

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF FRIENDSWOOD
SEPTEMBER 11, 2023**

THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD MET IN A REGULAR MEETING ON MONDAY, SEPTEMBER 11, 2023, AT 5:30 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	Mayor Pro Tem
Sally Branson	Councilmember
Trish Hanks	Councilmember
Robert J. Griffon	Councilmember
Joe Matranga	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 5:34 P.M.; all members were present, with Mayor Pro Tem Steve Rockey attended the meeting via teleconference.

2. INVOCATION

The invocation was led by Reverend Howard Huhn, Friendswood Methodist Church

3. PLEDGE OF ALLEGIANCE

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

4. COUNCIL COMMENTS AND REPORTS

Mayor Foreman stated this is the 22nd Anniversary of 9/11, and he wanted to remember his Naval Academy Midshipman, who was killed during the attack at the Pentagon, Captain Gerry Decanto.

Councilmember Branson stated that in remembering 9/11, she wanted to focus on how the country came together after that disaster, and she hoped that all can remember that in times of need and adversity, one can come together to support each other as a community.

Councilmember Hanks stated that it was Grandparents' Day at her grandkids' school and noted that it is a blessing to have the older generation around to help the younger ones navigate through life. She

reminded everyone that school is back in session and encouraged people to support local foodbanks. Lastly, Councilmember Hanks noted that the Library Gala, Through the Looking Glass, is September 30th and encouraged people to attend as this is a wonderful fundraiser to support the Library and its programs.

Mayor Foreman welcomed Deputy City Secretary Raquel Martinez who would be serving as the Acting City Secretary for the meeting:

5. PUBLIC COMMENT

There was no one signed up to speak.

6. SPECIAL RECOGNITIONS AND ACKNOWLEDGEMENTS

- A. Present the City of Friendswood 5 Star Spirit Award for the First Quarter of 2023 to LT Thomas in the Public Works Department and for the Second Quarter to Patty Anaya in the Police Department.**

City Manager Morad Kabiri presented the item and stated that they had missed the award for the first quarter of 2023. Therefore, he would be presenting two 5-Star awards for the first and second quarter of the current calendar year.

He recognized L.T. Thomas in the Public Works Department for his outstanding service. The City continually receives compliments from the public every time he goes out and tries to address meter leaks and other problems that homeowners and commercial property owners experience from time to time. His professionalism and his courtesy are not lost to those customers, and they made it a point to contact staff multiple times at the start of this year to comment on what a great job he is doing.

Mr. Kabiri then recognized Officer Patty Anaya for helping a stranded motorist on the way to work on FM 2351. The individual who, he believed, lost multiple tires, or at least two tires, was unable to navigate her way to work and did not have time to wait for a wrecker. Officer Anaya assisted the individual and contacted the church nearby to house the vehicle for a few hours while they were able to get a wrecker. The resident was able to get to work and came back later in the day with the assistance of Officer Anaya.

7. COMMITTEES OR SPECIAL REPORTS

- A. Receive the Delinquent Accounts Collection Report from Perdue Brandon Fielder Collins & Mott, LLP.**

City Manager Morad Kabiri stated that the report was in the agenda packet, and he did have some questions from Councilmember Matranga, which he will work with our representative on securing those answers.

- B. Receive the Community & Economic Development Committee Annual Report**

City Manager Morad Kabiri presented the item and stated that this committee has had a fantastic year discussing strategies for the next calendar year and they have worked diligently to identify opportunities

to help local businesses. They could not be in attendance this evening, but their report was included in the backup materials.

C. Receive the Friendswood Downtown Economic Development Corporation Annual Report.

FDEDC Vice Chair Elmer “Bubba” Johnson presented the item and noted the following highlights for the year:

- They have made significant progress on the Texas Department of Transportation sidewalk and Branson Master Arms Projects – The sidewalk is almost totally complete down FM 518, except for a few sections. The mast arms and traffic signals are all up and operating.
- The Downtown Lighting Project continues, with the electrical services, and cabinets already in place. They are waiting to set the forms for the foundations for the polls that will be completed in the next couple of weeks.

