

STATE OF TEXAS)(
 CITY OF FRIENDSWOOD)(
 COUNTIES OF GALVESTON/HARRIS)(
 OCTOBER 05, 2015)(
)

MINUTES OF A REGULAR MEETING OF THE FRIENDSWOOD CITY COUNCIL THAT WAS HELD ON MONDAY, **OCTOBER 05, 2015**, AT 5:00 PM AT FRIENDSWOOD CITY HALL COUNCIL CHAMBERS, 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS, WITH THE FOLLOWING PRESENT CONSTITUTING A QUORUM:

MAYOR	KEVIN HOLLAND
MAYOR PRO-TEM	JIM HILL
COUNCILMEMBER	STEVE ROCKEY
COUNCILMEMBER	BILLY ENOCHS
COUNCILMEMBER	PAT MCGINNIS
COUNCILMEMBER	JOHN SCOTT
COUNCILMEMBER	CARL GUSTAFSON
CITY ATTORNEY	ARNOLD POLANCO
CITY MANAGER	ROGER ROECKER
CITY SECRETARY	MELINDA WELSH

REGULAR SESSION

Mayor Holland called the meeting to order.

The invocation was given by Pastor Jim Bass with Friendswood United Methodist Church.

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

COMMUNICATIONS FROM THE PUBLIC

Bob Mitchell, Bay Area Houston Economic Partnership (BAHEP) President, addressed Council and thanked them for the relationship that BAHEP has had with the City for the past 17 years, and growing this region and community to make it a quality place to live. BAHEP is a 40 year old organization, funded by 270 members, 14 cities, includes both Harris and Galveston Counties, City of Friendswood is one of the original 14 member cities, truly values the relationship with Friendswood, have gone through four different Mayors, 40 plus Councilmembers, three different City Managers, have always had a great working relationship, discussed some of the items BAHEP does to return investment to the City, specifically the Biggert-Waters Act, and also National Aeronautics and Space Administration (NASA). In the Biggert-Waters Act, the work BAHEP did could not have been overturned by one city, was told it could not be done but worked with friends in the City of New Orleans and got it done, was a big impact not only to residents but also to the small business community. The money BAHEP saved the City and its residents each year was over \$5 Million, an average of \$625 per household, would have been a higher number if the homes on Mary's Creek, Cowards Creek, and Chigger Creek were counted. BAHEP does a lot to support NASA and the Johnson Space Center, had 24th annual trip to Washington this year in support of NASA, listed all the Councilmembers that have attended in the past, 12,000 people work for the Johnson Space Center, 1,240 of those employees live in the City of Friendswood, the effect that BAHEP has on taxes coming to the City just in property taxes is \$1.3 Million a year, pretty good return on the \$14,000 a year investment BAHEP receives from the City of Friendswood, and thanked Mayor and Council for the opportunity to speak.

Dan Seal, Bay Area Houston Economic Partnership (BAHEP) Executive Director of Special Initiatives, addressed Council and stated he would like to discuss ongoing legislative work in Austin, this year BAHEP had the pleasure to work with elected officials to build support for the region, transportation funding, protecting Texas maritime jobs, protecting Ellington Field from base closure threats, the new Houston Space Port, and many other important items for this region, constantly testifying before

committees in Austin to support key initiatives, have worked hand in hand with Friendswood Independent School District's (FISD) Superintendent Trish Hanks, and Clear Creek Independent School District's (CCISD) Superintendent Greg Smith on improving school funding for schools. The City and BAHEP are in the first year of a three year contract, a contract which has been renewed many times with success. This region continues to grow and the City of Friendswood continues to be a fabric of this region. At its core, BAHEP's philosophy is one of regional economic development, the belief of no matter where a business chooses to expand in this region all surrounding cities of the region will be impacted both directly and indirectly from new jobs and capital infusion brought by the expanding businesses, whether it is new supply chain opportunities for current businesses in the region, a new generation of retail sales to increase property tax values, or the overall standard improvement of living which the whole region will enjoy. Most City of Friendswood residents work outside the City limits, and BAHEP works tirelessly to bring good companies to the region that offer good paying jobs, appreciates that the City of Friendswood has embraced this philosophy for 17 years, the region has been a better place because of it, with the momentum built together it is more important now than ever for Friendswood to think regionally. BAHEP is bringing and protecting great jobs to the region for our children and grandchildren, why would Friendswood not want to be a part of a strong partnership for the region, a region from which Friendswood citizens reap many great benefits, someone needs to protect and preserve the interest of this region, someone has to be the glue that keeps the City of Friendswood engaged in the region, BAHEP is proud that they have been performing this role for the past 17 years at \$6.3 Million savings each year, BAHEP hopes the relationship can continue.

