MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF FRIENDSWOOD
JANUARY 10, 2022

THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD MET IN A REGULAR MEETING ON MONDAY, JANUARY 10, 2022, AT 5:00 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 5:00 P.M.; all members were present.

2. INVOCATION

The invocation was led by Matt Parker from New Hope Church.

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

Mayor Foreman requested a moment of silence in remembrance of Friendswood Police Sergeant James Dement.

At the conclusion of said silence, Mayor Foreman led the Pledge of Allegiance of the United States and to the State of Texas.

4. COUNCIL COMMENTS AND REPORTS

Councilmember Erenwert, Branson and Hanks, eulogized Friendswood Police Sergeant James Dement and gave their condolences to his family and work colleagues and friends. The members of council noted that his presence will be missed by the organization and the community.

Councilmember Rockey stated that the library will be hosting AARP tax-free assistance on Mondays, starting on February 7, 2022. He noted that the services are provided free and to contact the library for more information. He stated that beginning Tuesday, January 25, 2022, the library will be hosting a new foodie book club with the first book to be "My Korea" by Hoo-ni Kim.

Mayor Foreman thanked Director of Parks and Recreation James Toney, Assistant Director of Community Services – Recreation Michael H. Boyett, and the Parks Department for their amazing work on the Santa in the Park, the Christmas lights in the park, and other City hosted events throughout the year.

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 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.

Matt Robinson announced his candidacy for Galveston County Commissioner.

6. WORK SESSION TOPICS

A. Receive and discuss a presentation regarding the 2021 Charter Review Committee's Report.

Mayor Foreman introduced the Charter Review Commission Chairperson Robin Hall and Vice Chair Jim Nye. City Manager Morad Kabiri thanked the Charter Review Commission for their efforts this go around. He stated that the group read the charter over ten times in the last five months. He applauded their efforts.

Chairperson Hall introduced the members of the Charter Review Commission: Vice Chair Jim Nye, Commissioners Kitten Brizendine, Dave Smith, Bill Provenzano, Ron Cox, and Judy Wiggins.

Chairperson Hall stated that a couple of the Charter Review Commission members have served on the Commission in the past; and that this year they had some unique perspectives. She stated that in past years they have had previous councilmembers on the commission, but this year they had a previous mayor and previous city manager. She mentioned that not only did they bring experience, but a lot of stories, as well and this ultimately helped the new City staff to understand the rationale and history of the City Charter.

Chairperson Hall proceeded with the Charter Review Commission's presentation. She stated that they met every other week since July; and reviewed the City Charter several times. She stated that items were reviewed and then placed in a "parking lot" to be revisited later. She mentioned that there were lengthy discussions on some of the items and that they went back several times to make sure that they were accomplishing what was set out for them.

Chairperson Hall listed the goals of the Charter Review Commission to: (1) streamline the process, (2) have transparency, and (3) keep up with technological advances. She also noted that they have categorized items into two buckets: Tier 1 and Tier 2. Chairperson Hall mentioned that there were several items that were not being recommended this time but should be further reviewed and considered in the future. She stated that with every change that was suggested by the Commission that they wanted to make sure that things were just and fair.

Chairperson Hall discussed the ranking system of the items and noted that the Commissioners asked themselves the following questions when deciding on whether or not something merited changing:

- Does this need to change or not?
- Is it housekeeping?
- Does it just need to be cleaned up a little bit?
- Is it making things more efficient?
- Is it conforming to law?

Chairperson Hall noted that their minimum standard was updating the Charter to conform to state law and if they wanted to be more restrictive, then they would add on to the item. Lastly, as a part of the ranking system, the Commissioners prioritized the items by numbering them from one to five with one being the most important and five being the least.

Chairperson Hall noted that the Commission is submitting its top fifteen proposed changes forward for the Council's consideration. She noted that the items are being presented in chronological order and not in any order of importance. Below is a list of the proposed amendments to the Charter:

TIER 1:

Section 3.04.
Chairperson Hall stated that the City currently does not pay the mayor and councilmembers. Under the proposed amendment the mayor would receive $1,000.00 a month and the councilmembers will receive $500.00 a month. She mentioned the payments would not start until 2030 with the reasoning being that no member of the current Council will not be on Council in 2030; and that they do not want to put the current Council in a position to vote themselves a salary. The proposed amendment also allows for an annual CPI increase beginning 2022.

Section 3.09.
Chairperson Hall stated that this section relates to the meeting of the City Council and had a classification/ranking of Efficiency. She noted that the amendment is specific to executive session meetings and making sure that they conform to the requirements of state law.

Section 3.11.
This item has two recommended changes related to ordinances in general. The first change is to require that only the caption, prescribing a penalty fine or forfeiture be published, and the second component is to require only one reading of ordinances that have at least one public hearing or more notice than required under the Open Meetings Act. Chairperson Hall gave the example of a rezoning that has to go before the Planning and Zoning Commission and Council and have two public hearings, it is unnecessary to have two readings of this same ordinance.

Sections 4.03 and 4.04.
Chairperson Hall stated that these two sections go hand in hand and stated that they relate to the supervision of the City Attorney and the City Secretary. She noted that the proposed change is a major

one as currently the City Attorney and the City Secretary are both hired, fired, and given a salary by the City Council. The City Attorney reports directly to the Council and the City Secretary reports to the City Manager under a resolution that was passed last year. The proposed change is recommended for the efficiency of running the day-to-day operations of the City operations by having the City Manager be in charge of hiring, firing, salaries, management, day-to-day operations, and administration management of the City Attorney and the City Secretary.

Section 5.06.
This item is related to petition and has the classification/ranking of conform to law. Chairperson Hall noted that the amendment would eliminate the existing requirement to post the proposed ordinance at all polling locations and instead allows for the posting to occur on City's website. She noted that with the City moving its elections to the counties, there are over 700 polling locations in Harris County alone and there is logistically no way that the City could post the ordinance at each location, which would potentially invalidate the City's election. She further noted that the proposed change to post the proposed ordinance on the website is in line with today's electronic age and is more reasonable.

