

**CITY OF SANTA FE
REGULAR COUNCIL MEETING
MAY 13, 2021 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

The invocation was given by Pastor John Elliott of Gulf Coast Foursquare Church. The pledge of allegiance to the U. S. Flag and to the Texas Flag was led by Mayor Tabor.

The Friends of the Library and Mainland Morning Quilt group presented Veterans Glen Adams, IV Hoke, and Fidencio Leija each with a hand-stitched quilt in honor of their military service.

Mayor's and City Manager's Report:

- a. The minutes of 4/8/2021 and 4/15/2021 were approved as presented.
- b. The annual financial statement for the fiscal year ending September 30, 2020, was presented by Ana Gallardo of Carr, Riggs, and Ingram. She reported no findings on the single audit which was required because of federal funding received and noted that the Santa Fe Economic Development Corporation is included as a blended component unit even though those statements are audited by another firm. Ms. Gallardo said the firm provided an unmodified report and their opinion is that the city's annual financial statement is fairly represented.
- c. City Secretary Janet Davis presented the investment report for the quarter ending March 31, 2021, with unrestricted funds in the amount of \$2,870,958 and restricted funds in the amount of \$453,106.
- d. 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, plat reviews, new residential construction plan reviews, new businesses, variance requests, development meetings, and online portal implementation
 - 2) Parks and Community Center – routine park and building maintenance activities, tree trimming activities, online calendar view for rental availability, and Keep Santa Fe Beautiful and Therapeutic Garden accomplishments
 - 3) Municipal Court – cases filed, disposed, and cleared; revenue collected; warrants issued; and citations and warnings issued
 - 4) Police – calls for service statistics, traffic crash analysis, use of force incidents, arrests, citations, and report statistics, crash investigations, and no pursuits or use of force incidents
 - 5) Fire Marshal – burn permit issuance, inspection activities, and code enforcement follow up
 - 6) Library – patron and program attendance, circulation material statistics, library cards issued, new reading programs, and status of library addition construction plans
 - 7) Street – drainage projects, street maintenance and improvement activities, and equipment maintenance
 - 8) Resiliency Center – counseling statistics, including new and continuing clients, for individual and family sessions; and upcoming virtual gala details

Citizens' Comments: Mr. Brandon Noto of 11849 – 14th Street said he supports the "Trails of Santa Fe"

City Business (Other): 1. Oaths of Office by newly-elected officers

Newly-elected officers Jason Tabor (Mayor), Jason O'Brien (Council Place 2), and Melanie Collins (Council Place 3) were administered the Oath of Office.

Planning and Zoning Business:

Old Business:

1. Consideration and possible action: Second and final reading of an ordinance of the City of Santa Fe, Texas, approving the Master Plan for a Planned Unit Development (PUD) rezoning from Single-Family Residential (R-1) and Neighborhood Commercial (NC) for a 65.639 acre mixed-use, master-planned community development located at FM 1764 and Avenue L (Novelli), City of Santa Fe, Galveston County, Texas

Interim Community Services Director Stacey Baker said this is the final approval of the Master Plan for the Mulberry Farms Planned Unit Development on FM 1764. Councilmember Pittman asked when they plan to break ground and Developer Daniel Blanco said around February/March, 2022. Motion by Councilmember O'Brien, seconded by Councilmember Leija to pass the second and final reading of an ordinance of the City of Santa Fe, Texas, approving the Master Plan for a Planned Unit Development (PUD) rezoning from Single-Family Residential (R-1) and Neighborhood Commercial (NC) for a 65.639 acre mixed-use, master-planned community development located at FM 1764 and Avenue L (Novelli), City of Santa Fe, Galveston County, Texas. The motion passed the roll call vote unanimously, with Councilmember Collins recusing herself from this old business.

