



**CITY COUNCIL REGULAR MEETING
MONDAY, NOVEMBER 6, 2023, 5:30 PM
COUNCIL CHAMBERS, CITY HALL
910 S. FRIENDSWOOD DR, FRIENDSWOOD, TEXAS 77546**

AGENDA

1. CALL TO ORDER

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

Conduct the United States Pledge and State of Texas Pledge.

4. COUNCIL FOR A DAY

- A. Consider a proclamation declaring November 6, 2023, as Wedgewood Elementary School Day in the City of Friendswood, Texas.

5. COUNCIL COMMENTS AND REPORTS

6. PUBLIC COMMENT

In order 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 comment, the public shall comply with rules of decorum.

7. WORK SESSION TOPICS

- A. Receive an update regarding the drainage projects in the City of Friendswood.

8. FRIENDSWOOD CITY CENTER DEVELOPMENT

- A. Conduct a public hearing regarding an amendment to the Future Land Use Map (2021) to change the designation of 106.472 acres located at 3801 FM 528 Road, Friendswood, Harris County, Texas, from "Public and Semi Public" and "Retail" to "Mixed Use."
- B. Conduct a public hearing regarding a request for a zone classification change concerning 106.472 acres of land located at 3801 FM 528 Road, Friendswood, Harris County, Texas, to change the zoning district designation from Planned Unit Development (Ord. 2015-18) to a revised Planned Unit Development (PUD) to allow a mixed-use development.
- C. Consider an ordinance amending the Future Land Use Map (2021) to change the designation of 106.472 acres of land, located at 3801 FM 528 Road, Friendswood, Harris County, Texas, from "Public and Semi Public" and "Retail" to "Mixed Use" and amending the official zoning map to change the zoning district of such property from Planned Unit Development (Ord. 2015-18) to a revised Planned Unit Development (PUD) to allow a mixed-use development.

- D. Consider a resolution setting a public hearing on the creation of the tax increment reinvestment zone and its benefits to the City and to the property in the proposed zone and directing a preliminary reinvestment zone project and financing plan be prepared.
- E. Consider a resolution accepting the Friendswood City Center Public Improvement District Petition concerning 106.472 acres located at 3801 FM 528, Friendswood, Harris County, Texas, and calling a public hearing on the advisability of the proposed improvements.

9. CITY MANAGER'S REPORT

- A. Receive an update regarding the City of Friendswood earning a 2023 Top Workplace Winner from the Houston Chronicle.
- B. Receive an update regarding the City's upcoming holiday events.

10. BUSINESS ITEMS

- A. Consider authorizing an Interlocal Agreement with Galveston County Consolidated Drainage District for the Quaker Landing Drainage Improvement Project.
- B. Consider authorizing the Joint Participation Interlocal Agreement with Harris County for the Blackhawk Boulevard 2-C Reconstruction Project.
- C. Consider the approving Change Order No. 2 between the Friendswood Downtown Economic Development Corporation and Pfeiffer & Sons, Ltd, for the FM 518 Illumination Project, subject to the approval of the Board of Directors of the Friendswood Downtown Economic Development Corporation.
- D. Consider ratifying and concurring with the City Manager's appointment of Josh Rogers to the position of Chief of Police.

11. PROPOSED RESOLUTIONS & ORDINANCES

- A. Consider on final reading an ordinance amending Chapter 30 "Fire Protection and Prevention," Article II "Fire Marshal," Section 30-21 "Office created; appointment" of the Friendswood City Code to rename such section as "Office created" and to reflect that such office is within the Emergency Services Department.
- B. Consider on final reading an ordinance amending Appendix D "Schedule of Fees, Rates, Charges, Deposits, Bonds, and Insurance Amounts" of the Friendswood City Code to update the earthwork permit fees, to establish floodplain development permit fees and sitework permit fees, and to codify fees for temporary street banners.
- C. Consider an ordinance renaming Harold Whitaker Drive to Whitaker Drive.
- D. Consider a resolution repealing Resolution No. R2023-23 in its entirety and setting a new time, date, and place for a public hearing to discuss and review the proposed updated land use assumptions, capital improvements plan, and the imposition of impact fees.
- E. Consider a resolution authorizing the City's membership in a coalition named "Cities Served by CenterPoint Gas" for the purpose of protecting the interests of the City and its citizens with respect to gas utility matters and suspending the effective date of the statement of intent of CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas to charge rates in the Texas Division to permit the City time to study the request and ultimately to establish reasonable rates.

12. CONSENT AGENDA

- A. Consider approving the ad valorem tax report for September 2023.
- B. Consider approving the minutes of the City Council Regular Meeting held on October 2, 2023.

13. ADJOURNMENT

PUBLIC NOTICE IS GIVEN THAT IN ADDITION TO ANY EXECUTIVE SESSION LISTED ABOVE, THE CITY COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE SECTIONS 551.071 - 551.090 TO DISCUSS ANY MATTERS LISTED ABOVE.

THE CITY OF FRIENDSWOOD IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. REASONABLE ACCOMMODATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED UPON REQUEST. PLEASE CONTACT THE CITY SECRETARY'S OFFICE BY PHONE AT (281) 996-3270, FAX (281) 482-1634, OR CONTACT (281) 996-3270 VIA RELAY TEXAS AT 711 OR 1-800-735-2988 FOR TYY SERVICES. FOR MORE INFORMATION CONCERNING RELAY TEXAS, PLEASE VISIT: [HTTP://RELAYTEXAS.COM](http://RELAYTEXAS.COM).



Leticia Brysch, City Secretary

Posted in compliance with the Open Meetings Act on this
3rd day of November 2023, at 5:00 p.m.



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 6, 2023

Date submitted: 10/03/2023

Prepared by: Leticia Brysch, City Secretary

Subject: Consider a proclamation declaring November 6, 2023, as Wedgewood Elementary School Day in the City of Friendswood, Texas.

Originating Department: City Secretary

Degree of importance:

SUMMARY / ORIGINATING CAUSE

The City of Friendswood's Kids' Council for a Day (the "Kids' Council") allows students to step up to the dais to replace the council and staff in order to take part in a mock governance simulation. This item will allow the selected second-grade students from Westwood Elementary to participate in the Kid's Council in order to declare November 6, 2023, as Wedgewood Elementary School Day in the City of Friendswood, Texas.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

RECOMMENDATIONS

Staff recommends approval.

ATTACHMENTS

1. Wedgewood Elementary Proclamation November 2023

PROCLAMATION
Office of the Mayor
City of Friendswood, Texas



*I, MIKE FOREMAN, by the virtue of the authority vested in me as
MAYOR of the City of Friendswood, Texas, do hereby proclaim:*

November 6, 2023

Wedgewood Elementary Day
IN THE CITY OF FRIENDSWOOD

WHEREAS, Wedgewood Elementary takes pride in its excellent teachers, support staff and parent volunteers that make up its learning community that celebrates each child's unique gifts; and

WHEREAS, at Wedgewood Elementary, the learning community believes that Music, Art, Physical Education, Library, Technology, and character development are integral in developing the whole child; and

WHEREAS, education is the key to a successful life, and the staff at Wedgewood Elementary is dedicated to providing the children of Wedgewood Elementary with a quality education in a safe environment; and

WHEREAS, the children at Wedgewood Elementary are engaged learners and Bucketfillers.

NOW THEREFORE, I, Mike Foreman, Mayor of the City of Friendswood, hereby declare November 6, 2023, as

Wedgewood Elementary Day in the City of Friendswood, Texas

In testimony whereof, witness by my hand and the Seal of the City of Friendswood, this 6th day of November, 2023.

Mike Foreman, Mayor

Attest:

Leticia Brysch, City Secretary

FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 6, 2023

Date submitted: 09/14/2023

Prepared by: Glenda Faulkner, Executive Secretary/PIO

Subject: Receive an update regarding the drainage projects in the City of Friendswood.

Originating Department: Engineering

Degree of importance:

SUMMARY / ORIGINATING CAUSE

Council will be given an update on the City's latest efforts in drainage. Projects covered will include those in progress and those in the planning stages.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

RECOMMENDATIONS

ATTACHMENTS

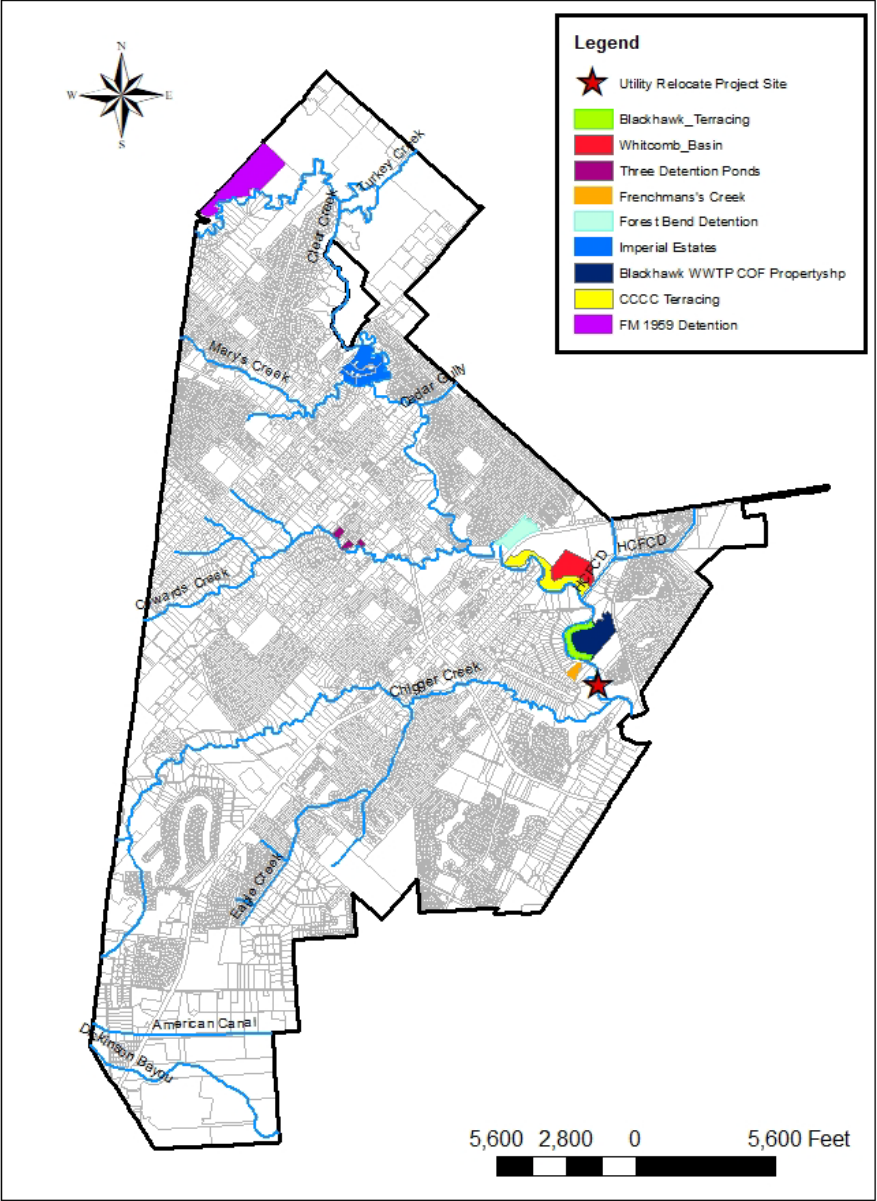
1. November 2023 Drainage Update Final
2. Letter to HUD Final

CITY OF FRIENDSWOOD

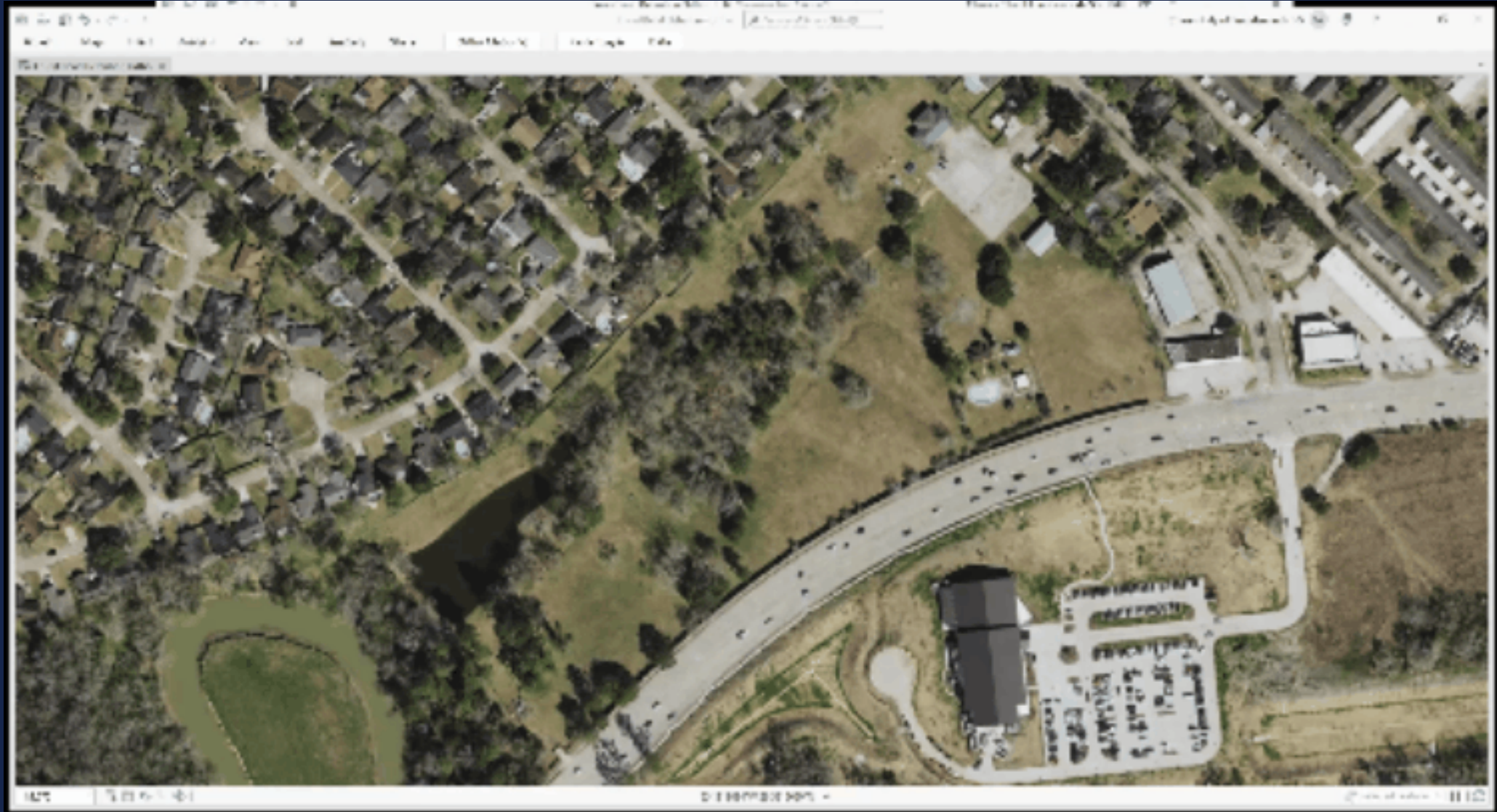
November 2023 Drainage Update
Samantha Haritos – Deputy Director of Engineering



City of Friendswood Flood Control Projects



Forest Bend Detention Pond



Forest Bend Offline Detention

Community Development Block Grant – Disaster Recovery from Hurricane Harvey

Location

Forest Bend Subdivision (Bounded by Clear Creek along Southwest and FM 528 on the South in Harris County).

Remaining Tasks:

- Completing Financial Reimbursements
- Schedule Bollard Installation and Startup
- Maintenance Bond
- Warranties

Funding Sources: (Cost to Date: \$3,648,511) CDBG-DR Grant Funds; GO Bond Funds; General Fund

Clear Creek Utility Rack Relocate



Clear Creek Utility Rack Relocation

Community Development Block Grant – Disaster Recovery from Hurricane Harvey

Location

Polly Ranch Subdivision [Dave Brown Memorial Park]/ Terra Bella Subdivision (Across Clear Creek South of Blackhawk Wastewater Treatment Plant)

Completed Activities

Engineering Complete

Ongoing/Upcoming Activities

Environmental Assessment Wrapping Up

Awaiting Authorization to Use Grant Funds (AUGF) to Bid for Construction

Construction to Start Thereafter (Winter 2024)

Construction Timeline (120 Days)

Funding Sources: (\$1,238,630) CDBG-DR Grant Funds

Frenchmen's Creek Green Space

Community Block Development Grant – Disaster Recovery from Hurricane Harvey

Location

Polly Ranch Subdivision - Bounded by Clear Creek and Pine Drive in Galveston County

Completed Activities

Buildings 4 and 5 Demolished

Galveston County Procured Demolition Contractor for Buildings 1, 2, and 3

City Received Title from HOA for the Land Transfer

Ongoing/Upcoming Activities

Hydromulching

CenterPoint Relocating Gas Line

Project Close Out - Expected in December 2023

City and GCCDD in Discussion for Interlocal Agreement for Terracing Project after the Acquisition Grant Completes.

Funding Source: CDBG-DR Grant (Cost to Date \$2,259,757)

Deepwood Acquisition Project

Community Development Block Grant – Disaster Recovery from Hurricane Harvey

Location: Deepwood Drive along Clear Creek (Galveston County)

Eight (8) Properties Purchased

Demolition

Notice to Proceed Issued

Construction expected to begin November 2023

Interlocal Agreement with Galveston County Consolidated Drainage District for Shelving Project (In Process)

GCCDD has \$1,500,000 Budgeted for Flood Control Project

Funding Sources: (Cost to Date \$450,281) CDBG-DR Grant



Project Area

Wetlands

Perennial Stream

Proposed Improvements Area

0125250500750

Feet

Coordinate System

Projection: NAD83 State Plane (Grid)

Zone: Texas South Central

Units: U.S. Feet

Sources

1. Source 1

2. Source 2

3. Source 3

4. Source 4

5. Source 5

6. Source 6

7. Source 7

Notes

1. Note 1

2. Note 2

5e5eengineering

200 Westheimer Rd. Suite 353 | Houston, TX 77042

Texas Registered Firm F-13748

DEEPWOOD FLOOD CONTROL

PROJECT PER

Proposed Improvements

Page 15 of 296

Deepwood Flood Control Project Site Map

October 26, 2023

Deepwood Flood Control Project

Community Development Block Grant – Disaster Recovery from Hurricane Harvey

Location: Deepwood Drive along Clear Creek (Galveston County)

Engineering and Survey Work Complete

Environmental Assessment Expected to Complete by Winter 2023/2024

Eight (8) Step Process Underway

Final Environmental Assessment

Construction Phase Estimated Start

Clearing Project Timeline – 3 Months including Bid Phase

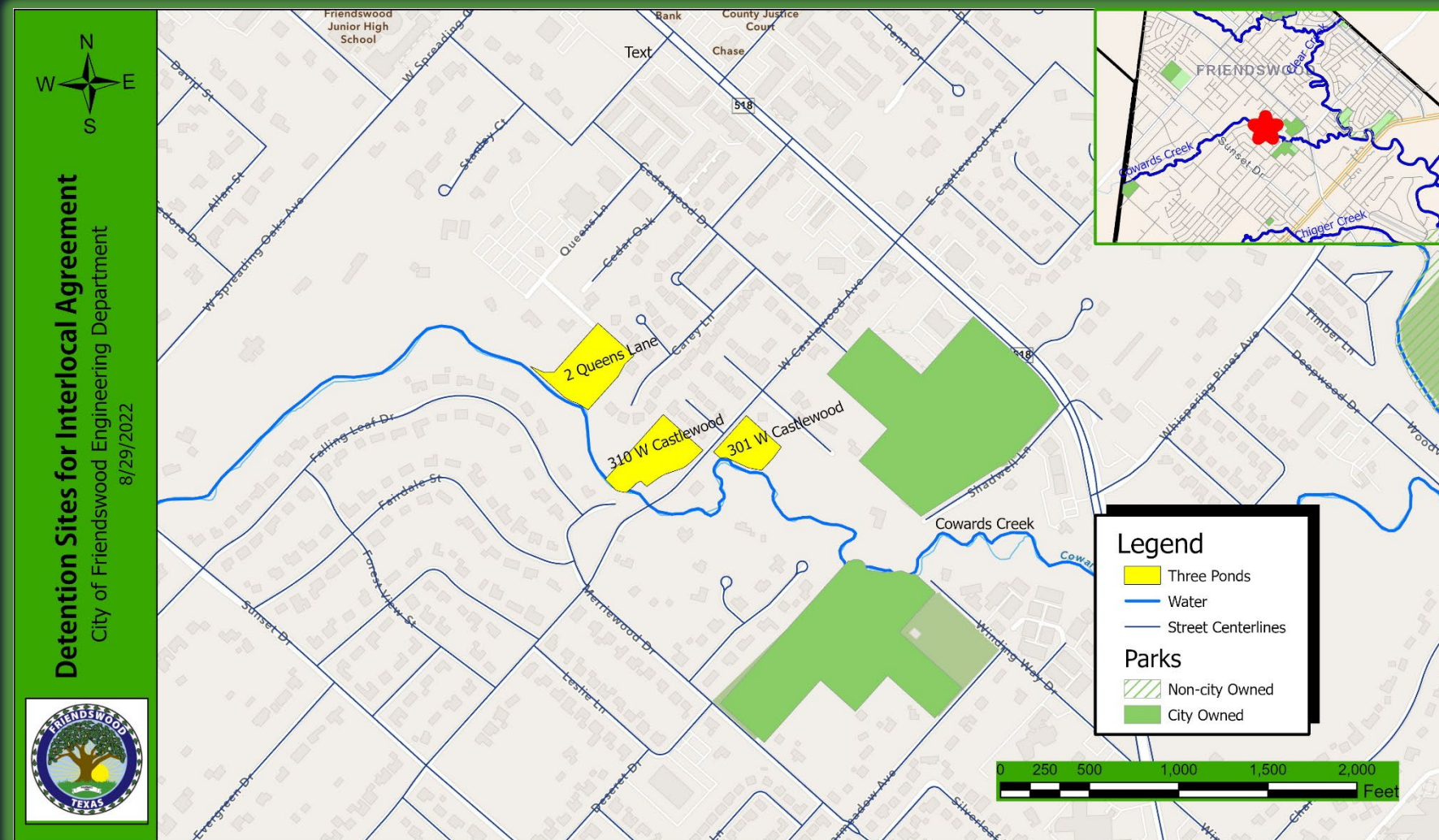
Start is Contingent on Deepwood Acquisition Project Completion

Interlocal Agreement with Galveston County Consolidated Drainage District (In Process)

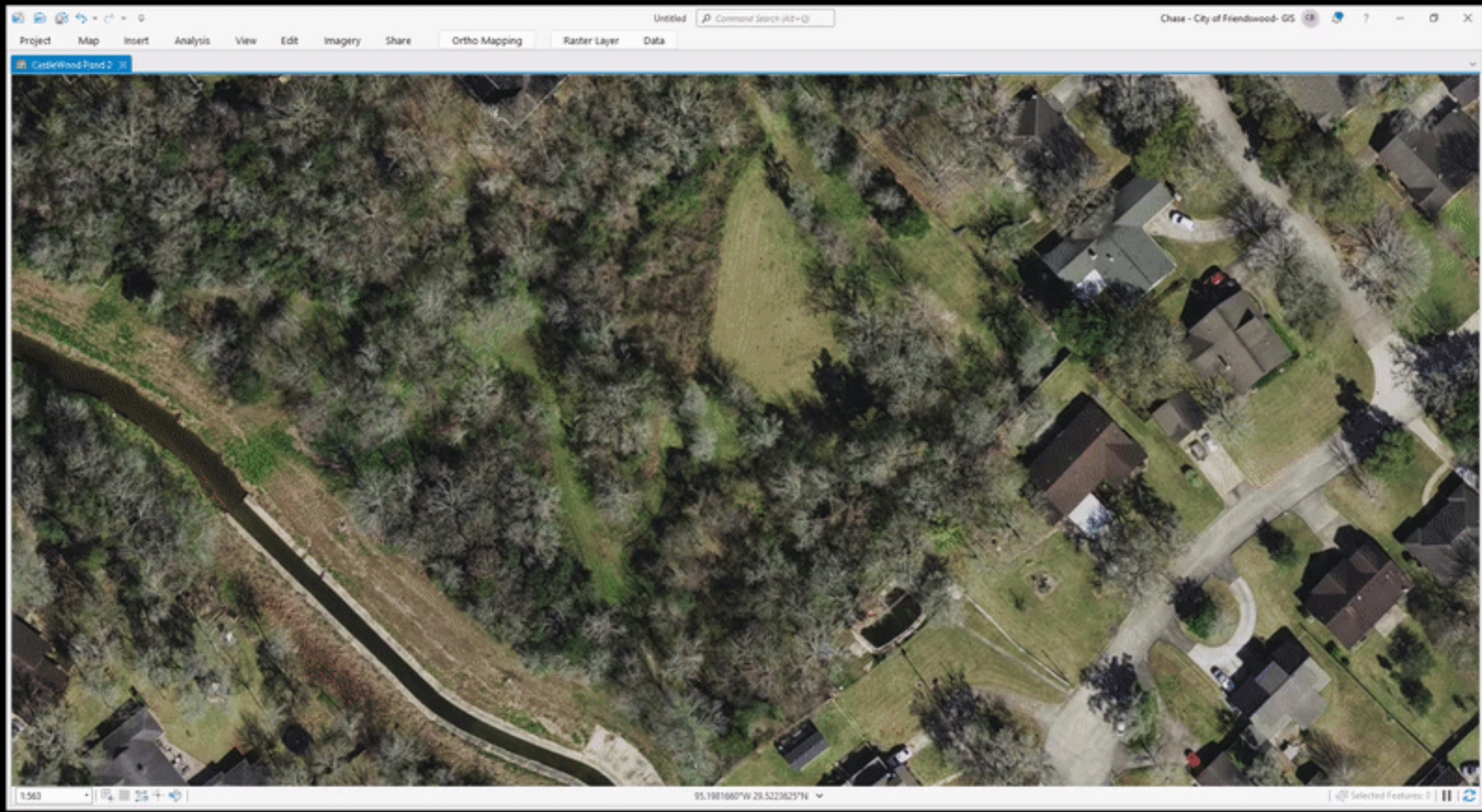
(GCCDD has \$1,500,000 Million Budgeted for a Terracing Project)

Funding Sources: (\$2,959,825) CDBG-DR Grant Funds; GO Bonds

Three Detention Basins Along Coward's Creek



Three Detention Basins Along Coward's Creek



October 26, 2023

Three Detention Basins Along Coward's Creek

Interlocal Agreement with Galveston County Consolidated Drainage District (GCCDD)

Location: 301 Castlewood, 310 Castlewood, 2 Queens Lane along northern bank of Cowards Creek

Engineering, Environmental and Survey Work Complete

Construction Phase In Progress

Clearing Started June 22nd, 2023

Pond 1 - Excavation Completed;

Hydromulching

Pond 2 - 15% Complete



Funding Sources: City Donating Land; GCCDD Covering Construction

October 26, 2023

| 13
Page 19 of 296

Friendswood Regional Stormwater Detention Basin

PROJECT OVERVIEW

Funding Partnership project with City of Friendswood, Galveston County, Galveston County Consolidated Drainage District and Harris County Flood Control District

Location: on 105-acre tract, near the intersection of FM 1959 and Blackhawk Blvd.

Anticipated to provide anywhere from 1,000 to 1,700 acre-feet in storage

Preliminary Engineering Report Completed in October:

3 alternative design concepts are in the process of being developed

1 alternative will be recommended at the conclusion of this stage (Fall 2023)

PROJECT	1 ST PAYMENT	2 ND PAYMENT
Friendswood Regional Stormwater Detention Basin	\$954,233 (Paid 11/25/22)	\$7,045,767 (Due within 45 Days of 1 st Publication of Construction Bid Advertisement)

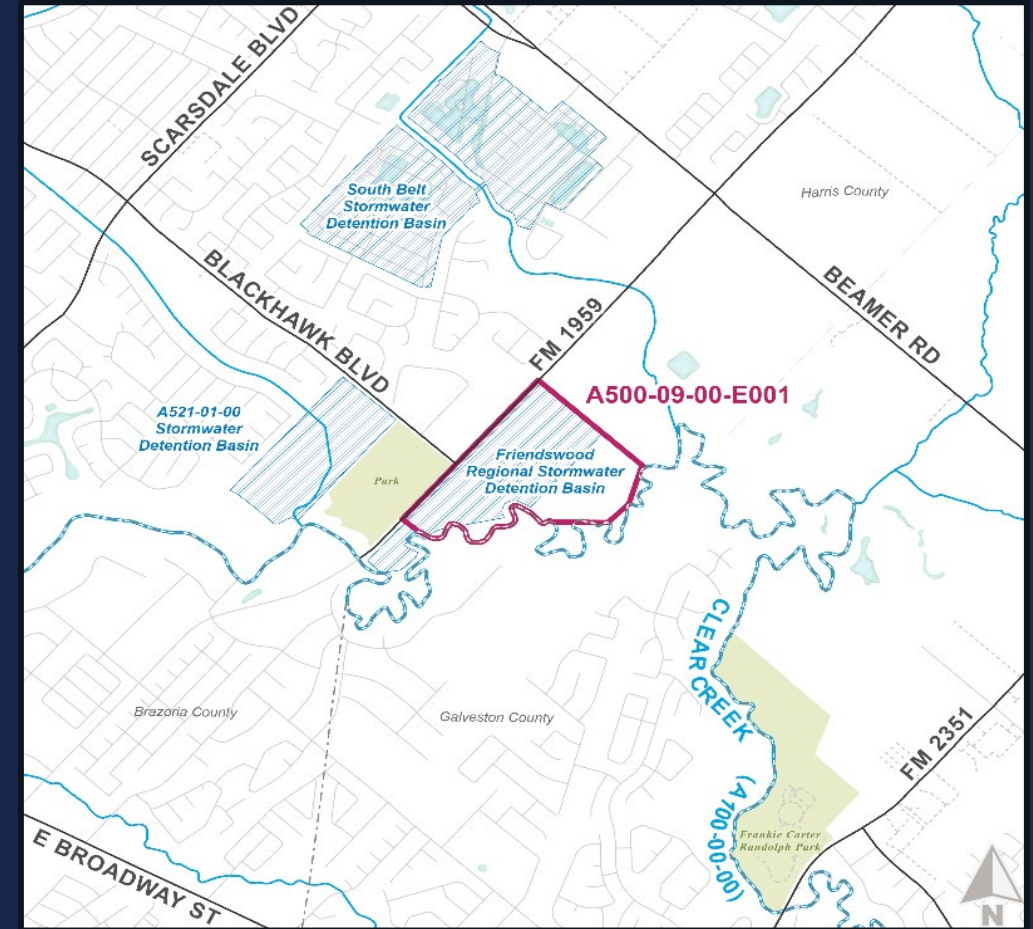
Funding Sources: (Est Cost \$32,453,298.11) Flood Control Bond Funds; GCCDD Funds; HCFCD Funds; Galveston County Funds

Friendswood Regional Stormwater Detention Basin

PROJECT MILESTONES

The following milestones are in progress and/or already complete:

- Preliminary Engineering Report Completed October 2023.
- Public Meeting Date to be Determined....SOON
- Rough Grading Project
 - Bid for Construction October 13th, 2023
 - Contractor to be Selected Nov. 14th, 2023



Funding Sources: (Est Cost \$38,000,000) Flood Control Bond Funds; GCCDD Funds; HCFCF Funds; Galveston County Funds

Comprehensive Master Drainage Plan

Joint Effort with Galveston County Consolidated Drainage District (GCCDD)

Comprehensive Urban and Riverine Flood Mitigation Plan

Identify and Prioritize Projects that Provide Benefit to Friendswood and Reduce Flooding

Benefit Cost Information Developed for All Projects

Determine Appropriate Easement Dimensions for Clear Creek and its Tributaries

ACTIVITIES

Interlocal Agreement with GCCDD (Possible Revision)

Awarded Texas Dept of Emergency Management Grant for \$661,500 (YAY!)

Expected to Bid Spring 2024

Funding Sources: (Estimated Cost \$1,000,000+) Flood Control Bond Funds; GCCDD Interlocal; TDEM Grant



**THE GROWING THREAT
URBAN FLOODING:
A NATIONAL CHALLENGE**

Grants Awarded to City of Friendswood Recently

Texas Department of Emergency Management (TDEM) Pandemic Hazard Mitigation Grant Program (HMGP) DR-4485

- City of Friendswood Comprehensive Drainage Plan (\$661,500 Federal Share / \$12,500 Local Share)

Community Development Block Grant – Mitigation (CDBG-MIT Regional Mitigation Program)

- Ground Water Storage Tank at Ground Water Plant 4 (\$2,302,294 Federal Share / \$0 Local Share)

Community Development Block Grant – Mitigation (CDBG-MIT Regional Mitigation Program)

- Annalea Neighborhood Improvements Infrastructure Project (\$2,333,806 Federal Share / \$0 Local Share)

Hazard Mitigation Grant Program (HMGP) DR-4586 Texas Severe Winter Storms

- 200kW Portable Generator (\$113,130 Federal Share / \$12,500 Local Share)

Annalea Neighborhood Improvements Project

Location: Annalea Neighborhood: Virginia Lane and Ella Court

PROJECT FEATURES

Street, water utility, and storm drainage infrastructure project.

- Project Meets >51% Low to Moderate Income (LMI).
- 1,300 LF Street Reconstruction ; 1,100 LF Upsized Water Utilities; 1,350 LF Upsized Storm Sewer
- Project Timeline: 12 Months Design & Bidding / 12 Months Construction
- Estimated Project Cost \$2,333,806
- Project will Reduce Street Flooding



Funding Sources: (Est Cost \$2,333,806) CDBG-MIT Grant Funds

October 26, 2023

18
Page 24 of 296

Groundwater Storage Tank at Ground Water Plant 4

Location: Ground Water Plant 4 at 500 W. Castle Harbour

PROJECT FEATURES

New 1 Million Gallon Ground Storage Tank (GST) at Ground Water Plant (GWP) 4.

- Increase equalization storage available to meet peak demands in southern portion of the service area
- Project Timeline: 12 Months Design / 12 Months Construction
- Estimated Project Cost \$2,302,294
- Project includes new tank and all supporting piping, electrical, site grading and safety systems

Funding Sources: (Est Cost \$2,302,294) CDBG-MIT Grant Funds



Quakers Landing Terracing Project

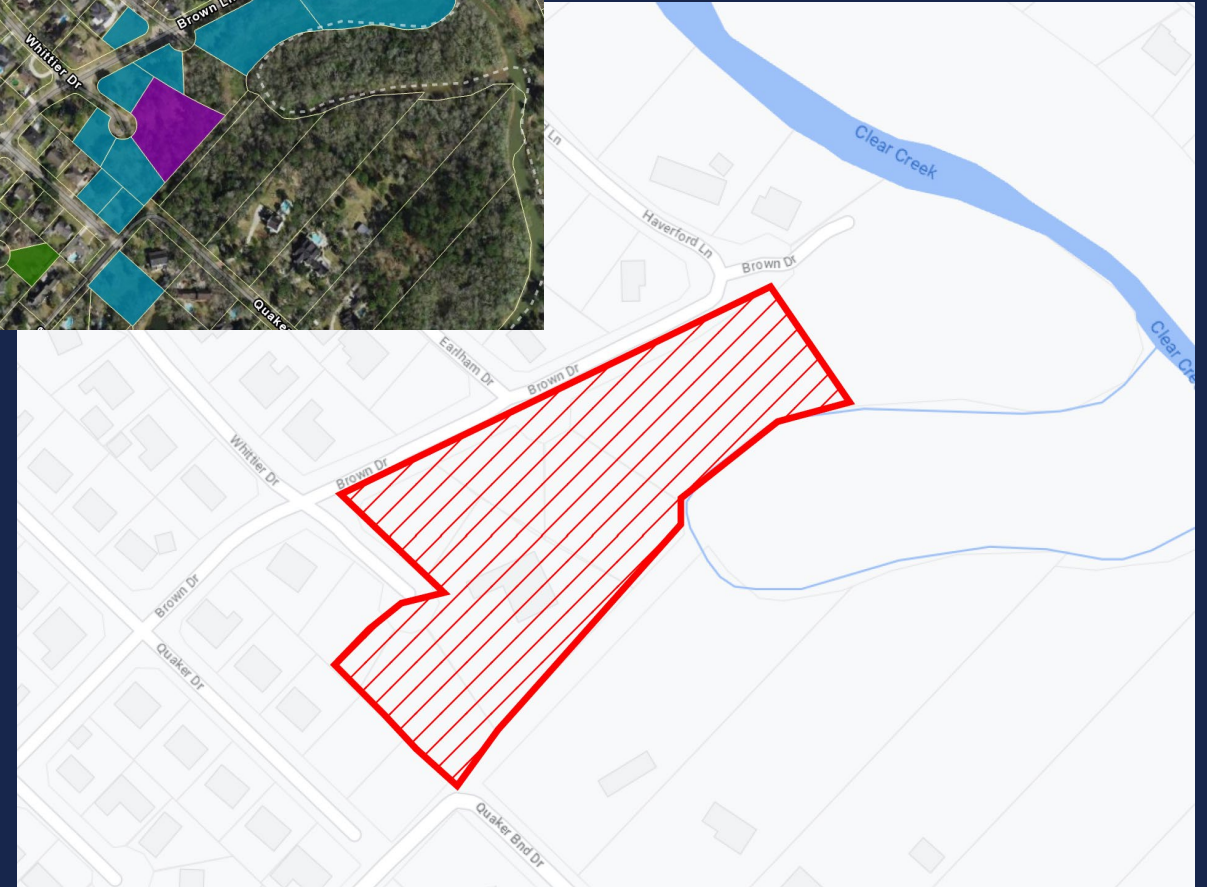
Location: Along Clear Creek and Brown Lane near Quaker Bend Drive

PROJECT FEATURES

Terracing project along Clear Creek

- City and GCCDD Interlocal Agreement (ILA) on Agenda
- Drainage Impact Assessment Required by ILA Showing No Adverse Impacts
- CenterPoint Gas Line Relocation Underway
- City Buyout Properties to be Terraced

Funding Sources: GCCDD Estimated Cost (\$1,200,000)





Questions?

Engineering@friendswood.com





City of Friendswood

October 20, 2023

Ms. Marcia Fudge
Secretary of the Department of Housing and Urban Development

Subject: Community Development Block Grant – Mitigation (CDBG-MIT) Funds for City of Friendswood through the Regional Mitigation Program Application 2022-1001910-RMP

Dear Madam Secretary:

The City of Friendswood routinely floods during large storms events and was impacted catastrophically during Hurricane Harvey, with approximately 2,800 structures inundated including the City's Public Works Facility. The areas that flood the most are areas within the floodplain with older homes and utilities. Additionally, there are more repetitive loss structures and more vulnerable community members residing in these areas. The city was awarded two Community Development Block Grants for Mitigation: the Annalea Neighborhood Street Improvements Project and the Ground Water Storage Tank at Ground Water Plant 4 Project. These projects will benefit our community substantially, making it more resilient to future flooding events, and would not be possible without these funds.

The Annalea Neighborhood Street Improvements Project includes one-thousand three hundred linear feet (1,350 LF) of street reconstruction and storm sewer upgrades and approximately eleven hundred linear feet (1,100 LF) of new water line utilities along Virginia Lane and Ella Court within the Annalea Subdivision. The proposed improvements mitigate future storms and flooding by increasing storage capacity and water quality for residents. These changes will upgrade aging streets and reduce flood risk to multiple repetitive loss structures in the vicinity. Additionally, streets will stay clear, ensuring evacuation and emergency services can assist in areas that are low-to-moderate income (LMI) with residents who are considered vulnerable. This project serves an area that is 53.13% LMI which is substantially higher than the citywide LMI rate of approximately 20%. In fact, this project area was targeted for its known flood risk and higher rate of LMI.

The Ground Water Storage Tank at Ground Water Plant 4 Project includes the engineering and construction of a new one-million-gallon (1,000,000 gal) ground storage tank including all supporting piping, electrical, site grading and safety systems. The project will benefit 2,288 beneficiaries, 407 of which are LMI by improving the water storage capabilities in the target area during a disaster event.

As Mayor of the City of Friendswood, it is my duty to make Friendswood a safer and more resilient community, particularly for those citizens that are more vulnerable and/or live in LMI areas. These projects are critical to making Friendswood a safer community and I ask for continued support through the General Land Office and the US Department of Urban Housing and Development through the CDBG-MIT program to make my goals for a safer and more resilient community a reality.

Thank you,

Mayor Mike Foreman
City of Friendswood

FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

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Date requested for City Council consideration: November 6, 2023

Date submitted: 10/12/2023

Prepared by: Karen Horner, City Attorney

Subject: Conduct a public hearing regarding an amendment to the Future Land Use Map (2021) to change the designation of 106.472 acres located at 3801 FM 528 Road, Friendswood, Harris County, Texas, from "Public and Semi Public" and "Retail" to "Mixed Use."

Originating Department: City Attorney

Degree of importance:

SUMMARY / ORIGINATING CAUSE

This proposed amendment to the Future Land Use Map facilitates long-range land use expectations of the 106.472 acres located at 3801 FM 528 Road, Friendswood, Harris County, Texas. The proposed Future Land Use Map designation will change the designation of the property from "Public and Semi Public" and "Retail" to "Mixed Use," which will accommodate mixed uses and which is consistent with the proposed Plan Unit Development Zoning District that is running concurrently with this proposed Future Land Use Map amendment.

In accordance with Section 213.003 of the Texas Local Government Code, this hearing will allow the public an opportunity to give testimony and present written evidence regarding the proposed amendment. This amendment was reviewed and recommended by the Planning and Zoning Commission at its meeting held on October 26, 2023.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

The current designation on the Future Land Use Map was reflective of Ordinance 2015-18, which only included the religious organizations, retail and commercial uses.

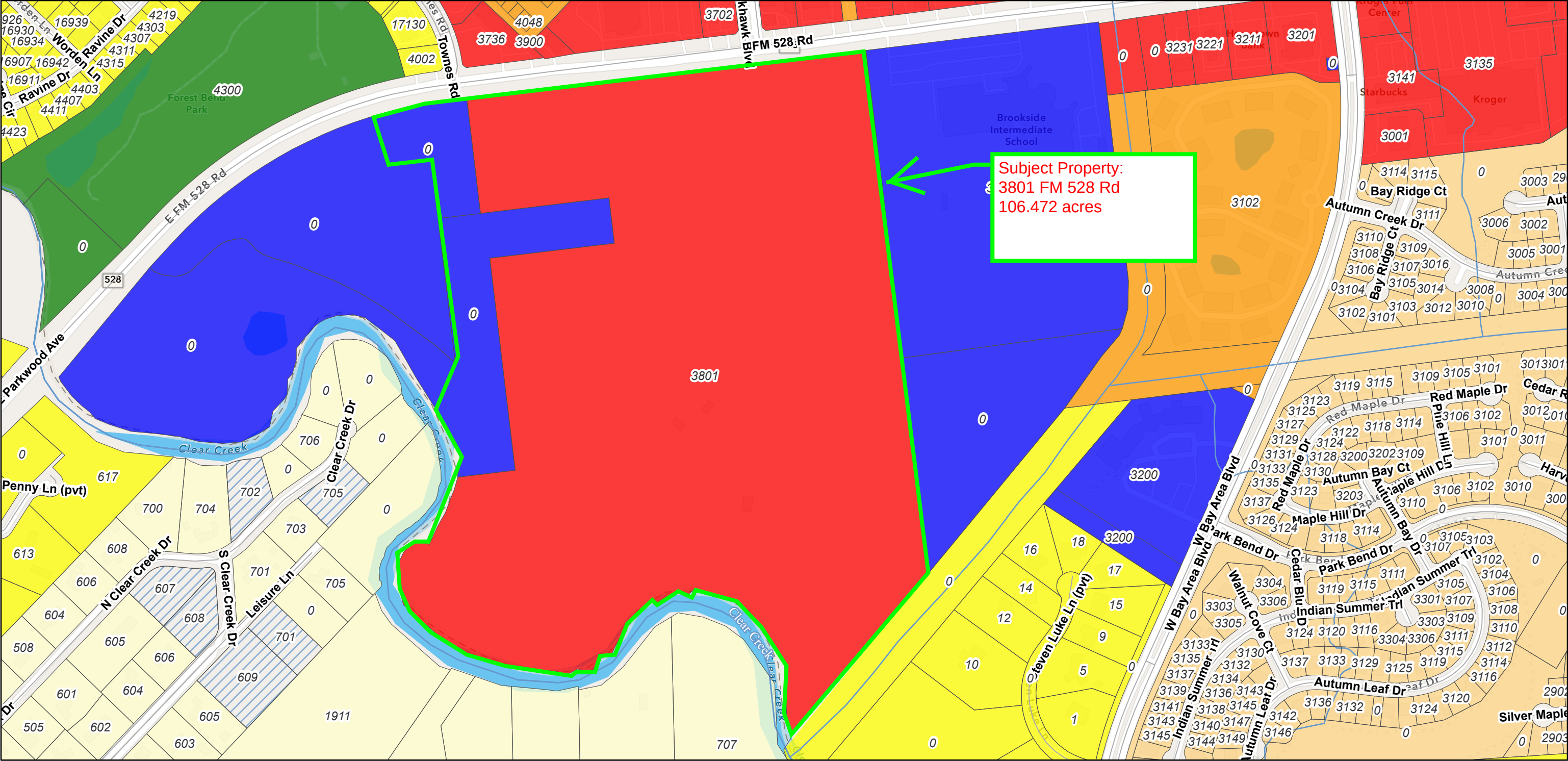
RECOMMENDATIONS

The Planning and Zoning Commission recommends approval.

ATTACHMENTS

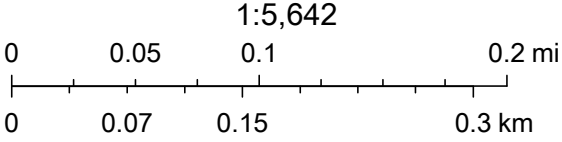
1. FLUM Map
2. FLUM Map Amended

Future Land Use Map (2021)



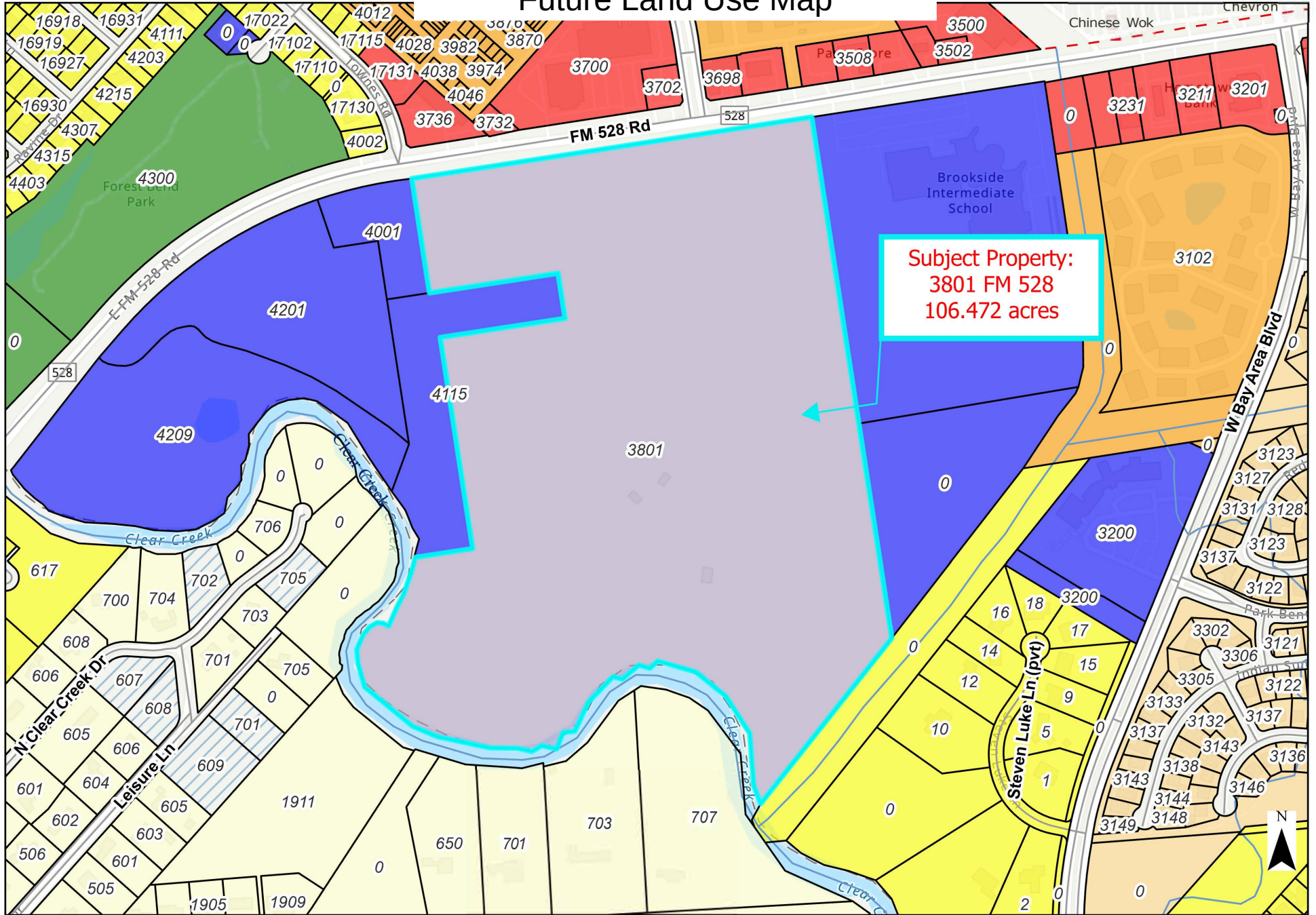
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- City Limits
- Streets
- Parcels
- All Linear Water Features
- Future Land Use Adopted 2021
- SFR- Estate
- Low Density
- Garden Homes
- High Density Residential
- Retail
- Parks
- Public and Semi-Public
- Buyout Lots



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Future Land Use Map



- | | | | |
|-------------|--------------|--------------------------|------------------------|
| City Limits | Proposed FLU | High Density Residential | Public and Semi-Public |
| Parcels | SFR- Estate | Mixed Use | Regional Detention |
| Streets | Low Density | Retail | [ZZ] Buyout Lots |
| Creeks | Garden Homes | Parks | |

0 0.05 0.1 0.2 Miles

FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

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Date requested for City Council consideration: November 6, 2023

Date submitted: 09/18/2023

Prepared by: Glenda Faulkner, Executive Secretary/PIO

Subject: Conduct a public hearing regarding a request for a zone classification change concerning 106.472 acres of land located at 3801 FM 528 Road, Friendswood, Harris County, Texas, to change the zoning district designation from Planned Unit Development (Ord. 2015-18) to a revised Planned Unit Development (PUD) to allow a mixed-use development.

Originating Department: Community Development

Degree of importance:

SUMMARY / ORIGINATING CAUSE

The Friendswood City Center will be a mixed-use development combining commercial, retail, hospitality, office, civic/municipal, mixed-use buildings, and multi-family residential (500 units), and recreation/open space to create a vibrant, walkable neighborhood. All areas of the community will be connected with 10-foot shared use paths for cycling and walking. In the Park Area, the paths will be created of decomposed granite and referred to as trails. In all other areas, the paths will be created using a combination of concrete with paver and stone accents. Use of the paths is intended for pedestrians and non-motorized modes of transportation and will accommodate two-way travel.

The extension of Blackhawk Boulevard from FM 528 to Bay Area Boulevard will provide additional routes of travel, as well as additional street frontage opportunities for the commercial buildings. Traffic signals will be added to the intersections at Townes Road and Blackhawk Boulevard. An additional entrance between Townes Road and Blackhawk Boulevard is being presented to the Texas Department of Transportation. Ample parking will be provided throughout the development in the form of parking lots and parking garages. At least twenty percent (20%) of the parking spaces in the garages are required to remain as public parking and there may be a fee for use of those spaces. All surface parking areas, except the gated area of the multi-family residential development, will be designated public parking. Overflow parking for the church will be included in the plan as well.

The PUD will comply with the Community Overlay District (COD) requirements as required by the Zoning Ordinance. The applicant selected the Community Shopping Center (CSC) zoning district and Multi-Family Residential – High Density (MFR-H) zoning district as guides for the development. Any proposed deviations to the requirements of these zoning districts are written in the PUD document and the Regulation Matrix.

A variety of uses will provide entertainment, dining, and neighborhood services to those living in the community. Multi-story office buildings will serve as a small employment center to increase the number of people to support the development on a daily basis. A hotel will provide accommodation to allow others to stay within the property and enjoy the amenities it has to offer. The Permitted Use Table in the PUD document defines the allowed uses within the development. Gas stations will only be allowed on Lot 5 (page 14).

Recreational areas include 4.4 miles of trails throughout the development, 2.5 miles of sidewalks between the stores and offices, and 2.2 miles of gravel trails throughout the green space. A lake will be constructed to serve not only as detention for the development and regional flood mitigation along Clear Creek, but also as recreation for non-motorized watercraft such as canoes and kayaks. The lake will be accessible by the public from the new Blackhawk Boulevard extension; parking will be provided as well.

According to the Zoning Ordinance, a PUD district must meet a minimum of one of the following criteria. The planning and zoning commission may recommend, and city council may determine, that more than one criterion is needed to approve a PUD:

1. The land is proposed for development as a mixed-use development requiring more flexible and innovative design standards;
2. The land is proposed for redevelopment or infill development and special design considerations are deemed necessary;
3. The land serves as a transition between different and seemingly incompatible land uses;
4. The land is proposed for development of a major employment center or of major economic benefit for the community, and for which special design standards may be warranted;
5. To provide amenities or features that would be of a special benefit to the community; or
6. The land has unique environmental features or unusually configured parcels requiring a more flexible approach to zoning and clustering of uses, or special design standards.

The proposed development exceeds the minimum of one criterion by meeting criteria 1, 4, 5 and 6.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

This is the third major proposal for a Planned Unit Development on this tract. Previous versions have included a similar mix of uses, including retail and offices, as well as 500-600 residential units. In 2015, the residential units were removed from the PUD by City Council at the time the ordinance was approved. The density of the development and its proximity to any nearby residential properties requires residential use within the development to support the businesses.

RECOMMENDATIONS

The Planning and Zoning Commission voted unanimously 6 to 0 (Commissioner Mann was absent) to issue a final report recommending the zone change at its regular meeting held Thursday, October 26, 2023, following the public hearing that was held on October 12, 2023. The motion included three criteria: 1) include the updated Regulation Matrix (10-25-2023); 2) restrict residential use on Lots 6, 7, 9 and 10 to the second floor and up; and 3) require that commercial lots are developed prior to building the multi-family residential on Lot 12.

Additionally, at the regular meeting held Wednesday, October 4, 2023, the Community Economic Development Corporation (CEDC) voted unanimously 5-0 (members Guzzetta and Brown were absent) in favor of the zone change.

ATTACHMENTS

1. Friendswood City Center Zone Change Application
2. Friendswood City Center PUD Metes and Bounds Desc
3. Recorded Plat_Clear Creek Community Church
4. Ordinance 2015-18
5. Friendswood City Center PUD Aerial Map
6. Friendswood City Center PUD Location Map
7. Friendswood City Center PUD Zoning Map
8. Friendswood City Center PUD FLUM

9. Friendswood City Center PUD Rezoning Report Sept 2023
10. Friendswood City Center PUD
11. Friendswood City Center PUD PZ Final Report 10-26-2023



City of Friendswood – Community Development

910 S. Friendswood Drive

Friendswood, TX 77546

Phone: 281-996-3201 Fax: 281-996-3260

www.ci.friendswood.tx.us

Zone Change Application

CURRENT ZONE OF PROPERTY: PUD

TYPE OF ZONE CHANGE (check one):

☐ Land Use Change to Zone: _____

☐ Specific Use Permit Option 1

☐ Planned Unit Development Option 1

☐ Specific Use Permit Option 2

☒ Planned Unit Development Option 2

SUP for Use(s) #: _____

PROPERTY IDENTIFICATION:

Address: 0 FM 528

Platted Land – Plat Name: _____ Lot: _____ Block: _____

Unplatted Land – Attach a certified metes and bounds description

OWNER NAME: Madison Development Corp Phone: 281-993-5502

Owner's Mailing Address: 505 S Friendswood Drive #119

City: Friendswood State: TX Zip: 77546 Fax: _____

Owner's Email Address: gtannos@tannosgroup.com

AGENT'S NAME : Louis Tannos Phone: 713-447-3508

Agent's Mailing Address: 505 S. Friendswood Dr #119

City: Friendswood State: TX Zip: 77546 Fax: _____

Agent's Email Address: LTannos@tannosgroup.com

In authorizing an agent to represent the owner, the owner attests that his/her agent may make verbal or written representations and/or declarations on the owner's behalf and the owner understands and acknowledges that the City of Friendswood shall rely upon the agent's representations in matters pertaining to the above described property. The designation of an agent in this matter in no way absolves the owner of any of the owner's responsibilities outlined by the City of Friendswood. The owner must be the legal owner of record of the property at the time of submittal of the application.

The undersigned hereby request approval by the City Council on the above identified zone change.

Owner's Signature: _____ Date: 09-11-23

Agent's Signature: _____ Date: 09-20-23

Received By: Attorney
Date of Public Hearing: Oct 12 / Nov 6
Property Owner Notices: 9-29-2023

Application Number: 2023-3432
Received Date: 9-11-2023
Newspaper Notice: 9-18-2023
Sign on Property: 9-29-2023

Submittal Requirements for Zone Change Applications

ALL APPLICATIONS - PUD and SUP Options 1 and 2, Land Use Changes

☒ Application Fee of \$300 (PUD \$500)

(Changes in/to Downtown District may be eligible for fee waiver)

☒ Current Deed of Record

☒ Most recent plat OR Certified Metes and Bounds Description (including name, address and telephone number of surveyor)

PUD Option 1

This option allows all plans, including the site plan, to be approved as a part of the zone change request and is a one-time submittal. See Zoning Ordinance Section 7.J. for more specific plan requirements.

5 – 24" x 36" sets of collated plans including a cover sheet, overall site plan, landscape plan, building elevations, and photometric plan

2 – 24" x 36" sets of collated plans including Engineered drainage, utility, grading and storm water plans (per the City of Friendswood Design Criteria Manual)

2 – 24" x 36" sets architectural plans including mechanical, electrical and plumbing plans

PUD Option 2

This option will require the applicant to apply for site plan approval from the Planning and Zoning Commission at a later date if the zone change to PUD is approved. At the time of site plan approval all information contained in the conceptual plan shall be certified by an engineer and/or surveyor.

5 – 24" x 36" sets of collated plans including a cover sheet or letter describing the project, an overall site plan and building elevations

See Zoning Ordinance Section 7.J. for more specific plan requirements.

