 for the 2018 Street Maintenance Program and award to Angel Brothers Enterprises, Ltd.

Seconded by Councilmember Griffon. The motion was approved unanimously.

****Councilmember Scott** moved to approve the disposition of Bid No. 2018-18 for the 2018 Storm Sewer Cleaning and Inspection, and award to All Points Inspection Services, Inc.

Seconded by Councilmember Branson. The motion was approved unanimously.

****Councilmember Rockey** moved to approve a change order for Old City Park.

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

Public Works Director Patrick Donart stated the change order is for concrete driveways and an additional 44 parking spaces, additional cost of \$82,000.

****Councilmember Scott** moved to approve authorizing the City Manager to make amendments and execute said amendments to the current agreement for Fire Fighting and Emergency Medical Services between the City of Friendswood and Friendswood Volunteer Fire Department.

Seconded by Councilmember Griffon. The motion was approved unanimously.

****Councilmember Branson** moved to approve a contract with Riveron Corp. for grant consulting services.

Seconded by Councilmember Griffon. The motion was approved unanimously.

****Councilmember Rockey** moved to approve amendments to the Water Meter Reading Agreement with Inframark, LLC.

Seconded by Mayor Foreman. The motion was approved unanimously.

****Councilmember Scott** moved to approve an Interlocal agreement with the Galveston County Consolidated Drainage District for the installation of a regional detention pond within 1776 Park.

Seconded by Councilmember Griffon. The motion was approved unanimously.

City Manager Morad Kabiri stated that at a later date, Staff would bring back various contracts to bring back park amenities to the location.

*****Councilmember Rockey** moved to **amend** the main motion to approve but with a caveat that Council will have an opportunity to reevaluate once a model is provided from Galveston County Consolidated Drainage District.

Seconded by Mayor Foreman. The **amended** main motion **failed** 2-5 with Councilmembers Hanks, Branson, Griffon, Scott, and Gustafson opposed.

RESOLUTIONS

****Councilmember Scott** moved to approve Resolution **R2018-16** – A resolution of the City of Friendswood, Texas, hereby designating Sally Branson as representative and Mike Foreman as alternate to the Houston – Galveston Area Council 2019 General Assembly and Board of Directors.

Seconded by Councilmember Griffon. The motion was approved unanimously.

****Councilmember Scott** moved to approve Resolution **R2018-17** – A resolution of the City of Friendswood, Texas, Galveston/Harris Counties, endorsing the reappointment of four (4) members and appointment of

three (3) new members to the Galveston County United Board of Health.
Seconded by Councilmember Hanks. The motion was approved unanimously.

****Councilmember Branson moved to approve Resolution R2018-18 – A resolution of the City of Friendswood, Texas, requesting the General Land Office of Texas to consider the local challenges to disaster recovery concerning the benefit requirement for Housing and Urban Development Community Development Block Grant Disaster Recovery funds be used to support low-to-moderate-income persons and supporting Galveston County's and League City's efforts in seeking a waiver.**
Seconded by Councilmember Rockey. The motion was approved unanimously.

****Councilmember Scott moved to approve Resolution R2018-19 – A resolution of the City Council of the City of Friendswood, Texas, amending Rules of Procedure for the conduct of City Council meetings by amending Rule 16 Order of Business to move City Manager reports to before Committee or Special Reports, and add Rule 23 Wireless Communication regarding prohibiting Mayor and City Council from using cell phones or other wireless communication devices at the dais during Council meetings; and repealing all other resolutions inconsistent or in conflict herewith.**
Seconded by Councilmember Branson. The motion was approved unanimously.

ORDINANCES

****Councilmember Scott moved to approve the Second and Final reading of Ordinance No. 2018-21 – An ordinance amending Appendix "C" "Zoning", of the Code of Ordinances of the City of Friendswood, Texas, by amending the zoning classification for a 0.3337 acre tract of land located at 315 South Friendswood Drive, Friendswood, Texas, situated in the Sarah McKissick League, Abstract 151, Galveston County, Texas, being out of Lot 9, Block 2, Friendswood Subdivision, according to the plat recorded in Volume 238, Page 4, Galveston County Clerk's records, City of Friendswood, Galveston County, Texas; amending the zone classification from Light Industrial (LI) to Downtown District (DD), all as more specifically provided herein; providing for the amendment of the Official Zoning Map; providing a penalty in an amount not to exceed \$2,000 for each day of violation of any provision hereof; and providing for severability.**
Seconded by Councilmember Branson. The motion was approved unanimously.