WORK SESSION

Mayor Holland opened the discussion regarding the City's proposed Fiscal Year 2015-2016 General Fund Budget. City Manager Roger Roecker presented a PowerPoint presentation regarding vehicle allowances, policy was adopted in May 1997, designed to compensate for transportation cost employees incur doing the City's day-to-day business, created with industry's "best practices" in mind, policy states the City will bi-annually review and set vehicle allowance, prior to policy adoption vehicles were bought for City employees, these vehicles were later replaced with car allowances after analyzing expenses, was more cost efficient, allowances are paid through the payroll system as a taxable benefit, currently 11 employees receive a vehicle allowance, based on the latest survey the City of Friendswood ranked in the 85th percentile of industry standard reimbursement rate. Staff believes the City of Friendswood's policy is the most cost effective and fair way to conduct City operations. The City Manager presented a PowerPoint presentation regarding cell phone allowances and stated across the industry cities either pay phone allowances or provides phones and plans. In the past, the City has provided phones and service plans, is attempting to compensate employees who are required to use cell phones in their job responsibilities. As technology changes, employees are responsible for maintaining phones/plans, cell phones are used by a number of personnel during all day and nighttime shifts, or for those on call or out in the field, policy is tiered based on the expected number of minutes an employee would need for City business, not uniform amongst all City employees, Staff continues to evaluate the marketplace to find efficiencies but feels that the current policy is efficient and fair.

Administrative Services Director Cindy Edge provided an overview of current fiscal year revenues and expenditures to date in the General Fund, Water and Sewer Funds, and the tax rate used during the preparation of the proposed budget for Fiscal Year 2015-2016. There was discussion regarding revenues, expenditures, revisions to the proposed budget, proposed tax rate of \$0.5687, proposed expenditure changes, proposed budgeted use of Fund Balance, proposed use of Park Land Dedication Funds, updated Decision Packages, and Forces at Work and Decision Packages for the Water and Sewer Funds.

Mayor Holland opened the discussion regarding an update on Capital Projects. Director of Public Works/City Engineer Patrick Donart presented a PowerPoint presentation and reported on the progress that has been made on Capital Projects since the September Council meeting. Ardent Construction has completed a portion of the demolition on the interior of the library, reconstructed the bathrooms, and decommissioned the generator on the library expansion project. The new parking lot opened in August and the existing parking lot is blocked off for proposed improvements, sections of the new parking lot are

