STATE OF TEXAS
CITY OF FRIENDSWOOD
COUNTIES OF GALVESTON/HARRIS
NOVEMBER 4, 2019

6 PM – REGULAR MEETING

MINUTES OF A REGULAR MEETING OF THE FRIENDSWOOD CITY COUNCIL THAT WAS HELD ON MONDAY, NOVEMBER 4, 2019, AT 06:00 PM AT FRIENDSWOOD CITY HALL COUNCIL CHAMBERS, 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS, WITH THE FOLLOWING PRESENT CONSTITUTING A QUORUM:

MAYOR MIKE FOREMAN
MAYOR PRO-TEM SALLY BRANSON
COUNCILMEMBER STEVE ROCKEY
COUNCILMEMBER TRISH HANKS
COUNCILMEMBER ROBERT J. GRIFFON
COUNCILMEMBER JOHN SCOTT
COUNCILMEMBER BRENT ERENWERT
CITY ATTORNEY MARY KAY FISCHER
CITY MANAGER MORAD KABIRI
CITY SECRETARY MELINDA WELSH

1. Call to order

Mayor Foreman called the meeting to order.

2. Invocation – Pastor Bobby Kirkpatrick, Friendswood Friends Church

The invocation was given by Pastor Bobby Kirkpatrick with Friendswood Friends Church.

3. Pledge of Allegiance to the United States and Texas Flags – Maaike Damman and Rebecca Ulcyznski with American Heritage Girls TX 1835

(HONOR THE TEXAS FLAG; I PLEDGE ALLEGIANCE TO THEE, TEXAS, ONE STATE UNDER GOD, ONE AND INDIVISIBLE)

American Heritage Girls Maaike Damman and Rebecca Ulcyznski with Troop TX 1835 led the Pledge of Allegiance to the United States and to the State of Texas.

4. Communications from the Public

(To comply with provisions of the Open Meetings Act, the City Council may not deliberate on items discussed under this agenda item. The Council may refer this item to the City Manager or direct this item to be placed on the next regular Council agenda. PowerPoint presentations are not conducted during the citizen comment period. Out of respect for those speaking during public comment, please refrain from any outbursts or interjections to

include, but not limited to, applause and/or disparaging noises from the audience. Doing so discourages others from voicing their thoughts and opinions, and disrupts the meeting.)

Sangie Gardiner, Friendswood resident, addressed Council and stated she is opposed to the proposed fee structure for city parks, fees are steep for a nonprofit organization, possibly unattainable, Art in the Park's event fees would increase from $400 to $3,000, and a nonreturnable deposit.

Sarah Peters, Friendswood resident, addressed Council and stated Art in the Park has been held at Stevenson Park for ten years, estimated to bring 10,000 people into the park over two days, all sales at the event are taxed, generates income for the city, and asked Council to consider how the increase in fees would affect the little people.

Roy Glanville, Friendswood resident, addressed Council and stated he is at the meeting to report an impending disaster with the sewer bridge over Clear Creek, gave details, and provided pictures to Council.

William Howell III, Angleton resident, addressed Council and stated he is at the meeting to discuss a recent oversized load that went through town, and Friendswood Police Department's threatened arrest of the driver who was his son.

5. WORK SESSION

A. Park Fees

Mayor Foreman opened the discussion regarding park fees. City Manager Morad Kabiri stated the agenda item is only for workshop purposes, nothing has been finalized, and would apply to future events not already scheduled if approved in the future.

Parks and Recreation Director James Toney and Assistant Parks and Recreation Director Michael Boyett presented a PowerPoint presentation regarding park fees for large public events in city parks. The reasons change is needed include current low fees are attracting more and more large event requests, and current budget does not allow for increased maintenance costs. Keep Friendswood Beautiful (KFB) has expressed concerns about the growing number of events, excessive use of the parks is affecting KFB's beautification plan, and the city's Texas Municipal League policy requires a $2,500 deductible per facility. The proposed new special event permit application would capture more detailed information including parking plan, event layout, emergency plan, inclement weather plan, and how the event will be promoted. The proposed special event permit would require special event insurance to cover damage to park property, and would be routed to other departments. Current event pricing for large events is the same as family rentals, $200 deposit for non-profit rate, resident rate of $200 deposit per facility and $75 fee per pavilion, and non-resident rate of $200 deposit per facility and $175 per pavilion. The proposed rate increase and a comparison of other local area government entities was shown.

