MINUTES OF A REGULAR MEETING OF THE FRIENDSWOOD CITY COUNCIL THAT WAS HELD ON
MONDAY, NOVEMBER 06, 2017, AT 5:30 PM AT FRIENDSWOOD CITY HALL COUNCIL CHAMBERS,
910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS, WITH THE FOLLOWING PRESENT
CONSTITUTING A QUORUM:

MAYOR KEVIN HOLLAND
MAYOR PRO-TEM STEVE ROCKEY
COUNCILMEMBER SALLY BRANSON
COUNCILMEMBER JIM HILL
COUNCILMEMBER JOHN SCOTT
COUNCILMEMBER CARL GUSTAFSON
CITY ATTORNEY MARY KAY FISCHER
CITY MANAGER ROGER ROECKER
CITY SECRETARY MELINDA WELSH

Councilmember Mike Foreman was absent.

REGULAR SESSION

Mayor Holland called the meeting to order.

The invocation was given by Father Geoffrey Gwynne with Good Shepherd Episcopal Church.

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

COMMUNICATIONS FROM THE PUBLIC

Hoyt (Bill) Clark, Friendswood resident, addressed Council and stated he is concerned about the lack of effective reuse and recycle systems in Friendswood, recently learned there is no City sponsored recycle service for small businesses and nonresidential organizations, no household hazardous waste collection for Friendswood residents, and no recycling for foam packing blocks, foam peanuts, foam cups and plates and No. 6 polystyrene plastics. The result is that many tons of material that could be recycled ends up in landfills, creeks, rivers, and even the Gulf of Mexico. The Fort Bend County recycling facility in Rosenberg and the Montgomery County recycling facility in Spring both accept foam items and polystyrene No. 6 items. Nearby cities are way ahead of Friendswood in providing better recycling and collection systems to protect the environment. Over many years plastic breaks down into micro plastics which are now known to enter the membrane of fish. This disrupts their immune and reproductive system, and complex polymers are entering the food supply. It is estimated that in 33 years, by 2050, there will be more plastic in the oceans than fish. City leaders and citizens should be working to vastly improve the eco friendliness of Friendswood’s material usage and recycle systems.

Dan Rucker, Friendswood resident and local business owner, addressed Council and stated in the future he will present a PowerPoint presentation regarding the panhandle region, is the largest landowner, is working in concert with several neighbors about drainage, and report on physical conditions. Harris County Precinct One’s next phase of Beamer Road is scheduled for right-of-way acquisition, and will present a petition to Council that will ask for an abandonment of the current right-of-way of the extension of Blackhawk Boulevard as currently proposed.

Julie Garrett, Public Information Officer for the United States Small Business Administration (SBA) Federal Disaster Loans, addressed Council and stated she thought Council would like to know the amount of funds that have been approved in disaster loans for the City of Friendswood. There currently has been $52.9
Million approved in loans for residents and businesses, and additional loans are still being processed. She would like to reiterate that SBA provides loans for homeowners and renters not just business owners.

Angie Vegas, Friendswood resident, addressed Council and stated she is in opposition of the juvenile curfew ordinance, concerned with the daytime portion from 9:00 AM to 2:30 PM, is a home school mom and does not follow a strict schedule throughout the day, are out and about in town during the day, and there are a lot of other home school members. It could be an issue with public school kids when parents check their kids out of school. This should be a parent issue and not a City issue.

Rudy Trahan, Friendswood resident, addressed Council and stated over the years he has seen things sanctioned by City administrators that were beneficial and some that were travesties. Actions he has viewed as beneficial to the citizens of Friendswood include construction of fire departments in various sections of the City, construction of a new City Hall, and renovations/expansion of the library. Recent actions he has viewed as not so beneficial to citizens include the consideration of outsourcing Emergency Medical Services (EMS), construction of paver sidewalks and inclusion of park benches along certain sections of the downtown area. He believes the money spent on a negotiated settlement addressing termination of an agreement to purchase acreage outside city limits was a travesty. In regards to the demolition of former Fire Station No. 1, believes down the road the City’s taxpayers will inherit the liability, concerned with the overall validity of the cost projections and needs of certain repairs mentioned in a property condition report dated March 3, 2014, in disagreement with the proposed carousel project, and asked Council for their due diligence in executing decisions that makes use of citizen’s tax dollars.

