

STATE OF TEXAS
CITY OF FRIENDSWOOD
COUNTIES OF GALVESTON/HARRIS
JANUARY 11, 2021

6 PM – REGULAR MEETING

MINUTES OF A REGULAR MEETING OF THE FRIENDSWOOD CITY COUNCIL THAT WAS HELD ON MONDAY, JANUARY 11, 2021, 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 SALLY BRANSON
COUNCILMEMBER ROBERT J. GRIFFON
COUNCILMEMBER JOHN SCOTT
COUNCILMEMBER BRENT ERENWERT
CITY ATTORNEY MARY KAY FISCHER
CITY MANAGER MORAD KABIRI
CITY SECRETARY MELINDA WELSH

COUNCILMEMBER STEVE ROCKEY WAS ABSENT FROM THE MEETING.

1. Call to order

Mayor Foreman called the meeting to order.

2. Invocation – Reverend Robert T. Flick, Good Shepherd Episcopal Church

The invocation was given by Reverend Robert T. Flick with 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)

Mayor Foreman led the Pledge of Allegiance of 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.)

Tom Imber, Friendswood resident, addressed Council and stated he has been a resident since 1986, is here in favor of Friends Pub, owns a bar himself and is a tough business, always hears preaching to spend money locally, and in the next breath the Police Department is trying to put a bar out of business. He further stated his son is a Police Officer and he backs the blue. The Friends Pub bar is clean, does a great job, has never been at the bar and witnessed anybody drunk, people show up with too many drinks, is a regular at the bar, one of the best in the country, does a fantastic job, best bar in Texas, hopes government overreach stops, is tired of it, son is a police officer, loves police, but cannot tolerate government trying to put bars out of business.

Fred Radher, Friendswood resident, addressed Council and stated he has been a resident of Friendswood for 13 years and owns Friends Pub, has been harassed by Friendswood Police Department (FPD) for seven months, undercover cops with unmarked cars pulling over patrons as they leave, running a small business is hard to do especially during the current pandemic, has made nine attempts to speak to the Mayor who refuses to talk to him, has been arrested three times and wife twice, charges are in Galveston County, District Attorney is refusing charges because they are bogus, four other bars in this town, why them, tried social media and other avenues but is not stopping, patrons are getting pulled over and asked if they are coming from Friends Pub, get pulled out of their cars, searched and charged with Driving While Intoxicated (DWI), also tried to talk to the City Manager, nobody will talk to him, has that right as a taxpayer and citizen, has contributed \$1.5 Million in the last 12 years to the city and State of Texas, and please help him.

David Allen, Friendswood resident, addressed Council and stated citizens may be pledging allegiance to the Texas flag as the country flag if this all keeps up, discussed use of restaurant bars in the area during pandemic, local bars pay taxes and government salaries, and should give them a break.

City Manager Morad Kabiri asked permission to suspend the rules so Police Chief Wieners could give a presentation regarding year-end events, stated he spoke to Mr. Radher in August, gave him options of where he could go to file a complaint, and asked Chief to prepare statements for this evening.

Chief Wieners gave a brief overview of the year's arrest statistics, increase in aggravated assaults, several juveniles in that category, finished the year with only taking 16 juveniles into custody with a city of 42,000, had 40 in 2019 and other years were higher, adult arrests were down from previous years, bad news is the increase in DWI's, and heard Mr. Radher, Mr. Allen and Mr. Imber speak. Mr. Radher and Mr. Imber know when you have a Texas Alcoholic Beverage Commission (TABC) license you have agreed to allow inspections on your premise, is a TABC rule, no one has a right to be drunk in a public place, is in Chapter 49.02 of the Texas Penal Code, a bar is considered to be a public place, is an issue if you are overserving, cannot operate a motor vehicle under the influence, is state law, detailed law changes due to the rise in DWI offenses, Houston area is the epicenter for drunk driving in the United States, rise in DWI arrests in Friendswood from 2018 to 2019, statistics out of Friends Pub show an increase there as well with a 2019 total of 35 DWI's, 11 Public Intoxication arrests, three aggravated assaults took place in Friends Pub, total DWI numbers in the city were 341 in 2020 from 155 in 2018 and 283 in 2019, with 10% being from

Friends Pub, is not here to shut anyone down or infringe on anybody's legal rights. The goal is to stop mayhem on the city's roadways. There were two fatalities in December, one in the vicinity of Friends Pub, though not Friends Pub related, and another one off of FM 518. These fatalities are tragic and continue to be ongoing investigations. One person is already in jail as a result of a fatality and is currently awaiting toxicology results for the other. Chief Wieners stated he appreciates those who came to support Friends Pub, supporting private enterprise, and small business, but the overserving needs to be stopped before anyone else is killed or injured. Alvin had a DWI accident attributed to Friends Pub in June and Friendswood had one in May. There is a spill-over effect into other communities, need to be good neighbors and take care of our business in the City of Friendswood.