Discussion took place between Mayor, Council, and Staff regarding the proposed rate increases, are for large events using park facilities only, past large events that had damages in excess of their deposits, process of departmental approvals, and permit application will help provide more information on events.

Mayor Foreman recessed the meeting at 6:50 PM, and reconvened the meeting at 7:00 PM.

6. Public Hearing

To receive comments from the public, both oral and written, regarding:

A. Zone classification change request for 43.0673 acres of land, more or less, being a portion of a called 194.21 acre tract described as Tract "A" as conveyed to Yellowstone Hill Country Ranching, LLC, Friendswood, Galveston County, Texas, along the future Friendswood Lakes Boulevard, to change from Single Family Residential (SFR) to Multi Family Residential – Garden Home District (MFR-GHD)

Mayor Foreman called a Public Hearing to order to receive comments from the public both oral and written, regarding a zone classification change request for 43.0673 acres of land, more or less, being a portion of a called 194.21 acre tract described as Tract "A" as conveyed to Yellowstone Hill Country Ranching, LLC, Friendswood, Galveston County, Texas, along the future Friendswood Lakes Boulevard, to change from Single Family Residential (SFR) to Multi Family Residential – Garden Home District (MFR-GHD).

Community Development Director/City Planner Aubrey Harbin explained the request and stated the Planning and Zoning Commission's (P&Z) recommendation was a negative recommendation 3-3. P&Z had discussed that the location and characteristics of the property do not meet the intent of the Garden Home District as defined in the zoning ordinance. The smaller lot size would provide additional lot size and price range options for potential home buyers.
Mayor Foreman asked if anyone would like to speak in favor or in opposition of the request. No one spoke.

Hearing no comments from the public, Mayor Foreman closed this portion of the Public Hearing.

7. Communications from the Public

(To comply with provisions of the Open Meetings Act, the City Council may not deliberate on items discussed under this agenda item. The Council may refer this item to the City Manager or direct this item to be placed on the next regular Council agenda. PowerPoint presentations are not conducted during the citizen comment period. Out of respect for those speaking during public comment, please refrain from any outbursts or interjections to include, but not limited to, applause and/or disparaging noises from the audience. Doing so discourages others from voicing their thoughts and opinions, and disrupts the meeting.)

James McGarvey, Friendswood resident, addressed Council and asked Council in the aftermath of the bond election to put forth a binding resolution identifying specifically what drainage funds will be used for.

8. City Manager's Report

A. Bay Area Heart Walk

City Manager Morad Kabiri reported that the city's participation in the Bay Area Heart Walk

promotes fun ways to be physically active and make healthier choices every day. Please help reach this lifesaving goal by joining the city's team. Together, we can make healthier, longer lives possible for everyone. Mayor Foreman has issued a challenge to neighboring cities and would like to invite all residents to join "Team Friendswood Strong" and help make a difference. The Bay Area Heart Walk will be November 9, 2019. Check–in is at 8:00 AM, and the walk begins at 8:30 AM at the Kemah Boardwalk. Residents can join or donate by going to the American Heart Association's website, selecting the Bay Area Heart Walk and joining "Team Friendswood Strong".

