

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF FRIENDSWOOD
APRIL 4, 2022**

THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD MET IN A REGULAR MEETING ON MONDAY, APRIL 4, 2022, 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
Karen Horner	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 Ralph Hobratschk with Hope Lutheran Church. Mayor Foreman recognized Pastor Hobratschk for his many years of serving the Friendswood community and congratulated him on his retirement.

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 FOR A DAY

A. Consider a proclamation declaring April 5, 2022, as Wedgewood Elementary School Day in the City of Friendswood, Texas.

Mayor Foreman introduced the students and teachers from Wedgewood Elementary. He noted that the Council for a Day Program allows for second graders from the three elementary schools in Friendswood to “take over” the council dais and sit-in for the council and staff members.

The participants included the following:

Position	Student Name	Teacher Name
City Manager (Kabiri)	Larkin Coombs	Mrs. Britney Averitt
City Attorney (Horner)	Austin Churchwell	Mrs. Christina Edwards
Councilmember 1 (Rockey)	Christian Lang	Ms. Kathlein Tavera
Councilmember 2 (Branson)	Stephanie Trevino	Ms. Kathlein Tavera
Councilmember 3 (Hanks)	Adriana Rodriguez	Ms. Karli Anderson
Mayor (Foreman)	Noelle Hatalla	Mrs. Christina Edwards
Councilmember 4 (Griffon)	Alice Bradshaw	Ms. Avery Long
Councilmember 5 (Scott)	Ethan Petro	Ms. Karli Anderson
Councilmember 6 (Erenwert)	Bryland Baker	Mrs. Britney Averitt
City Secretary 1 (Brysch)	Channing Pollitt	Ms. Avery Long

A motion was made by Councilmember Christian Lang (Steve Rockey) and seconded by Councilmember Stephanie Trevino (Sally Branson) to approve a proclamation declaring April 5, 2022, as Wedgewood Elementary School Day in the City of Friendswood, Texas. The vote was the following:

Ayes: Mayor Noelle Hatalla (Mike Foreman), Councilmember Adriana Rodriguez (Trish Hanks), Councilmember Christian Lang (Steve Rockey), Councilmember Stephanie Trevino (Sally Branson), Mayor Pro Tem Alice Bradshaw (Robert J. Griffon), Councilmember Ethan Petro (John Scott) and Councilmember Bryland Baker (Brent Erenwert).

Nays: None.

The item passed unanimously.

5. COUNCIL COMMENTS AND REPORTS

Councilmember Rockey stated that this year's library gala made approximately \$45,000 that will go towards the purchase of the library book mobile. He reminded everyone that this is Library Week and noted that the new pathway in Stevenson Park is sensational.

Councilmember Branson stated that the Friends of the Community is holding a meeting this Saturday with the guest speaker being Bruce Munsterman, President of the Houston KHCB Network, which broadcast out of the University of Houston. The event will be at the Friends Church and will begin at 7:30 a.m. She also noted that the Galveston County Historical Commission will be visiting the Friendswood School Museum again this May, which is wonderful, considering they only have four meetings a year and they make it a point to come to Friendswood for one of those meetings. Lastly, Councilmember Branson noted that the Stevenson Park Grand Re-opening was a beautiful event, especially, the fairy chair named in honor of former KFB Chairperson Natasha McAdoo.

6. 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 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.

Ms. Janis Lowe requested to speak before the council regarding the proposed charter amendments on the May 7, 2022, election ballot.

7. WORK SESSION TOPICS

A. Receive the 2021 Annual Comprehensive Financial Report.

Whitley Penn Engagement Partner, Lupe Garcia, CPA, presented the item and stated that it was his pleasure to present the results of the City's Fiscal Year 2021 Financial Statement Audit and Federal Single Audit.

