MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF FRIENDSWOOD
OCTOBER 4, 2021

THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD MET IN A REGULAR MEETING ON MONDAY, OCTOBER 4, 2021, AT 6:00 P.M. IN THE COUNCIL CHAMBERS, FRIENDSWOOD CITY HALL, LOCATED AT 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS, WITH THE FOLLOWING MEMBERS 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
Morad Kabiri	City Manager
Mary Kay Fischer	City Attorney
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 McCauley Austin with Friendswood Baptist Church.

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

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

4. COUNCIL COMMENTS AND REPORTS

Mayor Pro Tem Griffon stated that he is often asked questions about what's going on in the upper reaches of the Clear Creek Watersheds, so he gave an update presented at the last Clear Creek Watersheds Steering Committee of the projects being undertaken by Harris County Flood Control District. The projects included: 2018 bond on the Clear Creek Watershed, Morningside Place Drainage, Reverend William A. Lawson Stormwater Detention Basin, Hughes Stormwater Detention Basin, Clear Creek Federal Project, and the Mud Gully Channel Conveyance Improvements, among others. Mayor Pro Tem Griffon further noted that if the public would like to follow any of the previously noted projects, they can do so by going on to the Harris County Flood Control Clear Creek website.

Councilmember Rockey stated that he had some updates regarding the Library that included Storytimes being back in Centennial Park, on Monday, Tuesday, and Wednesday at 9:30 AM., there are 12 tickets left for the Film Festival, the True Crime Book Club discussion takes place on the last Tuesday of each month and the Friends of the Library Adult Book Club meets every second Tuesday of the month.

Councilmember Rockey further noted that the Historical Society is needing 20-30-year-old males to volunteer for this year's history event, and thanked staff for the signage and markings for the bridge construction on FM 518.

Councilmember Branson stated that she wanted to thank the Friends of the Library and the Senior Activity Group who teamed up, and they helped the Historical Society get a speaker come in to talk about the Brown Museum at the Friends with History event. She also thanked Mayor Pro Tem Griffon for his continued work and support of drainage projects, and lastly mentioned that H-GAC will be celebrating its 55-year anniversary on Friday, October 15.

Councilmember Hanks stated that the Senior Citizen's Committee has started a newsletter that gives dates of all their activities at the Activity Center. She also noted that the Planning and Zoning Commission is hard at work and have revised three ordinances in the last few weeks, so she wanted to thank them and the staff for their hard work. Lastly, Councilmember Hanks gave her condolences for the loss of Ms. Laura Emmons who was the owner, publisher, editor of the Friendswood Reporter News who passed away recently. She did a remarkable job for the community and will be missed.

Mayor Foreman stated that he had the honor and privilege to cut the ribbon on Friendswood Lakes Boulevard, which now runs through to West Boulevard, and eventually, Lake City is going to finish their Lake City Parkway that will join up with Friendswood Lakes Boulevard. He thanked all the staff and stakeholders that made this project come to fruition.

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 comments 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 comments, 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.

Mr. David Allen requested to speak before the Council and noted that in his opinion, social media companies are banning more and more information which impact citizens' first amendment rights, the vaccines do not seem to be working as COVID seem to be infecting people with and without the vaccine, and he did not agree with the one-world government's edicts regarding shutdowns and vaccine requirements.

6. COMMUNICATIONS AND SPECIAL REPORTS

A. Receive the annual report from the Friendswood Chamber of Commerce.

Chairperson of the Friendswood Chamber of Commerce, Ms. Linda Fee gave the City Council an overview of its yearly written report which was handed out at the meeting. Ms. Fee noted that despite the issues with COVID, the Chamber had its Annual State of the City luncheon with Mayor Mike Foreman officiating with 155 attendees. She noted they hosted the first, and hopefully, annual State of the District luncheon with the FISD Superintendent Thad Roher.

Ms. Fee also gave an overview of its community outreach in the form of scholarships to local schools, the welcoming of 50 new businesses into the Chamber, 55 ribbon-cutting events, 13 after-hour mixers, and many other promotions of local businesses throughout the year. Ms. Fee thanked the Council and staff for their continued support of the Chamber and reminded everyone to shop and support local businesses.

