

STATE OF TEXAS  
CITY OF FRIENDSWOOD  
COUNTIES OF  
GALVESTON/HARRIS  
NOVEMBER 2, 2020



# AGENDA

NOTICE IS HEREBY GIVEN OF A FRIENDSWOOD CITY COUNCIL REGULAR MEETING TO BE HELD AT 7:00 PM ON MONDAY, NOVEMBER 2, 2020, AT FRIENDSWOOD CITY HALL, COUNCIL CHAMBERS, 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS, REGARDING THE ITEMS OF BUSINESS ACCORDING TO THE AGENDA LISTED BELOW:

## 7 PM – REGULAR MEETING

1. Call to order
2. Invocation – Reverend Robert T. Flick, Good Shepherd Episcopal Church
3. Pledge of Allegiance – United States and Texas  
(HONOR THE TEXAS FLAG; I PLEDGE ALLEGIANCE TO THEE, TEXAS, ONE STATE UNDER GOD, ONE AND INDIVISIBLE)
4. Communications from the Public  
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. 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. Furthermore, any personnel complaints against a City employee aside from the City Manager, City Secretary, City Attorney or Municipal Judge cannot be discussed under this section. Please contact the City Manager's office for concerns involving a City employee.)
5. Special Recognition and Acknowledgements
  - A. Presentation from the Friendswood Rotary Club of a donation to the City of Friendswood Parks and Recreation Department for the purchase of a new movie projector
6. Public Hearing  
To receive comments from the public, both oral and written, regarding:

- A. To receive comments both oral and written regarding Proposed amendments to Appendix C, Zoning Ordinance "Section 7.Q.2. Commercial Regulation Matrix" to add sub note "k." defining height maximum, "Section 7.Q.3. Area and Height Exceptions" to amend the height exceptions, and "Section 20. Definitions - Height" to remove a duplicate requirement

## **7. City Manager's Report**

- A. Friendswood Library Annual Poetry Contest
- B. Keep Friendswood Beautiful's Annual Fall Haul Clean Up Event November 14
- C. VIRTUAL Flapjack Fun Run
- D. Home for the Holidays Lighted Christmas Trail
- E. Police Department's Crime Victim Assistance Program
- F. Friendswood Police Officers' Association Blue Santa Program
- G. Hurricane Harvey Update
- H. Coronavirus Disease 2019 (COVID-19) Update

## **8. Communications from Committees and Special Reports**

- A. Annual report from the Friendswood Historical Society

## **9. Discussion and Possible Action**

- A. Discussion and possible action regarding approving a contract with the 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.
- B. Discussion and possible action regarding the disposition of RFQ No. 2020-15 Utility Relocate at Clear Creek Utility Bridge.
- C. Discussion and possible action regarding reappointments to the following boards, committees, and commissions:

Fourth of July Steering Committee – Reappoint Renae Rives, Kathy S. Molinaro, Barbara Blanchard, Terry McKee and Terri Corbett each to a 3 year term expiring November 2023

Keep Friendswood Beautiful Committee – Reappoint Todd Mendenhall, Natasha McAdoo and Michael Fernandez each to a 3 year term expiring November 2023

Senior Citizens Advisory Committee – Reappoint Nancy Mastrofrancesco, Dorothy Montz and Dennis Rundell each to a 3 year term expiring November 2023

## **10. Resolutions**

Consideration and possible action regarding the following:



- A. Resolution No. R2020-22: A resolution of the City of Friendswood, Texas, hereby designating \_\_\_\_\_ as representative and \_\_\_\_\_ as alternate to the Houston-Galveston Area Council 2021 General Assembly and Board of Directors.
- B. Resolution No. R2020-23: A resolution of the City Council of the City of Friendswood, Texas, approving the 2018 Community Development Block Grant – Disaster Recovery (CDBG-DR); acquisition guidelines.
- C. Resolution No. R2020-24: A resolution of the City Council of the City of Friendswood, Texas, approving and adopting a Section 3 Policy, a Limited English Proficiency Plan, an Excessive Force Policy, a Section 504 Policy and Grievance Plan, a Code of Conduct Policy and a Fair Housing Policy pursuant to the requirements established by the Texas General Land Office as they relate to Community Development Block Grant – Disaster Recovery grants and appointing compliance officer.

## **11. Ordinances**

### **Consideration and possible action regarding the following:**

- A. Ordinance No. T2020-38: Second and Final reading of an ordinance amending Appendix “C” “Zoning”, of the Code of Ordinances of the City of Friendswood, Texas, Section 3, “Provision for Official Zoning Map”, rezoning the property located at 213 E. Heritage Drive, same now consisting of 2.504 acres out of Lot 12, Block 2 of Friendswood Subdivision, as recorded in Volume 7, Page 20 of the Galveston County Map Records (G.C.M.R.), being that certain tract of land described in deed to Friendswood Realty under File No. 2010040672 of the official public records of Galveston County, Friendswood, Galveston County, Texas, to change from Single Family Residential (SFR), Multi-Family Residential Low Density (MFR-L), and Multi-Family Residential Low Density/Specific Use Permit (MFR-L/SUP) to Planned Unit Development (PUD), more fully described in Exhibit “A”, incorporated by reference, with such Planned Unit Development (PUD) to be governed for all purposes and conditions pursuant to the attached site plans included in Exhibit “B”, 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.

- B. Ordinance No. T2020-39: Second and Final reading of 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 a.m. and 5:00 a.m. on any day of the week and between the hours of 9:00 a.m. and 2:30 p.m. 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 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.
- C. Ordinance No. T2020-42: First and Final reading of an ordinance amending City of Friendswood, Texas, Ordinance No. 2019-38, passed and approved October 7, 2019, same being an ordinance approving and adopting the City's General Budget for Fiscal Year 2019-2020 by approving "Budget Amendment XII" to the "Original General Budget of the City of Friendswood, Texas, for the Fiscal Year 2019-2020"; providing for supplemental appropriation and/or transfer of certain funds; providing for severability; and providing other matters related to the subject.
- D. Ordinance No. T2020-43: First and Final reading of an ordinance amending City of Friendswood, Texas, Ordinance No. 2020-35, passed and approved September 14, 2020, same being an ordinance approving and adopting the City's General Budget for Fiscal Year 2020-2021 by approving "Budget Amendment I" to the "Original General Budget of the City of Friendswood, Texas, for the Fiscal Year 2020-2021"; providing for supplemental appropriation and/or transfer of certain funds; providing for severability; and providing other matters related to the subject.
- E. Ordinance No. T2020-44: First reading of an ordinance amending Appendix C – "Zoning," "Section 7.Q. District Area and Height Regulations" to amend and clarify the height regulations and exceptions in all commercial zoning districts and "Section 20. Definitions." to remove a duplicate requirement; providing a penalty for violation in an amount not to exceed \$2,000, or as otherwise provided by law; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability.

- F. Ordinance No. T2020-45: First reading of an ordinance amending the Code of Ordinances, Chapter 34, Floods, Article II. Flood Damage Prevention, Division 1. Generally, by amending Sections 34-19, 34-21, 34-24, 34-25, 34-31, 34-33, 34-34, and by adding Section 34-35; and amending Division 2. Flood Hazard Reduction, by amending Sections 34-60 through 34-64; providing a penalty for violation in an amount not to exceed \$2,000 for each violation, or as otherwise provided by law; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability, publication and effective date.

## **12. Communications from the Mayor and Councilmembers**

## **13. Consent Agenda**

Consideration and possible action regarding the following:

- A. Authorizing the Mayor to call a Regular Meeting of the City Council on Tuesday, November 17, 2020, to canvass the November 3, 2020, Special Election for Reauthorization of the Local Sales and Use Tax for Maintenance and Repair of Municipal Streets
- B. Approving an Interlocal Agreement with Friendswood Independent School District for purchases to enable compliance with COVID-19 precautions and authorizing the Mayor to sign the agreement
- C. Authorize the final acceptance of the Old City Park restroom and pavilion improvements at the completion of the contractor's one-year maintenance period
- D. Approving the September 2020 Tax Report
- E. Approving the minutes of the October 01 and October 05, 2020, City Council Meetings

## **14. Adjournment**

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**This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive service must be made two (2) business days or more prior to this meeting. Please contact the City Secretary's Office at (281) 996-3270 for further information.**

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**I, MELINDA WELSH, CITY SECRETARY OF THE CITY OF FRIENDSWOOD DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF MEETING OF THE FRIENDSWOOD CITY COUNCIL WAS POSTED IN A PLACE CONVENIENT TO THE GENERAL PUBLIC IN COMPLIANCE WITH CHAPTER 551, TEXAS GOVERNMENT CODE, ON**

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**DATE**

\_\_\_\_\_  
**AT TIME**

\_\_\_\_\_  
**MELINDA WELSH, TRMC  
CITY SECRETARY**

**\*\*All meetings of City Council are open to the public, except when there is a necessity to meet in an Executive Session (closed to the public) under the provisions of Section 551, Texas Government Code. The City Council reserves the right to convene into Executive Session to hear any of the above described agenda items that qualify for an executive session by publicly announcing the applicable section number of the Open Meetings Act.**

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 10/13/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Presentation from the Friendswood Rotary Club of a donation to the City of Friendswood Parks and Recreation Department for the purchase of a new movie projector

Originating Department: City Manager

Degree of importance: Choose an Option

### SUMMARY / ORIGINATING CAUSE

### IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

### RECOMMENDATIONS

### ATTACHMENTS

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 10/15/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: To receive comments both oral and written regarding Proposed amendments to Appendix C, Zoning Ordinance "Section 7.Q.2. Commercial Regulation Matrix" to add sub note "k." defining height maximum, "Section 7.Q.3. Area and Height Exceptions" to amend the height exceptions, and "Section 20. Definitions - Height" to remove a duplicate requirement

Originating Department: Community Development

Degree of importance: Significant

### SUMMARY / ORIGINATING CAUSE

Proposed amendments to the Zoning Ordinance that will allow First Baptist Church to construct the new sanctuary with a tower as well as a cross on top of the tower that exceeds the current allowable building height by 18 feet.

Historical Timeline:

Jan 2020 - First Baptist Church submitted SUP application with structure, tower and cross exceeding maximum building height of DD.

June 2020 - First Baptist Church received approval of SUP 2020-25, which included the stipulation that the cross comply with the regulations of DD zoning district. City Council also requested P&Z Commission to review the ordinance and make a recommendation.

July 6, 2020 - At the Joint Work Session between City Council and the Planning and Zoning Commission presented their recommendation to keep the DD requirements as-is and require the church to comply. City Council communicated that they would like for First Baptist Church to be allowed to construct their building, tower and steeple combination of 90 feet 10 inches.

First Baptist Church lowered the tower height to comply with the DD building height maximum of 70 feet, decreasing the height of the cross to 18 feet above the allowable building height.

July 23, 2020 - Following the Joint Work Session, staff provided two options to the Commission that would allow the church to move forward - change the ordinance or amend SUP 2020-25. Following that meeting, staff received more detailed direction requesting the Commission to change the Zoning Ordinance, rather than allowing the church to amend their SUP.

Now: Staff and the Planning and Zoning Commission drafted an amendment to the Zoning Ordinance to

allow exceptions to the maximum allowable building height in the DD, as well as clarified the exceptions in the other commercial districts. The intent was to make the exception list as narrow as possible.

#### Summary of Ordinance Amendments:

Relocation of the height maximum (subnote k to the Commercial Regulation Matrix) clarifies that belfries, chimneys, cooling towers, elevator bulkheads, fire towers, storage towers, monuments, ornamental towers and spires, stage towers and scenery lofts, tanks and water towers are subject to the Height Maximum.

Exceptions are then clarified for all commercial zoning districts - finial, crosses and other religious symbols are allowed to exceed the building height or the height maximum in all commercial zoning districts. Properties zoned CSC, OPD, NC, LI, I and BP have an additional relief in that they can increase setbacks in order to build higher than 40 feet provided they meet the requirements.

Communication towers, free standing and attached to buildings, were separated into their own section.

Planned Unit Developments (PUDs) are exempt because they write their own regulations or designate an existing City zoning district by which they will abide.

#### **IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY**

Changing the ordinance will allow finial, crosses, and other religious symbols to exceed the building height or the height maximum in all commercial zoning districts, including the Downtown District (DD).

#### **RECOMMENDATIONS**

At the Planning and Zoning Commission meeting held October 8, 2020, following the public hearing, the City of Friendswood Planning and Zoning Commission voted 1-5 (Commissioner Matranga voted in favor, all others opposed; Commissioner Hinkley was absent) on a motion to approve the proposed amendments to the Zoning Ordinance, resulting in a negative recommendation.

#### **ATTACHMENTS**

1. PZ Rec Memo Building height 10-14-2020
2. Building Height Ordinance 09-10-2020 clean copy
3. Building Height Ordinance 09-10-2020 redline copy

# Memo

**To:** Mayor and City Council

**From:** Joe Matranga, Planning & Zoning Commission Chairman 

**Date:** October 14, 2020

**Re:** Proposed amendments to Appendix C Zoning Ordinance Appendix C, Zoning Ordinance "Section 7.Q.2. Commercial Regulation Matrix" to add sub note "k." defining height maximum, "Section 7.Q.3. Area and Height Exceptions" to amend the height exceptions, and "Section 20. Definitions - Height" to remove a duplicate requirement

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At the Planning and Zoning Commission meeting held October 8, 2020, following the public hearing, the City of Friendswood Planning and Zoning Commission voted was 1-5 (Commissioner Matranga voted in favor, all others opposed; Commissioner Hinkley was absent) to approve the proposed amendments to the Zoning Ordinance.

The proposed amendments to the Zoning Ordinance provide for exceptions to the maximum allowable building height in the DD, as well as clarify the exceptions in the other commercial districts. The intent was to make the exception list as narrow as possible.

Relocation of the height maximum (subnote k to the Commercial Regulation Matrix) clarifies that belfries, chimneys, cooling towers, elevator bulkheads, fire towers, storage towers, monuments, ornamental towers and spires, stage towers and scenery lofts, tanks and water towers are subject to the Height Maximum.

Exceptions are then clarified for all commercial zoning districts - finial, crosses and other religious symbols are allowed to exceed the building height or the height maximum, in all commercial zoning districts. Properties zoned CSC, OPD, NC, LI, I and BP have an additional relief in that they can increase setbacks in order to build higher than 40 feet provided they meet the requirements.

Communication towers, free standing and attached to buildings, were separated into their own section.



Planned Unit Developments (PUDs) are exempt because they write their own regulations or designate an existing City zoning district by which they will abide.

The Commission's primary objections to the revised ordinance were not a reflection on the ordinance changes themselves, but opposition to increasing the DD maximum height above 70 feet and then once directed by City Council to accommodate the new maximum height, making the change by ordinance versus using the Special Use Permit process. The Commission felt that the Specific Use Permit was the better option to be able to consider exceptions for individual properties rather than changing the ordinance for a whole zoning district and possibly allowing unintended exceptions. Another concern raised by the Commission was that changing an ordinance for an individual property owner was contrary to the training that they had received regarding the use of City ordinances and actions of the Planning and Zoning Commission and City Council.

The dissenting Commission opinion was that the revised ordinance was specifically requested by City Council and therefore this vote was for the revised language of the ordinance and not for the need of the ordinance; the revised ordinance was as well written as possible.

Section 7. - Schedule of district regulations.

I. *Downtown District (DD), general purpose and description.* The DD, downtown district, is designed to accommodate and promote the city's original business and downtown areas. It is intended to achieve a balance of retail, commercial, office, and residential and public activities. Development within the DD should be pedestrian friendly with an emphasis on shared parking and shared access between developments. Development within the DD requires the approval of a development site plan by the Planning and Zoning Commission.

1. Area and height regulations. Structures within the DD are intended to be between one to four stories. The maximum height allowed is 70 feet as measured in accordance with the method prescribed in section 20. Additional regulations are set forth under subsection Q.2 of this section, regulation matrix.
  - a. No residential use shall be allowed on the first floor.

Q. *District area and height regulations.*

1. No lot, parcel, premises or tract of land shall be created and no building permit shall be issued for any request that does not meet the appropriate minimum lot area, width, depth, yard and height regulations as set forth in the following tables.
2. See regulation matrix.

## REGULATION MATRIX - COMMERCIAL DISTRICTS

Circled letters (letters in parentheses) refer to paragraphs in section 7-Q.3.

| Zoning District | Lot Area Minimum Square Feet | Lot Width Minimum Feet | Lot Depth Minimum Feet | Yards—Minimum Feet |          |                                                                          |                                                     |                                          |                                          | Height Maximum Feet (b , e and k) | Landscape Requirements | Exception Notes | Maximum Lot Coverage |
|-----------------|------------------------------|------------------------|------------------------|--------------------|----------|--------------------------------------------------------------------------|-----------------------------------------------------|------------------------------------------|------------------------------------------|-----------------------------------|------------------------|-----------------|----------------------|
|                 |                              |                        |                        | Front              | Rear (a) | Side                                                                     |                                                     |                                          |                                          |                                   |                        |                 |                      |
|                 |                              |                        |                        |                    |          | Interior                                                                 |                                                     | Exterior                                 |                                          |                                   |                        |                 |                      |
|                 |                              |                        |                        |                    |          | When Abutting Property in a Residential District or Garden Home District | When Abutting Property in a Nonresidential District | When Backing Up to an Abutting Side Yard | When Backing Up to an Abutting Rear Yard |                                   |                        |                 |                      |
| CSC             | 15,000                       | 100                    | 150                    | 30                 | 15       | 25                                                                       | 10                                                  | 25                                       | 10                                       | 40                                | Yes                    |                 | 30%                  |
| NC              | 12,000                       | 100                    | 120                    | 30                 | 15 D     | 25                                                                       | 10                                                  | 25                                       | 10                                       | 40                                | Yes                    | D, H            | 30% H                |

|     |             |     |     |         |                |      |      |      |      |                           |     |         |         |
|-----|-------------|-----|-----|---------|----------------|------|------|------|------|---------------------------|-----|---------|---------|
| LNC | 10,000      | 100 | 100 | 30      | 15<br>D        | 25   | 10   | 25   | 10   | 40                        | Yes | D, I    | 30%; cc |
| DD  | 15,000<br>E | 0   | 0   | 0       | 0 G<br>15<br>F | 15   | 0    | 0    | 0    | 70<br>(max. 4<br>stories) | Yes | E, F, G | 60%     |
| OPD | 10,000      | 100 | 100 | 30      | 15             | 25   | 10   | 25   | 10   | 40                        | Yes | H       | 30%     |
| BP  | 10,000      | 100 | 100 | 30      | 25             | 25   | 10 J | 25   | 10 J | 40                        | Yes | J       | 40%     |
| LI  | 15,000      | 100 | 100 | 30<br>A | 25             | 25   | 10   | 25   | 10   | 40                        | Yes | A       | 50%     |
| I   | 20,000      | 100 | 100 | 30<br>B | 25<br>C        | 40 C | 10   | 25 C | 10 C | 40                        | Yes | B, C    | 60%     |

- A. When LI district is across the street from a residential district, front yard shall be a minimum of 40 feet from street R.O.W.
- B. When I district is across the street from a residential district, front yard setback shall be a minimum of 50 feet from street R.O.W.
- C. When industrial district abuts side and/or rear residential district, setback shall be a minimum of 90 feet.
- D. When rear yard of an NC or LNC district abuts a nonresidential district, rear yard setback shall be a minimum of 15 feet.
- E. Lots within the downtown district (DD) in existence prior to the creation of the DD shall be deemed as lawfully existing and shall be allowed to develop under DD regulations. Further, tracts of any size in existence prior to the creation of the DD may be combined into larger tracts and developed, even if the aggregate size is less than 15,000 square feet. Further, no lot classified as within the DD zone may be subdivided to less than the minimum size of 15,000 square feet.
- F. When DD rear yard abuts a residential district (residential district or garden home district), rear yard setback shall be a minimum of 15 feet.
- G. When DD rear yard abuts a non-residential district, rear yard shall be a minimum of zero feet.
- H. In NC and OPD, building site coverage, consisting of all buildings, structures and all paved surfaces, shall not exceed 90 percent of the total lot area, per subsections G.5 and H.8 of this section.
- I. In LNC, building site coverage, consisting of all buildings, structures and all paved surfaces, shall not exceed 80 percent of the total lot area, per subsection G-1.6 of this section.
- J. In BP, no structure shall be located within 25 feet of an exterior BP boundary. An exterior BP boundary is one that abuts a zone other than BP, per subsection O.1 of this section.

- K. Height maximum includes belfries, chimneys, cooling towers, elevator bulkheads, fire towers, storage towers, monuments, ornamental towers and spires, stage towers and scenery lofts, tanks and water towers.

## REGULATION MATRIX—RESIDENTIAL DISTRICTS

Circled letters (letters in parentheses) refer to paragraphs in section 7-Q.3.

|                                               | Unit<br>s<br>per<br>Acre | Lot<br>Area<br>Minimum<br>Square<br>Feet | Lot<br>Width                                    | Yards—Minimum Feet                              |             |                 |                          |      | Height<br>Maximum<br>Feet<br>(b and e) | Parking<br>Requirement<br>Unit | Zero<br>Lot<br>Lines<br>Y or<br>N | Maximum<br>Lot<br>Coverage |
|-----------------------------------------------|--------------------------|------------------------------------------|-------------------------------------------------|-------------------------------------------------|-------------|-----------------|--------------------------|------|----------------------------------------|--------------------------------|-----------------------------------|----------------------------|
|                                               |                          |                                          |                                                 | Front                                           | Rear<br>(a) | Side            |                          |      |                                        |                                |                                   |                            |
|                                               |                          |                                          |                                                 |                                                 |             | Interior<br>(d) | Exterior<br>(Corner Lot) |      |                                        |                                |                                   |                            |
|                                               |                          |                                          | Backing<br>Up to an<br>Abutting<br>Side<br>Yard | Backing<br>Up to an<br>Abutting<br>Rear<br>Yard |             |                 |                          |      |                                        |                                |                                   |                            |
| SFR Single-Family<br>Residential              | 2.7                      | 11,600                                   | 90 A                                            | 25 B                                            | 25          | 10 F            | 25 A                     | 20 C | 40                                     | K                              | No                                | 35%                        |
| SFR Single-Family<br>Residential              | 2.7                      | 15,600                                   | 120 A                                           | 25 B                                            | 25          | 10              | 25 B                     | 20 C | 40                                     | K                              | No                                | 35%                        |
| SFR-E Single-Family—<br>Residential<br>Estate | 0.5                      | 87,120                                   | 150 A                                           | 75                                              | 25          | 25              | 35                       | 35   | 40                                     | K                              | No                                | 20%                        |
| MFR-L<br>Multifamily<br>—Low                  | 6 G                      | 7,260 G                                  | 45 G                                            | 25 B                                            | 25          | 10 E, I         | 25 B                     | 20 C | 40                                     | K                              | No                                | 50%                        |
| MFR-M<br>Multifamily<br>—Medium               | 9                        | —                                        | —                                               | 25 B                                            | 0           | 10 E, I         | 25 B                     | 20 C | 40                                     | K                              | No                                | 50%                        |
| MFR-H<br>Multifamily<br>—Highest              | 12                       | —                                        | —                                               | 25 B                                            | 0           | 10 E, I         | 25 B                     | 20 C | 40                                     | K                              | No                                | 50%                        |
| MHR Mobile                                    | 10                       | —                                        | —                                               | 25 B                                            | 25          | 10 I            | 30                       | 25 B | 20                                     | K                              | No                                | 50%                        |

|                                       |   |       |    |            |    |        |        |        |    |   |          |     |
|---------------------------------------|---|-------|----|------------|----|--------|--------|--------|----|---|----------|-----|
| Home                                  |   |       |    |            |    |        |        |        |    |   |          |     |
| A-1                                   | — | —     | —  | 25 B       | 25 | 10 I   | 25 B   | 20 C   | 40 | K | No       | 10% |
| MFR-GHD<br>Garden<br>Home<br>District | 6 | 6,000 | 60 | 20 B,<br>H | 20 | 0 D, J | 5 B, H | 4 C, H | 40 | K | Yes<br>D | 50% |

- A. Lots of less than 120 feet wide require curbs. Lots 120 feet wide or greater may use open ditches.
  - B. 35 feet on thoroughfares.
  - C. 25 feet on thoroughfares.
  - D. Zero setback on side only, minimum five-foot separation between buildings.
  - E. Ten-foot minimum separation between buildings.
  - F. Lots currently in existence with less than 90 feet of width that have structures already built upon them may continue with the same existing setback for additions provided they are not less than a minimum of five feet.
  - G. Developer must elect either units per acre or lot area. Two-family residential units on two lots are required when lot area is elected.
  - H. Front yard and exterior side yard setbacks shall be measured from the edge of the street ROW or the edge of the drainage utility/access easement (if streets are private), whichever is greater.
  - I. 25 feet when abutting land zoned single-family residential (SFR) district.
  - J. Ten feet when abutting land zoned anything other than MFR-GHD (garden home district).
  - K. Parking is required in accordance with the parking group table in the design criteria manual.
3. Area and height exceptions.
- a. Height maximum in community shopping center (CSC), neighborhood commercial (NC), office park (OPD), light industrial (LI), industrial (I), and business park (BP) districts:  
May exceed 40 feet in height when the building setback from the nearest property line is equal to the building height. Further, the building or structure shall fit under an imaginary line that is not greater than 45.0 degrees at the property line from a horizontal line established at the minimum habitable floor elevation, provided, however, no building or structure on property adjacent to a residential zone shall have a height that exceeds 50 feet.
  - b. Exceptions for community shopping center (CSC), neighborhood commercial (NC), office park (OPD), light industrial (LI), industrial (I), and business park (BP) districts
    - 1. On building or structures located in these districts, finials, crosses and other religious symbols shall not extend more than 10 feet above the building or extend more than 10 feet above the allowable building height; and

2. Finials, crosses and other religious symbols shall not be accessible and shall not be illuminated above the roofline.
- c. Exceptions for the Downtown District (DD):
1. On buildings or structures located in the Downtown District (DD), finials, crosses and other religious symbols shall not extend more than 18 feet above the building or extend more than 18 feet above the allowable building height; and
  2. Finials, crosses and other religious symbols shall not be accessible and shall not be illuminated above the roofline.
- d. Communications towers height criteria.
1. *Height limitations of communication towers.* The maximum communication tower height, including antennae, lightning rods and accessories, in residential districts shall not exceed 40 feet and in non-residential districts shall not exceed 200 feet, unless otherwise approved by City Council.
  2. *Height limitations for communication towers placed on existing buildings.* Communication towers and antennae, which are located on top of buildings or structures shall not be more than 30 percent of the structure height above the structure.
  3. This section applies to telecommunication towers, ham radio and television antennas, microwave relay, radio and television transmission towers.
- e. Building or structures located in Planned Unit Development (PUD):
- Buildings and structures located in a Planned Unit Development (PUD) shall be exempt from the height limitations contained herein. Height limitations for buildings or structures located within a PUD application will be as established in the ordinance authorizing and approving the PUD.
- f. Accessory buildings or structures in residential districts:
- Unattached accessory buildings or structures less than 25 feet in height, as measured from the adjacent grade to the highest point of any portion of such building or structure, may be located in required rear or side yards within residential districts, provided they are set back not less than five feet from any interior side lot line, 20 feet from any side lot line adjacent to a side street, and ten feet from any rear lot line.
- g. Interior side yards shall not be required for abutting properties in the same zoning district if both properties are developed as a unit under a common development plan.
- h. When individual attached townhouses or condominiums are to be sold separately, there shall be no minimum lot area requirements, provided that the total land area of the project, including the land on which the units are located and the land held in common ownership by the unit owners, is equal to the total minimum land area required per dwelling unit or lot in the district in which the project is located.
- i. Minimum front yard setbacks for lots with predominant frontage on the curved radius of a cul-de-sac shall be 15 feet.
- j. Stairs in certain situations. In residential zoning districts that have minimum front yard requirements, uncovered stairways associated with a residential use may project into the required front yard but shall remain a minimum of ten feet from the front property line, if:
1. A building is being elevated or reconstructed on an existing foundation to meet or exceed current city floodplain standards; and
  2. The stairway projection into the required front yard is limited to the minimum area required to meet elevation standards; and the stairway, at its widest point, shall not exceed ten feet.

## Section 20. - Definitions.

- (a) The following words, terms and phrases, when used in this appendix, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Accessory use or structure* means a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

*Adult entertainment business* shall have the same meaning as "sexually oriented business," as that term is defined in V.T.C.A., Local Government Code ch. 243, and chapter 62 of the Code of Ordinances, and shall include, but not be limited to, an adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult tanning salon, adult theater, escort agency, nude modeling studio, sexual encounter center, or any other commercial enterprise, the primary business of which is the offering of a service or the selling, renting, or exhibiting of devices or any other items intended to provide sexual stimulation or sexual gratification to the customer. Such uses shall be allowed only as specifically authorized under the terms of this appendix and chapter 62 of the Code of Ordinances. The determination of what constitutes an adult entertainment business shall be made by the police chief or his/her designee, in accordance with the definitions contained in chapter 62 of the Code of Ordinances, and such determination shall be appealable to the zoning board of adjustment.

*Apartment house* means any building or portion thereof used as a multiple dwelling for the purpose of providing three or more separate dwelling units which may share means of egress and other essential facilities.

*Automobile graveyard* means an establishment or place of business that is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.

*Building* means any structure designed or built for the support, enclosure, shelter, or protection of persons, animals, chattels or property of any kind. The term "building" includes the term "structure."

*Building area* means the surface of the lot covered or occupied by all structures placed thereon, excluding only driveways, walkways and uncovered patios.

*Building line* means a line parallel or approximately parallel to the street line and beyond which buildings may not be erected.

*Childcare center* means a childcare facility that is licensed to care for seven or more children for less than 24 hours per day, at a location other than the permit holder's home (pursuant to Texas Administrative Code, Title 40, Part 19, Chapter 746). Compliance with all applicable state regulations is required. A childcare center shall also obtain a certificate of zoning compliance pursuant to section 9.D ("Administration and enforcement—Building permits and certificates of zoning compliance").

1. *Registered childcare home.* In a registered childcare home, the registered primary caregiver provides care in the caregiver's own residence for not more than six children from birth through 13 years, and may provide care after-school hours for not more than six additional elementary school children. The total number of children in care at any given time, including the children related to the caregiver, must not exceed 12 (pursuant to Tex. Admin. Code, Title 40, Part 19, Chapter 747). Compliance with all applicable state regulations is required. A registered childcare home shall also obtain a certificate of zoning compliance pursuant to section 9.D.
2. *Licensed childcare home.* The total number of children in care varies with the ages of the children, but the total number of children in care in a licensed childcare home at any given time, including the children related to the caregiver, must not exceed 12 (pursuant to Tex. Admin. Code, Title 40, Part 19, Chapter 747). Compliance with all applicable state regulations is required. A licensed childcare home shall also obtain a certificate of zoning compliance pursuant to section 9.D.

*Cluster housing development* means a residential development containing attached or detached units on a limited portion of land with the remaining land areas consolidated into common open space areas.

*Comprehensive plan* means graphic and textual form policies which govern the future development of the city and which consist of various components governing specific geographic areas and functions and services of the city.

*Density* means living units per acre in a platted subdivision. The term "density" pertains to total platted acreage, including streets.

*Dwelling, garden home*, means a dwelling unit which is structurally attached to another dwelling unit but which does not share a common wall.

*Dwelling, multiple-family*, means any building, or portion thereof, which is designed, built, rented, leased or intended to be occupied as three or more dwelling units or apartments and which includes facilities for food preparation and sleeping.

*Dwelling, single-family*, means a detached building having accommodations for and occupied by not more than one family.

*Dwelling, two-family*, means a detached building having accommodations for and occupied by not more than two families. In calculating minimum lot area, a two-family dwelling shall be considered to be two dwelling units.

*Dwelling unit* means a building or portion of a building which is arranged, occupied, or intended to be occupied as living quarters for one family.

*Family* means a single individual or a number of individuals domiciled together, whose relationship is of a continuing, nontransient, domestic character and who are cooking and living together as a single, nonprofit housekeeping unit. This shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization, or group of students or other individuals whose relationship is of a transitory or seasonal nature or for anticipated limited duration of school terms or other similar determinable period.

*Fence* means any structure enclosing, demarcating or surrounding an area of ground to mark a boundary, control access, or prevent escape, in part or in whole.

*Graduated fence* means a fence required by city ordinance, the height of which may be reduced for some portion of its required length, either in a stair-step configuration or by gradually reducing such height in a straight or radial line. The length and height of the fence so reduced will be determined on the basis of a combination of factors, including, but not limited to, security, public welfare, and pedestrian and traffic safety.

*Green space* means natural undeveloped areas, such as prairies, farmland, barren land, forests, wetlands and lakes. The term "green space" may also include landscaped perimeters and green landscape reserves along thoroughfares.

*Height.*

- a. The height of a building shall be measured to:
  - (1) The top of ridge of the highest roof of a sloped roof (i.e., gable);
  - (2) The top of the highest deck of a mansard roof; or
  - (3) The top of the highest parapet wall of a flat roof.
- b. For buildings not located in the floodplain, height is measured from the top of the finished first floor of the building which can be no more than two feet above the finished grade at the site. Finished grade shall mean the highest grade elevation within five feet of the foundation or wall of the building, said grade having been established by means of an approved grading and/or drainage plan. Finished grade may also be the existing grade elevation when no terrain alteration is proposed, or where otherwise applicable. Any fill which is not required to achieve positive site drainage or slope stabilization, or which is otherwise proposed to raise the finished



first floor elevation for any other purpose, shall not be considered to be finished grade for the purpose of measuring building height.

- c. For buildings located in the floodplain, height is measured from the top of the first finished floor which shall be two feet above the average base flood elevation at the site, as established by the latest available flood elevation maps for the city.

*Home occupation* means an occupation or profession engaged in by the occupants of a dwelling, the conduct of which does not result in the dwelling being identified as a business by the external and objective evidence of a business, such as signs, displays, deliveries, continuous or repetitive traffic (rather than occasional or sporadic traffic) generated by the home occupation, or by regular gatherings of clients or customers for business purposes. Home occupations are a permitted use in accordance with this section, provided that:

1. The occupation or profession conducted within a residential dwelling unit must be clearly incidental and subordinate to the use of the premises as a residential dwelling unit.
2. The home occupation shall be conducted entirely within the dwelling unit or accessory structure.
3. Only members of the family residing on the premises are employed.
4. No internal or external alterations, special construction, or features are involved.
5. There is no advertising of any type on the premises and no other display or storage of materials or exterior identification of the home occupation or variation from the residential character of the main building or any accessory building; however, advertising of the home occupation by published or printed matter is allowed.
6. No equipment is used which creates offensive noises, vibrations, sound, smoke or dust, odors, heat, glare, X-ray or electrical disturbances to radio or television.
7. Vehicles used in conjunction with the home occupation must park completely in the driveway of the resident without blocking the sidewalk.
8. The home occupation must not change the character of the residential area.
9. A childcare center as defined in this section is not recognized as a home occupation.
10. A personal care facility as defined in this section is not recognized as a home occupation.
11. The use of off-site personal services at a residence by the occupant, such as lawn care, maid services, etc., does not constitute a home occupation and is not limited by this appendix.

*Junkyard* means an establishment or place of business maintained, used, or operated for storing, keeping, buying or selling junk, for processing scrap metal, or for maintaining or operating an automobile graveyard. The term "junkyard" includes garbage dumps and sanitary fills.

*Lot* includes the term "plot" or "parcel."

*Lot measurements.*

1. *Depth.* The distance between the midpoint of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
2. *Width.* The distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard, provided, however, that width between side lot lines at their foremost point (where they intersect with the street lines) shall not be less than 90 percent of the required lot width except in the case of lots on the turning circle of culs-de-sac where the 90 percent requirement shall not apply.

*Office park* means one or more commercial buildings with multiple businesses providing services but not delivering products directly to customers and consisting of two or more tenants using common driveways.

*Open space* means a restricted reserve located within a development with limited low-impact amenities, including, but not limited to, green space, both natural and landscaped, detention areas, trails, lakes, pavilions, benches, outdoor cooking facilities, and active recreational facilities, such as ball and soccer fields, playgrounds, and the like. Amenities may be passive or active.

*Parking space, off-street*, means a space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room. Required off-street parking areas for three or more automobiles shall have individual spaces marked, and shall be so designed, maintained and regulated that no parking or maneuvering incidental to parking shall be on any public street, walk, or alley, and so that any automobile may be parked and unparked without moving another. For purposes of rough computation, an off-street parking space and necessary access for maneuvering room may be estimated at 300 square feet, but off-street parking requirements will be considered to be met only when actual spaces meeting the requirements above are provided and maintained, improved in a manner appropriate to the circumstances of the case, and in accordance with all ordinances and regulations of the city.

*Personal care facility* means any establishment that furnishes food and shelter to four or more persons who are unrelated to the proprietor of the establishment and provides personal care services as that term is defined in V.T.C.A., Health and Safety Code § 247.002, and as further provided for in V.T.C.A., Human Resources Code § 123.004.

*Planned unit development* means a district with development characterized by a unified site development plan which may provide for a mixture or combination of residential, recreation and open space and commercial uses.

*Servant's or caretaker's quarters* means an accessory building located on the same lot as the main building, or a portion of the main building, used as living quarters by persons acting as caretakers of the property or by employed servants and not rented or otherwise used as a separate domicile and not used except as an accessory use to the primary use of the property.

*Shopping center* means a group of commercial establishments which is planned, developed, owned and managed as a unit related in its location, size and type of shops to the trade area that the unit serves.

*Specific use* means a use that would not be appropriate generally or without restrictions throughout the zoning district but would, if controlled as to number, area, location or relation to the neighborhood, promote the property held, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in a zoning district as special exceptions, if specific provision for such special exceptions is made in this appendix.

*Street* means a public or private thoroughfare which affords a principal means of access to abutting property.

*Street line* means the right-of-way line of a street.

*Structural alterations* means any change in the supporting member of a structure, such as bearing walls, columns, beams or girders.

*Structure* means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground.

*Townhouse* means a row of three or more attached, one-family dwellings, separated by vertical party or lot line walls, and each having private entrances.

*Variance* means a relaxation of the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, so that the spirit of the ordinance is observed and substantial justice is done.

*Yard* means an open space, other than a court, on a lot, unoccupied and unobstructed from the ground upward except for fences and walls.

*Yard, front*, means a yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto on the lot as specified in each zoning district.

*Yard, rear*, means a yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and a line parallel thereto on the lot as specified in each zoning district. On corner lots, the rear yard shall be considered as parallel to the street upon which the lot has its least dimensions. On both corner and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.

*Yard, side*, means a yard between a building and the side lot line, extending from the front yard, or front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line toward the nearest part of the building.

- (b) The present tense includes the future tense; the singular number includes the plural; and the plural number includes the singular.
- (c) The term "shall" is mandatory; the term "may" is permissive.
- (d) The terms "used" and "occupied" include the words "intended, designed or arranged to be used or occupied."
- (e) The term "person" includes an individual, firm, association, organization, partnership, trust, company or corporation.

Section 7. - Schedule of district regulations.

Q. *District area and height regulations.*

1. No lot, parcel, premises or tract of land shall be created and no building permit shall be issued for any request that does not meet the appropriate minimum lot area, width, depth, yard and height regulations as set forth in the following tables.
2. See regulation matrix.

REGULATION MATRIX - COMMERCIAL DISTRICTS

Circled letters (letters in parentheses) refer to paragraphs in section 7-Q.3.

| Zoning District | Lot Area Minimum Square Feet | Lot Width Minimum Feet | Lot Depth Minimum Feet | Yards—Minimum Feet |          |                                                                          |                                                     |                                          |                                          | Height Maximum Feet (b, e and ek) | Landscape Requirements | Exception Notes | Maximum Lot Coverage |
|-----------------|------------------------------|------------------------|------------------------|--------------------|----------|--------------------------------------------------------------------------|-----------------------------------------------------|------------------------------------------|------------------------------------------|-----------------------------------|------------------------|-----------------|----------------------|
|                 |                              |                        |                        | Front              | Rear (a) | Side                                                                     |                                                     |                                          |                                          |                                   |                        |                 |                      |
|                 |                              |                        |                        |                    |          | Interior                                                                 |                                                     | Exterior                                 |                                          |                                   |                        |                 |                      |
|                 |                              |                        |                        |                    |          | When Abutting Property in a Residential District or Garden Home District | When Abutting Property in a Nonresidential District | When Backing Up to an Abutting Side Yard | When Backing Up to an Abutting Rear Yard |                                   |                        |                 |                      |
| CSC             | 15,000                       | 100                    | 150                    | 30                 | 15       | 25                                                                       | 10                                                  | 25                                       | 10                                       | 40                                | Yes                    |                 | 30%                  |
| NC              | 12,000                       | 100                    | 120                    | 30                 | 15 D     | 25                                                                       | 10                                                  | 25                                       | 10                                       | 40                                | Yes                    | D, H            | 30% H                |
| LNC             | 10,000                       | 100                    | 100                    | 30                 | 15 D     | 25                                                                       | 10                                                  | 25                                       | 10                                       | 40                                | Yes                    | D, I            | 30%; co              |
| DD              | 15,000 E                     | 0                      | 0                      | 0                  | 0 G 15 F | 15                                                                       | 0                                                   | 0                                        | 0                                        | 70 (max. 4 stories)               | Yes                    | E, F, G         | 60%                  |
| OPD             | 10,000                       | 100                    | 100                    | 30                 | 15       | 25                                                                       | 10                                                  | 25                                       | 10                                       | 40                                | Yes                    | H               | 30%                  |
| BP              | 10,000                       | 100                    | 100                    | 30                 | 25       | 25                                                                       | 10 J                                                | 25                                       | 10 J                                     | 40                                | Yes                    | J               | 40%                  |

|    |        |     |     |         |         |      |    |      |      |    |     |      |     |
|----|--------|-----|-----|---------|---------|------|----|------|------|----|-----|------|-----|
| LI | 15,000 | 100 | 100 | 30<br>A | 25      | 25   | 10 | 25   | 10   | 40 | Yes | A    | 50% |
| I  | 20,000 | 100 | 100 | 30<br>B | 25<br>C | 40 C | 10 | 25 C | 10 C | 40 | Yes | B, C | 60% |

- A. When LI district is across the street from a residential district, front yard shall be a minimum of 40 feet from street R.O.W.
- B. When I district is across the street from a residential district, front yard setback shall be a minimum of 50 feet from street R.O.W.
- C. When industrial district abuts side and/or rear residential district, setback shall be a minimum of 90 feet.
- D. When rear yard of an NC or LNC district abuts a nonresidential district, rear yard setback shall be a minimum of 15 feet.
- E. Lots within the downtown district (DD) in existence prior to the creation of the DD shall be deemed as lawfully existing and shall be allowed to develop under DD regulations. Further, tracts of any size in existence prior to the creation of the DD may be combined into larger tracts and developed, even if the aggregate size is less than 15,000 square feet. Further, no lot classified as within the DD zone may be subdivided to less than the minimum size of 15,000 square feet.
- F. When DD rear yard abuts a residential district (residential district or garden home district), rear yard setback shall be a minimum of 15 feet.
- G. When DD rear yard abuts a non-residential district, rear yard shall be a minimum of zero feet.
- H. In NC and OPD, building site coverage, consisting of all buildings, structures and all paved surfaces, shall not exceed 90 percent of the total lot area, per subsections G.5 and H.8 of this section.
- I. In LNC, building site coverage, consisting of all buildings, structures and all paved surfaces, shall not exceed 80 percent of the total lot area, per subsection G-1.6 of this section.
- J. In BP, no structure shall be located within 25 feet of an exterior BP boundary. An exterior BP boundary is one that abuts a zone other than BP, per subsection O.1 of this section.

K. Height maximum includes belfries, chimneys, cooling towers, elevator bulkheads, fire towers, storage towers, monuments, ornamental towers and spires, stage towers and scenery lofts, tanks and water towers.

## REGULATION MATRIX—RESIDENTIAL DISTRICTS

Circled letters (letters in parentheses) refer to paragraphs in section 7-Q.3.

|  | Units per | Lot Area Minimum Square | Lot Width | Yards—Minimum Feet |      |      | Height Maximum Feet | Parking Requirement Unit | Zero Lot Lines Y or | Maximum Lot Coverage |
|--|-----------|-------------------------|-----------|--------------------|------|------|---------------------|--------------------------|---------------------|----------------------|
|  |           |                         |           | Front              | Rear | Side |                     |                          |                     |                      |

|                                        | Acre | Feet    |       |         | (a) |                 | Exterior<br>(Corner Lot)                        |                                                 | (b and e) |   | N     |     |
|----------------------------------------|------|---------|-------|---------|-----|-----------------|-------------------------------------------------|-------------------------------------------------|-----------|---|-------|-----|
|                                        |      |         |       |         |     | Interior<br>(d) | Backing<br>Up to an<br>Abutting<br>Side<br>Yard | Backing<br>Up to an<br>Abutting<br>Rear<br>Yard |           |   |       |     |
| SFR Single-Family Residential          | 2.7  | 11,600  | 90 A  | 25 B    | 25  | 10 F            | 25 A                                            | 20 C                                            | 40        | K | No    | 35% |
| SFR Single-Family Residential          | 2.7  | 15,600  | 120 A | 25 B    | 25  | 10              | 25 B                                            | 20 C                                            | 40        | K | No    | 35% |
| SFR-E Single-Family—Residential Estate | 0.5  | 87,120  | 150 A | 75      | 25  | 25              | 35                                              | 35                                              | 40        | K | No    | 20% |
| MFR-L Multifamily—Low                  | 6 G  | 7,260 G | 45 G  | 25 B    | 25  | 10 E, I         | 25 B                                            | 20 C                                            | 40        | K | No    | 50% |
| MFR-M Multifamily—Medium               | 9    | —       | —     | 25 B    | 0   | 10 E, I         | 25 B                                            | 20 C                                            | 40        | K | No    | 50% |
| MFR-H Multifamily—Highest              | 12   | —       | —     | 25 B    | 0   | 10 E, I         | 25 B                                            | 20 C                                            | 40        | K | No    | 50% |
| MHR Mobile Home                        | 10   | —       | —     | 25 B    | 25  | 10 I            | 30                                              | 25 B                                            | 20        | K | No    | 50% |
| A-1                                    | —    | —       | —     | 25 B    | 25  | 10 I            | 25 B                                            | 20 C                                            | 40        | K | No    | 10% |
| MFR-GHD Garden Home District           | 6    | 6,000   | 60    | 20 B, H | 20  | 0 D, J          | 5 B, H                                          | 4 C, H                                          | 40        | K | Yes D | 50% |

- A. Lots of less than 120 feet wide require curbs. Lots 120 feet wide or greater may use open ditches.
- B. 35 feet on thoroughfares.
- C. 25 feet on thoroughfares.
- D. Zero setback on side only, minimum five-foot separation between buildings.
- E. Ten-foot minimum separation between buildings.
- F. Lots currently in existence with less than 90 feet of width that have structures already built upon them may continue with the same existing setback for additions provided they are not less than a minimum of five feet.
- G. Developer must elect either units per acre or lot area. Two-family residential units on two lots are required when lot area is elected.
- H. Front yard and exterior side yard setbacks shall be measured from the edge of the street ROW or the edge of the drainage utility/access easement (if streets are private), whichever is greater.
- I. 25 feet when abutting land zoned single-family residential (SFR) district.
- J. Ten feet when abutting land zoned anything other than MFR-GHD (garden home district).
- K. Parking is required in accordance with the parking group table in the design criteria manual.

3. Area and height exceptions.

~~a. Unattached accessory buildings or structures less than 25 feet in height, as measured from the adjacent grade to the highest point of any portion of such building or structure, may be located in required rear or side yards within residential districts, provided they are set back not less than five feet from any interior side lot line, 20 feet from any side lot line adjacent to a side street, and ten feet from any rear lot line.~~

**Commented [BB1]:** Moved to group with setback exceptions

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~~b. A building or structure may not exceed 40 feet in height measured from the minimum habitable floor elevation; provided, however, that:~~

**Commented [BB2]:** Redundant

~~a. 1. Buildings or structures~~Height maximum in community shopping center (CSC), neighborhood commercial (NC), office park (OPD), light industrial (LI), industrial (I), and business park (BP) districts;

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~~may exceed 40 feet in height when:~~

~~a. May exceed 40 feet in height when~~ the building setback from the nearest property line is equal to the building height. Further, the building or structure shall fit under an imaginary line that is not greater than 45.0 degrees at the property line from a horizontal line established at the minimum habitable floor elevation, provided, however, no building or structure on property adjacent to a residential zone shall have a height that exceeds 50 feet ~~unless a specific use permit shall have been granted therefore in accordance with section 9-G.~~

~~b.b. Exceptions for community shopping center (CSC), neighborhood commercial (NC), office park (OPD), light industrial (LI), industrial (I), and business park (BP) districts~~

~~1. —On building or structures located in these districts, finials, crosses and other religious symbols shall not extend more than 10 feet above the building or extend more than 10 feet above the allowable building height; and~~

~~2. Finials, crosses and other religious symbols shall not be accessible and shall not be illuminated above the roofline.~~

~~c. Exceptions for the Downtown District (DD):~~

~~The height regulations of this section shall not apply to elevator bulkheads, flagpoles, monuments, ornaments, steeples, spires, smokestacks, tanks, antennas, and items similar to those listed herein.~~

~~11. On buildings or structuresWhen located in the Downtown District (DD), these structures finials, crosses and other religious symbols shall not extend more than 1820 feet above the building or extend more than 1820 feet above the allowable building height; and~~

~~2. When located in community shopping center (CSC), neighborhood commercial (NC), office park (OPD), light industrial (LI), industrial (I), and business park (BP) districts, these structures shall not exceed more than 10 feet or extend more than 10 feet above the allowable building height; and~~

~~3. Finials, crosses and other religious symbolsThe structures shall not be used for habitation or storageaccessible and shall not be illuminated above the roofline.~~

d. Communications towers height criteria.

~~1. Height limitations of communication towers. The maximum communication tower height, including antennae, lightning rods and accessories, in residential districts shall not exceed 40 feet and in non-residential districts shall not exceed 200 feet, unless otherwise approved by eCity Ceouncil.~~

~~2. Height limitations for communication towers placed on existing buildings. Communication Ttowers and which are located on top of buildings or structures in nonresidential districtsantennae, which are located on top of buildings or structures shall not be more than 30 percent of the structure height above the structure.~~

~~3. This section applies to telecommunication towers, ham radio and television antennas, microwave relay, radio and television transmission towers.~~

~~b. Buildings or structures of 40 feet or less in height shall meet the setback requirements as defined in this appendix.~~

2. Exceptions. e. Building or structures located in Planned Unit Development (PUD):

~~Buildings and Sstructures located within a general Pplanned Uunit Ddevelopment (PUD) or PUD-mixed use district shall be exempt from the height limitations contained herein. Height limitations for buildings or structures located within a general PUD or PUD-mixed use application will be as established in the ordinance authorizing and approving the Pplanned-unit developmentUD.~~

~~3. The maximum height allowed for structures within the downtown district (DD) is 70 feet, as measured in accordance with the method prescribed in section 20, definitions.~~

f. Accessory buildings or structures in residential districts:

~~Unattached accessory buildings or structures less than 25 feet in height, as measured from the adjacent grade to the highest point of any portion of such building or structure, may be located in required rear or side yards within residential districts, provided they are set back not less than five feet from any interior side lot line, 20 feet from any side lot line adjacent to a side street, and ten feet from any rear lot line.~~

ge. Interior side yards shall not be required for abutting properties in the same zoning district if both properties are developed as a unit under a common development plan.

hd. When individual attached townhouses or condominiums are to be sold separately, there shall be no minimum lot area requirements, provided that the total land area of the project, including the land on which the units are located and the land held in common ownership by the unit owners, is equal to the total minimum land area required per dwelling unit or lot in the district in which the project is located.

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~~e. \_\_\_\_\_ The height regulations of this section shall not apply to belfries, chimneys, church spires, conveyors, cooling towers, elevator bulkheads, fire towers, storage towers, flagpoles, monuments, ornamental towers or spires, cranes, construction equipment, smokestacks, stage towers and scenery lofts, tanks, water towers, ham radio and television antennas, microwave relay, radio and television transmission towers and items similar to those listed herein. The total combined maximum height for these items and the structure is 50 feet overall height, measured from the first finished floor to the highest point, unless otherwise approved by the planning and zoning commission.~~

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if. Minimum front yard setbacks for lots with predominant frontage on the curved radius of a \_\_\_\_\_ cul-de-sac shall be 15 feet.

ig. Stairs in certain situations. In residential zoning districts that have minimum front yard requirements, uncovered stairways associated with a residential use may project into the required front yard but shall remain a minimum of ten feet from the front property line, if:

1. A building is being elevated or reconstructed on an existing foundation to meet or exceed current city floodplain standards; and
2. The stairway projection into the required front yard is limited to the minimum area required to meet elevation standards; and the stairway, at its widest point, shall not exceed ten feet.

## Section 20. - Definitions.

### *Height.*

- a. The height of a building shall be measured to:
  - (1) The top of ridge of the highest roof of a sloped roof (i.e., gable);
  - (2) The top of the highest deck of a mansard roof; or
  - (3) The top of the highest parapet wall of a flat roof.
- b. For buildings not located in the floodplain, height is measured from the top of the finished first floor of the building which can be no more than two feet above the finished grade at the site. Finished grade shall mean the highest grade elevation within five feet of the foundation or wall of the building, said grade having been established by means of an approved grading and/or drainage plan. Finished grade may also be the existing grade elevation when no terrain alteration is proposed, or where otherwise applicable. Any fill which is not required to achieve positive site drainage or slope stabilization, or which is otherwise proposed to raise the finished first floor elevation for any other purpose, shall not be considered to be finished grade for the purpose of measuring building height.
- c. For buildings located in the floodplain, height is measured from the top of the first finished floor which shall be two feet above the average base flood elevation at the site, as established by the latest available flood elevation maps for the city.

~~d. No part of a building or structure is allowed to exceed the maximum height allowed in a specific zoning district except for the following:~~

**Commented [BB10]:** Addressed under Area and Height Exceptions

- ~~(1) Elements inclusive of, but not limited to, chimneys, vents, and roof-top mechanical equipment, provided that the maximum allowed building or structure height is not exceeded by more than four feet; or~~
- ~~(2) Elements inclusive of, but not limited to, radio or television antennae or aerials (but not including microwave receivers, transmitters, repeaters, or satellite receivers), provided that the maximum allowed building or structure height is not exceeded by more than ten feet.~~

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 10/6/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Friendswood Library Annual Poetry Contest

Originating Department: City Manager

Degree of importance: Significant

### SUMMARY / ORIGINATING CAUSE

The Friendswood Library hosted their annual poetry contest this past October 3rd with over 60 participants and guests online via Zoom. Local writers had the opportunity to share their poems with writers from across the region, state, and as far away as Manchester, England. Friendswood Library's annual event continues to grow each year, now finding an international audience.

### IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

### RECOMMENDATIONS

### ATTACHMENTS

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 10/7/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Keep Friendswood Beautiful's Annual Fall Haul Clean Up Event November 14

Originating Department: City Manager

Degree of importance: Significant

### SUMMARY / ORIGINATING CAUSE

In conjunction with America Recycles Day, the City and Keep Friendswood Beautiful are holding the Annual Fall Haul, community clean-up and garage sale event on Saturday, November 14, at Centennial Park, 2200 S. Friendswood Dr., from 8 a.m. - 2 p.m. 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. Examples of non-hazardous items that will be accepted include tree limbs, grass clippings, old appliances, old furniture, wood, metal, and plastic items, large and small.

Free paper shredding is will be available from 8 a.m. to 12 p.m. or until the truck is full. There is a 200 lb. limit of paper per vehicle. Please, no three-ring binders, cardboard, floppy disks, hanging file folders, newspaper, microfiche, or video tapes. Paper shredding will be available on site.

Electronic recycle and the garage sale have been cancelled this year.

For more information please call the Friendswood Parks & Recreation Department at 281-996-3220.

### IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

### RECOMMENDATIONS

### ATTACHMENTS

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 10/7/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: VIRTUAL Flapjack Fun Run

Originating Department: City Manager

Degree of importance: Significant

### SUMMARY / ORIGINATING CAUSE

The 2020 Flapjack Fun Run will be held virtually on Saturday, December 5th. Participants can register at [parks.friendswood.com](https://parks.friendswood.com) and will use the City's Fun Run app to make their own 5K race from virtually anywhere. Swag bags will be provided and can be picked up on Friday, December 4th.

Traditionally, the Flapjack Fun Run is named after the delicious pancake breakfast served by Whataburger after the race. This year, we are continuing with the pancake breakfast by providing Whataburger pancake mix to the first 100 participants who register, along with Whataburger breakfast coupons in this year's swag bags.

All proceeds will be used for City park improvements. For questions, please call the Parks and Recreation Department 281-996-3220.

### IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

### RECOMMENDATIONS

### ATTACHMENTS

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 10/7/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Home for the Holidays Lighted Christmas Trail

Originating Department: City Manager

Degree of importance: Significant

### SUMMARY / ORIGINATING CAUSE

Due to the Coronavirus Pandemic, Santa in the Park has been cancelled, in its place, The City of Friendswood and KFB present Home Town Bank of Friendswood's Home for the Holiday's Lighted Christmas Trail. From November 27 through January 1, Stevenson Park will have a lighted Christmas Trail with 100,00 lights, opportunities to take family Christmas photos, and mail your letters to Santa in our very own North Pole mailbox! Please come enjoy some socially distanced holiday fun at Stevenson Park.

For questions, please contact the Parks and Recreation Department 281-996-3220.

### IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

### RECOMMENDATIONS

### ATTACHMENTS

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 10/27/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Police Department's Crime Victim Assistance Program

Originating Department: City Manager

Degree of importance: Significant

### SUMMARY / ORIGINATING CAUSE

The Police Department's grant application for the Crime Victim Assistance Program was awarded on October 16th. The Governor's Office did administratively reduce the budget due to budgetary constraints – this was done across the board with all applicants, not just Friendswood. The program is in its 21st year and has been grant funded every year totaling more than one million dollars in federal funds during its existence.

### IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

### RECOMMENDATIONS

### ATTACHMENTS

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 10/27/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Friendswood Police Officers' Association Blue Santa Program

Originating Department: City Manager

Degree of importance: Significant

### SUMMARY / ORIGINATING CAUSE

After much thought and despite COVID-19, the police department will have it's Blue Santa Program this year. Applications will be accepted until November 20th at the Police Department, Monday – Friday from 9 a.m. to 1 p.m. Donations may be dropped off at the Police Department until December 18th.

### IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

### RECOMMENDATIONS

### ATTACHMENTS

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 9/21/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Hurricane Harvey Update

Originating Department: City Manager

Degree of importance: Critical

### SUMMARY / ORIGINATING CAUSE

#### **Hazard Mitigation Grant Program - Buyouts/Acquisitions**

- 24 properties included in the initial application
- 3 properties have closed
- Deadline given on 7 properties under negotiations
- 14 properties declined offers
- Demolition services have started

#### **Texas Water Development Board - Flood Mitigation Assistance Grant**

- 4 properties included in the initial application
- 3 properties closed
- 1 properties have declined offer
- Demolition services have started

#### **CDBG-Disaster Recovery (Harris County)**

- Preparing to commence appraisal and request advance funding for Blackhawk Facility (old Food Lion)
- Engineering and environmental services underway for the Forest Bend Detention Project

#### **CDBG-Disaster Recovery (Galveston County)**

- Solicited qualifications for engineering services: (1) utility line burial; and (2) Deepwood flood mitigation
- Finalizing project management contract for the acquisition project (Deepwood and Frenchman's Creek)

#### **FEMA Disaster Assistance**

- FEMA has approved the Deepwood/Shadwell damage costing/project efforts; awaiting obligation of funds



- Staff anticipate closing on the Blackhawk Facility in November or December

#### **CDBG Mitigation Applications**

- Engineering staff working mitigation application to be submitted later this month

#### **IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY**

#### **RECOMMENDATIONS**

#### **ATTACHMENTS**

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 9/21/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Coronavirus Disease 2019 (COVID-19) Update

Originating Department: City Manager

Degree of importance: Critical

### SUMMARY / ORIGINATING CAUSE

As a result of the Coronavirus, staff has implemented and continues to follow our *Continuity of Operations* and *Pandemic Plans*:

- Continue to monitor the pandemic;
- City facilities reopened to the public in October;
- A number of annual events have been altogether cancelled or modified;
- Annual Veteran's Day Luncheon hosted by our Senior Program is being modified and will held virtually;
- No businesses have been closed by the City of Friendswood due to COVID
- No citations have been issued by the City of Friendswood relative to compliance with Governor Abbott's Executive Orders
- Disinfecting workspaces and vehicles continue;
- Extended screening protocols for public meetings, previously applicable only to staff, to all participants
- Partnered with FISD on the use of some Coronavirus Relief Funding
- Submitted for the reimbursement of eligible expenditures under the CARES Act (may be able to secure the totality of the original \$1.5M allocation)

A Public Health Event Declaration has been made in accordance with the *Pandemic Plan*.

### IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

### RECOMMENDATIONS

### ATTACHMENTS

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 9/29/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Annual report from the Friendswood Historical Society

Originating Department: Parks and Recreation

Degree of importance: Choose an Option

### SUMMARY / ORIGINATING CAUSE

Historical Society Annual Report

### IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

### RECOMMENDATIONS

Please review attached report; oral presentation will not be given.

### ATTACHMENTS

1. HS Annual Report-2020

# FRIENDSWOOD HISTORICAL SOCIETY

2020

## A Message to Members

This year has definitely been different, to say the least. Unfortunately, our museums have not been open to the public most of the year but that doesn't mean they have been unattended or uncared for. We as board members have tried to use this down time to make as many repairs as possible and also reprioritize our remaining repairs per museum.

We are very proud that in March (pre-Covid) we were able to open the Brown museum to all the Friendswood school's 3rd grade classes.

Thad Roher, FISD Superintendent, spearheaded this history lesson in honor of the 125<sup>th</sup> anniversary of our city.

We had approximately 440 students, not including teachers, aids, bus drivers and a few parents.

The kids were especially interested in the artifacts and the details of how families lived with lot less conveniences than we have available to us today. This is what we as docents wish to convey. How different life was in so many ways compared to our lives now and how growth and development took place over many generations.

A Bingo game was even created and each student listened for answers to the historical questions (of course everyone got a BINGO!!).

Thank you so much to everyone who participated in the planning and docent presentations to make this all possible. We feel it was a great success and hope we are asked to do it again soon.

Joycina Baker, our resident historian, was interviewed by Channel 13's, Deborah Wrigley in the Brown Museum.

While looking at the artifacts they spoke of Friendswood's beginnings and what it has grown to become.

Also, in celebration of our 125<sup>th</sup> anniversary a Video Series has been created, made up of 16 segments of Mrs. Baker retelling the story of Friendswood.

The Memorial Day Ceremony was posted on the City of Friendswood's website. Jeff Newpher, the city's Communication Specialist, created DVDs so that our Historical Board would be able to sell them for a donation.

Unfortunately, due to COVID 19 and its restrictions our yearly community activities were cancelled.

Labor Day's Old-Fashioned Ice Cream Social, Historween and the Brown Museum Christmas Tree Lighting

### **To always keep you informed below is a list of completed and needed repairs for each museum and grounds:**

#### **Completed repairs for the Brown Museum and grounds:**

Removed a tree that was over backyard fence and in neighbor's yard. Relocated fig tree that had to be removed for placement of Tannos double sided wood fence.

Front and side porch had rotted boards replaced, power washed and repainted. Front step rails were completely replaced.

Back porch had rotted boards replaced, power washed and complete interior repainted.

Toilet was repaired. Roof was cleared of tree debris.

#### **Repairs still needed:**

Trim trees over barn, sprinkler system has a leak, replace center brick walkway section with City of Friendswood 1895 metal medallion man whole cover. Interior ozone treatment is needed again, re-stretch the carpet in the front parlor, replace/repair all window shades, back porch needs new screen door, plumbing needs to be checked by a plumber and also to do a complete drain cleanout, need to have A/C ducts checked, research changing to remote smoke detector alarms tied to designated emergency contact numbers.



**Completed repairs for the Barber Shop:**

Replacement of the front door and door frame.

**Repairs still needed:**

Replace the linoleum on the inside floor, repair falling wallpaper, speaker cover in soffit needs resealing.

**Completed repairs for the Barn and Outhouse:**

Due to rot and termites the Outhouse was torn down. A painted replica will be added to the new fence between the new Tannos building and museum.

**Repairs still needed:**

Barn has rotted wood at bottom of boards all the way around. Sliding door also needs repairs.

**Completed repairs for the Perry House and grounds:**

Trimmed trees, Crepe Myrtles and low hanging branches near the street.  
Inside of house had ozone treatment done to alleviate mustiness.

**Repairs still needed:**

Put polymerized sand on sidewalk to better lock stones in place. Fence needs to be cleaned and sealed.  
Barn soffit needs repairs. Compost bin for garden needs to be built.  
Exterior siding needs to be replaced with hardy plank, upper window has a broken window frame, porch flooring needs to be power washed, front and back doors need repairs and weather stripping.  
Interior wallpaper needs to be removed and replaced with paint, closet lights need to be put on timers or battery operated, replace/repair all window shades, research changing to remote smoke detector alarms tied to designated emergency contact numbers.

Thank you all for helping us keep our beautiful history alive through the care of our museums.

Sincerely,  
Debra Sasser  
President

**Friendswood Historical Society Board Members:**

Debra Sasser, Mel Measeles, David Smith, Mary Perroni, Sally Branson, Steve Rockey, Tim McCall, Ann Whitaker and Joyce Baker

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 9/29/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Discussion and possible action regarding approving a contract with the 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.

Originating Department: Parks and Recreation

Degree of importance: Significant

### SUMMARY / ORIGINATING CAUSE

The mission of the Friendswood Historical Society is to preserve and share Friendswood's unique history and heritage. The contract with the Historical Society requires them to provide an annual financial report and an annual event each year to carry out their mission. The annual Heritage Day Festival will be held in the Spring of 2021.

In 2007 the Council approved an increase in the budgeted amount of \$10,000 to \$15,000 to equip the Historical Society with additional funding needed to continue their efforts of providing the citizens of Friendswood with historical information about Friendswood and preserving and maintaining the historical sites in our city.

### IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

If this request is not funded the Friendswood Historical Society will not be able to maintain the City's historical sites. In addition, a lack of funding would severely limit their efforts to provide citizens with historical information about Friendswood through their annual events.

### RECOMMENDATIONS

Authorize the Mayor to execute the contract with the Friendswood Historical Society for maintenance and preservation of historical sites in the City in the amount of \$15,000.

The Historical Society Annual Report is attached to the Agenda Item for your review. The Annual Report will not be presented.

FY21 amended budget does not include funding for this expense. Therefore, a funding appropriation of \$15,000 is needed to pay the contract amount.

|                    |
|--------------------|
| <b>ATTACHMENTS</b> |
|--------------------|

1. CONTRACT 2020

## **CONTRACT**

This contract is made and entered into by and between the City of Friendswood, Texas, a municipal corporation located in Galveston and Harris Counties, Texas hereinafter called "City," and the Friendswood Historical Society, a nonprofit corporation located and operating in City, hereinafter called "Historical Society," each of said contracting parties acting by and through their respective hereunto duly authorized officers.

### **Witnessed**

**WHEREAS**, Historical Society provides regular and ongoing services and programs which include, but are not limited to, the dissemination of information to the general public regarding historical facts and findings and the maintenance of historical grounds, buildings and markers within the City.

**WHEREAS**, City benefits from such services in that historical information and facilities are an important and historical part of this community; and

**WHEREAS**, City is desirous of Historical Society continuing and expanding such services for the benefit of the City and its inhabitants; now therefore,

For and in consideration of the mutual covenants and obligations contained herein, City and Historical Society agree as follows:

1. Historical Society shall maintain historical grounds, buildings and markers within the city limits of the City.
2. Historical Society shall collect and keep on file pertinent information as to the history and heritage of the community of Friendswood.
3. Historical Society shall disseminate information to the public regarding historical facts, findings and heritage of the community of Friendswood.
4. Historical Society shall provide an annual event in the Spring of 2021, which celebrates the history and heritage of the community of Friendswood.
5. Historical Society shall provide an annual report outlining the extent of its efforts in each of the above matters, which report shall be presented within nine (9) months of the date of execution hereof.
6. City shall pay Historical Society the sum of fifteen thousand dollars (\$15,000) for the aforementioned services. Such payment will be made within forty-five (45) days of the date of execution hereof.

The term of this Contract shall be for a period of one (1) year, commencing the date of execution hereof.



**IN WITNESS WHEREOF**, the parties have executed this Contract on this 2<sup>nd</sup> day of November 2020, and further states that this Contract constitutes the entire agreement between the parties.

CITY OF FRIENDSWOOD

By \_\_\_\_\_  
Mike Foreman, Mayor

ATTEST:

\_\_\_\_\_  
Melinda Welsh, TRMC  
City Secretary

FRIENDSWOOD HISTORICAL SOCIETY

By \_\_\_\_\_  
President

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 10/6/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Discussion and possible action regarding the disposition of RFQ No. 2020-15 Utility Relocate at Clear Creek Utility Bridge.

Originating Department: Engineering

Degree of importance: Significant

### SUMMARY / ORIGINATING CAUSE

Earlier this year, the City of Friendswood was notified that it had been awarded a Community Development Block Grant - Disaster Recovery grant. Of this nearly \$2.7 Million grant, \$1.1 Million is to be allocated towards the relocation of utilities off a utility bridge that crosses Clear Creek in the vicinity of the Blackhawk Regional Wastewater Treatment Plant.

This bridge, which carries a 20" waterline, an 18" waterline, and 6" sewer force main, would be demolished as part of this project and those utilities relocated underground via directional drilling or boring.

This agenda item is regarding the disposition of an RFQ for engineering services for this project.

The City recently received 10 responses in that call for qualifications. These qualifications were evaluated and scored by a panel of Engineering and Public Work Staff. Although all respondents are well qualified, the panel felt one firm, Kimley Horn and Associates, distinguished itself for its strong qualifications, strong work history, its resources, and its knowledge of CDBG projects and its processes.

### IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

This utility bridge was selected for replacement due to ongoing erosion issues near the base of the bridge. Public Works Staff has worked tirelessly the past few years addressing the base to help slow the progress of erosion, but large flood events continue to pose risks for the base. After Tropical Storm Beta a few weeks ago, City Engineering Staff visited the site and learned that the base had lost up to about 50% of the rip rock erosion control that had been placed earlier this year. Elimination of this utility bridge is therefore of utmost importance.

### RECOMMENDATIONS

Authorize City Staff to begin negotiations with Kimley Horn & Associates in relation to the Utility Relocate at Clear Creek Bridge project; and, authorize the City Mayor to execute a contract with Kimley Horn &

Associates once the negotiation has been completed.

|                    |
|--------------------|
| <b>ATTACHMENTS</b> |
|--------------------|

1. RFQ SCORE SHEET RANKINGS
2. Kimley Horn & Associates

| Firm                        | Avg. | Final Rank |
|-----------------------------|------|------------|
| Kimley Horn                 | 1    | 1          |
| CP&Y                        | 1.25 | 2          |
| Stuart Consulting Group     | 2.75 | 3          |
| LJA Engineering             | 3    | 4          |
| MBCO Engineering            | 3.25 | 5          |
| Odyssey Engineering Group   | 3.25 | 5          |
| A&S Engineers, Inc.         | 3.5  | 7          |
| Schaumburg & Polk, Inc.     | 4.25 | 8          |
| Arceneaux Wilson & Cole LLC | 4.5  | 9          |
| Terracon                    | 5.25 | 10         |
|                             |      |            |



# RFQ for Utility Relocate at Clear Creek Utility Bridge

RESPONDENT FIRM  
**Kimley»Horn**

October 15, 2020

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| F. SF330 Form          |               |

## COVER LETTER

October 15, 2020

City of Friendswood  
City Secretary's Office  
910 South Friendswood Drive  
Friendswood, Texas 77546

### RE: RFQ 2020-15 Utility Relocate at Clear Creek Utility Bridge Engineering and Environmental Services for the City of Friendswood

Dear Selection Committee Members:

The City of Friendswood currently owns and operates three public utility lines along a utility pipe rack bridge across Clear Creek. Due to impacts from flood waters, debris, and rapid erosion along the banks, you need a trusted and qualified consultant to provide services to assist with the relocation of these utility lines under the creek via underground construction. Your consultant needs to provide high-quality work on a tight timeline and have experience working with agencies such as the United States Army Corps of Engineers (USACE) and with funding programs such as the Community Development Block Grant (CDBG). As you read through our qualifications, please keep the following merits of the Kimley-Horn team in mind:

- **We know the project.** Our project manager, Stephen Kelly, P.E., has been advising the City prior to this RFQ and created an opinion of probable construction cost (OPCC) specifically for this project. He is familiar with the project site and the surrounding area and can seamlessly transition to leading our team through the design and construction phase services on an aggressive schedule. Having been out to the site, he is already aware of the unique nature of this project and is prepared to address any possible issues in equally unique ways.
- **Experts in underground construction.** Underground construction carries the potential for large change orders if the risks at any particular crossing are not properly identified, analyzed, and mitigated through the design process. Our team is comprised of experienced engineers who have statewide experience in horizontal directional drilling (HDD), microtunneling, and boring. Marty Paris, P.E., our QC/QA manager, is the Kimley-Horn Texas region expert in underground construction, and he will make sure that our plans are complete, accurate, and accessible.
- **Local firm with a national presence.** As further described in the Qualifications section of this response, Kimley-Horn is a multidisciplinary, national firm with offices across the nation. However, our individual offices maintain close relationships with local municipalities and other clients. We offer you the individual, personal service that you would expect from a local firm with the manpower and technical resources of a nationally ranked engineering firm. If needed, we can bring in additional experts from other offices to help make this project a success for the City of Friendswood.

Thank you for the opportunity to submit our qualifications for this utility relocation project. We look forward to continuing to serve the City of Friendswood, and we are prepared to commence engineering services immediately if selected for this project. If you have any questions, please feel free to contact me at 346.888.3891 or [stephen.kelly@kimley-horn.com](mailto:stephen.kelly@kimley-horn.com).

Sincerely,  
**Kimley-Horn and Associates, Inc.**



**Stephen Kelly, P.E.**  
Project Manager



**Kevin Hoppers, P.E., PTOE**  
Vice President | Authorized to Bind the Firm





## B. QUALIFICATIONS

### Firm History

Founded in 1967, Kimley-Horn is a fully integrated consulting firm with practices in water resources, land development, environmental, and transportation, including aviation, intelligent transportation systems, roadways, bridges, and transit. Our headquarters office is located in Raleigh, North Carolina, with 90+ offices nationwide serving clients in almost each state of the US. The firm has a long and impressive list of municipal projects. In response to client needs, Kimley-Horn has gradually expanded its range of services to include the wide variety of disciplines necessary to complete virtually any type of municipal engineering or planning project.

### Firm Registration

Texas | Board of Professional Engineers | F-000928

### Performance

#### Kimley-Horn has a 53-year history of performing CDBG

**projects** within Texas, and we have uniformly submitted all designs and specifications within the stated deadlines. Our ability to complete projects within specific deadlines is due to an organized approach. We begin with preparing a project schedule and work plan to define the methods and timing for completing each phase of the project. The schedule and plan are reviewed and approved by the engineers appointed to be responsible for the project, and a concept meeting is held with all members of the project team. The schedule, work plan, and project background are presented and discussed so each team member understands the entire project scope as well as the significance of each phase and its proposed time frame. Throughout the course of the project, status meetings are held to verify that both design objectives and schedules are being met. This form of monitored scheduling provides timely completion of multiple projects under the same deadline.

### Firm Size, Staffing, and Structure

We have more than 4,300 employees nationwide. Our staff consists of registered planners and civil, structural, and transportation engineers supported by technicians, computer specialists, and administrative personnel. Our staff has the education and experience to meet your needs. In addition, our personnel maintain current knowledge of technological developments and regulatory changes by routinely attending technical and professional society meetings and special seminars.

Internally, our firm's organizational structure is designed to facilitate regular, open communication among staff members. Weekly staff meetings are held to discuss the status of ongoing projects and prioritize the resources of the firm to fulfill the needs of each project and client. This structure supports a flexible team composition that allows for the replacement of key personnel, should the need arise, without disruption in the progress of a project.

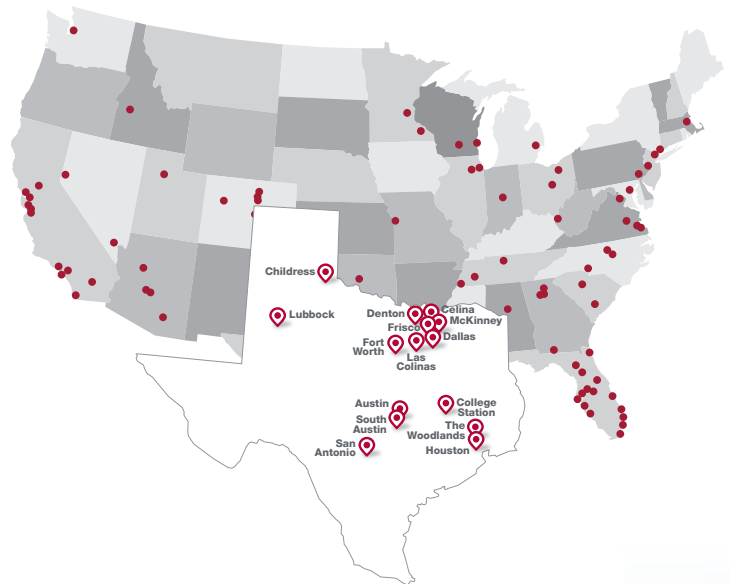
Our local Houston and The Woodlands offices are nearby to support you for the duration of this project. Kimley-Horn's Texas staff totals more than 890 personnel in 15 offices. This broadens the range of qualified professionals available to you, including systems engineers, landscape architects, surveyors, and additional support personnel. While most of the services you require can be provided from our Houston office, we also have the ability, when necessary, to take advantage of unique expertise throughout our nationwide firm.