Furthermore, Mr. Johnson highlighted notable projects since inception of the FDEDC:

- The removal of numerous overhead lines across FM 518.
- Creation of the Lauren Griffith Associates Downtown Improvement Plan.
- Installation of Downtown Street signage.
- Obtaining a partnership with TXDOT for the curbs, ramps, sidewalks, and traffic signals project.
- Implementation of the Downtown Illumination Plan.

Mr. Johnson demonstrated examples of the improvements of the Illumination Plan for the intersections of Whispering Pines Avenue at S. Friendswood Drive, and Castlewood Drive and S. Friendswood Drive.

8. WORK SESSION TOPICS

A. Receive and discuss an update regarding the Capital Improvement Projects:

Mr. Jil Arias, Director of Engineering presented this item and provided the following updates for the City’s ongoing Capital Improvement Projects:

Fire Station No. 2 Reconstruction: This project is nearing completion. The current work in progress includes interior finishes, and utility connections.

Blackhawk Facility Renovation & Shelter: The project overview included the following:

- Phase I, August 2023 staff will begin moving into their new offices.
- Phase II, the construction of shop area remains on-going.
- Phase III, the construction of locker rooms is to begin soon.
- Shelter Component of this project has been bid and will be awarded later in the evening.

Blackhawk Blvd – Phase II-B: This project has started the underground work with the construction of approximately 1115 feet and the franchise utility relocation is ongoing.

Blackhawk Blvd – Phase II-C: This phase will complete the remainder of Blackhawk Boulevard. The project scoping with the Engineer is ongoing and the staff is making sure that there is coordination with the 24-inch Waterline Project and FM 528 for any future development.

Tank Rehab Project: The ground storage tank on Stoneledge is nearing completion, and Water Tower #2, which is located next to Animal Shelter will be next, leaving two more ground storage tanks.

24" Clear Creek Water Line Crossing Project: This project is currently being evaluated for potential routes by the Design Engineer, and staff is coordinating with Blackhawk II-C in order to combine a portion of both projects.

Surface Water Plant #1 Tank Replacement: The design phase for this project is set to begin soon.

2023 Impact Fee Assessment Study: This study is moving forward with the following points being outlined:

- The analysis of grown-related CIP projects is ongoing.
- The third-party engineer will deliver preliminary results of Sanitary Sewer Modeling in early September.
- The analysis of vacant parcels/new development areas is ongoing.

2022 Unified Planning Work Program ("UPWP") Projects:

Mr. Arias noted that the Unified Planning Work Program is something that staff has been working on with the Houston-Galveston Area Council for two years and the City was awarded the Master Trail Plan and Friendswood Parkway Planning Study both awarded \$250,000.00 grants with no city match.

City Manager Morad Kabiri noted that this item was presented to the Council about two years ago and since then there have been some delays, primarily due in large part to H-GAC staffing issues. However, things seem to be moving forward now, and for this staff is very grateful.

Mr. Kabiri noted that H-GAC is securing the advanced funding agreements for both projects. The first is intended to determine the alignment of Friendswood Parkway from FM 528 towards Pearland Parkway; however, there are some developers who are looking at sections of the property that the alignment will ultimately go through, so there is an element of the chicken and egg syndrome here. He noted that first if private development takes place before H-GAC's efforts, the developer will have the opportunity to determine the alignment of the major thoroughfare as they see fit based on the existing public road network. Staff will be working with them to make sure that things develop in a cohesive manner; hence, staff is asking for funding for the traffic improvement and traffic impact analysis that was included in the FY-24 budget, which is for the existing Friendswood Parkway at West Boulevard, the Castlewood and Greenbrier intersection near the high school, and for the extension of Friendswood Parkway.