Section 8.03.
This item is related to the City's annual budget and is a major change to the way City Council receives the budget. Chairperson Hall stated that there is an extra column in there for the anticipated year to date and utilization. She said that this was a recommendation from staff and that this column is not required by the state and is not necessarily utilized; and so, it is an estimation of what is going to happen through the end of the year. She inquired as to if this was a calendar year or a fiscal year. City Manager Kabiri stated that is a fiscal year, but that is a snapshot as of June 30th of that year. He continued that it would then project out what it would be at the end of the fiscal year; and pattern of spending varies depending on the time of year. He said that with a review of the revenues, the taxes are captured in January and February because the City gets all its revenue when property taxes are paid, but the rest of the year it trickles in. He stated that having a column that doesn't adequately reflect the previous year does a disservice.

Section 8.05.
This item is related to borrowing for capital improvements. Chairperson Hall stated that this amendment is just firming up what the City is already doing and making sure that the City Council can issue debt to the extent that is allowed by law but require the voters' approval if the City is issuing COs; i.e., certificate of obligations. City Manager Kabiri added that there has been a lot of ambiguity about certificates of obligation in the City of Friendswood for the last 20-something years. He mentioned that this would get rid of any ambiguity and simply state that if the City were to issue certificates of obligation, the City would have to have voter approval just like the City has for general obligations.

<u>TIER 2:</u>

Section 2.01.
This item related to the general powers of the City. Chairperson Hall stated that this amendment authorizes the City to purchase property within Harris, Galveston, and Brazoria County. She said that the City of Friendswood resides in two of those counties. She said that Brazoria was added because it is another county that the City touches. She mentioned that the City is not looking to do anything in Fort Bend County or anywhere else; but if there were an opportunity to purchase land this will allow the City to extend out.

Section 3.02.
This item relates to the qualifications of the Council and is classified/ranked as conform to law and efficiency/clean it up. Chairperson Hall stated that this amendment is proposed to remove the qualifications to file for office from the section, which pertained to the qualifications. She mentioned that there are two sections that contradict each other and were a little bit redundant, so the Commission is cleaning this section up.

Section 6.04.
This item relates to the canvassing of election and election results. Chairperson Hall stated that the proposed amendment is to conform to the canvassing requirements in the charter to state law. She mentioned that there is an item in this section that the Commission is requesting that the Council deal with outside of a charter amendment election by incorporating the change into the Council's Rules of Procedure. Specifically, the Commission is recommending that the process by which the incoming councilmembers are sworn-in be changed to allow for the swearing-in to take place after the canvass of the election results and not before.

Councilmember Rockey stated that the incoming councilmembers were not necessarily sworn in before the canvass but only took the bribery oath and had a small ceremony of sorts. City Secretary Leticia Brysch stated that this recommendation is a clarification of the language because currently the Charter reads those councilmembers are sworn in that night. Mrs. Brysch stated that the proposed language is basically conforming the canvassing requirements to what is in state law.

Section 9.10.
This item relates to a requirement in the Public Service Corporation to File Annual Reports section, which requires the filing of annual reports, which has not and is not being done. The proposed amendment removes the requirement language to a permissive one; therefore, a corporation may file a report, but is not required to do so.

Section 11.02.
Chairperson Hall stated that this proposal would change this section so that basically the City can adjust the city newspaper on an as-needed basis and not just at specific periods of time.

Chairperson Hall stated that there are other sections that the Commission would like for future Charter Commissions to go through. She stated that the Commission asks that the Charter Commission be allowed to meet earlier than the required five years because there are a lot of possible changes that still need to be brought forth to the Council. She also volunteered the members of the exiting Commission to serve on the next one so they can continue their work.

Chairperson Hall noted that the Commission made the following recommendations for charter amendments to be handled administratively:

- Section 3.03, the Commission talked about the Oath of Office,
- Section 3.10, to clarify some of the rules and procedures defining supermajority,

- Section 3.11 the Ordinances in General to add language on how the members of Council can call a special meeting, and
- Section 4.02, to list in the City's job description that the Municipal Court Judge should a duly qualified, licensed, practicing attorney in the State of Texas.

Chairperson Robin Hall thanked the Council on behalf of Commission for this opportunity. She stated that it has been a great group to serve with and was happy to answer any questions.

City Manager Kabiri addressed the Council and stated that he wanted to reiterate from a timeline perspective before discussion of each Charter item. He stated that if the City is going to have a Charter election, it is going to take place this May, which would need to be called in February. He stated that this evening he needed some consensus amongst the Council of the items that the Commission recommended for placement on the ballot.

Mayor Foreman asked if the Council needed to review those items that were simply to conform to state law. The Council requested to go through each proposed amendment and decide on whether to move forward or not.

Chairperson Hall stated that if the City Charter does not conform to state law, then the City still has to conform to state law. She stated that the City is not violating the Charter by conforming to state law, but that the Charter should match state law.

City Manager Kabiri stated that from an operational standpoint, anytime there is a discrepancy between the state law and the City Charter, there must be an evaluation as to which one is more stringent. He mentioned that there are times when they conflict with one another, and it is not clear. He stated that it could lead to contests or legal issues. He stated that from the City's perspective, it would be better and cleaner if the Charter just conforms to state law, especially knowing that the state law will likely change every two years; and having an outdated provision in the City Charter becomes problematic.

Councilmember Hanks asked if one of the provisions of the City Charter contradicts state law, does the City even have to take that to the voters; or can the City just change that to match state law? City Attorney Karen Horner stated that the City would have to change it in the City Charter; and that the City will comply with state law but would need to go ahead and change that in the Charter.

Councilmember Hanks inquired if that would require a vote from the public. City Attorney Horner confirmed that it would.

Mayor Mike Foreman proposed that the Council take all the sections that put the City in conformance with state law and go forward with that set.

Mayor Pro Tem Robert Griffon stated that Friendswood has always gone above and beyond what is required by state law and that which conforms to state law. He stated that while he agrees with the Mayor, there are certain instances; such as the budget, where the Charter goes above and beyond just the minimum requirements of the law, and the Council should be particularly careful before making a sweeping decision on conformance to state law because it could do away with something that the Council would like to keep.

City Manager Kabiri stated that a good example of that would be section 8.05. He stated state law currently allows cities to issue certificates of obligation without voter approval; and that staff is suggesting that since there has always been some ambiguity surrounding it, the City will comply with state law. He continued that the City is adding the restriction to itself as the City felt that the Charter intended to restrict the City's ability to issue COs without voter approval.

