

**CITY OF SANTA FE
REGULAR COUNCIL MEETING
DECEMBER 10, 2020 7:00 P.M.
COUNCIL CHAMBERS
12002 HWY. 6, SANTA FE, TEXAS**

MINUTES

The meeting was called to order at 7:00 p.m. by Mayor Jason Tabor.

Roll Call: Present: Mayor Jason Tabor
Mayor Pro-tem Bill Pittman
Councilmember IV Hoke
Councilmember Jason O'Brien
Councilmember Fidencio Leija
Absent: Councilmember Corey Jannett, excused

The invocation was given by Pastor Brad Drake. The pledge of allegiance to the U. S. Flag and to the Texas Flag was led by Councilmember Hoke.

Master Sgt., Sr. Master Sgt., and Chief Master Sgt. Of the Texas Air National Guard presented an appreciation award for military service to Councilmember IV Hoke.

Mayor's and City Manager's Report:

- a. The minutes of 11/12/20 and 11/24/20 were approved as presented.
- b. Presentation of departmental reports by staff, specifically a recap of the activities performed during the previous month and a report of upcoming activities, events, and projects on the horizon
 - 1) Community Services – building permits issued, fees collected, inspections performed, Mulberry Farms proposed development status, Tower Rd Estates Phase I road, and Board of Adjustments statistics
 - 2) Parks and Community Center – park maintenance activities and center rental statistics
 - 3) Police – calls for service statistics, traffic crash analysis, use of force incidents, citation statistics, vehicle pursuit statistics, and report of felony indictments on narcotic trafficking
 - 4) Fire Marshal – burn permit issuance, inspection activities, and proposed draft of revised fireworks regulations
 - 5) Library – patron and program attendance, circulation material statistics, fines and donations collected, and programs and activities
 - 6) Street – drainage projects, street maintenance and improvement activities, equipment maintenance, Christmas tree setup, and status of bond money projects

Citizens' Comments: Mr. Don Johnson asked Council for their support of his bid to fill the vacant seat on the Harris Galveston coastal Subsidence District. Director of Administrative Services Stacey Baker reported that over 1,000 tires were collected during the recent tire recycling event.

Planning and Zoning Business:

Old Business:

1. **Consideration and possible action: Granting/denying request by Gregory Snider for a variance from Chapter 8, Subdivisions, Code of Ordinances, Subsection 6.2.2, and from Article 4, Zoning Districts, Santa Fe Zoning Ordinance, Subsection 4.02.04.B, to reduce the lot width from 60 feet to 55 feet for a four-lot replat of a portion of the Coody-Keeler Subdivision located at 3717 Avenue S and 3717 ½ Avenue S, City of Santa Fe, Galveston County, Texas**

Community Services Director Diana Steelquist said Ms. Snider has appealed the Ave. S subdivision variance request to reduce lot widths that was denied by the Planning and Zoning Commission and the City Council. Ms. Snider said she received no formal notice of the previous Council meeting so she did not attend and they have asked to be placed back on the agenda to be heard. Mr. Snider of 845 Avenue L in Dickinson, Texas, said previous similar variances have been granted, specifically for property across the street from this proposed location, and he said they are requesting fair consideration for their proposed development. Ms. Steelquist said the city's regulations changed after the Pecan Trails subdivision development and our current regulations require 60' lot width for open ditch developments and 55' lot width for approved developments with curb and gutter streets. Motion by Councilmember O'Brien, seconded by Councilmember Pittman to deny the request by Gregory Snider for a variance from Chapter 8, Subdivisions, Code of Ordinances, Subsection 6.2.2, and from Article 4, Zoning Districts, Santa Fe Zoning Ordinance, Subsection 4.02.04.B, to reduce the lot width from 60 feet to 55 feet for a four-lot replat of a portion of the Coody-Keeler Subdivision located at 3717 Avenue S and 3717 ½ Avenue S, City of Santa Fe, Galveston County, Texas. The motion passed the roll call vote unanimously.

New Business:

1. Public hearing: Creation of Mulberry Farms Public Improvement District

Community Services Director Diana Steelquist said last month Council accepted the PID petition for Mulberry Farms, and this is the required public hearing for that proposed development. She said the infrastructure cost of approximately \$7 million will be paid by a special assessment for those properties in the PID area. Ms. Steelquist said we are still awaiting some financial information before Council consideration of a resolution to create the PID. She said staff believes this development will provide quality, affordable housing to our community. Mayor Tabor opened the public hearing at 7:43 p.m. Mr. Daniel Blanco, developer of the proposed Mulberry Farms project, said the financial service and assessment plan will be submitted to staff. He said the proposed development is 66 acres, with 6 acres dedicated to commercial development. Mr. Blanco said the cost of land, larger detention area, realigning Ave. L, and soil issues are what is driving the infrastructure cost up. Mayor Tabor closed the public hearing at 7:49 p.m.