**WORK SESSION**

Mayor Holland opened the discussion regarding the Capital Project update. Director of Public Works/City Engineer Patrick Donart presented a PowerPoint presentation regarding the progress made on Capital Projects since the October Council meeting. He reported on the restroom and pavilion at Lake Friendswood, Old City Park, Mandale Bridge, Round 1 Street Improvements, Blackhawk Boulevard Phase II and Woodlawn Drive, pavement management survey, concrete maintenance street repairs, Lift Station No. 23, and the Blackhawk Wastewater Treatment Plant.

Discussion took place between Mayor, Council, and Staff regarding suggested renovations to Old City Park, horse arena is no longer in use, and Staff was directed by Council to email an updated drawing before the December Council meeting.

**CLOSED EXECUTIVE SESSION**

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

Council convened into Executive Session in accordance with the Texas Government Code, pursuant to Section 551.072 – Deliberations about Real Property; to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governing body in negotiations with a third party with possible discussion and action related thereto in open session and Section 551.074 – Personnel Matters; to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee (City Attorney and City Manager).

**RECONVENE INTO OPEN SESSION**

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

**ACTION ITEM**
**Mayor Holland moved to move the prosecutors from the Administrative Services Department to the City Attorney, and direct the City Attorney to directly supervise the Municipal Court Prosecutors. Seconded by Councilmember Branson. The motion was approved 6-0.**

**SPECIAL RECOGNITION AND ACKNOWLEDGEMENTS**

City Manager Roger Roecker presented a Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year 2016 to Administrative Services Director Katina Hampton. This is the 29th consecutive year for the City to receive this award.

City Manager Roger Roecker introduced Tammy Odom, Texas Court Clerks Association Education Committee member and Texas City Court Administrator. Ms. Odom presented Senior Court Clerk Jennifer Hale her Certified Municipal Court Clerk Certificate. Ms. Hale is the 79th Certified Municipal Court Clerk in the state of Texas.

**PUBLIC HEARING**

Mayor Holland called a Public Hearing to order to receive comments from the public, both oral and written, regarding the need to continue the juvenile curfew ordinance.

Friendswood Police Chief Bob Wieners presented a PowerPoint presentation regarding a brief history of the juvenile curfew ordinance, state law requires the ordinance be reviewed and re-approved every three years, current enforcement, enforcement statistics and trends, and Staff recommends that Council readopt the City’s juvenile curfew ordinance.

Mayor Holland asked if anyone would like to speak in favor of or in opposition of the need to continue the juvenile curfew ordinance. No one spoke.

**COMMUNICATIONS FROM THE PUBLIC**

Marcus Rives, Friendswood resident, addressed Council and stated he is a professional building designer in Friendswood, is at the meeting to discuss abandoning the fire station at Stevenson Park, heard there are plans to demolish the building, would like to know why it is being torn down, has been inside the building and is appalled at the neglect of maintenance and repairs. It should be repaired, is not beyond repair, need community event space, gave other suggestions, could be repurposed, no need to take on demolition when is iconic and useful. Please do not tear it down.

Ricardo David, PE Square Engineering Consultants, addressed Council and stated he is a professional engineer, certified to inspect buildings for windstorm in catastrophic area, has a metal building background, is familiar with the assessment reports for the abandoned fire station, gave a professional opinion about the fire station’s viability and gave suggestions. In his opinion, the building does not represent a threat for human life.

Kathy Rogers, Friendswood resident, addressed Council and stated the Parks and Recreation Board was dissolved and absorbed into Keep Friendswood Beautiful (KFB). Each committee served a different but necessary purpose. She has reports that City Council authored over the years for various future uses for the former fire station property. The new fire station was approved in the 2013 Bond Election, new fire station opened August 2017, former fire station is now empty, and crime has gone up in Stevenson Park since the 24 hour presence is gone. She stated she is concerned with Emergency Management Services (EMS) response times, the uses are endless, and why is the City only looking at one option for the space. The City has repurposed many buildings, please do not tear down the City’s history, citizen’s children and grandchildren deserve the legacy.

Janis Lowe, Friendswood resident, addressed Council and stated she is asking Council to stop the demolition of the former fire station building, asked Council to consider the repurpose of the building. All items in the Terracon report are not true, experts say it is a good building, the slab is not cracked, only
stress cracks, have not seen a report on mold in the building, and the building has been remediated for asbestos. It seems that a select group of people have a private agenda to place a carousel on the property, and the facts state that there is no reason to demolish the building. Council has a civic and moral duty to protect and preserve the City's assets, and asked Council to not destroy Friendswood's history.

