

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF FRIENDSWOOD
JANUARY 6, 2025**

THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD MET IN A REGULAR MEETING ON MONDAY, JANUARY 6, 2025, AT 5:31 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:

John Ellisor	Councilmember
Trish Hanks	Councilmember
Sally Branson	Councilmember
Robert J. Griffon	Councilmember
Joe Matranga	Mayor Pro Tem
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 5:31 P.M. with all member present, except for Councilmember Erenwert.

2. INVOCATION

The invocation was led by Councilmember John Ellisor.

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

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

4. COUNCIL COMMENTS AND REPORTS

Mayor Foreman opened the item by showing off his Tulane Green Wave jersey to honor a bet he made with Parks and Recreation Director James Toney over a football game between Tulane and Navy. He acknowledged Tulane's victory, but highlighted Navy's better season. He additionally praised the Parks Department for their successful December event and presented a street sign as a Christmas gift to newly elected Councilmember Ellisor. Councilmember Hanks thanked Emergency Medical Services (EMS) for their professionalism during a Christmas Eve emergency at her home. She additionally promoted the Friends of the Library Fundraiser Gala on March 8, themed "Camelot."

Councilmember Griffon reported on the Clear Creek Watershed Steering Committee's December meeting, which discussed the completion of the Mud Gully Channel Conveyance Improvement Project. He explained its benefits for flooding improvements in the City of Friendswood, emphasizing its connection to the South Belt Stormwater Detention Basin. Mayor Pro Tem Matranga wished everyone a Happy New Year and expressed gratitude for the large attendance at the meeting. Councilmember Branson announced

a vacancy on the Community Economic Development Committee (CEDC) and encouraged volunteer applications. She additionally mentioned attending the upcoming Houston-Galveston Area Council (H-GAC) annual meeting and promoted the Friendswood Education Foundation's February Gala celebrating their 25th anniversary. Councilmember Ellisor briefly wished everyone a Happy New Year.

5. PUBLIC COMMENT

Mayor Foreman announced the following citizens had signed up to provide a public comment.

Ms. Allie Demers requested to speak before the Council regarding the addition of sidewalks along major streets like FM 518, FM 528, and FM 2351. She highlighted safety concerns for runners, children, and special needs individuals and proposed a feasibility analysis before the next budget cycle.

Ms. Susan Barden requested to speak before the Council regarding the importance of special events for small businesses, such as her art business and the use of food trucks. As she does not have a brick-and-mortar store and explained that these events help her gain new customers, grow her business, and connect with the community.

Mr. Gary Vander Wilt, owner of a coffee trailer, requested to speak before the Council regarding the need for clarity on the timeline and requirements for food truck permits as he believed that it would help small businesses like his to participate in local events.

Ms. Nicole Miller requested to speak before the Council regarding to encourage Council to foster relationships with small businesses in Friendswood. She expressed frustration about needing to shop in neighboring cities and hoped for more local opportunities.

Ms. Austin Twiford requested to speak before the Council in support of special events as she felt they helped build community and family connections. She expressed requested that the Council support small and women-owned businesses through special events and the allowance of food trucks.

Ms. Megan Eliason requested to speak before the Council to share examples of how other cities regulate food trucks, including minimal restrictions for those stationed on private property. She suggested Friendswood could adopt similar rules to support local businesses.

Ms. Gabby McGregor requested to speak before the Council to advocate for the changing of the City's ordinance to allow for more food trucks and more special events. She cited studies showing that food trucks benefit local restaurants and strengthen communities.

Ms. Katie Chandler, owner of the Scoop Shop, requested to speak before the Council regarding her requested revisions to ordinances about special events and food trucks to allow for food trucks to be stationed on her property for special events and the allowance of more special events than those currently allowed in the Code. She explained how food trucks increase her business during slower seasons and drive traffic to her location.

Ms. Kelly Van Slooten requested to speak before the Council in support of the Scoop Shop.

Mr. Ben Chandler, co-owner of the Scoop Shop, requested to speak before the Council regarding what he believed was vague language in the current ordinance regulating food trucks and asked for revisions to help local businesses collaborate and grow.

Mr. Jacob Finon requested to speak before the Council to share examples of how other cities regulate food trucks. He recommended similar measures for Friendswood.

Ms. Addison Carter, an employee of the Scoop Shop, requested to speak before the Council to support the Scoop Shop.

Mr. Parker Richardson requested to speak before the Council to share how special events have helped his young family connect with the community. He emphasized the value of fostering family-oriented traditions in Friendswood.

Ms. Ashley McLaughlin, owner of Gimme a Bark, highlighted the struggles of small businesses in the current economy. She urged the Council to support special events which help businesses sustain and grow.

Ms. McKayla Ingram, a local business owner, requested to speak before the Council to advocate for partnerships between small businesses and food trucks.

Mr. Alex Attaway, owner of Goodwood's British Market, requested to speak before the Council about the benefits of special events and food trucks as they bring energy to the community and help local businesses thrive.

