

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 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 (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.

****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

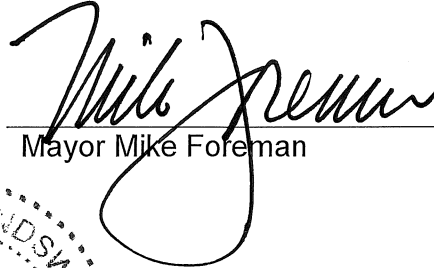
Consideration and possible action regarding the following:

- 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.



Mayor Mike Foreman

Attest:



Melinda Welsh, TRMC
City Secretary