B. Receive the annual report for the Community and Economic Development Committee.

City Manager Morad Kabiri presented the item and stated that the CEDC report showing their work for the past year was included in the backup material and no formal presentation was planned for this item. He further noted that the CEDC is currently going through some strategic visioning and planning exercises, and they will present that information at a later date.

C. Receive the annual report from the Friendswood Downtown Economic Development Corporation.

President of the Friendswood Downtown Economic Development Corporation (FDEDC) Dr. Pat McGinnis presented Council with their annual report. He stated that in August 2016, the City Council appointed a new seven-member board to be called the Friendswood Downtown Economic Development Corporation. The members are Trey Hill, Vice President, Paul Marx, Secretary/ Treasurer, Ron Cox, Rebecca Hillenburg, Bubba Johnson, and Alton Todd.

The FDEDC vision statement is to create a Downtown Friendswood that is a family, friendly destination with beautiful streetscapes and unique businesses. The mission of the FDEDC is to: 1, communicate and engage with the citizens; 2, make well-planned and strategic recommendations to the city council regarding improvements to the downtown district; and 3, exercise our fiduciary responsibilities to our taxpayers. Dr. McGinnis noted that since the last year annual report, FDEDC has had 12 meetings and have welcomed two new staff liaisons, Community Development Director, Aubrey Harbin and Assistant City Manager, Steven Rhea who are doing a wonderful job in keeping them on track.

Dr. McGinnis gave an overview of the TxDOT grant for the new sidewalk and curbs in the Downtown District, the lighting project and branding project that includes signage and stickers. Lastly, Dr. McGinnis presented the FDEDC financials and noted that they had an ending fund balance as of August 31st of $2,180,886, with projected revenue for 2021 to 2022 to be over $678,000 from the sales and use tax and its related interest.

7. WORK SESSION

A. Receive and discuss a presentation from the Friendswood Downtown Economic Development Corporation regarding a proposed lighting plan for the downtown area.

Assistant City Manager Steven Rhea presented the item and stated that as part of the FDEDC's upcoming lighting plan that is going to be installed Downtown, the staff is undertaking an outreach program to the folks that are going to be impacted. As Dr. McGinnis highlighted earlier, the lighting plan has gone through a fairly extensive design process by Gandy2 Lighting Design and HDR, and they've identified the location for light poles and/or pedestrian fixtures of some sort.

Mr. Rhea noted that the proposed plan will provide illumination uniformly throughout Downtown from FM 2351 all the way to Whispering Pines on both sides of FM 518. Mr. Rhea showed pictures of the proposed light fixtures which are going to some metal pole with a wooden finish with the hoods and the hardware in black powder-coating. Mr. Rhea noted that the sidewalk project continues to move forward, and staff was successful in working with TxDOT to bury the network conduit under the new sidewalks to make the area visually cleaner, as well as, that it will help alleviate a lot of headaches later.

Mr. Rhea noted that staff will be working on the RFP for this plan and potentially by mid-2022, the lighting will start going up; however, this is all dependent on the completion of the sidewalk and curb construction.

Mr. Rhea further noted that as a part of the overall branding plan for Downtown, there will be new median signage, street signage, and stickers throughout Downtown to relay the same look and feel for all the local businesses in this space. He noted that the staff is working through some of the state contract or Buyboard vendors to see if some of these items can be purchased and completed sooner rather than later to start creating that momentum; however, he wanted everyone to keep in mind that this portion of the plan will be greatly impacted by the amount of available funds once the lighting plan costs are finalized.

The Council thanked Mr. Rhea and the members of the FDEDC for all their work on this exciting branding and lighting plan for the City's Downtown.

8. PUBLIC SAFETY SOFTWARE

A. Receive and discuss a presentation regarding public safety software.

Chief of Police Bob Wieners presented the item and stated that the purpose of the presentation was to provide the Council with two viable options for the replacement of the existing public safety software suite that is obsolete and no longer going to be supported.

