

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF FRIENDSWOOD
NOVEMBER 6, 2023**

THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD MET IN A REGULAR MEETING ON MONDAY, NOVEMBER 6, 2023, AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE FRIENDSWOOD CITY HALL, LOCATED AT 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS, WITH THE FOLLOWING MEMBERS PRESENT CONSTITUTING A QUORUM:

Trish Hanks	Councilmember
Steve Rockey	Mayor Pro Tem
Sally Branson	Councilmember
Robert J. Griffon	Councilmember
Joe Matranga	Councilmember
Brent Erenwert	Councilmember
Mike Foreman	Mayor
Morad Kabiri	City Manager
Karen Horner	City Attorney
Leticia Brysch	City Secretary

1. CALL TO ORDER

Mayor Foreman called the meeting to order with a quorum present at 5:30 P.M.; all members were present, with the exception of Councilmember Hanks who was absent.

2. INVOCATION

The invocation was led by Pastor Mike Cervantes of New Hope Church Friendswood Campus.

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

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

4. COUNCIL FOR A DAY

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

Mayor Foreman introduced the students and teachers from Wedgewood Elementary. He noted the Council for a Day Program allows second graders from the three elementary schools in Friendswood to "take over" the council dais and sit-in for the Council and staff members. The participants included the following:

Position	Student Name	Teacher Name
Councilmember 1 (Rockey)	McKaylee Cardwell	Amanda Bruner
Councilmember 2 (Branson)	Finnley Taylor	Amanda Bruner
Councilmember 3 (Hanks)	Sebastian Brown	Alexis Nettles

Mayor (Foreman)	Kara David	Alexis Nettles
Councilmember 4 (Griffon)	Mason Daigle	Grace Mayo
Councilmember 5 (Matranga)	Sarah Pham	Grace Mayo
Councilmember 6 (Erenwert)	Robert Lively	Avery Long
City Attorney (Horner)	Kai Sanchez	Lesly Chavez
City Manager	Anna Deering	Lesley Chavez
City Secretary	Charlotte Crochet	Avery Long

A motion was made by Councilmember McKaylee Cardwell (Steve Rockey) and seconded by Councilmember Finnley Taylor (Sally Branson) proclaiming November 6, 2023, as Wedgewood Elementary School Day in the City of Friendswood. The vote was the following:

Ayes: Mayor Kara David (Mike Foreman), Councilmember Sebastian Brown (Trish Hanks), Councilmember McKaylee Cardwell (Steve Rockey), Councilmember Finnley Taylor (Sally Branson), Councilmember Mason Daigle (Robert J. Griffon), Councilmember Sarah Pham (Joe Matranga) and Councilmember Robert Lively (Brent Erenwert).

Nays: None.

Other: Councilmember Trish Hanks (Absent)

The item passed unanimously.

At 5:41 P.M., Mayor Foreman recessed the meeting for the Council for a Day reception.

At 5:50 P.M., Mayor Foreman reconvened the meeting and relayed that the agenda would be taken out of order. The Council proceeded to consider Item 10.D. prior to Item 5.

10. BUSINESS ITEMS

D. Consider ratifying and concurring with the City Manager's appointment of Josh Rogers to the position of Chief of Police.

City Manager Morad Kabiri presented the item by noting that, at the previous meeting, he announced the retirement of longtime Police Chief Robert Wieners. He indicated that a man of Chief Wieners's pedigree was not easily replaceable, but that Deputy Chief Josh Rogers had been an outstanding police officer with nearly 25 years of service to the organization. Mr. Kabiri noted that Deputy Chief Rogers had served in every role and position at the Police Department, and he could not think of a better person to take on the leadership role for the department. Therefore, Mr. Kabiri recommended the appointment of Deputy Chief Josh Rogers as the City's new Police Chief.

A motion was made by Councilmember Matranga and seconded by Councilmember Branson, to ratify and concur with the City Manager's appointment of Josh Rodgers to the position of Chief of Police. The vote was the following:

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

Nays: None.

Other: Councilmember Trish Hanks (Absent)

The item passed unanimously.

Judge James Woltz conducted the oath of office for Deputy Chief Josh Rogers as the City of Friendswood Chief of Police.