6. COMMITTEES OR SPECIAL REPORT

A. Receive the Friendswood Historical Society Annual Report.

Historical Society President Dave Smith presented the Friendswood Historical Society's Annual Report to the Council. Highlights of the report included the following:

- ***Museum Operations:*** The Brown Museum and Perry House are open monthly for public visits, with special tours by appointment. Over 25 trained volunteers support the museum operations.
- ***Events:***
 - The Annual Ice Cream Social was hosted at the Scoop Shop, attracting over 400 attendees. The event included collaborations with city departments and organizations like Friends of Downtown Friendswood and Keep Friendswood Beautiful.
 - The Christmas Tree Lighting Event at the Brown Museum featured carols, gingerbread treats, and performances by the "Friendswinds." Santa Claus was the highlight for attendees.
- ***Facility Repairs:*** Notable projects completed this year included: repairing rotted wood and flooring, constructing a cover for the horse-drawn cart, and wallpaper restoration at the Perry House. An HVAC system was also replaced at the Brown Museum through funds raised via a lifetime membership drive.
- ***Ongoing Initiatives:***
 - The "Adopt a Bed" program at the Perry House continues with new participants welcomed.
 - A wood carving depicting Quaker life, crafted from lost oak trees, was installed near the Perry House and complemented by flower beds and a seating area.

- **Educational Programs:** The annual "Histoween" event featured historical figures (including the Camp family) with activities at the Perry House and Friends Church Cemetery.
- **Acknowledgements:** The Society expressed gratitude for the City's support, emphasizing its role in preserving Friendswood's heritage as an all-volunteer organization.

Mayor Foreman thanked Mr. Smith for the report.

7. WORK SESSION TOPICS

A. Receive and discuss the Community Development Department's Quarterly Update.

Community Development Department (CDD) Director Aubrey Harbin presented the Department's quarterly update to Council. Key highlights presented included:

- **Inspections and Certifications**
 - Building Official Brian Rouane achieved the Commercial Electrical Inspector Certification.
 - Inspector Robert Cantu obtained the Residential Electrical Inspector Certification.
- **Ongoing Projects**
 - Permit Fees: Reviewing and updating permit fees, especially for sub-permits like electrical and plumbing, to streamline the process.
 - Code Updates: Planning to update the building and fire codes to align with the 2024 standards.
 - Software Improvements: Refining workflows and permit types in CityWorks (permit software) and DigEPlan (electronic plan review software).
 - Monthly Reports: Expanded categories in monthly reports for better department coverage.
- **GIS Updates**
 - Assisted the Volunteer Fire Department with a Santa Tracker app.
 - Incorporated floor plans for Clear Brook High School into GIS to aid first responders.
 - Completed a project mapping city easements in collaboration with the City Secretary's Office.
- **New Developments**
 - Maintained a "Story Map" on the city website with updates on developments, including Castle Biosciences and Hardball Academy.
- **Planning and Zoning Commission (P&Z)**
 - Held 7 meetings between September and December 2024.
 - Approved 2 site plans, 10 plats, 2 plat extensions, and 1 recommendation to vacate an easement.
 - 2 Commissioners attended the APA Texas Conference in October.
 - Held their Annual Retreat in December.
 - Honored Richard Sasson for his service as a P&Z Commissioner from 2016 to 2024.
 - Council Workshop Items: Progress on topics like overhead vs. underground power lines and mobile food vendor regulations.
 - Planning Subcommittee: Comprehensive Plan is 70% complete, with updates ongoing. Parking regulation reviews and updates to the Official Zoning Map were completed in 2024.
 - Ordinance Subcommittee: Zoning Ordinance rewrite and a review of special event ordinances are in progress.

- ***Training and Improvements***

- Organized training sessions covering city information, subdivision ordinance, and zoning ordinance.
- Updated commissioner guidebooks online.
- Hosted the APA Texas Chapter Annual Conference in October.

B. Receive and discuss the Engineering Department's Drainage Update.

Engineering Director Jil Arias opened the item and presented to Council the Engineering Department's Drainage Update with the following highlights:

- ***Clear Creek Utility Rack Relocation Project***

- Location: Polly Ranch Subdivision and Terra Bella Subdivision
- Status: Bids have been evaluated, and a contract will be awarded during this meeting.
- Next Steps: Construction is planned to begin in February 2025.
- Funding: \$1,473,835 from CDBG-DR grant funds.

- ***Deepwood Flood Control Project***

- Location: Deepwood Drive along Clear Creek (Galveston County).
- Challenges: The original bid received only one response, requiring re-bidding per federal procurement guidelines.
- Upcoming Activities: New bid submittals are due January 16, 2025.
- Funding: \$2,959,825 from CDBG-DR grant funds.

- ***Three Detention Basins Along Coward's Creek***

- Locations: 301 Castlewood, 310 Castlewood, and 2 Queens Lane along the northern bank of Coward's Creek.
- Progress: The project is near completion, with hydro-mulch and some concrete work remaining.
- Funding: Construction covered by GCCDD with city-owned land.

- ***Interlocal Agreements with GCCDD***

- Locations: Deepwood Project (Woodvine Drive), Clearview Avenue, and Frenchman's Creek (Polly Ranch Subdivision).
- Status: Proposed agreements were sent October 2024, but GCCDD prefers property ownership transfer. The City proposed license agreements due to federal relief funding restrictions.
- Next Steps: Awaiting GCCDD's response to the proposal.