Mr. Kabiri noted that all of these different aspects of the project are being reviewed concurrently by different agencies. If staff were to wait on one agency as opposed to the other, there is a risk of missing out on opportunities to get this project funded sooner as opposed to later. Ultimately, when H-GAC looks at this project in its totality, whatever's left to be built is what they're looking to build and that will determine how the City's benefit-cost analysis is calculated. With that being said, staff is actively

coordinating efforts with H-GAC and TxDOT, and any other party to this project. Mr. Kabiri noted that the alignment study will look at the traffic impact analysis so that they're able to pull from the same data and resources as they evaluate the options and give the City the best available data for the placement of this road.

Mr. Arias noted that there will be an opportunity for public input via public meetings, and the feedback from the public will be heard from both sides and will be taken into consideration when deciding the best alignment options for this road extension. He noted that staff expects that the advanced funding agreement, move forward in 2024, as this is a part of the 2024 EPWP and the request for proposals related to this item for an engineering firm to undertake this process should be out in a couple of months.

The Mayor and Council thanked Mr. Arias for the update.

9. TAX RATE FOR FISCAL YEAR 2023-2024

A. Conduct a public hearing regarding the City of Friendswood proposed tax rate for Fiscal Year 2023-2024.

Mayor Foreman opened the public hearing at 6:12 p.m., and requested staff give council an overview of the item.

City Manager Morad Kabiri stated this item is a continuation of the budget discussion that has been in process since the start of summer, in early June. He noted that on August 28th, when the FY-24 budget was adopted, the proposed tax rate included in the budget was 0.5007, which was lower than what initially expected and advertised in the newspaper and website. Mr. Kabiri stated that the Staff has no changes to report since the last meeting and they are available to answer any questions specific to the budget. The tax rate will fund roughly \$25 million worth of revenue that will fund both operations and maintenance as well as the interest and sinking fund or debt service for previously voter-approved GO bonds.

With there being no speakers signed up on this item, Mayor Foreman closed the public hearing at 6:14 p.m.

B. Consider ratifying the property tax revenue reflected in the City of Friendswood's Budget for Fiscal Year 2023-2024 adopted on August 28, 2023.

A motion was made by Councilmember Griffon and seconded by Councilmember Hanks, to ratify the property tax increase resulting in property tax revenue, approximately \$25,153,251 for the tax year 2023, reflected in the budget for the Fiscal Year 2023-2024 as required by Local Government Code, Section 102.007(c). The vote was the following:

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

Nays: None.

The item passed unanimously.

- C. Consider an ordinance for first and final reading adopting and levying the ad valorem tax rate for maintenance and operations expenditures for the City of Friendswood's fiscal year commencing October 1, 2023, and ending September 30, 2024, and adopting and levying the ad valorem tax rate for debt service for the City of Friendswood's fiscal year commencing October 1, 2023, and ending September 30, 2024.**

A motion was made by Councilmember Branson and seconded by Councilmember Griffon, to adopt and levy the ad valorem rate of 0.500728, which is effectively an 8.1% increase in the tax rate, For the City of Friendswood FY2023-24 Budget. The proposed tax rate being composed of a maintenance and operations rate of 0.379451 and interest in sinking or debt service rate of 0.121278. The vote was the following:

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

Nays: None.

The item passed unanimously.

ORDINANCE 2023-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, ADOPTING AND LEVYING THE AD VALOREM TAX RATES FOR THE GENERAL FUND MAINTENANCE AND OPERATIONS AND FOR DEBT SERVICE FOR THE CITY OF FRIENDSWOOD FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

10. ZONE CLASSIFICATION TO CHANGE THE UNDERLYING ZONING FROM PLANNED UNIT DEVELOPMENT TO OFFICE PARK

- A. Conduct a public hearing regarding a request for a zone classification change located at 209 E. Edgewood Drive, 0.2983 acre out of Lot 2, in Block 1, of Final Replat of Melody Plaza, Section Two (2), a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 18, Page 1136, in the Office of the County Clerk of Galveston County, Texas, to change the underlying zoning from Planned Unit Development (PUD) to Office Park District (OPD), keeping the Specific Use Permit (SUP; Ord. 98-5) that allows the use of the property as a print shop.**

Mayor Foreman opened the public hearing at 6:19 p.m., and requested staff give council an overview of the item.