Chief Rogers gave a few words in relation to his new appointment and thanked the City Councilmembers, the City Manager, staff members, as well as family and friends for their unwavering support of his career and his future endeavors.

Mayor Foreman proceeded to return to the regular order of the agenda.

5. COUNCIL COMMENTS AND REPORTS

Mayor Foreman opened the item announcing that this week was Veterans Day, on Saturday, November 11th. In addition, last week, Friendswood had a Hope Village Fashion Show, which was a fundraiser for Hope Village. This was a community that housed adults that had learning disabilities. Mayor Foreman reported that it was a great event with a great turnout. He recognized and thanked Parks and Recreation Director James Tony for participating in the event.

Councilmember Erenwert took an opportunity to honor and express his gratitude towards Police Chief Robert Wieners. He recognized that Chief Wieners kept Friendswood among one of the safest places in the nation, and he knew that Chief Rogers would continue that legacy. Councilmember Erenwert also extended his thanks to Mrs. Susan Wieners, the Chief's wife, and his family for sharing him with the city for so many years. Lastly, he congratulated Deputy Chief Josh Rogers on his well-deserved promotion to Police Chief. He was excited to see him lead the city into the next generation.

Councilmember Matranga wished to mention a couple things, but first, he similarly thanked Chief Wieners for everything he had done for this city. Councilmember Hanks was not present that night, however, she had asked him to pass along a couple things. The Keep Friendswood Beautiful Fall Haul is scheduled for this coming Saturday, November 11th, from 8:00 A.M. to 2:00 P.M. The Heritage Gardeners Christmas Homes Tour and Market is scheduled for November 18 and 19, 2023. Tickets were available for the tour from Heritage Gardeners members and the Chamber of Commerce. Keep Friendswood Beautiful were also noted to be assisting this year with the home tours.

Furthermore, Santa in the Park and the Lighted Christmas Trail is scheduled for December 2nd in Stevenson Park. Councilmember Matranga lastly reported on behalf of Councilmember Hanks that Keep Friendswood Beautiful had their annual retreat to discuss their 2023 accomplishments. They developed their new goals for next year and there was more to come. As for himself personally, Councilmember Matranga wanted to thank all of the first responders that attended National Night Out for West Ranch. He

commented that it was good to see everybody there, and it gave the residents of West Ranch an opportunity to meet some of their first responders that do a great job.

Councilmember Griffon also echoed Councilmember Erenwert's comments and thanked Chief Wieners for being a good friend to him and mentoring him, especially in this job and becoming more aware of what the police do for the community each and every day. Councilmember Griffon also noted that Veteran's Day was coming up and that the Senior Activity Center would be hosting a Veteran's Day program on November 9th from 11:00 A.M. to 1:00 P.M.

Mayor Foreman noted that the Lighted Christmas Trail at Stevenson Park was starting earlier this year. Parks and Recreation Director James Tony confirmed that it would begin on November 17th.

Councilmember Branson commended Councilmember Erenwert for doing a lovely job in recognizing Chief Wieners. She also reiterated that Veteran's Day is this week and took a moment to thank the veterans for their service. Councilmember Branson then recognized and congratulated Chief of Emergency Management Services (EMS) Lisa Camp for completing her first day on the job. She further wished to highlight an event that is a Rotary and Princewood Education Foundation project, a nonprofit organization joint project called "12 by 12." She noted that this event will have artwork going up in the Library beginning tomorrow evening in the Community Room that can be purchased with all proceeds going to the Friendswood Education Foundation.

Moreover, Councilmember Branson informed the Harris County residents that there was an item on their ballot regarding Houston-Galveston Area Council (H-GAC). She noted that H-GAC is looking at the composition of the board and she offered to provide information on that item after the meeting should anyone have any questions. She lastly noted that the Community and Economic Development Committee (CEDC) was working with the Friends of Downtown Friendswood Association (FDFA) and the Chamber of Commerce on joint messaging. She noted that they are trying to pull together groups in the community with an interest in economic development to create a unified approach to encourage people to do business in Friendswood, or to retain existing businesses.

