

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF FRIENDSWOOD
APRIL 3, 2023**

THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD MET IN A REGULAR MEETING ON MONDAY, APRIL 3, 2023, 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:

Steve Rockey	Councilmember
Sally Branson	Councilmember
Trish Hanks	Councilmember
Robert J. Griffon	Councilmember
John Scott	Councilmember
Brent Erenwert	Mayor Pro Tem
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 Dr. David Lorenz, First Baptist Friendswood.

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

Mayor Foreman asked the Cline Elementary Council for a Day students to lead the Pledge of Allegiance of the United States and to the State of Texas.

Mayor Foreman asked for a point of privilege and invited Mayor Jerry Mouton, City Manager Jay Stokes, and Assistant City Manager Sarah Robinson from the City of Deer Park to speak before the Council. Mayor Mouton stated that in late January, the City of Deer Park was directly hit by a tornado that caused a lot of damage to the community. He stated that he wanted to thank the City of Friendswood, its Council, City Manager Morad Kabiri and the Public Works staff for volunteering their equipment, trucks, and labor to support their cleanup efforts. Mayor Mouton stated that Friendswood was one of nine cities that helped clean up the city in ten days, and as a thank you, he presented Mayor Foreman a plaque and picture of appreciation.

Mayor Foreman thanked the Deer Park delegation and moved to the next item on the agenda.

4. COUNCIL FOR A DAY

A. Consider a proclamation declaring April 4, 2023, as Cline Elementary School Day in the City of Friendswood, Texas.

Mayor Foreman introduced the students and teachers from Cline 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
Councilmember 1 (Rockey)	Archie Rasmussen	Ms. Belluomini
Councilmember 2 (Branson)	Kiarra Patterson	Mrs. Denny
Councilmember 3 (Hanks)	Avery Perez	Ms. Goodrich
Mayor (Foreman)	Remi Clarke	Mrs. Zetts
Councilmember 4 (Griffon)	Cole Magnuson	Ms. Mattheis
Councilmember 5 (Scott)	Riley Henry	Mrs. Charo
Mayor Pro Tem (Erenwert)	Chloe Yang	Ms. Folkes
City Attorney (Horner)	Allison Harris	Mrs. Carter
City Manager (Kabiri)	Adelyn Sheets	Ms. Bocan
City Secretary 1 (Brysch)	Adam Martinez	Mrs. Ramsey
City Secretary 2 (Brysch)	Parker Hawkinson	Mrs. Herren

A motion was made by Councilmember Rasmussen (Steve Rockey) and seconded by Councilmember Patterson (Sally Branson) proclaiming April 4, 2023, as Cline Elementary School Day in the City of Friendswood. The vote was the following:

Ayes: Mayor Remi Clarke (Mike Foreman), Councilmember Archie Rasmussen (Steve Rockey), Councilmember Kiarra Patterson (Sally Branson), Councilmember Avery Perez (Trish Hanks), Councilmember Cole Magnuson (Robert J. Griffon), Councilmember Riley Henry (John Scott) and Mayor Pro Tem Chloe Yang (Brent Erenwert).

Nays: None.

The item passed.

Mayor Foreman recessed the meeting at 6:16 p.m. for the Council for a Day reception.

Mayor Foreman reconvened the meeting at 6:37p.m.

5. COUNCIL COMMENTS AND REPORTS

Mayor Foreman stated that he had attended the Artemis II Crew announcement in the morning where NASA announced the four people going on the Artemis II mission, which is going to go around the moon. He stated that he was happy to hear that two out of the four-man crew are Friendswoodians, Reid Wiseman, and Jeremy Hansen

Councilmember Rockey stated that the Library will have a lecture on "Exploring the Fascinating World of Insects" led by visiting lecturer Dr. Sam Scribbling and Dr. Susan Steinberg, who is his wife. The lecture is geared for kids, but all are welcome. Councilmember Rockey further noted that the Friends of the Library have started planning for its annual Gala, which is scheduled for September 30, 2023, and will be called "Through the Looking Glass; Alice in Wonderland." He noted that if anyone would like to become a member of the Friends of the Library, the cost is \$10.00 and then they can volunteer to help with the Gala. Rockey additionally requested the City Manager bring an item to them in the coming months regarding the street banners across South Friendswood Drive.

Councilmember Griffon stated that the face of the Galveston County Consolidated Drainage District is changing as long time Director Gary Harris has resigned from his position, and someone will be appointed in his stead soon.

Mayor Foreman stated that he wanted to recognize Councilmember Griffon for his new role of Chair for the Clear Creek Watershed Steering Committee. He stated that he is proud to have Councilmember Griffon and knows that his leadership skills will put Friendswood in a good position.