### Insurance

Kimley-Horn is fully insured, and we can provide a copy of our liability insurance policy upon request.

### Firm Flexibility and Communication

Our 80+ offices are arranged around seven regional hubs in Dallas, Phoenix, Raleigh, Northern Virginia, West Palm Beach, Orange, and Twin Cities. The regional hub concept provides our project managers with the flexibility to respond to clients at the local level or draw upon specialists from other regions in disciplines as diverse as air quality and pavement management.







The ability to respond to clients with this amount of flexibility is due to our advanced computer network. Our Microsoft Windows Network provides Kimley-Horn the ability to attach multiple platforms and operating systems for direct compatibility with any client system.

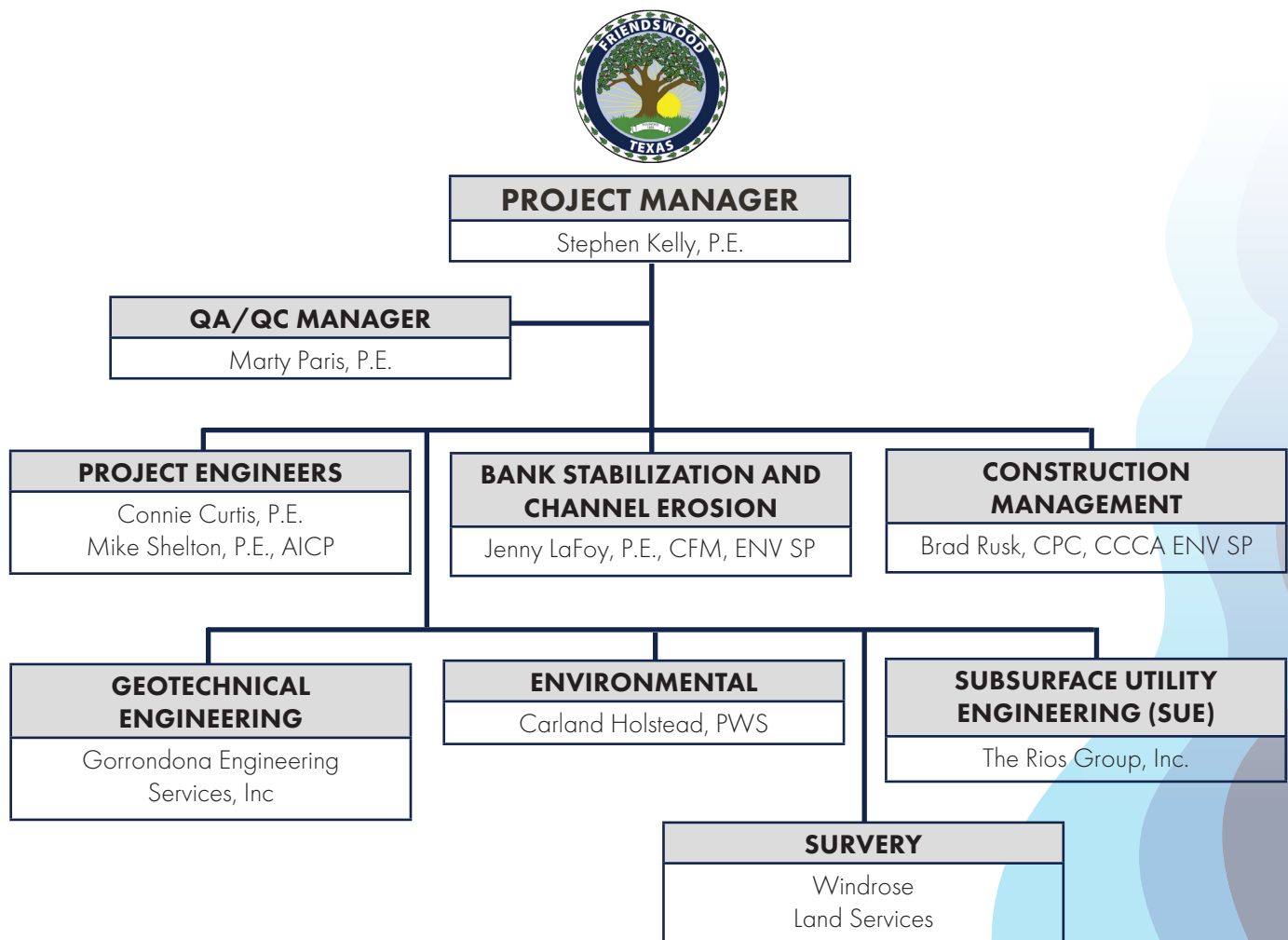
File servers in each hub office are linked through dedicated circuits for continuous communication. Workstations in one regional hub can directly transfer data to other regional hubs, and, with e-mail, branch offices can quickly transfer data anywhere across the country. This allows shifting workload around backlogged activities, eliminating concerns about limited capacity.

## Client Orientation

Our goal continues to be providing professional services to satisfy you, our client. Our philosophy is to customize the services we provide to fulfill your requirements on every project. Since each project is unique, our practice of meeting early to determine your expectations is invaluable in enabling us to complete projects that fulfill your vision.

## Project Manager and Project Team

The proposed team members in the organizational chart below have been selected for their specific expertise and availability to serve the City of Friendswood on this project. Resumes for each team member follow.





## SUBCONSULTANTS

Kimley-Horn views our subconsultants as true team members. Creating this type of collaborative relationships leads to trust and effective communication among team members. This consistent communication from project conception through completion allows our subconsultants to have a complete understanding of expectations. For day-to-day management, we coordinate regularly with our subconsultants to verify that they are using the latest standards and providing the required data to client standards. The Kimley-Horn project manager and the subconsultant project manager discuss the project and the intent of the required information so that the subconsultant understands what the information will be used for.

Our quality control process for their work includes checks of the provided information and CAD checks for styles and completeness. For this contract/project, the subconsultants will provide us with a draft version of all deliverables and the Kimley-Horn project manager and QC/QA manager will provide a complete review before providing any milestone deliveries to you.

### Windrose Land Services



Windrose Land Services (HUB firm no. 1815470732900) provides survey, platting, and geographic information system services and will provide any required surveys for this project. Their survey services include but are not limited to ALTA/ACSM, TSPS category, topographic, design, utility, right-of-way, and GPS. Windrose Land Services was founded 28 years ago and employs 100 full-time employees — making it one of the largest survey firms in the Houston area.

### Gorrondona Engineering Services



Gorrondona Engineering Services is a Houston-based corporation specializing in geotechnical engineering and construction materials testing and inspection services. The firm owns and operates five truck-, track-, and buggy-mounted drilling rigs, giving flexibility to set drilling schedules and accelerate field investigation work when needed. Gorrondona Engineering Services maintains a full-service soils laboratory at their north Houston headquarters. The firm has successfully completed thousands of projects throughout Texas, including in Harris County, and is very familiar with the drilling conditions anticipated for this project.

### The Rios Group



The Rios Group (SCTRCA SBE/MBE/WBE firm no. 219091134 and HUB firm no. 1800830327500) provides full-service professional subsurface utility engineering and utility coordination throughout Texas. Their knowledge, experience, and familiarity with the Harris County community has saved clients from costly delays due to utility conflicts. Additionally, The Rios Group and Kimley-Horn have worked together on more than 150 projects and have built a working relationship that will benefit the City.



## PROFESSIONAL CREDENTIALS

- B.S., Civil Engineering, Texas A&M University
- Professional Engineer in Texas (No. 127482)
- Water Environment Association of Texas, SE Chapter Communications Chair

## Stephen Kelly, P.E.

### PROJECT MANAGER

Stephen has seven years of water utility experience with Kimley-Horn. He has worked on projects such as water and wastewater transmission line design, water modeling, water distribution system planning, and lift station and force main design. Stephen provides technical proficiency in the design of water infrastructure and various software packages, including AutoCAD Civil 3D, Arc GIS, Water CAD, Info-Water, and InfoSewer.

### RECENT EXPERIENCE

- Needle Point Tower Water Line — Baytown, TX
- Eastgate Rehabilitation Phase IV — College Station, TX
- San Jacinto Boulevard Lift Station and Force Main Design — Baytown, TX
- South Holland Road Water Line — Mansfield, TX
- San Jacinto Boulevard Roadway Phase I and II — Baytown, TX
- West Harris County Regional Water Authority Contract #36 12-Inch and 16-Inch Water Lines — Harris County, TX
- Steinman Lift Station — Baytown, TX
- San Jacinto River Authority (SJRA) Ground Reduction Plan C-3 Conroe 20-Inch to 16-Inch Water Transmission Line — Conroe, TX
- Ninth Street and Main Street Water Lines — Garland, TX
- Main Street 24/30/36-Inch Water Line — Frisco, TX
- Northwest Water and Wastewater Infrastructure Improvements — Frisco, TX
- Northeast Water and Wastewater Infrastructure Improvements — Frisco, TX
- North Texas Municipal Water District 36-Inch Water Line — Wylie, TX
- Aspen Heights 6-Inch to 8-Inch Wastewater Rehabilitation — Huntsville, TX
- FM 2854 Wastewater Relocation — Conroe, TX
- Fulshear Water and Wastewater Impact Fee Study — Fulshear, TX
- Southwood Valley Phase II 36-Inch Sanitary Sewer — College Station, TX
- 2014 Water and Wastewater Replacements — Garland, TX
- Camp Whispering Cedars Utility Feasibility Study — Dallas, TX
- Cedar Port Phase II Water/Wastewater Master Plan — Baytown, TX
- Dollar General Storm Pump Station — Conroe, TX
- Goose Creek Lift Station Evaluation — Baytown, TX
- Lake Jackson Sub Basin No. 6 — Lake Jackson, TX
- Lake Park Pearland Lift Station — Pearland, TX
- ASCO Pump Station — Houston, TX
- North Texas Municipal Water District Casa View Ground Storage Tank Rehabilitation and Site Improvements — Dallas, TX
- SJRA Lift Station No. 13, No. 23, and Wastewater Treatment Facility (WWTF) No. 3 Rehabilitation — The Woodlands, TX
- Turcotte Lower Heights District Off Site Water and Wastewater Improvements — Houston, TX



## PROFESSIONAL CREDENTIALS

- B.S., Civil Engineering, University of Texas
- Professional Engineer in Texas (No. 84766)
- American Water Works Association, Member
- North American Society of Trenchless Technology, Member
- Underground Construction Technology Association, Member

## Marty Paris, P.E.

### QA/QC MANAGER

Marty has 26 years of experience in the design of water and wastewater infrastructure projects with a focus on trenchless rehabilitation and replacement design. He has more than 140,000 LF of design experience with the following trenchless methods: cured-in-place, sliplining, pipe bursting, horizontal directional drilling, microtunneling, fold and form, tunneling, and horizontal auger boring.

### RECENT EXPERIENCE

- Eastgate Rehabilitation Phase IV — College Station, TX
- Dallas Water Utilities (DWU) Kessler Park 6-Inch Water and Wastewater CIPP Rehabilitation — Dallas, TX
- FM 148 Water Line Relocation — Terrell, TX
- 16-Inch Frankford Road Water Line — Dallas, TX
- Kilgore Condition Assessment on 20-Inch Water Line — Kilgore, TX
- North Texas Municipal Water District (NTMWD) 24-Inch Water Line Relocation — Farmersville, TX
- Preston Road 24-Inch Water Transmission Line — Frisco, TX
- Ritchie Road 24-Inch Water Line — Waco, TX
- SJRA Ground Reduction Plan C-3 Conroe 20-Inch to 16-Inch Water Transmission Line — Conroe, TX
- Texas A&M Water Transmission Main Replacement and Ground Storage Rehabilitation — College Station, TX
- Trinity River Authority Cade Branch 36-Inch Wastewater Relief Line — Roanoke, TX
- Cypress Waters 9 MGD Lift Station and 24-Inch Force Main — Dallas, TX
- 48-Inch to 60-Inch TRA Ten Mile Creek 40TM-5 Relief Interceptor — DeSoto, TX
- 20-Inch Southside Interceptor Sliplining Rehabilitation — Dallas, TX
- 72-Inch Station A Wastewater Replacement — Dallas, TX
- 30-Inch to 60-Inch Bee Creek Sanitary Sewer — College Station, TX
- 42-Inch Wilson Creek Interceptor CIPP Rehabilitation, Phase 2 — McKinney, TX
- 42-Inch Northeast Trunk Line, Phase 1 — College Station, TX
- 48-Inch Northeast Trunk Line, Phase 2 — College Station, TX
- 36-Inch Northeast Trunk Line, Phase 3 — College Station, TX
- 36- to 42-Inch Fair Oaks Park Sanitary Sewer Pipe Bursting — Dallas, TX
- 33-Inch Lake Highlands Wastewater Rehabilitation — Dallas, TX
- 36-Inch Southwood Valley Wastewater — College Station, TX
- 24-Inch Woodall Rogers Wastewater — Dallas, TX
- 21-Inch Buena Vista Wastewater CIPP Rehabilitation — Dallas, TX
- 2016 DWU Water and Wastewater Replacements — Dallas, TX
- 2014 DWU 8- to 24-Inch Water and Wastewater Replacements — Dallas, TX
- 2013 Water and Wastewater Rehabilitation Projects — Rockwall, TX
- Casa View 15 Water, Sanitary Sewer and Storm Sewer Rehabilitation Project — Mesquite, TX
- 2010 DWU 8- to 16-Inch Water and 8- to 42-Inch Wastewater Replacements — Dallas, TX
- 2009 DWU Water and Wastewater Replacements — Dallas, TX
- 2006 DWU Water and Wastewater Replacements — Dallas, TX
- Northwest Frisco 8- to 30-Inch Wastewater Improvements — Frisco, TX
- Woodson Village Water and Wastewater Rehabilitation — College Station, TX



## Connie Curtis, P.E.

### PROJECT ENGINEER

Connie has provided services for a variety of municipal clients and public entities for the last 14 years. Her experience includes water, wastewater, and drainage master planning; impact fees; floodplain reclamation; water and wastewater distribution and transmission line design; wastewater meter station design; pump station design; lift station design; ground storage tank design, and detention pond design. Connie has also managed efforts for easement acquisition, produced construction specifications, and managed construction phase services for water transmission lines and meter station sites.

### PROFESSIONAL CREDENTIALS

- B.S., Civil Engineering, Texas A&M University
- Professional Engineer in Texas (No. 108543)
- American Water Works Association, Member
- Water Environment Association of Texas, Member

### RECENT EXPERIENCE

- Needlepoint Tower 12-Inch Water Line — Baytown, TX
- San Jacinto Lift Station and Force Main — Baytown, TX
- SJRA Groundwater Reduction Plan Water Transmission Line C3 — Conroe, TX
- West Harris County Regional Water Authority Contract #36 12-Inch and 16-Inch Water Lines — Harris County, TX
- Conroe Industrial Park Water and Wastewater Extensions — Conroe, TX
- Oliver Street Water and Wastewater Replacement — Houston, TX
- Baker Road 16-Inch Water Line Relocation — Baytown, TX
- Kessler Park 6-Inch Backlot Water and Wastewater Rehabilitation — Dallas, TX
- Channel Drive Water and Wastewater Replacement — Dallas, TX
- DWU 2009 and 2014 Water and Wastewater Replacements — Dallas, TX
- SH 121 Water Line Relocations — Johnson County, TX
- Sugar Land Connection Fee Update — Sugar Land, TX
- Brazos River Parks — Sugar Land, TX
- San Jacinto Boulevard Phase I and II — Baytown, TX
- Lift Station 6 Basin Analysis and Phase I and II Rehabilitation — Lake Jackson, TX
- FM 2854 Wastewater Relocation — Conroe, TX
- Town Lakes Wastewater Line Extension — Conroe, TX
- SJRA Lift Station 4 Rehabilitation — The Woodlands, TX
- SJRA Elevated Storage Tank — The Woodlands, TX
- Water and Wastewater Impact Fee Study — Baytown, TX
- Texas Avenue 30-Inch Force Main Evaluation — Baytown, TX
- Wastewater Master Plan — Fate, TX
- Fulshear Water and Wastewater Impact Fee Study — Fulshear, TX
- Rayford Crossing Storm Sewer Design — Houston, TX
- Galveston Water and Wastewater Impact Fees — Galveston, TX



## PROFESSIONAL CREDENTIALS

- M.S., Environmental Science, University of North Texas
- B.S., Environmental Science, Texas Christian University
- Professional Engineer in Texas (No. 95893)
- American Institute of Certified Planners (NO. 017422)

## Mike Shelton, P.E., AICP

### PROJECT ENGINEER

Mike brings more than 25 years of experience to the table and has a broad depth of experience in municipal engineering, including roadway design, water and wastewater system design, construction management, and master planning. His diverse experience allows him to make sure your projects objectives are met and to provide effective coordination across design disciplines. Under Mike's leadership, Kimley-Horn has completed design and study projects for the Texas Department of Transportation (TxDOT), county governments, and municipalities, resulting in successful infrastructure construction. Mike's track record of successfully providing clear and effective communication, timely decision making, and up-front coordination is illustrated by the projects listed below.

### RECENT EXPERIENCE

- Street and Utility Maintenance Program (SUMP) Pavement Evaluations, — Gainesville, TX
  - » SUMP Bid Package A - Broadway Street
  - » SUMP Bid Package A - Bone Street
  - » SUMP Bid Package A - Jefferson
  - » SUMP Bid Package B - Refinery Road
  - » SUMP Bid Package C - Church Street
  - » SUMP Bid Package C - Culberson Road
- Mustang Bayou Stream Bank Repair Project — Alvin, TX
- Magnolia Creek and Cedar Gulley Channel Improvements Design — League City, TX
- 1.5 MG Jarvis Road Elevated Storage Tank — Saginaw, TX
- Statesville Road 60-Inch and 36-Inch Water Transmission Mains — Charlotte, NC
- Trade Street 16-inch Water Main Relocation for Uptown Streetcar, — Charlotte, NC
- Cross Charlotte Trail, South Charlotte Connector — Charlotte, NC
- Decatur Development Review — Decatur, TX
- Lake Worth Utility Master Plan — Lake Worth, TX
- Saginaw Capital Improvement Plan and Master Plan — Saginaw, TX
- Santa Fe Utility Master Plan — Santa Fe, TX
- Sidewalk Trail with Illumination and Signage for Disc Golf Course — Alvin, TX
- Southeast 24-Inch Trunk Main — Saginaw, TX
- Street Ponding Criteria Analysis and Drainage Ordinance Update — League City, TX
- Thompson Street 16-Inch Water Transmission Main and FM 730 12-Inch Water Line — Decatur, TX
- Trinity Falls 3.0 Million Gallon Elevated Storage Tank — McKinney, TX
- Wastewater Relocation Related to I-35 Frontage Road Widening — Gainesville, TX
- Wise County Water Supply District (WCWSD) 1.0 MG Ground Storage Tank and High Service Pump Station — Decatur, TX
- West Side Sewer Line and Lift Station — Rhome, TX





## PROFESSIONAL CREDENTIALS

- M.S., Marine Resources Management, Texas A&M University
- B.S., Marine Biology, University of Southern Mississippi
- Professional Wetland Scientist (No. 2539)

## Carland Holstead, PWS

### ENVIRONMENTAL

Carland brings 10 years professional agency and consulting experience in natural resources accompanied by a broad educational background that has included the study of marine biology, environmental planning and policy, coastal resilience and sustainability, and natural resources management. Carland performs and provides expertise in wetland determinations/delineations, threatened and endangered species compliance assessments, and associated federal and local permitting. He provides expertise in writing and reviewing technical reports pursuant to NEPA for a wide variety of agencies and performs analysis and map creation utilizing GIS software. He also writes reports and prepares appropriate permitting documentation pursuant to the Clean Water Act and the Rivers and Harbors Act. He prepares compensatory mitigation plans and secures USACE Section 404 and Section 10 Permits Nationwide Permits and Individual Permits. Prior to joining Kimley-Horn, Carland gained experience working directly for the Regulatory Branch of the USACE. During his tenure, he evaluated Section 404 and Section 10 permit applications for impacts to Waters of the U.S. (WOUS). He also performed jurisdictional determinations, significant nexus evaluations, verified wetland delineations, and assisted with special projects and external outreach. Prior to working for the USACE, Carland worked for the National Oceanic and Atmospheric Administration as a Biological Technician and Rigs-to-Reef Program Monitor in the Gulf of Mexico. Carland has provided services to private industry and public sector clients both locally and throughout the nation.

### RECENT EXPERIENCE

- North Harris County Regional Water Authority (NHCRWA) Project 25E — Houston, TX
- Upper Stewarts Creek Pipeline Replacement Project — Conroe, TX
- Magnolia Creek Improvements Project — League City, TX
- SH 130 Bank Stabilization Project — San Marcos, TX
- Carters Creek Force Main — College Station, TX
- Trinity River Authority (TRA) Meter Station Rehabilitation Project — Dallas, Euless, and Carrollton, TX
- DWU Southside Interceptor Prairie Creek Rehabilitation — Dallas, TX
- 380 Town Centre High-Hazard Dam Removal — McKinney, TX NTMWD
- Wylie-Rockwall-Farmersville 48-Inch Pipeline Improvements — Wylie, TX
- NTMWD North McKinney Lift Station and Force Main — McKinney, TX
- City of Amarillo Lift Station 32 and Force Main — Amarillo, TX
- Town of Flower Mound FM 2499 Water Line — Flower Mound, TX



## PROFESSIONAL CREDENTIALS

- M.S., Civil Engineering and Water Resources, University of Texas at Arlington
- B.S., Engineering Science, Saint Mary's University
- Professional Engineer in Texas (No. 97309)
- Certified Floodplain Manager in Texas (No. 2336-12N)
- Envision Sustainability Professional

## Jenny LaFoy, P.E., CFM, ENV SP

### BANK STABILIZATION AND CHANNEL EROSION

Jenny has more than 19 years of engineering and project management experience in environmental and water resources projects. She specializes in projects involving hydraulic and hydrologic analyses, creek stabilization, channel design, flood control and reduction, erosion control, bridge sizing, culvert design, stream restoration, flood studies, detention basin sizing, sediment analysis, stream and tributary modeling, stormwater management, drainage system design and improvements, and regulatory submittals. Many of these projects involve improvements and analyses for parks, trail systems, and recreational open spaces. Other experience includes developing stormwater management programs, Flood Control District analyses and improvement evaluation, stormwater pump stations, balancing reservoirs, levee management, and coordination and permitting through Environmental Protection Agency (EPA), Texas Commission on Environmental Quality (TCEQ), USACE, and FEMA.

### RECENT EXPERIENCE

- Spring Creek Bank Stabilization — Richardson, TX
- Mustang Trails Creek Stabilization — Farmers Branch, TX\*
- Bakersfield Park Erosion Control — Flower Mound, TX
- Erosion Control Concepts — Plano, TX
- Prairie Creek Flood Study and Evaluation — Grand Prairie, TX
- Tributaries 6D3/6D4 Channel Stabilization and Restoration — Carrollton, TX\*
- Furneaux Creek Restoration/Stabilization — Carrollton, TX\*
- Thirty-Five Oaks Park Channel Improvements and Alternatives — Carrollton, TX\*
- Thirty-Five Oaks Park Channel Improvements and Alternatives — Carrollton, TX\*
- Great Southwest Parkway Bridge Improvements and Channel Design at Prairie Creek — Grand Prairie, TX
- Estelle Creek Channel and Levee Repairs — Irving, TX\*
- Vitruvian Park Weir Structure Replacement and Channel Repairs — Addison, TX\*
- Main Street Channel Improvements — Frisco, TX
- West Irving Branch Flood Reduction — Irving, TX\*
- Dallas County Flood Control District No. 1 Floodplain/Facility/Levee Management — Irving, TX\*
- Tarrant Regional Water District Integrated Pipeline Balancing Reservoir and Structures Design — Ellis County, TX\*
- Colorado River and Elm Creek Hydraulic Analyses — Austin, TX
- Shiloh Road Reconstruction — Garland, TX\*
- Delaware Creek Flood Reduction — Irving, TX\*
- Bennett Branch Channel Improvements — Mesquite, TX
- Post Oak Creek Bank Stabilization Improvements — Sherman, TX\*
- Post Oak Creek Erosion Control Study — Sherman, TX

\*Work performed prior to joining Kimley-Horn.





## PROFESSIONAL CREDENTIALS

- Master of Theology, Academic Ministries, Dallas Theological Seminary
- B.S., Business Management and Administration, Indiana University Kokomo
- Certified Professional Constructor
- Certified Construction Contract Administrator
- Oracle Primavera P6 Professional Fundamentals
- Oracle Primavera P6 Professional Advanced
- Qualified Preparer of Storm Water Pollution Prevention Plans in Texas

## Brad Rusk, CPC, CCCA, ENV SP

### CONSTRUCTION MANAGEMENT

Brad has over 20 years of construction related experience. He has worked for contractors in addition to performing construction management services for consulting engineering and brings a real-world approach to planning, design phase, and construction phase services. Brad's focus remains on feasibility, constructability, scheduling, and costs. He brings this practical perspective to help clients budget and plan for projects. He is experienced in assessing infrastructure improvements, including utilities, structures, and landscaping. Brad has worked on countless drainage and erosion repair projects that included complex factors such as difficult access, facilities in close proximity to the work area, and dewatering of the work area. Projects have included gabion construction, articulated concrete blocks, mechanically stabilized earth structures, concrete structures, large diameter rock riprap, tied-back structures using soil nails and rock anchors, turf mats, undersized crossing improvements, and erosion control blankets. He is also experienced with innovative and accelerated construction methods as well as value-added concepts.

### RECENT EXPERIENCE

- Delaware Creek Flood Reduction — Irving, TX\*
- West Irving Branch Flood Reduction and Street Reconstruction — Irving, TX \*
- Bowman Bridge Drainage and Channel Improvements — Irving, TX\*
- Prairie Creek Channel Improvements — Grand Prairie, TX
- North Fork Cottonwood Creek Channel Improvements — Arlington, TX
- Spring Creek Bank Stabilization — Richardson, TX
- Furneaux Creek Stabilization and Trail Improvements — Carrollton, TX\*
- Mustang Trails Channel Bank Stabilization — Farmers Branch, TX\*
- South Mesquite Creek Channel Improvements — Mesquite, TX\*
- Estelle Creek Erosion Control and Bank/Levee Stabilization — Irving, TX\*
- Farmers Branch Creek (Wellmark) Bank Stabilization — Farmers Branch, TX\*
- Bennett Branch Channel Improvements — Mesquite, TX\*
- Vitruvian Park Channel Improvements and Stabilization — Addison, TX\*
- Northwest Dallas County Flood Control District On-Call — Coppell, TX

\*Work performed prior to joining Kimley-Horn.



## C. EXPERIENCE

### Needlepoint Tower Water Line – Baytown, TX

The City of Baytown reached out to Kimley-Horn to find a solution to a water pressure challenge that arose from a Walmart site development project in the City. The proposed section of town for the Walmart development did not have adequate water pressure to support Walmart's needs, so ultimately Walmart agreed that if the City could construct a proper water line, they would consider helping with the cost of the water line project.

On an accelerated schedule, Kimley-Horn designed 8,800 linear feet (LF) of a 12-inch water line to support the needs of both the City and Walmart. **The design included 700 LF of 14-inch HDPE HDD crossing under Cedar Bayou and 435 LF of 20-inch steel casing pipe by bore under a Union Pacific Railroad and SH-146.** The pipe also needed to cross a cedar bayou which required two USACE permits, as one side of the bayou water line was in Chambers County and the other was in Harris County.

The team had 100 calendar days from the notice to proceed to complete all the plans and receive the permits required. Kimley-Horn performed a site investigation and designed an HDD due to environmental complications. Kimley-Horn completed the permits, plans, and all deliverables three days ahead of schedule.

**Year Completed:** 2013

**Kimley-Horn Project Manager:** Connie Curtis, P.E. | 11700 Katy Freeway, Suite 800, Houston, TX 77079 | 281.920.6578

**Owner/Client:** City of Baytown | Dale Hughes | Project Engineer | 2123 Market Street, Baytown, TX 77522 | 281.420.6548

**Experience with CDBG Project Management:** This project was not funded through CDBG.

Kimley-Horn worked with both Chambers County and Harris County to obtain USACE permits to cross under a local bayou.



### Legacy 20-Inch Force Main – Frisco, TX

Kimley-Horn designed approximately 10,000 LF of 24-inch force main. The force main had to be installed in the median of Legacy Drive and Eldorado Parkway, which are busy, four-lane divided thoroughfares. The project corridor was surrounded by upscale neighborhoods and a school, so the City wanted to minimize disruption and visibility of the project. Extensive traffic control plans were developed.

**Kimley-Horn designed approximately 1,700 LF of force main to be installed by HDD through the most sensitive and congested area.** Kimley-Horn also designed water-separating odor control units that would treat the anticipated odor releases, while also including vacuum breakers that allow sufficient air flow into the pipeline during a surge event.

**Year Completed:** 2020

**Kimley-Horn Project Manager:** James Bryan, P.E. | 1401 Wireless Way, Building A, Suite 150, Oklahoma City, OK 73134 | 405.653.9626

**Owner/Client:** City of Frisco | Shawn Halle, P.E., CFM | Senior Engineer | 6101 Frisco Square Boulevard, 3rd Floor | 972.292.5000

**Experience with CDBG Project Management:** This project was not funded through CDBG.

### Eastgate Rehabilitation Phase IV – College Station, TX

The Eastgate Rehabilitation Project Phase IV involves the replacement and/or rehabilitation of approximately 11,700 LF of existing 1-inch to 6-inch water lines and 10,000 LF of 4-inch to 6-inch wastewater lines in the Eastgate neighborhood. The Eastgate neighborhood was established in 1938, and many of the existing water and wastewater lines were substandard size and at the end of their design life. Kimley-Horn prepared a preliminary engineering report to evaluate replacement and rehabilitation alternatives to minimize disruption to the neighborhood. Upon completion of the report, Kimley-Horn prepared construction plans, details, and technical specifications to replace the water and wastewater mains throughout the neighborhood. **The design included HDD for approximately 1,400 LF of water mains to avoid impacts to existing trees.** The design also included pipe bursting for approximately 4,800 LF wastewater mains. During the design, Kimley-Horn facilitated three neighborhood public meetings to present alternatives and gather input.



**Year Completed:** 2018

**Kimley-Horn Project Manager:** Marty Paris, P.E. | 13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, TX 75240 | 972.776.1732

**Owner/Client:** City of College Station | Ed McDonald | Project Manager | 1101 Texas Avenue, College Station, TX 77840 | 979.764.3528

**Experience with CDBG Project Management:** This project was not funded through CDBG.

## Crystal Clear CCN Water Line Improvements – San Marcos, TX

Kimley-Horn designed 8,600 LF of 8- to 15-inch water line. The City of San Marcos selected Kimley-Horn to perform preliminary engineering, design, bidding, and construction phase services associated with installation of new water line infrastructure to revise the water CCN boundaries between the City of San Marcos and Crystal Clear Special Utility District. Kimley-Horn evaluated multiple potential alignments for new water lines along McCarty Lane and Hunter Road to accommodate the switchover of the water service for multiple businesses from one entity to the other. The evaluation of potential routes required multiple meetings with City staff and Crystal Clear Special Utility District representative as well as coordination with TxDOT, Hays County, and Union Pacific Railroad in order to define permitting requirements and make sure that proposed alignments met the design criteria enforced by each entity. Additionally, coordination with U.S. Department of the Interior was required in order to facilitate easement acquisition for one of the proposed water lines. The selected alignments require the installation of approximately 4,500 LF of 8- and 12-inch water line. There was limited space available within the parkway of a TxDOT roadway, and the parkway had significant sloping. **As a result, Kimley-Horn evaluated and designed the installation of the water main through HDD methods.** This effort included site visits with multiple HDD contractors to discuss constructability and refine the design based on contractor and City of San Marcos input.

**Year Completed:** 2016

**Kimley-Horn Project Manager:** Kendall Nesmith, P.E. | 601 NW Loop 410, Suite 350, San Antonio, TX 78216 | 210.321.3417

**Owner/Client:** City of San Marcos | Jennifer Shell | Project Manager | 600 East Hopkins, San Marcos, TX 78666 | 513.393.8133

**Experience with CDBG Project Management:** This project was not funded through CDBG.

## Conroe Industrial Park Water and Wastewater Extensions, Lift Station, and Force Main – Conroe, TX

Kimley-Horn provided professional engineering services associated with the extension of 12-inch and 16-inch water lines, sanitary sewer lines (10-inch to 24-inch), an 8-inch sanitary force main, and a sanitary sewer lift station in support of the future expansion of the Conroe Industrial Park and to also provide service to the future Maxedon single family residential development. Kimley-Horn provided civil construction documents and specifications for this project that included:

- A) The design of approximately 13,400 LF of 12-inch water lines and approximately 1,700 LF of 16-inch water line, including approximately **450 LF bore with 24-inch steel casing underneath Crystal Creek**
- B) The design of approximately 2,200 LF of 10-inch gravity sanitary sewer line, approximately 5,400 LF of 12-inch gravity sanitary sewer lines, and approximately 2,200 LF of 24-inch gravity interceptor sanitary sewer line, including approximately **450 LF bore with 18-inch steel casing underneath Crystal Creek**
- C) The design of approximately 3,600 LF of 8-inch sanitary force main, including approximately **450 LF bore with 16-inch steel casing underneath Crystal Creek**
- D) The design of a 1000 GPM sanitary lift station with a 30-foot deep wet well to consolidate the proposed gravity lines within the project area for sending sanitary flows southwest to an existing gravity sewer system
- E) Preparation of engineering drawings and specifications for these facilities, incorporating City-prepared construction contract documents for both project bidding and regulatory (TCEQ) approval

Bid support for this project includes providing responses to contractor questions, releasing addenda, and creating the bid tabulation and a recommendation for award. Construction phase services include RFI responses, submittal reviews, construction observation, walkthrough evaluation for both substantial construction completion and final construction completion, and compilation of the record drawings.

**Year Completed:** Ongoing

**Kimley-Horn Project Manager:** Lance McLeod, P.E., PMP | 11700 Katy Freeway, Suite 800, Houston, TX 77079 | 281.619.8460

**Owner/Client:** City of Conroe | Chris Bogert, P.E. | Manager of Engineering | 300 West Davis Street, Conroe, TX 77301 | 936.522.3000

**Experience with CDBG Project Management:** This project was not funded through CDBG.



## San Jacinto Lift Station and Force Main – Baytown, TX



The City of Baytown retained Kimley-Horn to design a lift station in the area of the San Jacinto Boulevard to support future development. The first step was to write a preliminary engineering report and identify the service area as well as evaluate the existing Goose Creek lift station to determine if any additional flow could contribute to the existing lift station. After determining the service area, Kimley-Horn worked with City Staff to determine proposed land uses and projected flow to the lift station. Since the lift station is in a currently undeveloped area, the submersible lift station was designed to expand from an initial flow rate of 1,080 gpm to 1,780 gpm. An analysis of the force main size resulted in a 4,300-LF 12-inch force main that would serve both the initial phase of the lift station and the ultimate pump set up as well. The force main alignment went along the future San Jacinto Boulevard and Hunt Road before crossing underneath an existing Harris County Flood Control District channel. The force main also included approximately 300 LF of boring with 24-inch steel casing under the HCFCD channel and a gas pipeline corridor. Lastly, for the expandable submersible pumping set up, Kimley-Horn worked with

the pump representatives to specify the discharge piping and guide rail set up to allow for the larger pumps to sit in the same pump slots as the smaller pumps which will allow for a simple expansion with no requirement to take the lift station out of service to access the bottom of the wet well for the expansion.

**Year Completed:** 2016

**Kimley-Horn Project Manager:** Connie Curtis, P.E. | 11700 Katy Freeway, Suite 800, Houston, TX 77079 | 281.920.6578

**Owner/Client:** City of Baytown | Frank Simoneaux | 2123 Market Street, Baytown, TX 77522 | 281.420.5312

**Experience with CDBG Project Management:** This project was not funded through CDBG.

## Steinman Lift Station – Baytown, TX

Steinman Lift Station is located near the intersection of West Shreck Street and Steinman Street in Baytown and was rehabilitated in 2010 with the existing dry pit/wet pit converted to a common wet well and a new dry pit was constructed. The lift station includes three self-priming centrifugal pumps at 100 horsepower (HP) each with VFDs located on the lower level. A force main re-route is currently in design to realign the discharge from IH-10 and Thompson Drive to the west wastewater treatment plant via Thompson Park Drive. A technical memorandum was completed by Kimley-Horn to discuss:

- The force main size for the Thompson Park Drive re-route.
- The change in hydraulics between the existing force main and the force main re-route.
- The pumping upgrades due to the change in the lift station hydraulics.

Based on the City of Baytown 2017 Wastewater Master Plan Report, the calculated wet weather flow into the Steinman Lift Station is 1,466 gpm. The current lift station firm capacity is 5,000 gpm. The upstream infrastructure capacity is 1,500 gpm which suggests that flows are not entering the lift station at a sufficient rate.

Therefore, Kimley-Horn recommended maintaining current conditions with no modifications and place emphasis on further study of the upstream collection system to the Steinman lift station. No pumping modifications are included in this option. The additional head created by the added force main length would lower the firm capacity of the lift station to approximately 4,100 gpm. Further study on the upstream collection system to Steinman is recommended with this option. The recommended option includes constructing a 24-inch force main for the re-route.

**Year Completed:** 2019

**Kimley-Horn Project Manager:** Stephen Kelly, P.E. | 11700 Katy Freeway, Suite 800, Houston, TX 77079 | 346.888.3891

**Owner/Client:** City of Baytown | Sterling Beaver | Assistant Director of Public Works | 2123 Market Street, Baytown, TX 77522 | 281.420.5300

**Experience with CDBG Project Management:** This project was not funded through CDBG.



## Knowledge of the CDBG Program and Past Government Clients

Kimley-Horn has or is currently providing consulting engineering services to more than 200 communities and municipal agencies throughout Texas. We have provided engineering services on a regular basis for several of the communities involved in the CDBG program. Each City is highlighted below with the types of projects we have undertaken in that City.

|                           | Water | Sewer | Streets | Traffic | Sidewalk | Storm |
|---------------------------|-------|-------|---------|---------|----------|-------|
| City of Azle              | X     | X     |         |         |          | X     |
| City of Benbrook          |       |       | X       | X       |          | X     |
| City of Everman           | X     |       | X       |         | X        |       |
| City of Forest Hill       | X     |       | X       |         |          |       |
| City of Haltom City       | X     |       | X       | X       |          |       |
| City of Lake Worth        | X     | X     | X       |         |          |       |
| City of Keller            | X     |       | X       |         |          | X     |
| City of Richland Hills    | X     | X     | X       |         |          |       |
| City of Saginaw           | X     | X     | X       |         |          | X     |
| City of Westworth Village | X     | X     |         |         |          | X     |
| City of White Settlement  | X     | X     | X       |         |          |       |



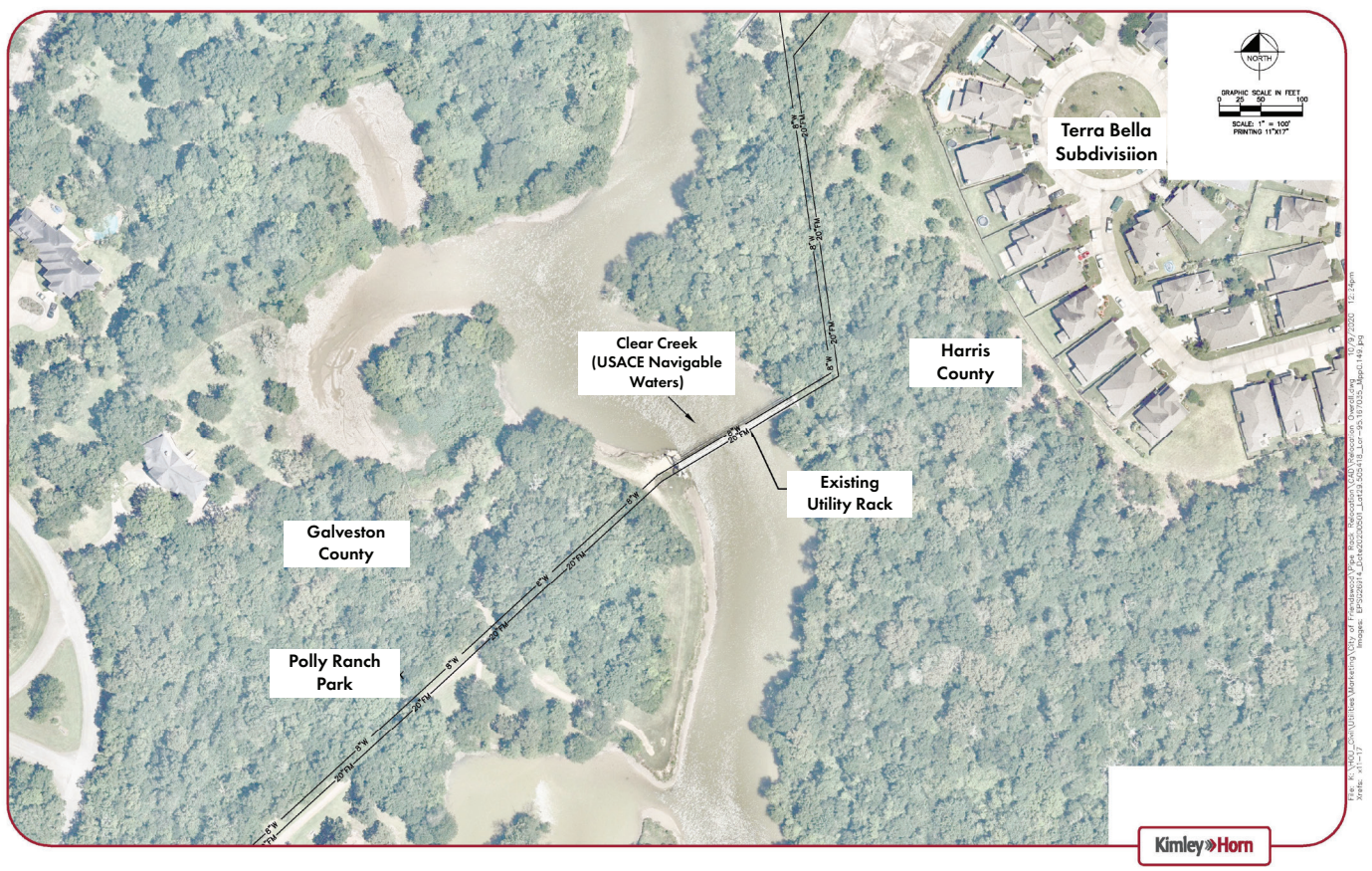


## D. PROJECT METHODOLOGY

Kimley-Horn's strategies and methodology center around the idea of rolling up our sleeves and diving into the project to truly understand the issues and potential solutions. We have already started that process by performing a site visit to get a first-hand idea of the complexities of this project. We understand that time and budget are critical to the project's success, and we have already provided the City a preliminary opinion of probable construction cost to help the City streamline the execution of this project. Through our observations, we have identified multiple challenges to be considered for design and construction and our proposed methodology to solve each challenge. We have successfully implemented these methods on projects similar to yours, and have included these similar success stories in this section.

### 1. Key Challenge - Project Coordination

Clear Creek is the boundary between Harris and Galveston Counties, the adjacent properties on each side of the creek are owned by separate Homeowner's Associations (Polly Ranch Park and Terra Bella HOAs), and this area of Clear Creek is considered navigable waters by the USACE.



**Methodology:** Kimley-Horn will involve all regulatory agencies, associations, and stakeholders in the project early and often. Immediately upon notice to proceed, we will develop a project schedule to identify critical milestones to understand the coordination required to execute each phase of the project and meet the City's six-month design to construction timeline.

**Similar Success Story:** For Baytown's Needlepoint Tower Water Line project, Kimley-Horn completed the design of approximately 700 LF of 14-inch HDPE water line and acquired USACE approval under a Nationwide 12 Permit in under 90 days. Our team coordinated with multiple stakeholders and updated the design with required changes throughout the process.



## 2. Key Challenge - Constructability Unknowns

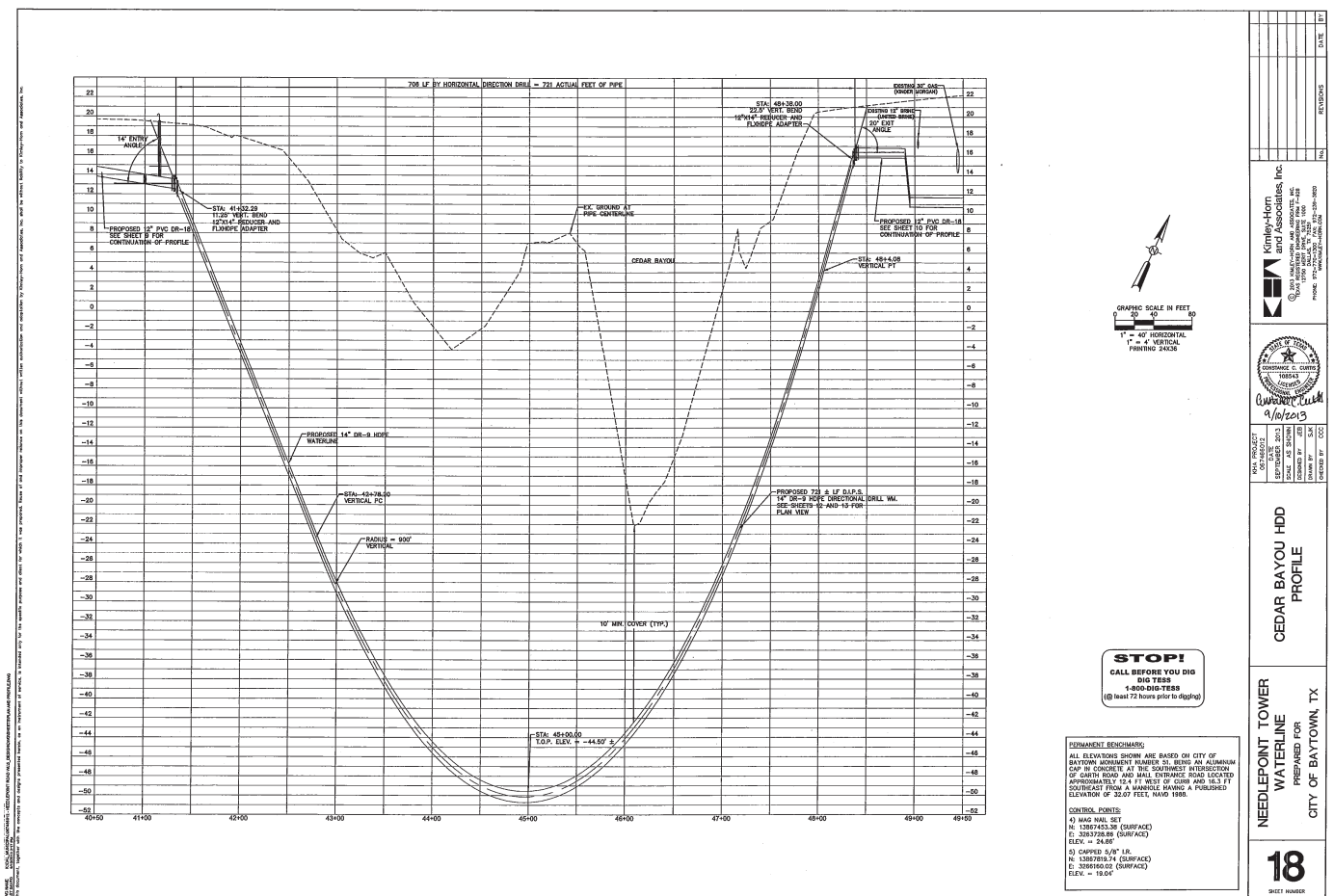
Some of the biggest risks with utility construction are the unknown underground infrastructure that can alter or even stop construction. Understanding key variables such as groundwater, soil types, creek depth, and utility rack footers will help identify various project unknowns early so they can be considered during design. These variables can greatly affect design parameters and construction method, and therefore project cost.

**Methodology:** Your Kimley-Horn team, along with our subconsultants—Windrose Land Services, Gorrondona Engineering Services, and The Rios Group—will perform the necessary topographic survey at each end of the creek, a bathymetric survey of the creek, at least two geotechnical bores (one at each end of the creek), and Level A SUE to identify the exact location of the relocated utilities.

This subsurface information is imperative because, should HDD be used, it affects the entry/exit geometry, physical placement of the drilling equipment, and drill path. This will in turn establish the construction limits, identify pipe lay-down areas, dictate the limits of tree clearing, and establish permanent and temporary easement boundaries. All of these parameters have a direct impact on cost and schedule.

Kimley-Horn will then tailor the construction document given these design parameters. This increases the quality of the deliverables and makes it easier for the contractor to execute the project while minimizing the need for additional information.

**Similar Success Story:** Below is a profile sheet detailing the HDD design for the Needlepoint Tower Water Line project.







### 3. Key Challenge - Force Main Hydraulics

Through conversations with the City, we understand analyzing the lift station and force is critical because the force main flows directly to the Blackhawk Wastewater Treatment Center. Changes to the force main hydraulics will have potential impacts such as a shift in cycle times, change in pumping capacity, and pump inefficiencies. Because the pipe rack is currently suspended in the air across the creek, relocating the force main underground will change the force main total dynamic head (TDH) and in turn alter the pumping capacity of the lift station and the influent flow at the treatment center.

**Methodology:** Kimley-Horn will perform a hydraulic analysis of the existing lift station and force main. We will identify the existing operating point of the lift station and calculate a new operating point based on the change TDH from moving the force main underground. We will also coordinate with the pump manufacturer to make sure the pumps at the lift station will still operate efficiently and recommend any lift station modifications to optimize the lift station cycle times. This information will be documented in a technical memorandum provided to the City.

**Similar Success Story:** Our team has successfully designed over 20 wastewater lift stations in the Gulf Coast Region. One example is the Lake Park Pearland Lift Station which pumps directly to Pearland's Southdown wastewater treatment plant (WWTP). Our hydraulic analysis determined an optimal design to maintain operations at the plant and serve a new planned development. Additionally, our team performed a similar hydraulic analysis on the Steinman Lift Station for the City of Baytown. The force main length was changing, so we identified the existing and new operating points and evaluated lift station improvements for the City.

### 4. Key Challenge - Creek Erosion

The City is very concerned with bank erosion along the west side of Clear Creek. The photo below shows the bank erosion encroaching on the pipe rack.

We understand the concrete footers are to remain to reduce additional USACE coordination and permitting, and bank stabilization methods may be preferred by the City to eliminate future erosion. Changes, deletions, or additions to the concrete footers may trigger additional permitting and coordination requirements with the USACE. This would create schedule issues that need to be avoided if possible.



**Methodology:** Kimley-Horn will engage Jenny LaFoy, P.E., CFM, ENV SP, our stream bank stabilization expert to work with the City and devise a method that accomplishes the City's goals of eliminating erosion and minimizing USACE permitting. Rip-rap, gabions, sheet piling, and cement burial walls are methods to consider, and we will work with the City to evaluate and understand the cost implications for each. Then, we will choose the most cost-effective solution for the City based on the City's preferences.

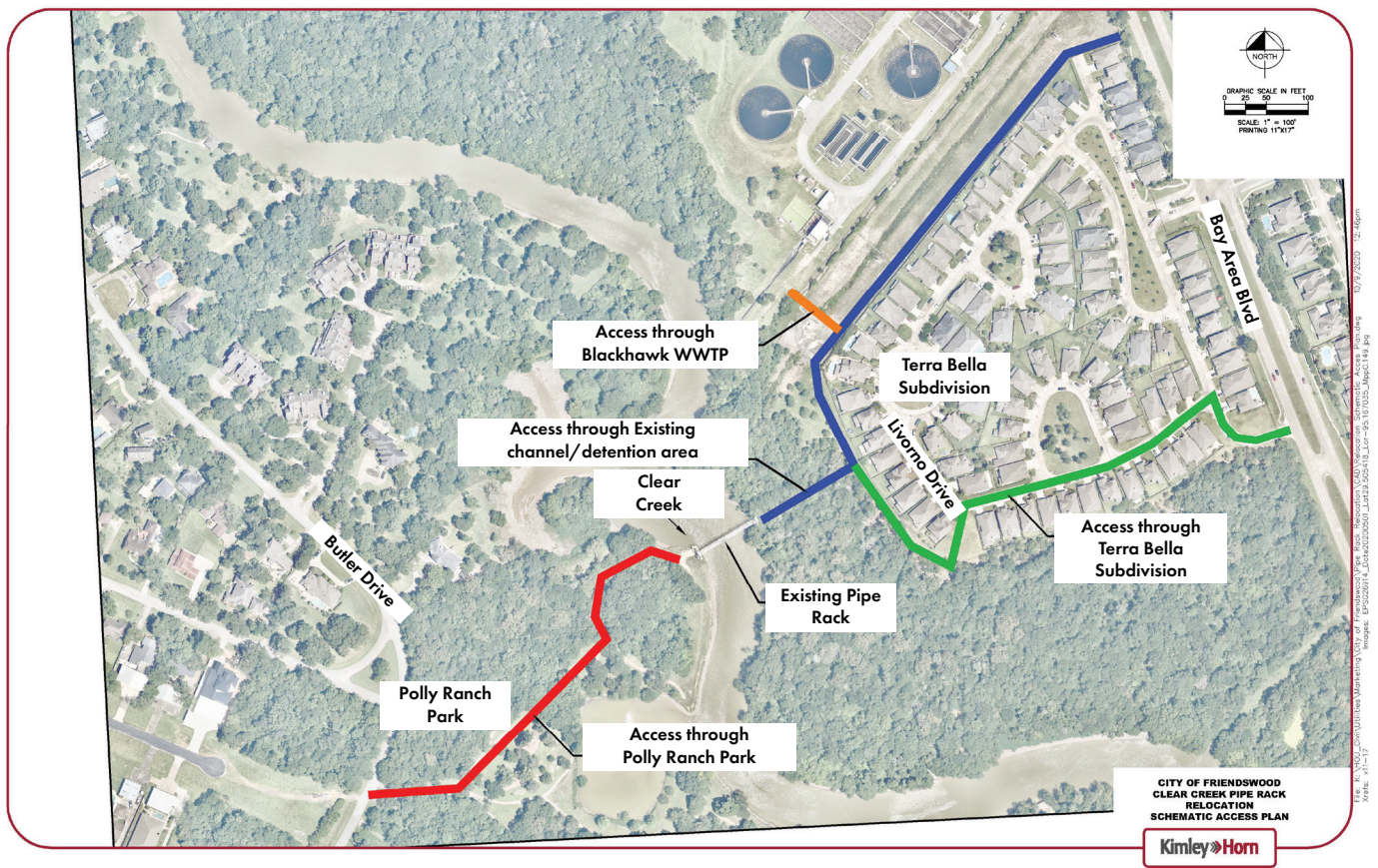




### 5. Key Challenge - Site Access

Site access will be critical to keeping construction on schedule. The pipe rack is landlocked by Polly Ranch Park (owned by Polly Ranch HOA) and Terra Bella HOA on the east side of Clear Creek. The water line and force main are located within an existing easement on both sides of the creek.

**Methodology:** Evaluating the finer details early, such as how a contractor will access this location, is a recipe for success we have implemented on many projects. Brad Rusk, CPC, CCCA, ENV SP serves as our resident construction management expert. Brad will be involved in the early stages of design and throughout to help determine the most efficient site access plan that is sensitive to the City's preferences, disturbances in Polly Ranch Park, and the property owned by Terra Bella HOA. The schematic below shows potential access points that we would consider with the City. We also have working relationships with multiple boring contractors and can use their knowledge to incorporate project-specific details into our site access plan.



**Similar Success Story:** Our team successfully designed three 450-LF bores for water, wastewater, and a force main across Crystal Creek for the City of Conroe. Site access was a concern as the nearest road was approximately one mile away. Our team developed an overall site access plan and highlighted various points of entry giving the contractor additional flexibility based on their schedule and equipment required.



## E. REFERENCES

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### City of Baytown

**Contact:** Dale Hughes | Project Engineer  
**Address:** 2123 Market Street, Baytown, TX 77522  
**Phone:** 281.420.6548  
**Email:** dale.hughes@baytown.org

### City of Conroe

**Contact:** Tommy Woolley | Assistant Director of Projects and Transportation  
**Address:** 300 West Davis Street, Conroe, TX 77301  
**Phone:** 936.522.3122  
**Email:** twoolley@cityofconroe.org

### City of Frisco

**Contact:** Shawn Halle, P.E., CFM | Senior Engineer  
**Address:** 6101 Frisco Square Boulevard, 3rd Floor, Frisco, TX 75034  
**Phone:** 972.292.5437  
**Email:** shalle@friscotexas.gov

# ARCHITECT – ENGINEER QUALIFICATIONS

## PART I – CONTRACT SPECIFIC QUALIFICATIONS

### A. CONTRACT INFORMATION

|                                                                                                                              |                                                   |
|------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| 1. TITLE AND LOCATION <i>(City and State)</i><br>Friendswood Utility Relocate at Clear Creek Utility Bridge, Friendswood, TX |                                                   |
| 2. PUBLIC NOTICE DATE<br>9/23/2020                                                                                           | 3. SOLICITATION OR PROJECT NUMBER<br>RFQ #2020-15 |

### B. ARCHITECT - ENGINEER POINT OF CONTACT

|                                                        |                      |                                                    |
|--------------------------------------------------------|----------------------|----------------------------------------------------|
| 4. NAME AND TITLE<br>Stephen J. Kelly, Project Manager |                      |                                                    |
| 5. NAME OF FIRM<br>Kimley-Horn and Associates, Inc.    |                      |                                                    |
| 6. TELEPHONE NUMBER<br>281.597.9300                    | 7. FAX NUMBER<br>N/A | 8. E-MAIL ADDRESS<br>stephen.kelly@kimley-horn.com |

### C. PROPOSED TEAM

*(Complete this section for the prime contractor and all key subcontractors.)*

|    | (Check) |     |         |                | 9. FIRM NAME                                                                                       | 10. ADDRESS                                                                 | 11. ROLE IN THIS CONTRACT                                            |
|----|---------|-----|---------|----------------|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|----------------------------------------------------------------------|
|    | PRIME   | J-V | PARTNER | SUBCON-TRACTOR |                                                                                                    |                                                                             |                                                                      |
| a. | X       |     |         |                | Kimley-Horn and Associates, Inc.<br><br><input checked="" type="checkbox"/> CHECK IF BRANCH OFFICE | 11700 Katy Freeway, Suite 800<br>Houston, TX 77079                          | Project management<br>Project engineering<br>Construction management |
| b. | X       |     |         |                | Kimley-Horn and Associates, Inc.<br><br><input checked="" type="checkbox"/> CHECK IF BRANCH OFFICE | 13455 Noel Road<br>Two Galleria Office Tower, Suite 700<br>Dallas, TX 75240 | QA/QC<br>Environmental services,<br>including permitting             |
| c. | X       |     |         |                | Kimley-Horn and Associates, Inc.<br><br><input checked="" type="checkbox"/> CHECK IF BRANCH OFFICE | 2201 West Royal Lane, Suite 275<br>Irving, TX 75063                         | Bank stabilization and erosion<br>Construction management            |
| d. |         |     |         |                | Gorrondona Engineering Services, Inc.<br><br><input type="checkbox"/> CHECK IF BRANCH OFFICE       | 4641 Kennedy Commerce Drive<br>Houston, TX 77032                            | Geotechnical engineering                                             |
| e. |         |     |         | X              | Windrose Land Services<br><br><input type="checkbox"/> CHECK IF BRANCH OFFICE                      | 3200 Wilcrest, Suite 325<br>Houston, TX 77047                               | Survey                                                               |
| f. |         |     |         | X              | The Rios Group, Inc.<br><br><input type="checkbox"/> CHECK IF BRANCH OFFICE                        | 7 Grogan's Park, Suite 6<br>The Woodlands, TX 77380                         | Subsurface Utility Engineering                                       |

### D. ORGANIZATIONAL CHART OF PROPOSED TEAM

☒ (Attached)

Please see organizational chart on page 3 of the SOQ.

# **E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT**

*(Complete one Section E for each key person.)*

|                                                                                                     |                                              |                                                                                                                                |  |
|-----------------------------------------------------------------------------------------------------|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|--|
| 12. NAME<br>Stephen J. Kelly                                                                        | 13. ROLE IN THIS CONTRACT<br>Project Manager | 14. YEARS EXPERIENCE<br>a. TOTAL<br>7      b. WITH CURRENT FIRM<br>7                                                           |  |
| 15. FIRM NAME AND LOCATION <i>(City and State)</i><br>Kimley-Horn and Associates, Inc., Houston, TX |                                              |                                                                                                                                |  |
| 16. EDUCATION <i>(Degree and Specialization)</i><br>Bachelor of Science / Civil Engineering         |                                              | 17. CURRENT PROFESSIONAL REGISTRATION <i>(State and Discipline)</i><br>TX / Engineer-in-Training<br>TX / Professional Engineer |  |
| 18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i>  |                                              |                                                                                                                                |  |

## **19. RELEVANT PROJECTS**

| (1) TITLE AND LOCATION <i>(City and State)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | (2) YEAR COMPLETED                                                               |                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|---------------------------------------------|
| Needlepoint Tower Water Line   Baytown, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | PROFESSIONAL SERVICES<br>2013                                                    | CONSTRUCTION <i>(If applicable)</i><br>2013 |
| a. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE<br>Project Engineer. Designed 8,800 LF of a 12" water line to support the needs of both the City and Walmart. The design included 700 LF of 14" HDPE horizontal directional drill (HDD) crossing under Cedar Bayou and 435 LF of 20" steel casing pipe by bore under a Union Pacific Railroad and SH-146. The pipe also needed to cross a cedar bayou which required two U.S. Army Corps permits, as one side of the bayou water line in Chambers County and the other was in Harris County.                      | <input checked="" type="checkbox"/> Check if project performed with current firm |                                             |
| b. (1) TITLE AND LOCATION <i>(City and State)</i><br>Steinman Lift Station   Baytown, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | PROFESSIONAL SERVICES<br>2019                                                    | CONSTRUCTION <i>(If applicable)</i><br>2019 |
| (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE<br>Project Manager. Stephen and team created a technical memo to examine issues for a force main re-route currently in design. Stephen and team recommended maintaining current conditions with no modifications and placed emphasis on further study of the upstream collection system to the Steinman lift station. No pumping modifications are included in this option. The additional head created by the added force main length would lower the firm capacity of the lift station to approximately 4,100 gpm. | <input checked="" type="checkbox"/> Check if project performed with current firm |                                             |
| c. (1) TITLE AND LOCATION <i>(City and State)</i><br>Eastgate Rehabilitation Phase IV   College Station, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | PROFESSIONAL SERVICES<br>2016                                                    | CONSTRUCTION <i>(If applicable)</i><br>2018 |
| (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE<br>Project Engineer. The Kimley-Horn team replaced and/or rehabilitated approx. 11,700 LF of existing 1" to 6" water lines and 10,000 LF of 4" to 6" wastewater lines in the Eastgate neighborhood. The design included horizontal directional drilling for approximately 1,400 LF of water mains to avoid impacts to existing trees. The design also included pipe bursting for approximately 4,800 LF wastewater mains.                                                                                            | <input checked="" type="checkbox"/> Check if project performed with current firm |                                             |
| d. (1) TITLE AND LOCATION <i>(City and State)</i><br>San Jacinto Lift Station and Force Main   Baytown, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | PROFESSIONAL SERVICES<br>2016                                                    | CONSTRUCTION <i>(If applicable)</i><br>2019 |
| (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE<br>Project Engineer. The submersible lift station was designed to expand from an initial flowrate of 1,080 gpm to 1,780 gpm. An analysis of the force main size resulted in a 4,300 LF, 12" force main. The force main also included approximately 300 LF of boring with 24" steel casing under the HCFCD channel and a gas pipeline corridor.                                                                                                                                                                       | <input checked="" type="checkbox"/> Check if project performed with current firm |                                             |
| e. (1) TITLE AND LOCATION <i>(City and State)</i><br>West Harris County Regional Water Authority Contract 36   Harris County, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | PROFESSIONAL SERVICES<br>Ongoing                                                 | CONSTRUCTION <i>(If applicable)</i>         |
| (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE<br>Project Engineer. This project involved over 5,000 feet of 12-inch water line and 2,000 feet of 16-inch water line through various subdivisions where Stephen and team worked closely with the MUD engineers throughout design. Kimley-Horn's attention to detail allowed the team to identify key information needed to size water meters at our delivery sites that was missing in the specifications.                                                                                                          | <input checked="" type="checkbox"/> Check if project performed with current firm |                                             |

**E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT***(Complete one Section E for each key person.)*

|                                                                                                    |                                            |                                                                                                   |  |
|----------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------------------------------------------|--|
| 12. NAME<br>Marty S. Paris                                                                         | 13. ROLE IN THIS CONTRACT<br>QA/QC Manager | 14. YEARS EXPERIENCE<br>a. TOTAL 27      b. WITH CURRENT FIRM 14                                  |  |
| 15. FIRM NAME AND LOCATION <i>(City and State)</i><br>Kimley-Horn and Associates, Inc., Dallas, TX |                                            |                                                                                                   |  |
| 16. EDUCATION <i>(Degree and Specialization)</i><br>Bachelor of Science / Civil Engineering        |                                            | 17. CURRENT PROFESSIONAL REGISTRATION <i>(State and Discipline)</i><br>TX / Professional Engineer |  |
| 18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i> |                                            |                                                                                                   |  |

**19. RELEVANT PROJECTS**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | (2) YEAR COMPLETED                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| (1) TITLE AND LOCATION <i>(City and State)</i><br>Eastgate Rehabilitation Phase IV   College Station, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | PROFESSIONAL SERVICES<br>2016           CONSTRUCTION <i>(If applicable)</i><br>2018 |
| <b>a.</b> (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE<br>Project Manager. The Kimley-Horn team replaced and/or rehabilitated approx. 11,700 LF of existing 1" to 6" water lines and 10,000 LF of 4" to 6" wastewater lines in the Eastgate neighborhood. The design included horizontal directional drilling for approximately 1,400 LF of water mains to avoid impacts to existing trees. The design also included pipe bursting for approximately 4,800 LF wastewater mains.                                                                                                                                          | <input checked="" type="checkbox"/> Check if project performed with current firm    |
| (1) TITLE AND LOCATION <i>(City and State)</i><br>DWU 2018 Water and Waste Water Replacements   Dallas, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | PROFESSIONAL SERVICES<br>2020           CONSTRUCTION <i>(If applicable)</i><br>2020 |
| <b>b.</b> (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE<br>Project Manager. This project involved the design of approximately 29,000 LF of 8" to 12" water and 8" to 21" waste water replacements in 22 locations throughout the City. Several of the replacements were designed to be replaced using trenchless technology, including pipe bursting and CIPP. The project scope included preparation of design reports, survey for design, base mapping, and preliminary and final design.                                                                                                                               | <input checked="" type="checkbox"/> Check if project performed with current firm    |
| (1) TITLE AND LOCATION <i>(City and State)</i><br>FM 2499 Water Line   Flower Mound, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | PROFESSIONAL SERVICES<br>2016           CONSTRUCTION <i>(If applicable)</i><br>     |
| <b>c.</b> (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE<br>Project Manager. The project consists of the installation of a new water pipeline. Marty and team performed wetland delineation and prepared and submitted for authorization by the USACE under a Nationwide Permit No. 12 for Utility Line Activities. The team also performed a consultation with the Texas Historical Commission in accordance with the Antiquities Code of Texas.                                                                                                                                                                          | <input checked="" type="checkbox"/> Check if project performed with current firm    |
| (1) TITLE AND LOCATION <i>(City and State)</i><br>SJRA Ground Reduction Plan C-3 Conroe Water Transmission Line   Conroe, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | PROFESSIONAL SERVICES<br>2013           CONSTRUCTION <i>(If applicable)</i><br>2014 |
| <b>d.</b> (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE<br>Project Manager. Performed preliminary design, final design, & construction phase services for 23,000 LF of 16" to 20" water transmission line; extensive coordination with property owners, UPRR, the City, Montgomery County, & TxDOT; the preparation of easement documents, permit coordination, & preparation of OPCCs. Due to unstable soil conditions, the design required microtunneling.                                                                                                                                                              | <input checked="" type="checkbox"/> Check if project performed with current firm    |
| (1) TITLE AND LOCATION <i>(City and State)</i><br>Northeast Trunk Line Phase 1   College Station, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | PROFESSIONAL SERVICES<br>2018           CONSTRUCTION <i>(If applicable)</i><br>     |
| <b>e.</b> (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE<br>Project Manager. The project involved the design of approx. 4,400 LF of 42" sanitary sewer main and 1,000 LF of 24" sanitary sewer main and included the design of a tunnel for 520 LF adjacent to an electrical substation and the crossing of two creeks. Design included a new alignment away from the creek to protect from streambank erosion. It used existing easements and City property where feasible to minimize delays for easement acquisition. Construction by bore/tunneling was used in areas of excessive depth and to avoid surface impacts. | <input checked="" type="checkbox"/> Check if project performed with current firm    |

**E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT***(Complete one Section E for each key person.)*

|                                                                                                     |                                               |                                                                                                   |                            |
|-----------------------------------------------------------------------------------------------------|-----------------------------------------------|---------------------------------------------------------------------------------------------------|----------------------------|
| 12. NAME<br>Constance C. Curtis                                                                     | 13. ROLE IN THIS CONTRACT<br>Project Engineer | 14. YEARS EXPERIENCE                                                                              |                            |
|                                                                                                     |                                               | a. TOTAL<br>14                                                                                    | b. WITH CURRENT FIRM<br>14 |
| 15. FIRM NAME AND LOCATION <i>(City and State)</i><br>Kimley-Horn and Associates, Inc., Houston, TX |                                               |                                                                                                   |                            |
| 16. EDUCATION <i>(Degree and Specialization)</i><br>Bachelor of Science / Civil Engineering         |                                               | 17. CURRENT PROFESSIONAL REGISTRATION <i>(State and Discipline)</i><br>TX / Professional Engineer |                            |
| 18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i>  |                                               |                                                                                                   |                            |

**19. RELEVANT PROJECTS**

|    | (1) TITLE AND LOCATION <i>(City and State)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | (2) YEAR COMPLETED    |                                     |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|-------------------------------------|
|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | PROFESSIONAL SERVICES | CONSTRUCTION <i>(If applicable)</i> |
| a. | (1) Needlepoint Tower Water Line   Baytown, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 2013                  | 2013                                |
|    | (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE<br>Project Manager. Designed 8,800 LF of a 12" water line to support the needs of both the City and Walmart. The design included 700 LF of 14" HDPE horizontal directional drill (HDD) crossing under Cedar Bayou and 435 LF of 20" steel casing pipe by bore under a Union Pacific Railroad and SH-146. The pipe also needed to cross a cedar bayou which required two U.S. Army Corps permits, as one side of the bayou water line in Chambers County and the other was in Harris County. |                       |                                     |
| b. | (1) San Jacinto Lift Station and Force Main   Baytown, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 2016                  | 2019                                |
|    | (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE<br>Project Manager. The submersible lift station was designed to expand from an initial flowrate of 1,080 gpm to 1,780 gpm. An analysis of the force main size resulted in a 4,300 LF, 12" force main. The force main also included approximately 300 LF of boring with 24" steel casing under the HCFCD channel and a gas pipeline corridor.                                                                                                                                               |                       |                                     |
| c. | (1) West Harris County Regional Water Authority Contract 36   Harris County, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Ongoing               |                                     |
|    | (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE<br>Project Manager. This project involved over 5,000 feet of 12-inch water line and 2,000 feet of 16-inch water line through various subdivisions where Stephen and team worked closely with the MUD engineers throughout design. Kimley-Horn's attention to detail allowed the team to identify key information needed to size water meters at our delivery sites that was missing in the specifications.                                                                                  |                       |                                     |
| d. | (1) SJRA Ground Reduction Plan C-3 Conroe Water Transmission Line   Conroe, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 2013                  | 2014                                |
|    | (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE<br>Project Engineer. Performed preliminary design, final design, & construction phase services for 23,000 LF of 16" to 20" water transmission line; extensive coordination with property owners, UPRR, the City, Montgomery County, & TxDOT; the preparation of easement documents, permit coordination, & preparation of OPCCs. Due to unstable soil conditions, the design required microtunnelling.                                                                                      |                       |                                     |
| e. | (1) Conroe Industrial Park Water and Wastewater Extensions   Conroe, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Ongoing               |                                     |
|    | (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE<br>Project Engineer. Provided professional engineering services for the construction of a 12" water line, a 16" water line, three sanitary sewer lines (12" to 30"), an 8" sanitary force main, and a sanitary sewer lift station. These facilities were designed in support of the expansion of the Conroe Industrial Park and to also provide service to the future Maxedon single family residential development.                                                                        |                       |                                     |

# **E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT**

(Complete one Section E for each key person.)

|                                                                                                                                       |                                               |                                                                                                                                                     |  |
|---------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 12. NAME<br>Michael A. Shelton                                                                                                        | 13. ROLE IN THIS CONTRACT<br>Project Engineer | 14. YEARS EXPERIENCE<br>a. TOTAL<br>25<br>b. WITH CURRENT FIRM<br>20                                                                                |  |
| 15. FIRM NAME AND LOCATION (City and State)<br>Kimley-Horn and Associates, Inc., Houston, TX                                          |                                               |                                                                                                                                                     |  |
| 16. EDUCATION (Degree and Specialization)<br>Master of Science / Environmental Science<br>Bachelor of Science / Environmental Science |                                               | 17. CURRENT PROFESSIONAL REGISTRATION (State and Discipline)<br>TX / Professional Engineer<br>Nationwide / American Institute of Certified Planners |  |
| 18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.)                                           |                                               |                                                                                                                                                     |  |

## **19. RELEVANT PROJECTS**

| (1) TITLE AND LOCATION (City and State)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | (2) YEAR COMPLETED               |                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-----------------------------------------|
| a. (1) TITLE AND LOCATION (City and State)<br>Street and Utility Maintenance Program (SUMP)   Gainesville, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | PROFESSIONAL SERVICES<br>Ongoing | CONSTRUCTION (If applicable)<br>Ongoing |
| (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE<br>Project Manager. Through this long-term program (began in 2010), Kimley-Horn aids the City in developing and managing a program that evaluates the roadway, storm drain, water, and sanitary sewer infrastructure and recommends improvements. Kimley-Horn has managed, designed, and provided bidding and construction phase services for project scopes: project management, roadway, sidewalk, storm drainage, water line, sanitary sewer line design, franchise utility coordination, TxDOT,       |                                  |                                         |
| b. (1) TITLE AND LOCATION (City and State)<br>Mustang Bayou Stream Bank Repair Project   Alvin, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | PROFESSIONAL SERVICES<br>Ongoing | CONSTRUCTION (If applicable)            |
| (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE<br>Project Manager. During Hurricane Harvey, two areas on the western bank of Mustang Bayou experienced streambank erosion. Mike and team submitted a scope of work to the City for professional design and permitting services for stream bank repair. The scope includes survey, geotechnical engineering, floodplain permitting, preliminary jurisdictional determination, USACE coordination under Nationwide Permit 45, preparation of contract documents, bidding, and construction phase services. |                                  |                                         |
| c. (1) TITLE AND LOCATION (City and State)<br>Magnolia Creek and Cedar Gulley Channel Improvements Design   League City, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                       | PROFESSIONAL SERVICES<br>Ongoing | CONSTRUCTION (If applicable)            |
| (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE<br>Project Manager. Preparation of hydraulic and hydrologic models, facilitation of public meetings, and preparation of construction plans, details, & technical specifications for bidding. It is expected that the improvements will correct the erosion of the channel bed and low flow sections, stabilize the failed side-slopes of the earthen channel sections, increase the long-term channel stability, reduce long-term maintenance costs, & maintain flood control function of the channel.    |                                  |                                         |
| d. (1) TITLE AND LOCATION (City and State)<br>Farmville Road Water Line   Shelby, NC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | PROFESSIONAL SERVICES<br>2019    | CONSTRUCTION (If applicable)            |
| (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE<br>Project Engineer. 24-inch water main design that includes two horizontal directional drills, three trenchless road crossings, a storage tank, and a pump station. Scope of services included design, permitting, grant coordination, bidding, and construction administration.                                                                                                                                                                                                                         |                                  |                                         |
| e. (1) TITLE AND LOCATION (City and State)<br>Charlotte-Mecklenburg Utilities, 60" and 36" Water Main Extension   Charlotte, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                   | PROFESSIONAL SERVICES<br>2015    | CONSTRUCTION (If applicable)            |
| (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE<br>Project Engineer. Provided survey, utility location, design, permitting, and construction phase services for CMUD's 60" and 36" DIP water transmission main along Statesville Road. This project included approximately 12,000 feet of water line starting near the intersection of Starita Road and Statesville Road and extending along Statesville Road to Route 21.                                                                                                                                |                                  |                                         |