Mayor Foreman stated do not want to shut any businesses down but have to make the city safe for all our residents, keeping drunk drivers off the street is one of the jobs.

Mr. Radher spoke out and was reminded it was not a public forum to discuss this any further.

5. WORK SESSION

A. Comprehensive Plan Update

Community Development Director/City Planner Aubrey Harbin went over the Comprehensive Plan Update and stated progress was made on inventorying undeveloped land, there is a new map that shows undeveloped land which is broken down into different zoning districts, and reviewed the updated map. Single Family Residential is the biggest of the undeveloped category, of the undeveloped 1,900 acres, 61% is residential, next is Community Shopping Center at 13.61%, and Industrial at 13.38%, that accounts for 14% of the total acreage of a little over 13,000 acres. An email was sent out regarding a 1969 Downtown Plan, at that time Friendswood was only 2,600 acres and had 1,900 acres of undeveloped land, was 74% of the city at that time. The next update is the Future Land Use Map. Ms. Harbin stated the subcommittee had started working on a plan to update the map before Hurricane Harvey hit. A timeline and process are being established to obtain input from city committees and boards, as well as the public and development community, will be working with staff to review plans to update the following sections: Community Facilities (approved bond propositions, Capital Improvement Projects (CIP)), Utility Systems (Master Utility Plan 2008), Master Drainage Plan (Master Drainage Plans 1993, 2007), Major Thoroughfare Plan (City Wide Traffic Study 2020), and Parks Master plan (2020 update is underway).

City Manager Morad Kabiri said the 14% left to be developed in Friendswood is the most difficult property left to be developed, lacks infrastructure and adjoins existing residential neighborhoods, moving forward issues may be presented from neighboring property owners, will need to overcome some infrastructure hurdles during the development process.

Councilmember Branson expressed her thanks, represents a lot of hard work, and appreciates the time that has already been spent on the project.

Councilmember Hanks asked what percent was undeveloped when Vision 2020 was written. Ms. Harbin stated she was not sure of the answer.

Councilmember Branson said she believes between 45% - 55% of the town was not developed at that time.