Linda Richard, Friendswood resident, addressed Council and stated she would like to read excerpts from an e-mail from Deirdre Brown, was asked who was being honored on Agenda Item 16, had no way to help those asking the question, turned to social media for an answer and was informed the person being honored was David Smith. After reviewing the agenda packet information, cannot find where public notice was given for a subcommittee being selected to honor David Smith, and the application of a subcommittee is improper if it was not properly noticed to the public. The agenda for tonight’s meeting does not provide proper notice of the name of the nominee for the public to be advised and arguably violates the Open Meetings law. The Agenda Item Form shows a lack of objectivity, charge for the subcommittee was to only consider David Smith and the naming policy requires objectivity. The application provides a complete lack of objective support and is glossy without mention of any specific acts, and fails to outline or provide any objective analysis of how such contributions outweigh the negative actions taken by the proposed nominee.

Evelyn Timmins, Friendswood resident, addressed Council and stated she would like to discuss Agenda Item 16, was surprised to hear about honoring David Smith, really got to her, lived through all of the litigation involved in buying land in Alvin, illegal to purchase land outside of the county, 2009 municipal bonds failed to provide all above ground improvements for the illegal land purchase, Friendswood citizens were then sued, David Wight then filed suit against the City for a breach of contract. Council decided to settle the suit against the City for $500,000, and the youth will not be looking up to a person, is the opposite.

Stan Kozlowksi, Friendswood Volunteer Fire Department Chief, addressed Council and stated he would like to thank Council for the new fire station, served the fire department incredibly well during Hurricane Harvey, able to serve the citizens well, people that work for him will do anything to make things work, one thing happened that sticks in his head, Forest Bend fire station was taking in water and needed evacuation, was at the right place at the right time, thanked all current and former City Councils, thanked Staff as well, was done right, and will serve the City well for a long time.

Phil Ratisseau, Friendswood resident, addressed Council and stated he recently was asked to participate in a walk-through of former Fire Station No. 1, noticed structural framework was in good shape, obvious signs of foundation work done in the past, read report from company that did assessment, things need to be fixed but is in good shape. The City needs a large facility to serve the public such as a community center, knows demolition is moving forward because permits have been acquired through the state. He gave past examples of times where Council changed their mind, and asked Council to change their mind and not tear this building down.

Connie Ratisseau, Friendswood resident, addressed Council and stated she spoke a while back about documents being hard to find, documents for Agenda Item 16 were hard to find, the nomination of David Smith was for his contribution to the City's youth, received Friendswood naming policy and the application, and read requirements from the policy for naming a City facility. The City has more important issues to discuss, instead are discussing the nomination of a man who has caused much grief at a high price, does not agree that Mr. Smith has contributed to the well-being of the entire community, and is opposed to Agenda Item 16.

**CITY MANAGER’S REPORT**

City Manager Roger Roecker 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 11, 2017, at Centennial Park. This is not an area-wide event but is presented for the benefit of the citizens of Friendswood. Storm debris (wet and/or moldy items) will not be accepted, paper shredding will not be offered this year, and residents will have to show proof of residency to participate. Only non-hazardous items 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 home in Friendswood's green space.

The City Manager introduced a video reading of cards received from Clear Creek Independent School District (CCISD) students to first responders from Hurricane Harvey.

City Manager Roger Roecker announced that he is planning to retire in April 2018. In February he will celebrate his 29th anniversary with the City. He has served the citizens as Director of Finance, Director of Administrative Services, and City Manager. He stated he will commit to Council that he will continue to do everything he can to make the City special, and will help Council during the transition period in any way they would like. It has been a great honor to serve the City for the majority of his career, and thanked Council, City volunteers and Staff that serve the City so well.

**ACTION ITEMS**

**Councilmember Rockey moved to approve the appointment of JoBeth Brizendine, Benette Rowley, and Madeline Short to the Library Board as alternate members with terms to expire July 2019. Seconded by Councilmember Gustafson. The motion was approved 6-0.**

**Councilmember Branson moved to approve the disposition of RFP No. 2017-03 for awarding pre-event disaster recovery contracts and award to Wendorf Beward & Partners, LLP, Tetra Tech, Inc., and Witt O'Brien's, LLC. Seconded by Councilmember Rockey. The motion was approved 6-0.**

Assistant City Manager Morad Kabiri explained in September Council awarded a disaster recovery service contract to Wendorf Beward & Partners, LLP, under state's exigent terms as a result of an emergency from Hurricane Harvey. Staff recommends awarding pre-event disaster recovery contracts to the top three firms in response to a Request for Proposal (RFP). Contracts will be executed once approved, and cost will not be incurred until use of services.