In regard to the interlocal agreements with GCCDD, City Manager Morad Kabiri elaborated that the properties in question were acquired through two federal programs: (1) the Hazard Mitigation Grant Program (after Tropical Storm Allison) and (2) the Community Development Block Grant - Disaster Recovery (CDBG-DR) funds (after Hurricane Harvey). He further noted that because Federal dollars were used to purchase these properties, they have a set of restrictions that the City, as the grant recipient, remains subject to, and failure to adhere to those restrictions could result in the City having to repay those grant dollars to the Federal government.

Mr. Kabiri also noted that the City has previously partnered with the Galveston County Drainage District (GCCDD) on multiple drainage projects through the use of licensing agreements, which allows GCCDD to use the properties in question for flood control projects, i.e., to excavate and use the land for detention ponds while the City retained ownership. Recently, GCCDD communicated to the City that instead of

continuing the use of license agreements, they now want ownership of the properties in question in order for them to have full autonomy and control of the land and the project. However, because the City acquired these properties through the use of federal grants, the previously noted restrictions come into play, and the City cannot deed these properties over to another agency, so unless GCCDD can assume full liability for any grant funds that might require repayment, the City is not in a position to consider deeding the properties. Therefore, the safest option for the City as it relates to these properties, is for the City to retain its ownership and continue to partner with GCCDD for these projects through the use of a licensing agreement or interlocal agreement, which would ensure that the City complies with the federal grant requirements, while allowing the flood control projects to proceed as previously planned.

Councilmember Branson asked what would happen if no agreement was reached with the GCCDD on these properties. Mr. Kabiri replied that without the appropriate license agreements in place, these projects would remain at a standstill, leaving the subject properties in their current state, which is that of open space with no flood mitigation projects.

Councilmember Hanks asked what the potential repayment amount for these properties would be if the City was required to return the federal grant funds. Mr. Kabiri replied that repayment for the properties purchased after Hurricane Harvey could range between \$2-3 million. He noted the significant difference in value between properties acquired after Tropical Storm Allison and those purchased post-Harvey due to rising costs, and a number of other factors.

- ***Friendswood Regional Stormwater Detention Basin***
 - Location: FM 1959 and Blackhawk Boulevard.
 - Status: Rough grading is in progress, and a final design is anticipated by late 2025.
 - Funding: Estimated \$32.4 million from flood control bond funds and contributions by GCCDD, HCFCD, and Galveston County. The City would be obligated around \$8 million.
 - Next Steps: Public meetings will be scheduled for more information.
- ***Friendswood City Center Detention Ponds***
 - Purpose: Mitigation for the Whitcomb Property Flood Control Project.
 - Progress: Initial excavation is 99% complete; over-excavation and clay liner installation will follow.
 - Use of Excavated Soil: Soil is being stockpiled for city projects and private developments.
- ***Whitcomb Terracing and Stormwater Detention Basin***
 - Location: Adjacent to Friendswood City Center.
 - Status: HCFCD has selected consultants for preliminary engineering. Public engagement meetings will be scheduled soon.
 - Completion Target: March 2027.
 - Funding: Flood control bond funds and \$10 million allocated by the TWDB to HCFCD.
- ***Comprehensive Master Drainage Plan***
 - Purpose: Develop a plan to mitigate urban and riverine flooding and prioritize projects benefiting Friendswood.
 - Timeline: Contracts will be awarded during this meeting with an anticipated 17-month timeline.
 - Public Engagement: Meetings will be announced as scheduled.

In regard to the Comprehensive Master Drainage Plan, Mr. Kabiri noted that during Hurricane Harvey, 95% of the 2,700 homes that flooded were built before 1995, which highlighted the need to prioritize

addressing the City's older subdivisions in order to protect them from future storms. He further noted that subdivisions developed after 1995 have fared significantly better during major storms due to updated drainage and detention standards.

Councilmember Griffon asked if the proposed plan would consider the acquisition of properties in floodways or areas unsuitable for development. Mr. Arias responded that property acquisition is one alternative they could explore, though the plan itself will not facilitate purchases, but will instead provide a roadmap to efficiently use funds for flood control projects.

Councilmember Hanks asked if the plan would focus on improving neighborhoods rather than fixing creeks to which Mr. Arias confirmed that it would. Additionally, Mr. Kabiri noted that the plan will primarily address subdivision-level issues while still considering creeks as part of the overall modeling. Mr. Arias stated that the plan will focus on comprehensive solutions to flooding, including identifying and prioritizing projects that will benefit Friendswood. He also noted that this project is being paid for by a 10% local match through a Hazard Mitigation Grant, with additional modeling being funded through the use of drainage bond.

Mayor Foreman thanked Mr. Arias and the Engineering staff for the update.

C. Receive and discuss the City of Friendswood Park and Trails Master Plan.

Parks and Recreation Director James Toney introduced the item note that the Parks and Trails Master Plan serves as a reference to guide the vision, goals, and objectives for the Parks Department and reflects both the City's and the residents' goals, shaped through several public engagement meetings. Mr. Toney further stated that the plan outlines programming, facilities, and parks for the next ten years as the city approaches its buildout and noted that it will also be used to help the staff apply and secure funding from state, local, federal, and private sources for future projects. Mr. Toney introduced the City's consultants, EHRA Project Manager Cristian Gonzalez and his planning team.