being evaluated due to a rain event that occurred while placing the concrete. The underground storm sewer that services the parking lot has been completed along with the pier footings and grade beams for the front expansion. The children's section pier footings have been poured, the grade beams are being regraded and awaiting inspection for concrete installation. The Development Review Committee (DRC), made up of City Staff from several departments, continue to work with the architect on the schematic plans for Fire Station No. 4 expansion and the new fire station headquarters at the Public Safety Building. The DRC will continue to meet as the full construction plans are currently 95% developed. Durotech, Inc., will go out for bids in October. The construction process has begun for the improvements at the Sportspark. The water line and fire hydrant have been installed, the concession stand has been demolished, and the fields are being graded. The new concession stands are in production with a delivery date sometime in late November or early December. A pre-construction meeting with Musco, lighting contractor, was held mid-September for their work to begin the first full week of October. There are two action items later on the agenda related to the new youth fields. Architectural and civil design activities are well underway for the basketball pavilion at Centennial Park. Staff has reviewed and returned the 90% submittal plans and final drawings are expected in mid-October. An agreement has been struck with Friendswood Development Company (FDC) for improving access to Lake Friendswood. FDC has agreed to allow access to the lake through the West Ranch Subdivision, and they will build a parking lot with 42 spaces, a restroom/concession pavilion, and automatic gate for controlled access. A contract has been approved with Wilson McClain Landscape Architect, PLLC, to design the improvements at the lake (i.e. a walking trail, fishing piers and canoe/kayak launch). Staff is working with FDC's consultant Brown and Gay Engineers on coordinating the survey components of the City's projects and this will strongly influence the location of the pavilion. Staff is holding an initial progress meeting with neighboring residents the first week in October. Modeling efforts and final design plans are nearing completion for the bridge crossing Cowards Creek to connect Stevenson Park and Old City Park. The City, Galveston County Consolidated Drainage District (GCCDD), and consultants are reviewing ways to enhance the trail system, address American with Disabilities Act (ADA) concerns, and minimize the environmental impact. The City has completed the acquisition of a nearby property to optimize the trail system alignment to and from the bridge. Staff anticipates presenting the final plans to GCCDD for approval in October. Staff is reviewing a proposed layout of the master plan for Old City Park that includes a dog park, restrooms, playground equipment and preliminary parking layout. The surveying and geotechnical services for the Round 1 Street Improvements project are complete. The consultant, Cobb, Fendley and Associates, Inc., and Staff have reviewed the 100% submittal plans, and the project is currently out for bids with bids due on October 20, 2015. The Whispering Pines Avenue/Friendswood Link Road project is 73% complete. On the Galveston County side, the first and second portions of the paving at FM 518 have been completed. The intersection of Verdun Lane has been completed and will soon be opened to traffic. The next sequence of construction will be the paving of the intersection at Arbre Lane and Whispering Pines. The Harris County side has been opened from Wedgewood Elementary to Blackhawk Boulevard, and is progressing ahead of schedule due to the delay on the Galveston County side. The reservoirs, pumps, and control room have been installed at Water Plant No. 7, and the reservoir is complete at Water Plant No. 2. The contractor was working on the pump house foundation for Water Plant No. 2, significant concerns were brought forth by the City and the engineering consultant regarding the foundation. The contractor, engineer, and City Staff will continue to meet to determine the methods for City approval of the slab, anticipated project completion date is summer 2015, this period will most likely not be met, and a revised schedule has been requested to address the new timelines post foundation repair. Testing results on the foundation at Water Plant No. 2 have come in and the contractor is working to remedy the concerns raised. An initial trail system has been cut out at 1776 Park and the remaining sections will be scheduled to be constructed in the near future. A canoe portage has been discussed, Staff is evaluating options related to the canoe portage, both appropriate applications as well as identifying "put in" and "take out" points along the creek.

Mayor Holland opened the discussion regarding preventative maintenance of emergency generators. Assistant City Manager Morad Kabiri stated that later on the agenda there is an action item regarding a preventive maintenance contract with MNI Diesel, Inc., for all generators throughout the City, originally awarded a contract three years ago to MNI Diesel, Inc., was below \$50,000 a year for preventive maintenance, recent bids came back over budget, Council recently awarded the contract to MNI Diesel, Inc., since Council awarded the contract to MNI Diesel, Inc., the company has indicated to Staff they

made a mistake on their proposal, asked to raise their pricing by approximately \$120,000 over a two-year contract, Staff has looked at bringing the services in-house and have found a way with current Staff to perform the preventive maintenance without increasing the budget.

Discussion took place between Mayor, Council, and Staff regarding the budget savings of bringing the service in-house, would be an estimated \$50,000 a year, the Water and Sewer Assistant Superintendent position has been approved, would switch duties around and another Staff member can perform maintenance.

CLOSED EXECUTIVE SESSION

Mayor Holland asked if anyone would like to speak regarding the Executive Session. No one spoke.

Council convened into Executive Session in accordance with the Texas Government Code, pursuant to Section 551.071 – Consultation with Attorney regarding contemplated litigation arising from settlement of legal action. (Wight Realty Interest, Ltd. v. City of Friendswood)

RECONVENE INTO OPEN SESSION

Council reconvened into Open Session with no action taken later in the meeting.

SPECIAL RECOGNITION AND ACKNOWLEDGEMENTS

City of Webster Finance Director Mike Rodgers, representing the Gulf Coast Government Finance Officers Association (GFOA), presented a Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year 2014 to Administrative Services Director Cindy Edge. This is the 27th consecutive year for the City to receive this award. Ms. Edge thanked Staff and thanked Council for their efforts that help attain the achievement, looks forward to continuing the tradition and making it happen again.

