

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF FRIENDSWOOD
JULY 12, 2021**

THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD MET IN A REGULAR MEETING ON MONDAY, JULY 12, 2021, IN THE FRIENDSWOOD CITY HALL COUNCIL CHAMBERS, 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS, WITH THE FOLLOWING PRESENT CONSTITUTING A QUORUM:

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

1. CALL TO ORDER

Mayor Foreman called the meeting to order with a quorum present at 6:00 P.M.; all members were present.

2. INVOCATION

The invocation was led by Pastor David Bridges, Friendswood Friends Church.

3. PLEDGE OF ALLEGIANCE – United States and State of Texas

The Knights Templar Park Place Commandery No. 106 presented the flags and led the Pledge of Allegiance of the United States and State of Texas Pledge.

4. COUNCIL COMMENTS AND REPORTS

Mayor Foreman stated that he wanted to begin his comments by noting that the council comments and reports has been moved towards the beginning of the agenda to present valuable information before everyone is tired and ready to go home. Mayor Foreman stated that he wanted to thank city staff, and city volunteers for doing such a wonderful job with the 4th of July celebration last weekend.

Councilmember Rockey stated that he had a couple of things to note; the first being to let everyone know that it is not too late to participate in the summer reading challenges at the Friendswood Library, people can still register online through the Library's website. This year's challenge is on August 14th and readers of all ages have a chance to win prizes such as a Nintendo Switch or several other prizes. The second item of note is that he is currently on the board of the TML, and they held their board meeting a couple of weeks ago. Councilmember Rockey noted that in this year's legislative session there were 6,927 bills filed, 1,073 passed, 2,156 of the bills were filed that affected cities, and 247 of those passed. Lastly, he noted that the TML conference for this year will be held in the George R. Brown Convention Center, October 6-8th.

Councilmember Branson stated that she wanted to echo the Mayor's comments on the wonderful 4th of July event. She stated that she is aware of the work that takes place behind the scenes to make these events successful, and while things appear as smooth as silk to the public, there is so much that goes on in the background to make these events look effortless. Councilmember Branson also noted that there is a new mural going up over by the museum and she wanted to thank Ms. McKenna Giamfortone, a local artist, who is an Art Teacher in Fisd for her wonderful work and invited everyone to attend the official unveiling of the mural on Labor Day at this year's Ice Cream Social.

Mayor Pro Tem Hanks stated that she also wanted to recognize the Parks and Rec. staff, and everyone in the city that had anything to do with the 4th of July event and parade. She stated that she appreciated staff being so flexible with the rain challenges and still doing a great job in getting things done. She also noted that it was so nice to get together in person again and have a real parade, and not the ones that went through the neighborhoods like last year. Mayor Pro Tem Hanks stated that she attended a BAHEP legislative update a couple of weeks ago and there are a lot of things that were passed that the Council will need to have the information explained in more detail. Lastly, Mayor Pro Tem Hanks stated that she wanted to say thank you, assuming these are her last few minutes as the City's Mayor Pro Tem, she wanted to note that it has been an honor to serve this community in this, and in any capacity, really. She stated that it has been really an easy job considering that Mayor Foreman, the other councilmembers and especially the city manager, and staff take such good care of so many things. Mayor Foreman noted that Mayor Pro Tem Hanks did an amazing job as the backup mayor and appreciated all her hard work in handling these extra duties.

Councilmember Griffon stated that he was going to reserve most of his comments on his liaison duties to the Planning and Zoning Commission to the public hearing and consideration of the rezoning item. He also mentioned that the Galveston County Consolidated Drainage District approved the final drainage plan for the Avalon Subdivision, so there will be no more holdups and that should be going in shortly. Lastly, he also thanked the staff and volunteers that served and worked on the 4th of July event.

Councilmember Scott stated that as the liaison to Parks and Rec. 4th of July Steering Committee, he echoed everyone else's comments on a great job done by all. He also wanted to congratulate the Pacheco Family as their son, Isaac Pacheco, who just graduated from Friendswood High School was drafted 39th overall in the Major League Baseball Draft by the Detroit Tigers, so maybe one day he will play for A.J. Hinch.

Councilmember Erenwert stated that as he was jogging yesterday, he saw many police signs throughout the community, and it really made him think about how privileged he and the residents of Friendswood

are to have such great law enforcement staff and Chief of Police. He stated that there are other communities that are passing crazy laws to the detriment of its law enforcement, but none of that will ever come through this community as the council is going to protect its law enforcement. He also echoed the comments about the 4th of July event and thanked everyone who had a hand in making this event so successful.

5. PUBLIC COMMUNICATIONS

Mayor Foreman stated that to comply with the provisions of the Texas Open Meetings Act, the City Council may not deliberate any item not listed on the agenda, as such, the City Council will listen to public comment and may (i) refer the item to City Management for further action or (ii) direct staff for the placement of said item on a future agenda. During public comment, speakers shall refrain from any outbursts, or interjections including but not limited to applause, disparaging noises, and remarks. Furthermore, any personnel complaints against a City employee, aside from the City Manager, City Attorney, or Municipal Judge, shall not be discussed and shall be referred to City Management.

David Allen introduced himself and that that he wanted to thank the Parks Department for the 4th of July parade, it was inspiring. He further made comments on the COVID virus and its impact on other countries which have again started to shut down and warned that the same may happen to the United States in the Fall. Mr. Allen urged the Council to not follow in that direction and stay the course.