Director of Community Development Aubrey Harbin presented the item and stated that this item is related to a zone change request to change the underlying zoning on a small piece of property for Planned Unit Development (PUD) to the Office Park District. She noted that the zoning of the property was changed from OPD to PUD in 1997, and the SUP was added to the print shop in 1998. Up until December 2011, PUD uses were defined in the permanent use table in the City's Code with basically every use that was allowed in the PUD requiring an SUP. In December 2011, changes were made to the PUD portion of the Zoning Ordinance's Permitted Use Table was removed.

Ms. Harbin noted that this change had unintended consequence for this particular property. So, by changing the underlying zoning back to the Office Park District, it will allow some additional compatible uses in the office complex. The Planning and Zoning Commission conducted a public hearing on this item on August 10th with one property owner expressing opposition to the request, citing concerns about the amount of parking on the site. After the public hearing, the Commission voted 4 to 1, in favor of the motion.

Ms. Harbin noted that the request at hand is in line with the City's Future Land Use Map, which identifies this property as an office, with Commissions Rives voting in opposition.

Councilmember Griffon asked about the parking spaces being used and allowed in this space. City Manager Morad Kabiri noted that the hearing at hand related only to the uses allowed for the property and not necessarily the parking spaces. He also noted that because of how the property was sold, without a plat, the property lines cut parking spaces in half causing issues with the businesses' parking allowances, which can be mitigated outside of this particular hearing.

The applicant and printing press owner, Mr. Robert Smithhart, spoke before the Council stated that he and his wife are small business owners in Friendswood and are very involved in and supportive of the community. He noted that his competition and trademarking space has been good for Friendswood and if the Council approves the request, he believed that having additional office space for rent could help another small business expand its footprint in order to provide Friendswood with another small business and local service, while giving him additional income from the lease.

With there being no speakers signed up on this item, Mayor Foreman closed the public hearing at 6:29 p.m.

- B. Consider approving an ordinance regarding a proposed zone change located at 209 E. Edgewood Drive, 0.2983 acre out of Lot 2, in Block 1, of Final Replat of Melody Plaza, Section Two (2), a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 18, Page 1136, in the Office of the County Clerk of Galveston County, Texas, to change the underlying zoning from Planned Unit Development (PUD; Ord. 97-22) to Office Park District (OPD), keeping the Specific Use Permit (SUP; Ord. 98-5) that allowed the use of print shop.**

A motion was made by Councilmember Griffon and seconded by Councilmember Branson, to approve Ordinance No. 2023-23 approving the zone change located at 209E. Edgewood Drive from PUD to OPD, keeping the SUP in place. The vote was the following:

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

Nays: None.

The item passed unanimously.

ORDINANCE NO. 2023-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRIENDSWOOD TO CHANGE THE CLASSIFICATION OF THE PROPERTY LOCATED AT 209 E. EDGEWOOD DRIVE, 0.2983 ACRE OUT OF LOT 2, IN BLOCK 1, OF FINAL REPLAT OF MELODY PLAZA, SECTION TWO (2), A SUBDIVISION IN GALVESTON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 18, PAGE 1136, IN THE OFFICE OF THE COUNTY CLERK OF GALVESTON COUNTY, TEXAS, TO CHANGE THE UNDERLYING ZONING FROM PLANNED UNIT DEVELOPMENT (PUD) TO OFFICE PARK DISTRICT (OPD), AND KEEPING THE SPECIFIC USE PERMIT (SUP; ORD. 98-5) THAT ALLOWS THE USE OF THE PROPERTY AS A PRINT SHOP; PROVIDING A MAXIMUM PENALTY OF TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00); REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY, PUBLICATION AND AN EFFECTIVE DATE.

11. CITY MANAGER'S REPORT

A. Recognize City Secretary's Office, Linda Newsted, for earning a scholarship by the 2023 Texas Municipal Clerks Association (TMCA) Scholarship Committee.

City Manager Morad Kabiri recognized Ms. Linda Newstead in the City Secretary's Office who is pursuing her certification in the Texas Municipal Clerks Association (TMCA). He noted that unlike most folks who are pursuing this certification, she had received a scholarship for the last three consecutive terms and will be recognized at the TMCA state banquet in October.