With concurrence of Council, Mayor Holland moved to Agenda Item 11B, Annual report from Bay Area Houston Economic Partnership (BAHEP).

COMMUNICATIONS FROM COMMITTEES AND SPECIAL REPORTS

Bay Area Houston Economic Partnership Executive Director of Special Initiatives Dan Seal asked if the record could reflect the comments he made during the earlier Communications from the Public portion of the meeting as the annual report, and Mayor Holland answered yes.

CITY MANAGER'S REPORT

City Manager Roger Roecker reported that in October of 2003, the City teamed up with the Friendswood Chamber of Commerce to conduct the first Annual Broker Event on the same day as the Chamber's Annual Golf Tournament. This year's 13th Annual Broker and Developer Day Event and 18th Annual "Swing into Fall" Golf Tournament will be held on Tuesday, October 27, 2015, at Timber Creek Golf Club. Each year, there are about 40 attendees at the workshop, and many participate in the Chamber's afternoon golf tournament. The event is sponsored by CenterPoint Energy's Economic Development Department. The Mayor, Assistant City Manager, Chair of the Community and Economic Development Committee, and Economic Development Coordinator will make presentations and interact with the commercial brokers and developers interested in doing business in the City of Friendswood.

The City Manager reported that National Night Out is tomorrow night, October 6, 2015, and thus far 19 subdivisions have signed up to have an officer attend and speak with their residents. For more information residents can contact their Homeowner's Association or contact Officer Kevin Crouch at (281)996-3316 or kcrouch@friendswood.com.

The City Manager reported that the City and Keep Friendswood Beautiful (KFB) are holding the Annual Fall Haul-A-Day, community clean-up and garage sale event on Saturday, November 14, 2015, at Centennial Park from 8:00 AM to 2:00 PM.

With concurrence of Council, Mayor Holland moved to Agenda Item 23, Communications from the Mayor and Councilmembers.

COMMUNICATIONS FROM THE MAYOR AND COUNCILMEMBERS

Councilmember McGinnis stated he attended the Friends of Downtown Friendswood Association meeting along with a few other Councilmembers, great example of civic pride and civic partnership, not driven by politicians but driven by citizens, felt very moved and enlivened by the energy in that group, thanked the organizers of the group, fantastic acknowledgement of great people, ideas, and energy the City has.

Councilmember Gustafson stated he also attended the Friends of Downtown Friendswood Association meeting, would not have believed a year ago if someone told him there would be an event like that in this City, with that many people in attendance, and such a diverse group of people to support the Downtown District, he too is encouraged and hopeful, hopefully this local approach of economic development is something that will work out well, and is excited to see what comes of it.

Councilmember Scott stated he agrees with Councilmembers McGinnis and Gustafson.

Councilmember Hill stated he also agrees with the other Councilmembers, the Friends of Downtown Friendswood Association is made up of some of the best people in the community, they have come and put their own money and will encourage others to do the same, he also joined the group, unusual for him to do so, believes the people will get the job done, looks forward to seeing downtown Friendswood look different in couple of years.

Councilmember Enochs stated he too attended the Friends of Downtown Friendswood Association meeting, when he reflects on Friendswood what jumps out to him is faith, family, friends, and volunteers, the fourth thing is usually forgotten about, the City of Friendswood is richly blessed with volunteers, is the spirit for which this group is leading, anytime a group of volunteers come together like this good things happen, and is excited about the future of this project.

Councilmember Rockey stated he also attended the Friends of Downtown Friendswood Association meeting, Joycina Baker talked to him a few days before the meeting, told him when the City of Friendswood was founded, the first year or two the City Council met in somebody's garage, they got together and decided to build their first City Hall, it was built by volunteers, they needed money for materials so they went door to door asking for \$25 from each household, and Sally Branson calculated that \$25 in 1961 or 1962 was about \$150 today. Ms. Baker stated the current effort reminded her of what happened 50 to 60 years ago, is the same kind of spirit in the town.

Mayor Holland stated he is looking forward to seeing the sidewalks and other improvements in front of City Hall.

Mayor Holland recessed the meeting at 6:35 PM and reconvened the meeting at 7:00 PM.