Philip Ratisseau introduced himself and stated that he wanted to speak about the veterans parking spot signs and recommended that instead of taxpayers footing the bill for these signs, that the city consider taking donations from interested citizens and local businesses. He noted that he and his wife would be one of the volunteers that would help pay for one.

6. SPECIAL RECOGNITIONS AND ACKNOWLEDGEMENTS

A. Present the City of Friendswood 5 Star Spirit Awards for 2020 and the first quarter of 2021 to Michael Cordero, CID Sergeant with the Police Department; Matthew Schmidt, Peace Officer with the Police Department; and Bria Whitmire, Project Coordinator with the Engineering Department.

City Manager Morad Kabiri presented the item and stated that this is one of his most favorite times to be before the Council, and unfortunately, due to COVID, he had not been able to present the spirit awards in over a year. Mr. Kabiri further noted that the Five Star Spirit Award is to recognize an employee by quarter that is determined by the employees themselves; this is not led by the council, city management or the department heads.

Mr. Kabiri noted that this program was put on hiatus because of COVID; however, the Five Star Committee started meeting again and they had so many exceptional nominations that came in from the public that the committee did not feel it would be fair to single out just one employee. Mr. Kabiri presented the Five Star Award to three employees; the employees recognized for their exceptional service to the Friendswood community were: (1) Sergeant Cordero, Officer Schmitt, and Bria Whitmire with the Engineering Department.

7. COMMUNICATIONS FROM COMMITTEES AND SPECIALST REPORTS

A. Receive the annual report from the West Ranch Management District.

The City of Friendswood appointment to the West Ranch Management District (the “District”) Ms. Meredith Levine, presented the item and stated that the residential development of West Ranch is fully built out. She noted that the commercial area remains undeveloped, and the school site is in process.

Ms. Levine gave an overview of the District’s history of its tax rate via a chart as follows:

West Ranch Management Assessed Valuation and Tax Rate History

- 2015 Total Tax Rate = \$0.65
- 2016 Total Tax Rate = \$0.55
- 2017 Total Tax Rate = \$0.50
- 2018 Total Tax Rate = \$0.45
- 2019 Total Tax Rate = \$0.45
- 2020 Total Tax Rate = \$0.43
- 2021 Total Tax Rate to be set at August Board meeting

Ms. Levine noted that the District has not set the tax rate for 2021, but the expectation is that hopefully they will continue to reduce the tax rate.

Ms. Levine then gave an overview of the District’s assessed valuation and tax rate history as follows:

West Ranch Management Assessed Valuation and Tax Rate History

Year	Assessed Value	M&O	WS&D Debt Rate	Road Debt Rate	Total Debt Rate	Total Tax Rate
2020	\$ 648,041,354	\$ 0.170	\$ 0.205	\$ 0.055	\$ 0.260	\$ 0.430
2019	\$ 579,304,885	\$ 0.140	\$ 0.245	\$ 0.065	\$ 0.310	\$ 0.450
2018	\$ 519,506,301	\$ 0.100	\$ 0.280	\$ 0.070	\$ 0.350	\$ 0.450
2017	\$ 457,360,969	\$ 0.110	\$ 0.310	\$ 0.080	\$ 0.390	\$ 0.500
2016	\$ 394,738,333	\$ 0.090	\$ 0.360	\$ 0.100	\$ 0.460	\$ 0.550
2015	\$ 330,376,059	\$ 0.150	\$ 0.390	\$ 0.110	\$ 0.500	\$ 0.650
2014	\$ 254,346,624	\$ 0.160	\$ 0.340	\$ 0.150	\$ 0.490	\$ 0.650
2013	\$ 202,447,673	\$ 0.150	\$ 0.380	\$ 0.120	\$ 0.500	\$ 0.650
2012	\$ 155,712,544	\$ 0.100	\$ 0.470	\$ 0.080	\$ 0.550	\$ 0.650
2011	\$ 116,386,954	\$ 0.170	\$ 0.380	\$ 0.100	\$ 0.480	\$ 0.650
2010	\$ 93,043,423	\$ 0.650	\$ -	\$ -	\$ -	\$ 0.650
2009	\$ 74,262,774	\$ 0.650	\$ -	\$ -	\$ -	\$ 0.650
2008	\$ 47,663,107	\$ 0.650	\$ -	\$ -	\$ -	\$ 0.650
2007	\$ 11,485,060	\$ 0.650	\$ -	\$ -	\$ -	\$ 0.650
2006	\$ 6,239,320	\$ 0.650	\$ -	\$ -	\$ -	\$ 0.650
2005	\$ 3,600,530	\$ 0.650	\$ -	\$ -	\$ -	\$ 0.650

Ms. Levine stated that the assessed value has continued to grow and in 2020, it was \$648 million, which is quite a lot of assessed value. She also noted that the District has two principal components to its tax rate, the maintenance and operations rate, the M&O rate on the left there, and then, two sub-component parts of the total debt rate which are the WS&D Water, Sewer, and Drainage, and then the bond debt rate.

Ms. Levine further stated that the total debt rate is on the right of the chart and that those combined, lead to the total tax rate, but the important thing to remember is that the bond debt repayment rate is more or less fixed by how much the District has left to repay.

Ms. Levine then gave a bond update and noted that the District performed a large refunding of WS&D and Road bonds in 2020 that resulted in approximately \$2.6 million in reduced debt service. Additionally, Ms. Levine noted that the District intends to cash redeem approximately \$1.735 million in principal amount that will reduce outstanding debt service approximately \$2.4 million. So, that is some good news.