Specific Use Permit Option 1

This option allows all plans, including the site plan, to be approved as a part of the SUP request and is a one-time submittal. See Zoning Ordinance Section 9.G.3. for more specific plan requirements.

5 – 24" x 36" sets of collated plans including a cover page, site plan, landscape plan, photometric plan, building elevations, tree survey and mitigation plan

2 – 24" x 36" sets of collated plans including Engineered drainage, utility, grading and storm water plans (per the City of Friendswood Design Criteria Manual)

2 – 24" x 36" sets architectural plans including mechanical, electrical and plumbing plans

Specific Use Permit Option 2

This option allows utility and drainage plans be submitted with the building permit application at a later date if the SUP is approved.

5 – 24" x 36" sets of collated plans including a cover sheet, site plan, landscape plan, photometric plan, building elevations, tree survey and mitigation plan

See Zoning Ordinance Section 9.G.3. for more specific plan requirements.

METES AND BOUNDS DESCRIPTION
106.472 ACRES (4,637,900 SQUARE FEET)
SARAH MCKISSICK LEAGUE, A-549
CITY OF FRIENDSWOOD
HARRIS COUNTY, TEXAS

Being a tract or parcel containing 106.472 acres (4,637,900 square feet) of land situated in the Sarah McKissick League, Abstract Number 549, Harris County, Texas; being all of Restricted Reserves "A" and "C", CLEAR CREEK COMMUNITY CHURCH FRIENDSWOOD, a subdivision plat of record at Film Code No. 691601, Harris County Map Records (H.C.M.R.); being the residue of a called 135.778 acre tract of land conveyed to Clear Creek Community Church as described by deed recorded under Harris County Clerk's File (H.C.C.F.) No. 20150231965; said 106.472 acre tract of land being more particularly described as follows (bearings are oriented to the Texas State Plane Coordinate System of 1983, South Central Zone 4204, US Survey Feet, NAD83(NA2011)):

BEGINNING at a 5/8-inch iron rod with cap stamped "GBI PARTNERS" found on the curved southerly right-of-way (R.O.W.) line of F.M. 528 (120 feet wide) and marking the northerly common corner of said Restricted Reserves "A" and "B", CLEAR CREEK COMMUNITY CHURCH; said iron rod also for the northwest corner of the herein described tract;

THENCE, Northeasterly, an arc distance of 311.32 feet along said southerly R.O.W. line and a curve to the right, having a radius of 1,840.08 feet, a central angle of $09^{\circ}41'36''$, and a chord which bears North $76^{\circ}21'49''$ East, 310.94 feet to a point of tangency, from which a disturbed Texas Department of Transportation (TXDOT) aluminum disk found bears South $07^{\circ}56'$ East, 0.69 feet;

THENCE, North $81^{\circ}12'37''$ East, along said southerly R.O.W. line, at 90.40 feet passing a 5/8-inch iron rod found marking the northeast corner of said Restricted Reserve "A", continuing in all for a total distance of 1,772.42 feet to a 5/8-inch iron rod found at the base of a concrete pad and marking the northwest corner of a called 28.9270 acre tract of land conveyed to Clear Creek I.S.D. as described by deed recorded under H.C.C.F. No. P598260; said iron rod for the northeast corner of the herein described tract;

THENCE, South $08^{\circ}47'23''$ East, departing said southerly R.O.W. line, at 1,289.36 feet passing a 5/8-inch iron rod found marking the westerly common corner of said 28.9270 acre tract and a called 10.0000 acre tract of land conveyed to Clear Creek I.S.D. as described by deed recorded under H.C.C.F. No. P598262, continuing in all for a total distance of 2,190.65 feet to a 5/8-inch iron rod with cap stamped "RPLS 3974" found on the northwesterly R.O.W. line of a Harris County Flood Control District drainage easement (150 feet wide) as described by deeds recorded under H.C.C.F. No(s). E449568 and X384682; said iron rod for the southeast corner of the herein described tract;



METES AND BOUNDS DESCRIPTION
106.472 ACRES (4,637,900 SQ. FT.)
PAGE 2 OF 4

THENCE, South 38°20'29" West, along said northwesterly R.O.W. line, a distance of 877.99 feet to the call meander line of mean higher water for Clear Creek as per survey prepared by Stephen Blaskey, LSLS, dated October 9, 2015 and for the most southerly corner of the herein described tract;

THENCE, along said mean higher water line of Clear Creek, the following courses and distances:

North 21°17'29" West, a distance of 80.86 feet to an angle point;
North 04°22'12" West, a distance of 216.80 feet to an angle point;
North 32°41'57" West, a distance of 184.39 feet to an angle point;
North 51°06'03" West, a distance of 159.93 feet to an angle point;
North 74°03'08" West, a distance of 164.71 feet to an angle point;
South 48°02'49" West, a distance of 44.69 feet to an angle point;
North 73°53'13" West, a distance of 47.50 feet to an angle point;
South 49°24'27" West, a distance of 89.87 feet to an angle point;
North 75°14'40" West, a distance of 40.66 feet to an angle point;
South 43°53'50" West, a distance of 146.10 feet to an angle point;
South 25°05'22" West, a distance of 134.50 feet to an angle point;
South 83°33'17" West, a distance of 49.30 feet to an angle point;
South 21°22'27" West, a distance of 73.69 feet to an angle point;
North 77°09'16" West, a distance of 62.96 feet to an angle point;
South 59°48'42" West, a distance of 48.72 feet to an angle point;



METES AND BOUNDS DESCRIPTION
106.472 ACRES (4,637,900 SQ. FT.)
PAGE 3 OF 4

North 76°29'09" West, a distance of 56.65 feet to an angle point;
North 88°56'38" West, a distance of 120.31 feet to an angle point;
North 78°01'47" West, a distance of 221.29 feet to an angle point;
North 67°13'30" West, a distance of 112.00 feet to an angle point;
North 50°46'11" West, a distance of 258.04 feet to an angle point;
North 16°00'41" West, a distance of 99.00 feet to an angle point;
North 05°32'33" West, a distance of 60.42 feet to an angle point;
North 23°27'30" East, a distance of 67.18 feet to an angle point;
North 39°20'14" East, a distance of 42.52 feet to an angle point;
North 59°56'00" East, a distance of 35.59 feet to an angle point;
South 84°03'09" East, a distance of 25.53 feet to an angle point;
South 63°21'49" East, a distance of 25.66 feet to an angle point;
North 23°23'59" East, a distance of 84.42 feet to an angle point;
North 27°29'30" East, a distance of 63.48 feet to an angle point;
North 19°02'35" East, a distance of 103.93 feet to an angle point;
North 14°38'12" East, a distance of 53.72 feet to an angle point;
North 13°22'21" West, a distance of 9.00 feet to an angle point;
North 15°04'35" East, a distance of 70.83 feet to an angle point;
North 31°32'46" West, a distance of 52.49 feet to an angle point;



METES AND BOUNDS DESCRIPTION

106.472 ACRES (4,637,900 SQ. FT.)

PAGE 4 OF 4

North 21°40'27" West, a distance of 75.23 feet to an angle point;

North 29°57'57" West, a distance of 10.93 feet to an angle point;

North 35°55'50" West, a distance of 91.39 feet to a southerly corner of Restricted Reserve "D", CLEAR CREEK COMMUNITY CHURCH;

THENCE, North 20°09'13" East, departing said mean higher high water line of Clear Creek and along the common line of said Restricted Reserves "C" and "D", CLEAR CREEK COMMUNITY CHURCH, a distance of 208.95 feet to a 5/8-inch iron rod with cap stamped "BOUNDARY ONE-RPLS 5489" set marking the most southerly corner of said Restricted Reserve "B" and for an angle point;

THENCE, North 08°44'05" West, along the common line of said Restricted Reserves "B" and "C", CLEAR CREEK COMMUNITY CHURCH, at 608.49 feet passing the westerly common corner of said Restricted Reserves "A" and "C", continuing along a common line of said Restricted Reserves "A" and "B" for a total distance of 854.44 feet to a 5/8-inch iron rod with cap stamped "BOUNDARY ONE-RPLS 5489" set marking a common corner of said Restricted Reserves "A" and "B" and for an angle point;

THENCE, South 81°13'21" West, continuing along a common line of said Restricted Reserves "A" and "B", CLEAR CREEK COMMUNITY CHURCH, a distance of 185.80 feet to a 5/8-inch iron rod with cap stamped "BOUNDARY ONE-RPLS 5489" set marking a common corner of said Restricted Reserves "A" and "B" and for an angle point;

THENCE, North 18°29'00" West, continuing along a common line of said Restricted Reserves "A" and "B", CLEAR CREEK COMMUNITY CHURCH, a distance of 211.51 feet to the POINT OF BEGINNING and containing 106.472 acres (4,637,900 square feet) of land. This description is based upon a Land Title Survey of 106.472 Acres of land prepared by Boundary One, LLC. Project Number 6767-2209-657G.

Compiled by: Christian Offenburger, R.P.L.S.

Boundary One, L.L.C.

T.B.P.L.S Firm No. 10084800

150 W. Shadowbend, Suite 304

Friendswood, TX 77546

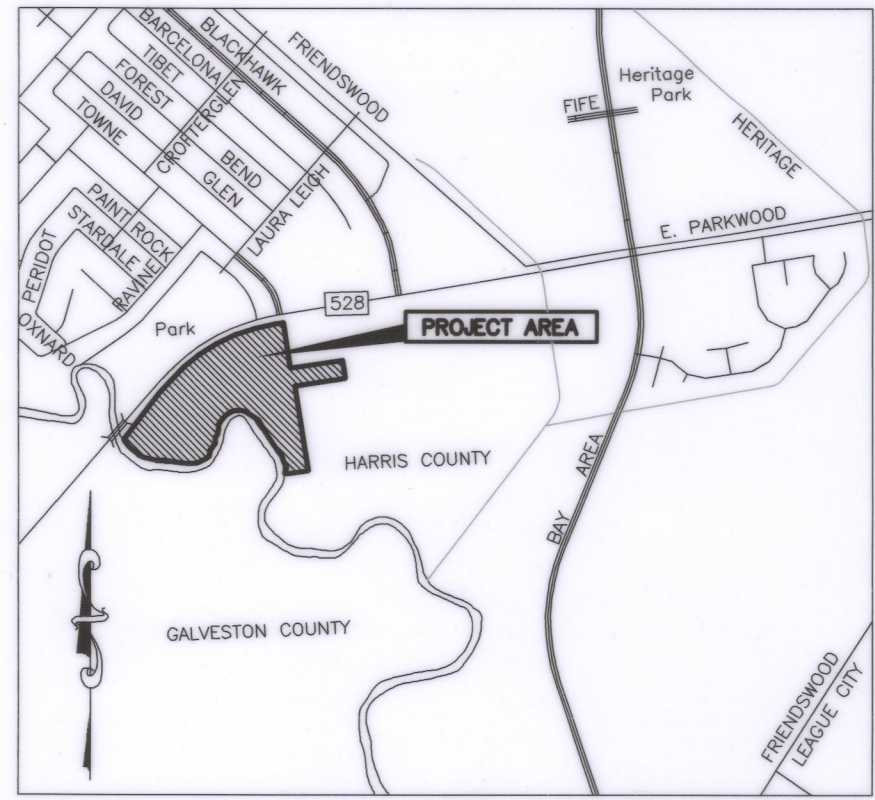
(281) 648-3131

www.boundaryone.com

October 20, 2022

Mb106472.docx

150 W. Shadowbend Avenue, Suite #304 | Friendswood, TX 77546
phone 281.648.3131 | fax 281.648.3737 | e-mail christian@boundaryone.com
T.B.P.L.S. Firm No. 10084800



VICINITY MAP
SCALE: 1" = 2,000'

STATE OF TEXAS
COUNTY OF HARRIS

We, Clear Creek Community Church, acting by and through Mark Carden, Executive Pastor, being officer of Clear Creek Community Church, owners hereinafter referred to as Owners, whether one or more, of the 39.41 acre tract described in the above and foregoing plat of CLEAR CREEK COMMUNITY CHURCH OF FRIENDSWOOD, do hereby make and establish said subdivision of said property according to all lines, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever an unobstructed aerial easement above the ground level upward, to all public easements shown hereon.

WITNESS my hand in the City of Friendswood, Texas, this 12th day of May, 2020.

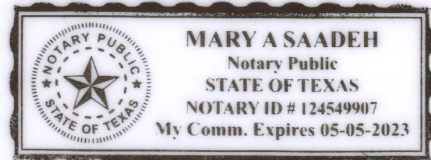
Clear Creek Community Church

By: Mark Carden, Exec. Pastor
Mark Carden, Executive Pastor

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Mark Carden, Executive Pastor of Clear Creek Community Church, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 12th day of May, 2020.



Mary A. Asadeh

Notary Public in and For the State of Texas

My Commission Expires: 05/05/2023

I, Kyle B. Duckett, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that to the best of my knowledge all bearings, distances, and other associated boundary information on the above subdivision is true and correct; was prepared from an actual survey of the property made under my direction on the ground; that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other suitable permanent metal) pipes or rods having an outside diameter of not less than five-eighths inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the nearest survey corner.



GBI Partners, L.P.

Kyle B. Duckett
Registered Professional Land Surveyor
Texas Registration No. 6340

This is to certify that the Planning and Zoning Commission of the City of Friendswood, Texas, has approved this plat and subdivision of CLEAR CREEK COMMUNITY CHURCH OF FRIENDSWOOD in conformance with all of the existing rules and regulations of the City as adopted by the City Council and authorized the recording of this plat this 28 day of May, 2020.

By: Becky Bennett
Becky Bennett
Development Coordinator

By: Joe Matraga
Joe Matraga
Chairman

I, Jildardo Arias, P.E., City Engineer and Director of Engineering of the City of Friendswood, Texas, do hereby certify that the plat of this subdivision complies with all of the existing rules and regulations of this office as adopted by the City of Friendswood, Texas and further it complies with all of the ordinances as currently adopted by City Council.

By: Jildardo Arias
Jildardo Arias, P.E.
City Engineer/Director of Engineering

I, CHRIS HOLLINS, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on June 1, 2020, at 2:03 o'clock P.M., and duly recorded on June 3, 2020, at 10:31 o'clock A.M., and at Film Code Number 691601 of the Map Records of Harris County for said County.

Witness my hand and seal of office, at Houston, the day and date last above written.

CHRIS HOLLINS
CHRIS HOLLINS
County Clerk
Of Harris County, Texas

By: Angelina Hernandez
Deputy
ANGELINA HERNANDEZ



This certificate is valid only as to the instrument on which the original signature is affixed and only then to the extent that such instrument is not altered or changed after recording.

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

FIELD NOTES FOR 39.41 ACRES

Being a tract containing 39.41 acres of land located in the Sarah McKissick Survey, Abstract No. 549, in Harris County, Texas. Said 39.41 acres being a portion of a call 135.778 acre tract of land recorded in the name of Clear Creek Community Church under Harris County Clerk's File (H.C.C.F.) No. 20150231965. Said 39.41 acres of land being more particularly described by metes and bounds as follows (Bearings are referenced to the Texas Coordinate System of 1983, South Central Zone, as derived from GPS observations):

COMMENCING at a 5/8 inch capped iron rod stamped "KRE&S RPLS 3974" found at the northeast corner of said 135.778 acre tract, the northwest corner of a call 28.9270 acre tract of land recorded in the name of Clear Creek Independent School District under H.C.C.F. No. P598260, and being on the south Right-of-Way (R.O.W.) line of E. Parkwood Avenue (F.M. 528) based on a width of 120 feet;

THENCE, with said south R.O.W. line and the north line of said 135.778 acre tract, South 81 degrees 12 minutes 37 seconds West, a distance of 1,882.02 feet to a 5/8 inch capped iron rod stamped "GBI Partners" set at the POINT OF BEGINNING;

THENCE, through and across said 135.778 acre tract, the following six (6) courses:

- 1.) South 08 degrees 47 minutes 23 seconds East, a distance of 480.92 feet to a 5/8 inch capped iron rod stamped "GBI Partners" set;
- 2.) North 81 degrees 15 minutes 55 seconds East, a distance of 541.04 feet to a 5/8 inch capped iron rod stamped "GBI Partners" set;
- 3.) South 08 degrees 47 minutes 23 seconds East, a distance of 190.02 feet to a 5/8 inch capped iron rod stamped "GBI Partners" set;
- 4.) South 81 degrees 15 minutes 55 seconds West, a distance of 524.86 feet to a 5/8 inch capped iron rod stamped "GBI Partners" set;
- 5.) South 08 degrees 47 minutes 23 seconds East, a distance of 888.14 feet to a 5/8 inch capped iron rod stamped "GBI Partners" set;
- 6.) South 81 degrees 12 minutes 37 seconds West, a distance of 241.97 feet to a point at the call meander line of mean higher high water for Clear Creek as shown on that certain Shoreline Location Survey prepared by Stephen C. Blaskey, LSLS, dated October 09, 2015 and file with the Texas General Land Office;

THENCE, with said meander line, the following thirty nine (39) courses:

- 1.) North 13 degrees 22 minutes 21 seconds West, a distance of 9.00 feet;
- 2.) North 15 degrees 04 minutes 35 seconds East, a distance of 70.83 feet;
- 3.) North 31 degrees 32 minutes 46 seconds West, a distance of 52.49 feet;
- 4.) North 21 degrees 40 minutes 27 seconds West, a distance of 75.23 feet;
- 5.) North 29 degrees 57 minutes 57 seconds West, a distance of 10.93 feet;
- 6.) North 35 degrees 55 minutes 50 seconds West, a distance of 91.39 feet;
- 7.) North 34 degrees 06 minutes 54 seconds West, a distance of 167.52 feet;
- 8.) North 31 degrees 24 minutes 11 seconds West, a distance of 130.62 feet;
- 9.) North 32 degrees 06 minutes 13 seconds West, a distance of 39.58 feet;
- 10.) North 54 degrees 32 minutes 48 seconds West, a distance of 107.37 feet;
- 11.) North 55 degrees 07 minutes 18 seconds West, a distance of 49.50 feet;
- 12.) North 77 degrees 07 minutes 45 seconds West, a distance of 53.79 feet;
- 13.) South 83 degrees 35 minutes 15 seconds West, a distance of 67.43 feet;
- 14.) South 71 degrees 19 minutes 06 seconds West, a distance of 44.06 feet;
- 15.) South 61 degrees 14 minutes 34 seconds West, a distance of 32.74 feet;
- 16.) South 48 degrees 48 minutes 59 seconds West, a distance of 24.23 feet;
- 17.) South 39 degrees 23 minutes 16 seconds West, a distance of 61.97 feet;
- 18.) South 36 degrees 54 minutes 09 seconds West, a distance of 59.55 feet;
- 19.) South 01 degrees 44 minutes 03 seconds East, a distance of 46.60 feet;
- 20.) South 13 degrees 56 minutes 21 seconds West, a distance of 62.30 feet;
- 21.) South 39 degrees 51 minutes 34 seconds West, a distance of 27.94 feet;
- 22.) South 00 degrees 50 minutes 58 seconds East, a distance of 62.73 feet;
- 23.) South 30 degrees 54 minutes 43 seconds West, a distance of 24.61 feet;
- 24.) South 41 degrees 36 minutes 15 seconds West, a distance of 68.29 feet;
- 25.) South 10 degrees 39 minutes 32 seconds West, a distance of 66.62 feet;
- 26.) South 54 degrees 52 minutes 04 seconds West, a distance of 50.26 feet;
- 27.) South 63 degrees 25 minutes 34 seconds West, a distance of 86.90 feet;
- 28.) South 83 degrees 46 minutes 39 seconds West, a distance of 75.20 feet;
- 29.) North 87 degrees 25 minutes 57 seconds West, a distance of 99.79 feet;
- 30.) North 77 degrees 35 minutes 46 seconds West, a distance of 79.20 feet;
- 31.) North 84 degrees 16 minutes 32 seconds West, a distance of 91.05 feet;
- 32.) North 86 degrees 52 minutes 46 seconds West, a distance of 118.87 feet;
- 33.) North 74 degrees 06 minutes 45 seconds West, a distance of 92.65 feet;
- 34.) North 70 degrees 04 minutes 11 seconds West, a distance of 65.69 feet;
- 35.) North 40 degrees 25 minutes 19 seconds West, a distance of 35.00 feet;
- 36.) North 54 degrees 13 minutes 54 seconds West, a distance of 42.76 feet;
- 37.) North 48 degrees 01 minutes 05 seconds West, a distance of 57.76 feet;
- 38.) North 39 degrees 15 minutes 00 seconds West, a distance of 76.59 feet;
- 39.) North 23 degrees 52 minutes 46 seconds West, a distance of 21.17 feet to the northwest line of said 135.778 acre tract and the southeasterly R.O.W. line of said E. Parkwood Avenue (width varies);

THENCE, with the northwest and north line of said 135.778 acre tract and the southeasterly and south R.O.W. line of said E. Parkwood Avenue, the following five (5) courses:

- 1.) North 41 degrees 14 minutes 53 seconds East, a distance of 12.41 feet to a point from which a found 3/8 inch capped iron rod bears South 67 degrees 04 minutes 44 seconds East, a distance of 0.56 feet;
- 2.) North 37 degrees 54 minutes 45 seconds East, a distance of 601.55 feet to a TXDOT disc found;
- 3.) North 41 degrees 12 minutes 07 seconds East, a distance of 145.69 feet to a TXDOT disc found at a point of curvature to the right;
- 4.) 1,284.89 feet, along the arc of said curve having a radius of 1,840.08 feet, a central angle of 40 degrees 00 minutes 30 seconds and a chord which bears North 61 degrees 12 minutes 22 seconds East, a distance of 1,258.94 feet to a TXDOT disc found at a point of tangency;
- 5.) North 81 degrees 12 minutes 37 seconds East, a distance of 90.40 feet to the POINT OF BEGINNING and containing 39.41 acres of land.

FINAL PLAT OF
**CLEAR CREEK
COMMUNITY CHURCH
OF FRIENDSWOOD**

BEING A SUBDIVISION OF 39.41 ACRES OF LAND
OUT OF A CALL 135.778 ACRE TRACT OF LAND
LOCATED IN THE
SARAH McKISSICK SURVEY, A-549
CITY OF FRIENDSWOOD
HARRIS COUNTY, TEXAS

4 RESTRICTED RESERVES

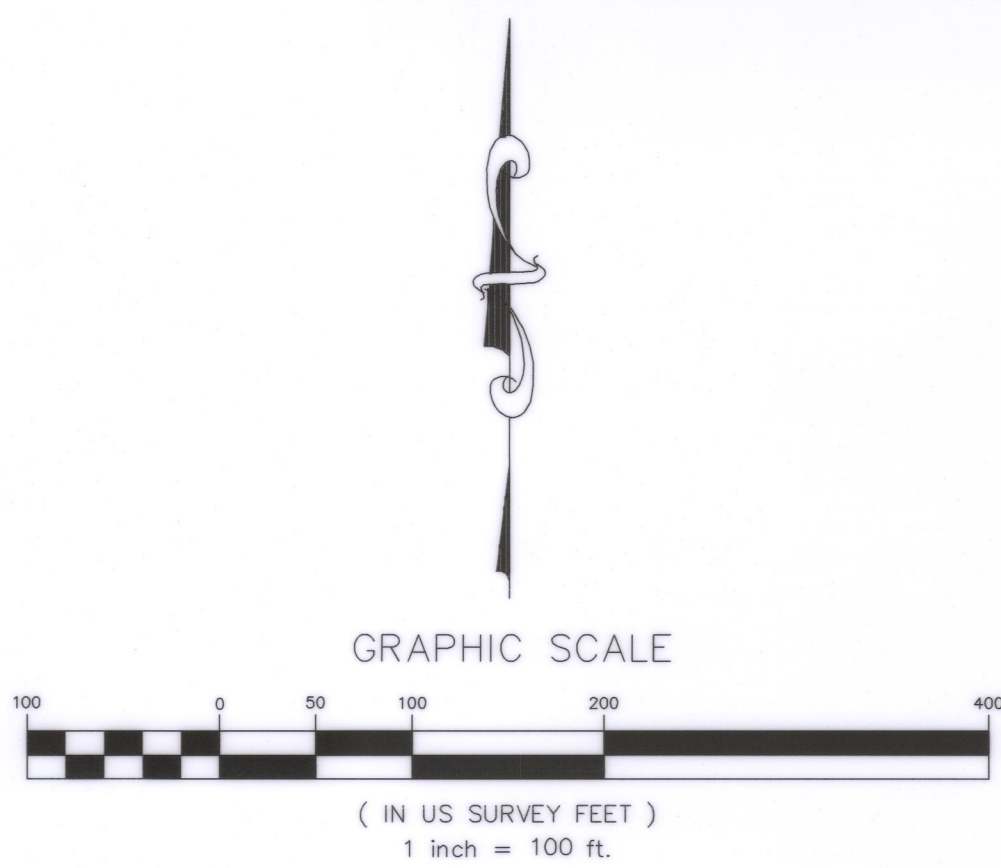
MAY 08, 2020

OWNER:
CLEAR CREEK COMMUNITY CHURCH
999 EGRET BAY BLVD. N.
LEAGUE CITY, TEXAS 77573

MARK CARDEN, EXECUTIVE PASTOR
281-336-5433

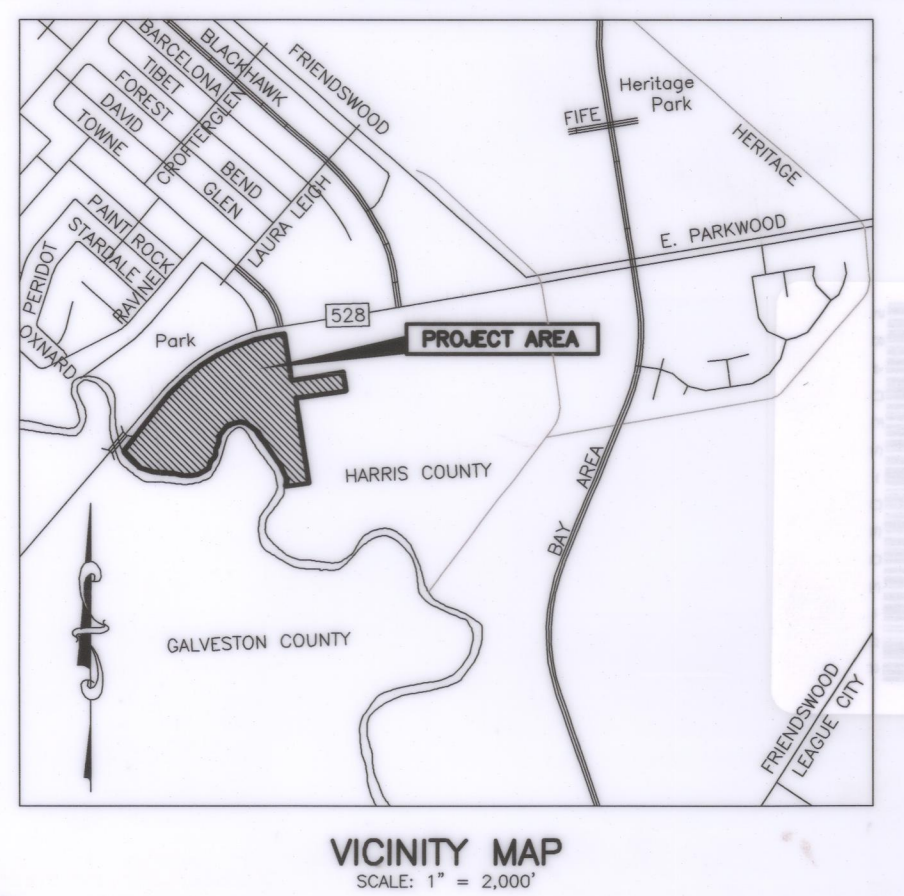
SURVEYOR:
GBI PARTNERS, L.P.
4724 VISTA RD.
PASADENA, TEXAS 77505
KYLE B. DUCKETT, R.P.L.S.
281-499-4539

ENGINEER:
SHELLMARK ENGINEERING, LLC
921 FM 517 ROAD EAST
DICKINSON, TEXAS 77539
EDGARD FIGUEROA
409-935-9986



PARTIAL PLAT EXHIBIT
NOT TO SCALE

NOTE:
PER CITY OF FRIENDSWOOD SUBDIVISION
ORDINANCE, FUTURE DEVELOPMENT OF
PARENT TRACT IS CONTINGENT UPON A
SUBDIVISION PLAT THEREOF BEING FILED
AND APPROVED BY THE CITY, IF SUCH
PLAT IS REQUIRED.



FINAL PLAT OF
**CLEAR CREEK
COMMUNITY CHURCH
OF FRIENDSWOOD**

BEING A SUBDIVISION OF 39.41 ACRES OF LAND
OUT OF A CALL 135.778 ACRE TRACT OF LAND
LOCATED IN THE
SARAH McKISSICK SURVEY, A-549
CITY OF FRIENDSWOOD
HARRIS COUNTY, TEXAS

4 RESTRICTED RESERVES

MAY 08, 2020



GBI PARTNERS, L.P.
LAND SURVEYING CONSULTANTS
4784 VISTA ROAD • PASADENA, TX 77668
PHONE: 281-499-4639 • GBISurvey@GBIPartners.com
TRP/ELS FIRM #10130300 • www.GBISurvey.com

RECORDERS MEMORANDUM
At the time of recording, this instrument was
found to be inadequate for the best photographic
reproduction because of illegibility, carbon or
photo copy, discolored paper, etc. All blackouts,
additions and changes were present at the time the
instrument was filed and recorded.

OWNER:
CLEAR CREEK COMMUNITY CHURCH
999 EGRET BAY BLVD. N.
LEAGUE CITY, TEXAS 77573

MARK CARDEN, EXECUTIVE PASTOR
281-338-5433

SURVEYOR:
GBI PARTNERS, L.P.
4724 VISTA RD.
PASADENA, TEXAS 77505

KYLE B. DUCKETT, R.P.L.S.
281-499-4539

ENGINEER:
SHELMARK ENGINEERING, LLC
921 FM 517 ROAD EAST
DICKINSON, TEXAS 77539

EDGARD FIGUEROA
409-935-9986

(Title: An ordinance changing the prior zoning classification of a tract of land consisting of approximately 135.778 acres, located at 3801 FM 528, situated in the Sarah McKissick Survey, Abstract 549, as more specifically described in Exhibit "A" from PUD-Mixed Use as referenced in prior Ordinance No.'s 2004-13/2005-34, to a new PUD-Mixed Use project, the "Friendswood Town Center" as more fully described herein.)

ORDINANCE NO. 2015-18

AN ORDINANCE AMENDING APPENDIX "C" "ZONING", OF THE CODE OF ORDINANCES OF THE CITY OF FRIENDSWOOD, TEXAS, SECTION 3, "PROVISION FOR OFFICIAL ZONING MAP", REZONING THE PROPERTY GENERALLY LOCATED AT 3801 FM 528, A TRACT OF LAND OF APPROXIMATELY 135.778 ACRES, SITUATED IN THE SARAH MCKISSICK SURVEY, ABSTRACT 549, MORE FULLY DESCRIBED IN EXHIBIT "A", INCORPORATED BY REFERENCE, FROM THE PRIOR DESIGNATION OF PLANNED UNIT DEVELOPMENT-MIXED USE, AS REFERENCED IN PRIOR ORDINANCE NO.'S 2004-13/2005-34, TO A NEW PLANNED UNIT DEVELOPMENT-MIXED USE, THE "FRIENDSWOOD TOWN CENTER", PURSUANT TO THE ATTACHED CONCEPTUAL SITE PLAN INCLUDED IN EXHIBIT "B", ALL AS MORE SPECIFICALLY PROVIDED HEREIN; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, Clear Creek Community Church, acting with the authorization of Wells Fargo Bank, National Association, (the "Owner") owner of real property generally located at 3801 FM 528 within the City, same now consisting of a 135.778 acre tract out in the Sarah McKissick Survey, Abstract 549, City of Friendswood, Harris County, Texas, more specifically described in Exhibit "A", including a Warranty Deed, survey, location map, zoning and aerial map, (the "Property"), has filed an application to rezone the property included in prior Ordinance No.'s 2004-13/2005-34, a Planned Unit Development – Mixed Use ("PUD-Mixed Use") to a

new PUD-Mixed Use project, the “Friendswood Town Center”, for the Property identified herein pursuant to the conceptual site plan and related documents attached hereto in Exhibit “B”; and

WHEREAS, the Planning and Zoning Commission and the City Council conducted a joint public hearing to consider such application; and

WHEREAS, the hearing was duly called as provided by the laws of the State of Texas and Appendix “C” of the Code of Ordinances of the City, (“Zoning Code”), and that in such hearing all persons attending were allowed to be heard on the question of whether or not to rezone the Property from PUD-Mixed Use to a new PUD-Mixed use project, the “Friendswood Town Center”, as requested in the application and as further depicted in the conceptual site plan and related documents included in Exhibit “B”, (specifically including the “Friendswood Town Center Planned Unit Development – PUD” with separate exhibits), to determine whether such rezoning would affect the health, safety, convenience, or general welfare of the citizens of Friendswood, and whether or not such change in zoning would violate the rights of any interested person; and

WHEREAS, pursuant to the Zoning Code, Section 7. “Schedule of District Regulations,” J. “Planned Unit Development, General Purpose and Description,” paragraph 7.c.2, Owner has determined to submit a conceptual site plan at this time, (Option 2), a copy of which is included in the attached Exhibit “B” and incorporated by reference, an option that shall require the Owner to apply for site plan approval at a later date if the zone change to PUD is approved; and

WHEREAS, the Planning and Zoning Commission has filed its written report with City Council, which recommends denial of the application for rezoning of the subject Property based on the recommendation made on May 7, 2015; and

WHEREAS, as a result of the said public hearing, the City Council hereby finds and determines that the proposed change in zoning classification and the rezoning of the Property would not be detrimental to the community, and is in conformance with the zoning ordinance;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct, it being expressly understood that the City Council of Friendswood ("City Council") is relying upon the express representations of Owner appearing in the documents submitted for final approval, (specifically including those documents in Exhibits "A" and "B", (Exhibit "B" including the "Friendswood Town Center Planned Unit Development – PUD" with additional internal separate exhibits as reflected herein), and the representations made at the joint public hearing before the Planning and Zoning Commission and City Council to induce approval of the rezoning made the subject of this Ordinance.

Section 2. The Friendswood City Code, Appendix C, "Zoning," Section 3, "Provision for Official Zoning Map," is hereby amended, rezoning the Property identified in the attached Exhibit "A", from PUD-Mixed Use, as referenced in Ordinance No. 2005-34, to a new PUD-Mixed Use, for the "Friendswood Town Center", for such purposes and conditions as depicted in Exhibits "B" (which includes the "Friendswood Town Center Planned Unit Development – PUD", with addition of separate internal exhibits, all of which are attached and incorporated by reference herein), for the Property now identified as a 135.778 acre tract out in the Sarah McKissick Survey, Abstract 549, City of Friendswood, Harris County, Texas, more specifically described in Exhibit "A" (which includes a Warranty Deed, survey, location map, zoning and aerial map), referenced therein, all of which are incorporated by reference), but otherwise consistent and subject to the current Zoning Code, and related conditions contained herein. This rezoning is specifically conditioned upon Owner's full compliance with Section 7.

“Schedule of District Regulations,” J. “Planned Unit Development, General Purpose and Description,” paragraph 7.c.2 (Option 2).

Section 3. The Official Zoning Map of the City of Friendswood shall be revised and amended to show the designation of the Property, as described and as provided in Section 2 above, with the appropriate reference thereon to the number and effective date of this Ordinance, and a brief description of the nature of the change.

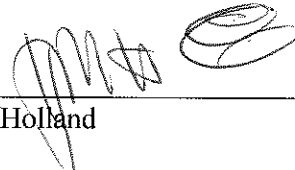
Section 4. This Ordinance shall in no manner amend, change, supplement or revise any provision of any ordinance of the City of Friendswood, save and except the change in zoning classification of said Property as conditioned and described above.

Section 5. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same, notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 6. Any person who shall willfully, intentionally, or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

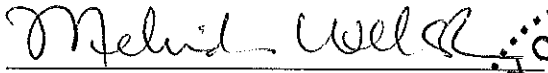
PASSED AND APPROVED on first reading this 1st day of June, 2015.

PASSED, APPROVED, and ADOPTED on second and final reading this 13th day of July, 2015.



Kevin M. Holland
Mayor

ATTEST:



Melinda Welsh, TRMC
City Secretary

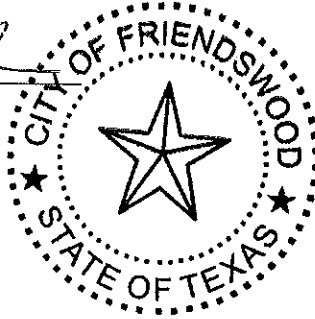


EXHIBIT “A”

Description of property located at 3801 FM 528:

1. Warranty Deed
2. Survey
3. Location map of the Property located at 3801 FM 528, Friendswood, Texas
4. Zoning map
5. Aerial map

EXHIBIT “B”
Conceptual Planned Unit Development:

1. Application
2. “Friendswood Town Center Planned Unit Development – PUD” (with addition of separate internal exhibits):

Exhibit A – Land Use Plan

Exhibit B – Friendswood Town Center Regulation Matrix

Exhibit C – Conceptual Elevations

Exhibit D - Conceptual Perspectives

Exhibit E – Infrastructure Plan

EXHIBIT “A”

Description of property located at 3801 FM 528:

1. Warranty Deed
2. Survey
3. Location map of the Property located at 3801 FM 528, Friendswood, Texas
4. Zoning map
5. Aerial map

10
Deed
R

When recorded, return to:

J. Richard White, Esq.
Winstead PC
5400 Renaissance Tower
1201 Elm Street
Dallas, Texas 75270

07-06-09
4839-539

20090297397
07/07/2009 RP1 \$52.00

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**SUBSTITUTE TRUSTEE'S DEED
AND BILL OF SALE**

STATE OF TEXAS

§

COUNTY OF HARRIS

§

KNOW ALL MEN BY THESE PRESENTS:

§

WHEREAS, on February 1, 2007, The Falls at Friendswood, LLC ("Mortgagor"), executed that certain Deed of Trust With Absolute Assignment of Leases and Rents, Security Agreement and Fixture Filing (as heretofore modified, the "Deed of Trust"), recorded as Document No. 20070078691, Real Property Records, Harris County, Texas, as corrected by that certain Correction Agreement dated effective as of February 1, 2007 and recorded as Document Number 20090257190, Real Property Records of Harris County, Texas, conveying certain real and personal property to Patrick J. Murphy, Trustee the ("Original Trustee"), for the benefit of Wells Fargo Bank, National Association, a national banking association ("Mortgagee"), so as to secure the payment and performance of, among other things, that certain Promissory Note (together with any and all extensions, renewals, modifications, restatements and/or replacements thereof, the "Note"), dated February 1, 2007, executed by Mortgagor, payable to the order of Mortgagee, in the original principal amount of \$6,062,500.00; and

WHEREAS, pursuant to the terms and conditions of the Deed of Trust, Mortgagee removed, without cause the Original Trustee and any previously appointed substitute trustees under the Deed of Trust, and did duly and regularly appoint, pursuant to that certain Appointment of Substitute Trustee With Removal of Trustee and Instructions to Substitute Trustee, dated April 13, 2009, James Lloyd, Mark Glanowski, David Staas, Kathryn Blackney and J. Richard White, individuals, as multiple Substitute Trustees (severally, a "Substitute Trustee" and collectively, the "Substitute Trustees"), each having the power and authority to act alone, without the necessity of the joinder of the other Substitute Trustees pursuant to the terms and conditions of the Deed of Trust; and

WHEREAS, the Deed of Trust creates liens on, among other things, certain real property (the "Land") situated in Harris County, Texas, as more particularly described on Exhibit A hereto

and creates a security interest in favor of Mortgagee in certain other collateral, as more particularly described on Exhibit B hereto, located upon all or any part of the Land (the "Other Collateral") (the Land and Other Collateral are collectively, the "Mortgaged Property"); and

WHEREAS, default has occurred in the payment and performance of the Note and the principal indebtedness evidenced by the Note has been properly accelerated, and such indebtedness is now due and payable but has not been paid; and

WHEREAS, Mortgagee, being the owner and holder of the Note, has requested and instructed the Substitute Trustee to enforce the terms and conditions of the Deed of Trust by advertising and selling the Mortgaged Property pursuant to and in accordance with the terms and conditions of the Deed of Trust; and

WHEREAS, pursuant to and in accordance with the terms and conditions of the Deed of Trust, the Substitute Trustee sold the Mortgaged Property for cash at public auction at the area designated for such sales between the hours of 10:00 a.m. and 4:00 p.m. on Tuesday, July 7, 2009, after having duly given notice of the earliest time, place and terms of such sale, by posting written notice (the "Notice") at the Harris County courthouse door or other location as specified by applicable law, enactment or declaration, serving written notice on each debtor obligated to pay the indebtedness evidenced by the Note according to the records of Mortgagee, and by filing notice in the office of the County Clerk of Harris County, Texas, for a period of at least 21 consecutive calendar days prior to July 7, 2009, all in accordance with the terms and conditions of the Deed of Trust and in compliance with the laws of the State of Texas; and

WHEREAS, at a public sale which commenced not earlier than the time specified in the Notice and not later than three hours after that time, the Substitute Trustee struck off the Mortgaged Property to Wells Fargo Bank, National Association, a national banking association ("Purchaser"), Purchaser being the highest cash bidder and otherwise in accordance with the requirements of the Deed of Trust for the Mortgaged Property;

NOW, THEREFORE, by virtue of the power granted pursuant to the terms and conditions of the Deed of Trust, and for and in consideration of the payment of the sum bid by the Purchaser, the receipt, adequacy and sufficiency of which are hereby acknowledged, the undersigned Substitute Trustee, in accordance with the provisions of the Deed of Trust and applicable law, has GRANTED, SOLD, BARGAINED, TRANSFERRED, ASSIGNED, and CONVEYED, and by these presents does hereby GRANT, SELL, BARGAIN, TRANSFER, ASSIGN, and CONVEY, unto Purchaser the Mortgaged Property;

TO HAVE AND TO HOLD the Mortgaged Property, together with, all and singular, the benefits, rights, privileges, easements, tenements, hereditaments, and appurtenances thereto in anywise belonging or appertaining to Purchaser and Purchaser's heirs, personal representatives, successors and assigns forever, and, for and on behalf of Mortgagor, and Mortgagor's heirs, personal representatives, successors, and assigns, Substitute Trustee does hereby bind Mortgagor, and Mortgagor's heirs, personal representatives, successors, and assigns, to WARRANT and FOREVER DEFEND, all and singular, the title to the Mortgaged Property (insofar as is authorized by the Deed of Trust) unto Purchaser and Purchaser's heirs, personal representatives, successors and assigns, against the claims of all persons whomsoever claiming,

or to claim, the same, or any part thereof; SUBJECT, HOWEVER, to all liens, exceptions to title, easements, restrictions and encumbrances affecting any of the Mortgaged Property or title thereto which are equal or prior to the liens and security interests created by the Deed of Trust.

NEITHER THE SUBSTITUTE TRUSTEE, INDIVIDUALLY, NOR MORTGAGEE, AS THE OWNER AND HOLDER OF THE NOTE AND THE DEED OF TRUST, HAVE MADE, AND DO NOT HEREBY MAKE, ANY REPRESENTATION, WARRANTY, OR COVENANT, EXPRESS OR IMPLIED, WITH RESPECT TO THE MERCHANTABILITY, CONDITION, QUALITY, DURABILITY, TITLE, DESIGN, OPERATION, FITNESS FOR USE, OR SUITABILITY OF THE PERSONAL PROPERTY OR ANY COMPONENT THEREOF IN ANY RESPECT WHATSOEVER OR IN CONNECTION WITH OR FOR THE PURPOSES AND USES OF PURCHASER, OR ANY OTHER REPRESENTATION, WARRANTY, OR COVENANT OF ANY KIND AND CHARACTER, EXPRESS OR IMPLIED, WITH RESPECT THERETO.

EXECUTED as of July 7, 2009.

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001-22-930
001-22-930
001-22-930

SUBSTITUTE TRUSTEE:

Kathryn Blackney
Name: Kathryn Blackney 102

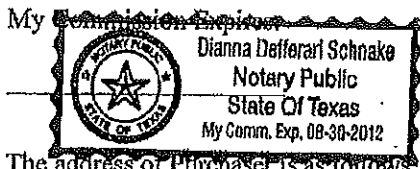
STATE OF TEXAS

COUNTY OF HARRIS

§
§
§

This instrument was ACKNOWLEDGED before me on July 7, 2009, by
Kathryn Blackney, in the capacity therein stated.

[SEAL]



[Signature]

Notary Public in and for the State of Texas

DSchnake

Printed Name of Notary Public

The address of Purchaser is as follows:

Wells Fargo Bank, National Association
Real Estate Managed Asset Group
401 B Street #1100
San Diego, CA 92102

Exhibit A

Land

A description of the Land follows this cover page.

EXHIBIT A -- LAND

EXHIBIT "A"

Property Description

DESCRIPTION OF A 135.778 ACRE TRACT OF LAND OUT OF THE SARAH McKISSICK SURVEY, ABSTRACT NO. 549, HARRIS COUNTY, TEXAS.

BEGINNING at the point of intersection of the Northerly Mean High Tide Meanders of Clear Creek with the Southeasterly right of way line of F.M. 528, variable width right of way, said point being located S81°12'48"W 1772.42 feet, S61°12'33"W 1258.94 feet, S41°12'18"W 145.69 feet, S37°54'56"W 601.55 feet and S41°15'04"W 22.04 feet, along said F.M. 528 Southeasterly right of way from the Northwest corner of a 28.9270 acre tract of land recorded under Film Code 512-27-3525 in the Harris County Records; D

THENCE from said Beginning Point along the Southeasterly right of way line of F.M. 528, right of way width varies, as follows:

N41°15'04"E, 22.04 feet to a found 3/8" iron rod for corner;

N37°54'56"E, 601.55 feet to a found TXDOT right of way monument for corner;

N41°12'18"E, 145.69 feet to a found TXDOT right of way monument at the P.C. of a curve;

In a Northeasterly direction, around a curve to the right whose radius 1840.08 feet, whose chord bears N61°12'33"E 1258.94 feet, a distance of 1284.29 feet to a found TXDOT right of way monument at the P.T. of said curve;

N81°12'48"E, 1772.42 feet to a found 5/8" iron rod for corner at the Northwest corner of a 28.9270 acre tract of land recorded under Film Code 512-27-3525 in the Harris County Records;

THENCE S08°47'13"E, along the Westerly line of said 28.9270 acre tract, a distance of 1289.36 feet to a found 5/8" iron rod at the Southwest corner of said 28.9270 acre tract, same being the Northwest corner of a 10.00 acre tract of land recorded under Film Code 512-27-3526 in the Harris County Records;

THENCE continuing S08°47'13"E, along the Westerly line of said 10.00 acre tract, a distance of 901.28 feet to a point for corner from which a 5/8" iron rod bears S86° 58'W 0.64 feet at the South corner of said 10.00 acre tract, said point lying in the Northwesterly line of a Harris County Flood Control District Drainage right of way, 150 foot in width, described under File No. E449568 in the Harris County Records;

THENCE S38°20'40"W, along the Northwesterly line of a Harris County Flood Control District Drainage right of way, 150 foot width, at a distance of 815.61 feet pass a found 2" iron pipe, at a distance of 867.00, pass a found 3/8" iron rod, in all, a distance of 878.00 feet to a point for corner in the Northerly Mean High Tide Meanders of Clear Creek;

THENCE in a Westerly direction along the Northerly Mean High Tide Meander of Clear Creek as follows:

N21°17'53"W	80.86;
N04°22'00"W	216.80;
N32°41'45"W	184.39;
N51°05'51"W	159.93;
N74°02'56"W	164.71;
S48°03'01"W	44.69;
N73°53'01"W	47.50;
S49°24'39"W	89.87;
N75°14'28"W	40.66;
S43°54'02"W	146.10;
S25°05'34"W	134.50;
S83°33'29"W	49.30;
S21°22'39"W	73.69;
N77°09'04"W	62.96;
S59°48'54"W	48.72;
N76°28'57"W	56.65;
N88°56'26"W	120.31;
N78°01'35"W	221.29;
N67°13'18"W	112.00;
N50°45'59"W	258.04;
N16°00'29"W	99.00;
N05°32'21"W	60.42;
N23°27'42"E	67.18;
N39°20'26"E	42.52;
N59°56'12"E	35.59;
S84°02'57"E	25.53;
S63°21'37"E	25.66;
N23°24'11"E	84.42;
N27°29'42"E	63.48;
N19°02'47"E	103.93;
N01°37'07"E	85.86;
N00°08'41"E	100.59;
N29°30'14"W	47.60;
N57°39'57"W	45.79;
N17°42'29"W	57.03;
N35°35'22"W	185.97;
N53°40'24"W	62.94;
N10°55'24"W	59.34;
N34°35'23"W	55.34;
N47°17'18"W	86.30;
N53°56'07"W	75.03;
N88°23'26"W	44.90;
N83°36'23"W	40.51;
S71°04'35"W	80.52;

2025-02-19 08:22:13

S82°32'42"W	38.81;
S27°31'14"W	74.71;
S26°55'51"W	77.74;
S14°52'11"W	57.44;
S02°40'58"E	67.89;
S15°46'44"W	65.06;
S27°21'44"W	76.82;
S39°55'00"W	80.49;
S58°05'12"W	113.84;
S75°27'50"W	91.91;
N83°57'56"W	90.47;
N73°59'30"W	116.54;
S89°58'35"W	38.09;
S82°10'43"W	62.39;
N80°06'14"W	103.42;
N83°33'53"W	52.50;
N77°46'46"W	41.29;
N56°08'14"W	103.63;
N43°58'12"W	60.56;
N37°46'35"W	123.88

to the Place of Beginning and containing 135.778 acres (5,914,489.6 square feet) more or less.

Exhibit B

Other Collateral

1. All right, title, interest, and privileges of Mortgagor in and to all streets, ways, roads and alleys used in connection with or pertaining to the Land or the improvements thereon, all development rights or credits, air rights, water, water rights and water stock related to the Land, all timber, and all minerals, oil and gas, and other hydrocarbon substances in, on or under the Land, and all licenses, appurtenances, reversions, remainders, easements, rights and rights of way appurtenant or related thereto;
2. All buildings, other improvements and fixtures now or hereafter located on the Land, including, but not limited to, all apparatus, equipment, and appliances use din the operation or occupancy of the Land, it being intended that all such items shall be conclusively considered to be a part of the Land, whether or not attached or affixed to the Land (the "Improvements");
3. All interest or estate which Mortgagor may hereafter acquire in the property described above, and all additions and accretions thereto, and the proceeds of any of the foregoing (all of the foregoing being collectively referred to as the "Subject Property");
4. The following described personal property (collectively, the "Collaterals");

All goods, building and other materials, supplies, inventory, work in process, equipment, machinery, fixtures, furniture, furnishings, signs and other personal property and embedded software included therein and supporting information wherever situated, which are or are to be incorporated into, used in connection with, or appropriated for use on (i) the Land or (ii) any existing or future improvements on the Land (which Land and improvements are collectively referred to herein as the "Subject Property"); together with all rents and security deposits derived from the Subject Property; all inventory, accounts, cash receipts, deposit accounts, accounts receivable, contract rights, licenses, agreements, general intangibles, payment intangibles, software, chattel paper (whether electronic or tangible), instruments, documents, promissory notes, drafts, letters of credit, letter of credit rights, supporting obligations, insurance policies, insurance and condemnation awards and proceeds, proceeds of the sale of promissory notes, any other rights to the payment of money, trade names, trademarks and service marks arising from or related to the ownership, management, leasing, operation, sale or disposition of the Subject Property or any business conducted thereon by Mortgagor; all development rights and credits, and any and all permits, consents, approvals, licenses, authorizations and other rights granted by, given by or obtained from, any governmental entity with respect to the Subject Property; all water and water right, wells and well rights, canals and canal rights, ditches and ditch rights, springs and spring rights, and reservoirs and reservoir rights appurtenant to or associated with the Subject Property, whether decreed or undeclared, tributary, non-tributary or not non-tributary, surface or underground or appropriated or unappropriated, and all shares of stock in water, ditch, lateral and canal companies, well permits and all other evidences of any of such rights; all deposits or other security now or hereafter made with or given to utility companies by Mortgagor with respect to the

Subject Property; all advance payments of insurance premiums made by Mortgagor with respect to the Subject Property; all plans, drawings and specifications relating to the Subject Property; all loan funds held by Mortgagee, whether or not disbursed; all funds deposited with Mortgagee pursuant to any loan agreement; all reserves, deferred payments, deposits, accounts, refunds, cost savings and payments of any kind related to the Subject Property or any portion thereof; together with all replacements and proceeds of, and additions and accessions to, any of the foregoing; together with all books, records and files relating to any of the foregoing.

FILED
2009 JUL -7 AM 10:48
Dorothy L. Keyman
COUNTY CLERK
HARRIS COUNTY, TEXAS

RECORDER'S MEMORANDUM:

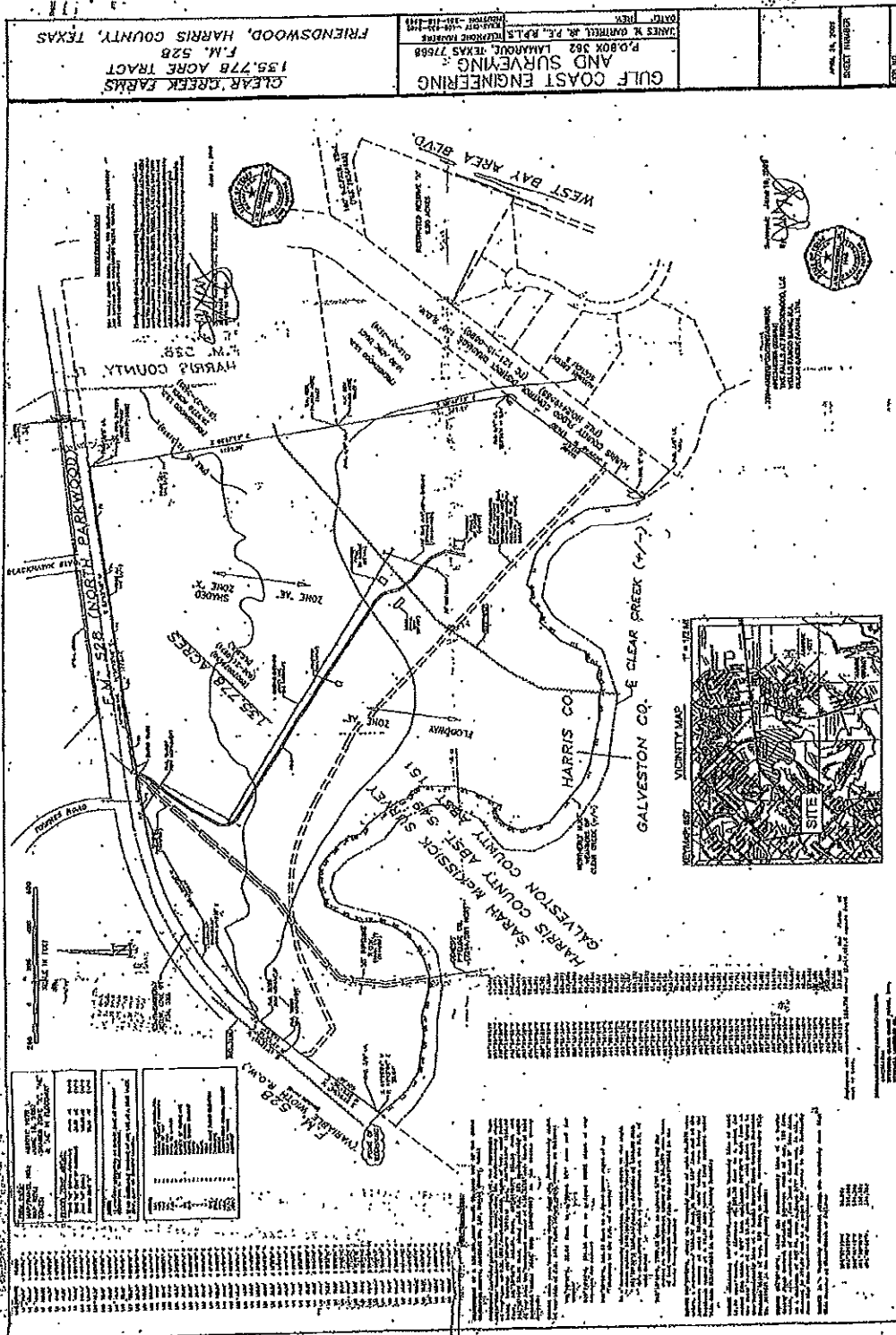
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blackouts, notations and changes were present at the time the instrument was filed and recorded.

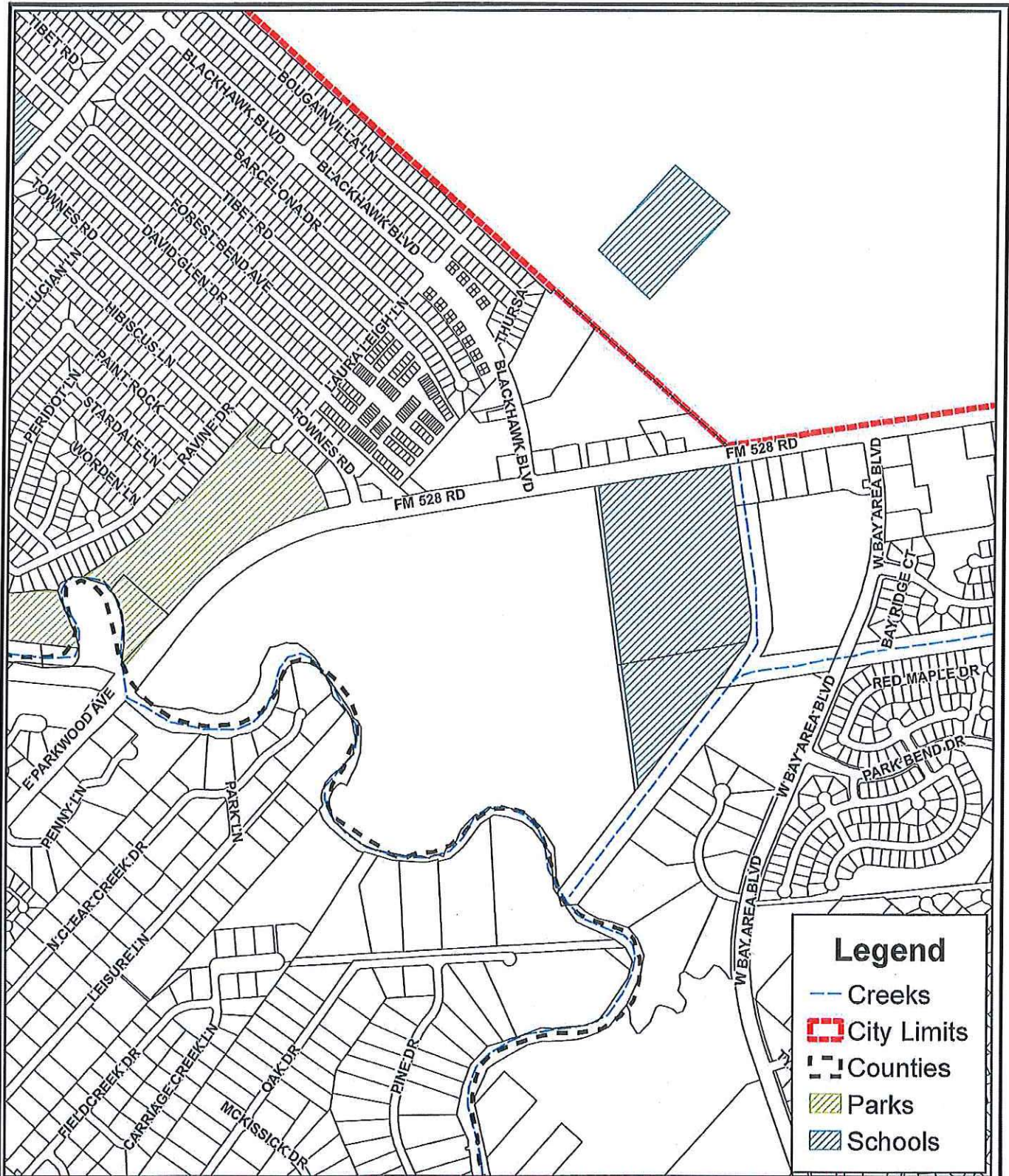
ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR, SIZE OR TYPE IS VOID AND UNENFORCEABLE UNDER FEDERAL LAW.
THE STATE OF TEXAS
COUNTY OF HARRIS
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time
above stated and that it was duly RECORDED in the Official Public Records of Real Property of Harris
County, Texas on

JUL - 7 2009



Dorothy L. Keyman
COUNTY CLERK
HARRIS COUNTY, TEXAS





Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Friendswood makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Friendswood from any damage, loss, or liability arising from such use.