The presentation began with Mr. Gonzalez outlining the steps taken to create the plan. He noted that public engagement played a key role, including three in-person meetings and an online survey that collected over 1,000 responses, that helped the team identify priorities for park improvements and new facilities. Mr. Gonzalez also introduced the structure of the plan, highlighting its key chapters that included an executive summary, community insights, park assessments, and a detailed action plan that creates 10 primary goals for the City, such as building a recreation center, improving lighting, and creating a trail network.

EHRA Planner Ashley Waggoner provided further details about the Parks and Trails Master Plan goals. She explained the importance of improving restroom facilities, adding sports courts, and addressing adaptive play needs. She also highlighted plans to build a new skate park, BMX park, and new swimming pool. EHRA Senior Planner Jeff Boutte discussed how the plan helps the City compete for grants. He explained that adopting the plan would give the City extra points in the Texas Parks and Wildlife Department's scoring system. This would improve chances of securing state and federal funding for parks.

The Councilmembers engaged the speakers with questions and comments. Councilmember Griffon stressed the importance of sharing the plan with residents. Mayor Pro Tem Matranga raised concerns about drainage issues at Stevenson Park, suggesting this be addressed in future updates. The EHRA team emphasized the plan's flexibility, and they recommended revisiting the plan every five years to ensure it remains relevant. The Council agreed to target March 2025 for the adoption of the plan, thus ensuring

alignment with grant deadlines. The discussion ended with the Council thanking Mr. Gonzalez and his team for their work.

D. Discuss and ordinance amending “Chapter 2 “Administration, Article II “Boards, Committees and Commissions” of the Friendswood City Code to add a new section to be numbered and entitled Section 2-25 “Appeals” to afford certain decisions of non-advisory boards, commissions, and/or committees, to be appealed to the City Council; and amending related sections of the Friendswood City Code to direct appeals to the City Council.

Community Development Department (CDD) Director Aubrey Harbin introduced the proposed ordinance amending Chapter 2, Article II of the Friendswood City Code. The ordinance would add Section 2-25, titled "Appeals," to allow decisions from non-advisory boards, commissions, and committees to be appealed to the City Council. She further explained the goal was to create consistency and transparency in the appeals process for residents.

City Manager Morad Kabiri stated that last month, the City Council had an extensive dialogue about the possibility of instituting an appeals process for our Council appointed non-advisory boards, which include the Planning and Zoning Commission, the Zoning Board of Adjustment, those types of the groups. At that meeting, the Council directed the staff to undertake some research on this matter, and bring back some options for the Council’s consideration.

The first thing that the staff researched in regard to the proposed appeal process was to identify which committees would be subject to the new process, as some are limited by other law; such as boards with quasi-judicial power. Mr. Kabiri noted that an instance of a quasi-judicial board is the Zoning Board of Adjustment, that even though they are appointed by the City Council, their decisions are judicial in nature, which means that their decisions can only be appealed to the district court, and not the Council. Mr. Kabiri went over four boards that were noted in the presentation as being advisory in nature, and included the following:

1. Charter Review Committee: The Charter Review Committee's final report is considered by the Council and currently serves only in an advisory capacity. So whatever decisions they typically come up with, it's the sole discretion of the Council whether or not to move it forward with any proposed amendments. So, there's really no need to have an appeals process.
2. Construction Board of Adjustment and Appeals,
3. Planning and Zoning Commission, and
4. Zoning Board of Adjustment: As previously noted, they are statutorily required to be appealed to district court and not any other body.

In response to a request from the Council, the staff presented a survey of other cities’ appeal from boards to their City Council and noted that the vast majority of them do not have an appeals process for a number of committees that are listed on the chart. There were a handful of exceptions. For instance, he noted that League City has an appeal process for subdivision plots, so if their Planning and Zoning Commission makes a decision that an applicant is not particularly in agreement with, the applicant can appeal the decision to the City Council. However zoning decisions, by the very nature of their process come to City Council, in other words, when a Planning and Zoning Commission makes a recommendation on a rezoning application, those automatically go to City Council for action because that's what state law prescribes.

Mr. Kabiri noted that this is only a simple survey and is not the end all be all on this topic, but the staff wanted to meet the Council's request of surveying other communities on this topic.

Survey of Other Cities Appeal from Boards to City Council

		General Appeal Section	Appeal from Building Standards	Appeal from CBOA Decisions	Appeal from ZBOA decisions	Subdivision Plats / Replats	Appeal from P&Z			
							Zoning Decisions	Mobile Home Park License Revocation	Required Sidewalks	Site Development Plans
Galveston County Cities	Bacliff	Code Not in Municode								
	Clear Lake Shores	No	No	No	No	No	No	No	No	No
	Dickinson	No	In part	No	No	No	No	No	No	Yes
	Friendswood	No	No	No	No	No	No	No	No	No
	Galveston	No	No	No	No	No	No	No	No	No
	Kemah	No	No	No	No	No	No	No	No	No
	La Marque	No	No	No	No	No	No	No	No	In Part
	League City	No	No	No	No	Yes	Yes	No	No	Yes
	San Leon	Code Not in Municode								
	Santa Fe	No	No	No	No	Yes	No	No	No	No
	Texas City	Code Not in Municode								
	Tiki Island	No	No	No	No	No	No	No	No	No
Other Counties	Georgetown	No	No	No	No	No	No	No	No	No
	Pearland	No	No	No	No	No	No	No	No	No
	Sugar Land	No	No	No	No	No	No	No	No	In Part