B. Fall Haul Reminder

The City Manager reported that in conjunction with America Recycles Day the city and Keep Friendswood Beautiful (KFB) are holding the Annual Fall Haul-A-Day community clean-up and garage sale event on Saturday, November 9, 2019, at Centennial Park. This is not an area-wide event but is presented for the benefit of the citizens of Friendswood. Residents will have to show proof of residency to participate. Only non-hazardous items will be accepted. Free paper shredding is being sponsored by JSC Federal Credit Union from 8:00 AM to 12:00 PM or until the truck is full. There is a 200-pound limit of paper per vehicle. Electronic recycling will be added to this year's event, computers, monitors, and TV's up to 36 inches in size will be accepted. Residents can donate garage sale items to KFB. Garage sale items can be dropped off the morning of the event at Centennial Park. All proceeds from the garage sale will benefit the beautification of city facilities and parks. KFB would like to encourage residents to bring items that would benefit the wildlife rehabbers in Friendswood. They need aquariums (do not have to hold water), dog and cat kennel carriers, clean rags (towels/shirts), and shallow crock bowls. These volunteers take care of the many injured wild animals that make their homes in Friendswood's green space. For more information, call the Friendswood Parks and Recreation Department.

C. Veteran's Day Luncheon

The City Manager reported that this year's Veteran's Day Luncheon will be November 7, 2019, from 11:00 AM to 1:00 PM at the Friendswood Activity Building. Everyone is invited to pay tribute to those that have served and are currently serving our country. Listen to a special guest speaker and performances by local residents. Lunch will be served at 11:30 AM. For more information, contact the Friendswood Parks and Recreation Department.

D. Flap Jack Fun Run

The City Manager reported that this year's Flap Jack Fun Run will be December 7, 2019, from 8:00 AM to 11:00 AM at Stevenson Park. Whether you are a walker or runner, young or old, the annual Flapjack Fun Run 5K and Kid's K are for you. The Kid's K Fun Run (12 and under) begins at 8:00 AM and the 5K Fun Run (chip timed) starts at 8:15 AM. The Flapjack Fun Run is named for the delicious pancake breakfast served after the race, provided by Whataburger. Proceeds from the event go to City of Friendswood park improvements. For more information, contact the Friendswood Parks and Recreation Department.

E. Blue Santa Softball Tournament

The City Manager reported that the Blue Santa Shootout Softball Tournament and Toy Drive will be held November 23, 2019. This is the fourth year for this annual event benefiting the Friendswood

Police Officers Association Blue Santa program by collecting new toys and bicycles. There will be prizes for the top three teams and a home run derby. The event will be open to Men's D and Adult Coed divisions. Deadline to register is November 19, 2019. For more information, contact the Friendswood Parks and Recreation Department.

F. Library Food Drive

The City Manager reported that the City of Friendswood Public Library will hold their Annual Food Drive in support of Mary Queen Catholic Church's Food Pantry during the month of November. Please bring non-perishable, non-expired food items to the lobby of the Friendswood library. The library will waive up to $5 of fines for two or more food items.

G. Texas Department of Transportation (TXDOT) Roadways

The City Manager reported regarding the oversized load that traveled through the City of Friendswood, Texas Department of Transportation (TxDOT) stopped the route despite the load being permitted, unfortunately the route came through Friendswood down FM 2351 during rush hour traffic, delays were caused in excess of an hour, Police Department had to call in the midnight shift early to assist with traffic control, oversized loads are permitted and blessed by TxDOT not the city, and Staff is evaluating the establishment of a curfew for oversized loads if Council is in agreement.

H. Hurricane Harvey Update

The City Manager reported Staff and Jeffery S. Ward & Associates, Inc., continues to move forward with the Hazard Mitigation Grant Program buyout program. Appraisals are being scheduled for properties included in the grant. Staff recently met with the Harris County Flood Control District (HCFCD) regarding potential partnerships in areas in which the city or the district own the property along Clear Creek. At this time, Staff is scoping potential drainage projects on the Harris County side of Friendswood with HCFCD.

9. Communications from Committees and Special Reports

A. Annual Report from Senior Citizens Advisory Committee Chair Nancy Mastrofrancesco

Senior Citizens Advisory Committee Chair Nancy Mastrofrancesco presented the annual report from the Senior Advisory Committee.

B. Annual Report from the Historical Society given by David Smith

Friendswood Historical Society Treasurer David Smith presented the annual report from the Friendswood Historical Society.