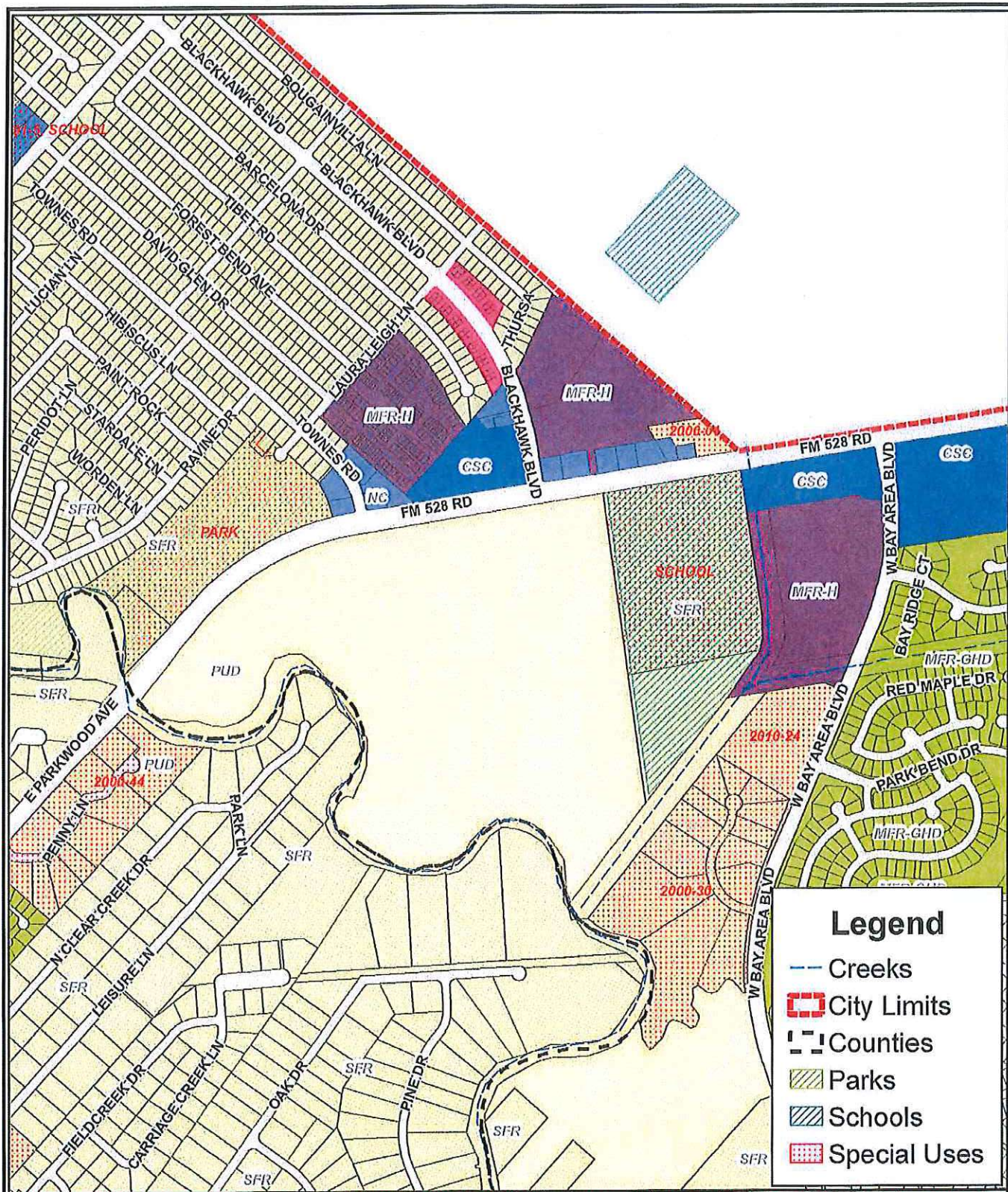


City of Friendswood
 910 South Friendswood Drive
 Friendswood, Texas 77546
 (281) 996-3200
www.ci.friendswood.tx.us

Friendswood GIS Mapping



1" = 896'



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Friendswood makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Friendswood from any damage, loss, or liability arising from such use.



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1" = 892'



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Friendswood GIS Mapping



1" = 992'

EXHIBIT “B”
Conceptual Planned Unit Development:

1. Application
2. “Friendswood Town Center Planned Unit Development – PUD” (with addition of separate internal exhibits):

Exhibit A – Land Use Plan

Exhibit B – Friendswood Town Center Regulation Matrix

Exhibit C – Conceptual Elevations

Exhibit D - Conceptual Perspectives

Exhibit E – Infrastructure Plan

15-0061

CITY OF FRIENDSWOOD,
PLANNED UNIT DEVELOPMENT (PUD) APPLICATION
Fee: \$300.00

City of Friendswood
DEC 4 2014
Received by: AH

CURRENT ZONE OF PROPERTY: PUD - Ordinance No. 2005-37

PLANNED UNIT DEVELOPMENT (PUD): Option 1 or (Option 2) (circle one)

PROPERTY IDENTIFICATION:

Street/Road Address: Whitcomb Property on FM 528

City of Friendswood
JAN 5 2015
Received by: AH

LEGAL DESCRIPTION:

☐ Platted Land/Name of Plat: _____
Lot: _____ Block: _____ Reserve: _____

☒ Unplatted Land (attach certified metes and bounds description)
135.778 acres as described on attached survey.

Rec'd
- Application
- Check \$300
- Deed/Title
- General
Land Use
Plan
- Project Desc-
ption

SUBMITTAL REQUIREMENTS:

☒ Current Deed of Record 11/15/15
☒ Most recent plat OR Certified Metes and Bounds Description (including name, address and telephone number of surveyor) 11/15/15

☐ Option 1: This option allows the site plan to be approved as a part of the zone change request and is a one-time submittal. The following information is required and is typically provided with a cover sheet, overall site plan, landscape plan, building elevations, and photometric plan. Engineered drainage and utility plans are also required.

- ✓ Data describing all processes and activities involved with the proposed use
- ✓ Boundaries of the area covered by the site plan
- ✓ The location of each existing and proposed building and structure in the area covered by the site plan and the number of stories, height, roofline, gross floor area and location of building entrances and exits
- ✓ The location of existing drainage ways, and significant natural features
- ✓ Proposed landscaping and screening buffers
- ✓ The location and dimensions of all curb cuts, public and private streets, parking and loading areas, pedestrian walks, lighting facilities and outside trash storage facilities
- ✓ The location, height and type of each wall, fence, and all other types of screening
- ✓ The location, height and size of all proposed signs
- ✓ Utility and drainage plans
- ✓ Regulation matrix designating what zoning district the development will follow
- ✓ Data describing any variation from the typical development requirements

☒ Option 2: This option will require the applicant to apply for site plan approval from the Planning and Zoning Commission at a later date if the zone change to PUD is approved. At the time of site plan approval all information contained in the conceptual plan shall be certified by an engineer and/or surveyor.

2/12/2014

The conceptual plan shall provide the following information and is typically provided in the form of a cover sheet or letter describing the project, an overall site plan and building elevations:

- ✓ General land use and density plan *ver 1-5-15*
- ✓ Identify proposed general uses, densities, major open spaces, circulation and access features
- ✓ Statement indicating proposed phasing of development and the projected timing of each
- ✓ Data describing all processes and activities involved with the proposed use
- ✓ Regulation matrix designating what zoning district the development will follow
- ✓ Data describing any variation from the typical development requirements

PROPERTY OWNER'S INFORMATION

Name: Wells Fargo - Nimesh Shah
Email Address: nimeshshah@wellsfargo.com
Phone #: 415-371-3027 Fax#: 415-371-3210
Mailing Address: 333 Market St. 3rd Flr
City: San Francisco State: CA Zip: 94105

AGENT'S INFORMATION

Name: Clear Creek Community Church
Email Address: gpenner@clearcreek.org
Phone #: 281-338-5433 Fax#: 281-557-2391
Mailing Address: 999 Egret Bay Blvd. N.
City: League City State: TX Zip: 77573

In authorizing an agent to represent the owner, the owner attests that his/her agent may make verbal or written representations and/or declarations on the owner's behalf and the owner understands and acknowledges that the City of Friendswood shall rely upon the agent's representations in matters pertaining to the above described property. The designation of an agent in this matter in no way absolves the owner of any of the owner's responsibilities outlined by the City of Friendswood.

PETITION: As owner/agent, I hereby petition the city for approval of the above described request as provided by the laws of the State of Texas and Ordinances of the City of Friendswood.

Signature: [Signature] 12-10-14
(Owner) (Date)
Signature: [Signature] 12-2-14
(Agent) (Date)

Date Application Received: <u>12.4.14/1.5.15</u>	Application Received By: <u>[Signature]</u>
Receipt Date: <u>1.9.15</u>	Receipt #: <u>25193</u>
Date of Public Hearing: <u>2.2.15</u>	
Newspaper Notice: <u>1.12.15</u>	
Property Owner Notice: <u>1.23.15</u>	
Sign on Property: <u>1.23.15</u>	

12.4.14 - incomplete application
1.5.15 - revised application

Friendswood Town Center Planned Unit Development (PUD)

A. Purpose of FTC Planned Unit Development

The purpose and intent of the Planned Unit Development zoning district is to develop a horizontally integrated mixed-use project. The proposed PUD will permit the development of a superior mixed-use project compared to what can currently be developed under the existing PUD Ordinance 2005-34 and the prior Ordinance 2004-13. The PUD allows for the inclusion of customized site development and building regulations tailored to the specific property and its surroundings. The PUD Land Use Plan (Exhibit A) generally depicts the integration of commercial, retail, restaurant, office, recreational, place of worship, community and other uses within the development. The PUD Land Use Plan will establish the horizontal integration of uses as well as automobile and pedestrian access points to FM 528, Blackhawk Blvd Extension, private streets and recreation / open space areas.

B. Overview

The following is the International Council of Shopping Centers (ICSC) definition of a mixed-use development:

"A mixed-use development is a real estate project with planned integration of some combination of retail, office, residential, hotel, recreation or other functions. It is pedestrian-oriented and contains elements of a live/work/play environment. It maximizes space usage, has amenities and architectural expression and tends to mitigate traffic and sprawl."

Planned integration:

- Office/commercial/retail uses in close proximity to one another and focusing on the pedestrian networks throughout the mixed-use development.
- Unique opportunity to develop a mixed-use project within the City of Friendswood on a strategically located, unique tract of land, with over 3,225 linear feet of frontage on Clear Creek which will feature over 60 acres of recreation / open space.

Combination of uses:

- Commercial, retail, restaurant, office, recreational, community, places of worship, and other uses.
- Public gathering opportunities along the pedestrian networks throughout development.

Pedestrian oriented:

- Pedestrian networks throughout the development and sidewalks on FM 528 and Blackhawk Blvd.
- Proposed pedestrian connections to uses within the PUD and to significant recreation and open space acreage fronting Clear Creek.

Mixed Use environment:

- Mixed use environment is essential to attract quality office and employment tenants. This environment is desired to attract and retain young professionals.
- Opportunity for office/commercial/retail tenant employees to live in nearby residences and walk or bicycle to work
- Opportunity for surrounding single family homeowners and non-residential tenants to walk or bicycle to retail and worship uses
- Opportunity for commercial, retail, office, multi-family, and Friendswood residents to utilize 60+ acres of Recreation and Open Space

Amenities and architectural expression:

- Architecture is of appropriate scale and will share architectural motifs and elements throughout the development
- Office/commercial/retail/worship structures located proximate to pedestrian network
- Proposed PUD allows customized site development and building regulations for this tract and its surroundings
- PUD will create the opportunity for recreation and open space development on over 60 acres of floodway adjacent to Clear Creek.

Community Benefits

Provide community benefits including:

- Mixed use environment to attract quality office and employment tenants
- Creating pedestrian network throughout the project
- Providing restaurant and retail uses
- Providing landscaping and building maintenance requirements through property owners association
- Providing high quality design and aesthetics
- Providing public social gathering spaces and amenities along pedestrian network
- Recreation and open space in 60+ acres of Clear Creek Floodway

C. District Boundaries

The uses permitted and regulations set forth in the PUD apply to the development and use of the property as identified in the metes and bound description in Exhibit A and depicted on the conceptual Land Use Plan attached as Exhibit A. The boundaries of the parcels shown on the Land Use Plan (Exhibit A) are conceptual and the acreage amounts can be modified up to 25% as a minor revision to the PUD, including those provisions outlined for Parcel F below, upon application to and administrative approval of the City Manager.

Parcel A – Increase or decrease by 0.76 AC

Parcel B – Increase or decrease by 1.55 AC

Parcel C – Increase or decrease by 1.29 AC

Parcel D – Increase or decrease by 1.50 AC

Parcel E – Increase or decrease by 1.54 AC

Parcel F – Increase or decrease by 6.36 AC

Parcel G – Increase or decrease by 11.44 AC

Parcel H – Increase or decrease by 8.65 AC

D. Applicable Regulations / Site Plan Approval

The PUD is subject to the development standards, and entitled to the permitted uses, as set forth in this document and its attachments, as well as the site plan required herein.

Except as otherwise provided herein, the PUD is subject to the standards, as of the date of PUD adoption by City Council, applicable in the following zoning districts for the designated uses:

- Community Shopping Center (CSC) district
- Community Overlay (COD) district

This document provides for an approved conceptual Land Use Plan (Exhibit A), which is a conceptual site plan for the mixed use project. As each designated Parcel of the project (See Sec. C.) is developed, a site plan meeting the requirements of the Zoning Ordinance Sec 7.J.7.(c)(1), as of the adoption date of PUD ordinance, and approved in accordance with the procedure of current Zoning Ordinance Sec. 9.C. must be approved. Upon approval, the site plan shall become a part of this document and set forth the detailed development standards and final Parcel configuration applicable to that sub-component of the mixed use project. Upon approval, the final site plan shall be marked "approved" with the approval date and the signature of the appropriate official, refer to the Ordinance approving the PUD, and then a copy provided to the applicant and a copy maintained in the records of the City.

E. Permitted and Prohibited Uses

The uses allowed within the PUD are those as described in the Community Shopping Center (CSC) Zoning District in the Permitted Use Table, as contained in the Zoning Ordinance of the City of Friendswood Permitted Use Table, or require Specific Use Permit, and are permitted in the PUD as designated below. Prohibited Uses are listed within the Prohibited Use Section below.

Permitted Uses –

NAICS Code (referenced in City of Friendswood Permitted Use Table in Zoning Ordinance)	Use Description
541	Administrative Business Offices
711310	Amphitheater
453920	Art Gallery (retail)
712110	Art Gallery (non-retail)
541430	Art Studio (commercial)
521	Automatic Teller Machines (ATM)
521	Banks
71395	Bowling
7224	Drinking Places (more than 75% sales of alcoholic beverages)(bars)
445,446	Food Sales, General (grocery store)
713120	Indoor Sports and Recreation
51	Information
621	Medical Offices
621	Medical or Dental Clinic
	Movie Theater 6 Screens or Less
713990	Outdoor Recreation
486	Pipeline Transportation - Existing
8131	Places of Worship
541	Professional Offices
8131	Religious Organizations
7225	Restaurants serving alcohol, subject to TABC Regulations
7113	Theaters (indoor), Concert Halls and Meeting Rooms

Prohibited Uses –

NAICS Code (referenced in City of Friendswood Permitted Use Table in Zoning Ordinance)	Use Description
481	Air Transportation
522298	All Other Non-depository Credit Intermediation (i.e. pawn shops)
8113	Commercial and Industrial Machine Equipment Repair
8122	Death Care Services
53113	Mini Warehouse Storage
48841	Motor Vehicle Towing
486	Pipeline Transportation
482	Rail Transportation
7213	Rooming and Boarding Houses

7112	Sports Teams, Clubs, Racetracks, and Other Spectator Sports
488	Support Activities for Transportation
484	Truck Transportation
	Utility Service or Storage Yards or Related Buildings
483	Water Transportation
811310	Welding Shops

Require Specific Use Permit –

<u>NAICS Code</u> (referenced in City of Friendswood Permitted Use Table in Zoning Ordinance)	<u>Use Description</u>
623312	Assisted Living Facilities for the Elderly (without on-site nursing)
81112	Automotive Body, Paint, Interior and Glass Repair
515	Broadcasting (except internet)
6114	Business Schools and Computer and Management Training
6113	Colleges, Universities, and Professional Schools
623311	Continuing Care Retirement Communities (with on-site nursing)
518	Data Processing, Hosting and Related Services
8112	Electronic and Precision Equipment Repair and Maintenance
6111	Elementary and Secondary Schools
7211	Hotel
6112	Junior Colleges
561730	Landscaping Services
	Movie Theater 7 Screens or More
454	Non-store Retailers
6231	Nursing Care Facilities - Skilled Nursing Facilities
519	Other Information Services
56179	Other Services to Buildings and Dwellings
8114	Personal and Household Goods Repair and Maintenance
323	Printing and Related Support Activities
487	Scenic and Sightseeing Transportation
624	Social Assistance
6115	Technical and Trade Schools
517	Telecommunications
54138	Testing Laboratories
485	Transit and Ground Passenger Transportation

Uses identified in Section E of the PUD to require a Specific Use Permit in a given parcel will undergo application and approval process as outlined in Zoning Ordinance Sec 9.G., as of the adoption date of PUD ordinance.

Individual retail spaces are permitted to a maximum of 75,000 gross leasable area, and those exceeding that size require a Specific Use Permit.

All permitted uses must be conducted within completely enclosed buildings, except for off-street parking or loading areas, automated teller machines, outdoor seating, food trucks, decks, sidewalks, patios, dog park, pocket parks and other related uses.

The Land Use Plan depicts general land use categories on the parcels as follows:

Parcels A - F, Commercial / Office / Retail;
Parcel G, Recreation / Open Space / Detention;
Parcel H – Place of Worship.

Uses listed in this Section E are permitted on all Parcels, except Parcel G.

Subject to FEMA and otherwise applicable City approvals, detention, compensatory storage ponds, trails, recreational sports fields, common areas, parks, amphitheater, environmental area, community garden and any other green space or public/semi-public use or area are permitted in Parcel G. No habitable building is permitted in Parcel G.

F. Density and Area Regulations

The development shall conform to the requirements listed in the Friendswood Town Center Regulation Matrix attached hereto as Exhibit B

G. Design and Streetscape

- a. Architectural Design Guidelines for Retail Uses
 - i. Building articulation required every fifty (50) feet. Shall consist of one or more of the following:
 - 1) Canopies, awnings, or porticos
 - 2) Wall recesses/ projections
 - 3) Arcades
 - 4) Arches
 - 5) Display windows
 - 6) Architectural details
 - 7) Articulated ground floor levels or base
 - 8) Articulated cornice line
 - 9) Integrated planters or wing walls that incorporate landscape and sitting areas
 - 10) Offsets, reveals or projecting rib used to express architectural or structural bays
 - 11) Varied roof heights
- b. Architectural Design Guidelines for Commercial, Office and Place of Worship Uses
 - i. The design of Commercial, Office and Place of Worship Uses shall incorporate common architectural elements with the retail buildings on Parcels A – F, such as signage font, logo and color palette, to define the development on the property as a master planned, horizontally integrated, mixed-use development.

H. Pedestrian Connectivity and Sidewalks

- a. Elements for Major and Minor Pedestrian Connectivity shown on the Land Use Plan, Exhibit A

- i. Major Pedestrian Connectivity: Street Tree/Furniture/Planting Zone shall have a minimum width of 15 feet (from face of curb) and shall be continuous and located adjacent to the curb along the Major Pedestrian Connectivity Route. This zone will include an eight (8)-foot unobstructed sidewalk. The remaining seven (7) feet shall include benches, landscaping, trash cans, lighting or other pedestrian oriented elements.
- ii. Minor Pedestrian Connectivity: Street Tree/Furniture/Planting Zone shall have a minimum width of ten (10) feet (from face of curb) and shall be continuous and located adjacent to the curb along Minor Pedestrian Connectivity Route. This zone will include an unobstructed five (5) foot sidewalk, and the remaining five (5) feet shall include landscaping, lighting or other pedestrian oriented elements.

- b. Social Gathering Space Requirements

These are spaces that incorporate gathering and sitting opportunities along the Major Pedestrian Connectivity. Such areas shall include a seating area with benches or tables and chairs, and may include any of the following features:

- 1) Kiosk(s);
- 2) Water feature;
- 3) Gazebo;
- 4) Public Art;
- 5) Other such focal feature and amenity that enhances the public space.

- c. The Major and Minor Pedestrian Connections and the Social Gathering Spaces shall be maintained by a Property Owners Association.

I. Building Facades and Elevations

- a. The Conceptual Elevations attached as Exhibit C generally depict the building construction materials, special amenities and other design elements applicable to Parcels A – F and H. The Conceptual Perspectives attached as Exhibit D generally depict the pedestrian network integrated into the property. Architectural themes shall be complementary between Office/Commercial/Retail uses.

J. Landscaping and Buffering

- a. Buffer yards are not required to buffer uses internally within the property.
- b. Community Overlay District, Sec. 7.5, 5. d. is amended as follows:
 - 1) Parking lots within the COD containing greater than 20 parking spaces shall have open landscaped areas equal to 20 percent of the parking area and drives in the parking area. The open space perpendicular to the parking spaces and around buildings will count toward this requirement.

- 2) Fifty percent of the required landscaped area must be used as islands. Medians and end islands will count toward this requirement. One tree is required within 50 feet of every parking space. Perimeter landscaping shall have at least one such tree for each 30 (40 lineal feet if not located in the COD) lineal feet or fraction thereof.
- c. Mitigation of removed trees 12" and over shall be for only those species identified as Class I and II.

K. Off-Street Parking and Loading

- a. Off-street Parking Regulations will comply with the City of Friendswood Design Criteria Manual except as noted below:
 - i. Minimum off-street parking requirements can be met by placing required off-street parking spaces at any location within the PUD with the execution of a shared parking agreement submitted, reviewed and approved by the City. Off-street parking spaces, whether required or excess, are not required to be located on the same parcel as the principal use they serve;
 - ii. Parking for restaurants serving alcohol and restaurants not serving alcohol will be as follows:
 1. Fine Casual Dining with Bar and alcohol service – 1 space per 75 square feet of GFA.
 2. Family Restaurant without Bar or alcohol service OR Fast Food - 1 space per 100 square feet of GFA.
 - iii. Handicap Accessible parking shall be provided per the attached chart.

Table 208.2 Parking Spaces

Total Number of Parking Spaces Provided in Parking Facility	Minimum Number of Required Accessible Parking Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2 percent of total
1001 and over	20, plus 1 for each 100, or fraction thereof, over 1000

Regardless of ratios noted above, provided handicap accessible parking will comply with Federal and State criteria. Above chart is sourced from International Building Code.

- iv. Office uses are required to provide one (1) loading space for any one (1) building that exceed 40,000 square feet of gross floor area;
- v. Loading spaces may be 10'X30' in size.
- vi. Subject to any local, state or federal regulatory approvals, parking can be developed for any use within the PUD, within the FEMA floodplain or floodway.

L. Access

- a. The public and private points of access to FM 528 as depicted on the Land Use Plan are

not meant to limit number or location of access points.

- b. Private driveway connections to FM 528 and Blackhawk Blvd. extension have not been shown on the Land Use Plan. The number and location will be subject to Texas Department of Transportation (TXDOT), Traffic Impact Analysis (TIA) and City of Friendswood requirements and approvals.
- c. The Traffic Impact Analysis (TIA) performed by a Professional Engineer licensed by the State of Texas is required prior to submittal of the first plat for the development in order to make determinations regarding road extension requirements, driveway spacing and other access points throughout the development. Offsite road improvements, on a pro rata basis, will only be the responsibility of the FTC PUD Developers should the TIA determine onsite traffic generation warrants contribution to such.

M. **Signage** – Signage within the PUD will comply with Appendix A Sign Ordinance unless stipulated otherwise below:

Temporary Real Estate Subdivision Signs

- a. Multi-family Units: size not to exceed 20 square feet in sign area.
- b. Vacant Land: one 32square-foot sign permitted for every 500 linear feet of vacant land contiguous to FM 528 and Blackhawk Blvd.
- c. Temporary Signs for most integrated non-residential units: one 32 square-foot sign permitted for every 500 linear feet of land dedicated to said uses contiguous to FM 528 and Blackhawk Blvd.

Permanent Signs in Non-Residential Districts

- a. Individual Monument Sign: One monument sign is allowed for each business establishment, with an allowable sign area of 75 square feet. The highest part of any such sign or structure shall not be greater than seven feet above the highest finished grade at the front property line. Monument signs must be permitted separately.
- b. Multi-Tenant Monument Signs, including signs fronting FM 528:
 - 1) Maximum permitted height shall be 10 feet for highest lettering and 12 feet for all structural components.
 - 2) Permitted sign area shall not exceed 50 square feet for a single user. For each additional user, 10 square feet can be added to total allowable size, up to a maximum of 100 square feet.
- c. Shared Monument Signs:
 - 1) Lots do not have to be contiguous to share signage.
 - 2) Non-residential multi-tenant monument signs may include off-premise signage for non-residential uses.
 - 3) Off-premise signage shall not reduce the number or size of permitted signage for off-premises uses.

N. Development Schedule, Phasing and Infrastructure

a. **Development Schedule**

The PUD development schedule will need to respond to market demands, non-sequential development of parcels and uses thereon, phased infrastructure completion and other factors. For this reason, development of the PUD will need to remain flexible.

Phasing

Parcel designations as shown on the conceptual Land Use Plan (Exhibit A) do not indicate phasing sequence and phasing numbers are not applicable. Phasing of the PUD will be as generally described below:

- i. Parcels A – F, Commercial and Office, will not be subject to any phasing of other parcels and land uses.
- ii. Parcel G, Recreation and Open Space and Detention, can be developed independent of and /or in conjunction with any phase of the FTC PUD.
- iii. Parcel H, Church Campus and Church Grounds and Parking, will not be subject to any phasing of other parcels and land uses.

b. Infrastructure

Infrastructure will be developed and constructed as generally depicted on the Infrastructure Plan with the following provisos:

- i. Infrastructure, namely public water, sanitary sewer, lift stations, storm drainage and the extension of Blackhawk Blvd. through the PUD can be developed in phases subject to City of Friendswood approval and the Traffic Impact Analysis (TIA).
- ii. The proposed public water loop and force main to be extended through the Blackhawk Blvd. alignment from the PUD eastern property line to West Bay Area Blvd. is conditioned upon the procurement of required utility easements across the Clear Creek ISD property.
- iii. Applicant may not be required to construct Blackhawk Blvd. extension from the PUD eastern property line to West Bay Area Blvd. The extension requirement is subject to Traffic Impact Analysis results.
- iv. Subject to FEMA and City of Friendswood approval, applicant may not be precluded from developing detention and compensatory storage ponds in the 60+ acres of FEMA floodway within the limits of the PUD.
- v. Certificates of Occupancy for Parcel H, Church Campus and Church Grounds and Parking, can be issued completely independent of any infrastructure development required for the balance of the PUD subject to building regulations, subdivision regulations, and other applicable requirements to obtain a CO.

O. Parks and Open Space

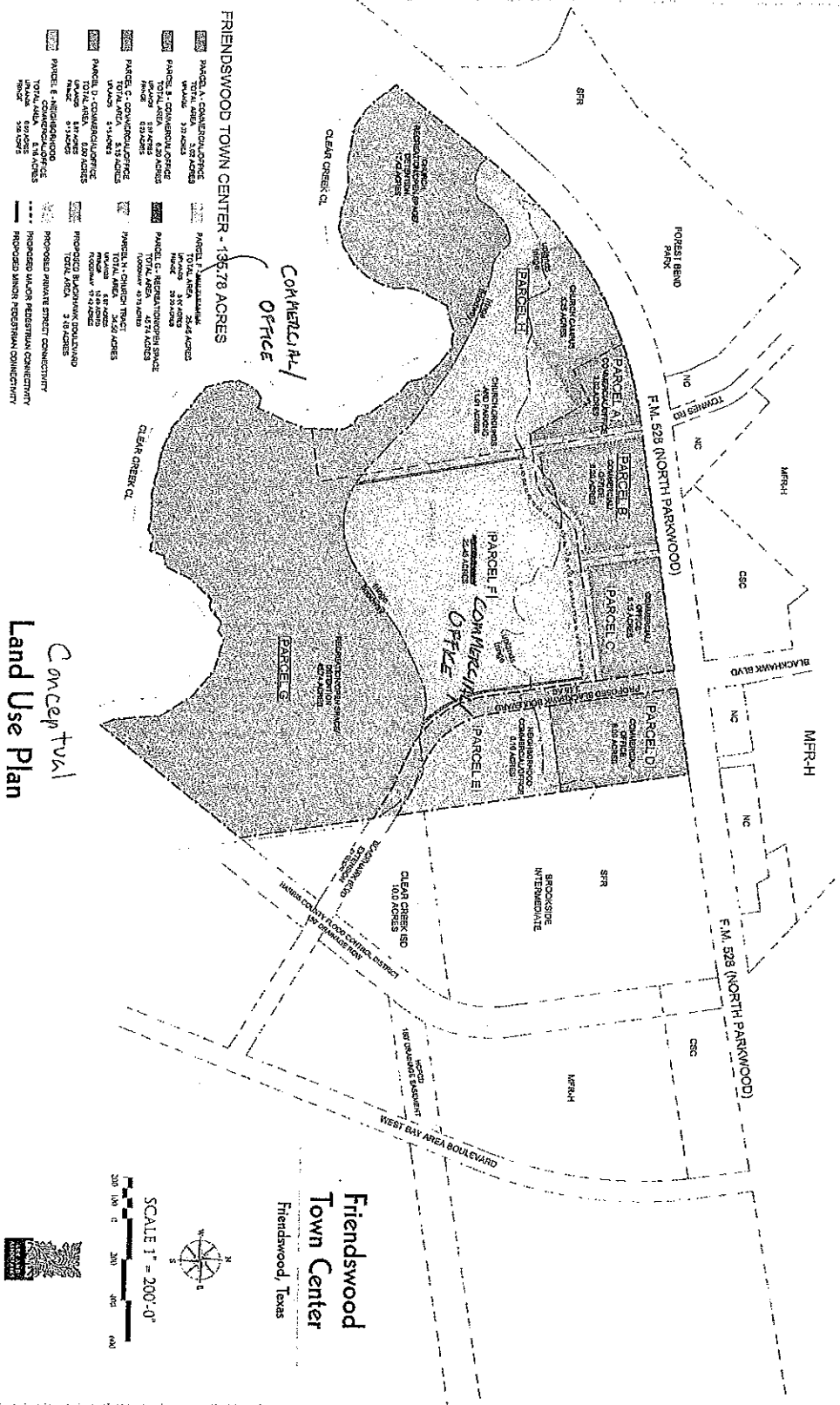
- a. The location and extent of the dedicated open space will be determined by a future Open Space Master Plan to be prepared collaboratively with the FTC Development Team and City of Friendswood Parks and Recreation Department. Parkland dedication shall be done in such a way to maximize the enhanced park value and create a seamless connection with the mixed-use development. Allowable open space may include but is not limited to public or private parks, trails, natural areas, buffers, entry features, common areas, active or passive recreational activities, and environmentally-sensitive areas.
- b. The purpose of an Open Space Master Plan is to supplement the conceptual Land Use Plan (Exhibit A) by providing an additional level of detail for public and private open space areas. The Open Space Master Plan shall identify the locations of public

parks and other public and private open space or common areas. It shall illustrate an integral system of trails that will be designed to connect residential areas, church and retail areas within the planned area to the parks and open space. Open space may be designated through the use of common space or other mechanisms such as conservation easements to the satisfaction of the City of Friendswood and Council.

- c. Parkland dedication and/or permanent access easements are to occur along the Clear Creek frontage. The locations and extent are to be determined based on a future Open Space Master Plan to be prepared collaboratively with the FTC Development Team and City of Friendswood. Other dedication to occur for larger, consolidated areas, again to be based on a future Open Space Master Plan. Permanent access easements will be granted to link dedicated areas. A private extension of Townes Road and the extension of Blackhawk Blvd will provide primary vehicular and pedestrian access points through the development for public access to open space.
- d. The City shall require the preservation, maintenance and ownership of open space utilizing, at the City's option, one of the following methods:
 - i. Dedication of the land as a public park or parkway system;
 - ii. Granting a permanent open space easement on and over the said private open spaces to guarantee that the open space remain perpetually in recreational use, with ownership and maintenance being the responsibility of a Homeowners' Association established with articles and by-laws

EXHIBITS:

- A - Conceptual Land use Plan
- B - Regulation Matrix
- C - Conceptual Elevations
- D - Conceptual Perspectives
- E - Infrastructure Plan



~~FTC Land Use Plan Exhibit A~~

Friendswood Town Center Regulation Matrix
EXHIBIT B

Zoning District	Lot Area Minimum Square Feet	Lot Width Minimum Feet	Lot Depth Minimum Feet	Yards - Minimum Feet						Height Maximum Feet	Landscape Requirements	Exception Notes	Maximum Lot Coverage
				Front	Rear	Side							
						Interior		Exterior					
						When Abutting Property In a Residential District or Garden Home District	When Abutting Property In a Non-Residential District	When Backing Up to an Abutting Side Yard	When Backing Up to an Abutting Rear Yard				
CSC	15,000	100	150	30 within COD; 20 otherwise	10	15	10	15	10	50 A	Yes		50% B

- A) Building height shall be defined as the vertical distance between the lowest habitable finish floor to the roof line of a flat roof, the eave line of low slope roof and the mid point between eave and ridgeline on a hip roof. Parapets, elevator chases and roof top mounted equipment may exceed maximum building height by 6'.
- B) Maximum lot coverage is the percentage derived from dividing the total building coverage (ground floor) on a lot by the gross lot acreage. Gross lot acreage includes flood fringe and floodway for only Parcels F and H.

7-Q.3 Area and height exceptions.

- a. Interior side yards shall not be required for abutting properties in the same zoning district if both properties are developed as a unit under a common development plan.
- b. Minimum front yard setbacks for lots with predominant frontage on the curved radius of a cul-de-sac shall be 15 feet.



FRONT ELEVATION

Exhibit C

Conceptual Elevation



Exhibit C

Conceptual Elevation



Exhibit C

Conceptual Elevation



Exhibit C

Conceptual Elevation



Exhibit C

Conceptual Elevation



Exhibit C

Conceptual Elevation

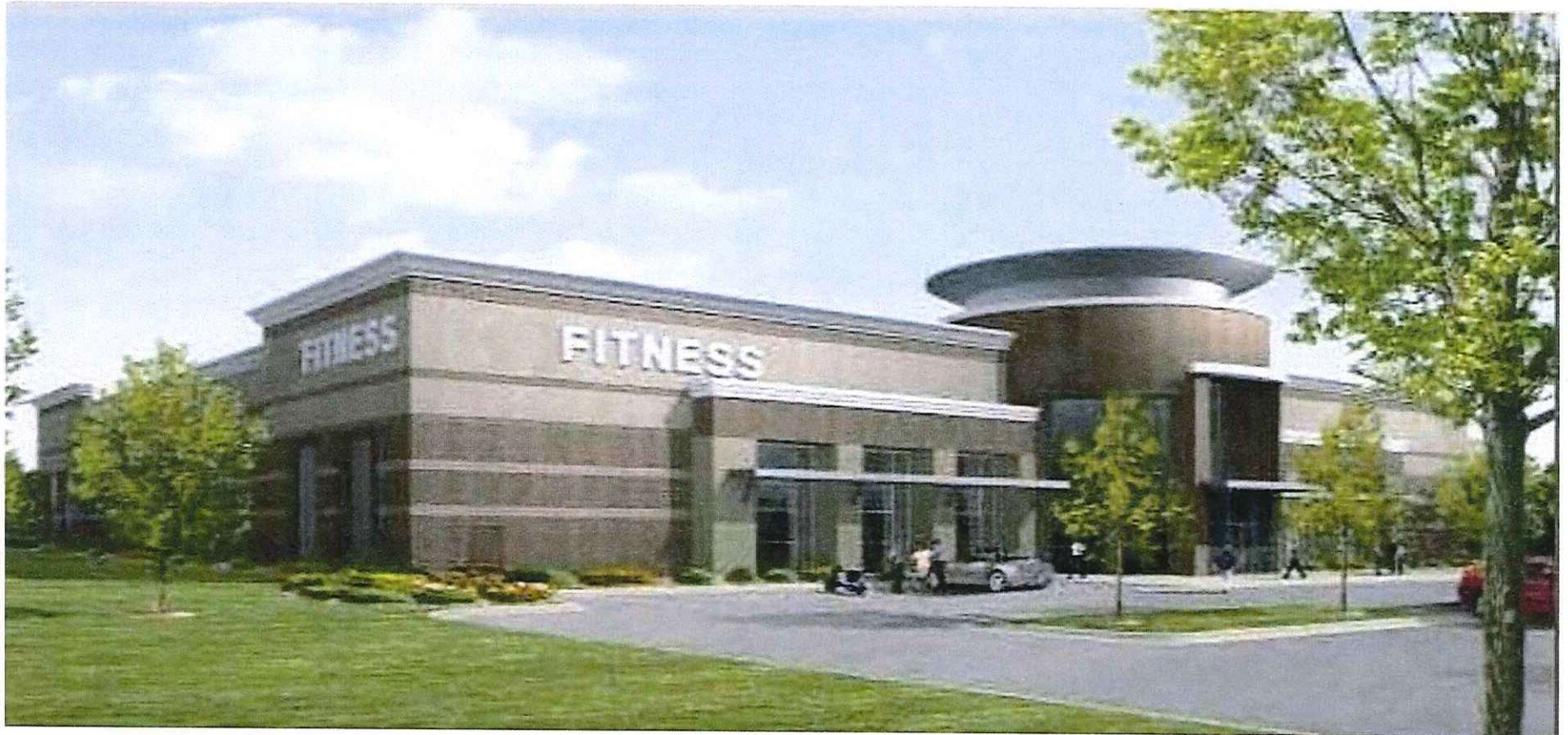


Exhibit C

Conceptual Elevation



Exhibit C
Conceptual Elevation



Exhibit D
Conceptual Perspective



Exhibit D

Conceptual Perspective



Exhibit D

Conceptual Perspective



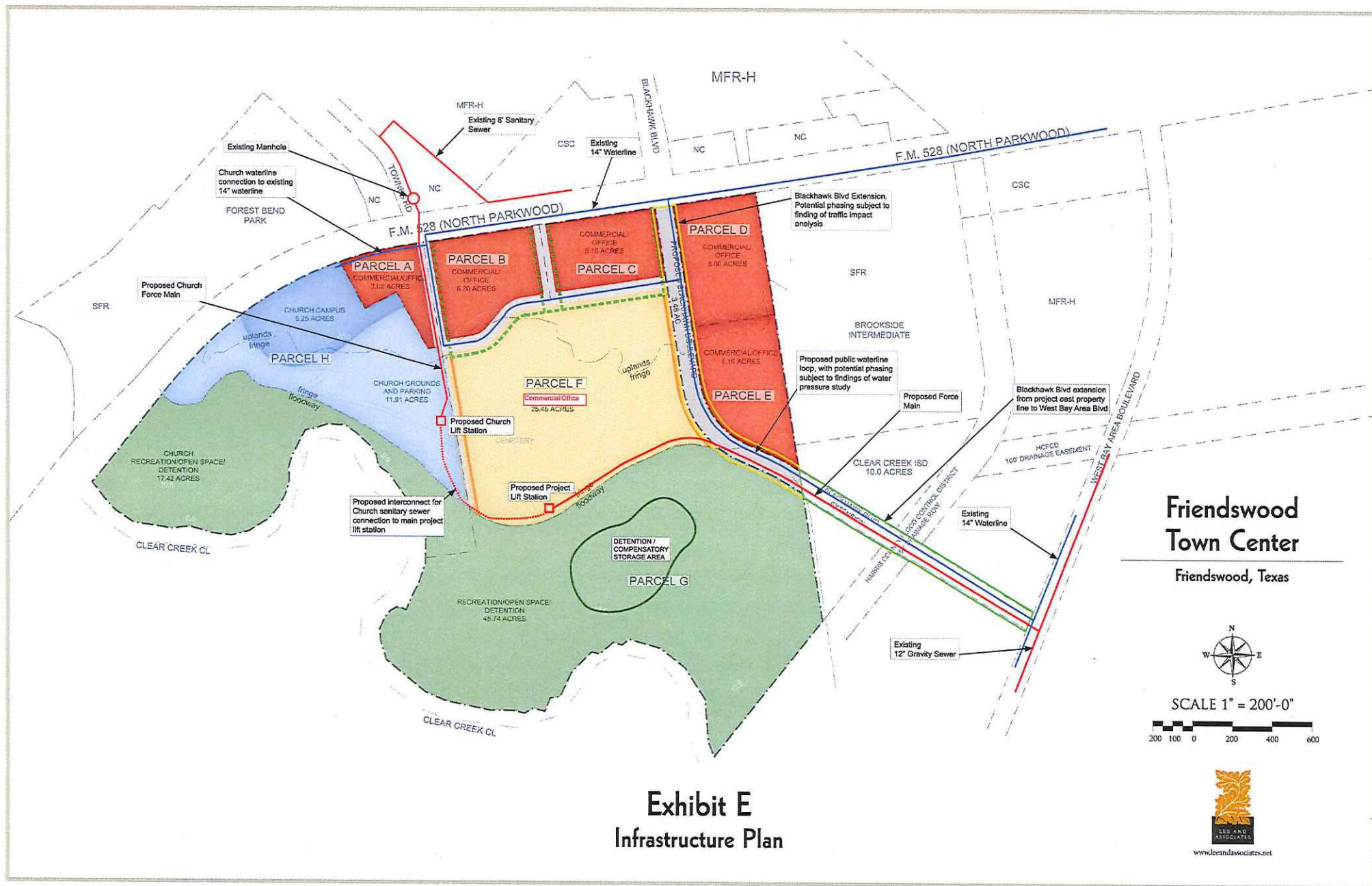
Exhibit D

Conceptual Perspective



Exhibit D

Conceptual Perspective



Aerial Map



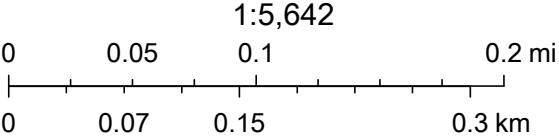
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City Limits

Streets

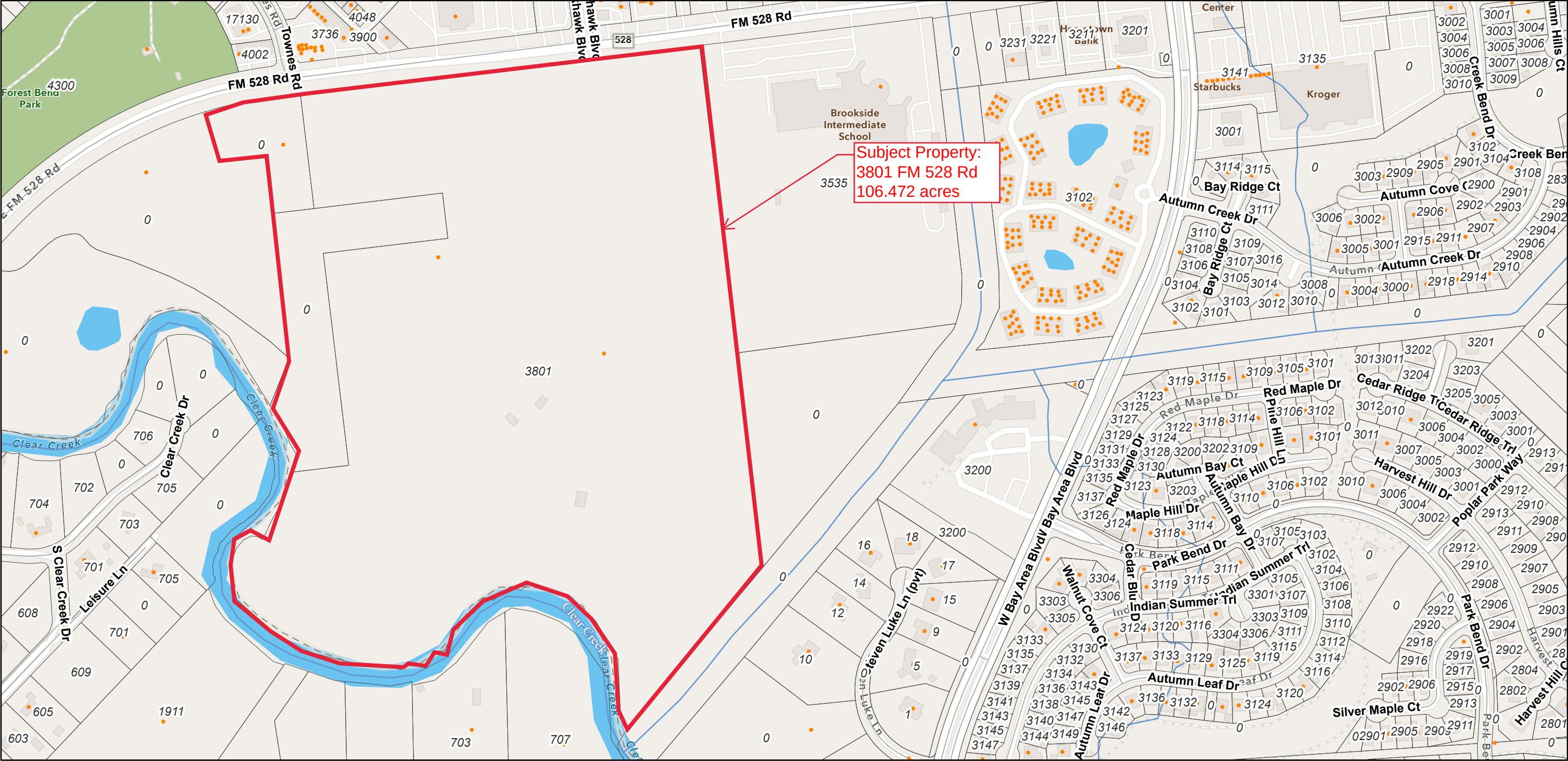
Parcels

All Linear Water Features



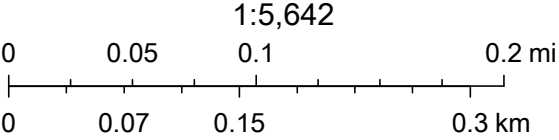
Houston- Galvesotn Area Council

Location Map



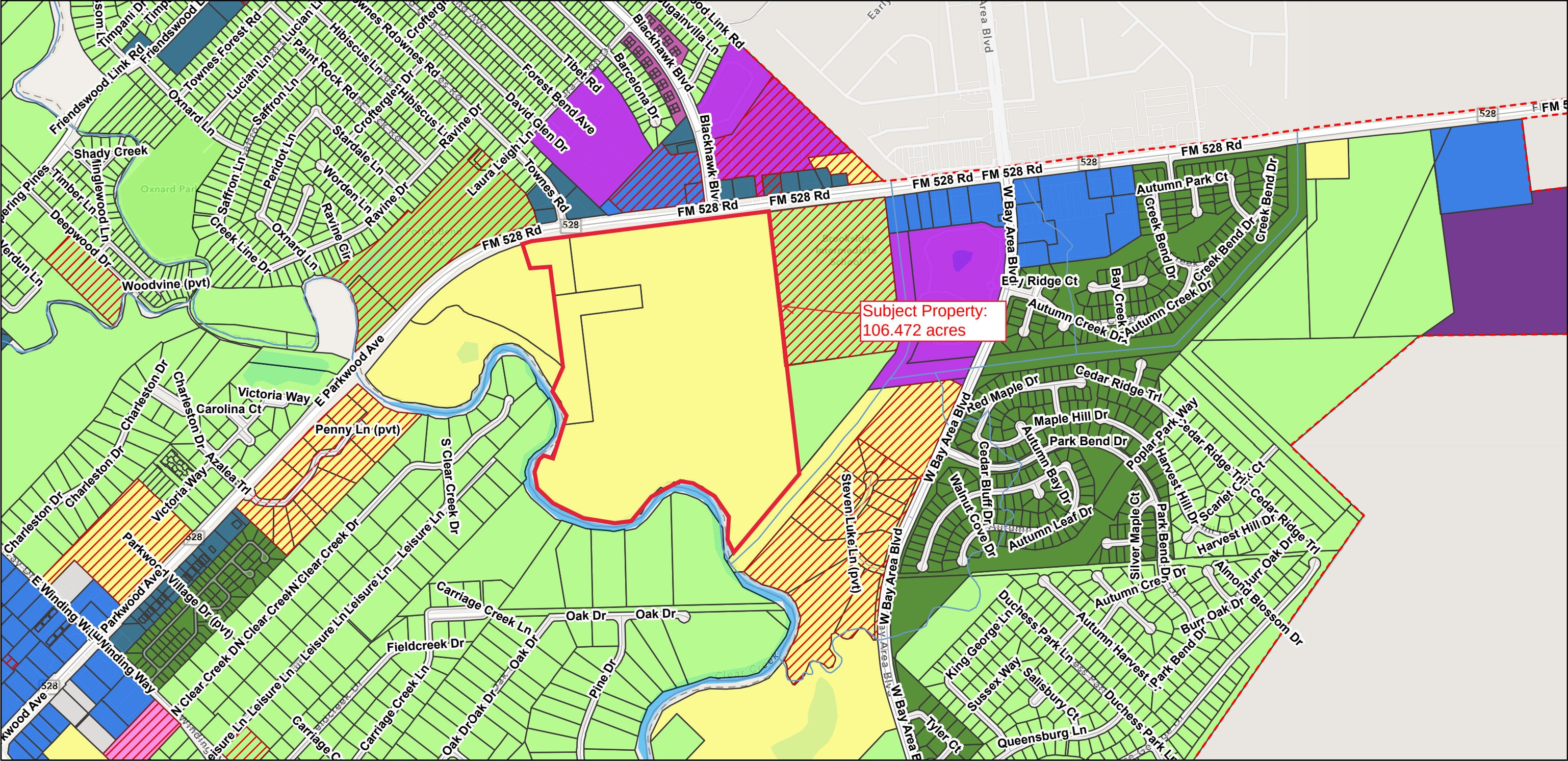
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- City Limits
- Address Points
- Streets
- Parcels
- All Linear Water Features



Houston- Galvesotn Area Council, Esri Community Maps Contributors, City of Houston, Brazoria County, HPB, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, Foursquare, SafeGraph, GeoTechnologies, Inc, METI/

Zoning Map



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- City Limits

Streets

All Linear Water Features

Surrounding Cities
- Specific Use Permits

Zoning by Parcel
- GHD

MFR-H

MFR-L

MFR-M

NC

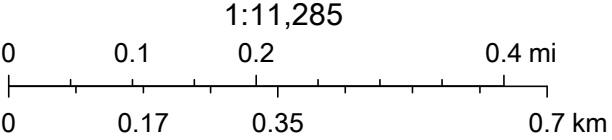
OPD

PUD

SFR

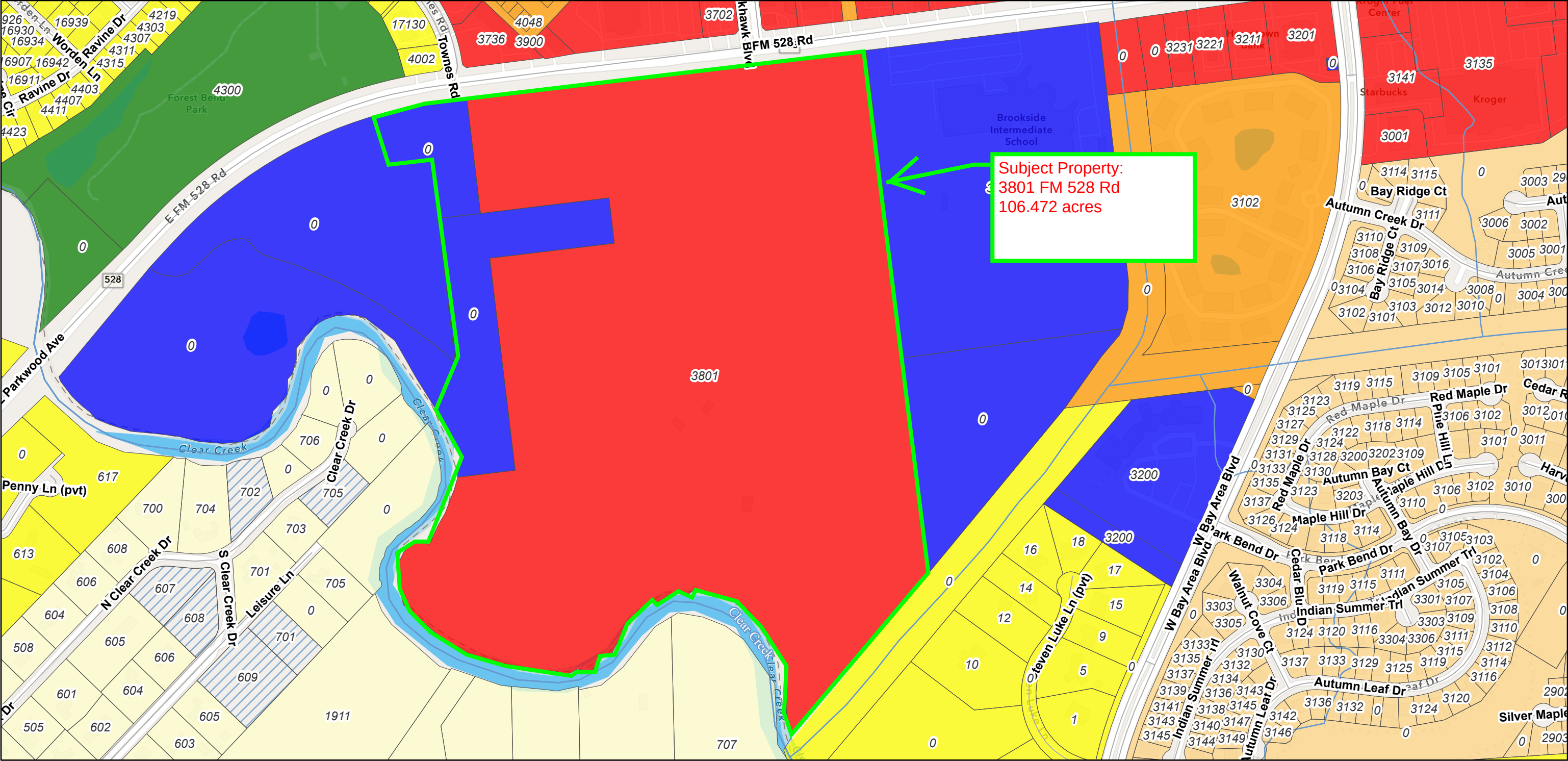
BP

CSC



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Future Land Use Map (2021)



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City Limits

Streets

Parcels

All Linear Water Features

Future Land Use Adopted 2021

SFR- Estate

Low Density

Garden Homes

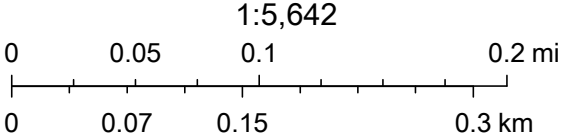
High Density Residential

Retail

Parks

Public and Semi-Public

Buyout Lots



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Rezoning Report

September 2023

Location: 3801 FM 528

Legal: 106.472 acres of land situated in the Sarah McKissick League, Abstract Number 549, Harris County Texas; being all of Restricted Reserves “A” and “C” Clear Creek Community Church Friendswood, a subdivision plat of record at Film Code No 691601, Harris County Map Records (H.C.M.R); being the residue of a called 135.778 acre tract of land conveyed to Clear Creek Community Church as described by deed recorded under Harris County Clerk’s File (H.C.C.F.) No. 20150231965, City of Friendswood, Harris County, Texas

Project: Friendswood City Center – Mixed-Use Development

Request: Zone classification change from Planned Unit Development (Ord. 2015-18) to a revised Planned Unit Development (PUD) to allow a mixed-use development, including an amendment to the Future Land Use Map (2021) to change the designation of the described 106.472 acres from “Public and Semi Public” and “Retail” to “Mixed Use.”

Planned Unit Development (from Appendix C Zoning Ordinance)

This district allows for greater flexibility in the design and coordination of a single use or mixed uses than in other districts because a specific ordinance is written for every PUD. A PUD is a unique zoning classification and shall be granted only when the planning and zoning commission and city council determine that the applicant has submitted a complete application containing sufficient detail. An applicant is not entitled to a PUD as a matter of right. The city reserves the right to establish conditions as determined appropriate.

The general purposes of all PUD districts are several-fold:

1. To encourage unified design and development of tracts of land incorporating a variety of uses, including, but not limited to, residential, commercial, office, and institutional;
2. To accommodate innovation in development by modifying the city's land use and development regulations;
3. To provide for and protect the public health, safety, and general welfare of the city by assuring quality development in accordance with the city's comprehensive plan and other related goals;

4. To minimize the negative impact of developments, especially those related to drainage, environment, traffic, and public services and related facilities;
5. To protect and enhance the aesthetic and visual qualities of development;
6. To provide development of sites in a suitable fashion when such development is restricted by such factors as site location and shape; or
7. To promote economic development in accordance with the city's plans for such.

Proposed Use (Permitted Uses, Location, Size, etc.)