B. Drainage Update

Deputy Director of Engineering Samantha Haritos stated the Engineering Department has updated the Design Criteria Manual (DCM). Most of the updates have to do with the updated flood ordinance, ties it together. Ms. Haritos presented a PowerPoint presentation and stated the major changes are in drainage in Chapter 5 of the manual, includes detail of Atlas 14 rainfall for the city, minimum structure elevation, fill in 500 Year Floodplain (Zone Shaded X), hydrograph timing as a substitution for detention is prohibited, drainage impact assessments changed the requirement for development from over 100 acres to over 50 acres, contains more detailed guidance for drainage studies/drainage impact assessments. The last time the Design Criteria Manual was updated most of the computer modeling was not as detailed as it is today. There is a resolution on the agenda tonight to adopt the Design Criteria Manual, detailed changes for January 2021 which include Section II – Wastewater Collection System, Section II – Water Line Distribution System, Section IV – Street Paving, Section V – Storm Drainage, Section VI – Site Development, Appendix F – Culvert Policy, Appendix G – Traffic Control Sign Policy, Appendix H – Streetlight Policy, and Traffic Calming Policy (separate from DCM). Ms. Haritos presented an update on Imperial Estates, construction is at 65% which is 680 acre ft, at 99,000 truckloads, city has expended \$5.5 million and Galveston County Consolidate Drainage District has expended \$5.1 million in funds, total estimated cost of the project is expected to be \$15-\$16 million. Ms. Haritos provided a brief overview of C-03 Federal Flood Risk Management Project which is upstream of the city. Mud Gully construction began December 2020 and is expected to go through Fall of 2022, immediately south of Mud Gully is the South Belt Detention Basin, has already been a lot of construction on that, work is primarily being done on Hughes Basin and Dagg Stormwater Detention Basin, the plan is to work on detention basins first, so that they will be fully mitigating the project that is to come. The H&H Analysis is still being worked on, will be submitted to United States Army Corps of Engineers (USACE) in Spring 2021, solicitations for design-build contract for Clear Creek, Mary's Creek, and Turkey Creek are expected towards the end of 2021, and field investigations, survey, and environmental assessments are still ongoing. More information on the Clear Creek Project can be found at www.hcfcd.org/CO3. Ms. Haritos provided an update on the Lower Clear Creek Study. Friendswood is a local partner, recent public meeting was held on November 4, a stakeholder meeting will be held on Friday, hydraulic model is completed, currently assessing alternative, study completion is expected to be March 2021. An update was given on the Coastal Texas Study. There will be a gate system put in between Galveston Island and Bolivar Island that will help stop storm surge. Secondly, there will be a Clear Lake and Dickinson Bay gate system and pump station put in, project is still in the preliminary stages, could be 10-15 years before construction is seen on this, will be great for the city, and the Clear Creek Steering Committee wrote a letter in support of this project. An overview of local projects from the Hurricane Harvey Community Development Block Grant Disaster Recovery (CDBG-DR) was presented. Forest Bend Detention (Harris County) is in the engineering phase, Frenchman's Creek and Deepwood are still in the acquisition phase, and the Utility Piperack Relocation Project just entered the engineering phase.

City Manager Morad Kabiri stated that in regard to the acquisition for Frenchman's Creek and Deepwood, the city was authorized two weeks ago by the General Land Office to go ahead and

engage homeowners for the acquisition services, homeowners have been contacted and are starting to see movement, sat stagnant for two years while awaiting approval from the General Land Office, and happy to see some movement forward.

Ms. Haritos presented a graphic showing the preliminary layout of Forest Bend Offline Detention. The RPS Group that is doing the engineering will be submitting their 30% submittal on February 24, 2021, should see the results from the geo-tech, the hydraulics and hydrology, as well as preliminary plans. The total CDBG-DR Grant award is \$3,451,022, with city contribution of \$25,000, engineering costs are \$435,048, engineering timeline is September 2020 to May 2021, and more information will be provided during the next drainage update. The other project to update is the Clear Creek Utility Relocation Project. There are two lines that will be relocated underneath the creek. On December 14, 2020, an agreement was executed with Kimley-Horn, and a project kickoff meeting was held on January 5, 2021. The total CDBG-DR grant award is \$2,762,650, scope for engineering and environmental costs was determined to be \$180,000, and engineering timeline is December 2020 to July or August 2021.

City Manager Morad Kabiri stated with all of the grants, the city is fronting the funds from Fund Balance and some from the emergency reserve, whatever the case may be. These are reimbursable grants, and will be paid back from CDBG once the project is completed. On a number of projects, the cost is a little higher than anticipated, would like to remind Council and the public that the allocations from CDBG were just that, they were allocations and were not based on project scope. They said you have "X" amount of dollars that your community is going to receive, and the city found the closest projects that would meet the criteria while also still working within the dollar range that was given. At the end of the day, the city is going to have to supplement some of these projects with funds on hand, and/or drainage bonds which is fine since these are moving toward what had asked for and they are leveraging the city's funds. You will see from time-to-time large expenditures that the city will have to provide upfront, and then wait for reimbursement.

Ms. Haritos stated the Forest Bend Offline Detention is at \$435,000, but was budgeted closer to \$200,000, are in contact with the Texas General Land Office, if the construction costs end up lower than originally expected, can take some of the construction costs and move it over to engineering. Hopefully, the Clear Creek Utility Project will potentially be enough to even everything out. The last item of discussion is the Round 1 Hurricane Harvey Community Development Block Grant (CDBG – MIT) for the Clear Creek Inline and Offline Detention Project. Ms. Haritos showed an aerial view of the location on the PowerPoint presentation and pointed out where it will be terracing, as well the location of an existing offline detention pond that will be widely expanded to increase the capacity, should hear back likely in March or April. The Harvey Mitigation Round 1 Competition had an available amount of \$1 billion and almost \$6 billion worth of applications submitted, so are looking at a 1 in 6 odd which is not great, but still feel confident that there is a chance.