Chief Wieners gave the Council an update on the GRID consortium, which originally started as a very local effort with three agencies that were sharing information and resources back in 2008. In 2013, there were 11 agencies, and today, the GRID has an expanded footprint of 22 members, which has resulted in a change in the business model from a local to a regional consortium.

Chief Wieners noted that the City made the decision back in 2013, to stay with the GRID; however, there were changes to the business model, and vendors were acquired through consolidation in the software industry, three times, which is part of what's driving this item as well as the GRID's annual increase and overhead cost for League City. Chief Wieners also noted that staff also had not anticipated the level of aggressiveness of companies moving to consolidate hardware and software programs in the public safety industry.

Chief Wieners presented the pros and cons of the two proposed public safety software: Motorola Premier and ICS:

OPTION 1 - MOTOROLA PREMIER

Pros

- Shared information among local law enforcement
- No new personnel
- Includes shared hardware and software as a complete package
- Integration with current systems: VISTA 911, Motorola radio, WatchGuard and Vigilant products
- Ability to include special premise information (hazards, key holders, etc.) in CAD
- Robust analysis and investigation modules
- Ability to build modules (animal control) to our own specifications using module building tool
- TX DIR and HGAC contract vendor
- Site license incentive, if shared agency agreement signed by November 12, 2021

Cons

- Annual software maintenance increase
- Annual consortium GRID costs
- Governance conflict
- Appointed vs. elected officials
- Lack of direct access to software provider (go through GRID to resolve issues)
- Initial conversion

OPTION 2 - ICS

Pros

- Shared information among City public safety departments (Police/Fire/EMS/ FMO)
- Robust incident command module (critical incidents) and pre-planning
- Evacuation shelter management module
- Ability to populate Fire info into CAD
- Ability to include special premise information (hazards, key holders, etc.) in CAD
- Integration with current systems: VISTA 911, Motorola radio, WatchGuard and Vigilant products
- Documentation of FEMA costs
- Direct access to support
- No new personnel
- H-GAC Contract vendor

Cons

- Information sharing gap with other law enforcement agencies
- Initial conversion

- Requires software patch and interagency agreements to share information.
- \$200K capital investment for hardware required along with hardware support warranty

Mayor Pro Tem Griffon requested that Chief Wieners elaborate on the sharing gap with other law enforcement agencies, which seems to be a critical part of police operations. He also inquired if the \$200,000 upfront cost of capital investment for the hardware and the software outprice the Motorola consortium option.

Chief Wieners stated that as it related to the information sharing, it really isn't rocket science, and while this is made available via an interlocal agreement with other agencies, the biggest issue is not the ability to share information, but who the information is being shared with. He further noted that as it relates to the costs of the Motorola options, in looking at the chart comparing the cost of the option, ICS ends up being cheaper than Motorola to include an annual savings for the administrative overhead that are paid to League City, savings on the annual maintenance cost go, and the exclusion of Motorola's 5% increase on annual basis. Chief Wieners noted that ICS's start off cheaper and in addition to that they're only using a 3% growth factor rate, so over time, Motorola will cost themselves out.

Chief Wieners showed the Council a side-by-side comparison of the cost associated with the two software options:

	ICS	Motorola	
Software	\$ 404,801.50	\$ 496,082.00	
Hardware	\$ 186,367.12	\$ -	***ICS Hardware Refresh TBD
HDW maintenance	TBD	\$ -	
GRID fees	\$ -	\$ 20,634.91	Includes hardware and administrator fees
Annual	\$ 89,676.50	\$ 82,962.00	
Annual Yr. 10		\$ 111,411.00	
			Difference
Year 1 Costs	\$ 591,168.62	\$ 496,082.00	\$ 95,086.62
Year 2	\$ 89,676.50	\$ 103,596.91	\$ (13,920.41)
Year 3	\$ 92,366.80	\$ 108,027.91	\$ (15,661.12)
Year 4	\$ 95,137.80	\$ 110,430.91	\$ (15,293.11)
Year 5	\$ 97,991.93	\$ 114,741.91	\$ (16,749.98)
Year 6	\$ 100,931.69	\$ 119,284.91	\$ (18,353.22)
TOTAL 6 Yr. COST	\$1,067,273 ***	\$1,052,165	