10. Discussion and Possible Action

A. Discussion and possible action regarding approving a contract with Friendswood Historical Society in the amount of $15,000 for the maintenance and preservation of historical sites in the City and authorizing the Mayor to execute the contract.

******Councilmember Branson moved to approve a contract with Friendswood Historical Society in the amount of $15,000 for the maintenance and preservation of historical sites in the city and authorizing the Mayor to execute the contract.
The motion was seconded and approved unanimously.

B. Discussion and possible action regarding adopting the updated Appointment Policy.

******Councilmember Branson moved to adopt the updated Appointment Policy. The motion was seconded and approved unanimously.

C. Discussion and possible action regarding an amendment to the interlocal agreement between Galveston County and the City of Friendswood for the 2017 Road Bonds.

******Councilmember Rockey moved to approve an amendment to the interlocal agreement between Galveston County and the City of Friendswood for the 2017 Road Bonds.
The motion was seconded and approved unanimously.

11. Resolutions

Consideration and possible action regarding the following:

A. Resolution No. R2019-33: A resolution of the City of Friendswood to support the Galveston Bay Estuary Program's *The Galveston Bay Plan, 2nd Edition, The Comprehensive Conservation and Management Plan for the Galveston Bay Ecosystem*.

******Councilmember Griffon moved to approve Resolution **R2019-33** – A resolution of the City of Friendswood to support the Galveston Bay Estuary Program's The Galveston Bay Plan, 2nd Edition, The Comprehensive Conservation and Management Plan for the Galveston Bay Ecosystem.
The motion was seconded and approved unanimously.

B. Resolution No. R2019-34: A resolution of the City Council of the City of Friendswood, Texas, approving a contractual agreement for dispatching services between Windsor EMS, Inc., and the City of Friendswood; authorizing the Mayor to execute, and the City Secretary to attest, the agreement.

******Councilmember Griffon moved to approve Resolution **R2019-34** – A resolution of the City Council of the City of Friendswood, Texas, approving a contractual agreement for dispatching services between Windsor EMS, Inc., and the City of Friendswood; authorizing the Mayor to execute, and the City Secretary to attest, the agreement.
The motion was seconded and approved unanimously.

12. Ordinances

Consideration and possible action regarding the following:

A. Ordinance No. T2019-37: (Title: Second and Final reading of an ordinance amending the zoning classification for a tract or parcel containing 156.4717 acres located along the future Friendswood Lakes Boulevard between West Ranch and Friendswood Lakes Subdivisions,

Friendswood, Galveston County, Texas, to change from Single Family Residential (SFR) and Planned Unit Development (PUD 2019-11) to a revised Planned Unit Development (PUD) for a residential development, "Avalon at Friendswood", as more fully described herein) 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 156.4717 acres of land along the future Friendswood Lakes Boulevard between West Ranch and Friendswood Lakes Subdivisions, Friendswood, Galveston County, Texas, to change from Single Family Residential (SFR) and Planned Unit Development (PUD 2019-11) to a revised Planned Unit Development (PUD) for a residential development, "Avalon at Friendswood" consisting of the following tracts: 1)96.944 acres in the Mary Fabreau survey, abstract No. 69, being all of a 97 acre tract of land described in a deed to Cypress Creek Holdings, Ltd., in Galveston County, Friendswood, Texas; and 2)59.5277 acres of land, more or less, being a portion of a called 194.21 acre tract described as tract "A" as conveyed to Yellowstone Hill Country Ranching, LLC, Galveston County, Friendswood, Texas; 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.