Mayor Pro Tem Griffon thanked City Manager Kabiri and then mentioned that he thought for in instances of emergencies and terrible things, the City could issue certificates of obligations. He continued with the example of Uri, the artic freeze when the City slammed into the 90-day reserve of $1.67 million without the state even declaring a disaster yet. He continued that the City was looking at a serious situation where the City was not going to have their money. He explained that the state did say that it was a natural disaster, and that the City would be funded back, but it scared a lot of people at the City when the City saw its 90-day reserve get slammed. He asked, now we are saying that the City cannot issue certificates of obligation unless it gets voter approval; and in instances where the City has dire emergencies, he is afraid that the City might be tying their hands if they just put this one in a sweep.

City Manager Kabiri mentioned that the City still has the provision to issue emergency debt and that it is a different section within 8.05 that allows the City to issue debt in emergency situations. Mayor Pro Tem Griffon stated that he feels better about that.

City Manager Morad Kabiri stated that he needed to see a consensus amongst at least four members of the Council to know what to bring back in an ordinance next month.

Councilmember Trish Hanks asked if there were provisions where the City is going to do less than what the law requires? City Manager Kabiri stated that like the 8.05 comment on debt, it is far more complex than an either/or proposition. He noted that there are sections of the Charter, such as the budget, which contains a litany of detail that is in the minutiae and unnecessary. He further noted that state law establishes a set of criteria for what the budget should include, and staff is recommending that all information be included in the proposed language, as well as to eliminate any unnecessary language which can be misleading to the public. He further stated that within the budget there is a column for the proposed fiscal year, a column for the year-end estimate for the current fiscal year, and a column for the actual year-to-date, which is done on June 30th, then a column for the actuals from the prior fiscal year. City Manager Kabiri stated that there are four columns there with one of them giving a true picture of where the budget is headed on the revenues and expenditure side. He further noted that the other one is just a guesstimate, based upon, the first six-months of the year and multiplying it by two, which he noted was misleading.

Councilmember Hanks asked if by getting rid of the year-to-date, the staff was trying to get rid of the year-to-date estimate, not the year-to-date actual. Director of Administrative Services Katina Hampton stated that the staff's intent was to remove the year-to-date actual but keep the year-to-date estimate.

There was a consensus of the Council to start the review of the proposed amendments from top to bottom and for those that do not have a discussion or argument, the staff can assume that these are okay to move forward.

Charter Review Commissioner and Former Mayor Dave Smith stated that Mayor Pro Tem Griffon brought up the City's tradition of being more stringent than just state law, and not wanting to lose that capability, simply for the purposes of conforming to state law. Commissioner Smith continued that the Commission had a lot of those discussions with regards to those types of issues and he believed that the Council will find that the Commission does not disagree with being more stringent on certain things; however, the Commission is suggesting that the baseline for the City Charter should be to conform to state law, so that it rolls and keep pace with state law as it changes. He further noted that this base level then allows the Council the flexibility to change whenever they need to and at their discretion; i.e.; "un-handcuffing" the Council to have flexibility and not have to constantly review and/or amend the Charter because state law has changed again. Chairperson Hall stated that this is where the Council's policies and procedures would come, and they could place those more stringent items in them.

The Council began to review each item staring with recommendation number one.

Proposition No. 1, Section 3.04. Compensation:
Mayor Foreman and Councilmembers Hanks and Scott all expressed that they are not in favor of this recommendation. Mayor Foreman discussed the City's long history of volunteerism. Chairperson Hall stated that the Commission expected the Council to reject this suggestion; and that there was great discussion about how the City is built around volunteerism. She mentioned that staff did complete a survey of surrounding cities as it relates to the compensation for their mayor and councilmembers. She stated that she thinks it is good to bring this up for that very reason, for the Council to reject, to make sure that is still the standard within the community. She continued that the way it is written is so that even if this did get passed and it was passed with the voters, that none of the current Council would have been able to vote for their own salary.

Councilmember Rockey stated that he was going to provide a counterargument. He stated that he asked TML for the data and that the City of Friendswood is the largest city in the State of Texas that does not have any compensation for councilmembers. He continued to say that he believes that there are people who would be quality candidates for Council, that maybe younger and have families and other obligations, that this is a sticking point for them. He went on to say that there is nothing that makes the Council accept the money. He said that he thinks that the Council is unnecessarily segregating a piece of the possible candidates that might run because they either cannot afford to put the time in or there are other issues; and that he thinks the Council is being naive that there are not good people out there that would like to serve, but compensation would help them make up their minds.

Commissioner Brizendine stated that the Commission did have a deep discussion on this topic; and the discussion did go to the inability of some who would like to run for office, but it has become quite expensive. She stated that she has seen and knows the kind of money that goes out to campaign nowadays; and that there is a great deal of people with qualifications who do not have those kinds of deep pockets. She continued by saying if they are a single mom and can't afford to have a babysitter or something.

The Council's consensus was not to move forward with this item.

Proposition No. 2, Section 3.09. Meetings of the City Council:
City Manager Kabiri stated that this item was a conformance to state law, like the certificate of obligations, and that it was intended to remove ambiguity. He mentioned that there was some concern, roughly a decade ago, that the City did not have the ability to meet in executive session; therefore, the recommended language mirrors state law.

The Council consensus was to move this item forward for placement on the ballot.

Proposition No. 3, Section 3.11. Ordinances in General:
City Secretary Brysch stated that this came up when she came into the position and had to do publications for ordinances that required a penalty. She stated that typically, in other municipalities when an ordinance has a penalty, that information is included in the caption, and they simply publish the caption to clarify the penalty and the cost of the fines to the public. She further noted that correctly, the City is required by the Charter to add an additional section noting the violation, along with the penalty and fine language in its publications. City Secretary Brysch stated that the proposed language simplifies the process not just administratively, but also to the public, and it will cut publication costs significantly moving forward.

The Council consensus was to move this item forward for placement on the ballot.

Proposition Nos. 3 and 4, Section 3.11. Ordinances in General:
Chairperson Hall stated that the Commission is suggesting that there be only one reading of an ordinance if it is required to have a public hearing or notice required by the Texas Open Meetings Act. She used the example of the Planning and Zoning Commission.

City Manager Kabiri explained the rationale for this recommendation. He stated that there are several things that the City legislates that require multiple months of consideration and deliberation, both at Planning and Zoning and at Council, and notices are sent out to property owners within 200 feet, to name a few. He further stated that the additional reading of such an ordinance before Council belabors the point, especially when there are no changes from the first reading to the next second reading. He continued to say that there are things in the Charter and state law that already allow for one reading, for instance, the budget and this recommendation would make that in line with it.