# E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT

(Complete one Section E for each key person.)

|                                                                                                                                   |                                                                     |                                                                                                                                                                                      |                           |
|-----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 12. NAME<br>Jennifer M. LaFoy                                                                                                     | 13. ROLE IN THIS CONTRACT<br>Bank Stabilization and Channel Erosion | 14. YEARS EXPERIENCE                                                                                                                                                                 |                           |
|                                                                                                                                   |                                                                     | a. TOTAL<br>17                                                                                                                                                                       | b. WITH CURRENT FIRM<br>5 |
| 15. FIRM NAME AND LOCATION (City and State)<br>Kimley-Horn and Associates, Inc., Irving, TX                                       |                                                                     |                                                                                                                                                                                      |                           |
| 16. EDUCATION (Degree and Specialization)<br>Master of Engineering / Civil Engineering<br>Bachelor of Science / Civil Engineering |                                                                     | 17. CURRENT PROFESSIONAL REGISTRATION (State and Discipline)<br>TX / Professional Engineer<br>TX / Certified Floodplain Manager<br>Nationwide / Envision Sustainability Professional |                           |
| 18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.)                                       |                                                                     |                                                                                                                                                                                      |                           |

## 19. RELEVANT PROJECTS

|    | (1) TITLE AND LOCATION (City and State)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | (2) YEAR COMPLETED    |                              |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|------------------------------|
|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | PROFESSIONAL SERVICES | CONSTRUCTION (If applicable) |
| a. | (1) Spring Creek Bank Stabilization   Richardson, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 2017                  |                              |
|    | (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE<br>Project Engineer. The project included a floodplain study, hydraulic analysis, environmental permitting, and structural design for an approximately 650 LF 30-foot-tall gabion tieback wall to stabilize the channel bank. Additional improvements included grade control structures, gabion mattress protection at the top of gabion wall, and rock riprap at the downstream end of project improvements. Nationwide Permit 13 with pre-construction notification to USACE was used with a variance granted for length of improvements. |                       |                              |
| b. | (1) Bakersfield Park Erosion Control   Flower Mound, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 2016                  |                              |
|    | (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE<br>Project Engineer. Jenny and team designed a sustainable, cost effective solution to mitigate for erosion occurring within Bakers Branch Creek. The erosion threatened the abutment and structural support of a pedestrian bridge used as a trail crossing over the creek. Jenny and team designed a 10-foot-tall, 100-foot-long gabion basket wall supported by concrete piers. The project was funded by FEMA.                                                                                                                          |                       |                              |
| c. | (1) Erosion Control Concepts   Plano, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 2017                  |                              |
|    | (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE<br>Project Engineer. Jenny and team evaluated 6 creek sites with various levels of erosion, failing creek improvements, and maintenance issues. Tasks included hydraulic analysis, 404 permitting, structural design for bank stabilization including walls over 20 ft in height, drop structure replacement, and channel armoring.                                                                                                                                                                                                         |                       |                              |
| d. | (1) Prairie Creek Flood Study and Erosion Evaluation   Grand Prairie, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 2019                  |                              |
|    | (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE<br>Project Manager. Kimley-Horn provided hydraulic engineering services associated with the replacement of four parallel culverts with one 125-foot single span bridge. Hydraulic analyses were performed to determine the bridge sizing and determine impacts of the proposed improvements. Improvements include grouted rock riprap and concrete riprap to protect the bridge piers and abutments from erosion.                                                                                                                           |                       |                              |
| e. | (1) Plum Creek and Clear Fork Plum Creek Hydraulic Evaluation   Caldwell County, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 2020                  |                              |
|    | (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE<br>Project Manager. The project included a report for Plum Creek and a report for Clear Fork Plum Creek providing recommendations for conceptual improvements, section 404 permitting, and findings from freshwater mussel investigation for each site. Jenny and team used detailed design scheduling to coordinate timing of topographic survey, hydraulic analysis, and development of conceptual improvements to complete the project under strict deadline constraints.                                                                |                       |                              |

## E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT

(Complete one Section E for each key person.)

|                                                                                                                                                       |                                                      |                                                                                                                                                                                                                                    |                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 12. NAME<br>Brad W. Rusk                                                                                                                              | 13. ROLE IN THIS CONTRACT<br>Construction Management | 14. YEARS EXPERIENCE                                                                                                                                                                                                               |                           |
|                                                                                                                                                       |                                                      | a. TOTAL<br>20                                                                                                                                                                                                                     | b. WITH CURRENT FIRM<br>5 |
| 15. FIRM NAME AND LOCATION (City and State)<br>Kimley-Horn and Associates, Inc., Irving, TX                                                           |                                                      |                                                                                                                                                                                                                                    |                           |
| 16. EDUCATION (Degree and Specialization)<br>Master of Theology / Academic Ministries<br>Bachelor of Science / Business Management and Administration |                                                      | 17. CURRENT PROFESSIONAL REGISTRATION (State and Discipline)<br>Nationwide / Certified Professional Constructor<br>Nationwide / Certified Construction Contract Administrator<br>Nationwide / Envision Sustainability Professional |                           |
| 18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.)                                                           |                                                      |                                                                                                                                                                                                                                    |                           |

## 19. RELEVANT PROJECTS

|    | (1) TITLE AND LOCATION (City and State)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | (2) YEAR COMPLETED            |                                      |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|--------------------------------------|
|    | Prairie Creek Flood Study and Erosion Evaluation   Grand Prairie, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | PROFESSIONAL SERVICES<br>2019 | CONSTRUCTION (If applicable)         |
| a. | (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE<br>Task Manager. Kimley-Horn provided hydraulic engineering services associated with the replacement of four parallel culverts with one 125-foot single span bridge. Hydraulic analyses were performed to determine the bridge sizing and determine impacts of the proposed improvements. Improvements include grouted rock riprap and concrete riprap to protect the bridge piers and abutments from erosion.                                                                                           |                               |                                      |
|    | Northfork Cottonwood Creek Channel Repair Phase I   Arlington, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | PROFESSIONAL SERVICES<br>2018 | CONSTRUCTION (If applicable)<br>2018 |
| b. | (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE<br>Construction Administrator. This project consisted of hydraulic modeling, structural design, and environmental permitting to replace an approximately 1,100 LF concrete-lined, trapezoidal channel. The existing channel was eroding, cracking, and failing. Kimley-Horn designed a rectangular channel section to increase the capacity within the drainage easement.                                                                                                                                |                               |                                      |
|    | Erosion Control Concepts   Plano, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | PROFESSIONAL SERVICES<br>2017 | CONSTRUCTION (If applicable)         |
| c. | (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE<br>QC/QA Reviewer. The project team evaluated 6 creek sites with various levels of erosion, failing creek improvements, and maintenance issues. Tasks included hydraulic analysis, 404 permitting, structural design for bank stabilization including walls over 20 ft in height, drop structure replacement, and channel armoring.                                                                                                                                                                      |                               |                                      |
|    | Spring Creek Bank Stabilization   Richardson, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | PROFESSIONAL SERVICES<br>2017 | CONSTRUCTION (If applicable)         |
| d. | (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE<br>Construction Administrator. The project included a floodplain study, hydraulic analysis, environmental permitting, and structural design for an approximately 650 LF 30-foot-tall gabion tieback wall to stabilize the channel bank. Nationwide Permit 13 with pre-construction notification to USACE was used with a variance granted for length of improvements.                                                                                                                                    |                               |                                      |
|    | Ridge Road Bridge Replacement & Stonebridge Drive Evaluation and Replacement   McKinney, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | PROFESSIONAL SERVICES<br>2017 | CONSTRUCTION (If applicable)<br>2019 |
| e. | (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE<br>QA/QC Manager/Construction Manager. Stonebridge Drive is a four-lane divided thoroughfare with twin bridges over Rowlett Creek. The project involved: review of record drawings, review of bridge inspection reports, bridge inspection by the project team, & feasibility study outlining deficiencies, options for mitigating those deficiencies, and associated projected costs. The team also identified structural deficiencies in the slab leading to evaluation of repair/replacement options. |                               |                                      |

**E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT***(Complete one Section E for each key person.)*

|                                                                                                                                             |                                            |                                                                                                                    |  |
|---------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|--------------------------------------------------------------------------------------------------------------------|--|
| 12. NAME<br>Carland G. Holstead                                                                                                             | 13. ROLE IN THIS CONTRACT<br>Environmental | 14. YEARS EXPERIENCE<br>a. TOTAL 11      b. WITH CURRENT FIRM 3                                                    |  |
| 15. FIRM NAME AND LOCATION <i>(City and State)</i><br>Kimley-Horn and Associates, Inc., Dallas, TX                                          |                                            |                                                                                                                    |  |
| 16. EDUCATION <i>(Degree and Specialization)</i><br>Master of Science / Marine Resources Management<br>Bachelor of Science / Marine Biology |                                            | 17. CURRENT PROFESSIONAL REGISTRATION <i>(State and Discipline)</i><br>Nationwide / Professional Wetland Scientist |  |
| 18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i>                                          |                                            |                                                                                                                    |  |

**19. RELEVANT PROJECTS**

| (1) TITLE AND LOCATION <i>(City and State)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | (2) YEAR COMPLETED               |                                             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------|
| a. (1) TITLE AND LOCATION <i>(City and State)</i><br>Spring Creek Bank Stabilization   Richardson, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | PROFESSIONAL SERVICES<br>2017    | CONSTRUCTION <i>(If applicable)</i>         |
| (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE<br>Environmental Scientist. The project included a floodplain study, hydraulic analysis, environmental permitting, and structural design for an approximately 650 LF 30-foot-tall gabion tieback wall to stabilize the channel bank. Nationwide Permit 13 with pre-construction notification to USACE was used with a variance granted for length of improvements.                                                                                                                                                                                                             |                                  |                                             |
| b. (1) TITLE AND LOCATION <i>(City and State)</i><br>FM 2499 Water Line   Flower Mound, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | PROFESSIONAL SERVICES<br>2016    | CONSTRUCTION <i>(If applicable)</i>         |
| (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE<br>Environmental Scientist. The project consists of the installation of a new water pipeline. Marty and team performed wetland delineation and prepared and submitted for authorization by the USACE under a Nationwide Permit No. 12 for Utility Line Activities. The team also performed a consultation with the Texas Historical Commission in accordance with the Antiquities Code of Texas.                                                                                                                                                                               |                                  |                                             |
| c. (1) TITLE AND LOCATION <i>(City and State)</i><br>Magnolia Creek and Cedar Gulley Channel Improvements Design   League City, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | PROFESSIONAL SERVICES<br>Ongoing | CONSTRUCTION <i>(If applicable)</i>         |
| (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE<br>Environmental Scientist. The project includes preparation of hydraulic and hydrologic models, facilitation of public meetings, and preparation of construction plans, details, and technical specifications for bidding. It is expected that the improvements will correct the erosion of the channel bed and low flow sections, stabilize the failed side-slopes of the earthen channel sections, increase the long-term channel stability, reduce long-term maintenance costs, and maintain flood control function of the                                                 |                                  |                                             |
| d. (1) TITLE AND LOCATION <i>(City and State)</i><br>Wylie-Rockwall-Farmersville Water Line Review and Rehabilitation   Wylie, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | PROFESSIONAL SERVICES<br>2019    | CONSTRUCTION <i>(If applicable)</i>         |
| (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE<br>Environmental Scientist. Design of approximately 20,000 LF of 48" water line to replace existing 36" water line. Approx. 7,500 LF of the project located within the floodplain of the East Fork of the Trinity River, which consists of forested and emergent wetlands that required close coordination with both the City of Dallas and USACE. Project involved several 66" tunnels.                                                                                                                                                                                       |                                  |                                             |
| e. (1) TITLE AND LOCATION <i>(City and State)</i><br>DWU Southside 120" Wastewater Interceptor Rehabilitation   Dallas, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | PROFESSIONAL SERVICES<br>2018    | CONSTRUCTION <i>(If applicable)</i><br>2020 |
| (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE<br>Environmental Scientist. Evaluation of 15,000 LF of 120" concrete wastewater interceptor, 12,000 LF of parallel 72" concrete wastewater interceptor, and 1,000 LF of 42" and 54" concrete wastewater mains. The condition of the interceptors was evaluated using multi-sensor inspection equipment including lidar, CCTV, and sonar. Provided rehabilitation recommendations and design based on the condition assessment. The rehabilitation recommendations included sliplining for the 120", CIPP rehabilitation for the 42 and 54" mains and point repairs on the 72". |                                  |                                             |

|                                                                                                                                                                                                                                               |                               |                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|------------------------------------------------|
| <b>F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT</b><br><i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i> |                               | <b>20. EXAMPLE PROJECT KEY NUMBER</b><br><br>1 |
| <b>21. TITLE AND LOCATION (City and State)</b><br>Needlepoint Tower Water Line<br>Baytown, TX                                                                                                                                                 | <b>22. YEAR COMPLETED</b>     |                                                |
|                                                                                                                                                                                                                                               | PROFESSIONAL SERVICES<br>2013 | CONSTRUCTION <i>(If applicable)</i><br>2013    |

**23. PROJECT OWNER'S INFORMATION**

|                                            |                                                |                                                             |
|--------------------------------------------|------------------------------------------------|-------------------------------------------------------------|
| <b>a. PROJECT OWNER</b><br>City of Baytown | <b>b. POINT OF CONTACT NAME</b><br>Dale Hughes | <b>c. POINT OF CONTACT TELEPHONE NUMBER</b><br>281.420.6548 |
|--------------------------------------------|------------------------------------------------|-------------------------------------------------------------|

**24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT** *(Include scope, size, and cost)*

The City of Baytown reached out to Kimley-Horn to find a solution to a water pressure challenge that arose from a Walmart site development project in the City. The proposed section of town for the Walmart development did not have adequate water pressure to support Walmart's needs, so ultimately Walmart agreed that if the City could construct a proper water line, they would consider helping with the cost of the water line project.

On an accelerated schedule, Kimley-Horn designed 8,800 linear feet (LF) of a 12-inch water line to support the needs of both the City and Walmart. The team faced challenges because the water line had to cross under the Union Pacific Railroad to tie into the TxDOT right-of-way. The pipe also needed to cross a cedar bayou which required two U.S. Army Corps permits, as one side of the bayou was in Chambers County and the other was in Harris County.

The team had 100 calendar days from the notice to proceed to complete all the plans and receive the permits required. Kimley-Horn performed a site investigation and designed a horizontal directional drill (HDD) due to environmental complications. Kimley-Horn completed the permits, plans, and all deliverables three days ahead of schedule.

**25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT**

|           |                                                   |                                                          |                                                          |
|-----------|---------------------------------------------------|----------------------------------------------------------|----------------------------------------------------------|
| <b>a.</b> | (1) FIRM NAME<br>Kimley-Horn and Associates, Inc. | (2) FIRM LOCATION <i>(City and State)</i><br>Houston, TX | (3) ROLE<br>Project management, design, USACE permitting |
| <b>b.</b> | (1) FIRM NAME                                     | (2) FIRM LOCATION <i>(City and State)</i>                | (3) ROLE                                                 |
| <b>c.</b> | (1) FIRM NAME                                     | (2) FIRM LOCATION <i>(City and State)</i>                | (3) ROLE                                                 |
| <b>d.</b> | (1) FIRM NAME                                     | (2) FIRM LOCATION <i>(City and State)</i>                | (3) ROLE                                                 |
| <b>e.</b> | (1) FIRM NAME                                     | (2) FIRM LOCATION <i>(City and State)</i>                | (3) ROLE                                                 |
| <b>f.</b> | (1) FIRM NAME                                     | (2) FIRM LOCATION <i>(City and State)</i>                | (3) ROLE                                                 |

|                                                                                                                                                                                                                                               |                               |                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|-----------------------------------------|
| <b>F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT</b><br><i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i> |                               | 20. EXAMPLE PROJECT KEY NUMBER<br><br>2 |
| 21. TITLE AND LOCATION <i>(City and State)</i><br>Legacy 20-Inch Force Main<br>Frisco, TX                                                                                                                                                     | 22. YEAR COMPLETED            |                                         |
|                                                                                                                                                                                                                                               | PROFESSIONAL SERVICES<br>2020 | CONSTRUCTION <i>(If applicable)</i>     |

**23. PROJECT OWNER'S INFORMATION**

|                                    |                                         |                                                      |
|------------------------------------|-----------------------------------------|------------------------------------------------------|
| a. PROJECT OWNER<br>City of Frisco | b. POINT OF CONTACT NAME<br>Shawn Halle | c. POINT OF CONTACT TELEPHONE NUMBER<br>972.292.5437 |
|------------------------------------|-----------------------------------------|------------------------------------------------------|

24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

Kimley-Horn designed approximately 10,000 LF of 24-inch force main. The force main had to be installed in the median of Legacy Drive and Eldorado Parkway, which are busy, four-lane divided thoroughfares. The project corridor was surrounded by upscale neighborhoods and a school, so the City wanted to minimize disruption and visibility of the project. Extensive traffic control plans were developed. Kimley-Horn designed approximately 1,700 LF of force main to be installed by horizontal directional drill through the most sensitive and congested area. Kimley-Horn also designed water-separating odor control units that would treat the anticipated odor releases, while also including vacuum breakers that allow sufficient air flow into the pipeline during a surge event.

**25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT**

|    |                                                   |                                                         |                                                               |
|----|---------------------------------------------------|---------------------------------------------------------|---------------------------------------------------------------|
| a. | (1) FIRM NAME<br>Kimley-Horn and Associates, Inc. | (2) FIRM LOCATION <i>(City and State)</i><br>Dallas, TX | (3) ROLE<br>Project management, design, traffic control plans |
| b. | (1) FIRM NAME                                     | (2) FIRM LOCATION <i>(City and State)</i>               | (3) ROLE                                                      |
| c. | (1) FIRM NAME                                     | (2) FIRM LOCATION <i>(City and State)</i>               | (3) ROLE                                                      |
| d. | (1) FIRM NAME                                     | (2) FIRM LOCATION <i>(City and State)</i>               | (3) ROLE                                                      |
| e. | (1) FIRM NAME                                     | (2) FIRM LOCATION <i>(City and State)</i>               | (3) ROLE                                                      |
| f. | (1) FIRM NAME                                     | (2) FIRM LOCATION <i>(City and State)</i>               | (3) ROLE                                                      |

|                                                                                                                                                                                                                                               |                               |                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|---------------------------------------------|
| <b>F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT</b><br><i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i> |                               | 20. EXAMPLE PROJECT KEY NUMBER<br><br>3     |
| 21. TITLE AND LOCATION <i>(City and State)</i><br>Eastgate Rehabilitation Phase IV<br>College Station, TX                                                                                                                                     | 22. YEAR COMPLETED            |                                             |
|                                                                                                                                                                                                                                               | PROFESSIONAL SERVICES<br>2016 | CONSTRUCTION <i>(If applicable)</i><br>2018 |

|                                             |                                         |                                                      |
|---------------------------------------------|-----------------------------------------|------------------------------------------------------|
| <b>23. PROJECT OWNER'S INFORMATION</b>      |                                         |                                                      |
| a. PROJECT OWNER<br>City of College Station | b. POINT OF CONTACT NAME<br>Ed McDonald | c. POINT OF CONTACT TELEPHONE NUMBER<br>979.764.3528 |

24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

The Eastgate Rehabilitation Project Phase IV involves the replacement and / or rehabilitation of approximately 11,700 LF of existing 1-inch to 6-inch water lines and 10,000 LF of 4-inch to 6-inch wastewater lines in the Eastgate neighborhood. The Eastgate neighborhood was established in 1938 and many of the existing water and wastewater lines are substandard size and at the end of their design life. Kimley-Horn prepared a preliminary engineering report to evaluate replacement and rehabilitation alternatives to minimize disruption to the neighborhood. Upon completion of the report, Kimley-Horn prepared construction plans, details, and technical specifications to replace the water and wastewater mains throughout the neighborhood. The design included horizontal directional drilling for approximately 1,400 LF of water mains to avoid impacts to existing trees. The design also included pipe bursting for approximately 4,800 LF wastewater mains. During the design, Kimley-Horn facilitated three neighborhood public meetings to present alternatives and gather input.

| <b>25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT</b> |                                  |                                           |                                                     |
|------------------------------------------------------------|----------------------------------|-------------------------------------------|-----------------------------------------------------|
| a.                                                         | (1) FIRM NAME                    | (2) FIRM LOCATION <i>(City and State)</i> | (3) ROLE                                            |
|                                                            | Kimley-Horn and Associates, Inc. | Dallas, TX                                | Project management, PER, design, public involvement |
| b.                                                         | (1) FIRM NAME                    | (2) FIRM LOCATION <i>(City and State)</i> | (3) ROLE                                            |
|                                                            |                                  |                                           |                                                     |
| c.                                                         | (1) FIRM NAME                    | (2) FIRM LOCATION <i>(City and State)</i> | (3) ROLE                                            |
|                                                            |                                  |                                           |                                                     |
| d.                                                         | (1) FIRM NAME                    | (2) FIRM LOCATION <i>(City and State)</i> | (3) ROLE                                            |
|                                                            |                                  |                                           |                                                     |
| e.                                                         | (1) FIRM NAME                    | (2) FIRM LOCATION <i>(City and State)</i> | (3) ROLE                                            |
|                                                            |                                  |                                           |                                                     |
| f.                                                         | (1) FIRM NAME                    | (2) FIRM LOCATION <i>(City and State)</i> | (3) ROLE                                            |
|                                                            |                                  |                                           |                                                     |

|                                                                                                                                                                                                                                               |                                      |                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------|
| <b>F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT</b><br><i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i> |                                      | <b>20. EXAMPLE PROJECT KEY NUMBER</b><br><br>4 |
| <b>21. TITLE AND LOCATION (City and State)</b><br>Crystal Clear CCN Water Line Improvements<br>San Marcos, TX                                                                                                                                 | <b>22. YEAR COMPLETED</b>            |                                                |
|                                                                                                                                                                                                                                               | <b>PROFESSIONAL SERVICES</b><br>2016 | <b>CONSTRUCTION (If applicable)</b>            |

|                                               |                                                   |                                                             |
|-----------------------------------------------|---------------------------------------------------|-------------------------------------------------------------|
| <b>23. PROJECT OWNER'S INFORMATION</b>        |                                                   |                                                             |
| <b>a. PROJECT OWNER</b><br>City of San Marcos | <b>b. POINT OF CONTACT NAME</b><br>Jennifer Shell | <b>c. POINT OF CONTACT TELEPHONE NUMBER</b><br>512.393.8133 |

**24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT (Include scope, size, and cost)**

Kimley-Horn designed 8,600 LF of 8 to 15-inch water line. The City of San Marcos selected Kimley-Horn to perform preliminary engineering, design, bidding, and construction phase services associated with installation of new water line infrastructure to revise the water CCN boundaries between the City of San Marcos and Crystal Clear Special Utility District. Kimley-Horn evaluated multiple potential alignments for new water lines along McCarty Lane and Hunter Road to accommodate the switchover of the water service for multiple businesses from one entity to the other. The evaluation of potential routes required multiple meetings with City staff and Crystal Clear Special Utility District representative as well as coordination with TxDOT, Hays County, and Union Pacific Railroad in order to define permitting requirements and insure that proposed alignments met the design criteria enforced by each entity. Additionally, coordination with U.S. Department of the Interior was required in order to facilitate easement acquisition for one of the proposed water lines. The selected alignments require the installation of approximately 4,500 LF of 8- and 12-inch water line. There was limited space available within the parkway of a TxDOT roadway, and the parkway had significant sloping. As a result, Kimley-Horn evaluated and designed the installation of the water main through horizontal directional drilling (HDD) methods. This effort included site visits with multiple HDD contractors to discuss constructability and refine the design based on contractor and City of San Marcos input.

| <b>25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT</b> |                                                   |                                                       |                                                                                                       |
|------------------------------------------------------------|---------------------------------------------------|-------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| <b>a.</b>                                                  | (1) FIRM NAME<br>Kimley-Horn and Associates, Inc. | (2) FIRM LOCATION (City and State)<br>San Antonio, TX | (3) ROLE<br>Project management, preliminary engineering, design, bid, and construction phase services |
|                                                            | (1) FIRM NAME                                     | (2) FIRM LOCATION (City and State)                    | (3) ROLE                                                                                              |
| <b>b.</b>                                                  | (1) FIRM NAME                                     | (2) FIRM LOCATION (City and State)                    | (3) ROLE                                                                                              |
|                                                            | (1) FIRM NAME                                     | (2) FIRM LOCATION (City and State)                    | (3) ROLE                                                                                              |
| <b>c.</b>                                                  | (1) FIRM NAME                                     | (2) FIRM LOCATION (City and State)                    | (3) ROLE                                                                                              |
|                                                            | (1) FIRM NAME                                     | (2) FIRM LOCATION (City and State)                    | (3) ROLE                                                                                              |
| <b>d.</b>                                                  | (1) FIRM NAME                                     | (2) FIRM LOCATION (City and State)                    | (3) ROLE                                                                                              |
|                                                            | (1) FIRM NAME                                     | (2) FIRM LOCATION (City and State)                    | (3) ROLE                                                                                              |
| <b>e.</b>                                                  | (1) FIRM NAME                                     | (2) FIRM LOCATION (City and State)                    | (3) ROLE                                                                                              |
|                                                            | (1) FIRM NAME                                     | (2) FIRM LOCATION (City and State)                    | (3) ROLE                                                                                              |
| <b>f.</b>                                                  | (1) FIRM NAME                                     | (2) FIRM LOCATION (City and State)                    | (3) ROLE                                                                                              |
|                                                            | (1) FIRM NAME                                     | (2) FIRM LOCATION (City and State)                    | (3) ROLE                                                                                              |



|                                                                                                                                                                                                                                               |                                         |                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|------------------------------------------------|
| <b>F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT</b><br><i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i> |                                         | <b>20. EXAMPLE PROJECT KEY NUMBER</b><br><br>5 |
| <b>21. TITLE AND LOCATION (City and State)</b><br>Conroe Industrial Park Water and Wastewater Extensions<br>Conroe, TX                                                                                                                        | <b>22. YEAR COMPLETED</b>               |                                                |
|                                                                                                                                                                                                                                               | <b>PROFESSIONAL SERVICES</b><br>Ongoing | <b>CONSTRUCTION (If applicable)</b>            |

|                                           |                                                       |                                                             |
|-------------------------------------------|-------------------------------------------------------|-------------------------------------------------------------|
| <b>23. PROJECT OWNER'S INFORMATION</b>    |                                                       |                                                             |
| <b>a. PROJECT OWNER</b><br>City of Conroe | <b>b. POINT OF CONTACT NAME</b><br>Chris Bogert, P.E. | <b>c. POINT OF CONTACT TELEPHONE NUMBER</b><br>936.522.3000 |

|                                                                                                        |
|--------------------------------------------------------------------------------------------------------|
| <b>24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT (Include scope, size, and cost)</b> |
|--------------------------------------------------------------------------------------------------------|

Kimley-Horn provided professional engineering services associated with the extension of 12-inch and 16-inch water lines, sanitary sewer lines (10-inch to 24-inch), an 8-inch sanitary force main, and a sanitary sewer lift station in support of the future expansion of the Conroe Industrial Park and to also provide service to the future Maxedon single family residential development. Kimley-Horn provided civil construction documents and specifications for this project that included:

- A. The design of approximately 13,400 LF of 12-inch water lines and approximately 1,700 LF of 16-inch water line, including approximately 450 LF bore with 24-inch steel casing underneath Crystal Creek
- B. The design of approximately 2,200 LF of 10-inch gravity sanitary sewer line, approximately 5,400 LF of 12-inch gravity sanitary sewer lines, and approximately 2,200 LF of 24-inch gravity interceptor sanitary sewer line, including approximately 450 LF bore with 18-inch steel casing underneath Crystal Creek
- C. The design of approximately 3,600 LF of 8-inch sanitary force main, including approximately 450 LF bore with 16-inch steel casing underneath Crystal Creek
- D. The design of a 1000 GPM sanitary lift station with a 30-foot deep wet well to consolidate the proposed gravity lines within the project area for sending sanitary flows southwest to an existing gravity sewer system
- E. Preparation of engineering drawings and specifications for these facilities, incorporating City-prepared construction contract documents for both project bidding and regulatory (TCEQ) approval

Bid support for this project includes providing responses to contractor questions, releasing addenda, and creating the bid tabulation and a recommendation for award. Construction phase services include RFI responses, submittal reviews, construction observation, walkthrough evaluation for both substantial construction completion and final construction completion, and compilation of the record drawings.

|                                                            |                                  |                                    |                                                                                          |
|------------------------------------------------------------|----------------------------------|------------------------------------|------------------------------------------------------------------------------------------|
| <b>25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT</b> |                                  |                                    |                                                                                          |
| a.                                                         | (1) FIRM NAME                    | (2) FIRM LOCATION (City and State) | (3) ROLE                                                                                 |
|                                                            | Kimley-Horn and Associates, Inc. | Houston, TX                        | Project management, design, construction documents, bidding, construction phase services |
| b.                                                         | (1) FIRM NAME                    | (2) FIRM LOCATION (City and State) | (3) ROLE                                                                                 |
|                                                            |                                  |                                    |                                                                                          |
| c.                                                         | (1) FIRM NAME                    | (2) FIRM LOCATION (City and State) | (3) ROLE                                                                                 |
|                                                            |                                  |                                    |                                                                                          |
| d.                                                         | (1) FIRM NAME                    | (2) FIRM LOCATION (City and State) | (3) ROLE                                                                                 |
|                                                            |                                  |                                    |                                                                                          |
| e.                                                         | (1) FIRM NAME                    | (2) FIRM LOCATION (City and State) | (3) ROLE                                                                                 |
|                                                            |                                  |                                    |                                                                                          |
| f.                                                         | (1) FIRM NAME                    | (2) FIRM LOCATION (City and State) | (3) ROLE                                                                                 |
|                                                            |                                  |                                    |                                                                                          |

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| <b>F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT</b><br><i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i> |                               | <b>20. EXAMPLE PROJECT KEY NUMBER</b><br><br>6 |
| <b>21. TITLE AND LOCATION (City and State)</b><br>San Jacinto Boulevard Lift Station and Force Main<br>Baytown, TX                                                                                                                            | <b>22. YEAR COMPLETED</b>     |                                                |
|                                                                                                                                                                                                                                               | PROFESSIONAL SERVICES<br>2016 | CONSTRUCTION (If applicable)<br>2019           |

|                                            |                                                    |                                                             |
|--------------------------------------------|----------------------------------------------------|-------------------------------------------------------------|
| <b>23. PROJECT OWNER'S INFORMATION</b>     |                                                    |                                                             |
| <b>a. PROJECT OWNER</b><br>City of Baytown | <b>b. POINT OF CONTACT NAME</b><br>Frank Simoneaux | <b>c. POINT OF CONTACT TELEPHONE NUMBER</b><br>281.420.5312 |

**24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT** *(Include scope, size, and cost)*

The City of Baytown retained Kimley-Horn to design a lift station in the area of the San Jacinto Boulevard to support future development. The first step was to write a preliminary engineering report and identify the service area as well as evaluate the existing Goose Creek lift station to determine if any additional flow could contribute to the existing lift station. After determining the service area, Kimley-Horn worked with City Staff to determine proposed land uses and projected flow to the lift station. Since the lift station is in a currently undeveloped area, the submersible lift station was designed to expand from an initial flow rate of 1,080 gpm to 1,780 gpm. An analysis of the force main size resulted in a 4,300-LF 12-inch force main that would serve both the initial phase of the lift station and the ultimate pump set up as well. The force main alignment went along the future San Jacinto Boulevard and Hunt Road before crossing underneath an existing Harris County Flood Control District channel. The force main also included approximately 300 LF of boring with 24-inch steel casing under the HCFCD channel and a gas pipeline corridor. Lastly, for the expandable submersible pumping set up, Kimley-Horn worked with the pump representatives to specify the discharge piping and guide rail set up to allow for the larger pumps to sit in the same pump slots as the smaller pumps which will allow for a simple expansion with no requirement to take the lift station out of service to access the bottom of the wet well for the expansion.

| <b>25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT</b> |                                  |                                    |          |
|------------------------------------------------------------|----------------------------------|------------------------------------|----------|
| <b>a.</b>                                                  | (1) FIRM NAME                    | (2) FIRM LOCATION (City and State) | (3) ROLE |
|                                                            | Kimley-Horn and Associates, Inc. | Houston, TX                        |          |
| <b>b.</b>                                                  | (1) FIRM NAME                    | (2) FIRM LOCATION (City and State) | (3) ROLE |
|                                                            |                                  |                                    |          |
| <b>c.</b>                                                  | (1) FIRM NAME                    | (2) FIRM LOCATION (City and State) | (3) ROLE |
|                                                            |                                  |                                    |          |
| <b>d.</b>                                                  | (1) FIRM NAME                    | (2) FIRM LOCATION (City and State) | (3) ROLE |
|                                                            |                                  |                                    |          |
| <b>e.</b>                                                  | (1) FIRM NAME                    | (2) FIRM LOCATION (City and State) | (3) ROLE |
|                                                            |                                  |                                    |          |
| <b>f.</b>                                                  | (1) FIRM NAME                    | (2) FIRM LOCATION (City and State) | (3) ROLE |
|                                                            |                                  |                                    |          |

|                                                                                                                                                                                                                                               |                               |                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|------------------------------------------------|
| <b>F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT</b><br><i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i> |                               | <b>20. EXAMPLE PROJECT KEY NUMBER</b><br><br>7 |
| <b>21. TITLE AND LOCATION (City and State)</b><br>Steinman Lift Station Evaluation<br>Baytown, TX                                                                                                                                             | <b>22. YEAR COMPLETED</b>     |                                                |
|                                                                                                                                                                                                                                               | PROFESSIONAL SERVICES<br>2019 | CONSTRUCTION <i>(If applicable)</i><br>2019    |

|                                            |                                                    |                                                             |
|--------------------------------------------|----------------------------------------------------|-------------------------------------------------------------|
| <b>23. PROJECT OWNER'S INFORMATION</b>     |                                                    |                                                             |
| <b>a. PROJECT OWNER</b><br>City of Baytown | <b>b. POINT OF CONTACT NAME</b><br>Sterling Beaver | <b>c. POINT OF CONTACT TELEPHONE NUMBER</b><br>281.420.5300 |

|                                                                                                               |
|---------------------------------------------------------------------------------------------------------------|
| <b>24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT</b> <i>(Include scope, size, and cost)</i> |
|---------------------------------------------------------------------------------------------------------------|

Steinman Lift Station is located near the intersection of West Shreck Street and Steinman Street in Baytown, Texas and was rehabilitated in 2010 with the existing dry pit/wet pit converted to a common wet well and a new dry pit was constructed. The lift station includes three self-priming centrifugal pumps at 100 horsepower (HP) each with VFDs located on the lower level. A force main re-route is currently in design to realign the discharge from IH-10 and Thompson Drive to the west wastewater treatment plant via Thompson Park Drive. A technical memorandum was completed by Kimley-Horn to discuss:

The force main size for the Thompson Park Drive re-route.  
 The change in hydraulics between the existing force main and the force main re-route.  
 The pumping upgrades due to the change in the lift station hydraulics.

Based on the City of Baytown 2017 Wastewater Master Plan Report, the calculated wet weather flow into the Steinman Lift Station is 1,466 gpm. The current lift station firm capacity is 5,000 gpm. The upstream infrastructure capacity is 1,500 gpm which suggests that flows are not entering the lift station at a sufficient rate.

Therefore, Kimley-Horn recommended maintaining current conditions with no modifications and place emphasis on further study of the upstream collection system to the Steinman lift station. No pumping modifications are included in this option. The additional head created by the added force main length would lower the firm capacity of the lift station to approximately 4,100 gpm. Further study on the upstream collection system to Steinman is recommended with this option. The recommended option includes constructing a 24-inch force main for the re-route.

|                                                            |                                  |                                           |          |
|------------------------------------------------------------|----------------------------------|-------------------------------------------|----------|
| <b>25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT</b> |                                  |                                           |          |
| <b>a.</b>                                                  | (1) FIRM NAME                    | (2) FIRM LOCATION <i>(City and State)</i> | (3) ROLE |
|                                                            | Kimley-Horn and Associates, Inc. | Houston, TX                               |          |
| <b>b.</b>                                                  | (1) FIRM NAME                    | (2) FIRM LOCATION <i>(City and State)</i> | (3) ROLE |
|                                                            |                                  |                                           |          |
| <b>c.</b>                                                  | (1) FIRM NAME                    | (2) FIRM LOCATION <i>(City and State)</i> | (3) ROLE |
|                                                            |                                  |                                           |          |
| <b>d.</b>                                                  | (1) FIRM NAME                    | (2) FIRM LOCATION <i>(City and State)</i> | (3) ROLE |
|                                                            |                                  |                                           |          |
| <b>e.</b>                                                  | (1) FIRM NAME                    | (2) FIRM LOCATION <i>(City and State)</i> | (3) ROLE |
|                                                            |                                  |                                           |          |
| <b>f.</b>                                                  | (1) FIRM NAME                    | (2) FIRM LOCATION <i>(City and State)</i> | (3) ROLE |
|                                                            |                                  |                                           |          |

[illegible]

## 22. EXAMPLE PROJECTS KEY

| NO. | TITLE OF EXAMPLE PROJECT (From Section F)                           | NO. | TITLE OF EXAMPLE PROJECT (From Section F)                       |
|-----|---------------------------------------------------------------------|-----|-----------------------------------------------------------------|
| 1   | Needlepoint Tower Water Line   Baytown, TX                          | 6   | San Jacinto Boulevard Lift Station and Force Main   Baytown, TX |
| 2   | Legacy 20-Inch Force Main   Frisco, TX                              | 7   | Steinman Lift Station Evaluation   Baytown, TX                  |
| 3   | Eastgate Rehabilitation Phase IV   College Station, TX              | 8   |                                                                 |
| 4   | Crystal Clear CCN Waterline Improvements   San Marcos, TX           | 9   |                                                                 |
| 5   | Conroe Industrial Park Water and Wastewater Extensions   Conroe, TX | 10  |                                                                 |

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## H. ADDITIONAL INFORMATION

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30. PROVIDE ANY ADDITIONAL INFORMATION REQUESTED BY THE AGENCY. ATTACH ADDITIONAL SHEETS AS NEEDED.

Founded in 1967, Kimley-Horn is a fully integrated consulting firm with focal practices in water resources, land development, environmental, and transportation, including aviation, intelligent transportation systems, roadways, bridges, and transit. Our headquarters office is located in Raleigh, North Carolina, with 90+ offices nationwide serving clients in almost each state of the US. The firm has a long and impressive list of municipal projects. In response to client needs, Kimley-Horn has gradually expanded its range of services to include the wide variety of disciplines necessary to complete virtually any type of municipal engineering or planning project.

### Performance

Kimley-Horn has a 53-year history of performing CDBG projects within Texas, and we have uniformly submitted all designs and specifications within the stated deadlines. Our ability to complete projects within specific deadlines is due to an organized approach. We begin with preparing a project schedule and work plan to define the methods and timing for completing each phase of the project. The schedule and plan are reviewed and approved by the engineers appointed to be responsible for the project, and a concept meeting is held with all members of the project team. The schedule, work plan, and project background are presented and discussed so each team member understands the entire project scope as well as the significance of each phase and its proposed time frame. Throughout the course of the project, status meetings are held to verify that both design objectives and schedules are being met. This form of monitored scheduling provides timely completion of multiple projects under the same deadline. Our local Houston and The Woodlands offices are nearby to support you for the duration of this project. Kimley-Horn's Texas staff totals more than 890 personnel in 15 offices. This broadens the range of qualified professionals available to you, including systems engineers, landscape architects, surveyors, and additional support personnel. While most of the services you require can be provided from our Houston office, we also have the ability, when necessary, to take advantage of unique expertise throughout our nationwide firm.

### Subconsultants

Kimley-Horn views our subconsultants as true team members. Creating this type of collaborative relationships leads to trust and effective communication among team members. This consistent communication from project conception through completion allows our subconsultants to have a complete understanding of ours and your expectations. For day-to-day management, we coordinate regularly with our subconsultants to verify that they are using the latest standards and providing the required data to client standards. The Kimley-Horn project manager and the subconsultant project manager discuss the project and the intent of the required information so that the subconsultant understands what the information will be used for.

Our quality control process for their work includes checks of the provided information and CAD checks for styles and completeness. For this contract/project, the subconsultants will provide us with a draft version of all deliverables and the Kimley-Horn project manager and QC/QA manager will provide a complete review before providing any milestone deliveries to you.

### Windrose Land Services

Windrose Land Services (HUB firm no. 1815470732900) provides survey, platting, and geographic information system services and will provide any required surveys for this project. Their survey services include but are not limited to ALTA/ACSM, TSPS category, topographic, design, utility, right-of-way, and GPS. Windrose Land Services was founded 28 years ago and employs 100 full-time employees - making it one of the largest survey firms in the Houston area.

### Gorrondonga Engineering Services, Inc.

Gorrondonga Engineering Services is a Houston-based corporation specializing in geotechnical engineering and construction materials testing and inspection services. The firm owns and operates five truck-, track-, and buggy-mounted drilling rigs, giving flexibility to set drilling schedules and accelerate field investigation work when needed. Gorrondonga Engineering Services maintains a full-service soils laboratory at their north Houston headquarters. The firm has successfully completed thousands of projects throughout Texas, including in Harris County, and is very familiar with the drilling conditions anticipated for this project.

### The Rios Group, Inc.

The Rios Group (SCTRCA SBE/MBE/WBE firm no. 219091134 and HUB firm no. 1800830327500) provides full-service professional subsurface utility engineering and utility coordination throughout Texas. Their knowledge, experience, and familiarity with the Harris County community has saved clients from costly delays due to utility conflicts. Additionally, The Rios Group and Kimley-Horn have worked together on more than 150 projects and have built a working relationship that will benefit the City.

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## I. AUTHORIZED REPRESENTATIVE

*The foregoing is a statement of facts.*

31. SIGNATURE



32. DATE

10/14/2020

33. NAME AND TITLE

Kevin Hoppers, P.E., PTOE | Vice President

**ARCHITECT – ENGINEER QUALIFICATIONS**1. SOLICITATION NUMBER (If any)  
RFQ #2020-15**PART II – GENERAL QUALIFICATIONS**

(If a firm has branch offices, complete for each specific branch office seeking work.)

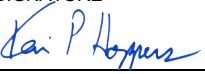
|                                                                          |  |  |                                                                |                                          |
|--------------------------------------------------------------------------|--|--|----------------------------------------------------------------|------------------------------------------|
| 2a. FIRM (or Branch Office) NAME<br>Kimley-Horn and Associates, Inc.     |  |  | 3. YEAR ESTABLISHED<br>1992                                    | 4. UNIQUE ENTITY IDENTIFIER<br>061099131 |
| 2b. STREET<br>11700 Katy Freeway, Suite 800                              |  |  | 5. OWNERSHIP                                                   |                                          |
| 2c. CITY<br>Houston                                                      |  |  | 2d. STATE<br>TX                                                | 2e. ZIP CODE<br>77079                    |
| 6a. POINT OF CONTACT NAME AND TITLE<br>Stephen J. Kelly, Project Manager |  |  | a. TYPE<br>Corporation                                         |                                          |
| 6b. TELEPHONE NUMBER<br>281.597.9300                                     |  |  | b. SMALL BUSINESS STATUS<br>No                                 |                                          |
| 6c. E-MAIL ADDRESS<br>stephen.kelly@kimley-horn.com                      |  |  | 7. NAME OF FIRM (If block 2a is a branch office)<br>APHC, Inc. |                                          |
| 8a. FORMER FIRM NAME(S) (If any)                                         |  |  | 8b. YEAR ESTABLISHED                                           | 8c. UNIQUE ENTITY IDENTIFIER             |

| 9. EMPLOYEES BY DISCIPLINE |                          |                                            |           | 10. PROFILE OF FIRM'S EXPERIENCE<br>AND ANNUAL AVERAGE REVENUE FOR LAST 5 YEARS |                                                |                                        |
|----------------------------|--------------------------|--------------------------------------------|-----------|---------------------------------------------------------------------------------|------------------------------------------------|----------------------------------------|
| a. Function Code           | b. Discipline            | c. No. of Employees<br>(1) FIRM (2) BRANCH |           | a. Profile Code                                                                 | b. Experience                                  | c. Revenue Index Number<br>(see below) |
| 08                         | CADD Technicians         | 145                                        | 4         | B02                                                                             | Bridge Design                                  | 2                                      |
| 65                         | Technical Support        | 294                                        | 10        | E02                                                                             | Educational Facilities; Classrooms             | 1                                      |
| 58                         | Technician/Analysts      | 721                                        | 18        | G01                                                                             | Garages; Vehicle Maintenance Facilities;       | 1                                      |
| 02                         | Administrative           | 311                                        | 3         | L03                                                                             | Landscape Architecture                         | 3                                      |
| 63                         | Design Technicians       | 93                                         | 2         | P05                                                                             | Planning (Community; Regional; Areawide &      | 3                                      |
| 66                         | Graphic Designers        | 63                                         | 2         | P12                                                                             | Power Generation, Transmission,                | 1                                      |
| 39                         | Landscape Architects     | 123                                        | 2         | R04                                                                             | Recreational Facilities (Parks; Marinas; etc.) | 3                                      |
| 47                         | Planners: Urban/Regional | 99                                         | 1         | S01                                                                             | Safety Engineering; Accident Studies; OSHA     | 1                                      |
| 64                         | Technical Writers        | 147                                        | 2         | U02                                                                             | Urban Renewals; Community Development          | 4                                      |
| 12                         | Civil Engineers          | 1611                                       | 49        | W03                                                                             | Water Supply; Treatment and Distribution       | 3                                      |
| 48                         | Project Managers         | 158                                        | 6         | A06                                                                             | Airports; Terminals; & Hangars; Freight        | 2                                      |
|                            |                          |                                            |           | C10                                                                             | Commercial Building; (low rise); Shopping      | 6                                      |
|                            |                          |                                            |           | H07                                                                             | Highways; Streets; Airfield Paving; Parking    | 4                                      |
|                            |                          |                                            |           | H09                                                                             | Hospitals & Medical Facilities                 | 4                                      |
|                            |                          |                                            |           | H10                                                                             | Hotels; Motels                                 | 1                                      |
|                            |                          |                                            |           | H11                                                                             | Housing (Residential, Multifamily,             | 6                                      |
|                            |                          |                                            |           | I04                                                                             | Intelligent Transportation Systems             | 2                                      |
|                            |                          |                                            |           | O01                                                                             | Office Building; Industrial Parks              | 5                                      |
|                            |                          |                                            |           | P06                                                                             | Planning (Site, Installation and Project)      | 1                                      |
|                            |                          |                                            |           | R03                                                                             | Railroad and Rapid Transit                     | 2                                      |
|                            |                          |                                            |           | S10                                                                             | Surveying; Platting; Mapping; Flood Plain      | 1                                      |
|                            | Other Employees          | 699                                        | 0         | T03                                                                             | Traffic & Transportation Engineering           | 5                                      |
| <b>Total</b>               |                          | <b>4464</b>                                | <b>99</b> |                                                                                 |                                                |                                        |

| 11. ANNUAL AVERAGE PROFESSIONAL SERVICES REVENUES OF FIRM FOR LAST 3 YEARS<br>(Insert revenue index number shown at right) |   | PROFESSIONAL SERVICES REVENUE INDEX NUMBER |                                           |
|----------------------------------------------------------------------------------------------------------------------------|---|--------------------------------------------|-------------------------------------------|
| a. Federal Work                                                                                                            | 0 | 1. Less than \$100,000                     | 6. \$2 million to less than \$5 million   |
| b. Non-Federal Work                                                                                                        | 7 | 2. \$100,000 to less than \$250,000        | 7. \$5 million to less than \$10 million  |
| c. Total Work                                                                                                              | 7 | 3. \$250,000 to less than \$500,000        | 8. \$10 million to less than \$25 million |
|                                                                                                                            |   | 4. \$500,000 to less than \$1 million      | 9. \$25 million to less than \$50 million |
|                                                                                                                            |   | 5. \$1 million to less than \$2 million    | 10. \$50 million or greater               |

**12. AUTHORIZED REPRESENTATIVE**

The foregoing is a statement of facts.

|                                                                                                     |                       |
|-----------------------------------------------------------------------------------------------------|-----------------------|
| a. SIGNATURE<br> | b. DATE<br>10/14/2020 |
|-----------------------------------------------------------------------------------------------------|-----------------------|

c. NAME AND TITLE

Kevin Hoppers, P.E., PTOE | Vice President

**ARCHITECT – ENGINEER QUALIFICATIONS**1. SOLICITATION NUMBER (If any)  
RFQ #2020-15**PART II – GENERAL QUALIFICATIONS**

(If a firm has branch offices, complete for each specific branch office seeking work.)

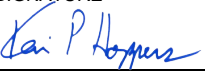
|                                                                          |  |  |                                                                |                                          |
|--------------------------------------------------------------------------|--|--|----------------------------------------------------------------|------------------------------------------|
| 2a. FIRM (or Branch Office) NAME<br>Kimley-Horn and Associates, Inc.     |  |  | 3. YEAR ESTABLISHED<br>1980                                    | 4. UNIQUE ENTITY IDENTIFIER<br>061099131 |
| 2b. STREET<br>13455 Noel Road, Two Galleria Office Tower, Suite 700      |  |  | 5. OWNERSHIP                                                   |                                          |
| 2c. CITY<br>Dallas                                                       |  |  | 2d. STATE<br>TX                                                | 2e. ZIP CODE<br>75240                    |
| 6a. POINT OF CONTACT NAME AND TITLE<br>Stephen J. Kelly, Project Manager |  |  | a. TYPE<br>Corporation                                         |                                          |
| 6b. TELEPHONE NUMBER<br>281.597.9300                                     |  |  | b. SMALL BUSINESS STATUS<br>No                                 |                                          |
| 6c. E-MAIL ADDRESS<br>stephen.kelly@kimley-horn.com                      |  |  | 7. NAME OF FIRM (If block 2a is a branch office)<br>APHC, Inc. |                                          |
| 8a. FORMER FIRM NAME(S) (If any)                                         |  |  | 8b. YEAR ESTABLISHED                                           | 8c. UNIQUE ENTITY IDENTIFIER             |

| 9. EMPLOYEES BY DISCIPLINE |                          |                                            |            | 10. PROFILE OF FIRM'S EXPERIENCE<br>AND ANNUAL AVERAGE REVENUE FOR LAST 5 YEARS |                                             |                                        |
|----------------------------|--------------------------|--------------------------------------------|------------|---------------------------------------------------------------------------------|---------------------------------------------|----------------------------------------|
| a. Function Code           | b. Discipline            | c. No. of Employees<br>(1) FIRM (2) BRANCH |            | a. Profile Code                                                                 | b. Experience                               | c. Revenue Index Number<br>(see below) |
| 02                         | Administrative           | 311                                        | 5          | H07                                                                             | Highways; Streets; Airfield Paving; Parking | 5                                      |
| 12                         | Civil Engineers          | 1612                                       | 87         | H11                                                                             | Housing (Residential, Multifamily,          | 7                                      |
| 47                         | Planners: Urban/Regional | 99                                         | 3          | P05                                                                             | Planning (Community; Regional; Areawide &   | 4                                      |
| 48                         | Project Managers         | 158                                        | 8          | C10                                                                             | Commercial Building; (low rise); Shopping   | 7                                      |
| 66                         | Graphic Designers        | 63                                         | 4          | T03                                                                             | Traffic & Transportation Engineering        | 6                                      |
| 65                         | Technical Support        | 295                                        | 35         | R04                                                                             | Recreational Facilities                     | 4                                      |
| 58                         | Technician/Analysts      | 730                                        | 52         | H09                                                                             | Hospitals & Medical Facilities              | 3                                      |
| 60                         | Transportation Engineers | 342                                        | 11         | E07                                                                             | Energy Conservation; New Energy Sources     | 3                                      |
| 38                         | Land Surveyors           | 17                                         | 3          | O01                                                                             | Office Building; Industrial Parks           | 6                                      |
| 34                         | Hydrologists             | 8                                          | 1          | D04                                                                             | Design-Build - Preparation of Requests for  | 3                                      |
| 13                         | Communications Engineers | 30                                         | 3          | A06                                                                             | Airports; Terminals; & Hangars; Freight     | 3                                      |
| 08                         | CADD Technicians         | 145                                        | 14         | W02                                                                             | Water Resources; Hydrology; Ground Water    | 3                                      |
| 64                         | Technical Writers        | 147                                        | 14         | I04                                                                             | Intelligent Transportation Systems          | 6                                      |
| 39                         | Landscape Architects     | 123                                        | 7          | U02                                                                             | Urban Renewals; Community Development       | 6                                      |
| 24                         | Environmental Scientists | 35                                         | 2          | C12                                                                             | Communications Systems; TV; Microwave       | 4                                      |
| 63                         | Design Technicians       | 93                                         | 3          | S04                                                                             | Sewage Collection, Treatment & Disposal     | 6                                      |
| 23                         | Environmental Engineers  | 15                                         | 1          | S10                                                                             | Surveying; Platting; Mapping; Flood Plain   | 4                                      |
|                            |                          |                                            |            | G01                                                                             | Garages; Vehicle Maintenance Facilities;    | 2                                      |
|                            |                          |                                            |            | L03                                                                             | Landscape Architecture                      | 6                                      |
|                            |                          |                                            |            | S13                                                                             | Stormwater Handling & Facilities            | 3                                      |
|                            | Other Employees          | 253                                        | 0          | W03                                                                             | Water Supply; Treatment and Distribution    | 6                                      |
|                            | <b>Total</b>             | <b>4476</b>                                | <b>253</b> | <b>H10</b>                                                                      | <b>Hotels; Motels</b>                       | <b>3</b>                               |

| 11. ANNUAL AVERAGE PROFESSIONAL SERVICES<br>REVENUES OF FIRM<br>FOR LAST 3 YEARS<br>(Insert revenue index number shown at right) |    | PROFESSIONAL SERVICES REVENUE INDEX NUMBER |                                           |
|----------------------------------------------------------------------------------------------------------------------------------|----|--------------------------------------------|-------------------------------------------|
| a. Federal Work                                                                                                                  | 1  | 1. Less than \$100,000                     | 6. \$2 million to less than \$5 million   |
| b. Non-Federal Work                                                                                                              | 10 | 2. \$100,000 to less than \$250,000        | 7. \$5 million to less than \$10 million  |
| c. Total Work                                                                                                                    | 10 | 3. \$250,000 to less than \$500,000        | 8. \$10 million to less than \$25 million |
|                                                                                                                                  |    | 4. \$500,000 to less than \$1 million      | 9. \$25 million to less than \$50 million |
|                                                                                                                                  |    | 5. \$1 million to less than \$2 million    | 10. \$50 million or greater               |

**12. AUTHORIZED REPRESENTATIVE**

The foregoing is a statement of facts.

|                                                                                                     |                       |
|-----------------------------------------------------------------------------------------------------|-----------------------|
| a. SIGNATURE<br> | b. DATE<br>10/14/2020 |
|-----------------------------------------------------------------------------------------------------|-----------------------|

c. NAME AND TITLE

Kevin Hoppers, P.E., PTOE | Vice President

**ARCHITECT – ENGINEER QUALIFICATIONS**1. SOLICITATION NUMBER (If any)  
RFQ #2020-15**PART II – GENERAL QUALIFICATIONS**

(If a firm has branch offices, complete for each specific branch office seeking work.)

|                                                                              |                 |                       |                                                                |                                          |
|------------------------------------------------------------------------------|-----------------|-----------------------|----------------------------------------------------------------|------------------------------------------|
| 2a. FIRM (or Branch Office) NAME<br>Kimley-Horn and Associates, Inc.         |                 |                       | 3. YEAR ESTABLISHED<br>2008                                    | 6. UNIQUE ENTITY IDENTIFIER<br>061099131 |
| 2b. STREET<br>2201 West Royal Lane, Suite 275                                |                 |                       | 5. OWNERSHIP                                                   |                                          |
| 2c. CITY<br>Irving                                                           | 2d. STATE<br>TX | 2e. ZIP CODE<br>75063 | a. TYPE<br>Corporation                                         |                                          |
| 6a. POINT OF CONTACT NAME AND TITLE<br><br>Stephen J. Kelly, Project Manager |                 |                       | b. SMALL BUSINESS STATUS<br>No                                 |                                          |
| 6b. TELEPHONE NUMBER<br>281.597.9300                                         |                 |                       | 7. NAME OF FIRM (If block 2a is a branch office)<br>APHC, Inc. |                                          |
| 6c. E-MAIL ADDRESS<br>stephen.kelly@kimley-horn.com                          |                 |                       |                                                                |                                          |
| 8a. FORMER FIRM NAME(S) (If any)                                             |                 |                       | 8b. YEAR ESTABLISHED                                           | 8c. UNIQUE ENTITY IDENTIFIER             |

| 9. EMPLOYEES BY DISCIPLINE |                          |                                            |           | 10. PROFILE OF FIRM'S EXPERIENCE<br>AND ANNUAL AVERAGE REVENUE FOR LAST 5 YEARS |                                                |                                        |
|----------------------------|--------------------------|--------------------------------------------|-----------|---------------------------------------------------------------------------------|------------------------------------------------|----------------------------------------|
| a. Function Code           | b. Discipline            | c. No. of Employees<br>(1) FIRM (2) BRANCH |           | a. Profile Code                                                                 | b. Experience                                  | c. Revenue Index Number<br>(see below) |
| 34                         | Hydrologists             | 8                                          | 3         | E02                                                                             | Educational Facilities; Classrooms             | 1                                      |
| 48                         | Project Managers         | 158                                        | 1         | H07                                                                             | Highways; Streets; Airfield Paving; Parking    | 7                                      |
| 65                         | Technical Support        | 295                                        | 2         | I04                                                                             | Intelligent Transportation Systems             | 1                                      |
| 12                         | Civil Engineers          | 1612                                       | 22        | L03                                                                             | Landscape Architecture                         | 4                                      |
| 47                         | Planners: Urban/Regional | 99                                         | 1         | O01                                                                             | Office Building; Industrial Parks              | 1                                      |
| 58                         | Technician/Analysts      | 730                                        | 10        | R04                                                                             | Recreational Facilities (Parks; Marinas; etc.) | 3                                      |
| 60                         | Transportation Engineers | 342                                        | 3         | C10                                                                             | Commercial Building; (low rise); Shopping      | 1                                      |
| 16                         | Construction Managers    | 2                                          | 1         | S09                                                                             | Structural Design; Special Structures          | 1                                      |
|                            |                          |                                            |           | S10                                                                             | Surveying; Platting; Mapping; Flood Plain      | 1                                      |
|                            |                          |                                            |           | T03                                                                             | Traffic & Transportation Engineering           | 3                                      |
|                            |                          |                                            |           | U02                                                                             | Urban Renewals; Community Development          | 1                                      |
|                            |                          |                                            |           | W02                                                                             | Water Resources; Hydrology; Ground Water       | 1                                      |
|                            |                          |                                            |           | W03                                                                             | Water Supply; Treatment and Distribution       | 1                                      |
|                            |                          |                                            |           | E09                                                                             | Environmental Impact Studies, Assessments      | 1                                      |
|                            |                          |                                            |           | B02                                                                             | Bridge Design                                  | 3                                      |
|                            |                          |                                            |           | C08                                                                             | Codes; Standards; Ordinances                   | 1                                      |
|                            |                          |                                            |           | P05                                                                             | Planning (Community; Regional; Areawide &      | 2                                      |
|                            |                          |                                            |           | S13                                                                             | Stormwater Handling & Facilities               | 2                                      |
|                            |                          |                                            |           | F05                                                                             | Forensic Engineering                           | 1                                      |
|                            |                          |                                            |           | G01                                                                             | Garages; Vehicle Maintenance Facilities;       | 1                                      |
|                            | Other Employees          | 1230                                       | 2         | H09                                                                             | Hospitals & Medical Facilities                 | 1                                      |
| <b>Total</b>               |                          | <b>4476</b>                                | <b>45</b> | <b>R13</b>                                                                      | <b>Roadway Design</b>                          | <b>1</b>                               |

11. ANNUAL AVERAGE PROFESSIONAL SERVICES  
REVENUES OF FIRM  
FOR LAST 3 YEARS  
(Insert revenue index number shown at right)

## PROFESSIONAL SERVICES REVENUE INDEX NUMBER

|                     |   |
|---------------------|---|
| a. Federal Work     | 0 |
| b. Non-Federal Work | 7 |
| c. Total Work       | 7 |

1. Less than \$100,000
2. \$100,000 to less than \$250,000
3. \$250,000 to less than \$500,000
4. \$500,000 to less than \$1 million
5. \$1 million to less than \$2 million

6. \$2 million to less than \$5 million
7. \$5 million to less than \$10 million
8. \$10 million to less than \$25 million
9. \$25 million to less than \$50 million
10. \$50 million or greater

**12. AUTHORIZED REPRESENTATIVE**

The foregoing is a statement of facts.

|                                                                                                     |                       |
|-----------------------------------------------------------------------------------------------------|-----------------------|
| a. SIGNATURE<br> | d. DATE<br>10/14/2020 |
|-----------------------------------------------------------------------------------------------------|-----------------------|

c. NAME AND TITLE

Kevin Hoppers, P.E., PTOE | Vice President



## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 10/15/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Discussion and possible action regarding reappointments to the following boards, committees, and commissions:

Fourth of July Steering Committee – Reappoint Renae Rives, Kathy S. Molinaro, Barbara Blanchard, Terry McKee and Terri Corbett each to a 3 year term expiring November 2023

Keep Friendswood Beautiful Committee – Reappoint Todd Mendenhall, Natasha McAdoo and Michael Fernandez each to a 3 year term expiring November 2023

Senior Citizens Advisory Committee – Reappoint Nancy Mastrofrancesco, Dorothy Montz and Dennis Rundell each to a 3 year term expiring November 2023

Originating Department: City Secretary

Degree of importance: Significant

### SUMMARY / ORIGINATING CAUSE

Mayor Foreman endorses the following appointments/reappointments as recommended by:

Council Liaison John Scott: **4th of July Steering Committee** – Reappoint Renae Rives, Kathy S. Molinaro, Barbara Blanchard, Terry McKee and Terri Corbett each to a 3 year term expiring November 2023.

Council Liaison Trish Hanks: **Keep Friendswood Beautiful Committee** – Reappoint Todd Mendenhall, Natasha McAdoo and Michael Fernandez each to a 3 year term expiring November 2023.

Council Liaison Sally Branson: **Senior Citizens Advisory Committee** – Reappoint Nancy Mastrofrancesco, Dorothy Montz and Dennis Rundell each to a 3 year term expiring November 2023.

### IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

### RECOMMENDATIONS

Mayor Foreman recommends Council consider approving the reappointments to the above committees.

### ATTACHMENTS

1. Blanchard, Barbara Volunteer Application Redacted

2. Corbett, Terri Volunteer Application Redacted
3. Fernandez, Michael Volunteer Application Redacted
4. Mastrofrancesco, Nancy Volunteer Application Redacted
5. McAdoo, Natasha Volunteer Application Redacted
6. McKee, Terry Volunteer Application Redacted
7. Mendenhall, Todd Volunteer Application Redacted
8. Molinaro, Kathy Volunteer Application Redacted
9. Montz, Dorothy Volunteer Application Redacted
10. Rives, Renae Volunteer Application Redacted
11. Rundell, Dennis Volunteer Application Redacted



## BE A FRIENDSWOOD VOLUNTEER

It is the desire and intent of City Council to encourage and support citizen participation in an advisory capacity governing the affairs of the City. Service through membership on a board, commission, or committee is a valued, important opportunity for participation in an advisory capacity. To these ends, a policy has been adopted that sets out an orderly process for citizens interested in serving as members of a City board, commission, or committee and for the City Council to oversee appointments.

**THIS INFORMATION WILL BECOME PUBLIC RECORD**

### VOLUNTEER APPLICATION

NAME: Barbara Blanchard HOME PHONE: \_\_\_\_\_  
HOME ADDRESS: 202 Rachael Ln. WORK PHONE: 281-992-9273  
EMAIL ADDRESS: [REDACTED] CELL PHONE: [REDACTED]  
OCCUPATION: Self Employed

SPECIAL INTERESTS AND TALENTS: I love helping in the community  
I am pretty crafty & imaginative.

Are you currently serving as a member of any Friendswood governmental body? yes

If so, please name the body: July 4th Steering Committee



These questions are asked because the City Council wants to maintain balance to insure proper representation on boards and commissions.

DATE OF BIRTH: [REDACTED]

SEX: F

FRIENDSWOOD RESIDENT FOR 24 YEARS

Have you been convicted of a crime, other than minor traffic violations in the past 10 years? No

What experience do you have that may qualify you for service on a particular board or commission (i.e. license, degrees, and certificates)?

I own + Run my own Business for 20 years.

Please list any civic or community endeavors in which you have been involved:

I am - Vice-Chair of the 4th of July Steering Committee

I volunteer for most city events in some way.

I donate to several school and community events & clubs.

I hereby affirm the information provided herein is true and correct, to the best of my knowledge. I am aware a background check may be required.

I understand that the information provided on this application may be available to the public upon request and will be kept on file for at least three years.

Barbara Blanchard  
Signature of Applicant

3-4-19  
Date

Thank you for taking the time to complete this application.

Please return the original application to the address below:

MELINDA WELSH  
CITY SECRETARY  
CITY OF FRIENDSWOOD  
910 S. FRIENDSWOOD DRIVE  
FRIENDSWOOD, TX 77546-4856  
(281) 996-3270  
FAX (281) 482-1634

# CITY OF FRIENDSWOOD

## BOARDS AND COMMISSIONS

### INFORMATION STATEMENT AND APPLICATION

If you have ever been a member of a Friendswood Board, Committee or Commission before, please indicate the Board, Committee or Commission and appropriate dates of service.

Name of Board, Committee or Commission:

July 4th Steering Com.

Dates of Service:

2014 - present

#### PERSONAL REFERENCES:

Please list at least two references.

NAME:

Katy Blanchard

ADDRESS:

202 Radheal Ln.

PHONE:

281-309-2549

NAME:

Morad Kabiri

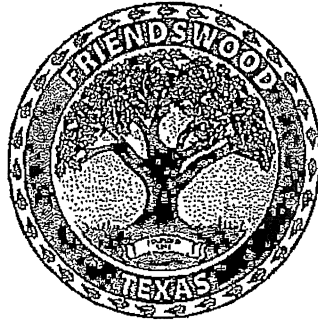
ADDRESS:

910 Friendswood Dr.

PHONE:

281-996-3250

4<sup>th</sup> of July



## BE A FRIENDSWOOD VOLUNTEER

It is the desire and intent of City Council to encourage and support citizen participation in an advisory capacity governing the affairs of the City. Service through membership on a board, commission, or committee is a valued, important opportunity for participation in an advisory capacity. To these ends, a policy has been adopted that sets out an orderly process for citizens interested in serving as members of a City board, commission, or committee and for the City Council to oversee appointments.

THIS INFORMATION WILL BECOME PUBLIC RECORD

### VOLUNTEER APPLICATION

NAME: Terri Corbett HOME PHONE: 713-882-0899  
HOME ADDRESS: 903 Leslie Lane WORK PHONE: 713-948-7332  
CITY, STATE, ZIP: Friendswood, TX 77546  
EMAIL ADDRESS: [REDACTED] CELL PHONE: [REDACTED]  
OCCUPATION: RA  
SPECIAL INTERESTS AND TALENTS: Gardening

Are you currently serving as a member of any Friendswood governmental body? Yes

If so, please name the body: 4th of July Planning Committee

## AREAS OF INTEREST

**Please Indicate your primary and secondary Interests.**

## PLANNING & PRESERVATION

- \_\_\_\_\_ PLANNING & ZONING COMMISSION
- \_\_\_\_\_ ZONING BOARD OF ADJUSTMENT & APPEALS
- \_\_\_\_\_ KEEP FRIENDSWOOD BEAUTIFUL COMMITTEE
- \_\_\_\_\_ COMMUNITY & ECONOMIC DEVELOPMENT
- \_\_\_\_\_ CONSTRUCTION BOARD OF ADJUSTMENT & APPEALS
- \_\_\_\_\_ INVESTMENT COMMITTEE
- \_\_\_\_\_ FRIENDSWOOD DOWNTOWN ECONOMIC
- \_\_\_\_\_ DEVELOPMENT CORPORATION

I AM AVAILABLE FOR

- \_\_\_\_\_ LONG-TERM PROJECTS  
 \_\_\_\_\_ SHORT-TERM PROJECTS  
 \_\_\_\_\_ DAYTIME  
 \_\_\_\_\_ EVENING  
 \_\_\_\_\_ SUMMER

**I AM AVAILABLE FOR**

- \_\_\_\_\_ LONG-TERM PROJECTS  
\_\_\_\_\_ SHORT-TERM PROJECTS  
\_\_\_\_\_ DAYTIME  
\_\_\_\_\_ EVENING  
\_\_\_\_\_ SUMMER

## RECREATION

- 4TH OF JULY STEERING COMMITTEE  
4TH OF JULY VOLUNTEER  
SENIOR CITIZENS ADVISORY COMMITTEE

## EDUCATION

- \_\_\_\_ LIBRARY BOARD  
\_\_\_\_ LIBRARY VOLUNTEER

**SPECIAL COMMITTEES AS CALLED**

- 

## OTHER

- WEST RANCH MANAGEMENT DISTRICT  
7 ANIMAL SHELTER ADVISORY COMMITTEE  
VOLUNTEER FIRE DEPT/EMS  
CHARTER REVIEW (AS NEEDED)

*Please use the space below for additional comments.*

[illegible]



These questions are asked because the City Council wants to maintain balance to insure proper representation on boards and commissions.

DATE OF BIRTH: [REDACTED]

SEX: Female

FRIENDSWOOD RESIDENT FOR 20 YEARS

Have you been convicted of a crime, other than minor traffic violations in the past 10 years? No

What experience do you have that may qualify you for service on a particular board or commission (i.e. license, degrees, and certificates)?

Member of City Steering Committee for 4 years

Please list any civic or community endeavors in which you have been involved:

I hereby affirm the information provided herein is true and correct, to the best of my knowledge. I am aware a background check will be required prior to appointment.

I understand that the information provided on this application may be available to the public upon request and will be kept on file for at least three years.

[Signature]  
Signature of Applicant

3/8/2020  
Date

Thank you for taking the time to complete this application.

Please return the original application to the address below:

MELINDA WELSH  
CITY SECRETARY  
CITY OF FRIENDSWOOD  
910 S. FRIENDSWOOD DRIVE  
FRIENDSWOOD, TX 77546-4856  
(281) 996-3270  
FAX (281) 482-1634

# CITY OF FRIENDSWOOD

## BOARDS AND COMMISSIONS

### INFORMATION STATEMENT AND APPLICATION

If you have ever been a member of a Friendswood Board, Committee or Commission before, please indicate the Board, Committee or Commission and appropriate dates of service.

Name of Board, Committee or Commission:

Dates of Service:

4th of July Steering Committee

2015 - present

#### PERSONAL REFERENCES:

Please list at least two references.

NAME: Tony Scarpa

ADDRESS:

PHONE:

NAME: Stefano Kocostas

ADDRESS:

PHONE:



## BE A FRIENDSWOOD VOLUNTEER

It is the desire and intent of City Council to encourage and support citizen participation in an advisory capacity governing the affairs of the City. Service through membership on a board, commission, or committee is a valued, important opportunity for participation in an advisory capacity. To these ends, a policy has been adopted that sets out an orderly process for citizens interested in serving as members of a City board, commission, or committee and for the City Council to oversee appointments.

### THIS INFORMATION WILL BECOME PUBLIC RECORD

#### VOLUNTEER APPLICATION

NAME: MICHAEL FERNANDEZ HOME PHONE: 832-270-9626  
HOME ADDRESS: 2327 BRIGHTON PARK LN WORK PHONE: -  
EMAIL ADDRESS: [REDACTED] CELL PHONE: [REDACTED]  
OCCUPATION: REALTOR, CONSULTANT, MEDIATOR

SPECIAL INTERESTS AND TALENTS: HELPING THE COMMUNITY AND OTHERS. TRAIN AND  
COACHING ORGANIZATIONS AND INDIVIDUALS IN LEADERSHIP, NEGOTIATIONS, AND CONFLICT  
MANAGEMENT

Are you currently serving as a member of any Friendswood governmental body? YES

If so, please name the body: KEEP FRIENDSWOOD BEAUTIFUL, ZONING BOARD OF ADJUSTMENT

## AREAS OF INTEREST

**Please indicate your primary and secondary interests.**

## GENERAL ADMINISTRATION

- ☐ ELECTION WORKER

## PLANNING & PRESERVATION

- |                                     |                                            |
|-------------------------------------|--------------------------------------------|
| <input checked="" type="checkbox"/> | PLANNING & ZONING COMMISSION               |
| <input checked="" type="checkbox"/> | ZONING BOARD OF ADJUSTMENT & APPEALS       |
| <input checked="" type="checkbox"/> | KEEP FRIENDSWOOD BEAUTIFUL COMMITTEE       |
| <input type="checkbox"/>            | COMMUNITY & ECONOMIC DEVELOPMENT           |
| <input type="checkbox"/>            | CONSTRUCTION BOARD OF ADJUSTMENT & APPEALS |
| <input type="checkbox"/>            | INVESTMENT COMMITTEE                       |
| <input type="checkbox"/>            | FRIENDSWOOD DOWNTOWN ECONOMIC              |
| <input type="checkbox"/>            | DEVELOPMENT CORPORATION                    |

I AM AVAILABLE FOR

- 
- LONG-TERM PROJECTS  
SHORT-TERM PROJECTS  
DAYTIME  
EVENING  
SUMMER

## RECREATION

- |                          |                                            |
|--------------------------|--------------------------------------------|
| <input type="checkbox"/> | 4 <sup>TH</sup> OF JULY STEERING COMMITTEE |
| <input type="checkbox"/> | 4 <sup>TH</sup> OF JULY VOLUNTEER          |
| <input type="checkbox"/> | SENIOR CITIZENS ADVISORY COMMITTEE         |

## EDUCATION

- |                          |                   |
|--------------------------|-------------------|
| <input type="checkbox"/> | LIBRARY BOARD     |
| <input type="checkbox"/> | LIBRARY VOLUNTEER |

SPECIAL COMMITTEES AS CALLED

OTHER

- ☒ WEST RANCH MANAGEMENT DISTRICT  
☐ ANIMAL SHELTER ADVISORY COMMITTEE  
☐ VOLUNTEER FIRE DEPT/EMS  
☐ CHARTER REVIEW (AS NEEDED)

*Please use the space below for additional comments.*

[REDACTED]

These questions are asked because the City Council wants to maintain balance to insure proper representation on boards and commissions.

DATE OF BIRTH: [REDACTED]

SEX: M

FRIENDSWOOD RESIDENT FOR 7 YEARS

Have you been convicted of a crime, other than minor traffic violations in the past 10 years? NO

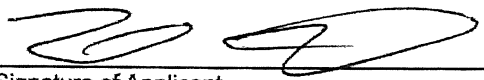
What experience do you have that may qualify you for service on a particular board or commission (i.e. license, degrees, and certificates)?

BACHELORS DEGREE PRE-LAW, STUDIED LAW AT SOUTH TEXAS COLLEGE OF LAW  
MBA  
REALTOR LICENSE, MEDIATOR, ARBITRATOR, PHD CAMFORT INDUSTRIAL &  
ORGANIZATIONAL PSYCHOLOGY

Please list any civic or community endeavors in which you have been involved: LIGHT HOUSE CHARITY TEAM,  
HARRIS COUNTY CHILD ADVOCATES, VARIOUS DUTIES WITH KEEP FRIENDSWOOD  
BEAUTIFUL

I hereby affirm the information provided herein is true and correct, to the best of my knowledge. I am aware a background check may be required.

I understand that the information provided on this application may be available to the public upon request and will be kept on file for at least three years.

  
Signature of Applicant

7 - 18 - 19  
Date

Thank you for taking the time to complete this application.

Please return the original application to the address below:

MELINDA WELSH  
CITY SECRETARY  
CITY OF FRIENDSWOOD  
910 S. FRIENDSWOOD DRIVE  
FRIENDSWOOD, TX 77546-4856  
(281) 996-3270  
FAX (281) 482-1634

**CITY OF FRIENDSWOOD  
BOARDS AND COMMISSIONS  
INFORMATION STATEMENT AND APPLICATION**

If you have ever been a member of a Friendswood Board, Committee or Commission before, please indicate the Board, Committee or Commission and appropriate dates of service.

Name of Board, Committee or Commission:

Dates of Service:

KEEP FRIENDSWOOD BEAUTIFUL  
ZONING BOARD OF ADJUSTMENTS & APPEALS

SEPT. 2017 - CURRENT  
MARCH 2018 - JULY 2019

**PERSONAL REFERENCES:**

Please list at least two references.