******Councilmember Rockey moved to approve the Second and Final reading of Ordinance No. **2019-37** – 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 156.4717 acres of land along the future Friendswood Lakes Boulevard between West Ranch and Friendswood Lakes Subdivisions, Friendswood, Galveston County, Texas, to change from Single Family Residential (SFR) and Planned Unit Development (PUD 2019-11) to a revised Planned Unit Development (PUD) for a residential development, "Avalon at Friendswood" consisting of the following tracts: 1)96.944 acres in the Mary Fabreau survey, abstract No. 69, being all of a 97 acre tract of land described in a deed to Cypress Creek Holdings, Ltd., in Galveston County, Friendswood, Texas; and 2)59.5277 acres of land, more or less, being a portion of a called 194.21 acre tract described as tract "A" as conveyed to Yellowstone Hill Country Ranching, LLC, Galveston County, Friendswood, Texas; 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.
The motion was seconded and approved 4-3 with Councilmembers Griffon, Scott, and Erenwert opposed.

B. Ordinance No. T2019-41: (Title: First reading of an ordinance amending Sec. 30-84 and Sec. 30-118 of the Code of Ordinances pertaining to the International Fire Code and Life Safety Code, respectively) An ordinance amending the Code of Ordinances, Chapter 30, Fire Protection and Prevention, by amending Section 30-84 entitled "International Fire Code Adopted; Amendments" and amending Section 30-118 entitled "Life Safety Code Adopted"; providing for severability and an effective date.

******Councilmember Branson moved to approve the First reading of Ordinance No. **T2019-41** – An ordinance amending the Code of Ordinances, Chapter 30, Fire Protection and Prevention, by amending Section 30-84 entitled "International Fire Code Adopted; Amendments" and amending Section 30-118 entitled "Life Safety Code Adopted"; providing for severability and an effective date.
The motion was seconded and approved 6-1 with Councilmember Scott opposed.

C. Ordinance No. T2019-42: (Title: First reading of an ordinance amending the zoning classification for a tract or parcel containing 43.0673 acres of land, more or less, being a

portion of a called 194.21 acre tract described as Tract "A" as conveyed to Yellowstone Hill Country Ranching, LLC, in Clerk's File Number 2010059686 of the Galveston County Deed Records, Galveston County, Friendswood, Texas, along the future Friendswood Lakes Boulevard, as more fully described herein, to change Single Family Residential (SFR) to Multi Family Residential – Garden Home District (MFR-GHD)) 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 43.0673 acres of land, more or less, being a portion of a called 194.21 acre tract described as Tract "A" as conveyed to Yellowstone Hill Country Ranching, LLC, in Clerk's File Number 2010059686 of the Galveston County Deed Records, Galveston County, Friendswood, Texas, along the future Friendswood Lakes Boulevard; amending the zone classification from Single Family Residential (SFR) to Multi Family Residential – Garden Home District (MFR-GHD); 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.

Councilmember Branson moved to approve the First reading of Ordinance No. **T2019-42 – 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 43.0673 acres of land, more or less, being a portion of a called 194.21 acre tract described as Tract "A" as conveyed to Yellowstone Hill Country Ranching, LLC, in Clerk's File Number 2010059686 of the Galveston County Deed Records, Galveston County, Friendswood, Texas, along the future Friendswood Lakes Boulevard; amending the zone classification from Single Family Residential (SFR) to Multi Family Residential – Garden Home District (MFR-GHD); 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.
The motion was seconded and approved 5-2 with Councilmembers Griffon and Scott opposed.

D. Ordinance No. T2019-43: (Title: First reading of an ordinance amending Chapter 86, "Utilities" of the Code of Ordinances of the City of Friendswood by amending Sections 86-30 through 86-34, amending the Water Conservation Plan; and providing other matters relating to the subject) An ordinance of the City of Friendswood amending Chapter 86, Utilities, Sections 86-30 through 86-34; amending the Water Conservation Plan for the City of Friendswood to promote responsible use of water; providing a severability clause; providing a penalty for each day of violation of any provision hereof; providing for the disconnection of water service for noncompliance with the provision of Water Conservation Plan; and providing an effective date.

Councilmember Branson moved to approve the First reading of Ordinance No. **T2019-43 – An ordinance of the City of Friendswood amending Chapter 86, Utilities, Sections 86-30 through 86-34; amending the Water Conservation Plan for the City of Friendswood to promote responsible use of water; providing a severability clause; providing a penalty for each day of violation of any provision hereof; providing for the disconnection of water service for noncompliance with the provision of Water Conservation Plan; and providing an effective date.
The motion was seconded and approved unanimously.