Mr. Kabiri showed a table noting the matters that are currently appealable to the City Council. Mr. Kabiri he further noted that staff did an exhaustive search of the current Code of Ordinances to identify current appeals to Council and found that there are some already allowed; such as under Chapter 10, pertaining to animals, which states that a decision made by the Animal Control Supervisor permitting an exotic animal in the city limits can be appealed to the City Council within 72 hours. Mr. Kabiri noted that the key item that staff took from identifying those appeals already allowed in the Code was to ensure that applicants know their appeal deadlines.

Councilmember Griffon asked if the city has an application for zoning variances such as those to Appendix C and Appendix B for Subdivisions, and for whatever reason that application is denied by staff, does that mean that the Planning and Zoning Commission will never see that variance application. Mr. Kabiri responded that the staff would review the variance application to ensure that it complies with the application requirements, and will work with the applicant until the application submission is complete and complies with the applicable requirements.

Councilmember Griffon asked if the staff was saying that they have not denied any applications for variances at the staff level. Mr. Kabiri reiterated that as long as the submitted variance application is complete and in compliance with the application requirements, including the fee, the staff will take it to the relevant committee, whether that be the Planning and Zoning Commission or the Zoning Board of Adjustments. However, Mr. Kabiri stated that if the Councilmember was aware of an instance where the staff had failed to move an application forward, to please let him know so he can ensure that the staff corrects the error.

Additionally, Mr. Kabiri noted that there are times when staff are approached where someone does not agree with the rules, and they request a variance. However, certain things don't have a variance process, so staff will let them know that unfortunately, the Code doesn't allow a variance on that particular thing and so there is nothing to take to the Commission. A good example of this is the Sign Ordinance, that allows an applicant to request a variance to the sign's height or the setback, so if they're not meeting the Code in any other area, their plans have to be changed because the way the ordinance is written, they can't request a variance, unless the ordinance is changed to allow for it.

Councilmember Hanks asked if the staff worked on changing the ordinance if something came up, similar to the food truck or special event permit comments from earlier in the meeting. Mr. Kabiri stated that in the seventeen years that he has worked in and with the Development Department, the staff doesn't simply say no. Staff will always say that the Code doesn't allow for "X", but here are some opportunities to work together and find a solution, and sometimes that solution is a give and take, but we never just shut someone down without given them any options.

Councilmember Griffon stated that he wanted to focus less on the overriding of administrative decisions and more on the decisions from the non-advisory committees, commissions and boards. Mr. Kabiri stated identified, mainly two particular concerns on possible appeal subjects: (1) the Construction Board of Adjustment which is responsible for reviewing decisions and variance request related to the International Building Code, National Electrical Code, so on and so forth, and (2) the Construction Board of Adjustment, which to the best of his knowledge has never met because there has never been an appeal. Mr. Kabiri noted that the Council could put something into place to allow for the appeal of these board's decisions but cautioned that pursuant to state law, the members of these boards must specialize either as a design professional, a contractor, building industry experts, so these professionals are more likely know better than Council or staff about certain decisions related to these boards, which are a lot more specialized.

Councilmember Griffon stated that he wanted to focus on Chapter 14, because if anyone wanted to appeal anything in this section, they would have to sue the City. He stated that his intent was to create an opportunity for applicants and developers to appeal to the City Council, any decision made by a non-advisory board or staff member to the Council, before they go to District Court and ultimately sue the City. Additionally, while looking at the Code of Ordinances, Councilmember Griffon requested that the City Secretary update the information noted at the beginning of the Code of Ordinances with the correct members of Council and City staff. City Attorney Karen Horner noted that this information will be updated as a part of the recodification process that will be completed this year.

Councilmember Griffon went on to discuss a staff comment noted in the presentation which stated in part that "to oversee all their [Planning and Zoning] decisions may undermine the appeals process leading to potential arbitrary and capricious decisions." Councilmember Griffons stated that he felt that language was put in the analysis to convince the Council to not move forward on the proposed appeal process, but he felt that the requested appeal process would help avoid a such as result because it would allow the Council to decide if a decision was capricious and arbitrary because it would allow them to take a step back from situation and see if there is something within the documentation that may be in the design criteria manual for landscaping or any other thing like that, and decide that this really doesn't really need to go there, and then make the decision; in other words, he wanted the Council to have an opportunity to do this review and make these types of decision because they are the elected officials and it should be their decisions to make as the elected body.

The Council briefly discussed the surveyed cities.

Mayor Foreman stated that he believed that the Council would create an uneven playing field through this appeal process because they would allow somebody to come in and then the Council decided for whatever reason that it is ok for them to deviate from the rules, the Council has not set a precedent where people don't have to follow the City's set guidelines. It could create this idea that if they don't like the answer, they will just go and appeal it the Council every time. Mayor Foreman stated that he felt that through this added process, the Council was setting itself up to appeals after appeals after appeals. He further noted that he trusted the processes that they had in place now, and if there is an ordinance that needs to be reviewed and changed, then that is something that the Council should send to the Planning and Zoning Commission for their review and recommended changes. Mayor Foreman stated that he did not understand the impetus for this request and inquired what was the crux or bottom line on this item.