6. PUBLIC COMMENT

Ms. Chaille Phillips requested to speak before the Council regarding her displeasure at having the City put a fence so close to her property located at 607 Mary Ann Drive. She stated that she believed that the City had placed the fence in her portion of the 12-foot easement and was going to pay a surveyor to support her claim of encroachment.

Mr. Gerry Corona requested to speak before the Council regarding the on-street parking issues in front of Hunters Creek. He requested that the City Council consider making the entrance of Hunters Creek Subdivision a "No Parking Fire Zone" lane, which would help eliminate what he believes are serious public safety issues.

Mr. Chris Cooper requested to speak before the Council regarding the on-street parking issues in front of Hunters Creek. He thanked the City Council for the entrance redesign as it has helped with some of the traffic concerns in that area. He further requested that Friendswood move to protect the one fire hydrant located in the area because as it stands now, traffic continually blocks the fire hydrant, thus making it difficult for first responders to access it. Mr. Cooper requested that the City Council consider striping the area around the fire hydrant to create a "No Parking Fire Zone" lane.

Ms. Roseanne Scott requested to speak before the Council regarding the safety issues related to on-street parking at the entrance to the Hunter's Creek Subdivision during peak times when parents are dropping off or picking up their children at the Chara Dance classes. She stated that she overheard a police officer

yell at cars that “street parking isn’t going to be allowed here, it is just not safe.” She stated that she agreed with that officer and wanted to echo the same sentiments of the previous speakers and requested that the City Council consider putting up a “No Parking Fire Lane” sign for this area.

Mr. Don Scott requested to speak before the Council regarding the safety issues related to on-street parking at the entrance to the Hunter’s Creek Subdivision during peak times when parents are dropping off or picking up their children at the Chara Dance classes and re-emphasize the desire for a “No Parking” sign in front of Hunter’s Creek subdivision.

Ms. Shanna Kirkpatrick, owner of Chara Dance Studio requested to speak before the Council regarding the parking issues in front of Hunters Creek subdivision. She stated long before she was made aware of a parking issue, she had communicated with her clients about alternate parking accommodations and locations and had maintained contact with the Hunter’s Creek HOA on a quarterly basis to work through any issues; such as the damage to some of the sprinklers by one of her clients. She further noted that she had reached out to City staff to ensure that she was in compliance with all relevant laws and regulation and was told that on-street parking is legal. Ms. Kirkpatrick stated that she wanted to be a good neighbor and would support the whatever the City decides is the best way to move forward on this item.

7. APPOINTMENT OF ASSOCIATE JUDGE

A. Consider the appointment of Judge Kathleen McCumber as an Associate of the Friendswood Municipal Court to serve a term ending on June 30, 2024.

A motion was made by Councilmember Hanks and seconded by Councilmember Griffon, to approve the appointment of Judge Kathleen McCumber as an Associate of the Friendswood Municipal Court. The vote was the following:

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

Nays: None.

The item passed unanimously.

8. SPECIAL RECOGNITIONS AND ACKNOWLEDGEMENTS

A. Present the City of Friendswood 5 Star Spirit Award for the Fourth Quarter of 2022 to Kristopher Williams in the Public Works Department.

City Manager Morad Kabiri presented the item and stated he had the distinct honor, four times a year to present the Five Star Council Spirit Award. Mr. Kabiri noted that this award represents the employee of the quarter who can be nominated by the public and/or a coworker throughout the community. Mr. Kabiri presented the Five Star Award to Kristopher Williams in the Public Works Department who was nominated by both his co-worker and a 93-year-old for his exceptional service to the Friendswood

community. Kristopher, during one shift, responded to over 200 calls for services, one of which was a call for service from a 93-year-old widow that had recently lost her husband to brain cancer. Kristopher went above and beyond what was required of him and shut her water off, and then at the end of his 12-hour shift, he went back to her house to make sure she was okay. The resident reached out to the City to thank us for the incredible job that Khris does to help this community.

9. COMMITTEES OR SPECIAL REPORTS

A. Receive the Keep Friendswood Beautiful Annual Report.

The Keep Friendswood Beautiful (KFB) Annual Report was attached to the agenda for Council's review and Ms. Patty Steinke, the KFB Chair was present to give the Council an overview of the group's main activities, projects and volunteerism dedicated to enhancing the aesthetic appearance of Friendswood.

B. Receive the Fourth of July Steering Committee Annual Report.

Mayor stated that the Fourth of July Steering Committee Annual Report was attached to the agenda for the Council's review.