Mr. Garcia noted that the audit process takes several months to complete and during those months they are performing audit procedures to acquire enough audit evidence to express and support their opinion on the financial statements. He noted that as auditors, they can express one of our three opinions on the financial statements and stated that he was happy to report that their opinion on the City's Fiscal Year 2021 Financial Statements is of an unmodified opinion. Mr. Garcia stated that an unmodified opinion is the best outcome in a financial statement audit as it indicates that the City's financial statements are fairly stated in all material respects and that they have been presented in accordance with generally accepted accounting principles.

Mr. Garcia further noted that because they also perform the compliance audit over the federal grants, they are also required to issue two additional reports. The second report is on the City's internal controls over financial reporting and on compliance that is material to the financial statements. He noted that had they found any material weaknesses or significant deficiencies in the internal controls or any non-compliance, that information would be reported; however, those types of items were not identified during their audit procedures, so nothing of this sort was reported in this second report.

Mr. Garcia then noted that the third report relates to the City's administration of its federal programs for the fiscal year 2021, of which the major program included the Community Development Block Grant (CDBG), and the Flood Mitigation Assistance Grant Program. Mr. Garcia noted that their testing of both of these federal programs did not identify any question relating to cost or noncompliance, nor any deficiencies or internal control deficiencies, so good news on this item as well. Mr. Garcia noted that within 30 days of this report being issued, they will submit the results to a federal audit clearinghouse, which is the mechanism by which federal agencies become aware of how cities perform in both of these audits.

Mr. Garcia then moved on to some of the numbers in the financial statements. The statement in that position is the City's balance sheet on an accrual basis of accounting, which is very similar to what is used in the private sector. Mr. Garcia noted the following regarding the City's statement of net position:

- **Total Assets and Deferred Outflows: \$268.7 million**
 - Cash and investments: \$84.6 million
 - Capital assets, net of depreciation: \$171.3 million
- **Total Liabilities and Deferred Inflows: \$140.5 million**
 - G.O. and revenue bonds payable: \$103.6 million
 - Net pension liability: \$9.7 million
 - Total other post-employment benefits (OPEB) liability: \$1.9 million
- **Net Position: \$128.2 million**

Mr. Garcia then gave an overview of the City's long-term liabilities, which is the largest portion of its liabilities, as follows:

Total Primary Government (Governmental and Business-type Activities)	September 30, 2021	September 30, 2020
General obligation bonds	\$66,565,000	\$57,770,000
Revenue bonds	37,080,000	24,325,000
Capital lease	1,681,709	1,861,762
Total OPEB liability	1,947,363	1,824,671
Net pension liability	9,740,629	10,580,516
Bond premiums	9,210,648	6,589,065
Compensated absences	1,114,073	963,356
Total	\$127,339,318	\$103,914,370

Mr. Garcia stated that in looking at the City's financial statements, the general fund is the City's main operating account. He noted that the fund balance and the general fund increased by \$355,000 and the bond construction fund had a positive change in fund balance at \$12.3 million. Mr. Garcia stated that this is the fund where the proceeds from the City's debt issuance was accounted for and that explains the increase in fund balance which will be spent in the coming years on your capital projects.

Mr. Garcia then noted that non-major funds account for the City's governmental funds that do not meet the definition of a major fund aggregated into one column. He further noted that in this column, the City had a change in fund balance of \$2.7 million. He also noted that as far as the general fund's performance compared to budget, actual revenues exceeded budgeted amounts by \$1.4 million as the City's

expenditures were less than the budgeted amounts by \$4.6 million, so overall, there was a positive change in the fund balance of just under \$400,000.

Mr. Garcia then noted that the City's fund balance breaks down into a few different categories, which are (1) a non-spendable fund balance, which is either inventories or prepaid items and (2) a restricted fund balance, where there was an external restriction to the City on how that portion can be spent. He also noted that the City has an assigned fund balance, which is earmarked by the City for particular purposes, so it does not fall into any one of those categories, it instead falls down to the category of unassigned fund balance or fund balance that is available for spending on any lawful purpose. Mr. Garcia stated that in looking at that unassigned fund balance, which represents 36% of the City's general fund expenditures is a very healthy position for a governmental entity to be in and frankly, this fund balance is the City's working capital. However, this fund is not a savings account, but is instead, how the City pays its employees and pay vendors for goods and services provided. The City must also be prepared to pay the unexpected, such as weather events, natural disasters, and pandemics.