NAME: NATASHA McADAM

ADDRESS: 1022 BOUTIQUE BLVD W, FRIENDSWOOD TX 77546

PHONE: 832-771-9955

NAME: MARY DAWILA

ADDRESS: 3832 ARMAND DR. DICKINSON, TX 77539

PHONE: 409-939-4886



## BE A FRIENDSWOOD VOLUNTEER

It is the desire and intent of City Council to encourage and support citizen participation in an advisory capacity governing the affairs of the City. Service through membership on a board, commission, or committee is a valued, important opportunity for participation in an advisory capacity. To these ends, a policy has been adopted that sets out an orderly process for citizens interested in serving as members of a City board, commission, or committee and for the City Council to oversee appointments.

**THIS INFORMATION WILL BECOME PUBLIC RECORD**

### VOLUNTEER APPLICATION

NAME: Nancy Mastrofrancesco HOME PHONE: 281-648-7023  
HOME ADDRESS: 420 Meadow Bend Dr. WORK PHONE: —  
EMAIL ADDRESS: [REDACTED] CELL PHONE: [REDACTED]  
OCCUPATION: Retired

SPECIAL INTERESTS AND TALENTS: \_\_\_\_\_

Are you currently serving as a member of any Friendswood governmental body? Yes

If so, please name the body: Senior Citizens Advisory Committee

## AREAS OF INTEREST

Please indicate your primary and secondary interests.

### GENERAL ADMINISTRATION

\_\_\_\_\_ ELECTION WORKER

### PLANNING & PRESERVATION

\_\_\_\_\_ PLANNING & ZONING COMMISSION  
\_\_\_\_\_ ZONING BOARD OF ADJUSTMENT & APPEALS  
\_\_\_\_\_ KEEP FRIENDSWOOD BEAUTIFUL COMMITTEE  
\_\_\_\_\_ COMMUNITY & ECONOMIC DEVELOPMENT  
\_\_\_\_\_ CONSTRUCTION BOARD OF ADJUSTMENT & APPEALS  
\_\_\_\_\_ INVESTMENT COMMITTEE  
\_\_\_\_\_ FRIENDSWOOD DOWNTOWN ECONOMIC  
DEVELOPMENT CORPORATION

### I AM AVAILABLE FOR

\_\_\_\_\_ LONG-TERM PROJECTS  
\_\_\_\_\_ SHORT-TERM PROJECTS  
\_\_\_\_\_ DAYTIME  
\_\_\_\_\_ EVENING  
\_\_\_\_\_ SUMMER

### RECREATION

\_\_\_\_\_ 4<sup>TH</sup> OF JULY STEERING COMMITTEE  
\_\_\_\_\_ 4<sup>TH</sup> OF JULY VOLUNTEER  
\_\_\_\_\_ SENIOR CITIZENS ADVISORY COMMITTEE

### EDUCATION

\_\_\_\_\_ LIBRARY BOARD  
\_\_\_\_\_ LIBRARY VOLUNTEER

### SPECIAL COMMITTEES AS CALLED

Citizen Bond Advisory Committee

### OTHER

\_\_\_\_\_ WEST RANCH MANAGEMENT DISTRICT  
\_\_\_\_\_ ANIMAL SHELTER ADVISORY COMMITTEE  
\_\_\_\_\_ VOLUNTEER FIRE DEPT/EMS  
\_\_\_\_\_ CHARTER REVIEW (AS NEEDED)

Please use the space below for additional comments.

*As a member of the Building Expansion Subcommittee, I toured 7 other Senior Citizens Activity programs in our area in 2015-16. We surveyed facilities and activities and presented our findings to the Friendswood City Council in June 2016.*

*I participate in the Friendswood Senior Activity program and have first-hand knowledge of its needs.*



These questions are asked because the City Council wants to maintain balance to insure proper representation on boards and commissions.

DATE OF BIRTH: [REDACTED]

SEX: F

FRIENDSWOOD RESIDENT FOR 20 YEARS

Have you been convicted of a crime, other than minor traffic violations in the past 10 years? No

What experience do you have that may qualify you for service on a particular board or commission (i.e. license, degrees, and certificates)?

BBA - Management

Chair - Senior Citizens Advisory Committee

Please list any civic or community endeavors in which you have been involved:

Tax Aide - Volunteer Income Tax Assistance - 10 yrs.

Singing at local nursing homes

I hereby affirm the information provided herein is true and correct, to the best of my knowledge. I am aware a background check may be required.

I understand that the information provided on this application may be available to the public upon request and will be kept on file for at least three years.

Nancy Masthofrancesco  
Signature of Applicant

1-25-19  
Date

Thank you for taking the time to complete this application.

Please return the original application to the address below:

MELINDA WELSH  
CITY SECRETARY  
CITY OF FRIENDSWOOD  
910 S. FRIENDSWOOD DRIVE  
FRIENDSWOOD, TX 77546-4856  
(281) 996-3270  
FAX (281) 482-1634

**CITY OF FRIENDSWOOD  
BOARDS AND COMMISSIONS  
INFORMATION STATEMENT AND APPLICATION**

If you have ever been a member of a Friendswood Board, Committee or Commission before, please indicate the Board, Committee or Commission and appropriate dates of service.

Name of Board, Committee or Commission:

Dates of Service:

Senior Citizen Advisory Comm.

7/2015 - present

**PERSONAL REFERENCES:**

*Please list at least two references.*

NAME: Genie Balderaz

ADDRESS: 8709 Selicia Lane, Rossharon 77583

PHONE: 832-276-1927

NAME: Judy Gibb

ADDRESS: 422 Meadow Bend Dr., FW

PHONE: 281-648-2592



## BE A FRIENDSWOOD VOLUNTEER

It is the desire and intent of City Council to encourage and support citizen participation in an advisory capacity governing the affairs of the City. Service through membership on a board, commission, or committee is a valued, important opportunity for participation in an advisory capacity. To these ends, a policy has been adopted that sets out an orderly process for citizens interested in serving as members of a City board, commission, or committee and for the City Council to oversee appointments.

**THIS INFORMATION WILL BECOME PUBLIC RECORD**

### VOLUNTEER APPLICATION

NAME: Natasha McAdoo HOME PHONE: N/A  
HOME ADDRESS: 1022 Bolivar Point Ln WORK PHONE: N/A  
CITY, STATE, ZIP: Friendswood Tx 77546  
EMAIL ADDRESS: [REDACTED] CELL PHONE: [REDACTED]  
OCCUPATION: SAHM

SPECIAL INTERESTS AND TALENTS: Outdoor activities, family-friendly events,  
arts, and collaborative projects.

Are you currently serving as a member of any Friendswood governmental body? yes - volunteer

If so, please name the body: Keep Friendswood Beautiful

## AREAS OF INTEREST

**Please indicate your primary and secondary interests.**

## PLANNING & PRESERVATION

- ☐ PLANNING & ZONING COMMISSION  
☒ ZONING BOARD OF ADJUSTMENT & APPEALS  
☐ KEEP FRIENDSWOOD BEAUTIFUL COMMITTEE  
☐ COMMUNITY & ECONOMIC DEVELOPMENT  
☐ CONSTRUCTION BOARD OF ADJUSTMENT & APPEALS  
☐ INVESTMENT COMMITTEE  
☐ FRIENDSWOOD DOWNTOWN ECONOMIC  
☐ DEVELOPMENT CORPORATION

I AM AVAILABLE FOR

- ☒ LONG-TERM PROJECTS
- ☒ SHORT-TERM PROJECTS
- ☒ DAYTIME
- ☐ EVENING
- ☐ SUMMER

**I AM AVAILABLE FOR**

- \_\_\_\_\_ LONG-TERM PROJECTS  
 \_\_\_\_\_ SHORT-TERM PROJECTS  
 \_\_\_\_\_ DAYTIME  
 \_\_\_\_\_ EVENING  
 \_\_\_\_\_ SUMMER

## RECREATION

- 4TH OF JULY STEERING COMMITTEE  
4TH OF JULY VOLUNTEER  
SENIOR CITIZENS ADVISORY COMMITTEE

## EDUCATION

- LIBRARY BOARD  
LIBRARY VOLUNTEER

**SPECIAL COMMITTEES AS CALLED**

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**OTHER**

- WEST RANCH MANAGEMENT DISTRICT  
ANIMAL SHELTER ADVISORY COMMITTEE  
VOLUNTEER FIRE DEPT/EMS  
CHARTER REVIEW (AS NEEDED)

*Please use the space below for additional comments.*

[illegible]

These questions are asked because the City Council wants to maintain balance to insure proper representation on boards and commissions.

DATE OF BIRTH: [REDACTED]

SEX: F

FRIENDSWOOD RESIDENT FOR 6 YEARS

Have you been convicted of a crime, other than minor traffic violations in the past 10 years? no

What experience do you have that may qualify you for service on a particular board or commission (i.e. license, degrees, and certificates)?

B.A. from UHCL  
SCMS Management School / Neely Business School @ TCU  
Certified Financial Education Trainer  
Over a thousand hours of volunteer & community project experience

Please list any civic or community endeavors in which you have been involved:

Mayor of Houston's Bank On Houston Council  
Millennial Youth Task Force for Texas Credit Union League  
Junior League of Houston & Galveston County  
KFB Board Member for 6 years & Board Chair for 1

I hereby affirm the information provided herein is true and correct, to the best of my knowledge. I am aware a background check will be required prior to appointment.

I understand that the information provided on this application may be available to the public upon request and will be kept on file for at least three years.

Natasha McAdams

Signature of Applicant

3-4-20  
Date

Thank you for taking the time to complete this application.

Please return the original application to the address below:

MELINDA WELSH  
CITY SECRETARY  
CITY OF FRIENDSWOOD  
910 S. FRIENDSWOOD DRIVE  
FRIENDSWOOD, TX 77546-4856  
(281) 996-3270  
FAX (281) 482-1634

# CITY OF FRIENDSWOOD

## BOARDS AND COMMISSIONS

### INFORMATION STATEMENT AND APPLICATION

If you have ever been a member of a Friendswood Board, Committee or Commission before, please indicate the Board, Committee or Commission and appropriate dates of service.

Name of Board, Committee or Commission:

Keep Friendswood Beautiful

Dates of Service:

2014 - Current

#### PERSONAL REFERENCES:

Please list at least two references.

NAME:

Sherry Goen

ADDRESS:

1108 Pine Hollow Drive Friendswood, TX 77546

PHONE:

(713) 817-1503

NAME:

Alicia Wilson

ADDRESS:

1620 Bolivar Point Ln, Friendswood, Tx 77546

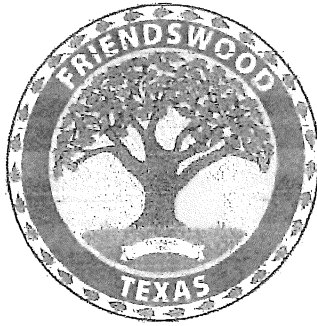
PHONE:

713 291-9778



**CC: M & CC**

James Toney, P & R  
Karen Capps, CMO  
Morad Kabiri, CMO  
Mary Perroni, Library



## BE A FRIENDSWOOD VOLUNTEER

It is the desire and intent of City Council to encourage and support citizen participation in an advisory capacity governing the affairs of the City. Service through membership on a board, commission, or committee is a valued, important opportunity for participation in an advisory capacity. To these ends, a policy has been adopted that sets out an orderly process for citizens interested in serving as members of a City board, commission, or committee and for the City Council to oversee appointments.

**THIS INFORMATION WILL BECOME PUBLIC RECORD**

### VOLUNTEER APPLICATION

NAME: TERRY M. MCKEE

HOME PHONE: 281-648-8614

HOME ADDRESS: 406 TRAIL BEND CT..

WORK PHONE: \_\_\_\_\_

EMAIL ADDRESS: [REDACTED]

CELL PHONE: [REDACTED]

OCCUPATION: Retired - currently managing two small commercial property partnerships

SPECIAL INTERESTS AND TALENTS: Property management, working with people, finance administration,  
assisting with organizing and soliciting assistance... Talents - wood working, DJ for non-profit organizations  
at no charge

Are you currently serving as a member of any Friendswood governmental body? No

If so, please name the body: \_\_\_\_\_

## AREAS OF INTEREST

**Please indicate your primary and secondary interests.**

## GENERAL ADMINISTRATION

\_\_\_\_\_ ELECTION WORKER

## PLANNING & PRESERVATION

\_\_\_\_\_ PLANNING & ZONING COMMISSION

**ZONING BOARD OF ADJUSTMENT & APPEALS**

X KEEP FRIENDSWOOD BEAUTIFUL COMMITTEE

**X COMMUNITY & ECONOMIC DEVELOPMENT**

CONSTRUCTION BOARD OF ADJUSTMENT & APPEALS

INVESTMENT COMMITTEE

|   |                               |
|---|-------------------------------|
| X | FRIENDSWOOD DOWNTOWN ECONOMIC |
|---|-------------------------------|

DEVELOPMENT CORPORATION

**I AM AVAILABLE FOR**

    X     LONG-TERM PROJECTS

|          |                     |
|----------|---------------------|
| <u>X</u> | SHORT-TERM PROJECTS |
|----------|---------------------|

|   |         |
|---|---------|
| X | DAYTIME |
|---|---------|

X EVENING

X SUMMER

## RECREATION

X 4<sup>TH</sup> OF JULY STEERING COMMITTEE

4<sup>TH</sup> OF JULY VOLUNTEER

           SENIOR CITIZENS ADVISORY COMMITTEE

## EDUCATION

X LIBRARY BOARD

LIBRARY VOLUNTEER

**SPECIAL COMMITTEES AS CALLED**

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## OTHER

WEST RANCH MANAGEMENT DISTRICT

ANIMAL SHELTER ADVISORY COMMITTEE

VOLUNTEER FIRE DEPT/EMS

CHARTER REVIEW (AS NEEDED)

*Please use the space below for additional comments.*

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.



These questions are asked because the City Council wants to maintain balance to insure proper representation on boards and commissions.

DATE OF BIRTH: [REDACTED]

SEX: Male

FRIENDSWOOD RESIDENT FOR 18 YEARS

Have you been convicted of a crime, other than minor traffic violations in the past 10 years? No

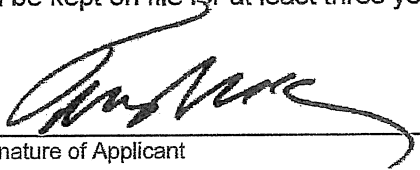
What experience do you have that may qualify you for service on a particular board or commission (i.e. license, degrees, and certificates)?

Undergraduate degree in Chemistry, MS in Environmental Management - various positions held included managed the soap and detergent plant for the Texas Department of Corrections for eight years, managed the Browning-Ferris Industries (BFI) corporate laboratory in Houston for 14 years

Please list any civic or community endeavors in which you have been involved: Served on the Forest of Friendswood Home Owners Association for seven years, president for three years. Served on the Finance Council of my church for 14 years, Chairman for six years. Participate in the Friendswood Christmas and July 4th parades - own a couple of vintage vehicles. DJ for the Friendwood CoC Car & Bike show in April

I hereby affirm the information provided herein is true and correct, to the best of my knowledge. I am aware a background check may be required.

I understand that the information provided on this application may be available to the public upon request and will be kept on file for at least three years.

  
Signature of Applicant

November 4, 2107  
Date

Thank you for taking the time to complete this application.

Please return the original application to the address below:

MELINDA WELSH  
CITY SECRETARY  
CITY OF FRIENDSWOOD  
910 S. FRIENDSWOOD DRIVE  
FRIENDSWOOD, TX 77546-4856  
(281) 996-3270  
FAX (281) 482-1634

**CITY OF FRIENDSWOOD  
BOARDS AND COMMISSIONS  
INFORMATION STATEMENT AND APPLICATION**

If you have ever been a member of a Friendswood Board, Committee or Commission before, please indicate the Board, Committee or Commission and appropriate dates of service.

*Name of Board, Committee or Commission:*

*Dates of Service:*

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**PERSONAL REFERENCES:**

*Please list at least two references.*

NAME: Ms. Sally Harris Branson  
ADDRESS: 411 Fallow Lane, Friendswood  
PHONE: 281-482-5284

NAME: Mr. Robert Reinhart  
ADDRESS: 1214 So. Friendswood Dr., Friendswood  
PHONE: 281-996-1207



## BE A FRIENDSWOOD VOLUNTEER

It is the desire and intent of City Council to encourage and support citizen participation in an advisory capacity governing the affairs of the City. Service through membership on a board, commission, or committee is a valued, important opportunity for participation in an advisory capacity. To these ends, a policy has been adopted that sets out an orderly process for citizens interested in serving as members of a City board, commission, or committee and for the City Council to oversee appointments.

THIS INFORMATION WILL BECOME PUBLIC RECORD

### VOLUNTEER APPLICATION

NAME: Todd Mendenhall HOME PHONE: 281-482-4485  
HOME ADDRESS: 2212 Butler Dr WORK PHONE: 281-482-4548  
CITY, STATE, ZIP: Friendswood Texas 77546  
EMAIL ADDRESS: [REDACTED] CELL PHONE: [REDACTED]  
OCCUPATION: Landscape

SPECIAL INTERESTS AND TALENTS: organizing, management, landscape design,

Are you currently serving as a member of any Friendswood governmental body? yes

If so, please name the body: Keep Friendswood Beautiful

## AREAS OF INTEREST

Please indicate your primary and secondary interests.

### PLANNING & PRESERVATION

- ☐ PLANNING & ZONING COMMISSION
- ☐ ZONING BOARD OF ADJUSTMENT & APPEALS
- ☒ KEEP FRIENDSWOOD BEAUTIFUL COMMITTEE
- ☐ COMMUNITY & ECONOMIC DEVELOPMENT
- ☐ CONSTRUCTION BOARD OF ADJUSTMENT & APPEALS
- ☐ INVESTMENT COMMITTEE
- ☐ FRIENDSWOOD DOWNTOWN ECONOMIC DEVELOPMENT CORPORATION

### I AM AVAILABLE FOR

- ☐ LONG-TERM PROJECTS
- ☐ SHORT-TERM PROJECTS
- ☐ DAYTIME
- ☐ EVENING
- ☐ SUMMER

### I AM AVAILABLE FOR

- ☐ LONG-TERM PROJECTS
- ☐ SHORT-TERM PROJECTS
- ☐ DAYTIME
- ☐ EVENING
- ☐ SUMMER

### RECREATION

- ☐ 4<sup>TH</sup> OF JULY STEERING COMMITTEE
- ☐ 4<sup>TH</sup> OF JULY VOLUNTEER
- ☐ SENIOR CITIZENS ADVISORY COMMITTEE

### EDUCATION

- ☐ LIBRARY BOARD
- ☐ LIBRARY VOLUNTEER

### SPECIAL COMMITTEES AS CALLED

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### OTHER

- ☐ WEST RANCH MANAGEMENT DISTRICT
- ☐ ANIMAL SHELTER ADVISORY COMMITTEE
- ☐ VOLUNTEER FIRE DEPT/EMS
- ☐ CHARTER REVIEW (AS NEEDED)

Please use the space below for additional comments.

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These questions are asked because the City Council wants to maintain balance to insure proper representation on boards and commissions.

DATE OF BIRTH: [REDACTED]

SEX: M.

FRIENDSWOOD RESIDENT FOR 45 YEARS

Have you been convicted of a crime, other than minor traffic violations in the past 10 years? No

What experience do you have that may qualify you for service on a particular board or commission (i.e. license, degrees, and certificates)?

licensed irrigator

38 years Company Owner

licensed Chemical applicator

Associates degree Mid management

Please list any civic or community endeavors in which you have been involved: \_\_\_\_\_

I hereby affirm the information provided herein is true and correct, to the best of my knowledge. I am aware a background check will be required prior to appointment.

I understand that the information provided on this application may be available to the public upon request and will be kept on file for at least three years.



Signature of Applicant

2-5-2020

Date

Thank you for taking the time to complete this application.

Please return the original application to the address below:

MELINDA WELSH  
CITY SECRETARY  
CITY OF FRIENDSWOOD  
910 S. FRIENDSWOOD DRIVE  
FRIENDSWOOD, TX 77546-4856  
(281) 996-3270  
FAX (281) 482-1634

# CITY OF FRIENDSWOOD

## BOARDS AND COMMISSIONS

### INFORMATION STATEMENT AND APPLICATION

If you have ever been a member of a Friendswood Board, Committee or Commission before, please indicate the Board, Committee or Commission and appropriate dates of service.

Name of Board, Committee or Commission:

Dates of Service:

Keep Friendswood Beautiful

2011 → to present

#### PERSONAL REFERENCES:

Please list at least two references.

NAME: Melvin Mendenhall

ADDRESS: 314 Dawood Hill

PHONE: 281. 482-6710

NAME: Dick Pyke

ADDRESS: 224 Palm Air

PHONE: 713. 408-1390



## BE A FRIENDSWOOD VOLUNTEER

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THIS INFORMATION WILL BECOME PUBLIC RECORD

### VOLUNTEER APPLICATION

NAME: *Kathy Molinaro*

HOME PHONE: *281-992-1031*

HOME ADDRESS: *708 Tall Pines Dr*  
PHONE:

WORK *832-895-0321*

CITY, STATE, ZIP: *Friendswood, TX 77546*

EMAIL ADDRESS  
PHONE:

CELL

OCCUPATION: *Psychotherapist*

SPECIAL INTERESTS AND TALENTS:

Are you currently serving as a member of any Friendswood governmental body? *yes - 4th of July Steering Committee*

If so, please name the body:

### AREAS OF INTEREST

Please Indicate your primary and secondary interests.

#### PLANNING & PRESERVATION

PLANNING & ZONING COMMISSION  
ZONING BOARD OF ADJUSTMENT & APPEALS  
KEEP FRIENDSWOOD BEAUTIFUL COMMITTEE  
COMMUNITY & ECONOMIC DEVELOPMENT  
CONSTRUCTION BOARD OF ADJUSTMENT & APPEALS  
INVESTMENT COMMITTEE  
FRIENDSWOOD DOWNTOWN ECONOMIC  
DEVELOPMENT CORPORATION

#### RECREATION

4<sup>TH</sup> OF JULY STEERING COMMITTEE

4<sup>TH</sup> OF JULY VOLUNTEER

SENIOR CITIZENS ADVISORY  
COMMITTEE

#### EDUCATION

LIBRARY BOARD

LIBRARY VOLUNTEER

#### I AM AVAILABLE FOR

LONG-TERM PROJECTS

SHORT-TERM PROJECTS

DAYTIME

EVENING

SUMMER

#### SPECIAL COMMITTEES AS CALLED

#### I AM AVAILABLE FOR

LONG-TERM PROJECTS

SHORT-TERM PROJECTS

DAYTIME

EVENING

SUMMER

#### OTHER

WEST RANCH MANAGEMENT DISTRICT  
ANIMAL SHELTER ADVISORY COMMITTEE  
VOLUNTEER FIRE DEPT/EMS  
CHARTER REVIEW (AS NEEDED)

Please use the space below for additional comments.

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These questions are asked because the City Council wants to maintain balance to insure proper representation on boards and commissions.

DATE OF BIRTH: [REDACTED]

SEX: F

FRIENDSWOOD RESIDENT FOR 25 YEARS

Have you been convicted of a crime, other than minor traffic violations in the past 10 years? NO

What experience do you have that may qualify you for service on a particular board or commission (i.e. license, degrees, and certificates)?

Galveston County CISM team  
Several years on the 4th of July Steering Committee  
10 yr volunteer for Houston Zoo  
Volunteer lead for Lunch w/ an Astronaut at Space Center Houston

Please list any civic or community endeavors in which you have been involved:

4th of July Steering Committee

I hereby affirm the information provided herein is true and correct, to the best of my knowledge. I am aware a background check will be required prior to appointment.

I understand that the information provided on this application may be available to the public upon request and will be kept on file for at least three years.

Signature of Applicant



Date 3/19/2020

Thank you for taking the time to complete this application.

Please return the original application to the address below:

**MELINDA WELSH  
CITY SECRETARY  
CITY OF FRIENDSWOOD  
910 S. FRIENDSWOOD DRIVE  
FRIENDSWOOD, TX 77546-4856  
(281) 996-3270  
FAX (281) 482-1634**

**CITY OF FRIENDSWOOD  
BOARDS AND COMMISSIONS  
INFORMATION STATEMENT AND APPLICATION**

If you have ever been a member of a Friendswood Board, Committee or Commission before, please indicate the Board, Committee or Commission and appropriate dates of service.

Name of Board, Committee or Commission:

Dates of Service:

PERSONAL REFERENCES:

*Please list at least two references.*

NAME: *Barb Blanchard*

ADDRESS: *202 Rachael, Friendswood, Tx 77546*

PHONE: *281-961-4088*

NAME: *Mike Foreman*

ADDRESS: *1007 Carzella Ct., Friendswood, Tx 77546*

PHONE: *713-352-9897*

Page 1 of 4

Revised 11/04/19 mkw



## BE A FRIENDSWOOD VOLUNTEER

It is the desire and intent of City Council to encourage and support citizen participation in an advisory capacity governing the affairs of the City. Service through membership on a board, commission, or committee is a valued, important opportunity for participation in an advisory capacity. To these ends, a policy has been adopted that sets out an orderly process for citizens interested in serving as members of a City board, commission, or committee and for the City Council to oversee appointments.

### THIS INFORMATION WILL BECOME PUBLIC RECORD

#### VOLUNTEER APPLICATION

NAME: DOROTHY Montz HOME PHONE: 281-482-6936  
HOME ADDRESS: 1203 TALL Pines DRIVE WORK PHONE: —  
CITY, STATE, ZIP: FRIENDSWOOD TX 77546  
EMAIL ADDRESS: [REDACTED] CELL PHONE: —  
OCCUPATION: Retired

SPECIAL INTERESTS AND TALENTS: Line Dancing, clogging, croquet,  
Wii Bowling, chair volleyball, exercise class, dominoes  
Recorder BAND

Are you currently serving as a member of any Friendswood governmental body? yes

If so, please name the body: Senior Citizen Advisory Board



These questions are asked because the City Council wants to maintain balance to insure proper representation on boards and commissions.

DATE OF BIRTH: [REDACTED]

SEX: F

FRIENDSWOOD RESIDENT FOR 40 YEARS

Have you been convicted of a crime, other than minor traffic violations in the past 10 years? No

What experience do you have that may qualify you for service on a particular board or commission (i.e. license, degrees, and certificates)?

College graduate

Please list any civic or community endeavors in which you have been involved:

Friendswood Senior Citizen Advisory Board  
O-Greek - Home-owners Association  
Mary Queen Church Women's Council

I hereby affirm the information provided herein is true and correct, to the best of my knowledge. I am aware a background check will be required prior to appointment.

I understand that the information provided on this application may be available to the public upon request and will be kept on file for at least three years.

Dorothy Montz

Signature of Applicant

Date

2-13-20

Thank you for taking the time to complete this application.

Please return the original application to the address below:

MELINDA WELSH  
CITY SECRETARY  
CITY OF FRIENDSWOOD  
910 S. FRIENDSWOOD DRIVE  
FRIENDSWOOD, TX 77546-4856  
(281) 996-3270  
FAX (281) 482-1634

**CITY OF FRIENDSWOOD  
BOARDS AND COMMISSIONS  
INFORMATION STATEMENT AND APPLICATION**

If you have ever been a member of a Friendswood Board, Committee or Commission before, please indicate the Board, Committee or Commission and appropriate dates of service.

Name of Board, Committee or Commission:

Senior Citizen Advisory Board

Dates of Service:

11-09 to 11-15

11-16 to present

2/20

**PERSONAL REFERENCES:**

*Please list at least two references.*

NAME: Larry Seelig  
ADDRESS: 1203 Silverleaf FRWD  
PHONE: 281-482-7057

NAME: Margory Schooley  
ADDRESS: 1183 Tall Pines Dr  
PHONE: Friendswood, TX 77546  
281-482-5538



## BE A FRIENDSWOOD VOLUNTEER

It is the desire and intent of City Council to encourage and support citizen participation in an advisory capacity governing the affairs of the City. Service through membership on a board, commission, or committee is a valued, important opportunity for participation in an advisory capacity. To these ends, a policy has been adopted that sets out an orderly process for citizens interested in serving as members of a City board, commission, or committee and for the City Council to oversee appointments.

**THIS INFORMATION WILL BECOME PUBLIC RECORD**

### VOLUNTEER APPLICATION

NAME: Renee Rives HOME PHONE: 832-621-8305  
HOME ADDRESS: 2008 Parkview WORK PHONE: 281-245-2460  
CITY, STATE, ZIP: Friendswood, TX 77546  
EMAIL ADDRESS: [REDACTED] CELL PHONE: [REDACTED]  
OCCUPATION: Communications Director  
SPECIAL INTERESTS AND TALENTS: communications, event planning  
working with children, education  
Are you currently serving as a member of any Friendswood governmental body? yes  
If so, please name the body: 4th of July Committee



## AREAS OF INTEREST

Please indicate your primary and secondary interests.

### PLANNING & PRESERVATION

- ☐ PLANNING & ZONING COMMISSION
- ☐ ZONING BOARD OF ADJUSTMENT & APPEALS
- ☐ KEEP FRIENDSWOOD BEAUTIFUL COMMITTEE
- ☐ COMMUNITY & ECONOMIC DEVELOPMENT
- ☐ CONSTRUCTION BOARD OF ADJUSTMENT & APPEALS
- ☐ INVESTMENT COMMITTEE
- ☐ FRIENDSWOOD DOWNTOWN ECONOMIC DEVELOPMENT CORPORATION

### I AM AVAILABLE FOR

- ☒ LONG-TERM PROJECTS
- ☒ SHORT-TERM PROJECTS
- ☐ DAYTIME
- ☒ EVENING
- ☒ SUMMER

### I AM AVAILABLE FOR

- ☐ LONG-TERM PROJECTS
- ☐ SHORT-TERM PROJECTS
- ☐ DAYTIME
- ☐ EVENING
- ☐ SUMMER

### RECREATION

- ☒ 4<sup>TH</sup> OF JULY STEERING COMMITTEE
- ☒ 4<sup>TH</sup> OF JULY VOLUNTEER
- ☐ SENIOR CITIZENS ADVISORY COMMITTEE

### EDUCATION

- ☐ LIBRARY BOARD
- ☐ LIBRARY VOLUNTEER

### SPECIAL COMMITTEES AS CALLED

\_\_\_\_\_

\_\_\_\_\_

### OTHER

- ☐ WEST RANCH MANAGEMENT DISTRICT
- ☐ ANIMAL SHELTER ADVISORY COMMITTEE
- ☐ VOLUNTEER FIRE DEPT/EMS
- ☐ CHARTER REVIEW (AS NEEDED)

Please use the space below for additional comments.

I have been on the 4<sup>th</sup> of July Steering Committee for over 25 years. I have attended the celebration since I was born. I would like to continue to take part in this Friendswood tradition.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

These questions are asked because the City Council wants to maintain balance to insure proper representation on boards and commissions.

DATE OF BIRTH: [REDACTED]

SEX: F

FRIENDSWOOD RESIDENT FOR 47 YEARS

Have you been convicted of a crime, other than minor traffic violations in the past 10 years? No

What experience do you have that may qualify you for service on a particular board or commission (i.e. license, degrees, and certificates)?

I have been a member of the committee  
for over 25 years.

Please list any civic or community endeavors in which you have been involved:

United Way of  
Dainger Co., Rotary, Pearland & Alvin Mayor's  
committee, member, Communities in Schools,  
Unbound

I hereby affirm the information provided herein is true and correct, to the best of my knowledge. I am aware a background check will be required prior to appointment.

I understand that the information provided on this application may be available to the public upon request and will be kept on file for at least three years.

Renee Rives

Signature of Applicant

4-23-20

Date

Thank you for taking the time to complete this application.

Please return the original application to the address below:

MELINDA WELSH  
CITY SECRETARY  
CITY OF FRIENDSWOOD  
910 S. FRIENDSWOOD DRIVE  
FRIENDSWOOD, TX 77546-4856  
(281) 996-3270  
FAX (281) 482-1634

**CITY OF FRIENDSWOOD  
BOARDS AND COMMISSIONS  
INFORMATION STATEMENT AND APPLICATION**

If you have ever been a member of a Friendswood Board, Committee or Commission before, please indicate the Board, Committee or Commission and appropriate dates of service.

Name of Board, Committee or Commission:

Dates of Service:

4<sup>th</sup> of July Steering Committee Over 25 yrs.

**PERSONAL REFERENCES:**

*Please list at least two references.*

NAME: Dixie Jones

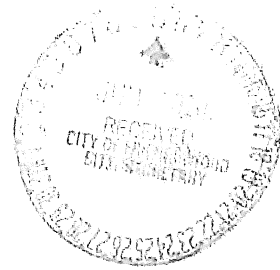
ADDRESS: \_\_\_\_\_

PHONE: 713-816-9687

NAME: Carol Ross

ADDRESS: 807 Meadowlark, Friendswood

PHONE: 281-682-6448



## BE A FRIENDSWOOD VOLUNTEER

It is the desire and intent of City Council to encourage and support citizen participation in an advisory capacity governing the affairs of the City. Service through membership on a board, commission, or committee is a valued, important opportunity for participation in an advisory capacity. To these ends, a policy has been adopted that sets out an orderly process for citizens interested in serving as members of a City board, commission, or committee and for the City Council to oversee appointments.

**THIS INFORMATION WILL BECOME PUBLIC RECORD**

### VOLUNTEER APPLICATION

NAME: DENNIS A. RUNDELL HOME PHONE: \_\_\_\_\_  
HOME ADDRESS: 4520 TREASURE LN. WORK PHONE: \_\_\_\_\_  
CITY, STATE, ZIP: PEARLAND TEXAS 77584  
EMAIL ADDRESS: \_\_\_\_\_ CELL PHONE: [REDACTED]  
OCCUPATION: RETIRED  
SPECIAL INTERESTS AND TALENTS: \_\_\_\_\_

Are you currently serving as a member of any Friendswood governmental body? YES

If so, please name the body: VC FRIENDSWOOD SENIOR ADVISORY COMMITTEE



These questions are asked because the City Council wants to maintain balance to insure proper representation on boards and commissions.

DATE OF BIRTH: [REDACTED]

SEX: MM

FRIENDSWOOD RESIDENT FOR \_\_\_\_\_ YEARS

Have you been convicted of a crime, other than minor traffic violations in the past 10 years? No

What experience do you have that may qualify you for service on a particular board or commission (i.e. license, degrees, and certificates)?

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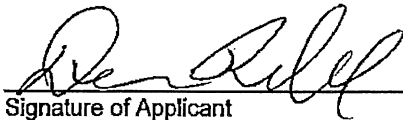
Please list any civic or community endeavors in which you have been involved: \_\_\_\_\_

---

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I hereby affirm the information provided herein is true and correct, to the best of my knowledge. I am aware a background check will be required prior to appointment.

I understand that the information provided on this application may be available to the public upon request and will be kept on file for at least three years.



Signature of Applicant

6/8/20  
Date

Thank you for taking the time to complete this application.

Please return the original application to the address below:

MELINDA WELSH  
CITY SECRETARY  
CITY OF FRIENDSWOOD  
910 S. FRIENDSWOOD DRIVE  
FRIENDSWOOD, TX 77546-4856  
(281) 996-3270  
FAX (281) 482-1634

# CITY OF FRIENDSWOOD

## BOARDS AND COMMISSIONS

### INFORMATION STATEMENT AND APPLICATION

If you have ever been a member of a Friendswood Board, Committee or Commission before, please indicate the Board, Committee or Commission and appropriate dates of service.

Name of Board, Committee or Commission:

Dates of Service:

SENIOR CITIZENS ADVISORY COMMITTEE

#### PERSONAL REFERENCES:

Please list at least two references.

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 9/21/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Resolution No. R2020-22: A resolution of the City of Friendswood, Texas, hereby designating \_\_\_\_\_ as representative and \_\_\_\_\_ as alternate to the Houston-Galveston Area Council 2021 General Assembly and Board of Directors.

Originating Department: City Secretary

Degree of importance: Significant

### SUMMARY / ORIGINATING CAUSE

Every year at this time, H-GAC requests that Council appoint a member of the governing body to be a representative and one member to be an alternate to the H-GAC General Assembly and Board of Directors. This representative will also be the General Assembly delegate and will also be designated to serve on H-GAC's Board of Directors.

Councilmember Sally Branson is currently serving as representative and Councilmember Mike Foreman is serving as alternate.

### IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

H-GAC is the regional organization through which local governments consider issues and cooperate in solving area wide problems. Representation in this organization helps bring the needs of Friendswood to the forefront.

### RECOMMENDATIONS

Appoint a Councilmember as representative and another as an alternate member to the H-GAC 2020 General Assembly and Board of Directors.

### ATTACHMENTS

1. R2020-22 H-GAC Representative 2021
2. H-GAC Letter



**RESOLUTION NO. R2020-22**

**A RESOLUTION OF THE CITY OF FRIENDSWOOD,  
TEXAS, HEREBY DESIGNATING \_\_\_\_\_  
AS REPRESENTATIVE AND \_\_\_\_\_ AS  
ALTERNATE TO THE HOUSTON – GALVESTON AREA  
COUNCIL 2021 GENERAL ASSEMBLY AND BOARD OF  
DIRECTORS.**

\* \* \* \* \*

**BE IT RESOLVED**, by the City Council of Friendswood, Texas, that the following be and are hereby designated as the representative and alternate of the General Assembly of the Houston-Galveston Area Council for the year 2021:

**Representative:** \_\_\_\_\_

**Alternate:** \_\_\_\_\_

**FURTHER THAT**, they are hereby, designated as the representative and alternate to the Board of Directors of the Houston-Galveston Area Council for the year 2021.

**THAT**, the Executive Director of the Houston-Galveston Area Council be notified of the designation of the hereinabove named delegate and alternate.

**PASSED, APPROVED AND RESOLVED, this the 2<sup>nd</sup> day of November, 2020.**

\_\_\_\_\_  
Mike Foreman  
Mayor

ATTEST:

\_\_\_\_\_  
Melinda Welsh, TRMC  
City Secretary



---

**HOUSTON-GALVESTON AREA COUNCIL****Office of The Executive Director**

---

October 1, 2020

The Honorable Mike Foreman  
Mayor  
City of Friendswood  
910 S Friendswood Dr  
Friendswood, TX 77546-4856

Dear Mayor Foreman:

It's hard to believe 2021 is right around the corner. The Houston-Galveston Area Council will be entering our 55<sup>th</sup> year of public service and we continue to explore opportunities to better serve our members. The General Assembly and Board of Directors are more active than ever and play an important and revitalized role in setting the course for our agency. You have an opportunity to play a unique role in our future by designating the City Councilmember that will represent the City of Friendswood at the annual gathering of our General Assembly and monthly Board meetings.

H-GAC's Bylaws authorize each member city with a population of at least 25,000 but not in excess of 99,999 according to the last preceding Federal Census (2010) to select one member of its governing body as its representative and one member of its governing body as an alternate to the H-GAC General Assembly.

H-GAC's Bylaws also stipulate that your Board of Directors representative shall be the General Assembly delegate. Therefore, the official chosen to serve as the General Assembly representative will also be designated to serve on H-GAC's Board of Directors.

I've attached a form that should be helpful as you complete your city's designation actions. Please return the completed form by email to [cynthia.jones@h-gac.com](mailto:cynthia.jones@h-gac.com).

The 2021 designated representatives begin their terms of office on the first of January 2021.

If more information concerning General Assembly and Board of Directors membership would be useful, please contact me at 713-993-4514 or Rick Guerrero at 713-993-4598. Thank you again for the City of Friendswood's continuing participation and support for the Houston-Galveston Area Council.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Chuck Wemple', with a stylized flourish at the end.

Chuck Wemple

CW/cj

Attachment  
cc: City Secretary

**DESIGNATION OF REPRESENTATIVES  
HOUSTON-GALVESTON AREA COUNCIL  
2021 GENERAL ASSEMBLY  
AND  
BOARD OF DIRECTORS**  
\*\*\*\*\*

**BE IT RESOLVED**, by the City Council of Friendswood, Texas that the following be and are hereby designated as the representative and alternate of the General Assembly of the Houston-Galveston Area Council for the year 2021:

REPRESENTATIVE \_\_\_\_\_  
ALTERNATE \_\_\_\_\_

**FURTHER THAT**, they are hereby, designated as the representative and alternate to the Board of Directors of the Houston-Galveston Area Council for the year 2021.

**THAT**, the Executive Director of the Houston-Galveston Area Council be notified of the designation of the hereinabove named delegate and alternate.

**PASSED AND ADOPTED**, this \_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 8/13/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Resolution No. R2020-23: A resolution of the City Council of the City of Friendswood, Texas, approving the 2018 Community Development Block Grant – Disaster Recovery (CDBG-DR); acquisition guidelines.

Originating Department: Fire Marshal

Degree of importance: Significant

### SUMMARY / ORIGINATING CAUSE

HGAC (excluding Harris County) has developed a Method of Distribution (MOD) to distribute more than \$240,000,000 in Community Development Block Grant – Disaster Recovery (CDBG-DR) funds to the HGAC region which includes Galveston County jurisdictions devastated by Harvey. Friendswood was allocated \$2,762,650 for buyouts and acquisitions and \$2,691,517 for infrastructure projects.

On February 3, 2020, City Council adopted an amended Resolution R2020-03 and adopted a Citizen Participation plan. With resolution R2020-03, Council supported the submission of acquisition and infrastructure projects to the GLO for CDBG-DR funds. These projects were for the acquisition of structures along Deepwood Drive, acquisition of townhomes at Frenchman's Creek, burial of the utility lines crossing Clear Creek, and a flood control project along Deepwood Drive and Frenchman's Creek.

The contracts for these projects were signed and approved June 24, 2020.

GLO requires the creation and adoption of Acquisition Guidelines for the acquisition of Hurricane Harvey affected properties. These guidelines were made available to the public for comment on the city website on October 2, 2020 until November 2, 2020 at 5pm.

The plan outlines the general purpose, eligibility, the offer, incentives, closing process and the administration. The plan also outlines the Residential Anti-Displacement and Relocation Assistance Plan (RARAP).

### IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

The City of Friendswood received substantial impact from Hurricane Harvey. These identified projects will reduce the future impacts to the City from natural disasters.

### RECOMMENDATIONS

Recommendation is made for City Council to adopt this resolution.

|                    |
|--------------------|
| <b>ATTACHMENTS</b> |
|--------------------|

1. R2020-23 CDBG Acquisition Guidelines
2. R2020-23 Exhibit A
3. Public Comment Period and Comments

**RESOLUTION NO. R2020-23**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF FRIENDSWOOD, TEXAS, APPROVING THE 2018  
COMMUNITY DEVELOPMENT BLOCK GRANT –  
DISASTER RECOVERY (CDBG-DR); ACQUISITION  
GUIDELINES.**

\* \* \* \* \*

**WHEREAS**, on February 3, 2020, the City Council of the City of Friendswood, Texas, adopted Resolution No. R2020-03, approving the CDBG-DR application; and

**WHEREAS**, the City is required to adopt Acquisition Guidelines to support the CDBG-DR acquisitions project.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS:**

**Section 1.** That the facts and matters set forth in the Preamble of this Resolution are hereby found to be true and correct.

**Section 2.** That the City Council of the City of Friendswood, Texas, has approved and supports the following grant for the City of Friendswood:  
Infrastructure Applications include the Utility Relocate at Clear Creek Utility Bridge and Deepwood Flood Control Project and Acquisitions include Deepwood Properties and Frenchman's Creek.

**Section 3.** That the City Council of the City of Friendswood, Texas, hereby approves and implements Acquisition Guidelines in accordance with General Land Office (GLO) guidance, attached hereto as Exhibit “A” and made a part hereof for all purposes.

**PASSED, APPROVED, AND ADOPTED this the 2<sup>rd</sup> day of November, 2020.**

\_\_\_\_\_  
Mike Foreman  
Mayor

ATTEST:

---

Melinda Welsh, TRMC  
City Secretary

**City of Friendswood**  
**CDBG-DR Hurricane Harvey**  
**Acquisition Guidelines**

October 2, 2020



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CDBG-DR Hurricane Harvey  
Voluntary Acquisition Guidelines  
City of Friendswood, Texas

## **SECTION 1: GENERAL**

## **SECTION 1: GENERAL**

### **1.1 Background**

Hurricane Harvey, which made landfall on August 25, 2017, caused extensive flooding within Galveston County with over 50 inches of rain falling. According to the City of Friendswood damage assessment, approximately two thousand eight hundred households in Friendswood were flooded.

Statewide, the latest National Oceanic and Atmospheric Administration (NOAA) damage estimate from Harvey is \$125 billion. As a result, Congress through the Department of Housing and Urban Development (HUD) and the Texas General Land Office (GLO) authorized \$5.024 billion in Round one of disaster recovery funds for the State of Texas.

Based on FEMA Individual Assistance (FEMA-IA) data a total of twenty-eight (28) households applied for FEMA-IA assistance, of the households a total FEMA Verified Loss (FVL) equated to a total of \$60,786.97. The Houston Galveston Area Council (HGAC) developed a Method of Distribution (MOD) to disburse more than \$240 million to the HGAC area. As a result of this MOD, the City of Friendswood was allocated \$2,762,650 for buyout and acquisition projects.

Among the eligible activities for those funds, HUD has authorized the use of voluntary acquisition programs. Voluntary acquisition programs accomplish the following: (1) reduce the risk to homeowners from the effects of subsequent disasters, (2) assist in the recovery of low- and moderate-income households, and (3) protect taxpayer resources that might otherwise be needed after a disaster in the same area (80 FR 72102).

### **1.2 Voluntary Acquisition Program**

Voluntary acquisition programs support hazard mitigation, floodplain management goals, and resiliency by removing homeowners from the floodplain to minimize the possibility of future flooding to their homes and having them move to higher ground.

As a voluntary acquisition project, neither the Property Owner, nor the City is compelled nor required to participate. If negotiations fail to produce an amicable agreement, the jurisdictions right to Eminent Domain, will not be used to acquire the property. The City reserves the right to refrain from continuing action on any individual property file. Similarly, program participants have the right to discontinue participation. The program will offer Post-Storm Fair Market Value to participants.

### **1.3 End Use Redevelopment of Acquired Properties**

The City of Friendswood's ultimate goal will be to utilize the acquired properties in a manner consistent with HUD National Objectives.

Following acquisition from an eligible property owner, the structure will be demolished with the goal of using the vacant parcel for flood control within the watershed. If a flood control project cannot be undertaken, due to project funding or parcel availability, the vacant parcel will be used as a public park / green space.

## 1.4 National Objective

All program activities must meet one of the three National Objectives required under the authorizing statute of the Community Development Block Grant – Disaster Recovery (CDBG-DR) program. The CDBG-DR Acquisition Program will principally provide assistance to those households meeting the LMI objective. When the property owner does not meet the definition of the LMI Objective, eligibility for assistance will be provided through the Urgent Need Objective.

This Voluntary Acquisition Program is structured to serve the Urgent Need Objective. Per the Federal Register Notice (FRN) governing these funds, a program that provides post-disaster FMV (Fair Market Value) to buyout applicants merely provides the actual value of the property; thus, the seller is not considered a beneficiary of CDBG-DR assistance.

### 2020 HUD Income Limits:

A household is considered LMI if they make less than 80% of the area median income. Income eligibility will be determined using the Low (80%) Income Limit from the HUD Section 8 Housing Income Limits adjusted for family size and verified following the GLO's Adjusted Gross Income Methodology. The methodology uses the previous year's filed tax return or tax return transcript for all household members to verify the household's annual income.

The LMI threshold for an individual household will vary based on number of household members, as shown in the following guidance table provided by HUD.

| FY 2020 Income Limit Area                                      | Median Family Income<br><b>Explanation</b> | FY 2020 Income Limit Category                              | Persons in Family |        |        |               |        |        |        |        |
|----------------------------------------------------------------|--------------------------------------------|------------------------------------------------------------|-------------------|--------|--------|---------------|--------|--------|--------|--------|
|                                                                |                                            |                                                            | 1                 | 2      | 3      | 4             | 5      | 6      | 7      | 8      |
| <b>Houston-The Woodlands-Sugar Land, TX HUD Metro FMR Area</b> | \$78,800                                   | Very Low (50%)<br>Income Limits (\$)<br><b>Explanation</b> | 27,600            | 31,550 | 35,500 | <b>39,400</b> | 42,600 | 45,750 | 48,900 | 52,050 |
|                                                                |                                            | Extremely Low<br>Income Limits (\$)*<br><b>Explanation</b> | 16,600            | 18,950 | 21,720 | <b>26,200</b> | 30,680 | 35,160 | 39,640 | 44,120 |
|                                                                |                                            | Low (80%)<br>Income Limits (\$)<br><b>Explanation</b>      | 44,150            | 50,450 | 56,750 | <b>63,050</b> | 68,100 | 73,150 | 78,200 | 83,250 |

Source: <https://www.huduser.gov/portal/datasets/il/il2020/2020summary.odn>

In determining income, the program will use the most recent signed federal income tax returns (e.g., IRS Forms, 1040, 1040A or 1040EZ). If one or all household members do not have an IRS tax return, or the income situation has changed since the tax return(s) was filed, any of the following applicable documents must be presented for every household member that is 18 or older:

- Minimum of three current and consecutive months of check stubs (if the household member is paid monthly)

- Minimum of four current and consecutive check stubs (if the household member is paid weekly, bi-weekly or bi-monthly)
- Pension statement showing current monthly or yearly gross amount
- Social Security statement or IRS Form 1099
- Unemployment statement
- Certification of Zero Income Form
- Completed Household Income Worksheet and Certification

Under the disaster recovery federal regulations, HUD has determined that an urgent need exists within the Presidentially Declared counties. An urgent need exists because existing conditions pose a serious and immediate threat to the health or welfare of the community, the existing conditions are recent or recently became urgent (typically within 18 months), and the city or state cannot finance the activities on its own because other funding sources are not available. All property owners which cannot meet the LMI National Objective will be placed into the Urgent Needs category.

HUD has established the requirement that 70% of the aggregate of CDBG-DR funds be utilized for the benefit of the low- and moderate-income population in the impacted area. HUD has indicated they will only consider a waiver to this requirement if it can be adequately demonstrated that the needs of the low- or moderate-income population within the impacted area have had their needs sufficiently addressed or potentially if the impact is less than 70% low- or moderate-income persons.

## 1.5 Definitions

**Adjusted Gross Income (AGI):** AGI is an individual's total gross income minus specific deductions. The GLO Adjusted Gross Income Methodology may be found at <http://recovery.texas.gov/>.

**Affirmatively Furthering Fair Housing (AFFH):** The City desires to ensure that the program meets the requirements of the Affirmatively Furthering Fair Housing Final Rule to provide all residents of the City an opportunity to improve their living environments within the program parameters as established by GLO.

**Community Development Block Grant (CDBG):** A federal program administered by the US Department of Housing & Urban Development (HUD) which provides grant funds to local and state governments. The CDBG program works to ensure decent affordable housing, to provide services to the most vulnerable in our communities, and to create jobs through the expansion and retention of businesses.

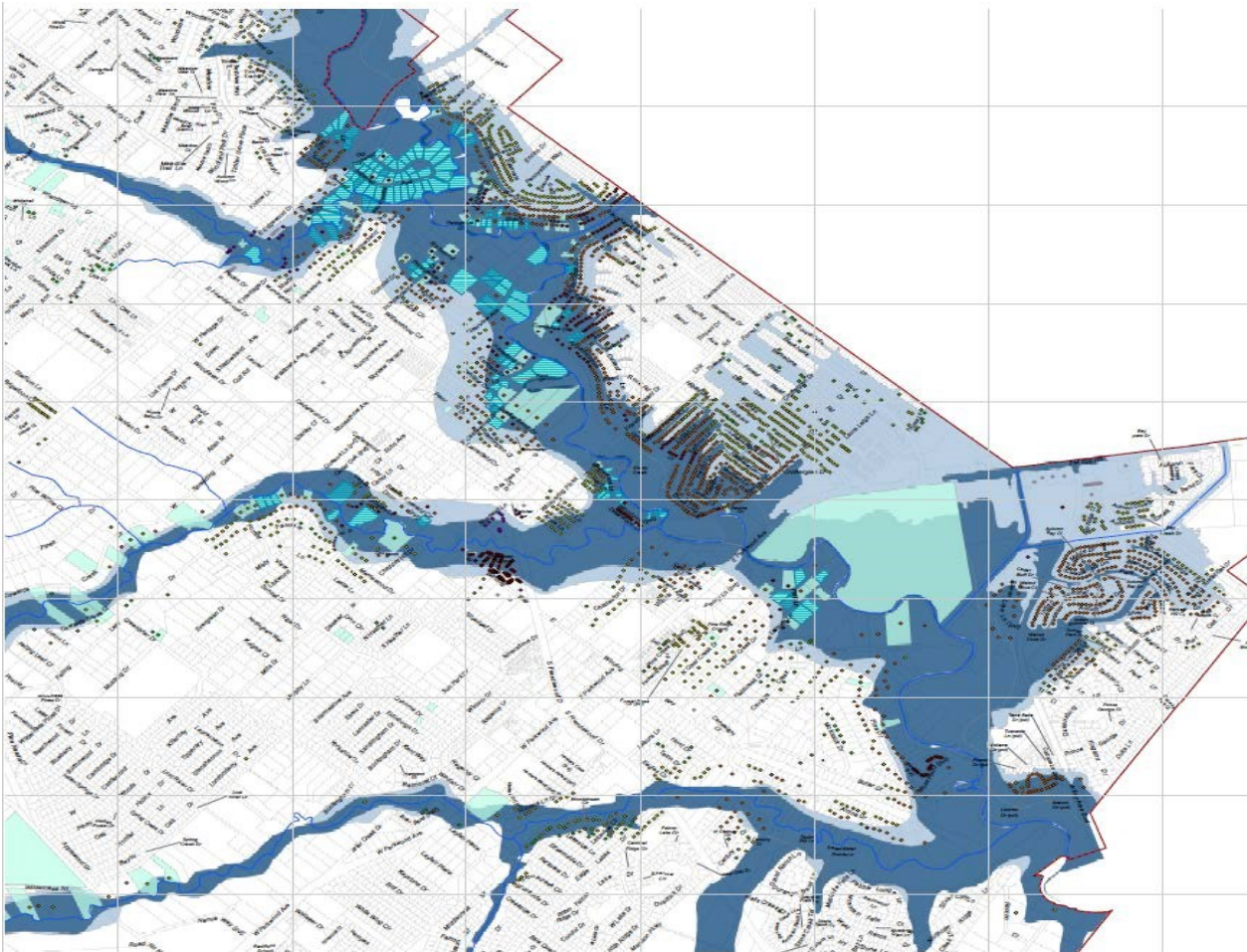
**Current Fair Market Value (CFMV):** As-is value of property at time of appraisal. Also referred to as post-disaster value. Includes structure(s), land parcel, rights and easements. Appraisal methodology will use comparable sales approach and highest best use assumption to determine CFMV.

**Demolition:** The clearance and proper disposal of dilapidated buildings and improvements.

**Decent Safe Sanitary Housing (DSSH-MT) Minimum Threshold:** The minimum threshold for DSSH is hereby defined as \$120,000.

**Disabilities:** Disabilities are defined as “a physical or mental impairment which substantially limits one or more major life activities; a record of such impairment; or being regarded as having such an impairment.”

**Disaster Risk Reduction Area (DRRA):** The DRRA is defined as all areas within City boundaries. The DRRA is delineated to meet the following definitions prescribed by the GLO: (1) the hazard must have been caused or exacerbated by the Presidentially-declared disaster area; (2) the hazard must be a predictable environmental threat to the safety and well-being of inhabitants as evidenced by the best available data and science; and (3) the DRRA must be clearly delineated so that HUD and the public may easily determine which properties are located within the designated area. The designated DRRA is all areas within the flood way or 100 year floodplains within the City of Friendswood.



Source: Map by City of Friendswood

**Duplication of Benefits:** The Robert T. Stafford Disaster Assistance and Emergency Relief Act (Stafford Act) prohibits any person, business concern, or other entity from receiving financial assistance from CDBG-DR funding with respect to any part of a loss resulting from a major disaster as to which he/she has already received financial assistance under any other program or from insurance or any other source.



**Elderly Person:** [24 CFR 891.205] An elderly person is a household composed of one or more persons at least one of whom is 62 years of age or more at the time of initial occupancy.

**Environmental Review:** All qualified projects will undergo an environmental review process. This process ensures that the activities comply with National Environmental Policy Act (NEPA) and other applicable state and federal laws.

**Fair Housing:** Activities that follow the rules and guidelines set forth in the Fair Housing Act and subsequent fair housing legislation. The goal of these activities is to eliminate housing discrimination, promote economic opportunity, and achieve diverse, inclusive communities.

**Fair Housing Marketing Plan:** A marketing strategy designed to attract applicants of all majority and minority groups, regardless of sex, handicap, familial status, etc. to participate in the housing activities which are being marketed.

**Fair Market Value:** The hypothetical price that a willing buyer and seller will agree upon when they are acting freely, carefully, and with complete knowledge of the situation.

**Federal Emergency Management Agency (FEMA):** An agency of the United States Department of Homeland Security. The agency's primary purpose is to coordinate the response to a disaster that has occurred in the United States and that overwhelms the resources of local and state authorities.

**Federal Register Notice (FRN):** The federal document, published by HUD, which governs the rule and requirement of the grant.

**Floodplain:** FEMA designates floodplains as geographic zones subject to varying levels of flood risk. Each zone reflects the severity or type of potential flooding in the area. The “100-year floodplain” is the geographical area defined by FEMA as having a one percent chance of being inundated by a flooding event in any given year. The “500-year floodplain” is the geographical area defined by FEMA as having a 0.2 percent chance of being inundated by a flooding event in any given year.

**Housing Incentives:** Housing incentives is an overarching term comprising two subcategories: Down Payment Assistance and Optional Relocation Assistance. The purpose of such housing incentives is to encourage maximum participation by property owners and to facilitate the relocation of those applicants to Decent Safe Sanitary Housing (DSSH) options in safer, more disaster-resilient areas.

**Household Relative Income Percentage (HRIP):** Adjusted gross income for an entire household in relation to area median income, expressed as a percentage value (%). Varies based on household size.

**Special Needs Adjusted - Household Relative Income Percentage (SNA-HRIP):** Household Relative Income Percentage (HRIP) adjusted for a given household’s applicable special needs categories. Expressed as a percentage value (%).



**Proof of Event Damage:** In order to be eligible for acquisition, the applicant homeowner must demonstrate that their home was damaged by Hurricane Harvey. Acceptable forms of Proof of Event Damage are as follows:

- 1) FEMA award letters, Small Business Administration (SBA) award letters, or
- 2) Insurance Claim Award letters,
- 3) Inspection report/Damage Assessment conducted by a certified, licensed, or experienced inspector (HQS, TREC license, or similar experience) satisfactory and are compliant with GLO's Damage Assessment Guidelines, or
- 4) Must be identified on the City of Friendswood damage assessment which was conducted immediately following Hurricane Harvey.

**Low-Moderate Income Households:** A household is considered LMI if they make less than 80% of the area median income. Income prioritization will be determined using area median household income adjusted for family size and verified following the GLO's Adjusted Gross Income Methodology. The methodology uses the previous year's filed tax return or tax return transcript for all household members to verify the household's annual income.

**Manufactured Homes:** Manufactured homes are pre-constructed to a federal HUD building code completely in a factory on a permanent, fixed steel chassis. Manufactured homes typically have skirting or siding around the bottom of them to hide where the wheels were removed. Special residential zoning restrictions limit their placement in the City.

**Modular Homes:** Modular homes are pre-built in sections at a factory, then transported to the building site, placed on a permanent foundation, and finished on location. Modular homes must conform to all local, state, and regional building codes and require a post-construction building inspection.

**National Environmental Policy Act (NEPA):** Establishes a broad national framework for protecting the environment. NEPA's basic policy is to assure that all branches of government give proper consideration to the environment prior to undertaking any major federal action that could significantly affect the environment.

**National Flood Insurance Program (NFIP):** Created by Congress in 1968 to reduce future flood damage through floodplain management and to provide people with flood insurance through individual agents and insurance companies. FEMA manages the NFIP.

**Single Family Home:** A single-unit family residence detached or attached to other housing structures.

**Substantial Damage:** Occurs when a property sustains damages that equal or exceed 50 percent of its Fair Market Value (FMV) prior to the event, as determined by a local authorized official (e.g., a code officer) and is sent a Substantial Damage Letter, or if the ECR/AA value (minus elevation and bulkheads costs) meets or exceeds 50 percent of the program cap.

**Uniform Relocation Act (URA)**: A federal law that establishes minimum standards for federally funded programs and projects that require the acquisition of real property (real estate) or displace persons from their homes, businesses, or farms.

**Unsecured Forgivable Promissory Note**: If the applicant qualifies for disaster recovery assistance and has been awarded funding, there are conditions placed on the applicant receiving the assistance. The conditions are outlined in an Unsecured Forgivable Promissory Note (the Note) between the assisted beneficiary and the City that requires applicants to comply with several terms during a set affordability period. Once the homeowner complies with all the terms of the Note and the affordability period ends, the terms are forgiven.

**U.S. Department of Housing and Urban Development (HUD)**: The Department of Housing and Urban Development (HUD) is a U.S. government agency created in 1965 to support the housing market and homeownership. HUD does this by improving affordable homeownership opportunities, increasing safe and affordable rental options, reducing chronic homelessness, fighting housing discrimination by ensuring equal opportunity in the rental and purchase markets and supporting vulnerable populations.

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## **SECTION 2: ELIGIBILITY AND APPLICATION**

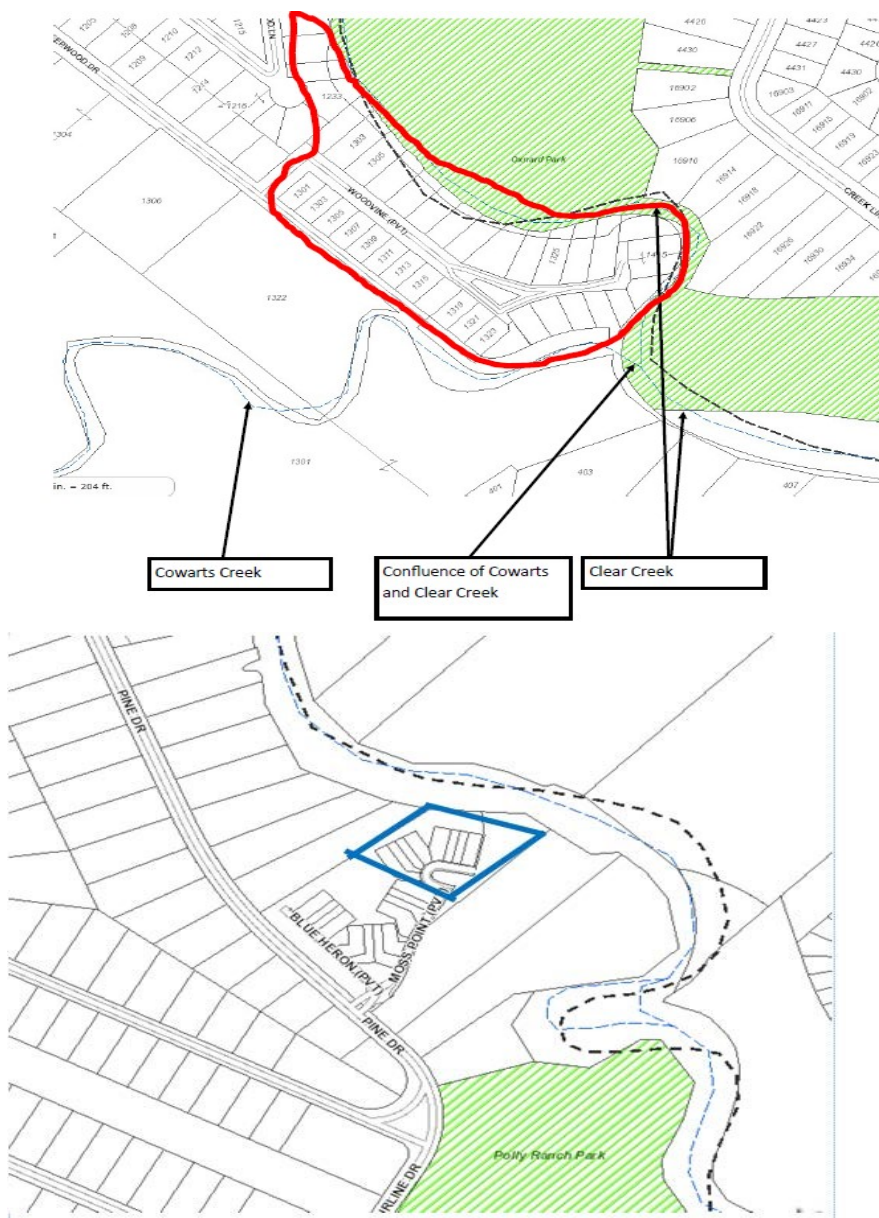
## **SECTION 2: ELIGIBILITY AND APPLICATION**

### **2.1 Eligibility Test**

Applications must meet the following prerequisites in order to be considered for voluntary acquisition:

Prerequisite #1: Structure must be inside the Frenchman's Creek – Friendswood Designated service areas, or the Deepwood / Woodvine designated service areas.

#### **Disaster Risk Reduction Area (DRRA): – CDBG-DR Acquisition Project**



Sources: City of Friendswood.  
Note: This map shows the Deepwood / Woodvine service areas within the City of Friendswood.

Sources: City of Friendswood.  
Note: This map shows the Frenchman's Creek service area within the City of Friendswood.

Prerequisite #2: Owner Occupied or Rental Single Family Dwelling, or Condominiums must have evidence of being directly or indirectly affected by Hurricane Harvey. For situations in which only indirect damage can be identified, these scenarios will be reviewed on a case-by-case basis.

Prerequisite #3: Property owner must have submitted a completed Intake Application and Eligibility Release Form, both signed by all members of the household 18 years of age or older, and all associated documentation required on the Intake Application Checklist (see Appendix C: Intake Package) by the 60- day application deadline.

Prerequisite #4: Property owner must provide documented proof of impact from Hurricane Harvey (insurance cost-adjustor report, FEMA documentation, SBA documentation, NFIP documentation, official independent damage assessment, etc.).

Prerequisite #5: Applicant must furnish evidence that property taxes are either current, have an approved payment plan, or qualify for an exemption under current laws. Applicant must prove that property taxes have been paid or that one of the following alternatives has been met:

- The property owner qualified for and received a tax deferral as allowed under Section 33.6 of the Texas Property Tax Code; or
- The applicant entered into a payment plan with the applicable taxing authority.

Support documentation verifying the tax deferral or tax exemption must be provided by the applicant. Any applicant that enters into a payment plan must supply a signed copy of the payment plan from the applicable taxing entity along with documentation that they are current on their payment plan.

Prerequisite #6: Property owner and City must mutually agree to voluntarily participate. Any property owner who chooses not to participate is fully entitled to that decision.

Prerequisite #7: If any owner of a property is deceased, whether before or after the storm event, the executor (or administrator) of the estate must join in the sale of the property to the City.

Prerequisite #8: Probate Court consideration and approval is required before the Program buys real property from any probate estate.

Prerequisite #9: In regards to property owned with other individuals, property owners who owned and occupied a structure at the time of the storm that is located on land that they owned along with other individuals (e.g., owned together with their family) must be treated as a property owner on owned land and are eligible.

Prerequisite #10: In regards to purchase contracts, the contract for deed is not eligible unless the property owner converts his/her contract to full ownership prior to receiving funding assistance from the program.

Prerequisite #11: Rent or Lease-to-own is not eligible unless the property owner converts their contract to full ownership prior to receiving funding assistance from the program.

Prerequisite #12: Conditional Sale Contracts are not eligible unless the property owner converts their contract to full ownership prior to receiving funding assistance from the program.

Prerequisite #13: The following legal documents are proof that a property owner was purchasing a home on a contract as identified above:

- Notarized contract dated and executed prior to the incident date for review by the program's legal/escrow provider

- Notarized and executed contract that was filed prior to the incident date in the conveyance records of the City.

Prerequisite #14: Proof that a contract has been completed and title conveyed to the purchaser is provided by one of the following:

- Presentation to the case manager of a notarized, executed conveyance document from the seller to the contract purchaser
- Evidence of recordation of the title in the name of the property owner in the conveyance records of the City.

Prerequisite #15: Title clearance is a necessary component of any traditional real estate transaction.

Prerequisite #16: Preliminary title research will be conducted by checking the legal owner of record according to the Galveston County Appraisal District prior to the appraisal process. The Program will only purchase properties that have clear title as determined by its procured title company. It is the responsibility of the property owner to assist the title company with obtaining clear title. In some cases, the Program predicts that applicants will have to obtain legal assistance from private attorneys or pro-bono legal aid organizations. The cost of these legal services is at the expense of the property owner(s). If an applicant is unable to clear title within a reasonable amount of time, the acquisition program may determine that they are ineligible for assistance. In these cases, the Program will establish the closing deadline at least 90 days in advance and inform the property owner with a documented phone call and certified mailing.

Prerequisite #17: the unit must be a single-family residence.

Prerequisite #18: All applicants and co-applicants must be current on payments for child support. If the applicant or co-applicant is not current on child support, that individual will be required to enter into a payment plan that will be obtained from the Office of Attorney General (OAG). A copy of the payment plan signed by all applicable parties along with documentation demonstrating that they are current on their payment plan must be supplied.

Prerequisite #19: All properties must be reviewed for environmental factor and comply with NEPA requirements.

## 2.2 Proof of Event Damage

The Program is obligated to only offer CDBG-DR housing assistance to properties affected by Hurricane Harvey. HUD requires that all projects funded by this allocation be related to direct or indirect storm impact. To comply with the federal requirement, the Program will verify that each property purchased under the program was damaged by Hurricane Harvey. Any one of the following sources of information will be considered sufficient evidence that a property sustained direct impact by Hurricane Harvey:

- Photographs of property damage,
- City of Friendswood damage assessment data,
- FEMA assistance,
- Homeowners insurance claims,
- Flood insurance claims,
- Adjuster reports,

- SBA documentation, or
- Written report of damage by certified inspector.

## 2.3 Case Management

Case managers cannot make eligibility decisions or determine benefits for applicants. However, case managers can assist the overall process for all stakeholders. Each program participant will be assigned a Case Manager who will remain their point-of-contact throughout the acquisition program.

Applicants will only be reassigned Case Managers if there are changes to staff, or if necessary, because of language barriers or homeowner disabilities. Every case management assignment decision will be made with the property owner's best interest in mind and the property owner's input and preferences will be heavily considered.

In order to provide fair and equal access to potential benefits, Case Managers cannot complete Intake Beneficiary Applications on behalf of applicants. Case Managers cannot research and obtain supporting documents on behalf of applicants in order to complete their files. Case Managers will however provide information on how to complete applications and where and how supporting documentation can be obtained. Furthermore, Case Managers will work with other community volunteers or volunteer groups who may provide direct assistance to applicants.

Case Managers will ensure documents are properly completed and details verified. Case Managers will also assure that each program participant completes every required step in the process. Additionally, Case Managers will create a documentary record that proves every required step is properly completed.

## 2.4 Eligibility Review and Complaint/Appeals Process

A committee comprised of Galveston County and City of Friendswood staff will be formed for the purpose of eligibility determinations and case management oversight. Uniform documentation materials and consistent criteria will be used by the committee to make determinations.

Property owners may appeal eligibility determination or the Current Fair Market Value (CFMV) appraisal of their property. If they choose to appeal their appraisal, a second appraisal can be conducted on the condition that it's conducted under uniform regulations and instructions from the Program, it is paid for by the homeowner, and conducted in accordance with USPAP standards by an independent, objective, licensed, certified appraiser with no connections, nor affiliations with interested parties.

Assuming uniform conditions and instructions are satisfied, if the new appraisal report results in a value increase of less than 15%, the average of the two values will form the basis for the offer. If the new appraisal report shows a value less than the original appraisal report, the original value is used and the offer remains unchanged. If the new appraisal report shows a value increase greater than 15%, the Program may order a third appraisal at the program's expense.

The value of the middle appraisal (the median value) will be used for the purposes of generating the offer amount.

The GLO and Galveston County are responsible for responding to complaints and appeals in a timely and professional manner. The Program will keep a record of each complaint or appeal that it receives to include all communications and their resolutions.

Complaints should be addressed to:

City of Friendswood Fire Marshal's Office  
Attention: CDBG-DR Acquisition  
910 South Friendswood Dr Friendswood,  
Texas 77546

When a complaint or appeal is received, a representative will respond to the complainant or appellant within fifteen (15) business days where practicable. For expediency, the Program will utilize telephone communication as the primary method of contact. However, email and postmarked letters will be used as necessary. The following procedures as well as contact information will be provided in the homeowner's application packet.

## 2.5 False Claims Disclaimer

False claims by applicant/homeowners are strictly prohibited. Application, qualification, and voluntary authorization documents signed by homeowner/applicant will carry the following warning disclaimer: *"Warning: Any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S.C. 287, 1001 and 31 U.S.C. 3729."*



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**SECTION 3: ACQUISITION OFFER, INCENTIVES,  
CLOSING**

## **SECTION 3: ACQUISITION OFFER, INCENTIVES, CLOSING**

### **3.1 Current Fair Market Value (CFMV)**

The initial basis for acquisition funds to seller is the Current Fair Market Value (CFMV), also known as “Post-Storm Value”, of their property. Appraisal methodology for this CDBG-DR acquisition project will be current fair market value of parcel (structure, land/lot, fee simple, highest best use assumption, comparable sales approach). The results of the CFMV appraisal will constitute the base offer.

The Program recognizes that some property owners will not agree with the contracted appraiser’s valuation of their home. Property valuations contain many variables and two appraisers may reach differing conclusions regarding the fair market value of the same property. As a result, the Program has developed the following process available to property owners for them to formally contest and appeal the determined fair market value of their properties. Property owners may not change the value of their properties in any method outside of the following process:

1. Property owner informs the Program in writing that they intend to appeal.
2. Property owner hires their own appraiser to conduct an appraisal of the home. The appraiser must be licensed/certified to conduct real estate appraisals.
3. The property owner provides the new appraisal report to the Program.
4. If the new appraisal report results in a value increase of less than 15%, the average of the two values will form the basis for the offer.
5. If the new appraisal report shows a value less than the original appraisal report, the original value can be used and the original offer remains unchanged.
6. If the new appraisal report shows a value increase of greater than 15%, the Program may order a third appraisal at the program’s expense. The value of the middle appraisal (the median value) will be used for the purposes of generating the offer amount.

### **3.2 Duplication of Benefits**

Due to the CDBG-DR acquisition program framework, which utilizes Current Fair Market Value (CFMV) appraisal methodology, Duplication of Benefits (DOB) in all foreseeable cases will not be applicable, but will be vetted as received by the applicant. In most cases, DOB would be triggered when an applicant is participating in an HMGP Buyout Program, or received SBA Relocation Assistance. However, since DOB as defined by federal agencies is strictly prohibited, if DOB were to occur during this program, property owners would be required to pay back all funds to the respective government agency. For this reason, all participants will be required to sign a subrogation agreement.

### **3.3 Housing Incentives**

In addition to the purchase price, the Program may provide relocation assistance or housing incentives if the owner’s need for additional assistance is documented. The purpose of such housing incentives is to encourage maximum participation and facilitate relocation to Decent Safe Sanitary Housing (DSSH) in safer, more disaster-resilient areas.

A Needs Assessment Methodology will be utilized for each qualified applicant file to determine the minimum necessary funding in order to obtain DSSH. The Needs Assessment Methodology will

calculate the difference between the Current Fair Market Value (CFMV) of the property and the DSSH Minimum Threshold of \$120,000.

**Ultimate proceeds paid to the seller of qualified eligible acquisition property will be comprised of the following subtotals:**

| Project Type          | Acquisition/ Buyout               |
|-----------------------|-----------------------------------|
| Base Unit             | Fair Market Value (Post-Disaster) |
| Moving Expenses       | Up to \$5,000                     |
| Relocation Assistance | \$10,000                          |

**Down Payment Assistance (DPA):** The difference or shortfall between CFMV and DSSH Minimum Threshold may be made up through a Down Payment Assistance (DPA) incentive up to \$10,000. Down Payment Assistance (DPA) not to exceed \$10,000 will only be available if the owner's need for additional assistance is documented. Formula is  $(\$120,000 \text{ minus CFMV} = \text{DPA} (< \$10,000))$ .

In order to qualify for Down Payment Assistance Benefits, the following must apply:

- a. Purchased a lot or are using a pre-owned lot located outside of a floodplain or to a lower-risk area for construction of a new home (a construction date and plans must be provided), or the applicant purchased a newly constructed or existing home located outside of floodplain or a lower-risk area.
- b. Purchased homes must be considered decent, safe, and sanitary (DSSH).
- c. Down Payment Assistance funding must be used in conjunction with a portion of net proceeds from the acquired property for a down payment on replacement home; as outlined in Section 3.5.
- d. The Down Payment Assistance funds will be placed into an escrow account and must be used within 60 days.
- e. The amount of assistance is equal to \$10,000 or the difference or shortfall between CFMV and DSSH Minimum Threshold of \$120,000, whichever is a smaller amount.
- f. Eligible properties must fit in the following categories:
  - i. Single family property (detached and attached 1-4 units)
  - ii. Modular home/manufactured home (allowed where zoning permits)
  - iii. Vacant land

**Optional Relocation Assistance:** All applicants are also eligible for the Relocation Assistance incentive, which is comprised of \$10,000 of Relocation Assistance and \$5,000 of Temporary Relocation Assistance. This incentive is not included in nor a part of the \$10,000 Down Payment Assistance, nor is it factored into calculation of the difference between CFMV and DSSH Minimum Threshold of \$120,000. Property owners with a property appraised at a CFMV less than the DSSH Minimum Threshold can qualify for the Relocation Assistance incentive of \$10,000 and additional Down Payment Assistance of up to \$10,000. Property owners with a property appraised at a CFMV greater than the DSSH Minimum Threshold will receive only the CFMV and Relocation Assistance of \$10,000.