The Council consensus was to move this item forward for placement on the ballot.

Proposition No. 5, Section 4.03 City Attorney:
Chairperson Hall stated that this recommendation will take the administrative role off City Council and put it on the day-to-day of the City Manager.

Councilmember Hanks stated that she would like to think about this one a little bit more because she was not sure she was in favor of that move.

Councilmember Rockey stated that he would like to take this one off because he feels that it is important for there to be a level of independence of the City Attorney. He stated that he also feels like it is the Council's role to make the final selection; and while the City is in a situation where they have a terrific City Manager and everybody gets along, the Council gets along, it may not always be the case. Councilmember Hanks agreed with this statement.

Councilmember Rockey continued to say that the City has neighbors on one side of the City where the City Attorney and the City Manager, now have some "bad blood"; and he believes Council should retain the ability to hire and terminate a City Attorney and let them have independence from the City Manager.

Chairperson Hall stated that in another place in the Charter the Council already must approve department heads; and that would include the City Attorney and the City Secretary. Councilmember Rockey stated that he still wants the ability to select the City Attorney.

Mayor Pro Tem Griffon stated that he could see the argument; and especially if there was a situation with the City Manager and the City Attorney, where the City Attorney might have to be looking into some legalities of what the City Manager may do; and then, the City Manager can then fire the City Attorney. He suggested that the language could be word smithed to include that the City Manager could not fire the City Attorney without the concurrence of Council. He also stated that this would work better with the with the City Secretary as this change in supervision had already been done via ordinance. He further noted that in his opinion, the City Council needs to be in the loop on the City Secretary, but especially the City Attorney.

Chairperson Hall stated that the Commission's intent was not to take City Council out of the loop, but more in dealing with the day-to-day operations. She further mentioned that the Commission had very frank conversations on this item and considered the staff's input. She explained that the City Attorney is bound by her ethics and law license to do what is right and ethical, regardless of whether she is under the Council or the City Manager. She stated that the Commission talked about all those provisions in which the City Secretary has certain responsibilities to protect the City, such as elections, and the City Attorney has provisions, under her law license, to protect the city.

Mayor Pro Tem Griffon stated that he completely agreed with Mrs. Hall's comment, but just under the nature of the home-rule municipality, the City has a very strong city manager, a very weak Mayor and Council, and to take Council out of the loop will weaken Council further. He continued that the way the home rule cities are set up, the City has a very strong management team and that is great, but there is an uncertainty of what that will be 10 or 15 years from now. He suggested that this could just be modified, not kick the whole thing out, so that Council is kept in the loop, and it is under Council's direction, they then will report to the City Manager and that's really where it is coming from. He stated that he does not want them to be independent from the direction of the City Manager because the City Manager hears from us every day.

Councilmember Scott stated that he is not in favor of this recommendation.

Councilmember Hanks agreed with Mayor Pro Tem Griffon that even though the relationship between the City Council and the City Manager is good right now, it is uncertain if it will be that way in the future. She stated that the recommendation needed some wordsmithing that would indicate that City Council in conjunction with the City Manager will oversee the day-to-day operations or something to that effect.

Mayor Foreman stated that the City has a weak mayor system, meaning that the City Manager directs the day-to-day operations and the Council acts as his board of directors. He stated that the Council should not want to wordsmith, but rather clarify some of these charter statements so that they are clearer.

Chairperson Hall stated that the Commission's intent on this recommendation was to not do what is right for today, but instead focus on what is right five years and ten years from now.

The Council's consensus was not to move forward with this item and to revisit this item in the next Charter Review Commission.

Commissioner Smith stated that in the discussions, both the City Manager and City Secretary said repeatedly that they were okay with the way that it is now; and that neither of them was taking initiative to think that it needed to be changed as things were working just fine.

Proposition No. 6, Section 4.04. City Secretary:
The Council consensus was to move this item forward for placement on the ballot.

Proposition No. 7 Section 5.06. Action on Petition:
Chairperson Hall stated that the proposed strikeout is for the Charter language is "made available at the polls".

The Council consensus was to move this item forward for placement on the ballot.

Proposition No. 8, Section 8.03. Annual Budget:
Director of Administrative Services Katina Hampton stated that this change allowed the City's budget document to reflect the recommendations of the Government Finance Officers Association, which governs the City's budget document, as well as the City's annual financial report. She stated that, as City Manager Kabiri alluded to earlier in the meeting, that June 30th column in the City's budget document is truly just a snapshot of where the City is at that point. She stated that staff does use some of that information to project out the remainder of the year to get to the year-end estimate, but what is recommended or suggested by the GFOA for the City to have a prior year column in the adopted budget, amended budget, and projection for the year-end to compare to the proposed budget. She stated that is what is recommended and required, so this would just eliminate that June 30th column.

City Manager Kabiri stated that the other aspect of this amendment was also to comply with state law regarding public hearings. He stated that state law is very specific, for example, if taxes are to be raised, then several hearings must be held, and notices must be published. He noted that the City Charter conflicts this requirement in some aspects and the Commission and staff believe that is would be better if the publication requirements follow state law.

Mayor Pro Tem Griffon stated that when he reviewed the budget, he goes through every line and looks at every column; and he is looking at what has been scratched, like a summary of proposed programs and a list of capital improvements which are proposed to be undertaken during the next five years. He stated that he is not sure what is being taken away in the budget that he looks at every year, but in looking at the information, he noted that he wanted the following language to remain in the Charter "such other information as may be required by Council."

City Manager Kabiri stated that staff looked at every provision on the Charter from an aspect that it represents the constitution of the City of Friendswood. He stated that the Commission asked: is this something that needs to be spelled out succinctly in the constitution or is this something that is handled in our policies and procedures, an example being Section 5.06 and the placement of ordinances at all polling locations. This requirement made sense back when the City had two polling locations; however, it doesn't make sense now when the City has over 700 locations. This same thought process is being used with this item, while the language is less specific, it will not eliminate or remove anything from the budget., He further noted that that staff will gladly put other information as maybe required by Council back in. Mrs. Hampton stated that the staff is always going to provide any financial information requested by the Council.