B. Receive an update regarding the City of Friendswood being named the Cleanest Neighborhood in the Country.

City Manager Morad Kabiri presented the item and stated that the City was recognized in the last week and a half, as the cleanest neighborhood in the country. He noted that while the recognition is not lost on him, as he believes that Friendswood is exceptionally clean, the information was a House-Fresh analysis that evaluated complaints through the 311-call system, which Friendswood does not use. As such, he wasn't sure of the report's accuracy, but he did appreciate the recognition whether or not it's true.

12. BUSINESS ITEMS

A. Consider authorizing a Memorandum of Renewal of the Emergency Medical Services Agreement with the Friendswood Volunteer Fire Department for the second one-year extension term.

A motion was made by Councilmember Branson and seconded by Councilmember Griffon, to authorize the renewal of the Emergency Medical Services Agreement with the Friendswood Volunteer Fire Department for a second one-year extension term. The vote was the following:

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

Nays: None.

The item passed unanimously.

B. Consider awarding a Construction Contract to Construction Masters of Texas, Inc., for the Blackhawk Emergency Shelter Project (Bid No. 2023-13).

A motion was made by Councilmember Matranga and seconded by Councilmember Erenwert, to authorize a construction contract to Construction Masters of Texas, Inc for the Blackhawk Emergency Shelter Project. The vote was the following:

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

Nays: None.

The item passed unanimously.

C. Consider awarding a Vending Machine Services Contract to Gulf Coastal Vending Services (RFP 2023-15).

A motion was made by Councilmember Erenwert and seconded by Councilmember Hanks, to authorize a Vending Machine Services Contract to Gulf Coastal Vending Services. The vote was the following:

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

Nays: None.

The item passed unanimously.

13. PROPOSED RESOLUTIONS & ORDINANCES

- A. Consider on first reading an ordinance amending the Friendswood City Code by adopting a new Appendix A "Signs," which updates the current sign regulations, including amendments clarifying definitions, making administrative changes, incorporating the visibility triangle drawing, expanding the prohibition of LED window lights to all zoning districts, updating the political sign section in accordance with the Texas Election Code, allowing additional signage on fuel canopies, and making other amendments.

A motion was made by Councilmember Branson and seconded by Councilmember Erenwert, to approve the proposed ordinance, as submitted. The vote was the following:

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

Nays: None.

The item passed unanimously.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, REPEALING APPENDIX A "SIGNS" OF THE FRIENDSWOOD CITY CODE; AMENDING THE FRIENDSWOOD CITY CODE BY ADDING A NEW APPENDIX TO BE NUMBERED AND ENTITLED APPENDIX A "SIGNS" TO MAKE CHANGES TO THE SIGN CODE, INCLUDING, BUT NOT LIMITED TO, CLARIFYING AND ADDING DEFINITIONS; ESTABLISHING A SIGN ADMINISTRATOR; FORMALIZING THE REFERENCE TO PERMIT FEES AND REQUIRED INSPECTIONS; ADDING PROVISIONS TO REVOKE PERMITS; RELOCATING MEASUREMENT STANDARDS TO A NEW SECTION FOR CLARITY; INCORPORATING THE VISIBILITY TRIANGLE DRAWING; EXPANDING THE PROHIBITION OF LED WINDOW LIGHTS TO ALL ZONING DISTRICTS; ADDING FLAG BANNERS AND INFLATABLE SIGNS AND TETHERED BALLOONS GREATER THAN 18 INCHES IN DIAMETER TO THE LIST OF PROHIBITED SIGNS; ADDING MORE SPECIFIC CRITERIA TO ILLUMINATION SPECIFICATIONS; AMENDING PROVISIONS RELATED TO TEMPORARY SIGNS (BANNERS) AND GRAND OPENING SIGNS; ADDING A PROVISION FOR CONSTRUCTION SIGNS; UPDATING THE POLITICAL SIGN REGULATIONS IN ACCORDANCE WITH THE TEXAS ELECTION CODE; INCORPORATING REVISIONS TO STREET BANNER REQUIREMENTS; ALLOWING ADDITIONAL SIGNAGE OF FUEL CANOPIES; UPDATING NONCONFORMING SIGNS; CHANGING THE REQUIREMENTS FOR WALL SIGNS EXCEEDING THE ROOFLINE TO ALLOW MORE FLEXIBILITY; AND ADDING PROVISIONS FOR APPEALS; PROVIDING A MAXIMUM PENALTY OF FIVE HUNDRED AND NO/100 DOLLARS (\$500.00); REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY, PUBLICATION AND AN EFFECTIVE DATE.

