

**CITY OF SANTA FE
REGULAR COUNCIL MEETING
DECEMBER 8, 2022 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 Bill Pittman.

Roll Call: Present: Mayor Bill Pittman
Mayor Pro Tem Brandon Noto
Councilmember John Dickerson
Councilmember Dana Marks
Councilmember Melanie Collins
Councilmember Jason O'Brien

Absent: None

The Invocation was given by Pastor Brad Drake and the pledge to the U.S. Flag and to the Texas Flag was led by Mayor Bill Pittman.

Mayor's and City Manager's Report:

Mayor Pittman did not have a report for the meeting.

1. Presentation and approval of minutes: 11/10/2022 regular meeting minutes were approved as presented.

2. 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
- 2) Parks and Community Center – park maintenance activities, center rental statistics
- 3) Municipal Court – cases filed, revenue collected, warrants issued and cleared
- 4) Police – calls for service statistics, traffic crash analysis, use of force incidents
- 5) Fire Marshal – burn permit issuance, inspection activities
- 6) Library – patron and program attendance, circulation material statistics, fines and donations collected, library accreditation
- 7) Street – drainage projects, street maintenance and improvement activities, equipment maintenance. Streets Superintendent Billy Creppon addressed some questions from Council about the volume of crushed concrete that the City uses.

Citizens' Comments:

None.

Business:

A. Old Business:

1. Consideration and possible action: Adoption of a Resolution of the City of Santa Fe, Texas, committing local funds for the Community Development Block Grant Disaster Recovery (CDBG-DR) project with the General Land Office (GLO), State Contract No. 20-065-026-C093

Acting City Manager Alun Thomas informed Council that Kevin Pell, the City's Grant Administer from Grant Works, was in attendance to explain the situation about costs of the project exceeding the grant amount. Mr. Pell, the grant administrator for the City's account explained to Council that the Resolution would be to allot local funds to cover

the cost for the overages of expenditures related to the Community Development Block Grant Disaster Recover (CDBG-DR) project with the General Land Office (GLO). Mr. Pell informed Council that the discussion about the cost overages had taken place with City staff when the project first started, about two years ago. Mr. Pell explained the initial bid had been in December 2020, and by January 2021 it was realized that the project would exceed its budget. At that time the City went out for re-bids, which still resulted in over-budget bids. Mr. Pell said that the Engineer on the project, Brian Kramer, was able to remove some costs to bring the total overages to \$24,866.25. When the discussion about the overages had been made in 2021, the City then agreed, through its staff, to the overage cost. Mr. Pell explained the exact cost amount had not been determined in 2021; there was only an approximate amount. Mr. Pell informed Council that \$24,866.25 is the exact dollar amount owed for the overages in cost. Mayor Bill Pittman explained that the City does not want to pay the \$24,866.25 until the open invoice for \$9,000.00 in diesel has been paid and all the equipment has been moved. Mr. Pell said that he is working on the invoice and agrees that the City should not pay the balance in the amount of \$24,866.25 until the open invoice in the amount of \$9,000.00 has been paid and all equipment has been moved.

Motion by Councilmember O'Brien, seconded by Councilmember Marks, to approve the Resolution committing local funds in the amount of \$24,866.25 for the Community Development Block Grant Disaster Recovery (CDBG-DR) project with the General Land Office (GLO) as presented. The motion passed the roll call vote unanimously.

2. Consideration and possible action: Selection of a document management solution provider and authorizing the Acting City Manager to enter into a purchase contract with that vendor

Acting City Manager Alun Thomas explained that this item had been postponed from the regular meeting at the beginning of November 2022, at that time staff reviewed 3 providers and decided that the best option was Laserfiche. Two vendors can provide that software, and he recommended the lower-priced vendor. The first-year cost of \$31,331.00 is covered under the American Rescue Plain Act (ARPA) funds and there will be an annual recurring cost of \$16,926.15 which would not be covered from the American Rescue Plain Act (ARPA) funds. Mr. Thomas explained that Laserfiche would help the City properly manage all of its records. Mr. Thomas explained that Laserfiche would also help the City properly discard records when they reach their retention date and also the system will allow the record to be more secure.

Motion by Councilmember Noto, seconded by Councilmember Collins, to approve to purchase of Laserfiche through Image Net as presented and to authorize the Acting City Manager to enter into a purchase contract with that vendor. The motion passed the roll call vote unanimously.

B. New Business:

1. Public hearing: Request for voluntary annexation of approximately 6,000 acres of the property legally described as ABST 15 | LEWIS SUR PT OF BLK A (1-1-3) EUREKA ORCHARD SUB NO 1 in the Tower Road Estates Section III Subdivision generally located east of Tower Road and approximately 1,300 feet north of Williams Street

City Engineer Matt Johnson explained the property is in the City's Extra Territorial Jurisdiction (ETJ) and that Tower Estates has requested the 6,000 acres to be annexed into the city for the future residents.

Mayor Bill Pittman opened the public hearing at 7:28 p. m.

There were no comments from the public.

Mayor Bill Pittman closed the public hearing at 7:28 p. m.