The Friendswood City Center will be a mixed-use development combining commercial, retail, hospitality, office, civic/municipal, mixed-use buildings, and multi-family residential (500 units), and recreation/open space to create a vibrant, walkable neighborhood. All areas of the community will be connected with 10-foot shared use paths for cycling and walking. In the Park Area, the paths will be created of decomposed granite and referred to as trails. In all other areas, the paths will be created using a combination of concrete with paver and stone accents. Use of the paths is intended for pedestrians and non-motorized modes of transportation and will accommodate two-way travel.



The extension of Blackhawk Boulevard from FM 528 to Bay Area Boulevard will provide additional routes of travel, as well as additional street frontage opportunities for the commercial buildings. Traffic signals will be added to the intersections at Townes Road and Blackhawk Boulevard. An additional entrance between Townes Road and Blackhawk Boulevard is being presented to the Texas Department of Transportation. Ample parking will be provided throughout the development in the form of parking lots and parking garages. At least twenty percent (20%) of the parking spaces in the garages are required to remain as public parking and there may be a fee for use of those spaces. All surface parking areas, except the gated area of the multi-family residential development, will be designated public parking. Overflow parking for the church will be included in the plan as well.

The PUD will comply with the Community Overlay District (COD) requirements as required by the Zoning Ordinance. The applicant selected the Community Shopping Center (CSC) zoning district and

Multi-Family Residential – High Density (MFR-H) zoning district as guides for the development. Any proposed deviations to the requirements of these zoning districts are written in the PUD document and the Regulation Matrix.

A variety of uses will provide entertainment, dining, and neighborhood services to those living in the community. Multi-story office buildings will serve as a small employment center to increase the number of people to support the development on a daily basis. A hotel will provide accommodation to allow others to stay within the property and enjoy the amenities it has to offer. The Permitted Use Table in the PUD document defines the allowed uses within the development. Gas stations will only be allowed on Lot 5 (page 14).

Recreation 4.4 miles of trails throughout the development, 2.5 miles of sidewalks between the stores and offices and 2.2 miles of gravel trails throughout the green space. A lake will be constructed to serve not only as detention for the development and regional flood mitigation along Clear Creek, but also as recreation for non-motorized watercraft such as canoes and kayaks. The lake will be accessible by the public from the new Blackhawk Boulevard extension; parking will be provided as well.

Existing Use/Site Attributes

The tract is currently undeveloped apart from a detention pond built by Clear Creek Community Church, which will be relocated to the rear of the tract and an existing cemetery which will be preserved. Pipelines and a City of Friendswood 28” force main traverse the property. Portions of the property are located within the 500-Year floodplain, the 100-Year floodplain, and the floodway.



Aerial Map from Friendswood GIS

Zoning History

2015 Zoning Change: Planned Unit Development (PUD) 2015-18 (included Clear Creek Community Church)

2014 Zoning Application: request to change from PUD to SFR and CSC; Withdrawn by Applicant

2013 Zoning Application: request to change from PUD to SFR and CSC; Denied

2005 Zone Change: Planned Unit Development (PUD) 2005-34

Increased the geographic boundary from 134 acres to 137.307, changed Land Use Summary and revised the master site development plan in accordance with the Land Use Summary. Open Space was increased from 26.70 acres to 40.17 acres.

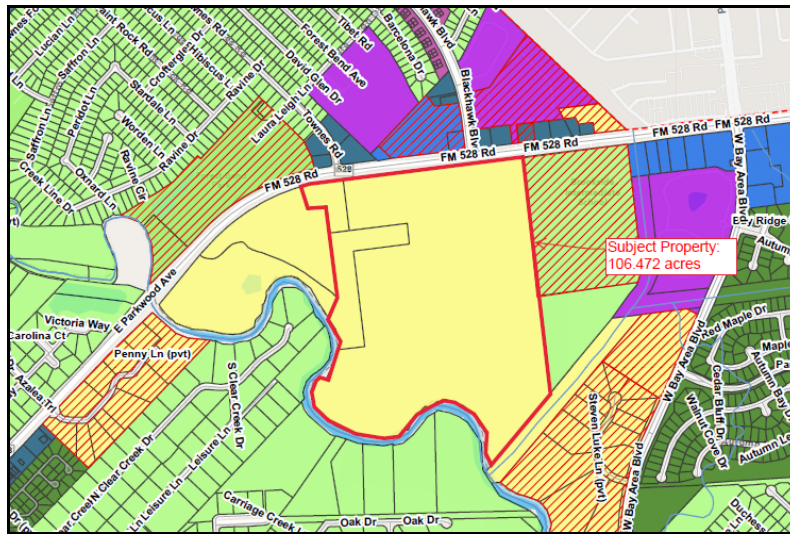
2004 Zone Change: Planned Unit Development (PUD) 2004-13

PUD allowed office, retail, hotel/spa, gas station, amphitheater, marina, and residential (600 units). The uses allowed in these categories were dictated by the City's Permitted Use Table at the time; since then the PUD column has been removed from Permitted Use Table so no use is permitted by right in a PUD; allowed uses must be listed specifically. The PUD encompassed 134 acres. The following uses were strictly prohibited per PUD 2004-13: air, rail, water, truck and pipeline transportation; motor vehicle towing; mini-warehouse storage; sports teams, clubs, racetracks and other spectator sports; welding shops; death care services; and utility service or storage yard or related buildings.

Previous Zoning: Single Family Residential (SFR); Prior to approval of PUD 2004-13, the property was zoned Single Family Residential.

Adjacent Zoning/Land Use

The property fronts FM 528, a TxDOT right-of-way. The southerly portion of the property is bordered by Clear Creek and a drainage ditch owned by Harris County. Brookside Intermediate School, which is part of Clear Creek ISD, is located on one side and Clear Creek Community Church is on the other. Clear Creek Community Church will need to submit a zone change application in the near future since the PUD that allowed their building will be going away.



Zoning Map from City of Friendswood GIS

Platting Analysis

The subject tract consists of 106.472 acres, which is the remainder of the original 135.778 acres out of the Sarah McKissick Survey, Abstract No. 549, City of Friendswood, Harris County, Texas. Clear Creek Community Church platted a portion of the original 135 acres, and this development includes 2 of the reserves from that plat. A new plat will be required in order to proceed with development.

Current Planning Analysis

The revised Planned Unit Development (PUD) is intended to create a unique, mixed-use community within the City of Friendswood providing retail services, restaurants, hospitality, office space, multi-family residential units as well as recreational areas and open space by preserving much of the area along the creek.

A PUD district must meet a minimum of one of the following criteria. The planning and zoning commission may recommend, and city council may determine, that more than one criterion is needed to approve a PUD:

1. The land is proposed for development as a mixed-use development requiring more flexible and innovative design standards;
2. The land is proposed for redevelopment or infill development and special design considerations are deemed necessary;
3. The land serves as transition between different and seemingly incompatible land uses;
4. The land is proposed for development of a major employment center or of major economic benefit for the community, and for which special design standards may be warranted;
5. To provide amenities or features that would be of a special benefit to the community; or

6. The land has unique environmental features or unusually configured parcels requiring a more flexible approach to zoning and clustering of uses, or special design standards.

The proposed development exceeds the minimum of one criteria by meeting criteria 1, 4, 5 and 6.

Comprehensive Planning Analysis

The Future Land Use Map identifies this tract as developing as “Retail” and “Public and Semi Public” since the church owned a portion of the land. An amendment to the Future Land Use Map to change to “Mixed Use” is included in the request.

Infrastructure & City Service Delivery Impacts

Storm Water Management and Floodplain Issues:

A Drainage Impact Analysis is required for development of the tract. Portions of the property lie within the 500 –Year Floodplain, the 100-Year Floodplain, and the Floodway. At the time of platting and submittal of the construction plans, an engineered drainage plan must be submitted. On-site detention will be required. Any developed flows directed to FM 528 will be limited to the pre-development flow quantities. As said facility is a Texas Department of Transportation (TXDOT) facility, approval by them is required. Any new outfall structures into Clear Creek will require Army Corps of Engineer and Harris County Flood Control District approval; Hydraulic and Hydrologic (H&H) Study is required to justify proposed drainage mitigation within the floodway.

Utilities:

Capacity for water and wastewater is available for the development of this tract. The conveyance of those utilities must be determined at the time of development. A lift station and water line extension were installed by Clear Creek Community Church.

Transportation:

The Major Thoroughfare Plan requires the extension of Blackhawk Boulevard through the tract. The proposed development includes the addition of a four-way intersection, at FM 528, and the extension of Blackhawk Boulevard from FM 528 to Bay Area Boulevard. A second four-way intersection at Townes Road will also provide guided and safe traffic flow in and out of the development. An entrance between Townes Road and Blackhawk Boulevard is being presented to the Texas Department of Transportation, which may also require the need for a deceleration lane. Interior streets will also be constructed and dedicated as public streets with head-in parking and roundabouts. Since these improvements are being planned as part of the development, a Traffic Impact Analysis is not warranted.



Major Thoroughfare Plan (2018)

Public Safety:

The new streets and intersections, density of the commercial development and increased residential units within the development will have an impact of the demand for public safety services. Those impacts have been identified and will be taken into consideration throughout the process of developing the site.

Separate, but related to this project, a fire station will be built as part of this project, replacing Fire Station No. 3, currently located in the Forest Bend subdivision.

The Fire Marshal's Office had no comments regarding the development at this time. They will review the plats, site plans, building plans and fire system plans at the time of submittal.

Economic Development:

The PUD will be presented to the Community and Economic Development Corporation (CEDC) in early October for a recommendation.

School District:

The property is located within Clear Creek ISD's boundary. There is a possibility of additional students who would attend CCISD as a result of the proposed multi-family units to be built within the development.

Alcohol Sales:

The proximity of potential restaurants and commercial establishments to the public school could limit the sale of alcohol. It is unlawful to sell or offer for sale any alcoholic beverage from a place of business which is located within 300 feet of a church, public school or public hospital; measuring standards vary. The developers are aware of these regulations and have planned accordingly.

Park/Open Space:

Provided the developer dedicates 5 acres or more of parkland and meets the requirements of the Subdivision Ordinance Section XIII. Parks and Recreation Areas, the Parkland Dedication Fee of \$600 per dwelling unit may be waived. The idea is for Lot 13 to be dedicated to the city for parkland and regional detention uses.

Planned Unit Development Friendswood City Center PUD

Prepared For
Tannos Development Group, LLC

August, 2023



TABLE of CONTENTS

I Introduction

II Regulations

III Permitted Uses

Exhibit A Site Plan

Exhibit B Tree Mitigation Calculations

Exhibit C Mixed Use Parking Analysis

Exhibit D Public Trails and Paths

Exhibit E Project Phases

Exhibit F1 Exterior Finishes

Exhibit F2 Architectural Features

Exhibit F3 Examples of Site Amenities

INTRODUCTION

Purpose

This application has been prepared on behalf of Tannos Development LLC, pursuant to the City of Friendswood's Ordinances related to a Planned Unit Development (PUD). The purpose of the PUD District is to encourage flexibility in the development of land, promote the most appropriate uses, and encourage a cohesive Mixed Use Development. This PUD will establish development regulations and standards that will ensure quality development, consistent with the intent of the Friendswood Subdivision and Zoning Ordinances.

Location and Existing Conditions

Friendswood City Center PUD is located on a + 107 Acre tract located South of FM 528, with Clear Creek forming a natural boundary on the West and South borders and Brookside Intermediate School to the East. The subject tract will be bisected with an Extension of Blackhawk Blvd from 528 to Bay Area Blvd. Approximately 50 Acres of the site is located within the Flood Way of the Clear Creek Watershed, 38 Acres are located within the AE Flood Zone and 19 Acres are located within the X Flood Zone. The Majority of the area located within the AE Zone will be raised out of the flood plain by mitigation within the Park Area. All Buildings will be constructed above the Flood Plain.

PROJECT DESCRIPTION

The Planning Concept is to provide a strong neighborhood identity with walkable mixed-use facilities that allow access to services and other businesses without requiring residents to use a car as their main mode of transportation. To accomplish this, Friendswood City Center PUD will combine commercial, retail, hospitality, office, and multifamily residential developments into a vibrant community with walkable streets that support alternative modes of transportation. All areas of the community will be connected with 10-0 wide Shared Use Paths. In the Park Area, the paths will be created out of decomposed granite and will be referred to as trails. In all other areas, the paths will be created using a combination of concrete with paver and stone accents. Path Users are non-motorized and may include but are not limited to: bicyclists, in-line skaters, roller skaters, wheelchair users (both non-motorized and motorized) and pedestrians, including walkers, runners, people with baby strollers, people walking dogs, etc. These facilities will be designed for two-way travel.

For transportation and parking demand management, the concept is to create slower-paced streets with head-in parking and pavement designed to enhance pedestrian safety. Surface Parking will be minimized with the majority of parking located within above ground parking garages designed to blend in with the building facades. All parking garages will be required to leave at least 20 percent of their parking spaces available for public parking and may be a fee lot. All areas, except the gated area of the Multi-Family Residential Development, will have cross parking access.

DEVELOPMENT GUIDELINES

Unless otherwise outlined in this document, all City of Friendswood Subdivision and Zoning regulations in place at the time this document is adopted shall apply to the PUD. Any change to the below guidelines and/or other applicable regulations shall require a variance or an amendment to the PUD.

Building Regulations

Friendswood City Center PUD Regulation Matrix

PUD Zoning District	Units Per Acre	Lot Area Minimum Sq Ft	Lot Width Minimum Sq Ft	Lot Depth Minimum Sq Ft	Front Yard Setback	Rear Yard Setback	Interior Side Yard	Exterior Side Yard	Maximum Height (4 stories)	Landscape Buffer Width (FM 528)	Landscape Buffer Width (Except FM 528)
Lot 1	n/a	15000	100	150	100	10	10	25	40	15	5
Lots 2-5	n/a	15000	100	150	160	10	10	25	40	15	5
Lots 7	29	15000	100	150	0	10	10	10	70	0	0
Lots 8	n/a	15000	100	150	0	10	10	10	70	0	0
Lots 6, 9, 10	29	15000	100	150	50	0	10	25	70	15	5
Lot 11	29	15000	100	150	0	0	10	25	70	0	0
Lot 12 MFR	29	n/a	n/a	n/a	25	0	25	25	70	0	5

Base zoning districts CSC and MFR-H per COF Zoning Ordinance.

Lot coverage based on approved drainage plan.

Landscape buffers may include walkways, boardwalks, patios, plazas, courtyards, bulkheads, retaining walls, and similar structures are permitted in the landscape buffer except for along FM 528.

No multifamily use shall be allowed on the first floor of Lots 6, 7, 9 and 10.

(a) *Street Setbacks:*

Walkways, Boardwalks, Patios, Plazas, Courtyards, bulkheads, retaining walls and similar structures will be permitted in the landscape buffer/setback area except for area abutting FM 528.

Building setback is measured from the right-of-way or property line.

Permitted Use Table

Residential Uses	
Single-Family Residence	
Garden Home Residence	
Multiple-Family Residence—Low Density	
Multiple-Family Residence—Medium Density	P
Multiple-Family Residence—High Density	P
Mobile Home Residence	

	2017 NAICS Industry Descriptions	
	Sexually oriented businesses (Ch. 62)	
11	<i>Agriculture, Forestry, Fishing and Hunting</i>	
111	Crop production	
1114	Greenhouse, nursery, and floriculture production	
112	Animal production and aquaculture	
113	Forestry and logging	
1133	Logging	
114	Fishing, hunting, and trapping	
115	Support activities for agriculture and forestry	
21	<i>Mining, Quarrying, and Oil and Gas Extraction</i>	
211	Oil and gas extraction	
212	Mining (except oil and gas)	
213	Support activities for mining	
22	<i>Utilities</i>	
221	Utilities	
23	<i>Construction</i>	
236	Construction of buildings	
237	Heavy and civil engineering construction	
238	Specialty trade contractors	
31-33	<i>Manufacturing</i>	
311	Food manufacturing	
311811	Retail bakeries	
3121	Beverage manufacturing (i.e. Breweries, wineries)	P
3122	Tobacco manufacturing	
313	Textile mills	

314	Textile product mills	
315	Apparel manufacturing	
316	Leather and allied product manufacturing	
3161	Leather and hide tanning and finishing	
321	Wood product manufacturing	
322	Paper manufacturing	
323	Printing and related support activities	
323113	Commercial screen printing	
324	Petroleum and coal products manufacturing	
325	Chemical manufacturing	
325412	Pharmaceutical preparation manufacturing	
326	Plastics and rubber products manufacturing	
3262	Rubber product manufacturing	
327	Nonmetallic mineral product manufacturing	
331	Primary metal manufacturing	
332	Fabricated metal product manufacturing	
333	Machinery manufacturing	
334	Computer and electronic product manufacturing	
335	Electrical equipment, appliance, and component manufacturing	
33591	Battery manufacturing	
336	Transportation equipment manufacturing	
337	Furniture and related products manufacturing	
339	Miscellaneous manufacturing	
3391	Medical equipment and supplies manufacturing	
42	Wholesale Trade	
423	Merchant wholesalers, durable goods	O
424	Merchant wholesalers, nondurable goods	O
425	Wholesale trade agents and brokers	O
44-45	Retail Trade	
4411	Automobile dealers	
4412	Other motor vehicle dealers	
4413	Automotive parts, accessories, and tire retailers (i.e. Auto Zone, O'Riley's)	
4491	Furniture and home furnishing retailers	P
4492	Electronics and appliance retailers	P
444	Building material and garden equipment and supplies dealers	
444180	Other building material dealers	
445	Food and beverage retailers	P
4561	Health and personal care retailers	P
457	Gasoline stations and fuel dealers (Lot 5 only)	P

45712	Other gasoline stations	
458	Clothing, clothing accessories, shoe, and jewelry retailers	P
4591	Sporting goods, hobby, and musical instrument, retailers	P
4592	Book retailers and news dealers	P
4593	Florists	P
4594	Office supplies, stationary, and gift retailers	P
455	General merchandise retailers	P
4595	Used merchandise retailers	P
45993	Manufactured (mobile) home dealers	
459910	Pet and Pet Supply Retailers	P
459920	Art Dealers	P
48-49	<i>Transportation And Warehousing</i>	
481	Air transportation	O
482	Rail transportation	O
483	Water transportation	O
484	Truck transportation	O
485	Transit and ground passenger transportation	O
486	Pipeline transportation	O
487	Scenic and sightseeing transportation	O
488	Support activities for transportation	O
48841	Motor vehicle towing	
491	Postal service	
492	Couriers and messengers	O
493	Warehousing and storage	
51	<i>Information</i>	
513	Publishing industries	P
512	Movie Theaters	P
516	Broadcasting and content providers (i.e. Comcast, Netflix, etc.)	P
517	Telecommunications	O
517121	Telecommunication resellers	O
518	Computing infrastructure providers, data processing, web hosting and related services	
519	Web search portals, libraries, archives, and other information services	O
52	<i>Finance and Insurance</i>	
521	Monetary authorities—Central bank	P
522	Credit intermediation and related activities	P
522299	International, secondary market, and all other non- depository credit intermediation (i.e., pawn shops)	

523	Securities, commodity contracts, and other financial investments and related activities	P
524	Insurance carriers and related activities	P
525	Funds, trusts, and other financial vehicles	P
53	<i>Real Estate and Rental and Leasing</i>	
531	Real estate	P
53113	Lessors of mini warehouses and self-storage units	
532	Rental and leasing services (i.e. car rentals, formal wear and costumes, home health equipment, etc.)	
53212	Truck, utility trailer, and RV rental and leasing	
533	Lessors of nonfinancial intangible assets (except copyrighted works)	
54	<i>Professional, Scientific and Technical Services</i>	
541	Professional, scientific, and technical services	P
54138	Testing laboratories	P
55	<i>Management of Companies and Enterprises</i>	
551	Management of companies and enterprises	P
56	<i>Administrative and Support and Waste Management and Remediation Services</i>	
561	Administrative and support services	P
561730	Landscaping services	
56179	Other services to buildings and dwellings	
562	Waste management and remediation services	
61	<i>Education Services</i>	
6111	Elementary and secondary schools	
6112	Junior colleges	
6113	Colleges, universities, and professional schools	
6114	Business schools and computer and management training	P
6115	Technical and trade schools	P
6116	Other school and instruction (i.e. dance, gymnastics, tutoring)	P
62	<i>Health Care and Social Services</i>	
621	Ambulatory health care services	P
622	Hospitals	S
6231	Nursing care facilities—Skilled nursing facilities	S
6232	Residential, intellectual and development disability, mental health, and substance abuse facilities	
623311	Continuing care retirement communities (with on-site nursing)	
623312	Assisted living facilities for the elderly (without on-site nursing)	
624	Social assistance	
6244	Child day care services (childcare centers)	P

6244	Child day care services (registered and/or licensed childcare home)	P
71	<i>Arts, Entertainment and Recreation</i>	
7111	Performing arts (i.e. theater companies, dinner theaters, dance companies, musical groups and artists)	P
7112	Spectator sports	
711320	Promoters of performing arts, sports, and similar events w/o facilities	P
712110	Museums (i.e. art galleries and wax museums)	P
712120	Historical Sites (i.e. state or local historical societies)	P
7131	Amusement parks and arcades	
7132	Gambling industries	
7139	Other amusement and recreation industries (i.e. game rooms, bowling)	P
713940	Fitness and recreational sports centers	P
713990	All other amusement and recreation activities (i.e. mini golf, billiards, escape rooms)	P
72	<i>Accommodation and Food Services</i>	
7211	Traveler accommodation	P
7212	RV (recreational vehicle) parks and recreational camps	
7213	Rooming houses and boardinghouses	
7223	Special food services	P
7224	Drinking places (more than 75% sales of alcoholic beverages)	P
7225	Restaurants and other eating places	P
81	<i>Other Services (Except Public Administration)</i>	
8111	Automotive repair and maintenance	
81112	Automotive body, paint, interior, and glass repair	
8112	Electronic and precision equipment repair and maintenance	
8113	Commercial and industrial machinery and equipment (except automotive and electronic repair and maintenance)	
811430	Footwear and leather goods repair	P
8121	Personal care services	P
812220	Cemeteries	P
8123	Dry cleaning and laundry services	P
8129	Other personal services	P
8131	Religious organizations	
8132	Grantmaking and giving services	O
8133	Social advocacy organizations	O
8134	Civic and social organizations	O
8139	Business, professional, labor, political, and similar organizations	O
814	Private households	
92	<i>Public Administration (City Services)</i>	

921	Executive, legislative, and other general government support	P
922	Justice, public order, and safety activities	P
92214	Correctional institutions	
923	Administration of human resource programs	P
924	Administration of environment quality programs	P
925	Administration of housing programs, urban planning, and community development	P
926	Administration of economic programs	P
927	Space research and technology	P
928	National security and international affairs	P

(a) Legend:

1. P: Permitted.
2. S: Special use permit required.
3. O: Office use only.
4. Blank: Not permitted.

- (b) Notwithstanding the permitted uses depicted in this table, which are intended to address uses not otherwise regulated or restricted by federal, state, or related law for protected specific uses, it is the intention of the PUD to fully comply with all such legal requirements. Any applicant who is relying upon any such specific rules or regulations not otherwise addressed in this table shall provide the relevant provisions to the city for review.

- RETAIL | 63,800 SF
- OFFICE | 191,000 SF
- MIXED USE | 478,300 SF
- GARAGE | 1,215 PARKING SPACES
- APARTMENTS | 500 UNITS

FM 528



528 Site Calculations

		Qty	% of Site
Lot 1	Total Site Area	69,715 SF	100%
	Parking Lot & Drive Area	31,693 SF	45%
	Other NonPervious Area	6,249 SF	9%
	Bldg SF	10,290 SF	15%
	Green Space	21,483 SF	31%
	Parking Spaces	74 Spaces	
Lot 2	Total Site Area	69,066 SF	100%
	Parking Lot & Drive Area	34,793 SF	50%
	Other NonPervious Area	1,099 SF	2%
	Bldg SF	13,882 SF	20%
	Green Space	13,292 SF	19%
	Parking Spaces	102 Spaces	
Lot 3	Total Site Area	71,083 SF	100%
	Parking Lot & Drive Area	35,660 SF	50%
	Other NonPervious Area	7,286 SF	10%
	Bldg SF	15,008 SF	21%
	Green Space	13,129 SF	18%
	Parking Spaces	108 Spaces	
Lot 4	Total Site Area	70,283 SF	100%
	Parking Lot & Drive Area	33,875 SF	48%
	Other NonPervious Area	8,861 SF	13%
	Bldg SF	12,006 SF	17%
	Green Space	15,541 SF	22%
	Parking Spaces	101 Spaces	
Lot 5	Total Site Area	68,747 SF	100%
	Parking Lot & Drive Area	33,625 SF	49%
	Other NonPervious Area	8,412 SF	12%
	Bldg SF	11,999 SF	17%
	Green Space	14,711 SF	21%
	Parking Spaces	97 Spaces	
Lot 6	Total Site Area	119,660 SF	100%
	Parking Lot & Drive Area	56,297 SF	47%
	Other NonPervious Area	6,947 SF	6%
	Bldg SF	25,800 SF	22%
	Green Space	30,616 SF	26%
	Parking Spaces	296 Spaces	
Public	Total Site Area	2,756,133 SF	n/a
	Parking Lot & Drive Area	n/a	n/a
	Other NonPervious Area	n/a	n/a
	Bldg SF	n/a	n/a
	Green Space	n/a	n/a
	Parking Spaces	325 Spaces	n/a

Total Site Calculations

Total Site Area	4,637,900 SF	100%
Parking Lot & Drive Area	809,388 SF	17%
Other NonPervious Area	179,313 SF	4%
Bldg SF	417,306 SF	9%
Green Space	469,759 SF	10%
Parking Spaces	3,532 Spaces	

		Qty	% of Site
Lot 7	Total Site Area	138,181 SF	100%
	Parking Lot & Drive Area	56,006 SF	41%
	Other NonPervious Area	24,482 SF	18%
	Bldg SF	40,380 SF	29%
	Green Space	17,312 SF	13%
	Parking Spaces	240 Spaces	
Lot 8	Total Site Area	138,132 SF	100%
	Parking Lot & Drive Area	26,821 SF	19%
	Other NonPervious Area	42,377 SF	31%
	Bldg SF	40,128 SF	29%
	Green Space	28,806 SF	21%
	Parking Spaces	189 Spaces	
Lot 9	Total Site Area	134,038 SF	100%
	Parking Lot & Drive Area	77,884 SF	58%
	Other NonPervious Area	11,271 SF	8%
	Bldg SF	25,800 SF	19%
	Green Space	19,083 SF	14%
	Parking Spaces	296 Spaces	
Lot 10	Total Site Area	160,218 SF	100%
	Parking Lot & Drive Area	88,420 SF	55%
	Other NonPervious Area	14,904 SF	9%
	Bldg SF	28,200 SF	18%
	Green Space	28,694 SF	18%
	Parking Spaces	619 Spaces	
Lot 11	Total Site Area	76,843 SF	100%
	Parking Lot & Drive Area	46,874 SF	61%
	Other NonPervious Area	3,221 SF	4%
	Bldg SF	17,918 SF	23%
	Green Space	8,830 SF	11%
	Parking Spaces	305 Spaces	
Lot 12	Total Site Area	765,801 SF	100%
	Parking Lot & Drive Area	287,440 SF	38%
	Other NonPervious Area	44,204 SF	6%
	Bldg SF	175,895 SF	23%
	Green Space	258,262 SF	34%
	Parking Spaces	780 Spaces	
Lot 13	Total Site Area	2,251,203 SF	100%
	Parking Lot & Drive Area	n/a	n/a
	Other NonPervious Area	n/a	n/a
	Bldg SF	n/a	n/a
	Green Space	n/a	n/a
	Parking Spaces		





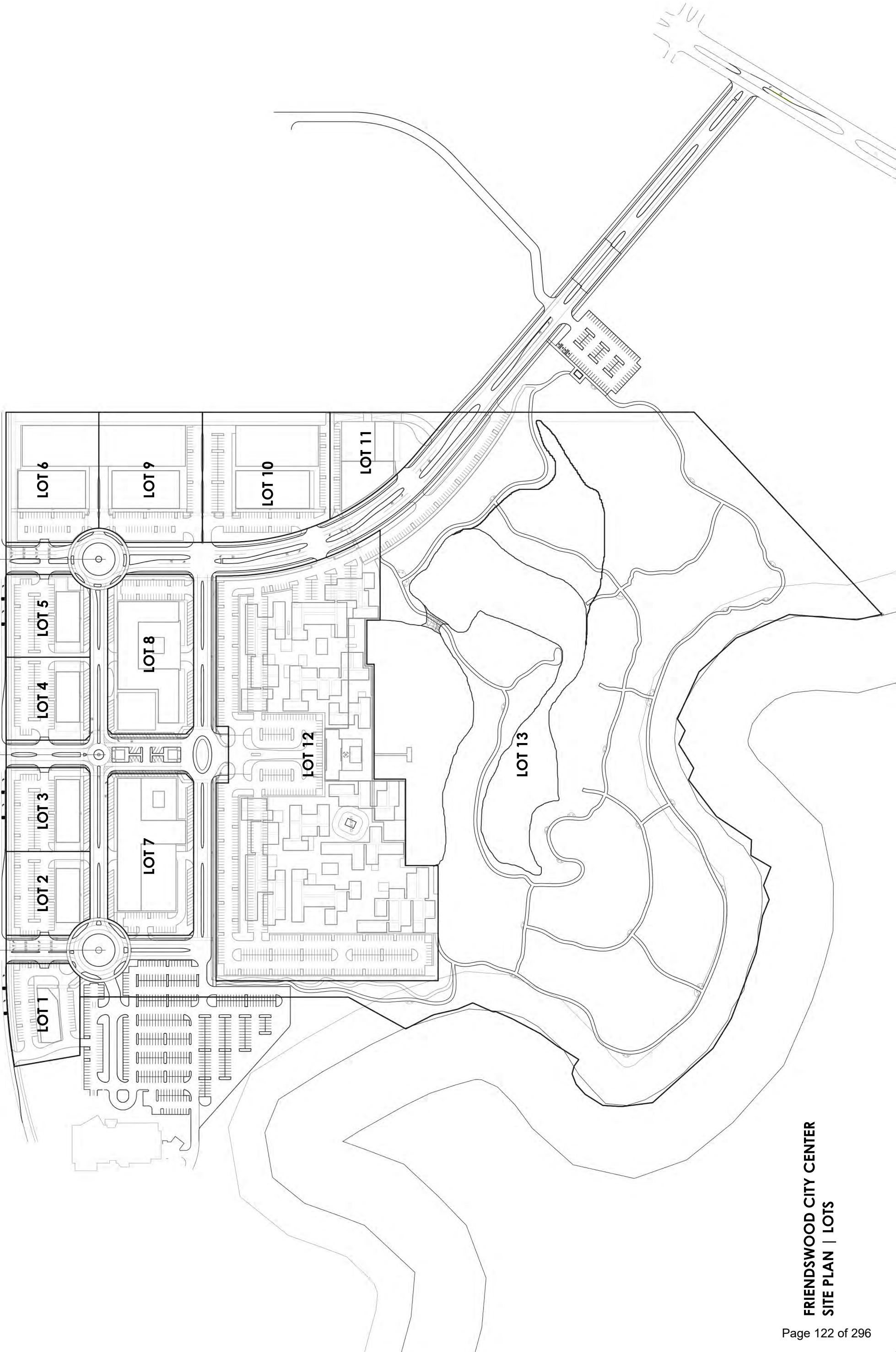
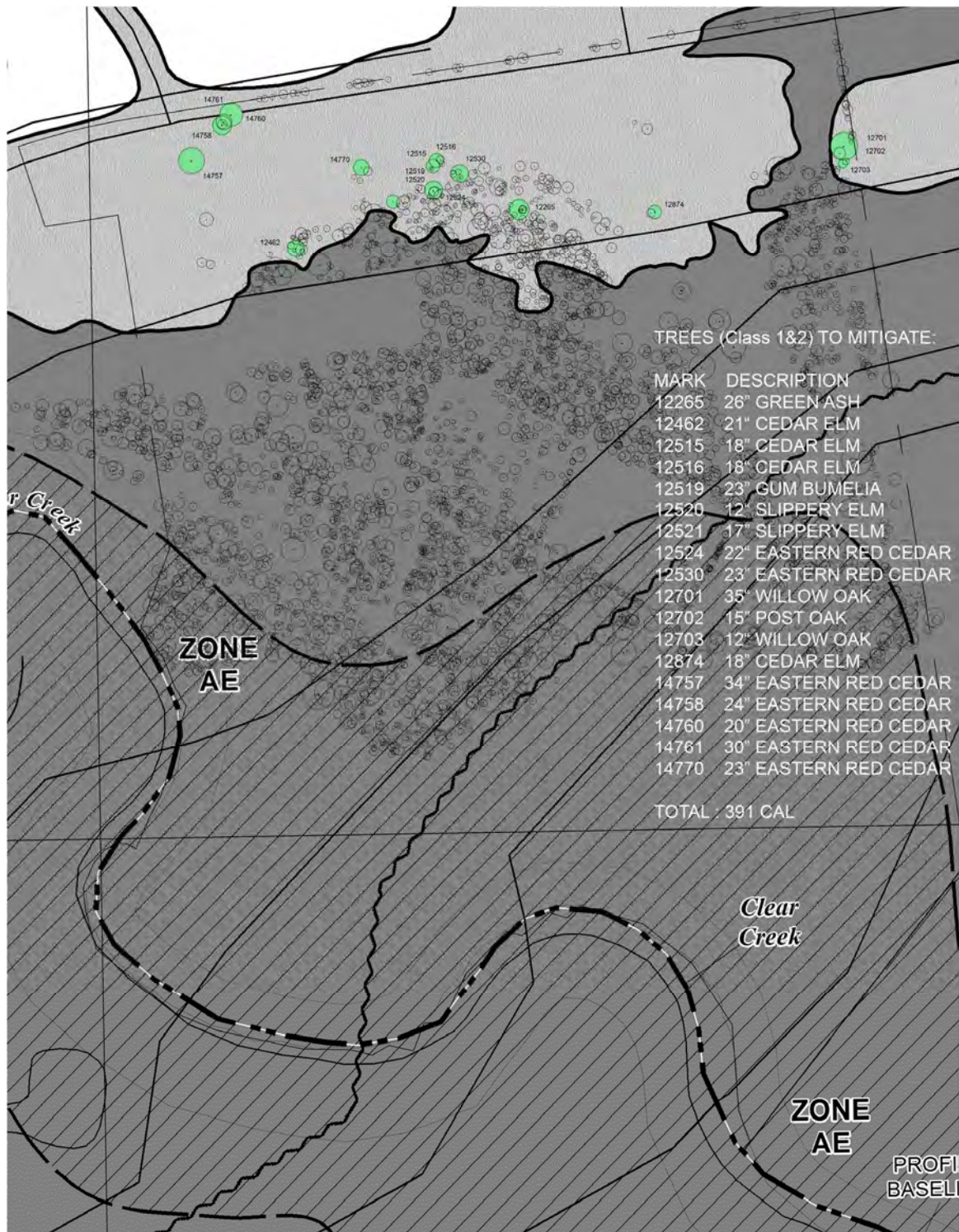


Exhibit B | TREE MITIGATION PLAN

Class 1 and Class 2 Trees to be Mitigated with New On-Site Street Trees of Class 1 & 2 as Follows: 12-24 inch Cal to be replaced with 266 inch cal at 100% = 266 inch cal.
24.1-36 inch Cal to be replaced with 125 inch cal at 150% = 187.5 inch cal.
No trees greater than 36 inch Cal.



Friendswood City Center PUD

Exhibit C | Mixed Use Parking Calculations

Class	Use	Parking Required	Weekday		Weekday		Weekday		Weekend		Weekend		Weekend	
			Midnight to 7AM	7AM to 5PM	5PM to 9PM	9PM to Midnight	Midnight to 7AM	7AM to 5PM	5PM to 9PM	9PM to Midnight				
1	Office	772	38.6	772	231.6	38.6	0	77.2	0	0				
	Financial Facility	0	0	0	0	0	0	0	0	0				
2	Apartment	996	996	249	498	946.2	996	647.4	498	846.6				
	Hotel	255	255	25.5	127.5	216.75	255	25.5	127.5	191.25				
3	Clinic (Medical Complex)	450	22.5	450	225	22.5	0	45	0	0				
	Clinic (Medical or Dental)	0	0	0	0	0	0	0	0	0				
	Veterinary Clinic	0	0	0	0	0	0	0	0	0				
4	Industrial/Warehouse/ Manufacturing	0	0	0	0	0	0	0	0	0				
5	Church	0	0	0	0	0	0	0	0	0				
	Day Care	0	0	0	0	0	0	0	0	0				
	School	0	0	0	0	0	0	0	0	0				
	Library	0	0	0	0	0	0	0	0	0				
	Art Gallery	0	0	0	0	0	0	0	0	0				
6	Movie Theater	0	0	0	0	0	0	0	0	0				
	Bowling Alley	0	0	0	0	0	0	0	0	0				
	Gym/Health Spa	0	0	0	0	0	0	0	0	0				
7	Dessert Shop	0	0	0	0	0	0	0	0	0				
	Small Restaurant	507	50.7	253.5	380.25	202.8	76.05	380.25	507	253.5				
	Neighborhood Restaurant	0	0	0	0	0	0	0	0	0				
	Restaurant	250	25	125	187.5	100	37.5	187.5	250	125				
	Tavern	0	0	0	0	0	0	0	0	0				
	Small Bar	0	0	0	0	0	0	0	0	0				
	Bar, club or lounge	0	0	0	0	0	0	0	0	0				
8	Retail (excluding shopping center)	626	31.3	313	469.5	62.6	31.3	626	469.5	62.6				
9	Auto Parts and Supply Store	0	0	0	0	0	0	0	0	0				
	All Others	0	0	0	0	0	0	0	0	0				
Total			3856	1419.1	2188	2119.35	1589.45	1395.85	1988.85	1852	1478.95			
			2188											
Put 1 if this qualifies as a historic building			0		0									
Total Reduction					0									
PARKING SPACES REQUIRED:			2188											

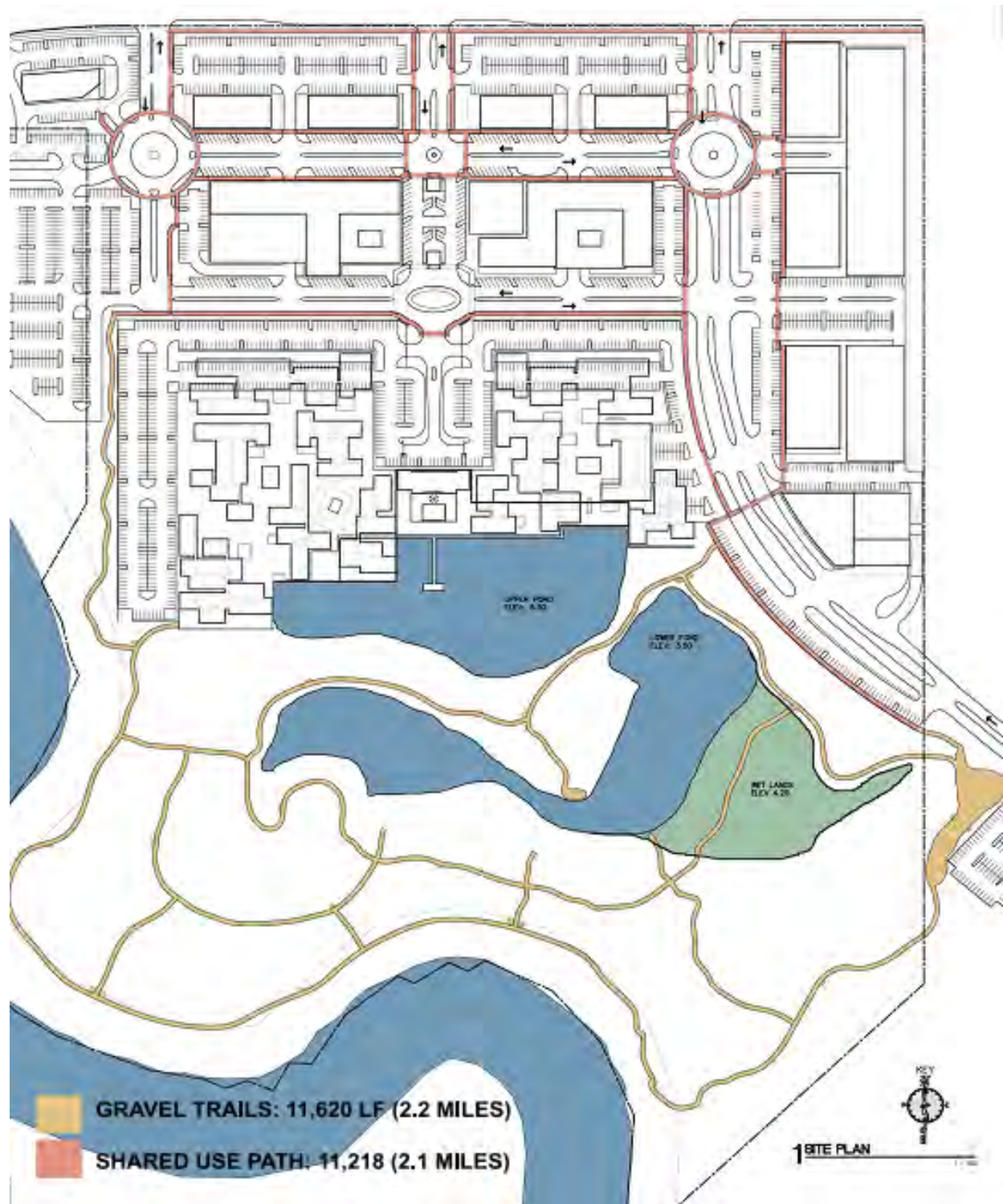
Proposed Parking on Site: 3600 Spaces

Friendswood City Center PUD

Parking Calculations per Use based on City of Friendswood Appendix C Parking Group Table:

	RATIO/K AREA	6.0 RETAIL	10.0 REST	3.8 OFF<25	3.4 OFF 25-100	2.8 OFF>100	15.0 BAR	4.5 MED COMF	0.4 CHURCH	1.5 HOTEL	1.3 Hotel	1.5 Apt 18	1.8 Apt 28	2.0 Apt 38
LOT1	10,290	5808	4482											
LOT2	13,882	9009	4873											
LOT3	15,006	5713	9293											
LOT4	12,006	6791	5215											
LOT5	12,000	6000	9576											
LOT6	100,000	38000	12000		50000									
LOT7	120,000	15000	5500		35000							45	45	
LOT8	120									120				
LOT9	100,000	18000	12000		70000									
LOT10	112,800		12800					100000						
LOT11	72,000				72000									
LOT12	500 Apts											175	250	75
Totals per Use		626	757	0	772	0	0	450	0	255	0	330	516	150

Exhibit D | Project Trails





Moon Accent Lighting in Trees
above Flood Plan Elevation

Bike Trail

10-0 Wide x 6 Deep
Decomposed Granite
8 x 16 Concrete Edge Curb

Exhibit E | Project Phases

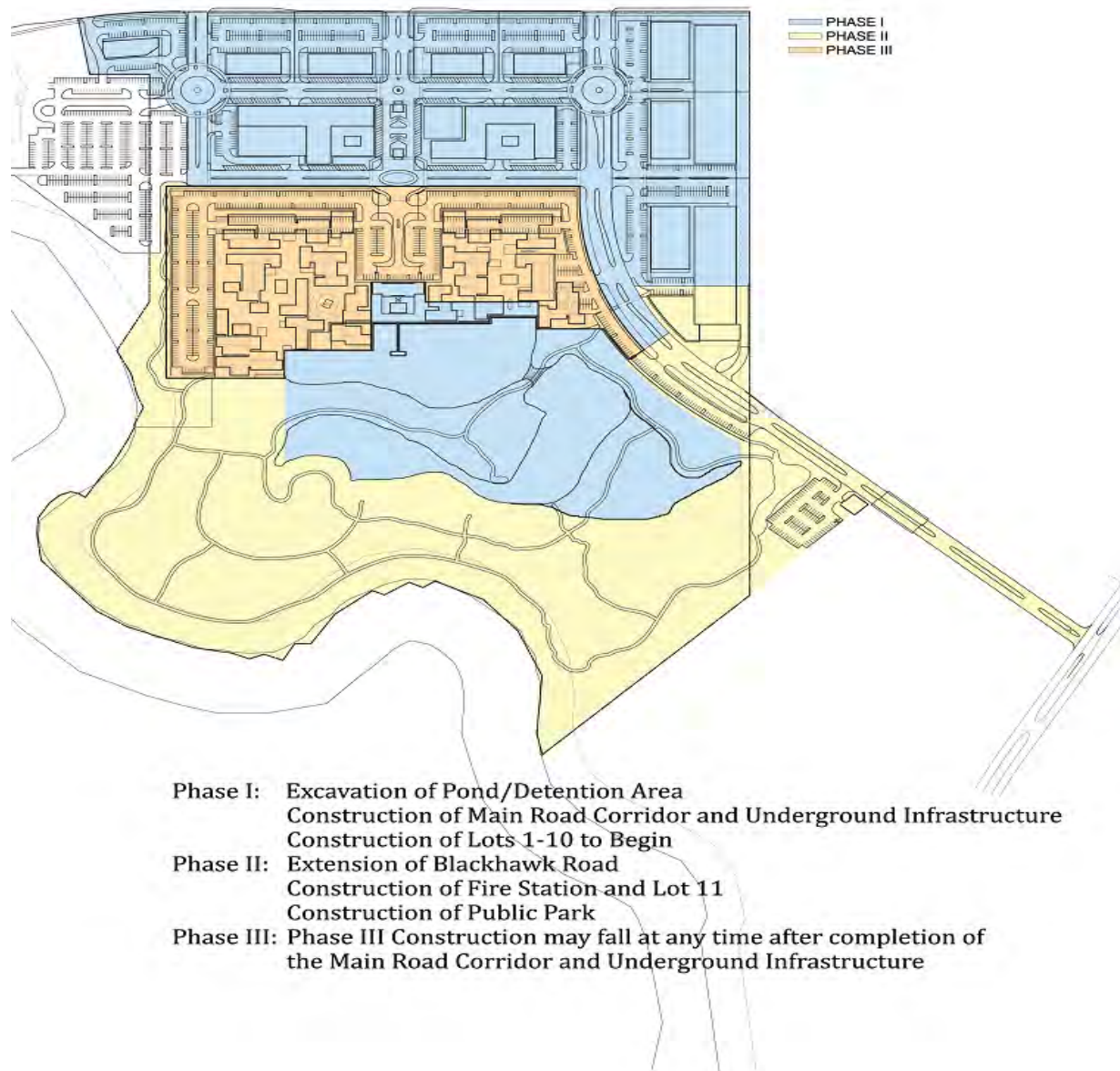


Exhibit F1 | Exterior Finishes

Exterior Finishes shall Incorporate the use of building materials that provide for an aesthetically pleasing and consistent overall development, while recognizing the benefits of diversity. In that regard, the following building materials shall be permitted:

(a.) All exterior walls shall be at least sixty percent (60%) masonry, glass or metal. Masonry coverage calculation does not include doors, windows, window box-outs, or bay windows that do not extend to the foundation.

1. Stone material. Masonry construction using stone material may consist of granite, marble, limestone, slate, and other hard and durable naturally occurring all weather stone. Stone shall be cut and dimensioned stone with natural or machined finishes.
2. Brick material. Brick material used for masonry construction shall be hard fired (kiln fired) clay or slate material which meets the latest version of ASTM standard C216, Standard Specification for Facing Brick (Solid Masonry Unit Made of Clay or Shale), and shall be Severe Weather (SW) grade, and Type FBA or FBS or better.
3. Concrete masonry units. Concrete masonry units used for masonry construction shall meet the latest version of the following applicable specifications; ASTM C90, Standard Specification for Hollow Load Bearing Concrete Masonry Units; ASTM C145, Standard Specification for Solid Load Bearing Masonry Units; ASTM C129, Standard Specification for Hollow and Solid Nonload Bearing Units. Concrete masonry units are not acceptable as an exterior finish.
4. Architectural Concrete Panels. Smooth Prefinished Architectural concrete panel construction is acceptable and may be used as an exterior finish. Concrete Panels poured on site (including tilt-wall construction) may be used but is not acceptable as an exterior finish.
5. Stucco (exterior Portland cement plaster with three (3) coats over metal lath or wire fabric lath with acrylic top coat finish).
6. Cement fiberboard;
7. Architectural glass block (less than 25 percent reflectance).
8. Aluminum Composite Metal Exterior Cladding Panels (ACM). Composite dry joint wall panel rainscreen system with associated aluminum girts, panel splices, bases, head flashing, clips, shims and fasteners.
9. Solid Composite Architectural Panels. Composite dry joint wall panel rainscreen or blind fastened system with associated aluminum girts, panel splices, bases, head flashing, clips, shims and fasteners.

(b) Structures 20,000 square feet or less shall require a minimum of two (2) distinct building materials from the approved masonry list be utilized on all facades to provide architectural detail and interest.

(c) Structures over 20,000 square feet shall require a minimum of three (3) distinct building materials from the approved masonry list be utilized on all facades to provide architectural detail and interest.

(d) Secondary materials must cover a minimum of ten percent (10%) of the building facade on all sides.

(e) Roofing materials. Flat roof areas shall be a fifteen (15) year Class A, TDI Approved PVC or TPO membrane roofing system, mechanically or adhered fastened, with a minimum solar reflectance of 0.78 and a minimum thermal emittance of 0.87 (Energy Star). Sloped roof areas shall be standing seam metal finished to match the exterior window frame system and be less than twenty percent (20%) of the buildings total roof area.

(f) Prohibited materials. The following materials are prohibited:

1. Aluminum siding or cladding.
2. Corrugated, metal, plastic, or fiberglass panels.
3. Galvanized, aluminum coated, zinc aluminum coated or unpainted exterior metal except as permitted as architectural accent material.
4. Wood siding or plastic siding.
5. Synthetic stucco, Exterior Insulation and Finish System (EIFS), placed less than four (4) feet above grade.
6. Exposed aggregate.
7. Corten Steel Panels.

Exhibit F1 | Exterior Finishes

Contemporary Brick (examples of colors)



Cut Stone, split-faced or honed (examples of colors)



Wood Composite, (examples of colors)

Approved accent colors to be no more than 15% of building



Primary Paint Colors (examples)

Approved accent colors to be no more than 15% of building



Composite Metal Panels, (examples of colors)



Exhibit F2 | Architecture Features and Schematic Design Concepts

Architecture



Focal Points

Exhibit F2 | Architecture Features and Schematic Design Concepts



Exhibit F2 | Architecture Features and Schematic Design Concepts



Exhibit F3 | Examples of Site Amenities



Trails



Planters



Urban Area

Water Stations



Exhibit F3 | Examples of Site Amenities

Benches



Urban Area



Lighting





Planning & Zoning Commission
Final Report

To: Mayor and City Council
From: Thomas Hinckley, Planning & Zoning Commission Chairman
Aubrey Harbin, Director of Community Development/Planner
Date: October 26, 2023
Re: Friendswood City Center Planned Unit Development

[Handwritten signature]

At the Planning and Zoning Commission meeting held October 26, 2023, following the public hearing held on October 12, 2023, the City of Friendswood Planning and Zoning Commission voted 6-0 (Commissioner Mann was absent) on a motion to approve the requested zone change. The motion included three criteria: 1) include the updated Regulation Matrix (10-25-2023); 2) restrict residential use on Lots 6, 7, 9 and 10 to the second floor and up; and 3) require that commercial lots are developed prior to building the multi-family residential on Lot 12.

The proposed Friendswood City Center will be a mixed-use development combining commercial, retail, hospitality, office, civic/municipal, mixed-use buildings, and multi-family residential (500+ units), and recreation/open space to create a vibrant, walkable neighborhood. The extension of Blackhawk Boulevard from FM 528 to Bay Area Boulevard will provide additional routes of travel, as well as additional street frontage opportunities for the commercial buildings.

The initial submittal included a maximum building height of 90 feet and possible 6-story buildings throughout the development; however, after further consideration, the developer opted to change the building heights to 40 feet and 70 feet with a maximum of 4-story buildings as indicated in the Regulation Matrix for the PUD. The Commission also received clarification that the proposed mixed-use buildings proposed on Lots 7, 6, 9, and 10, which will also be capped at 29 units per acre and will only allow residential on the second floor and up leaving the bottom floor for retail and office uses. The density of the development and its remote proximity to any nearby residential properties requires residential use within the development to support the businesses.

No public comments either in favor or in opposition of the zone change were received. The Commission is forwarding a positive recommendation.

FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 6, 2023

Date submitted: 09/18/2023

Prepared by: Glenda Faulkner, Executive Secretary/PIO

Subject: Consider an ordinance amending the Future Land Use Map (2021) to change the designation of 106.472 acres of land, located at 3801 FM 528 Road, Friendswood, Harris County, Texas, from "Public and Semi Public" and "Retail" to "Mixed Use" and amending the official zoning map to change the zoning district of such property from Planned Unit Development (Ord. 2015-18) to a revised Planned Unit Development (PUD) to allow a mixed-use development.

Originating Department: Community Development

Degree of importance:

SUMMARY / ORIGINATING CAUSE

This proposed ordinance amends the Future Land Use Map and the official zoning map of the City concerning the 106.472 acres of land, located at 3801 FM 528 Road, Friendswood, Harris County, Texas.

Future Land Use Map Amendment

Current Designation:	Public and Semi Public and Retail
Proposed Designation:	Mixed Use

Official Zoning Map Amendment

Current Designation:	Planned Unit Development (Ord. 2015-18)
Proposed Designation:	Planned Unit Development (PUD) to allow a mixed-use development

The Planning and Zoning Commission conducted a public hearing on October 12, 2023, considered both amendments at its meeting held on October 26, 2023, and issued a final report recommending approval.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

This is the third major proposal for a Planned Unit Development on this tract. Previous versions have included a similar mix of uses, including retail and offices, as well as 500-600 residential units. In 2015, the residential units were removed from the PUD by City Council at the time the ordinance was approved. The density of the development and its proximity to any nearby residential properties requires residential use within the development to support the businesses.

RECOMMENDATIONS

The Planning and Zoning Commission recommends approval.

ATTACHMENTS

1. Ordinance - FLUM Amendment and Rezoning 106+ Acres

2. Exhibit A - Property Location Map
3. Exhibit B - FLUM Map
4. Exhibit C-1 - PUD Zoning Map
5. Exhibit C-2 - Friendswood City Center PUD

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, AMENDING THE FRIENDSWOOD COMPREHENSIVE PLAN TO UPDATE THE FUTURE LAND USE MAP CONCERNING PROPERTY LOCATED AT 3801 FM 528 RD, BEING 106.472 ACRES OF LAND SITUATED IN THE SARAH MCKISSICK LEAGUE, ABSTRACT NUMBER 549, HARRIS COUNTY, TEXAS, INCLUDING (I) ALL OF RESTRICTED RESERVES "A" AND "C" CLEAR CREEK COMMUNITY CHURCH FRIENDSWOOD, A SUBDIVISION PLAT OF RECORD AT FILM CODE NO 691601, HARRIS COUNTY MAP RECORDS (H.C.M.R) AND (II) THE RESIDUE OF A CALLED 135.778 ACRE TRACT OF LAND CONVEYED TO CLEAR CREEK COMMUNITY CHURCH AS DESCRIBED BY DEED RECORDED UNDER HARRIS COUNTY CLERK'S FILE (H.C.C.F.) NO. 20150231965, CITY OF FRIENDSWOOD, HARRIS COUNTY, TEXAS, FROM PUBLIC AND SEMI PUBLIC AND RETAIL TO MIXED USE; AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRIENDSWOOD TO CHANGE THE ZONING CLASSIFICATION OF SUCH PROPERTY FROM PLANNED UNIT DEVELOPMENT (ORD. 2015-18) TO A REVISED PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW A MIXED-USE DEVELOPMENT; 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.

WHEREAS, the Friendswood Comprehensive Plan (the "Plan") assists City officials, staff and citizens in making sound decisions affecting the future growth and development of the City and the surrounding area; and

WHEREAS, on October 26, 2023, the Planning and Zoning Commission (the "Commission") reviewed the proposed amendment of the Plan to update the Future Land Use Map contained therein, concerning the property located at 3801 FM 528 Road, Friendswood, Harris County, Teas, being more particularly described as 106.472 acres of land situated in the Sarah McKissick League, Abstract Number 549, Harris County, Texas, including (i) all of Restricted Reserves "A" and "C" Clear Creek Community Church Friendswood, a subdivision plat of record at Film Code No. 691601, Harris County Map Records (H.C.M.R) and (ii) the residue of a called 135.778 acre tract of land conveyed to Clear Creek Community Church as described by deed recorded under Harris County Clerk's File (H.C.C.F.) No. 20150231965, City of Friendswood, Harris County, Texas (the "Property") to change the designation thereof from Public and Semi Public and Retail to Mixed Use; and

WHEREAS, a map depicting the location of the Property is attached hereto, marked Exhibit "A," and made a part hereof for all intents and purposes; and

WHEREAS, on November 6, 2023, a public hearing was conducted at which the public was given the opportunity to give testimony and present written evidence regarding this amendment of the Plan; and

WHEREAS, in accordance with the Friendswood City Code and all applicable laws, the City Council has determined that all public notices have been posted and published and the required hearing on this amendment to the Future Land Use Map has been held; and

WHEREAS, after the Commission's review of the proposed amendment as well as the input received at the public hearing, the City Council desires to amend the Plan to update the Future Land Use Map to better reflect future development within the boundaries of the City; and

WHEREAS, additionally, Madison Development Corp. (the "Owner") made application to the City to change the zoning classification of the Property from Planned Unit Development (Ord. 2015-18) to a revised Planned Unit Development (PUD) to allow a mixed-use development; and

WHEREAS, in accordance with the Friendswood City Code and all applicable laws, the Planning and Zoning Commission and the City Council conducted public hearings on such application, allowing all interested persons the opportunity to be heard; and

WHEREAS, the Planning and Zoning Commission filed with City Council, its final report recommending approval of the application; and

WHEREAS, in accordance with the Friendswood City Code and all applicable laws, the City Council has determined that all public notices have been posted and published and all required hearings on this zoning classification change have been held; and

WHEREAS, the City Council further finds that this ordinance complies with the applicable provisions of the City Charter of the City of Friendswood, the Friendswood City Code and all other applicable laws; and

WHEREAS, after receiving the Commission's final report as well as the input received at the public hearing, the City Council deems it appropriate to approve the application, subject to applicable regulations, restrictions, exceptions, and conditions; NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:

Section 1. The facts and matters set forth in the preamble of this ordinance are hereby found to be true and correct.

Section 2. That the City Council of the City of Friendswood, Texas, hereby amends the Friendswood Comprehensive Plan to update the Future Land Use Map concerning the Property to change the Future Land Use Map designation from Public and Semi Public and Retail to Mixed Use. Such amendment is attached hereto as Exhibit "B" and incorporated herein for all intents and purposes.