Councilmember Griffon responded that the reason for the appeal could be anything, but it would serve as a mechanism by which those aggrieved by a process or decision can be heard by the Council before they decide to sue the City; particularly for those that feel that a decision made by a board or staff is arbitrary and capricious. Mayor Foreman responded that he believed that the first time the Council agrees to an appeal and changes something for one resident, they have created an un-evened playing field by expecting others to follow the ordinances in place and not others which then opens the City up to a number of issues.

Mayor Pro Tem Matranga stated that he agreed with the Mayor's comments and noted that the processes in place work. He noted that in his experience on the Planning and Zoning Commission, he had worked through various issues and/or concerns with various developers that at times resulted in them sending the Council recommended changes to different ordinances that had resulted in negative unintended consequences on development. Mayor Pro Tem Matranga further noted that for the most part, changes should not be made on a case-by-case basis; however, if a continuous problem is identified, then the ordinance should be fixed, so everyone continues to play by the same rules and expectations.

Councilmember Branson stated that in her experience, when she encountered a problem with one of the City's ordinances, she has always been able to bring her concern to the City Manager for the staff and the appropriate board to review and make their recommendations on how to remedy the issues. She noted that in speaking with Councilmember Griffon, she understood his reasoning for wanting an appeals process, to give folks a stop along the way before they sue. However, she did not feel that the appeals option was the right route and noted that she felt more comfortable with having ordinance changes because of her concern that the Council might find themselves in a position where they are inconsistent in their rulings and unintentionally create an unlevel playing field.

Councilmember Hanks stated that she is also torn on this item because while ordinances are written in a way that they can apply to everyone, there are always exceptions. The way to deal with those exceptions varies, and she did want a way for citizens, residents and developers to be able to bring those concerns to the Council, but she did not want to start hearing a bunch of appeals at this level.

Mayor Foreman noted that people can come to speak to the Council at any meeting and speak their concern during the public comment, similar to what was done earlier in relation to the food truck ordinance and the special events ordinance. We heard what they had to say, and the staff who are already reviewing those ordinances with the Commission will work with them to bring the Council back recommended

ordinance changes, and then it is up to the Council whether or not those changes are approved. So, there is a system and it works.

The Council discussed options for the public to communicate with the Council, through public comment, Council liaisons, the use of staff, etc. After said discussion, the Council consensus was not to move forward with the addition of an appeals process and continue to use the existing processes for ordinance changes.

5. CITY MANAGER'S REPORT

A. Present and update regarding Employee Service Awards

City Manager Morad Kabiri opened by reported on the Annual Employee Christmas Dinner held on December 13, 2024. A total of 36 employees were recognized for their service in increments of 5, 10, 15, 20, 25, 30, and 35 years. Some of the highlights included:

- **5-Year Awards:** Haley Medwedeff (Public Works), Jorge Salazar (Public Works), Austin Caballero (Police), among others.
- **15-Year Awards:** Alberto Gomez (Public Works), Caesars Zepeda (Public Works), Alex Mendoza (CDD), Sutapa Chatterjee (Library).
- **35-Year Award:** Matt Riley, Library Director.

B. Recognize EMS Captain Stacy Kohn for completing the Texas Certified Public Manager Program (CPN).

City Manager Morad Kabiri recognized EMS Captain Stacy Kohn for completing the Texas Certified Public Manager Program.

C. Recognize Municipal Court Deputy Director Jennifer Hale for completing the inaugural class of the Houston-Galveston Area Council (H-GAC) and Professional Development Academy's Professional Development Academy.

City Manager Morad Kabiri recognized Municipal Court Deputy Director Jennifer Hale for graduating from the inaugural class of the Houston-Galveston Area Council (H-GAC) Leadership Academy.

D. Recognize Assistant City Manager/City Secretary Lettie Brysch for her participation as a guest speaker/presenter at the 36th Annual Secretary of State Election Law Seminar for Cities, Schools and Other Political Subdivisions on the topics of Ordering, Providing Notice of, and Cancelling and Elections as well Preparing Candidate Packets and Practical Considerations.

City Manager Morad Kabiri recognized Assistant City Manager/City Secretary Lettie Brysch who co-presented at the 36th Annual Election Law Seminar. She discussed topics such as ordering elections, providing notices, canceling elections, and preparing candidate packets. Mr. Kabiri highlighted Ms. Brysch's expertise in elections and her contributions as a presenter.

6. BUSINESS ITEMS

A. Consider approving the first renewal of the City's Official City Newspaper Contract with Wood Land Publishing, Inc., d/b/a Reporter News.

At 8:05 P.M., Mayor Foreman recused himself from the meeting and turned his presiding officer duties over to Mayor Pro Tem Matranga.