Mr. Garcia noted that the City's policy is to have 90 days of reserve in the general fund and that is the \$7.3 million that is a part of the \$12 million. He noted that the City is well within its policy.

Mr. Garcia then gave an overview of the water and sewer fund as follows:

	Year Ended September 30, 2021
Operating revenues	\$17,690,843
Operating expenses	(11,686,059)
Non-operating revenues	272,007
Non-operating expenses	(1,986,306)
Transfers out	(1,541,853)
Change in net position	2,748,632
Net Position – Beginning	42,868,043
Net Position – Ending	\$45,616,675

Mr. Garcia noted that this fund did have a positive change in the amount of \$2.7 million that is the results of a rate increase during the fiscal year 2021. He noted that this fund also has a reserve requirement of 90 days and that is in the amount of \$2.4 million dollars, which is included in the funds almost \$10 million.

Mr. Garcia stated that as a part of the audit, they review the City's accounting policies and during the fiscal year 2021, the City did have to implement a relatively minor pronouncement related to the name of the report from the Comprehensive Annual Financial Report or the CAFR to the ACFR or the Annual Comprehensive Financial Report. He also noted that in fiscal year 2022, there will be a change in that the financial statements will look a little different in regard to the City's leasing activities and will include estimates.

Mr. Garcia stated that he was happy to report that they did not have any difficulties in performing and completing the audit and thanked the City for their continued trust and working relationship.

Mayor Foreman thanked Mr. Garcia and the Whitley Penn team for their work and presentation.

B. Receive the Keep Friendswood Beautiful Annual Report.

City Manager Morad Kabiri noted that the new KFB Vice Chair Pat Steinke was running behind and this item would be taken out of order once she arrived. Mayor Foreman noted that Council would move forward in the agenda and accommodate the item upon Ms. Steinke's arrival.

C. Receive the 4th of July Steering Committee Annual Report.

This item was not taken.

8. PROPOSED AMENDMENTS TO APPENDIX C ZONING ORDINANCE REGARDING GARDEN HOMES

A. Conduct a public hearing regarding proposed amendments to Appendix C "Zoning," Section 2 "Establishment of districts," Section 6 "Non-conforming uses, structures and lots," Section 7 "Schedule of district regulations," Section 8 "Supplementary district regulations," and Section 20 "Definitions" of the Friendswood City Code to remove the Multi-Family Residential (MFR) reference from the Garden Home District (GHD) Zoning District and establish architectural and site related requirements for garden home developments."

At 6:40 P.M., Mayor Foreman opened a public hearing and requested that staff give council an overview of the item.

Director of Community Development Aubrey Harbin presented the item and noted that the general purpose of any garden home community is to provide for less maintenance of property and home, but more freedom than typical multi-family housing (e.g., apartments) by utilizing one side of the house as the "fence" between properties, which allows more contiguous green space by creating a U-shape or inset for outdoor living (example layout provided in final report). She further noted that the purpose of the proposed amendments is to clarify the architectural requirements for garden home communities in the future.

Mrs. Harbin noted that the proposed changes to the ordinance would:

1. Remove "multi-family" references throughout.
2. Remove the intent being geographical limitations and flooding. Flooding is not related to the zoning district but the design of the development. Clustering homes is allowed.
3. Add design criteria to allow for long term maintenance of this unique type of housing.
 - a. Roof overhang maximum 8-inches.
 - b. Gutters required if the roof slopes towards adjacent property.
 - c. Require more than 50 percent of the zero-lot-line side of the structure to be within 1 foot of the zero-lot line.
 - d. Access and maintenance easement required along a zero-lot line.

- e. Require the zero-lot-line side of the structure to comply with current building codes, which may limit openings and protrusions such as windows, etc.
- 4. Update the definition for what it means to be detached from neighboring structures.