Section 3. The Official Zoning Map of the City of Friendswood is hereby amended to change the classification of the Property from Planned Unit Development (Ord. 2015-18) to a revised Planned Unit Development (PUD) for the "Friendswood City Center" to allow a

mixed-use development, as further depicted in Exhibit "C-1" and subject to the regulations contained in Exhibit "C-2," which exhibits are attached hereto and incorporated herein for all intents and purposes. The City Council hereby directs the Mayor to sign and the City Secretary to attest to an entry on such map containing the number and effective date of this ordinance along with a brief description of the nature of the change in accordance with Section 3.A.(3), Appendix C of the Friendswood City Code.

Section 4. This ordinance shall in no manner amend, change, supplement or revise any provision of any ordinance of the City of Friendswood, save and except the change in the Future Land Use Map designation of the Property as described in Section 2 hereinabove and the change in zoning classification of the Property as described in Section 3 hereinabove.

Section 5. A violation of this ordinance is subject to the penalty provisions contained in Section 1-14 of the Friendswood City Code and as otherwise provided by law. Any person who shall intentionally, knowingly, recklessly, or with criminal negligence fail to comply with any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined in an amount not to exceed \$2,000.00. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense.

Section 6. That all ordinances or parts of ordinances in conflict or inconsistent with this ordinance are hereby expressly repealed.

Section 7. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same, notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 8. The City Secretary shall give notice of the enactment of this ordinance by promptly publishing the caption of this ordinance after final passage in the official newspaper of the City.

Section 9. This ordinance shall take effect upon its publication and the proper entry on the official zoning map in accordance with Section 3.A.(3), Appendix C of the Friendswood City Code.

PASSED, APPROVED and ADOPTED on first and final reading by the affirmative vote of the City Council of the City of Friendswood on this the 6th day of November, 2023.

MIKE FOREMAN, Mayor

ATTEST:

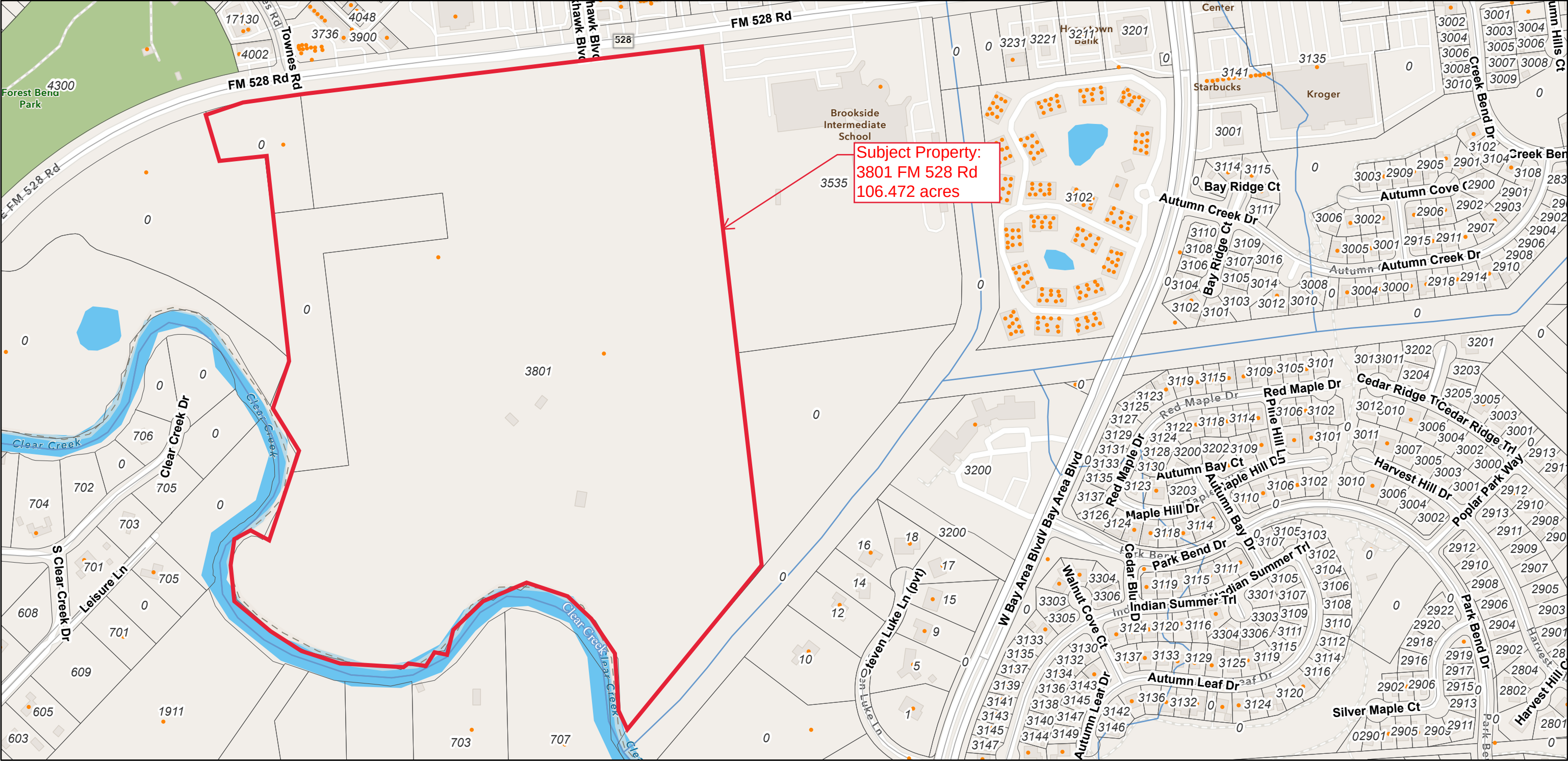
LETICIA BRYSCH, City Secretary

APPROVED AS TO FORM:

KAREN L. HORNER, City Attorney

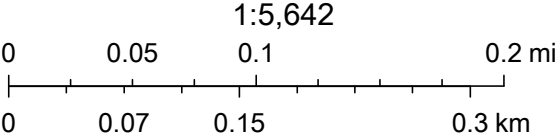
DRAFT

Location Map



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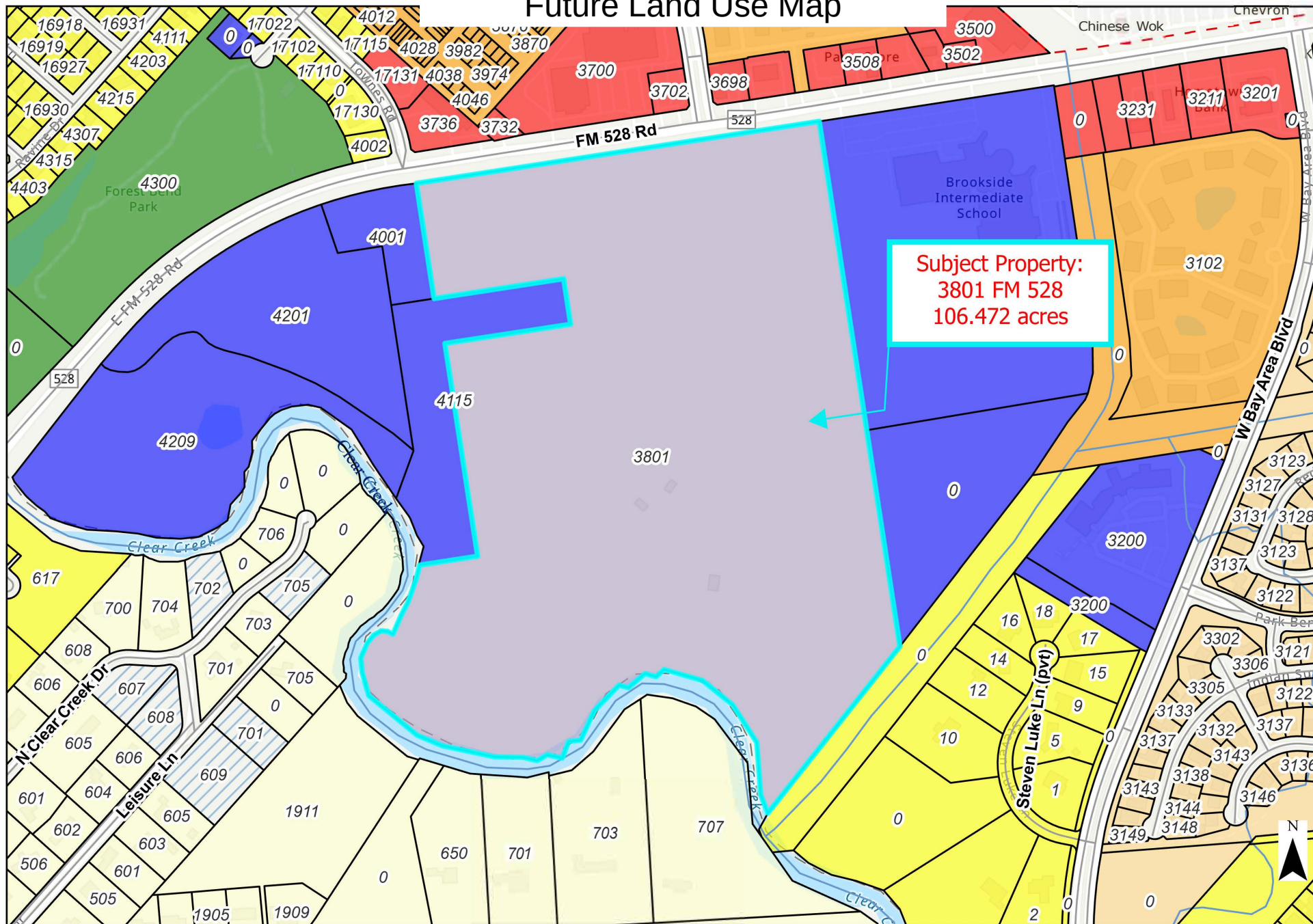
- City Limits
- Address Points
- Streets
- Parcels
- All Linear Water Features



Houston- Galvesotn Area Council, Esri Community Maps Contributors, City of Houston, Brazoria County, HPB, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, Foursquare, SafeGraph, GeoTechnologies, Inc, METI/

Exhibit "B"

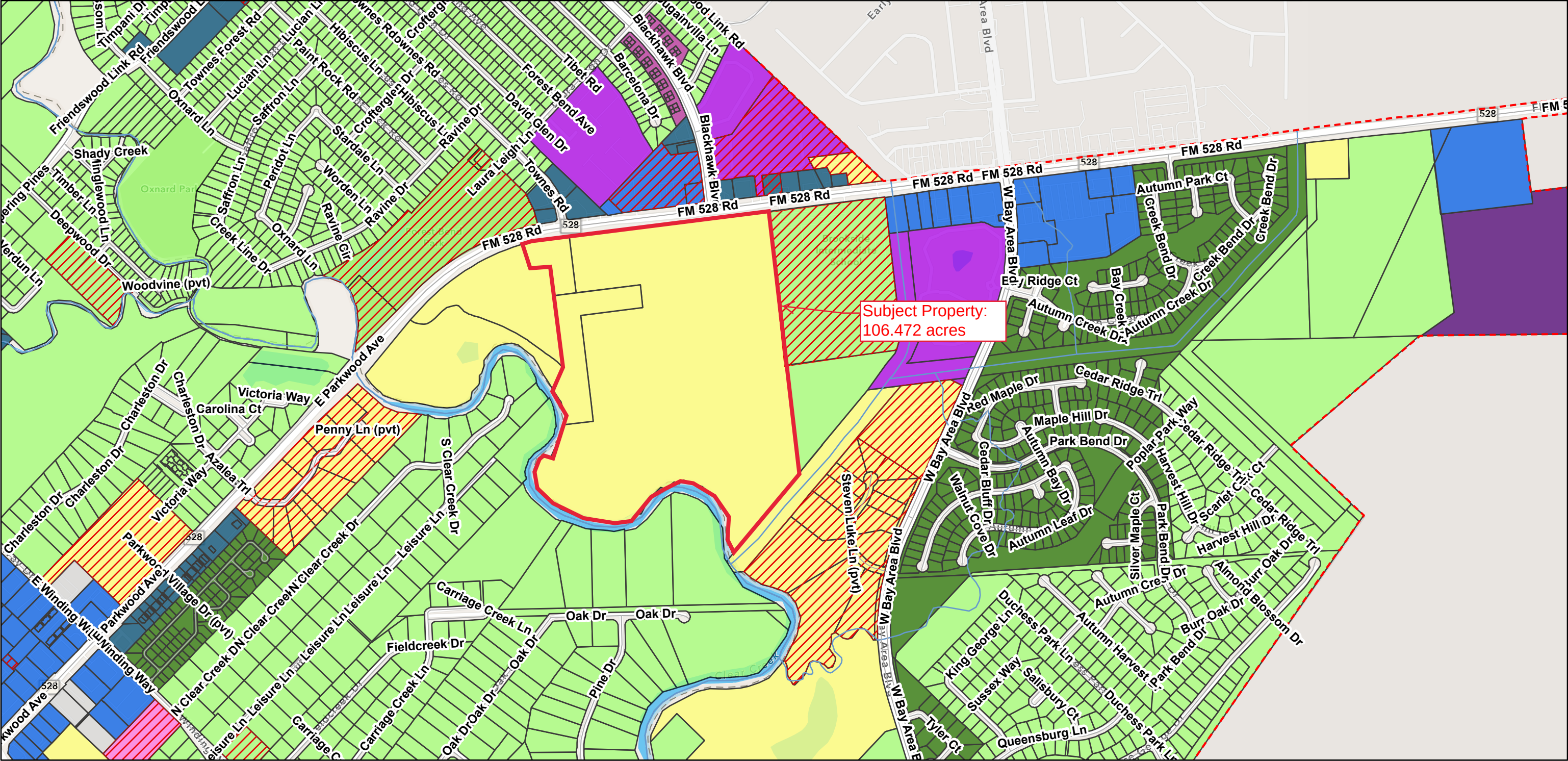
Future Land Use Map



- | | | | |
|-------------|--------------|--------------------------|------------------------|
| City Limits | Proposed FLU | High Density Residential | Public and Semi-Public |
| Parcels | SFR- Estate | Mixed Use | Regional Detention |
| Streets | Low Density | Retail | [ZZ] Buyout Lots |
| Creeks | Garden Homes | Parks | |

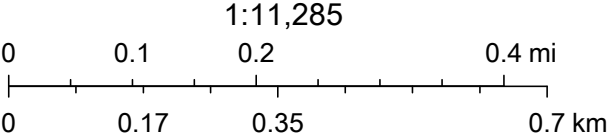
0 0.05 0.1 0.2 Miles

Exhibit "C-1"
Zoning Map



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- City Limits
- Streets
- All Linear Water Features
- Surrounding Cities
- Specific Use Permits
- Zoning by Parcel
- BP
- CSC
- GHD
- MFR-H
- MFR-L
- MFR-M
- NC
- OPD
- PUD
- SFR



Esri Community Maps Contributors, City of Houston, HPB, Texas Parks & Wildlife, CONANP, Esri, HERE, Garmin, Foursquare, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Planned Unit Development Friendswood City Center PUD

Prepared For
Tannos Development Group, LLC

August, 2023



TABLE of CONTENTS

I Introduction

II Regulations

III Permitted Uses

Exhibit A Site Plan

Exhibit B Tree Mitigation Calculations

Exhibit C Mixed Use Parking Analysis

Exhibit D Public Trails and Paths

Exhibit E Project Phases

Exhibit F1 Exterior Finishes

Exhibit F2 Architectural Features

Exhibit F3 Examples of Site Amenities

INTRODUCTION

Purpose

This application has been prepared on behalf of Tannos Development LLC, pursuant to the City of Friendswood's Ordinances related to a Planned Unit Development (PUD). The purpose of the PUD District is to encourage flexibility in the development of land, promote the most appropriate uses, and encourage a cohesive Mixed Use Development. This PUD will establish development regulations and standards that will ensure quality development, consistent with the intent of the Friendswood Subdivision and Zoning Ordinances.

Location and Existing Conditions

Friendswood City Center PUD is located on a + 107 Acre tract located South of FM 528, with Clear Creek forming a natural boundary on the West and South borders and Brookside Intermediate School to the East. The subject tract will be bisected with an Extension of Blackhawk Blvd from 528 to Bay Area Blvd. Approximately 50 Acres of the site is located within the Flood Way of the Clear Creek Watershed, 38 Acres are located within the AE Flood Zone and 19 Acres are located within the X Flood Zone. The Majority of the area located within the AE Zone will be raised out of the flood plain by mitigation within the Park Area. All Buildings will be constructed above the Flood Plain.

PROJECT DESCRIPTION

The Planning Concept is to provide a strong neighborhood identity with walkable mixed-use facilities that allow access to services and other businesses without requiring residents to use a car as their main mode of transportation. To accomplish this, Friendswood City Center PUD will combine commercial, retail, hospitality, office, and multifamily residential developments into a vibrant community with walkable streets that support alternative modes of transportation. All areas of the community will be connected with 10-0 wide Shared Use Paths. In the Park Area, the paths will be created out of decomposed granite and will be referred to as trails. In all other areas, the paths will be created using a combination of concrete with paver and stone accents. Path Users are non-motorized and may include but are not limited to: bicyclists, in-line skaters, roller skaters, wheelchair users (both non-motorized and motorized) and pedestrians, including walkers, runners, people with baby strollers, people walking dogs, etc. These facilities will be designed for two-way travel.

For transportation and parking demand management, the concept is to create slower-paced streets with head-in parking and pavement designed to enhance pedestrian safety. Surface Parking will be minimized with the majority of parking located within above ground parking garages designed to blend in with the building facades. All parking garages will be required to leave at least 20 percent of their parking spaces available for public parking and may be a fee lot. All areas, except the gated area of the Multi-Family Residential Development, will have cross parking access.

DEVELOPMENT GUIDELINES

Unless otherwise outlined in this document, all City of Friendswood Subdivision and Zoning regulations in place at the time this document is adopted shall apply to the PUD. Any change to the below guidelines and/or other applicable regulations shall require a variance or an amendment to the PUD.

Building Regulations

Friendswood City Center PUD Regulation Matrix

PUD Zoning District	Units Per Acre	Lot Area Minimum Sq Ft	Lot Width Minimum Sq Ft	Lot Depth Minimum Sq Ft	Front Yard Setback	Rear Yard Setback	Interior Side Yard	Exterior Side Yard	Maximum Height (4 stories)	Landscape Buffer Width (FM 528)	Landscape Buffer Width (Except FM 528)
Lot 1	n/a	15000	100	150	100	10	10	25	40	15	5
Lots 2-5	n/a	15000	100	150	160	10	10	25	40	15	5
Lots 7	29	15000	100	150	0	10	10	10	70	0	0
Lots 8	n/a	15000	100	150	0	10	10	10	70	0	0
Lots 6, 9, 10	29	15000	100	150	50	0	10	25	70	15	5
Lot 11	29	15000	100	150	0	0	10	25	70	0	0
Lot 12 MFR	29	n/a	n/a	n/a	25	0	25	25	70	0	5

Base zoning districts CSC and MFR-H per COF Zoning Ordinance.

Lot coverage based on approved drainage plan.

Landscape buffers may include walkways, boardwalks, patios, plazas, courtyards, bulkheads, retaining walls, and similar structures are permitted in the landscape buffer except for along FM 528.

No multifamily use shall be allowed on the first floor of Lots 6, 7, 9 and 10.

(a) *Street Setbacks:*

Walkways, Boardwalks, Patios, Plazas, Courtyards, bulkheads, retaining walls and similar structures will be permitted in the landscape buffer/setback area except for area abutting FM 528.

Building setback is measured from the right-of-way or property line.

Permitted Use Table

Residential Uses	
Single-Family Residence	
Garden Home Residence	
Multiple-Family Residence—Low Density	
Multiple-Family Residence—Medium Density	P
Multiple-Family Residence—High Density	P
Mobile Home Residence	

	2017 NAICS Industry Descriptions	
	Sexually oriented businesses (Ch. 62)	
11	<i>Agriculture, Forestry, Fishing and Hunting</i>	
111	Crop production	
1114	Greenhouse, nursery, and floriculture production	
112	Animal production and aquaculture	
113	Forestry and logging	
1133	Logging	
114	Fishing, hunting, and trapping	
115	Support activities for agriculture and forestry	
21	<i>Mining, Quarrying, and Oil and Gas Extraction</i>	
211	Oil and gas extraction	
212	Mining (except oil and gas)	
213	Support activities for mining	
22	<i>Utilities</i>	
221	Utilities	
23	<i>Construction</i>	
236	Construction of buildings	
237	Heavy and civil engineering construction	
238	Specialty trade contractors	
31-33	<i>Manufacturing</i>	
311	Food manufacturing	
311811	Retail bakeries	
3121	Beverage manufacturing (i.e. Breweries, wineries)	P
3122	Tobacco manufacturing	
313	Textile mills	

314	Textile product mills	
315	Apparel manufacturing	
316	Leather and allied product manufacturing	
3161	Leather and hide tanning and finishing	
321	Wood product manufacturing	
322	Paper manufacturing	
323	Printing and related support activities	
323113	Commercial screen printing	
324	Petroleum and coal products manufacturing	
325	Chemical manufacturing	
325412	Pharmaceutical preparation manufacturing	
326	Plastics and rubber products manufacturing	
3262	Rubber product manufacturing	
327	Nonmetallic mineral product manufacturing	
331	Primary metal manufacturing	
332	Fabricated metal product manufacturing	
333	Machinery manufacturing	
334	Computer and electronic product manufacturing	
335	Electrical equipment, appliance, and component manufacturing	
33591	Battery manufacturing	
336	Transportation equipment manufacturing	
337	Furniture and related products manufacturing	
339	Miscellaneous manufacturing	
3391	Medical equipment and supplies manufacturing	
42	Wholesale Trade	
423	Merchant wholesalers, durable goods	O
424	Merchant wholesalers, nondurable goods	O
425	Wholesale trade agents and brokers	O
44-45	Retail Trade	
4411	Automobile dealers	
4412	Other motor vehicle dealers	
4413	Automotive parts, accessories, and tire retailers (i.e. Auto Zone, O'Riley's)	
4491	Furniture and home furnishing retailers	P
4492	Electronics and appliance retailers	P
444	Building material and garden equipment and supplies dealers	
444180	Other building material dealers	
445	Food and beverage retailers	P
4561	Health and personal care retailers	P
457	Gasoline stations and fuel dealers (Lot 5 only)	P

45712	Other gasoline stations	
458	Clothing, clothing accessories, shoe, and jewelry retailers	P
4591	Sporting goods, hobby, and musical instrument, retailers	P
4592	Book retailers and news dealers	P
4593	Florists	P
4594	Office supplies, stationary, and gift retailers	P
455	General merchandise retailers	P
4595	Used merchandise retailers	P
45993	Manufactured (mobile) home dealers	
459910	Pet and Pet Supply Retailers	P
459920	Art Dealers	P
48-49	<i>Transportation And Warehousing</i>	
481	Air transportation	O
482	Rail transportation	O
483	Water transportation	O
484	Truck transportation	O
485	Transit and ground passenger transportation	O
486	Pipeline transportation	O
487	Scenic and sightseeing transportation	O
488	Support activities for transportation	O
48841	Motor vehicle towing	
491	Postal service	
492	Couriers and messengers	O
493	Warehousing and storage	
51	<i>Information</i>	
513	Publishing industries	P
512	Movie Theaters	P
516	Broadcasting and content providers (i.e. Comcast, Netflix, etc.)	P
517	Telecommunications	O
517121	Telecommunication resellers	O
518	Computing infrastructure providers, data processing, web hosting and related services	
519	Web search portals, libraries, archives, and other information services	O
52	<i>Finance and Insurance</i>	
521	Monetary authorities—Central bank	P
522	Credit intermediation and related activities	P
522299	International, secondary market, and all other non- depository credit intermediation (i.e., pawn shops)	

523	Securities, commodity contracts, and other financial investments and related activities	P
524	Insurance carriers and related activities	P
525	Funds, trusts, and other financial vehicles	P
53	<i>Real Estate and Rental and Leasing</i>	
531	Real estate	P
53113	Lessors of mini warehouses and self-storage units	
532	Rental and leasing services (i.e. car rentals, formal wear and costumes, home health equipment, etc.)	
53212	Truck, utility trailer, and RV rental and leasing	
533	Lessors of nonfinancial intangible assets (except copyrighted works)	
54	<i>Professional, Scientific and Technical Services</i>	
541	Professional, scientific, and technical services	P
54138	Testing laboratories	P
55	<i>Management of Companies and Enterprises</i>	
551	Management of companies and enterprises	P
56	<i>Administrative and Support and Waste Management and Remediation Services</i>	
561	Administrative and support services	P
561730	Landscaping services	
56179	Other services to buildings and dwellings	
562	Waste management and remediation services	
61	<i>Education Services</i>	
6111	Elementary and secondary schools	
6112	Junior colleges	
6113	Colleges, universities, and professional schools	
6114	Business schools and computer and management training	P
6115	Technical and trade schools	P
6116	Other school and instruction (i.e. dance, gymnastics, tutoring)	P
62	<i>Health Care and Social Services</i>	
621	Ambulatory health care services	P
622	Hospitals	S
6231	Nursing care facilities—Skilled nursing facilities	S
6232	Residential, intellectual and development disability, mental health, and substance abuse facilities	
623311	Continuing care retirement communities (with on-site nursing)	
623312	Assisted living facilities for the elderly (without on-site nursing)	
624	Social assistance	
6244	Child day care services (childcare centers)	P

6244	Child day care services (registered and/or licensed childcare home)	P
71	<i>Arts, Entertainment and Recreation</i>	
7111	Performing arts (i.e. theater companies, dinner theaters, dance companies, musical groups and artists)	P
7112	Spectator sports	
711320	Promoters of performing arts, sports, and similar events w/o facilities	P
712110	Museums (i.e. art galleries and wax museums)	P
712120	Historical Sites (i.e. state or local historical societies)	P
7131	Amusement parks and arcades	
7132	Gambling industries	
7139	Other amusement and recreation industries (i.e. game rooms, bowling)	P
713940	Fitness and recreational sports centers	P
713990	All other amusement and recreation activities (i.e. mini golf, billiards, escape rooms)	P
72	<i>Accommodation and Food Services</i>	
7211	Traveler accommodation	P
7212	RV (recreational vehicle) parks and recreational camps	
7213	Rooming houses and boardinghouses	
7223	Special food services	P
7224	Drinking places (more than 75% sales of alcoholic beverages)	P
7225	Restaurants and other eating places	P
81	<i>Other Services (Except Public Administration)</i>	
8111	Automotive repair and maintenance	
81112	Automotive body, paint, interior, and glass repair	
8112	Electronic and precision equipment repair and maintenance	
8113	Commercial and industrial machinery and equipment (except automotive and electronic repair and maintenance)	
811430	Footwear and leather goods repair	P
8121	Personal care services	P
812220	Cemeteries	P
8123	Dry cleaning and laundry services	P
8129	Other personal services	P
8131	Religious organizations	
8132	Grantmaking and giving services	O
8133	Social advocacy organizations	O
8134	Civic and social organizations	O
8139	Business, professional, labor, political, and similar organizations	O
814	Private households	
92	<i>Public Administration (City Services)</i>	

921	Executive, legislative, and other general government support	P
922	Justice, public order, and safety activities	P
92214	Correctional institutions	
923	Administration of human resource programs	P
924	Administration of environment quality programs	P
925	Administration of housing programs, urban planning, and community development	P
926	Administration of economic programs	P
927	Space research and technology	P
928	National security and international affairs	P

(a) Legend:

1. P: Permitted.
2. S: Special use permit required.
3. O: Office use only.
4. Blank: Not permitted.

- (b) Notwithstanding the permitted uses depicted in this table, which are intended to address uses not otherwise regulated or restricted by federal, state, or related law for protected specific uses, it is the intention of the PUD to fully comply with all such legal requirements. Any applicant who is relying upon any such specific rules or regulations not otherwise addressed in this table shall provide the relevant provisions to the city for review.

- RETAIL | 63,800 SF
- OFFICE | 191,000 SF
- MIXED USE | 478,300 SF
- GARAGE | 1,215 PARKING SPACES
- APARTMENTS | 500 UNITS

FM 528



528 Site Calculations

		Qty	% of Site
Lot 1	Total Site Area	69,715 SF	100%
	Parking Lot & Drive Area	31,693 SF	45%
	Other NonPervious Area	6,249 SF	9%
	Bldg SF	10,290 SF	15%
	Green Space	21,483 SF	31%
	Parking Spaces	74 Spaces	
Lot 2	Total Site Area	69,066 SF	100%
	Parking Lot & Drive Area	34,793 SF	50%
	Other NonPervious Area	1,099 SF	2%
	Bldg SF	13,882 SF	20%
	Green Space	13,292 SF	19%
	Parking Spaces	102 Spaces	
Lot 3	Total Site Area	71,083 SF	100%
	Parking Lot & Drive Area	35,660 SF	50%
	Other NonPervious Area	7,286 SF	10%
	Bldg SF	15,008 SF	21%
	Green Space	13,129 SF	18%
	Parking Spaces	108 Spaces	
Lot 4	Total Site Area	70,283 SF	100%
	Parking Lot & Drive Area	33,875 SF	48%
	Other NonPervious Area	8,861 SF	13%
	Bldg SF	12,006 SF	17%
	Green Space	15,541 SF	22%
	Parking Spaces	101 Spaces	
Lot 5	Total Site Area	68,747 SF	100%
	Parking Lot & Drive Area	33,625 SF	49%
	Other NonPervious Area	8,412 SF	12%
	Bldg SF	11,999 SF	17%
	Green Space	14,711 SF	21%
	Parking Spaces	97 Spaces	
Lot 6	Total Site Area	119,660 SF	100%
	Parking Lot & Drive Area	56,297 SF	47%
	Other NonPervious Area	6,947 SF	6%
	Bldg SF	25,800 SF	22%
	Green Space	30,616 SF	26%
	Parking Spaces	296 Spaces	
Public	Total Site Area	2,756,133 SF	n/a
	Parking Lot & Drive Area	n/a	n/a
	Other NonPervious Area	n/a	n/a
	Bldg SF	n/a	n/a
	Green Space	n/a	n/a
	Parking Spaces	325 Spaces	n/a

Total Site Calculations

Total Site Area	4,637,900 SF	100%
Parking Lot & Drive Area	809,388 SF	17%
Other NonPervious Area	179,313 SF	4%
Bldg SF	417,306 SF	9%
Green Space	469,759 SF	10%
Parking Spaces	3,532 Spaces	

		Qty	% of Site
Lot 7	Total Site Area	138,181 SF	100%
	Parking Lot & Drive Area	56,006 SF	41%
	Other NonPervious Area	24,482 SF	18%
	Bldg SF	40,380 SF	29%
	Green Space	17,312 SF	13%
	Parking Spaces	240 Spaces	
Lot 8	Total Site Area	138,132 SF	100%
	Parking Lot & Drive Area	26,821 SF	19%
	Other NonPervious Area	42,377 SF	31%
	Bldg SF	40,128 SF	29%
	Green Space	28,806 SF	21%
	Parking Spaces	189 Spaces	
Lot 9	Total Site Area	134,038 SF	100%
	Parking Lot & Drive Area	77,884 SF	58%
	Other NonPervious Area	11,271 SF	8%
	Bldg SF	25,800 SF	19%
	Green Space	19,083 SF	14%
	Parking Spaces	296 Spaces	
Lot 10	Total Site Area	160,218 SF	100%
	Parking Lot & Drive Area	88,420 SF	55%
	Other NonPervious Area	14,904 SF	9%
	Bldg SF	28,200 SF	18%
	Green Space	28,694 SF	18%
	Parking Spaces	619 Spaces	
Lot 11	Total Site Area	76,843 SF	100%
	Parking Lot & Drive Area	46,874 SF	61%
	Other NonPervious Area	3,221 SF	4%
	Bldg SF	17,918 SF	23%
	Green Space	8,830 SF	11%
	Parking Spaces	305 Spaces	
Lot 12	Total Site Area	765,801 SF	100%
	Parking Lot & Drive Area	287,440 SF	38%
	Other NonPervious Area	44,204 SF	6%
	Bldg SF	175,895 SF	23%
	Green Space	258,262 SF	34%
	Parking Spaces	780 Spaces	
Lot 13	Total Site Area	2,251,203 SF	100%
	Parking Lot & Drive Area	n/a	n/a
	Other NonPervious Area	n/a	n/a
	Bldg SF	n/a	n/a
	Green Space	n/a	n/a
	Parking Spaces		





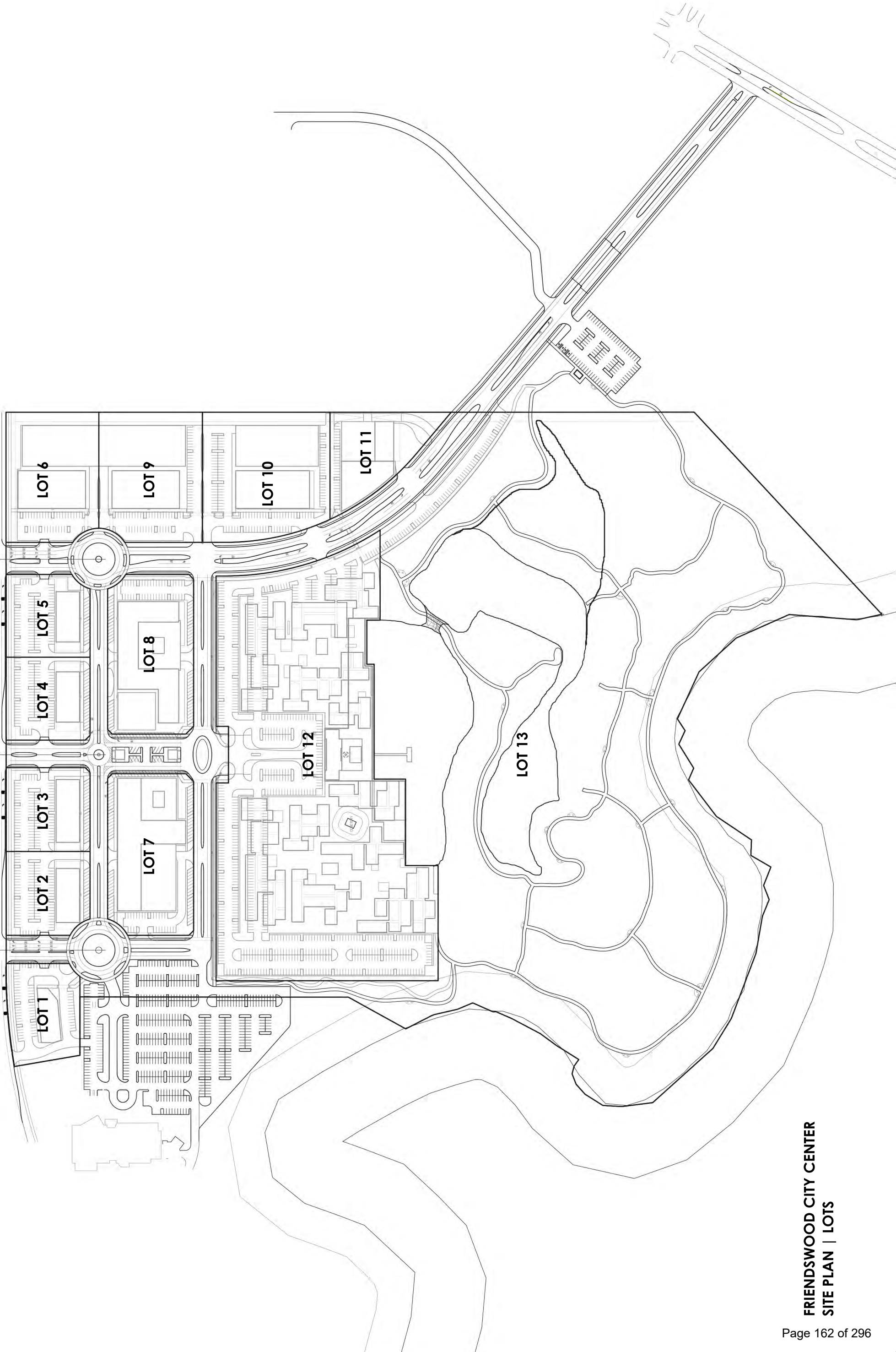
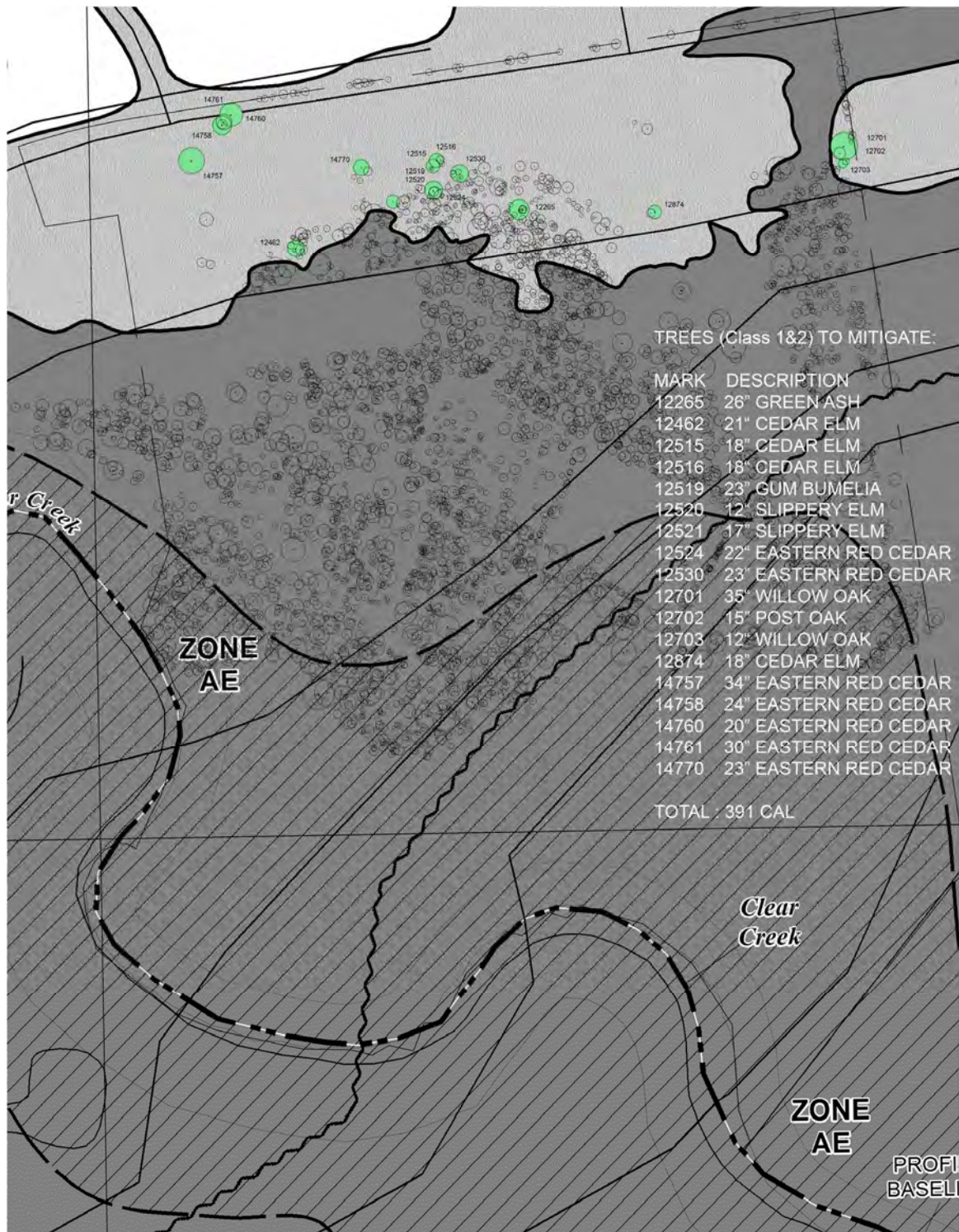


Exhibit B | TREE MITIGATION PLAN

Class 1 and Class 2 Trees to be Mitigated with New On-Site Street Trees of Class 1 & 2 as Follows: 12-24 inch Cal to be replaced with 266 inch cal at 100% = 266 inch cal.
24.1-36 inch Cal to be replaced with 125 inch cal at 150% = 187.5 inch cal.
No trees greater than 36 inch Cal.



Friendswood City Center PUD

Exhibit C | Mixed Use Parking Calculations

Class	Use	Parking Required	Weekday	Weekday	Weekday	Weekday	Weekend	Weekend	Weekend	Weekend	
			Midnight to 7AM	7AM to 5PM	5PM to 9PM	9PM to Midnight	Midnight to 7AM	7AM to 5PM	5PM to 9PM	9PM to Midnight	
1	Office	772	38.6	772	231.6	38.6	0	77.2	0	0	
	Financial Facility	0	0	0	0	0	0	0	0	0	
2	Apartment	996	996	249	498	946.2	996	647.4	498	846.6	
	Hotel	255	255	25.5	127.5	216.75	255	25.5	127.5	191.25	
3	Clinic (Medical Complex)	450	22.5	450	225	22.5	0	45	0	0	
	Clinic (Medical or Dental)	0	0	0	0	0	0	0	0	0	
	Veterinary Clinic	0	0	0	0	0	0	0	0	0	
4	Industrial/Warehouse/ Manufacturing	0	0	0	0	0	0	0	0	0	
5	Church	0	0	0	0	0	0	0	0	0	
	Day Care	0	0	0	0	0	0	0	0	0	
	School	0	0	0	0	0	0	0	0	0	
	Library	0	0	0	0	0	0	0	0	0	
	Art Gallery	0	0	0	0	0	0	0	0	0	
6	Movie Theater	0	0	0	0	0	0	0	0	0	
	Bowling Alley	0	0	0	0	0	0	0	0	0	
	Gym/Health Spa	0	0	0	0	0	0	0	0	0	
7	Dessert Shop	0	0	0	0	0	0	0	0	0	
	Small Restaurant	507	50.7	253.5	380.25	202.8	76.05	380.25	507	253.5	
	Neighborhood Restaurant	0	0	0	0	0	0	0	0	0	
	Restaurant	250	25	125	187.5	100	37.5	187.5	250	125	
	Tavern	0	0	0	0	0	0	0	0	0	
	Small Bar	0	0	0	0	0	0	0	0	0	
	Bar, club or lounge	0	0	0	0	0	0	0	0	0	
8	Retail (excluding shopping center)	626	31.3	313	469.5	62.6	31.3	626	469.5	62.6	
9	Auto Parts and Supply Store	0	0	0	0	0	0	0	0	0	
	All Others	0	0	0	0	0	0	0	0	0	
Total			3856	1419.1	2188	2119.35	1589.45	1395.85	1988.85	1852	1478.95
			2188								
Put 1 if this qualifies as a historic building			0		0						
Total Reduction					0						
PARKING SPACES REQUIRED:			2188								

Proposed Parking on Site: 3600 Spaces

Friendswood City Center PUD

Parking Calculations per Use based on City of Friendswood Appendix C Parking Group Table:

	RATIO/K AREA	6.0 RETAIL	10.0 REST	3.8 OFF<25	3.4 OFF 25-100	2.8 OFF>100	15.0 BAR	4.5 MED COMF	0.4 CHURCH	1.5 HOTEL	1.3 Hotel	1.5 Apt 18	1.8 Apt 28	2.0 Apt 38
LOT1	10,290	5808	4482											
LOT2	13,882	9009	4873											
LOT3	15,006	5713	9293											
LOT4	12,006	6791	5215											
LOT5	12,000	6000	9576											
LOT6	100,000	38000	12000		50000									
LOT7	120,000	15000	5500		35000							45	45	
LOT8	120									120				
LOT9	100,000	18000	12000		70000									
LOT10	112,800		12800					100000						
LOT11	72,000				72000									
LOT12	500 Apts											175	250	75
Totals per Use		626	757	0	772	0	0	450	0	255	0	330	516	150

Exhibit D | Project Trails

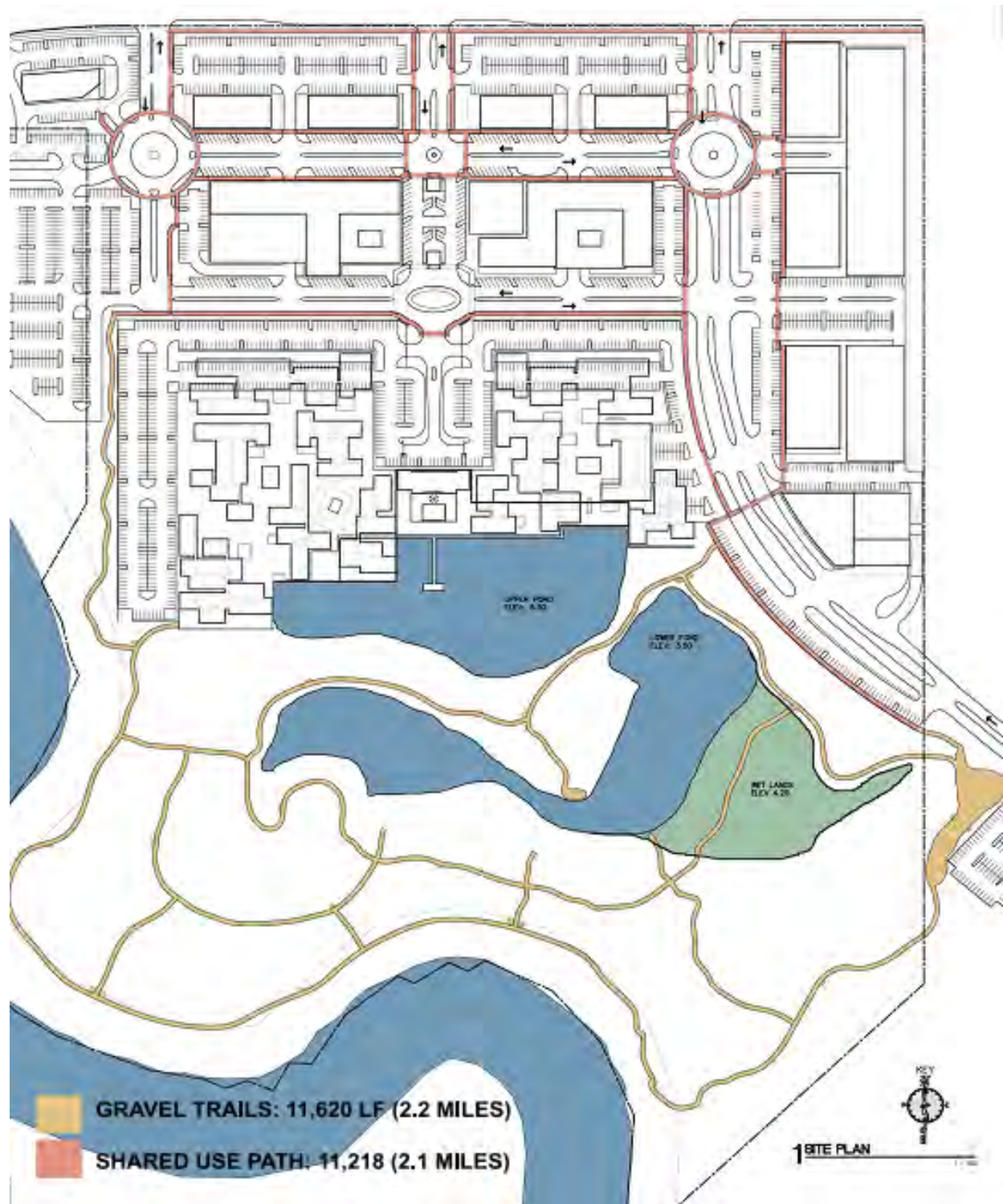




Exhibit E | Project Phases

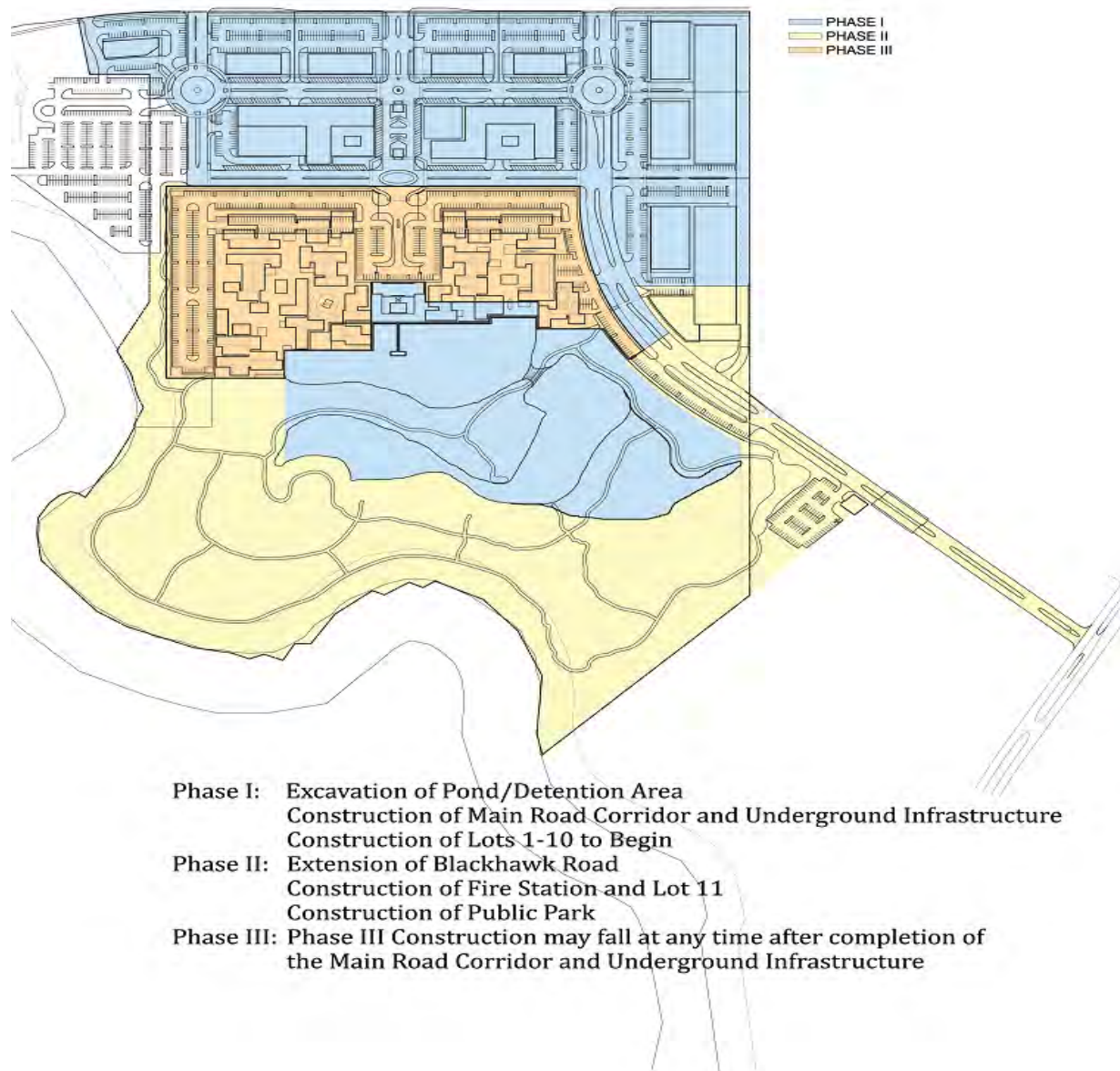


Exhibit F1 | Exterior Finishes

Exterior Finishes shall Incorporate the use of building materials that provide for an aesthetically pleasing and consistent overall development, while recognizing the benefits of diversity. In that regard, the following building materials shall be permitted:

(a.) All exterior walls shall be at least sixty percent (60%) masonry, glass or metal. Masonry coverage calculation does not include doors, windows, window box-outs, or bay windows that do not extend to the foundation.

1. Stone material. Masonry construction using stone material may consist of granite, marble, limestone, slate, and other hard and durable naturally occurring all weather stone. Stone shall be cut and dimensioned stone with natural or machined finishes.
2. Brick material. Brick material used for masonry construction shall be hard fired (kiln fired) clay or slate material which meets the latest version of ASTM standard C216, Standard Specification for Facing Brick (Solid Masonry Unit Made of Clay or Shale), and shall be Severe Weather (SW) grade, and Type FBA or FBS or better.
3. Concrete masonry units. Concrete masonry units used for masonry construction shall meet the latest version of the following applicable specifications; ASTM C90, Standard Specification for Hollow Load Bearing Concrete Masonry Units; ASTM C145, Standard Specification for Solid Load Bearing Masonry Units; ASTM C129, Standard Specification for Hollow and Solid Nonload Bearing Units. Concrete masonry units are not acceptable as an exterior finish.
4. Architectural Concrete Panels. Smooth Prefinished Architectural concrete panel construction is acceptable and may be used as an exterior finish. Concrete Panels poured on site (including tilt-wall construction) may be used but is not acceptable as an exterior finish.
5. Stucco (exterior Portland cement plaster with three (3) coats over metal lath or wire fabric lath with acrylic top coat finish).
6. Cement fiberboard;
7. Architectural glass block (less than 25 percent reflectance).
8. Aluminum Composite Metal Exterior Cladding Panels (ACM). Composite dry joint wall panel rainscreen system with associated aluminum girts, panel splices, bases, head flashing, clips, shims and fasteners.
9. Solid Composite Architectural Panels. Composite dry joint wall panel rainscreen or blind fastened system with associated aluminum girts, panel splices, bases, head flashing, clips, shims and fasteners.

(b) Structures 20,000 square feet or less shall require a minimum of two (2) distinct building materials from the approved masonry list be utilized on all facades to provide architectural detail and interest.

(c) Structures over 20,000 square feet shall require a minimum of three (3) distinct building materials from the approved masonry list be utilized on all facades to provide architectural detail and interest.

(d) Secondary materials must cover a minimum of ten percent (10%) of the building facade on all sides.

(e) Roofing materials. Flat roof areas shall be a fifteen (15) year Class A, TDI Approved PVC or TPO membrane roofing system, mechanically or adhered fastened, with a minimum solar reflectance of 0.78 and a minimum thermal emittance of 0.87 (Energy Star). Sloped roof areas shall be standing seam metal finished to match the exterior window frame system and be less than twenty percent (20%) of the buildings total roof area.

(f) Prohibited materials. The following materials are prohibited:

1. Aluminum siding or cladding.
2. Corrugated, metal, plastic, or fiberglass panels.
3. Galvanized, aluminum coated, zinc aluminum coated or unpainted exterior metal except as permitted as architectural accent material.
4. Wood siding or plastic siding.
5. Synthetic stucco, Exterior Insulation and Finish System (EIFS), placed less than four (4) feet above grade.
6. Exposed aggregate.
7. Corten Steel Panels.

Exhibit F1 | Exterior Finishes

Contemporary Brick (examples of colors)



Cut Stone, split-faced or honed (examples of colors)



Wood Composite, (examples of colors)

Approved accent colors to be no more than 15% of building



Primary Paint Colors (examples)

Approved accent colors to be no more than 15% of building



Composite Metal Panels, (examples of colors)



Exhibit F2 | Architecture Features and Schematic Design Concepts

Architecture



Focal Points

Exhibit F2 | Architecture Features and Schematic Design Concepts



Exhibit F2 | Architecture Features and Schematic Design Concepts



Exhibit F3 | Examples of Site Amenities



Trails



Planters



Urban Area

Water Stations



Exhibit F3 | Examples of Site Amenities

Benches



Urban Area



Trails

Urban Area



Lighting



Trails

FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 6, 2023

Date submitted: 10/25/2023

Prepared by: Karen Horner, City Attorney

Subject: Consider a resolution setting a public hearing on the creation of the tax increment reinvestment zone and its benefits to the City and to the property in the proposed zone and directing a preliminary reinvestment zone project and financing plan be prepared.

Originating Department: City Attorney

Degree of importance:

SUMMARY / ORIGINATING CAUSE

This proposed resolution:

1. sets a public hearing for December 4, 2023, at 5:30 p.m. in the Friendswood City Council Chamber concerning the creation of a tax increment reinvestment zone for approximately 106.472 acres located at 3801 FM 528, Friendswood, Harris County, Texas; and
2. directs a preliminary reinvestment zone project and financing plan be prepared.

At the public hearing, the City Council will receive public input concerning (i) the inclusion of property within the zone; (ii) the creation of the zone; (iii) the boundaries of the Zone; and/or (iv) the concept of tax increment financing on the creation of the zone and its benefits to the City and to the property in the proposed zone. Owners of property within the proposed zone shall be given a reasonable opportunity to protest the inclusion of the property in a proposed reinvestment zone.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

RECOMMENDATIONS

Staff recommends approval.

ATTACHMENTS

1. Resolution - Setting Public Hearing for TIRZ
2. Exhibit A - TIRZ Boundary

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, SETTING A PUBLIC HEARING UNDER SECTION 311.003 OF THE TEXAS TAX CODE FOR THE CREATION OF A TAX INCREMENT REINVESTMENT ZONE, CITY OF FRIENDSWOOD, TEXAS, GENERALLY LOCATED AT 3801 FM 528, FRIENDSWOOD, HARRIS COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED AS APPROXIMATELY 106.472 ACRES OF LAND, SITUATED IN THE SARAH MCKISSICK LEAGUE, ABSTRACT NUMBER 549, HARRIS COUNTY, TEXAS; BEING ALL OF RESTRICTED RESERVES "A" AND "C" CLEAR CREEK COMMUNITY CHURCH FRIENDSWOOD, A SUBDIVISION PLAT OF RECORD AT FILM CODE NO 691601, HARRIS COUNTY MAP RECORDS; AND BEING THE RESIDUE OF A CALLED 135.778 ACRE TRACT OF LAND CONVEYED TO CLEAR CREEK COMMUNITY CHURCH AS DESCRIBED BY DEED RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. 20150231965, CITY OF FRIENDSWOOD, HARRIS COUNTY, TEXAS, AND BEING WHOLLY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF FRIENDSWOOD, TEXAS; AND DIRECTING THE CITY MANGER TO PREPARE OR CAUSE TO BE PREPARED A PRELIMINARY REINVESTMENT ZONE PROJECT AND FINANCE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Friendswood, Texas (the "City"), is authorized under Chapter 311 of the Texas Tax Code, as amended (the "Act"), to create a tax increment reinvestment zone within its corporate limits; and

WHEREAS, the City Council wishes to hold a public hearing in accordance with Section 311.003 of the Act regarding the establishment of a tax increment reinvestment zone, generally located at 3801 FM 528, Friendswood, Harris County, Texas; being more particularly described as approximately 106.472 acres of land, situated in the Sarah McKissick League, Abstract Number 549, Harris County, Texas; being all of Restricted Reserves "A" and "C" Clear Creek Community Church Friendswood, a subdivision plat of record at Film Code No 691601, Harris County Map Records; and being the residue of a called 135.778 acre tract of land conveyed to Clear Creek Community Church as described by deed recorded under Harris County Clerk's File No. 20150231965, City of Friendswood, Harris County, Texas; and being wholly located within the corporate limits of the City (the "Zone"); and

WHEREAS, The boundaries of the Zone are legally described in Exhibit "A" and are generally depicted in Exhibit "B," which exhibits are attached hereto and incorporated herein for all intents and purposes; and

WHEREAS, in order to hold a public hearing for the creation of the Zone, notice must be given in a newspaper of general circulation in the City no later than the 7th day before the date of the hearing in accordance with Section 311.003 of the Act; and

WHEREAS, the City Council desires to hold a public hearing on December 4, 2023, on the creation of the Zone; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS:

Section 1: That the findings set forth in the recitals of this resolution are found to be true and correct.