Chief Wieners stated that he worked with the City's IT Director James O'Brien to identify the hardware costs for these options to include the gold standard of servers with their own redundancy built into them. Chief Wieners further noted that with the growth in personnel and expertise in the City's IT Department, the City is better prepared and capable of handling the maintenance of this new software instead of relying on the consortium for the technological support. Chief Wieners further noted that as with all technology there will be a refresh point for both options at around the 5-year mark. As it relates to the number and costs of the licenses, Chief Wieners stated that the costs of both options were comparable and at this time, staff would purchase 55 licenses to meet the current needs and add licenses as personnel is brought into the department.

Mr. Kabiri in response to a question from Councilmember Hanks on the viability of ICS, stated that the staff had researched the options being provided extensively, and the two are comparable software solutions, but at the end of the day, this decision is going to boil down to what the department's end users need in order to operate as effectively and efficiently as possible. As a part of a consortium, the City does not have control of its own destiny in that one primary user, i.e., League City, gets to dictate which direction the rest go in, to include the uncontrolled additional cost to the primary user's personnel every time they bring on a new employee as well as ongoing maintenance. He noted that throughout the years, the staff has seen many software packages become obsolete leaving the City with no other choice but to move forward, and even though there is no guarantee that the new company won't be bought out, staff was comfortable with ICS's track record.

Mayor Pro Tem Griffon stated that one of his biggest concerns was for the City to be able to control the information and have control over its own destiny.

Chief Wieners noted that the Council had three options to consider:

- Remain with the GRID consortium,
- City acquisition of a stand-alone system, or
- Seek partnership with another agency or consortium (not viable at this time).

Chief Wieners stated that he did not like coming to the Council asking for almost half a million dollars without any time to really consider the pros and cons of any given contract. Therefore , staff brought forth two software companies that could do the job, one of them, Motorola would require a commitment from the City by December 10th, and the other does not have a hard deadline, but if they are the preferred vendor, then staff would engage ICS in negotiations in order to bring the Council a contract for approval at a later date; either way there is no impact to the current budget.

Mr. Kabiri noted that the City would continue using its existing software, Central Square, that's currently run through the consortium until it switches over to the new option, so there will not be a gap or any disruption in services. He also noted that there is always, despite what anybody says, hiccups when switching from one software package to the next; however, staff is confident that in working closely with the vendor, these hiccups will be limited. Mr. Kabiri noted that while the Council would not be acting on the approval of a contract, the staff did need direction on which option they preferred, i.e., does the City remain in the consortium or move to purchase its own software.

B. Discuss and take possible action regarding the purchase of new public safety software.

After a brief discussion, a motion was made by Councilmember Branson and seconded by Councilmember Hanks to use ICS as the preferred vendor for the purpose of the purchase of the City's new public safety software. 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.

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

Mayor Foreman reconvened the meeting at 7:40 P.M.

9. CITY MANAGER'S REPORT

A. Present an update regarding National Cybersecurity Awareness Month.

City Manager Morad Kabiri presented the item and stated that the month of October, as has been noticed for the last 18 years, is known as National Cybersecurity Awareness Month. He further noted that the Mayor will present a proclamation tomorrow, mid-day in which the mayor is going to extol the concerns associated with Cyber Security Awareness, which is incredibly relevant considering that in the last week there was a cyberattack on voice over internet protocol phones that wreaked havoc, not only in the City's phone system, but on several other agencies throughout North America. Mr. Kabiri thanked IT Director James O'Brien and his staff for their hard work in keeping the City's IT infrastructure safe from these types of attacks.