All costs for initial appraisal and closing will be paid by the project. Curative title issues will be the seller's responsibility to resolve but may be paid out of closing proceeds. Referrals to local legal aid services will be provided for applicants with clouded titles or curative title issues.

**Non-Primary Homes:** A property is considered a non-primary home if it is rented out at any time during the year, regardless of whether it is used by the household or not.

Properties that are identified as non-primary homes are eligible for an amount not to exceed the current FMV without incentives. Duplication of benefits will still apply and can reduce the offer amount to a value below the current FMV.

Properties that were vacant on a temporary basis at the time of the storm due to reasons relating to a demonstrable hardship (health, job loss, death, divorce, disability, business failure, etc.) are not considered to be non-primary homes, and are eligible for current FMV plus incentives. Properties that sustained direct and/or indirect impact by Hurricane Harvey and have been vacant since the storm's impact are considered non-primary homes and are eligible for current FMV.

### 3.4 Environmental Requirements

The City of Friendswood will perform, or contract, the required 24 CFR Part 58 environmental requirements associated with the property which is being submitted by the applicant. All sites will undergo a thorough tiered environmental evaluation with the general environmental assessment occurring first and a site-specific environmental evaluation to follow once the individual properties have been identified. The site-specific evaluation will approximately coincide with the timing of the initial appraisal. The environmental evaluation will be reviewed and approved by the CDR-GLO before an offer can be extended to the homeowner. In addition, 24 CFR Part 58 environmental requirements will be initiated upon each change of use activity.

Lead-based paint and asbestos inspections will be conducted. No negative impacts to endangered species will occur as a result of this project and the US Fish and Wildlife Service (USFWS) will be consulted as to all project activities. US Department of Agriculture (USDA)-designated Prime Farmland will not be negatively impacted. Archaeological sites and historic structures will not be disturbed, and the State Historic Preservation Office (SHPO) will be consulted for verification.

No hazardous materials will be disturbed and released into the environment over the course of this project. No wetlands will be negatively impacted and all necessary environmental permits will be obtained for project operations. All relevant environmental laws and regulations will be followed.

### 3.5 Offer and Closing Process

Following the completion of the Current Fair Market Value (CFMV) appraisal and the calculation of additional housing assistance incentives the homeowner qualifies for an offer to acquire property will be extended to the homeowner. If owner accepts, a sales agreement will be executed and documents sent to the title company for deed research, issuance of title insurance policy, parcel boundary survey, and closing document preparation.

Once closing date is set or negotiated, property owner will be given notice to vacate, instruction on utilities disconnection, and referrals for assistance with moving, etc. Advance payment of relocation assistance may be available for qualified applicants.

Closing will occur on the acquired property, and program participants will be required to use a proportion of their net proceeds on the down payment of a replacement property in order to be eligible for Down Payment Assistance (DPA). If the program participant's net proceeds from the sale of their home are less than \$4,000, they will be required to use at least 10% of those net proceeds on the down payment. If the program participant's net proceeds from the sale of their home are between \$4,000 and \$20,000, they will be required to use at least 60% of those net proceeds on the down payment. If the program participant's net proceeds from the sale of their home are more than \$20,000, they will be required to use at least 80% of those net proceeds on the down payment.

Down payment assistance funds shall sit in escrow and shall be distributed to the proper agency upon relocation. The down payment funds will not be requested until the applicant has supplied the necessary documentation to the City verifying the purchase of a home (such as a purchase agreement), the City has completed a Housing Quality Standards (HQS) inspection of the new home, and the required 58.6 NEPA checklist has been completed.

After closing on the property acquired by the City, the title company will send the Down Payment Assistance (DPA) funds to an escrow account at the title company that will handle the purchase of the program participant's replacement home. The program participant will then combine the Down Payment Assistance (DPA) funds and the required proportion of the net proceeds from the acquisition of their home to close on the replacement home. The period between closing on the property acquired by the City and closing on the replacement home must be no longer than 30 days.

Once closing is complete, demolition on the property acquired by the Program will begin. The entire structure, including discarded or abandoned items, will be removed from the property and disposed of at an approved disposal site within 45 days of closing date.

All customary costs associated with the purchase of private property, including appraisal, legal, survey, title preparation and insurance, are paid for by the Program, using CDBG-DR funding. Demolition and site work, including environmental remediation, grading, and security, will also be paid for under this Program.

### 3.6 Residential Anti-Displacement and Relocation Assistance Plan (RARAP) Statement

This project is a voluntary acquisition program so there will be no involuntary displacement of property owners. Appendix A details further guidance for compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, if non-primary homes are to be purchased and tenants qualify as "Displaced

Persons". Additional support can be provided by Lone Star Legal Aid of Texas, along with other potentially available resources.

#### **Displaced Persons**

§ (49 CFR § 24.2 (a) (9)) A displaced person is any person who moves from real property, or moves his/her personal property from real property as a direct result of an acquisition by a federal agency or with federal financial assistance. There are several exceptions to this definition.

Non-Displaced Persons include owner-occupants with voluntary rehabilitation, unauthorized persons not lawfully present in the U.S., persons with no legal right to occupy the property, and persons who were evicted for good cause.

In accordance with the Housing and Community Development Act of 1974, as amended, (HCDA), and US Department of Housing and Urban Development (HUD) regulations at 24 CFR 42.325 and 570.440 (1), use of Community Development Block Grant Disaster Recovery (CDBG-DR) funds will minimize adverse impacts on persons of low and moderate-income persons. The purpose of the Residential Anti-displacement and Relocation Assistance Plan (RARAP) in Appendix A is to provide guidance on complying with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA), (Pub. L 91-645, 42 U.S.C. 4601 et seq) and section 104(d) of the HCD Act (42 U.S.C. 5304(d))(Section 104(d)). The implementing regulations for the URA are at 49 CFR part 24. The regulations for section 104(d) are at 24 CFR part 42, subpart C.

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## **SECTION 4: ADMINISTRATION**

## **SECTION 4: ADMINISTRATION**

### **4.1 Affirmative Marketing & Fair Housing Plan**

The City of Friendswood is committed to affirmatively furthering Fair Housing. The Program has selected areas impacted by the storm that have been designated as target acquisition areas, also known as the DRRA. The total allocation available to the Program may be insufficient to purchase homes from every interested property owner in the target areas. The Program shall ensure that no person shall on the ground of race, color, national origin, religion, sex, sexual orientation, age, familial status, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under or be denied access to the CDBG Disaster Recovery Program.

The Program will maintain a free-standing participant log with all applicants with the amount of the award in each area (acquisition, relocation assistance and Homebuyer Assistance), and, where possible, the race or ethnicity of the applicant (since this is generally voluntary information, if it is not obtainable, that should be indicated) for each applicant whether awarded or not. Personally Identifiable Information will not be included (social security numbers, driver's license information or mortgage information) as it is not relevant for this review. A log of this nature is intended to expedite the review for GLO monitors or outside parties to ensure the program is in keeping with the goals of the Affirmatively Furthering Fair Housing Final Rule.

The City, either on its own or through a Program Manager will be responsible for the development of this list and, prior to awards being made, the Program will analyze the list to ensure that the applicants involved, where possible in the acquisition target area, are in conformance, at a minimum, to the overall population demographics of the Program. In the event that there are not sufficient racial and/or ethnic minorities on the application list or participating in the program, the Program will provide additional outreach within the target areas or provide certification that every property owner in the target area has been contacted at a personal level and has chosen not to participate.

In the event that the racial and ethnic participation cannot be achieved within the 70% LMI program requirements, the incomes of those who do not meet the LMI requirement will be included in the list maintained by the Program and added as an exhibit to the certification.

### **4.2 Public Outreach & Targeted Communities Plan**

All public notifications will include announcements in the jurisdictions newspaper of record, on the City of Friendswood website, on City social media platforms, and postings on public facilities. Efforts may be taken to affirmatively market the CDBG-DR Program as follows:

- Advertising with the local newspapers;
- Outreach to public or non-profit organizations and hold/attend community meetings;
- Hosting additional workshops as needed for community leaders and civic organizations on the purpose of the program and how the community can participate;
- Conducting one-on-one and small group trainings as needed with community leaders and civic organizations regarding program procedures; and
- Other forms of outreach tailored to reaching the eligible population, including mailings or door-to-door outreach.



Measures will be taken to make the program accessible to persons who are considered members of a protected class under the Fair Housing Act by holding informational meetings in buildings that are compliant with the Americans with Disabilities Act (ADA), providing sign language assistance when requested, and providing special assistance for those who are visually impaired when requested.

#### 4.3 Communication Strategies for Persons with Special Needs

When requested, program administrators will provide bilingual materials to non-native English-speaking audiences and sign language assistance for those who are hearing-impaired. Print materials will align with the CDR-GLO's guidelines for communications with persons with special needs in accordance with Title VI of the Civil Rights Act of 1964, including persons with disabilities (24 CFR 8.6), Limited English Proficiency (LEP), and other fair housing and civil rights requirements such as the effective communication requirements under the Americans with Disabilities Act. The State of Texas Emergency Assistance Registry (STEAR) will be reviewed for targeted outreach and special assistance needs.

#### 4.4 Timeliness of Application Notice & Status

In accordance with procedures and methods outlined in Section 4.2 (Public Outreach & Targeted Communities), announcements will be posted and circulated that applications are being accepted beginning November 15, 2020 and that the deadline for applications is February 15, 2021. After the application intake period, all submitted applications will be reviewed for completeness and eligibility.

Property owners found to be ineligible due to incomplete materials, back taxes or child support owed, or other disqualifying factors will be notified.

##### **Program Schedule:**

| Date              | Action                                         |
|-------------------|------------------------------------------------|
| October 1, 2020   | Program Guidelines Posted for Public Comment   |
| November 7, 2020  | Program Guideline Public Comment Period Closed |
| November 15, 2020 | Open of application intake                     |
| February 15, 2021 | Close of application intake                    |
| March 30, 2021    | Proposed Date for Initiation of Offers         |
| April 30, 2021    | Proposed Date of Offer Acceptance Deadline     |
| May 28, 2021      | Proposed Date of Closing Deadline              |
| June 30, 2021     | Proposed Date for Housing Incentive Deadlines  |
| July 30, 2021     | Proposed Date for Demolition Deadline          |
| July 17, 2022     | Proposed Date to Complete All End Uses         |
| July 17, 2022     | Proposed Date to Close Out All Activities      |

## 4.5 Record Keeping

The City of Friendswood will fully comply with all record-keeping and reporting requirements including but not limited to:

- 1) Record-keeping; records will be maintained and on file electronically for a minimum of 3 years beyond the closing of the grant between the County and the GLO/HUD. All projects, program activity files, and applicant information received will be maintained within an acceptable GLO's system of record.
- 2) Applicant data; applicant data will be maintained in a private file bound by federal Privacy Act rules and standards regarding disclosure of personal and sensitive information, as well as entered into the TIGR system. Generated monthly reports will be submitted to the GLO for review. Applicant data kept on file will include but is not limited to: household income at the time of assistance, the household income as a percentage of area median income, the race/ethnicity/gender of the head of the household, the household's familial status, and any disabilities, veterans or other special needs categories that apply, in the household.
- 3) Section 3 reporting; the project will comply with all Section 3 requirements including but not limited to affirmative placement of qualified individuals from low-to-moderate income households and County residents seeking job placements. A Section 3 Plan will be created and continue to be updated throughout the program process. In order to comply with Section 3, the acquisition program will do the following whenever necessary:
  - Implementing procedures to notify Section 3 residents and business concerns about training, employment, and contracting opportunities generated by Section 3 covered assistance;
  - Notifying potential contractors working on Section 3 covered projects of their responsibilities;
  - Incorporating the Section 3 Clause into all covered solicitations and contracts [see 24 CFR Part 135.38];
  - Facilitating the training and employment of Section 3 residents and the award of contracts to Section 3 business concerns;
  - Assisting and cooperating with HUD Policy in making contractors and subcontractors comply;
  - Refraining from entering into contracts with contractors that are in violation of Section 3 regulations;
  - Documenting actions taken to comply with Section 3; and
  - Submitting Section 3 Quarterly and Annual Summary Reports (form HUD-60002).

## 4.6 Conflict of Interest

Conflicts of Interest are defined as local elected officials, County employees, contractors, and consultants who exercise functions with respect to CDBG-DR activities or who are in a position to participate in a decision-making process or gain inside information with regard to such activities receiving any benefit from the activity, either for themselves or for those with whom they have family

or business ties, during their tenure or for one year thereafter. Conflicts of interest are strictly prohibited in this program. Conflict of Interest Questionnaires (CIQs) and A503 forms will be completed and maintained on file for all parties with existing or potential conflicts of interest.

#### 4.7 Audit Requirements

A mandatory single audit which complies with all County, state, and local requirements will be performed by an independent accountant at the end of each fiscal year. This audit will be maintained on file in compliance with record-keeping procedures set forth above.

#### 4.8 Closeout Procedures

Following completion of project scope of work, invoice payments and reimbursements, closeout procedures will begin. The first step will be an internal audit, records inventory, and review of project financials. All data, records, and accounts will be reviewed and reconciled. The next step will be the packaging and summation of projects, including records structure for external audit and digital back-ups. The next step will be to request GLO closeout procedures, including the delivery of any requested records, files or documents. Once all data requests are satisfied and final closeout is authorized by the GLO, the grant award contract will be closed by executing parties.

#### 4.9 Citizen Comments

Citizen comments and complaints should be directed to:

City of Friendswood Fire Marshal's Office  
Attention: CDBG-DR Acquisition  
910 South Friendswood Drive Friendswood,  
Texas 77546

The project manager will handle all homeowner inquiries and complaints, and a timely written response will be provided to every citizen comment. The response will be provided within 15 working days of the receipt of the comment.

Complaints regarding fraud, waste, or abuse of government funds will be forwarded to the HUD OIG Fraud Hotline (phone: 1-800-347-3735 or email: [hotline@hudoig.gov](mailto:hotline@hudoig.gov)).

Documentation for each complaint will be maintained. Each file will include contact information for the complainant, the initial complaint, the property address, any communications to and from complainant, results of the investigation, together with any notes, letters, or other investigative documentation, the date the complaint or appeal was closed, and any other action taken.

CDBG-DR Hurricane Harvey  
Voluntary Acquisition Guidelines  
Galveston County, Texas

**APPENDIX A: RESIDENTIAL ANTI-  
DISPLACEMENT AND RELOCATION  
ASSISTANCE PLAN (RARAP)**

This project is a voluntary acquisition program so there will be no involuntary displacement of property owners.

**Displaced Persons:** (49 CFR § 24.2 (a) (9)) A displaced person is any person who moves from real property, or moves his/her personal property from real property as a direct result of an acquisition by a federal agency or with federal financial assistance. There are several exceptions to this definition. Non-Displaced Persons include owner-occupants with voluntary rehabilitation (presumed to be the vast majority, if not all, of participants in this program), occupants who receive a Notice of Non-Displacement, occupants who are able to return after temporary relocation, unauthorized persons not lawfully present in the U.S., persons with no legal right to occupy the property, and persons who were evicted for good cause.

**General Information Notice (GIN):** The URA regulations require that persons who are scheduled to be displaced will be provided with a GIN as soon as feasible. This program may involve both persons who are actually displaced and persons who are not displaced. If the tenant-occupant of a dwelling moves permanently from the property after submission of an application for HUD financial assistance, the tenant will be presumed to qualify as a “displaced person.” To minimize such unintended displacements, HUD policy considers all occupants within a proposed HUD-assisted project involving acquisitions as scheduled to be displaced for purposes of issuing a GIN. All occupants, therefore, will be provided with a GIN.

**Tenant Intake Meeting:** As soon as feasible, the Program shall contact each person who is affected by the project to discuss his/her needs, preferences and concerns. Whenever feasible, contact shall be face- to-face. These meetings will take place after the landowner intake meeting and before the acquisition offer is sent to the landowner. This scheduling is meant to avoid the possible issue of tenant ineligibility for HUD/URA assistance. It is possible that some tenants in the acquisition target area are undocumented persons and are thus ineligible to receive benefits from HUD. However, HUD requires that all displaced tenants receive URA relocation assistance. Thus, properties with undocumented tenants are ineligible to participate in the program because if they were to do so they would either be

in violation of the URA or the HUD rule against benefiting undocumented persons. If a property is deemed ineligible for acquisition for reasons related to tenant eligibility, that property owner will receive a phone call and a letter from the Program stating that the property is ineligible for participation in the acquisition program because of tenant ineligibility for HUD assistance.

If the tenant does not qualify for relocation assistance, or if at any time the landowner decides not to participate in the program, the tenant will receive a Notice of Non-displacement and will not be eligible to receive assistance.

**Notice of Non-displacement:** If a person does not qualify as a displaced person, HUD policy requires that such persons be provided with a Notice of Non-displacement to advise them of the Program’s determination and their right to appeal. A tenant will be defined as “non-displaced” only if they received a Move-In notice outlining the property owner’s participation in the acquisition program before they signed the lease. Even if there was no intention to displace the person, if they were not given timely information essential to making an informed judgment about a move, it is assumed that the person’s move was an involuntary move caused by the project.

If the landowner continues to participate in the acquisition program and eventually signs a contract of sale with the Program, the tenants will then be given a Notice of Relocation Eligibility and 90 Day Notice to vacate. In order to have these documents ready to send immediately after contract signing, the case management team will have identified three comparable replacement dwellings that are currently for rent and completed and internally approved HUD Form 40061 before contract signing.

**Notice of Relocation Eligibility (NOE):** (49 CFR 24.203(b)) The NOE will be issued promptly after the initiation of negotiations (contract of sale between County and land owner), and will describe the available relocation assistance, the estimated amount of assistance based on the displaced person's individual circumstances and needs, and the procedures for obtaining the assistance. This Notice will be specific to the person and their situation so that they will have a clear understanding of the type and amount of payments and/or other assistance they may be entitled to claim Ninety-Day Notice (49 CFR 24.203(c)). The 90-day notice shall not be given before the displaced person is issued a notice of relocation eligibility (or notice of ineligibility) for relocation assistance. The 90-day notice need not be issued if: (a) there is no structure, growing stock, or personal property on the real property, or (b) the occupant made an informed decision to relocate and vacated the property without prior notice to the property owner, (c) in the case of an owner-occupant who moves as a result of a voluntary acquisition described in 49 CFR 24.101(b)(1) or (2), the delivery of possession is specified in the purchase contract, or (d) the person is an unlawful occupant.

**Determining Cost of Comparable Replacement Dwelling:** (49 CFR 24.403(a)) The upper limit of a replacement housing payment shall be based on the cost of a comparable replacement dwelling (49 CFR 24.2(a)(6)). If available, at least three comparable replacement dwellings shall be examined (including internal and external inspection) to ensure that the replacement dwelling is decent, safe and sanitary as defined at 49 CFR 24.2(a)(8). The upper limit of the replacement housing payment shall be established on the basis of the cost for the comparable replacement dwelling that is most representative of, and equal to, or better than, the displacement dwelling.

1. For purposes of establishing the payment limit, comparable replacement dwellings shall, to the extent feasible, be selected within the County.
2. Form HUD-40061, Selection of Most Representative Comparable Replacement Dwelling for Purposes of Computing a Replacement Housing Payment, will be used. The form is optional; however, if the form is not used, other reasonable documentation will be maintained. NOTE: when selecting the most representative comparable replacement dwelling for a person with disabilities, reasonable accommodation is to be determined on a case-by-case basis.
3. The Program may limit the amount of replacement housing payment to the amount required to obtain a comparable replacement dwelling only if it gives a timely written notice (referral) of such comparable replacement dwelling. If the Program fails to offer a comparable replacement dwelling before the person enters into a lease or purchase agreement for, and occupies, a decent, safe and sanitary replacement dwelling, HUD may require the replacement housing payment be based on the cost of such decent, safe and sanitary replacement dwelling, or take such other corrective action as may be deemed necessary to mitigate (to the extent possible) the adverse consequences of the deficiency.

**Inspection of Replacement Dwelling:** (49 CFR 24.403(b)) Before making a replacement housing payment or releasing a payment from escrow, the City or its designated representative shall make a thorough internal and external inspection of the replacement dwelling to determine whether it is decent, safe and sanitary (as defined at 49 CFR 24.2(a)(8)). A copy of the inspection report should be included with the pertinent claim form in the Program's files. NOTE: The definition of “decent, safe and sanitary” provides that replacement units will contain the accessibility features needed by displaced persons with disabilities.

If the Program determines that a replacement housing payment may have to be denied because the replacement dwelling selected by a displaced person is not decent, safe and sanitary (e.g., does not meet the local code), it will so notify the displaced person, determine if the property can be made decent, safe and sanitary, and/or assist the person to locate another replacement unit.

**(1) Amount of payment.** An eligible displaced person who rents a replacement dwelling is entitled to a payment not to exceed **\$7,200.00** for rental assistance. (See § 24.404.) Such payment shall be 42 times the amount obtained by subtracting the base monthly rental for the displacement dwelling from the lesser of:

- (i) The monthly rent and estimated average monthly cost of utilities for a comparable replacement dwelling; or
- (ii) The monthly rent and estimated average monthly cost of utilities for the decent, safe, and sanitary replacement dwelling actually occupied by the displaced person.

**(2) Base monthly rental for displacement dwelling.** The base monthly rental for the displacement dwelling is the lesser of:

- (i) The average monthly cost for rent and utilities at the displacement dwelling for a reasonable period prior to displacement, as determined by the Agency (for an owner-occupant, use the fair market rent for the displacement dwelling. For a tenant who paid little or no rent for the displacement dwelling, use the fair market rent, unless its use would result in a hardship because of the person's income or other circumstances);
- (ii) Thirty (30) percent of the displaced person's average monthly gross household income of the amount is classified as “low income” by the U.S. Department of Housing and Urban Development's Annual Survey of Income Limits for the Public Housing and Section 8 Programs.

**Displaced Tenant Down Payment Assistance (DTDPA):** An eligible displaced person who purchases a replacement dwelling is entitled to a DTDPA payment in the amount the person would receive, if the person rented a comparable replacement dwelling. However, the payment to a displaced homeowner shall not exceed the amount the owner would receive under § 24.401(b) if he or she met the 180-day occupancy requirement. A displaced person eligible to receive a payment as a 180-day owner-occupant under § 24.401(a) is not eligible for this payment.

**Manner of Disbursing Rental Assistance:** Relocation assistance payments will be disbursed in three (3) installments, except lump sum payments made to cover (1) moving expenses, (2) down payment for purchase of qualified replacement housing, or incidental expenses related to (1) or (2). Whenever the payment is made in installments, the full amount of the approved payment shall be disbursed in

regular installments, whether or not there is any later change in the person's income or rent, or in the condition or location of the person's housing.

The frequency of these disbursements will be determined by the City in consultation with the tenant. However, there will be no less than three installment payments, except when the rental assistance payment is \$500 or less. Where the rental assistance payment is \$500 or less, it is recommended that payment may be made in two installments with no less than a four-month interval between payments.

**Determination to provide replacement housing of last resort:** Whenever a program or project cannot proceed on a timely basis because comparable replacement dwellings are not available within the monetary limits for owners or tenants, as specified in § 24.401 or § 24.402, as appropriate, the Agency shall provide additional or alternative assistance under the provisions of this subpart. Any decision to provide last resort housing assistance will be adequately justified either:

- (1) On a case-by-case basis, for good cause, which means that appropriate consideration has been given to:
  - (i) The availability of comparable replacement housing in the program or project area;
  - (ii) The resources available to provide comparable replacement housing; and
  - (iii) The individual circumstances of the displaced person, or
- (2) By a determination that:
  - (i) There is little, if any, comparable replacement housing available to displaced persons within an entire program or project area; and, therefore, last resort housing assistance is necessary for the area as a whole;
  - (ii) A program or project cannot be advanced to completion in a timely manner without last resort housing assistance; and
  - (iii) The method selected for providing last resort housing assistance is cost effective, considering all elements, which contribute to total program or project costs.

**Documentation:** Any claim for a relocation payment shall be supported by such documentation as may be reasonably required to support expenses incurred, such as bills, certified prices, appraisals, or other evidence of such expenses. A displaced person will be provided reasonable assistance necessary to complete and file any required claim for payment.

**Expeditious payments:** The Program shall review claims in an expeditious manner. The claimant shall be promptly notified as to any additional documentation that is required to support the claim. Payment for a claim shall be made as soon as feasible following receipt of sufficient documentation to support the claim.

**Advanced payments:** If a person demonstrates the need for an advanced relocation payment in order to avoid or reduce a hardship, the Program shall issue the payment, subject to such safeguards as are appropriate to ensure that the objective of the payment is accomplished.

- (1) All claims for a relocation payment shall be filed with the Program no later than 18 months after:



(i) For tenants, the date of displacement.

(ii) For owners, the date of displacement or the date of the final payment for the acquisition of the real property, whichever is later.

(2) The Program shall waive this time period for good cause.

**Notice of denial of claim:** If the Program disapproves all or part of a payment claimed or refuses to consider the claim on its merits because of untimely filing or other grounds, it shall promptly notify the claimant in writing of its determination, the basis for its determination, and the procedures for appealing that determination.

**Moves from a home:** A displaced person's actual, reasonable and necessary moving expenses for moving personal property from a home may be determined based on the cost of one, or a combination of the following methods: (self-moves based on the lower of two bids or estimates are not eligible for reimbursement under this section. Eligible expenses for moves from a home include those expenses described in paragraphs (g)(1) through (g)(7) of this section. In addition to the items in paragraph (a) of this section, the owner-occupant of a home that is moved as personal property and used as the person's replacement dwelling, is also eligible for the moving expenses described in paragraphs (g)(8) through (g)(10) of this section.)

(1) **Commercial move** - moves performed by a professional mover.

(2) **Self-move** - moves that may be performed by the displaced person in one or a combination of the following methods:

(i) **Fixed Residential Moving Cost Schedule.** (Described in § 24.302.)

(ii) **Actual cost move.** Supported by receipted bills for labor and equipment. Hourly labor rates should not exceed the cost paid by a commercial mover. Equipment rental fees should be based on the actual cost of renting the equipment but not exceed the cost paid by a commercial mover.

CDBG-DR Hurricane Harvey  
Voluntary Acquisition Guidelines  
Galveston County, Texas

**APPENDIX B: EXAMPLE INTAKE BENEFICIARY  
APPLICATION**



**Texas General Land Office Community  
Development and Revitalization  
Buyout or Acquisition Program  
Intake Beneficiary Application**

|                |
|----------------|
| Event:         |
| Date Received: |
| Subrecipient:  |
| Contract #:    |

| All Blanks Must be Completed or Indicated with "N/A"                                                                                                               |             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <b>1. APPLICANT INFORMATION:</b>                                                                                                                                   |             |
| Applicant Name (must be property owner):                                                                                                                           |             |
| Street Address:                                                                                                                                                    |             |
| City/State/Zip:                                                                                                                                                    | County:     |
| Email Address:                                                                                                                                                     | Home Phone: |
|                                                                                                                                                                    | Cell Phone: |
| Name and Contact Information, including phone number, of the relative who lives in closest proximity:                                                              |             |
| <b>2. CO-APPLICANT INFORMATION: (If applicable)</b>                                                                                                                |             |
| Applicant Name:                                                                                                                                                    |             |
| Street Address:                                                                                                                                                    |             |
| City/State/Zip:                                                                                                                                                    | County:     |
| Email Address:                                                                                                                                                     | Home Phone: |
|                                                                                                                                                                    | Cell Phone: |
| Name and contact information including, including phone number, of relative who lives in closest proximity:                                                        |             |
|                                                                                                                                                                    |             |
| Name and contact information for individual completing this application, if this is different from applicant information (e.g. attorney or other designated party) |             |
| Name:                                                                                                                                                              |             |
| Street Address:                                                                                                                                                    |             |
| City/State/Zip:                                                                                                                                                    | County:     |
| Email Address:                                                                                                                                                     | Home Phone: |
|                                                                                                                                                                    | Cell Phone: |
| <b>3. ELIGIBILITY INFORMATION: Please answer the following questions:</b>                                                                                          |             |
| Which disaster event(s) affected you and/or your residence?                                                                                                        |             |
| Were you the owner of the residence on the date of the disaster event?                                                                                             |             |

Intake Beneficiary Application

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|                                                                                                                                                                    |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| If applicable, is your property currently owned by a(n): Estate <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> |  |
| Was the damaged property the homeowner's primary residence on the date of the disaster event?                                                                      |  |
| Was the damaged property covered under homeowners' insurance at the time of the disaster event?                                                                    |  |
| Did you register with FEMA for repair assistance for structural damage to your home?                                                                               |  |
| Have you ever received any other assistance for the repair or rehabilitation of your home?                                                                         |  |
| If yes, please explain.                                                                                                                                            |  |
|                                                                                                                                                                    |  |

Intake Beneficiary Application

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**4. HOUSEHOLD COMPOSITION AND CHARACTERISTICS:** List all current members of the household and any additional household members anticipated within the next 12 months.

| Member Name                        | Marital Status<br>Head of Household Only | Relationship to Head<br>of Household | Date of Birth | Gender |
|------------------------------------|------------------------------------------|--------------------------------------|---------------|--------|
| Head of Household                  |                                          |                                      |               |        |
|                                    |                                          |                                      |               |        |
|                                    |                                          |                                      |               |        |
|                                    |                                          |                                      |               |        |
|                                    |                                          |                                      |               |        |
|                                    |                                          |                                      |               |        |
|                                    |                                          |                                      |               |        |
| Total Number of Household Members: |                                          |                                      |               |        |

**5. INCOME INFORMATION (COPY OF PREVIOUS YEAR TAX RETURN):** To determine if you are eligible for funding for a specific housing program, all listed occupants 18 years and over must provide a copy of their previous tax return. *Subrecipients will refer to the GLO's IRS FORM 1040/Adjusted Gross Income (AGI) Method Calculation Policy to determine a beneficiary's household income.*

**6. DIRECT BENEFIT DATA BY HOUSEHOLDS (DEMOGRAPHIC AND SPECIAL NEEDS INFORMATION):**

|                                                                                                                                                                                                                                                                                                                                                       |                       |                  |                              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|------------------|------------------------------|
| <b>Ethnicity Codes:</b><br>A – Hispanic: A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. Terms such as “Latino” or “Spanish Origin” apply to this category.<br>B – Not Hispanic                                                                                          |                       |                  |                              |
| <b>Race Codes:</b><br>A – White      F – American Indian/Alaska Native/White      E – Native Hawaiian/Other Pacific Islander      I – American Indian/Alaska<br>B – Black/African American      G – Asian/White      J – Other Multi-Racial<br>C – Asian      H – Black/African American/White      K – Unknown<br>D – American Indian/Alaskan Native |                       |                  |                              |
| <b>Special Needs Codes:</b><br>A – Elderly      D – Homeless      G – Veteran      C – Colonia Resident      F – Public Housing Resident<br>B – Personwith Disabilities*      E – Migrant Farm Worker      H – Wounded Warrior                                                                                                                        |                       |                  |                              |
| <b>*Disability Definition:</b> A physical or mental impairment which substantially limits one or more major life activities; a record of such an impairment; or being regarded as having such an impairment.                                                                                                                                          |                       |                  |                              |
|                                                                                                                                                                                                                                                                                                                                                       | <b>Ethnicity Code</b> | <b>Race Code</b> | <b>Special Needs Code(s)</b> |
| 1(Head)                                                                                                                                                                                                                                                                                                                                               |                       |                  |                              |
| 2                                                                                                                                                                                                                                                                                                                                                     |                       |                  |                              |
| 3                                                                                                                                                                                                                                                                                                                                                     |                       |                  |                              |
| 4                                                                                                                                                                                                                                                                                                                                                     |                       |                  |                              |

Intake Beneficiary Application

|   |  |  |  |
|---|--|--|--|
| 5 |  |  |  |
| 6 |  |  |  |

|                                                                                                                        |                                       |                                       |                                                    |                                               |
|------------------------------------------------------------------------------------------------------------------------|---------------------------------------|---------------------------------------|----------------------------------------------------|-----------------------------------------------|
| <b>7. DAMAGED RESIDENCE INFORMATION: Please indicate the type of structure for the property:</b>                       |                                       |                                       |                                                    |                                               |
| Single Family Home <input type="checkbox"/>                                                                            | Modular Home <input type="checkbox"/> | Townhome <input type="checkbox"/>     | Manufactured Housing Unit <input type="checkbox"/> | Other:                                        |
| Address:                                                                                                               |                                       |                                       |                                                    |                                               |
| City, State, Zip, Municipality:                                                                                        |                                       |                                       |                                                    |                                               |
| Name of Neighborhood/Area where your home is located:                                                                  |                                       |                                       |                                                    |                                               |
| Date you acquired title to the property:                                                                               |                                       |                                       |                                                    |                                               |
| <b>Please Provide the following property information which may be available from your recent property tax bill(s):</b> |                                       |                                       |                                                    |                                               |
| <b>Legal Description:</b>                                                                                              | <b>Assessed Value:</b>                | <b>Farmland Assessed? (Yes or No)</b> | <b>Annual Property Taxes Amount:</b>               | <b>Number of Acres Per Lot (or Lot Size):</b> |
|                                                                                                                        | \$                                    |                                       | \$                                                 |                                               |
|                                                                                                                        | \$                                    |                                       | \$                                                 |                                               |
|                                                                                                                        | \$                                    |                                       | \$                                                 |                                               |
| <b>Total Acres:</b>                                                                                                    |                                       |                                       |                                                    |                                               |

|                                                                                                                                                                                                                                                                                                                                                        |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Please answer Yes, No or N/A to the following questions:</b>                                                                                                                                                                                                                                                                                        |  |
| Is anyone living at the damaged residence?                                                                                                                                                                                                                                                                                                             |  |
| Is the property in the floodplain or floodway?                                                                                                                                                                                                                                                                                                         |  |
| If you are seeking assistance for a manufactured housing unit, do you own the land?                                                                                                                                                                                                                                                                    |  |
| Does the manufactured housing unit have a valid Statement of Ownership and Location (SOL) filed with the Texas Department of Housing and Community Affairs?                                                                                                                                                                                            |  |
| Are there any other names on the deed for the damaged property?                                                                                                                                                                                                                                                                                        |  |
| Have you had property foreclosed upon or are you in the process of foreclosure?                                                                                                                                                                                                                                                                        |  |
| Does the damaged property have a mortgage or any liens?                                                                                                                                                                                                                                                                                                |  |
| Are there any leases, rental agreements, easements or deed restrictions affecting the property? If yes, explain.                                                                                                                                                                                                                                       |  |
| Have any commercial activities ever taken place on this property? If yes, explain.                                                                                                                                                                                                                                                                     |  |
| Is the property currently listed for sale? If yes, what is the current asking price.<br><i>Note: While the asking price is a key element in the evaluation of this property, it is non-binding, and is not a commitment of the part of the Subrecipient to pay this amount should this property be selected for the Buyout or Acquisition program.</i> |  |
| Please tell us about your property, including any unique or special environmental features, known historical associations, and any bodies of water on the property or bordering the property.                                                                                                                                                          |  |
|                                                                                                                                                                                                                                                                                                                                                        |  |
|                                                                                                                                                                                                                                                                                                                                                        |  |
|                                                                                                                                                                                                                                                                                                                                                        |  |
|                                                                                                                                                                                                                                                                                                                                                        |  |
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|                                                                                                                                                                                                                                                                  |               |                      |                       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------------|-----------------------|
| Are you current or in good standing with a payment plan on your property taxes?                                                                                                                                                                                  |               |                      |                       |
| If you are required to pay child support, are you current on your payments or in good standing with a payment plan?                                                                                                                                              |               |                      |                       |
| <b>8. HOUSING ASSISTANCE RECEIVED PREVIOUSLY:</b>                                                                                                                                                                                                                |               |                      |                       |
| Have you applied for any storm-related assistance for damage to your home from any source (local, state, federal, private)? If yes, proceed with this section. If you have not applied for other storm-related assistance, include "N/A" in the "Source" column. |               |                      |                       |
| <b>Source</b>                                                                                                                                                                                                                                                    | <b>Amount</b> | <b>Date Received</b> | <b>Account Number</b> |
| <b>1. FEMA:</b> Federal Emergency Management Agency                                                                                                                                                                                                              |               |                      |                       |
| <b>2. SBA:</b> Small Business Administration                                                                                                                                                                                                                     |               |                      |                       |

|                                                                                                                        |            |               |                      |                      |
|------------------------------------------------------------------------------------------------------------------------|------------|---------------|----------------------|----------------------|
| <b>Insurance Claims:</b> Please provide information on insurance coverage carried and payments received.               |            |               |                      |                      |
| <b>Insurance company's name</b>                                                                                        | <b>N/A</b> | <b>Amount</b> | <b>Date Received</b> | <b>Policy Number</b> |
|                                                                                                                        |            |               |                      |                      |
| <b>National Flood Insurance Program (Flood insurance carrier)</b>                                                      | <b>N/A</b> | <b>Amount</b> | <b>Date Received</b> | <b>Policy Number</b> |
|                                                                                                                        |            |               |                      |                      |
| <b>4. Other Funds (Include Funding Source):</b>                                                                        |            |               |                      |                      |
| Have you received assistance from any federal program to repair your home PRIOR to this event? (Yes or NO)             |            |               |                      |                      |
| List the names of the programs and type of assistance received for the damaged home (e.g., HOME, CDBG, GLO/FEMA etc.): |            |               |                      |                      |
|                                                                                                                        |            |               |                      |                      |

**9. APPLICANT CERTIFICATION:**

I/We understand the information provided above is collected to determine if I/we are eligible to receive assistance under the Community Development Block Grant Disaster Recovery (CDBG-DR) Program.

I/We hereby certify that all the information provided herein is true and correct.

I/We understand that providing false statements or information is grounds for termination of housing assistance and is punishable under federal law.

**Applicant's Authorization:**

**I authorize the entity to which I am applying for assistance to obtain information about me and my household that is pertinent to determining my eligibility for participation in the CDBG-DR Program. I acknowledge that:**

- (1) A photocopy of this form is as valid as the original; AND
- (2) I have the right to review information received using this form; AND
- (3) I have the right to a copy of information provided to the entity and to request correction of any information I believe to be inaccurate; AND
- (4) All adult household members will sign this form and cooperate with the eligibility verification process.
- (5) I understand that my documents may become electronically permanent.

*By signing this application, the applicant(s) authorizes the state or any of its duly authorized representatives to verify the information contained herein, including this section. Warning: Any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S.C. 287, 1001 and 31 U.S.C. 3729.*

Signature of Applicant:

Date:

Signature of Co-Applicant:

Date:

**10. ELIGIBILITY RELEASE:**

Subrecipient:

Contract Number:

Name:

Address:

**Instructions to Applicant:** Your signature on this *Eligibility Release*, and the signatures of each member of your household who is 18 years of age or older authorizes the above-named Subrecipient to obtain information from a third -party regarding your eligibility and continued participation in the:

**Community Development Block Grant Disaster Recovery (CDBG-DR) Program**

Privacy Act Notice Statement: The Texas General Land Office (GLO) or Subrecipient named above require the collection of the information listed in this form to determine an applicant's eligibility for the CDBG-DR Program. This information will be used to establish the level of benefits for which the applicant is eligible to receive and to verify the accuracy of the information furnished. Information received from an applicant as a result of verifying an applicant's eligibility may be released to the appropriate federal, state, and local agencies or, when relevant, to civil, criminal, or regulatory investigators, and to prosecutors. Failure to provide any information may result in delay or rejection of your eligibility approval.

Each adult member of the household must sign this Eligibility Release prior to the receipt of benefits to establish continued eligibility.

**Note: THIS GENERAL CONSENT MAY NOT BE USED TO REQUEST A COPY OF A TAX RETURN. If a copy of a tax return is needed, IRS Form 4506, "Request for a Copy of Tax Form" must be prepared and signed separately.**

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| Information Covered: Inquiries may be made to third parties regarding the items initialed below by the applicant.                                                                                                                                                                                                                                                 |                       |                        |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|------------------------|
| Description                                                                                                                                                                                                                                                                                                                                                       | Verification Required | Initials of Applicants |
| Disaster Assistance (FEMA, SBA, Insurance, etc.)                                                                                                                                                                                                                                                                                                                  | X                     |                        |
| Income (all sources)                                                                                                                                                                                                                                                                                                                                              | X                     |                        |
| Occupancy Preference (Special Needs)(if applicable)                                                                                                                                                                                                                                                                                                               | X                     |                        |
| Child Support Verification                                                                                                                                                                                                                                                                                                                                        | X                     |                        |
| Other (list): Dependent Information:                                                                                                                                                                                                                                                                                                                              | X                     |                        |
| Full-time Student                                                                                                                                                                                                                                                                                                                                                 |                       |                        |
| Disabled Household Member                                                                                                                                                                                                                                                                                                                                         | X                     |                        |
| Minor Children                                                                                                                                                                                                                                                                                                                                                    |                       |                        |
| <i>By signing this application, the applicant(s) authorizes the state or any of its duly authorized representatives to verify the information contained herein, including this section. Warning: Any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S.C. 287, 1001 and 31 U.S.C. 3729.</i> |                       |                        |
| Signature of Applicant:                                                                                                                                                                                                                                                                                                                                           |                       | DATE:                  |
| Signature of Co-Applicant:                                                                                                                                                                                                                                                                                                                                        |                       | DATE:                  |

**PLEASE PROVIDE ALL APPLICABLE DOCUMENTS LISTED BELOW TO ENSURE THAT YOUR APPLICATION WILL BE PROCESSED IN AN EXPEDITED MANNER.**

- ☐ Completed Buyout and Acquisition Intake Application.
- ☐ Properly executed Eligibility Release Form.
- ☐ FEMA Award/Denial Letter.
- ☐ Small Business Administration (SBA) Award/Denial Letter.
- ☐ Private insurance letter (If you did not have private insurance, an Affidavit of no Insurance will be required).
- ☐ Letter or announcement from an "Other" award received for the repair or replacement of your damaged home, e.g., non-profit, donation grant, etc.
- ☐ Copy of the applicant's driver's license (or a state-issued photo ID).
- ☐ Warranty Deed for the damaged home or a Statement of Ownership and Location (SOL) for MHU in applicant's name.
- ☐ Latest Financial Institution Bank statement or lien information.
- ☐ IRS Income Tax Documents for all individuals that live at the property and that are 18 years and over

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- ☐ Property tax records including latest payment of property taxes or payment plan documentation from the applicable county appraisal office.
- ☐ Child support documentation (If applicable).
- ☐ Copy of the applicant's Lender or Mortgage statement and contact information.
- ☐ Photos of the property including structures or items such as barns, fence, etc., if available.
- ☐ Property Survey, if available.

## Public Comments

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**Public Comment Period Open** – This is a link to [City of Friendswood Housing Guidelines](#) for the Community Development Block Grant Disaster Recovery (CDBG-DR) acquisitions grant. This grant is to acquire flood prone properties at Frenchman’s Creek as well as on and near Deepwood Drive. A public comment period is open as of October 2, 2020 and will close at 5:00pm on November 2, 2020. Public Comments may be made in writing to 910 S. Friendswood Dr., Friendswood, TX 77546 (Attn: Friendswood Office of Emergency Management) or via email: [eoc@friendswood.com](mailto:eoc@friendswood.com). Upon completion of the public comment period, Council will consider a resolution in support of these housing guidelines at the November 2, 2020 Council meeting. For additional information or questions, contact the Friendswood Office of Emergency Management at 281-996-3335.

## Comments Received

**Karissa Anne:** There are other areas and homes that should be considered.

**Eric and Amanda Pearson - 304 Oak Drive**

We are residents of Polly Ranch and have been for many years. We are opposed to the proposed city park where Frenchmen’s Creek in Polly Ranch now resides. We already have had numerous problems at the small private Polly Ranch Park where non-residents were partying and trashing the park grounds. The increased traffic in our area would also be a problem for the many residents who bike, jog and walk (many pushing baby carriages) in our neighborhood streets which have no sidewalks. Traffic is bad enough where automobiles cut thru Polly Ranch to avoid the traffic lights at FM 528 and FM 518.

Perhaps a better solution would be a flood mitigation project at Frenchmen’s Creek similar to what is being done where Imperial Estates was located. The recent rain from Tropical Storm Beta still flooded Clear Creek enough to overflow its banks despite all the work done upstream from Polly Ranch. Those Polly Ranch residents on Pine and portions of Oak Drive were very lucky not to get flooded again.

Thank you for listening to our genuine concerns.

**Abigail Kasinger:** This city needs more green space, and a significant amount of flood mitigation. This seems like a great first step, and I look forward to seeing all that the city plans to do to prevent more flooding. Thanks!

**Cyndi Bohannon - 2102 McKissick Dr**

I would like to voice my strong objection to having a public park placed within the sub-division of Polly Ranch. We understand that the property on which Frenchman’s Creek currently stands is to become a flood control project, but it does not need to become a public park. Polly Ranch does not have sidewalks and already supports a high volume of walkers and bikers. Adding additional car traffic a public park would attract to this sub-division is a public safety hazard. We already have trouble with speeding down the straight lengths of Oak, Butler and Airline, we do not need additional traffic to exacerbate this problem. I am sure that accommodations can be made with the HOA should no parking or access to the creek be provided.

**Cathy X Heaven:** I have just read through the housing guidelines for the acquisition of my home in Frenchman's Creek. As you can imagine, I have many questions and would like clarification.

May I suggest a 'town meeting' like we had in December 2018 when all this started? To include the City, the Project Manager, and whomever else you deem necessary? I believe at one point you'd said this would be our next step after choosing a Manager. (We can social distance if the space is big enough.)

I cannot help but think this would be in all our best interests. I'm sure my neighbors have as many if not more questions than I do.

Thank you in advance for making this happen.

**Anna Slaton - 113 Oak Drive**

I am very concerned with The plan by out for Frenchmans Creek located in the private neighborhood of Polly Ranch. Polly Ranch already been affected poorly by the traffic caused by the Virgant property built near of 518 and 528(Chick Fil A). The west ranch development also caused a major increase of traffic for Polly Ranch, as many West Ranch residents cut through Polly Ranch to bypass the long lines at the light located at 518 and 528. Polly Ranch is a small quiet neighborhood with a private HOA managed park. We are completely against the Frenchmans Creek property turning into a city of Friendswood Community Park which would bring even more traffic through the neighborhood. Polly Ranch has no sidewalk, so more traffic is more hazardous for neighbors who walk, run and bike in our neighborhood. Polly Ranch would like to discuss different options available if Frenchmans Creek is bought out. Could Polly Ranch HOA Acquire Private Rights to the property and be responsible for maintenance of the property. Can Frenchmans Creek property become Private Open Space to be maintained by Polly Ranch HOA? Could Polly ranch HOA purchase easement rights? Please contact me to discuss options available for Polly Ranch.

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 8/13/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Resolution No. R2020-24: A resolution of the City Council of the City of Friendswood, Texas, approving and adopting a Section 3 Policy, a Limited English Proficiency Plan, an Excessive Force Policy, a Section 504 Policy and Grievance Plan, a Code of Conduct Policy and a Fair Housing Policy pursuant to the requirements established by the Texas General Land Office as they relate to Community Development Block Grant – Disaster Recovery grants and appointing compliance officer.

Originating Department: Fire Marshal

Degree of importance: Significant

### SUMMARY / ORIGINATING CAUSE

HGAC (excluding Harris County) has developed a Method of Distribution (MOD) to distribute more than \$240,000,000 in Community Development Block Grant – Disaster Recovery (CDBG-DR) funds to the HGAC region which includes Galveston County jurisdictions devastated by Harvey. Friendswood was allocated \$2,762,650 for buyouts and acquisitions and \$2,691,517 for infrastructure projects.

On February 3, 2020, City Council adopted an amended Resolution R2020-03 and adopted a Citizen Participation plan. With resolution R2020-03, Council supported the submission of acquisition and infrastructure projects to the GLO for CDBG-DR funds. These projects were for the acquisition of structures along Deepwood Drive, acquisition of townhomes at Frenchman's Creek, burial of the utility lines crossing Clear Creek, and a flood control project along Deepwood Drive and Frenchman's Creek.

The contracts for these projects were signed and approved June 24, 2020.

The City, in consideration for the receipt and acceptance of federal funding for the Contract, agrees to comply with all federal rules and regulations and the adoption of Section 3 Policy, an Excessive Force Policy, a Limited English Proficiency (LEP) Plan, a Section 504 Policy and Grievance Procedure, a Code of Conduct Policy and a Fair Housing Policy.

For reference several of these policies already exist through resolutions, however, they needed to be changed, updated and renewed.

R2012-08, (April 2, 2012) Section 3; R2012-09, (April 2, 2012) Excessive Force and R2012-10, (April 2, 2012) Section 504 Appointment and Grievance Procedures.

### IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

The City of Friendswood received substantial impact from Hurricane Harvey. These identified projects

will reduce the future impacts to the City from natural disasters.

### **RECOMMENDATIONS**

Recommendation is made for City Council to adopt this resolution.

### **ATTACHMENTS**

1. R2020-24 Civil Rights Resolution for CDBG - DR Grants 2

**RESOLUTION NO. R2020-24**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, APPROVING AND ADOPTING A SECTION 3 POLICY, A LIMITED ENGLISH PROFICIENCY PLAN, AN EXCESSIVE FORCE POLICY, A SECTION 504 POLICY AND GRIEVANCE PLAN, A CODE OF CONDUCT POLICY AND A FAIR HOUSING POLICY PURSUANT TO THE REQUIREMENTS ESTABLISHED BY THE TEXAS GENERAL LAND OFFICE AS THEY RELATE TO COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY GRANTS AND APPOINTING COMPLIANCE OFFICER.**

\* \* \* \* \*

**WHEREAS**, the City of Friendswood, Texas, (hereinafter referred to as "City") has been awarded a Community Development Block Grant – Disaster Recovery (CDBG-DR) grant from the Texas General Land Office (hereinafter referred to as "GLO"); and

**WHEREAS**, the City, in accordance with Section 109 of the Title I of the Housing and Community Development Act. (24 CFR 6); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and for construction contracts greater than \$10,000, must take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the CDBG-DR activity, on the basis of race, color, religion, sex, national origin, age, or disability; and

**WHEREAS**, the City, in consideration for the receipt and acceptance of federal funding for the Contract, agrees to comply with all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections; and

**WHEREAS**, the City, in accordance with Section 3 of the Housing and Urban

Development Act of 1968, as amended, and 24 CFR Part 135 is required, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the CDBG-DR project area; and

**WHEREAS**, the City, in accordance with Section 104(1) of the Housing and Community Development Act, as amended, and State's certification requirements at 24 CFR 91.325(b)(6), must adopt an excessive force policy that prohibits the use of excessive force against non-violent civil rights demonstrations; and

**WHEREAS**, the City, in accordance with Executive Order 13166, must take reasonable steps to ensure meaningful access to services in federally assisted programs and activities by persons with limited English proficiency (LEP) and must have an LEP plan in place specific to the locality and beneficiaries for each CDBG-DR project; and

**WHEREAS**, the City, in accordance with Section 504 of the Rehabilitation Act of 1973, does not discriminate on the basis of disability and agrees to ensure that qualified individuals with disabilities have access to programs and activities that receive federal funds; and

**WHEREAS**, the City, in accordance with Section 808(e)(5) of the Fair Housing Act (42 USC 3608(e)(5)) that requires HUD programs and activities be administered in a manner affirmatively to further the policies of the Fair Housing Act, agrees to conduct at least one activity during the contract period, to affirmatively further fair housing; and

**WHEREAS**, the City, has designated an overseer and will maintain written



standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS:**

**Section 1.** That the facts and matters set forth in the Preamble of this Resolution are hereby found to be true and correct.

**Section 2.** That the City Council of the City of Friendswood, Texas, approves and adopts a Section 3 Policy, an Excessive Force Policy, a Limited English Proficiency (LEP) Plan, a Section 504 Policy and Grievance Procedure, a Code of Conduct Policy and a Fair Housing Policy, attached hereto in **Exhibit “A”** and made a part hereof for all purposes, pursuant to the requirements established by the Texas General Land Office as they relate to Community Development Block Grant – Disaster Recovery Grants.

**Section 3.** That the City appoints the Chief Building Official as the section 3 coordinator, civil rights officer, fair housing officer, equal employment opportunity officer and section 504 officer.

**Section 4.** That this Resolution shall take effect immediately upon its passage.

**PASSED, APPROVED, AND RESOLVED, this the 2<sup>nd</sup> day of November, 2020.**

---

Mike Foreman  
Mayor

ATTEST:

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Melinda Welsh, TRMC  
City Secretary

## **Exhibit A**

- Section 3 Policy
- Excessive Force Policy
- Limited English Proficiency (LEP) Plan
  - LEP for Contract Number 20-066-045-C444
  - LEP for Contract Number 20-065-134-C451
- Section 504 Policy and Grievance Procedure
- Code of Conduct Policy
- Fair Housing Policy

# City of Friendswood

## Section 3 Plan

### Background

Section 3 of the Housing and Urban Development (HUD) Act of 1968, (12U.S.C 1701u) (Section 3) and regulations at 24 CFR 135 were mandated in efforts to achieve a national objective. Implementing this act and regulations ensures employment and other economic opportunities generated by certain HUD financial assistance shall to the greatest extent feasible be directed to low and very low income persons, particularly those who are recipients of government assistance for housing and business concerns, which provide economic opportunities. This implementation is consistent with existing Federal, State, and local laws and regulations.

### General Policy Statement

The City of Friendswood adopts the below Economic Opportunities Policy for section 3 covered contracts. Friendswood will implement this policy that will provide better economic opportunities for low and very low-income persons residing in the Friendswood area, and businesses that provide these opportunities for low and very low income persons. Opportunities will be provided in the form of training, contracting and employment.

The rule that triggers implementation of Section 3 requirements is “new” employment. Federally funded projects in excess of \$200,000, and contracts in excess of \$100,000 are required to follow the policy and procedures of Section 3 once the need for “new” employment is established. The Section 3 requirements only apply to construction contractors who install materials and or equipment (see the definition of “Section 3 Covered Contracts”). Therefore, contractors who only furnish materials or supplies through Section 3 covered assistance are exempt.

The Policy does not require the employment of Section 3 residents or contractors who do not meet the qualifications for the position(s) to be filled, or who cannot fulfill the contract requirements.

### Policy Definitions

The City of Friendswood incorporates into this policy the definitions contained in § 135.5 of 24 CFR Part 135.

Section 3 – means the section 3 provision of the Housing and Urban Development Act of 1968.

Section 3 Recipient - means any entity which receives Section 3 covered assistance, directly from HUD or from another recipient and includes, but is not limited to, any State, unit of local government, PHA, IHA, Indian tribe, or other public body, public or private nonprofit organization, private agency or institution, mortgagor, developer, limited dividend sponsor, builder, property manager, community housing development organization, resident management corporation, resident council, or cooperative association. Recipient also includes any successor, assignee or transferees of any such entity, but does not include any ultimate beneficiary under the HUD program to which Section 3 applies and does not include contractors.

Section 3 Residents - A section 3 resident is (1) a public housing resident; or 2) a low- and very low-income person residing in the metropolitan area or Non-metropolitan County in which the Section 3 covered assistance is expended.

Section 3 Business Concerns - Section 3 Business Concerns are businesses that can provide evidence that they meet one of the following: a) 51% or more owned by Section 3 residents; or b) at least 30% of its full time permanent employees include persons that are currently Section 3 residents, or within three

years of the date of first employment with the business concern were Section 3 residents; or c) provides evidence, as required, of a commitment to subcontract in excess of 25% of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications as stated above.

Section 3 Covered Assistance - Public and Indian housing development, operating or capital funds; or other housing assistance and community development assistance expended for housing rehabilitation, housing construction or other public construction projects, such as: CDBG, HOME, 202/811, Lead-Based Paint Abatement, etc.

Assistance provided under any HUD housing or community development program that is expended for work arising in connection with:

1. Housing rehabilitation (including reduction and abatement of lead-based paint hazards, but excluding routine maintenance, repair and replacement);
2. Housing construction; or
3. Other public construction project (which includes other buildings or improvements, regardless of ownership).

Section 3 Covered Contract - means a contract or subcontract (including a professional service contract) awarded by a recipient or contractor for work generated by the expenditure of Section 3 Covered Assistance, or for work arising in connection with a Section 3 Covered Project. "Section 3 Covered Contracts" do not include contracts awarded under HUD procurement program, which are governed by the Federal Acquisition Regulation System (see 48 CFR, Chapter 1). "Section 3 Covered Contracts" also do not include contracts for the purchase of supplies and materials. However, whenever a contract for materials includes the installation of the materials, the contract constitutes a Section 3 Covered Contract. For example, a contract for the purchase and installation of a furnace would be a Section 3 Covered Contract because the contract is for work (i.e., the installation of the furnace) and thus is covered by Section 3.

Section 3 Covered Project – means the construction or rehabilitation of housing (including reduction of lead-based paint hazards), or other public construction such as street repair, sewage line repair or installation, updates to building facades, etc.

Section 3 Covered Community Planning and Development Funding - Community Development Block Grants (CDBG), Home Investment Partnership Assistance (HOME), Emergency Shelter Grants (ESG), Neighborhood Stabilization Programs (NSP), and certain grants awarded under HUD Notices of Funding Availability (NOFAs). The requirements for Section 3 only apply to the portion(s) of covered funding that

were used for project/activities involving housing construction, rehabilitation, demolition, or other public construction.

## **Compliance**

HUD and Texas General Land Office (GLO) hold local jurisdictions accountable for the monitoring and enforcement of Section 3 compliance requirements. Therefore, the Section 3 requirements remain as a part of the agreements with each recipient/contractor.

### Responsibilities: (Recipient)

1. A Recipient that receives community development or housing assistance covered federal funding, bears the responsibility to comply with Section 3 in its own operations.

Responsibilities include:

- a) Notifying Section 3 residents about employment & training opportunities and businesses about contracts generated by Section 3 covered assistance;

- b) Facilitating the training and employment of Section 3 residents and the award of contracts to Section 3 business concerns;
  - c) Notifying potential contractors of the Section 3 objectives and ways in which each contractor can assist the sub-recipient to meet its numerical goal; and
  - d) Documenting the action that the sub-recipient takes to comply with the Section 3 requirements, the results of the actions, and impediments, if any.
2. Recipients bear the responsibility to “ensure compliance” of contractors and subcontractors. This means that a sub-recipient must:
- a. Incorporate the Section 3 Clause into contract documents;
  - b. Meets and discusses the section 3 requirements, and responsibilities with potential developer/contractor prior to commencement of work, providing additional technical assistance when needed;
  - c. Conduct compliance reviews consisting of detailed analysis and evaluation of the contractors compliance with section 3 requirements;
  - d. Notify contractor of non-compliance and cooperate with HUD in directing instruction to obtaining compliance of regulation 24 CFR Part 135;
  - e. Refrain from entering into contracts with contractors that are in violation of the regulations in 24 CFR Part 135;
  - f. Respond to complaints made to the recipient by Section 3 residents or business concerns that the sub-recipient, a contractor or subcontractor, is not in compliance with 24 CFR Part 135.

The performance of each recipient(s) is evaluated during and at the completion of construction work. High performance is expected for future funding consideration.

### **Numerical Goals**

All contractors who undertake Section 3 covered projects and activities are expected to meet or exceed the Section 3 numerical goal requirements.

### **Outreach Requirements**

Contractors and Subcontractors must post all new hire opportunities with local Workforce Solutions Center and WorkinTexas.com

When projects in excess of \$200,000, and contracts in excess of \$100,000 are triggered and the need for "new" employment becomes necessary, contractors and subcontractors must complete at least two (2) calendar weeks of outreach/advertisement prior to bid closing date. Efforts include:

- 1. Post local advertisements in local media outlets, Houston Chronicle, and with labor unions.
- 2. Send Electronic Bid to the City of Friendswood Section 3 Coordinator, for all contracts in excess of \$100,000, to allow electronic bid distribution to Section 3 individuals and businesses.
- 3. Post signage containing "preference", number of job title & training positions available, and the qualifications of each, on work site for duration of construction.
- 4. Communicate with the Certified Residents and Business Concerns in order to solicit bids from the Section 3 preference groups. (See database on Section 3 website).
- 5. Select qualified Section 3 Resident/Business concerns and award contracts according to the "preference rules" expressed in section 3 policies.
- 6. Provide copies to the City of Friendswood, of above outreach executed (1-5), in regard to your solicitation (Recipients must document all outreach efforts. Records must be available upon request)
- 7. Once bid date is due, complete detailed bid tabulation and submit to the City of Friendswood to evaluate bids according to contract requirements, and propose your selections.

8. Complete a Utilization Plan containing approved contractors and contract amounts, for analysis of numerical goals; obtain City of Friendswood approval.
9. Submit start of work notice.

No Contract/Purchase Orders should be executed /awarded without the steps listed above.

### **Documentation Requirements**

All subcontractors with a contract of \$100,000 or more are required to submit a completed Section 3 Compliance Packet to the Prime Contractor, who in turn will submit the entire package to the City of Friendswood Section 3 Coordinator for review and approval. Review comments will be made available to both the developer and contractor within 10 days of the receipt of the documents. In completing the Compliance Packet, the contractor and subcontractor will have provided the following information:

1. Identification of the project area
2. Certification of compliance to the Section 3 policy and regulations (24 CFR part 135).
3. Agreement to following preference rules and complete competitive bidding and to meet the numerical goals by providing training, employment, and contracting opportunities to Section 3 individuals and businesses.
4. Specific information about the current workforce.
5. Firm commitment to include as part of all bids, the Bid Tabulation and Section 3 Utilization Plan (once approved by the City),
6. Provide the Permanent Employee List and Request for Contractor Clearance for each contractor and subcontractor.
7. Firm commitment to conduct aggressive outreach and notification to potential Section 3 residents and businesses of hiring opportunities using site signage, flyers, etc.

The City of Friendswood requests specific workforce plan analysis for hiring & training Section 3 eligible residents and for engaging Section 3 certified business concerns.

The City of Friendswood also requests a firm commitment to provide identified area employment agencies of job availabilities from the established job pool of section 3 residents.

### **Signage**

Section 3 signage should be posted at the construction sites. Signage must be at least 4 feet by 4 feet and it must be large enough to be visible from the street. The sign must (a) identify the name of the project, (b) states the facility is a HUD Section 3 Project, and (c) includes contact information (name, telephone number, fax, & e-mail, if any).

### **Record Maintenance and Documentation**

All Section 3 projects are required to maintain comprehensive documentation of their Section 3 outreach efforts and implementation activities and must be able to have all documents available for review by City and/or HUD officials.

### **Preference for Section 3 Business Concerns**

Preference shall be awarded to Section 3 Business Concerns according to the following system:

1. Where the Section 3 Covered Contract is to be awarded based upon the lowest price, the contract shall be awarded to the qualified Section 3 Business Concern with the lowest responsive quotation, if it is reasonable and no more than 10 percent higher than the quotation of the lowest responsive quotation from any qualified source. If no responsive quotation by a qualified Section 3 Business Concern is within 10 percent of the lowest responsive quotation from any qualified

source, the award shall be made to the source with the lowest quotation. If it is reasonable and no more than 10 percent higher than the quotation of the lowest responsive quotation from any qualified source.

2. Where the Section 3 Covered Contract is to be awarded based on factors other than price, a request for quotations shall be issued by developing the particulars of the solicitation, including a rating system for the assignment of points to evaluate the merits of each quotation. The solicitation shall identify all factors to be considered, including price or cost. The rating system shall provide for a range of 15 to 25 percent of the total number of available rating points to be set aside for the provision of preference for Section 3 Business Concerns. The purchase order shall be awarded to the responsible firm whose quotation is the most advantageous, considering price and all other factors specified in the rating system.

## **Competitive Bids**

### **Procurement by Sealed Bids (Invitations for Bids)**

Preference in the award of Section 3 Covered Contracts that are awarded under a sealed bid process may be provided as follows:

Bids shall be solicited from all businesses (Section 3 Business Concerns, and non-Section 3 Business Concerns). An award shall be made to the qualified Section 3 Business Concern with the highest priority ranking and with the lowest responsive bid:

1. Bids shall be solicited from all businesses (i.e. Section 3 Business Concerns and non-Section 3 Business Concerns). An award shall be made to the qualified Section 3 Business Concern with the highest priority ranking (as defined in 24 CFR Part 135) and with the lowest responsive bid if that bid:
  - a. is within the maximum total contract price established in City of Friendswood's budget for the specific project for which bids are being taken; and
  - b. is not more than "X" higher than the total bid price of the lowest responsive bid from any responsible bidder. "X" is determined as follows:

X = lesser of:

When the lowest responsive bid is less than \$100,000....

10% of that bid or \$9,000

When the lowest responsive bid is:

At least \$100,000, but less than \$200,000... 9% of that bid or \$16,000

At least \$200,000, but less than \$300,000... 8% of that bid or \$21,000

At least \$300,000, but less than \$400,000... 7% of that bid or \$24,000

At least \$400,000, but less than \$500,000... 6% of that bid or \$25,000

At least \$500,000, but less than \$1 million 5% of that bid or \$40,000

At least \$1 million, but less than \$2 million 4% of that bid or \$60,000

At least \$2 million, but less than \$4 million 3% of that bid or \$80,000

At least \$4 million, but less than \$7 million 2% of that bid or \$105,000

\$7 million or more, 5% of the lowest responsive bid, with no dollar limit.

2. If no responsive bid by a Section 3 Business Concern meets the requirements of paragraph 1 of this section, the contract shall be awarded to a responsible bidder with the lowest responsive bid.
3. In both paragraph 1 and 2 above, a bidder, to be considered as responsible, must demonstrate compliance with the "greatest extent feasible" requirement of Section 3.

## **Safe Harbor and Compliance Determinations**

In the absence of evidence to the contrary (i.e., evidence that efforts to the “greatest extent feasible” were not expended), if a recipient or contractor meets the minimum numerical goals shown above, the recipient or contractor is considered to have complied with Section 3 preference requirements.

In evaluating compliance, if the recipient has not met the numerical requirements, the recipient will be expected to demonstrate why it was not feasible to meet the goals. Ultimately, HUD will evaluate the City based on its ability to describe the efforts taken to meet the training, hiring, and contracting requirements and the impediments incurred despite actions taken.

At a minimum, if recipients of Section 3 Assistance are unable to meet their Section 3 training, hiring, and contracting goals, they should sponsor or participate in upward mobility programs, hire eligible residents in trainee positions with regard to training and employment, or form Section 3 joint ventures with various local employment agencies.

## **Data Collection and Reporting**

Monthly and annual reports are collected, processed and distributed by the Section 3 Coordinator. Data collection and reports can be emailed to the designated Section 3 Coordinator, or mailed/hand- delivered to City of Friendswood, Section 3, 910 S. Friendswood Dr, Friendswood, TX, 77546.

### **Monthly Reporting**

1. The City of Friendswood requires the submittal of utilization reports due on the 10th day of the month during the construction cycle.
2. If a project is funded by GLO, it is policy of the City of Friendswood to secure a copy of the Section 3 monthly utilization reports from each contractor by the 1st of each month. The reports are due to the State on the 10th of each month.

## **Annual Reporting**

1. Once a project is completed projects should submit a final Section 3 cumulative report for the program year.
2. At project completion, City of Friendswood staff will conduct a final review of the project's overall performance and compliance.
3. The City of Friendswood will submit annually to HUD (Form HUD-4010). Section 3 data is also captured on the Section 3 Summary Report of the Consolidated Annual Performance and Evaluation Report (CAPER) form 60002.

## **Grievance Procedure for Section 3 Non-Compliance**

Written complaint must contain:

1. Valid name, address and contact information of the person filing the complaint;
2. Valid name, address, and contact information of the contractor/subcontractor the concern is levied against;
3. Dates and description of acts or omissions in alleged violation of Section 3; and
4. Statement of corrective action(s) sought, i.e. training, employment or contracts.

When a complaint is filed, the City of Friendswood will be responsible to investigate the issue internally or may refer the concern to the HUD Field Office, if necessary.

## **Enforcement of the Section 3 Requirements**

Projects overall compliance is tracked in Section 3's compliance database. The Section 3 Coordinator and staff, as assigned, provides regular assessments of project's status and compliance, allowing opportunity for correction pending moments of non-compliance. However, continuous violations and



failure to comply with the Section 3 requirements (24 CFR § 135.38 Section 3 clauses Part F) will result in:

1. Sanction and Debarment; or
2. Suspension; or
3. Limited denial of participation

When initial review of potential new HUD funded projects commence, record and reports of continuous violators will be submitted as recommendation of NO future HUD funding.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Mike Foreman  
Mayor – City of Friendswood

## **Excessive Force Policy**

In accordance with 24 CFR 91.325(b)(6), the City of Friendswood hereby adopts and will enforce the following policy with respect to the use of excessive force:

1. It is the policy of the City of Friendswood to prohibit the use of excessive force by the law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations;
2. It is also the policy of the City of Friendswood to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.
3. The City of Friendswood will introduce and pass a resolution adopting this policy.

As officers and representatives of City of Friendswood we the undersigned have read and fully agree to this plan and become a party to the full implementation of this program.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Mike Foreman  
Mayor – City of Friendswood

**City of Friendswood  
Under 5% Limited English Proficiency Plan  
Community Development Block Grant-Disaster Recovery  
Contract Number: 20-066-045-C444**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Grant Subrecipient:                                                                                                                                                                                                                                                                                                                                                                                                                                                        | City of Friendswood                                                                                                                                                                                                             |
| Beneficiary Population:                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Estimated 25 residents.                                                                                                                                                                                                         |
| LEP Population:                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Estimated: <b>25</b><br>No known LEP persons.                                                                                                                                                                                   |
| Languages spoken by: <ul style="list-style-type: none"> <li>- 1,000 or more in the eligible population in the market area or among current beneficiaries.</li> <li>- More than 5% of the eligible population or beneficiaries and more than 50 in number.</li> <li>- More than 5% of the eligible population or beneficiaries and 50 or less in number.</li> <li>- <b>5% or less of the eligible population or beneficiaries and less than 1,000 in number.</b></li> </ul> | Recommendation:<br>Translated vital documents.<br><br>Translated vital documents.<br><br>Translated written notice of right to receive free oral interpretation of documents.<br><br><b>No written translation is required.</b> |

|                                                     |                                                                                                                                                                                                                                  |
|-----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Program activities to be accessible to LEP persons: |                                                                                                                                                                                                                                  |
| <input type="checkbox"/>                            | Public Notices and hearings regarding applications for grant funding, amendments to project activities, and communication of grant-funded project                                                                                |
| <input type="checkbox"/>                            | Publications regarding CDBG-DR application, grievance procedures, complaint procedures, answers to competitive notices, notices of rights and disciplinary action, and other vital hearings, documents, and program requirements |
| <input type="checkbox"/>                            | Other program documents:                                                                                                                                                                                                         |

|                                         |                                                                                  |
|-----------------------------------------|----------------------------------------------------------------------------------|
| Resources available to Grant Recipient: |                                                                                  |
| <input checked="" type="checkbox"/>     | Translation services: translations services will be made available upon request. |
| <input checked="" type="checkbox"/>     | Interpreter services: Interpreter services will be made available upon request.  |
| <input type="checkbox"/>                | Other resources:                                                                 |

|                                     |                                                                                             |
|-------------------------------------|---------------------------------------------------------------------------------------------|
| Language Assistance to be provided: |                                                                                             |
| <input type="checkbox"/>            | Translation (oral and / or written) of advertised notices and vital documents for:<br>_____ |
| <input checked="" type="checkbox"/> | Referrals to community liaisons proficient in the language of LEP persons                   |
| <input type="checkbox"/>            | Public meetings conducted in multiple languages:                                            |
| <input type="checkbox"/>            | Other services:                                                                             |

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Mike Foreman  
Mayor – City of Friendswood

**City of Friendswood**  
**Under 5% Limited English Proficiency Plan**  
**Community Development Block Grant-Disaster Recovery**  
**Contract Number: 20-065-134-C451**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Grant Subrecipient:                                                                                                                                                                                                                                                                                                                                                                                                                                                        | City of Friendswood                                                                                                                                                                                                             |
| Beneficiary Population:                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 12,315                                                                                                                                                                                                                          |
| LEP Population:                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Estimated: 307<br>2.5% of population                                                                                                                                                                                            |
| Languages spoken by: <ul style="list-style-type: none"> <li>- 1,000 or more in the eligible population in the market area or among current beneficiaries.</li> <li>- More than 5% of the eligible population or beneficiaries and more than 50 in number.</li> <li>- More than 5% of the eligible population or beneficiaries and 50 or less in number.</li> <li>- <b>5% or less of the eligible population or beneficiaries and less than 1,000 in number.</b></li> </ul> | Recommendation:<br>Translated vital documents.<br><br>Translated vital documents.<br><br>Translated written notice of right to receive free oral interpretation of documents.<br><br><b>No written translation is required.</b> |

|                                                     |                                                                                                                                                                                                                                  |
|-----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Program activities to be accessible to LEP persons: |                                                                                                                                                                                                                                  |
| <input type="checkbox"/>                            | Public Notices and hearings regarding applications for grant funding, amendments to project activities, and communication of grant-funded project                                                                                |
| <input type="checkbox"/>                            | Publications regarding CDBG-DR application, grievance procedures, complaint procedures, answers to competitive notices, notices of rights and disciplinary action, and other vital hearings, documents, and program requirements |
| <input type="checkbox"/>                            | Other program documents:                                                                                                                                                                                                         |

|                                         |                                                                                 |
|-----------------------------------------|---------------------------------------------------------------------------------|
| Resources available to Grant Recipient: |                                                                                 |
| <input type="checkbox"/>                | Translation services:                                                           |
| <input checked="" type="checkbox"/>     | Interpreter services: Interpreter services will be made available upon request. |
| <input type="checkbox"/>                | Other resources:                                                                |

|                                     |                                                                                             |
|-------------------------------------|---------------------------------------------------------------------------------------------|
| Language Assistance to be provided: |                                                                                             |
| <input type="checkbox"/>            | Translation (oral and / or written) of advertised notices and vital documents for:<br>_____ |
| <input checked="" type="checkbox"/> | Referrals to community liaisons proficient in the language of LEP persons                   |
| <input type="checkbox"/>            | Public meetings conducted in multiple languages:                                            |
| <input type="checkbox"/>            | Other services:                                                                             |

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Mike Foreman  
Mayor – City of Friendswood

## **Section 504 Policy against Discrimination based on Handicap and Grievance Procedures**

In accordance with 24 CFR Section 8, Nondiscrimination based on Handicap in federally assisted programs and activities of the Department of Housing and Urban Development, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Section 109 of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309), City of Friendswood hereby adopts the following policy and grievance procedures:

1. Discrimination prohibited. No otherwise qualified individual with handicaps in the United States shall, solely by reason of his or her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Housing and Urban Development (HUD).
2. The City of Friendswood does not discriminate on the basis of handicap in admission or access to, or treatment or employment in, its federally assisted programs and activities.
3. The City of Friendswood's recruitment materials or publications shall include a statement of this policy.
4. The City of Friendswood shall take continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipients that it does not discriminate on the basis of handicap in violation of 24 CFR Part 8.
5. For hearing and visually impaired individuals eligible to be served or likely to be affected by the CDBG-DR program, the City of Friendswood shall ensure that they are provided with the information necessary to understand and participate in the CDBG-DR program.
6. Grievances and Complaints
  - a. Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for City of Friendswood to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
  - b. Complaints should be addressed to the Friendswood Building Official, 910 S Friendswood Dr, Friendswood, TX, 77546 or call (281) 996-3335, who has been designated to coordinate Section 504 compliance efforts.
  - c. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
  - d. A complaint should be filed within thirty (30) working days after the complainant becomes aware of the alleged violation.
  - e. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by the Building Official. Informal but thorough investigations will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.

- f. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by the Building Official, and a copy forwarded to the complainant with fifteen (15) working days after the filing of the complaint where practicable.
- g. The Section 504 coordinator shall maintain the files and records of the City of Friendswood relating to the complaint's files.
- h. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the determination/resolution as described in f. above. The request for reconsideration should be made to the City of Friendswood within ten working days after the receipt of the written determination/resolution.
- i. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the U.S. Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- j. These procedures shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that the City of Friendswood complies with Section 504 and HUD regulations.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Mike Foreman  
Mayor – City of Friendswood

## **City of Friendswood**

### **Code of Conduct Policy**

As a Grant Recipient of a CDBG-DR contract the City of Friendswood shall avoid, neutralize or mitigate actual or potential conflicts of interest so as to prevent an unfair competitive advantage or the existence of conflicting roles that might impair the performance of the CDBG-DR contract or impact the integrity of the procurement process.