Mrs. Harbin noted that currently, there are no undeveloped properties that are zoned MFR-GHD, so these changes would not impact any existing projects or structures.

Mrs. Harbin stated that the Planning and Zoning Commission voted unanimously (6 to 0) to approve the referenced amendments.

At 6:42 P.M., with there being no one signed up to speak, Mayor Foreman closed the public hearing.

B. Consider the first reading of an ordinance amending Appendix C "Zoning," Section 2 "Establishment of districts," "Section 6 "Non-conforming uses, structures and lots," Section 7 "Schedule of district regulations," Section 8 "Supplementary district regulations," and Section 20 "Definitions" of the Friendswood City Code to remove the Multi-Family Residential (MFR) reference from the Garden Home District (GHD) Zoning District and establish architectural and site related requirements for garden home developments.

A motion was made by Mayor Pro Tem Griffon and seconded by Councilmember Scott to approve the first reading of Ordinance No. 2022-08, related to Item 8.B. 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.

ORDINANCE NO. 2022-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, AMENDING APPENDIX C "ZONING," SECTION 2 "ESTABLISHMENT OF DISTRICTS"; "SECTION 6. NONCONFORMING USES, STRUCTURES AND LOTS," SUBSECTION B "NONCONFORMING USES," PARAGRAPH 4; SECTION 7 "SCHEDULE OF DISTRICT REGULATIONS," SUBSECTION C.1, SUBSECTION P.6 AND SUBSECTION Q; "SECTION 8 "SUPPLEMENTARY DISTRICT REGULATIONS," SUBSECTION I "LANDSCAPING AND SCREENING REQUIREMENTS," PARAGRAPH 2.E(3)(B) AND PARAGRAPH 2.F(3)(A)(III); AND "SECTION 20 "DEFINITIONS" OF THE FRIENDSWOOD CITY CODE TO REMOVE THE MULTI-FAMILY RESIDENTIAL (MFR) REFERENCE FROM THE GARDEN HOME DISTRICT (GHD) ZONING DISTRICT, TO ESTABLISH ARCHITECTURAL AND SITE RELATED REQUIREMENTS FOR GARDEN HOME DEVELOPMENTS, AND TO AMEND THE DEFINITION OF "DWELLING, GARDEN HOME"; PROVIDING A MAXIMUM PENALTY OF TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00); REPEALING ALL ORDINANCES OR PARTS OF

ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY, PUBLICATION AND AN EFFECTIVE DATE.

Mayor Foreman stated that the Council would return to Item 7.B. regarding the KFB Annual Report as Ms. Steinke had arrived in the meeting.

7.B. Receive the Keep Friendswood Beautiful Annual Report.

KFB Vice Chair Pat Steinke thanked the Council for their patience and stated that she was very excited to present the KFB Annual Report for 2021. Ms. Steinke presented information on the KFB education programs to include Earth Day Classes, Pollinator Garden Presentation for Village on the Park, Spring Break Fairy Garden Classes as well as the KFB major events; such as the Spring Sparkle/Fall Haul Event and the yearly Tree Giveaway. Ms. Steinke spoke of the 2021 Governor's Community Achievement Awards for the City's Fairy trail and Pollinator Garden, both located at Stevenson Park, and reminded everyone of the KFB upcoming events for the spring and summer seasons.

Mayor and Council praised the work of the KFB members and volunteers, along with the Parks and Recreation staff for all other their hard work and wonderful programs.

9. CITY MANAGER'S REPORT

A. Present an update regarding Friendswood Police Department extra jobs.

City Manager Morad Kabiri presented the item and stated that back in December 2019, the Council had a workshop to discuss the City's Police Department's policy for the staffing of extra jobs by off-duty police officers. He noted that back in 2019, some concerns regarding liability and whether or not those officers are covered under the City's insurance while working off duty jobs were raised, and as they were not covered, it became a requirement that any officers working off duty jobs must secure his/her own liability insurance.