6. Special Recognition and Acknowledgements

A. Presentation of the 32nd Consecutive Certificate of Achievement for Excellence in Financial Reporting for the FY19 Comprehensive Annual Financial Report

Phyllis Rinehart with Gulf Coast Government Finance Officers Association presented the award to Administrative Services Director Katina Hampton. Ms. Hampton thanked Deputy Director of Administrative Services Rhonda Boskas and Staff.

City Manager Morad Kabiri stated Financial Advisor John Roebuck is here to update Council on the sale of revenue bonds today.

Mayor Foreman invited Mr. John Roebuck with Bok Financial Securities to speak.

John Roebuck presented a PowerPoint to Council regarding the sale of \$13,690,000 in Waterworks and Sewer System Revenue Bonds. Page one of the presentation is an overview of the current municipal bond market and bond buyer index, and there were great results in the revenue bonds that were sold today. The PowerPoint slide showed a line graph, red line indicated the revenue bonds that were sold today, is currently at 2.56%, that is about 12 points off of an all-time low, and 2.18% below the historical average from the bond buyer index. The market was very positive, did very well as a result and secured a low interest rate on the bonds. The next slide showed the Final Sources and Uses of Funds, sold \$13,690,000 in bonds and generated a premium of \$2,148,000. From those bonds and premium, \$14,728,000 was deposited to the Construction Fund. A deposit of \$928,370, less expenses, was made to the Debt Service Reserve Fund which is required by ordinance to be set aside in case revenues do not come in as expected. The bonds were sold at an "All Cost" True Interest Rate (a) of 1.823% with a 20-year debt. Mr. Roebuck stated he is very pleased with the results and requests that Council give their approval tonight. If so, it will go through the Attorney General process and will close on February 4. The next slide showed Final Debt Service requirements for the Water and Sewer System, the final slide of the presentation is the Final Schedule of Events. Mr. Roebuck stated he has never seen 20-year debt ever at this low of a rate.

With concurrence of Council, Mayor Foreman moved to Agenda Item 13C, Ordinance No. T2021-03.

7. Public Hearing

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

- A. A zone classification change request for 3.2895 acres, also known as Reserve A5, Block 2, Forest Creek Subdivision, located at 4321 Friendswood Link Rd., Friendswood, Harris County, Texas, to change from Multi-Family Residential-Garden Home District (MFR-GHD) to Neighborhood Commercial (NC).

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 3.2895 acres, also known as Reserve A5, Block 2, Forest Creek Subdivision, located at 4321 Friendswood Link Rd., Friendswood, Harris County, Texas, to change from Multi-Family Residential-Garden Home District (MFR-GHD) to Neighborhood Commercial (NC).

Community Development Director/City Planner Aubrey Harbin presented a PowerPoint presentation regarding the proposed zone change. She stated there is 3.2895 acres of vacant

land located at 4321 Friendswood Link Rd., was annexed into the city in 1983 and has been vacant since that time, fronts Friendswood Link Rd., commercial developments have been done to the northeast of the property, the back and sides are residential properties. The next slide shows a photo of the current zoning which is Multi-Family Residential – Garden Home District (MFR – GHD) and allows 6 units per acre, with a maximum of 18 units. There was a previous request to change the property to Multi-Family Residential High Density, but was highly contested by the surrounding property owners. The applicant withdrew the application, request now is to go to Neighborhood Commercial. This particular zoning is intended to be a buffer between residential and other commercial property so is a less intense use than Community Shopping Center. It does allow daycares, gas stations, grocery stores and other neighborhood services to the nearby houses. The screening requirements for Neighborhood Commercial uses adjacent to residential are an 8 ft. opaque fence, 10 ft. landscape buffer, and an 8 ft. tree planted every 25 feet within the landscape buffer to help provide some protection from noise for the residents. The Public Hearing notices were sent out, a newspaper notice was published, and a sign was posted on the property. The whole property is Shaded X and AE flood zone. It is Harris County's side, so there is no options for regional detention. They will have to build a detention pond and an Engineered drainage plan on the property in order to meet the current flood zone requirements. The property was platted in 1976, there were homes built in 1978, and annexed into the City in 1983. When it was annexed in, it was assigned Neighborhood Commercial, but later changed to Single-Family Residential in 1991. In 1994, it was changed to Multi-Family Residential – Garden Home. The Planning and Zoning Commission had their Public Hearing on December 10, 2020. The vote was 6 – 0 to approve the zone change request. A handful of residents attended the Public Hearing and expressed opposition to the requested zone change, citing concerns about increased vehicular traffic on Friendswood Link Rd., as well as pedestrian traffic impacts on the nearby school. The Planning and Zoning Commission was sympathetic to their concerns, however it became apparent that the current Multi-Family Residential - Garden Home Zoning is not feasible for the development of this tract. In prior meetings, many more residents opposed increasing the tracts allowable density under the High Density Multi-Family. The Planning and Zoning Commission ultimately concluded that the property owner deserves a chance to develop his property. It remains vacant after many years of multiple failed attempts to develop it. The current Future Land Use Map identifies this property as High Density Residential, but only because that has been the zoning on the property. This will be one of the properties discussed when we look at the Future Land Use Map. The Planning and Zoning Commission recommends that Council approve this change request from to Multi-Family Residential – Garden Home to Neighborhood Commercial.