City Manager Morad Kabiri explained the need to adopt an official city newspaper for publishing legal notices, as required by the City's Charter. Mr. Kabiri highlighted that the Friendswood Reporter News responded to the City's solicitation and offered cost-effective services, especially compared to the Daily News. Councilmember Ellisor asked how residents could access the Friendswood Reporter News. Other councilmembers mentioned subscription options, picking up copies at City Hall, or paying \$40 a year for delivery.

A motion was made by Councilmember Branson and seconded by Councilmember Griffon related to Item 9.A., as submitted. The vote was as follows:

Ayes: Councilmember John Ellisor, Councilmember Sally Branson, Councilmember Trish Hanks, Councilmember Robert J. Griffon, Mayor Pro Tem Joe Matranga, and
~~Councilmember Brent Erenwert~~

Nays: None

~~Absent: Councilmember Brent Erenwert~~

Abstain: Mayor Mike Foreman

The item passed unanimously.

At 8:08 P.M., Mayor Foreman returned to the meeting and resumed his duties as presiding officer.

7. PROPOSED ORDINANCES & RESOLUTIONS

A. Consider an ordinance ordering the City of Friendswood General Election to be held on May 3, 2025, for the purpose of electing Councilmembers for Position Nos. 4 and 6.

A motion was made by Councilmember Branson and seconded by Councilmember Ellisor approving Ordinance No. 2025-01, related to Item 10. A., as submitted. The vote was as follows:

Ayes: Councilmember John Ellisor, Councilmember Sally Branson, Councilmember Trish Hanks, Councilmember Robert J. Griffon, Mayor Pro Tem Joe Matranga, and
~~Councilmember Brent Erenwert~~

Nays: None

~~Absent: Councilmember Brent Erenwert~~

The item passed unanimously.

ORDINANCE NO. 2025-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, ORDERING THE GENERAL ELECTION TO BE HELD ON THE 3RD DAY OF MAY, 2025, FOR THE PURPOSE OF ELECTING TWO COUNCILMEMBERS FOR POSITIONS FOUR(4) AND SIX(6); MAKING OTHER PROVISIONS RELATED TO SUCH ELECTION; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

B. Consider an ordinance amending the City's General Budget for Fiscal Year 2023-2024 by approving "Budget Amendment XIII" and providing for supplemental appropriation and/or transfer of certain funds.

A motion was made by Councilmember Griffon and seconded by Councilmember Hanks approving Ordinance No. 2025-02, related to Item 10. B., as submitted. The vote was as follows:

Ayes: Councilmember John Ellisor, Councilmember Sally Branson, Councilmember Trish Hanks, Councilmember Robert J. Griffon, Mayor Pro Tem Joe Matranga, and ~~Councilmember Brent Erenwert~~

Nays: None

~~Absent: Councilmember Brent Erenwert~~

The item passed unanimously.

ORDINANCE NO. 2025-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, AMENDING ORDINANCE NO. 2023-20, PASSED AND APPROVED AUGUST 28, 2023, THE SAME BEING AN ORDINANCE APPROVING AND ADOPTING THE CITY'S GENERAL BUDGET FOR FISCAL YEAR 2023-24, BY APPROVING "BUDGET AMENDMENT XIII" THERETO; PROVIDING FOR SUPPLEMENTAL APPROPRIATION AND/OR TRANSFER OF CERTAIN FUNDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR OTHER MATTERS RELATED TO THE SUBJECT; AND PROVIDING FOR THE EFFECTIVE DATE.

C. Consider an ordinance amending the City's General Budget for Fiscal Year 2024-2025 by approving "Budget Amendment IV" and providing for supplemental appropriation and/or transfer of certain funds.

A motion was made by Councilmember Matranga and seconded by Councilmember Griffon approving Ordinance No. 2025-03, related to Item 10. C., as submitted. The vote was as follows:

Ayes: Councilmember John Ellisor, Councilmember Sally Branson, Councilmember Trish Hanks, Councilmember Robert J. Griffon, Mayor Pro Tem Joe Matranga, and ~~Councilmember Brent Erenwert~~

Nays: None

Absent: Councilmember Brent Erenwert

The item passed unanimously.

ORDINANCE NO. 2025-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, AMENDING ORDINANCE NO. 2024-25, PASSED AND APPROVED AUGUST 26, 2024, THE SAME BEING AN ORDINANCE APPROVING AND ADOPTING THE CITY'S GENERAL BUDGET FOR FISCAL YEAR 2024-25, BY APPROVING "BUDGET AMENDMENT IV" THERETO; PROVIDING FOR SUPPLEMENTAL APPROPRIATION AND/OR TRANSFER OF CERTAIN FUNDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR OTHER MATTERS RELATED TO THE SUBJECT; AND PROVIDING FOR THE EFFECTIVE DATE.

D. Consider a resolution committing local funds for the Community Development Block grant (CDBG) Annalea Neighborhood Improvements Project and the CDBG Ground Storage Tank at Groundwater Plant 4 Project under Contract No. 24-065-030-E485.

A motion was made by Councilmember Hanks and seconded by Councilmember Branson approving Resolution No. R2025-01, related to Item 10.D., as submitted. The vote was as follows:

Ayes: Councilmember John Ellisor, Councilmember Sally Branson, Councilmember Trish Hanks, Councilmember Robert J. Griffon, Mayor Pro Tem Joe Matranga, and ~~Councilmember Brent Erenwert~~

Nays: None

Absent: Councilmember Brent Erenwert

The item passed unanimously.

