

**CITY OF SANTA FE
REGULAR COUNCIL MEETING
OCTOBER 14, 2021 7:00 P.M.
COUNCIL CHAMBERS
12002 HWY. 6, SANTA FE, TEXAS**

MINUTES

The meeting was called to order at 7:10 p.m. by Mayor Jason Tabor.

Roll Call: Present: Mayor Jason Tabor
Mayor Pro-tem Bill Pittman
Councilmember Melanie Collins
Councilmember Fidencio Leija
Councilmember Jason O'Brien

The invocation was given by Mayor Pro-tem Bill Pittman. The pledge of allegiance to the U. S. Flag and to the Texas Flag was led by Councilmember Fidencio Leija.

City Business (Other):

Old Business: None

New Business:

1. Consideration and possible action: First reading of an ordinance amending the general fund operating budget for the fiscal year beginning October 1, 2020

Finance Director Rudy Zepeda said these year end budget amendments will adjust revenue and expenditures not considered in the original budget in order to bring the budget more in line with actuals at year end. Motion by Councilmember Leija, seconded by Councilmember Pittman to pass the first reading of an ordinance amending the general fund operating budget for the fiscal year beginning October 1, 2020. The motion passed the roll call vote unanimously.

2. Consideration and possible action: Adoption of a resolution approving the first amended and restated bylaws of the City of Santa Fe Economic Development Corporation

Finance Director Rudy Zepeda said the Nichols firm is the SFEDC attorney and they provided an overview of the amendments to the bylaws, including the recommendation to stagger terms of board members. The SFEDC attorney said the bylaws are 20 years old, and following the May election, they need to be updated to restate its purpose; banking depository; termination of EDC; appointment, removal, and requirements of directors; reporting and records; training requirements; meeting requirements; quorum requirements; officers; indemnification; code of ethics, bylaw amendments, and recommendations for staggered terms for directors. Councilmember Leija expressed his thanks and appreciation to the Nichols firm for their thorough and qualify review. Motion by Councilmember Pittman, seconded by Councilmember O'Brien to adopt the resolution approving the first amended and restated bylaws of the City of Santa Fe Economic Development Corporation, adding staggered positions for board members where even-numbered positions expire in even years and odd-numbered positions expire in odd years. The motion passed the roll call vote unanimously.

3. Consideration and possible action: Adoption of resolutions approving regular and annual meeting dates of the City of Santa Fe Economic Development Corporation

Finance Director Rudy Zepeda said these resolutions formally establish the regular and annual meeting dates of the SFEDC. He said the board regularly meets on the last Tuesday of each month with its annual meeting on the last Tuesday of August. Motion by Councilmember Pittman, seconded by Councilmember Collins to adopt the resolutions approving regular and annual meeting dates of the City of Santa Fe Economic Development Corporation. The motion passed the roll call vote unanimously.

4. Consideration and possible action: Adoption of a resolution approving the Santa Fe Economic Development Corporation budget amendments for the fiscal year ending September 30, 2021

Finance Director Rudy Zepeda said these year-end budget amendments are customary to correct overages and shortfalls throughout the year in order to bring the budget more in line with actuals at year end. Motion by Councilmember O'Brien, seconded by Councilmember Pittman to adopt the resolution approving the Santa Fe Economic Development Corporation budget amendments for the fiscal year ending September 30, 2021. The motion passed the roll call vote unanimously.

5. Consideration and possible action: Adopting of a resolution approving the Santa Fe Economic Development Corporation Code of Ethics & Conduct

Finance Director Rudy Zepeda said the Nichols firm, the attorney for the SFEDC, has recommended this formal code be established and adopted to ensure board members are impartial and independent, upholding the highest level of integrity to avoid even the appearance of impropriety. Motion by Councilmember Pittman, seconded by Councilmember Collins to adopt the resolution approving the Santa Fe Economic Development Corporation Code of Ethics & Conduct. The motion passed the roll call vote unanimously.