Mayor Foreman asked if anyone wanted to speak in favor or against. No one spoke.

8. 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.

9. City Manager's Report

A. Employee Service Awards

City Manager Morad Kabiri reported on the Employee Service Awards that are normally given out at the annual Christmas dinner, which was not held in 2020 due to COVID. He read the names of the employees who were given service awards. For 5 years of service, Keri Zombory (Police Department), Matthew Diaz (Parks & Recreation), Tuan Nguyen (Engineering), Rick Watkins (Engineering), Quanah Radabaugh (Police Department), Reymundo Orozco (PW), Johnny Tram (Police Department), and Daniel Wilkerson (Police Department). For 10 years of service, Brian Rouane (Community Development Department), Carlos Granillo (Police Department), Bradley Rusk (Police Department), and Rosalyn Redmon (Police Department). For 15 years of service, Jane Sullivan (Administrative Services), James Toney (Parks & Recreation), John Johnson (IT), Christina Hicks (Library), Andrew Whittaker (Police Department), Stephan Eades (Police Department), Roger Stenstrom (Police Department), Patricia Anaya (Police Department), and Jason Ives (Police Department). For 20 years of service, Tammy Scroggins (Police Department), Brian Mansfield (Fire Marshal/Emergency Management), David Gonzales (Police Department), and Elaine Langton (Police Department). For 25 years of service is Stephanie Price-Taylor (Police Department).

City Manager Kabiri stated it goes without saying the city is very blessed to have the employee base that it has and it shows in the tenure you see in a number of these employees. It was not that long ago that the city recognized a 40-year employee. Friendswood is a good place to work and are very appreciate of those that choose to work here.

B. Annual Tree Give Away

City Manager Kabiri reported that Saturday, January 16, starting at 8:00 am is the Annual Tree Giveaway sponsored by Keep Friendswood Beautiful, and will be located at Centennial Park. Prepare to come early, as trees go quickly, will need to have your identification that shows you are a Friendswood resident.

C. Parks and Recreation 2020 Events

City Manager Kabiri stated that wrapping up, 2020 was a unique year with the pandemic and a number of other things going on in the community. All of the departments adjusted and sacrificed to meet the needs of our community, special thanks goes out to the Parks and Recreation Department. For a department that thrives on gatherings and such, they had to think outside the box and hit it out of the park this year with a number of virtual and self-instructed events.

D. Hurricane Harvey Update

City Manager Kabiri provided a brief update on the Hurricane Harvey and drainage. The city closed on the Food Lion Building this morning, was a number of years in the making, thanked Fire Marshal Brian Mansfield and his staff, as well as Administrative Services Director Katina Hampton and her staff for pushing that large boulder uphill from the last three years working with the Federal Emergency Management Agency (FEMA), Community Development Block Grant (CDBG), and the General Land Office through Harris County to get that project completed. The city has a two-year time frame to get the emergency shelter portion of that building built, will be issuing \$2 million for the debt for the inside renovations coupled with the grant funds to get that project started shortly.