Mr. Kabiri further noted that the Police Chief must sign off on any off-duty extra jobs for the sworn officers with the following limitations in place:

- the job must be within the city limits with limited exceptions;
- the officer must be available if recalled and must respond to calls for service if the City needs those officers and those resources;
- Officers may not work jobs at bars or sexually oriented businesses, as these are high risk locations that increase the risk of liability or risk of injury; and
- no taxpayer dollars are to go towards these extra jobs, so any private businesses that hire these off-duty officers to work their business, must pay the officer(s) directly.

B. Present an update regarding the City receiving the GFOA Distinguished Budget Presentation Award.

City Manager Morad Kabiri presented the item and stated that he wanted to recognize the City's outstanding Administrative Services Office for receiving the 19th consecutive Government Finance Officers Association Budget Presentation Award for the City's Fiscal Year 2021-22 Municipal Budget. Mr. Kabiri noted that Friendswood is in the top 10%, if not less amongst the municipalities that receive this designation and recognized Administrative Services Director Katina Hampton and her amazing staff for the work they do every day.

C. Present an update regarding the City being rated among the Safest Cities in 2022.

City Manager Morad Kabiri presented the item and stated that the Friendswood Police Department was recognized for a Safe City Designation by two publications, Safewise and Neighborhoodscout.com. He noted that it is ranked 19th in the State of Texas by Safewise, which may seem a little high for Friendswood, but he wanted to note that for cities of a population of 25,000 or more in the State of Texas by Safewise, Friendswood is ranked number two. Mr. Kabiri further noted that for Neighborhoodscout.com, Friendswood ranked 39th amongst cities across the country with a population of 25,000 or more. Mr. Kabiri thanked the Police Department and police officers for what they do day in and day out to keep Friendswood safe.

Lastly, Mr. Kabiri reminded everyone that the Spring Sparkle Event is scheduled for this Saturday at Centennial Park from 8:00 a.m. to 2:00 p.m.

10. BUSINESS ITEMS

A. Consider awarding the Fiscal Year 2021-2022 Asphalt Street Maintenance Contract to Pavecon Ltd. Co.

This item awards a contract to Pavecon Ltd. Co., for the City of Friendswood's Fiscal Year 2021-2022 Asphalt Street Maintenance Program in the amount of \$900,000.

The selection of streets to be repaired under this contract is guided by the City's Pavement Management Program and confirmed by site visits by the City's Engineering and Public Works staff. This year's Asphalt Street Maintenance Program will include full depth reclamation and overlay of:

- Cowards Creek Drive,
- Garden Drive,
- Murphy Lane, and
- Sedora Drive.

A motion was made by Councilmember Hanks and seconded by Councilmember Rockey to award the Fiscal Year 2021-2022 Asphalt Street Maintenance Contract to Pavecon Ltd. Co. 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. Consider the first reading of an ordinance amending Chapter 30 “Fire Protection And Prevention,” Article IV “Fireworks,” Section 30-139 "Definitions"; Section 30-140 "General provisions"; Section 30-141 "Exceptions"; Section 30-142 "Public displays exempted"; Section 30-143 "Illegal fireworks declared nuisance; seizure and destruction"; Section 30-144 "Penalty for violation of this article"; and Section 30-145 "Permitted transportation; identification" of the Friendswood City Code to regulate fireworks in accordance with state law, to generally prohibit fireworks from being ignited on property within the city, and to prohibit public displays by persons other than a governmental entity during certain times of the year.**

This proposed ordinance approves the first reading of an ordinance amending Chapter 30 “Fire Protection And Prevention,” Article IV “Fireworks”.

Fire Marshal Brian Mansfield presented the item and stated that the Fireworks Ordinance had not been updated or revised in over 15 years. He noted that the ordinance is governed by Local Government Code, Occupations Code, and Texas Administration Code and is one of many codes and ordinances that is used to meet the code expectations of the Insurance Services Office (ISO).