- B. Consider on first reading an ordinance approving amendments to Chapter 34, Floods to incorporate items from the model flood damage prevention ordinance as published by the Texas Water Development Board and National Flood Insurance Program (NFIP) ordinance guidelines including clarifying and adding definitions, administrative changes, adding a severability clause, and a penalty section.**

A motion was made by Councilmember Griffon and seconded by Councilmember Erenwert to approve a proposed ordinance, as submitted. The vote was the following:

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

Nays: None.

The item passed unanimously.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, REPEALING CHAPTER 34 "FLOODS" OF THE FRIENDSWOOD CITY CODE; AMENDING THE FRIENDSWOOD CITY CODE BY ADDING A NEW CHAPTER TO BE NUMBERED AND ENTITLED CHAPTER 34 "FLOODS" TO INCORPORATE ITEMS FROM THE MODEL FLOOD DAMAGE PREVENTION ORDINANCE AS PUBLISHED BY THE TEXAS WATER DEVELOPMENT BOARD AND NATIONAL FLOOD INSURANCE PROGRAM (NFIP) ORDINANCE GUIDELINES; AND ADDING PROVISIONS FOR APPEALS; PROVIDING A MAXIMUM PENALTY OF FIVE HUNDRED AND NO/100 DOLLARS (\$500.00); REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY, PUBLICATION AND AN EFFECTIVE DATE.

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

This budget amendment approves the following amendments and budget transfers:

1. **Parks & Recreation Department – Two Vans for Senior Program, \$175,933.** Appropriate funds for the purchase of two vans for the Parks & Recreation senior program. These two vans replace the bus that was unrepairable and sold earlier this year. The funding source will be unassigned general fund balance.
2. **Parks & Recreation Department – Senior Program Donations, \$6,405.** Appropriate senior program donations above budget to offset additional program expenses for the remainder of fiscal year 2023. Funds will be appropriated to the Senior Program division's community events account.

3. **Parks & Recreation Department – VRP Replacement Vehicles, \$171,115.** Appropriate funding needed for the replacement of three Parks & Recreation vehicles. The Parks & Recreation department was able to work with local/cooperative purchasing dealers to secure vehicles prior to the new model year vehicle releases. Funds will come from the Vehicle Replacement Plan unassigned fund balance.
4. **2017 CDBG-DR (Harris County) Grant Reimbursement, \$571,234.** Appropriate funds received from the CDBG-DR (Harris County) grant program for the Forest Bend Detention Pond construction. The City received a reimbursement of \$552,845 for construction services. Advance funding for pay application #9 and #10 was originally approved at the August 7, 2023 City Council meeting. Therefore, the funds will be appropriated back to unassigned general fund balance. Additionally, \$600,331 was appropriated for the advance funding at the August 7, 2023 City Council meeting, however this amount should have been reduced by a change order (\$18,389) funded by the City. The reimbursement to unassigned fund balance includes the difference for a total of \$571,234.
5. **Police Department -- Insurance Reimbursement, \$2,823.** Appropriate insurance reimbursement received from TML-IRP for K9 Rick's medical expenses. Funding will be appropriated to the Patrol division's operating services account.
6. **Parks & Recreation Department – Insurance Reimbursement, \$6,210.** Appropriate insurance reimbursement received from State Farm Insurance for damage to a median. Funds will be appropriated to the Parks & Recreation's Parks division for repairs.
7. **Public Safety – Animal Control, \$200.** The Animal Control division of Public Safety received a \$200 unrestricted donation. The donation will be appropriated to the Animal Control division's operating services account.
8. **City Secretary's Office – Elections, \$27,865.** Appropriate funds to cover the unexpected increase for the May 6, 2023, election administered by Galveston County. The increase is due to State mandates related to the paper for the new election equipment, additional personnel to handle the new equipment, and peace officers needed to lock and transport ballot boxes. The funding source will be unassigned general fund balance.
9. **Fire Marshal's Office – Transfer, \$10,000.** Appropriate funds to cover the removal cost of federal signal sirens once used for pipeline emergencies. These sirens are unserviceable and inoperative. A portion of the project, \$35,500, will be funded by the Police Department Communication division's equipment maintenance account. The remaining amount, \$10,000, will be funded by a transfer from the Fire Marshal's Office environmental clean-up account.
10. **Facilities – Public Safety Building, \$185,974.** Appropriate funding needed for Public Safety Building facility maintenance including partial replacement of the perimeter wall at a cost of \$112,329.31, exterior pressure washing and painting of original building at a cost of \$47,500, and HVAC unit replacement at a cost of \$26,144. Funding Source will be unassigned general fund balance.