E. Coronavirus Disease 2019 (COVID-19) Update

City Manager Kabiri reported on an update of the Coronavirus Disease (COVID- 19). COVID cases are continuing to increase daily. Galveston County Health District and Harris County Public Health Department have been designated to be the point of coordination in the distribution of the COVID vaccines. There are also private retailers that have received the vaccine as well. Currently, someone has to be in either Group 1A (healthcare workers) or 1B (over the age of 65 and/or have a pre-existing health condition) in order to receive the vaccine. Encourages everyone to call early to get an appointment.

F. Year End Events

City Manager Kabiri stated in closing, echoes Mayor Foreman's appreciation for the Friendswood Police Department and told them to keep up the good work.

With concurrence of Council, Mayor Foreman moved to Agenda Item 11, Discussion and possible action.

10. Communications from Committees and Special Reports

A. Annual report from the Zoning Board of Adjustment Chair Phil Ratisseau
Zoning Board of Adjustment Chair Phil Ratisseau presented the annual report from the Zoning Board of Adjustment.

With concurrence of Council, Mayor Foreman moved to Agenda Item 15, Consent Agenda.

11. Discussion and Possible Action

A. Discussion and possible action regarding entering into a development agreement with Taylor Morrison regarding the Avalon at Friendswood Subdivision and Friendswood Lakes Boulevard

**Councilmember Hanks moved to approve entering into a development agreement with Taylor Morrison regarding the Avalon at Friendswood Subdivision and Friendswood Lakes Boulevard. The motion was seconded and approved 6-0.

12. Resolutions

Consideration and possible action regarding the following:

- A. Resolution No. R2021-01: A resolution approving and adopting updates/amendments to the "Design Criteria Manual" for the City of Friendswood, Texas; approving the standards contained therein for the design, construction and installation of public infrastructure and related facilities and improvements within the city; and repealing all prior Design Criteria Manuals and repealing other resolutions or parts of resolutions inconsistent or in conflict herewith.

****Councilmember Scott moved to approve Resolution No. R2021-01 – A resolution approving and adopting updates/amendments to the "Design Criteria Manual" for the City of Friendswood, Texas; approving the standards contained therein for the design, construction and installation of public infrastructure and related facilities and improvements within the city; and repealing all prior Design Criteria Manuals and repealing other resolutions or parts of resolutions inconsistent or in conflict herewith.**

The motion was seconded and approved 6-0.

- B. Resolution No. R2021-02: A resolution of the City Council of the City of Friendswood, Texas, authorizing a settlement agreement with Comcast of Houston, LLC, settling the lawsuit styled No. 4:19-CV-00458; City of Alvin, et al., v. Comcast, the United States District Court for the Southern District of Texas, Houston Division.

****Councilmember Branson moved to approve Resolution No. R2021-02 – A resolution of the City Council of the City of Friendswood, Texas, authorizing a settlement agreement with Comcast of Houston, LLC, settling the lawsuit styled No. 4:19-CV-00458; City of Alvin, et al., v. Comcast, the United States District Court for the Southern District of Texas, Houston Division.**

The motion was seconded and approved 6-0.

13. Ordinances

Consideration and possible action regarding the following:

- A. Ordinance No. T2021-01: First reading of an ordinance amending the Code of Ordinances of the City of Friendswood, Texas, Appendix C – "Zoning," by amending the zoning classification for a tract or parcel located at 4321 Friendswood Link Road containing 3.2895 acres, also known as Reserve A5, Block 2, Forest Creek Subdivision, out of the Sarah McKissick Survey, Abstract No. 549, Harris County, Texas; amending the zone classification from Multi-Family Residential-Garden Home District (MFR-GHD) to Neighborhood Commercial (NC); providing for amendment of the Official Zoning Map; providing a penalty in an amount not to exceed \$2,000 for each day of violation of any provision hereof; and providing for severability.

****Councilmember Scott moved to approve the First reading of Ordinance No. T2021-01 – An ordinance amending the Code of Ordinances of the City of Friendswood, Texas, Appendix C – "Zoning," by amending the zoning classification for a tract or parcel located at 4321 Friendswood Link Road containing 3.2895 acres, also known as Reserve A5, Block 2, Forest Creek Subdivision, out of the Sarah McKissick Survey, Abstract No. 549, Harris County, Texas; amending the zone classification from Multi-Family Residential-Garden Home District (MFR-GHD) to Neighborhood Commercial (NC); providing for amendment of the Official Zoning Map; providing**

a penalty in an amount not to exceed \$2,000 for each day of violation of any provision hereof; and providing for severability.