For procurement of goods and services, no employee, officer, or agent of the City of Friendswood shall participate in the selection, award, or administration of a contract supported by CDBG-DR funds if he or she has a real or apparent conflict of interest. Such a conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

No officer, employee, or agent of the City of Friendswood shall solicit or accept gratuities, favors or anything of monetary value from contractors or firms, potential contractors or firms, or parties to sub-agreements, except where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

Contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals for proposals must be excluded from competing for such procurements.

For all other cases, no employee, agent, consultant, officer, or elected or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or subrecipients which are receiving CDBG-DR funds, that has any CDBG-DR function/responsibility, or is in a position to participate in a decision-making process or gain inside information, may obtain a financial interest or benefit from the CDBG-DR activity.

The conflict of interest restrictions and procurement requirements identified herein shall apply to a benefitting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a CDBG-DR contract or award, or that is required to complete some or all work under the CDBG-DR contract in order to meet the National Program Objective.

Any person or entity including any benefitting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a CDBG-DR contract or award, or that is required to complete some or all work under the CDBG-DR contract in order to meet a National Program Objective, that might potentially receive benefits from CDBG-DR awards may not participate in the selection, award, or administration of a contract supported by CDBG-DR funding .

Any alleged violations of these standards of conduct shall be referred to the City of Friendswood City Attorney. Where violations appear to have occurred, the offending employee, officer or agent shall be subject to disciplinary action, including but not limited to dismissal or transfer; where violations or infractions appear to be substantial in nature, the matter may be referred to the appropriate officials for criminal investigation and

possible prosecution.

These procedures are intended to serve as guidelines for the procurement of supplies, equipment, construction services and professional services for the Community Development Block Grant (CDBG-DR) Program. The regulations related to conflict of interest and nepotism may be found at the Texas Government Code Chapter 573, Texas Local Government Code Chapter 171, Uniform Grant Management Standards by Texas Comptroller, 24 CFR 570.489(g) &(h), and 2 CFR 200.318

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Mike Foreman  
Mayor – City of Friendswood



## Fair Housing Policy

In accordance with Fair Housing Act, the City of Friendswood hereby adopts the following policy with respect to the Affirmatively Furthering Fair Housing:

1. The City of Friendswood agrees to affirmatively further fair housing choice for all seven protected classes (race, color, religion, sex, disability, familial status, and national origin).
2. The City of Friendswood agrees to plan at least one activity during the contract term to affirmatively further fair housing.
3. The City of Friendswood will introduce and pass a resolution adopting this policy.

As officers and representatives of the City of Friendswood, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Mike Foreman  
Mayor – City of Friendswood

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 9/29/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Ordinance No. T2020-38: Second and Final reading of an ordinance amending Appendix "C" "Zoning", of the Code of Ordinances of the City of Friendswood, Texas, Section 3, "Provision for Official Zoning Map", rezoning the property located at 213 E. Heritage Drive, same now consisting of 2.504 acres out of Lot 12, Block 2 of Friendswood Subdivision, as recorded in Volume 7, Page 20 of the Galveston County Map Records (G.C.M.R.), being that certain tract of land described in deed to Friendswood Realty under File No. 2010040672 of the official public records of Galveston County, Friendswood, Galveston County, Texas, to change from Single Family Residential (SFR), Multi-Family Residential Low Density (MFR-L), and Multi-Family Residential Low Density/Specific Use Permit (MFR-L/SUP) to Planned Unit Development (PUD), more fully described in Exhibit "A", incorporated by reference, with such Planned Unit Development (PUD) to be governed for all purposes and conditions pursuant to the attached site plans included in Exhibit "B", 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.

Originating Department: Community Development

Degree of importance: Significant

### SUMMARY / ORIGINATING CAUSE

The property owner is requesting to change the zoning of his property to a Planned Unit Development (PUD) to allow elevated single-family residences on smaller lots. The regulation matrix and lot layout for the development is included on the Master Layout. The density would be the same as the existing zoning on the property, which is Multi-Family Residential - Low (MFR-L), at 6 units per acre.

The current request is for conceptual approval meaning that engineering design of the utilities and drainage would be provided at a later date, if the PUD is approved.

If approved, the only future action required by the Planning and Zoning Commission would be approval of the preliminary and final plats in accordance with the PUD. The proposed Planned Unit Development (PUD) is conceptual.

There are several items that are going to have to be addressed during platting and construction plan approval including:

- Fire hydrants within 500 feet of all residences.
- Maintain 10-ft separation between residential units.

- Provide water and sewer taps for each individual lot. Easements may be required.
- Dedication of right-of-way for E. Heritage Drive
- An approved fire truck turn around at the end of Shady Nook. Additional right-of-way may be required making lots 11 and 12 smaller, but they would still meet the minimum of the PUD.
- Account for drainage at the end of Shady Nook, which is currently open ditch.
- Construction of fire truck turnaround, any drainage improvements, and water and sewer taps must be installed and accepted by City Council, which is required prior to plat recordation.

### **IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY**

The general purposes of all PUD, planned unit development districts, are several-fold:

1. To encourage unified design and development of tracts of land incorporating a variety of uses including, but not limited to, residential, commercial, office, and institutional;
2. To accommodate innovation in development by modifying the city's land use and development regulations;
3. To provide for and protect the public health, safety and general welfare of the city by assuring quality development in accordance with the city's comprehensive plan and other related goals;
4. To minimize the negative impact of developments, especially those related to drainage, environment, traffic, and a public services and related facilities;
5. To protect and enhance the aesthetic and visual qualities of development;
6. To provide development of sites in a suitable fashion when such development is restricted by such factors as site location and shape;
7. To promote economic development in accordance with the city's plans for such.

### **RECOMMENDATIONS**

At the Planning and Zoning Commission meeting held September 10, 2020, following the Public Hearing, the City of Friendswood Planning and Zoning Commission voted 5 to 1 (Commissioner Clark was absent; Commissioner Perry opposed) to approve the zone change request referenced above with the following conditions:

- The bottom floor of all the homes must be enclosed. Exposed piers are prohibited to avoid the “beach home” look.
- Side yard setbacks on lots abutting tracts owned by others are 10 feet. This would apply to lots 1, 10, 11 and 12 on the master layout plan.

### **ATTACHMENTS**

1. Ord 2020-38 213 E Heritage Dr PUD
2. Ord 2020-38 Exhibit A
3. Ord 2020-38 Exhibit B

**ORDINANCE NO. T2020-38**

**AN ORDINANCE AMENDING APPENDIX “C” “ZONING”, OF THE CODE OF ORDINANCES OF THE CITY OF FRIENDSWOOD, TEXAS, SECTION 3, “PROVISION FOR OFFICIAL ZONING MAP”, REZONING THE PROPERTY LOCATED AT 213 E. HERITAGE DRIVE, SAME NOW CONSISTING OF 2.504 ACRES OUT OF LOT 12 BLOCK 2 OF FRIENDSWOOD SUBDIVISION, AS RECORDED IN VOLUME 7 PAGE 20 OF THE GALVESTON COUNTY MAP RECORDS (G.C.M.R.), BEING THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO FRIENDSWOOD REALTY UNDER FILE NO. 2010040672 OF THE OFFICIAL PUBLIC RECORDS OF GALVESTON COUNTY, FRIENDSWOOD, GALVESTON COUNTY, TEXAS, TO CHANGE FROM SINGLE FAMILY RESIDENTIAL (SFR), MULTI-FAMILY RESIDENTIAL LOW DENSITY (MFR-L), AND MULTI-FAMILY RESIDENTIAL LOW DENSITY / SPECIFIC USE PERMIT (MFR-L/SUP) TO PLANNED UNIT DEVELOPMENT (PUD), MORE FULLY DESCRIBED IN EXHIBIT “A”, INCORPORATED BY REFERENCE, WITH SUCH PLANNED UNIT DEVELOPMENT (PUD) TO BE GOVERNED FOR ALL PURPOSES AND CONDITIONS PURSUANT TO THE ATTACHED SITE PLANS INCLUDED IN EXHIBIT “B”, 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.**

\* \* \* \* \*

**WHEREAS**, Harold E. Benson, (the “Owner”) owner of real property located within the City located at 213 E. Heritage Drive, same now consisting of 2.504 acres out of Lot 12 Block 2 of Friendswood Subdivision, as recorded in Volume 7 Page 20 of the Galveston County Map Records (G.C.M.R.), being that certain tract of land described in deed to Friendswood Realty under File No. 2010040672 of the Official Public Records of Galveston County, Friendswood, Galveston County, Texas, has filed an application to rezone the real property from Single Family Residential

(SFR), Multi-Family Residential Low Density (MFR-L), and Multi-Family Residential Low Density / Specific Use Permit (MFR-L/SUP) to Planned Unit Development (PUD), property more specifically described in Exhibit “A”, including Warranty Deed, survey, aerial map, location map and zoning map, (the “Property”), pursuant to the site plans attached hereto included in Exhibit “B”; and

**WHEREAS**, pursuant to the Zoning Code, Section 7. “Schedule of District Regulations,” J. “Planned Unit Development, General Purpose and Description,” (2) Application (c)2., Owner has submitted the required plans at this time for a conceptual plan, (Option 2), copies of which are attached hereto as Exhibit “B” and incorporated by reference, and since site plan approval is not required for single-family residences, site plan approval by the Planning and Zoning Commission will not be required; and

**WHEREAS**, the Planning and Zoning Commission and the City Council have conducted, in the time and manner required by law and the City Code of Ordinances, public hearings on such request, allowing all persons attending to be heard on the question of whether the changes of the uses being requested would affect the public health, safety, or general welfare of the citizens of Friendswood; and

**WHEREAS**, the Planning and Zoning Commission has filed its written report with City Council, which recommends approval of the application, subject to any certain conditions made the subject of said recommendation; and

**WHEREAS**, the City Council deems it appropriate to grant such request, subject to applicable regulations, restrictions, exceptions and conditions; and

**WHEREAS**, City Council has determined that all public notices have been posted and published, all required hearings on this matter have been held, and that this Ordinance complies with the applicable provisions of the City Charter, City Code and all other applicable laws;

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:**

**Section 1.** The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct, it being expressly understood that City Council of Friendswood (“City Council”) is relying upon the express representations of Owner appearing in the documents submitted for final approval, (specifically including those documents in Exhibit “B”), and the representations made at the public hearings before the Planning and Zoning Commission and City Council to induce approval of the rezoning made the subject of this Ordinance.

**Section 2.** The Friendswood City Code, Appendix C, “Zoning,” Section 3, “Provision for Official Zoning Map,” is hereby amended, rezoning the Property located at 213 E. Heritage Drive, same now consisting of 2.504 acres out of Lot 12 Block 2 of Friendswood Subdivision, as recorded in Volume 7 Page 20 of the Galveston County Map Records (G.C.M.R.), being that certain tract of land described in deed to Friendswood Realty under File No. 2010040672 of the Official Public Records of Galveston County, Friendswood, Galveston County, Texas, to change from Single Family Residential (SFR), Multi-Family Residential Low Density (MFR-L), and Multi-Family Residential Low Density / Specific Use Permit (MFR-L/SUP) to Planned Unit Development (PUD), with such Planned Unit Development (PUD) to be governed for all purposes and conditions as depicted in Exhibits “A” and “B,” (all of which are incorporated by reference), but otherwise consistent and subject to the current Zoning Code, and related conditions contained herein. This rezoning is specifically conditioned upon Owner’s full compliance with Section 7. “Schedule of District Regulations,” J. “Planned Unit Development, General Purpose and Description,” paragraph 7.c.1. and the following use and development regulations:

- 1. Land Uses:** Single Family Dwellings (maximum of 12 units)
- 2. Setbacks** (per Friends Heights Regulation Matrix on attached site plan) plus:

Side yards abutting other tracts not owned by Mr. Benson will be a minimum of 10 feet.

**3. Bottom Floor of Structures:**

The bottom floor of each structure shall be enclosed. Exposed piers are prohibited.

**Section 3.** The Official Zoning Map of the City of Friendswood shall be revised and amended to show the designation of the Property, as described and as provided in Section 2 above, with the appropriate reference thereon to the number and effective date of this Ordinance, and a brief description of the nature of the change.

**Section 4.** This Ordinance shall in no manner amend, change, supplement or revise any provision of any ordinance of the City of Friendswood, save and except the change in zoning classification of said Property as described above.

**Section 5.** In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same, notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**Section 6.** Any person who shall willfully, intentionally, or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

**PASSED AND APPROVED on first reading this 5<sup>th</sup> day of October, 2020.**

**PASSED, APPROVED, and ADOPTED on second and final reading this 2<sup>nd</sup> day of November, 2020.**

---

Mike Foreman  
Mayor

ATTEST:

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Melinda Welsh, TRMC  
City Secretary



## **EXHIBIT “A”**

1. Application
2. Warranty Deed
3. Survey and Metes and Bounds
4. Aerial map
5. Location map
6. Zoning map



## City of Friendswood – Community Development

910 S. Friendswood Drive

Friendswood, TX 77546

Phone: 281-996-3201 Fax: 281-996-3260

www.ci.friendswood.tx.us

### Zone Change Application



CURRENT ZONE OF PROPERTY: MFR-L

#### TYPE OF ZONE CHANGE (check one):

☐ Land Use Change to Zone: \_\_\_\_\_

☐ Specific Use Permit Option 1

☐ Planned Unit Development Option 1

☐ Specific Use Permit Option 2

☒ Planned Unit Development Option 2

SUP for Use(s) #: \_\_\_\_\_

#### PROPERTY IDENTIFICATION:

Address: 213 East Heritage

Platted Land – Plat Name: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_

Unplatted Land – Attach a certified metes and bounds description

OWNER NAME: Harold E. Benson Phone: 281-482-7633

Owner's Mailing Address: 305 N. Shadowbend

City: Friendswood State: TX Zip: 77546 Fax: \_\_\_\_\_

Owner's Email Address: bennyboy@wans.net

AGENT'S NAME : \_\_\_\_\_ Phone: \_\_\_\_\_

Agent's Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Fax: \_\_\_\_\_

Agent's Email Address: \_\_\_\_\_

In authorizing an agent to represent the owner, the owner attests that his/her agent may make verbal or written representations and/or declarations on the owner's behalf and the owner understands and acknowledges that the City of Friendswood shall rely upon the agent's representations in matters pertaining to the above described property. The designation of an agent in this matter in no way absolves the owner of any of the owner's responsibilities outlined by the City of Friendswood. The owner must be the legal owner of record of the property at the time of submittal of the application.

The undersigned hereby request approval by the City Council on the above identified zone change.

Owner's Signature: Harold E. Benson Date: August 5, 2020

Agent's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

|                                           |                                      |
|-------------------------------------------|--------------------------------------|
| Received By: <u>Becky Bennett</u>         | Application Number: <u>7070-0032</u> |
| Date of Public Hearing: <u>9-10, 10-5</u> | Received Date: <u>8-1-2020</u>       |
| Property Owner Notices: <u>8-18-2020</u>  | Newspaper Notice: <u>8-17-2020</u>   |
|                                           | Sign on Property: <u>8-18-2020</u>   |



## Submittal Requirements for Zone Change Applications

### ALL APPLICATIONS - PUD and SUP Options 1 and 2, Land Use Changes

☒ Application Fee of \$300 (PUD \$500)  
(Changes in/to Downtown District may be eligible for fee waiver)

☒ Current Deed of Record

☒ Most recent plat OR Certified Metes and Bounds Description (including name, address and telephone number of surveyor)

#### PUD Option 1

This option allows all plans, including the site plan, to be approved as a part of the zone change request and is a one-time submittal. See Zoning Ordinance Section 7.J. for more specific plan requirements.

5 – 24" x 36" sets of collated plans including a cover sheet, overall site plan, landscape plan, building elevations, and photometric plan

2 – 24" x 36" sets of collated plans including Engineered drainage, utility, grading and storm water plans (per the City of Friendswood Design Criteria Manual)

2 – 24" x 36" sets architectural plans including mechanical, electrical and plumbing plans

#### PUD Option 2

*This option will require the applicant to apply for site plan approval from the Planning and Zoning Commission at a later date if the zone change to PUD is approved. At the time of site plan approval all information contained in the conceptual plan shall be certified by an engineer and/or surveyor.*

5 – 24" x 36" sets of collated plans including a cover sheet or letter describing the project, an overall site plan and building elevations

See Zoning Ordinance Section 7.J. for more specific plan requirements.

#### Specific Use Permit Option 1

This option allows all plans, including the site plan, to be approved as a part of the SUP request and is a one-time submittal. See Zoning Ordinance Section 9.G.3. for more specific plan requirements.

5 – 24" x 36" sets of collated plans including a cover page, site plan, landscape plan, photometric plan, building elevations, tree survey and mitigation plan

2 – 24" x 36" sets of collated plans including Engineered drainage, utility, grading and storm water plans (per the City of Friendswood Design Criteria Manual)

2 – 24" x 36" sets architectural plans including mechanical, electrical and plumbing plans

#### Specific Use Permit Option 2

*This option allows utility and drainage plans be submitted with the building permit application at a later date if the SUP is approved.*

5 – 24" x 36" sets of collated plans including a cover sheet, site plan, landscape plan, photometric plan, building elevations, tree survey and mitigation plan

See Zoning Ordinance Section 9.G.3. for more specific plan requirements.

Reserved for Recording Office:

After Recording, Return To:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**SPECIAL WARRANTY DEED**

DATE: February 7<sup>th</sup>, 2020

GRANTOR: **FRIENDSWOOD REALTY, LLC, A TENNESSEE NONPROFIT LIMITED LIABILITY COMPANY**

GRANTOR'S ADDRESS (including county): 7056 W Gulf to Lake Hwy, Crystal River, Citrus County, Florida 34429

GRANTEE: **HAROLD E BENSON, SR. AND CAROLYN MAYS BENSON**

GRANTEE'S ADDRESS (including county): 305 N Shadowbend, Friendswood, Galveston County, TX 77546

CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

PROPERTY: See Exhibit "A" attached hereto and made a part hereof for all purposes.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

Easements, rights-of-way, and prescriptive rights, whether of record or not, that are not appurtenant to or benefitting the property; all presently recorded restrictions, reservations, covenants, conditions (except declarant's rights thereunder), oil and gas leases, mineral severances, and other instruments, other than liens and conveyances, that affect the Property; rights of adjoining owners in any walls and fences situated on a common

Special Warranty Deed

1

Chicago Title - Friendswood  
GF# CT20716931

boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; availability and kinds of utility services, municipal services, and fire and police protection services; access to public roadways; environmental condition, quality and kind of construction, workmanship and materials, merchantability, habitability or fitness for a particular purpose in respect of the property (including improvements); taxes for the current year, the payment of which Grantee assumes; and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the consideration and subject to the Reservations from and Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, TO HAVE AND TO HOLD the Property, unto Grantee, Grantee's heirs, legal representatives, successors and assigns forever, and Grantor does hereby bind Grantor, Grantor's heirs, legal representatives, successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the title to the Property unto the said Grantee, Grantee's heirs, legal representatives, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise, subject only to the Reservations from and Exceptions to Conveyance and Warranty.

The Property is conveyed "AS IS, WHERE IS, AND WITH ALL FAULTS" in accordance with the terms of Exhibit "B" hereto, in which Grantor is referenced as "Seller" and Grantee is referenced as "Buyer".

When the context requires, singular nouns and pronouns include the plural.

FRIENDSWOOD REALTY, LLC, A  
TENNESSEE NONPROFIT LIMITED  
LIABILITY COMPANY

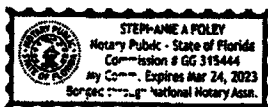
By: [Signature]  
Name: James Eric Bell  
Title: Secretary

of Florida  
STATE OF ~~TEXAS~~ §  
COUNTY OF Citrus §

This instrument was acknowledged before me on this the 7<sup>th</sup> day of February, 2020, by James Eric Bell, Secretary of FRIENDSWOOD REALTY, LLC, a Tennessee nonprofit limited liability company, on behalf thereof.

Personally Appeared  
with Florida DL: SO

[Signature]  
Notary Public, State of ~~Texas~~ Florida



Special Warranty Deed

### EXHIBIT "A"

A 109,089 square foot (2.504 acres) tract of land, out of and being part of Lot 12, Block 2 of Friendswood Subdivision, a map or plat thereof recorded under Volume 7, Page 20 of the Galveston County Map Records (G.C.M.R.), being that certain tract of land described in deed to Friendswood Realty under File No. 2010040672 of the Official Public Records of Galveston County, Texas (O.P.R.G.C.Tx.), with said 109,089 square foot tract of land being further described in metes and bounds as follows:

**COMMENCING** at a 1/2 inch iron pipe found at the South intersection of Morningside Drive and Shady Nock Drive, both based on a width of 60 feet, per File No. 2015028480 O.P.R.G.C.Tx., at the West corner of that certain tract of land described in deed to JFP Group, Inc. under File No. 2015028480 O.P.R.G.C.Tx.;

**THENCE:** N 41°43'50" E, along and with the called Southeast right-of-way line of Shady Nock Road, a distance of 252.00 feet to a point for the East corner of said Shady Nock Road;

**THENCE:** N 48°16'10" W, along and with the Northeast right-of-way line of said Shady Nock Road, a distance of 12.00 feet to a V cut in concrete found on said Northeast right-of-way line, at the South corner of the Friendswood Realty tract and at the South corner and **POINT OF BEGINNING** of the herein described tract;

**THENCE:** N 48°16'10" W, continuing along said Northeast right-of-way line and the Northeast line of a tract of land described in deed to William and Catherine Whipkey under Galveston County Clerk's File No. (G.C.C.F. No.) 9010898, a Southwest line of the Friendswood Realty tract and a Southwest line of this tract, a distance of 108.00 feet to an iron rod with plastic cap found stamped "RWP INC 1855", at an angle point for the Whipkey tract, an angle point for the Friendswood Realty tract and an angle point of this tract, from which a 3/4 inch iron pipe found bears N 40°14'08" E, 0.4 feet;

**THENCE:** N 41°43'50" E, along and with the Southeast line of the Whipkey tract, the Southeast line of a tract of land described in deed to Fred Walter Camp and Mary Elise Camp under Volume 1327, Page 63 of the Galveston County Deed Records (G.C.D.R.), the Southeast line of a tract of land described in deed to Emory T. Carl (Trustee) under Volume 1514, Page 152, G.C.D.R., an interior line of the Friendswood Realty tract and an interior line of this tract, a distance of 153.00 feet to an iron rod with plastic cap found stamped "RWP INC 1855", at the East corner of the Carl tract, same being an angle point for the Friendswood Realty tract and an angle point of the herein described tract;

**THENCE:** N 48°16'10" W, along and with the Northeast line of the Carl tract, a Southwest line of the Friendswood Realty tract and a Southwest line of this tract, a distance of 255.00 feet to a point which falls in existing Mary's Creek, on the Southeast line of a tract of land described in deed to First Baptist Church of Friendswood under File No. 2007037164, at the North corner of the Carl Tract and at the West corner of this tract;

**THENCE:** N 41°43'50" E, along and with the Southeast line of the First Baptist Church of Friendswood tract, the Southeast line of a tract of land described in deed to Jennifer Sanders under File No. 2017055213 O.P.R.G.C.Tx., the Northwest line of the Friendswood Realty tract and the Northwest line of this tract, a distance of 255.00 feet to a point on the center of a called 60 foot wide road easement per Volume 7, Page No. 20 G.C.M.R., same being platted as a 60 foot wide street per Volume 4, Page 58 G.C.M.R., being known as E. Heritage Drive and Quaker Bend Drive, at the North corner of the Friendswood Realty Tract and the North corner of the herein described tract, from which an iron rod with plastic cap found stamped "RWP INC 1855" bears S 82°57'11" W, 0.35 feet;

**THENCE:** S 48°16'10" E, along and with said platted centerline of roadway easement/street, the Northeast line of the Friendswood Realty tract and the Northeast line of this tract, a distance of 363.00 feet to an X cut in concrete found on said platted centerline, at the North corner of tract of land described in deed to

HSU Living Trust, at the East corner of the Friendswood Realty tract and at the East corner of this tract, from which a 1 inch iron pipe found bears S 46°46'50" W, 30.7 feet;

**THENCE:** S 41 °43'50" W, along and with the Northwest line of the Hsu Living Trust tract, the Southeast line of the Friendswood Realty tract and the Southeast line of this tract, a distance of 408.00 feet to the **POINT OF BEGINNING** and containing a calculated area of 2.504 acres of land.

**Exhibit B**

**As Is, Where Is, and With All Faults**

BUYER ACKNOWLEDGES AND AGREES THAT SELLER HAS NOT MADE, DOES NOT MAKE AND SPECIFICALLY NEGATES AND DISCLAIMS ANY REPRESENTATIONS, WARRANTIES, PROMISES, COVENANTS, AGREEMENTS OR GUARANTIES OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST PRESENT OR FUTURE, OF, AS TO, CONCERNING OR WITH RESPECT TO (A) THE VALUE, NATURE, QUALITY OR CONDITION OF THE PROPERTY INCLUDING, WITHOUT LIMITATION, THE WATER, SOIL AND GEOLOGY, (B) THE INCOME TO BE DERIVED FROM THE PROPERTY, (C) THE SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH BUYER MAY CONDUCT THEREOF, (D) THE COMPLIANCE OF OR BY THE PROPERTY OR ITS OPERATION WITH ANY LAWS, RULES, ORDINANCES OR REGULATIONS OF ANY APPLICABLE GOVERNMENTAL AUTHORITY OR BODY, (E) THE HABITABILITY, MERCHANTABILITY, MARKETABILITY, PROFITABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE PROPERTY, (F) ANY OTHER MATTER WITH RESPECT TO THE PROPERTY, AND SPECIFICALLY, THAT SELLER HAS NOT MADE, DOES NOT MAKE AND SPECIFICALLY DISCLAIMS ANY REPRESENTATIONS REGARDING COMPLIANCE WITH ANY ENVIRONMENTAL PROTECTION, POLLUTION OR LAND USE LAWS, RULES, REGULATIONS, ORDERS OR REQUIREMENTS, INCLUDING SOLID WASTE, AS DEFINED BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY REGULATIONS AT 40 C.F.R., PART 261, OR THE DISPOSAL OR EXISTENCE IN OR ON THE PROPERTY, OR ANY HAZARDOUS SUBSTANCE, AS DEFINED BY THE COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY ACT OF 1980, AS AMENDED, AND REGULATIONS PROMULGATED THEREUNDER. BUYER FURTHER ACKNOWLEDGES AND AGREES THAT HAVING BEEN GIVEN THE OPPORTUNITY TO INSPECT THE PROPERTY, BUYER IS RELYING SOLELY ON ITS OWN INVESTIGATION OF THE PROPERTY AND NOT ON ANY INFORMATION PROVIDED OR TO BE PROVIDED BY SELLER. BUYER FURTHER ACKNOWLEDGES AND AGREES THAT ANY INFORMATION PROVIDED OR TO BE PROVIDED WITH RESPECT TO THE PROPERTY WAS OBTAINED FROM A VARIETY OF SOURCES AND THAT SELLER HAS NOT MADE ANY INDEPENDENT INVESTIGATION OR VERIFICATION OF SUCH INFORMATION AND MAKES NO REPRESENTATIONS AS TO THE ACCURACY OR COMPLETENESS OF SUCH INFORMATION. SELLER IS NOT LIABLE OR BOUND IN ANY MANNER BY ANY VERBAL OR WRITTEN STATEMENTS, REPRESENTATIONS OR INFORMATION PERTAINING TO THE PROPERTY, OR THE OPERATION THEREOF, FURNISHED BY ANY REAL ESTATE BROKER, AGENT, EMPLOYEE, SERVANT OR OTHER PERSON. BUYER FURTHER ACKNOWLEDGES AND AGREES THAT TO THE MAXIMUM EXTENT PERMITTED BY LAW, THE SALE OF THE PROPERTY AS PROVIDED FOR HEREIN IS MADE ON AN "AS IS AND WHERE IS" CONDITION AND BASIS WITH ALL FAULTS. IT IS UNDERSTOOD AND AGREED THAT THE PURCHASE PRICE HAS BEEN ADJUSTED BY PRIOR NEGOTIATION TO REFLECT THAT ALL OF THE PROPERTY IS SOLD BY SELLER AND PURCHASED BY BUYER SUBJECT TO THE FOREGOING.



## FILED AND RECORDED

Instrument Number: 2020008317

Recording Fee: 42.00

Number Of Pages:6

Filing and Recording Date: 02/10/2020 4:12PM

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.



A handwritten signature in cursive script, reading "Dwight D. Sullivan".

---

Dwight D. Sullivan, County Clerk  
Galveston County, Texas

**DO NOT DESTROY** - *Warning, this document is part of the Official Public Record.*

NOTES:

1. ALL BEARINGS ARE LAMBERT GRID BEARINGS AND ALL COORDINATES REFER TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, AS DEFINED BY ARTICLE 2.1.07.1 OF THE NATURAL RESOURCES CODE OF THE STATE OF TEXAS, 1963 DATUM (2011 ADJUSTMENT) EPOCH 2010.00. ALL DISTANCES ARE ACTUAL DISTANCES. SCALE FACTOR = 0.999669266.
2. THE SURVEYOR HAS NOT PERFORMED AN ABSTRACT OF TITLE AND HAS RELIED ON THE TITLE COMMITMENT WITH THE CF NUMBER OF CTH-FRM-CT2071 6931 G, PREPARED BY CHICAGO TITLE INSURANCE COMPANY, EFFECTIVE JANUARY 5, 2020.
3. THE SUBJECT PROPERTY LIES PARTIALLY WITHIN ZONE "X", SHADED ZONE "X" AND ZONE AE, AS SCALED ON FLOOD INSURANCE RATE MAP NUMBER 48167C00126, EFFECTIVE DATE AUGUST 15, 2019. THIS INFORMATION IS FOR FLOOD INSURANCE PURPOSES ONLY AND WILL NOT IDENTIFY ANY SPECIFIC POSSIBLE FLOODING HAZARDS.
4. "60' WIDE ROADWAY IS PLATTED AS AN EASEMENT, PER VOL. 7, PG. 20 OF THE G.C.M.R. ALSO PLATTED AS A 60 FOOT WIDE STREET, PER VOL. 4, PG. 59 OF THE G.C.M.R. ROADWAY IS KNOWN AS EAST HERITAGE DRIVE AND QUAKER BEND DRIVE. PARKING SPACES WHICH SERVICE THE BUILDING LOCATED WITHIN THIS TRACT OF LAND ENCR OACH THIS EASEMENT/ROADWAY AREA.
5. THE PHYSICALLY TRAVELED PAVEMENT OF EAST HERITAGE ALONG THE NORTHWESTERLY PORTION OF THIS PROPERTY DOES NOT LIE FULLY WITHIN THE RECORDED ROADWAY EASEMENTS AND ENCR OACHES UPON THE PROPERTY BEING SURVEYED.
6. DRAWING REVISED ON FEBRUARY 5, 2020 FOR CLIENT COMMENTS ONLY, A TRIP TO THE SITE WAS NOT MADE.
7. 75' ROADWAY & UTILITY R.O.W. EASEMENT PER VOL. 2513 - PG. 449 G.C.D.R. HAS BEEN ABANDONED PER FILE No. 2020010004, O.P.R.G.C.T.X., RECORDED ON FEBRUARY 19, 2020. THIS SURVEY WAS REVISED ON FEBRUARY 20, 2020 TO REFLECT SAID ABANDONMENT AND REMOVE SAID DEDICATED ROADWAY AND UTILITY EASEMENT FROM THE DRAWING, A TRIP TO THE SITE WAS NOT MADE.

METES AND BOUNDS DESCRIPTION OF

a 109,089 square foot (2.504 acres) tract of land, out of and being part of Lot 12, Block 2 of Friendswood Subdivision, a map or plat thereof recorded under Volume 7, Page 20 of the Galveston County Map Records (G.C.M.R.), being that certain tract of land described in deed to Friendswood Realty under File No. 2010040672 of the Official Public Records of Galveston County, Texas (O.P.R.G.C.T.X.), with said 109,089 square foot tract of land being further described in meters and bounds as follows:

**COMMENCING** at a 1/2 inch iron pipe found at the South intersection of Morningside Drive and Shady Nook Drive, both based on a width of 60 feet, per File No. 2015028480 O.P.R.G.C.T.X., at the West corner of that certain tract of land described in deed to JFP Group, Inc. under File No. 2015028480 O.P.R.G.C.T.X.;

**THENCE** N 41°43'50" E, along and with the called Southeast right-of-way line of Shady Nook Road, a distance of 252.00 feet to a point for the East corner of said Shady Nook Road;

**THENCE** N 48°16'10" W, along and with the Northeast right-of-way line of said Shady Nook Road, a distance of 12.00 feet to a V cut in concrete found on said Northeast right-of-way line, at the South corner of the Friendswood Realty tract and at the South corner and **POINT OF BEGINNING** of the herein described tract;

**THENCE** N 48°16'10" W, continuing along said Northeast right-of-way line and the Northeast line of a tract of land described in deed to William and Catherine Whipkey under Galveston County Clerk's File No. (G.C.C.F. No. 9010898), a Southwest line of the Friendswood Realty tract and a Southwest line of this tract, a distance of 198.00 feet to an iron rod with plastic cap found stamped "RWP INC 1855", at an angle point for the Whipkey tract, an angle point for the Friendswood Realty tract and an angle point of this tract, from which a 3/4 inch iron pipe found bears N 40°14'08" E, 0.4 feet;

**THENCE** N 41°43'50" E, along and with the Southeast line of the Whipkey tract, the Southeast line of a tract of land described in deed to Fred Walter Camp and Mary Elise Camp under Volume 1327, Page 63 of the Galveston County Deed Records (G.C.D.R.), the Southeast line of a tract of land described in deed to Emory T. Carl (Trustee) under Volume 1514, Page 152, G.C.D.R., an interior line of the Friendswood Realty tract and an interior line of this tract, a distance of 153.00 feet to an iron rod with plastic cap found stamped "RWP INC 1855", at the East corner of the Carl tract, same being an angle point for the Friendswood Realty tract and an angle point of the herein described tract;

**THENCE** N 48°16'10" W, along and with the Northeast line of the Carl tract, a Southwest line of the Friendswood Realty tract and a Southwest line of this tract, a distance of 255.00 feet to a point which falls in existing Mary's Creek, on the Southeast line of a tract of land described in deed to First Baptist Church of Friendswood under File No. 2007037164, at the North corner of the Carl Tract and at the West corner of this tract;

**THENCE** N 41°43'50" E, along and with the Southeast line of the First Baptist Church of Friendswood tract, the Southeast line of a tract of land described in deed to Jennifer Sanders under File No. 2017055213 O.P.R.G.C.T.X., the Northwest line of the Friendswood Realty tract and the Northwest line of this tract, a distance of 255.00 feet to a point on the center of a called 60 foot wide road easement per Volume 7, Page No. 20 G.C.M.R., same being platted as a 60 foot wide street per Volume 4, Page 58 G.C.M.R., being known as E. Heritage Drive and Quaker Bend Drive, at the North corner of the Friendswood Realty Tract and the North corner of the herein described tract, from which an iron rod with plastic cap found stamped "RWP INC 1855" bears S 82°57'11" W, 0.35 feet;

**THENCE** S 48°16'10" E, along and with said platted centerline of roadway easement/street, the Northeast line of the Friendswood Realty tract and the Northeast line of this tract, a distance of 363.00 feet to an X cut in concrete found on said platted centerline, at the North corner of a tract of land described in deed to HSU Living Trust, at the East corner of the Friendswood Realty tract and at the East corner of this tract, from which a 1 inch iron pipe found bears S 46°46'50" W, 30.7 feet;

**THENCE** S 41°43'50" W, along and with the Northwest line of the HSU Living Trust tract, the Southeast line of the Friendswood Realty tract and the Southeast line of this tract, a distance of 408.00 feet to the **POINT OF BEGINNING** and containing a calculated area of 2.504 acres of land.

FIRST BAPTIST CHURCH OF FRIENDSWOOD  
FILE No. 2007037164 O.P.R.G.C.T.X.

JENNIFER SANDERS  
FILE No. 2017055213 O.P.R.G.C.T.X.  
199.0'±

SCALE: 1"=20'

FMS JOB No. 61147  
DATE: JANUARY 27, 2020  
REV: FEBRUARY 5, 2020  
REV: FEBRUARY 20, 2020

LEGEND

- BOARD FENCE.
- CHAIN LINK FENCE.
- CONTROL MONUMENT TIE.
- OVERHEAD POWER LINES.
- SUBJECT BOUNDARY LINE.
- TOP OF BANK OF DITCH.
- UNDERGROUND GAS LINE.
- CABLE TV PEDESTAL.
- FIBER OPTIC CABLE MARKER.
- FIRE DEPARTMENT CONNECTION.
- FLAG POLE.
- GAS METER.
- GRATE INLET.
- GUY ANCHOR.
- LIGHT POLE.
- MAIL BOX.
- POWER POLE.
- SANITARY CLEAN OUT.
- SANITARY MAN HOLE.
- SATELLITE DISH.
- VERTICAL PIPE (2" GALVANIZED).
- VERTICAL PIPE (GAS).
- WATER METER.
- WATER VALVE.
- YARD DRAIN.
- ASPHALT PAVEMENT.
- COVERED CONCRETE.
- EXISTING STRUCTURE.
- INLET TYPE "B".
- UNCOVERED CONCRETE.
- PHYSICALLY TRAVELED CONCRETE PAVEMENT.

WILLIAM & CATHERINE WHIPKEY  
GCCF. No. 9010898

EMORY T. CARL (TRUSTEE)  
VOL. 1514 PG. 152 G.C.D.R.

FRED WALTER CAMP & MARY ELISE CAMP  
VOL. 1327 PG. 63 G.C.D.R.

WILLIAM & CATHERINE WHIPKEY  
GCCF. No. 9010898

IRON ROD W/ CAP STAMPED  
"RWP INC 1855" FOUND FROM WHICH A  
3/4" IRON PIPE BEARS N 40°14'08" E 0.4'

SHADY NOOK ROAD  
(60' R.O.W.)  
FILE No. 2015028480 O.P.R.G.C.T.X.

P.O.C.  
1/2" IRON PIPE FOUND

N 41°43'50" E 252.00'  
JFP GROUP, INC.  
FILE No. 2015028480 O.P.R.G.C.T.X.

P.O.B.  
"X" CUT IN CONCRETE FOUND

CLYDE F. HARRIS  
VOL. 1510, PG. 97 G.C.M.R.

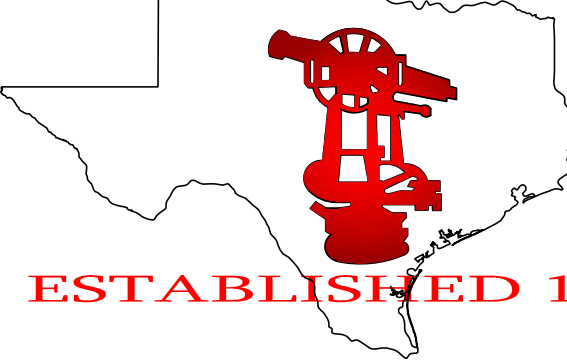
WILLIAM R. WHIPKEY AND CATHERINE E. WHIPKEY  
VOL. 3145, PG. 721 G.C.M.R.

FRIENDSWOOD REALTY  
FILE No. 2010040672 O.P.R.G.C.T.X.  
109,089 SQ. FT.  
OR  
2.504 ACRES

ONE STORY BRICK BUILDING ON SLAB

HSU LIVING TRUST  
FILE No. 2001018360 O.P.R.G.C.T.X.

FMS SURVEYING, INC.



ABBREVIATIONS

A.K.A.  
G.C.C.F.  
G.C.D.R.  
G.C.M.R.  
No.  
O.P.R.G.C.T.X.  
P.O.B.  
P.O.C.  
P.G.  
R.O.W.  
VOL.

ALSO KNOWN AS:  
GALVESTON COUNTY CLERK FILE,  
GALVESTON COUNTY DEED RECORDS,  
GALVESTON COUNTY MAP RECORDS,  
NUMBER,  
OFFICIAL PUBLIC RECORDS OF GALVESTON COUNTY TEXAS,  
POINT OF BEGINNING,  
PAGE,  
RIGHT OF WAY,  
VOLUME.

SURVEYOR:

F.M.S. SURVEYING  
19701 STATE HIGHWAY 6,  
MANVEL, TEXAS 77578  
CONTACT: JASON P. SHERIDAN  
PHONE: (281) 519-8530, EXT. 102  
TBPLS FIRM # 10040400  
www.fmsurveying.com  
FMS No. 61147  
DRAFTING: RC

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BOUNDARY SURVEY OF

2.504 ACRES (109,089 SQ. FT) OF LAND  
RECORDED UNDER FILE No. 2010040672  
OF THE OFFICIAL PUBLIC RECORDS OF  
GALVESTON COUNTY, TEXAS.





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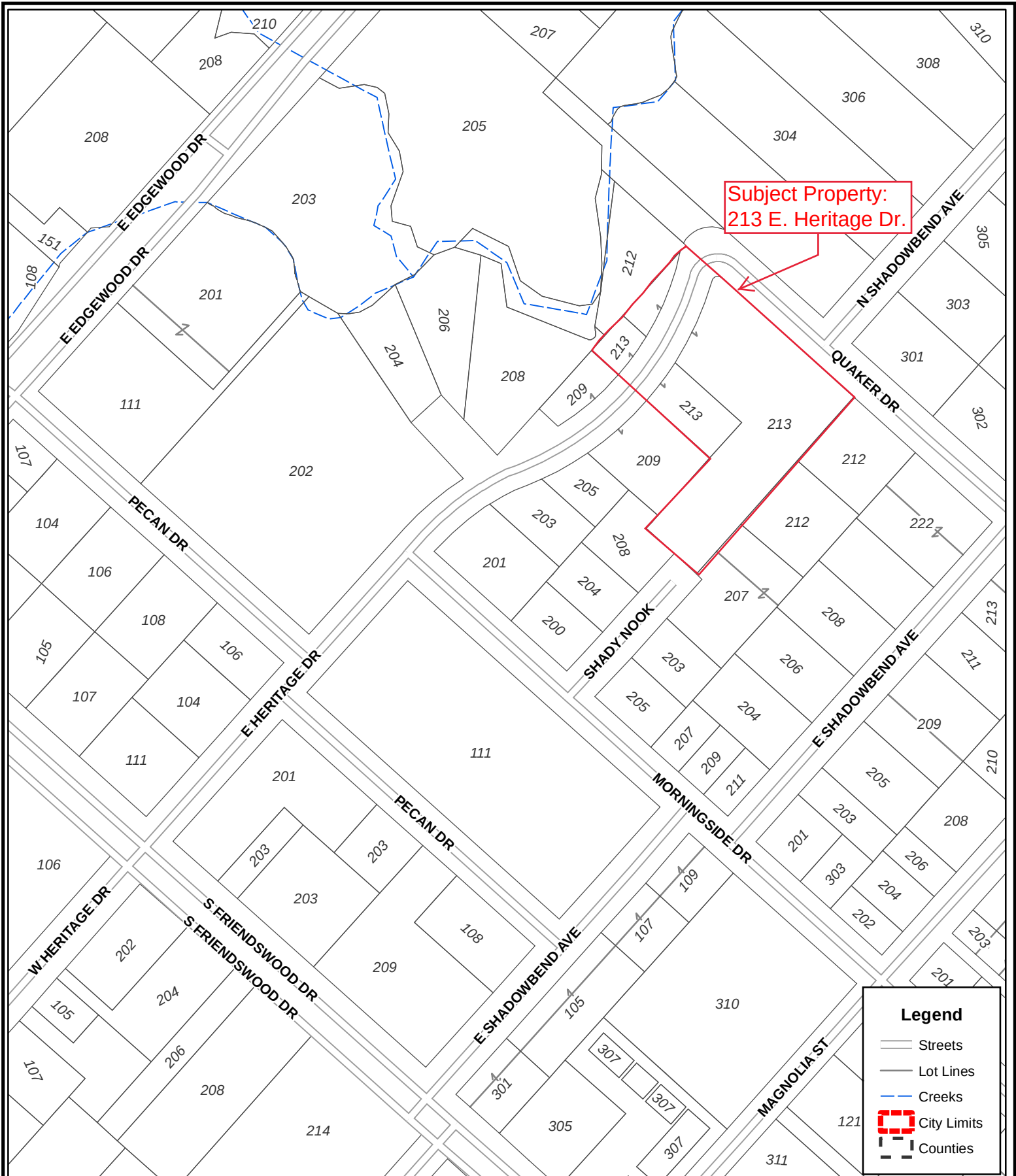
**City of Friendswood**  
 910 South Friendswood Drive  
 Friendswood, Texas 77546  
 (281) 996-3200  
[www.ci.friendswood.tx.us](http://www.ci.friendswood.tx.us)

# Friendswood GIS Mapping



1" = 63'  
 Page 227 of 342





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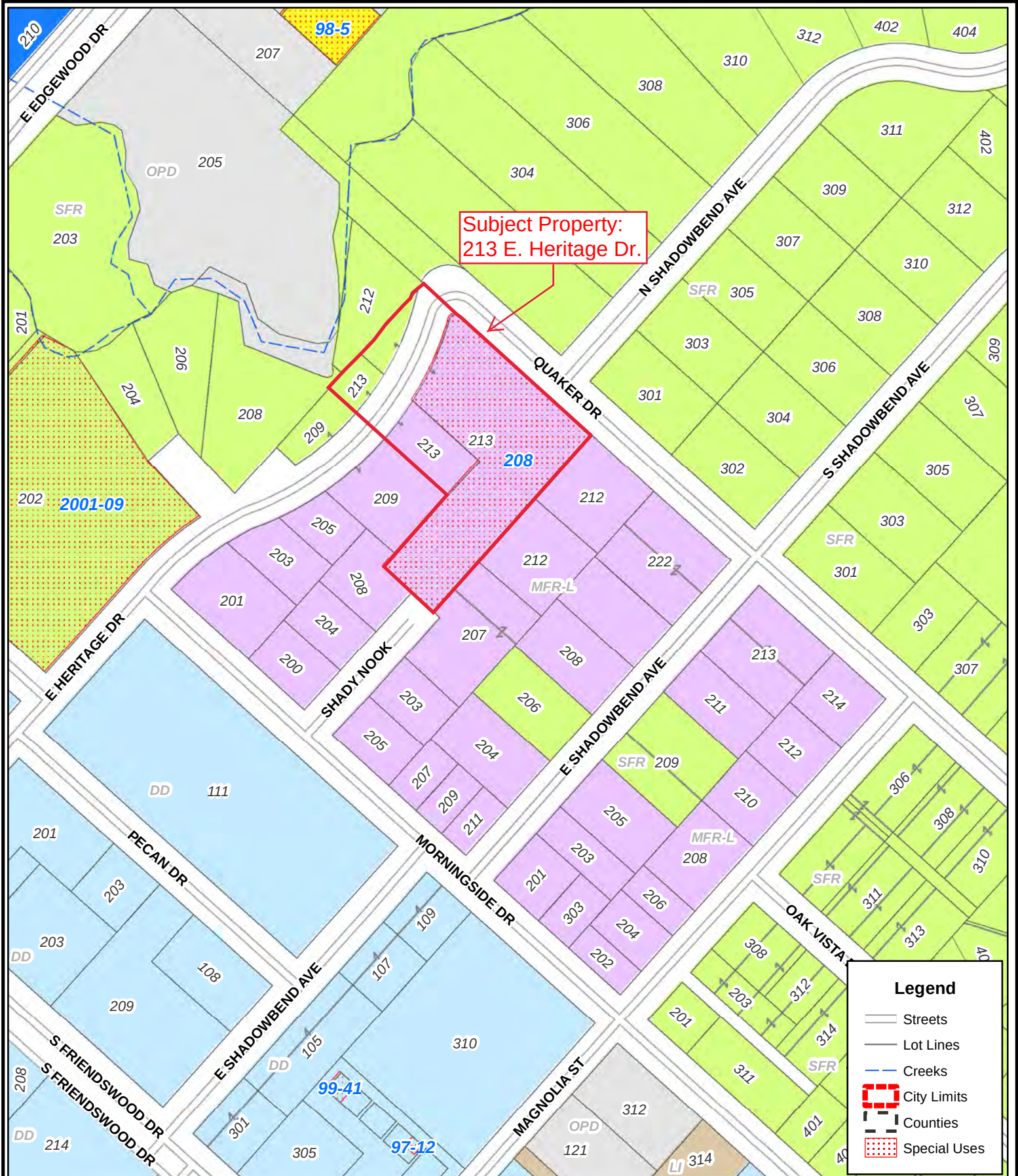
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# Friendswood GIS Mapping



1" = 200'  
 Page 228 of 342





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# Friendswood GIS Mapping



1" = 200'  
 Page 229 of 342

## **EXHIBIT “B”**

1. PUD Narrative
2. Friends Heights Master Layout



To attention of Aubrey Harbin

Dated August 5, 2020

Planned Unit Development PUD Letter to Planning and Zoning Commission - Please schedule this for your meeting planned for September 10, 2020.

#### Request for a change from MFR-L to SFR-H PUD

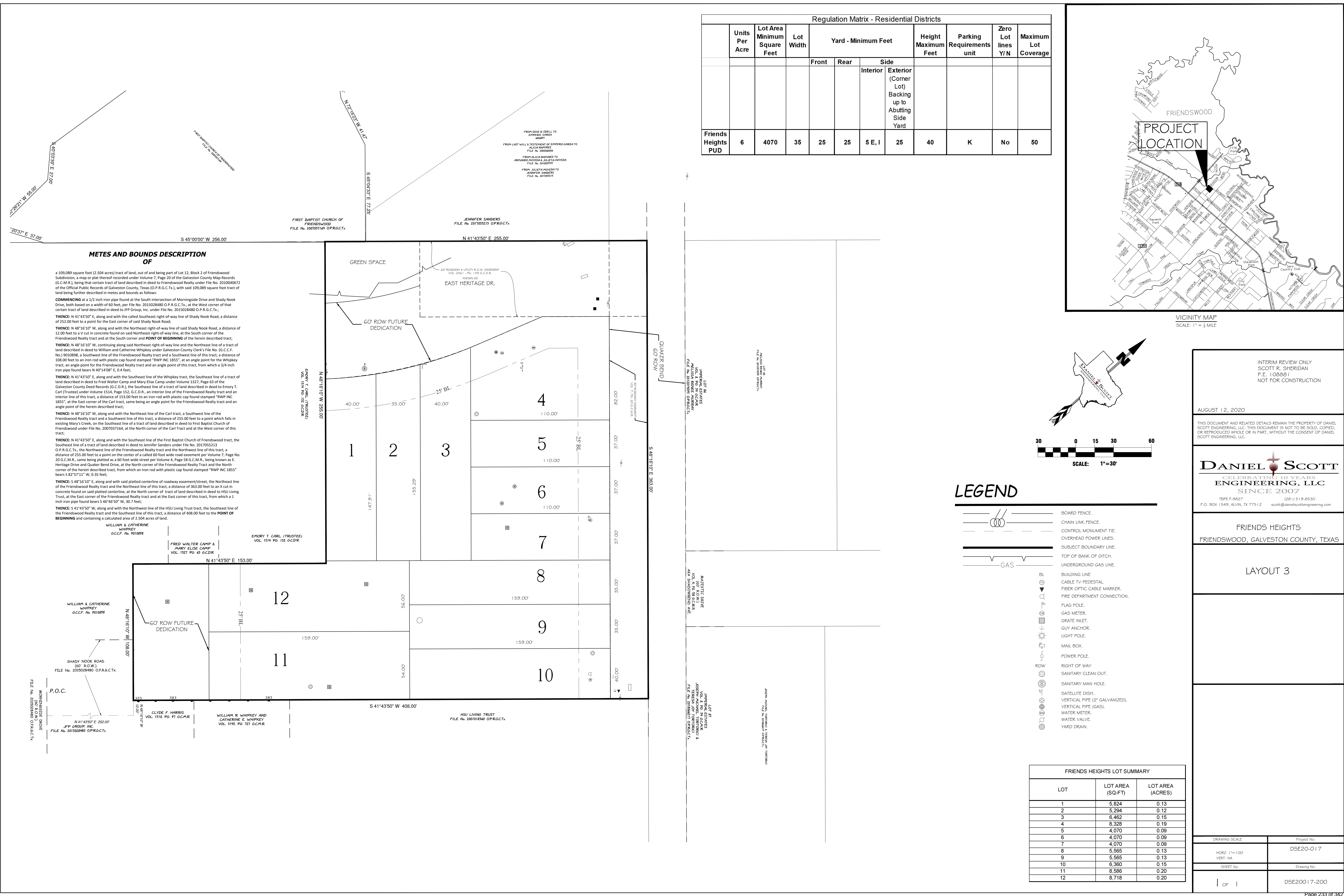
1. Property consists of 2.504 acres defined by the Meets and Bounds description. The current zoning requires 6 units/acre. The conceptual design plan produces 12 units on the property. Exhibit 1
2. Proposed usage is unattached residential units located on lots using the MFR-L 6 units/acre option. All lots are located with frontage on city streets of East Heritage, Quaker Drive and Shady Nook.
3. The project has 1 phase to build and sell the 12 units.
4. All buildings will be elevated 8-10 feet above natural ground due to close proximity to Mary's creek. This elevation results in the possibility of a footprint on a small lot, a unique garage space, with 2 habitable floors up to 1500 square feet per floor. If this was not a flood prone area it would be difficult to obtain a 3000 square foot home on such a small lot with the garage area utilizing habitable space. Review Exhibit 2 A and B. Ashford Village and Quaker Village
5. Dwelling units will be independent residential structures located on a minimum lot of 37 feet by 110 feet, Area= 4070 square feet. Maximum lot area is 10,876 square feet for a 54 feet by 196 feet lot. All lots will have fenced rear yards.
6. Minimum Building Set Back- Side, 5 feet with a front and rear setback of 25 feet each. These specifications meet the physical regulation matrix for MFR-L selecting the six units per acre option. The only regulation matrix not met is the alphabetical regulation "G" which states: Developer must elect either units/acre or lot area. Two family residential units on two lots are required when lot area is selected.  
Selecting units/acre option 1 states: plat "lot" with restricted reserve for designated open space. Individual units would be sold as condominiums and property owners association would be required for maintenance of the common areas.  
This PUD request allows purchaser to own land outside the dwelling unit occupied. The homeowner would be responsible for maintenance of his land.  
Without elevation, creating common areas and green space on 2.504 acres would be very minimum as previously shown on Exhibit 2 A & B.
7. Detention requirements - None required since previous non-permeable area was approximately 49,471 square feet and the proposed design would yield approximately

24,000 square feet which represents at least a 50% improvement over the previous existing structure and parking.

Rationale for this PUD development: Property is located near Mary's Creek which has the propensity to flood. The conceptual plan proposes to restrict any habitation to the second and third floors. This elevated, (8 to 10 feet) design allows for a small 1500 square footprint and yields the potential of up to 3000 square feet of habitable area. Such a design would yield 63% green space on the smallest lot defined in the conceptual design. The variation from the typical development requirements is to allow single family units to be built on lots rather than condominiums, town houses, duplexes with common area.

Other supporting rational . The entire block is zoned MFR-L. Exhibit 3. The block currently consists of 15 single family residential units and 2 tri-plexes. By accepting this PUD request, the majority of single family residences will be maintained and the possibility of rental units in this area for Friendswood will be minimized.





## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 9/29/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Ordinance No. T2020-39: Second and Final reading of 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 a.m. and 5:00 a.m. on any day of the week and between the hours of 9:00 a.m. and 2:30 p.m. 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 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.

Originating Department: Police Department

Degree of importance: Elective

### SUMMARY / ORIGINATING CAUSE

On April 3, 1995, the Friendswood City Council adopted the Juvenile Curfew Ordinance that is in effect today. Most recently, on December 4, 2017, the City Council voted to continue the Juvenile Curfew Ordinance. The curfew applies to persons under 17 years of age. It goes into effect at midnight, ends at 5:00 a.m. every day, and it is in effect on school days between 9:00 a.m. and 2:30 p.m. Section 370.002, Texas Local Government Code, enacted in 1995, requires that before the third anniversary date of the adoption of a curfew ordinance, the City must do the following:

- Review the ordinance's effect on the community and on problems the ordinance was intended to remedy.
- Conduct a public hearing on the need to continue the ordinance.
- Abolish, continue, or modify the ordinance.

The Police Department has completed a review of the juvenile curfew ordinance. The Police Department recommends the ordinance be continued and enforced for the following reasons:

- The Police Department seeks to protect minors from the potential dangers associated with late night activities;
- The juvenile curfew ordinance is an invaluable tool that helps police officers who work the

midnight shift to control suspected gang-related activity and address other suspicious activities;

- The ordinance serves as a highly effective medium of contact with young people, and it is useful in controlling youth who are observed loitering late at night without adult supervision;
- Without the juvenile curfew ordinance, juveniles will tend to congregate in parking lots and businesses, with resulting litter, damage to property, loud noise, fights, and other disturbances; and
- Keeping the ordinance in effect will enable the Police Department to gather additional data that will be useful for future evaluation of juvenile crime and the ordinance's effectiveness.

#### **IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY**

In summary, the main purposes of the curfew ordinance are: to deter criminal conduct involving juveniles, to reduce the number of juvenile crime victims, to reduce injury from accidents involving juveniles, to reduce the additional time peace officers are required to be in the field due to juvenile crime, to reduce juvenile peer pressure to stay out late, to reduce juvenile peer pressure to participate in violent or criminal activities and to assist parents in the control of their children.

From 2017 to 2019, Friendswood officers issued 54 curfew citations.

As an overview of the communities around Friendswood that have implemented a juvenile curfew ordinance, the following information is provided for your review. Alvin, League City, Houston, and Pearland, all have a juvenile curfew ordinance. Houston's ordinance is daytime curfew hours only.

#### **RECOMMENDATIONS**

It is recommended that the City Council readopt the ordinance.

#### **ATTACHMENTS**

1. Ord 2020-39 Juvenile Curfew

**ORDINANCE NO. T2020-39**

**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 A.M. AND 5:00 A.M. ON ANY DAY OF THE WEEK AND BETWEEN THE HOURS OF 9:00 A.M. AND 2:30 P.M. 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 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.**

\* \* \* \* \*

**WHEREAS**, the City Council has determined that as a direct result of implementing a juvenile curfew the incidents of juvenile crime and juvenile victimization has been reduced; and

**WHEREAS**, the City Council hereby finds and determines that the re-adoption of a juvenile curfew is necessary to provide for the protection of minors from each other and from other persons, for the enforcement of parental control over and responsibility for children, for the



protection of the general public, and for the reduction of the incidence of juvenile violence and criminal activity; and

**WHEREAS**, a curfew applicable to persons under the age of 17 years will be in the interest of public health, safety, and general welfare, and will diminish the undesirable impact of such conduct on the citizens of the City of Friendswood; now, therefore

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD,  
STATE OF TEXAS:**

**Section 1.** The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

**Section 2.** Purpose. It is the express purpose of this Ordinance to (a) deter criminal conduct involving juveniles, (b) reduce the number of juvenile crime victims, (c) reduce injury from accidents involving juveniles, (d) reduce the additional time police officers are required to be in the field due to juvenile crime, (e) provide additional and more effective means and options for dealing with gang-related violence and crime, (f) reduce juvenile peer pressure to stay out late (g) reduce juvenile peer pressure to participate in violence or criminal activities, and (h) assist parents in the control of their children.

**Section 3.** Definitions. For purposes of this Ordinance the following words or terms shall have the meanings ascribed thereto:

A. Curfew Hours shall mean:

1. 12:01 a.m. until 5:00 a.m. on any day of the week; and
2. 9:00 a.m. until 2:30 p.m. on any Monday, Tuesday, Wednesday, Thursday, or Friday; provided, however, the hours defined in this paragraph 2 shall not be considered as Curfew Hours for minors not subject to compulsory school attendance pursuant §21.032, TEXAS EDUCATION CODE, nor shall the hours defined in this paragraph 2 be considered as Curfew Hours on days or during periods in which the school where the applicable minor is enrolled

have been cancelled under the order and direction of officials authorized to issue such orders and directives.

- B. Emergency shall mean any unforeseen combination of circumstances or the resulting state that calls for immediate action. This term shall include, but not be limited to, a fire, natural disaster, automobile accident, or any situation requiring immediate action to prevent Serious Bodily Injury or loss of life.
- C. Establishment shall mean any privately owned place of business operated for a profit to which the public is invited, including, but not limited to, any place of amusement or entertainment.
- D. Guardian shall mean a person who, under court order, is the Guardian of the person of a minor or a public or private agency with whom a minor has been placed by a court.
- E. Minor shall mean any person under 17 years of age.
- F. Operator shall mean any individual, firm, association, partnership, or corporation operating, managing, or conducting any Establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.
- G. Parent shall mean a person who is a natural Parent, adoptive Parent, or stepparent of a Minor, or a person at least 21 years of age who is authorized by the Parent or Guardian of a Minor to have the care and custody of such Minor.
- H. Police Department shall mean the Friendswood Police Department.
- I. Public Place shall mean any place to which the public or a substantial group of the public has access and shall include, but not be limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, restaurants, theaters, game rooms, shops, shopping centers or any other place that offers for sale services or merchandise.

- J. Remain shall mean to linger or stay, or fail to leave premises, when requested to do so by a police officer or the owner, Operator, or other person in control of the premises.
- K. Serious Bodily Injury shall mean bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

**Section 4.** Offenses.

- A. It shall be unlawful for any Minor to knowingly remain, walk, run, or stand, or operate or ride in any motor vehicle or on any bicycle, in or upon any Public Place or on the premises of any Establishment within the City during Curfew Hours.
- B. It shall be unlawful for the Parent or Guardian of a Minor to knowingly permit or, by insufficient control, allow a Minor to remain in or upon any Public Place or on the premises of any Establishment within the City during Curfew Hours.
- C. It shall be unlawful for the owner, Operator, or any employee of an Establishment to knowingly allow a Minor to remain upon the premises of an Establishment during Curfew Hours.

**Section 5.** Defenses

- A. It shall be a defense to prosecution under Section 4 of this ordinance that the Minor was:
  - 1. accompanied by the Minor's Parent or Guardian;
  - 2. on an errand at the direction of the Minor's Parent or Guardian;
  - 3. in a motor vehicle involved in interstate travel;
  - 4. engaged in lawful employment activity, going directly to the employment activity, or returning directly to the Minor's residence from the employment activity;
  - 5. involved in an Emergency;
  - 6. on an errand made necessary by an illness, injury, or Emergency;

7. on the sidewalk or public right-of-way abutting the Minor's permanent residence;
8. attending a school, religious, government-sponsored, or other civic activity supervised by adults and sponsored by an educational, religious, or governmental institution, civic organization, or other similar entity, or traveling directly to or returning from any such school, religious, governmental, or civic activity.
9. engaged in, participating in, or traveling to or from, any event, function, or activity for which the application of Section 4 of this Ordinance would contravene the Minor's rights protected by the United States Constitution, including, but not limited to, First Amendment rights such as the free exercise of religion, freedom of speech, or the right of assembly; or
10. married or had been married or had disabilities of Minority removed in accordance with Chapter 31 of the TEXAS FAMILY CODE.

- B. It is a defense to prosecution under Section 4C that the owner, Operator, or employee of an Establishment promptly notified the Police Department that a Minor was present on the premises of the Establishment during Curfew Hours and the Minor refused to leave.
- C. It is a defense to prosecution under Section 4 of this Ordinance that the Minor had been directed by his or her Parent or Guardian to engage in a specific activity or to carry out expressed instructions, during the time that the Minor is actually engaged in fulfilling those directions or responsibilities.

**Section 6.**     **Enforcement.** Before taking any enforcement action under this Ordinance, a police officer shall ask the apparent offender's age and reason for being in the Public Place or Establishment. The officer shall not issue a citation or make an arrest under this Ordinance unless the officer reasonably believes that an offense has occurred and that, based on any response or other circumstance, no defense in Section 5 is present.

**Section 7.**     **Penalties**



- A. A person who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$500.00. Each day of violation shall constitute a separate offense.
- B. When required by Section 51.08 of the Texas Family Code, as amended, the municipal court shall waive original jurisdiction over a Minor who violates Section 4A of this Ordinance and shall refer the Minor to the juvenile court.

**Section 8.** Notice and Effective Date. The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

**Section 9.** Repeal. All other ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

**Section 10.** Severability. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, declares that it would have passed each and every part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**PASSED and APPROVED on first reading this 5<sup>th</sup> day of October, 2020.**

**PASSED, APPROVED, and ADOPTED on second and final reading this the 2<sup>nd</sup> day of November, 2020.**

---

Mike Foreman  
Mayor

ATTEST:

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Melinda Welsh, TRMC  
City Secretary

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 10/6/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Ordinance No. T2020-42: First and Final reading of an ordinance amending City of Friendswood, Texas, Ordinance No. 2019-38, passed and approved October 7, 2019, same being an ordinance approving and adopting the City's General Budget for Fiscal Year 2019-2020 by approving "Budget Amendment XII" to the "Original General Budget of the City of Friendswood, Texas, for the Fiscal Year 2019-2020"; providing for supplemental appropriation and/or transfer of certain funds; providing for severability; and providing other matters related to the subject.

Originating Department: Administrative Services

Degree of importance: Significant

### SUMMARY / ORIGINATING CAUSE

By its nature, our budget is an estimate of the revenues and expenditures needed to accomplish the City Council and Staff goals for the year. Throughout the year events occur that require adjustments to the budget. These adjustments may be needed for various reasons, such as the recognition of extraordinary revenues or expenditures, new projects that are authorized by Council or providing funding for expenditures resulting from extraordinary events like natural disasters. As the need arises, items for budget appropriations are accumulated and then submitted for approval at the City Council meeting each month. The budget adjustments covered by this ordinance comprise the twelfth set for fiscal year 2019-2020.

We have attempted to provide as much explanation of the adjustments as possible through two sets of exhibits. Exhibit A provides a narrative explanation of each budget amendment. Exhibit B provides the detail of each accounting transaction.

Ordinance and exhibits are reviewed and approved by the City Attorney prior to inclusion on a City Council meeting agenda.

Expenditure Required: \$288,908

Amount Budgeted: \$0

Appropriation Required: \$288,908

Source of Funds: Unassigned General Fund balance, General Fund Revenue, Police Investigation State Fund, and Vehicle Replacement Fund

### IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Approval of this budget amendment will allow for timely procurement of program supplies and limit delays

in the progress of capital improvement projects.

|                        |
|------------------------|
| <b>RECOMMENDATIONS</b> |
|------------------------|

Recommend approval of the ordinance and exhibits covering Budget Amendment XII 2019–20.

|                    |
|--------------------|
| <b>ATTACHMENTS</b> |
|--------------------|

1. Ord 2020-42 BA XII 2019-20
2. Ord 2020-42 Exhibit A
3. Ord 2020-42 Exhibit B

**ORDINANCE NO. T2020-42**

**AN ORDINANCE AMENDING CITY OF FRIENDSWOOD, TEXAS, ORDINANCE NO. 2019-38, PASSED AND APPROVED OCTOBER 7, 2019, SAME BEING AN ORDINANCE APPROVING AND ADOPTING THE CITY'S GENERAL BUDGET FOR FISCAL YEAR 2019-2020 BY APPROVING "BUDGET AMENDMENT XII" TO THE "ORIGINAL GENERAL BUDGET OF THE CITY OF FRIENDSWOOD, TEXAS, FOR THE FISCAL YEAR 2019-2020"; PROVIDING FOR SUPPLEMENTAL APPROPRIATION AND/OR TRANSFER OF CERTAIN FUNDS; PROVIDING FOR SEVERABILITY; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT.**

\* \* \* \* \*

**WHEREAS**, by Ordinance No. 2019-38, the City Council of the City of Friendswood, Texas, adopted its "Original General Budget for Fiscal Year 2019-2020"; and

**WHEREAS**, the City Council has determined that revenues and/or reserves are available for supplemental appropriation, and/or that the transfer of certain funds interdepartmentally is economically feasible and in the best interest of prudent budgeting and for municipal purposes; and

**WHEREAS**, Section 8.04 of The City Charter provides for amendments after adoption of the budget; and

**WHEREAS**, the City Council desires to amend said Original General Budget to reflect such supplemental appropriation and/or transfer in the fiscal year 2019-2020;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:**

**Section 1.** The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

**Section 2.** The “Original General Budget of the City of Friendswood, Texas, for the Fiscal Year 2019-2020,” is hereby amended for municipal purposes as shown on “Budget Amendment XII” to the “Original Budget of the City of Friendswood, Texas, for the Fiscal year 2019-2020” attached hereto. Said Budget Amendment XII shall be attached to and made a part of such Original General Budget by the City Secretary and shall be filed as required by state law, a true and correct copy of which is attached hereto as Exhibits “A” and “B” and made a part hereof for all purposes.

**Section 3.** In the event any clause, phrase, provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**PASSED AND APPROVED this 2nd day of November, 2020.**

---

Mike Foreman  
Mayor

ATTEST:

---

Melinda Welsh, TRMC  
City Secretary

**City of Friendswood  
Budget Amendment Summary  
Fiscal Year 2019 – 2020  
Budget Amendment XII  
November 2, 2020**

1. **Police Investigation Fund, \$905.** Appropriate asset forfeiture funds to the Police Investigation Fund (PIF) operating services account. Funds will be allocated from the Police Investigation State unassigned fund balance.
2. **Severance Package, \$80,216.** Appropriate funds to cover vacation and severance pay for an employee whose last date of employment was September 15, 2020. The funding source will be General Fund unassigned fund balance.
3. **Public Works Streets Sweeper, \$205,000.** Appropriate capital lease proceeds to purchase a street sweeper. The purchase was included in the FY 2019-2020 adopted budget. The capital lease will be for 5 years and will be supported by the Tax Debt Service Fund.
4. **Community Development Vehicle Unit CD23, \$2,787.** Appropriate funds received from the trade-in value of CDD's vehicle unit CD15 for purchasing the replacement vehicle unit CD23. Unit CD15 was included in the scheduled of vehicles to be replaced in FY2020. Additional funding is needed to cover the purchasing price of the replacement vehicle CD23. Funds will be allocated within the Vehicle Replacement Plan Fund for Unit CD23.

City of Friendswood  
November 2, 2020  
2019-2020 Budget Amendment XII - Exhibit B

| BA Number | Account Number    | Project Number | Description                                                                        | Amount    |
|-----------|-------------------|----------------|------------------------------------------------------------------------------------|-----------|
| 1         | 102-0000-30100    |                | Appropriate PIF Asset Forfeiture Unassigned Fund Balance to PIF operating services | (905)     |
| 1         | 102-2130-421.7400 |                | Appropriate PIF Asset Forfeiture Unassigned Fund Balance to PIF operating services | 905       |
| 2         | 001-0000-30500    |                | Appropriate funds for vacation and severance package pay out                       | (80,216)  |
| 2         | 001-0303-419.4190 |                | Appropriate funds for vacation pay out                                             | 13,346    |
| 2         | 001-0303-419.4710 |                | Appropriate funds for vacation pay out                                             | 558       |
| 2         | 001-0303-419.4720 |                | Appropriate funds for vacation pay out                                             | 2,140     |
| 2         | 001-0303-419.4190 |                | Appropriate funds for severance pay out                                            | 53,382    |
| 2         | 001-0303-419.4710 |                | Appropriate funds for severance pay out                                            | 2,233     |
| 2         | 001-0303-419.4720 |                | Appropriate funds for severance pay out                                            | 8,557     |
| 3         | 001-0000-39370    |                | Appropriate capital lease proceeds to purchase a Street Sweeper                    | (205,000) |
| 3         | 001-3610-431.8800 | PW205          | Appropriate capital lease proceeds to purchase a Street Sweeper                    | 205,000   |
| 4         | 301-0000-39210    |                | Appropriate proceeds from trade in of Unit CD15 to purchase Unit CD23              | (2,787)   |
| 4         | 301-0501-424.8300 | CD23           | Appropriate proceeds from trade in of Unit CD15 to purchase Unit CD23              | 2,787     |

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 10/6/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Ordinance No. T2020-43: First and Final reading of an ordinance amending City of Friendswood, Texas, Ordinance No. 2020-35, passed and approved September 14, 2020, same being an ordinance approving and adopting the City's General Budget for Fiscal Year 2020-2021 by approving "Budget Amendment I" to the "Original General Budget of the City of Friendswood, Texas, for the Fiscal Year 2020-2021"; providing for supplemental appropriation and/or transfer of certain funds; providing for severability; and providing other matters related to the subject.

Originating Department: Administrative Services

Degree of importance: Significant

### SUMMARY / ORIGINATING CAUSE

By its nature, our budget is an estimate of the revenues and expenditures needed to accomplish the City Council and Staff goals for the year. Throughout the year events occur that require adjustments to the budget. These adjustments may be needed for various reasons, such as the recognition of extraordinary revenues or expenditures, new projects that are authorized by Council or providing funding for expenditures resulting from extraordinary events like natural disasters. As the need arises, items for budget appropriations are accumulated and then submitted for approval at the City Council meeting each month. The budget adjustments covered by this ordinance comprise the first set for fiscal year 2020-2021.

We have attempted to provide as much explanation of the adjustments as possible through two sets of exhibits. Exhibit A provides a narrative explanation of each budget amendment. Exhibit B provides the detail of each accounting transaction.

Ordinance and exhibits are reviewed and approved by the City Attorney prior to inclusion on a City Council meeting agenda.

Expenditure Required: \$887,676

Amount Budgeted: \$547,277

Appropriation Required: \$340,399

Source of Funds: General Fund Unassigned Fund Balance, General Fund Operating Expenditures and Revenue, Water and Sewer working capital, Municipal Court Fund Unassigned Fund Balance, Police Investigation Fund-Federal; 2017 CDBG-DR Harris County Fund; Texas Water Board Flood Mitigation Fund; 2021 GO Bonds.



### **IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY**

Approval of this budget amendment will allow for timely procurement of program supplies and limit delays in the progress of capital improvement projects.

### **RECOMMENDATIONS**

Recommend approval of the ordinance and exhibits covering Budget Amendment I 2020–21.

### **ATTACHMENTS**

1. Ord 2020-43 BA I 2020-21
2. Ord 2020-43 Exhibit A
3. Ord 2020-43 Exhibit B

**ORDINANCE NO. T2020-43**

**AN ORDINANCE AMENDING CITY OF FRIENDSWOOD, TEXAS, ORDINANCE NO. 2020-35, PASSED AND APPROVED SEPTEMBER 14, 2020, SAME BEING AN ORDINANCE APPROVING AND ADOPTING THE CITY'S GENERAL BUDGET FOR FISCAL YEAR 2020-2021 BY APPROVING "BUDGET AMENDMENT I" TO THE "ORIGINAL GENERAL BUDGET OF THE CITY OF FRIENDSWOOD, TEXAS, FOR THE FISCAL YEAR 2020-2021"; PROVIDING FOR SUPPLEMENTAL APPROPRIATION AND/OR TRANSFER OF CERTAIN FUNDS; PROVIDING FOR SEVERABILITY; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT.**

\* \* \* \* \*

**WHEREAS**, by Ordinance No. 2020-35, the City Council of the City of Friendswood, Texas, adopted its "Original General Budget for Fiscal Year 2020-2021"; and

**WHEREAS**, the City Council has determined that revenues and/or reserves are available for supplemental appropriation, and/or that the transfer of certain funds interdepartmentally is economically feasible and in the best interest of prudent budgeting and for municipal purposes; and

**WHEREAS**, Section 8.04 of The City Charter provides for amendments after adoption of the budget; and

**WHEREAS**, the City Council desires to amend said Original General Budget to reflect such supplemental appropriation and/or transfer in the fiscal year 2020-2021;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:**

**Section 1.** The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

**Section 2.** The “Original General Budget of the City of Friendswood, Texas, for the Fiscal Year 2020-2021,” is hereby amended for municipal purposes as shown on “Budget Amendment I” to the “Original Budget of the City of Friendswood, Texas, for the Fiscal year 2020-2021” attached hereto. Said Budget Amendment I shall be attached to and made a part of such Original General Budget by the City Secretary and shall be filed as required by state law, a true and correct copy of which is attached hereto as Exhibits “A” and “B” and made a part hereof for all purposes.

**Section 3.** In the event any clause, phrase, provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**PASSED AND APPROVED this 2th day of November, 2020.**

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Mike Foreman  
Mayor

ATTEST:

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Melinda Welsh, TRMC  
City Secretary

**City of Friendswood  
Budget Amendment Summary  
Fiscal Year 2020 – 2021  
Budget Amendment I  
November 2, 2020**

1. **FY2020-2021 Adopted Budget Adjustments, (\$401,722).** Council approved the FY2020-2021 annual budget on September 14, 2020. However, the property tax rate that Council adopted on October 1, 2020, was less than the tax rate used to develop the FY2020-2021 adopted budget. This resulted in a decrease of \$391,134 in property tax revenue in the General Fund's budget. The following changes to expenditures are being made to offset this decrease in revenue: elimination of two staff positions, reduction in the City Manager's salary, revised funding for several contracts in the City Manager, Parks & Recreation and Mayor & Council departments, and a reduction in training and travel expenditures in all departments. To be consistent, training and travel expenditures were also reduced in the Water and Sewer Fund's budget by \$10,588. This amount will be added back to Water and Sewer Working Capital.
2. **Bay Area Houston Economic Partnership, Friendswood Chamber of Commerce and Friendswood Historical Society Annual Contracts, \$52,000.** Appropriate funds for annual contracts with the Bay Area Houston Economic Partnership, Friendswood Chamber of Commerce and Friendswood Historical Society for \$17,000, \$20,000, and \$15,000, respectively. Funds will be appropriated from the General Fund unassigned fund balance.
3. **FVFD Facilities Maintenance and Repairs, \$22,000.** Transfer funds from the FVFD contract service account in Fire Marshal department to Parks and Recreation Facility Operation's division maintenance account. Per the agreement between FVFD and the City, the City shall provide ongoing maintenance and repairs to Fire Stations that are required to be complete by a professional with a state license. FVFD agreed to help cover the increased cost that the City will incur taking over these services and repairs. A transfer of \$22,000 will be made from the agreement with FVFD to the Facility Operations division in Parks to help offset the costs.
4. **Parks & Recreation Donation, \$10,000.** Appropriate funds donated to the Parks and Recreation Department by Hometown Bank of Friendswood for the "Home for the Holidays Lighted Christmas Trail" event. This event will take the place of the annual Santa in the Park event this year. The donation was received on October 16, 2020.
5. **Municipal Court Technology Software Maintenance, \$1,638.** Appropriate funds to cover the increase in the annual maintenance service agreement with Tyler Technologies for the Incode Court Case Management Suite. Funds will be appropriated from the Municipal Court Fund unassigned fund balance.