Mayor Pro Tem Rockey also commended Councilmember Erenwert for his nice words to Chief Wieners and proceeded to give a few words of his own. He then reported that the Library Gala estimated their final revenue to be around \$50,000, which would be used to fund future programs for the Library. Mayor Pro Tem Rockey lastly jested that he had been cast in another play at the Purple Box Theater and encouraged all to attend.

Mayor Foreman congratulated and welcomed Chief of EMS Lisa Camp as well. Related to that, City Manager Kabiri indicated that there was an agenda item, a second reading of that ordinance, that evening. There would be a pinning ceremony for all those positions in December. A date had not been set just yet.

6. PUBLIC COMMENT

Mayor Foreman announced a citizen, Mr. Gary VanderWeile, had signed up to speak on the item.

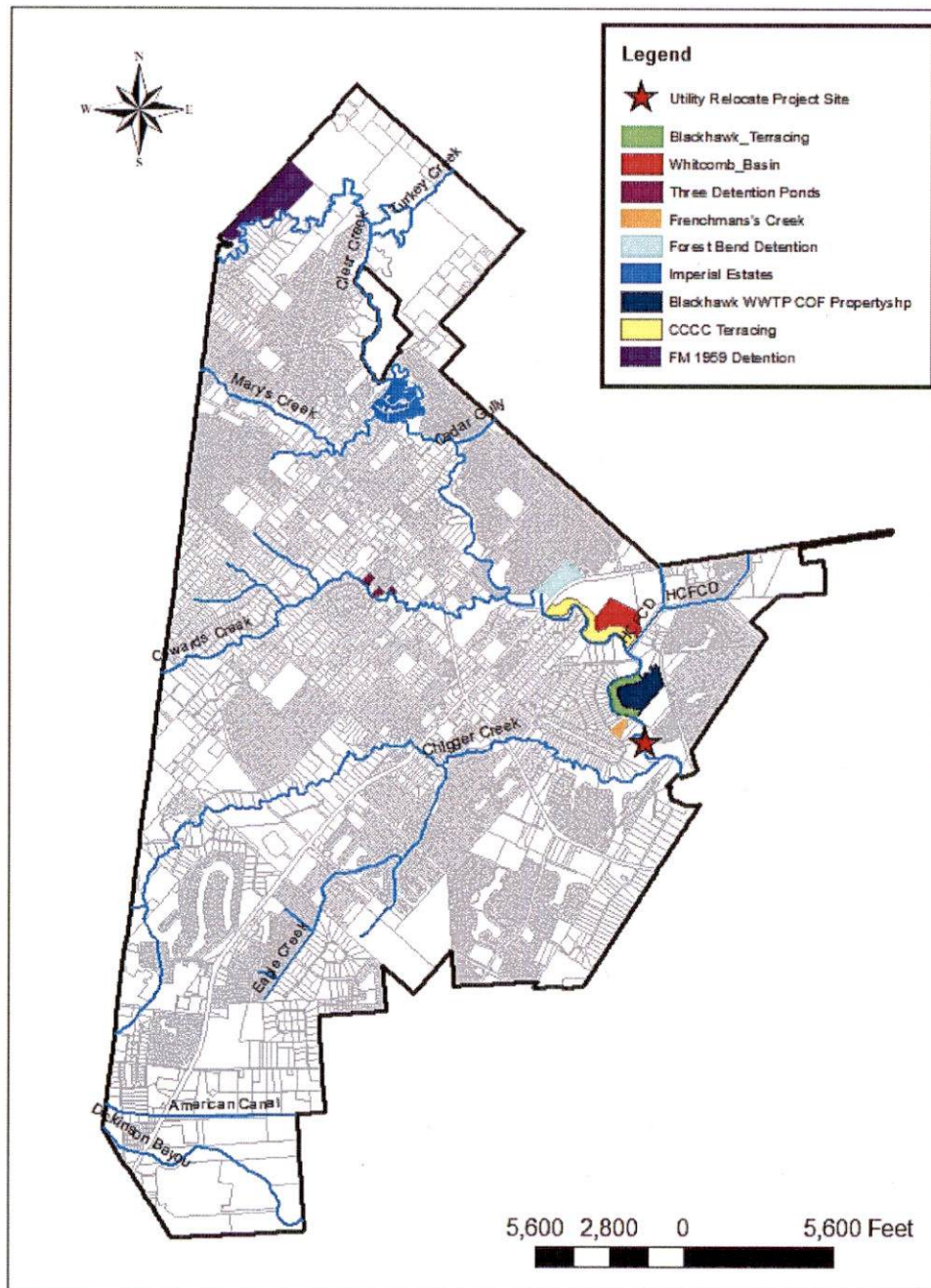
Mr. VanderWeile requested to speak before the Council over the fact that he and his wife recently opened a small business in Friendswood, a boutique coffee trailer. They sought a location to serve and operate in Friendswood; however, it was not in line with the city ordinances. Thus, he wanted to put this in front of Council to see if it would be possible to find a solution for them to be able to operate within the city.