6. Consideration and possible action: Approval of the First Addendum to the Supplementary Conditions of the Contract Documents for Sanitary Sewer Improvements along FM 1764 between the Santa Fe Economic Development Corporation and Reddico Construction Co., Inc.

Finance Director Rudy Zepeda said these changes to the contract documents for the sewer project on FM 1764 provide for the inclusion of warranties and guarantees, oversights, indemnification, and liability insurance certificate requirements, and the contractor for the project supports the amendments proposed. Motion by Councilmember O'Brien, seconded by Councilmember Leija to approve the First Addendum to the Supplementary Conditions of the Contract Documents for Sanitary Sewer Improvements along FM 1764 between the Santa Fe Economic Development Corporation and Reddico Construction Co., Inc. The motion passed the roll call vote unanimously.

7. Consideration and possible action: Authorizing the Mayor to execute the Development Agreement for the FM 1764 Santa Fe Economic Development Corporation sanitary sewer project

Finance Director Rudy Zepeda said the attorney for the SFEDC has created a development agreement between the city, the water district, and the SFEDC for the FM 1764 sewer project approved last summer. He said it is typical to have an agreement prior to the beginning of construction, but it wasn't until recently that the documents were finalized. This agreement covers the city and related parties in the construction of the sanitary sewer improvements along FM 1764. Motion by Councilmember O'Brien, seconded by Councilmember Collins to authorize the Mayor to execute the Development Agreement for the FM 1764 Santa Fe Economic Development Corporation sanitary sewer project. The motion passed the roll call vote unanimously.

Mayor's and City Manager's Report:

- a. The minutes of 9/9/2021, 9/23/2021, and 10/4/2021 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, and inspections performed
 - 2) Parks and Community Center – routine park and building maintenance activities, center rental statistics, park vandalism, and amphitheater project update, including removal of trees, improved drainage, and improved walking trail at Joe A. Tambrella park
 - 3) Municipal Court – cases filed, disposed, and cleared; revenue collected
 - 4) Police – calls for service statistics and traffic crash analysis
 - 5) Fire Marshal – *not in attendance at this meeting*
 - 6) Library – patron and program attendance, circulation material statistics, library cards issued, reading programs, and status of library addition construction
 - 7) Street – drainage projects, street maintenance and improvement activities, and equipment maintenance
 - 8) Resiliency Center – VOCA grant funding awarded for fiscal year 2021/22 for continued counseling services

Citizen's Comments: None

Planning and Zoning Business: None

City Business (Other):

New Business: *(continued)*

8. Consideration and possible action: Presentation of TDA Form A1024 CDBG Section 3 Goals and Concepts, as related to the CDBG Program and Grant Contract Number 7219399, and authorizing the Mayor to execute the Grant Administration Services Amendment No. 1 between the City and Grantworks, Inc. to update the terms and conditions

Community Services Director Stacey Baker said this grant project for water line improvements is complete, pending final payments, but this language relating to Section 3 residents and business concerns is required to be included in the grant administration agreement. Motion by Councilmember Leija, seconded by Councilmember O'Brien to authorize the Mayor to execute the Grant Administration Services Amendment No. 1 between the City and Grantworks, Inc. to update the terms and conditions. The motion passed the roll call vote unanimously.

9. Consideration and possible action: Authorizing execution of Interlocal Cooperation Contract between the City and Texas State University for funding of the FY2022 Tobacco Enforcement Program grant

Police Captain Robert Shores said this is a continuation of the Tobacco Enforcement Program through the Texas State University, and the amount of this year's grant award is \$5,625. Motion by Councilmember Leija, seconded by Councilmember O'Brien to authorize execution of the Interlocal Cooperation Contract between the City and Texas State University for funding of the FY2022 Tobacco Enforcement Program grant. The motion passed the roll call vote unanimously.