Section 2. That the City Council of the City of Friendswood hereby sets a public hearing on December 4, 2023, at 5:30 p.m., in the Council Chamber of the City Hall of the City of Friendswood, located at 910 S. Friendswood Drive, Friendswood, Texas, for the purpose of hearing any interested person speak for or against: (i) the inclusion of property within the Zone; (ii) the creation of the Zone and its benefits to the City and to the property in the Zone; (iii) the boundaries of the Zone; and/or (iv) the concept of tax increment financing.

Section 3. At the public hearing, the City Council shall hear testimony regarding and will provide a reasonable opportunity for the owner of any property within the Zone to protest the inclusion of their property within the Zone. After closing the public hearing, the City Council will consider the adoption of an ordinance creating the Zone and other related matters.

Section 4. That the City Secretary is hereby authorized and directed, to cause notice of such public hearing to be published in a newspaper of general circulation in the City on or before November 27, 2023, which notice shall be in substantially the form that is attached hereto as Exhibit "C" and incorporated herein for all intents and purposes.

Section 5. That before the public hearing concerning the Zone, the City Manager, on behalf of the City Council, is authorized and directed to prepare or cause to have prepared a preliminary reinvestment zone project and finance plan concerning the Zone.

Section 6. That this resolution shall be effective immediately upon its passage and approval by the City Council of the City of Friendswood, Texas.

PASSED, APPROVED and ADOPTED by the affirmative vote of the City Council of the City of Friendswood on this the 6th day of November, 2023.

MIKE FOREMAN, Mayor

ATTEST:

LETICIA BRYSCH, City Secretary

APPROVED AS TO FORM:

KAREN L. HORNER, City Attorney

EXHIBIT "A"
Metes and Bounds of the Proposed Zone

EXHIBIT "B"
Depiction of the Proposed Zone

Exhibit "C"

CITY OF FRIENDSWOOD CITY COUNCIL
NOTICE OF PUBLIC HEARING
ON CREATION OF A REINVESTMENT ZONE

The City Council of the City of Friendswood will hold a public hearing on Monday December 4, 2023, at 5:30 p.m. in the Council Chamber of the City Hall of the City of Friendswood, located at 910 S. Friendswood Dr., Friendswood, Texas 77546, on the creation of a reinvestment zone and its benefits to the City of Friendswood and to property within the zone. The proposed zone consists of approximately 106.472 acres of land generally located at 3801 FM 528, Friendswood, Harris County, Texas, generally located at 3801 FM 528, Friendswood, Harris County, Texas, and more particularly described as approximately 106.472 acres of land, situated in the Sarah McKissick League, Abstract Number 549, Harris County, Texas; being all of Restricted Reserves "A" and "C" Clear Creek Community Church Friendswood, a subdivision plat of record at Film Code No 691601, Harris County Map Records; and being the residue of a called 135.778 acre tract of land conveyed to Clear Creek Community Church as described by deed recorded under Harris County Clerk's File No. 20150231965, City of Friendswood, Harris County, Texas. The proposed reinvestment zone is wholly located within the corporate limits of the City of Friendswood, Texas. A map depicting the boundaries of the proposed reinvestment zone is available in the office of the City Secretary at Friendswood City Hall, 910 S. Friendswood Dr., Friendswood, Texas 77546, and is available for public inspection.

At the public hearing, all interested persons may speak for or against the creation of the proposed reinvestment zone, its boundaries, and/or the concept of tax increment financing; and any owner of property within the proposed reinvestment zone shall be provided a reasonable opportunity to protest the inclusion of their property within the proposed reinvestment zone. After the public hearing, the City Council will consider adoption of an ordinance creating the reinvestment zone.

The City of Friendswood is committed to compliance with the Americans with Disabilities Act. Reasonable accommodations and equal access to communications will be provided upon request. For assistance, please contact the City's ADA Coordinator Brian Rouane at 281-996-3285 via phone, 281-482-1634 via fax or contact 281-996-3285 via Relay Texas at 711 or 1-800-735-2988 for TYY services. For more information concerning Relay Texas, please visit <http://relaytexas.com>.

/S/Leticia Brysch, City Secretary
City of Friendswood

Exhibit A

LEGAL DESCRIPTION OF BOUNDARIES



METES AND BOUNDS DESCRIPTION
124.612 ACRES (5,428,103 SQ. FT.)
SARAH MCKISSICK LEAGUE, A-549
CITY OF FRIENDSWOOD
HARRIS COUNTY, TEXAS

Being a tract or parcel containing 124.612 acres (5,428,103 square feet) of land situated in the Sarah McKissick League, Abstract Number 549, Harris County, Texas; being all of Restricted Reserves "A" and "C", CLEAR CREEK COMMUNITY CHURCH FRIENDSWOOD, a subdivision plat of record at Film Code No. 691601, Harris County Map Records (H.C.M.R.); being all of a called 106.472 acre tract of land conveyed to Madison Development Corp., LLC as described by deed recorded under Harris County Clerk's File (H.C.C.F.) No. RP-2023-65754; being all of a called 10.0000 acre tract of land conveyed to Clear Creek Independent School District as described by deed recorded under H.C.C.F. No. P598262; being out of and a part of a called 28.9270 acre tract of land conveyed to Clear Creek Independent School District as described by deed recorded under H.C.C.F. No. P598260; being all of a called 1.2603 acre tract of land conveyed to City of Friendswood as described by deed recorded under H.C.C.F. No. 20120071426; being out of and a part of Townes Road (80' right-of-way (R.O.W.)); being out of and a part of Blackhawk Boulevard (100' R.O.W.); being out of and a part of F.M. 528 (120' R.O.W.); being out of and a part of West Bay Area Boulevard (100' R.O.W.); being out of and a part of Harris County Flood Control District Unit No. A114-00-00 (190' R.O.W.); said 124.612 acre tract of land being more particularly described as follows (bearings are oriented to the Texas State Plane Coordinate System of 1983, South Central Zone 4204, US Survey Feet, NAD83(NA2011)):

BEGINNING at a 5/8-inch iron rod with cap stamped "GBI PARTNERS" found on the curved southerly R.O.W. line of F.M. 528 and marking the northerly common corner of said Restricted Reserves "A" and "B", CLEAR CREEK COMMUNITY CHURCH; said iron rod also for the northwest corner of the herein described tract;

THENCE, Northeasterly, an arc distance of 311.32 feet along said southerly R.O.W. line and a curve to the right, having a radius of 1,840.08 feet, a central angle of 09°41'36", and a chord which bears North 76°21'49" East, 310.94 feet to a point of tangency, from which a disturbed Texas Department of Transportation (TXDOT) aluminum disk found bears South 07°56' East, 0.69 feet;

THENCE, North 08°51'00" West, over and across said F.M. 528, a distance of 120.00 feet to the southerly end of a cutback line at the northwest corner of the intersection of said F.M. 528 and Townes Road;

THENCE, North 36°33'39" East, along said cutback line, a distance of 21.34 feet to the northerly end of said cutback line at the curved westerly R.O.W. line of said Townes Road;

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T.B.P.L.S. Firm No. 10084800



METES AND BOUNDS DESCRIPTION
124.612 ACRES (5,428,103 SQ. FT.)
PAGE 2 OF 8

THENCE, Northerly, an arc distance of 120.00 feet along said westerly R.O.W. line and a curve to the left, having a radius of 543.00 feet, a central angle of $12^{\circ}39'44''$, and a chord which bears North $15^{\circ}12'40''$ West, 119.76 feet to an angle point;

THENCE, North $68^{\circ}27'28''$ East, over and across said Townes Road, a distance of 80.00 feet to the curved easterly R.O.W. line of Townes Road;

THENCE, Southerly, an arc distance of 138.66 feet along said easterly R.O.W. line and a curve to the right, having a radius of 623.00 feet, a central angle of $12^{\circ}45'09''$, and a chord which bears South $15^{\circ}09'57''$ East, 138.38 feet to the northerly end of a cutback line at the northeast corner of the intersection of said F.M. 528 and Townes Road;

THENCE, South $53^{\circ}47'23''$ East, along said cutback line, a distance of 20.00 feet to the southerly end of said cutback line at the northerly R.O.W. line of said F.M. 528;

THENCE, South $08^{\circ}51'00''$ East, over and across said F.M. 528, a distance of 120.00 feet to the southerly R.O.W. line of F.M. 528;

THENCE, North $81^{\circ}12'37''$ East, along said southerly R.O.W. line, a distance of 1,131.34 feet to an angle point;

THENCE, North $08^{\circ}47'23''$ West, over and across said F.M. 528, a distance of 120.00 feet to the southerly end of a cutback line at the northwest corner of the intersection of said F.M. 528 and Blackhawk Boulevard;

THENCE, North $36^{\circ}12'37''$ East, along said cutback line, a distance of 20.00 feet to the northerly end of said cutback line at the westerly R.O.W. line of said Blackhawk Boulevard;

THENCE, North $08^{\circ}47'23''$ West, along said westerly R.O.W. line, a distance of 180.00 feet to an angle point;

THENCE, North $81^{\circ}12'37''$ East, over and across said Blackhawk Boulevard, a distance of 100.00 feet to the easterly R.O.W. line of Blackhawk Boulevard;

THENCE, South $08^{\circ}47'23''$ East, along said easterly R.O.W. line, a distance of 180.00 feet to the northerly end of a cutback line at the northeast corner of the intersection of said F.M. 528 and Blackhawk Boulevard;



METES AND BOUNDS DESCRIPTION
124.612 ACRES (5,320,448 SQ. FT.)
PAGE 3 OF 8

THENCE, South 53°47'23" East, along said cutback line, a distance of 20.00 feet to the southerly end of said cutback line at the northerly R.O.W. line of said F.M. 528;

THENCE, South 08°47'23" East, over and across said F.M. 528, a distance of 120.00 feet to the southerly R.O.W. line of F.M. 528;

THENCE, North 81°12'37" East, along said southerly R.O.W. line, a distance of 403.47 feet to a 5/8-inch iron rod found at the base of a concrete pad and marking the northwest corner of said 28.9270 acre tract;

THENCE, South 08°47'23" East, departing said southerly R.O.W. line and along the common line of said 28.9270 acre tract and said 106.472 acre tract, a distance of 1,109.36 feet to an angle point;

THENCE, North 81°12'37" East, over and across said 28.9270 acre tract, a distance of 917.54 feet to an angle point;

THENCE, North 00°56'05" West, continuing over and across said 28.9270 acre tract, a distance of 18.06 feet to an angle point;

THENCE, North 08°47'24" West, continuing over and across said 28.9270 acre tract, a distance of 156.86 feet to an angle point;

THENCE, North 68°47'23" West, continuing over and across said 28.9270 acre tract, a distance of 30.04 feet to an angle point;

THENCE, North 46°12'37" East, continuing over and across said 28.9270 acre tract, a distance of 105.00 feet to the westerly R.O.W. line of said Harris County Flood Control District Unit No. A114-00-00 (190' R.O.W.) as described by deeds recorded under H.C.C.F. No(s). E449568 and X384682;

THENCE, South 08°47'24" East, along said westerly R.O.W. line, a distance of 236.23 feet to an angle point;

THENCE, South 00°56'05" East, continuing along said westerly R.O.W. line, a distance of 116.17 feet to an angle point;

THENCE, South 14°46'31" West, continuing along said westerly R.O.W. line, at 85.85 feet passing the easterly common corner of said 28.9270 acre tract and said 10.0000 acre tract, continuing in all for a total distance of 116.17 feet to an angle point;



METES AND BOUNDS DESCRIPTION
124.612 ACRES (5,428,103 SQ. FT.)
PAGE 4 OF 8

THENCE, South 30°29'10" West, continuing along said westerly R.O.W. line, a distance of 116.17 feet to an angle point;

THENCE, South 38°20'29" West, continuing along said northwesterly R.O.W. line, a distance of 568.63 feet to an angle point;

THENCE, South 58°42'02" East, over and across said Harris County Flood Control District Unit No. A114-00-00 (190' R.O.W.), a distance of 190.71 feet to the most northerly corner of the aforesaid 1.2603 acre tract;

THENCE, South 58°44'41" East, along a northeasterly line of said 1.2603 acre tract, a distance of 308.78 feet to a 5/8-inch iron rod with cap stamped "SUN SURVEYING" found marking an angle point;

THENCE, South 70°03'17" East, along a northeasterly line of said 1.2603 acre tract, a distance of 101.98 feet to a 5/8-inch iron rod with cap stamped "SUN SURVEYING" found marking an angle point;

THENCE, South 58°44'41" East, along a northeasterly line of said 1.2603 acre tract, a distance of 200.02 feet to a 5/8-inch iron rod with cap stamped "SUN SURVEYING" found on the northwesterly R.O.W. line of said West Bay Area Boulevard (100 feet wide) and marking an angle point;

THENCE, North 22°12'52" East, along said northwesterly R.O.W. line, a distance of 30.00 feet to an angle point;

THENCE, South 67°47'08" East, over and across said West Bay Area Boulevard, a distance of 100.00 feet to the southeasterly R.O.W. line of West Bay Area Boulevard;

THENCE, South 22°12'52" West, along said southeasterly R.O.W. line, a distance of 375.00 feet to an angle point;

THENCE, North 67°47'08" West, over and across said West Bay Area Boulevard, a distance of 100.00 feet to the northwesterly R.O.W. line of West Bay Area Boulevard;

THENCE, North 22°12'52" East, along said northwesterly R.O.W. line, a distance of 243.74 feet to a 5/8-inch iron rod with cap stamped "SUN SURVEYING" found marking the most southerly corner of said 1.2603 acre tract and for the most easterly corner of Lots 10 and 11, Block 1, AUTUMN CREEK SECTION NINE, a subdivision plat of record at Film Code No. 497014, H.C.M.R.;



METES AND BOUNDS DESCRIPTION
124.612 ACRES (5,428,103 SQ. FT.)
PAGE 5 OF 8

THENCE, North 58°44'41" West, departing said northwesterly R.O.W. line and along the common line of said 1.2603 acre tract and Lots 9 and 10, Block 1, AUTUMN CREEK SECTION NINE, a distance of 634.66 feet to a 3/4-inch iron rod found marking the most westerly corner of said 1.2603 acre tract;

THENCE, North 58°42'02" West, over and across said Harris County Flood Control District Unit No. A114-00-00 (190' R.O.W.), a distance of 190.70 feet to the southeast line of the aforesaid 10.0000 acre tract;

THENCE, South 38°20'29" West, along said southeast line and northwesterly R.O.W. line of said Harris County Flood Control District Unit No. A114-00-00 (190' R.O.W.), at 502.52 feet passing a 5/8-inch iron rod with cap stamped "RPLS 3974" found marking the southerly common corner of said 10.000 acre tract and said 106.472 acre tract, continuing in all for a total distance of 1,380.50 feet to the call meander line of mean higher water for Clear Creek as per survey prepared by Stephen Blaskey, LSLs, dated October 9, 2015 and for the most southerly corner of the herein described tract;

THENCE, along said mean higher water line of Clear Creek, the following courses and distances:

North 21°17'29" West, a distance of 80.86 feet to an angle point;

North 04°22'12" West, a distance of 216.80 feet to an angle point;

North 32°41'57" West, a distance of 184.39 feet to an angle point;

North 51°06'03" West, a distance of 159.93 feet to an angle point;

North 74°03'08" West, a distance of 164.71 feet to an angle point;

South 48°02'49" West, a distance of 44.69 feet to an angle point;

North 73°53'13" West, a distance of 47.50 feet to an angle point;

South 49°24'27" West, a distance of 89.87 feet to an angle point;

North 75°14'40" West, a distance of 40.66 feet to an angle point;



METES AND BOUNDS DESCRIPTION
124.612 ACRES (5,428,103 SQ. FT.)
PAGE 6 OF 8

South 43°53'50" West, a distance of 146.10 feet to an angle point;
South 25°05'22" West, a distance of 134.50 feet to an angle point;
South 83°33'17" West, a distance of 49.30 feet to an angle point;
South 21°22'27" West, a distance of 73.69 feet to an angle point;
North 77°09'16" West, a distance of 62.96 feet to an angle point;
South 59°48'42" West, a distance of 48.72 feet to an angle point;
North 76°29'09" West, a distance of 56.65 feet to an angle point;
North 88°56'38" West, a distance of 120.31 feet to an angle point;
North 78°01'47" West, a distance of 221.29 feet to an angle point;
North 67°13'30" West, a distance of 112.00 feet to an angle point;
North 50°46'11" West, a distance of 258.04 feet to an angle point;
North 16°00'41" West, a distance of 99.00 feet to an angle point;
North 05°32'33" West, a distance of 60.42 feet to an angle point;
North 23°27'30" East, a distance of 67.18 feet to an angle point;
North 39°20'14" East, a distance of 42.52 feet to an angle point;
North 59°56'00" East, a distance of 35.59 feet to an angle point;
South 84°03'09" East, a distance of 25.53 feet to an angle point;
South 63°21'49" East, a distance of 25.66 feet to an angle point;
North 23°23'59" East, a distance of 84.42 feet to an angle point;

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METES AND BOUNDS DESCRIPTION
124.612 ACRES (5,428,103 SQ. FT.)
PAGE 7 OF 8

North 27°29'30" East, a distance of 63.48 feet to an angle point;

North 19°02'35" East, a distance of 103.93 feet to an angle point;

North 14°38'12" East, a distance of 53.72 feet to an angle point;

North 13°22'21" West, a distance of 9.00 feet to an angle point;

North 15°04'35" East, a distance of 70.83 feet to an angle point;

North 31°32'46" West, a distance of 52.49 feet to an angle point;

North 21°40'27" West, a distance of 75.23 feet to an angle point;

North 29°57'57" West, a distance of 10.93 feet to an angle point;

North 35°55'50" West, a distance of 91.39 feet to a southerly corner of Restricted Reserve "D", CLEAR CREEK COMMUNITY CHURCH;

THENCE, North 20°09'13" East, departing said mean higher high water line of Clear Creek and along the common line of said Restricted Reserves "C" and "D", CLEAR CREEK COMMUNITY CHURCH, a distance of 208.95 feet to a 5/8-inch iron rod with cap stamped "BOUNDARY ONE-RPLS 5489" set marking the most southerly corner of said Restricted Reserve "B" and for an angle point;

THENCE, North 08°44'05" West, along the common line of said Restricted Reserves "B" and "C", CLEAR CREEK COMMUNITY CHURCH, at 608.49 feet passing the westerly common corner of said Restricted Reserves "A" and "C", continuing along a common line of said Restricted Reserves "A" and "B" for a total distance of 854.44 feet to a 5/8-inch iron rod with cap stamped "BOUNDARY ONE-RPLS 5489" set marking a common corner of said Restricted Reserves "A" and "B" and for an angle point;

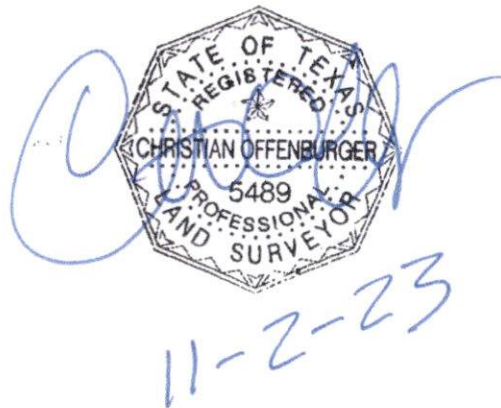
THENCE, South 81°13'21" West, continuing along a common line of said Restricted Reserves "A" and "B", CLEAR CREEK COMMUNITY CHURCH, a distance of 185.80 feet to a 5/8-inch iron rod with cap stamped "BOUNDARY ONE-RPLS 5489" set marking a common corner of said Restricted Reserves "A" and "B" and for an angle point;



METES AND BOUNDS DESCRIPTION
124.612 ACRES (5,428,103 SQ. FT.)
PAGE 7 OF 8

THENCE, North 18°29'00" West, continuing along a common line of said Restricted Reserves "A" and "B", CLEAR CREEK COMMUNITY CHURCH, a distance of 211.51 feet to the POINT OF BEGINNING and containing 124.612 acres (5,428,103 square feet) of land. This description is based upon a Land Title Survey of 106.472 Acres of land prepared by Boundary One, LLC. Project Number 6767-2209-657G.

Compiled by: Christian Offenburger, R.P.L.S.
Boundary One, L.L.C.
T.B.P.L.S Firm No. 10084800
150 W. Shadowbend, Suite 304
Friendswood, TX 77546
(281) 648-3131
www.boundaryone.com
November 2, 2023



Mb124612.docx

FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 6, 2023

Date submitted: 10/25/2023

Prepared by: Karen Horner, City Attorney

Subject: Consider a resolution accepting the Friendswood City Center Public Improvement District Petition concerning 106.472 acres located at 3801 FM 528, Friendswood, Harris County, Texas, and calling a public hearing on the advisability of the proposed improvements.

Originating Department: City Attorney

Degree of importance:

SUMMARY / ORIGINATING CAUSE

This proposed resolution accepts the Friendswood City Center Public Improvement District Petition concerning 106.472 acres located at 3801 FM 528, Friendswood, Harris County, Texas, and sets a public hearing for December 4, 2023, at 5:30 p.m. in the Friendswood City Council Chambers.

At the public hearing, the City Council will receive public input concerning the advisability of the proposed improvements.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

RECOMMENDATIONS

Staff recommends approval.

ATTACHMENTS

1. Resolution - Accepting PID Petition and Calling Public Hearing

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, ACCEPTING A PETITION FOR THE ESTABLISHMENT OF THE FRIENDSWOOD CITY CENTER PUBLIC IMPROVEMENT DISTRICT; SETTING A PUBLIC HEARING ON THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT WITHIN THE CITY OF FRIENDSWOOD; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, the City Council (the "City Council") of the City of Friendswood, Texas (the "City") has received a petition (the "Petition") requesting creation of a public improvement district (the "PID") under Chapter 372 of the Texas Local Government Code (the "Act"), from the record owners of taxable real property representing more than fifty percent ("50%") of the appraised value of the real property liable for assessment in the proposed PID and the record owners of taxable real property that constitute more than 50% of all of the area of all taxable real property that is liable for assessment in the proposed PID; and

WHEREAS, the Petition, a copy of which is attached hereto as Exhibit "A," has been examined, verified, and found to meet the requirements of Sections 372.005(a) and 372.005(b) of the Act and to be sufficient for consideration by the City Council; and

WHEREAS, the boundaries of the proposed PID are described in the exhibit to the Petition, said area for the PID being within the City; and

WHEREAS, the City Council desires to accept the Petition and to schedule a public hearing to consider the creation of the PID to finance the following public improvements (collectively, the "Authorized Improvements"): (i) design, acquisition, construction, improvement, and other allowed costs related to street and roadway improvements, including related drainage, sidewalks, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) design, acquisition, construction, improvement, and other allowed costs related to storm drainage improvements, (iii) design, acquisition, construction, improvement, and other allowed costs related to water, wastewater and drainage (including detention) improvements and facilities, (iv) design, acquisition, construction, improvement, and other allowed costs related to parks, open space and recreational improvements including trails and landscaping related thereto; (v) design, acquisition, construction, improvement, and other allowed costs related to firefighting facilities, (vi) design, construction and other allowed costs related to projects similar to those listed in sections (i) – (vi) above authorized by the Act, including similar off-site projects that provide a benefit to the Property within the District; (vi) acquisition of real property, interests in real property, or contract rights in connection with each Authorized Improvement (vii) payment of expenses incurred in the establishment, administration, and operation of the District; (viii) payment of expenses associated with financing such public improvement projects, which may include but are not limited to, costs associated with the issuance and sale of revenue bonds secured by assessments levied against the Property within the District; and (ix) maintenance and operation expenses of the Authorized Improvements; and

WHEREAS, in order to hold a public hearing for the creation of the PID, notice must be: (i) published in a newspaper of general circulation in the City, and (ii) mailed to the address of each owner of property located in the proposed District, as reflected on the tax rolls, before the fifteenth (15th) day before the date of the hearing in accordance with the Act; and

WHEREAS, the City Council believes that these Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS:

Section 1. That all of the above recitals in this resolution are hereby found to be true and correct factual determinations of the City and are hereby approved and incorporated by reference as though fully set forth herein.

Section 2. That the City Council hereby accepts the Petition, which is attached hereto as Exhibit "A" and incorporated herein for all intents and purposes. The Petition is filed with the office of the City Secretary and is available for public inspection.

Section 3. That a public hearing is hereby scheduled at 5:30 p.m. on December 4, 2023, in the City Council Chamber at Friendswood City Hall, 910 S. Friendswood Dr., Friendswood, Texas 77546 to receive public comment on the creation of the PID in the area described in Exhibit "A" to the Petition, pursuant to the Act.

Section 4. That notice of said hearing, in the substantially final form set forth in Exhibit "B" attached hereto, with such changes as may be approved by the City's counsel, shall be published in a newspaper of general circulation in the City before the 15th day prior to the hearing as required by the Act.

Section 5. That written notice, in the substantially final form set forth in Exhibit "B" attached hereto with such changes as may be approved by the City's counsel, shall be mailed to each property owner, as reflected on the tax rolls, of property subject to assessment within the PID, before the 15th day prior to the date set for the hearing.

Section 6. That if any portion of this resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof, and the City Council hereby determines that it would have adopted this resolution without the invalid provision; and

Section 7. This resolution shall take effect immediately from and after its passage by the City Council of the City of Friendswood.

INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of Friendswood this the 6th day of November, 2023.

MIKE FOREMAN, Mayor

ATTEST:

LETICIA BRYSCH, City Secretary

APPROVED AS TO FORM:

KAREN L. HORNER, City Attorney

EXHIBIT "A"

PETITION
(see attached Petition)

PETITION FOR THE CREATION OF THE FRIENDSWOOD CITY CENTER PUBLIC
IMPROVEMENT DISTRICT WITHIN THE CITY OF FRIENDSWOOD, TEXAS

THE STATE OF TEXAS

§

COUNTIES OF HARRIS AND GALVESTON §

The undersigned petitioner (the "Petitioner"), acting pursuant to the provisions of Chapter 372, Texas Local Government Code, as amended (the "Act"), hereby petitions and requests the City Council of the City of Friendswood, Texas (the "City") to create a public improvement district (the "District") in the territory owned by Petitioner and described in Exhibit A attached hereto (the "Property") located within the City, and in support of this petition the Petitioner would present the following:

Section 1. Standing of Petitioner. The Petitioner is (1) the owner of taxable real property representing more than fifty percent (50%) of the appraised value of taxable real property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the Property is located; and (2) record owner of real property liable for assessment under the proposal who: (a) constitutes more than fifty percent (50%) of all record owners of property that is liable for assessment under the proposal; or (b) owns taxable real property that constitutes more than fifty percent (50%) of the area of all taxable real property that is liable for assessment under the proposal.

Section 2. General nature of the proposed public improvements. The proposed public improvements (collectively, the "Authorized Improvements") include: (i) design, acquisition, construction, improvement, and other allowed costs related to street and roadway improvements, including related drainage, sidewalks, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) design, acquisition, construction, improvement, and other allowed costs related to storm drainage improvements, (iii) design, acquisition, construction, improvement, and other allowed costs related to water, wastewater and drainage (including detention) improvements and facilities, (iv) design, acquisition, construction, improvement, and other allowed costs related to parks, open space and recreational improvements including trails and landscaping related thereto; (v) design, acquisition, construction, improvement, and other allowed costs related to firefighting facilities, (vi) design, construction and other allowed costs related to projects similar to those listed in sections (i) – (vi) above authorized by the Act, including similar off-site projects that provide a benefit to the Property within the District; (vi) acquisition of real property, interests in real property, or contract rights in connection with each Authorized Improvement (vii) payment of expenses incurred in the establishment, administration, and operation of the District; (viii) payment of expenses associated with financing such public improvement projects, which may include but are not limited to, costs associated with the issuance and sale of revenue bonds secured by assessments levied against the Property within the District; and (ix) maintenance and operation expenses of the Authorized Improvements. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.

Section 3. Estimated cost of the proposed public improvements: The Petitioner estimates the cost to design, acquire and construct the Authorized Improvements is \$100,000,000.00.

Section 4. Boundaries. The proposed boundaries of the District are described in Exhibit A.

Section 5. Method of assessment. The City shall levy assessments on each parcel within the District in a manner that results in imposing equal shares of the costs on property similarly benefitted. The proposed method of assessment shall be based upon (i) an equal apportionment per lot, per front foot, or per square foot of property benefiting from the public improvements, as determined by the City, (ii) the ad valorem taxable value of the property benefiting from the improvements and services, or (iii) in any other manner that results in imposing equal shares of the cost on property similarly benefitted.

Section 6. Apportionment of cost. The proposed apportionment of cost between the District and the City as a whole is as follows:

The City will not be obligated to provide any funds to finance the Authorized Improvements. All of the costs of the Authorized Improvements will be paid from assessments levied on Property in the District and from other sources of funds, if any, available to the Petitioner.

Section 7. Management of the District. The management of the District will be the ultimate responsibility of the City; provided that, to the extent allowed by law, the City may initially contract with a non-profit organization or private company to carry out all or a part of such City responsibilities, as well as the day-to-day management and administration of the District.

Section 8. Concurrence of the Petitioner. The Petitioner (through its authorized representative) signing this petition concurs in and requests the establishment of the District and has the corporate authority to execute and deliver this petition.

Section 9. Advisory board. The Petitioner proposes the District be established and managed without the creation of an advisory board. However, if an advisory board is created, the Petitioner requests a representative of the Petitioner be appointed to the advisory board.

This petition shall be filed with the Secretary of the City in support of the creation of the District by the City Council of the City as herein provided. The undersigned requests that the City Council grant its consent as above stated.

RESPECTFULLY SUBMITTED, on this 2nd day of November, 2023.

[Signature on following page]

PETITIONER

MADISON DEVELOPMENT CORP., LLC,
a Texas limited liability company

By: _____

Louis Tannos
President

THE STATE OF TEXAS §
 §
COUNTY OF Galveston §

This instrument was acknowledged before me on this the 2 day of November, 2023, by Louis Tannos, President of Madison Development Corp., LLC, a Texas limited liability company, on behalf of said entity.

KyndaHL OQuinn
Notary Public in and for the
State of T E X A S

(SEAL)

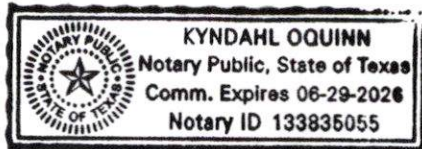


Exhibit A

LEGAL DESCRIPTION OF BOUNDARIES



METES AND BOUNDS DESCRIPTION
124.612 ACRES (5,428,103 SQ. FT.)
SARAH MCKISSICK LEAGUE, A-549
CITY OF FRIENDSWOOD
HARRIS COUNTY, TEXAS

Being a tract or parcel containing 124.612 acres (5,428,103 square feet) of land situated in the Sarah McKissick League, Abstract Number 549, Harris County, Texas; being all of Restricted Reserves "A" and "C", CLEAR CREEK COMMUNITY CHURCH FRIENDSWOOD, a subdivision plat of record at Film Code No. 691601, Harris County Map Records (H.C.M.R.); being all of a called 106.472 acre tract of land conveyed to Madison Development Corp., LLC as described by deed recorded under Harris County Clerk's File (H.C.C.F.) No. RP-2023-65754; being all of a called 10.0000 acre tract of land conveyed to Clear Creek Independent School District as described by deed recorded under H.C.C.F. No. P598262; being out of and a part of a called 28.9270 acre tract of land conveyed to Clear Creek Independent School District as described by deed recorded under H.C.C.F. No. P598260; being all of a called 1.2603 acre tract of land conveyed to City of Friendswood as described by deed recorded under H.C.C.F. No. 20120071426; being out of and a part of Townes Road (80' right-of-way (R.O.W.)); being out of and a part of Blackhawk Boulevard (100' R.O.W.); being out of and a part of F.M. 528 (120' R.O.W.); being out of and a part of West Bay Area Boulevard (100' R.O.W.); being out of and a part of Harris County Flood Control District Unit No. A114-00-00 (190' R.O.W.); said 124.612 acre tract of land being more particularly described as follows (bearings are oriented to the Texas State Plane Coordinate System of 1983, South Central Zone 4204, US Survey Feet, NAD83(NA2011)):

BEGINNING at a 5/8-inch iron rod with cap stamped "GBI PARTNERS" found on the curved southerly R.O.W. line of F.M. 528 and marking the northerly common corner of said Restricted Reserves "A" and "B", CLEAR CREEK COMMUNITY CHURCH; said iron rod also for the northwest corner of the herein described tract;

THENCE, Northeasterly, an arc distance of 311.32 feet along said southerly R.O.W. line and a curve to the right, having a radius of 1,840.08 feet, a central angle of 09°41'36", and a chord which bears North 76°21'49" East, 310.94 feet to a point of tangency, from which a disturbed Texas Department of Transportation (TXDOT) aluminum disk found bears South 07°56' East, 0.69 feet;

THENCE, North 08°51'00" West, over and across said F.M. 528, a distance of 120.00 feet to the southerly end of a cutback line at the northwest corner of the intersection of said F.M. 528 and Townes Road;

THENCE, North 36°33'39" East, along said cutback line, a distance of 21.34 feet to the northerly end of said cutback line at the curved westerly R.O.W. line of said Townes Road;

150 W. Shadowbend Avenue, Suite #304 | Friendswood, TX 77546
phone 281.648.3131 | fax 281.648.3737 | e-mail christian@boundaryone.com
T.B.P.L.S. Firm No. 10084800



METES AND BOUNDS DESCRIPTION
124.612 ACRES (5,428,103 SQ. FT.)
PAGE 2 OF 8

THENCE, Northerly, an arc distance of 120.00 feet along said westerly R.O.W. line and a curve to the left, having a radius of 543.00 feet, a central angle of $12^{\circ}39'44''$, and a chord which bears North $15^{\circ}12'40''$ West, 119.76 feet to an angle point;

THENCE, North $68^{\circ}27'28''$ East, over and across said Townes Road, a distance of 80.00 feet to the curved easterly R.O.W. line of Townes Road;

THENCE, Southerly, an arc distance of 138.66 feet along said easterly R.O.W. line and a curve to the right, having a radius of 623.00 feet, a central angle of $12^{\circ}45'09''$, and a chord which bears South $15^{\circ}09'57''$ East, 138.38 feet to the northerly end of a cutback line at the northeast corner of the intersection of said F.M. 528 and Townes Road;

THENCE, South $53^{\circ}47'23''$ East, along said cutback line, a distance of 20.00 feet to the southerly end of said cutback line at the northerly R.O.W. line of said F.M. 528;

THENCE, South $08^{\circ}51'00''$ East, over and across said F.M. 528, a distance of 120.00 feet to the southerly R.O.W. line of F.M. 528;

THENCE, North $81^{\circ}12'37''$ East, along said southerly R.O.W. line, a distance of 1,131.34 feet to an angle point;

THENCE, North $08^{\circ}47'23''$ West, over and across said F.M. 528, a distance of 120.00 feet to the southerly end of a cutback line at the northwest corner of the intersection of said F.M. 528 and Blackhawk Boulevard;

THENCE, North $36^{\circ}12'37''$ East, along said cutback line, a distance of 20.00 feet to the northerly end of said cutback line at the westerly R.O.W. line of said Blackhawk Boulevard;

THENCE, North $08^{\circ}47'23''$ West, along said westerly R.O.W. line, a distance of 180.00 feet to an angle point;

THENCE, North $81^{\circ}12'37''$ East, over and across said Blackhawk Boulevard, a distance of 100.00 feet to the easterly R.O.W. line of Blackhawk Boulevard;

THENCE, South $08^{\circ}47'23''$ East, along said easterly R.O.W. line, a distance of 180.00 feet to the northerly end of a cutback line at the northeast corner of the intersection of said F.M. 528 and Blackhawk Boulevard;



METES AND BOUNDS DESCRIPTION
124.612 ACRES (5,320,448 SQ. FT.)
PAGE 3 OF 8

THENCE, South 53°47'23" East, along said cutback line, a distance of 20.00 feet to the southerly end of said cutback line at the northerly R.O.W. line of said F.M. 528;

THENCE, South 08°47'23" East, over and across said F.M. 528, a distance of 120.00 feet to the southerly R.O.W. line of F.M. 528;

THENCE, North 81°12'37" East, along said southerly R.O.W. line, a distance of 403.47 feet to a 5/8-inch iron rod found at the base of a concrete pad and marking the northwest corner of said 28.9270 acre tract;

THENCE, South 08°47'23" East, departing said southerly R.O.W. line and along the common line of said 28.9270 acre tract and said 106.472 acre tract, a distance of 1,109.36 feet to an angle point;

THENCE, North 81°12'37" East, over and across said 28.9270 acre tract, a distance of 917.54 feet to an angle point;

THENCE, North 00°56'05" West, continuing over and across said 28.9270 acre tract, a distance of 18.06 feet to an angle point;

THENCE, North 08°47'24" West, continuing over and across said 28.9270 acre tract, a distance of 156.86 feet to an angle point;

THENCE, North 68°47'23" West, continuing over and across said 28.9270 acre tract, a distance of 30.04 feet to an angle point;

THENCE, North 46°12'37" East, continuing over and across said 28.9270 acre tract, a distance of 105.00 feet to the westerly R.O.W. line of said Harris County Flood Control District Unit No. A114-00-00 (190' R.O.W.) as described by deeds recorded under H.C.C.F. No(s). E449568 and X384682;

THENCE, South 08°47'24" East, along said westerly R.O.W. line, a distance of 236.23 feet to an angle point;

THENCE, South 00°56'05" East, continuing along said westerly R.O.W. line, a distance of 116.17 feet to an angle point;

THENCE, South 14°46'31" West, continuing along said westerly R.O.W. line, at 85.85 feet passing the easterly common corner of said 28.9270 acre tract and said 10.0000 acre tract, continuing in all for a total distance of 116.17 feet to an angle point;



METES AND BOUNDS DESCRIPTION
124.612 ACRES (5,428,103 SQ. FT.)
PAGE 4 OF 8

THENCE, South 30°29'10" West, continuing along said westerly R.O.W. line, a distance of 116.17 feet to an angle point;

THENCE, South 38°20'29" West, continuing along said northwesterly R.O.W. line, a distance of 568.63 feet to an angle point;

THENCE, South 58°42'02" East, over and across said Harris County Flood Control District Unit No. A114-00-00 (190' R.O.W.), a distance of 190.71 feet to the most northerly corner of the aforesaid 1.2603 acre tract;

THENCE, South 58°44'41" East, along a northeasterly line of said 1.2603 acre tract, a distance of 308.78 feet to a 5/8-inch iron rod with cap stamped "SUN SURVEYING" found marking an angle point;

THENCE, South 70°03'17" East, along a northeasterly line of said 1.2603 acre tract, a distance of 101.98 feet to a 5/8-inch iron rod with cap stamped "SUN SURVEYING" found marking an angle point;

THENCE, South 58°44'41" East, along a northeasterly line of said 1.2603 acre tract, a distance of 200.02 feet to a 5/8-inch iron rod with cap stamped "SUN SURVEYING" found on the northwesterly R.O.W. line of said West Bay Area Boulevard (100 feet wide) and marking an angle point;

THENCE, North 22°12'52" East, along said northwesterly R.O.W. line, a distance of 30.00 feet to an angle point;

THENCE, South 67°47'08" East, over and across said West Bay Area Boulevard, a distance of 100.00 feet to the southeasterly R.O.W. line of West Bay Area Boulevard;

THENCE, South 22°12'52" West, along said southeasterly R.O.W. line, a distance of 375.00 feet to an angle point;

THENCE, North 67°47'08" West, over and across said West Bay Area Boulevard, a distance of 100.00 feet to the northwesterly R.O.W. line of West Bay Area Boulevard;

THENCE, North 22°12'52" East, along said northwesterly R.O.W. line, a distance of 243.74 feet to a 5/8-inch iron rod with cap stamped "SUN SURVEYING" found marking the most southerly corner of said 1.2603 acre tract and for the most easterly corner of Lots 10 and 11, Block 1, AUTUMN CREEK SECTION NINE, a subdivision plat of record at Film Code No. 497014, H.C.M.R.;



METES AND BOUNDS DESCRIPTION
124.612 ACRES (5,428,103 SQ. FT.)
PAGE 5 OF 8

THENCE, North 58°44'41" West, departing said northwesterly R.O.W. line and along the common line of said 1.2603 acre tract and Lots 9 and 10, Block 1, AUTUMN CREEK SECTION NINE, a distance of 634.66 feet to a 3/4-inch iron rod found marking the most westerly corner of said 1.2603 acre tract;

THENCE, North 58°42'02" West, over and across said Harris County Flood Control District Unit No. A114-00-00 (190' R.O.W.), a distance of 190.70 feet to the southeast line of the aforesaid 10.0000 acre tract;

THENCE, South 38°20'29" West, along said southeast line and northwesterly R.O.W. line of said Harris County Flood Control District Unit No. A114-00-00 (190' R.O.W.), at 502.52 feet passing a 5/8-inch iron rod with cap stamped "RPLS 3974" found marking the southerly common corner of said 10.000 acre tract and said 106.472 acre tract, continuing in all for a total distance of 1,380.50 feet to the call meander line of mean higher water for Clear Creek as per survey prepared by Stephen Blaskey, LSLS, dated October 9, 2015 and for the most southerly corner of the herein described tract;

THENCE, along said mean higher water line of Clear Creek, the following courses and distances:

North 21°17'29" West, a distance of 80.86 feet to an angle point;

North 04°22'12" West, a distance of 216.80 feet to an angle point;

North 32°41'57" West, a distance of 184.39 feet to an angle point;

North 51°06'03" West, a distance of 159.93 feet to an angle point;

North 74°03'08" West, a distance of 164.71 feet to an angle point;

South 48°02'49" West, a distance of 44.69 feet to an angle point;

North 73°53'13" West, a distance of 47.50 feet to an angle point;

South 49°24'27" West, a distance of 89.87 feet to an angle point;

North 75°14'40" West, a distance of 40.66 feet to an angle point;



METES AND BOUNDS DESCRIPTION
124.612 ACRES (5,428,103 SQ. FT.)
PAGE 6 OF 8

South 43°53'50" West, a distance of 146.10 feet to an angle point;
South 25°05'22" West, a distance of 134.50 feet to an angle point;
South 83°33'17" West, a distance of 49.30 feet to an angle point;
South 21°22'27" West, a distance of 73.69 feet to an angle point;
North 77°09'16" West, a distance of 62.96 feet to an angle point;
South 59°48'42" West, a distance of 48.72 feet to an angle point;
North 76°29'09" West, a distance of 56.65 feet to an angle point;
North 88°56'38" West, a distance of 120.31 feet to an angle point;
North 78°01'47" West, a distance of 221.29 feet to an angle point;
North 67°13'30" West, a distance of 112.00 feet to an angle point;
North 50°46'11" West, a distance of 258.04 feet to an angle point;
North 16°00'41" West, a distance of 99.00 feet to an angle point;
North 05°32'33" West, a distance of 60.42 feet to an angle point;
North 23°27'30" East, a distance of 67.18 feet to an angle point;
North 39°20'14" East, a distance of 42.52 feet to an angle point;
North 59°56'00" East, a distance of 35.59 feet to an angle point;
South 84°03'09" East, a distance of 25.53 feet to an angle point;
South 63°21'49" East, a distance of 25.66 feet to an angle point;
North 23°23'59" East, a distance of 84.42 feet to an angle point;



METES AND BOUNDS DESCRIPTION
124.612 ACRES (5,428,103 SQ. FT.)
PAGE 7 OF 8

North 27°29'30" East, a distance of 63.48 feet to an angle point;

North 19°02'35" East, a distance of 103.93 feet to an angle point;

North 14°38'12" East, a distance of 53.72 feet to an angle point;

North 13°22'21" West, a distance of 9.00 feet to an angle point;

North 15°04'35" East, a distance of 70.83 feet to an angle point;

North 31°32'46" West, a distance of 52.49 feet to an angle point;

North 21°40'27" West, a distance of 75.23 feet to an angle point;

North 29°57'57" West, a distance of 10.93 feet to an angle point;

North 35°55'50" West, a distance of 91.39 feet to a southerly corner of Restricted Reserve "D", CLEAR CREEK COMMUNITY CHURCH;

THENCE, North 20°09'13" East, departing said mean higher high water line of Clear Creek and along the common line of said Restricted Reserves "C" and "D", CLEAR CREEK COMMUNITY CHURCH, a distance of 208.95 feet to a 5/8-inch iron rod with cap stamped "BOUNDARY ONE-RPLS 5489" set marking the most southerly corner of said Restricted Reserve "B" and for an angle point;

THENCE, North 08°44'05" West, along the common line of said Restricted Reserves "B" and "C", CLEAR CREEK COMMUNITY CHURCH, at 608.49 feet passing the westerly common corner of said Restricted Reserves "A" and "C", continuing along a common line of said Restricted Reserves "A" and "B" for a total distance of 854.44 feet to a 5/8-inch iron rod with cap stamped "BOUNDARY ONE-RPLS 5489" set marking a common corner of said Restricted Reserves "A" and "B" and for an angle point;

THENCE, South 81°13'21" West, continuing along a common line of said Restricted Reserves "A" and "B", CLEAR CREEK COMMUNITY CHURCH, a distance of 185.80 feet to a 5/8-inch iron rod with cap stamped "BOUNDARY ONE-RPLS 5489" set marking a common corner of said Restricted Reserves "A" and "B" and for an angle point;



METES AND BOUNDS DESCRIPTION
124.612 ACRES (5,428,103 SQ. FT.)
PAGE 7 OF 8

THENCE, North 18°29'00" West, continuing along a common line of said Restricted Reserves "A" and "B", CLEAR CREEK COMMUNITY CHURCH, a distance of 211.51 feet to the POINT OF BEGINNING and containing 124.612 acres (5,428,103 square feet) of land. This description is based upon a Land Title Survey of 106.472 Acres of land prepared by Boundary One, LLC. Project Number 6767-2209-657G.

Compiled by: Christian Offenburger, R.P.L.S.
Boundary One, L.L.C.
T.B.P.L.S Firm No. 10084800
150 W. Shadowbend, Suite 304
Friendswood, TX 77546
(281) 648-3131
www.boundaryone.com
November 2, 2023



Mb124612.docx

EXHIBIT "B"

NOTICE OF PUBLIC HEARING OF THE CITY OF FRIENDSWOOD, TEXAS, TO CONSIDER THE ADVISABILITY OF THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT TO MAKE CERTAIN IMPROVEMENTS OVER CERTAIN PROPERTY LOCATED WITHIN THE CITY.

NOTICE IS HEREBY GIVEN THAT the City Council (the "City Council") of the City of Friendswood, Texas (the "City"), pursuant to Chapter 372 of the Texas Local Government Code, as amended (the "Act"), will hold a public hearing at 5:30 p.m. on December 4, 2023, in the City Council Chamber at Friendswood City Hall, 910 S. Friendswood, Dr., Friendswood, Texas 77546 for the purpose of considering the establishment by the City of a public improvement district to be located within the City.

In accordance with the Act, the City Council has received a petition (the "Petition") from certain property owners within the corporate limits of the City (the "Petitioner"), that requests the establishment of a public improvement district (the "PID"). The Petition and the legal description of the property to be included in the PID are on file and open for public inspection in the office of the City Secretary at 910 S. Friendswood Dr., Friendswood, Texas 77546. The public hearing is being held with respect to the advisability of creating the PID and the improvements to be made therein.

GENERAL NATURE OF THE AUTHORIZED IMPROVEMENTS: The proposed public improvements (collectively, the "Authorized Improvements") include: (i) design, acquisition, construction, improvement, and other allowed costs related to street and roadway improvements, including related drainage, sidewalks, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) design, acquisition, construction, improvement, and other allowed costs related to storm drainage improvements, (iii) design, acquisition, construction, improvement, and other allowed costs related to water, wastewater and drainage (including detention) improvements and facilities, (iv) design, acquisition, construction, improvement, and other allowed costs related to parks, open space and recreational improvements including trails and landscaping related thereto; (v) design, acquisition, construction, improvement, and other allowed costs related to firefighting facilities, (vi) design, construction and other allowed costs related to projects similar to those listed in sections (i) – (vi) above authorized by the Act, including similar off-site projects that provide a benefit to the Property within the District; (vi) acquisition of real property, interests in real property, or contract rights in connection with each Authorized Improvement (vii) payment of expenses incurred in the establishment, administration, and operation of the District; (viii) payment of expenses associated with financing such public improvement projects, which may include but are not limited to, costs associated with the issuance and sale of revenue bonds secured by assessments levied against the Property within the District; and (ix) maintenance and operation expenses of the Authorized Improvements. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.

ESTIMATED COST OF THE AUTHORIZED IMPROVEMENTS: The estimated cost to design, acquire and construct the Authorized Improvements, together with bond issuance costs, eligible legal and financial fees, eligible credit enhancement costs and eligible costs incurred in

the establishment, administration and operation of the PID is \$ 100,000,000.00 plus the annual cost of operation and maintenance, if any. The City will pay no costs of the Authorized Improvements or operation and maintenance costs from funds other than assessments levied on property within the PID. The remaining costs of the proposed improvements will be paid from sources other than those described above.

PROPOSED METHOD OF ASSESSMENT: The City shall levy assessments on each parcel within the PID in a manner that results in the imposition of an equal share of the costs of the Authorized Improvements on property similarly benefitted by such Authorized Improvements. The proposed method of assessment shall be based upon (i) an equal apportionment per lot, per front foot, or per square foot of property benefiting from the Authorized Improvements, as determined by the City, (ii) the ad valorem taxable value of the property benefiting from the Authorized Improvements, with or without regard to improvements on the property, or (iii) in any manner that results in imposing equal shares of the cost on property similarly benefitted.

PROPOSED APPORTIONMENT OF COSTS BETWEEN THE CITY AND THE PID: The City will not be obligated to provide any funds to finance the Authorized Improvements. All of the costs of the Authorized Improvements will be paid from assessments levied on properties in the PID and from other sources of funds available to the Petitioner.

BOUNDARIES OF THE PROPOSED PID: Approximately 106.472 acres of land within the City of Friendswood, Harris County, Texas. Said property being generally located at 3801 FM 528, Friendswood, Harris County, Texas. A metes and bounds description is available for inspection at the offices of the City Secretary at the location described above.

All interested persons are invited to attend such public hearing to express their views with respect to the establishment of the PID and the Authorized Improvements to be made therein. This Notice of Public Hearing is given and the public hearing is being held pursuant to the requirements of the Act.

The City of Friendswood is committed to compliance with the Americans with Disabilities Act. Reasonable accommodations and equal access to communications will be provided upon request. For assistance, please contact the City's ADA Coordinator Brian Rouane at 281-996-3285 via phone, 281-482-1634 via fax or contact 281-996-3285 via Relay Texas at 711 or 1-800-735-2988 for TYY services. For more information concerning Relay Texas, please visit <http://relaytexas.com>.

/S/Leticia Brysch, City Secretary
City of Friendswood

FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 6, 2023

Date submitted: 07/25/2023

Prepared by: Glenda Faulkner, Executive Secretary/PIO

Subject: Receive an update regarding the City of Friendswood earning a 2023 Top Workplace Winner from the Houston Chronicle.

Originating Department: City Manager

Degree of importance:

SUMMARY / ORIGINATING CAUSE

The City of Friendswood has always strived to be not only a great place to live, but also a great place to work. With this goal in mind, we are excited to announce that The City of Friendswood has been ranked as one of Houston's Top Workplaces for 2023! Over 117,000 employees from 5,302 companies/organizations participated in the nomination process, but only 200 companies/organizations made the top, including the City of Friendswood. The top 200 are determined solely on responses from the employee survey, there are no judges, essay, or other forms to skew the results.

With the greater Houston area and Galveston County growing at some of the fastest rates in the nation, there is a lot of competition for quality employees. To be recognized as one of the Top Workplaces shows how desirable working at the City is. This fact is further strengthened by the long tenures we have among employees. The current average tenure of a City employee is over 9 years.

The official publication will be posted by the Houston Chronicle on Sunday, November 12 to their 1.8 million readers!

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

RECOMMENDATIONS

ATTACHMENTS

FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 6, 2023

Date submitted: 10/03/2023

Prepared by: Glenda Faulkner, Executive Secretary/PIO

Subject: Receive an update regarding the City's upcoming holiday events.

Originating Department: City Manager

Degree of importance:

SUMMARY / ORIGINATING CAUSE

The Parks Department will be hosting the following events:

- Veteran's Day for the Senior Program, November 9th,
- Blue Santa Softball Tournament, November 18th,
- Holiday Lighted Trail will be turned on Thanksgiving night,
- Christmas Fairy Hunt in Stevenson Park begins November 20th,
- Senior Center Thanksgiving Potluck, November 21st,
- Holidays in the Park, December 15th
- Flap Jack Fun Run, December 2nd
- Santa in the Park, December 2nd
- Breakfast with Santa at the Senior Center, December 20th

Friendswood Public Library Events

- December 1st-13th Christmas Card Drive Bring in or make a card at the Library to send to our friends at Hope Village.
- December 1st 6:00-7:00pm Santa at the Library Visit with Santa at the Library! Listen to a story and complete a craft while you wait to take a picture and talk with the man in red!
- December 1st-2nd Holiday Book Sale Enjoy cookies and wassail while you shop for new and used books by the bag or box. Perfect gifts for yourself or your loved ones!
- December 15th 5:00pm-6:00 Stuffed Animal Sleepover Drop off your bravest stuffed animal so they can have a sleepover at the Library! Pick them up the next morning and discover what adventures they had overnight!
- January 5th-7th Zaki Con The Library's annual Anime and Pop Culture Convention returns in January! Join us for movies, crafts, an artist alley full of talented local artists, gaming tournaments, and cosplay contest! Free and for all ages!

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

RECOMMENDATIONS

ATTACHMENTS

1. 2023 Breakfast with Santa
2. 2023 Thanksgiving Potluck
3. 2023 Veterans Day Celebration
4. Blue Santa 2023
5. Santa in the Park 8.5X11 2023
6. thumbnail_Flapjack 2023 (2)



FRIENDSWOOD SENIOR CITIZEN PROGRAM

BREAKFAST *with Santa*

SPONSORED BY

WHATABURGER



Will you make Santa's nice list this Christmas? Join us and meet Santa to ask him yourself, snap a few pictures with him and then enjoy a delicious Whataburger breakfast!

Friendswood Activity Building

416 Morningside Drive, Friendswood, TX

December 20, 2023

9:30 am - 11:30 am

Family members visiting for the holidays are welcome too!



Thanksgiving

POTLUCK

Join our annual potluck to celebrate friendships and blessings together!

Friendswood Activity Building
416 Morningside Dr, Friendswood, TX

November 21, 2023

11:00 am - 1:00 pm



REMINDER

TURKEY, DRESSING AND ROLLS ARE INCLUDED!

SIGN UP TO BRING YOUR FAVORITE SIDE DISH OR DESSERT





13TH ANNUAL



VETERANS DAY CELEBRATION 2023

Help us honor all those who have served our country. Enjoy a delicious meal and listen to some of our Military Veteran guests' great stories!

FRIENDSWOOD ACTIVITY BUILDING
416 MORNINGSDRIVE DRIVE. FRIENDSWOOD. TX 77546

THURSDAY. NOVEMBER 09. 2023

11:00 AM - 1:00 PM



Friendswood Senior Citizen Program

Friendswood Activity Building, 416 Morningside Drive, Friendswood, Texas 77546

(281) 482-8441 | seniorprogram@friendswood.com



SATURDAY, NOVEMBER 18

SCHULZ SPORTSPARK, 2910 W. PARKWOOD, FRIENDSWOOD, TX

Adult Co-ed & Men's "D" Divisions

Registration Fee: \$30 per team (\$20 umpire fee per game) plus each player must bring one new toy or one new bicycle for the team as a donation to the Friendswood Blue Santa Program.

1st Place – Award, Shirts, \$100 Gift Card | **2nd Place** – Shirts

HR DERBY: \$20 per participant | **RULES:** USA rules. Co-Ed may play 6 guys, 4 girls.

Call 281-996-3228 to register by **November 13th** with credit card payment. For additional information, please email mboyett@friendswood.com.





Santa in the Park & LIGHTED CHRISTMAS TRAIL

DECEMBER 2 • 3:00 PM - 8:00 PM • STEVENSON PARK

Photos with Santa 3:00 PM

Snow Hill - 40,000 lbs. of Snow!

Parade 6-7PM

Tree Lighting & Fireworks 7:30 PM

Amusement Rides

Live Entertainment

Lighted Trail

Holiday Market



#FWDSANTA

Flapjack

FUN RUN

5K FUN RUN/WALK & KID'S K RUN



Stevenson Park - 1100 S. Friendswood Dr.
8:00 AM Kid's K (12 & under) **8:20 AM 5K Fun Run** (Run/Walk)
Packet Pick-up: Friday, December 1 at Friendswood City Hall

	Kid's K	5K Walk	5K Run
Sept. 1 - Oct. 1	\$25	\$35	\$40
Oct. 2 - Nov. 1	\$35	\$45	\$50
Nov. 2 - Dec. 1	\$45	\$55	\$60
Dec. 2 (Race Day)	\$50	\$60	\$65



Use the QR code to register for the Fun Run or go online to friendswood.com/register.

FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 6, 2023

Date submitted: 09/15/2023

Prepared by: Karen Horner, City Attorney

Subject: Consider authorizing an Interlocal Agreement with Galveston County Consolidated Drainage District for the Quaker Landing Drainage Improvement Project.

Originating Department: Engineering

Degree of importance:

SUMMARY / ORIGINATING CAUSE

The City acquired Lots 19 through 24 of Quakers Landing (the "Property") through FEMA's Hazard Mitigation Grant Buyout Program to mitigate future disaster losses within the City. The Galveston County Consolidated Drainage District ("District") desires to develop, construct, and maintain detention facilities on the Property for flood control, floodplain management, and flood damage prevention purposes (the "Project"). As such, this proposed agreement grants the District the right to do so; provided the District:

- creates a drainage model highlighting the proposed improvements;
- engages a professional engineer to create a preliminary engineering report and to prepare plans and specifications for the construction of the Project, which report, plans and specifications are subject to the City's review and approval;
- competitively bids the construction of the Project;
- obtains the required insurance and bonds from the selected contractor prior to the start of construction of the Project;
- constructs the Project in accordance with the plans and specifications approved by the City;
- provides the City record drawings of the Project; and
- maintains the Project in perpetuity.

The design and construction phases of the Project are to be complete within one year but, upon agreement of the District and the City, the completion date may be extended for additional one-year periods until construction is complete.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

RECOMMENDATIONS

Staff recommends approval.