JOINT PUBLIC HEARING

Mayor Holland and Planning and Zoning Commission Chair David O'Farrell called a Joint Public Hearing to order to review comments from the public, both oral and written, regarding a zone classification change request for .3857 acre tract of land out of Lot 21 of the Hoidale and Coffman Subdivision, property located 402 East Edgewood Drive, Friendswood, Galveston County, Texas, to change from Planned Unit Development-Specific Use Permit (PUD-SUP) Ordinance No. 2013-13 to a revised Planned Unit Development-Specific Use Permit (PUD-SUP) to allow NAICS Use No. 442 Furniture and Home Furnishings, NAICS Use No. 446 Health and Personal Care Stores, and NAICS Use No. 448 Clothing

and Clothing Accessory Stores.

City Planner Aubrey Harbin gave a history and discussed the request.

Planning and Zoning Commission Chair O'Farrell asked if anyone would like to speak in favor of or in opposition of the request. No one spoke.

Planning and Zoning Commission Chair O'Farrell adjourned the Planning and Zoning Commission's portion of the Joint Public Hearing. Mayor Holland left the Council's portion of the Joint Public Hearing open.

COMMUNICATIONS FROM THE PUBLIC

Don Johnson, Friendswood resident, addressed Council and stated he is on the Harris-Galveston Subsidence District, provided Council with a handout explaining the success of the subsidence district, City of Friendswood has an allocation of almost 400 million gallons and used less than 2%, the cities and water providers participate in a conservation program with the school district to educate students about water conservation, took program to 50,000 to 60,000 children this year, currently in the budget process, are new members on the board, have had changes going on over the last year, have issued quite a few checks, on a path to raise permit fees approximately 50%, have some projects that he believes need to be pulled back. The General Manager of Harris-Galveston Subsidence District had the idea to take down a wall as you walk into the subsidence district office, was approved but now has turned into a \$500,000 remodel project, he represents the City of Friendswood, and wants to make sure he is doing what the City of Friendswood wants.

COMMUNICATIONS FROM COMMITTEES AND SPECIAL REPORTS (continued)

Friendswood Chamber of Commerce Treasurer Gerry Stacy gave the annual report and stated the 38 events scheduled for this year served the best interest of the City of Friendswood and the Chamber Members, a survey of the Chamber's membership was conducted in 2013, networking with the City and the other Chamber members is of paramount importance to the membership, the 38 events scheduled this year provided those networking opportunities, the Board of Directors asked the staff in 2014 to record inquires by various categories, over a four month period staff recorded 459 different transactions, over 250 of the inquiries were attributed to the City, people asking questions about the City, doing business with the City, or networking with other members of the Chamber, without the help of the Chamber the City would have had to hire additional staff to handle these inquires. Mr. Stacy introduced Chamber of Commerce President Carol Marcantel and Vice-President Lucy Woltz. The Chamber's staff has served the City well in three ways, by scheduling and performing the recorded events stipulated in their contract, by providing information requested by members and the general public, and by presenting a professional and courteous image to everyone they come in contact with.

With concurrence of Council, Mayor Holland moved to Agenda Item 13, discussion and possible action regarding approving appointments/ reappointments to Boards, Committees, and Commissions.

ACTION ITEMS

**Councilmember Enochs moved to approve the reappointment of Darrell Fales to the Fourth of July Steering Committee with a term to expire November 2018; reappointment of Kaye Corey, Paul Marx, Martha Cotton, Frank Garza, John T. Merrifield, Sherry Goen, and Chris Chism to Keep Friendswood Beautiful with terms to expire November 2018; reappointment of Larry Collison to the Investment Committee with a term to expire November 2018; and reappointment of Paul Gordner, Mary Jane Musser, Dennis Rundell, Yolanda Robles, Frankie Santoro, and Kay Griffin to the Senior Citizen Advisory Committee with terms to expire November 2018.

Seconded by Councilmember McGinnis. The motion was approved unanimously.

**Councilmember Rockey moved to rescind prior action to award a contract with Professional Golf

Services, LP, for the construction of softball fields at the Sportspark.
Seconded by Councilmember Hill. The motion was approved unanimously.

**Councilmember Rockey moved to approve a construction contract with Oncore Group, LLC, for the installation of softball fields at the Sportspark and authorizing the Mayor to execute the contract in the amount of \$292,240.18.
Seconded by Councilmember Gustafson. The motion was approved unanimously.