Mayor Pro Tem Griffon stated that the City's Finance Department always gets recognized every year for its outstanding job and he does not want to report less, but maintain the same level of work and service

Councilmember Branson asked if the column that would be removed with the amendment was at one time required. Mrs. Hampton responded that she did not know if it was required by law but noted that it just appears on the fund's schedules in the budget document. She further noted, as City Manager Kabiri mentioned, this column is strictly a snapshot in time on June 30th and does not include any expenditures between July 1st and September 30th. Mrs. Hampton stated that the staff tries to estimate as best they can, but they can do that regardless of the June 30th column.

The Council consensus was to move this item forward for placement on the ballot.

Proposition No. 9, Section 8.05. Borrowing for Capital Improvements:
The Council consensus was to move this item forward for placement on the ballot.

Proposition No. 10, Section 2.10. General Powers:
The Council consensus was to move this item forward for placement on the ballot.

Proposition No. 11, Section 3.02. Qualifications:
The Council consensus was to move this item forward for placement on the ballot.

Proposition No. 12, Section 6.04. Canvassing and Election Results:
Councilmember Branson asked if the photo that is taken as the end of the evening when all the votes have come in could be called something else, knowing that it is not a true canvass of the vote. Mrs. Hall stated that for purposes of the Charter, they wanted to make sure that Council was not being sworn-in or put into office prior to the canvassing and declaring of the results.

City Secretary Brysch stated that there are some things that can be done that are ceremonial and unofficial and can be written into the policy. She stated that there are some limitations in being able to declare an unofficial winner. She noted that when there is a joint election with Harris County, many of the results do not come in until 4 or 5 o'clock in the morning; and so, there are some limitations of when an unofficial ceremony of sorts can take place. City Secretary Brysch further noted that by removing certain existing language, it will eliminate contradictions and will mirror state law.

The Council consensus was to move this item forward for placement on the ballot.

Proposition No. 13, Section 9.10. Public Service Corporation to file Annual Reports:
The Council consensus was to move this item forward for placement on the ballot.

Proposition No. 14, Section 11.02. City Newspaper:
The Council consensus was to move this item forward for placement on the ballot.

Councilmember Hanks requested that the Council consider removing the petition requirement outlined in Section 6.02 Filing for Office, Subsection B, which requires the that a candidate secure twenty-five signatures in order to file for a place on the ballot. She stated that for a city of 40,000, it seems a little discriminatory and a little exclusionary.

The Council asked if the petition was required under state law. City Secretary Brysch stated that state law does not require for a petition to be attached to the filing; however, home-rule cities may attach a petition process if desired. She noted that the only time that state law requires a city to have a petition process is if the City has a filing fee, which Friendswood does not have, therefore, state law does not require the City's petition process.

Mayor Foreman, Mayor Pro Tem Griffon, and Councilmember Branson all agreed that they would like to keep the petition with the twenty-five signatures in the Charter.

Chairperson Hall thanked Council for putting together such a stellar committee and noted that on behalf of the whole committee, she wanted to thank City Manager Morad Kabiri, City Attorney Karen Horner, retired City Attorney Mary Kay Fischer, and City Secretary Leticia Brysch for their assistance during this process.

Mayor Mike Foreman and the Council thanked the Charter Review Commission for their service

Mayor Foreman recessed the meeting at 6:18 P.M.

Mayor Foreman reconvened the meeting at 6:22 P.M.

7. APPENDIX C ZONING ORDINANCE AMENDMENTS REGRADING COMMUNITY CARE HOMES

A. Conduct a public hearing regarding proposed amendments to Appendix C, Zoning Ordinance Section 7.P.6. Permitted Use Table to amend the zoning districts in which the following NAICS Uses are allowed: 6232 -Residential, intellectual and development disability, mental health, and substance abuse facilities, 623311 - Continuing care retirement communities (with on-site nursing), and 623312 - Assisted living facilities for the elderly (without on-site nursing) and to remove subnote (b.) 5. S1; Site Plan Approval Required and amendments to Section 20. Definitions to remove the term "Personal Care Facility" and add the term "Assisted Living Facility."

At 6:26 P.M., Mayor Foreman opened a public hearing and requested that staff give council an overview of the item.

The proposed ordinance amends the City's Zoning Ordinance in order to bring it in to compliance with State Law as it relates to Community Care Homes.

Director of Community Development Aubrey Harbin presented the item and stated that these proposed changes are intended to bring the City's zoning ordinance in compliance with state law. She stated that staff wanted to align the City's definitions for Assisted Living to those noted in state law. She noted that Chapter 123 of the Human Resources Code of the state defines a person with a disability, and the regulation of these facilities. Mrs. Harbin noted that that Federal Law protects some facilities, including community homes, which allow care for up to six residents and two staff members. She noted that state law does reference some requirements for those types of facilities; such as, the facility cannot be located closer than one-half mile from one another, they cannot alter the exterior of the residential structure, and they cannot have any more parking spaces than the number of rooms in the home. So, there are some minimal requirements, and ultimately the City cannot prohibit them.

Mrs. Harbin stated that for several years, the City put the S-1 process in the ordinance and that it is not really a valid process, so, proposed amendments remove that language.

The Planning and Zoning Commission voted 5 to 0, to recommend these changes.

At 6:28 P.M, with there being no one signed up to speak, Mayor Foreman closed the public hearing regarding amendments to Appendix C, Zoning Ordinance.

B. Consideration and possible action regarding the first reading of an ordinance amending Appendix C, Zoning Ordinance Section 7.P.6. Permitted Use Table to amend the zoning districts in which the following NAICS Uses are allowed: 6232 -Residential, intellectual and development disability, mental health, and substance abuse facilities, 623311 - Continuing care retirement communities (with on-site nursing), and 623312 - Assisted living facilities for the elderly (without on-site nursing) and to remove subnote (b.) 5. S1; Site Plan Approval Required and amendments to Section 20. Definitions to remove the term "Personal Care Facility" and add the term "Assisted Living Facility".

A motion was made by Councilmember Scott and seconded by Councilmember Branson to approve the first reading of Ordinance No. 2022-01, related to Item 7.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. 2022-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, AMENDING APPENDIX C, "ZONING," "SECTION 7.P.6. PERMITTED USE TABLE" TO AMEND THE ZONING DISTRICTS IN WHICH THE FOLLOWING NAICS USES ARE ALLOWED: 6232 -RESIDENTIAL, INTELLECTUAL AND DEVELOPMENT DISABILITY, MENTAL HEALTH, AND SUBSTANCE ABUSE

FACILITIES, 623311 - CONTINUING CARE RETIREMENT COMMUNITIES (WITH ON-SITE NURSING), AND 623312 - ASSISTED LIVING FACILITIES FOR THE ELDERLY (WITHOUT ON-SITE NURSING) AND TO REMOVE SUBNOTE (B.) “5. S1; SITE PLAN APPROVAL REQUIRED” AND AMENDMENTS TO “SECTION 20. DEFINITIONS” TO REMOVE THE TERM “PERSONAL CARE FACILITY” AND ADD THE TERM “ASSISTED LIVING FACILITY.