ATTACHMENTS

1. Friendswood - GCCDD Interlocal Agreement

**INTERLOCAL AGREEMENT BY
AND BETWEEN
CITY OF FRIENDSWOOD AND
GALVESTON COUNTY CONSOLIDATED
DRAINAGE DISTRICT**

STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

This Interlocal Agreement ("Agreement") is made and entered into as of the ____ day of October, 2023, by and between the City of Friendswood, a home-rule municipal corporation located in Galveston and Harris Counties, Texas (the "City"), and the Galveston County Consolidated Drainage District, a conservation and reclamation district organized and existing pursuant to Article XVI, Section 59 of the Constitution of the State of Texas (the "District"), each party acting by and through their respective governing bodies.

WITNESSETH:

WHEREAS, state law, including Chapter 791 of the Texas Government Code (the "Act"), authorizes local governments to contract among themselves for the provisions of governmental functions and services; and

WHEREAS, the City and the District are each "local governments," as defined in the Act; and

WHEREAS, the corporate limits of the City includes territory in both Galveston and Harris Counties, Texas; and

WHEREAS, that portion of the City that is located within Galveston County is also located within the corporate boundaries of the District; and

WHEREAS, the City acquired the following properties located within the boundaries of the City and the District through FEMA's Hazard Mitigation Grant Buyout Program to mitigate future disaster losses within the City:

GCAD Property ID	Quakers Landing Lot No.
394219	24
202598	23
202597	22
202596	21
202594	20
202593	19

as more particularly depicted in Exhibit "A," which is attached hereto and incorporated herein for all intents and purposes (collectively the "Property"); and

WHEREAS, the District was created and exists for the purpose of reclamation and drainage of flooded lands and other lands needing drainage within the District; and

WHEREAS, in furtherance thereof, the District, which has the power of eminent domain, is empowered to acquire, construct, improve, and maintain facilities necessary to carry out its mandated purpose; and

WHEREAS, the City and the District have determined the development of detention facilities on the Property (the "Improvements") are a necessary drainage improvement that will be beneficial to neighboring flood-prone properties; and

WHEREAS, the development and construction of such Improvements are governmental functions in which the contracting parties are mutually interested; NOW THEREFORE,

WHEREAS, the City and the District (collectively the "Parties"; individually a "Party") have determined that the development, construction and maintenance of the Improvements are governmental function in which the contracting parties are mutually interested; NOW THEREFORE,

FOR AND IN CONSIDERATION of the mutual obligations and benefits to be derived hereunder, the City and the District do hereby find, determine, and agree as follows:

1. Findings. The facts and matters set forth in the preamble of this Agreement are hereby found to be true and correct.
2. Purpose. The purpose of this Agreement is to promote and protect public health, safety, and welfare by minimizing public and private losses resulting from flood conditions through the acquisition of Property on which drainage facilities and other public infrastructure may be built.
3. City's Responsibilities.
 - 3.01 The City shall timely review and provide comments concerning the preliminary engineering report (the "PER") and the Construction Documents, as defined in Section 4.02 of this Agreement, for the Improvements on the Property.
 - 3.02 The City shall, by this Agreement, provide the District the use of the Property for the purposes of constructing detention facilities for flood control, floodplain management, and flood damage prevention purposes, and grant the District the appropriate easements and temporary rights of entry onto the Property to fulfill the District's construction and maintenance obligations hereunder.
 - 3.03 The City shall maintain the Property with the exception of the Improvements, which the District will maintain in perpetuity pursuant to Section 4.06 of this Agreement.
4. District's Responsibilities.
 - 4.01 The District shall, at its cost and expense, create a drainage model highlighting the improvements to the floodplain as a result of installing the Improvements.
 - 4.02 Upon completion of the model, the District shall, at its cost and expense, design and subsequently construct the Improvements on the Property in accordance with all applicable laws, rules and regulations. The District shall provide engineering services and related support services necessary for the PER, and preparations of the plans, specifications, estimates and a project manual for the construction of the

Improvements (the "Construction Documents"). The District shall submit the PER and the Construction Documents to the City for the City's review and comment when approximately 50, 90 and 100 percent complete. The City shall provide comments to the District within twenty (20) working days or the plans will be deemed approved. The District shall incorporate the City's comments into the PER and Construction Documents.

- 4.03 The District will cause to be inserted in the Construction Documents for the Improvements and any subsequent contract for the maintenance thereof an agreement that the contractor will indemnify, defend, protect, covenant not to sue, release, and save and hold harmless the District and the City and all their representatives from all suits, actions, or claims of any character brought on account of any injuries or damages sustained by any person or property in consequence of any neglect in safeguarding the work or through the use of unacceptable materials in the construction and/or maintenance of the Improvements or any associated improvements, or on account of any act of omission by the contractor. The District will require its contractor(s) to procure and maintain for the duration of the construction of the Improvements and any subsequent maintenance thereof, insurance coverages of types and amounts comparable to those required by the District for other similar projects, including but not limited to commercial general liability, business auto, and workers' compensation policies; to name the District and the City as additional insured parties on all liability insurance policies; to provide a waiver of subrogation in favor of the District and the City for all liability policies and on the contractor's workers' compensation policy; and to provide the District and the City with certificates evidencing such coverage upon request.
- 4.04 The District will award the construction contract for the Improvements in accordance with competitive bidding laws applicable to the District. The District's determination of the lowest responsible bidder, or best value proposer, if applicable, for the Improvements shall be final. The City shall have access at all reasonable times to the construction site and to all relevant drawings, specifications, Contract Documents, and records to verify that the Improvements are constructed in compliance with this Agreement. The District will include the City in all Project design and construction progress meetings.
- 4.05 Prior to the construction and any subsequent maintenance of the Improvements, the District shall obtain payment and performance bonds in the full amount of the contract price in accordance with state law. The City shall have no responsibility for administration of the construction or maintenance contract and shall incur no obligation to any contractor thereby.
- 4.06 Once the Improvements are complete, the District shall restore that portion of the Property, which are not part of the Improvements, to the condition it was in prior to the District's construction activities and shall thereafter maintain the Improvements and any pilot channels/ancillary drainage components in perpetuity.
- 4.07 Within thirty (30) days of completion of the construction of the Improvements, the District shall provide the City with record drawings of the Improvements.

- 4.08 The District shall pay all costs in the performance of this Agreement and shall make those payments from its current, available revenues.
5. Term. The term of this Agreement, except for any obligations stated in this Agreement to be perpetual or in perpetuity, is for one (1) year; however, if the Improvements have not been constructed within such period of time, the City and the District may extend this Agreement for additional one-year periods until the construction is complete. The City or the District may terminate this Agreement, without cause, upon 30 days' written notice to the other party until such time as the District commences construction of the Improvements on the Property.
6. Notice. Any notice required to be given under the provisions of this Agreement shall be in writing and shall be duly served when it shall have been mailed by certified mail, return receipt requested, in a United States Post Office, addressed to the Parties at the following address:
- | | |
|--|---|
| <u>City:</u> | <u>District:</u> |
| City of Friendswood | Galveston County Consolidated Drainage District |
| 910 S. Friendswood Drive | 1605 Whitaker Drive |
| Friendswood, TX 77546 | Friendswood, TX 77546-4178 |
| Attn: City Manager | Attn: Operations Manager |
| fwdcity@friendswood.com | Email: janderson@gccdd.dst.tx.us |
- A copy of any notice provided under this section shall also be emailed at the time of posting to the email addresses of the persons set out above.
7. Complete Agreement. This instrument contains the entire agreement between the City and the District relating to the rights herein granted and the obligations herein assumed. Any modifications concerning this instrument shall be of no force or effect, excepting a subsequent modification in writing, signed by both the City and the District.
8. Severability. If any provision of this Agreement is construed to be illegal or invalid, this will not affect the legality or validity of any of the provisions hereof. The illegal or invalid provisions will be deemed stricken from this Agreement and deleted to the same extent and effect as if never incorporated herein.
9. No Joint Venture; No Third-Party Beneficiary. This Agreement is not intended to create, nor should it be construed as creating, a partnership, association, joint venture, or trust. Nothing in this Agreement shall entitle any third party to any claim, cause of action, remedy or right of any kind, it being the intent of the Parties that this Agreement shall not be construed as a third-party beneficiary contract.
10. Force Majeure. Neither Party shall be liable for any damage, delay or loss due to Force Majeure. The term "Force Majeure" as used in this Agreement shall mean acts of God, strikes, lock-outs, or other industrial disturbances, acts of public enemy, orders of any kind of the federal or state government, or any civil or military authority, insurrection, riots, epidemics, pandemics, landslides, lighting, earthquakes, fires, hurricanes, storms, floods, washouts, droughts, arrests, restraint of government and people, civil disturbances, explosions, breakage or accidents to machinery, pipelines or canals, the partial or entire failure of a Party, or any other causes not reasonably within the control of the Party.

11. Immunity. It is expressly understood and agreed that, in the execution of this Agreement, the Parties do not waive any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions.
12. Authority to Bind. Each Party represents and warrants that it has been authorized by its respective governing body. Each Party represents and warrants for itself that the individual executing this Agreement on its behalf has the full power and authority to do so and to legally bind the Party to all the terms and provisions of this Agreement and that this Agreement constitutes the legal, valid, and binding agreement of each Party hereto.
13. Governing Law and Venue. This Agreement shall be construed and enforced in accordance with and governed by the laws of the State of Texas and the venue for any cause of action shall be brought in Galveston County, Texas.

EXECUTED in duplicate originals on the dates indicated.

CITY OF FRIENDSWOOD

GALVESTON COUNTY CONSOLIDATED
DRAINAGE DISTRICT

MORAD KABIRI, City Manager (Date)

KEVIN HOLLAND, President (Date)

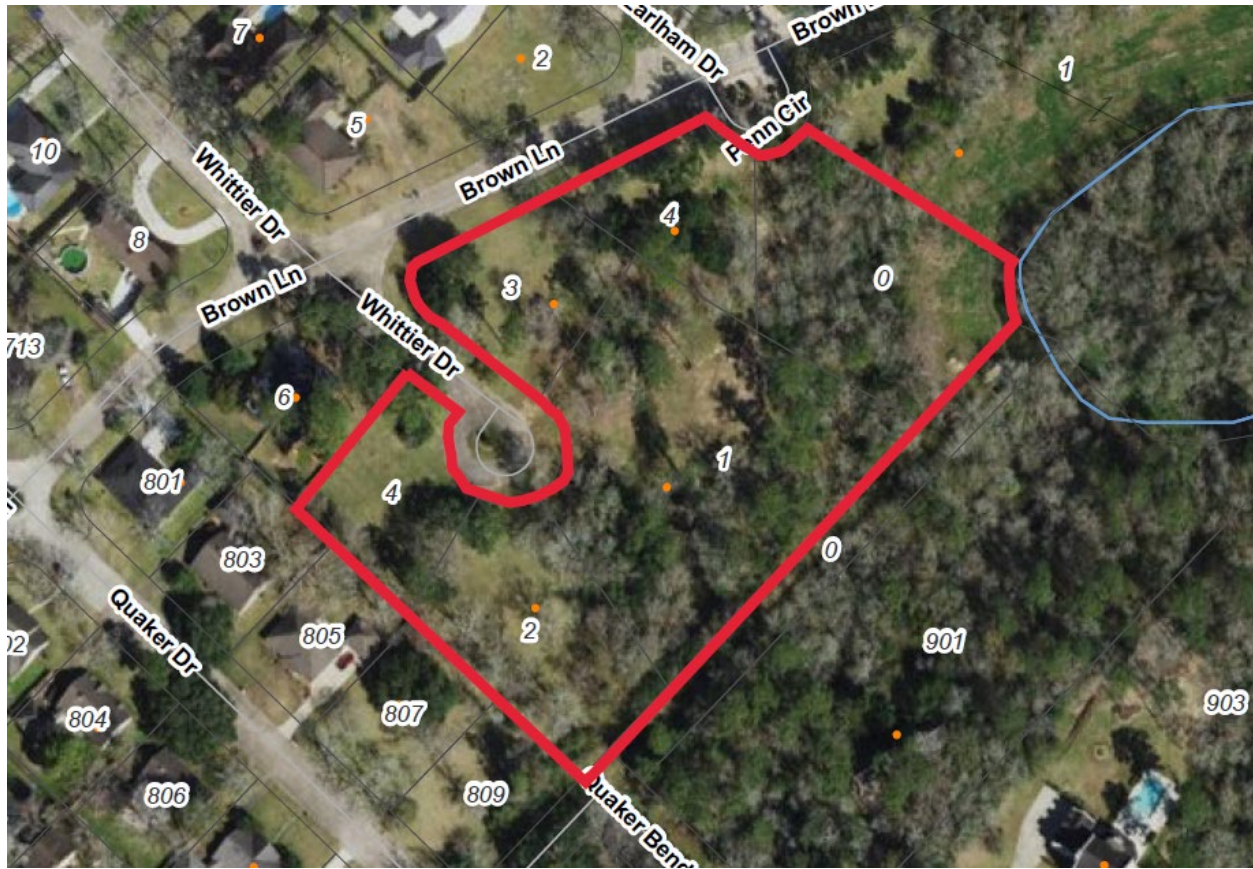
ATTEST:

ATTEST:

LETICIA BRYSCH, City Secretary

LONNIE MOFFITT, Secretary

Exhibit "A"



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 6, 2023

Date submitted: 10/11/2023

Prepared by: Karen Horner, City Attorney

Subject: Consider authorizing the Joint Participation Interlocal Agreement with Harris County for the Blackhawk Boulevard 2-C Reconstruction Project.

Originating Department: City Attorney

Degree of importance:

SUMMARY / ORIGINATING CAUSE

This Joint Participation Interlocal Agreement (the "Agreement") with Harris County (the "County") Precinct 2 for the Blackhawk Boulevard 2-C Reconstruction Project entails the reconstruction of Blackhawk Boulevard from FM 2351 to Geneva Lane and from Thursa Lane to FM 528 (the "Project").

Under the Agreement, the City and the County each commit to providing \$3,392,686 in funding for the Project. The County's funding amount will be paid in two installments -- the first being \$187,500 for engineering-related services and the second being \$3,205,186 for construction and related services. In addition, pursuant to the Agreement, the parties agree to the following:

The City shall:

- a. provide or cause to be provided engineering services for the Project;
- b. submit plans specifications and estimates to the County for approval;
- c. obtain all necessary permits for the Project;
- d. be responsible for utility and pipeline relocations, if any;
- e. advertise for bids;
- f. submit the bids received to the County along with the City's recommendation as to the lowest responsible bidder;
- g. award the bid to the lowest responsible bidder;
- h. manage the construction of the Project;
- i. provide the County an accounting of monies expended; and
- j. assume maintenance responsibility of the roadway upon completion and acceptance of the Project.

The County shall:

- a. make installment payments to the City --
 - (1) the first installment being due 30 days after the execution of the Agreement and
 - (2) the second being due 30 days after the first publication of the advertisement of the Project for bids;
- b. review and approve the PS&E provided by the City;
- c. review the bids and concur with the City's recommendation for award; and
- d. participate in the final walk-through and inspection of the Project.

Should the cost of the Project exceed the funding amounts committed by the parties, the City may provide

the additional funding, the parties may mutually agree on how the additional funding will be paid, or the parties may agree to scale down the Project to match the available funding.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

RECOMMENDATIONS

Staff recommends approval.

ATTACHMENTS

1. Joint Participation Agreement - Blackhawk Boulevard 2-C Reconstruction Project- Harris County

JOINT PARTICIPATION INTERLOCAL AGREEMENT

This Joint Participation Interlocal Agreement (“Agreement”) is entered into by and between **Harris County** (“County”) and **City of Friendswood** (“City”) pursuant to the Interlocal Cooperation Act, Tex. Gov’t Code Ch. 791.001, *et seq.* County and City may each be referred to herein individually as a “Party” or collectively as the “Parties”.

RECITALS

WHEREAS, it is of mutual benefit to both Parties to reconstruct Blackhawk Boulevard from FM 2351 to Geneva Lane and from Thursa Lane to FM 528 (“Project”) as generally illustrated on Exhibit A attached hereto and incorporated herein by reference;

WHEREAS, both Parties desire to cooperate in accordance with the terms of this Agreement to jointly accomplish the construction of the Project; and

WHEREAS, both Parties agree that all funds used under this Agreement shall be from current fiscal funds.

NOW THEREFORE, in consideration of the mutual promises, obligations, and benefits herein set forth, the Parties agree as follows:

TERMS

Section 1. Responsibilities of the Parties

A. City’s Responsibilities

- (i) The City will provide or cause to be provided, engineering services and related support services necessary to prepare plans, specifications, and estimates (“PS&E”) for the construction of the Project.
- (ii) Upon execution of this Agreement, the City shall provide an invoice to the County for its first installment payment of its cost share for the engineering services and related support services for the PS&E of the Project in accordance with Section 2 of this Agreement.
- (iii) Upon completion of the PS&E the City will submit the PS&E to the County for review and approval.
- (iv) The City shall be responsible for obtaining all necessary permits and jurisdictional approvals for construction of the Project.
- (v) The City shall be responsible for all utility relocation efforts including pipelines.
- (vi) Upon approval by the County of the PS&E, the City will advertise for and receive bids for construction of the Project from qualified bidders. A qualified bidder must be registered with the Texas Secretary of State to transact business in Texas and must be current on all state and local fees and taxes, including but not limited to, Franchise Account Status with the Texas Comptroller of Public Accounts in good standing. The construction contract shall require the qualified bidder to follow all federal, state, and local laws, rules, codes, ordinances, and regulations including but not limited to Harris County Road Law.

- (vii) Upon the first publication of the advertisement for bids for the Project, the City shall provide an invoice to the County for its second installment payment of its cost share for construction of the Project in accordance with Section 2 of this Agreement.
- (viii) Upon receipt of bids for the construction of the Project, the City shall determine the lowest responsible bidder and provide the bids to the County with its recommendation for award of the construction contract to such lowest responsible bidder, as determined by the City.
- (ix) Upon award of a contract for construction of the Project, the City will:
 - (a) Manage and inspect the day-to-day construction of the Project, including construction materials testing in a manner similar to that of other County construction projects; and
 - (b) Through its contractor, construct the Project in accordance with the PS&E approved by the County. The City may make minor changes in the PS&E through change(s) in contract that the City deems to be necessary or desirable during the construction of the Project, so long as the original scope and intent of the Project is maintained.
- (x) Upon completion of the construction of the Project, the City shall:
 - (a) Provide an opportunity for the County to participate in a final walk-through and preparation of a punch list in regards to the construction of the Project;
 - (b) Provide a statement of final accounting to the County detailing all construction costs incurred and identify amount(s) to be refunded to the County; and
 - (c) Assume full responsibility for the ongoing maintenance and repairs of the Project.

B. County's Responsibilities

- (i) County will remit the first installment payment of its cost share for the engineering services and related support services for the PS&E of the Project in accordance with Section 2 of this Agreement.
- (ii) County will review the PS&E provided by the City and provide its approval within ten (10) business days. Should the County desire to make changes to such PS&E, the Parties agree to meet and resolve all issues within ten (10) business days of the County's receipt of the PS&E in order to finalize an agreed upon PS&E for the Project. If the County does not provide a response on the PS&E within ten (10) business days from its receipt of the PS&E, then the PS&E submitted to the County will be deemed approved.
- (iii) County will remit the second installment payment of its cost share for construction of the Project in accordance with Section 2 of this Agreement.
- (iv) Upon receipt of the bids and award recommendation from the City for construction of the Project, the County will review the bids and provide concurrence for award of the construction contract to such lowest responsible bidder within five (5) business days. If the County does not provide a response on the construction contract award recommendation

within five (5) business days from its receipt of the recommendation, then the recommendation submitted to the County will be deemed approved.

- (v) Upon completion of the construction of the Project, the County shall participate in a final walk-through and inspection of the Project.

Section 2. Funding of the Project

Notwithstanding any provision in this Agreement to the contrary, the following provisions will apply to all payments made under this Agreement:

- A. The County agrees to pay the City an amount not to exceed \$3,392,686.00 ("County Funding Share") for the engineering, construction, and related services necessary for the Project to be paid in two installments. The City agrees to provide an amount not to exceed \$3,392,686.00 ("City Funding Share") for the engineering, construction, and related services necessary for the Project. The County Funding Share and City Funding Share is more particularly illustrated on Exhibit B attached hereto and incorporated herein by reference.
- B. The County agrees to provide \$187,500.00 for the first installment payment of the County Funding Share to the City for the engineering and related services for the PS&E of the Project within thirty (30) business days of execution of this Agreement. The County agrees to provide \$3,205,186.00 for the second installment payment of the County Funding Share to the City for construction of the Project within thirty (30) business days of the first publication of the advertisement for bids for the Project.
- C. Parties agree that any construction costs incurred during the construction of the Project or other work to be performed under this Agreement in excess of the construction contract award amount may be funded by the City. The City agrees that in the event it is unable to perform the Project at a cost that does not exceed the total to be paid by each Party as set forth in Section 2.A. above, the City will provide notice of such event to the County. At that time, the Parties may mutually agree in writing how the additional funding of the Project will be paid or will reach an agreement to scale down the Project to match available funds.

Section 3. Term and Termination

- A. This Agreement shall commence upon final execution by all the Parties and shall remain in full force and effect until the completion of construction of the Project or the City's receipt of all payments due from the County under this Agreement, whichever occurs later.
- B. This Agreement may be terminated by the City before award of the construction contract and at any time by mutual written consent of the Parties, or as otherwise provided under this Agreement.

Section 4. Miscellaneous

- A. **Non-Assignability.** The County and the City bind themselves and their successors, executors, administrators, and assigns to the other Party of this Agreement and to the successors, executors, administrators, and assigns of such other Party, in respect to all covenants of this Agreement. Neither the County nor the City shall assign, sublet, or transfer its interest in this Agreement without the prior written consent of the other Party.

- B. Notice. Any notice required to be given under this Agreement (“Notice”) shall be in writing and shall be duly served when it shall have been (a) personally delivered to the address below, (b) deposited, enclosed in a wrapper with the proper postage prepaid thereon, and duly registered or certified, return receipt requested, in a United States Post Office, addressed to County or the City at the following addresses:

City: City of Friendswood
15355 Blackhawk Boulevard
Friendswood, Texas 77546
Attention: Jildardo Arias
Email: jarias@friendswood.com

County: Harris County Engineering Department
1111 Fannin Street, 11th Floor
Houston, Texas 77002
Attention: Interagency Agreement Coordinator

Any Notice given by mail hereunder is deemed given upon deposit in the United States Mail and any Notice delivered in person shall be effective upon receipt.

Each Party shall have the right to change its respective address by giving at least fifteen (15) days’ written notice of such change to the other Party.

Other communications, except for Notices required under this Agreement, may be sent by electronic means or in the same manner as Notices described herein.

- C. Independent Parties. It is expressly understood and agreed by the Parties that nothing contained in this Agreement shall be construed to constitute or create a joint venture, partnership, association or other affiliation or like relationship between the Parties, it being specifically agreed that their relationship is and shall remain that of independent parties to a contractual relationship as set forth in this Agreement. The County is an independent contractor and neither it, nor its employees or agents shall be considered to be an employee, agent, partner, or representative of the City for any purpose. The City, nor its employees, officers, or agents shall be considered to be employees, agents, partners or representatives of the County for any purposes. Neither Party has the authority to bind the other Party.
- D. No Third Party Beneficiaries. This Agreement shall be for the sole and exclusive benefit of the Parties and their legal successors and assigns. The County is not obligated or liable to any party other than the City for the performance of this Agreement. Nothing in the Agreement is intended or shall be deemed or construed to create any additional rights or remedies upon any third party. Further, nothing contained in the Agreement shall be construed to or operate in any manner whatsoever to confer or create rights or remedies upon any third party, increase the rights or remedies of any third party, or the duties or responsibilities of County with respect to any third party.
- E. Waiver of Breach. No waiver or waivers of any breach or default (or any breaches or defaults) by either Party hereto of any term, covenant, condition, or liability hereunder, or the performance by either Party of any obligation hereunder, shall be deemed or construed to be a waiver of subsequent breaches or defaults of any kind, under and circumstances.

F. No Personal Liability; No Waiver of Immunity.

- (1) Nothing in the Agreement is construed as creating any personal liability on the part of any officer, director, employee, or agent of any public body that may be a Party to the Agreement, and the Parties expressly agree that the execution of the Agreement does not create any personal liability on the part of any officer, director, employee, or agent of the County.
- (2) The Parties agree that no provision of this Agreement extends either Party's liability beyond the liability provided in the Texas Constitution and the laws of the State of Texas.
- (3) Neither the execution of this Agreement nor any other conduct of either Party relating to this Agreement shall be considered a waiver by either Party of any right, defense, or immunity on behalf of itself, its employees or agents under the Texas Constitution or the laws of the State of Texas.

G. Applicable Law and Venue. This Agreement shall be governed by the laws of the State of Texas and the forum for any action under or related to the Agreement is exclusively in a state or federal court of competent jurisdiction in Texas. The exclusive venue for any action under or related to the Agreement is in a state or federal court of competent jurisdiction in Houston, Harris County, Texas.

H. No Binding Arbitration; Right to Jury Trial. The Parties do not agree to binding arbitration, nor does either Party waive its right to a jury trial.

I. Contract Construction.

- (1) This Agreement shall not be construed against or in favor of any Party hereto based upon the fact that the Party did or did not author this Agreement.
- (2) The headings in this Agreement are for convenience or reference only and shall not control or affect the meaning or construction of this Agreement.
- (3) When terms are used in the singular or plural, the meaning shall apply to both.
- (4) When either the male or female gender is used, the meaning shall apply to both.

J. Recitals. The recitals set forth in this Agreement are, by this reference, incorporated into and deemed a part of this Agreement.

K. Entire Agreement; Modifications. This Agreement contains the entire agreement between the Parties relating to the rights herein granted and the obligations herein assumed. This Agreement supersedes and replaces any prior agreement between the Parties pertaining to the rights granted and the obligations assumed herein. This Agreement shall be subject to change or modification only by a subsequent written modification approved and signed by the governing bodies of each Party.

L. Severability. The provisions of this Agreement are severable, and if any provision or part of this Agreement or the application thereof to any person, entity, or circumstance shall ever be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Agreement and the application of such provision or part of this Agreement to other persons, entities, or circumstances shall not be affected thereby.

- M. Survival of Terms. Any provision of this Agreement that, by its plain meaning, is intended to survive the expiration or earlier termination of this Agreement shall survive such expiration or earlier termination. If an ambiguity exists as to survival, the provision shall be deemed to survive.
- N. Multiple Counterparts/Execution. This Agreement may be executed in several counterparts. Each counterpart is deemed an original and all counterparts together constitute one and the same instrument. In addition, each Party warrants that the undersigned is a duly authorized representative with the power to execute the Agreement.
- O. Warranty. By execution of this Agreement, the Parties warrant that the duties accorded to each Party in this Agreement are within the powers and authority of the Parties.

HARRIS COUNTY

CITY OF FRIENDSWOOD

By: _____
Lina Hidalgo
County Judge

By: _____
Mike Foreman
Mayor

APPROVED AS TO FORM:

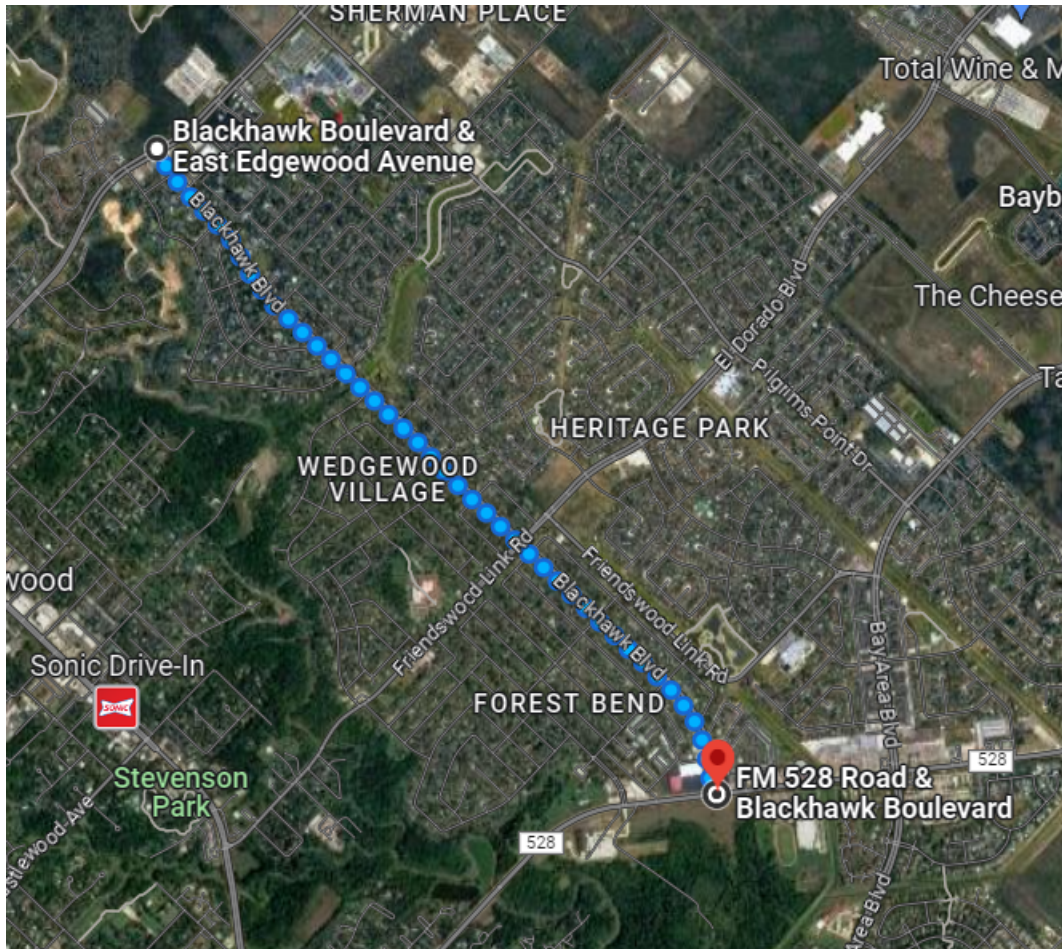
ATTEST

CHRISTIAN D. MENELEE
County Attorney

By: _____
Leticia Brysch
City Secretary

By: _____
An Le
Assistant County Attorney
CAO File No.: 23GEN1529

EXHIBIT A



Scope of work:

The project will reconstruct Blackhawk Boulevard from FM2351 to Geneva Lane, and Thursa Lane to FM 528.

EXHIBIT B	
Roadway - Reconstruction of Blackhawk Blvd from Geneva Dr to FM 2351 & from Thursa Ln to FM 528	
Precinct: 2	
Date: 06/12/2023	
Description	Estimated Cost (Estimate Used In Agreement)
Harris County Portion (Not to Exceed)	\$3,392,686.00
City Portion	\$3,392,686.00
Subtotal	\$6,785,372.00
Total Cost	\$6,785,372.00

ORDER OF COMMISSIONERS COURT

The Commissioners Court of Harris County, Texas, met in regular session at its regular term at the Harris County Administration Building in the County of Houston, Texas, on _____, with all members present except _____.

A quorum was present. Among other business, the following was transacted:

ORDER AUTHORIZING EXECUTION OF A JOINT PARTICIPATION INTERLOCAL AGREEMENT BETWEEN HARRIS COUNTY AND CITY OF FRIENDSWOOD TO RECONSTRUCT BLACKHAWK BOULEVARD FROM FM 2351 TO GENEVA LANE AND FROM THURSA LANE TO FM 528 AND ALL RELATED APPURTENANCES IN HARRIS COUNTY PRECINCT 2

Commissioner _____ introduced an order and moved that Commissioners Court adopt the order. Commissioner _____ seconded the motion for adoption of the order. The motion, carrying with it the adoption of the order, prevailed by the following vote:

	Yes	No	Abstain
Judge Lina Hidalgo	☐	☐	☐
Comm. Rodney Ellis	☐	☐	☐
Comm. Adrian Garcia	☐	☐	☐
Comm. Tom S. Ramsey, P.E.	☐	☐	☐
Comm. Lesley Briones	☐	☐	☐

The County Judge thereupon announced that the motion had duly and lawfully carried and that the order had been duly and lawfully adopted. The order thus adopted follows:

IT IS ORDERED THAT:

1. The Harris County Judge is authorized to execute on behalf of Harris County the attached Joint Participation Interlocal Agreement between Harris County and City of Friendswood to reconstruct Blackhawk Boulevard from FM 2351 to Geneva Lane and from Thursa Lane to FM 528 and all related appurtenances in Harris County Precinct 2.
2. All Harris County officials and employees are authorized to do any and all things necessary or convenient to accomplish the purposes of this order.

FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 6, 2023

Date submitted: 10/26/2023

Prepared by: Karen Horner, City Attorney

Subject: Consider the approving Change Order No. 2 between the Friendswood Downtown Economic Development Corporation and Pfeiffer & Sons, Ltd, for the FM 518 Illumination Project, subject to the approval of the Board of Directors of the Friendswood Downtown Economic Development Corporation.

Originating Department: City Attorney

Degree of importance:

SUMMARY / ORIGINATING CAUSE

As you may recall, on July 12, 2022, the Board of Directors (the "Board") of the FDEDC authorized a contract with Pfeiffer & Son, Ltd., (the "Contractor") for the FM 518 Illumination Project (the "Project") in the amount of \$2,350,474.00. The Project entails pedestrian and roadway illumination for the length of FM 518 between FM 2351 and Castlewood Dr., omitting the area in front of Friends Church (Spreading Oaks to Stonestrow Ave.), and is part of the Downtown Improvements Plan, which was adopted by the Board of the FDEDC and approved by the City Council.

This proposed change order in the amount of \$143,852.50 includes the following:

Item No.	Description	Cost
1	Installation of pull boxes to tie in existing conduit behind the curb to the new light pole foundation location (one pull box per light pole)	\$54,560.00
2	Expansion of the Project to include the illumination of FM 518 from Castelweood Dr. to Whispering Pines.	<u>\$89,292.50</u>
TOTAL		\$143,852.50

Contingency funds will be used to fund the change order.

Pursuant to Section 501.073 of the Texas Local Government Code and Section 9.7 of the FDEDC's Bylaws, the FDEDC may expend monies authorized by the Board only after approval of the City Council. This item allows Council to approve these expenditures, subject to the Board's approval.

The Board will consider this item at its November 14th meeting. Approving this item in advance of the Board's consideration will enable the FDEDC to realize cost savings if the Board approves the change order, for the Contractor will not have to remobilize.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

RECOMMENDATIONS

Staff recommends approval.

ATTACHMENTS

1. Form 1295 Pfieffer & Son LTD
2. Government Code Verification
3. 00510 - Change Order No. 2 - Pull Boxes Additional Poles

CHANGE ORDER

CHANGE ORDER No.: 02

PROJECT NAME: FM-518 Illumination Installation

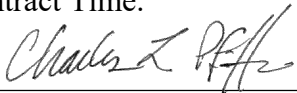
PROJECT NUMBER: ILLUMINATES518

TO: Pfeiffer & Son, LTD
Nick Riley
116 N. 16th Street
La Porte, Tx 77572

Proposed Change:	Add	Deduct
Installation of pull boxes to tie in existing conduit	\$54,560.00	
Expand the scope of the project to include the illumination of FM-518 from Castlewood Dr. to Whispering Pines	\$89,292.50	
TOTAL	\$143,852.50	
Request For Time Change	N/A	N/A

Original Contract Amount:	<u>\$2,350,474.00</u>	Original Contract Time:	<u>300 days</u>
Net Previous Change Orders:	<u>\$21,500.00</u>	Net Previous Time Changes:	<u>N/A</u>
Total Contract Amount:	<u>\$2,371,974.00</u>	Total Time Amount:	<u>300 days</u>
This Change Order Amount Adds:	<u>\$143,852.50</u>	This Change Order Time Adds:	<u>208 days</u>
This Change Order Amount Deducts:	<u>\$0.00</u>	This Change Order Time Deducts:	<u>N/A</u>
New Contract Amount:	<u>\$2,515,826.50</u>	New Contract Time:	<u>508 days</u>

We, the undersigned, enter to agreement on the change of Contract Price and/or change in Contract Time.


Charles Lindsay Pfeiffer
Pfeiffer & Son, LTD
Managing Member

Charles L. Pfeiffer
2023.10.31 15:31:23-05'00'

Date

Rebecca Hillenburg
Friendswood Downtown Economic Development Corporation
President

Date

END OF DOCUMENT

00510-1

PFEIFFER & SON, LTD.

Electrical & Telecommunication Contractors

Bid Date: October 26, 2023

Project Name: FM 518 Illumination

CO#2 Additional Poles and Boxes

ITEM #	DESCRIPTION	UNIT	QTY.	UNIT \$	TOTAL
	Item 1 below is to complete original scope of work				
1	GROUND BOX TY D 162921)	EA	88	\$ 620.00	\$ 54,560.00
				SUB TOTAL	\$ 54,560.00

	Items 1A-9 are to complete work for additional pole installations not included in original scope of work				
1A	GROUND BOX TY D 162922	EA	36	\$ 620.00	\$ 22,320.00
2	#8 bare	LF	2220	\$ 1.00	\$ 2,220.00
3	#8 ins	LF	9420	\$ 1.20	\$ 11,304.00
4	#6 bare	LF	610	\$ 1.60	\$ 976.00
5	#6 ins	LF	1220	\$ 1.80	\$ 2,196.00
6	#4 bare	LF	1235	\$ 2.60	\$ 3,211.00
7	#4 ins	LF	2470	\$ 2.65	\$ 6,545.50
8	Service	EA	4	\$ 9,230.00	\$ 36,920.00
9	18' ped pole 2 Lights (install rate only)	EA	36	\$ 100.00	\$ 3,600.00
				SUB TOTAL	\$ 89,292.50

TOTAL	\$ 143,852.50
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The above pricing is for installation of items not covered in the cost of the original PO.
Foundations are covered on the original PO and are not included in this CO.

The above item#1 is for the installation of pull boxes to tie in existing conduit behind the curb to the new light pole foundation location (One Pull Box per light pole).

Wire will be billed per lf installed. The above footages are subject to change depending on which pole locations are selected. The above footages are based on the next 36 pole locations past Castlewood.

To avoid confusion, we offer the following clarifications:

1. Engineering and staking not included.
2. Sales tax is not included in this quote.
3. Please allow for progressive billing.
4. Insurance coverage is at our standard levels.
5. It is assumed that all work will be done during regular business hours.

We appreciate this opportunity to quote on this project. If you have any questions or need additional clarifications, please call us at (281) 471-4222.

Sincerely,
Nick Riley

PHONE-(281) 471-4222 * FAX-(281) 471-6856

P.O. BOX 1116 * 116 N. 16TH. ST.

LA PORTE, TEXAS 77572

REGULATED BY THE TEXAS DEPARTMENT OF LICENSING AND REGULATION

CONTRACTOR'S LICENSE #18259

P.O. BOX 12157 * AUSTIN, TX 78711

(800) 803-9209 * (512) 463-6599 * www.license.state.tx.us/complaints

ADOPTED ADMINISTRATIVE RULES: 73.51 © ELECTRICAL CONTRACTORS' RESPONSIBILITIES

FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 6, 2023

Date submitted: 10/03/2023

Prepared by: Glenda Faulkner, Executive Secretary/PIO

Subject: Consider ratifying and concurring with the City Manager's appointment of Josh Rogers to the position of Chief of Police.

Originating Department: City Manager

Degree of importance:

SUMMARY / ORIGINATING CAUSE

Josh Rogers is a 24-year veteran of the Friendswood Police Department and a 26-year law enforcement officer. He began his career, serving briefly with the Hillcrest Village City Marshal's Office and Alvin Community College Police Department, before joining the Friendswood Police Department in September 1999.

Josh has progressed through the ranks of the Friendswood Police Department as a Patrol Officer, Corporal, Sergeant, Assistant Patrol Division Commander, Patrol Commander, Criminal Investigation Division Commander, and Deputy Chief of Police.

His leadership has garnered numerous awards and professional achievements, including the Galveston County 50 Club Award, a Rotary Club of Friendswood Vocational Award, and an Exceptional Service Recognition Award from the City of Friendswood for his coordination of personnel and resources in the Laura Smither homicide and investigation of William Reece murder victims.

Josh attended the Alvin Community College Basic Law Enforcement Academy and received two Associate in Applied Science Degrees in Criminal Justice in Law Enforcement/Police Administration and Correctional Science. He is a University of Houston Downtown graduate with a Bachelor of Science in Criminal Justice and is a graduate of Class #57 of the Bill Blackwood Law Enforcement Management Institute of Texas Leadership Command College. He holds a Master Peace Officer license with the Texas Commission on Law Enforcement and is a certified Instructor, Firearms Instructor, TASER Instructor and Sexual Assault/Family Violence Investigator.

As a graduate of Friendswood High School, Josh has deep community ties. He has served as a board member and baseball coach with Friendswood Little League and President of the Friendswood Police Officers Association. He is a Double-Goal Coach Award Winner with the Positive Coaching Alliance and a Friendswood High School Distinguished Alumni Award recipient.

Josh and his wife Debbie, a retired Friendswood ISD school teacher of 29 years, have two grown children – Madison and Jacob – who both graduated from Friendswood High School.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

RECOMMENDATIONS

ATTACHMENTS

FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 6, 2023

Date submitted: 10/03/2023

Prepared by: Glenda Faulkner, Executive Secretary/PIO

Subject:

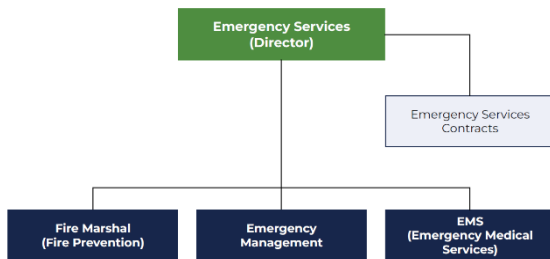
Consider on final reading an ordinance amending Chapter 30 "Fire Protection and Prevention," Article II "Fire Marshal," Section 30-21 "Office created; appointment" of the Friendswood City Code to rename such section as "Office created" and to reflect that such office is within the Emergency Services Department.

Originating Department: City Attorney

Degree of importance:

SUMMARY / ORIGINATING CAUSE

On August 28th, the City Council adopted the City of Friendswood 2023-24 Budget. As part of that budget, the Department of Emergency Services was created, which includes three divisions, one of which is the Fire Marshal's Office. Such reorganization, as reflected in the budget, is as follows:



Therefore, the Fire Marshal will no longer be appointed by or report directly to the City Manager. This proposed ordinance removes the appointment and reporting verbiage from this section and replaces the same with the duties of the office.

The proposed ordinance was passed on first reading on October 2, 2023. This is the second and final reading of this proposed ordinance.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

RECOMMENDATIONS

Staff recommends approval.

ATTACHMENTS

1. Ordinance - Fire Marshal
2. Organization Chart - Emergency Services Department

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, AMENDING CHAPTER 30 "FIRE PROTECTION AND PREVENTION," ARTICLE II "FIRE MARSHAL," SECTION 30-21 "OFFICE CREATED; APPOINTMENT" OF THE FRIENDSWOOD CITY CODE TO RENAME SUCH SECTION AS "OFFICE CREATED" AND TO REFLECT THAT SUCH OFFICE IS WITHIN THE EMERGENCY SERVICES DEPARTMENT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY, PUBLICATION AND AN EFFECTIVE DATE.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:

Section 1. That Chapter 30 "Fire Protection," Article II "Fire Marshal," Section 30-21 "Office created; appointment" of the Friendswood City Code is hereby renamed as "Office created" and is amended to read as follows:

CHAPTER 30. FIRE PROTECTION AND PREVENTION

DIVISION II. FIRE MARSHAL

Sec. 30-21 Office created.

The office of fire marshal is created and shall have the duties specified in this division as well as those assigned by the director of emergency services.

Section 2. All ordinances or parts of ordinances in conflict or inconsistent with this ordinance are hereby expressly repealed.

Section 3. In the event any clause, phrase, provision, sentence, or part of this ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 4. The City Secretary shall give notice of the enactment of this ordinance by promptly publishing the caption of this ordinance after final passage in the official newspaper of the City.

Section 5. This ordinance shall become effective from and after its date of adoption and its publication, as provided by law.

PASSED and APPROVED on first reading by the affirmative vote of the City Council this 2nd day of October, 2023.

MIKE FOREMAN, Mayor

ATTEST:

LETICIA BRYSCH, City Secretary

APPROVED AS TO FORM:

KAREN L. HORNER, City Attorney

PASSED, APPROVED and ADOPTED on second and final reading by the affirmative vote of the City Council this 6th day of November, 2023.

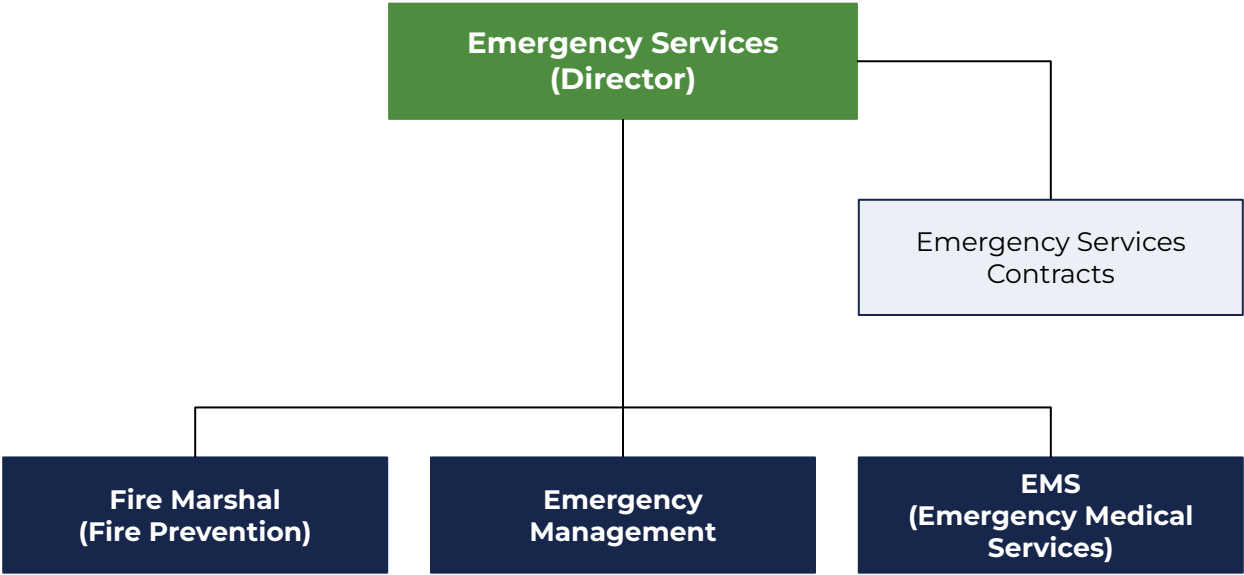
MIKE FOREMAN, Mayor

ATTEST:

LETICIA BRYSCH, City Secretary

APPROVED AS TO FORM:

KAREN L. HORNER City Attorney



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 6, 2023

Date submitted: 10/03/2023

Prepared by: Glenda Faulkner, Executive Secretary/PIO

Subject: Consider on final reading an ordinance amending Appendix D "Schedule of Fees, Rates, Charges, Deposits, Bonds, and Insurance Amounts" of the Friendswood City Code to update the earthwork permit fees, to establish floodplain development permit fees and sitework permit fees, and to codify fees for temporary street banners.

Originating Department: Community Development

Degree of importance:

SUMMARY / ORIGINATING CAUSE

This proposed ordinance establishes the following fees, which allow the City to recoup a portion of the cost of providing the services and are in line with neighboring municipalities:

Description	Current Amount	Proposed Amount	Code Section
Floods -- Chapter 34			
Flood Development Fees			
up to 5 acres	\$25.00	\$150.00	34-22
over 5 acres to 10 acres	\$25.00	\$250.00	34-22
over 10 acres	\$25.00	\$500.00	34-22
Utilities -- Chapter 86			
...			
(13) Earthwork Permit	\$0.00	\$50.00	86-392
(14) Sitework Permit -- Commercial/Multifamily	\$0.00	\$500.00	86-412
(15) Sitework Permit -- Single Family Residential	\$0.00	\$250.00	86-412
Signs -- Appendix A			
(1) Banner -- nonrefundable application fee	\$25.00	\$25.00	15(i)
(2) Banner permit fee	\$0.00	\$100.00	15(i)

The proposed ordinance was passed on first reading on October 2, 2023. This is the second and final reading of this proposed ordinance.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

RECOMMENDATIONS

Staff recommends approval.

ATTACHMENTS

1. Ordinance - Appendix D - Fees

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, AMENDING APPENDIX D "SCHEDULE OF FEES, RATES, CHARGES, DEPOSITS, BONDS AND INSURANCE AMOUNTS" OF THE FRIENDSWOOD CITY CODE TO UPDATE EARTHWORK PERMIT FEES, TO ESTABLISH FLOODPLAIN DEVELOPMENT PERMIT FEES AND SITEWORK PERMIT FEES, AND TO CODIFY FEES FOR TEMPORARY STREET BANNERS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY, PUBLICATION AND THE EFFECTIVE DATE.

WHEREAS, on October 2, 2023, the City Council amended Chapter 34 "Floods" of the Friendswood City Code; and

WHEREAS, on the same date, the City Council amended Appendix A "Signs" to such code; and

WHEREAS, both such amendments provide certain services to be provided by the City of Friendswood; and

WHEREAS, in order to recover a portion of the cost of providing such services and in keeping pace with standards adopted by neighboring municipalities, the City Council deems it necessary to revise the fee schedule as set forth in this ordinance; NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:

Section 1. That the facts and matters set forth in the preamble of this ordinance are hereby found to be true and correct.

Section 2. That the schedule of fees in Appendix D "Schedule of Fees, Rates, Charges, Deposits, Bonds and Insurance Amounts" of the Friendswood City Code is hereby amended to update floodplain fees, which fees shall be set as follows:

APPENDIX D. SCHEDULE OF FEES, RATES, CHARGES, DEPOSITS, BOND AND INSURANCE AMOUNTS

The schedule of fees for the city is printed herein and such fees are required in the section of the Code of Ordinances referenced. These fees should be checked against ordinances and resolutions on file in city hall; any conflict should be resolved in favor of the most recent applicable ordinance or resolution pertaining to a specific fee or charge.

Description		Amount	Code Section
...			
Floods —Chapter 34			
	Development Permit - t (in addition to building and sitework permit fees)		
(1)	up to 5 acres	\$150.00	34-22
(2)	over 5 acres to 10 acres	\$250.00	34-22
(3)	over 10 acres	\$500.00	34-22

Section 3. That the schedule of fees in Appendix D "Schedule of Fees, Rates, Charges, Deposits, Bonds and Insurance Amounts" of the Friendswood City Code is hereby amended to add earthwork and sitework permit fees as follows:

APPENDIX D. SCHEDULE OF FEES, RATES, CHARGES, DEPOSITS, BOND AND INSURANCE AMOUNTS

The schedule of fees for the city is printed herein and such fees are required in the section of the Code of Ordinances referenced. These fees should be checked against ordinances and resolutions on file in city hall; any conflict should be resolved in favor of the most recent applicable ordinance or resolution pertaining to a specific fee or charge.

Description		Amount	Code Section
...			
Utilities—Chapter 86			
(13)	Earthwork Permit	\$50.00	86-392
(14)	Sitework Permit – Commercial/Multifamily	\$500.00	86-412
(15)	Sitework Permit – Single Family Residential	\$250.00	86-412

Section 4. That the schedule of fees in Appendix D "Schedule of Fees, Rates, Charges, Deposits, Bonds and Insurance Amounts" of the Friendswood City Code is hereby amended to add banner application and permit fees as follows:

APPENDIX D. SCHEDULE OF FEES, RATES, CHARGES, DEPOSITS, BOND AND INSURANCE AMOUNTS

The schedule of fees for the city is printed herein and such fees are required in the section of the Code of Ordinances referenced. These fees should be checked against ordinances and resolutions on file in city hall; any conflict should be resolved in favor of the most recent applicable ordinance or resolution pertaining to a specific fee or charge.

Description		Amount	Code Section
...			
Appendix A — Signs			
(1)	Street Banner – nonrefundable application fee	\$25.00	15 (i)
(2)	Street Banner permit fee	\$100.00	15 (i)

Section 5. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency, hereby repealed.

Section 6. In the event any clause, phrase, provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 7. The City Secretary shall give notice of the enactment of this ordinance by promptly publishing the caption of this ordinance after final passage in the official newspaper of the City.

Section 8. This ordinance shall become effective from and after its date of adoption and its publication, as provided by law.

PASSED and APPROVED on first reading by the affirmative vote of the City Council this 2nd day of October, 2023.

MIKE FOREMAN, Mayor

ATTEST:

LETICIA BRYSCH, City Secretary

APPROVED AS TO FORM:

KAREN HORNER, City Attorney

PASSED, APPROVED and ADOPTED on second and final reading by the affirmative vote of the City Council this 6th day of November, 2023.

MIKE FOREMAN, Mayor

ATTEST:

LETICIA BRYSCH, City Secretary

APPROVED AS TO FORM:

KAREN HORNER City Attorney

FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 6, 2023

Date submitted: 10/04/2023

Prepared by: Karen Horner, City Attorney

Subject: Consider an ordinance renaming Harold Whitaker Drive to Whitaker Drive.

Originating Department: City Attorney

Degree of importance:

SUMMARY / ORIGINATING CAUSE

The Laurence Cline Subdivision plat, which was recorded in September of 2004, dedicated and named a certain public right-of-way Harold Whitaker Drive. Over time, the name of such roadway has become known as Whitaker Drive, not Harold Whitaker Drive.

A uniform road name for the City and other emergency service providers is vital to the health, safety and welfare of the citizens of the City of Friendswood as well as the general public. Since the City not only has exclusive authority over its roadways but also has the authority to adopt, amend and repeal any ordinance, rule or regulation necessary to carryout its powers, City staff believes that changing the name of the roadway from Harold Whitaker Drive to Whitaker Drive is appropriate and in the public interest.

If Council approves this proposed ordinance, the second and final reading will be held on December 4, 2023.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Consistent use of a street name is imperative for emergency services, postal services, and utilities.

RECOMMENDATIONS

Staff recommends approval.

ATTACHMENTS

1. Ordinance - Street Name

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD,
TEXAS, RENAMING HAROLD WHITAKER DRIVE TO WHITAKER DRIVE; AND
PROVIDING FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, the Laurence Cline Subdivision plat, which was recorded in September of 2004, dedicated and named a certain public right-of-way Harold Whitaker Drive; and

WHEREAS, over time, the name of such roadway has become known as Whitaker Drive, not Harold Whitaker Drive; and

WHEREAS, a uniform road name for the City and other emergency service providers is vital to the health, safety and welfare of the citizens of the City of Friendswood as well as the general public; and

WHEREAS, Section 551.001 of the Texas Local Government Code provides that the City Council may adopt, publish, amend, or repeal an ordinance, rule, or police regulation that is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, Section 311.001 of the Texas Transportation Code provides that municipalities have exclusive control over and under the public highways, streets and alleys of the City; and

WHEREAS, in order to protect the citizens and visitors of the City of Friendswood and to ensure that first responders have identical street name information, the City Council finds that it is in the public interest to change the street name of Harold Whitaker Drive to Whitaker Drive; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:

Section 1. That all matters and facts set forth in the recitals hereinabove are found to be true and are approved by the City Council of the City of Friendswood, Texas.

Section 2. That to ensure public safety, the City Council of the City of Friendswood hereby changes the name of Harold Whitaker Drive to Whitaker Drive.

Section 3. That the City Manager is authorized and directed to cause the installation of proper street signs and to amend City maps to reflect the above-described name change.

Section 4. That this resolution shall be effective immediately upon its passage and approval by the City Council of the City of Friendswood, Texas.

PASSED and APPROVED on first reading by the affirmative vote of the City Council this 6th day of November, 2023.

MIKE FOREMAN, Mayor

ATTEST:

LETICIA BRYSCH, City Secretary

APPROVED AS TO FORM:

KAREN L. HORNER, City Attorney

PASSED, APPROVED and ADOPTED on second and final reading by the affirmative vote of the City Council this 4th day of December, 2023.

ATTEST:

MIKE FOREMAN, Mayor

LETICIA BRYSCH, City Secretary

APPROVED AS TO FORM:

KAREN L. HORNER City Attorney

FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 6, 2023

Date submitted: 10/16/2023

Prepared by: Karen Horner, City Attorney

Subject: Consider a resolution repealing Resolution No. R2023-23 in its entirety and setting a new time, date, and place for a public hearing to discuss and review the proposed updated land use assumptions, capital improvements plan, and the imposition of impact fees.

Originating Department: City Attorney

Degree of importance:

SUMMARY / ORIGINATING CAUSE

This proposed resolution:

- repeals Resolution No. R2023-23, which was passed by the City Council on October 2nd, setting December 4, 2023, as the date of the public hearing to discuss and review the update of the land use assumptions, capital improvements plan, and impact fees; and
- sets a January 8, 2024, as the date of the public hearing to discuss and review the update of the land use assumptions, capital improvements plan, and impact fees.

On April 3, 2023, the City Council approved a professional services agreement with Freese & Nichols, Inc., to update the City's land use assumptions and CIP, upon which documents the City's impact fees are based. The City Council is required to set a public hearing to discuss and review the update. This proposed resolution sets the public hearing for January 8, 2024, at 5:45 p.m. in the Council Chamber, instead of December 4, 2023.

Before the 30th day before the public hearing, the City is required to give written notice to persons, who have requested such notice in accordance with Chapter 395 of the Local Government Code, and shall publish notice in newspaper(s) of general circulation in Harris and Galveston Counties. The notice must contain certain statutorily required information, including, the purpose of the hearing, which is to consider the amendments to the land use assumptions and capital improvements plan ("CIP") and the imposition of an impact fee. The the land use assumptions and the capital improvements plan, including the amount of any proposed amended impact fee per service unit, shall be made available to the public on or before the date of the first publication of the notice of public hearing. At the public hearing, the public will have the opportunity to be heard and present evidence for or against the update.

The Planning and Zoning Commission ("P&Z"), acting as the capital improvements advisory committee, will consider the proposed amendments to the land use assumptions and capital improvements plan and impact fee at its meeting to be held on November 16 , 2023. P&Z's written comments will be filed before the fifth business day before the date of the public hearing on the amendments.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

RECOMMENDATIONS

Staff recommends approval.

ATTACHMENTS

1. Resolution - Setting Public Hearing

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, REPEALING RESOLUTION NO. 2023-23 ADOPTED ON OCTOBER 2, 2023; AND SETTING A NEW TIME, DATE AND PLACE FOR A PUBLIC HEARING TO DISCUSS AND REVIEW THE PROPOSED UPDATED LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLAN, MAXIMUM IMPACT FEE PER SERVICE UNIT AND THE CORRESPONDING ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on April 3, 2023, the City of Friendswood caused an update of the land use assumptions and capital improvements plan to be prepared by Freese & Nichols, Inc., using generally accepted engineering and planning practices; and

WHEREAS, on October 2, 2023, the City adopted Resolution No. 2023-23 setting a time, date and place for the public hearing on the land use assumptions, capital improvements plan, maximum impact fee per service unit and the corresponding ordinance; and

WHEREAS, the City Council desires to reschedule such public hearing until January 8, 2024; and

WHEREAS, the City Council received the update of the land use assumptions and capital improvements plan on November 6, 2023; and

WHEREAS, within sixty (60) days of receipt of the update, the City Council is required to set a public hearing to discuss and review the update and shall determine whether to amend the plan; NOW THEREFORE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:

Section 1. That all matters and facts set forth in the recitals hereinabove are found to be true and are approved by the City Council of the City of Friendswood, Texas.