Ms. Levine then noted that one of the things that the District has responsibility for is drainage, and gave the Council a comprehensive update on the District's ongoing drainage maintenance efforts as follows:

- The District entered a drainage maintenance contract with Storm Water Solutions in September 2018 to perform quarterly inspections of all its owned and operated drainage and detention facilities.
- As part of these inspections, SWS and the District's engineer cataloged and prioritized areas to be addressed, put on the watch list or were noted as having no issues.
- Over the past two years, the District has spent approximately \$70,000 over and above routine mowing on drainage maintenance and rehab, which includes, and is not limited to, desilting of channels, removal of vegetation and overgrowth, erosion repair, structural outfall repair, etc.
- The District understand how important all of this is to the residents of the West Ranch Management District, and they are committed to continuing our proactive monitoring and maintenance program.

Ms. Levine gave the Council an overview of other completed projects that included Falcon Lake Boulevard, West Boulevard, Friendswood Lakes Boulevard, both the East and West segments, the Detention Ponds and Conveyance Systems, the traffic signal at FM 518, the Lake Friendswood parking lot and pavilion, and the gifting of a 47-acre park parcel in January 2021 to the city, etc.

Ms. Levine stated that the District has approximately 45 acres of commercial development near the intersection of FM 518 and West Boulevard, and approximately 13 acres of commercial property near the intersection of West Boulevard and Friendswood Lake. These areas have water, sanitary sewer, storm sewer, and detention available to the sites, and the Friendswood Development Company indicated that they are still seeking a potential town center developer.

To closed, Ms. Levine noted that the District's long-term goals and objectives remain the same as they always have been and as values continue to increase and a commercial tax base has been established, the board will continue to weigh lowering the tax rate and continue to pay off bonds. Ms. Levine thanked the Council for its attention and support.

Mayor Foreman thanked Ms. Levine for her stepping up to be one of the city's representatives on that five-member board. Mayor Foreman stated that Ms. Levine serves on a five-member board, of which the city gets to appoint two of those members. The owners, Friendswood Development and Lennar Homes still have the majority on that board, but with Ms. Levine and now, Joe Matranga, the city knows that Friendswood's voice is heard in those board meetings.

B. Receive a presentation of the Declaration of Independence.

City Manager Morad Kabiri presented the item and thanked Ms. Katie Blanchard for working with the city's summer program participants in putting this video together. The Council was presented with a video of the Declaration of Independence being read by participants and counselors of the City's Summer Camp.

8. WORK SESSION

A. Receive and discuss an update of the City of Friendswood Capital Improvement Projects.

Engineering Director Mr. Jilardo Arias presented the item and stated that he was going to present an update on the City's ongoing Capital Improvement Projects.

He noted that the first project Lift Station #23 is very close to being completed. The contractor is currently in the process of testing the lift station and is planning a soft start-up tomorrow. Mr. Arias noted that the bypass pumps located to the front of the area have been running for the past couple of months and are going to be turned off, this will then allow the flow to move into that new lift station. Mr. Arias further noted that a second smaller lift station that was installed a couple of months ago to serve the Century Oaks Subdivision, is now fully operational and has been working for the past couple of months. Mr. Arias then noted that when completed, Lift Station #23 will address some past overflow issues.

The next project is related to the ongoing design development for the reconstruction of Fire Station #2. Mr. Arias stated that they have passed the 50% milestone on the design development and are awaiting an update from the construction manager-at-risk on the projected cost, and this will help staff determine if they are headed in the right direction in the facility's design. Mr. Arias stated that city staff has been in constant contact with the Friendswood Volunteer Fire Department and have incorporated some of their tips and pointers from an operational point of view.

Mr. Arias further noted that the architect has started with construction documents for the building, and they are shooting for a presentation in December 2021 with information regarding the guaranteed maximum price from the construction manager-at-risk. He noted that if everything stays on target, they will see construction throughout 2020-2022 with the project wrapping up sometime in the fall of next year.

Mr. Arias then moved onto the Public Safety Building Expansion project and noted that staff is a little further along on this project, as they have received the 100% design development and the construction documents are currently underway. Mr. Arias noted that the staff is waiting on an updated cost projection from the construction manager-at-risk and should be getting that very soon with the guaranteed maximum price that will also be presented to council in December of 2021.

Regarding the next project, Blackhawk Facility Renovation & Shelter, staff has received feedback from the Harris County Community Services Department, which is going to be incorporated into the contract itself. Mr. Arias noted that they expect to have a fully executed contract for the renovation side of the Blackhawk Facility relatively soon.

Mr. Arias moved onto the next project of Friendswood Lake Boulevard and stated that this project is also nearing completion; however, the weather has not been the best these past two months, and it has slowed the project down. He noted that staff is hoping for a ribbon-cutting on this road on July 29th with the street opening to the public at the end of the month.

Mr. Arias noted that this would be his last update regarding the 2020 Street Maintenance Program. He stated that he has tried to keep council informed of the issues staff has had with the contractor for this project as it relates to them meeting the city's specifications and quality of the work, which ultimately led to the staff holding on to the contractor's retainage. Mr. Arias further noted that the staff had met with the contractor, and they have come to a mutual agreement in regard to the how, when and under what conditions the staff will release their retainage.