B. Present an update on Friendswood Volunteer Fire Department Stop the Bleed Course.

City Manager Morad Kabiri presented the item and stated that the Friendswood Volunteer Fire Department (FVFD) recently held a Stop the Bleed and Ready to React course for the Yellow Ribbon Fund. He noted that the Yellow Ribbon Fund is an organization that specializes in providing care and support for families of wounded warriors, which is a very honorable service. Mr. Kabiri stated that the FVFD taught participants how to apply tourniquets and apply pressure for injuries and wounds when working with wounded warriors, as well as, when to call 911.

10. BUSINESS ITEMS

A. Discuss and take possible action on RFQ 2021-06 regarding the Deepwood Flood Control Project.

A motion was made by Councilmember Rockey and seconded by Councilmember Branson to approve RFQ 2021-06 regarding the Deepwood Flood Control Project. 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.

B. Discuss and take appropriate action to appoint Andrea Trabanino to complete the unexpired three-year term of Mike Hickey which is set to end on July 2024 on the Community Economic Development Committee.

A motion was made by Mayor Pro Tem Griffon and seconded by Councilmember Branson to approve the appointment of Andrea Trabanino to complete the unexpired three-year term of Mike Hickey which is set to end on July 2024 on the Community Economic Development Committee. 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.

C. Discuss and take possible action to appoint Les French as an alternate to the Zoning Board of Adjustment for a term beginning immediately and ending in July 2023.

A motion was made by Councilmember Rockey and seconded by Mayor Pro Tem Griffon to appoint Les French as an alternate to the Zoning Board of Adjustment for a term beginning immediately and ending in July 2023. 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.

11. RESOLUTIONS & ORDINANCES

A. Consideration and possible action on a proposed resolution submitting a nomination(s) to the Board of Directors of the Harris County Appraisal District for 2022-2023.

Mayor Foreman noted that the nominee for this item was Mike Sullivan who is currently serving in this position.

A motion was made by Councilmember Hanks and seconded by Mayor Pro Tem Griffon to approve Resolution No. R2021-21, related to Item 11.A. 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.

B. Consideration and possible action on a proposed resolution adopting an updated Policy and Procedures for the Appointment to City Boards, Commission and Committees to add a residency requirement.

Mayor Pro Tem Griffon made a motion to approve the item as submitted. The motion was seconded by Councilmember Scott.

City Manager Morad Kabiri presented the item and stated that at the last meeting, the Council directed staff to present a resolution modifying the current appointment policy to require residency of any participant and on any boards, to include those advisory in nature. The current appointment policy stipulates that statutory boards, for instance, the Planning and Zoning Commission, the Zoning Board of Adjustment, and the Construction Board of Appeals and Adjustment, are required to comply with their related stated statute which includes residency. For all other boards, appointees that were residents were preferred, but not required. The policy before the Council is modified to make it a requirement for all committees to have members that reside in the city limits of Friendswood.

Councilmember Rockey stated that he understood the reasoning behind the proposed change; however, he noted that there are people that serve on advisory boards that have businesses in Friendswood and have a vested interest in supporting the community. He requested that there be some opportunity to consider business owners that are not residents of the city for appointment to advisory boards.

The Council discussed whether or not to allow for the appointment of non-residents, if they have a business in the city limits of Friendswood to advisory boards. Councilmember Scott stated that he felt there should be enough people in the community to serve on boards and the City's boards should be led by its residents but conceded that business owners do have a vested interest in Friendswood and agreed to consider language that allowed the appointment of non-residents if they had a business in Friendswood and paid Friendswood taxes. Mr. Kabiri stated that staff would work with the City Secretary on the appropriate appointment language and bring it back to the November 1, 2021, Council meeting for further action.

After the discussion, Councilmember Scott and Mayor Pro Tem Griffon both withdrew their motions, and no action was taken on this item.