Fire Marshal Mansfield noted that on February 7, 2022, the Council considered a revision to the fireworks ordinance and referred it to a subcommittee comprised of Councilmembers Steve Rockey, Trish Hanks, and Robert Griffon. This subcommittee met on February 22nd to review each section of the ordinance, including the following items specifically referenced at the Council meeting:

Issue Raised at the February Council Meeting	Changes in Proposed Ordinance
<u>Section 30-140 (a)</u> Should a person be able to possess fireworks in a vehicle or a residence?	Persons may possess fireworks in a motor vehicle as long as the fireworks are packaged and unopened. Persons may possess fireworks with the intent to store them at their residence. (Note the bulk storage of fireworks remains subject to state law.)
<u>Section 30-140 (b)(2)</u> Is the defense in this subsection necessary or even contradictory to subsection (b)(3)?	The defense was removed.
<u>Section 30-142</u> Should there be a fireworks permitting process for residential and commercial locations?	The fireworks permitting process allows a person to have a public display of fireworks, except when the state allows firework sales and three days thereafter. Persons must apply at least two days prior to the desired date of the public display. Persons who handle the public display must have the licenses required by state law.
<u>Section 30-141</u> Should the ordinance address aiding minors in the purchase and use of fireworks?	This offense was removed.

Fire Marshal Mansfield stated that in addition to the changes noted in the chart, the ordinance before the Council also:

1. conforms/adds the definitions of "distributor," "jobber," "jurisdiction," "passenger area of a motor vehicle," "public display" and "pyrotechnic operator" to be consistent with state law; and
2. adds an offense for any person to organize, supervise, officiate, permit, or accept responsibility for a gathering on public or private property on which a person uses fireworks.

Mayor Pro Tem Griffon stated that he was grateful that the subcommittee and the staff were able to work through his concerns and noted that he fully supported the ordinance being proposed.

A motion was made by Councilmember Hanks and seconded by Mayor Pro Tem Griffon to approve Ordinance No. 2022-09, 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.

ORDINANCE NO. 2022- 09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, AMENDING CHAPTER 30 "FIRE PROTECTION AND PREVENTION," ARTICLE IV "FIREWORKS," SECTION 30-139 "DEFINITIONS"; SECTION 30-140 "GENERAL PROVISIONS"; SECTION 30-141 "EXCEPTIONS"; SECTION 30-142 "PUBLIC DISPLAYS EXEMPTED"; SECTION 30-143 "ILLEGAL FIREWORKS DECLARED NUISANCE; SEIZURE AND DESTRUCTION"; SECTION 30-144 "PENALTY FOR VIOLATION OF THIS ARTICLE"; AND SECTION 30-145 "PERMITTED TRANSPORTATION; IDENTIFICATION" OF THE FRIENDSWOOD CITY CODE TO REGULATE FIREWORKS IN ACCORDANCE WITH STATE LAW, TO GENERALLY PROHIBIT FIREWORKS FROM BEING IGNITED ON PROPERTY WITHIN THE CITY, AND TO PROHIBIT PUBLIC DISPLAYS BY PERSONS OTHER THAN A GOVERNMENTAL ENTITY DURING CERTAIN TIMES OF THE YEAR; PROVIDING A MAXIMUM PENALTY OF TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00); REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY, PUBLICATION AND AN EFFECTIVE DATE.

B. Consider the second and final reading of an ordinance amending Appendix C "Zoning," Section 7.J "PUD, Planned Unit Development, general purpose and description" of the Friendswood

City Code to add criteria to qualify for a PUD, decrease the percentage of allowable change in land use, add an expiration of two years, and add standards for revocation.

A motion was made by Mayor Pro Tem Griffon and seconded by Councilmember Hanks to approve Ordinance No. 2022-06, related to Item 11.B. 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.