8. CITY MANAGER'S REPORT

A. Present an update regarding Employee Service Awards.

City Manager Morad Kabiri presented the item and stated that on December 10, 2021, the City held its annual employee Christmas dinner and 34 employees were recognized for their years of service with the City of Friendswood.

He read the names of those that were recognized.

5-Year Recipients
- Shaun McCaffrey, Police Department,
- James Ruthstrom, Police Department,
- Brock O'Barr, Police Department,
- Steve Ruthstrom, Fire Marshal's Office,
- James O'Brien, IT Director,
- Ruby Anki Human Resources,
- Kristin Rejack, Police Department,
- Emily Roach, Library,
- Carson Jacobs, Police Department,
- Mark Vail, Community Development Department,
- Kristina Cuellar, Community Development Department,
- Santiago Aguilera, Public Works,
- Arvin Ortega, Public Works,
- Jose Ibarra, Public Works.

10-Year Recipients
- Rebecca Wall, Police Department,
- Pat Riffle, Administrative Services/Municipal Court,
- Scott Muir, Police Department,
- Becky Bennett, Community Development Department,
- Jose Arredondo, Public Works.

15-Year Recipients
- Bryan Holmes, Marshal's Office,
- Jorge Paz, Public Works,
- Shawn Keesler, Fire Marshal's Office,
- Mindy Sanchez, Police Department

- Gerardo Aza, Parks,
- Rene Ibarra, Public Works Director,
- Brandon Blair, Police Department.

20-Year Recipients
- Eric Segura, Public Works,
- Gary William, Parks,
- Kim Zrubek, Library,
- Will Higgs, Police Department.

25-Year Recipients,
- Ryan Jenkins, Police Department,
- Mike Cordero Police Department.

30-Year Recipient
- Lupe Aguilera, Public Works.

40-Year Recipient
- Barry Yodzis, Police Department.

City Manager Kabiri stated that it is always a testament to the City of Friendswood to show the employees' many years of service, and every time there are employees that exceeded 40 years in service, that says something positive about the organization and its leadership in the Mayor and Council. He thanked Mayor and Council for their support and leadership.

B. Present an update regarding Library Gala ticket sale.

City Manager Morad Kabiri presented the item and stated that the City had its first Library Gala a couple of years ago, but with COVID, it had to be put on a hiatus. He stated that the tickets are currently on sale for the gala that will be held on Saturday, March 5, 2022. The event is intended to be a fundraiser and is sponsored by the Friends of the Friendswood Library. He noted that it will be a spectacular evening of festivities that will include dinner, hors d'oeuvres, and drinks. He stated that this year's theme is Night Circus. Tickets are $100.00 each and they go to a worthwhile cause, the Friendswood Public Library.

Councilmember Rockey confirmed that the library has already raised $36,000. Mayor Foreman stated that the library is on its way to purchasing the Library Mobile Vehicle.

9. BUSINESS ITEMS

A. Discuss and take possible action approving a license agreement with the Avalon at Friendswood Community Association, Inc. to maintain the medians on Friendswood Parkway.

This item approves a license agreement with Avalon at Friendswood Community Association, Inc., (the "Association") for the maintenance of the medians on Friendswood Parkway.

The Avalon Developer will install landscaping within the medians of Friendswood Lakes Boulevard/Friendswood Parkway to enhance the entrances to the subdivision, which will be located on both sides of the Parkway. Friendswood Lakes Blvd/Friendswood Parkway is City of Friendswood right-of-way, therefore, a license agreement for private use of the right-of-way is required. Once the landscaping is installed, it will be maintained by the Association.

A motion was made by Councilmember Hanks and seconded by Councilmember Erenwert to approve a license agreement with the Avalon at Friendswood Community Association, Inc. to maintain the medians on Friendswood Parkway. 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 possible action ratifying the City Manager's signature on a contract to purchase and close on 704 N. Clear Creek Drive, Friendswood Texas, also known as Lot 17 of Friendswood Forest, a subdivision in Galveston County, and a lease agreement with Ms. Glenda Gatten for said property.

This item ratifies a contract purchasing 704 N. Clear Creek Drive, Friendswood Texas and approving a lease agreement with Ms. Glenda Gatten for said property.

In November of 2019, the citizens of Friendswood voted in favor of pursuing several bond projects for constructing, acquiring, and installing stormwater drainage and flood control improvements along Clear Creek. The City has made an offer to purchase Lot 17 N. Clear Creek Dr. of Friendswood Forest Subdivision. Some lots near this property are existing City Buyout properties. Several studies, including the "City of Friendswood Flood Vulnerability and Mitigation Study" by Dr. Phil Bedient, have demonstrated that terracing of land adjacent to Clear Creek prove to be a highly effective form of flood control. The property would be purchased for $500,000 utilizing Drainage Bond Funds. The property contains a 3,536 square foot house that in the future will be demolished to allow for a future flood control project. Effective at closing, a leaseback agreement has been reached with Glenda Gatten. Ms. Gatten is currently in the process of looking to purchase a new home and will be vacating the premises upon closing on her new property.

A motion was made by Councilmember Scott and seconded by Mayor Pro Tem Griffon to approve the ratification of the City Manager's signature on a contract to purchase and close on 704 N. Clear Creek Drive, Friendswood Texas, also known as Lot 17 of Friendswood Forest, a subdivision in Galveston County, and a lease agreement with Ms. Glenda Gatten for said property. 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 approving the award of a guaranteed maximum price contract for construction services for Fire Station 2 Reconstruction and Training Field Upgrades.

This item awards a guaranteed maximum price contract for construction services for the Fire Station 2 Reconstruction and Training Field Upgrades Project (the "Project") in the amount of $3,623,785.

This project is a part of the 2019 Bond Elections. PGAL was selected to design the new fire station along with upgrades to the training field. City Staff and the Friendswood Volunteer Fire Department coordinated with PGAL to develop and advertise a Request for Qualifications (RFQ) for Construction Manager at Risk (CMAR) services. Proposals were evaluated and Christensen Building Group was selected by a committee consisting of the Volunteer Fire Department, Fire Marshall's Office, and the Engineering Department.