New Business: None

City Business (Other):

Old Business:

1. Consideration and possible action: Second and final reading of an ordinance of the City of Santa Fe, Texas, amending Chapter 5, Fire Protection, Section 3, Fireworks, authorizing the use and sale of fireworks at certain times; repealing certain provisions inconsistent with state law; providing for repealer, cumulative and severability clauses; and establishing an effective date

Fire Marshal Tony Dauphine said we conducted roundtable discussions with the fire department about the proposed amendment to the regulations to allow the use and sale of fireworks within the city limits during established times with a permit. Santa Fe Fire and Rescue Chief Tommy Anderson said the fire department has discussed the proposed amendment and reported that the executive board disapproves but the membership is split between approval and disapproval. He said when the weather is very dry, they have a lot of calls but not so many when the weather is wet. Mr. Anderson said supervised fireworks can still cause issues once they leave a displayer's property. He said he personally opposes the sale of fireworks within the city, but said if fireworks are allowed to be sold, he highly recommended that a brick and mortar building be required for the conduct of such sales. Mr. Bobby Wright of 4410 Avenue R said he is opposed to allowing fireworks in the city as they are dangerous and a nuisance. Councilmember Pittman said this discussion began when he questioned our regulations because we were having difficulty enforcing the prohibition. He then recommended we put the issue in the citizens hands by allowing fireworks with a permit. Councilmember Pittman moved to pass the ordinance amendment with a July 15 sunset provision so Council can re-evaluate compliance, to prohibit the sale of fireworks in the city limits, to strictly enforce the permit and time deadlines, and to require the fire marshal to make a decision about a burn ban one week before July 4. City Manager Glen Adams said these are significant changes to the ordinance as passed on the first reading so if these changes are incorporated, this would become a first reading again. 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 5, Fire Protection, Section 3, Fireworks, as modified, authorizing the use of fireworks at certain times; repealing certain provisions inconsistent with state law; providing for repealer, cumulative and severability clauses; and establishing an effective date, with the four changes as stated above. Councilmember Leija said discussions resulted in identifying that our current ordinance is not being enforced and any citations issued are being dismissed. He said he is not in favor of changing our ordinance because we are not enforcing our current regulations, top leadership of the fire department opposes allowing fireworks, and our police chief opposes enforcement by anyone other than a licenses peace officer. Mr. Adams said our police department has difficulty identifying who is violating the regulations. Mr. Anderson said he believes that a citation can be issued to the landowner, but he thinks the police officers do not want to be the bad guy that issues citations and confiscates fireworks. Mr. Dauphine said unopened fireworks are allowed to be possessed under current state law. The motion passed the roll call vote. Those voting for: Councilmember Hoke, Councilmember Pittman, and Councilmember Collins. Those voting against: Councilmember Leija and Councilmember O'Brien.

New Business:

2. Consideration and possible action: Selection of Mayor Pro-tem

Motion by Councilmember O'Brien, seconded by Councilmember Leija to select Bill Pittman to continuing serving as Mayor Pro-tem. The motion passed the roll call vote unanimously.

3. Consideration and possible action: Appointment of members to serve on the Library Advisory Board for Position 3 (expires July, 2021) and Alternate 1 (expires July, 2022)

Motion by Councilmember Hoke, seconded by Councilmember O'Brien to appoint Billie Mahoney to Position 3 on the Library Advisory Board for a term to expire July, 2021, and to appoint Stephanie Carter as Alternate 1 on the Library Advisory Board for a term to expire July, 2022. The motion passed the roll call vote unanimously.

4. Consideration and possible action: Authorizing the Mayor to execute the Master Equity Lease Agreement and related documents with Enterprise Fleet Management Trust for leasing fleet vehicles for city operations

Motion by Councilmember Pittman, seconded by Councilmember Leija to table this item until the next meeting. The motion passed the roll call vote unanimously.

5. Consideration and possible action: Authorizing staff to continue working with the Drainage District, County, and property owners in efforts to open the "Trails of Santa Fe" linking a trail suitable for horseback riding from FM 646 N to Jack Brooks Park

City Manager Glen Adams said walking along our streets is not safe, so we are proposing to promote the Trails of Santa Fe along with Drainage District No. 1 to create access along the drainage ditch from FM 646N to Jack Brooks Park for walking, jogging, bicycling, and horseback riding. He said costs should not exceed \$10,000 and he is asking Council to authorize staff to move forward with this project. Mr. Brandon Noto of 11849 – 14th Street said he works closely with the youth of Santa Fe and this concept is a great opportunity to be unique, represent our heritage, and promote community camaraderie. He suggested we allow branding on the mile markers along the trail. Building Official Marty Haley said we have horses all over town but no real place to ride other around and around in a circle. He said he has visited with most of the residents along the trail who seem excited about this unique opportunity. Mr. Haley said this 2 ½ hr, 6-mile ride will amplify our rural lifestyle. Councilmember Leija said we may be able to partner with HGAC to obtain grant funding for projects such as these. Motion by Councilmember Leija, seconded

by Councilmember Collins to authorize staff to continue working with the Drainage District, County, and property owners in efforts to open the "Trails of Santa Fe" linking a trail suitable for horseback riding from FM 646 N to Jack Brooks Park. The motion passed the roll call vote unanimously.