**Councilmember Scott moved to rescind prior action disposing of Bid No. 2015-10 for Preventative Maintenance of Emergency Generators awarded to MNI Diesel Inc.
Seconded by Councilmember Hill. The motion was approved unanimously.

**Councilmember Rockey moved to rescind prior action disposing of Bid No. 2015-15 for City Hall Roof Replacement awarded to Braun's Roofing, Inc.
Seconded by Councilmember Hill. The motion was approved 5-2 with Councilmembers Scott and Gustafson opposed.

Discussion took place between Mayor and Council, and Staff regarding that there were six qualified bidders, allowed one bidder to do an alternate bid but did not notify the other vendors within three days, and with overabundance of caution, the project should be rebid.

**Councilmember Gustafson moved to approve termination of the agreement with Bay Area Houston Economic Partnership for economic development services.
Seconded by Councilmember Rockey.

***Councilmember Hill moved to **amend** the main motion to terminate the contract with Bay Area Houston Economic Partnership and reallocate those funds to the Friends of Downtown Friendswood Association.

Mayor Holland asked if he could add to Councilmember Hill's amendment that Council would consider Bay Area Houston Economic Partnership during next year's budget process.

City Attorney Arnold Polanco stated the reallocation of the budget funds was not on Council's agenda, suggested Council could do a budget amendment at a later date to reallocate funds.

****Councilmember Hill withdrew his amendment to the main motion.

Councilmember Rockey asked for a point of order, and stated Councilmember Hill withdrew his amendment, the Mayor will have to make an amendment to the main motion to add for Council to consider the issue during next year's budget process.

*****Mayor Holland moved to **amend** the main motion to add that Council would consider Bay Area Houston Economic Partnership during next year's budget process.
Seconded by Councilmember Rockey. The **amendment** to the main motion **failed** 3-4 with Councilmembers Hill, McGinnis, Scott, and Gustafson opposed.

City Attorney Arnold Polanco stated there would need to be a vote by Council to accept the amendment to the main motion, and if the amendment prevails then there could be deliberation on the amended motion.

Councilmember Rockey clarified that discussion could now take place on the main motion.

Discussion took place between Mayor and Council regarding the termination of the Bay Area Houston Economic Partnership (BAHEP), regional approach to economic development, asked BAHEP to provide Council with one business they have brought to the City of Friendswood, investment is a small cost, less investment than the Chamber of Commerce, BAHEP does keep the City in tune with surrounding communities, citizens of Friendswood are not interested in big box stores, development in the City of

Friendswood is difficult due to businesses competing with Baybrook Mall, suggestion was made to revisit the BAHEP contract in the next year's budget cycle, use the \$14,000 for this year in a private partnership with Friends of Downtown Friendswood Association, and the suggestion was made to continue the partnership with BAHEP but make BAHEP aware that the City is interested in more local economic development.

*****Councilmember Enochs moved to **table** the termination of the agreement with Bay Area Houston Economic Partnership for economic development services.

Seconded by Mayor Holland. The motion to **table** was approved 5-2 with Councilmember McGinnis and Scott opposed.

**Councilmember Scott moved to approve the disposition of Bid No. 2015-16 to replace Lift Station 18 and award to T & C Construction, LTD, and authorize the Mayor to execute the contract.

Seconded by Councilmember Enochs. The motion was approved unanimously.

**Councilmember Rockey moved to approve a contract with the Friendswood Chamber of Commerce for economic development services and authorize the Mayor to execute the contract in the amount of \$20,000.

Seconded by Councilmember Gustafson. The motion was approved unanimously.

RESOLUTIONS

Councilmember Rockey moved to approve Resolution **R2015-22 – A Resolution of the City of Friendswood, Texas, hereby designating Carl Gustafson as representative and Jim Hill as alternate to the Houston – Galveston Area Council 2016 General Assembly and Board of Directors.

Seconded by Mayor Holland. The motion was approved unanimously.

Councilmember Scott moved to approve Resolution **R2015-23 – A Resolution of the City Council of the City of Friendswood, Texas, determining that land is needed for the construction, operation, and maintenance of public safety facilities; accepting the dedication of said land from Friendswood Lakes Commercial Properties, Ltd., property owners.

Seconded by Councilmember Rockey. The motion was approved unanimously.