In February 2021, Council awarded the CMAR contract to Christensen Building Group, LLC. Since then, the City Engineering and Fire Marshal Staff, FVFD members, Christensen, and PGAL have worked together to finalize construction documents and produce a Guaranteed Maximum Price (GMP) for the Fire Station #2 Reconstruction & Training Field Upgrades project. Bids were solicited by Christensen in December 2021. The base bid GMP for the project came in at $3,440,104, which was under the amount budgeted towards this project.

Due to the bids coming in below budget, there are some additional items that can be added to the project to further accommodate the needs of the FVFD. The following alternates will be included:

- Alternate #1 – Training Tower Slab $16,197 (to be in place prior to installation of a training tower and burn room)
- Alternate #12 – Structure Data Cabling $15,073
- Alternate #13 – Access Control/Intrusion Detection $51,709
- Alternate #14 – Additional Site Paving (paving in the Training Field) $72,995
- Alternate #15 – Site Structures (foundations and pads for Accessory Buildings) $4,596
- Alternate #16 – Dumpster Enclosure with Gates $23,111 (will meet the City's screening requirements)

The final GMP with alternates considered is: $3,623,785.

A training tower with burn room will be awarded to a separate vendor under a separate contract utilizing an already allocated budget amount of $250,000.

A motion was made by Councilmember Hanks and seconded by Councilmember Scott to approve the award of a guaranteed maximum price contract for construction services for Fire Station 2 Reconstruction and Training Field Upgrades. 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 take possible action approving the award of a guaranteed maximum price contract for construction services for Public Safety Building Expansion.

This item awards a guaranteed maximum price contract for construction services for Public Safety Building Expansion Project in the amount of $5,532,616.

This project is a part of the 2019 Bond Elections. PGAL, Inc. was selected to design the expansion of the Public Safety Building. City Staff coordinated with PGAL to develop and advertise a Request for Qualifications (RFQ) for Construction Manager at Risk (CMAR) services. Proposals were evaluated and CORE Construction was selected by a committee consisting of the Police Department, Fire Marshall's Office, and Engineering Department. In February 2021, Council awarded the CMAR contract to CORE Construction. Since then, the selection committee, CORE, and PGAL have worked together to finalize construction documents and produce a Guaranteed Maximum Price (GMP) for the Expansion project. Bids were solicited by CORE in December 2021. The GMP for the project came in at $3,657,840 for the expansion of the building. The following alternates are recommended to be included:

- Build Out #2 – Renovations $1,189,934* - These renovations include expanding existing lockers rooms/restrooms, breakrooms and the weight room.
- Build Out #3 – Emergency Operations Center Renovation $59,150
- Build Out #4 – Courts Restrooms and Secure Connector $77,884
- Build Out #5 – Roof Replacement (deferred maintenance item) $547,808

Final GMP with all alternates considered: $5,532,616

The awarding of this GMP and alternates resulted in a funding deficit of ($476,555); however, the City Manager has certified that the City has identified potential funding mechanisms to close this deficit prior to the completion of construction. Other funding notes include the following:

- Additional Appropriation FY21 Budget Amendment $200,000 has been included to cover items pertaining to existing HVAC maintenance/deferred maintenance,
- Additional work funded via the Court Technology and Security Fund, and
- Additional Appropriation FY21 Budget Amendment $400,000 for deferred maintenance/roof replacement.

A motion was made by Councilmember Branson and seconded by Councilmember Scott to approve the award of a guaranteed maximum price contract for construction services for Public Safety Building Expansion, subject to receipt of performance and payment bonds acceptable to the City. 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. Discuss and take possible action authorizing the City Manager to negotiate and execute an Election Services Contract with Galveston County, Texas, for the City's General and Special Elections to be held on May 7, 2022.

This item authorizes the City Manager to negotiate and execute an Election Services Contract with Galveston County for the City's General and Special Elections to be held on May 7, 2022, in an amount not to exceed $60,000.

The General Election will be for the purpose of electing Councilmembers for Position Nos. 4 and 6, and the Special Election will be for the purpose of voting for or against proposed charter amendments. The terms of the contract include the following:

The County will be responsible for:

- the voting equipment and supplies for early voting (EV) by personal appearance and mail; and for Election Day (ED);
- the polling places for EV and ED, election personnel and set-up of the polling places for EV and ED;
- the appointment of the Early Voting Ballot Board and the employment of staff to program and operate the automatic tabulating equipment;
- the establishment and organization of the Central Counting Station; and
- the compensation for the election workers, which will be reimbursed, in part, by the City.

The City will be responsible for:

- furnishing the County with a list of race titles in two languages (English and Spanish);
- furnishing the County with a list of candidates' names and ballot positions;
- verifying jurisdictional boundaries and streets;
- preparing, posting and publishing any and all notices required by state law;
- preparing election notices, orders and other election related documents; and
- canvassing election results.

A motion was made by Councilmember Scott and seconded by Councilmember Erenwert to authorize the City Manager to negotiate and execute an Election Services Contract with Galveston County, Texas, for the City's General and Special Elections to be held on May 7, 2022. 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.

F. Discuss and take possible action authorizing the City Manager to negotiate and execute a Joint Election Agreement with Harris County, Texas, for the City's General and Special Elections to be held on May 7, 2022.

This item allows the City Council to authorize the City Manager to negotiate and execute a Joint Election Agreement with Harris County for the City's General and Special Elections to be held on May 7, 2022, under terms and conditions deemed acceptable to the City Manager and the City Attorney in an amount not to exceed $50,000.

The General Election will be for the purpose of electing Councilmembers for Position Nos. 4 and 6, and the Special Election will be for the purpose of voting for or against proposed charter amendments.

In the past, the County was responsible for the following under the agreement:

- the voting equipment and supplies for early voting (EV) by personal appearance and mail; and for Election Day (ED);
- the polling places for EV and ED, election personnel and set-up of the polling places for EV and ED;
- the appointment of the Early Voting Ballot Board and the employment of staff to program and operate the automatic tabulating equipment;
- the establishment and organization of the Central Counting Station; and
- the compensation for the election workers, which will be reimbursed, in part, by the City.