ORDINANCE NO. 2022-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, AMENDING APPENDIX C, "ZONING," SECTION 7 "SCHEDULE OF DISTRICT REGULATIONS," SUBSECTION J "PUD, PLANNED UNIT DEVELOPMENT, GENERAL PURPOSE AND DESCRIPTION" OF THE FRIENDSWOOD CITY CODE TO ADD CRITERIA TO QUALIFY FOR A PUD, DECREASE THE PERCENTAGE OF ALLOWABLE CHANGE IN LAND USE, ADD AN EXPIRATION OF TWO YEARS, AND ADD STANDARDS FOR REVOCATION; PROVIDING A MAXIMUM PENALTY OF TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00); REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY, PUBLICATION AND AN EFFECTIVE DATE.

C. Consider the first and final reading of an ordinance amending the City's General Budget for Fiscal Year 2021-2022 by approving "Budget Amendment VII" and providing for supplemental appropriation and/or transfer of certain funds.

This proposed ordinance approves budget amendments for the following:

1. Insurance Reimbursement for Curb Repairs, \$3,250. Appropriate insurance reimbursement received from Harco National Insurance Company o/b/o Transguard Insurance Company. City property, specifically a concrete ramp and curb, were damaged by a moving truck at the intersection of Carey Ln. and Cedarwood Dr. Funding will be appropriated to the Public Works Streets/Sidewalk Ops division operating services budget to cover the repairs to City property.
2. Friends of the Library Donation, \$476. Appropriate donation from Friends of the Library to the Library department's community events budget. The funds will be used to reimburse expenditures for the Library Gala.
3. Water Meter Sales, \$125,000. Appropriate proceeds received from the sale of water meters from the automated meter infrastructure change-out program to the Public works Water Operations division's water meters & boxes budget to purchase

additional water meters. The meters will be the same model as those currently being installed.

4. Activity Building Restroom Renovation, \$17,000. Appropriate funds to renovate a restroom in the Activity Building. A shower will be installed in a single-user restroom using the existing plumbing. This shower would be available in the event the building needed to be used during emergency response situations. The funding source will be unassigned general fund balance.
5. Parks Administration Insurance Reimbursement, \$3,943. Appropriate insurance reimbursement received from TML. Parks Admin vehicle unit CS10 was damaged in an accident. Funds will be appropriated to the Parks Admin division vehicle maintenance budget to offset the vehicle repair expenses.
6. Reimbursement for Plumbing Repairs, \$194. Appropriate reimbursement from contractor for plumbing repairs. Plumbing repairs were necessary at 15702 Blackhawk Blvd due to damages caused from work on the automated water meter project. The contractor reimbursed the City for the cost of repairs. Funds will be appropriated to the Public Works Water Utilities division's water meters replacement program budget.
7. FVFD/EMS Donation Fund, Ambulance Trade-in Credit, \$3,500. Appropriate trade-in credit received from the disposal of ambulance (Unit 48). FVFD traded-in a 2016 International Ambulance for \$3,500 towards the purchase of a new ambulance. Council approved replacing Unit 48 at the March 7, 2022, council meeting. Funds will be appropriated to the FVFD/EMS Donation Fund vehicles budget.
8. Community Development Department Office Renovation, \$9,500. Appropriate funds to renovate the CDD office area. Work involves dividing a single office into two office spaces as well as relocating fire sprinklers to meet code. The funding source will be unassigned general fund balance.
9. Administrative Services/Human Resources Office Workroom Renovation, \$8,500. Appropriate funds to renovate the ASO/HR suite workroom. Work involves extending the existing workroom and converting currently unused hall space for use as a breakroom area. The funding source will be unassigned general fund balance.
10. Forest Bend HOA Park Drainage Pipe Repair, \$49,936. Appropriate funds to perform emergency repairs to a 60" metal drainage pipe at Forest Bend HOA Park. A storm sewer pipe has collapsed creating a sinkhole. Furthermore, this is the only drainage pipe that flows through the Forest Bend Subdivision. Under, Local Code Section 252.022 (a) (2) & (3), this emergency repair is exempted from certain State purchasing requirements. The funding source will be unassigned general fund balance.