6. **Police Investigation Fund Equipment, \$10,986.** Appropriate funds to purchase tactical equipment and headsets along with accessories for mounts on the equipment. The equipment will enhance radio communication among the tactical team members. Funds will be allocated from the Police Investigation Federal unassigned fund balance.
7. **Police Department Patrol Division Overtime, \$110,000.** Appropriate funds to the personnel overtime account in the Patrol division budget. Funds were transferred in the Patrol division personnel budget in fiscal year 2020. However, the transfer was not included in the adopted budget for fiscal year 2021, thus causing the overtime budget for Patrol to be short. Funds will come from the savings in fiscal year 2020 Patrol personnel budget. The funding source will be General Fund unassigned fund balance.
8. **Forest Bend Detention Pond Project Engineering and Architectural Services, \$229,926.** Appropriate funding for services related to Forest Bend Detention Pond. The City applied for and was awarded a grant through the 2017 Community Development Block Grant – Disaster Recovery with Harris County. At the August 3, 2020 council meeting, Council approved a contract with RPS Engineering Incorporated. Additional funds will be appropriated in the amount of \$229,926 for the contract with RPS. The funding source will be unassigned general fund balance.
9. **Fire Station #2 Reconstruction and Public Safety Building Phase 2 Architectural Services, \$123,555.** Contracts for architectural services were entered into on September 14, 2020 with PGAL, Inc. The cost of the architectural services for the Fire Station #2 reconstruction and training field upgrades and for the public safety building expansion for \$54,995 and \$68,560, respectively. Advance funding in the amount of \$300,000 for engineering and design services was appropriated at the June 1, 2020 council meeting. These two contracts totaling \$123,555 will be reallocated from the funds already appropriated.
10. **Water Meter Audit, \$45,000.** Appropriate funds for an investment grade water meter audit. The city entered into an agreement with Ameresco on October 6, 2020. The audit will provide a cost/benefit analysis of an automated water meter system. The funding source will be Water and Sewer working capital.
11. **Public Works TML-IRP Insurance Reimbursement, \$2,168.** Appropriate insurance reimbursements received from TML-IRP. Funding will be appropriated to the Public Works Streets division vehicle maintenance account for repairs made to unit PW82.
12. **Hurricane Harvey Buyout Lots, \$125,791.** Appropriate advance funding to demolish one home through the Hazard Mitigation Grant Program and three homes through the Texas Water Development Board Grant Program. These properties were purchased through the grants. The funding source for demolition costs will be unassigned general fund balance and will be reimbursed once grant funding has been received from the State agencies.

City of Friendswood  
November 2, 2020  
2020-2021 Budget Amendment I - Exhibit B

| BA Number | Account Number    | Project Number | Description                                                                         | Amount    |
|-----------|-------------------|----------------|-------------------------------------------------------------------------------------|-----------|
| 1         | 001-0000-31100    |                | Reduction in Property Tax Revenue                                                   | 391,134   |
| 1         | 401-0000-30200    |                | Appropriate FY2020-2021 budgeted expenditures back to Water & Sewer Working Capital | 10,588    |
| 1         | 001-0301-413.4110 |                | Reduce FY2020-2021 Budget for salary change in City Manager Position                | (10,000)  |
| 1         | 001-0303-419.4110 |                | Eliminate Economic Development Coordinator Position - Wages                         | (135,862) |
| 1         | 001-0303-419.4143 |                | Eliminate Economic Development Coordinator Position - Longevity Pay                 | (1,275)   |
| 1         | 001-0303-419.4145 |                | Eliminate Economic Development Coordinator Position - Incentive Pay                 | (1,500)   |
| 1         | 001-0303-419.4710 |                | Eliminate Economic Development Coordinator Position - Social Security/Medicare      | (10,170)  |
| 1         | 001-0303-419.4720 |                | Eliminate Economic Development Coordinator Position - TMRS Retirement               | (22,962)  |
| 1         | 001-0303-419.4810 |                | Eliminate Economic Development Coordinator Position - Health/Dental Insurance       | (13,289)  |
| 1         | 001-0303-419.4820 |                | Eliminate Economic Development Coordinator Position - Life Insurance                | (400)     |
| 1         | 001-0303-419.4830 |                | Eliminate Economic Development Coordinator Position - Disability Insurance          | (471)     |
| 1         | 001-0303-419.4840 |                | Eliminate Economic Development Coordinator Position - Workers Comp Insurance        | (150)     |
| 1         | 001-0303-419.4850 |                | Eliminate Economic Development Coordinator Position - EAP Services                  | (58)      |
| 1         | 001-0303-419.4890 |                | Eliminate Economic Development Coordinator Position - Flex Plan Administration      | (114)     |
| 1         | 001-0401-415.4110 |                | Eliminate ASO Administrative Assistant Position - Wages                             | (39,046)  |
| 1         | 001-0401-415.4145 |                | Eliminate ASO Administrative Assistant Position - Incentive Pay                     | (600)     |
| 1         | 001-0401-415.4710 |                | Eliminate ASO Administrative Assistant Position - Social Security/Medicare          | (2,967)   |
| 1         | 001-0401-415.4720 |                | Eliminate ASO Administrative Assistant Position - TMRS Retirement                   | (6,355)   |
| 1         | 001-0401-415.4810 |                | Eliminate ASO Administrative Assistant Position - Health/Dental Insurance           | (7,797)   |
| 1         | 001-0401-415.4820 |                | Eliminate ASO Administrative Assistant Position - Life Insurance                    | (114)     |
| 1         | 001-0401-415.4830 |                | Eliminate ASO Administrative Assistant Position - Disability Insurance              | (135)     |
| 1         | 001-0401-415.4840 |                | Eliminate ASO Administrative Assistant Position - Workers Comp Insurance            | (43)      |
| 1         | 001-0401-415.4850 |                | Eliminate ASO Administrative Assistant Position - EAP Services                      | (58)      |
| 1         | 001-0401-415.4890 |                | Eliminate ASO Administrative Assistant Position - Flex Plan Administration          | (22)      |
| 1         | 001-0101-411.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures                                 | (1,504)   |
| 1         | 001-0101-411.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures                   | (2,708)   |
| 1         | 001-0102-411.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures                                 | (383)     |
| 1         | 001-0102-411.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures                   | (498)     |
| 1         | 001-0201-411.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures                                 | (998)     |
| 1         | 001-0201-411.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures                   | (1,518)   |
| 1         | 001-0202-414.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures                                 | (50)      |
| 1         | 001-0202-414.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures                   | (35)      |
| 1         | 001-0203-419.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures                                 | (273)     |
| 1         | 001-0203-419.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures                   | (640)     |
| 1         | 001-0301-413.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures                                 | (1,705)   |
| 1         | 001-0301-413.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures                   | (1,145)   |
| 1         | 001-0303-419.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures                                 | (773)     |
| 1         | 001-0303-419.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures                   | (950)     |
| 1         | 001-0401-415.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures                                 | (5,033)   |
| 1         | 001-0401-415.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures                   | (3,438)   |
| 1         | 001-0409-412.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures                                 | (669)     |
| 1         | 001-0409-412.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures                   | (750)     |
| 1         | 001-0610-415.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures                                 | (1,870)   |
| 1         | 001-0610-415.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures                   | (3,350)   |
| 1         | 001-0612-415.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures                                 | (968)     |
| 1         | 001-0612-415.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures                   | (2,103)   |
| 1         | 001-0716-419.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures                                 | (5,670)   |
| 1         | 001-0716-419.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures                   | (1,988)   |
| 1         | 001-2101-421.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures                                 | (433)     |

City of Friendswood  
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| BA<br>Number | Account<br>Number | Project<br>Number | Description                                                       | Amount |
|--------------|-------------------|-------------------|-------------------------------------------------------------------|--------|
| 1            | 001-2101-421.7520 |                   | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (314)  |

City of Friendswood  
November 2, 2020  
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| BA Number | Account Number    | Project Number | Description                                                       | Amount  |
|-----------|-------------------|----------------|-------------------------------------------------------------------|---------|
| 1         | 001-2110-421.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (1,768) |
| 1         | 001-2110-421.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (525)   |
| 1         | 001-2120-421.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (7,333) |
| 1         | 001-2120-421.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (2,013) |
| 1         | 001-2125-421.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (63)    |
| 1         | 001-2125-421.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (773)   |
| 1         | 001-2130-421.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (2,090) |
| 1         | 001-2130-421.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (1,768) |
| 1         | 001-2150-441.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (850)   |
| 1         | 001-2150-441.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (775)   |
| 1         | 001-2501-422.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (2,141) |
| 1         | 001-2501-422.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (885)   |
| 1         | 001-2510-422.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (350)   |
| 1         | 001-2510-422.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (1,063) |
| 1         | 001-3501-419.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (1,290) |
| 1         | 001-3501-419.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (2,450) |
| 1         | 001-3502-419.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (1,583) |
| 1         | 001-3502-419.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (3,050) |
| 1         | 001-3528-424.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (1,628) |
| 1         | 001-3528-424.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (2,588) |
| 1         | 001-3601-431.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (875)   |
| 1         | 001-3601-431.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (775)   |
| 1         | 001-3610-431.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (263)   |
| 1         | 001-3610-431.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (8)     |
| 1         | 001-3770-431.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (750)   |
| 1         | 001-3770-431.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (175)   |
| 1         | 001-6310-459.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (565)   |
| 1         | 001-6310-459.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (975)   |
| 1         | 001-6401-451.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (316)   |
| 1         | 001-6401-451.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (588)   |
| 1         | 001-6420-452.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (1,165) |
| 1         | 001-6420-452.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (1,203) |
| 1         | 001-6423-452.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (125)   |
| 1         | 001-6424-458.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (356)   |
| 1         | 001-6424-458.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (675)   |
| 1         | 001-6428-452.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (23)    |
| 1         | 001-6428-452.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (13)    |
| 1         | 001-6429-452.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (38)    |
| 1         | 001-6429-452.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (50)    |
| 1         | 001-6430-456.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (458)   |
| 1         | 001-6430-456.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (458)   |
| 1         | 401-0401-415.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (658)   |
| 1         | 401-0401-415.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (1,105) |
| 1         | 401-3601-434.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (1,100) |
| 1         | 401-3601-434.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (775)   |
| 1         | 401-3648-434.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (500)   |
| 1         | 401-3648-434.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (50)    |
| 1         | 401-3650-434.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures               | (1,500) |



City of Friendswood  
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| BA<br>Number | Account<br>Number | Project<br>Number | Description                                                       | Amount |
|--------------|-------------------|-------------------|-------------------------------------------------------------------|--------|
| 1            | 401-3650-434.7520 |                   | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures | (150)  |

City of Friendswood  
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| BA Number | Account Number    | Project Number | Description                                                                                                                  | Amount    |
|-----------|-------------------|----------------|------------------------------------------------------------------------------------------------------------------------------|-----------|
| 1         | 401-3651-433.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures                                                                          | (1,775)   |
| 1         | 401-3651-433.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures                                                            | (175)     |
| 1         | 401-3655-434.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures                                                                          | (750)     |
| 1         | 401-3655-434.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures                                                            | (75)      |
| 1         | 401-3656-433.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures                                                                          | (1,000)   |
| 1         | 401-3656-433.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures                                                            | (100)     |
| 1         | 401-3770-434.7510 |                | Reduce FY2020-2021 Budget for Training Expenditures                                                                          | (750)     |
| 1         | 401-3770-434.7520 |                | Reduce FY2020-2021 Budget for Travel & Reimbursement Expenditures                                                            | (125)     |
| 1         | 001-0101-411.7530 |                | Reduce FY2020-2021 Budget for Memberships in Mayor & Council Department                                                      | (18,140)  |
| 1         | 001-0303-419.7800 |                | Reduce FY2020-2021 Budget for Contract Services in City Manager's Economic Development Division                              | (20,000)  |
| 1         | 001-6401-451.7800 |                | Reduce FY2020-2021 Budget for Contract Services in Parks & Recreation Department                                             | (15,000)  |
| 2         | 001-0000-30500    |                | Appropriate unassigned General Fund balance for annual membership with BAHEP                                                 | (17,000)  |
| 2         | 001-0101-411.7530 |                | Appropriate unassigned General Fund balance for annual membership with BAHEP                                                 | 17,000    |
| 2         | 001-0000-30500    |                | Appropriate unassigned General Fund balance for annual contract with Friendswood Chamber of Commerce                         | (20,000)  |
| 2         | 001-0303-419.7800 |                | Appropriate unassigned General Fund balance for annual contract with Friendswood Chamber of Commerce                         | 20,000    |
| 2         | 001-0000-30500    |                | Appropriate unassigned General Fund balance for annual contract with Friendswood Historical Society                          | (15,000)  |
| 2         | 001-6401-451.7800 |                | Appropriate unassigned General Fund balance for annual contract with Friendswood Historical Society                          | 15,000    |
| 3         | 001-2201-422.7850 |                | Transfer funds from FMO FVFD Contract Services for Fire to facility maintenance in Parks Facility Operations division        | (20,000)  |
| 3         | 001-2201-422.7851 |                | Transfer funds from FMO FVFD Contract Services for EMS to facility maintenance in Parks Facility Operations division         | (2,000)   |
| 3         | 001-6460-419.6600 |                | Transfer funds from FMO FVFD Contract Services for Fire & EMS to facility maintenance in Parks Facility Operations division  | 22,000    |
| 4         | 001-0000-38600    |                | Appropriate the donation from Hometown Bank for the "Home for the Holidays Lighted Christmas Trail" event                    | (10,000)  |
| 4         | 001-6420-452.7910 | LGTTTLREV      | Appropriate the donation from Hometown Bank for the "Home for the Holidays Lighted Christmas Trail" event                    | 10,000    |
| 5         | 150-0000-30500    |                | Appropriate funds for maintenance Increase for Incode Court Cast Management Suite annual contract                            | (1,638)   |
| 5         | 150-0409-412.6700 |                | Appropriate funds for maintenance Increase for Incode Court Cast Management Suite annual contract                            | 119       |
| 5         | 150-0409-412.7720 |                | Appropriate funds for maintenance Increase for Incode Court Cast Management Suite annual contract                            | 1,519     |
| 6         | 101-0000-30100    |                | Appropriate PIF Asset Forfeiture Unassigned Fund Balance to purchase tactical equipment and headsets                         | (10,986)  |
| 6         | 101-2120-421.5800 |                | Appropriate PIF Asset Forfeiture Unassigned Fund Balance to purchase tactical equipment and headsets                         | 10,986    |
| 7         | 001-0000-30500    |                | Appropriate unassigned General Fund Balance for FY20 Savings in Police Department Overtime                                   | (110,000) |
| 7         | 001-2120-421.4130 |                | Appropriate unassigned General Fund Balance for FY20 Savings in Police Department Overtime                                   | 110,000   |
| 8         | 001-10199         |                | Appropriate unassigned General Fund balance for Engineering and Architect Services for Forest Bend Detention Pond            | (229,926) |
| 8         | 001-14028         |                | Appropriate unassigned General Fund balance for Engineering and Architect Services for Forest Bend Detention Pond            | 229,926   |
| 8         | 123-26010         |                | Appropriate unassigned General Fund balance for Engineering and Architect Services for Forest Bend Detention Pond            | (229,926) |
| 8         | 123-10199         | FBDETPOND      | Appropriate unassigned General Fund balance for Engineering and Architect Services for Forest Bend Detention Pond            | 229,926   |
| 9         | 257-26010         |                | Allocated funds already appropriated for 2020 GO Bonds to Architect Services for Fire Station #2 and Training Field Upgrades | 54,995    |
| 9         | 257-26010         | GO1519         | Allocated funds already appropriated for 2020 GO Bonds to Architect Services for Fire Station #2 and Training Field Upgrades | (54,995)  |
| 9         | 257-26010         |                | Allocated funds already appropriated for 2020 GO Bonds to Architect Services for Public Building Phase #2                    | 68,560    |
| 9         | 257-26010         | GO1518         | Allocated funds already appropriated for 2020 GO Bonds to Architect Services for Public Building Phase #2                    | (68,560)  |
| 10        | 401-0000-30600    |                | Appropriate Working Capital from Water & Sewer Fund for Water Meter Investment Grade Analysis                                | (45,000)  |
| 10        | 401-3650-434.7800 |                | Appropriate Working Capital from Water & Sewer Fund for Water Meter Investment Grade Analysis                                | 45,000    |
| 11        | 001-0000-30500    |                | Appropriate insurance reimbursement from TML-IRP for Public Works Streets Vehicle Unit PW82                                  | (2,168)   |
| 11        | 001-3610-431.6300 | PW82           | Appropriate insurance reimbursement from TML-IRP for Public Works Streets Vehicle Unit PW82                                  | 2,168     |

City of Friendswood  
November 2, 2020  
2020-2021 Budget Amendment I - Exhibit B

| BA Number | Account Number | Project Number | Description                                                                            | Amount   |
|-----------|----------------|----------------|----------------------------------------------------------------------------------------|----------|
| 12        | 001-10199      |                | Due from HMGP Grant funds for additional demolition cost of 13 Haverford               | (350)    |
| 12        | 001-14018      |                | Due from HMGP Grant funds for additional demolition cost of 13 Haverford               | 350      |
| 12        | 120-26010      |                | Due to General Fund for additional demolition cost of 13 Haverford                     | (350)    |
| 12        | 120-10199      |                | Due to General Fund for additional demolition cost of 13 Haverford                     | 350      |
| 12        | 001-10199      |                | Due from TWDB FMA Grant funds for additional demolition cost of 222 Shadwell           | (3,450)  |
| 12        | 001-14019      |                | Due from TWDB FMA Grant funds for additional demolition cost of 222 Shadwell           | 3,450    |
| 12        | 121-26010      |                | Due to General Fund from TWDB FMA Grant for additional demolition cost of 222 Shadwell | (3,450)  |
| 12        | 121-10199      |                | Due to General Fund from TWDB FMA Grant for additional demolition cost of 222 Shadwell | 3,450    |
| 12        | 001-10199      |                | Due from TWDB FMA Grant funds for demolition of 301 Castlewood                         | (82,336) |
| 12        | 001-14019      |                | Due from TWDB FMA Grant funds for demolition of 301 Castlewood                         | 82,336   |
| 12        | 121-26010      |                | Due to General Fund from TWDB FMA Grant for demolition of 301 Castlewood               | (82,336) |
| 12        | 121-10199      |                | Due to General Fund from TWDB FMA Grant for demolition of 301 Castlewood               | 82,336   |
| 12        | 001-10199      |                | Due from TWDB FMA Grant funds for demolition of 1 Whitter                              | (39,655) |
| 12        | 001-14019      |                | Due from TWDB FMA Grant funds for demolition of 1 Whitter                              | 39,655   |
| 12        | 121-26010      |                | Due to General Fund from TWDB FMA Grant funds for demolition of 1 Whitter              | (39,655) |
| 12        | 121-10199      |                | Due to General Fund from TWDB FMA Grant funds for demolition of 1 Whitter              | 39,655   |

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 10/15/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Ordinance No. T2020-44: First reading of an ordinance amending Appendix C – “Zoning,” “Section 7.Q. District Area and Height Regulations” to amend and clarify the height regulations and exceptions in all commercial zoning districts and “Section 20. Definitions.” to remove a duplicate requirement; providing a penalty for violation in an amount not to exceed \$2,000, or as otherwise provided by law; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability.

Originating Department: Community Development

Degree of importance: Significant

### SUMMARY / ORIGINATING CAUSE

Proposed amendments to the Zoning Ordinance that will allow First Baptist Church to construct the new sanctuary with a tower as well as a cross on top of the tower that exceeds the current allowable building height by 18 feet.

Historical Timeline:

Jan 2020 - First Baptist Church submitted SUP application with structure, tower and cross exceeding maximum building height of DD.

June 2020 - First Baptist Church received approval of SUP 2020-25, which included the stipulation that the cross comply with the regulations of DD zoning district. City Council also requested P&Z Commission to review the ordinance and make a recommendation.

July 6, 2020 - At the Joint Work Session between City Council and the Planning and Zoning Commission presented their recommendation to keep the DD requirements as-is and require the church to comply. City Council communicated that they would like for First Baptist Church to be allowed to construct their building, tower and steeple combination of 90 feet 10 inches.

First Baptist Church lowered the tower height to comply with the DD building height maximum of 70 feet, decreasing the height of the cross to 18 feet above the allowable building height.

July 23, 2020 - Following the Joint Work Session, staff provided two options to the Commission that would allow the church to move forward - change the ordinance or amend SUP 2020-25. Following that meeting, staff received more detailed direction requesting the Commission to change the Zoning Ordinance, rather than allowing the church to amend their SUP.

Now: Staff and the Planning and Zoning Commission drafted an amendment to the Zoning Ordinance to allow exceptions to the maximum allowable building height in the DD, as well as clarified the exceptions in the other commercial districts. The intent was to make the exception list as narrow as possible.

Summary of Ordinance Amendments:  
Relocation of the height maximum (subnote k to the Commercial Regulation Matrix) clarifies that belfries, chimneys, cooling towers, elevator bulkheads, fire towers, storage towers, monuments, ornamental towers and spires, stage towers and scenery lofts, tanks and water towers are subject to the Height Maximum.

Exceptions are then clarified for all commercial zoning districts - finial, crosses and other religious symbols are allowed to exceed the building height or the height maximum in all commercial zoning districts. Properties zoned CSC, OPD, NC, LI, I and BP have an additional relief in that they can increase setbacks in order to build higher than 40 feet provided they meet the requirements.

Communication towers, free standing and attached to buildings, were separated into their own section.

Planned Unit Developments (PUDs) are exempt because they write their own regulations or designate an existing City zoning district by which they will abide.

**IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY**

Changing the ordinance will allow finial, crosses, and other religious symbols to exceed the building height or the height maximum in all commercial zoning districts, including the Downtown District (DD).

**RECOMMENDATIONS**

**ATTACHMENTS**

- 1. Ord 2020-44 Zoning Ordinance Building Height Amendments

**ORDINANCE NO. T2020-44**

**AN ORDINANCE AMENDING APPENDIX C – “ZONING,”  
“SECTION 7.Q. DISTRICT AREA AND HEIGHT  
REGULATIONS” TO AMEND AND CLARIFY THE  
HEIGHT REGULATIONS AND EXCEPTIONS IN ALL  
COMMERCIAL ZONING DISTRICTS AND “SECTION 20.  
DEFINITIONS.” TO REMOVE A DUPLICATE  
REQUIREMENT; PROVIDING A PENALTY FOR  
VIOLATION IN AN AMOUNT NOT TO EXCEED \$2000, OR  
AS OTHERWISE PROVIDED BY LAW; REPEALING ALL  
ORDINANCES OR PARTS OF ORDINANCES  
INCONSISTENT OR IN CONFLICT HEREWITH; AND  
PROVIDING FOR SEVERABILITY.**

\* \* \* \* \*

**WHEREAS**, the City Council of the City of Friendswood is continually reviewing the provisions of the City Code of Ordinances, specifically including Appendix C of the Friendswood City Code, (“Zoning”) relating to land use and other circumstances, and;

**WHEREAS**, the Planning and Zoning Commission of the City of Friendswood has conducted a public hearing, received input from staff and has issued its final report recommending the amendments referenced hereafter; and

**WHEREAS**, the Planning and Zoning Commission and the City Council have conducted public hearings in the time and manner required by law; and

**WHEREAS**, City Council has determined that all public notices have been posted and published, all required hearings on this matter have been held, and that this Ordinance complies with the applicable provisions of the City Charter, City Code and all other applicable laws;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:**

**Section 1.** That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

**Section 2.** That the City of Friendswood Code of Ordinances, Appendix C, “Zoning”, “Section 7.Q. District area and height regulations.” is hereby amended to read as follows:

**Section 7. Q. District area and height regulations.**

1. No lot, parcel, premises or tract of land shall be created and no building permit shall be issued for any request that does not meet the appropriate minimum lot area, width, depth, yard and height regulations as set forth in the following tables.
2. See regulation matrix.

**REGULATION MATRIX - COMMERCIAL DISTRICTS**

Circled letters (letters in parentheses) refer to paragraphs in section 7-Q.3.

| Zoning District | Lot Area Minimum Square Feet | Lot Width Minimum Feet | Lot Depth Minimum Feet | Yards—Minimum Feet |          |                                                                          |                                                     | Height Maximum Feet (b, e and k) | Landscape Requirements | Exception Notes | Maximum Lot Coverage |                                          |                                          |
|-----------------|------------------------------|------------------------|------------------------|--------------------|----------|--------------------------------------------------------------------------|-----------------------------------------------------|----------------------------------|------------------------|-----------------|----------------------|------------------------------------------|------------------------------------------|
|                 |                              |                        |                        | Front              | Rear (a) | Side                                                                     |                                                     |                                  |                        |                 |                      |                                          |                                          |
|                 |                              |                        |                        |                    |          | Interior                                                                 |                                                     |                                  |                        |                 |                      | Exterior                                 |                                          |
|                 |                              |                        |                        |                    |          | When Abutting Property in a Residential District or Garden Home District | When Abutting Property in a Nonresidential District |                                  |                        |                 |                      | When Backing Up to an Abutting Side Yard | When Backing Up to an Abutting Rear Yard |

|     |          |     |     |      |             |      |      |      |      |                     |     |         |            |
|-----|----------|-----|-----|------|-------------|------|------|------|------|---------------------|-----|---------|------------|
|     |          |     |     |      |             | t    |      |      |      |                     |     |         |            |
| CSC | 15,000   | 100 | 150 | 30   | 15          | 25   | 10   | 25   | 10   | 40                  | Yes |         | 30%        |
| NC  | 12,000   | 100 | 120 | 30   | 15 D        | 25   | 10   | 25   | 10   | 40                  | Yes | D, H    | 30%<br>H   |
| LNC | 10,000   | 100 | 100 | 30   | 15 D        | 25   | 10   | 25   | 10   | 40                  | Yes | D, I    | 30%;<br>cc |
| DD  | 15,000 E | 0   | 0   | 0    | 0 G<br>15 F | 15   | 0    | 0    | 0    | 70 (max. 4 stories) | Yes | E, F, G | 60%        |
| OPD | 10,000   | 100 | 100 | 30   | 15          | 25   | 10   | 25   | 10   | 40                  | Yes | H       | 30%        |
| BP  | 10,000   | 100 | 100 | 30   | 25          | 25   | 10 J | 25   | 10 J | 40                  | Yes | J       | 40%        |
| LI  | 15,000   | 100 | 100 | 30 A | 25          | 25   | 10   | 25   | 10   | 40                  | Yes | A       | 50%        |
| I   | 20,000   | 100 | 100 | 30 B | 25 C        | 40 C | 10   | 25 C | 10 C | 40                  | Yes | B, C    | 60%        |

- A. When LI district is across the street from a residential district, front yard shall be a minimum of 40 feet from street R.O.W.
- B. When I district is across the street from a residential district, front yard setback shall be a minimum of 50 feet from street R.O.W.
- C. When industrial district abuts side and/or rear residential district, setback shall be a minimum of 90 feet.
- D. When rear yard of an NC or LNC district abuts a nonresidential district, rear yard setback shall be a minimum of 15 feet.



- E. Lots within the downtown district (DD) in existence prior to the creation of the DD shall be deemed as lawfully existing and shall be allowed to develop under DD regulations. Further, tracts of any size in existence prior to the creation of the DD may be combined into larger tracts and developed, even if the aggregate size is less than 15,000 square feet. Further, no lot classified as within the DD zone may be subdivided to less than the minimum size of 15,000 square feet.
- F. When DD rear yard abuts a residential district (residential district or garden home district), rear yard setback shall be a minimum of 15 feet.
- G. When DD rear yard abuts a non-residential district, rear yard shall be a minimum of zero feet.
- H. In NC and OPD, building site coverage, consisting of all buildings, structures and all paved surfaces, shall not exceed 90 percent of the total lot area, per subsections G.5 and H.8 of this section.
- I. In LNC, building site coverage, consisting of all buildings, structures and all paved surfaces, shall not exceed 80 percent of the total lot area, per subsection G-1.6 of this section.
- J. In BP, no structure shall be located within 25 feet of an exterior BP boundary. An exterior BP boundary is one that abuts a zone other than BP, per subsection O.1 of this section.
- K. Height maximum includes belfries, chimneys, cooling towers, elevator bulkheads, fire towers, storage towers, monuments, ornamental towers and spires, stage towers and scenery lofts, tanks and water towers.

...

- 3. Area and height exceptions. ~~a. Unattached accessory buildings or structures less than 25 feet in height, as measured from the adjacent grade to the highest point of any portion of such building or structure, may be located in required rear or side yards within residential districts, provided they are set back not less than five feet from any interior side lot line, 20 feet from any side lot line adjacent to a side street, and ten feet from any rear lot line.~~
  - ~~b. A building or structure may not exceed 40 feet in height measured from the minimum habitable floor elevation; provided, however, that:~~
    - ~~a. 1. Buildings or structures Height maximum in Community Shopping Center (CSC), Neighborhood Commercial (NC), Office Park District (OPD), Light Industrial (LI), Industrial (I), and Business Park (BP) districts; may exceed 40 feet in height when:~~
      - ~~a. T May exceed 40 feet in height when the building setback from the nearest property line is equal to the building height. Further, the building or structure shall fit under an imaginary line that is not greater than 45.0 degrees at the property line from a horizontal line established at the minimum habitable~~

floor elevation, provided, however, no building or structure on property adjacent to a residential zone shall have a height that exceeds 50 feet ~~unless a specific use permit shall have been granted therefore in accordance with section 9.G.~~

b. Exceptions for Community Shopping Center (CSC), Neighborhood Commercial (NC), Office Park District (OPD), Light Industrial (LI), Industrial (I), and Business Park (BP) districts:

1. On buildings or structures located in these districts, finials, crosses, and other religious symbols shall not extend more than 10 feet above the building or extend more than 10 feet above the allowable building height; and

2. Finials, crosses and other religious symbols shall not be accessible and shall not be illuminated above the roofline.

c. Exceptions for the Downtown District (DD):

1. On buildings or structures located in the Downtown District (DD), finials, crosses and other religious symbols shall not extend more than 18 feet above the building or extend more than 18 feet above the allowable building height; and

2. Finials, crosses, and other religious symbols shall not be accessible and shall not be illuminated above the roofline.

d. Communications towers height criteria.

1. *Height limitations of communication towers.* The maximum communication tower height, including antennae, lightning rods and accessories, in residential districts shall not exceed 40 feet and in non-residential districts shall not exceed 200 feet, unless otherwise approved by City Council.

2. *Height limitations for communication towers placed on existing buildings.* Communication towers and antennae, which are located on top of buildings or structures shall not be more than 30 percent of the structure height above the structure.

3. This section applies to telecommunication towers, ham radio and television antennas, microwave relay, radio and television transmission towers.

~~b. Buildings or structures of 40 feet or less in height shall meet the setback requirements as defined in this appendix.~~

2.— e. Exceptions: Buildings or structures located in a Planned Unit Development (PUD):

~~Buildings and Sstructures located with in a general Planned Unit Development (PUD) or PUD-mixed use district shall be exempt from the height limitations contained herein. Height limitations for buildings or structures located within a general-PUD or PUD-mixed use application~~

will be as established in the ordinance authorizing and approving the PUD planned unit development.

- ~~3. The maximum height allowed for structures within the downtown district (DD) is 70 feet, as measured in accordance with the method prescribed in section 20, definitions.~~

f. Accessory buildings or structures in residential districts:

Unattached accessory buildings or structures less than 25 feet in height, as measured from the adjacent grade to the highest point of any portion of such building or structure, may be located in required rear or side yards within residential districts, provided they are set back not less than five feet from any interior side lot line, 20 feet from any side lot line adjacent to a side street, and ten feet from any rear lot line.

- ge. Interior side yards shall not be required for abutting properties in the same zoning district if both properties are developed as a unit under a common development plan.
- he. When individual attached townhouses or condominiums are to be sold separately, there shall be no minimum lot area requirements, provided that the total land area of the project, including the land on which the units are located and the land held in common ownership by the unit owners, is equal to the total minimum land area required per dwelling unit or lot in the district in which the project is located.
- ~~e. The height regulations of this section shall not apply to belfries, chimneys, church spires, conveyors, cooling towers, elevator bulkheads, fire towers, storage towers, flagpoles, monuments, ornamental towers or spires, cranes, construction equipment, smokestacks, stage towers and scenery lofts, tanks, water towers, ham radio and television antennas, microwave relay, radio and television transmission towers and items similar to those listed herein. The total combined maximum height for these items and the structure is 50 feet overall height, measured from the first finished floor to the highest point, unless otherwise approved by the planning and zoning commission.~~
- if. Minimum front yard setbacks for lots with predominant frontage on the curved radius of a cul-de-sac shall be 15 feet.
- ig. Stairs in certain situations. In residential zoning districts that have minimum front yard requirements, uncovered stairways associated with a residential use may project into the required front yard but shall remain a minimum of ten feet from the front property line, if:
1. A building is being elevated or reconstructed on an existing foundation to meet or exceed current city floodplain standards; and
  2. The stairway projection into the required front yard is limited to the minimum area required to meet elevation standards; and the stairway, at its widest point, shall not exceed ten feet.

**Section 3.** That the City of Friendswood Code of Ordinances, Appendix C, “Zoning”, “Section 20. Definitions” is hereby amended to read as follows:

Section 20. - Definitions.

...

*Height.*

- a. The height of a building shall be measured to:
  - (1) The top of ridge of the highest roof of a sloped roof (i.e., gable);
  - (2) The top of the highest deck of a mansard roof; or
  - (3) The top of the highest parapet wall of a flat roof.
- b. For buildings not located in the floodplain, height is measured from the top of the finished first floor of the building which can be no more than two feet above the finished grade at the site. Finished grade shall mean the highest grade elevation within five feet of the foundation or wall of the building, said grade having been established by means of an approved grading and/or drainage plan. Finished grade may also be the existing grade elevation when no terrain alteration is proposed, or where otherwise applicable. Any fill which is not required to achieve positive site drainage or slope stabilization, or which is otherwise proposed to raise the finished first floor elevation for any other purpose, shall not be considered to be finished grade for the purpose of measuring building height.
- c. For buildings located in the floodplain, height is measured from the top of the first finished floor which shall be two feet above the average base flood elevation at the site, as established by the latest available flood elevation maps for the city.
- d. ~~No part of a building or structure is allowed to exceed the maximum height allowed in a specific zoning district except for the following:~~
  - ~~(1) Elements inclusive of, but not limited to, chimneys, vents, and roof-top mechanical equipment, provided that the maximum allowed building or structure height is not exceeded by more than four feet; or~~
  - ~~(2) Elements inclusive of, but not limited to, radio or television antennae or aerials (but not including microwave receivers, transmitters, repeaters, or satellite receivers), provided that the maximum allowed building or structure height is not exceeded by more than ten feet.~~

...

**Section 4.** That this Ordinance is hereby incorporated and made a part of the Friendswood City Code of Ordinances. Violation of this Ordinance is subject to the penalty provisions contained in such Code under Section 1-14 “General penalty for violations of Code; continuing violations”, and as otherwise provided by law. Any person who shall willfully, intentionally, or with criminal

negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

**Section 5.** That all ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed.

**Section 6.** That in the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**Section 7.** That the City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

**PASSED AND APPROVED on first reading this 2<sup>nd</sup> day of November, 2020.**

**PASSED, APPROVED, AND ADOPTED on second and final reading this 7<sup>th</sup> day of December, 2020.**

---

Mike Foreman  
Mayor

ATTEST:

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Melinda Welsh, TRMC  
City Secretary



## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 10/22/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Ordinance No. T2020-45: First reading of an ordinance amending the Code of Ordinances, Chapter 34, Floods, Article II. Flood Damage Prevention, Division 1. Generally, by amending Sections 34-19, 34-21, 34-24, 34-25, 34-31, 34-33, 34-34, and by adding Section 34-35; and amending Division 2. Flood Hazard Reduction, by amending Sections 34-60 through 34-64; providing a penalty for violation in an amount not to exceed \$2,000 for each violation, or as otherwise provided by law; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability, publication and effective date.

Originating Department: Engineering

Degree of importance: Critical

### SUMMARY / ORIGINATING CAUSE

Historical rainfall data is used to understand flood risk. In 2017, the National Oceanic Atmospheric Administration released its Atlas 14 frequency analysis, which increased the historical rainfall data for the Friendswood area.

As a result of this update, the City's effective Flood Insurance Rate Maps (FIRMs) became outdated due to their use of older rainfall frequency data. Updates to FIRMs take years to complete through FEMA.

An analysis of area watersheds using the new Atlas 14 rainfall data indicates that a new 100-year floodplain would be similar to what is now the 500-year floodplain. In a push to begin adopting the higher rainfall data and to enforce the future 100-year floodplain, Harris County and the Harris County Flood Control District (HCFCD) has recommended that communities within Harris County and the immediate surrounding area adopt higher standards to their current flood ordinances to reflect future maps.

To further reinforce participation in the higher standards, the Harris County Engineering Department and HCFCD recommended to Harris County Commissioners that no partnership projects, including flood control or county roadway projects, be constructed in communities which fail to adopt these standards by December 31, 2020.

City Engineering Staff has been working directly with the Galveston County Consolidated Drainage District (GCCDD) to ensure higher standards would not be in conflict with any of their requirements. The GCCDD is currently in the process of updating its Drainage Design Criteria Manual and adopting similar standards. The City's Engineering Staff has assisted GCCDD in this process.

Once the GCCDD has finalized its Drainage Criteria Manual updates in the coming weeks, the City will be updating its own Design Criteria Manual to reflect changes made by GCCDD.

### **IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY**

Adoption of higher standards will result in the following:

- Use Atlas 14 rainfall rates for sizing storm water conveyance and detention systems.
- Require a minimum detention rate of 0.55 acre-feet per acre of detention for new developments one acre or larger in size. Single family residential structure and accessory buildings on existing lots are exempt.
- Prohibit the use of hydrograph timing as a substitute for detention.
- Require no net fill in the current mapped 500-year floodplain.
- Require the minimum Finished Floor Elevation (FFE) of new habitable structures be established at or waterproofed to the 500-year flood elevation as shown on the City's effective Flood Insurance Study.

### **RECOMMENDATIONS**

Approve the ordinance amending the City's Flood Damage Prevention ordinance and adopting higher standards.

### **ATTACHMENTS**

1. Ord 2020-45 Flood Ordinance Revisions
2. Red-Lined Version Ord 2020-45 Flood Ordinance Revisions
3. HCCC\_Letter-Recommended\_Minimum\_Standards



**ORDINANCE NO. T2020-45**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CHAPTER 34, FLOODS, ARTICLE II. FLOOD DAMAGE PREVENTION, DIVISION 1. GENERALLY, BY AMENDING SECTIONS 34-19, 34-21, 34-24, 34-25, 34-31, 34-33, 34-34, AND BY ADDING SECTION 34-35; AND AMENDING DIVISION 2. FLOOD HAZARD REDUCTION, BY AMENDING SECTIONS 34-60 THROUGH 34-64; PROVIDING A PENALTY FOR VIOLATION IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION, OR AS OTHERWISE PROVIDED BY LAW; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY, PUBLICATION AND EFFECTIVE DATE.**

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**WHEREAS**, flooding poses risk to property and residents in the City of Friendswood, and;

**WHEREAS**, the City's effective Flood Insurance Rate Maps (FIRMs) do not accurately define flood risks because they are based on rainfall information which has since been updated subsequent to the release of information in the National Oceanic Atmospheric Administration (NOAA) Atlas 14 frequency analysis; and

**WHEREAS**, the City is a partner with Harris County and the Harris County Flood Control District in local flood control efforts; and

**WHEREAS**, the Commissioners Court of Harris County has recommended to communities within Harris County to adopt certain minimum standards pertaining to drainage and flood control;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:**

**Section 1.** That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

**Section 2.** That the City of Friendswood Code of Ordinances, Chapter 34. Floods, Article II. Flood Damage Protection, Division 1. Generally, is hereby amended to read as follows:

“DIVISION 1. GENERALLY.

Sec. 34-19. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*0.2 percent flood elevation* means the elevation above mean sea level that floodwaters have been calculated to have a 0.2 percent chance of reaching in any given year.

*Appeal* means a request for a review of the floodplain administrator's interpretation of any provision of this article or a request for a variance.

*Atlas 14 rainfall* means rainfall frequency data published in the National Oceanic and Atmospheric Administration (NOAA) Atlas 14, Volume 11 Precipitation-Frequency Atlas of the United States, Texas.

*Base flood* means the flood having a one percent chance of being equaled or exceeded in any given year.

*Critical feature* means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

*Development* means any manmade change in improved and unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

*Elevated building* means a non-basement building built, in the case of a building in zones A1-30, AE, A, A99, AO, AH, B, C, X and D, to have the top of the elevated floor or, in the case of a building in zones V1-30, VE or V, to have the bottom of the lowest horizontal structural member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers) or shear walls parallel to the flow of the water and adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the 500-year flood. In the case of zones A1-30, AE, A, A99, AO, AH, B, C, X and D, the term "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwaters. In the case of zones V1-30, VE or V, the term "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls, if the breakaway walls meet the standards of section 60.3(e)(5) of the National Flood Insurance Program regulations.

*Existing construction or existing structures* means, for the purposes of determining rates, structures for which the start of construction commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date.

*FEMA* means the Federal Emergency Management Agency.

*Flood or flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

*Fill* means any material that is placed in an area and increases the elevation of that area or displaces water volume.

*Flood hazard boundary map (FHBM)* means an official map of a community on which the Federal Emergency Management Agency has delineated the boundaries of the flood, mudslide (i.e., mudflow) and related erosion areas having special hazards and which have been designated as zones A, M and/or E.

*Flood insurance rate map (FIRM)* means an official map of the city, on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the city.

*Flood protection system* means those physical structural works for which funds have been authorized, appropriated and expended, and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to flood risk the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood-modifying works are those constructed in conformance with sound engineering standards.

*Floodplain or flood prone area* means any land area susceptible to being inundated by water from any source (see *Flooding*).

*Floodway or regulatory floodway* means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

*Floodway conveyance offset volume* means the volume of material that must be excavated and removed from the special flood hazard area to provide an equivalent storage volume necessary to reduce loss of conveyance associated with development within the floodway.

*Friendswood special flood hazard area as defined in Section 34-25, Flood Zones Defined.*

*Levee* means a manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

*Levee system* means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

*Lowest floor* means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or

storage, in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of section 60.3 of the National Flood Insurance Program regulations.

*Manufactured home* means a structure transportable in one or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers and other similar vehicles.

*Mean sea level* means, for purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988, or other datum to which base flood elevations shown on a community's flood insurance rate map are referenced.

*New construction* means, for floodplain management purposes, structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community.

*Start of construction* (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (PL 97-348)) includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. The term "permanent construction" does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basements, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure.

*Structure* means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground.

*Substantial damage* means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damage condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

*Substantial improvement* means any repair, reconstruction or improvement of a structure over a period of 10 years, the cost of which equals or exceeds 50 percent of the market value of the structure either before the improvement or repair is started, or, if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition, the term "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term "substantial improvement" does not, however, include either any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to ensure safe

living conditions or any alteration of a structure listed on the national Register of Historic Places or a state inventory of historic places.

*Variance* means a grant of relief to a person from the requirements of this article when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this article. (For full requirements, see section 60.6 of the National Flood Insurance Program regulations.)

*Violation* means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications or other evidence of compliance required in section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4) or (e)(5) of the National Flood Insurance Program regulations is presumed to be in violation until such time as that documentation is provided.

*Water surface elevation* means the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

#### Sec. 34-20. - Statutory authorization.

The legislature of the state has in V.T.C.A., Water Code § 16.311 et seq., delegated the responsibility to local governmental units to adopt regulations designed to minimize flood losses. Therefore, the city council does ordain the provisions set out in this article to be its regulations governing flood damage prevention.

#### Sec. 34-21. - Findings of fact.

The city finds that:

- (1) The Friendswood special flood hazard areas of the city are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.
- (2) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.

#### Sec. 34-22. - Statement of purpose.

It is the purpose of this article to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;

- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (6) Help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize future flood blight areas;
- (7) Ensure that potential buyers are notified that property is in a flood area; and
- (8) Preserve floodplain storage through mitigation.

Sec. 34-23. - Lands to which this article applies.

This article shall apply to all areas within the jurisdiction of the city.

Sec. 34-24. - Basis for establishing the areas of special flood hazard and other flood areas.

The areas of special flood hazard and other flood areas identified by FEMA in a scientific and engineering report entitled, "The Flood Insurance Study for Galveston County, Texas and Incorporated Areas," dated August 15, 2019 with accompanying Flood Insurance Rate Map and Flood Boundary-Floodway Maps (FIRM and FBFM) are hereby adopted by reference and declared to be a part of this article. Incorporated Areas includes both Galveston and Harris Counties.

Sec. 34-25. Flood Zones Defined.

Moderate to Low Risk Areas, also known as "other flood areas" or the 500-year floodplain – In communities that participate in the NFIP, flood insurance is available to all property owners and renters in these zones:

*Zones B and X (Shaded)* means areas subject to a 0.2 percent chance of flooding in any given year; areas of 1 percent annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile, and areas protected by levees from 1 percent annual chance flood.

*Zones C and X (Unshaded)* means areas of minimal flood hazard, outside of the 0.2 percent chance of flood.

High Risk Areas, also known as “special flood hazard area” or the 100-year floodplain – In communities that participate in the NFIP, mandatory flood insurance purchase requirements apply to all of these zones:

*Zones A, AE, A1-30, AH, AO, AR, A99* means the land in the floodplain within the City, that is subject to a one percent or greater chance of flooding in any given year

High Risk – Coastal Areas – In communities that participate in the NFIP, mandatory flood insurance purchase requirements apply to all of these zones.

*Zones V, VE, V1-30* means coastal areas with a 1% or greater chance of flooding and an additional hazard associated with storm waves.

Friendswood Special Flood Hazard area is hereby established and means the land in the special flood hazard area and in the floodplain within the City that is subject to a 0.2 percent or greater chance of flooding in any given year and is designated as unnumbered A Zones, AE Zones, AO Zones, AH Zones, A1 through A99 Zones, VO Zones, V1 through V30 Zones, VE Zones, V Zones, or X Shaded Zones.

#### Sec. 34-26. - Compliance.

No structure or land shall be located, altered or have its use changed without full compliance with the terms of this article and other applicable regulations.

#### Sec. 34-27. - Abrogation and greater restrictions.

This article is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this article and another ordinance or regulation conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

#### Sec. 34-28. - Interpretation.

In the interpretation and application of this article, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the city council; and
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes.

#### Sec. 34-29. - Warning and disclaimer of liability.

The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, greater floods can and will occur, and flood heights may be increased by manmade or natural causes. This article does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the city or any official or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

Sec. 34-30. - Floodplain administrator—Designation.

The city manager is hereby appointed the floodplain administrator to administer and implement the provisions of this article and other appropriate sections of 44 CFR (National Flood Insurance Program regulations) pertaining to floodplain management.

Sec. 34-31. - Same—Duties and responsibilities.

Duties and responsibilities of the floodplain administrator shall include, but not be limited to, the following:

- (1) Maintain and hold open for public inspection all records pertaining to the provisions of this article.
- (2) Review permit applications to determine whether proposed building sites will be reasonably safe from flooding.
- (3) Review, approve or deny all applications for development permits required by adoption of this article.
- (4) Review permits for proposed development to ensure that all necessary permits have been obtained from those federal, state or local governmental agencies (including section 404 of the Federal Water Pollution Control Act amendments of 1972, 33 USC 1344) from which prior approval is required.
- (5) Make the necessary interpretation where interpretation is needed as to the exact location of the boundaries of the areas of Friendswood special flood hazard areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions).
- (6) Notify, in riverine situations, adjacent communities and the state coordinating agency, which is the state water commission, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to FEMA.
- (7) Ensure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.
- (8) When base flood elevation and Zone X (Shaded) data has not been provided in accordance with section 34-24, obtain, review and reasonably utilize any base flood elevation data, Zone X (Shaded) data and floodway data available from a federal, state or other source in order to administer the provisions of division 2 of this article.



Sec. 34-32. - Development permit—Establishment.

A development permit shall be required to ensure conformance with the provisions of this article. The permit fee shall be set by resolution and printed in Appendix D to this Code. A development permit is required for all development-related activity in the floodplain, including, but not limited to:

- (1) Construction of new structures;
- (2) Modifications or improvements to existing structures;
- (3) Excavation;
- (4) Filling;
- (5) Paving;
- (6) Drilling;
- (7) Driving of piles; and
- (8) Grading.

Sec. 34-33. - Same—Procedures.

- (a) Application for a development permit shall be presented to the floodplain administrator on a form furnished by him and may include, but not be limited to, plans in duplicate, drawn to scale, showing the location, dimensions and elevation or proposed landscape alterations, existing and proposed structures, and the location of the foregoing in relation to areas of Friendswood special flood hazard areas. Additionally, the following information is required:
  - (1) Elevation, in relation to mean sea level, of the lowest floor, including basement, of all new and substantially improved structures.
  - (2) Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed.
  - (3) A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of section 34-61(2).
  - (4) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.
  - (5) Maintenance of a record of all such information in accordance with section 34-30(1).
  - (6) A mitigation plan identifying all cut and fill activities occurring within the areas of Friendswood special flood hazard areas. This mitigation plan will include all necessary calculations and shall be signed and sealed by a registered professional engineer.
  - (7) Mitigation activities shall be fully implemented prior to any other development-related activities commenced on any given site.

- (b) Approval or denial of a development permit by the floodplain administrator shall be based on all of the provisions of this article and the following relevant factors:
- (1) The danger to life and property due to flooding or erosion damage.
  - (2) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
  - (3) The danger that materials may be swept onto other lands to the injury of others.
  - (4) The compatibility of the proposed use with existing and anticipated development.
  - (5) The safety of access to the property in times of flood for ordinary and emergency vehicles.
  - (6) The costs of providing governmental services during and after flood conditions, including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems.
  - (7) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.
  - (8) The necessity to the facility of a waterfront location, where applicable.
  - (9) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.
  - (10) The relationship of the proposed use to the comprehensive plan for the area.

Sec. 34-34. - Variance procedures.

The following shall regulate variances from the provisions of this article:

- (1) The appeal board, as established by the city, shall hear and render judgment on requests for variances from the requirements of this article.
- (2) The appeal board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision or determination made by the floodplain administrator in the enforcement or administration of this article.
- (3) Any person aggrieved by the decision of the appeal board may appeal such decision in the courts of competent jurisdiction.
- (4) The floodplain administrator shall maintain a record of all actions involving an appeal and shall report variances to FEMA upon request.
- (5) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or a state inventory of historic places without regard to the procedures set forth in the remainder of this section.
- (6) Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided the relevant factors

in section 34-32(b) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

- (7) Upon consideration of the factors noted in this section and the intent of this article, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this article.
- (8) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (9) Prerequisites for granting variances are as follows:
  - a. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
  - b. Variances shall only be issued upon:
    - 1. Showing a good and sufficient cause;
    - 2. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
    - 3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, or create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
  - c. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
- (10) Variances may be issued by the city for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use, provided that the criteria outlined in subsections (1) through (9) of this section are met, and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

#### Sec. 34-35. - Stormwater management.

- (a) Prior to the issuance of any development permit, except for permits for developments in areas wholly outside areas of Friendswood special flood hazard areas where it is determined by the city engineer as unnecessary due to the existence of sufficient available data, the applicant shall submit a hydrological analysis showing the impact and potential adverse effects of increased runoff attributable to such proposed development from an Atlas –14 100-year frequency storm on downstream areas. Drainage improvements shall be required in accordance with the following:
  - (1) Where new developments do not aggravate downstream flooding problems, they shall not be required to provide either on-site storage or off-site improvements. (2) Where

new developments may aggravate downstream flooding, the developer shall compensate for the increased flood flows by providing downstream improvements which provide capacity to handle the increased flows.

- (3) Where downstream improvements may be so extensive as to be uneconomical for the proposed development or not be feasible because of right-of-way or other limitations, new developments may provide on-site storage improvements sized and constructed as to eliminate any adverse drainage impact downstream.
- (4) If it is not feasible for new development to analyze all downstream conditions, such new development may provide on-site storage of sufficient capacity to limit the developed peak discharge from the storage systems to that which would have flowed from the development in its natural undeveloped state. The stormwater runoff rate from a development after its completion shall not exceed the runoff rate for the land area prior to its development as determined by the 100-year frequency storm. Drainage calculations modeled to accomplish this purpose and the inflow-outflow hydrographs supplied for the area will be supplied with construction drawings and along with all other calculations for drainage.
- (5) Hydrograph timing may not be used as a substitution for providing detention.

The storage systems designed to accomplish this purpose shall not be closer to any water-bearing strata than one foot and shall have soil borings from a certified laboratory to substantiate this fact, and these results will be supplied with the design engineer's stamp on them to the city engineer before construction can begin. The type and geometrical shape of the storage system is independent and left to the design of the developer's engineer, but should include a cross section for flow up to a five-year frequency storm and the second cross section should be for the storage of additional stormwater to the 100-year interval. The area used for this purpose is to be maintained by the developer.

- (b) No development shall proceed until approval has been granted by the city engineer for the plans, specifications and flood control measures for such development as required under this section.”

**Section 3.** That the City of Friendswood Code of Ordinances, Chapter 34. Floods, Article II. Flood Damage Protection, Division 2. Flood Hazard Reduction, is hereby amended to read as follows:

“DIVISION 2. - FLOOD HAZARD REDUCTION

Sec. 34-59. - Methods of reducing flood losses.

In order to accomplish its purposes, this division uses the following methods:

- (1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities.
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.
- (3) Control the alteration of natural floodplains, stream channels and natural protective barriers which are involved in the accommodation of floodwaters.
- (4) Control filling, grading, dredging and other development which may increase flood damage.
- (5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

#### Sec. 34-60. - General standards.

In all Friendswood special flood hazard areas, the following provisions are required for all new construction and substantial improvements:

- (1) All new construction or substantial improvements shall be designed or modified and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- (2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
- (3) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
- (4) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
- (5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
- (6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from the system into floodwaters; and
- (7) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

#### Sec. 34-61. - Specific standards.

In all Friendswood special flood hazard areas where base flood elevation and 0.2 percent flood elevation data has been provided as set forth in section 34-33, the following provisions are required:

- (1) *Residential construction.* New construction and substantial improvement of any residential structures shall have the lowest floor, including basement, elevated to 24 inches above the base flood elevation or at or above the 0.2 percent flood elevation, whichever is greater.. A registered professional engineer, architect or land surveyor shall submit a certification to the floodplain administrator that the standard of this subsection, as proposed in article, is satisfied.
- (2) *Nonresidential construction.* New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to 24 inches above the base flood level at or above the .2 percent flood elevation, whichever is greater, or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review the structural design, specifications and plans for the construction and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification, which includes the specific elevation in relation to mean sea level to which such structures are floodproofed, shall be maintained by the floodplain administrator.
- (3) *Manufactured homes.*
  - a. All manufactured homes to be placed within zone A shall be installed using methods and practices which minimize flood damage. For the purpose of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.
  - b. All manufactured homes shall be in compliance with subsection (1) of this section.

Sec. 34-62. - Maintenance of on-site stormwater storage facilities.

- (a) In each case where an on-site stormwater storage facility is provided pursuant to this article, the developer shall furnish evidence of acceptance for maintenance of such storage facility to the Galveston County Consolidated Drainage District (GCCDD), having authority to perform such service. The Galveston County Consolidated Drainage District (GCCDD) will agree to assume such responsibility, provided the developer:
  - (1) Dedicates to the city and GCCDD an easement over and across such facility;
  - (2) Dedicates an access easement to such facility to the city and GCCDD; and
  - (3) Pays to the entity who is maintaining such facilities, whether the city or GCCDD, the estimated cost of maintaining such storage facility for a period of ten years, as stated on the fee schedule in the Drainage Criteria Manual.

Provided further, if the on-site stormwater storage facility is designed to be a "dry" facility and not an amenity or a private recreational facility. Amenity ponds shall be defined as any pond

whose land area has been deeded to the homeowners/landowners for the benefit of the homeowners/landowners and are to be maintained by the homeowners'/landowners' association. These ponds shall include "wet ponds" and ponds used for recreational purposes.

- (b) For the purposes of this section, the term "stormwater storage facility" means a stormwater storage facility serving primarily as a collection device and not as a transmission system, and which is designed and constructed for the purpose of providing on-site detention for the benefit of a multiparcel development, and not for a single lot or single parcel development.

Sec. 34-63. - Special lowest floor elevation requirements.

- (a) Notwithstanding any other provision contained in this article to the contrary, in zone AE, lowest floor elevations shall be a minimum of 24 inches above the elevation given on the latest FEMA FIRM panel for the city or at or at or above the 0.2 percent flood elevation whichever is greater. When building location falls between elevations, the elevation may be interpolated to the nearest one-half foot.
- (b) Notwithstanding any other provision contained in this article to the contrary, in zone AO, lowest floor elevations shall be 36 inches higher than the centerline of the road in curb and gutter streets, or the high bank of a roadside ditch on streets with open ditch drainage or at or above the 0.2 percent flood elevation, whichever is greater.
- (c) Notwithstanding any other provision contained in this article to the contrary, in zone X shaded, lowest floor elevations shall be a minimum of 24 inches higher than the adjacent natural grade or at or above the 0.2 percent flood elevation, whichever is greater.
- (d) Notwithstanding any other provision contained in this article to the contrary, in zone X unshaded, lowest floor elevation shall be as follows:
  - (1) On curb and gutter streets, the elevation shall be a minimum of 18 inches above the top of curb or a minimum of 12 inches above the adjacent natural grade or at or above the 0.2 percent flood elevation, whichever is greater.
  - (2) On streets with open ditches, slab elevations shall be a minimum of 18 inches higher than the center of the street or a minimum of 12 inches higher than the adjacent natural grade or at or above the 0.2 percent flood elevation,, whichever is greater.
- (e) For the purposes of this section, the term "adjacent natural grade" means the natural ground adjacent to the slab at its centerline paralleling the front of the structure. Natural ground is assumed to be the ground surface existing prior to placement of the building pad.
- (f) Any person who shall violate any provision of this section shall be deemed guilty of a misdemeanor.

Sec. 34-64. - Standards for subdivision proposals.

- (a) All subdivision proposals, including manufactured home parks and subdivisions, shall be consistent with sections 34-21, 34-22 and 34-59.

- (b) All proposals for the development of subdivisions, including manufactured home parks and subdivisions, shall meet the development permit requirements of sections 34-32 and 34-26, and the provisions of this division.
- (c) Base flood elevation data and 0.2 percent flood elevation data shall be generated for subdivision proposals and other proposed development, including manufactured home parks and subdivisions, which is greater than 50 lots or five acres, whichever is lesser, if not otherwise provided pursuant to section 34-24.
- (d) All subdivision proposals, including manufactured home parks and subdivisions, shall have adequate drainage provided to reduce exposure to flood hazards.
- (e) All subdivision proposals, including manufactured home parks and subdivisions, shall have public utilities and facilities, such as sewer, gas, electrical and water systems, located and constructed to minimize or eliminate flood damage.

#### Sec. 34-65. - Floodways.

Property located within areas of special flood hazard as established in section 34-24 are areas designated as floodways. The council finds that floodways are extremely hazardous areas due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, and the following provisions shall therefore apply to these areas in order to protect the public health, safety, and welfare and to protect private property:

- (1) Encroachments into the floodway shall be prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through a no-rise certificate using hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
- (2) If subsection (1) of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of sections 34-60 through 34-64, and other applicable regulations of the city or provisions of this article.
- (3) Under the provisions of 44 CFR 65.12 of the National Flood Insurance Program regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a conditional FIRM and floodway revision through FEMA.

**Section 4.** That this Ordinance is hereby incorporated and made a part of the Friendswood City Code of Ordinances.

**Section 5.** That a person who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.



**Section 6.** That this Ordinance shall become effective upon publication as required by the City Charter.

**Section 7.** That all ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed.

**Section 8.** That in the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**Section 9.** That the City Secretary shall give notice of the enactment of this Ordinance by publication as required by the City Charter.

**PASSED AND APPROVED on first reading this 2nd day of November, 2020.**

**PASSED, APPROVED, AND ADOPTED on second and final reading this 7th day of December, 2020.**

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Mike Foreman  
Mayor

ATTEST:

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Melinda Welsh, TRMC  
City Secretary

**ORDINANCE NO. 2020-XX**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CHAPTER 34, FLOODS, ARTICLE II. FLOOD DAMAGE PREVENTION, DIVISION 1. GENERALLY, BY AMENDING SECTIONS 34-19, 34-21, 34-24, 34-25, 34-31, 34-33, 34-34, AND BY ADDING SECTION 34-35; AND AMENDING DIVISION 2. FLOOD HAZARD REDUCTION, BY AMENDING SECTIONS 34-60 THROUGH 34-64; PROVIDING A PENALTY FOR VIOLATION IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION, OR AS OTHERWISE PROVIDED BY LAW; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY, PUBLICATION AND EFFECTIVE DATE.**

\* \* \* \* \*

**WHEREAS**, flooding poses risk to property and residents in the City of Friendswood, and;

**WHEREAS**, the City's effective Flood Insurance Rate Maps (FIRMs) do not accurately define flood risks because they are based on rainfall information which has since been updated subsequent to the release of information in the National Oceanic Atmospheric Administration (NOAA) Atlas 14 frequency analysis; and

**WHEREAS**, the City is a partner with Harris County and the Harris County Flood Control District in local flood control efforts; and

**WHEREAS**, the Commissioners Court of Harris County has recommended to communities within Harris County to adopt certain minimum standards pertaining to drainage and flood control;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:**

**SECTION 1.** That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

**SECTION 2.** That the City of Friendswood Code of Ordinances, Chapter 34. Floods, Article II. Flood Damage Protection, Division 1. Generally, is hereby amended to read as follows:

“DIVISION 1. GENERALLY.

Sec. 34-19. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

0.2 percent flood elevation means the elevation above mean sea level that floodwaters have been calculated to have a 0.2 percent chance of reaching in any given year.

*Appeal* means a request for a review of the floodplain administrator's interpretation of any provision of this article or a request for a variance.

~~*Area of special flood hazard means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as zone A on the flood hazard boundary map (FHBM). After detailed ratemaking has been completed in preparation for publication of the flood insurance rate map (FIRM), zone A usually is refined into zones A, AE, AH, AO, A1-99, VO, V1-30, VE and/or V.*~~

*Atlas 14 rainfall means rainfall frequency data published in the National Oceanic and Atmospheric Administration (NOAA) Atlas 14, Volume 11 Precipitation-Frequency Atlas of the United States, Texas.*

*Base flood* means the flood having a one percent chance of being equaled or exceeded in any given year.

*Critical feature* means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

*Development* means any manmade change in improved and unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

*Elevated building* means a non-basement building built, in the case of a building in zones A1-30, AE, A, A99, AO, AH, B, C, X and D, to have the top of the elevated floor or, in the case of a building in zones V1-30, VE or V, to have the bottom of the lowest horizontal structural member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers) or shear walls parallel to the flow of the water and adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the 500-year flood base flood. In the case of zones A1-30, AE, A, A99, AO, AH, B, C, X and D, the term "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwaters. In the case of zones V1-30, VE or V, the term "elevated building" also includes a building

otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls, if the breakaway walls meet the standards of section 60.3(e)(5) of the National Flood Insurance Program regulations.

*Existing construction or existing structures* means, for the purposes of determining rates, structures for which the start of construction commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date.

*FEMA* means the Federal Emergency Management Agency.

*Flood or flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

*Fill means any material that is placed in an area and increases the elevation of that area or displaces water volume.*

*Flood hazard boundary map (FHBM)* means an official map of a community on which the Federal Emergency Management Agency has delineated the boundaries of the flood, mudslide (i.e., mudflow) and related erosion areas having special hazards and which have been designated as zones A, M and/or E.

*Flood insurance rate map (FIRM)* means an official map of the city, on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the city.

*Flood protection system* means those physical structural works for which funds have been authorized, appropriated and expended, and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a ~~"special flood hazard"~~"flood risk" the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood-modifying works are those constructed in conformance with sound engineering standards.

*Floodplain or flood prone area* means any land area susceptible to being inundated by water from any source (see *Flooding*).

*Floodway or regulatory floodway* means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

*Floodway conveyance offset volume means the volume of material that must be excavated and removed from the special flood hazard area to provide an equivalent storage volume necessary to reduce loss of conveyance associated with development within the floodway.*

*Friendswood special flood hazard area as defined in Section 34-25, Flood Zones Defined.*

*Levee* means a manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

*Levee system* means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

*Lowest floor* means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of section 60.3 of the National Flood Insurance Program regulations.

*Manufactured home* means a structure transportable in one or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers and other similar vehicles.

*Mean sea level* means, for purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988, or other datum to which base flood elevations shown on a community's flood insurance rate map are referenced.

*New construction* means, for floodplain management purposes, structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community.

*Other flood areas means the area between the limits of the base flood and the 0.2-percent annual chance (or 500-year) flood. These areas are labeled Zone B or Zone X (Shaded) on the FEMA FIRM map*

*Special flood hazard area means the land in the floodplain within the City, that is subject to a one percent or greater chance of flooding in any given year and is designated as unnumbered A Zones, AE Zones, AH Zones, A1 through A99 Zones, VO Zones, V1 through V30 Zones, VE Zones or V Zones.*

*Start of construction* (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (PL 97-348)) includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. The term "permanent construction" does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basements, footings, piers or foundations or the erection of

temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure.

*Structure* means ~~a walled and roofed building, including a gas or liquid storage tank, that is principally aboveground, as well as a manufactured home anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground.~~

*Substantial damage* means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damage condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

*Substantial improvement* means any repair, reconstruction or improvement of a structure ~~over a period of 10 years~~, the cost of which equals or exceeds 50 percent of the market value of the structure either before the improvement or repair is started, or, if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition, the term "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term "substantial improvement" does not, however, include either any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to ensure safe living conditions or any alteration of a structure listed on the national Register of Historic Places or a state inventory of historic places.

*Variance* means a grant of relief to a person from the requirements of this article when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this article. (For full requirements, see section 60.6 of the National Flood Insurance Program regulations.)

*Violation* means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications or other evidence of compliance required in section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4) or (e)(5) of the National Flood Insurance Program regulations is presumed to be in violation until such time as that documentation is provided.

*Water surface elevation* means the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

~~*Zone X (Shaded)* means areas subject to a 0.2 percent chance of flooding in any given year; areas of 1 percent% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile, and areas protected by levees from 1 percent% annual chance flood.~~

~~*Zone X (Unshaded)* means areas of minimal flood hazard, outside of the 0.2 percent chance of flood.~~

Sec. 34-20. - Statutory authorization.

The legislature of the state has in V.T.C.A., Water Code § 16.311 et seq., delegated the responsibility to local governmental units to adopt regulations designed to minimize flood losses. Therefore, the city council does ordain the provisions set out in this article to be its regulations governing flood damage prevention.

Sec. 34-21. - Findings of fact.

The city finds that:

- (1) The Friendswood special flood hazard areas of the city are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.
- (2) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.

Sec. 34-22. - Statement of purpose.

It is the purpose of this article to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (6) Help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize future flood blight areas;
- (7) Ensure that potential buyers are notified that property is in a flood area; and
- (8) Preserve floodplain storage through mitigation.

Sec. 34-23. - Lands to which this article applies.

This article shall apply to all areas within the jurisdiction of the city.

Sec. 34-24. - Basis for establishing the areas of special flood hazard and other flood areas.

The areas of special flood hazard and other flood areas identified by ~~the Federal Emergency Management Agency~~ FEMA in a scientific and engineering report entitled, "The Flood Insurance Study for Galveston County, Texas and Incorporated Areas," dated August 15, 2019 with accompanying Flood Insurance Rate Map and Flood Boundary-Floodway Maps (FIRM and FBFM); ~~"The Flood Insurance Study for Harris County, Texas and Incorporated Areas," dated January 6, 2017, with accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps (FIRM and FBFM) and any revisions thereto, and "The Flood Insurance Study for Harris County, Texas and Incorporated Areas," dated June 18, 2007, with accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps (FIRM and FBFM) and any revisions thereto,~~ are hereby adopted by reference and declared to be a part of this article. Incorporated Areas includes both Galveston and Harris Counties.

Sec. 34-25. Flood Zones Defined.

Moderate to Low Risk Areas, also known as "other flood areas" or the 500-year floodplain – In communities that participate in the NFIP, flood insurance is available to all property owners and renters in these zones:

*Zones B and X (Shaded)* means areas subject to a 0.2 percent chance of flooding in any given year; areas of 1 percent annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile, and areas protected by levees from 1 percent annual chance flood.

*Zones C and X (Unshaded)* means areas of minimal flood hazard, outside of the 0.2 percent chance of flood.

High Risk Areas, also known as "special flood hazard area" or the 100-year floodplain – In communities that participate in the NFIP, mandatory flood insurance purchase requirements apply to all of these zones:

*Zones A, AE, AI-30, AH, AO, AR, A99* means the land in the floodplain within the City, that is subject to a one percent or greater chance of flooding in any given year

High Risk – Coastal Areas – In communities that participate in the NFIP, mandatory flood insurance purchase requirements apply to all of these zones.

*Zones V, VE, V1-30* means coastal areas with a 1% or greater chance of flooding and an additional hazard associated with storm waves.



Friendswood Special Flood Hazard area is hereby established and means the land in the special flood hazard area and in the floodplain within the City that is subject to a 0.2 percent or greater chance of flooding in any given year and is designated as unnumbered A Zones, AE Zones, AO Zones, AH Zones, A1 through A99 Zones, VO Zones, V1 through V30 Zones, VE Zones, V Zones, or X Shaded Zones.

Sec. 34-265. - Compliance.

No structure or land shall be located, altered or have its use changed without full compliance with the terms of this article and other applicable regulations.

Sec. 34-276. - Abrogation and greater restrictions.

This article is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this article and another ordinance or regulation conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Sec. 34-287. - Interpretation.

In the interpretation and application of this article, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the city council; and
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes.

Sec. 34-298. - Warning and disclaimer of liability.

The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, greater floods can and will occur, and flood heights may be increased by manmade or natural causes. This article does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the city or any official or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

Sec. 34-3029. - Floodplain administrator—Designation.

The city manager is hereby appointed the floodplain administrator to administer and implement the provisions of this article and other appropriate sections of 44 CFR (National Flood Insurance Program regulations) pertaining to floodplain management.

Sec. 34-319. - Same—Duties and responsibilities.

Duties and responsibilities of the floodplain administrator shall include, but not be limited to, the following:

- (1) Maintain and hold open for public inspection all records pertaining to the provisions of this article.
- (2) Review permit applications to determine whether proposed building sites will be reasonably safe from flooding.
- (3) Review, approve or deny all applications for development permits required by adoption of this article.
- (4) Review permits for proposed development to ensure that all necessary permits have been obtained from those federal, state or local governmental agencies (including section 404 of the Federal Water Pollution Control Act amendments of 1972, 33 USC 1344) from which prior approval is required.
- (5) Make the necessary interpretation where interpretation is needed as to the exact location of the boundaries of the areas of Friendswood special flood hazards- areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions).
- (6) Notify, in riverine situations, adjacent communities and the state coordinating agency, which is the state water commission, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency FEMA.
- (7) Ensure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.
- (8) When base flood elevation and Zone X (Shaded) data has not been provided in accordance with section 34-24, obtain, review and reasonably utilize any base flood elevation data, Zone X (Shaded) data and floodway data available from a federal, state or other source in order to administer the provisions of division 2 of this article.

Sec. 34-321. - Development permit—Establishment.

A development permit shall be required to ensure conformance with the provisions of this article. The permit fee shall be set by resolution and printed in Appendix D to this Code. A development permit is required for all development-related activity in the floodplain, including, but not limited to:

- (1) Construction of new structures;
- (2) Modifications or improvements to existing structures;
- (3) Excavation;
- (4) Filling;
- (5) Paving;
- (6) Drilling;
- (7) Driving of piles; and
- (8) Grading.

Sec. 34-332. - Same—Procedures.

- (a) Application for a development permit shall be presented to the floodplain administrator on a form furnished by him and may include, but not be limited to, plans in duplicate, drawn to scale, showing the location, dimensions and elevation or proposed landscape alterations, existing and proposed structures, and the location of the foregoing in relation to areas of Friendswood special flood hazard areas. Additionally, the following information is required:
  - (1) Elevation, in relation to mean sea level, of the lowest floor, including basement, of all new and substantially improved structures.
  - (2) Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed.
  - (3) A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of section 34-61(2).
  - (4) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.
  - (5) Maintenance of a record of all such information in accordance with section 34-30(1).
  - (6) A mitigation plan identifying all cut and fill activities occurring within the areas of Friendswood special flood hazard areas. This mitigation plan will include all necessary calculations and shall be signed and sealed by a registered professional engineer.
  - (7) Mitigation activities shall be fully implemented prior to any other development-related activities commenced on any given site.
- (b) Approval or denial of a development permit by the floodplain administrator shall be based on all of the provisions of this article and the following relevant factors:
  - (1) The danger to life and property due to flooding or erosion damage.
  - (2) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
  - (3) The danger that materials may be swept onto other lands to the injury of others.

- (4) The compatibility of the proposed use with existing and anticipated development.
- (5) The safety of access to the property in times of flood for ordinary and emergency vehicles.
- (6) The costs of providing governmental services during and after flood conditions, including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems.
- (7) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.
- (8) The necessity to the facility of a waterfront location, where applicable.
- (9) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.
- (10) The relationship of the proposed use to the comprehensive plan for the area.

Sec. 34-343. - Variance procedures.

The following shall regulate variances from the provisions of this article:

- (1) The appeal board, as established by the city, shall hear and render judgment on requests for variances from the requirements of this article.
- (2) The appeal board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision or determination made by the floodplain administrator in the enforcement or administration of this article.
- (3) Any person aggrieved by the decision of the appeal board may appeal such decision in the courts of competent jurisdiction.
- (4) The floodplain administrator shall maintain a record of all actions involving an appeal and shall report variances to ~~the Federal Emergency Management Agency~~ FEMA upon request.
- (5) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or a state inventory of historic places without regard to the procedures set forth in the remainder of this section.
- (6) Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided the relevant factors in section 34-32(b) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- (7) Upon consideration of the factors noted in this section and the intent of this article, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this article.

- (8) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (9) Prerequisites for granting variances are as follows:
  - a. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
  - b. Variances shall only be issued upon:
    - 1. Showing a good and sufficient cause;
    - 2. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
    - 3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, or create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
  - c. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
- (10) Variances may be issued by the city for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use, provided that the criteria outlined in subsections (1) through (9) of this section are met, and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

Sec. 34-354. - Stormwater management.

- (a) Prior to the issuance of any development permit, except for permits for developments in areas wholly outside areas of Friendswood special flood hazard areas where it is determined by the city engineer as unnecessary due to the existence of sufficient available data, the applicant shall submit a hydrological analysis showing the impact and potential adverse effects of increased runoff attributable to such proposed development from an Atlas -14 100-year frequency storm on downstream areas. Drainage improvements shall be required in accordance with the following:
  - (1) Where new developments do not aggravate downstream flooding problems, they shall not be required to provide either on-site storage or off-site improvements. (2) Where new developments may aggravate downstream flooding, the developer shall compensate for the increased flood flows by providing downstream improvements which provide capacity to handle the increased flows.
  - (3) Where downstream improvements may be so extensive as to be uneconomical for the proposed development or not be feasible because of right-of-way or other limitations,

new developments may provide on-site storage improvements sized and constructed as to eliminate any adverse drainage impact downstream.

- (4) If it is not feasible for new development to analyze all downstream conditions, such new development may provide on-site storage of sufficient capacity to limit the developed peak discharge from the storage systems to that which would have flowed from the development in its natural undeveloped state. The stormwater runoff rate from a development after its completion shall not exceed the runoff rate for the land area prior to its development as determined by the 100-year frequency storm. Drainage calculations modeled to accomplish this purpose and the inflow-outflow hydrographs supplied for the area will be supplied with construction drawings and along with all other calculations for drainage.