A motion was made by Councilmember Hanks and seconded by Councilmember Branson to approve Ordinance No. 2023-24, related to Item 12.A, as submitted. The vote was the following:

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

Nays: None.

The item passed unanimously.

ORDINANCE NO. 2023-24

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 XI" 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.

14. CONSENT AGENDA

A motion was made by Councilmember Branson and seconded by Councilmember Hanks to approve the Consent Agenda, Items 14.A through 14.F. The vote was the following:

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

Nays: None.

The item passed unanimously.

- A. Consider on second and final reading an ordinance amending Chapter 74 "Taxation" of the Friendswood City Code, to add a new article to be numbered and entitled Article V "Hotel Occupancy Tax" to impose a tax on hotel occupancies within the City of Friendswood.**

ORDINANCE NO. 2023-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, AMENDING CHAPTER 74 "TAXATION" OF THE FRIENDSWOOD CITY CODE, BY ADDING A NEW ARTICLE TO BE NUMBERED AND ENTITLED ARTICLE V "HOTEL OCCUPANCY TAX" TO IMPOSE SUCH A TAX WITHIN THE CORPORATE LIMITS OF THE CITY OF

FRIENDSWOOD; PROVIDING A MAXIMUM PENALTY OF FIVE HUNDRED AND NO/100 DOLLARS (\$500.00); REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY, PUBLICATION AND AN EFFECTIVE DATE..

- B. Consider a resolution ratifying the Agreement for Temporary Road Closure of State Right-of-Way with the State of Texas, through the Texas Department of Transportation, for the Friendswood High School Homecoming Parade on FM 518.

RESOLUTION NO. R2023-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, RATIFYING THE AGREEMENT FOR THE TEMPORARY CLOSURE OF STATE RIGHT-OF-WAY WITH THE STATE OF TEXAS FOR THE FRIENDSWOOD HIGH SCHOOL HOMECOMING PARADE; AND PROVIDING AN EFFECTIVE DATE.

- C. Consider ratifying the First Amendment to the Lease Agreement with David Davis to allow the City to use its 24.693 acres of land located near Fire Station No. 2, Galveston County, Texas, for a Temporary Debris Storage and Reduction (TDSR) site or for any other purpose in the event of an emergency.
- D. Consider approving a banner permit application for Good Shepherd Episcopal Church to advertise its annual Harvest Paw Festival.
- E. Consider accepting the 1715 South Friendswood Drive Waterline Improvements Project and the commencement of the contractor's one-year maintenance period.
- F. Consider approving the ad valorem tax report for July 2023.

15. ADJOURNMENT

With there being no further business to discuss, Mayor Foreman adjourned the September 11, 2023, City Council Regular Meeting at 6:39 P.M.


Mike Foreman, Mayor

Attest:

Leticia Brysch, City Secretary