C. Consideration and possible action on a proposed ordinance for second and final reading regarding the requested zone classification change approximately 3.65 acres out of 18.0137 acres located along FM 2351 (address not yet assigned), the 18.0137 acres more fully described in 4 tracts: 16.592 acres out of and part of Tract B and C of Lot 63 of the Coffman and Hoidale Subdivision, .0918 acres out of and part of Tracts B and C, of Lot 63, of the Coffman and Hoidale Subdivision, and .1119 acres of land out of and part of Division B, of Lot 63 of the Hoidale-Coffman Addition Subdivision, a subdivision in Harris County, Texas out of the Perry and Austin League, Abstract 55, Harris County, Texas, as recorded in Volume 3, Page 6, of the Map Records of Harris County, Texas; and 1.218 acres known as Restricted Reserve I within the Partial Plat of Industry Park Friendswood, Film Code 688395, City of Friendswood, Harris

County, Texas to change from Community Shopping Center (CSC) to Industrial (I) so that the entirety of the referenced tracts will be zoned Industrial (I).

A motion was made by Mayor Pro Tem Griffon and seconded by Councilmember Branson to approve Ordinance No. R2021-24, related to Item 11.C. 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.

D. Consideration and possible action on a proposed ordinance for second and final reading regarding the requested zone classification change of 1.00 acre located at 2601 W. Parkwood Ave., being a part of the Mary Sloan Survey, Abstract 184, Galveston County, Texas, and also being a part of that certain 357.03 acre tract conveyed by William F. McCord, Trustee, et al to Robert E. Holcomb, Trustee, by deed dated December 23, 1965, recorded in the office of the County Clerk of Galveston County, Texas, File No.1788 to change from Single Family Residential (SFR) to Community Shopping Center (CSC).

A motion was made by Councilmember Branson and seconded by Councilmember Hanks to approve Ordinance No. 2021-25, related to Item 11.D. 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.

E. Consideration and possible action on a proposed ordinance for second and final reading regarding the requested zone classification change located along both sides of future Friendswood Lakes Boulevard/Friendswood Parkway, being 183.386 acres of land consisting of several tracts including 96.944 acres of land in the Mary Fabreau Survey, Abstract No. 69 and 86.442 acres consisting of Tract 1: 59.521 acres of land situated in the Mary Fabreau Survey, Abstract Number 69 and Tract 2: 26.921 acres of land situated in the I&GNRR Company Survey Number 5, Abstract Number 622, all located in Friendswood, Galveston County, Texas, to change from Avalon at Friendswood Planned Unit Development (PUD) 2019-37 (156.4717) and unassigned zoning (26.921 acres) to a revised Avalon at Friendswood Planned Unit Development (PUD) consisting of 183.386 acres.

A motion was made by Councilmember Hanks and seconded by Mayor Pro Tem Griffon to approve the second and final reading of Ordinance No. 2021-26, related to Item 11.E. The vote was the following:

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

Nays: Councilmember John Scott

The item passed.

F. Consideration and possible action on a proposed ordinance for second and final reading regarding the requested zone classification change for approximately 54.805 acres known as Friendswood High School described as three tracts: 702/800 Greenbriar Dr. (main campus and sports fields) being a 39.166 acre tract of land located in the Sarah McKissick Survey, Abstract Number 151; 1115 Falling Leaf Dr (natatorium) being 7.788 acres also known as Lot 1 Block 1 of the Final Plat of Friendswood High School Expansion; and 1013 Falling Leaf Dr.; 1101 Falling Leaf Dr.; 0 Falling Leaf Dr.; 1014 Mustang Dr.; 1018 Mustang Dr.; 1102 Mustang Dr.; 1108 Mustang Dr. (residential lots for expansion) being approximately 7.84 acres also known as Lots 2, 3, 4, 6, 7, 8 and 9 of Brenham Estates, all in Friendswood, Galveston County, Texas, and more fully described in the backup materials to replace Specific Use Permit (SUP) 98-22 with a revised Specific Use Permit (SUP) to allow NAICS #6111 Elementary and Secondary Schools that will overlay all of the described properties which are zoned Single Family Residential (SFR).

A motion was made by Councilmember Hanks and seconded by Councilmember Branson to approve the second and final reading of Ordinance No. 2021-27, related to Item 11.F. 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.