C. Receive the 2022 Annual Comprehensive Financial Report.

Mr. Lupe Garcia with Whitley Penn, the City's auditors, presented the Council the results of the City's Fiscal Year 2022 Financial Statement Audit, and stated that they had given the City a letter of unmodified opinion. He noted that as it relates to the City's internal controls for financial reporting and compliance, they did not identify any material weaknesses or significant deficiencies as a result of their audit procedures, nor did they identify any material non-compliance issues with the City's financial statements. Lastly, in their third and final report regarding the City's compliance with the compliance requirements that are applied to the City's federal funding for fiscal year 2022, the major program in the federal single audit was the Community Development Block Grant (CDBG), which did not result in any questions, cost, or any findings of any non-compliance. Mr. Garcia stated that this good news will be communicated to the Federal Government within 30 days, and that's how they'll know how the city performed in its single audit.

Mr. Garcia stated that as it relates to the City's Water and Sewer Fund, it ended the year with \$50.7 million in net position. This is due to revenues exceeding expenses, so this fund had an increase in net position of \$5.1 million; however, that net position is primarily the City's capital assets that are providing services to the city, which is about \$36 million. He further noted that this fund does have amounts restricted for debt service and capital projects of just under \$3 million with leaves an unrestricted net position of \$11.8 million, which is inclusive of the City's 90-day reserve, which is \$2.4 million.

The City's General Fund is the city's main operating account that ended the year with a fund balance of \$17.4 million, which is a positive change in fund balance in the amount of \$158,000. Mr. Garcia noted that the Coronavirus State Fiscal Recovery Fund is a major fund, not due to the revenues or the expenditures, but due to the cash and investments that are sitting in in the City's bank account of roughly

\$10 million, which will be expended in the current year. The City's bond construction fund ended the year with \$8.2 million, a decrease of \$7.1 million due to the ongoing construction activity that is being spent down as was budgeted.

The City's Debt Service Fund accounts for the principal and interest payments on the City's long-term debt ended the year with a \$46,000 fund balance, and then all other items such as the City's, non-major governmental and special revenue funds are reported together and with a fund balance of \$4.4 million.

Mr. Garcia noted that the City's General Fund budget to actual revenues were greater than budgeted revenues by \$1.3 million. The City's actual expenditures were less than budgeted expenditures by \$5.9 million. Mr. Garcia stated that overall, there was a slight increase in fund balance for an ending fund balance of \$17.4 million with \$0.3 million of that amount being non-spendable as those are related to items that were prepaid and the City's PEG funds, which are restricted ended in a fund balance of half a million.

Mr. Garcia also stated that the City's Assigned Fund Balance of \$4.6 million are encumbrances that were rolled forward from the past fiscal year into this fiscal year, with some amounts being earmarked for capital projects, and the City's Unassigned Fund balance as of the end of the fiscal year was \$12 million. He noted that the \$12 million represents 35% of the City's annual General Fund expenditures, which includes \$7.9 million for the City's 90-day operating reserve per its Financial Management Policy.

In closing, Mr. Garcia stated that they did not encounter any difficulties in performing and completing the audit as they had the City's full cooperation.

Mayor Foreman thanked Mr. Garcia for his services and presentation.

10. WORK SESSION

A. Discuss the selection process for the 2023 Grand Marshal.

City Manager Morad Kabiri stated that the staff was seeking direction from the City Council on how to move forward with the selection process for the Grand Marshal at the City's July 4th parade. Mr. Kabiri noted that last year the selected Grand Marshal stepped down, and at my request staff did not pursue a replacement for Ms. Haley Carter. Following the 2022 Parade, the Fourth of July Committee requested that their group not be responsible for choosing the Grand Marshal for 2023 and deferred to the City Council for this selection. Mr. Kabiri stated that he was open to suggestions on how the Council wanted to move forward on this selection process or if they want to continue the parade without a Grand Marshal.

Mayor Foreman suggested that the Fourth of July Committee continue to provide nominations for the City Council to vet the nominees and select a Grand Marshal.

Councilmember Hanks stated she likes the idea of continuing the Grand Marshal tradition and noted that as an elected official she had no problem making that decision.

Councilmember Scott stated that even though times have changed with social media and the various other outlets that nobody was worried about in the past; the Fourth of July Committee has a good process in place for the Grand Marshal selection. He noted that in the past they have reviewed the stack of applicants, talked to the candidates, and made a recommendation to council on which person they selected to the Grand Marshal. He did not recommend changing the process but noted that there needs to be a heightened awareness for vetting candidates. He stated that he believed that the public should be able to submit nominees to Fourth of July Steering Committee, who will then vet the candidates, and submit options for the Council to review and select.

Councilmember Griffon stated that he agreed with the Mayor's sentiments and felt that the Council could select more than one grand Marshal.