In regards to the 2021 Street Maintenance Program, Mr. Arias noted that the contractor has completed \$500,000 in the concrete work. Mr. Arias noted that the work in question has come along nicely and quickly. He further noted that there is an opportunity to expand some of the concrete work when considering how the street maintenance sales and use tax figures are coming. Therefore, to take advantage of that opportunity; staff will be bringing a change order up for consideration later on tonight's agenda.

Mr. Arias noted that he wanted to give the council a status update on the drainage improvements at Lake Friendswood. He noted that there are some developments next to the park, which have adversely affected the existing drainage going away from the park. Staff has been in communication with the City of League City, which has been very helpful as a liaison between Friendswood staff and the developer. The intent of those discussions was to come up with a solution to the drainage issues and staff is requesting that the developer install over 2,200 linear feet of 36-inch pipe along with inlets that will help collect runoff and will also run adjacent to the sidewalk to reduce flooding issues.

Finally, Mr. Arias noted that he wanted to give an update on the two projects that TxDOT has on FM 518. The first being the FM 518 Downtown Curb and Ramp Project. He noted that there was a groundbreaking ceremony on the 15th of last month and construction is going to start as soon as the rain lets up, but unfortunately, the contractor has run into some supply chain issues with PVC. He noted that there is big backlog on PVC and as TxDOT is including that into the project, TxDOT has agreed to do a suspension of their time for a couple of weeks, so the contractor can get their PVC pipe in, and can then get it installed before working on the sidewalk. Mr. Arias noted that the other project of interest for TxDOT is the installation of a traffic signal at the intersection of the Leisure Lane and FM 518. He stated that TxDOT has completed some utility installation and they have advised the city that their contractor assuming, the weather holds up, should be getting started on the work within the next two to three weeks.

Mayor Foreman thanked Mr. Arias for the information.

9. REQUEST FOR ZONE CLASSIFICATION CHANGE – 1715 AND 1771 S. FRIENDSWOOD DRIVE

- A. Conduct a public hearing to receive comments both oral and written regarding a zone classification change located at 1715 and 1771 S. Friendswood Drive, also known as Reserves D and F in the Howard Subdivision Partial Replat No. 2, Friendswood, Galveston County, Texas, to change from Community Shopping Center (CSC) and Office Park District (OPD) to Planned Unit Development (PUD).**

At 7:05 P.M. Mayor Foreman called to order the public hearing regarding this zone classification change located at 1715 and 1771 South Friendswood Drive, also known as Reserves D and F in Howard Subdivision, Partial Replat Number 2, Friendswood, Galveston County, Texas, to change from Community Shopping Center and Office Park District to Planned Unit Development.

Mayor Foreman requested that Community Development Director Aubrey Harbin give the council an overview of the public hearing.

Ms. Harbin presented the item and stated that the zone change application is for approximately 7.7054 acres, which is a vacant tract of land that is located behind the Chick-Fil-A, CareNow, and Babbling property. She noted that the tract also includes the detention pond from the original Howard Subdivision and is currently zoned as both Community Shopping Center (CSC) and Office Park District (OPD) with the proposed zoning being that of a Planned Unit Development (PUD).

Ms. Harbin noted that the applicant, Mr. Tano was present to answer any questions, but noted that basically the uses would be the only ones allowed in the four-story building at this property.

Permitted uses would include:

- Monetary authorities – Central Bank
- Credit intermediation and related activities
- Securities, commodity contracts, and other financial investments and related activities
- Insurance carriers and related activities
- Funds, trusts, and other financial vehicles
- Lessors of nonfinancial intangible assets (except copyrighted works)
- Professional, scientific and technical services
- Management of companies and enterprises
- Other school and instruction
- Ambulatory health care services
- Personal care services
- Other personal services
- Business, professional, labor, political, and similar organizations
- Executive, legislative, and other general government support
- Administration of human resource programs
- Administration of environment quality programs
- Administration of housing programs, urban planning, and community development
- Administration of economic programs
- Space research and technology
- National security and international affairs

Ms. Harbin noted that all the listed uses are allowed in the CSC and OPD Zoning Districts, but they do have limits as it does not allow for any more restaurants or retail in this particular building.

Ms. Harbin showed the council a map of the proposed site plan and noted that there is a proposed four-story building like the building located at 505 South Friendswood Drive, which would serve as an anchor for all the tenants and existing restaurants towards the front of the property. She further noted that the new development would also include detention enhancements around the existing detention pond such as trees, walking trails, park benches, dog stations, water fountains, and accent lighting.

Ms. Harbin stated that access to the property is through shared access easements, which have been dedicated with the Howard's Subdivision plat. Ms. Harbin also noted that the building positioning is intending to slow the traffic. She also noted that the proposed regulation matrix for this particular property would only apply to the vacant track and the detention pond would still be limited to detention only, and that is per the plat; should the developer desire to do away with the detention pond, he would have to replat the property. Ms. Harbin stated that the proposed setbacks are similar to CSC and OPD with a front 30-foot yard setback, a rear 15 interior site or interior are the normal 25 and 10, regardless of whether they are building residential or commercial, and then the maximum building height is proposed to be 70 feet for four stories, which is similar to the other building at 505.

Ms. Harbin stated that public hearing notices were sent out, published in the local newspaper, and mailed to everybody within 200 feet of the subject property, additionally, a sign giving notice of said public hearings was posted on the property itself. She noted that the Planning and Zoning Commission had its public hearing on June 10th and made a recommendation to the council to deny the zone request change as the Commissioners felt that the PUD did not meet the city ordinance requirements as it related to the building height; however, they were all supportive of the project itself.