10. Consideration and possible action: First reading of an ordinance of the City of Santa Fe, Texas, amending Chapter 1, General Provisions, Section 12, City Depository, to add an authorized signer for banking transactions

11. Consideration and possible action: Adoption of a resolution amending those representatives authorized to conduct business with LOGIC

12. Consideration and possible action: Adoption of a resolution amending those representatives authorized to conduct business with TexPool and TexPool Prime

City Secretary Janet Davis said with the recent addition of the position of Finance Director, the representatives authorized to conduct banking transactions with the city depository and with the investment pools, Logic and TexPool, should be amended to include the Finance Director in addition to the Mayor, Mayor Pro-tem, and City Secretary. Motion by Councilmember Pittman, seconded by Councilmember O'Brien to pass the first reading of an ordinance of the City of Santa Fe, Texas, amending Chapter 1, General Provisions, Section 12, City Depository, to add an authorized signer for banking transactions and to dispense with the second reading and to adopt the resolutions amending those representatives authorized to conduct business with Logic, TexPool, and TexPool Prime. The motion passed the roll call vote unanimously.

13. Consideration and possible action: Approving the purchase of A/V equipment for the use of broadcasting public meetings to be funded by the 1% Comcast franchise fee known as PEG funds

Finance Director Rudy Zepeda said the one percent PEG (public, educational, and government) fees remitted by Comcast to the city was intended to allow opportunities for cities to develop their own cable channel with content directed to and for their residents. He said although Council opted to discontinue receiving this fee several years ago, the funds previously remitted and held by the city are restricted for use on capital purchases as allowed under state statute. Staff is recommending we use these funds to purchase equipment that will enable us to broadcast our meetings directly to our website, rather than through Facebook, as well as schedule the meetings to play on a cable channel provided for free by Comcast. Mr. Zepeda said Ford AV has provided a proposal in the amount of \$115,426 through the Buyboard cooperative purchasing contract for the capital equipment needed to be able to provide public access to our meetings and other informational messages. Motion by Councilmember Pittman, seconded by Councilmember Collins to approve the purchase of A/V equipment for the use of broadcasting public meetings to be funded by the 1% Comcast franchise fee known as PEG funds. The motion passed the roll call vote unanimously.

14. Consideration and possible action: Adoption of a resolution electing to reinstate the remittance of a PEG fee by holders of a state-issued certificate of franchise authority

Finance Director Rudy Zepeda said that in 2015 the city opted to discontinue receiving PEG fees because of the time and resources necessary to implement the eligible programming which is restricted by state statute. He said we are now in a much better position to purchase capital equipment that will enable us to broadcast our meetings, as authorized by the item immediately preceding this item on the agenda. Mr. Zepeda said the PEG fee cannot be used for maintenance costs as the statute restricts use to capital purchases, but as the equipment ages, PEG fees could be used for capital replacement costs. He said this resolution will reinstate the PEG fee and we anticipate about \$30,000 in annual revenue be remitted for this purpose. Motion by Councilmember Leija, seconded by Councilmember O'Brien to adopt the resolution electing to reinstate the remittance of a PEG fee by holders of a state-issued certificate of franchise authority. The motion passed the roll call vote unanimously.

15. Consideration and possible action: First reading of an ordinance of the City of Santa Fe, Texas, amending Chapter 9, Traffic Code, Code of Ordinances, Section 2, Traffic Control Devices, Subsection G (2), by repealing Ordinance #02-2013 prohibiting left turns in the northbound direction of Avenue S between Walker Street and 4 ½ Street

City Manager Glen Adams said Santa Fe ISD has requested removal of the left turn prohibition on Avenue S Between Walker and 4 ½ Street. Motion by Councilmember Pittman, seconded by Councilmember O'Brien to pass the first reading of an ordinance of the City of Santa Fe, Texas, amending Chapter 9, Traffic Code, Code of Ordinances, Section 2, Traffic Control Devices, Subsection G (2), by repealing Ordinance #02-2013 prohibiting left turns in the northbound direction of Avenue S between Walker Street and 4 ½ Street and to dispense with the second reading. The motion passed the roll call vote unanimously.

Announcements: The special election is November 2, 2021.

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 8:33 p.m.

JASON TABOR, MAYOR

ATTEST:

Janet L. Davis, City Secretary