**Councilmember Branson moved to approve a contract with Friendswood Historical Society for maintenance and preservation of historical sites in the City and authorizing the Mayor to execute the contract and approve the budget amount of $15,000. Seconded by Councilmember Gustafson. The motion was approved 6-0.**

**Councilmember Scott moved to approve requiring additional protective measures for assisted senior living facilities. Seconded by Mayor Holland. No action was taken.**

Discussion took place between Mayor, Council, and Staff regarding during Hurricane Harvey senior living facilities were inadequately prepared and unable to handle the disaster, needs to be addressed in City Code of Ordinances, and consensus of Council was for City Manager and City Attorney to work on verbiage needed.

**Councilmember Branson moved to approve authorizing the Mayor to dedicate a soccer field within Centennial Park in recognition of civic contributions by former elected official, David Smith. Seconded by Councilmember Rockey. The motion was approved 4-2 with Councilmembers Hill and Scott opposed.**

**RESOLUTIONS**

**Councilmember Scott moved to approve Resolution R2017-23 – A resolution of the City Council of the City of Friendswood, Texas, Galveston/Harris counties casting 128 votes for electing Trish Hanks to the Galveston Central Appraisal District Board of Directors for 2018-2019.**
Seconded by Councilmember Branson. The motion was approved 6-0.

**Councilmember Rockey moved to approve Resolution R2017-24 – A resolution of the City Council of the City of Friendswood, Texas, Galveston/Harris counties casting its ballot for the election of Mike Sullivan to the Board of Directors of the Harris County Appraisal District for 2018-2019. Seconded by Mayor Holland. The motion was approved 6-0.

**Councilmember Hill moved to approve Resolution R2017-25 – 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 2018 General Assembly and Board of Directors. Seconded by Councilmember Scott. The motion was approved 6-0.

**Councilmember Scott moved to approve the First and Final reading of Ordinance No. 2017-34 – 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 I” 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.

**Councilmember Branson moved to approve the First reading of Ordinance No. T2017-35 – An ordinance of the City of Friendswood, Texas, establishing a curfew for persons under the age of 17 years between the hours of 12:01 AM and 5:00 AM on any day of the week and between the hours of 9:00 AM and 2:30 PM for school-aged children on school days; providing it is unlawful for any person subject to a curfew hereunder to remain in any public place or on the premises of any establishment within the City of Friendswood during curfew hours; providing it is unlawful for any parent or guardian of a person subject to a curfew hereunder to knowingly permit or by insufficient control, allow such person to remain in any public place or on the premises of any establishment within the City during curfew hours; providing it is unlawful for any person owning, operating, or in the employment of any establishment within the City to knowingly allow a person subject to the curfew hereunder to remain on the premises of such establishment during curfew hours; providing defenses to prosecution for violations hereunder; providing an effective date; providing a penalty of an amount not to exceed $500.00 for each day of violation of any provision hereof; making certain findings; repealing all other 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 Rockey moved to approve the First reading of Ordinance No. T2017-36 – An ordinance repealing Ordinance No. 2007-20, that adopted the Flood Insurance Study for Harris County, Texas, and incorporated areas, dated June 18, 2007; amending Chapter 34, Article II, Division I, Section 34-24, basis for establishing the areas of special flood hazard; providing for a penalty of an amount not to exceed $2,000 for each day of violation hereof; and providing for severability. Seconded by Councilmember Hill. The motion was approved 6-0.

**Councilmember Rockey thanked the members of Council who participated in Historween, and wished...
everyone a Happy Thanksgiving.

Councilmembers Scott and Gustafson stated they had nothing to report.

CONSENT AGENDA

**Councilmember Branson moved to approve all items on the Consent Agenda as presented: A. Authorizing the final acceptance of the 2013 Street Bond projects into the contractor’s one-year maintenance period. B. Authorizing acceptance of public improvements associated with Arbor Gate Section 5, West Ranch, into the contractor’s one-year maintenance period. C. Approving a contract with Galveston County Health District for Water Pollution Control and Abatement services for 2017-2018 and authorize the Mayor to execute the contract. D. Ratify the Mayor’s action requesting FEMA approve removal of debris from private property. E. Endorse the Mayor’s appointment of a board member to the Board of Directors of the Harris-Galveston Subsidence District to fill an unexpired term expiring January 31, 2018. F. Accepting the September 2017 Property Tax Report. G. Approving the Minutes of the September 11 and October 2, 2017, Council Meetings.

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

The meeting adjourned at 8:32 PM.

Mayor Kevin Holland

Attest:

Melinda Welsh, TRMC
City Secretary