6. Consideration and possible action: Appointment/reappointment of Municipal Court Judge for a two-year term to expire May, 2023

Mayor Tabor said he has received inquiries from those wanting to serve as municipal court judge. City Manager Glen Adams said we could solicit applications with subsequent committee review and recommendation. Judge Getty said he has served over 41 years in the current position and is interested in continuing to serve. Motion by Councilmember Leija, seconded by Councilmember Hoke to open this position to look at other applicants that may be interested in serving as Judge and to reappoint Carlton Getty as Municipal Court Judge for ninety days during the interim search. The motion passed the roll call vote unanimously.

7. Consideration and possible action: Appointment/reappointment of Associate Municipal Court Judge for a two-year term to expire May, 2023

Motion by Councilmember Pittman, seconded by Councilmember Hoke to open this position to look at other applicants that may be interested in serving as Associate Judge and to reappoint Doug Rotenberry as Associate Municipal Court Judge for ninety days during the interim search. The motion passed the roll call vote unanimously.

8. Consideration and possible action: Confirmation of City Manager's appointment of the Community Services Director

City Manager Glen Adams said he has selected and appointed Stacey Baker as the Community Services Director. Motion by Councilmember O'Brien, seconded by Councilmember Pittman to confirm the City Manager's appointment of Stacey Baker as the Community Services Director. The motion passed the roll call vote unanimously.

9. Consideration and possible action: Authorizing City Manager to create the position of a Finance Director and authorizing funding for this new position

City Manager Glen Adams said Stacey Baker moved from Director of Administrative Services to Community Services Director so we now have an opportunity to transition the vacant Director of Administrative Services position to a Finance Director who would be responsible for EDC administrative functions, grant responsibilities, and all areas of finance for the city. Motion by Councilmember Hoke, seconded by Councilmember O'Brien to authorize the City Manager to create the position of Finance Director and to authorize funding for this new position. The motion passed the roll call vote unanimously.

10. Consideration and possible action: Authorizing City Manager to create an additional Building Inspector position and authorizing funding for this new position

Community Services Director Stacey Baker said the entire permit department as been overwhelmed with development activities and staff is stressed to keep up with plan review, permit issuance, phone calls, inspection activities, and so on. She said other cities in the area have a dedicated plan reviewer and growth, not population, is the determining factor driving our need and workload. Councilmember Leija asked if staff felt the additional permit fees projected will cover the cost of an additional inspector. Mrs. Baker said yes and briefed the development anticipated on the horizon based upon pre-development meetings that have been held. Councilmember Pittman complimented Mrs. Baker but said staff should be visiting these other cities to see their staff and how they handle the workload. He said that the development mentioned is "possible" and "potential" so we should assess our actual

needs and perhaps budget for a plan reviewer or inspector during the upcoming budget workshops. Building Official Marty Haley said he is hoping to hire a combination building inspector/plan reviewer/code enforcement officer, because we are not sustainable at this pace as we are at our physical limits. He said development fees are up and we can pay for a new inspector and luckily the iWorq software is greatly improving our capacity and efficiency. Mayor Tabor said we have part-time help for inspection and plan review, but the department is also taking time to conduct pre-development meetings as a customer service and education aspect so the developer knows what is expected and where to find our requirements to build in our city. Councilmember Leija said he would like to review the statistics of actual development vs. permit fee revenue vs. part-time inspector costs vs. new personnel and benefit costs. Councilmember O'Brien asked if the department is currently crippled and needs immediate help. Mr. Haley responded yes and that he would actually like to take some time off for a vacation. Motion by Councilmember Hoke, seconded by Councilmember Leija to table this item until the next council meeting. The motion passed the roll call vote unanimously.

Announcements: SF10 Memorial 5K run on May 22 at Jack Brooks Park; raffle tickets on sale for donated 2-seater, quad cycle in lobby to raise funds for city park projects

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 9:22 p.m.

ATTEST:

JASON TABOR, MAYOR

Janet L. Davis, City Secretary