2. Consideration and possible action: Adoption of a Resolution of the City of Santa Fe, Texas, authorizing the Mayor to execute the written service plan agreement for the proposed voluntary annexation of approximately 6.000 acres of the property legally described as ABST 15 I LEWIS SUR PT OF BLK A (1-1-3) EUREKA ORCHARD SUB NO 1 in the Tower Road Estates Section III Subdivision generally located east of Tower Road and approximately 1,300 feet north of Williams Street

City Engineer Matt Johnson explained to Council to proceed with an annexation there would first need to be a service plan. The service plan is produced by the property owner so the City can make sure it can provide the services needed to the area and the Resolution would authorize the execution on the City's part of the service agreement. Acting City Manager Alun Thomas clarified that the area will be provided with the same services as the rest of the city.

Motion by Councilmember O'Brien, seconded by Councilmember Collins, to approve the Resolution for the service plan in Tower Road Estates Section III as presented. 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, annexing approximately 6.000 acres of land contiguous and adjacent to the City of Santa Fe, Texas, further identified as part of ABST 15 I LEWIS SUR PT OF BLK A (1-1-3) EUREKA ORCHARD SUB NO 1 in the Tower Road Estates Section III subdivision and located in the City of Santa Fe's extraterritorial jurisdiction (ETJ), Galveston County, Texas; providing a severability clause; and providing for an effective date

Acting City Manager Alun Thomas explained to Council that this is the first of two readings however, it could pass in one reading if council chose to do so.

Motion by Councilmember Noto, seconded by Councilmember Marks, to approve the Tower Road Section III voluntary annexation request on first and final reading, as presented. The motion passed the roll call vote unanimously.

4. Public hearing: Request for voluntary annexation of approximately 7.126 acres of the property legally described as ABST 15 I LEWIS SUR TR 15-15, ACRES 16.660 in the Barba Estates Subdivision, generally located east of Tower Road and south of the 1st Street right of way

City Engineer Matt Johnson explained to Council that there was discussion about whether First Street was the correct name for the right of way. He said that he had spoken with the surveyor and the surveyor produced a document that shows that in 1909, it was written and recorded that the right of way just north of the property be called First Street. Mr. Johnson explained that during the replat it will be renamed to keep from being confusing.

Mayor Bill Pittman opened the public hearing at 7:34 p. m.

There were no comments from the public.

Mayor Bill Pittman closed the public hearing at 7:34 p. m.

5. Consideration and possible action: Adoption of a Resolution of the City of Santa Fe, Texas, authorizing the Mayor to execute the written service plan agreement for the proposed voluntary annexation of approximately 7.126 acres of the property legally described as ABST 15 I LEWIS SUR TR 15-15, ACRES 16.660 in the Barba Estates Subdivision, generally located east of Tower Road and south of the 1st Street right of way

City Engineer Matt Johnson explained the Resolution would be to approve the service plan agreement for the annexation of the 7.126 acres in Barba Estates. Acting City Manager Alun Thomas explained that Planning and Zoning

Commission discussed if the right of way was the First street right of way and according to the survey from 1909, it is indeed First Street however, the street name may change.

Motion by Councilmember Collins, seconded by Councilmember O'Brien, to approve the Resolution to approve the service plan for Barba Estates as presented. 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, annexing approximately 7.126 acres of land contiguous and adjacent to the City of Santa Fe, Texas, further identified as part of ABST 15 | LEWIS SUR TR 15-15, ACRES 16.660 in the Barba Estates Subdivision, and located in the City of Santa Fe's extraterritorial jurisdiction (ETJ), Galveston County, Texas; providing a severability clause; and providing for an effective date

Motion by Councilmember O'Brien, seconded by Councilmember Marks, to approve the first and final reading of the ordinance annexing the 7.126 acres in Barba Estates as presented. The motion passed the roll call vote unanimously.

7. Consideration and possible action: Public hearing and first reading of an ordinance of the City of Santa Fe, Texas, amending Ordinance number 02-03, commonly known as the City of Santa Fe Unified Development Code, or the Santa Fe Zoning Ordinance, 2002 edition, the official zoning map adopted under Section 3.08, by changing the zoning classification from Agricultural Residential (AR) to Single Family Residential (R-1) for 2.00 acres located at 3337 Tower Road, described as Lot 1, Duplantis Subdivision, City of Santa Fe, Galveston County, Texas

City Engineer Matt Johnson explained the property owner purchased the property about a year ago, and there are currently two residences on the property and the property owner would like to split the property into three. The property is currently zoned Agricultural Residential (AR) which requires an 80-foot frontage along the right of way however, with the existing structures the owners are unable to get the 80-foot frontage so they would like to rezone the property to Single Family Residential (R-1). Mayor Bill Pittman expressed his concerns about the large number of inoperable golf carts on the property, which could present a code enforcement issue. Acting City Manager Alun Thomas sent the Code Enforcement Officer an email directing him to address the concern.

Mayor Bill Pittman opened the public hearing at 7:47 p. m.

There were no comments from the public.

Mayor Bill Pittman closed the public hearing at 7:47 p. m.