Mayor Foreman stated the Council does have a nominee for this year's parade who he felt was potentially a great candidate nominee. Councilman Griffon asked if the Mayor met with the candidate and finds him to be qualified, could the Council give the Mayor the authority to appoint him and move forward? City Manager Kabiri stated that the City has no written policy for the selection of the Grand Marshal and noted that if the Council is happy with the Mayor meeting the individual and coming back to Council with an action item for his selection at next month's meeting, staff can do that.

Councilmember Hanks requested that the City Manager should create a written process for the selection of the Grand Marshal moving forward. Mr. Kabiri stated he can bring back an official process for the following year; however, for this upcoming summer, staff will have the selection at the next council meeting.

B. Receive and discuss an update regarding Hunters Creek Estates.

Police Chief Bob Weiners presented the item and stated that he was going to provide the Council with some information used by City staff to analyze the traffic situation at the entrance of Hunters Creek Estates, along with some possible action items, understanding that a section of the roadway in question is public roadway, and as such, its regulation is governed by the Transportation Code. Chief Weiners stated that the area behind the gates at the entrance of the Hunters Creek Estates Subdivision is considered private roadway. Chief Wiener noted that the number of traffic accidents on FM518 at Hunters Lane were used by the staff to analyze the issues brought forth during the public comment period at the last Council meeting. Chief Wiener stated that there was an average of three accidents per year in the vicinity of Hunters Lane from 2020-2022, which is less than 1% of the total accidents occurring throughout the City. City Manager Morad Kabiri clarified for purposes of the discussion that the accidents in question occurred at the intersection of FM 518 and Hunters Lane and not on Hunters Lane itself. He noted that the locations of the accidents were:

- 2 accidents occurred on Hunters Lane (not at intersection),
- 1 accident occurred in a private parking lot adjacent to Hunters Lane,
- 5 accidents occurred in cross traffic, and
- 2 accidents occurred northbound side exiting business drive.

He further noted that of the accidents noted above, there were six accidents that occurred between noon and 2:00 p.m.

Chief Weiners stated that the staff has identified that there is no sound engineering judgement to warrant regulatory action at this location.

As it relates to the movement of emergency vehicles in this area, the Police Department's Crash Team measured the roadway, parked vehicles, and took pictures to complete a thorough review of whether or not there is sufficient clearances for the movement of fire apparatus, ambulances, and police vehicles. The resulting measurements showed that there were sufficient clearances and emergency vehicles would not have any issues in moving through this area, even with parked cars on the roadway.

Chief Weiners presented the following proposed action items for Hunters Lane and the included the following:

- **Remove large landscaping rocks that impede loading and unloading passengers (City/HOA)**
 - While the intent of the rocks was good in order to prevent damage to sprinkler heads, the large landscaping rocks actually impedes parking. If someone parks in the vicinity of one of those large landscape rocks, they can't load and unload their passengers on that side of the roadway, so this has to happen from the driver's side of the vehicle, and not the passenger side of the vehicle. Therefore, the recommendation is to remove these rocks as soon as possible.
- **Repair or upgrade landscape lighting in medians and roadway edges on Hunters Lane (HOA)**
 - The lighting in this area needs to be repaired and/or upgraded. The landscape lighting is largely in the median, which according to the plat belongs to the HOAs. All of the landscape lighting needs to be working, and once that is accomplished, then staff can take another look at the area and see if the lighting is adequate, in order to ensure that after the sun goes down, everybody has visibility to any pedestrian traffic that may be crossing.
- **Contact businesses on Hunters Lane to repair/upgrade parking lot lighting, suggest more efficient use of existing parking lot (City)**
 - Staff would like to sit down with the business owner to: (1) ensure that there aren't any lights in disrepair; (2) see if there's something that can be done to upgrade the lighting of the parking lot; and (3) suggest more efficient use of any parking that's available in the business parking lot. For instance, they have a trailer that could be relocated to allow for a few more parking spaces. Also, during times when they have classes, to have the employees park at the Lutheran Church parking lot, thereby giving the maximum amount of parking to their attendees.
- **Possible installation of a streetlight on Hunters Lane at FM 518 Intersection (City)**

The last recommendation is probably the least desirable and it would be to install a streetlight on Hunters Lane in the vicinity of the intersection with FM 518, which would require pulling trees out of the median.

Mayor Foreman inquired about the unmarked fire hydrant. Mr. Kabiri stated the fire hydrants are marked, but regardless of the markings it is common knowledge that parking in front of a fire hydrant is illegal and those vehicles can be towed and/or issued a citation.