Ms. Harbin noted that the staff and the Commission are in the process of adjusting or amending the city's zoning ordinance to allow for this building height in all the other commercial zoning districts. She stated that the public hearing for this item is scheduled for July 22nd with the proposed ordinance coming before the council on August 2nd. Ms. Harbin noted that the positives of this PUD were that it does reduce the permitted uses, that the PUD would ensure that the additional amenities are built around the detention pond, which is over and above the city's zoning ordinance requirements, and that the proposed office building would have a much lower traffic impact than many other potential uses.

City Manager Morad Kabiri noted that he wanted to add that every member of the Planning and Zoning Commission was supportive of the project, but they felt that the constraints of the PUD did not allow for the changes being requested, and that it did not meet the initial spirit of the PUD requirements. He further noted that in visiting with the City Attorney Mary Kay Fischer, they believe that the request is within the spirit of PUDs and could have acted in a positive manner; however, they just felt that their hands were tied on this item.

There was no one signed up to speak on this item.

At 7:12 P.M. Mayor Foreman closed the public hearing regarding a request for a zone reclassification change located at 1715 and 1771 South Friendswood Drive.

B. Consideration and possible action regarding Ordinance No. T2021-18, the first reading of an ordinance approving a zone classification change located at 1715 and 1771 S. Friendswood Drive, also known as Reserves D and F in the Howard Subdivision Partial Replat No. 2, Friendswood, Galveston County, Texas, to change from Community Shopping Center (CSC) and Office Park District (OPD) to Planned Unit Development (PUD).

Councilmember Griffon voiced his support of the project and the zone request change. He also noted that in the past, developers have attempted to use the PUD process to circumvent the city's zoning ordinances and ask for special favors; however, this was not the case with the developer at hand. Councilmember Griffon went line by line of the PUD criteria and concluded that this PUD application has been one of the toughest decisions placed before the P&Z Commission in some time, and while they submitted a negative recommendation, not a single commissioner was negative towards the project and the development itself. He further noted that the commissioners are bound to the rules and regulations as written and do not have the flexibility to deviate from those statutory regulations as the city council does and can. Councilmember Griffon voiced his support of the proposed PUD and development.

A motion was made by Councilmember Rockey and seconded by Councilmember Branson to approve Ordinance No. T2021-18, regarding Agenda Item 9.B as submitted. The vote was the following:

Ayes: Mayor Mike Foreman, Mayor Pro Tem Trish Hanks, Councilmember Steve Rockey, Councilmember Sally Branson, Councilmember Robert J. Griffon, and Councilmember Brent Erenwert.

Nays: Councilmember John Scott

The item passed.

10. CITY MANAGER'S REPORT

A. Provide an update on Veteran Parking Signs.

City Manager Morad Kabiri stated that as a follow-up to the comments made by Mr. Phil Ratisseau regarding the veteran parking only signs, he noted that this program would place veteran-only parking signs at businesses, and at city facilities, should those entities choose to have a sign put there. He noted that the signs themselves will be donated, but the concern still lies on who will pay for the materials, the polls, and the installation of those signs. The initial pricing for the materials is anywhere from \$50 to \$200, depending on how nice they are, and staff is okay with doing those installations provided the council has no concerns; however, any citizen or business that would like to support this endeavor can submit a check to the city designating the funds specifically to this program.

B. Provide an update on Movies in the Park.

City Manager Morad Kabiri presented the item and stated that now that the Concerts in the Park and the 4th of July celebration have happened, it is time to move onto the Movies in the Park. This is an annual program that is sponsored in large part by the Rotary Club of Friendswood along with the city's Keep Friendswood Beautiful.

He noted that there are five movies that will take place starting Friday, July 16th through Friday, August 13th and begin at dusk at the Evelyn Newman Amphitheatre at Centennial Park.

C. Provide an update on the City's SafeWise designation.

City Manager Morad Kabiri presented the item and stated that the city recently received a designation from SafeWise, which is an online publication that ranks cities across the state of Texas based on several factors.

This year's designation was based on the city's 2021 statistics. Mr. Kabiri noted that Friendswood was ranked number 16 moving up eight spaces from the last year, and he believed that Friendswood is the second city with a population of 25,000 or more. He further noted that this accomplishment is in large part due to the city's wonderful police department and the services they provide the community.

D. Provide a legislative update.

City Manager Morad Kabiri presented the item and stated that he wanted to give a brief update on the legislative as noted below:

- House Bill 988 established a misdemeanor for any city official engaging with the Chief appraiser and influencing the valuation of properties.
- House Bill 738 states that the City of Friendswood along with any other jurisdiction has to have building codes that are 2012 or newer; Friendswood uses 2018 codes, but if a city fails to do so that would be in violation of state law.
- House Bill 2404 establishes a statewide database for economic incentive programs that are funded through chapter 3 of the local government code. This item would take in any agreements that have not been fulfilled prior to September 2021. All the city's current 380 agreements have been completed so this will come into effect for any new agreements, which upon approval the city will have to submit a copy to the state for its online database.
- House Bills 692 and 1476 have to do with contracts for public works and goods and services, and retainage and addressing service disputes, and thereof.
- Senate Bill 598 requires that any election machine have the capability of being audited. The City of Friendswood does not own any election equipment and instead contract with Harris and Galveston counties, however, should they need to upgrade their election systems, they may pass those costs on to any entity that contracts with them for election services.
- House Bill 1118 was discussed previously when the council certified the city's cybersecurity training. The city is nearing 100% completion and will have the remaining employees completed later this month.
- Senate Bill 790 is related to ambulance balance billing. This is a program that the state will now allow governing bodies to not go after private pay if the insurance does not cover those EMS rides.
- House Bill 2730 reforms eminent domain by requiring some additional notifications and due process. In order to pursue eminent domain, the city will be in compliance, but he just

wanted council to be mindful of those changes as it may impact city projects moving forward.