City Business (Other):

Old Business:

1. Consideration and possible action: Adoption of a resolution approving a Chapter 380 Agreement to provide economic incentives to Tower Road Estates LLC to create single family housing opportunities in the City of Santa Fe, Texas

City Manager Glen Adams said this Chapter 380 Agreement has been revised since the previous Council meeting to provide for a schedule of payments based upon houses built and sold. He said Mr. Slone has agreed to the proposed schedule. Motion by Councilmember O'Brien, seconded by Councilmember Pittman to adopt the resolution approving a Chapter 380 Agreement to provide economic incentives to Tower Road Estates LLC to create single family housing opportunities in the City of Santa Fe, Texas. The motion passed the roll call vote unanimously.

New Business:

1. Consideration and possible action: First reading of an ordinance of the City of Santa Fe, Texas, amending Chapter 3, Construction Regulations, Code of Ordinances, Section 2, adopting the International Building Code; Section 3, adopting the 2018 International Residential Code; Section 4, adopting the 2018 International Existing Building Code; Section 5, adopting the 2018 International Mechanical Code; Section 6, adopting the 2020 National Electrical Code and amending Subsection Y(2), Subsection BB and adding Subsection CC; Section 7, adopting the 2018 International Plumbing Code and amending certain revisions, adding definitions and rights; Section 8, adopting the 2018 International Fuel Gas Code; Section 9, adopting the International Energy Conservation Code; Section 11, adopting the 2018 International Property Maintenance Code; providing for penalties and severability

Community Services Director Diana Steelquist said this ordinance updates the building codes from the 2012 Editions to the 2018 Editions, with the exception of the electrical code which would adopt the 2020 Edition. Building Official Marty Haley said the state has already updated these code editions, and he summarized the proposed amendments and revisions to the new code editions. Among the proposed amendments and revisions are a plumbing homestead exemption, one electrical meter per residential lot, electrical conduit requirements, plastic flashing for electrical service, sewer depth, gas sizing charts, daycare requirements, flatwork specifications, and minimum dwelling size. He said staff has contacted the developers in our community for comment and feedback and they said that engineers are already using the updated codes. Motion by Councilmember Hoke, seconded by Councilmember O'Brien to pass the first reading of an ordinance of the City of Santa Fe, Texas, amending Chapter 3, Construction Regulations, Code of Ordinances, Section 2, adopting the International Building Code; Section 3, adopting the 2018 International Residential Code; Section 4, adopting the 2018 International Existing Building Code; Section 5, adopting the 2018 International Mechanical Code; Section 6, adopting the 2020 National Electrical Code and amending Subsection Y(2), Subsection BB and adding Subsection CC; Section 7, adopting the 2018 International Plumbing Code and amending certain revisions, adding definitions and rights; Section 8, adopting the 2018 International Fuel Gas Code; Section 9, adopting the International Energy Conservation Code; Section 11, adopting the 2018 International Property Maintenance Code; providing for penalties and severability and to dispense with the second reading of the ordinance. The motion passed the roll call vote unanimously.

2. Consideration and possible action: First reading of an ordinance of the City of Santa Fe, Texas, amending Chapter 3, Construction Regulations, Code of Ordinances, Section 18, Supplementary Regulations to the Building Codes, Subsection D, Windstorm Resistant Construction, amending the dollar amount of exemption

Community Services Director Diana Steelquist said this ordinance is to increase the cost of accessory structures exempt from windstorm requirements from \$5,000 in value to \$10,000 in value. Council discussed an appropriate exemption value for accessory structures. Motion by Councilmember Leija, seconded by Councilmember Pittman to pass the first reading of an ordinance of the City of Santa Fe, Texas, amending Chapter 3, Construction Regulations, Code of Ordinances, Section 18, Supplementary Regulations to the Building Codes, Subsection D, Windstorm Resistant Construction, amending the dollar amount of exemption to \$10,000. The motion passed the roll call vote unanimously.

3. Consideration and possible action: First reading of an ordinance of the City of Santa Fe, Texas, amending Chapter 3, Construction Regulations, Code of Ordinances, Section 1, General, adding Subsection J, Construction Documents; providing for penalties and severability

Building Official Marty Haley said this ordinance allows for staff development of standard operating procedures to establish a checklist of documents necessary to submit an application for a development permit. Motion by Councilmember Pittman, seconded by Councilmember Hoke to pass the first reading of an ordinance of the City of Santa Fe, Texas, amending Chapter 3, Construction Regulations, Code of Ordinances, Section 1, General, adding Subsection J, Construction Documents; providing for penalties and severability. The motion passed the roll call vote unanimously.

4. Consideration and possible action: First reading of an ordinance of the City of Santa Fe, Texas, amending Chapter 3, Construction Regulations, Code of Ordinances, Section 10, adding the International Swimming Pool and Spa Code; providing for penalties and severability

Building Official Marty Haley said the 2012 International Residential Code covered swimming pools and spas but the 2018 code does not contain swimming pool and spa regulations as those are in its own separate code now. Motion by Councilmember Leija, seconded by Councilmember Pittman to pass the first reading of an ordinance of the City of Santa Fe, Texas, amending Chapter 3, Construction Regulations, Code of Ordinances, Section 10, adding the International Swimming Pool and Spa Code; providing for penalties and severability and to dispense with the second reading of the ordinance. The motion passed the roll call vote unanimously.