Councilmember Scott inquired about the business hours for Chara Dance Studio. Ms. Kirkpatrick stated that her staff is onsite from 9:00 a.m. to 9:30 p.m. She further noted that their peak hours are in the morning, between 9:00 and 12:00, and then in the afternoon for after-school pickup from 4:00 p.m. to about 6:30 p.m.

Councilmember Griffon stated that the information that is compelling to him is the low incident rate, less than 1% over 3 years for this area. He noted that he agreed with staff that the landscaping rocks could be impeding the loading and unloading, and what is needed is a free flow of people moving through the area.

Councilmember Scott asked if something could be done with cones to mitigate parking, similar to what is done with football games at the schools. Chief Wieners stated that those are much larger events and not comparable to this situation. Mr. Kabiri noted that as it relates to the temporary prohibition of parking for high school events; such as football games, there were actual engineering evaluations conducted that warranted those prohibitions based upon the narrowness of the surrounding roads, which aren't present in this particular scenario.

Councilmember Rockey asked if by state law, the City could permanently ban parking on the street. Mr. Kabiri stated that banning parking on the street can only be done if an engineering analysis has been conducted and the improvements or the prohibitions are warranted. So, if an engineering analysis doesn't warrant the painting of the area as a fire lane, the City could not legally tow anybody or issue a citation.

Councilmember Rockey stated he was the one that had asked for this item to be placed on the agenda and noted that over the last several weeks he had gone to Chara Studio at least 10 times, and out of those 10 he never saw a car parked on the road. He stated that he believes that this issue is between the property owners and the neighboring businesses.

Councilmember Hanks and Councilmember Branson thanked the attendees for being willing to work together to ensure the safety of the children as they go back and forth to the dance school. Chief Wieners stated that someone from Patrol will visit the business owner to look at options to make the parking lot at the neighboring church more accessible; such as an improved pathway, landscape lighting and signage.

Mayor Foreman allowed Mr. Scott to make comments at the podium regarding the boulders being discussed. He noted that those were placed in that area to stop people from breaking the sprinklers and tearing up the grass and asked who would be responsible for any future damage. Mr. Kabiri stated that per the subdivision plat, the HOA is responsible for the median itself, they are within a reserve and the two corners at FM 518 and Hunters Lane, also within a reserve. However, the business owners are responsible for the grass in front of their business, between the sidewalk and the curb, much like residential homeowner's mow the same space in front of their homes.

Mayor Foreman asked the City Manager to take the lead in working through the recommended action items. Mr. Kabiri stated that they would work with the HOA to remove the boulders, and the business owner on all of the items discussed today.

11. CITY MANAGER'S REPORT

A. Recognize Director of Public Works Rene Ibarra for being invited to be a panelist for the Underground Construction Technology Association for discussion on Collection Systems

City Manager Morad Kabiri presented the item and stated that Director of Public Works René Ibarra, was recently asked to serve as a panelist on the Underground Construction Technologies Association seminar. Anytime any of our employees are asked to serve as a professional panelist on these types of activities we'd like to highlight them for the work that they do and the fact that they're recognized within the industry.

B. Recognize Deputy Director of Engineering Samantha Haritos for participating in a panel discussion at the Texas Floodplain Management Association conference in early March to discuss "Local Involvement in Regional Flood Planning."

City Manager Morad Kabiri presented the item and stated Deputy Director of Engineering Samantha Haritos has been asked to serve as a panelist on the Texas Floodplain Management Association's upcoming conference. He congratulated Samantha for being recognized as an industry leader in Engineering and in floodplain in particular.

12. BUSINESS ITEMS

A. Consider authorizing a Professional Services Agreement with Freese & Nichols, Inc., for the 2023 Water and Wastewater Utility Impact Fee Project (RFQ 2023-04)

A motion was made by Councilmember Hanks and seconded by Councilmember Rockey, to approve a Professional Services Agreement with Freese & Nichols for the 20223 Water and Wastewater Utility Impact Fee Project. The vote was the following:

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

Nays: None.

The item passed unanimously.

B. Consider authorizing a Professional Services Agreement with RJN Group, Inc., for the 2023 Sewer Survey Engineering Services – Wastewater Hydraulic Model Development Project.

This item approves a Professional Services Agreement with RJN Group, Inc. for the 2023 Sewer Survey Engineering Services – Wastewater Hydraulic Model Development Project. This current proposed engineering services and sanitary sewer hydraulic model design will assist in providing a critical reference tool to confirm and/or identify sanitary sewer infrastructure flow/capacity inefficiencies, determining if an increase to specific sewer mains and/or lift station infrastructure is needed, and serving as a reference back-up tool to our impact fee analysis. Funding for the proposed scope of work in the amount of \$93,500 is accounted for within the previously approved 2018 Water/Sewer Series Bond allocations.