G. Consideration and possible action on a proposed ordinance for second and final reading regarding proposed amendments to Appendix C, Zoning Ordinance Section 7.P.6. Permitted Use Table to allow NAICS use #524 Insurance carriers and related activities, #541 Professional, scientific and technical services, #551 Management of companies and enterprises, and #561 Administrative and support services as "Permitted" in the Industrial (I) zoning district; amend Section 8.I.2.Perimeter landscaping and screening to allow the Commission to consider alternate screening plans for uses interior to a common development; Section 8.J.c. Lighting and glare to increase the foot-candles allowed interior to common developments; Section 7.5 Community Overlay District (COD) boundary to reduce the COD boundary on FM 2351 from 300 feet to 150 feet from Beamer Road to Clear Creek; and Section 20. Definitions to add a definition of Common Development.

A motion was made by Councilmember Branson and seconded by Councilmember Hanks to approve the second and final reading of Ordinance No. 2021-28, related to Item 11.G. 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.

H. Consideration and possible action on a proposed ordinance for second and final reading regarding proposed amendments to Appendix C, Zoning Ordinance Section 8.I.f Preserving Trees to amend the tree mitigation requirements.

Community Development Director Aubrey Harbin presented the item and stated that this ordinance was first presented at the last council meeting. She noted that at the last meeting, Council directed staff to increase the proposed requirements to be more like those in the City of Pearland.

Ms. Harbin noted that the number one goal of the proposed ordinance was to get developers to keep the existing trees. She noted that option number 2 allows for the replacement of trees on site, option number 3 allows for the off-site replacement, option 4 allows for the payment of fees into the tree fund and option 5 allows for a combination of any of those if for whatever reason, they can't achieve what is needed with just one of the options.

Ms. Harbin noted that some of the factors affecting tree mitigation from city to city include the size, number, and type of existing trees on the properties, as well as, the types of trees that the cities require for mitigation, and then the classification of trees which varies from city to city.

Ms. Harbin gave an overview of the City's current design criteria manual and zoning ordinance, which require the mitigation for all trees 12-inches or greater, measured four and a half feet above natural grade. She noted that the proposed changes include only the mitigation for class 1 and class 2 trees, which are native ferns, wood trees that are easy and sold in nurseries in the area. She stated that staff is proposing the removal of pine trees from that list as pine trees don't really seem to survive construction and don't really provide the desired shade and the beauty.

Ms. Harbin stated that the staff is providing credit for the removal of class 4 trees, which are the invasive species, which includes China Berries, Hackberry trees, and the proposal gives credit for the removal of those types of trees. She further stated that the types of trees are now more in line with those of Pearland.

Ms. Harbin stated that once the types and sizes of the trees are determined, the next step is identifying what must be replaced if the trees should need to be removed. Ms. Harbin showed the Council a chart outlining the replacement options under the original and revised version of the ordinance.

Original:

	On Site Replacement	Off Site Replacement	Minimum Caliper Per Tree in Inches
12" – 24"	100 percent	120 percent	4-inch
24.1" – 36"	100 percent	130 percent	6-inch
Greater than 36"	130 percent	140 percent	8-inch

Revision:

	On Site Replacement	Off Site Replacement	Minimum Caliper Per Tree in Inches
12" – 24"	100 percent	120 percent	4-inch
24.1" – 36"	150 percent	170 percent	6-inch
Greater than 36"	200 percent	220 percent	8-inch

Mayor Pro Tem Griffon inquired if there was enough room at any given property to replace 200% of the trees removed, and if this would become cumbersome for commercial development. Ms. Harbin responded that this is a concern for staff, which is why they are proposing different options to replace those trees both on and off the property, to include the payment of associated fees, which has been increased as follows:

Current	Original Proposal	Revised Proposal	Pearland	League City
n/a	$250	$400	$200	$250

Mayor Pro Tem Griffon stated that he was concerned about getting the associated fees so high that it would inhibit new construction. Ms. Harbin stated that those were some of the concerns for staff and the subcommittee as well. She further noted that in the original proposal there was a ninety-seven thousand five hundred and the revised proposal would be two hundred five thousand, so it keeps the fees middle of the road to not deter development, while still trying to keep the City's existing trees. Ms. Harbin showed the Council a chart of a tree mitigation comparison for two locations in Friendswood that had trees removed.