7. WORK SESSION TOPICS

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

Deputy Director of Engineering Samantha Haritos provided the update on the drainage projects in the City of Friendswood. She displayed the following image and walked through the legend for Council.

City of Friendswood Flood Control Projects



Ms. Haritos proceeded to provide an update on the following drainage projects:

- *Forest Bend Offline Detention* – This is a Community Development Block Grant (CDBG) project with disaster recovery funds from Hurricane Harvey. She provided aerial images of the property that showed the before and after of the project. The Council was able to see that there were offline detention ponds meandering that fed into each other and a concrete trail system with solar lighting. Ms. Haritos noted that this project was almost done as the power was recently turned on. The bollard installation and startup are scheduled to begin soon along with the period related to the maintenance bond and the warranties. Since this project was their first CDBG drainage project that is wrapping up, she encouraged the public to go out there and check it out.
- *Clear Creek Utility Rack Relocation* – This was for Clear Creek in between the Terra Bella and Polly Ranch neighborhoods. Staff finished the engineering over a year ago, however, the environmental assessment has been delayed as there were archaeological sites in the area. The City recently submitted an extension request and is planning to complete the environmental assessment by the end of this year. Ms. Haritos relayed that the construction should start shortly thereafter as soon as they receive the needed authorization to use grant funds. Staff hopes that this project will be wrapped up by the summer.
- *Frenchmen's Creek Green Space* – This is another CDBG project with disaster recovery funds from Hurricane Harvey, which is similarly nearing completion. At this point, the City has a grant for Buildings 4 and 5, which are the two closest to the creek. Galveston County had an independent grant for the three buildings that were further away from the creek: Buildings 1, 2, and 3. The demolition contract has already been procured and work is ongoing out there this month. Ms. Haritos noted that Galveston County should soon be doing their demolition as well. This project is scheduled for completion by the end of the year.
- *Deepwood Acquisition Project* – Ms. Haritos prefaced that this project was a little more complicated because the acquisition portion was independent from the infrastructure portion. The eight properties that the City desired to acquire are set in stone at this point. Staff could not do the engineering for the project until they knew which properties the City was going to acquire. The demolition for this project is ongoing this month, and the acquisition portion is wrapping up.

City Manager Kabiri interjected to comment on the properties located at the confluence of Coward Creek and Clear Creek, the location of the old public works facility. The Drainage District has stepped up and acquired some of the properties that the City was unable to acquire using grant funds. Mr. Kabiri noted that when using federal grant funds, there are limitations on what the City can pay for certain properties. He hoped that with the Drainage District's efforts and the City's, they could do a flood mitigation project at that location.

Ms. Haritos continued her presentation and displayed an aerial image of where the infrastructure project was occurring. The property owner wanted to stay there, but a large part of that area was likely to become part of a terracing project. She noted that there will be a combined effort between Galveston County Consolidated Drainage District and the City, and both entities are in the process of negotiating interlocal agreement for this project. Ms. Haritos noted that while the original project was a terracing project but because the acquired properties were located away from the creek, the new project will be a clearing project. Since the City has an understanding with Galveston County Consolidated Drainage District that

they will be doing a combined or regional project, the City was trying to wrap up this grant and move forward because it has taken a lot longer than initially expected.