ORDINANCES

Assistant City Manager Morad Kabiri reported that the Planning and Zoning Commission's vote for Agenda Item 22A, First reading of Ordinance No. T2015-26, an ordinance amending the Code of Ordinances of the City of Friendswood, Texas, Appendix C – "Zoning," by amending the zoning classification for 402 East Edgewood Drive, being part of Lot 21 (21-2) of the Hoidale and Coffman Subdivision, Abstract 20, Galveston County, Friendswood, Texas; providing for the granting of an amendment to the Specific Use Permit (SUP) approved by Ordinance No. 2004-01 on February 2, 2004, which SUP was further amended by Ordinance No. 2013-13 on May 6, 2013, to add new additional permitted uses of the property for NAICS Use No. 442 "Furniture and Home Furnishings," NAICS Use No. 446 "Health and Personal Care Stores," and NAICS Use No. 448 "Clothing and Clothing Accessory Stores," but otherwise subject to the prior regulations, restrictions, and conditions of Ordinance No. 95-3, adopted on March 6, 1995, establishing the Planned Unit Development (PUD) for the use of the subject property; providing for amendment of the Official Zoning Map was approved unanimously.

Councilmember Scott moved to approve the First reading of Ordinance No. **T2015-26 – An ordinance amending the Code of Ordinances of the City of Friendswood, Texas, Appendix C – "Zoning," by amending the zoning classification for 402 East Edgewood Drive, being part of Lot 21 (21-2) of the Hoidale and Coffman Subdivision, Abstract 20, Galveston County, Friendswood, Texas; providing for the granting of an amendment to the Specific Use Permit (SUP) approved by Ordinance No. 2004-01 on February 2, 2004, which SUP was further amended by Ordinance No. 2013-13 on May 6, 2013, to add new additional permitted uses of the property for NAICS Use No. 442 "Furniture and Home Furnishings," NAICS Use No. 446 "Health and Personal Care Stores," and NAICS Use No. 448 "Clothing and Clothing

Accessory Stores," but otherwise subject to the prior regulations, restrictions, and conditions of Ordinance No. 95-3, adopted on March 6, 1995, establishing the Planned Unit Development (PUD) for the use of the subject property; providing for amendment of the Official Zoning Map; providing a penalty in an amount not to exceed \$2,000 for each day of violation of any provision hereof; and providing for severability. Seconded by Councilmember Hill. The motion was approved unanimously.

Councilmember Rockey moved to approve the First and Final reading of Ordinance No. **2015-27 – An ordinance approving and adopting the City of Friendswood, Texas, General Budget for the Fiscal Year 2015/2016; making appropriations for the City for such Fiscal Year as reflected in said budget, and making certain findings and containing certain provisions relating to the subject. Seconded by Councilmember Enochs. The motion was approved unanimously.

Mayor Holland read the agenda item to approve the First and Final reading of Ordinance No. **2015-28** – An ordinance providing for the levy and collection of ad valorem taxes of the City of Friendswood, Texas, for the tax year commencing October 1, 2015, and ending September 30, 2016; providing the date on which such taxes shall be due and payable; providing for penalty and interest on all taxes not timely paid; providing for severability; and repealing all ordinances or parts of ordinances inconsistent or in conflict herewith.

**Mayor Holland moved to approve the City of Friendswood property tax rate be increased by the adoption of a tax rate of \$.05687, which is effectively a 3.6293% increase in the tax rate. The tax rate is composed of maintenance and operations rate of \$.4972 and a debt service rate of \$.0715. Seconded by Councilmember Hill. The motion was approved 5-2 with Councilmembers McGinnis and Scott opposed.

With concurrence of Council, Mayor Holland moved to Agenda Item 24, Consent Agenda.

CONSENT AGENDA

**Councilmember Rockey moved to approve all items on the Consent Agenda as presented: A. Approving a Congregate Meal Program Interlocal Agreement with Galveston County Parks and Senior Services Department for the City's Senior Citizen Meal Program. B. Approving a License Agreement for a Buyout Property located at 5226 Whittier Oaks and authorizing the Mayor to execute the agreement. C. Approving an excused absence for Councilmember Pat McGinnis from the September 14, 2015, City Council meeting. Seconded by Councilmember Scott. The motion was approved unanimously.

The meeting was adjourned at 8:05 PM.

Mayor Kevin Holland

Attest:

Melinda Welsh, TRMC
City Secretary