Section 2. That the City Council of the City of Friendswood hereby repeals Resolution No. 2023-23, adopted on October 2, 2023, in order to reschedule the public hearing set pursuant to such resolution; and

Section 3. That the City Council of the City of Friendswood hereby sets a public hearing on January 8, 2024, at 5:45 p.m. in the Council Chamber of the City Hall of the City of Friendswood, located at 910 S. Friendswood Dr., Friendswood, Texas 77546, to discuss, review and consider the update to the land use assumptions, capital improvements plan, and impact fees and to give any member of the public the right to appear and present evidence for or against the update.

Section 4. The City Secretary of the City of Friendswood is hereby authorized and directed to cause notice of such public hearing to be sent by certified mail and published in a newspaper of general circulation in Harris and Galveston Counties before the thirtieth (30th) day before the date set for the hearing, which notice shall conform to the standards specified in Sections 395.055 of the Texas Local Government Code.

Section 5. That this resolution shall be effective immediately upon its passage and approval by the City Council of the City of Friendswood, Texas.

PASSED, APPROVED and ADOPTED by the affirmative vote of the City Council of the City of Friendswood on this the 6th day of November, 2023.

MIKE FOREMAN, Mayor

ATTEST:

LETICIA BRYSCH, City Secretary

APPROVED AS TO FORM:

KAREN L. HORNER, City Attorney

FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 6, 2023

Date submitted: 10/31/2023

Prepared by: Karen Horner, City Attorney

Subject: Consider a resolution authorizing the City's membership in a coalition named "Cities Served by CenterPoint Gas" for the purpose of protecting the interests of the City and its citizens with respect to gas utility matters and suspending the effective date of the statement of intent of CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas to charge rates in the Texas Division to permit the City time to study the request and ultimately to establish reasonable rates.

Originating Department: City Attorney

Degree of importance:

SUMMARY / ORIGINATING CAUSE

On Monday, October 30, 2023, CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas ("CenterPoint" or "Company") filed a gas rate case for the cities in its Houston, Texas Coast, South Texas and Beaumont/East Texas Divisions. In the filing, CenterPoint is seeking a \$37.4 million increase in annual non-gas revenue or a 5.8% increase over current adjusted revenues, excluding gas costs. In addition to requesting a change in rates, the Company is proposing to consolidate the Houston, Texas Coast, South Texas and Beaumont/East Texas Divisions into a new single division, the Texas Division.

Because CenterPoint is seeking to consolidate all of its service areas into one statewide division, the proposed resolution:

1. authorizes the City to join a coalition of cities in the Texas, Gulf Coast, South Texas, and Beaumont/East Texas divisions called "Cities Served by CenterPoint" Gas; and
2. suspends the effective date of the rate change.

Joining the coalition and suspending the application extends the effective date of the rate change by 90 days, allows the the City to retain legal authority over the matter, and permits the City time to review the rate-filing package. The coalition will be represented by Lloyd Gosselink Rochelle & Townsend, P.C., which has engaged consultants to review the filing. Additionally, the firm will file a motion to intervene at the Texas Railroad Commission on behalf of the cities in the coalition.

Unless the City takes action before the December 4th effective date, the rate increase will be deemed administratively approved.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

RECOMMENDATIONS

Staff recommends approval.

ATTACHMENTS

1. Resolution - City Suspension of Effective Date for CenterPoint Rate Increase

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, AUTHORIZING MEMBERSHIP IN THE "CITIES SERVED BY CENTERPOINT GAS" COALITION FOR THE PURPOSE OF PROTECTING THE INTEREST OF THE CITY AND ITS CITIZENS WITH RESPECT TO CENTERPOINT MATTERS; SUSPENDING THE EFFECTIVE DATE OF THE STATEMENT OF INTENT OF CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS TO CHANGE RATES IN THE TEXAS DIVISION IN ORDER TO PERMIT THE CITY TIME TO STUDY THE REQUEST, AND TO ESTABLISH REASONABLE RATES; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY CENTERPOINT; HIRING LEGAL AND CONSULTING SERVICES TO NEGOTIATE WITH CENTERPOINT AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; DIRECTING NOTICE OF THIS RESOLUTION TO CENTERPOINT AND LEGAL COUNSEL; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, on or about October 30, 2023, CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas ("CenterPoint") filed with the City of Friendswood ("City") and the other affected Texas municipalities a Statement of Intent seeking to change rates within the Texas division to be effective December 4, 2023; and

WHEREAS, the City is a regulatory authority with an interest in the rates and charges of CenterPoint; and

WHEREAS, the Cities Served by CenterPoint Gas (the "Coalition") is a coalition of similarly situated cities served by CenterPoint that have joined together to efficiently and cost effectively review and respond to gas issues affecting rates charged in CenterPoint's service area; and

WHEREAS, the Coalition has hired outside consultants to review the CenterPoint's filing, negotiate with the CenterPoint, make recommendations regarding reasonable rates and to direct any necessary administrative proceedings or court litigation associated with an appeal of City action; and

WHEREAS, the Gas Utility Regulatory Act § 104.107 grants local regulatory authorities the right to suspend the effective date of proposed rate changes for ninety (90) days; and

WHEREAS, the City retains its rights as a city with original jurisdiction including the right to suspend the application; and

WHEREAS, the City's consultants and attorneys recommend that the City suspend the application for further review; and

WHEREAS, CenterPoint has filed an application with the Railroad Commission that could become the docket into which appeals of City action on the CenterPoint filing are consolidated; and

WHEREAS, the Gas Utility Regulatory Act § 103.022 provides that costs incurred by cities in ratemaking activities are to be reimbursed by the regulated utility; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS:

Section 1. That the findings and recitations set out in the preamble of this resolution are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes.

section 2. That the December 4, 2023, effective date of the request to increase rates submitted by CenterPoint on or about October 30, 2023, is hereby suspended for the maximum period allowed by law to permit adequate time to review the proposed changes and to establish reasonable rates.

Section 3. That the City's membership in the Coalition in this proceeding is hereby authorized.

Section 4. That subject to the right to terminate employment at any time, the engagement of Jamie L. Mauldin of the law firm of Lloyd Gosselink Rochelle and Townsend, P.C., Karl J. Nalepa of the consulting firm of ReSolved Energy Consulting, L.L.C., and Lane Kollen of J. Kennedy & Associates, Inc., as well as any additional consultants deemed necessary, to review the CenterPoint's filing, negotiate with the CenterPoint, make recommendations regarding reasonable rates, and direct any necessary administrative proceedings or court litigation associated with an appeal of City action is authorized.

Section 5. That the City shall work with the Coalition in the review and evaluation of whether the proposed rates are appropriate, fair, just, and reasonable; and intervene as a necessary party in the Railroad Commission of Texas' consideration of the CenterPoint rate filing as it affects the customers in the unincorporated areas of CenterPoint's Texas Division.

Section 6. That the City's reasonable rate case expenses shall be reimbursed in full by CenterPoint.

Section 7. That the City Secretary is hereby directed to send a copy of this resolution to Keith L. Wall, CenterPoint Energy, at P.O. Box 2628, Houston, Texas 77252-2628, and to Jamie L. Mauldin at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

Section 8. This resolution shall take effect immediately from and after its passage by the City Council of the City of Friendswood.

INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of Friendswood this the 6th day of November, 2023.

MIKE FOREMAN, Mayor

ATTEST:

LETICIA BRYSCH, City Secretary

APPROVED AS TO FORM:

KAREN L. HORNER, City Attorney

FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 6, 2023

Date submitted: 10/03/2023

Prepared by: Glenda Faulkner, Executive Secretary/PIO

Subject: Consider approving the ad valorem tax report for September 2023.

Originating Department: City Manager

Degree of importance:

SUMMARY / ORIGINATING CAUSE

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

RECOMMENDATIONS

ATTACHMENTS

1. Gal Co Tax Sept 2023



Cheryl E. Johnson, PCC, CTOP
Assessor and Collector of Taxes
County of Galveston
722 Moody Avenue, Galveston, Texas 77550
Toll Free (877) 766-2284 Fax: (409) 766-2479
Email: galcotax@co.galveston.tx.us



October 4, 2023

The Governmental Entities of the Galveston County Tax Assessor/Collector's Office:

I, Cheryl E. Johnson, Tax Assessor and Collector of the County of Galveston do solemnly swear that this statement of collections made by me and the disposition thereof during the month of September, 2023 is true and correct.

Under my hand and seal this 4th day of October, 2023.



Cheryl E. Johnson

Cheryl E. Johnson, PCC, CTOP
Galveston County Tax Assessor/Collector

cc: Randall Rice, County Auditor
Linebarger, Goggan, Blair, & Simpson
Perdue, Brandon, Fielder, Collins, & Mott
Assessment & Collection Partners:

City of Bayou Vista
City of Clear Lake Shores (delinquent)
City of Dickinson
City of Friendswood
City of Galveston
City of Hitchcock
City of Jamaica Beach
City of Kemah
City La Marque
City of League City
City of Santa Fe
City of Texas City
City of Tiki Island
Dickinson Independent School District
Galveston Independent School District
High Island Independent School District
Hitchcock Independent School District
College of the Mainland
Bay Colony West MUD

Galveston Community College
GC Drainage District No. 1
GC Drainage District No. 2
GC Emergency Services Dist. No. 1
GC Emergency Services Dist. No. 2
GC Fresh Water Supply Dist. No. 6
Bacliff MUD
Bayview MUD
Galveston County MUD No. 12
Galveston County MUD No. 13
Galveston County MUD No. 44
San Leon MUD
Tara Glen MUD
GC Navigation District No. 1
WCID No. 1
WCID No. 12
WCID No. 19
Westwood Management District

10/02/2023 11:05:29 4369430
 TC298-D SELECTION: DEPOSIT
 RECEIPT DATE: ALL
 LOCATION: ALL

TAX COLLECTION SYSTEM
 DEPOSIT DISTRIBUTION
 FROM: 09/01/2023 THRU 09/30/2023
 JURISDICTION: 0337 FRIENDWD CITY

PAGE: 31
 INCLUDES AG ROLLBACK

YEAR	FUND	TAX RATE	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	TIF AMOUNT	DISBURSE TOTAL	ATTORNEY	OTHER FEES	REFUND AMOUNT	PAYMENT AMOUNT
2022	M & O	.388560	20,299.43	.00	3,106.96	.00	23,406.39	2,729.22	.00	.00	26,135.61
	I & S	.098754	5,159.19	.00	789.73	.00	5,948.92	.00	.00	.00	5,948.92
	TOTAL	.487314	25,458.62	.00	3,896.69	.00	29,355.31	2,729.22	.00	.00	32,084.53
2021	M & O	.385147	3,862.71	.00	1,014.51	.00	4,877.22	1,070.34	.00	.00	5,947.56
	I & S	.102167	1,024.59	.00	269.12	.00	1,293.71	.00	.00	.00	1,293.71
	TOTAL	.487314	4,887.30	.00	1,283.63	.00	6,170.93	1,070.34	.00	.00	7,241.27
2020	M & O	.392153	2,230.33	.00	747.22	.00	2,977.55	602.52	.00	.00	3,580.07
	I & S	.095161	541.32	.00	181.32	.00	722.64	.00	.00	.00	722.64
	TOTAL	.487314	2,771.65	.00	928.54	.00	3,700.19	602.52	.00	.00	4,302.71
2019	M & O	.432160	1,082.31	.00	582.33	.00	1,664.64	384.14	.00	.00	2,048.78
	I & S	.089279	223.62	.00	120.30	.00	343.92	.00	.00	.00	343.92
	TOTAL	.521439	1,305.93	.00	702.63	.00	2,008.56	384.14	.00	.00	2,392.70
2018	M & O	.437173	202.13	.00	.00	.00	202.13	.00	.00	.00	202.13
	I & S	.095218	43.92	.00	.00	.00	43.92	.00	.00	.00	43.92
	TOTAL	.532391	246.05	.00	.00	.00	246.05	.00	.00	.00	246.05
2017	M & O	.432349	9.21	.00	.00	.00	9.21	.00	.00	.00	9.21
	I & S	.095000	2.12	.00	.00	.00	2.12	.00	.00	.00	2.12
	TOTAL	.527349	11.33	.00	.00	.00	11.33	.00	.00	.00	11.33
2016	M & O	.462000	8.59	.00	.00	.00	8.59	.00	.00	.00	8.59
	I & S	.084000	1.47	.00	.00	.00	1.47	.00	.00	.00	1.47
	TOTAL	.546000	10.06	.00	.00	.00	10.06	.00	.00	.00	10.06
2015	M & O	.497200	7.05	.00	.00	.00	7.05	.00	.00	.00	7.05
	I & S	.071500	.99	.00	.00	.00	.99	.00	.00	.00	.99
	TOTAL	.568700	8.04	.00	.00	.00	8.04	.00	.00	.00	8.04
2014	M & O	.530300	4.29	.00	.00	.00	4.29	.00	.00	.00	4.29
	I & S	.061100	.49	.00	.00	.00	.49	.00	.00	.00	.49
	TOTAL	.591400	4.78	.00	.00	.00	4.78	.00	.00	.00	4.78
2013	M & O	.530300	7.56	.00	3.38	.00	10.94	.00	.00	.00	10.94
	I & S	.061100	.87	.00	.39	.00	1.26	.00	.00	.00	1.26
	TOTAL	.591400	8.43	.00	3.77	.00	12.20	.00	.00	.00	12.20
2012	M & O	.530700	6.64	.00	.00	.00	6.64	.00	.00	.00	6.64
	I & S	.066300	.83	.00	.00	.00	.83	.00	.00	.00	.83
	TOTAL	.597000	7.47	.00	.00	.00	7.47	.00	.00	.00	7.47
2010	M & O	.519800	.05	.00	.00	.00	.05	.00	.00	.00	.05
	I & S	.065300	.01	.00	.00	.00	.01	.00	.00	.00	.01
	TOTAL	.585100	.06	.00	.00	.00	.06	.00	.00	.00	.06

10/02/2023 11:05:29 4369430

TAX COLLECTION SYSTEM

PAGE: 32

TC298-D SELECTION: DEPOSIT

INCLUDES AG ROLLBACK

RECEIPT DATE: ALL

FROM: 09/01/2023 THRU 09/30/2023

LOCATION: ALL

JURISDICTION: 0337 FRIENDWD CITY

YEAR	FUND	TAX RATE	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	TIF AMOUNT	DISBURSE TOTAL	ATTORNEY	OTHER FEES	REFUND AMOUNT	PAYMENT AMOUNT
2009	M & O	.499700	.05	.00	.00	.00	.05	.00	.00	.00	.05
	I & S	.080000	.01	.00	.00	.00	.01	.00	.00	.00	.01
	TOTAL	.579700	.06	.00	.00	.00	.06	.00	.00	.00	.06
2008	M & O	.509700	.05	.00	.00	.00	.05	.00	.00	.00	.05
	I & S	.070000	.01	.00	.00	.00	.01	.00	.00	.00	.01
	TOTAL	.579700	.06	.00	.00	.00	.06	.00	.00	.00	.06
ALL	M & O		27,720.40	.00	5,454.40	.00	33,174.80	4,786.22	.00	.00	37,961.02
ALL	I & S		6,999.44	.00	1,360.85	.00	8,360.30	.00	.00	.00	8,360.30
ALL	TOTAL		34,719.84	.00	6,815.25	.00	41,535.10	4,786.22	.00	.00	46,321.32
DIQ	M & O		27,720.40	.00	5,454.40	.00	33,174.80	4,786.22	.00	.00	37,961.02
DIQ	I & S		6,999.44	.00	1,360.85	.00	8,360.30	.00	.00	.00	8,360.30
DIQ	TOTAL		34,719.84	.00	6,815.25	.00	41,535.10	4,786.22	.00	.00	46,321.32
CURR	M & O		.00	.00	.00	.00	.00	.00	.00	.00	.00
CURR	I & S		.00	.00	.00	.00	.00	.00	.00	.00	.00
CURR	TOTAL		.00	.00	.00	.00	.00	.00	.00	.00	.00

10/02/2023 11:05:07
TC298-M SELECTION: DEPOSIT

4369430

TAX COLLECTION SYSTEM
DEPOSIT DISTRIBUTION
REVERSALS DETAIL, SCHEDULE

PAGE: 24
INCLUDES AG ROLLBACK

FROM: 09/01/2023 THRU 09/30/2023
JURISDICTION: 337 FRIENDWD CITY

YEAR	DEPOSIT	ACCOUNT NUMBER	EFF YR/MO	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	ATTORNEY CAUSE /REV	REFUND AMOUNT	PAYMENT AMOUNT CAT
2022	869130090623	186282	202309	281.08-	0.00	56.20-	67.45-CERT	0.00	404.73-TR
2022	869130090623	186283	202309	660.34-	0.00	22.01-	0.00 CERT	0.00	682.35-TR
2022	869130090623	200730	202309	156.46-	0.00	31.28-	37.55-CERT	0.00	225.29-TR
2022	864092523CHC	202448	202309	522.89-	0.00	78.43-	0.00 CERT	0.00	601.32-TR
2022	869130090623	203442	202309	212.94-	0.00	42.58-	51.10-CERT	0.00	306.62-TR
2022	902090623T	611632	202212	1,879.16-	0.00	0.00	0.00 CERT	0.00	1,879.16-TR
2022	902091423T	H410110000289	202212	534.39-	0.00	0.00	0.00 CERT	0.00	534.39-TR
		2022 TOTAL		4,247.26-	0.00	230.50-	156.10-	0.00	4,633.86-
		TOTAL REVERSALS		4,247.26-	0.00	230.50-	156.10-	0.00	4,633.86-

10/02/2023 11:05:07
TC298-N SELECTION: DEPOSIT

4369430

TAX COLLECTION SYSTEM
DEPOSIT DISTRIBUTION

PAGE: 15
INCLUDES AG ROLIBACK

SUMMARY OF PAYMENTS AND REVERSALS
FROM: 09/01/2023 THRU 09/30/2023
JURISDICTION: 337 FRIENDMD CITY

YEAR DEPOSIT	ACCOUNT NUMBER	EFF YR/MO	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	ATTORNEY CAUSE / REV	REFUND AMOUNT	PAYMENT AMOUNT
	2008 TOTAL		0.06	0.00	0.00	0.00	0.00	0.06
	2009 TOTAL		0.06	0.00	0.00	0.00	0.00	0.06
	2010 TOTAL		0.06	0.00	0.00	0.00	0.00	0.06
	2012 TOTAL		7.47	0.00	0.00	0.00	0.00	7.47
	2013 TOTAL		8.43	0.00	3.77	0.00	0.00	12.20
	2014 TOTAL		4.78	0.00	0.00	0.00	0.00	4.78
	2015 TOTAL		8.04	0.00	0.00	0.00	0.00	8.04
	2016 TOTAL		10.06	0.00	0.00	0.00	0.00	10.06
	2017 TOTAL		11.33	0.00	0.00	0.00	0.00	11.33
	2018 TOTAL		246.05	0.00	0.00	0.00	0.00	246.05
	2019 TOTAL		1,305.93	0.00	702.63	384.14	0.00	2,392.70
	2020 TOTAL		2,771.65	0.00	928.54	602.52	0.00	4,302.71
	2021 TOTAL		4,887.30	0.00	1,283.63	1,070.34	0.00	7,241.27
	2022 TOTAL		29,705.88	0.00	4,127.19	2,885.32	0.00	36,718.39
	TOTAL PAYMENTS		38,967.10	0.00	7,045.76	4,942.32	0.00	50,955.18
	2022 TOTAL		4,247.26-	0.00	230.50-	156.10-	0.00	4,633.86-
	TOTAL REVERSALS		4,247.26-	0.00	230.50-	156.10-	0.00	4,633.86-
	TOTAL FOR UNIT		34,719.84	0.00	6,815.26	4,786.22	0.00	46,321.32

FISCAL START: 08/01/2023 END: 07/31/2024 JURISDICTION: 0337 FRIENDWD CITY

CURRENT YEAR	CERT TAXABLE VALUE	ADJUSTMENTS	ADJ TAX VALUE	TAX RATE	TAX LEVY	PAID ACCTS
	-----	-----	-----	-----	-----	-----
	4,778,686,394	2,021,201-	4,776,665,193	0 00.487314	215,435.85	17,952

YEAR	TAXES DUE	MONTH ADJ	ADJUSTMENT YTD	LEVY PAID	PAID YTD	BALANCE	COLL %	YTD UNCOLL
2022	224,620.94	9,185.09-	9,185.09-	76,840.66	76,840.66	138,595.19	35.67	0.00
2021	46,007.11	525.26-	525.26-	4,636.09	4,636.09	40,845.76	10.19	0.00
2020	28,524.90	604.25	604.25	3,289.70	3,289.70	25,839.45	11.29	0.00
2019	20,010.02	.00	0.00	1,367.56	1,367.56	18,642.46	6.83	0.00
2018	14,875.09	233.69	233.69	284.76	284.76	14,824.82	1.88	0.00
2017	13,642.64	.00	0.00	40.58	40.58	13,602.06	.30	0.00
2016	12,117.53	.00	0.00	66.01	66.01	12,051.52	.54	0.00
2015	11,826.76	.00	0.00	36.47	36.47	11,790.29	.31	0.00
2014	12,474.54	.00	0.00	25.71	25.71	12,448.83	.21	0.00
2013	9,677.98	.00	0.00	19.37	19.37	9,658.61	.20	0.00
2012	6,814.94	.00	0.00	11.65	11.65	6,803.29	.17	0.00
2011	6,841.46	.00	0.00	0.00	0.00	6,841.46		0.00
2010	3,613.44	.00	0.00	0.06	0.06	3,613.38		0.00
2009	5,164.80	.00	0.00	0.06	0.06	5,164.74		0.00
2008	4,281.97	.00	0.00	0.00	0.00	4,281.91		0.00
2007	1,321.11	.00	0.00	0.00	0.00	1,321.11		0.00
2006	2,437.90	.00	0.00	0.00	0.00	2,437.90		0.00
2005	1,170.61	.00	0.00	0.00	0.00	1,170.61		0.00
2004	640.47	.00	0.00	0.00	0.00	640.47		0.00
2003	647.12	.00	0.00	0.00	0.00	647.12		0.00
2002	299.58	.00	0.00	0.00	0.00	299.58		0.00
2001	263.32	.00	0.00	0.00	0.00	263.32		0.00
****	427,275.03	8,872.41-	8,872.41-	86,618.74	86,618.74	331,763.88		0.00
CURR	224,620.94	9,185.09-	9,185.09-	76,840.66	76,840.66	138,595.19		0.00
DEIQ	202,654.09	312.68	312.68	9,778.08	9,778.08	193,188.69		0.00

	CERTIFIED ROLL	ROLL AS OF 08/01/2023	SUPPLEMENTALS THIS PERIOD	ADJUSTMENTS THIS PERIOD	NET CHANGE THIS PERIOD	ROLL AS OF 09/30/2023
LAND VALUE	6,593,325.295	6,593,325.295	0	0	0	6,593,325.295
AG EXCLUSION	32,486,183	32,486,183	0	0	0	32,486,183
IMPROVEMENTS	873,775.097	873,775.097	0	2,263,478-	2,263,478-	871,511,619
APPRAISED VALUE	6,593,325.295	6,593,325.295	0	2,263,478-	2,263,478-	6,591,061,817
EXEMPTIONS	1,782,152,718	1,782,152,718	0	242,277-	242,277-	1,781,910,441
TAXABLE VALUE	4,778,686,394	4,778,686,394	0	2,021,201-	2,021,201-	4,776,665,193
LEVY	224,620.94	224,620.94	.00	9,185.09-	9,185.09-	215,435.85
UNCOLLECTIBLE	.00	.00	.00	.00	.00	.00
RECEIVABLE						
EXEMPTION COUNTS:						
HOMESTEADS	10,595	10,595	0	4	4	10,599
OVER 65	3,475	3,475	0	1	1	3,476
DISABLED	180	180	0	0	0	180
VETERAN	253	253	0	0	0	253
TOTAL EXEMPT	84	84	0	0	0	84

	CERTIFIED ROLL	ROLL AS OF 08/01/2023	SUPPLEMENTALS THIS PERIOD	ADJUSTMENTS THIS PERIOD	NET CHANGE THIS PERIOD	ROLL AS OF 09/30/2023
LAND VALUE	5,827,810,207	5,827,810,207	0	380,567-	380,567-	5,827,429,640
AG EXCLUSION	33,691,313	33,691,313	0	380,567-	380,567-	33,310,746
IMPROVEMENTS	775,157,465	775,157,465	0	0	0	775,157,465
APPRAISED VALUE	5,827,810,207	5,827,810,207	0	380,567-	380,567-	5,827,429,640
EXEMPTIONS	1,579,451,702	1,579,451,702	0	149,407	231,160-	1,579,220,542
TAXABLE VALUE	4,214,667,192	4,214,667,192	0	149,407-	149,407-	4,214,517,785
LEVY	46,007.11	46,007.11	.00	525.26-	525.26-	45,481.85
UNCOLLECTIBLE	.00	.00	.00	.00	.00	.00
RECEIVABLE					.00	
EXEMPTION COUNTS:						
HOMESTEADS	10,298	10,298	0	3	3	10,301
OVER 65	3,255	3,255	0	1-	1-	3,254
DISABLED	181	181	0	0	0	181
VETERAN	240	240	0	0	0	240
TOTAL EXEMPT	84	84	0	0	0	84

ALL PROPERTY

TAX COLLECTION SYSTEM
SUPPLEMENTAL / ADJUSTMENT CONTROL TOTALS
FOR TAX YEAR: 2020
JURISDICTION: 0337 FRIENDWD CITY

PAGE: 100
INCLUDES AG ROLLBACK

	CERTIFIED ROLL	ROLL AS OF 08/01/2023	SUPPLEMENTS THIS PERIOD	ADJUSTMENTS THIS PERIOD	NET CHANGE THIS PERIOD	ROLL AS OF 09/30/2023
LAND VALUE	5,043,274,252	5,043,274,252	0	0	0	5,043,274,252
AG EXCLUSION	27,337,308	27,337,308	0	0	0	27,337,308
IMPROVEMENTS	706,413,340	706,413,340	0	0	0	706,413,340
APPRAISED VALUE	5,043,274,252	5,043,274,252	0	0	0	5,043,274,252
EXEMPTIONS	1,218,139,975	1,218,139,975	0	94,908-	94,908-	1,218,045,067
TAXABLE VALUE	3,797,796,969	3,797,796,969	0	94,908	94,908	3,797,891,877
LEVY	28,524.90	28,524.90	.00	604.25	604.25	29,129.15
UNCOLLECTIBLE	.00	.00	.00	.00	.00	.00
RECEIVABLE					.00	
EXEMPTION COUNTS:						
HOMESTEADS	10,220	10,220	0	1-	1-	10,219
OVER 65	3,163	3,163	0	1-	1-	3,162
DISABLED	182	182	0	0	0	182
VETERAN	221	221	0	0	0	221
TOTAL EXEMPT	80	80	0	0	0	80

10/02/2023 11:00:5 4369434
TC160 ALL PROPERTY

TAX COLLECTION SYSTEM
SUPPLEMENTAL / ADJUSTMENT CONTROL TOTALS
FOR TAX YEAR: 2018
JURISDICTION: 0337 FRENCHWOOD CITY

PAGE: 101
INCLUDES AG ROLLBACK

CERTIFIED ROLL	ROLL AS OF 08/01/2023	SUPPLEMENTALS THIS PERIOD	ADJUSTMENTS THIS PERIOD	NET CHANGE THIS PERIOD	ROLL AS OF 09/30/2023
LAND VALUE	4,207,374,518	0	0	0	4,207,374,518
AG EXCLUSION	23,842,910	0	0	0	23,842,910
IMPROVEMENTS	617,900,409	0	0	0	617,900,409
APPRAISED VALUE	4,207,374,518	0	0	0	4,207,374,518
EXEMPTIONS	891,117,422	0	41,690-	41,690-	891,075,732
TAXABLE VALUE	3,292,414,186	0	41,690	41,690	3,292,455,876
LEVY	14,875.89	.00	233.69	233.69	15,109.58
UNCOLLECTIBLE	.00	.00	.00	.00	.00
RECEIVABLE				.00	
EXEMPTION COUNTS:					
HOMESTEADS	10,001	0	1-	1-	10,000
OVER 65	2,897	0	1-	1-	2,896
DISABLED	0	0	0	0	0
VETERAN	204	0	0	0	204
TOTAL EXEMPT	0	0	0	0	0

Jurisdiction Remittances Processed By Disbursing Tax Unit Property Tax File

Report run on: October 2, 2023 3:10 PM

For Remitted Deposit Dates 09/01/2023 thru 09/30/2023 as of 10/02/2023

Batch Seq

43708

Tax Unit	M & O Total	I & S Total	TIF Levy	TIF Interest	Fee Total	Total
337 FRIENDWD CITY						

Delq	12,057.33	3,074.96	0.00	0.00	0.00	15,132.29
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ACH 83546	Print Date: 09/13/2023	\$12,057.33	\$3,074.96	\$0.00	\$0.00	\$15,132.29
337 FRIENDWD CITY						

Delq	5,675.02	1,436.03	0.00	0.00	0.00	7,111.05
Subtotal:	\$5,675.02	\$1,436.03	\$0.00	\$0.00	\$0.00	\$7,111.05

ACH 83589	Print Date: 09/19/2023	\$5,675.02	\$1,436.03	\$0.00	\$0.00	\$7,111.05
337 FRIENDWD CITY						

Delq	10,663.17	2,644.32	0.00	0.00	0.00	13,307.49
Subtotal:	\$10,663.17	\$2,644.32	\$0.00	\$0.00	\$0.00	\$13,307.49

ACH 83625	Print Date: 09/26/2023	\$10,663.17	\$2,644.32	\$0.00	\$0.00	\$13,307.49
337 FRIENDWD CITY						

Delq	4,779.28	1,204.99	0.00	0.00	0.00	5,984.27
Subtotal:	\$4,779.28	\$1,204.99	\$0.00	\$0.00	\$0.00	\$5,984.27

ACH 83669	Print Date: 10/02/2023	\$4,779.28	\$1,204.99	\$0.00	\$0.00	\$5,984.27
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Tax Unit Subtotal:	\$33,174.80	\$8,360.30	\$0.00	\$0.00	\$0.00	\$41,535.10
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FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: November 6, 2023

Date submitted: 10/03/2023

Prepared by: Glenda Faulkner, Executive Secretary/PIO

Subject: Consider approving the minutes of the City Council Regular Meeting held on October 2, 2023.

Originating Department: City Manager

Degree of importance:

SUMMARY / ORIGINATING CAUSE

This item allows the City Council to review and approve the minutes of the City Council Regular Meeting held on October 2, 2023.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

RECOMMENDATIONS

Staff recommends approval.

ATTACHMENTS

1. 2023 10 02 CC Meeting Minutes (draft)

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF FRIENDSWOOD
OCTOBER 2, 2023**

THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD MET IN A REGULAR MEETING ON MONDAY, OCTOBER 2, 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	Mayor Pro Tem
Sally Branson	Councilmember
Trish Hanks	Councilmember
Robert 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 6:00 P.M.; all members were present.

2. INVOCATION

The invocation was led by Pastor Bobby Kirkpatrick of Friendswood Friends Church.

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

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

Mayor Foreman proceeded to consider Item 5 prior to Item 4.

4. COUNCIL COMMENTS AND REPORTS

Mayor Pro Tem Rockey stated that the Library Gala, which was held this past Saturday, September 30th had been a big success. He noted that the group is still tallying the bills and they would know in a few weeks how much funding was collected.

Mayor Foreman thanked Matt Riley, Library Director, on doing such a great job with the Library Gala.

Councilmember Branson echoed Mayor Pro Tem Rockey's sentiment on the gala and noted that it was a pretty cool event. She noted that she had attended and was incredibly impressed with how the theme of

“Through the Looking Glass” brought to life the world of Alice in Wonderland. The food and decorations were wonderful, and everyone had a great time.

Councilmember Hanks echoed the same sentiments on the gala, and noted she was so pleased to see how many residents volunteered their time and talents into making the gala so special. Councilmember Hanks thanked all the staff members and volunteers for their hard work on this huge endeavor. Councilmember Hanks also thanked the other councilmembers as this past month, they have been playing musical chairs with their committee assignments, so they have subbed for each other as needed. Lastly, Councilmember Hanks reminded the public that that the Friendswood High School Homecoming parade is scheduled for this Thursday and encouraged everyone to drive carefully.

Councilmember Matranga mentioned some of the upcoming great activities, such as, the Friendswood Education Foundation's sporting clay shoot to raise money for FISD scheduled for Friday, the Good Shepherd Church on Winding Way is hosting their Paw Fest, from 2:00 p.m. -7:00 p.m. on Saturday, and the Hippe Hounds Gala for the Three Little Pitties Rescue is on Saturday evening to raise monies for their animal rescue operations.

Mayor Foreman stated that this year’s Library Gala was awesome and thanked everyone who participated in the event.

5. PUBLIC COMMENT

Ms. Kelly Browning requested to speak before the Council regarding Friendswood’s parks. She stated that she and her family love the parks and gave Council some ideas of what she would like to see in her local parks. Items included:

- enhancing the parks and trails system down FM 528, closer to Alvin,
- adding some type of multi-use space that would be for adaptive play, maybe for children with sensory issues,
- adding a skate and/or bike park for teenagers, and
- some type of recreation building where for indoor programming; including summer and after-school programs for school-age children.

Mr. David Allen requested to speak before Council regarding his concerns with (1) the UN’s replacement migration program, (2) the immigration issues at the southern border of Texas with Mexico, (3) the potential of another shutdown, and (4) oaths of office.

6. COMMITTEES OR SPECIAL REPORTS

A. Receive the Senior Citizens Advisory Committee Annual Report.

City Manager Morad Kabiri stated that the report was included in the agenda packet, and if the Council had any questions, staff would try and answer them. Mr. Kabiri noted that the Senior Program was very active this past year and the members were very appreciative of the Council’s continued support, particularly with the new vans to replace the broken-down bus.

B. Receive the Friendswood Chamber of Commerce Annual Report.

Mr. Dan Garza, Treasurer of the Friendswood Chamber of Commerce's Executive Board, presented the item and gave the Council an overview of their activities and programs of the last year. Mr. Garza stated that the Chamber works to provide small business owners with ways to stay informed and to promote their goods and services. He noted that the Chamber's work with state and local governments as well as elected officials to ensure they are represented in the communities where they do business.

Mr. Garza stated that the Chamber's Annual Report was submitted to the Council, but touched upon the following programs/events that it hosts:

- State of the City Luncheon where the mayor shares updates and insights of the City's operations and activities.
- Spring Chamber Reception, otherwise known as Party on the Patio that is open to all local businesses.
- Safety Awareness Seminars held by the Friendswood Police Department, and
- Candidate Forum, also known as Meet and Greet, for local and area related elections.

Mr. Garza also noted the Chamber's involvement in the following items:

- Provides a location for hurricane awareness and preparation seminars held by the Friendswood Fire Marshal's Office.
- Partners with the City to help create:
 - Santa in the Park,
 - the Annual Christmas Parade,
 - Halloween in the Park,
 - the 4th of July Parade,
 - the Annual Car Show, and
 - many other events throughout the year.

Mr. Garza noted that Friendswood continues to thrive as a community and there is continued growth in the city as well as in the Chamber. He noted that the Chamber remains ready and willing to work with the City of Friendswood and other local stakeholders on programs and initiatives that will benefit the Friendswood community. Mr. Garza concluded his comments by extending the gratitude of the Chamber staff and Executive Board.

Mayor Foreman thanked Mr. Garza for the report and the Chamber for its continued partnership with the city.

7. CITY MANAGER'S REPORT

A. Receive an update on the Friendswood Library Annual Poetry Festival

City Manager Morad Kabiri presented the item and stated the Library is hosting its Annual Poetry Festival on November 4th. He noted that this festival has continued to grow over the past several years,

and now includes participants from all over the world to include India, England, and Canada, as well as local folks in and around the Houston metro area.

B. Receive an update regarding Friendswood being named one of the 10 Safest Cities in Texas.

City Manager Morad Kabiri presented the item stated that he was not surprised that Friendswood was designated the third safest city in Texas. He noted that Friendswood has continually been ranked favorably for its safety and that is due in large part to its outstanding Police Department. Mr. Kabiri stated that while he was on the subject of the city's amazing PD, he wanted to mention that recently the City's Police Chief, Bob Weiners, announced that due to health reasons he is retiring at the end of the month. Mr. Kabiri noted that Chief Weiners has been an amazing and integral part of this community, and for that, he wanted to thank him and celebrate him for that and his many other accomplishments. Mr. Kabiri stated that staff will work on his retirement celebration to be held at a later date.

Councilmember Hanks stated she knew that everyone; including Council, staff and the community at large want to celebrate Chief Wiener. She stated that he is an incredible person that this community has been so blessed and so fortunate to have for so long, as the leader of the Friendswood Police Department and the man responsible for everyone's safety, he has built a first-class, police department. Councilmember Hanks stated that she had the pleasure of working very closely with Chief Wiener when she served as the Fisd superintendent and noted that in her experience, Chief Wiener is a man of character, who is trustworthy, and always has the citizens of Friendswood in his heart first. With that, she closed her remarks by saying that she and the Council want to celebrate him, thank him for his service, and let him know how much he is loved and appreciated.

C. Receive an update regarding National Night Out on October 3.

City Manager Morad Kabiri presented the item and stated that the Police Department and Fire Volunteer Fire Department, and the Marshal's Office will be participating in National Night Out that is set to take place tomorrow night. He noted that this is an opportunity for folks in the community to get to know one another's neighbors and visit with the City's amazing folks in law enforcement and public safety.

D. Receive an update regarding traffic control signage on Bay Area Blvd. at Grissom Road.

City Manager Morad Kabiri presented the item and stated that residents will notice later this week that there will be a stop sign installed at Grissom Road and Bay Area Boulevard. He noted that while Grissom Road is outside of Friendswood, the intersection is in our city limits, and after a number of incidents at this intersection, it determined, through the appropriate studies, that a multi-way stop sign is warranted. So, there will be a stop sign on Bay Area Boulevard for vehicles traveling on Bay Area Boulevard at Grissom Road.

8. BUSINESS ITEMS

A. Consider awarding the Demolition and Removal Services Contract for Deepwood (Bid No. 2023-16) to Arkitektura Development, Inc.

A motion was made by Councilmember Branson and seconded by Mayor Pro Tem Steve Rockey, to award the Demolition and Removal Services Contract to Arkitektura Development, Inc. in the amount of \$2,762,650.00. 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.

9. PROPOSED RESOLUTIONS & ORDINANCES

- A. **Consider on first reading an ordinance amending Chapter 30 "Fire Protection and Prevention," Article II "Fire Marshal," Section 30-21 "Office created; appointment" of the Friendswood City Code to rename such section and "Office created" and to reflect that such office is within the Emergency Services Department.**

City Manager Morad Kabiri reminded the Council that this item allows for the restructuring of the Fire Marshal's Office, which will be renamed the Emergency Services Department. This will also change the title of the current Fire Marshal, Brian Manfield to Emergency Services Director, and the role of Fire Marshal will move to Brian Holmes.

A motion was made by Councilmember Hanks and seconded by Councilmember Branson to approve the first reading of 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.

PROPOSED ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, AMENDING CHAPTER 30 "FIRE PROTECTION AND PREVENTION," ARTICLE II "FIRE MARSHAL," SECTION 30-21 "OFFICE CREATED; APPOINTMENT" OF THE FRIENDSWOOD CITY CODE TO RENAME SUCH SECTION AS "OFFICE CREATED" AND TO REFLECT THAT SUCH OFFICE IS WITHIN THE EMERGENCY SERVICES DEPARTMENT; 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 amending Appendix D "Schedule of Fees, Rates, Charges, Deposits, Bonds, and Insurance Amounts" of the Friendswood City Code to update the earthwork permit fees, to establish floodplain development permit fees and sitework permit fees, and to codify fees for temporary street banners.**

A motion was made by Councilmember Hanks and seconded by Councilmember Griffon to approve the first reading of 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.

PROPOSED ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, AMENDING APPENDIX D "SCHEDULE OF FEES, RATES, CHARGES, DEPOSITS, BONDS AND INSURANCE AMOUNTS" OF THE FRIENDSWOOD CITY CODE TO UPDATE EARTHWORK PERMIT FEES, TO ESTABLISH FLOODPLAIN DEVELOPMENT PERMIT FEES AND SITEWORK PERMIT FEES, AND TO CODIFY FEES FOR TEMPORARY STREET BANNERS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY, PUBLICATION AND THE EFFECTIVE DATE.

- C. Consider a resolution setting a time date and place for a public hearing to discuss and review the proposed updated land use assumptions, capital improvements plan, and the imposition of impact fees.**

City Manager Morad Kabiri presented the item and stated that this proposed resolution simply calls on the public hearing for October 26, 2023, for the Planning and Zoning Commission and December 4, 2023, for City Council. He noted that at this time, the City does not have an estimated fee as Freese & Nichols is currently working on that study. However, that estimated fee amount must be a part of the publication, so it will be on hand prior for placement in the notice of public hearing.

City Engineer, Jil Arias, stated in response to a question of when the City anticipates having the estimated fee amount, that staff will be meeting with Freese & Nichols this week, which should give staff an indication of what that amount is going to look like. Mr. Arias reminded the Council that this item all follows the step-by-step process as outlined by the Texas Local Government Code, so staff will be present the information to the Planning and Zoning Commission first, and then take the information along with the Commission's recommendation to the Council for final approval.

A motion was made by Councilmember Branson and seconded by Councilmember Matranga to approve Resolution No. R2023-23, 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.

RESOLUTION NO. R2023-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, SETTING A TIME, DATE AND PLACE FOR A PUBLIC HEARING TO DISCUSS AND REVIEW THE PROPOSED UPDATED LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLAN, MAXIMUM IMPACT FEE PER SERVICE UNIT AND THE CORRESPONDING ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

- D. Consider a resolution accepting a grant from the Texas Division of Emergency Management for the Hazard Mitigation Grant Program related to FEMA-DR-4586, Texas Severe Winter Storms, for the City of Friendswood Portable Generator Project; designating the City Manager as the Subrecipient Agent for all purposes under such grant; and authorizing a cash match.**

City Engineer, Mr. Jil Arias presented the item and stated that this grant was recently awarded for DR4586 in order to purchase a 200-kilowatt diesel generator. Mr. Arias noted that this request was in response to Winter Storm Yuri, when everybody was hammering the natural gas system, and the City's natural gas generators had trouble firing up. This grant will help the city moving forward should it be in the same Uri situation, and once purchased the generator can be moved to any facility as needed.

A motion was made by Councilmember Branson and seconded by Councilmember Griffon to approve Resolution No. R2023-23, related to Item 9.D, 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.

RESOLUTION NO. R2023-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, ACCEPTING A GRANT FROM THE TEXAS DIVISION OF EMERGENCY MANAGEMENT FOR THE HAZARD MITIGATION GRANT PROGRAM RELATED TO FEMA-DR-4586, TEXAS SEVERE WINTER STORMS, FOR THE CITY OF FRIENDSWOOD PORTABLE GENERATOR PROJECT; DESIGNATING THE CITY MANAGER AS THE SUBRECIPIENT AGENT FOR ALL PURPOSES UNDER SUCH GRANT; AUTHORIZING A CASH MATCH IN THE AMOUNT OF TWELVE THOUSAND FIVE HUNDRED SEVENTY AND NO/100 DOLLARS (\$12,570.00); AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

10. CONSENT AGENDA

Councilmember Griffon requested to pull Consent Agenda Items, 10.D, 10.E, and 10.G. for separate discussions and votes.

A motion was made by Councilmember Rockey and seconded by Councilmember Hanks to approve the Consent Agenda, Items 10.A through 10.R., with the exception of Items 10.D, 10.E, and 10.G. 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 final 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.**

ORDINANCE 2023-26

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 final 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.**

ORDINANCE 2023-27

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 a resolution approving an Agreement for Temporary Road Closure of State Right-of-Way with the State of Texas, through the Texas Department of Transportation, for the Friendswood Chamber of Commerce Holiday Lighted Parade on FM 518.**

RESOLUTION R2023-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, AUTHORIZING AN AGREEMENT FOR THE TEMPORARY CLOSURE OF STATE RIGHT-OF-WAY WITH THE STATE OF TEXAS FOR THE FRIENDSWOOD CHAMBER OF COMMERCE HOLIDAY LIGHTED PARADE; AND PROVIDING AN EFFECTIVE DATE.

- F. Consider a resolution designating Sally Branson as representative and Mike Foreman as alternate to the Houston-Galveston Area Council 2024 General Assembly and Board of Directors.**

RESOLUTION 2023-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, DESIGNATING THE CITY OF FRIENDSWOOD'S REPRESENTATIVE AND ALTERNATE TO THE GENERAL ASSEMBLY OF THE HOUSTON-GALVESTON AREA COUNCIL FOR THE YEAR 2024; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

- H. Consider authorizing a contract with Galveston County Health District for Water Pollution and Abatement Services for 2023-2024.**

This item authorized the renewal contract with the Galveston County Health District (GCHD) for pollution control and abatement services. The required expenditure for this coming fiscal year contract is \$29,833.00. It will be funded out of the Public Works proposed FY23/24 annual operational budget.

- I. Consider ratifying the approval of the banner permit application for Good Shepherd Episcopal Church to advertise its annual Harvest Paw Festival.**
- J. Consider approving the disposal of a Friendswood Volunteer Fire Department vehicle through Public Surplus.**
- K. Consider ratifying an Amendment authorizing an increase in the City of Friendswood's monthly contribution rate to the Texas Emergency Services Retirement System on behalf of the Friendswood Volunteer Fire Department.**

This item ratified an Amendment authorizing an increase in the City of Friendswood's (the "City") monthly contribution rate to the Texas Emergency Services Retirement System (TESRS) on behalf of the Friendswood Volunteer Fire Department (FVFD), effective October 1, 2023.

By State statute, the contract with TESRS requires the City to participate as the governing body in the volunteer pension program that FVFD provides for their volunteer membership. This amendment increased the current pension by \$12.00 per month per volunteer, moving the pension amount from \$132.00 to \$144.00 per month per volunteer.

- L. Consider authorizing the final acceptance of the Ranch Express Public Paving Improvements Project.**
- M. Consider appointing (i) Barbara Blanchard and (ii) Terry McKee to the Fourth of July Steering Committee for a three-year term beginning November 1, 2023 and ending on October 31, 2026.**
- N. Consider appointing (i) Todd Mendenhall and (ii) Michael Fernandez to the Keep Friendswood Beautiful Committee for a three-year term beginning November 1, 2023 and ending October 31, 2026.**
- O. Consider appointing (i) Rosie Olivo, (ii) Dorothy Montz and (iii) Micheal Culp to the Senior Citizens Advisory Committee for a three-year term beginning November 1, 2023 and ending on October 31, 2026.**
- P. Consider approving the ad valorem tax report for August 2023.**
- Q. Consider approving the minutes of the City Council Special Meeting held on August 28, 2023.**
- R. Consider approving the minutes of the City Council Regular Meeting held on September 11, 2023.**

Councilmember Griffon made a motion to take Items 10.D. and 10.E. together for the purpose of discussion. Mayor Pro Tem Rockey seconded the motion. 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.

- D. Consider a resolution nominating representatives to the Board of Directors of the Galveston Central Appraisal District for a term commencing on January 1, 2024.**
- E. Consider a resolution nominating a candidate to the Board of Directors of the Harris Central Appraisal District for a term commencing January 1, 2024.**

City Manager Kabiri presented the items and stated the Central Appraisal Districts are subdivisions of the state government that are composed of a board of directors who are responsible for (1) the hiring of their Chief Appraiser and (2) the approval of the budget that operates the Office of the Chief Appraiser. He noted that the two items being discussed request that the Council support the existing slate of candidates that will then be placed on a later ballot for a vote by all taxing entities within the respective counties; Galveston County and Harris County. Mr Kabiri further noted that the individuals that serve on this Board

of Directors are not allowed, by state law, to influence any single property's appraisal nor influence how the appraisal methods are done.

Mr. Kabiri noted that the individuals being considered for nomination have served in this capacity for a number of years and have had a decent job operating that office. He further noted that should the Council desire to nominate another candidate, that can be accomplished with this item, but noted that tier placement on the ballot does not guarantee they'll be elected and this placement on the board itself because of the many participating taxing entities.

Councilmember Griffon stated while he is aware that the board members don't have anything to do with the actual appraisals of the properties, he still had concerns about the increase in home values in Friendswood. He also noted that he did not agree with the 15% raise that the Board places in the Appraisal District's budget for salaries, every year for the last three years. Councilmember Griffon noted that in his opinion, the Board is tacitly approving these central appraisal values that continue to skyrocket, as such, he had no confidence in the existing members, and would be voting no on both items. Additionally, Councilmember Griffon voiced his concern that no one on the board was from Friendswood and thus, there was no one looking out for the wellbeing of Friendswoodians.

Councilmember Hanks stated that she served on this Galveston County Central Appraisal District Board of Directors for two years and she noted that in order to actually win an appointment, a candidate must have 800 votes for an automatic appointment, and those votes come from every taxing entity within the county. So, every school district, every city, water district, and any entity that taxes have a certain number of votes based on their appraised values; however, none of these have one-on-one representation, on this five-member board. Councilmember Hanks stated that the last time this item came up, they worked with other cities to find nominees that they could pool their votes for which would represent the northern part of Galveston County.

Councilmember Hanks confirmed Mr. Kabiri's comments and noted that it is against the law for them to get involved in the appraisal of any property, that duty is fully under the control of the Chief Appraiser who is required to have specific certifications and licenses to do this job. She further noted that the Chief Appraiser's salary is in line with those comparable counties from across the state.

Councilmember Hanks agreed that the appraisals have gone up, but not just in Galveston County, but for everybody across the state. She noted that this is due in part because of the State and its processes. She noted that six months after residents and taxing entities receive their property values, which is approximately on or before July 25th, the State Comptroller's Office notifies every school district in the state as to whether or not their appraisal districts valued their land value according to market value; and they have to be within 95% of what they believe it to be and when that doesn't happen, there are repercussions for the appraisal districts. She noted that a chief appraiser can be removed if the property values continue to be low and not within 95% of fair market value.

Councilmember Hanks further noted that there is a Constitutional Amendment on the November 7th election ballot that will change the constitution of appraisal boards and will add three elected positions to the existing five members. However, the only new thing that they will be able to do is hire the Appraisal Review, which is a nine-member panel in Galveston County that listens to all the appraisal protests when

people protest the appraisal of their property. Currently, that appointment process is done by a county judge, or a state judge.

Councilmember Griffon stated that the Appraisal Board is similar to the Council, in that, they approve the budget for the city, but they don't micromanage the City Manager, in turn the board approves the budget, and they don't micromanage the appraisals. However, if budgets are already skyrocketing, you cut the budget, you don't give raises and you don't increase the budget. Mayor Pro Tem Rockey stated that he also wanted to see a Friendswood resident serve on the board.

Councilmember Hanks reminded the Council that Cheryl Johnson, who is a resident of Friendswood and is the Galveston County Tax Assessor Collector, is a voting member of the Galveston County Central Appraisal District. Councilmember Hanks clarified that the Galveston County Central Appraisal District has six voting members, but only five members are actually appointed by the cities, the school districts, and any taxing in county, which are what they have been discussing.

The Council discussed identifying a nominee for this position that resided in Friendswood; such as former Councilmember John Scott. However, as no one had submitted a volunteer application for this position, and the Council had no one in mind that they could nominate in such a short time frame, Council decided to move forward with the current slate of officers and agreed to find someone for the next term.

City Manager Kabiri noted that the vote is only for the approval of the nominees, the ballot with the names of the candidates will be brought back to the Council for a vote. He noted that he believed that the Council's vote on the ballot must be submitted before December 15th, in order to be counted.

Mayor Pro Tem Rockey made a motion to approve Items 10.D. and 10.E. Councilmember Branson seconded the motion. The vote was the following:

Ayes: Mayor Mike Foreman, Councilmember Trish Hanks, Mayor Pro Tem Steve Rockey, Councilmember Sally Branson, , Councilmember Joe Matranga.

Nays: Councilmember Robert J. Griffon and Councilmember Brent Erenwert

The items passed.

RESOLUTION 2023-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, NOMINATING ONE OR MORE CANDIDATES FOR POSITIONS ON THE BOARD OF DIRECTORS OF THE GALVESTON CENTRAL APPRAISAL DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 2023-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, NOMINATING A CANDIDATE FOR A POSITION ON THE BOARD OF

DIRECTORS OF THE HARRIS CENTRAL APPRAISAL DISTRICT; AND
PROVIDING AN EFFECTIVE DATE.

G. Consider authorizing an interlocal agreement with the Harris-Galveston Subsidence District to participate in the WaterWise Conservation Program for 2023-2024.

Councilmember Griffon made a motion to take Items 10.G. for the purpose of discussion. Mayor Pro Tem Rockey seconded the motion. 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.

Councilmember Griffon stated that this agreement with the Harris Galveston Subsidence District to participate in the Water Wise Conservation Program comes up every year in the amount of \$20,000, and he didn't agree with (1) using this money for this program when the City had such a tight budget this year and (2) did not believe that the City of Friendswood should be involved in anything that is indoctrinating children into believing that they won't be any water in 5, 10, or 20 years unless everyone does some kind of WaterWise, to save the water, or it's doom and gloom. Councilmember Griffon stated that this item should have been cut from the budget and he didn't understand why the City would be involved in this program at all.

Councilmember Rockey stated that as the City runs the water system, he believed that anything that helps conserve the water system ultimately helps the city save money. He noted that there are many needed and very expensive projects that the City is going to have to undertake in the next few years, and every little bit helps. So, to answer the question, why is the city involved with this program, because the city runs the water system.

City Manager Kabiri confirmed Councilmember Hanks comment that Mr. Johnson's who is on the Subsidized District Board, and the agency through which the city partners on this, came before the Council last year to ask for Council's support on their conservation efforts.

Councilmember Hanks requested an overview of the participation credits that the City receives with this program. City Manager Morad Kabiri noted that Friendswood, amongst other jurisdictions in Harris and Galveston County, is a member of the Subsidence District that was established by the State of Texas several decades ago. This district is the result of the overuse of groundwater, which resulted in the natural ground to subside, in some areas as much as 10 to 15 feet in elevation over the last 40 years. As such, entities were directed to use surface water as a main water source and Friendswood started getting its water from the Trinity River through the Houston Southeast Water Purification Plant.

Mr. Kabiri stated that by participating in this program, the City received groundwater credits, so if there is ever a need to use the groundwater pumps, similar to what was done earlier this year to supplement the

city's water supply, the City is not penalized. Friendswood is 80/20 as it relates to the use of surface water versus ground water, so if our thresholds are exceeded, the city will have to pay \$7 per thousand gallons of a disincentive or a penalty fee. So as an example, the City's water rates are 2.90 per 1,000 gallons, so a \$7 disincentive fee would hammer the budget pretty hard when considering that the community uses anywhere from 6 to 10 million gallons a day of water and for a that reason alone, the City has participated with this program for a number of years.

Councilmember Griffon asked if the City has ever had to use its water credits to the extent that they would be completely used and also wanted to know if there were other ways to accumulate these water credits outside of the WaterWise program. City Manager Kabiri stated that currently, these are the only credits the City gets. He further noted that the City has some credits that were accumulated that do not expire, however, starting about 10 years ago, some credits are no longer good in perpetuity and do expire. Mr. Kabiri stated that luckily, the City has not had to use these credits, but there may be a time when there will be a need to use them. For instance, about 2 years ago, when the 96-inch waterline went down in southeast Houston, the city's water supply was severely impacted, and staff had to switch to groundwater to supplement the water supply. There is just no way of being able to predict when something will happen outside of the staff's control or knowledge that will create a need for the use of these groundwater credits.

Director of Public Works, Mr. Rene Ibarra stated that these certificates or credits are for 450 million gallons of water and are also considered to be a part of TCEQ's required regulations and its State mandated Water Conservation Plan. So, while WaterWise assists with the water credits, it also helps the City meet its public education portion of the State's Water Conservation Plan and TCEQ regulations.

Mayor Foreman asked staff if they recommended that the City participate in this program. Both Mr. Kabiri and Mr. Ibarra stated that they recommended that the City continue to participate in this program.

A motion was made by Councilmember Matranga and seconded by Councilmember Brason to authorize a contract with Galveston County Health District for Water Pollution and Abatement Services for 2023-2024. The vote was the following:

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

Nays: Councilmember Robert J. Griffon.

The item passed.

11. EXECUTIVE SESSION

- A. Recess into and conduct an executive session pursuant to Section 551.071 of the Texas Government Code to seek the advice of the City Attorney regarding the Class Action Settlement of In Re: Aqueous Film-Forming Foams Products Liability Litigation, MDL No. 2:18-mn-02873 in the United States District Court for the District of South Carolina, Charleston Division.**

At 6:54 P.M., Mayor Foreman recessed and convened into an executive session pursuant to Section 551.071 of the Texas Government Code to seek the advice of the City Attorney regarding the Fair Housing Act.

At 7:06 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.

12. DISCUSSION AND POSSIBLE ACTION

- A. Consider a resolution approving a request for exclusion from the Class Action Settlement of *In Re: Aqueous Film-Forming Foams Products Liability Litigation*, MDL No. 2:18-mn-02873 in the United States District Court for the District of South Carolina, Charleston Division, and directing the City Attorney to file the same with the Notice Administrator, Counsel for the Settling Defendants, Notice Administrator, Special Master, and Class Counsel.**

A motion was made by Councilmember Hanks and seconded by Councilmember Branson to approve a request for exclusion from the Class Action Settlement related to *In Re: Aqueous Film-Forming Foams Products Liability Litigation*. The vote was the following:

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

Nays: Councilmember Joe Matranga

The item passed.

RESOLUTION 2023-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, APPROVING A NOTICE OF INTENTION TO OPT OUT OF THE CLASS ACTION LITIGATION IN RE: AQUEOUS FILM-FORMING FOAMS PRODUCTS LIABILITY LITIGATION., MDL NO. 2:18-MN-02873 IN THE U.S. DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA, CHARLESTON DIVISION; DIRECTING THE CITY ATTORNEY TO FILE A REQUEST FOR EXCLUSION WITH THE NOTICE ADMINISTRATOR, COUNSEL FOR THE SETTLING DEFENDANTS AND CLASS COUNSEL; AND PROVIDING FOR AN EFFECTIVE DATE.

13. ADJOURNMENT

With there being no further business to discuss, Mayor Foreman adjourned the October 2, 2023, City Council Regular Meeting at 7:07 P.M.

Mike Foreman, Mayor

Attest:

Leticia Brysch, City Secretary