As Ms. Haritos moved to the next slide for the Deepwood Flood Control Project update, Mayor Foreman posed a question over the million and a half dollars that were slated to be budgeted for flood control and terracing. Mr. Kabiri clarified that GCCDD had set aside roughly the same amount of money for both projects, but they were local dollars and not CDBG dollars. Additionally, Ms. Haritos noted that infrastructure grant was in fact for two different projects, and when the grant was awarded to the City, it was for utility relocation and for Deepwood. As previously mentioned, the scope at Deepwood was reduced to a clearing project. Between reducing the scope of the Deepwood infrastructure project and the cost increases that were expected with the utility rack project, the total grant award would be the same.

Mr. Kabiri additionally noted that, had the City been given dollars to just pursue these projects, they could have scoped it better. However, Staff tried to work backwards and, as such, the City was limited with the funding they had available. He further noted that the Drainage District will continue to pursue terracing projects to the extent possible.

Ms. Haritos then continued to present the following drainage project updates:

- *Three Detention Basins along Cowards Creek* - These are going to be three offline detention ponds. One will be at 2 Queens Lane, 310 West Castlewood, and the other at 301 West Castlewood. Ms. Haritos exhibited an aerial image showing the before and after of the project. They are at 95% completion on the first basin with hydro-mulching being the remaining 5%.
- *Friendswood Regional Stormwater Tension Basin* - This is a joint project with Galveston County, Galveston County Consolidated Drainage District, Harris County Flood Control District, and the City of Friendswood. Ms. Haritos noted they completed the preliminary engineering report phase. She noted that the first payment for this item was made on November 25, 2022, in the amount of \$954,000 for the preliminary engineering report. The second payment will be due within 45 days of the first publication of the construction bid advertisement in the amount of a little over \$7 million. Ms. Haritos noted that the full Friendswood share on this project is \$8 million, and the total expected cost of the detention pond is \$32.4 million. Ms. Haritos noted that that Galveston County will be using the American Rescue Plan Act (ARPA) funds for their \$7.5 million portion of this project and those funds must be spent by a certain date. Therefore, in order to make sure those deadlines are met, all the partners are working together so that a smaller area of the detention pond moves forward ahead of schedule so those funds can be used.
- *Comprehensive Master Drainage Plan* - This is a joint effort with Galveston County Consolidated Drainage District. Ms. Haritos explained this plan will look at both urban and riverine flooding and will identify several alternatives and will also help with easement definitions for Galveston County Consolidated Drainage District. Ms. Haritos noted that back in 2021, the City had applied for grant funds to pay for a comprehensive drainage plan, and to the staff's surprise, that money came through at the last minute. In response, the City is starting the bid process over in order to comply with the grant funding requirements.

Ms. Haritos then paused to list the grants that were recently awarded to the city and where that was going:

- *Texas Department of Emergency Management (TDEM) Pandemic Hazard Mitigation Grant Program (HMGP) DR-4485* – As previously mentioned, Ms. Haritos noted this was for the City of Friendswood Comprehensive Drainage Plan (\$661,500 Federal Share / \$12,500 Local Share).
- *Community Development Block Grant – Mitigation (CDBG-MIT Regional Mitigation Program)* – This was for the Ground Water Storage Tank at Ground Water Plant 4 (\$2,302,294 Federal Share / \$0 Local Share) and the Annalea Neighborhood Improvements Infrastructure Project (\$2,333,806 Federal Share / \$0 Local Share).
- *Hazard Mitigation Grant Program (HMGP) DR-4586 Texas Severe Winter Storms* – This was for an Emergency 200kW Portable Generator (\$113,130 Federal Share / \$12,500 Local Share).

With that said, Ms. Haritos continued to give updates on the final drainage projects as follows:

- *Analea Neighborhood Improvements Project* – This was a street, water utility, and storm drainage infrastructure project. Ms. Haritos noted there were a few homes in this project that were “repetitive loss structures,” which meant they had flooded numerous times during storm events. This project met the criteria of being over 51% low to moderate income. The City surveyed this area to guarantee they would meet that income threshold for the grant program. It was 1,300 linear feet of street reconstruction, 1,100 feet of upsized water utilities, and 1,350 feet of upsized storm sewer. The project was expected to take about a year for design and a year for construction.
- *Groundwater Storage Tank at Groundwater Plant 4* – This project was recently identified in the City’s capital improvement plans. It was for a new 1-million-gallon ground storage tank facility at the Groundwater Plant 4, and it would increase the storage available to meet peak demands. It also will take about a year for engineering and a year for construction. The project will include the new 1-million-gallon tank and all supporting piping, electrical, site grading, and safety systems.
- *Quakers Landing Terracing Project* – The Galveston County Consolidated Drainage District and the City of Friendswood drafted an interlocal agreement which is on the agenda this evening for this project. Ms. Haritos displayed images that outlined where the terracing project would take place and what was submitted for relocating the center point gas lines. The blue and purple parcels were owned by the City or the Drainage District, so there was room for them to terrace all the way to the creek in that area. Those were the city buyout properties to terrace which were of no cost to the city, just donating use of the property. Ms. Haritos noted the Galveston County Consolidated Drainage District will be doing the infrastructure work.

Mayor Foreman thanked Ms. Haritos for the presentation. Mayor Pro Tem Rockey also commented that she was doing a great job, and that it was gratifying to see how this plan was coming together.

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."**

At 6:43 P.M., Mayor Foreman opened the hearing and requested staff to give an overview of the item.

Director of Community Development Aubrey Harbin summarized the subject matter of this hearing. She relayed that the item was a precursor to the next public hearing item. She noted that the staff is trying to keep the City's Future Land Use Map (FLUM) updated and current. She further noted that when the staff did the Future Land Use Map in 2021, the existing Planned Unit Development (PUD) was allowed; however, the staff is to change this PUD to Mixed Used (MU).

With there being no one signed up to speak, Mayor Foreman closed the public hearing at 6:45 P.M.

B. Conduct a public hearing regarding a request for a zone classifications change concerning 106.472 acres of land located at 3801 FM 528 Rod, 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.

At 6:45 P.M., Mayor Foreman opened the hearing and requested staff to give an overview of the item.

Director of Community Development Aubrey Harbin summarized the subject matter of this hearing. She displayed a zoning map of the property in question which would be a revised Planned Unit Development (PUD). The "Friendswood City Center" is what this project will be known as and it will be a Mixed-Use development combining commercial, retail, hospitality, office, civic and municipal, mixed-use buildings, and multi-family residential recreation open space. This will create a vibrant, walkable neighborhood. All areas of this community would be connected with 10-foot shared-use paths for cycling and walking.

Ms. Harbin noted that the extension of Blackhawk Boulevard from FM528 to Bay Area Boulevard is proposed to be part of this project and will provide for additional routes of travel and frontages for the additional commercial buildings. She noted that the traffic signals will be added to Towns Road and Blackhawk Boulevard, so there will be four-way signalized intersections at those two major streets as well as an additional entrance between Towns and Blackhawk into the development. There will be ample parking in the form of parking lots and parking garages and at least 20% of the parking spaces in all the garages would be required to remain as public parking. However, there may be a fee for those spaces. All surface parking areas, except for the gated area of the multi-family residential development, will be designated as public parking.

Ms. Harbin further noted that the PUD will comply with the community overlay district requirements as required by the zoning ordinance. The City uses the Commercial Shopping Center (CSC) zoning and Multifamily zoning districts as a guide for the development and any deviations to the requirements of these zoning districts are written in the PUD and included in the regulation matrix that will have a variety of uses to provide entertainment, dining, and neighborhood services to those living in the community and in Friendswood. Ms. Harbin noted the permitted use table was included in the PUD that will define the uses allowed on this property; i.e., gas stations would only be allowed on Lot 5, which is a corner lot at the future Blackhawk and FM 528 intersection.

Moreover, recreational areas are included in the proposal as well, with almost 5 miles of trails throughout the development, some as sidewalks and some as gravel trails. The project includes a lake that will serve as, detention for the development and regional flood mitigation along Clear Creek, but also as recreation for non-motorized watercrafts. This lake will be accessible to the public from the new Blackhawk Boulevard extension and parking will be provided for that as well. The lake will be deeded to the City and will be parkland added to the City's acreage on the Harris County side.

Ms. Harbin noted that this was the third major proposal for a PUD on this tract with previous versions having a similar mix of uses, including retail and office as well as five to six hundred residential units. She noted that in 2015, the residential units were removed from the PUD by Council at the time the ordinance was approved; however, due to the density of the development and its proximity to any nearby residential properties, it requires residential use within the development in order to support the businesses that will go in.