A motion was made by Councilmember Branson and seconded by Mayor Pro Tem Erenwert to approve the Professional Service Agreement with RJN for the 2023 Sewer Survey Engineering Services – Wastewater Hydraulic Model Development Project:

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

Nays: None.

The item passed unanimously.

13. PROPOSED RESOLUTIONS & ORDINANCES

A. Consider a resolution designating Field 5 at the Corporal Steven Schulz Sportspark as “Jesse Torres Field.”

The City of Friendswood (the "City") has received a Facility Naming Application from James Jamail requesting that Field 5 (FGSA youth softball field), located at the Corporal Steven Schulz Sportspark, 2910 W. Parkwood, Friendswood, Texas, be named the Jesse Torres Field in honor of Mr. Jesse Torres.

A motion was made by Councilmember Scott and seconded by Griffon to approve Resolution No. R2023-10, related to Item 13.A, as submitted. The vote was the following:

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

Nays: None.

The item passed unanimously.

RESOLUTION NO. R2023-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, DESIGNATING FIELD 5 AT CORPORAL STEVEN SCHULZ PORTSPARK AS "JESSE TORRES FIELD"; AND PROVIDING FOR AN EFFECTIVE DATE.

B. Consider a resolution authorizing the City Manager to execute a lease-purchase agreement with Zions Bancorporation, N.A., Salt Lake City, Utah, and approving financing terms for the purchase of an ambulance and SCBA packs for emergency medical and firefighting services within the City.

The proposed resolution authorizes the CM to execute a lease-purchase agreement and approve the financing terms for the purchase of self-contained breathing apparatus (SCBA packs) for the Friendswood Volunteer Fire Department. The SCBA packs are used to protect firefighters' airways from toxic gas and other harmful particles for an amount of \$411,000. This also includes the purchase of a fourth ambulance marked as the "City of Friendswood Emergency Medical Services" to the vehicle fleet is necessary. The estimated cost of the ambulance, including the truck chassis and box outfitted with required equipment, is estimated at \$514,000. The time to build and outfit the ambulance will meet the deadline to apply to the State of Texas for licensing.

Funding for the principal and interest payments associated with this capital equipment note payable, will be the Fire/EMS donations collected through City utility bills for the SCBA packs and the Tax Debt Service Fund for the ambulance.

A motion was made by Councilmember Scott and seconded by Councilmember Branson to approve Resolution No. R2023-11, related to Item 13.B, as submitted. The vote was the following:

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

Nays: None.

The item passed unanimously.

RESOLUTION NO. R2023-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE PURCHASE AGREEMENT WITH ZIONS BANCORPORATION, N.A., SALT LAKE CITY, UTAH IN THE AMOUNT OF NINE HUNDRED TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$925,000.00) AND TO TAKE FURTHER ACTIONS AS MAY REQUIRED IN CONNECTION WITH FINANCING AN AMBULANCE AND SCBA PACKS FOR EMERGENCY MEDICAL AND FIREFIGHTING SERVICES WITHIN THE CITY; APPROVING CERTAIN MATTERS RELATED THERETO; REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

C. Consider an ordinance amending the City's General Budget for Fiscal Year 2022-2023 by approving "Budget Amendment VI" and providing for supplemental appropriation and/or transfer of certain funds:

This proposed ordinance approves budget amendments for the following:

1. Parks & Recreation Donation, \$10,000. Appropriate funds donated to the Parks and Recreation Department by Hometown Bank of Friendswood for the "Home for the Holidays Lighted Christmas Trail" event. This event took place at the annual Santa in the Park event this year. The donation was received on November 10, 2022.
2. Emergency Management – Public Safety Building Expansion (Change Order), \$21,027. Appropriate funds for a change order related to the emergency operations center (EOC) within the public safety building expansion project. Electrical floor trenching was required in the EOC to maximize the functionality and remove barriers to accessibility. The funding source will be 2021 General Obligation Bond funds.
3. Police Department -- Vehicle Insurance Reimbursement, \$1,499. Appropriate supplemental insurance reimbursements received from Texas Municipal League Intergovernmental Risk Pool. The emergency response vehicle was damaged in the line of duty and requires repair to be placed back in service. Funding will be appropriated to the Police Department Patrol division vehicle maintenance account for repairs made to unit P440.
4. City of Houston Southeast Transmission Water Line Project, \$1,524,765. Appropriate funds for the cost-sharing agreement with the City of Houston and co-participants for the 42-inch Water Main Replacement project. The funding source will be from 2021 Water and Sewer Bond proceeds.
5. Police Investigation Fund -- Evidence Storage Locker, \$6,297. Appropriate asset forfeiture funds to the Police Investigation Fund (PIF) operating services account. The police department needs to increase the capacity for physical evidence storage at the PSB. The funding source will be Police Investigation State unassigned fund balance.
6. 2017 CDBG-DR (Harris County) Grant Reimbursement, \$232,987. Appropriate funds received from the CDBG-DR (Harris County) grant program for the Forest Bend Detention Pond construction. The City received a reimbursement of \$232,987 for construction services. Advance funding for pay application #2 was originally approved at the December 5, 2022 City Council meeting. Therefore, the funds will be appropriated back to unassigned general fund balance.
7. Parks & Recreation, Parks Division – Donation for Benches at Dog Park, \$7,593 Appropriate donation received from John Gannon and JGI Outdoor Advertising for the purchase of two benches at the Dog Park. Funds will be appropriated to the Parks and Recreation Department's Parks division capital equipment account.
8. City Secretary's Office – Transfer, \$3,000. Transfer funds from the City Secretary's Office to the Parks and Recreation Department's Facilities Division for additional renovations needed in the City Secretary's suite to create an office for the Legal Assistant. The funding is being transferred from the Contract Services account.