(5) Hydrograph timing may not be used as a substitution for providing detention.

The storage systems designed to accomplish this purpose shall not be closer to any water-bearing strata than one foot and shall have soil borings from a certified laboratory to substantiate this fact, and these results will be supplied with the design engineer's stamp on them to the city engineer before construction can begin. The type and geometrical shape of the storage system is independent and left to the design of the developer's engineer, but should include a cross section for flow up to a five-year frequency storm and the second cross section should be for the storage of additional stormwater to the 100-year interval. The area used for this purpose is to be maintained by the developer.

- (b) No development shall proceed until approval has been granted by the city engineer for the plans, specifications and flood control measures for such development as required under this section.”

**SECTION 3.** That the City of Friendswood Code of Ordinances, Chapter 34. Floods, Article II. Flood Damage Protection, Division 2. Flood Hazard Reduction, is hereby amended to read as follows:

“DIVISION 2. - FLOOD HAZARD REDUCTION

Sec. 34-59. - Methods of reducing flood losses.

In order to accomplish its purposes, this division uses the following methods:

- (1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities.
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.

- (3) Control the alteration of natural floodplains, stream channels and natural protective barriers which are involved in the accommodation of floodwaters.
- (4) Control filling, grading, dredging and other development which may increase flood damage.
- (5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

#### Sec. 34-60. - General standards.

In all ~~areas of Friendswood~~ special flood hazard areas, the following provisions are required for all new construction and substantial improvements:

- (1) All new construction or substantial improvements shall be designed or modified and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- (2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
- (3) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
- (4) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
- (5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
- (6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from the system into floodwaters; and
- (7) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

#### Sec. 34-61. - Specific standards.

In all ~~areas of Friendswood~~ special flood hazard areass where base flood elevation and 0.2 percent% flood elevation data has been provided as set forth in section 34-33, the following provisions are required:

- (1) *Residential construction.* New construction and substantial improvement of any residential structures shall have the lowest floor, including basement, elevated to 24 inches above the base flood elevation or at or above the 0.2 percent% flood elevation, whichever is greater. A registered professional engineer, architect or land surveyor shall



submit a certification to the floodplain administrator that the standard of this subsection, as proposed in article, is satisfied.

- (2) *Nonresidential construction.* New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to 24 inches above the base flood level at or above the -.2 percent% flood elevation, whichever is greater, or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review the structural design, specifications and plans for the construction and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification, which includes the specific elevation in relation to mean sea level to which such structures are floodproofed, shall be maintained by the floodplain administrator.
- (3) *Manufactured homes.*
  - a. All manufactured homes to be placed within zone A shall be installed using methods and practices which minimize flood damage. For the purpose of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.
  - b. All manufactured homes shall be in compliance with subsection (1) of this section.

Sec. 34-62. - Maintenance of on-site stormwater storage facilities.

- (a) In each case where an on-site stormwater storage facility is provided pursuant to this article, the developer shall furnish evidence of acceptance for maintenance of such storage facility to the Galveston County Consolidated Drainage District (GCCDD), having authority to perform such service. The Galveston County Consolidated Drainage District (GCCDD) will agree to assume such responsibility, provided the developer:
  - (1) Dedicates to the city and GCCDD an easement over and across such facility;
  - (2) Dedicates an access easement to such facility to the city and GCCDD; and
  - (3) Pays to the entity who is maintaining such facilities, whether the city or GCCDD, the estimated cost of maintaining such storage facility for a period of ten years, as stated on the fee schedule in the Drainage Criteria Mmanual.

Provided further, if the on-site stormwater storage facility is designed to be a "dry" facility and not an amenity or a private recreational facility. Amenity ponds shall be defined as any pond whose land area has been deeded to the homeowners/landowners for the benefit of the homeowners/landowners and are to be maintained by the homeowners'/landowners' association. These ponds shall include "wet ponds" and ponds used for recreational purposes.



- (b) For the purposes of this section, the term "stormwater storage facility" means a stormwater storage facility serving primarily as a collection device and not as a transmission system, and which is designed and constructed for the purpose of providing on-site detention for the benefit of a multiparcel development, and not for a single lot or single parcel development.

Sec. 34-63. - Special lowest floor elevation requirements.

- (a) Notwithstanding any other provision contained in this article to the contrary, in zone AE, lowest floor elevations shall be a minimum of 24 inches above the elevation given on the latest FEMA FIRM panel for the city or at or at or above the 0.2 percent% flood elevation whichever is greater. When building location falls between elevations, the elevation may be interpolated to the nearest one-half foot.
- (b) Notwithstanding any other provision contained in this article to the contrary, in zone AO, lowest floor elevations shall be 36 inches higher than the centerline of the road in curb and gutter streets, or the high bank of a roadside ditch on streets with open ditch drainage or at or above the 0.2 percent% flood elevation, whichever is greater.
- (c) Notwithstanding any other provision contained in this article to the contrary, in zone X shaded, lowest floor elevations shall be a minimum of 24 inches higher than the adjacent natural grade or at or above the 0.2 percent% flood elevation, whichever is greater.
- (d) Notwithstanding any other provision contained in this article to the contrary, in zone X unshaded, lowest floor elevation shall be as follows:
  - (1) On curb and gutter streets, the elevation shall be a minimum of 18 inches above the top of curb or a minimum of 12 inches above the adjacent natural grade or at or above the 0.2 percent% flood elevation, whichever is greater.
  - (2) On streets with open ditches, slab elevations shall be a minimum of 18 inches higher than the center of the street or a minimum of 12 inches higher than the adjacent natural grade or at or above the 0.2 percent% flood elevation, whichever is greater.
- (e) For the purposes of this section, the term "adjacent natural grade" means the natural ground adjacent to the slab at its centerline paralleling the front of the structure. Natural ground is assumed to be the ground surface existing prior to placement of the building pad.
- (f) Any person who shall violate any provision of this section shall be deemed guilty of a misdemeanor.

Sec. 34-64. - Standards for subdivision proposals.

- (a) All subdivision proposals, including manufactured home parks and subdivisions, shall be consistent with sections 34-21, 34-22 and 34-59.
- (b) All proposals for the development of subdivisions, including manufactured home parks and subdivisions, shall meet the development permit requirements of sections 34-32 and 34-26, and the provisions of this division.

- (c) Base flood elevation data and 0.2 percent% flood elevation data shall be generated for subdivision proposals and other proposed development, including manufactured home parks and subdivisions, which is greater than 50 lots or five acres, whichever is lesser, if not otherwise provided pursuant to section 34-24.
- (d) All subdivision proposals, including manufactured home parks and subdivisions, shall have adequate drainage provided to reduce exposure to flood hazards.
- (e) All subdivision proposals, including manufactured home parks and subdivisions, shall have public utilities and facilities, such as sewer, gas, electrical and water systems, located and constructed to minimize or eliminate flood damage.

#### Sec. 34-65. - Floodways.

Property located within areas of special flood hazard as established in section 34-24 are areas designated as floodways. The council finds that floodways are extremely hazardous areas due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, and the following provisions shall therefore apply to these areas in order to protect the public health, safety, and welfare and to protect private property:

- (1) Encroachments into the floodway shall be prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through a no-rise certificate using hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
- (2) If subsection (1) of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of sections 34-60 through 34-64, and other applicable regulations of the city or provisions of this article.
- (3) Under the provisions of 44 CFR 65.12 of the National Flood Insurance Program regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a conditional FIRM and floodway revision through FEMA.

**SECTION 4.** That this Ordinance is hereby incorporated and made a part of the Friendswood City Code of Ordinances.

**SECTION 5.** That a person who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

**SECTION 6.** That this Ordinance shall become effective upon publication as required by the City Charter.

**SECTION 7.** That all ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed.

**SECTION 8.** That in the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**SECTION 9.** That the City Secretary shall give notice of the enactment of this Ordinance by publication as required by the City Charter.

**PASSED AND APPROVED on first reading this 2nd day of November, 2020.**

**PASSED, APPROVED, AND ADOPTED on second and final reading this 7th day of December, 2020.**

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Mike Foreman  
Mayor

ATTEST:

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Melinda Welsh, TRMC  
City Secretary

**HARRIS COUNTY**  
**OFFICE OF THE COUNTY ENGINEER**

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**1001 Preston, Suite 500  
Houston, Texas 77002  
(713) 755-5370**

May 12, 2020

Honorable County Judge  
& Commissioners

**SUBJECT: Recommendation on Minimum Standards for Communities in Harris County and Draining to Harris County**

Dear Court Members:

At the April 28, 2020, Commissioners Court, we were directed to recommend minimum standards for adoption by communities located in Harris County to ensure the benefits achieved by the 2018 Harris County Flood Control Bond Program are protected.

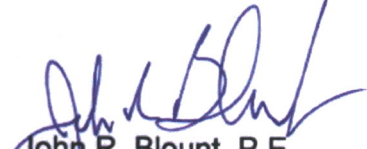
Our recommendation is that all cities within Harris County, and those entities located outside of Harris County but drain to Harris County, adopt the following minimum standards by December 31, 2020, and be effective within their municipal boundaries and extraterritorial jurisdiction:

- Use Atlas 14 rainfall rates for sizing storm water conveyance and detention systems.
- Require a minimum detention rate of 0.55 acre feet per acre of detention for any new development on tracts one acre or larger in size. However, a single family residential structure and accessory buildings proposed on an existing lot is exempt from providing detention.
- Prohibit the use of hydrograph timing as a substitution for detention on any project, unless it directly outfalls into Galveston Bay.
- Require no net fill in the current mapped 500-year floodplain, except in areas identified as coastal zones only
- Require the minimum Finished Floor Elevation (FFE) of new habitable structures be established at or waterproofed to the 500-year flood elevation as shown on the effective Flood Insurance Study.

It is further recommended that the County Engineer extend the current agreement with EHRA Engineering to assist communities in evaluating and updating their policies and ordinances upon their request at no cost to the community. As part of this process, these communities may identify additional requirements or criteria to implement depending on their flood risk and storm water infrastructure capacity.

To help reinforce participation, we also recommend that no partnership projects, including flood control or county roadway projects, be constructed in these communities after December 31, 2020, until such time their criteria is updated to reflect the above minimum standards. Partnership projects that are currently scheduled for construction in these communities before December 31, 2020, may continue as scheduled provided the communities are actively working with us to update their criteria. It should be noted that this effort is part of a larger Fix Flooding First initiative that will be presented to Commissioners Court for an official roll out in June 2020.

Sincerely,



John R. Blount, P.E.  
County Engineer



Russell A. Poppe, P.E.  
Executive Director  
Harris County Flood Control District

JRB/RP/ed

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 9/29/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Authorizing the Mayor to call a Regular Meeting of the City Council on Tuesday, November 17, 2020, to canvass the November 3, 2020, Special Election for Reauthorization of the Local Sales and Use Tax for Maintenance and Repair of Municipal Streets

Originating Department: City Secretary

Degree of importance: Critical

### SUMMARY / ORIGINATING CAUSE

Allowing City Council to hold a regular meeting on Tuesday, November 17, 2020, at 6:30 PM to canvass the returns of the November 3, 2020, Special Election reauthorizing the local sales and use tax at the rate of three-eighths (3/8) of one percent (1%) to continue providing revenue for maintenance and repair of municipal streets.

### IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

### RECOMMENDATIONS

### ATTACHMENTS

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 10/16/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Approving an Interlocal Agreement with Friendswood Independent School District for purchases to enable compliance with COVID-19 precautions and authorizing the Mayor to sign the agreement

Originating Department: Fire Marshal

Degree of importance: Elective

### SUMMARY / ORIGINATING CAUSE

On June 1, 2020 council adopted Resolution 2020-16 supporting the application of the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Coronavirus Relief Fund (CRF).

The first allocation from the \$1.85 billion in local funds will be made available to these cities and counties on a \$55 per capita allotment. Based on 2010 census data, Friendswood was allocated \$1,573,330. Twenty percent of each jurisdiction's allocation will be available immediately upon certification to the State that grant terms will be followed. Friendswood's 20% percent is \$314,666.

Friendswood Independent School District spent \$82,388 in Aug of 2020 for distance learning technology for students to limit COVID exposures. The District is looking for funds to reduce their financial liability. The City has committed \$20,000 of CARES Act funding towards the reimbursement of this purchase.

### IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Technology is a covered expenditure under the CARES Act.

### RECOMMENDATIONS

Recommendation is made for City Council to give approval for the Mayor's signature.

Payment of the \$20,000 for technology related expenses will be paid by the City of Friendswood directly to Friendswood ISD.

### ATTACHMENTS

1. Interlocal for CARES Act Funds
2. CARES-FISD



|                                        |   |                                                                                                |
|----------------------------------------|---|------------------------------------------------------------------------------------------------|
| <b>STATE OF TEXAS</b>                  | § |                                                                                                |
|                                        | § | <b>INTERLOCAL COOPERATION CONTRACT</b>                                                         |
| <b>COUNTY OF HARRIS/<br/>GALVESTON</b> | § | <b>BETWEEN THE CITY OF FRIENDSWOOD AND<br/>THE FRIENDSWOOD INDEPENDENT SCHOOL<br/>DISTRICT</b> |

This Contract is entered into and effective the 2<sup>nd</sup> day of November, 2020, by and between the City of Friendswood, Texas, a Texas Municipal Corporation, hereinafter called “CITY” and the Friendswood Independent School District hereinafter called "FISD" pursuant to the Interlocal Cooperation Act, Art. 791.001, et seq., Texas Government Code.

**WHEREAS**, Chapter 791 of the Texas Government Code authorizes local governments and political subdivisions, to contract with each other to perform governmental functions and services that each party to the contract is authorized to perform individually, and

**WHEREAS** County and Municipalities are eligible to receive funding from the Coronavirus Relief Fund (“CRF”) under The Coronavirus Aid, Relief, and Economic Security Act, also known as the CARES Act, which permits transfers of funding to other units of government; and

**WHEREAS**, the State of Texas allocated CRF funding to the County based on the population in only unincorporated areas and allocated funding to Municipalities based on the population in incorporated areas within Galveston County, Texas; and

**WHEREAS**, all expenditures where necessary and incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government and were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

**WHEREAS**, the CITY and FISD have maintained a strategic partnership to provide services for the citizens of the CITY and FISD and the CITY believes FISD can benefit from the receipt of funding from the Coronavirus Relief Fund (“CRF”) under The Coronavirus Aid, Relief, and Economic Security Act, also known as the CARES Act, which permits transfers of funding to other units of government; and

**WHEREAS**, the governing bodies of the CITY and FISD agree that it is in the best interest of the taxpayers of both political subdivisions to enter into this Interlocal Cooperation Contract in which CITY provides FISD funding from the CARES Act for FISD's bulk purchase expenses to facilitate distance learning, in connection with school closing to enable compliance with COVID-19 precautions.

**NOW THEREFORE**, be it known that CITY and FISD enter into this Interlocal Cooperation Contract under the following terms and conditions:

1. The City agrees to reimburse/pay FISD \$20,000 for the bulk purchase expenses to facilitate distance learning, in connection with school closing to enable compliance with COVID-19 precautions.
2. The Term of this Contract will be for one (1) year from the Effective Date and may be extended by written mutual agreement of the parties.
3. All financial obligations under this Agreement shall be funded from current revenues and exclusively from currently available CRF funds.

Governmental Function. The CITY and FISD expressly agree that, in all things relating to this Contract, the parties enter into this Contract for the purpose of performing governmental functions and are performing governmental functions, as defined by the Texas Tort Claims Act. The parties further expressly agree that every act or omission of each party, which in any way pertains to or arises out of this Contract, falls within the definition of governmental function.

Compliance with Laws. In the performance of their obligations under this Contract, the Parties shall comply with all applicable federal, state or local laws, ordinances and regulations.

Governing Law. This Contract shall be construed and interpreted in accordance with the laws of the State of Texas, along with any applicable provisions of the federal, state, ordinances and Charters of each party.

Venue. The parties agree that this Contract shall be enforceable in Friendswood, Texas, and if legal action is necessary to enforce it, exclusive venue shall lie in Galveston County, Texas.

Current Revenues. Pursuant to Section 791.001(d)(3), Texas Government Code, each party paying for the performance of governmental functions or services will make those payments from current revenues available to the paying party.

Authorized by Governing Body; Warranty of Capacity to Execute Contract. This Contract is authorized by the governing body of each party. The person signing this Contract on behalf of each party warrants that he/she has the authority to do so and to bind each party to this Contract and all the terms and conditions contained herein.

IN WITNESS WHEREOF, this Contract has been executed by the Parties named hereinabove as of the date first written above.

**CITY OF FRIENDSWOOD**

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MIKE FOREMAN, MAYOR

ATTEST:

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Melinda Welsh, TRMC  
City Secretary

**FRIENDSWOOD INDEPENDENT SCHOOL DISTRICT**

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THAD ROHER, SUPERINTENDENT



# City of Friendswood

September 28, 2020

Amber Petree, CPA  
Chief Financial Officer  
Friendswood ISD  
302 Laurel  
Friendswood, TX 77546

Dear Ms. Petree,

On September 21, 2020 the City of Friendswood has agreed and made available an allocation of \$20,000 towards the Friendswood Independent School District technology initiative.

This amount is to be for bulk-purchase reimbursement.

Sincerely,

A handwritten signature in blue ink, appearing to read "Morad Kabiri".

Morad Kabiri  
City Manager, City of Friendswood

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 10/22/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Authorize the final acceptance of the Old City Park restroom and pavilion improvements at the completion of the contractor's one-year maintenance period

Originating Department: Engineering

Degree of importance: Elective

### SUMMARY / ORIGINATING CAUSE

The City began its one year maintenance period on the construction of the new restrooms and pavilion at Old City Park in September 2019. That maintenance bond has now expired. This agenda item is to authorize the final acceptance of those facilities and formally release that bond.

City Parks & Rec staff have inspected the facilities and found everything to be in working order with no warranty work needed.

### IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Tandem Services, LLC will have its bond released immediately upon final acceptance from the City Council.

### RECOMMENDATIONS

Authorize the final acceptance of the Old City Park restroom and pavilion improvements and release the maintenance bond.

### ATTACHMENTS

1. 00825 - Release of Bond



# ***City of Friendswood***

**Department of Public Works**

**Engineering Division**

**15355 Blackhawk Boulevard  
Friendswood, Texas 77546-2801**

**DOCUMENT 00825**

## ***Release of Bond***

Date: November 02, 2020

PROJECT NAME: Restroom and Pavilion for Old City Park

PROJECT NUMBER: PK0070

TO: Tandem Service, LLC  
4425 FM 2351, Suite 5  
Friendswood, TX 77546

The Contractor and the Surety having complied with the provisions of the General Conditions, and all work is in accordance with the Contract Documents at the end of the One Year Warranty. This Project was brought before the City Council on October 07, 2019 for the acceptance of the One-Year Maintenance Period. The City Council accepted the One-Year Maintenance as complete and renders this obligation null and void, releasing the One Year Warranty Maintenance Bond, from Liberty Mutual Insurance Company, 10713 W. Sam Houston Parkway N. Suite 650, Houston TX 77064, which is enclosed.

---

Jildardo Arias, PE, CFM  
Director of Engineering

**END OF DOCUMENT**

**00825-1**

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 9/21/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Approving the September 2020 Tax Report

Originating Department: City Manager

Degree of importance: Choose an Option

### SUMMARY / ORIGINATING CAUSE

### IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

### RECOMMENDATIONS

### ATTACHMENTS

1. Gal Co Tax September 2020



**Cheryl E. Johnson, PCC**  
**Assessor and Collector of Taxes**  
**County of Galveston**  
722 Moody Avenue, Galveston, Texas 77550  
Toll Free (877) 766-2284 Fax: (409) 766-2479  
Email: [galcotax@co.galveston.tx.us](mailto:galcotax@co.galveston.tx.us)



October 5, 2020

The Governmental Entities of the Galveston County Tax Assessor/Collector's Office:

I, Cheryl E. Johnson, Tax Assessor and Collector of the County of Galveston do solemnly swear that this statement of collections made by me and the disposition thereof during the month of September, 2020 is true and correct.

Under my hand and seal this 5th day of October, 2020.

Cheryl E. Johnson, PCC  
Galveston County Tax Assessor/Collector

cc: Randall Rice, County Auditor  
Linebarger, Goggan, Blair, & Simpson  
Perdue, Brandon, Fielder, Collins, & Mott  
Assessment & Collection Partners:

City of Bayou Vista  
City of Clear Lake Shores (delinquent)  
City of Dickinson  
City of Friendswood  
City of Galveston  
City of Hitchcock  
City of Jamaica Beach  
City of Kemah  
City La Marque  
City of League City  
City of Santa Fe  
City of Texas City  
City of Tiki Island  
Dickinson Independent School District  
Galveston Independent School District  
High Island Independent School District  
Hitchcock Independent School District  
College of the Mainland

Galveston Community College  
GC Drainage District No. 1  
GC Drainage District No. 2  
GC Emergency Services Dist. No. 1  
GC Emergency Services Dist. No. 2  
GC Fresh Water Supply Dist. No. 6  
Bacliff MUD  
Bayview MUD  
Galveston County MUD No. 12  
Galveston County MUD No. 13  
Galveston County MUD No. 44  
San Leon MUD  
Tara Glen MUD  
GC Navigation District No. 1  
WCID No. 1  
WCID No. 12  
WCID No. 19  
Westwood Management District



10/01/2020 11:05:03 3594937  
 TC298-D SELECTION: DEPOSIT  
 RECEIPT DATE: ALL  
 LOCATION: ALL

TAX COLLECTION SYSTEM  
 DEPOSIT DISTRIBUTION  
 FROM: 09/01/2020 THRU 09/30/2020  
 JURISDICTION: 0337 FRIENDWD CITY

PAGE: 31  
 INCLUDES AG ROLLBACK

| YEAR | FUND  | TAX RATE | LEVY PAID | DISCOUNT GIVEN | PENALTY INTEREST | TIF AMOUNT | DISBURSE TOTAL | ATTORNEY FEES | REFUND AMOUNT | PAYMENT AMOUNT |
|------|-------|----------|-----------|----------------|------------------|------------|----------------|---------------|---------------|----------------|
| 2019 | M & O | .432160  | 19,516.41 | .00            | 2,273.77         | .00        | 21,790.18      | 1,287.87      | .00           | 23,078.05      |
|      | I & S | .089279  | 4,031.85  | .00            | 469.70           | .00        | 4,501.55       | .00           | .00           | 4,501.55       |
|      | TOTAL | .521439  | 23,548.26 | .00            | 2,743.47         | .00        | 26,291.73      | 1,287.87      | .00           | 27,579.60      |
| 2018 | M & O | .437173  | 674.61    | .00            | 78.06            | .00        | 752.67         | 40.95         | .00           | 793.62         |
|      | I & S | .095218  | 146.92    | .00            | 17.00            | .00        | 163.92         | .00           | .00           | 163.92         |
|      | TOTAL | .532391  | 821.53    | .00            | 95.06            | .00        | 916.59         | 40.95         | .00           | 957.54         |
| 2017 | M & O | .432349  | 449.81    | .00            | 191.71           | .00        | 641.52         | 153.06        | .00           | 794.58         |
|      | I & S | .095000  | 98.83     | .00            | 42.13            | .00        | 140.96         | .00           | .00           | 140.96         |
|      | TOTAL | .527349  | 548.64    | .00            | 233.84           | .00        | 782.48         | 153.06        | .00           | 935.54         |
| 2016 | M & O | .462000  | 12.15     | .00            | .00              | .00        | 12.15          | .00           | .00           | 12.15          |
|      | I & S | .084000  | 2.21      | .00            | .00              | .00        | 2.21           | .00           | .00           | 2.21           |
|      | TOTAL | .546000  | 14.36     | .00            | .00              | .00        | 14.36          | .00           | .00           | 14.36          |
| 2015 | M & O | .497200  | 41.33     | .00            | 24.22            | .00        | 65.55          | 13.68         | .00           | 79.23          |
|      | I & S | .071500  | 5.94      | .00            | 3.48             | .00        | 9.42           | .00           | .00           | 9.42           |
|      | TOTAL | .568700  | 47.27     | .00            | 27.70            | .00        | 74.97          | 13.68         | .00           | 88.65          |
| 2014 | M & O | .530300  | 88.14     | .00            | 62.04            | .00        | 150.18         | 31.58         | .00           | 181.76         |
|      | I & S | .061100  | 10.15     | .00            | 7.15             | .00        | 17.30          | .00           | .00           | 17.30          |
|      | TOTAL | .591400  | 98.29     | .00            | 69.19            | .00        | 167.48         | 31.58         | .00           | 199.06         |
| 2013 | M & O | .530300  | 1.15      | .00            | .91              | .00        | 2.06           | .00           | .00           | 2.06           |
|      | I & S | .061100  | .13       | .00            | .10              | .00        | .23            | .00           | .00           | .23            |
|      | TOTAL | .591400  | 1.28      | .00            | 1.01             | .00        | 2.29           | .00           | .00           | 2.29           |
| 2009 | M & O | .499700  | 91.36     | .00            | 104.11           | .00        | 195.47         | 36.63         | .00           | 232.10         |
|      | I & S | .080000  | 14.63     | .00            | 16.67            | .00        | 31.30          | .00           | .00           | 31.30          |
|      | TOTAL | .579700  | 105.99    | .00            | 120.78           | .00        | 226.77         | 36.63         | .00           | 263.40         |
| ALL  | M & O |          | 20,874.96 | .00            | 2,734.82         | .00        | 23,609.78      | 1,563.77      | .00           | 25,173.55      |
|      | I & S |          | 4,310.66  | .00            | 556.23           | .00        | 4,866.89       | .00           | .00           | 4,866.89       |
|      | TOTAL |          | 25,185.62 | .00            | 3,291.05         | .00        | 28,476.67      | 1,563.77      | .00           | 30,040.44      |
| DLQ  | M & O |          | 20,874.96 | .00            | 2,734.82         | .00        | 23,609.78      | 1,563.77      | .00           | 25,173.55      |
|      | I & S |          | 4,310.66  | .00            | 556.23           | .00        | 4,866.89       | .00           | .00           | 4,866.89       |
|      | TOTAL |          | 25,185.62 | .00            | 3,291.05         | .00        | 28,476.67      | 1,563.77      | .00           | 30,040.44      |
| CURR | M & O |          | .00       | .00            | .00              | .00        | .00            | .00           | .00           | .00            |
|      | I & S |          | .00       | .00            | .00              | .00        | .00            | .00           | .00           | .00            |
|      | TOTAL |          | .00       | .00            | .00              | .00        | .00            | .00           | .00           | .00            |

3594937

TAX COLLECTION SYSTEM  
DEPOSIT DISTRIBUTION  
REVERSALS DETAIL SCHEDULE  
FROM: 09/01/2020 THRU 09/30/2020  
JURISDICTION: 337 FRIENDWD CITY

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PAGE:  
INCLUDES AG ROLLBACK

| YEAR DEPOSIT     | ACCOUNT NUMBER  | EFF<br>YR/MO | LEVY<br>PAID | DISCOUNT<br>GIVEN | PENALTY<br>INTEREST | ATTORNEY CAUSE /REV | REFUND<br>AMOUNT | PAYMENT<br>AMOUNT CAT |
|------------------|-----------------|--------------|--------------|-------------------|---------------------|---------------------|------------------|-----------------------|
| 2014 CP200901    | 710374          | 202007       | 88.71-       | 0.00              | 69.19-              | 31.58-CERT20TX039   | 0.00             | 189.48-TR             |
|                  | 2014 TOTAL      |              | 88.71-       | 0.00              | 69.19-              | 31.58-              | 0.00             | 189.48-               |
| 2019 908090920TR | 168648          | 202006       | 72.58-       | 0.00              | 0.00                | 0.00 CERT           | 0.00             | 72.58-TR              |
| 2019 CP200902    | 201203          | 202008       | 1,192.37-    | 0.00              | 226.55-             | 283.78-CERT16TX002  | 0.00             | 1,702.70-TR           |
| 2019 902090920T  | 219204          | 202005       | 115.18-      | 0.00              | 9.21-               | 0.00 CERT           | 0.00             | 124.39-TR             |
| 2019 908091520TR | 612694          | 202006       | 1,003.13-    | 0.00              | 0.00                | 0.00 CERT           | 0.00             | 1,003.13-TR           |
|                  | 2019 TOTAL      |              | 2,383.26-    | 0.00              | 235.76-             | 283.78-             | 0.00             | 2,902.80-             |
|                  | TOTAL REVERSALS |              | 2,471.97-    | 0.00              | 304.95-             | 315.36-             | 0.00             | 3,092.28-             |

3594937

TAX COLLECTION SYSTEM  
DEPOSIT DISTRIBUTION  
SUMMARY OF PAYMENTS AND REVERSALS  
FROM: 09/01/2020 THRU 09/30/2020  
JURISDICTION: 337 FRIENDWD CITY

PAGE: 19  
INCLUDES AG ROLLBACK

| YEAR DEPOSIT | ACCOUNT NUMBER  | EFF<br>YR/MO | LEVY<br>PAID | DISCOUNT<br>GIVEN | PENALTY<br>INTEREST | ATTORNEY CAUSE /REV | REFUND<br>AMOUNT | PAYMENT<br>AMOUNT |
|--------------|-----------------|--------------|--------------|-------------------|---------------------|---------------------|------------------|-------------------|
|              | 2009 TOTAL      |              | 105.99       | 0.00              | 120.78              | 36.63               | 0.00             | 263.40            |
|              | 2013 TOTAL      |              | 1.28         | 0.00              | 1.01                | 0.00                | 0.00             | 2.29              |
|              | 2014 TOTAL      |              | 187.00       | 0.00              | 138.38              | 63.16               | 0.00             | 388.54            |
|              | 2015 TOTAL      |              | 47.27        | 0.00              | 27.70               | 13.68               | 0.00             | 88.65             |
|              | 2016 TOTAL      |              | 14.36        | 0.00              | 0.00                | 0.00                | 0.00             | 14.36             |
|              | 2017 TOTAL      |              | 548.64       | 0.00              | 233.84              | 153.06              | 0.00             | 935.54            |
|              | 2018 TOTAL      |              | 821.53       | 0.00              | 95.06               | 40.95               | 0.00             | 957.54            |
|              | 2019 TOTAL      |              | 25,931.52    | 0.00              | 2,979.23            | 1,571.65            | 0.00             | 30,482.40         |
|              | TOTAL PAYMENTS  |              | 27,657.59    | 0.00              | 3,596.00            | 1,879.13            | 0.00             | 33,132.72         |
|              | 2014 TOTAL      |              | 88.71        | 0.00              | 69.19               | 31.58               | 0.00             | 189.48            |
|              | 2019 TOTAL      |              | 2,383.26     | 0.00              | 235.76              | 283.78              | 0.00             | 2,902.80          |
|              | TOTAL REVERSALS |              | 2,471.97     | 0.00              | 304.95              | 315.36              | 0.00             | 3,092.28          |
|              | TOTAL FOR UNIT  |              | 25,185.62    | 0.00              | 3,291.05            | 1,563.77            | 0.00             | 30,040.44         |

FISCAL START: 08/01/2020 END: 07/31/2021

JURISDICTION: 0337 FRIENDWD CITY

| CERT TAXABLE VALUE | ADJUSTMENTS | ADJ TAX VALUE | TAX RATE  | TAX LEVY   | PAID ACCTS |
|--------------------|-------------|---------------|-----------|------------|------------|
| 3,494,315,010      | 1,988,314   | 3,492,326,696 | 00.521439 | 210,225.51 | 16,947     |

| YEAR | TAXES DUE  | MONTH ADJ | ADJUSTMENT YTD | LEVY PAID | PAID YTD  | BALANCE    | COLL % | YTD UNCOLL |
|------|------------|-----------|----------------|-----------|-----------|------------|--------|------------|
| 2019 | 221,138.15 | 10,912.64 | 10,912.64      | 69,954.68 | 69,954.68 | 140,270.83 | 33.28  | 0.00       |
| 2018 | 46,656.63  | 2,063.58  | 2,063.58       | 1,856.57  | 1,856.57  | 42,736.48  | 4.16   | 0.00       |
| 2017 | 21,992.69  | 428.64    | 428.64         | 1,261.83  | 1,261.83  | 20,302.22  | 5.85   | 0.05       |
| 2016 | 17,330.46  | .00       | 0.00           | 894.35    | 894.35    | 16,436.11  | 5.16   | 0.00       |
| 2015 | 14,009.79  | .00       | 0.00           | 88.75     | 88.75     | 13,921.04  | .63    | 0.00       |
| 2014 | 14,747.87  | .00       | 0.00           | 98.88     | 98.88     | 14,648.99  | .67    | 0.00       |
| 2013 | 11,225.18  | .00       | 0.00           | 1.87      | 1.87      | 11,223.31  | .02    | 0.00       |
| 2012 | 10,965.91  | .00       | 0.00           | 0.60      | 0.60      | 10,965.31  | .01    | 0.00       |
| 2011 | 10,272.17  | .00       | 0.00           | 0.00      | 0.00      | 10,272.17  |        | 0.00       |
| 2010 | 9,505.56   | .00       | 0.00           | 2.09      | 2.09      | 9,503.47   | .02    | 0.00       |
| 2009 | 6,883.00   | .00       | 0.00           | 177.13    | 177.13    | 6,705.87   | 2.57   | 0.00       |
| 2008 | 5,727.32   | .00       | 0.00           | 0.01      | 0.01      | 5,727.31   |        | 0.00       |
| 2007 | 1,978.69   | .00       | 0.00           | 0.00      | 0.00      | 1,978.69   |        | 0.00       |
| 2006 | 2,787.78   | .00       | 0.00           | 8.96      | 8.96      | 2,778.82   | .32    | 0.00       |
| 2005 | 1,428.40   | .00       | 0.00           | 6.95      | 6.95      | 1,421.45   | .49    | 0.00       |
| 2004 | 650.49     | .00       | 0.00           | 10.02     | 10.02     | 640.47     | 1.54   | 0.00       |
| 2003 | 647.12     | .00       | 0.00           | 0.00      | 0.00      | 647.12     |        | 0.00       |
| 2002 | 924.85     | .00       | 0.00           | 0.00      | 0.00      | 924.85     |        | 0.00       |
| 2001 | 941.66     | .00       | 0.00           | 0.00      | 0.00      | 941.66     |        | 0.00       |
| 2000 | 996.69     | .00       | 0.00           | 0.00      | 0.00      | 996.69     |        | 0.00       |
| 1999 | 0.00       | .00       | 0.00           | 0.00      | 0.00      | 0.00       |        | 0.00       |
| **** | 400,810.41 | 13,404.86 | 13,404.86      | 74,362.69 | 74,362.69 | 313,042.86 |        | 0.05       |

| CERTIFIED<br>ROLL | ROLL AS OF<br>08/01/2020 | SUPPLEMENTALS<br>THIS PERIOD | ADJUSTMENTS<br>THIS PERIOD | NET CHANGE<br>THIS PERIOD | ROLL AS OF<br>09/30/2020 |
|-------------------|--------------------------|------------------------------|----------------------------|---------------------------|--------------------------|
| LAND VALUE        | 4,537,437,822            | 39,519                       | 50,000-                    | 10,481-                   | 3,891,495,469            |
| AG EXCLUSION      | 24,683,691               | 0                            | 0                          | 0                         | 24,683,691               |
| IMPROVEMENTS      | 645,931,872              | 137,270                      | 1,054,485-                 | 917,215-                  | 645,014,657              |
| APPRAISED VALUE   | 4,537,437,822            | 176,789                      | 1,104,485-                 | 927,696-                  | 4,536,510,126            |
| EXEMPTIONS        | 1,018,439,121            | 35,000                       | 1,025,618                  | 1,060,618                 | 1,019,499,739            |
| TAXABLE VALUE     | 3,494,315,010            | 141,789                      | 2,130,103-                 | 1,988,314-                | 3,492,326,696            |
| LEVY              | 221,138.15               | 739.34                       | 11,651.98-                 | 10,912.64-                | 210,225.51               |
| UNCOLLECTIBLE     | .00                      | .00                          | .00                        | .00                       | .00                      |
| RECEIVABLE        |                          |                              |                            | .00                       |                          |
| EXEMPTION COUNTS: |                          |                              |                            |                           |                          |
| HOMESTEADS        | 10,000                   | 1                            | 12                         | 12                        | 10,012                   |
| OVER 65           | 2,975                    | 0                            | 7                          | 7                         | 2,982                    |
| DISABLED          | 181                      | 0                            | 0                          | 0                         | 181                      |
| VETERAN           | 205                      | 0                            | 0                          | 0                         | 205                      |
| TOTAL EXEMPT      | 74                       | 0                            | 0                          | 0                         | 74                       |

| CERTIFIED<br>ROLL | ROLL AS OF<br>08/01/2020 | SUPPLEMENTALS<br>THIS PERIOD | ADJUSTMENTS<br>THIS PERIOD | NET CHANGE<br>THIS PERIOD | ROLL AS OF<br>09/30/2020 |
|-------------------|--------------------------|------------------------------|----------------------------|---------------------------|--------------------------|
| LAND VALUE        | 4,207,374,518            | 0                            | 0                          | 0                         | 3,589,474,109            |
| AG EXCLUSION      | 23,842,910               | 0                            | 0                          | 0                         | 23,842,910               |
| IMPROVEMENTS      | 617,900,409              | 0                            | 63,812-                    | 63,812-                   | 617,836,597              |
| APPRAISED VALUE   | 4,207,374,518            | 0                            | 63,812-                    | 63,812-                   | 4,207,310,706            |
| EXEMPTIONS        | 891,117,422              | 0                            | 323,791                    | 323,791                   | 891,441,213              |
| TAXABLE VALUE     | 3,292,414,186            | 0                            | 387,603-                   | 387,603-                  | 3,292,026,583            |
| LEVY              | 46,656.63                | .00                          | 2,063.58-                  | 2,063.58-                 | 44,593.05                |
| UNCOLLECTIBLE     | .00                      | .00                          | .00                        | .00                       | .00                      |
| RECEIVABLE        |                          |                              |                            | .00                       |                          |
| EXEMPTION COUNTS: |                          |                              |                            |                           |                          |
| HOMESTEADS        | 10,001                   | 0                            | 7                          | 7                         | 10,008                   |
| OVER 65           | 2,897                    | 0                            | 3                          | 3                         | 2,900                    |
| DISABLED          | 0                        | 0                            | 0                          | 0                         | 0                        |
| VETERAN           | 204                      | 0                            | 0                          | 0                         | 204                      |
| TOTAL EXEMPT      | 0                        | 0                            | 0                          | 0                         | 0                        |

| CERTIFIED<br>ROLL | ROLL AS OF<br>08/01/2020 | SUPPLEMENTALS<br>THIS PERIOD | ADJUSTMENTS<br>THIS PERIOD | NET CHANGE<br>THIS PERIOD | ROLL AS OF<br>09/30/2020 |
|-------------------|--------------------------|------------------------------|----------------------------|---------------------------|--------------------------|
| LAND VALUE        | 4,271,816,787            | 0                            | 0                          | 0                         | 3,655,904,976            |
| AG EXCLUSION      | 18,989,755               | 0                            | 0                          | 0                         | 18,989,755               |
| IMPROVEMENTS      | 615,911,811              | 0                            | 0                          | 0                         | 615,911,811              |
| APPRAISED VALUE   | 4,271,816,787            | 0                            | 0                          | 0                         | 4,271,816,787            |
| EXEMPTIONS        | 988,826,434              | 0                            | 81,273                     | 81,273                    | 988,907,707              |
| TAXABLE VALUE     | 3,264,000,598            | 0                            | 81,273-                    | 81,273-                   | 3,263,919,325            |
| LEVY              | 21,992.69                | .00                          | 428.64-                    | 428.64-                   | 21,564.05                |
| UNCOLLECTIBLE     | .00                      | .00                          | .00                        | .00                       | .05                      |
| RECEIVABLE        |                          |                              |                            | .00                       |                          |
| EXEMPTION COUNTS: |                          |                              |                            |                           |                          |
| HOMESTEADS        | 10,005                   | 0                            | 1                          | 1                         | 10,006                   |
| OVER 65           | 2,854                    | 0                            | 2                          | 2                         | 2,856                    |
| DISABLED          | 0                        | 0                            | 0                          | 0                         | 0                        |
| VETERAN           | 207                      | 0                            | 0                          | 0                         | 207                      |
| TOTAL EXEMPT      | 647                      | 0                            | 0                          | 0                         | 647                      |

# Summary of Jurisdiction Remittances Processed

Report run on: October 2, 2020 4:27 PM

For Remitted Deposit Dates 09/01/2020 thru 09/30/2020 as of 10/02/2020

Version 1.50

| Tax Unit                 |                       | M & O Total | I & S Total | TIF Levy | TIF Interest | Fee Total | Total      |
|--------------------------|-----------------------|-------------|-------------|----------|--------------|-----------|------------|
| <b>337 FRIENDWD CITY</b> |                       |             |             |          |              |           |            |
| ACH 60539                | Print Date:09/02/2020 |             |             |          |              |           |            |
|                          | Delq                  | 834.34      | 159.42      | 0.00     | 0.00         | 0.00      | 993.76     |
|                          | Last Deposit Date     | 09/01/2020  | \$834.34    | \$159.42 | \$0.00       | \$0.00    | \$993.76   |
| ACH 60576                | Print Date:09/03/2020 |             |             |          |              |           |            |
|                          | Delq                  | 4,215.46    | 871.24      | 0.00     | 0.00         | 0.00      | 5,086.70   |
|                          | Last Deposit Date     | 09/02/2020  | \$4,215.46  | \$871.24 | \$0.00       | \$0.00    | \$5,086.70 |
| ACH 60616                | Print Date:09/08/2020 |             |             |          |              |           |            |
|                          | Delq                  | 2,413.92    | 493.15      | 0.00     | 0.00         | 0.00      | 2,907.07   |
|                          | Last Deposit Date     | 09/03/2020  | \$2,413.92  | \$493.15 | \$0.00       | \$0.00    | \$2,907.07 |
| ACH 60653                | Print Date:09/08/2020 |             |             |          |              |           |            |
|                          | Delq                  | 2,821.17    | 582.83      | 0.00     | 0.00         | 0.00      | 3,404.00   |
|                          | Last Deposit Date     | 09/04/2020  | \$2,821.17  | \$582.83 | \$0.00       | \$0.00    | \$3,404.00 |
| ACH 60685                | Print Date:09/10/2020 |             |             |          |              |           |            |
|                          | Delq                  | 165.75      | 34.25       | 0.00     | 0.00         | 0.00      | 200.00     |
|                          | Last Deposit Date     | 09/08/2020  | \$165.75    | \$34.25  | \$0.00       | \$0.00    | \$200.00   |
| ACH 60775                | Print Date:09/14/2020 |             |             |          |              |           |            |
|                          | Delq                  | 3,264.77    | 667.26      | 0.00     | 0.00         | 0.00      | 3,932.03   |
|                          | Last Deposit Date     | 09/10/2020  | \$3,264.77  | \$667.26 | \$0.00       | \$0.00    | \$3,932.03 |
| ACH 60800                | Print Date:09/14/2020 |             |             |          |              |           |            |
|                          | Delq                  | 192.23      | 39.71       | 0.00     | 0.00         | 0.00      | 231.94     |
|                          | Last Deposit Date     | 09/10/2020  | \$192.23    | \$39.71  | \$0.00       | \$0.00    | \$231.94   |
| ACH 60827                | Print Date:09/14/2020 |             |             |          |              |           |            |
|                          | Delq                  | 207.50      | 43.15       | 0.00     | 0.00         | 0.00      | 250.65     |
|                          | Last Deposit Date     | 09/11/2020  | \$207.50    | \$43.15  | \$0.00       | \$0.00    | \$250.65   |
| ACH 60854                | Print Date:09/15/2020 |             |             |          |              |           |            |
|                          | Delq                  | 638.64      | 131.93      | 0.00     | 0.00         | 0.00      | 770.57     |
|                          | Last Deposit Date     | 09/14/2020  | \$638.64    | \$131.93 | \$0.00       | \$0.00    | \$770.57   |
| ACH 60886                | Print Date:09/16/2020 |             |             |          |              |           |            |
|                          | Delq                  | 214.02      | 44.20       | 0.00     | 0.00         | 0.00      | 258.22     |
|                          | Last Deposit Date     | 09/15/2020  | \$214.02    | \$44.20  | \$0.00       | \$0.00    | \$258.22   |
| ACH 60913                | Print Date:09/18/2020 |             |             |          |              |           |            |
|                          | Delq                  | 488.83      | 100.99      | 0.00     | 0.00         | 0.00      | 589.82     |
|                          | Last Deposit Date     | 09/16/2020  | \$488.83    | \$100.99 | \$0.00       | \$0.00    | \$589.82   |
| ACH 60942                | Print Date:09/18/2020 |             |             |          |              |           |            |
|                          | Delq                  | 1,359.81    | 289.17      | 0.00     | 0.00         | 0.00      | 1,648.98   |
|                          | Last Deposit Date     | 09/17/2020  | \$1,359.81  | \$289.17 | \$0.00       | \$0.00    | \$1,648.98 |
| ACH 60975                | Print Date:09/22/2020 |             |             |          |              |           |            |
|                          | Delq                  | 67.34       | 13.92       | 0.00     | 0.00         | 0.00      | 81.26      |
|                          | Last Deposit Date     | 09/18/2020  | \$67.34     | \$13.92  | \$0.00       | \$0.00    | \$81.26    |
| ACH 61006                | Print Date:09/23/2020 |             |             |          |              |           |            |
|                          | Delq                  | 1,521.91    | 314.41      | 0.00     | 0.00         | 0.00      | 1,836.32   |
|                          | Last Deposit Date     | 09/21/2020  | \$1,521.91  | \$314.41 | \$0.00       | \$0.00    | \$1,836.32 |

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# Summary of Jurisdiction Remittances Processed

Report run on: October 2, 2020 4:27 PM

For Remitted Deposit Dates 09/01/2020 thru 09/30/2020 as of 10/02/2020

Version 1.50

| Tax Unit                 |                              | M & O Total        | I & S Total       | TIF Levy      | TIF Interest  | Fee Total     | Total              |
|--------------------------|------------------------------|--------------------|-------------------|---------------|---------------|---------------|--------------------|
| <b>337 FRIENDWD CITY</b> |                              |                    |                   |               |               |               |                    |
| ACH 61036                | Print Date:09/23/2020        |                    |                   |               |               |               |                    |
|                          | Delq                         | 71.69              | 15.11             | 0.00          | 0.00          | 0.00          | 86.80              |
|                          | Last Deposit Date 09/22/2020 | \$71.69            | \$15.11           | \$0.00        | \$0.00        | \$0.00        | \$86.80            |
| ACH 61066                | Print Date:09/25/2020        |                    |                   |               |               |               |                    |
|                          | Delq                         | 164.31             | 35.79             | 0.00          | 0.00          | 0.00          | 200.10             |
|                          | Last Deposit Date 09/23/2020 | \$164.31           | \$35.79           | \$0.00        | \$0.00        | \$0.00        | \$200.10           |
| ACH 61099                | Print Date:09/25/2020        |                    |                   |               |               |               |                    |
|                          | Delq                         | 1,650.50           | 340.98            | 0.00          | 0.00          | 0.00          | 1,991.48           |
|                          | Last Deposit Date 09/24/2020 | \$1,650.50         | \$340.98          | \$0.00        | \$0.00        | \$0.00        | \$1,991.48         |
| ACH 61165                | Print Date:09/29/2020        |                    |                   |               |               |               |                    |
|                          | Delq                         | 1,245.19           | 257.24            | 0.00          | 0.00          | 0.00          | 1,502.43           |
|                          | Last Deposit Date 09/28/2020 | \$1,245.19         | \$257.24          | \$0.00        | \$0.00        | \$0.00        | \$1,502.43         |
| ACH 61197                | Print Date:09/30/2020        |                    |                   |               |               |               |                    |
|                          | Delq                         | 386.54             | 79.85             | 0.00          | 0.00          | 0.00          | 466.39             |
|                          | Last Deposit Date 09/29/2020 | \$386.54           | \$79.85           | \$0.00        | \$0.00        | \$0.00        | \$466.39           |
| ACH 61231                | Print Date:10/01/2020        |                    |                   |               |               |               |                    |
|                          | Delq                         | 1,685.86           | 352.29            | 0.00          | 0.00          | 0.00          | 2,038.15           |
|                          | Last Deposit Date 09/30/2020 | \$1,685.86         | \$352.29          | \$0.00        | \$0.00        | \$0.00        | \$2,038.15         |
|                          | <b>Total:</b>                | <b>\$23,609.78</b> | <b>\$4,866.89</b> | <b>\$0.00</b> | <b>\$0.00</b> | <b>\$0.00</b> | <b>\$28,476.67</b> |

## FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 2, 2020

Date submitted: 9/21/2020

Prepared by: Glenda Faulkner, Executive Secretary

Subject: Approving the minutes of the October 01 and October 05, 2020, City Council Meetings

Originating Department: City Secretary

Degree of importance: Significant

### SUMMARY / ORIGINATING CAUSE

The Council Meeting minutes of October 1 and October 5, 2020, are submitted for Council's review and consideration.

### IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Approval of the Council Meeting minutes provides a historical document of actions taken by City Council as provided for in the Local Government Code and in the City Charter.

### RECOMMENDATIONS

The City Secretary recommends that Council approve the Council meeting minutes as presented.

### ATTACHMENTS

1. 10-01-20 Minutes
2. 10-05-20 Minutes

STATE OF TEXAS  
CITY OF FRIENDSWOOD  
COUNTIES OF GALVESTON/HARRIS  
OCTOBER 1, 2020

**6 PM – SPECIAL MEETING**

MINUTES OF A SPECIAL MEETING OF THE FRIENDSWOOD CITY COUNCIL THAT WAS HELD ON THURSDAY, OCTOBER 1, 2020, 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 TRISH HANKS  
COUNCILMEMBER STEVE ROCKEY  
COUNCILMEMBER SALLY BRANSON  
COUNCILMEMBER ROBERT J. GRIFFON  
COUNCILMEMBER JOHN SCOTT  
COUNCILMEMBER BRENT ERENWERT  
CITY MANAGER MORAD KABIRI  
CITY SECRETARY MELINDA WELSH

City Attorney Mary Kay Fischer was absent from the meeting.

**1. Call to order**

Mayor Foreman called the meeting to order.

**2. Invocation**

The invocation was given by City Manager Morad Kabiri.

**3. Pledge of Allegiance – United States and Texas**

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

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

**4. Communications from the Public**

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. 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. Furthermore, any personnel complaints against a City employee aside from the City Manager, City Secretary, City Attorney or Municipal Judge cannot be discussed under this section. Please contact the City Manager's office for concerns involving a City employee.)

Mayor Foreman asked if anyone would like to speak. No one spoke.

## 5. Ordinances

Consideration and possible action regarding the following:

- A. Ordinance No. T2020-41: First and Final reading of an ordinance ratifying provision for the levy and collection of ad valorem taxes of the City of Friendswood, Texas for the tax year commencing October 1, 2020 and ending September 30, 2021; providing the date on which such taxes shall be due and payable; providing for penalty and interest on all taxes not timely paid; providing for severability; and repealing all ordinances or parts of ordinances inconsistent on in conflict herewith.

Mayor Foreman read the agenda item to approve the First and Final reading of Ordinance No. **2020-41** – An ordinance ratifying provision for the levy and collection of ad valorem taxes of the City of Friendswood, Texas for the tax year commencing October 1, 2020 and ending September 30, 2021; providing the date on which such taxes shall be due and payable; providing for penalty and interest on all taxes not timely paid; providing for severability; and repealing all ordinances or parts of ordinances inconsistent on in conflict herewith.

\*\*Councilmember Griffon moved to ratify adoption of the City of Friendswood's property tax rate of \$0.487314, which is effectively no increase in tax rate. This tax rate is 6.54% less than the current tax rate. The proposed tax rate is composed of a maintenance and operations rate of \$0.392152 and a debt service rate of \$0.095161.

The motion was seconded and approved 6-1 with Councilmember Hanks opposed.

## 6. Communications from the Mayor and Councilmembers

Mayor Foreman reported that Paul O'Farrell, the first mayor of Friendswood, passed away.

Councilmember Rockey reported that an e-mail response to a citizen from Deputy Director of Engineering Samantha Haritos was fabulous. Ms. Haritos is very knowledgeable and had a great response to the citizen's drainage concerns.

## 7. Adjournment

The meeting was adjourned at 6:24 PM.

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Mayor Mike Foreman

Attest:

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Melinda Welsh, TRMC  
City Secretary

STATE OF TEXAS  
CITY OF FRIENDSWOOD  
COUNTIES OF GALVESTON/HARRIS  
OCTOBER 5, 2020

**7 PM – REGULAR MEETING**

MINUTES OF A REGULAR MEETING OF THE FRIENDSWOOD CITY COUNCIL THAT WAS HELD ON MONDAY, OCTOBER 5, 2020, AT 07:00 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 TRISH HANKS  
COUNCILMEMBER STEVE ROCKEY  
COUNCILMEMBER SALLY BRANSON  
COUNCILMEMBER ROBERT J. GRIFFON  
COUNCILMEMBER JOHN SCOTT  
COUNCILMEMBER BRENT ERENWERT  
CITY MANAGER MORAD KABIRI  
CITY SECRETARY MELINDA WELSH

City Attorney Mary Kay Fischer was absent from the meeting.

**1. Call to order**

Mayor Foreman called the meeting to order.

**2. Invocation – Pastor Dr. David Lorenz, First Baptist Church**

The invocation was given by Pastor Dr. David Lorenz with First Baptist Church.

**3. Pledge of Allegiance – United States and Texas**

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

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

**4. Communications from the Public**

**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. 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. Furthermore, any personnel complaints against a City employee aside from the City Manager, City Secretary, City Attorney or Municipal Judge cannot be discussed under this section. Please contact the City Manager's office for concerns involving a City employee.)**

Charlie Organ, Friendswood resident, addressed Council and stated he and his wife have lived on Myrtlewood Drive for over 40 years and has been happy to live in this beautiful city. He further stated he is concerned about flooding, the city has done a beautiful job and have done many improvements with shelving, where he lives near Dixie Farm Rd. to FM 2351 has always been a congested, meandering stream, more channelization to the north of them, more people, and probably ten times as much water coming down the stream as there was in 1980, has appealed to the Corp of Engineers and Drainage District, nothing has been done, and it takes far less water to flood them than it did a number of years ago. He stated his home flooded in 2001, 2017 from Harvey, and recently got hit again with over a foot of water, is faced with the options of raise and rebuild with the phenomenally high price of \$400,000 or to move and sell, would love to stay but it seems like no one is aware of the flooding situation north of town, there is much more water, there is more channelization going into Clear Creek and tributaries from all of the new subdivisions, there is much more volume, is overflowing in his territory to where they are isolated in their homes, and would like to see if this can be rectified and get some work done on it.

Don Johnson, Friendswood resident, addressed Council and stated two weeks ago Tropical Storm Beta moved over the coast and dropped 10-12 inches of rain causing Clear Creek to rise 17.5 ft., damaged some of the homes in his neighborhood, surprised to see the creek rise so quickly, inundated his garage with 10 inches of muddy water, brought back memories of Tropical Storm Allison, same amount of storm water came up around his home and entered his garage at the same height, although in 2001 Allison was reported to have dropped 38 inches of rain on the metropolitan area, why did the creek produce similar flood results to Allison when it looks like there was less than half the amount of rainfall from Beta and storm surge was the same, need to look back over the past twenty years to see what significant changes may have occurred, Pearland's population has increased greatly, many new drainage projects to protect those living in Pearland, outfall of Pearland's drainage projects will eventually end up in Clear Creek flowing toward Friendswood, more water than ever is being dumped on Friendswood homes, real mitigation needs to be provided by upstream, a detention basin is needed on Dixie Farm Road property to benefit Friendswood, and nearby neighborhoods could turn out like Imperial Estates with property buyouts.

## **5. Public Hearing**

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

A. Conduct a public hearing on the need to continue the juvenile curfew ordinance.

Mayor Foreman 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.

City Manager Morad Kabiri stated that state law requires the city to take this up every 3 years.

Carl Conrad, Friendswood resident, addressed Council and stated he moved to Friendswood in 2003, pleasant community to live, disturbed by language in the ordinance, is a policy expert in cybersecurity, determine if policy has been effective but data is hard to find, does not see the value in restriction, low juvenile arrests have occurred in Friendswood, request to review statistics since ordinance was made, have we seen decrease since enacting, of crimes committed are they during curfew hours, how many curfew violations do we have, if having a lot then maybe are stopping, are they following the law, would like to know these things before deciding if he is for it, is against curfews, violates freedoms, creates a situation that may cause interaction with police that is unnecessary, statistics look good, could create something catastrophic, punish people for things they do wrong and not things they might do wrong, has not seen evidence of a large problem with crime in children, creates conflict where it does not need to be, and see if there is an overwhelming value before approving.

Mayor asked if anyone else would like to speak in favor or against the juvenile curfew ordinance.

No one else spoke.

- B. A zone classification change request for 2.504 acres or 109,089 square feet of land out of and being part of Lot 12, Block 2, Friendswood Subdivision, located at 213 E. Heritage Dr., Friendswood, Galveston County, Texas, to change from Single Family Residential (SFR), Multi-Family Residential Low Density (MFR-L), and Multi-Family Residential Low Density / Specific Use Permit to allow an Institution for the Aged (MFR-L/SUP Institution for the Aged) to Planned Unit Development (PUD).

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 2.504 acres or 109,089 square feet of land out of and being part of Lot 12, Block 2, Friendswood Subdivision, located at 213 E. Heritage Dr., Friendswood, Galveston County, Texas, to change from Single Family Residential (SFR), Multi-Family Residential Low Density (MFR-L), and Multi-Family Residential Low Density / Specific Use Permit to allow an Institution for the Aged (MFR-L/SUP Institution for the Aged) to Planned Unit Development (PUD).

Community Development Director/City Planner Aubrey Harbin presented a PowerPoint presentation regarding the proposed zone change. She stated the location is the former Friendswood Healthcare site, is currently vacant, nursing home buildings were recently demolished following extensive damage from Hurricane Harvey, current zoning is Single Family Residential (SFR) and Multi-Family Residential – Low Density (MFR-L), gave history of zoning, proposed zoning is to change the entire property to Planned Unit Development (PUD) to allow Single-Family Residential use, 12 lots; minimum 35-foot wide lots; minimum 4,070 square feet, 12 homes would be elevated 8-10 ft. above grade with enclosed garages, proposed Planned Unit Development (PUD) is conceptual, several items have to be addressed during platting and construction plan approval including fire hydrants within 500 feet of all residences, maintain 10 ft. separation between residential units, provide water and sewer taps for each individual lot, easements may be required, dedication of right-of-way for E. Heritage Drive, an approved fire truck turnaround at the end of Shady Nook, additional right-of-way may be required making Lots 11 and 12 smaller, but they would still meet the minimum of the PUD, account for drainage at the end of Shady Nook, which is currently open ditch, construction of fire truck turnaround, any drainage improvements, and water and sewer taps must be installed and accepted by City Council, which is required prior to plat recordation. Public Hearing notices were placed in the newspaper, property owners within 200 feet of the boundary of the property (38) were notified, and sign was posted on the property. On-site detention is required, credit for previous impervious cover may be used, engineered drainage plan required, 2 ft. over natural grade or 18 in. over back of curb, whichever is greater, and on-site mitigation/one-for-one for any fill brought in. The Planning and Zoning Commission recommendation was to approve with some conditions. The bottom floor of all the homes must be enclosed, exposed piers are prohibited to avoid the “beach home” look, side yard setbacks on lots abutting tracts owned by others are 10 feet, and would apply to Lots 1, 10, 11 and 12 on the master layout plan. The vote was 5 to 1 with Commissioner Clark absent and Commissioner Perry opposed. The applicants are here for a presentation as well.

Applicants Harold Benson and son Edwin Benson gave a PowerPoint presentation on the proposed Friends Heights. Harold Benson stated the issue that came up in the Planning and Zoning Commission meeting was that they wanted a 10 ft. setback for all adjoining properties and enclose the first floor. He has done multiple designs and is what he has always considered, showed a letter that the city wrote to the previous owner of the nursing home property, main point and the key word is elevate, has done a topographic study of the property, low point is 23.5 ft., and the high point is 28 ft. He stated he lives 300 feet from there, and has lived there 57.5 years. The only time his home ever flooded was during Hurricane Harvey, is at 27 ft. and had 2.5 ft. of water in his house, any conceptual design says it needs to be raised significantly, arbitrarily 8-10 ft., would be no habitability on the ground floor, would have a small footprint but can still have a big house, can have two floors

at 1,500 square ft. habitable and a garage that is three times bigger than any garage that you would normally have. By accepting the Planning and Zoning Commission approval for this PUD, it allows for development of stand-alone residential lots, which the homeowner would own and maintain, and MFR-L zoning does not allow that. He stated he personally does not like common areas that 12 people would have to figure out how to manage. The density of the PUD is the same as Multi-Family Residential, and is less restrictive because are not dealing with a Homeowner's Association to manage it. Under current zoning, can have apartments, townhomes or duplexes built which trend toward rental property and is not as desirable as Single-Family home ownership. Smaller, narrower, deeper lots are attractive to busy families and empty nesters, which is missing in the Friendswood market. The PUD plan offers something new, different and attractive for Friendswood. The house footprint would only cover 40% of the smallest lot, leaving 60% green space, which is a smaller footprint than the previous structure.

Applicant Edwin Benson said the footprint is less than the nursing home, increasing permeability, it will flood again, going up will solve this problem, showed slide of design ideas for homes, and bottom floor is a garage and second and third floor are habitable.

Councilmember Rockey asked what the height would be.

Harold Benson answered maximum height requirement is 40 ft. but would be 32 ft.

Councilmember Rockey asked if there was a way to prevent property owners from converting bottom floor as a living space.

City Manager Morad Kabiri stated it could be prevented if property owners pull permits. Unfortunately, there are houses over the years that have had areas converted to living quarters without pulling permits so there is no way to prevent that, does not suggest this will happen, but it is an existing concern.

Councilmember Griffon stated when he looks at this kind of property he looks at the land use, and what the best land use is for this property. He further stated he believes what Mr. Benson has planned is the best use of this property, would require 5,600 loads of dirt to be compacted and spread to raise the area 8 ft., cost to do that would be \$558,667, knows where there is some free dirt from the city, could save the city \$50,333, costs the city \$1 a load plus trucking, if an agreement can be worked out, would cut Mr. Benson's cost by half a million dollars, and would be a quick turnaround if this could be done.

City Manager Morad Kabiri said he would be happy to get Mr. Benson in touch with Galveston County Consolidated Drainage District and the opportunities that exist, unfortunately, does not think these lots will be elevated by dirt and compaction due to the width of the lot, will have to elevate them by stilts, not by elevating the structure, will need some dirt to develop the site plan in a manner that will drain properly but it will not be with dirt.

Harold Benson stated he did not think what Councilmember Griffon suggested was doable, cannot restrict the flow.

Councilmember Scott stated this application for a PUD is something he can agree with, first time in 10 years, is where a PUD should be applied, thanked Mr. Benson for the application, it is best use of the property and makes all the sense in the world, as far as whether or not people enclose their garages, he does not care, and that is their business.

Councilmember Branson stated she is not a big fan of PUDs, but this is the highest and best use of



this property, likes that Mr. Benson is not increasing the density, but also thinks is being upzoned, which is always nice, appreciates the Benson's perseverance and is very much in support of this project.

Mayor Foreman asked if anyone else would like to speak in favor of this rezoning.

Gene Shu, Friendswood resident, stated he lives on Quaker Drive next door to the lot, is here on behalf of himself and his family who own the six unit condo nearby, is supportive of Mr. Benson's project in general, met with Mr. Benson and his son and have briefly discussed what is being proposed to build, agrees it is the best use for the land, has no expertise of rezoning or building at all, is a little apprehensive about the idea of raising the land and compacting it because it will probably cause the water to not flow along Quaker Drive towards the bayou. He stated besides that, finds Harold Benson to be a man of integrity and has nothing but the best intentions, believes Mr. Benson can build something that will improve the quality of the neighborhood, has been disappointed in seeing the empty nursing home building for so long, was full of opossums, raccoons, and cats, would like to see this move forward and humbly recommends this proposal.

Mayor asked if anyone else would like to speak in favor of or against the rezoning. No one else spoke.

## **6. City Manager's Report**

### **A. Hurricane Harvey and Drainage Update**

City Manager Morad Kabiri reported that the City of Friendswood was impacted a couple of weeks ago with Tropical Storm Beta, two more storms making their way towards the Gulf of Mexico, received 13 inches of rain over 2 days, parts of Clear Creek saw water at higher levels than Tropical Storm Allison in 2001, storm surge was noted up Clear Creek all the way to FM 528, there was no storm surge in Tropical Storm Allison or Hurricane Harvey, 6 homes were reported to have taken on water (excluding garages), upstream of Friendswood there were 30 homes that took on water, and none were reported in League City. This data was provided by the U.S. Army Corp of Engineers, working with them on modeling Tropical Storm Beta as well as updating the model with regard to Hurricane Harvey, are actively designing the federal project that was funded in 2018 by Congress, results of that modeling is not complete yet, before a shovel of dirt is turned and sending any water to the City of Friendswood, assured that the city will verify there is no impact to the city during a Hurricane Harvey event, are actively monitoring that.

City Manager Morad Kabiri reported on a Hurricane Harvey and drainage update regarding property acquisitions, showed details of property acquisitions through different programs, represents homes that have flooded multiple times over the last 40 plus years, as well as properties the city has partnered with neighboring agencies, used land acquired during Imperial Estates home buyout and partnered with Galveston County Consolidated Drainage District to take those 40 acres and convert to an inline detention facility that helped reduce further homes from flooding during Tropical Storm Beta, are actively pursuing detention and inline terracing projects in Forest Bend, West Ranch and on the Harris County side on Bay Area Boulevard, and looking at the Dixie Farm property for a detention pond to bring relief in that area. The city is able to do many of these projects due to leveraging funds it has on hand. Engineering is underway on the Forest Bend Detention Project at FM 528 and Clear Creek utilizing Community Development Block Grant-Disaster Recovery (CDBG-DR) (Harris County), regarding CDBG-DR (Galveston County), General Land Office (GLO) has approved and started contracting phase, kick-off meetings with the GLO have been held for the Acquisition Project (Frenchman's Creek & Deepwood) and the Infrastructure Project (Utility Line Burial & Deepwood Flood Mitigation), housing guidelines for the CDBG-DR projects for a 30-day public comment period, guidelines are required for the Deepwood and Frenchman's Creek

acquisitions to outline how the program will function and what residents/renters are eligible for, comments will be accepted via email at [eoc@friendswood.com](mailto:eoc@friendswood.com) or by mail to the attention of the Fire Marshal's Office at 910 S. Friendswood Drive, Friendswood, TX 77546. Federal Emergency Management Agency (FEMA) has completed their review of the Deepwood facility, Shadwell damage costing/project efforts, State has approved the 428 Project and forwarded to FEMA for approval, nearing completion of the effort to acquire the Blackhawk Facility (Food Lion), will be able to pursue a flood mitigation project at the confluence of Cowards Creek and Clear Creek due to the vacancy of the Deepwood facility. In regards to 1776/Imperial Estates, will have over 1,000 acre ft. of inline detention/terracing that will significantly lower the water surface elevation in a major storm event, city's share is \$5.5M, and Galveston County Consolidated Drainage District's share is nearly \$10M. In regards to CDBG-DR Mitigation, later this month will be submitting a flood mitigation project for these dollars with the city share approximately \$800K of a \$78M project, terracing 400 ft. for almost a mile of Clear Creek frontage (Whitcomb Tract), terracing 400 ft. for half (.5) a mile of Clear Creek frontage (West Ranch Reserve F/Bay Area Blvd), offline detention (West Ranch Reserve F and Autumn Creek/Friendswood Cove/Friendswood Oaks), and in talks with Harris County Flood Control District on a 50 surface acre detention/terracing project at 2811 Dixie Farm Road. In regards to update on Clear Creek Inline & Offline Detention Bay Area Blvd. Phase I, applying as Urgent Need Mitigation National Objective in lieu of Low to Moderate Income (LMI) National Objective, project service area is Blackhawk Wastewater Treatment Plant (WWTP) users and the residents, businesses, and critical habitats in the Lower Clear Creek and Clear Lake ecosystem, Census data-total beneficiaries in tracts is 161,310, total LMI beneficiaries in tracts is 43,580, and LMI=27.01%.

Councilmember Griffon asked if the city gets more points expanding that to urgent need and the City Manager answered yes.

Councilmember Rockey asked if the city saw an effect from work already done on Imperial Estates during this recent storm. City Manager Kabiri answered yes it did provide benefit and would have seen a greater amount of structures flood that have historically gone under water.

Councilmember Rockey stated that a year or so ago during a drainage study the Army Corp of Engineers came to the city with projects and got a commitment that Friendswood would not sign off on any of these projects unless the Army Corp of Engineers could show the city by modeling what those projects would do in a Harvey type storm, those projects could not negatively impact Friendswood, could either help or at least be neutral, committed to do that modeling before doing any of the project work and the City Manager answered that was correct. Mr. Kabiri said the city cannot terrace and impact others and same holds true for the Feds and Pearland upstream of Friendswood, Tropical Storm Beta was a unique storm with storm surge, and water could not get out of Friendswood.

#### **B. Coronavirus Disease 2019 (COVID-19) Update**

City Manager Morad Kabiri reported that City Hall opened up to the public again today, Staff continues to follow the Continuity of Operations and Pandemic Plans, ensured the provision of vital services, partnering with Friendswood Independent School District for the use of Coronavirus Relief Funds (CRF), no business have been closed by the city due to COVID, and no citations have been issued by the city relative to compliance with Governor Abbott's Executive Orders.

## **7. Communications from Committees and Special Reports**

### **A. Annual report from Friendswood Chamber of Commerce**

Friendswood Chamber of Commerce's Chairman of the Board Derrick Brown presented the annual

report from the Friendswood Chamber of Commerce. Chairman Brown stated he appreciates the city's support in Chamber matters; year was going good until COVID hit in late March, presented challenges that were met with assistance from the Chamber, and values support from Council.

**B. Annual report from the Senior Citizens Advisory Committee**

Mayor Foreman stated a member of the Senior Citizens Advisory Committee was not present at the meeting to give the annual report. The Senior Citizens Advisory Committee annual report can be found in the agenda packet.

**8. Discussion and Possible Action**

- A. Discussion and possible action regarding the disposition of Bid Number 2020-14 Designate the Official Newspaper for Publication of Legal and Official News for the City of Friendswood.

**\*\*Councilmember Branson moved to approve the disposition of Bid Number 2020-14 Designate the Official Newspaper for Publication of Legal and Official News for the City of Friendswood and award to Friendswood Reporter News.**

The motion was seconded and approved unanimously.

- B. Discussion and possible action authorizing the City Manager to negotiate/execute a Special Warranty Deed of Gift from Autumn Creek Development, Ltd., for Restricted Reserve F of West Ranch.

**\*\*Councilmember Griffon moved to approve authorizing the City Manager to negotiate/execute a Special Warranty Deed of Gift from Autumn Creek Development, Ltd., for Restricted Reserve F of West Ranch.**

The motion was seconded and approved unanimously.

- C. Discussion and possible action regarding disposition of RFP 2020-11 Project Management Services for the Community Development Block Grant–Disaster Relief (CDBG-DR) Property Acquisition and Demolition by authorizing staff to negotiate with offeror and enter into an agreement if it is most advantageous to the City.

**\*\*Councilmember Rockey moved to approve the disposition of RFP 2020-11 Project Management Services for the Community Development Block Grant–Disaster Relief (CDBG-DR) Property Acquisition and Demolition by authorizing staff to negotiate with offeror and enter into an agreement if it is most advantageous to the City.**

The motion was seconded and approved unanimously.

**9. Ordinances**

**Consideration and possible action regarding the following:**

- A. Ordinance No. T2020-34: Second and Final reading of an ordinance amending the Code of Ordinances, Chapter 14, Building and Building Regulations, Article VIII., Swimming Pools by repealing Article VIII. Swimming Pools, Sections 14-356 through 14-357 and adopting Chapter 14, Building and Building Regulations, Article VIII., Swimming Pools and Spas, Sections 14-356 and 14-357; by adopting the 2018 International Swimming Pool and Spa Code (ISPSA); providing a penalty of an amount not to exceed \$2,000.00 for each violation; repealing all other ordinances or parts of ordinances inconsistent or in conflict herewith; providing for severability; publication and an effective date.

**\*\*Councilmember Hanks moved to approve the Second and Final reading of Ordinance No. 2020-34 – An ordinance amending the Code of Ordinances, Chapter 14, Building and Building Regulations, Article VIII., Swimming Pools by repealing Article VIII. Swimming Pools, Sections 14-356 through 14-357 and adopting Chapter 14, Building and Building Regulations, Article VIII., Swimming Pools and Spas, Sections 14-356 and 14-357; by adopting the 2018 International Swimming Pool and Spa Code (ISPSC); providing a penalty of an amount not to exceed \$2,000.00 for each violation; repealing all other ordinances or parts of ordinances inconsistent or in conflict herewith; providing for severability; publication and an effective date.**

The motion was seconded and approved 5-2 with Councilmembers Griffon and Scott opposed.

- B. Ordinance No. T2020-38: First reading of an ordinance for a proposed zone change located at 213 E. Heritage Drive, 2.504 acres, of land out of and being part of Lot 12, Block 2 of Friendswood Subdivision, a map or plat thereof recorded under Volume 7, Page 20 of the Galveston County Map Records (G.C.M.R.), being that certain tract of land described in deed to Friendswood Realty under File No. 2010040672 of the Official Public Records of Galveston County, Friendswood, Galveston County, Texas, to change from Single Family Residential (SFR), Multi-Family Residential Low Density (MFR-L), and Multi-Family Residential Low Density/Specific Use Permit to allow an Institution for the Aged (MFR-L/SUP Institution for the Aged) to Planned Unit Development (PUD).

**\*\*Councilmember Branson moved to approve the First reading of Ordinance No. T2020-38 – An ordinance for a proposed zone change located at 213 E. Heritage Drive, 2.504 acres, of land out of and being part of Lot 12, Block 2 of Friendswood Subdivision, a map or plat thereof recorded under Volume 7, Page 20 of the Galveston County Map Records (G.C.M.R.), being that certain tract of land described in deed to Friendswood Realty under File No. 2010040672 of the Official Public Records of Galveston County, Friendswood, Galveston County, Texas, to change from Single Family Residential (SFR), Multi-Family Residential Low Density (MFR-L), and Multi-Family Residential Low Density/Specific Use Permit to allow an Institution for the Aged (MFR-L/SUP Institution for the Aged) to Planned Unit Development (PUD).**

The motion was seconded and approved unanimously.

- C. Ordinance No. T2020-39: First reading of 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 a.m. and 5:00 a.m. on any day of the week and between the hours of 9:00 a.m. and 2:30 p.m. 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 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.

**\*\*Mayor Foreman moved to approve the First reading of Ordinance No. T2020-39 – 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 a.m. and 5:00 a.m. on any day of the week and between the hours of 9:00 a.m.**

and 2:30 p.m. 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 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.

The motion was seconded and approved 6-1 with Councilmember Scott opposed.

- D. Ordinance No. T2020-40: First and Final reading of an ordinance amending City of Friendswood, Texas, Ordinance No. 2019-38, passed and approved October 7, 2019, same being an ordinance approving and adopting the City's General Budget for Fiscal Year 2019-2020 by approving "Budget Amendment XI" to the "Original General Budget of the City of Friendswood, Texas, for the Fiscal Year 2019-2020"; providing for supplemental appropriation and/or transfer of certain funds; providing for severability; and providing other matters related to the subject.

**\*\*Councilmember Branson moved to approve the First and Final reading of Ordinance No. 2020-40 – An ordinance amending City of Friendswood, Texas, Ordinance No. 2019-38, passed and approved October 7, 2019, same being an ordinance approving and adopting the City's General Budget for Fiscal Year 2019-2020 by approving "Budget Amendment XI" to the "Original General Budget of the City of Friendswood, Texas, for the Fiscal Year 2019-2020"; providing for supplemental appropriation and/or transfer of certain funds; providing for severability; and providing other matters related to the subject.**

The motion was seconded and approved unanimously.

## **10. Communications from the Mayor and Councilmembers**

Councilmember Rockey said, "Go Astros!"

Councilmember Branson said, "Yes! Go Astros!"

Councilmember Hanks stated she would third that sentiment.

Mayor Foreman thanked everyone for a fairly short meeting.

## **11. Consent Agenda**

**Consideration and possible action regarding the following:**

- A. Approving an Interlocal Agreement with the Harris-Galveston Subsidence District to participate in the WaterWise Conservation Program and authorizing the Mayor to execute the contract
- B. Approving a Memorandum of Understanding (MOU) with Clear Creek Community Church to allow the City to pursue a mitigation grant to fund a project at this location
- C. Accepting the August 2020 Tax Report
- D. Approving the minutes of the August 31 and September 14, 2020, Council Meetings

\*\*Councilmember Branson moved to approve the Consent Agenda as presented.  
The motion was seconded and approved unanimously.

## **12. Adjournment**

The meeting was adjourned at 8:05 PM.

Attest:

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Mayor Mike Foreman

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Melinda Welsh, TRMC  
City Secretary