The Planning and Zoning Commission held their public hearing on Thursday, October 12th. The Commission tabled this item in order to give the Commissioners more time to review the information and on October 26th, they voted unanimously in favor of the project. Their motion had three items, and the regulation matrix was amended. The building heights were originally 90 feet for all of the buildings, and the Commission reduced it. Lots 1 through 6, along 528 will be a 40-foot maximum height, and all the other buildings will be at a 70-foot maximum height. They also clarified that all the density of all the multifamily would not exceed 29 units per acre. In addition, if the Mixed-Use buildings have residential areas, it will be on the second floor (and up) only.

Councilmember Erenwert asked how many rooms the hotel would have. Ms. Harbin believed there would be 150 or less. The hotel developers were present and confirmed it would have a maximum of 150 rooms.

With there being no one signed up to speak, Mayor Foreman closed the public hearing at 6:54 P.M.

- C. Consider an ordinance amendment 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.**

Mayor Pro Tem Rockey wished to note that there was a small, historic cemetery on this property. He spoke with the developer, Mr. Louis Tannos, who committed that said cemetery would be maintained. Mr. Tannos was present at the meeting and confirmed that the cemetery would be historically marked and accessible to the public.

Councilmember Matranga commented that he liked this project and understood that this would be the last time as far as the development goes that the Council would see it. However, he noted that the Planning and Zoning Commission would get to see the site plan. City Manager Morad Kabiri confirmed that was correct. With that said, Councilmember Matranga expressed his concern over the phasing of this project, specifically about having the high-density apartments come in first before the commercial and/or infrastructure. Mr. Tannos gave the councilmember assurances that every parcel on the commercial plots were spoken for with individual development partners. He noted that while he did not control every aspect of the development as a whole, each one of the development partners and individual parcel were ready to begin development at any time. Mayor Pro Tem Rockey wondered what would be the value of the development as a whole. Upon completion, Mr. Tannos answered it would be an excess of \$700 million in total investment. Further discussion ensued over the hotel along with a few comments on the development as a whole. Councilmember Branson shared that she believed this would be an asset for Friendswood.

A motion was made by Councilmember Branson and seconded by Councilmember Matranga to approve Ordinance No. 2023-28 as submitted. The vote was the following:

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

Nays: None.

Other: Councilmember Trish Hanks (Absent)

The item passed unanimously.

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.

City Manager Morad Kabiri took a moment to discuss with the Council what the tax increment financing entailed. He then touched on the next steps on the creation of the tax increment reinvestment zone (TIRZ), as follows:

- 1) Call a public hearing and directing the Preliminary Project Plan and Financing Plan be prepared;
- 2) Publish notice of the public hearing;
- 3) Hold the public hearing; and
- 4) Adopt an ordinance.

Further discussion ensued over the TIRZ separate from setting the date of the public hearing.

A motion was made by Mayor Pro Tem Steve Rockey and seconded by Councilmember Branson to approve Resolution No. R2023-30, as submitted. The vote was the following:

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

Nays: None.

Other: Councilmember Trish Hanks (Absent)

The item passed unanimously.

RESOLUTION 2023-30

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 124.612 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

- 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.**

Councilmember Griffon noted the parking lot would be constructed on church land, which was exempt from ad valorem taxes. He wondered if there was any possibility that Public Improvement District (PID) or tax increment reinvestment zone (TIRZ) dollars would go to that. City Manager Morad Kabiri answered, no, those were not public properties nor a public project.

A motion was made by Mayor Pro Tem Steve Rockey and seconded by Councilmember Erenwert to approve Resolution No. R2023-31 as submitted. The vote was the following:

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

Nays: None.

Other: Councilmember Trish Hanks (Absent)

The item passed unanimously.

RESOLUTION R2023-31

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.

9. CITY MANAGER'S REPORT

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

City Manager Morad Kabiri presented the item and stated that the City of Friendswood was recently recognized by the Houston Chronicle as one of the top workplaces in the Houston metro area.