ORDINANCE NO. 2023-9

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, AMENDING ORDINANCE NO. 2022-19, PASSED AND APPROVED AUGUST 29, 2022, SAME BEING AN ORDINANCE APPROVING AND ADOPTING THE CITY'S GENERAL BUDGET FOR FISCAL YEAR 2022-23, BY APPROVING "BUDGET AMENDMENT VI" 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.

A motion was made by Councilmember Scott and seconded by Councilmember Branson to approve Ordinance No. 2023-9, related to Item 13.C, as submitted. The vote was the following:

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

Nays: None.

The item passed unanimously.

D. Consider the first reading of an ordinance consenting to the rate adjustment requested by Waste Connections of Texas, LLC, d/b/a Waste Connections of Texas, to offset its increased cost in connection with performing services under the Franchise Agreement for the Collection, Hauling, Recycling and Disposal of Municipal Solid Waste and Recyclable Materials in the City of Friendswood.

This proposed ordinance consents to the rate adjustment requested by Waste Connections of Texas, LLC, d/b/a Waste Connections of Texas, ("Waste Connections") to offset its increased cost in connection with performing services under the Franchise Agreement for the Collection, Hauling, Recycling and Disposal of Municipal Solid Waste and Recyclable Materials in the City of Friendswood (the "Franchise Agreement").

On March 4, 2022, the City Council authorized on its second and final reading the Franchise Agreement with Waste Connections for a term of three (3) years, commencing on April 1, 2022. Each year under the agreement, the following annual adjustments are permitted:

1. Rate Adjustment.

Proposed Adjustment: 6.4%

Effective Date: Billing cycle after final passage of the proposed ordinance.

2. Fuel Cost Adjustment.

Proposed Adjustment: 3%

Effective Date: October 1, 2023

This adjustment does not require Council approval and is based upon the U.S. Energy Administration/Department of Energy published price for diesel Fuel - Gulf Coast Region. This year's rate adjustment is based upon the CPI-U is as follows:

	Current Rate for Single Family	Proposed Rate Adjustment for Single Family
Monthly curbside refuse and recycling (18-gallon recycling bin)	\$15.20	\$16.17
Monthly Administrative Fee (City revenue)	\$1.52	\$1.62
Total	\$16.72	\$17.79

As such, the monthly increase for a single-family resident is \$1.07 per month. The cost for families who utilize a 95 gallon recycle cart will increase by \$0.08 (8 cents) for a total of \$1.23 per month for use of the larger container.

A motion was made by Councilmember Scott and seconded by Mayor Pro Tem Erenwert to approve the first reading of a proposed ordinance approving the rate adjustment as contemplated in the Franchise Agreement based upon a demonstrated need in order to offset the increased cost of providing services under the Franchise Agreement. The vote was the following:

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

Nays: None.

The item passed unanimously.

PROPOSED ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, CONSENTING TO THE RATE ADJUSTMENT REQUESTED BY WASTE CONNECTIONS OF TEXAS, LLC, D/B/A WASTE CONNECTIONS OF TEXAS, TO OFFSET ITS INCREASED COST IN CONNECTION WITH PERFORMING SERVICES UNDER THE FRANCHISE AGREEMENT FOR THE COLLECTION, HAULING, RECYCLING AND DISPOSAL OF MUNICIPAL SOLID WASTE AND RECYCLABLE MATERIALS IN THE CITY OF FRIENDSWOOD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY, PUBLICATION AND AN EFFECTIVE DATE.