5. Consideration and possible action: First reading of an ordinance of the City of Santa Fe, Texas, amending Chapter 5, Fire Protection, by updating the International Fire Code from the 2012 Edition to the 2018 Edition; updating the NFPA 101, Life Safety Code from the 2015 Edition to the 2018 Edition

Fire Marshal Tony Dauphine said this ordinance is to update the editions of the Fire Code and Life Safety Code from 2012 to 2018. He summarized proposed amendments to these editions, including an emergency lighting requirement in commercial restrooms and the installation of smoke detectors and automatic sprinklers in all commercial buildings. Motion by Councilmember Leija, seconded by Councilmember O'Brien to pass the first reading of an ordinance of the City of Santa Fe, Texas, amending Chapter 5, Fire Protection, by updating the International Fire Code from the 2012 Edition to the 2018 Edition; updating the NFPA 101, Life Safety Code from the 2015 Edition to the 2018 Edition and to dispense with the second reading of the ordinance. The motion passed the roll call vote unanimously.

6. Consideration and possible action: First reading of an ordinance of the City of Santa Fe, Texas, amending Chapter 4, Business Regulations, Code of Ordinances, Section 8, Vehicle Wrecker and Wrecker Company Regulations, providing for updated fees; revising certain provisions for safety; providing for repealer, cumulative and severability clauses; and establishing an effective date

Police Chief Philip Meadows said this ordinance is an update to the city's wrecker regulations to increase application fees, allowable towing fees, the number of wreckers allowed on our rotation list, and storage lot size and amends storage lot location requirements, updates the definition of a heavy wrecker, relaxes the response time requirements, and adds a hold harmless agreement for execution by the wrecker companies on the approved rotation list. Motion by Councilmember Leija, seconded by Councilmember Hoke to pass the first reading of an ordinance of the City of Santa Fe, Texas, amending Chapter 4, Business Regulations, Code of Ordinances, Section 8, Vehicle Wrecker and Wrecker Company Regulations, providing for updated fees; revising certain provisions for safety; providing for repealer, cumulative and severability clauses; and establishing an effective date and to dispense with the second reading of the ordinance. The motion passed the roll call vote unanimously.

7. Consideration and possible action: Adoption of a resolution authorizing execution of an Addendum to the Collective Bargaining Agreement extending the term of the Agreement and adjusting the pay scale and special pay provisions

City Manager Glen Adams said the key changes in the negotiated addendum to the collective bargaining agreement include a 3 percent increase to the pay scale, an increase in the investigator duty pay, and increase in the shift differential pay, and extends the term of the agreement through September 30, 2021. He also said the bargaining unit is required by state law to request, in writing within 120 days of the current fiscal year, a change in compensation or appropriation of money. Motion by Councilmember O'Brien, seconded by Councilmember Leija to adopt the resolution authorizing execution of an Addendum to the Collective Bargaining Agreement extending the term of the Agreement and adjusting the pay scale and special pay provisions. The motion passed the roll call vote unanimously.

8. Consideration and possible action: Adoption of resolution authorizing the execution and delivery of a lease with option to purchase agreement and related documents for acquisition of a/c units for the community center and the council chambers, a new trailer for the street department, a new vehicle for the building inspector, a new truck for the investigator, and criminal investigation equipment

City Manager Glen Adams said staff solicited proposals for financing equipment and vehicle acquisitions this fiscal year and the most advantageous proposal was submitted by Republic First National with a 2.993 percent interest rate over a two-year repayment term. Chief Meadows said he would like to substitute two more vehicle purchases for the original proposal to purchase criminal investigation equipment since we now have access to the use of such equipment at no cost due to our joint venture participation with other entities. He said the additional cost for the first payment can be paid by funds in the seized fund account so there would be no impact on the current budget. Motion by Councilmember Pittman, seconded by Councilmember Hoke to adopt the resolution authorizing the execution and delivery of a lease with option to purchase agreement and related documents with Republic First National for acquisition of a/c units for the community center and the council chambers, a new trailer for the street department, a new vehicle for the building inspector, a new truck for the investigator, and two vehicles for the criminal investigation division. The motion passed the roll call vote unanimously.

9. Discussion: Update on joint Avenue P drainage project

City Manager Glen Adams provided an update on the engineering work for the proposed Avenue P drainage project and said an Interlocal Agreement with the drainage district is ready for consideration at the next council meeting.

Announcements:

Summary of action from this agenda, request for future agenda items, and scheduling future meetings

Motion by Councilmember Pittman, seconded by Councilmember O'Brien to adjourn. The motion passed and the meeting adjourned at 9:12 p.m.

ATTEST:

JASON TABOR, MAYOR

Janet L. Davis, City Secretary