- Senate Bill 1359 requires that the city provide some mental health leave for our law enforcement officers.

Mr. Kabiri also reminded the council that the Fire Marshal's Office will have a severe weather open house at the library on July 22nd, which is open to the public from 5:00 P.M. to 7:00 P.M.

Mayor Foreman recessed the meeting at 7:30 P.M.

Mayor Foreman reconvened the meeting at 7:36 P.M.

11. BUSINESS ITEMS

A. Discuss and take possible action on RFP 2021-04 City buyout lot mowing.

Councilmember Rockey inquired if there was going to be a time where it might be less expensive for the city to just mow the grass in-house. City Manager Morad Kabiri responded that the city has not hit that threshold yet. He noted that staff has looked at the figures from a personnel standpoint as well as equipment, and the cost for personnel alone would be over half a million dollars right now. Mr. Kabiri noted that while they are getting close to that threshold, they were not quite there, yet.

A motion was made by Councilmember Scott and seconded by Councilmember Griffon to approve on RFP 2021-04 City buyout lot mowing. The vote was the following:

Ayes: Mayor Mike Foreman, Mayor Pro Tem Trish Hanks, Councilmember Steve Rockey, Councilmember Sally Branson, Councilmember Robert J. Griffon, Councilmember John Scott, and Councilmember Brent Erenwert.

Nays: None

The item passed unanimously.

B. Discuss and take possible action on RFP 2021-05 City property lawn mowing and maintenance services.

A motion was made by Councilmember Griffon and seconded by Councilmember Scott to approve on RFP 2021-05 City property lawn mowing and maintenance services. The vote was the following:

Ayes: Mayor Mike Foreman, Mayor Pro Tem Trish Hanks, Councilmember Steve Rockey, Councilmember Sally Branson, Councilmember Robert J. Griffon, Councilmember John Scott, and Councilmember Brent Erenwert.

Nays: None

The item passed unanimously.

C. Discuss and take possible action on RFP 2021-09 regarding Emergency Medical Services billing and collections.

A motion was made by Mayor Pro Tem Hanks and seconded by Councilmember Griffon to approve RFP 2021-09 regarding Emergency Medical Services billing and collections. The vote was the following:

Ayes: Mayor Mike Foreman, Mayor Pro Tem Trish Hanks, Councilmember Steve Rockey, Councilmember Sally Branson, Councilmember Robert J. Griffon, Councilmember John Scott, and Councilmember Brent Erenwert.

Nays: None

The item passed unanimously.

D. Discuss and take possible action on RFP 2021-13 for disaster food services.

A motion was made by Councilmember Griffon and seconded by Councilmember Erenwert to approve on RFP 2021-13 for disaster food services. The vote was the following:

Ayes: Mayor Mike Foreman, Mayor Pro Tem Trish Hanks, Councilmember Steve Rockey, Councilmember Sally Branson, Councilmember Robert J. Griffon, Councilmember John Scott, and Councilmember Brent Erenwert.

Nays: None

The item passed unanimously.

E. Discuss and take possible action on a change order request for the 2019-2020 Street Maintenance Project.

A motion was made by Mayor Pro Tem Hanks and seconded by Councilmember Scott to approve on a change order request for the 2019-2020 Street Maintenance Project. The vote was the following:

Ayes: Mayor Mike Foreman, Mayor Pro Tem Trish Hanks, Councilmember Steve Rockey, Councilmember Sally Branson, Councilmember Robert J. Griffon, Councilmember John Scott, and Councilmember Brent Erenwert.

Nays: None

The item passed unanimously.

F. Discuss and take possible action on a change order request for the 2020-2021 Concrete Street Maintenance Program.

A motion was made by Mayor Pro Tem Hanks and seconded by Councilmember Griffon to approve on a change order request for the 2020-2021 Concrete Street Maintenance Program. The vote was the following:

Ayes: Mayor Mike Foreman, Mayor Pro Tem Trish Hanks, Councilmember Steve Rockey, Councilmember Sally Branson, Councilmember Robert J. Griffon, Councilmember John Scott, and Councilmember Brent Erenwert.

Nays: None

The item passed unanimously.

G. Discuss and take possible action on an Interlocal Regional Waste Disposal Facilities Contract for the Blackhawk Waste Water Treatment Facility.

A motion was made by Mayor Pro Tem Hanks and seconded by Councilmember Branson to approve an Interlocal Regional Waste Disposal Facilities Contract for the Blackhawk Waste Water Treatment Facility. The vote was the following:

Ayes: Mayor Mike Foreman, Mayor Pro Tem Trish Hanks, Councilmember Steve Rockey, Councilmember Sally Branson, Councilmember Robert J. Griffon, Councilmember John Scott, and Councilmember Brent Erenwert.

Nays: None

The item passed unanimously.