501 S Friendswood Drive
25 Onsite Trees

Current Friendswood	75 calipers (25) 3" trees	$6,250
Original Proposal	330 calipers	$97,500
Revised Proposal	**513 calipers**	**$205,200**
City of Pearland	1,026 calipers	$205,200
City of League City	752.1 calipers	$262,485

1401 S Friendswood Drive
26 Onsite Trees

Current Friendswood	78 calipers (26) 3" trees	$6,500
Original Proposal	34 calipers	$8,400
Revised Proposal	**34 calipers**	**$13,600**
City of Pearland	68 calipers	$13,600
City of League City	346 calipers	$86,500

Councilmember Branson stated that 1401 is a good comparison because it's more of the typical scenario than what happened at 501, which was highly extraordinary. She noted that the city does not have those giant trees on many properties, and if this situation had been in place under the proposed rules, the property owner would have maybe not been able to save both, but they would have been able to mix and match options for appropriate tree mitigation. She noted that the 1401 situation was more common and $13,000, she did not believe would be a roadblock for a developer.

Councilmember Rockey stated that he preferred the revised ordinance option better and didn't feel that it would negatively impact development as he has seen developers comply with the tree mitigation requirements in Pearland and League City and their rules are much harder than those being proposed in Friendswood.

Planning and Zoning Chairperson Joe Matranga stated that he agreed with many of council's comments and noted that they did try to find a compromise that promoted tree mitigation while encouraging development in the city.

Councilmember Scott stated that he did not have an issue with the original tree mitigation proposal and noted that Friendswood had to find what worked best for Friendswood regardless of what other cities have and stated that he felt that the new proposal was a little excessive.

Mayor Foreman noted that the motion on the table is to approve the ordinance that was approved last month, this is the second reading. Mr. Kabiri noted that the Council can formalize the original ordinance by voting on it tonight on its second reading or they can revise it, which would then require the revised ordinance to come back to the Council at the next meeting for its second and final reading.

Mayor Pro Tem Griffon stated that as to point an order, he would like to vote on what was passed last month.

A motion was made by Councilmember Branson and seconded by Councilmember Hanks to approve the second and final reading of Ordinance No. 2021-30 as submitted. The vote was the following:

Ayes: Mayor Mike Foreman, Mayor Pro Tem Robert J. Griffon, and Councilmember John Scott.

Nays: Councilmember Trish Hanks, Councilmember Steve Rockey, Councilmember Sally Branson, and Councilmember Brent Erenwert.

The motion failed.

A motion was made by Councilmember Rockey and seconded by Councilmember Hanks to approve the amended/revised version of Ordinance No. 2021-30, which will be brought back to the November 1, 2021, Council meeting for its second and final reading. 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.

I. Consideration and possible action regarding a proposed ordinance for the first and final reading of an ordinance amending City of Friendswood, Texas, Ordinance No. 2021-22, passed and approved September 13, 2021, same being an ordinance approving and adopting the City's General Budget for Fiscal Year 2021-2022 by approving "Budget Amendment I" to the "Original General Budget of the City of Friendswood, Texas, for the Fiscal Year 2021-2022"; 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 Councilmember Branson to approve the first and final reading of Ordinance No. 2021-31, related to Item 11.I. 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.

12. CONSENT AGENDA

A motion was made by Councilmember Scott and seconded by Councilmember Branson to approve the Consent Agenda, Items 12.A through 12.c. 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.

A. Consider the ratification of the City Manager's signature on a Declaration and Grant of Sanitary Sewer Easement with Dudestop Holding LLC.

B. Consider accepting the August 2021 tax report.

C. Consider approving the minutes of the City Council Regular meeting held September 13, 2021.

13. ADJOURNMENT

With there being no further business to discuss, Mayor Foreman adjourned the October 4, 2021, City Council Regular Meeting at 8:13 P.M.

Mike Foreman, Mayor

Attest:

Leticia Brysch, City Secretary