The motion was seconded and approved 6-0.

- B. Ordinance No. T2021-02: 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 III" 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.

****Councilmember Scott moved to approve the First and Final reading of Ordinance No. 2021-02 – 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 III" 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.**

The motion was seconded and approved 6-0.

With concurrence of Council, Mayor Foreman moved to Agenda Item 16, Adjournment.

- C. Ordinance No. T2021-03: First and Final reading of an ordinance authorizing the issuance and sale of the City of Friendswood, Texas, Waterworks and Sewer System Revenue Bonds, Series 2021; providing for the security of the bonds; authorizing the execution and delivery of a paying agent/registrar agreement; approving an official statement; and enacting other provisions relating to the subject.

****Mayor Foreman moved to adopt an ordinance authorizing the issuance and sale of the City of Friendswood, Texas Waterworks and Sewer System Revenue Bonds, Series 2021, and approving all other matters incident thereto and approving the First and Final reading of Ordinance No. 2021-03 – An ordinance authorizing the issuance and sale of the City of Friendswood, Texas, Waterworks and Sewer System Revenue Bonds, Series 2021; providing for the security of the bonds; authorizing the execution and delivery of a paying agent/registrar agreement; approving an official statement; and enacting other provisions relating to the subject.**

The motion was seconded and approved 6-0.

With concurrence of Council, Mayor Foreman moved to Agenda Item 10, Communications from Committees and Special Reports.

14. Communications from the Mayor and Councilmembers

Councilmember Scott stated he had nothing to report.

Councilmember Griffon stated he would like to thank staff for the great job they did incorporating all of the changes made to the Design Criteria Manual, was a heavy read, work was in depth, an amazing feat, did a great job, glad to see it is being adopted, need to get our developers on board, and the city will do great things.

Councilmember Erenwert stated he would like to thank all of the staff who received Employee Service Awards for all they have done, not just last year but all of the years prior, is very thankful to have everybody here.

Councilmember Branson stated she would like to remember those who are suffering with COVID, especially those who it has hit harder than others, encourages everyone to do the right thing, do not forget to wear masks, please keep Councilmember Steve Rockey in your prayers.

Mayor Pro Tem Hanks stated she dittos what everyone else said. City staff does a terrific job, are moving in the right direction with all of those plans as the city is dealing with unprecedented events from flooding to pandemics and everything else. She further stated we are thinking about Councilmember Rockey and hopes he is back here with us next month, and wished for him to get well soon.

Mayor Foreman encouraged everyone to keep wearing their mask and to stay vigilant until everybody is vaccinated. He thanked Friendswood Police Department for keeping the city safe, has 100% of Council's support, and wants them to keep doing what they are doing.

With concurrence of Council, Mayor Foreman moved to Agenda Item 7, Public Hearing.

15. Consent Agenda

Consideration and possible action regarding the following:

- A. Approving a License Agreement with Friendswood Independent School District to add a radio communications antenna to the City's elevated water tower
- B. Approving Buyout License Agreements for 1 Whittier Dr. and 13 Haverford Ln. in the Quaker's Landing Subdivision with the Civic Improvement Association and authorizing the Mayor to execute the agreement
- C. Authorizing the acceptance of the sidewalk easements associated with the Texas Department of Transportation Sidewalk Project along FM 518 between FM 2351 and Whispering Pines Avenue and approving their execution by the City Manager
- D. Approving the ratification of the City Manager's signature on closing and purchase documents associated with the acquisition of property located at 15355 Blackhawk Blvd (the old Food Lion Building)
- E. Accepting the November 2020 Tax Report

****Councilmember Scott moved to approve the Consent Agenda.**

The motion was seconded and approved unanimously.

With concurrence of Council, Mayor Foreman moved to Agenda Item 14, Communications from the Mayor and Councilmembers.

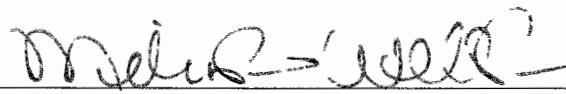
16. Adjournment

The meeting was adjourned at 7:20 PM.



Mayor Mike Foreman

Attest:



Melinda Welsh, TRMC
City Secretary