Also in the past, the City was responsible for the following under the agreement:

- furnishing the County with a list of race titles in four languages (English, Spanish, Vietnamese, & Chinese - traditional);
- furnishing the County with a list of candidates' names and ballot positions;
- verifying jurisdictional boundaries and streets;
- preparing, posting and publishing any and all notices required by state law;
- preparing election notices, orders and other election related documents; and
- canvassing election results.

A motion was made by Councilmember Scott and seconded by Councilmember Branson to authorize the City Manager to negotiate and execute a Joint Election Agreement with Harris County, Texas, for the City's General and Special Elections to be held on May 7, 2022. 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.

10. RESOLUTIONS & ORDINANCES

A. Consideration and possible action on the second and final reading of an ordinance regarding the street name change of Friendswood Lakes Boulevard to Friendswood Parkway, to include the existing thoroughfare from FM 528/West Parkwood Avenue to the League City and Friendswood city limit and the future thoroughfare planned from FM 528/West Parkwood Avenue to the Pearland and Friendswood city limit.

This proposed ordinance approves the street name change of Friendswood Lakes Boulevard to Friendswood Parkway, to include the existing thoroughfare from FM 528/West Parkwood Avenue to the League City and Friendswood city limit and the future thoroughfare planned from FM 528/West Parkwood Avenue to the Pearland and Friendswood city limit.

The current name of Friendswood Lakes Boulevard was assigned by the developer of the Friendswood Lakes Subdivision. Now that this boulevard is going to serve all of Friendswood and eventually connect to League City Parkway (also known as 96/Brittany Lakes Blvd) and Pearland Parkway, it only seems fitting to rename the boulevard to Friendswood Parkway. Additionally, it would be beneficial to make the change now before any more addresses are assigned. There are currently three businesses located and addressed to Friendswood Lakes Boulevard - The Goddard School, Bushi Ban, and Mathnasium of Friendswood. Staff personally visited the three business owners to inform them of the street name change and explained that the change would be effective December 31, 2021.

A motion was made by Councilmember Scott and seconded by Councilmember Branson to approve Ordinance No. 2021-40, related to Item 10.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.

ORDIANCE NO. 2021- 40

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, PROVIDING FOR THE STREET NAME CHANGE OF FRIENDSWOOD LAKES BOULEVARD TO FRIENDSWOOD PARKWAY, TO INCLUDE THE EXISTING THOROUGHFARE FROM FM 528/WEST PARKWOOD AVENUE TO THE LEAGUE CITY AND FRIENDSWOOD CITY LIMIT AND THE FUTURE THOROUGHFARE PLANNED FROM FM 528/WEST PARKWOOD AVENUE TO

THE PEARLAND AND FRIENDSWOOD CITY LIMIT PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

B. Consideration and possible action regarding the first and final reading of a proposed 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 IV" 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.

This proposed ordinance approves budget amendments for the following projects:

1. Prior Year Encumbrance, $99,904. Appropriate/reverse funds for purchase orders issued in fiscal year 2020-21 and outstanding at fiscal year-end, September 30, 2021. Goods and services for these purchase orders will be received and expensed in fiscal year 2022.

2. PEG Channel – Auxiliary Recording System for Council Chamber, $9,458. Appropriate PEG Channel funds for an auxiliary recording system for Council Chamber. The funding source will be restricted general fund balance reserves from PEG Channel revenue.

3. Police Department Vehicle Insurance Reimbursement, $2,621. Appropriate insurance reimbursements received from TML-IRP. Funding will be appropriated to the Police Department Criminal Investigation division vehicle maintenance account for repairs made to unit P324.

4. Police Investigation Fund, $2,500. Appropriate asset forfeiture funds to the Police Investigation Fund (PIF) operating services account for continued operations. Funds will be allocated from the PIF State Fund restricted fund balance.

5. Park Land Dedication Fund – Stevenson Park Walking Trail, $45,931. Appropriate funds to repair and improve the Stevenson Park walking trail. The concrete curb has constantly deteriorated over the years and the crushed granite continues to wash out after each rain event. The construction of a new, all-weather rubber trail system will increase the level of service by making the Walking Trail accessible even after a rain event. This supplemental funding from the Park Land Dedication Fund will be combined with funding appropriated from the General Fund to complete the project.

A motion was made by Councilmember Scott and seconded by Councilmember Branson to approve Ordinance No. 2022-02, related to Item 10.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. 2022-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, 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 IV" 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.

11. CONSENT AGENDA

A motion was made by Councilmember Scott and seconded by Councilmember Branson to approve the Consent Agenda, Items 11.A through 11.L. 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 ratifying the City Manager's acceptance of Avalon at Friendswood Section 1 public paving and utilities improvement project into the contractor's one-year maintenance period.

B. Consider ratifying the City Manager's acceptance of Avalon at Friendswood public improvements Lift Station project into the contractor's one-year maintenance period.

C. Consider authorizing the acceptance of the Red Ball Oxygen waterline improvements project into the contractor's one-year maintenance period.

D. Consider approving the ratification of the Mayor's signature on a contract extension with Galveston County for 2017 Road Bond Projects.

E. Consider approving a lease agreement between the City of Friendswood and The Harbor Church for temporary fire station operations.

F. Consider approving the purchase of 175 round sealed sanitary sewer frame and cover assemblies for the Public Works department.

G. Consider approving the disposal of a decommissioned Police Department vehicle through Houston Auto Auction.

H. Consider approving the disposal of two decommissioned Parks department pieces of equipment through online auction at www.publicsurplus.com.

I. Consider accepting the November 2021 tax report.

12. EXECUTIVE SESSION

A. Recess into and conduct an executive session pursuant to Sections 551.071 and 551.087 of the Texas Government Code to deliberate the offer of a financial or other incentive to a business prospect and to seek the advice of the City's attorneys on legal matters related thereto.

At 6:37 P.M. Mayor Foreman recessed and convened into an executive session pursuant to Texas Government Code, Sections (i) 551.087 to deliberate the offer of a financial or other incentive to a business prospect, (i) 551.087 of the Texas Government Code to deliberate the offer of a financial or other incentive to a business prospect and (ii) 551.071 to seek the advice of the City's attorneys on legal matters related thereto.

At 6:55 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.

13. ADJOURNMENT

With there being no further business to discuss, Mayor Foreman adjourned the January 10, 2022, City Council Regular Meeting at 6:56 P.M.

____
Mike Foreman, Mayor

Attest:

____
Leticia Brysch, City Secretary