H. Discuss and take possible action on executing a three-year lease-purchase contract for the purchase of computer production server equipment.

A motion was made by Mayor Pro Tem Hanks and seconded by Councilmember Branson to approve on executing a three-year lease-purchase contract for the purchase of computer production server equipment. The vote was the following:

Ayes: Mayor Mike Foreman, Mayor Pro Tem Trish Hanks, Councilmember Steve Rockey, Councilmember Sally Branson, Councilmember Robert J. Griffon, Councilmember John Scott, and Councilmember Brent Erenwert.

Nays: None

The item passed unanimously.

I. Discuss and take possible action on approving a contract with Ameresco for automated water meters.

Councilmember Griffon inquired about new subdivisions, such as, Georgetown that will come in during the transition period, what is going to happen to their brand-new meters and what is the staff's priority in trying to get their meters automated first so they do not have to buy meters twice. City Manager Morad Kabiri responded that provided the city can meet the lead time, staff's priority is to get the new meters to these developments upfront for them not to have to be switched out and paid for twice. He further noted that there will be a period between when the proposed contract is executed and when the meters are available to those developments, so some of them may have to use the old technology, but staff will attempt to minimize this issue as much as possible.

Councilmember Rockey asked if the proposed contract was bid out. Mr. Kabiri responded that the Texas Government Code allows for cities to procure services through the cooperative purchasing process, which has already negotiated pricing for goods and services for the entire region; thus, ensuring the best price possible.

Councilmember Scott stated that at the last meeting he had expressed some concern on the payback time frame for this new technology. He stated that that the city has been using the same type of meters throughout the history of water metering in the community, and he had a concern that the city would be constantly chasing the latest and greatest technology and was not sure if the new technology was going to be able to pay for itself in that 10-year window before something new came along. Mr. Kabiri responded that the payback on the proposed meters is likely to be far better than has been anticipated, as staff has been very conservative in its calculations. He further noted that as he had previously mentioned, there are no profit margins built into city services because everything is a balanced budget, and the alternative will only make the issue worse as the city is currently losing water that's going unbilled and unfortunately, the folks that have meters reading accurately are subsidizing folks whose meters are not reading accurately, so to not correct the situation is doing a disservice to the ratepayers collectively.

Mr. Kabiri further noted that staff looked at what it would cost to replace the meters with what is currently in place, and by not going to the new technology; the city would have to undertake a one-time update of all of meters for about a \$5 million endeavor; however, that \$5 million endeavor only guarantees those meters for a 10-year period; not the 20-year period provided for with the automated meters.

Councilmember Rockey stated that he is fortunate to know a little bit about meters as he spent two years doing engineering work on meters at one of the Shell plants. He stated that the technology that is going to be used with these new meters is ultrasonic technology which has been around since the 70's, so it really isn't new. He further noted that these meters are not like computers that require updates every five years; this is good solid technology.

Councilmember Erenwert asked staff to give an overview of how the staff would get information to the public regarding the enhanced benefits of the new technology as it relates to their balances and water usage. Mr. Kabiri responded that the staff is going to undertake a public campaign process in which staff will educate and disseminate information regarding this new technology through social media, videos, maybe a Mayor Mike's minute, utility bills, and one-page pamphlets that allows folks to know where to download the app., but most importantly staff is going to be available to answer any questions and guide

residents on the new technology and its enhanced feature of having real-time data on their water consumption and costs.

A motion was made by Councilmember Branson and seconded by Councilmember Griffon to approve a contract with Ameresco for automated water meters. The vote was the following:

Ayes: Mayor Mike Foreman, Mayor Pro Tem Trish Hanks, Councilmember Steve Rockey, Councilmember Sally Branson, Councilmember Robert J. Griffon, and Councilmember Brent Erenwert.

Nays: Councilmember John Scott

The item passed.

J. Discuss and take possible action regarding the acceptance of updates to the City's Social Media Policy.

A motion was made by Mayor Pro Tem Hanks and seconded by Councilmember Scott to approve the acceptance of updates to the City's Social Media Policy. The vote was the following:

Ayes: Mayor Mike Foreman, Mayor Pro Tem Trish Hanks, Councilmember Steve Rockey, Councilmember Sally Branson, Councilmember Robert J. Griffon, Councilmember John Scott, and Councilmember Brent Erenwert.

Nays: None

The item passed unanimously.

K. Discuss and take possible action regarding the appointment of (i) Kitten Brizendine, (ii) Robin Hall, (iii) James H. Nye, (vi) Bill Provenzano, (v) Ron Cox (vi) Judy Wiggins, and (vii) Dave Smith to the City of Friendswood 2021 Charter Review Commission for a term beginning July 2021 and ending on December 2021.

A motion was made by Councilmember Branson and seconded by Councilmember Griffon to approve the appointment of (i) Kitten Brizendine, (ii) Robin Hall, (iii) James H. Nye, (vi) Bill Provenzano, (v) Ron Cox (vi) Judy Wiggins, and (vii) Dave Smith to the City of Friendswood 2021 Charter Review Commission for a term beginning July 2021 and ending on December 2021. The vote was the following:

Ayes: Mayor Mike Foreman, Mayor Pro Tem Trish Hanks, Councilmember Steve Rockey, Councilmember Sally Branson, Councilmember Robert J. Griffon, Councilmember John Scott, and Councilmember Brent Erenwert.

Nays: None

The item passed unanimously.