A motion was made by Councilmember Scott and seconded by Councilmember Branson to approve Ordinance No. 2022-10, 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.

ORDINANCE NO. 2022-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, AMENDING 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 VII" THERETO; PROVIDING FOR SUPPLEMENTAL APPROPRIATION AND/OR TRANSFER OF CERTAIN FUNDS; PROVIDING FOR SEVERABILITY; PROVIDING OTHER MATTERS RELATED TO THE SUBJECT; AND PROVIDING FOR THE EFFECTIVE DATE.

12. CONSENT AGENDA

A motion was made by Councilmember Scott and seconded by Councilmember Erenwert to approve the Consent Agenda, Items 12.A through 12.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, Councilmember John Scott, and Councilmember Brent Erenwert.

Nays: None.

The item passed unanimously.

- A. Consider a resolution suspending the May 2, 2022, effective date of the proposal by CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas – Texas Coast Division to implement interim grip rate adjustments for gas utility investment in 2021.**

RESOLUTION NO. R2022-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, SUSPENDING THE MAY 2, 2022, EFFECTIVE DATE OF THE PROPOSAL BY CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS – TEXAS COAST DIVISION TO IMPLEMENT INTERIM GRIP RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2021; REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL; AND PROVIDING FOR AN EFFECTIVE DATE.

- B. Consider a resolution repealing Resolution No. R98-40, which established a public information disclosure policy, and adopting an updated public information policy to establish a uniform and centralized system for the processing of public information requests in compliance with all applicable laws.**

RESOLUTION NO. R2022-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, REPEALING RESOLUTION NO. 98-40 ADOPTED ON DECEMBER 7, 1998, ESTABLISHING A PUBLIC INFORMATION (OPEN RECORDS) DISCLOSURE POLICY FOR THE CITY OF FRIENDSWOOD; ADOPTING AN UPDATED PUBLIC INFORMATION POLICY; REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS INCONSISTENT OR IN CONFLICT HERewith; CONTAINING A SEVERABILITY PROVDNIG; AND PROVIDING FOR AN EFFECTIVE DATE.

- C. Consider approving the disposal of a decommissioned Police Department vehicle through Houston Auto Auction.**

This item approves for the disposal of decommissioned police vehicle (P299 – 2016 Ford Explorer) through the Houston Auto Auction. The vehicle has been in service since 2016 and was scheduled for replacement in 2022. The costs associated with keeping the vehicle suitable for service are high, making the most cost-effective solution to auction it.

The vehicle will be decommissioned per the standards set by Local Government Code, Section 272.006 Sale or Transfer of Law Enforcement Vehicle, which includes the removal of any equipment or insignia that could mislead a reasonable person to believe that the vehicle is a law enforcement motor vehicle.

- D. Consider accepting the February 2022 tax report.**

- E. Consider approving the minutes of the City Council Regular Meeting held on February 7, 2022.**

13. EXECUTIVE SESSION

- A. Recess into and conduct an executive session pursuant to Section 551.074 “Personnel Matters” of the Texas Government Code to deliberate the annual performance of the City Secretary.**

At 7:04 P.M. Mayor Foreman recessed and convened into an executive session pursuant to Texas Government Code, Section 551.074 “Personnel Matters” of the Texas Government Code to deliberate the annual performance of the City Secretary.

At 7:27 P.M., Mayor Foreman reconvened the regular meeting and announced that in accordance with Section 551.102 of the Texas Government Code, no action was taken in executive session.

14. DISCUSSION AND POSSIBLE ACTION

A. Consider and take possible action regarding the City Secretary's annual review.

A motion was made by Councilmember Hanks and seconded by Councilmember Rockey to approve a 6.89% increase to the City Secretary's salary. 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.

15. ADJOURNMENT

With there being no further business to discuss, Mayor Foreman adjourned the April 4, 2022, City Council Regular Meeting at 7:28 P.M.

Mike Foreman, Mayor

Attest:

Leticia Brysch, City Secretary