B. Receive and update regarding the City's upcoming holiday events.

City Manager Morad Kabiri presented the item and announced the following upcoming holiday events:

Parks and Recreation

- Nov 9th – Veteran's Day for the Senior Program
- Nov 18th – Blue Santa Softball Tournament
- Nov 20th – Christmas Fairy Hunt in Stevenson Park Begins
- Nov 21st – Senior Center Thanksgiving Potluck
- Dec 2nd – Flap Jack Fun Run
- Dec 2nd – Santa in the Park
- Dec 15th – Holidays in the Park
- Dec 20th – Breakfast with Santa at the Senior Center

Friendswood Library

- Dec 1st – 13th Christmas Card Drive for Hope Village
- Dec 1st – Santa at the Library
- Dec 1st – 2nd Holiday Book Sale
- Dec 15th – Stuffed Animal Sleepover Drop Off
- Jan 5th – 7th Zaki Con

10. BUSINESS ITEMS

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

This item authorizes an interlocal agreement by and between the City of Friendswood (the "City") with the Galveston County Consolidated Drainage District (the "District") for the Quaker Landing Drainage Improvement Project (the "Project").

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.

A motion was made by Councilmember Griffon and seconded by Councilmember Branson, to authorize the Interlocal Agreement with Galveston County Consolidated Drainage District for Quaker Landing Drainage Improvement Project. The vote was the following:

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

Nays: None.

Other: Councilmember Trish Hanks (Absent)

The item passed unanimously.

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

This item authorizes a 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.

A motion was made by Mayor Pro Tem Rockey and seconded by Councilmember Robert J. Griffon, to authorize the Joint Participation Interlocal Agreement with Harris County for Blackhawk Boulevard 2-C Reconstruction Project. The vote was the following:

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

Nays: None.

Other: Councilmember Trish Hanks (Absent)

The item passed unanimously.

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.

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 Castlewood 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 the Council to approve these expenditures, subject to the Board's approval.

A motion was made by Councilmember Griffon and seconded by Councilmember Branson, to authorize Change Order 2 for the FM 518 Illumination Project subject to the Board's approval. The vote was the following:

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

Nays: None.

Other: Councilmember Trish Hanks (Absent)

The item passed unanimously.

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.**

A motion was made by Councilmember Branson and seconded by Councilmember Erenwert to approve Ordinance No. 2023-29, as submitted. The vote was the following:

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

Nays: None.

Other: Councilmember Trish Hanks (Absent)

The item passed unanimously.

ORDINANCE NO. 2023-29

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 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.**

A motion was made by Councilmember Erenwert and seconded by Councilmember Matranga to approve Ordinance No. 2023-30, as submitted. The vote was the following:

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

Nays: None.

Other: Councilmember Trish Hanks (Absent)

The item passed unanimously.

ORDINANCE 2023-30

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 an ordinance renaming Harold Whitaker Drive to Whitaker Drive.

A motion was made by Mayor Pro Tem Rockey and seconded by Councilmember Griffon to approve an proposed ordinance on first reading renaming of Whitaker Drive, as submitted. The vote was the following:

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

Nays: None.

Other: Councilmember Trish Hanks (Absent)

The item passed unanimously.

PROPOSED ORDINANCE

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.

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.

A motion was made by Councilmember Erenwert and seconded by Councilmember Branson to approve Resolution No. R2023-32, as submitted. The vote was the following:

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

Nays: None.

Other: Councilmember Trish Hanks (Absent)

The item passed unanimously.

RESOLUTION R2023-32

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.

- 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.**

A motion was made by Councilmember Matranga and seconded by Councilmember Branson to approve Resolution No. R2023-33, as submitted. The vote was the following:

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

Nays: None.

Other: Councilmember Trish Hanks (Absent)

The item passed unanimously.

RESOLUTION R2023-33

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.

12. CONSENT AGENDA

A motion was made by Councilmember Branson and seconded by Councilmember Erenwert to approve the Consent Agenda, Items 12.a. and 12.b. The vote was the following:

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

Nays: None.

Other: Councilmember Trish Hanks (Absent)

The item passed unanimously.

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

With there being no further business, Mayor Foreman adjourned the November 6, 2023, City Council Regular Meeting at 7:23 P.M.


Mike Foreman, Mayor

Attest:


Leticia Brysch, City Secretary