RESOLUTION NO. R2025-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, COMMITTING LOCAL FUNDS IN AN AMOUNT NOT TO EXCEED FIFTY-TWO THOUSAND ONE HUNDRED SIXTY-SIX AND 34/100 DOLLARS (\$52,166.34) FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS UNDER THE TEXAS GENERAL LAND OFFICE, STATE CONTRACT NO. 24-065-030-E485; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

8. CONSENT AGENDA

A motion was made by Councilmember Branson and seconded by Councilmember Matranga to approve the Consent Agenda Items 11.A. through 11.L. The vote was the following:

Ayes: Councilmember John Ellisor, Councilmember Sally Branson, Councilmember Trish Hanks, Councilmember Robert J. Griffon, Mayor Pro Tem Joe Matranga, and ~~Councilmember Brent Erenwert~~

Nays: None

~~Absent: Councilmember Brent Erenwert~~

The item passed unanimously.

- A. Consider a resolution delegating the City Council's authority to select alternate delivery methods for public works projects to the City Manager.**

RESOLUTION NO. R2025-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, DELEGATING AUTHORITY TO THE CITY MANAGER IN ACCORDANCE WITH SECTION 2269.053 OF THE TEXAS GOVERNMENT CODE TO SELECT DELIVERY METHODS FOR PUBLIC WORK CONTRACTS WHICH PROVIDE THE BEST VALUE FOR THE CITY AND TO TAKE OTHER ACTIONS AUTHORIZED OR REQUIRED BY CHAPTER 2269; AND PROVIDING AN EFFECTIVE DATE.

- B. Consider approving an Election Services Contract with Galveston County, Texas, for the City's General Election to be held May 3, 2025.**
- C. Consider authorizing the City Manager to negotiate and execute a Joint Election Agreement with Harris County for the City's General Election to be held on May 3, 2025.**
- D. Consider authorizing a Professional Services Agreement for a Master Drainage Plan with Halff and Associates, Inc.**
- E. Consider authorizing a Professional Services Agreement with WSB for implementation services related to the Annalea Neighborhood Infrastructure Project, funded by the Texas General Land Office through the Texas CDBG-MIOT Regional Mitigation Program's Method of Distribution Development (CDBG MIT-MOD) Program.**
- F. Consider authorizing a Professional Services Agreement for a Program Manager for the Master Drainage Plan with Gauge Engineering, LLC.**
- G. Consider authorizing an agreement with Cracon, Inc., for the Utility Relocates at Clear Creek Utility Bridge Project.**
- H. Consider authorizing an interlocal cooperation contract with Texas State University for specified governmental functions and services.**
- I. Consider approving education experience with student affiliation agreements with RC Health Services, Clear Lake EMS Programs and School of EMS for the City to provide clinical emergency medical services instruction.**

J. Consider appointing Jeff Smith as an alternate member to the Construction Board and Adjustment and Appeals for a two-year term beginning immediately, and expiring on June 30, 2027.

K. Consider approving the ad valorem tax report for November 2024.

L. Consider approving the minutes of the City Council Regular Meeting held on December 2, 2024.

9. EXECUTIVE SESSION

A. Recess and convene into an executive session pursuant to Sections 551.071 and 551.072 of the Texas Government Code and Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, to seek the advice of the City's attorney(s) regarding (i) legal issues related to property for public transportation/infrastructure needs, (ii) the possible purchase, exchange, lease or value of real estate related to such matters, and (iii) pending or contemplated litigation regarding the same.

B. Recess and convene into an executive session pursuant to Section 551.074 of the Texas Government Code to deliberate the annual performance of the City Attorney.

At 8:12 P.M. Mayor Foreman recessed and convened into an Executive Session pursuant to:

- 1) Sections 551.071 and 551.072 of the Texas Government Code and Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, to seek the advice of the City's attorney(s) regarding (i) legal issues related to property for public transportation/infrastructure needs, (ii) the possible purchase, exchange, lease or value of real estate related to such matters, and (iii) pending or contemplated litigation regarding the same; and
- 2) Section 551.074 of the Texas Government Code to deliberate the annual performance of the City Attorney.

At 9:10 P.M. Mayor Foreman reconvened the meeting and announced that, in accordance with Section 551.102 of the Texas Government Code, no action was taken in the Executive Session.

10. DISCUSS AND POSSIBLE ACTION

A. Consider taking appropriate action regarding the City Attorney's annual performance evaluation.

A motion was made by Councilmember Branson and seconded by Councilmember Ellisor to approve giving the City Attorney a 3.75% pay increase, as discussed in the Executive Session. The vote was the following:

Ayes: Councilmember John Ellisor, Councilmember Sally Branson, Councilmember Trish Hanks, Councilmember Robert J. Griffon, Mayor Pro Tem Joe Matrangola, and ~~Councilmember Brent Erenwert~~

Nays: None

Absent: Councilmember Brent Erenwert

The item passed unanimously.

11. ADJOURNMENT

With there being no further business, Mayor Foreman adjourned the January 6, 2025, City Council Regular Meeting at 9:11 P.M.



Mike Foreman, Mayor

Attest:

Leticia Brysch, City Secretary