****Councilmember Scott moved to approve the Second and Final reading of Ordinance No. 2018-22 – An ordinance amending the Code of Ordinances of the City of Friendswood, Texas, Appendix C – "Zoning," by amending the zoning classification for a tract or parcel containing 0.6804 acres of land, being out of Reserve "A" of Forest Creek Subdivision, situated in the Sarah McKissick Survey, Abstract 549, City of Friendswood, Harris County, Texas; amending the zone classification from Neighborhood Commercial (NC) to Neighborhood Commercial/Specific Use Permit (NC/SUP) to allow NAICS Use No. 713940 "Fitness and Recreational Sports Centers;" providing for amendment of the Official Zoning Map; providing a penalty in an amount not to exceed \$2,000 for each day of violation of any provision hereof; and providing for severability.**
Seconded by Councilmember Branson. The motion was approved unanimously.

****Councilmember Scott moved to approve the Second and Final reading of Ordinance No. 2018-23 – An ordinance repealing Ordinance No. 2017-36 and amending the Code of Ordinances of the City of Friendswood, Texas, by deleting from Chapter 34 thereof all of Section 34-24 and substituting therefor a new Section 34-24; providing for adoption of "The Flood Insurance Study for Galveston County, Texas and Incorporated Areas," dated February 28, 2018, and "The Flood Insurance Study for Harris County, Texas and Incorporated Areas," dated January 6, 2017, and "The Flood Insurance Study for Harris County, Texas and Incorporated Areas," dated June 18, 2007; providing a penalty of an amount not to exceed \$2,000 for each day of violation hereof; and providing for severability.**
Seconded by Councilmember Hanks. The motion was approved unanimously.

****Councilmember Branson moved to approve the First reading of Ordinance No. T2018-25 – An ordinance amending Appendix D of the Code of Ordinances of the City of Friendswood, Texas by providing for the addition or adjustment of administration fees, buildings and building regulations fees, utility service fees and parks and recreation facility rentals, network nodes, subdivisions and zoning.**

Seconded by Councilmember Rockey. The motion was approved unanimously.

****Councilmember Branson moved to approve the First reading of Ordinance No. T2018-26 – An ordinance providing for a reasonable limit on the amount of time to be spent without charge for repeat public information requestors; requiring payment for time and expenditures incurred beyond this limit; providing for exceptions; providing for an open meetings clause; and providing an effective date.**

Seconded by Councilmember Griffon. The motion was approved unanimously.

****Councilmember Branson moved to approve the First and Final reading of Ordinance No. 2018-27 – 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 XII" 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 Hanks. The motion was approved unanimously.

COMMUNICATIONS FROM THE MAYOR AND COUNCILMEMBERS

Councilmember Branson stated the Rotary Club, Galveston County Consolidated Drainage District, and the city joined forces to add amenities to 1776 Park, hopefully in place by mid-October, and congratulated Keep Friendswood Beautiful on their \$10,000 grant.

Councilmember Hanks thanked everyone who helped with the ice cream social event, was a nice community event, and another example of volunteers trying to get the community together.

Mayor Foreman, Councilmembers Rockey, Griffon, Scott, and Gustafson stated they had nothing to report.

CONSENT AGENDA

****Councilmember Scott moved to approve all items on the Consent Agenda as presented with the exception of Agenda Item A, B. Authorizing the disposal of a Police Department Vehicle through Houston Auto Auction. C. Acceptance of an art donation at the Friendswood Animal Control Facility. D. Approve appointment of the City Manager as the city representative to the Local Board of Trustees for the Texas Emergency Services Retirement System. E. Authorizing American Tower/T-Mobile West LLC, to make modifications to the telecommunications tower at 1306 Deepwood. F. Accepting the July 2018 Property Tax Report. G. Approving the Minutes of the June 04, July 02, and August 08, 2018, Council Meeting.**

Seconded by Councilmember Branson. The motion was approved unanimously.

The meeting was adjourned at 9:21 PM.

No action was taken on Agenda Item A. Authorizing Council to invoke Rule 1(A) of the Rules of Procedure to have special City Council meetings on September 19 and September 24, 2018, to discuss items related to the budget.



Mayor Mike Foreman

Attest:



Melinda Welsh, TRMC
City Secretary