E. Ordinance No. T2019-44: (Title: First reading of an ordinance adopting the 2018 versions of the International Building Code, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code and International

Residential Code for One- and Two- Family Dwellings including appendices as noted, and adopting the 2017 version of the National Electrical Code, adopting local amendments, and clarifying the establishment of the Construction Board of Adjustment and Appeals) An ordinance amending the Code of Ordinances of the City of Friendswood, Texas, Chapter 14, Building and Building Regulations by adopting the 2018 International Building Code, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code and International Residential Code for one- and two-family dwellings including appendices as noted, and adopting the 2017 version of the National Electrical Code, adopting local amendments, and clarifying the establishment of the Construction Board of Adjustment and Appeals; providing for severability and an effective date.

******Councilmember Griffon moved to approve the First reading of Ordinance No. **T2019-44** – An ordinance amending the Code of Ordinances of the City of Friendswood, Texas, Chapter 14, Building and Building Regulations by adopting the 2018 International Building Code, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code and International Residential Code for one- and two- family dwellings including appendices as noted, and adopting the 2017 version of the National Electrical Code, adopting local amendments, and clarifying the establishment of the Construction Board of Adjustment and Appeals; providing for severability and an effective date.
The motion was seconded and approved 6-1 with Councilmember Scott opposed.

13. Communications from the Mayor and Councilmembers

Councilmember Rockey thanked Mayor Foreman and Councilmembers Griffon and Erenwert for their participation in the Historween event.

Councilmember Griffon stated the Friendswood Historical Society put on a good event, attendance was great, had the chance to represent David Levalle, and thanked Councilmember Rockey for encouraging him to participate in Historween.

Councilmember Branson thanked the Planning and Zoning Commission (P&Z) for the excellent job they do, appreciates all that P&Z does, and for the advice P&Z provides to Council.

Councilmember Hanks stated she loves attending the Planning and Zoning Commission and Keep Friendswood Beautiful meetings.

Councilmember Scott stated the Veteran's Day Luncheon will be held on November 7, 2019, at the Activity Building, always a great opportunity to thank someone who served, and free lunch served for veterans.

Councilmember Erenwert stated he appreciated the invitation to participate in the Friendswood Historical Society's Historween event, there are a lot of wonderful things going on with the Senior Citizen Advisory Committee, thanked all the volunteers throughout the city, and remember to get out and vote tomorrow.

Mayor Foremen stated the American Heart Association Heart Walk will be November 9, 2019, at the

Kemah Boardwalk, local mayors are participating in a challenge to see who can raise the most funds, and he enjoyed participating in the Historween event.

14. Consent Agenda

Consideration and possible action regarding the following:

A. Disposal of a Police Department vehicle

B. Accepting the September 2019 Property Tax Report

C. Ratifying the Mayor's signature on an agreement with Windsor EMS for Dispatching Services

D. Authorizing the Mayor to call a Regular Meeting of the City Council on November 18, 2019, to canvass the November 5, 2019, Special Bond Election results

E. Minutes of the September 9, September 23, September 30, and October 7, 2019, Council Meetings

******Councilmember Scott moved to approve all items on the Consent Agenda as presented: A. Disposal of a Police Department vehicle. B. Accepting the September 2019 Property Tax Report. C. Ratifying the Mayor's signature on an agreement with Windsor EMS for Dispatching Services. D. Authorizing the Mayor to call a Regular Meeting of the City Council on November 18, 2019, to canvass the November 5, 2019, Special Bond Election results. E. Minutes of the September 9, September 23, September 30, and October 7, 2019, Council Meetings.
The motion was seconded and approved unanimously.

15. Adjournment

This meeting was adjourned at 8:13 PM.

Mayor Mike Foreman

Attest:

Melinda Welsh, TRMC
City Secretary