14. CONSENT AGENDA

A motion was made by Councilmember Scott and seconded by Councilmember Griffon to approve the Consent Agenda, Items 14.A through 14.K. The vote was the following:

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

Nays: None.

The item passed unanimously.

- A. Consider a resolution suspending the May 1, 2023, 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 2022.**

RESOLUTION NO. R2023-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, SUSPENDING THE MAY 1, 2023, 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 2022; REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL; AND PROVIDING FOR AN EFFECTIVE DATE.

- B. Consider approving a banner permit application for Mary Queen Catholic Church to advertise its annual Mary Queen Parish Festival.**

This item approves a banner application for Mary Queen Church. The banner will advertise its annual Mary Queen Parish Festival. The banner is requested to be displayed between the dates of April 24, 2023, through April 30, 2023.

- C. Consider approving a banner permit application for The Harbor (Friendswood Community Church) to advertise its annual Easter Sunday Services.**

This item approves a banner application for The Harbor (Friendswood Community Church). The banner will advertise its annual church services on Easter Sunday. The banner will be displayed between the dates of April 4, 2023, through April 10, 2023. The wording on the banner will state “Easter at The Harbor.”

- D. Consider authorizing a Buyout License Agreement with Janet and Ignatius Leondards for property located at 401 Richmond Lane.**

This item authorizes a new license agreement for the property located at 401 Richmond Lane in accordance with the Open Space Guidelines. The property is located in the Heritage Estates Subdivision. The adjacent homeowners, Janet and Ignatius Leonards, are requesting to take over maintenance of this lot.

E. Consider authorizing a Buyout License Agreement with Carl J. Castoreno, II, and Rosa Maruri for property located at 5342 and 5338 Appleblossom Lane.

This item authorizes a new license agreement for the property located at 5342 and 5338 Appleblossom Lane in accordance with the Open Space Guidelines. The property is located in Wedgewood Village Subdivision. Directly behind the two properties on Appleblossom reside the homeowners Carl J. Castoreno, II and Rosa Maruri, who live on Whittier Oaks Drive. Mr. Castoreno and Ms. Maruri requested to take over maintenance of both lots. The City began its one-year maintenance period of the 2020-2021 Concrete Street Maintenance Program in September 2021. The maintenance bond has now expired.

F. Consider accepting the 2021-2022 Concrete Street Maintenance Program and the commencement of the contractor's one-year maintenance period.

G. Consider authorizing the final acceptance of the Avalon at Friendswood Section 1 Public Paving and Utilities Improvements Project.

H. Consider accepting the Bay Area Boulevard Concrete Repairs and the commencement of the contractor's one-year maintenance period.

I. Consider accepting the Bay Area Boulevard – December 2022 Project and the commencement of the contractor's one-year maintenance period.

J. Consider accepting the 2021-2022 Street Striping Maintenance Program and the commencement of the contractor's one-year maintenance period.

K. Consider approving the ad valorem tax report for February 2023.

L. Consider approving the minutes of the City Council Regular meeting held on March 6, 2023.

M. Consider approving the minutes of the City Council Special Meeting held on March 6, 2023.

15. 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 evaluation of the City Manager.

At 7:52 P.M., Mayor Foreman recessed and convened into an executive session pursuant to Sections 551.074 "Personnel Matters" of the Texas Government Code to deliberate the annual performance evaluation of the City Manager.

At 8:16 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.

16. DISCUSSION AND POSSIBLE ACTION

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

A motion was made by Councilmember Scott and seconded by Councilmember Griffon to give the City Manager a 3.5% salary raise.

The vote was the following:

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

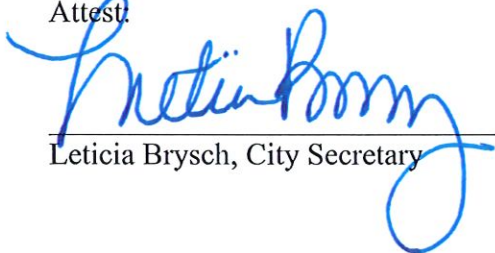
Nays: None.

The item passed unanimously.

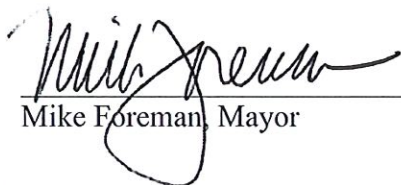
17. ADJOURNMENT

With there being no further business to discuss, Mayor Foreman adjourned the April 3, 2023, City Council Regular Meeting at 8:17 P.M.

Attest:


Leticia Brysch, City Secretary




Mike Foreman, Mayor