L. Discuss and take possible action regarding the appointment of Cindy Deaton to the Construction Board of Adjustment and Appeals for a three-year term beginning July 2021 and ending July 2024.

A motion was made by Mayor Pro Tem Hanks and seconded by Councilmember Erenwert to approve the appointment of Cindy Deaton to the Construction Board of Adjustment and Appeals for a three-year term beginning July 2021 and ending July 2024. The vote was the following:

Ayes: Mayor Mike Foreman, Mayor Pro Tem Trish Hanks, Councilmember Steve Rockey, Councilmember Sally Branson, Councilmember Robert J. Griffon, Councilmember John Scott, and Councilmember Brent Erenwert.

Nays: None

The item passed unanimously.

M. Discuss and take possible action on appointment of Michael Fernandez as a regular member to the Zoning Board of Adjustment and complete the unexpired term of Mike Czarowitz, which is set to expire on July 2022.

A motion was made by Councilmember Scott and seconded by Councilmember Griffon to approve the appointment of Michael Fernandez as a regular member to the Zoning Board of Adjustment and complete the unexpired term of Mike Czarowitz, which is set to expire on July 2022. The vote was the following:

Ayes: Mayor Mike Foreman, Mayor Pro Tem Trish Hanks, Councilmember Steve Rockey, Councilmember Sally Branson, Councilmember Robert J. Griffon, Councilmember John Scott, and Councilmember Brent Erenwert.

Nays: None

The item passed unanimously.

N. Discuss and take possible action on the election of the Mayor Pro Tem.

Mayor Pro Tem Hanks nominated Councilmember Griffon to serve as the next Mayor Pro Tem for the Friendswood City Council, the nomination was seconded by Mayor Foreman. The vote was the following:

Ayes: Mayor Mike Foreman, Mayor Pro Tem Trish Hanks, Councilmember Steve Rockey, Councilmember Sally Branson, Councilmember Robert J. Griffon, Councilmember John Scott, and Councilmember Brent Erenwert.

Nays: None

The item passed unanimously.

12. ORDINANCES

- A. Consideration and possible action regarding Ordinance No. T2021-19, the 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 IX" 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.**

A motion was made by Councilmember Scott and seconded by Mayor Pro Tem Griffon to approve Ordinance No. T2021-19, regarding Agenda Item 12.A as submitted. The vote was the following:

Ayes: Mayor Mike Foreman, Councilmember Trish Hanks, Councilmember Steve Rockey, Councilmember Sally Branson, Mayor Pro Tem Robert J. Griffon, Councilmember John Scott, and Councilmember Brent Erenwert.

Nays: None

The item passed unanimously.

13. CONSENT AGENDA

A motion was made by Councilmember Scott and seconded by Councilmember Branson to approve Consent Agenda, Items 13.A. through 13.K. as submitted. The vote was the following:

Ayes: Mayor Mike Foreman, Councilmember Trish Hanks, Councilmember Steve Rockey, Councilmember Sally Branson, Mayor Pro Tem Robert J. Griffon, Councilmember John Scott, and Councilmember Brent Erenwert.

Nays: None

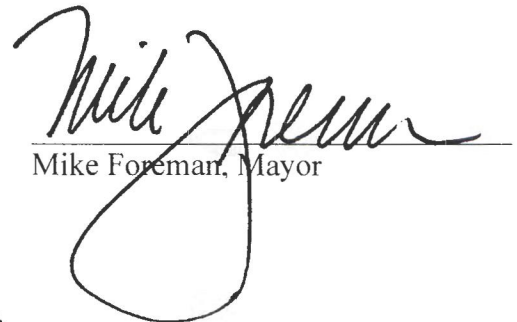
Approved

- A. Consider accepting the May 2021 tax report.**
- B. Consider approving the minutes of the City Council Regular meeting held June 7, 2021.**
- C. Consider approving the disposal of a decommissioned Police Department vehicle through Houston Auto Auction.**
- D. Consider authorizing the final acceptance of the City of Friendswood's 2018 Street Maintenance Project at the completion of the contractor's one-year maintenance period.**
- E. Consider authorizing the acceptance of Friends Heights public paving and utilities improvements project into the contractor's one-year maintenance period.**

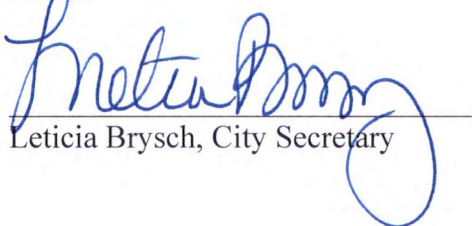
- F. Consider approving a temporary road closure of Skyview Terrace for a private event on Labor Day, Monday, September 6, 2021.**
- G. Consider approving the sale of an EMS vehicle to Clear Lake EMS.**
- H. Consider approving the appointments of City Council Liaisons to Committees, Boards, and Commissions.**
- I. Discuss and take possible action on approving a contract with Ameresco for automated water meters.**
- J. Consider authorizing the acceptance of the City of Friendswood's 2019 Street Maintenance Project and initiate the contractor's one-year maintenance period.**
- K. Consider authorizing American Tower/Verizon Wireless to make modifications to the telecommunications tower located at 1606 Whitaker Drive.**

14. ADJOURNMENT

With there being no further business to discuss, Mayor Foreman adjourned the July 12, 2021, City Council Regular Meeting at 7:55 P.M.


Mike Foreman, Mayor

Attest:


Leticia Brysch, City Secretary