Motion by Councilmember Dickerson, seconded by Councilmember Noto, to approve the first and final reading of the ordinance rezoning 2.00 acres at 3337 Tower Road from Agricultural Residential (AR) to Single Home Residential (R-1). The motion passed the roll call vote unanimously.

8. Consideration and possible action: Public hearing and first reading of an ordinance of the City of Santa Fe, Texas, amending Ordinance number 02-03, commonly known as the City of Santa Fe Unified Development Code, or the Santa Fe Zoning Ordinance, 2002 edition, the official zoning map adopted under Section 3.08, by changing the zoning classification from Medium Density Residential (R-2) to Multi-Family Residential (R-3) for 4.94 acres located approximately 100 feet south of 11th Street along Avenue L, described as Abstract 149 E Mitchell Survey Part of Outlot 236 (236-1 and 236-9 through 236-14) Alta Loma Outlots, City of Santa Fe, Galveston County, Texas

City Engineer Matt Johnson explained that the property is already zoned Medium Density Residential (R2) and the quadplexes on the front of the property are also zoned Medium Density Residential (R2). However, according to the City's ordinances the quadplex should have been zoned Multi-Family Residential (R3), because anything over two units is considered multi-family. Mr. Johnson explained the rezone would correct the zoning for the quadplex. Mr. Johnson explained that the 4.94 acres has been undeveloped for nearly 50 years and the applicant would like to put in 2 apartment buildings totaling 36 units which, he believed, could fit the property well for its location.

Mayor Bill Pittman opened the public hearing at 7:55 p. m.

Mike Lench, who lives at 12301 11th Street, shared his concerns about the privacy impact to his property, the possible increase in crime that might come along with an apartment complex, and the safety of children in the area with the amount of traffic that would be brought in by an apartment complex.

Frances Laird, who lives at 12305 11th Street, shared her concerns about the density of housing in the neighborhood, the impact to the streets due to the increased traffic, and the speed of cars in the area which then cause safety issues for the children that play on or near the street.

Tim Clark, who lives at 3620 Ave F, explained he attended the Planning and Zoning meeting about this property and listened to the concerns of the citizens. Mr. Clark expressed the same concerns as the other residents did regarding impacts to drainage, safety and traffic.

James Morris, who lives at 12232 11th Street, expressed his concerns about there being one way in and one way out of the property, and said that too many apartment complexes are coming to Santa Fe.

Christine Villere, who lives at 3015 Ave F, expressed her concerns about the drainage and the reliability of the drainage pumps that may or may not be installed, and the security and safety of the neighboring residents.

The engineer for the project explained he understands that most of the safety concerns are for the children and assured those present that there will be playgrounds on the property for the children to play on, and that the expected traffic volume increase was relatively low at the location.

Mayor Bill Pittman closed the public hearing at 8:07 p. m.

Mayor Bill Pittman asked Fire Marshal Tony Dauphine if this complex would require two entrances, Mr. Dauphine informed Mr. Pittman that the location would not need two entrances at this location since there would be fewer than 100 units on the property. City Engineer Matt Johnson and Council spoke in length about drainage pumps being installed in the city, the amount of traffic this complex would bring and if this property is the right location for an apartment complex.

Councilmember Dana Marks signed and submitted to the City Secretary a Conflict-of-Interest Affidavit, as required by the Texas Local Government Code, Section 171.004, due to having substantial interest in nearby real estate.

Motion by Councilmember Noto, seconded by Councilmember Dickerson, to deny the ordinance for rezoning on 11th Street. The motion to deny the rezoning ordinance passed the roll call vote with a vote of three to one, with Councilmember Marks abstaining. Those voting for: Councilmember Noto, Councilmember Collins and Councilmember Dickerson. Those voting against: Councilmember O'Brien.

9. Consideration and possible action: Purchase of five (5) new police vehicles and associated equipment and upfitting for each of the vehicles for a total cost of \$272,090.15

Police Chief Walter Braun explained these 5 vehicles were the ones discussed during the budget process that are covered by the American Rescue Plan Act (ARPA) funds. The total cost of \$272,090.15 for this bid comes in at \$57,000.00 less than what was originally budgeted, \$329,446.00.

Motion by Councilmember O'Brien, seconded by Councilmember Marks, to accept the bid from Lake Country Chevrolet in the amount of \$272,090.15 for the fleet vehicles as presented. The motion passed the roll call vote unanimously.

10. Consideration and possible action: Upgrade of Santa Fe Police Department's dispatch consoles from Telex consoles to Motorola MCC7500E consoles

Police Chief Walter Braun explained this is the hardware portion of the Motorola project. Chief Braun expressed concerns about the current consoles failing. Chief Braun said we should see the upgrade by summer, and this would be a paid-up front project. Acting City Manager Alun Thomas informed Council that this calendar year the lower rates apply, and this would not be the price for the consoles as of January 2023. Mayor Bill Pittman informed Council that the City would have to have a workshop meeting with the Fire Department to figure out how to recoup its money from them.

Motion by Councilmember Noto, seconded by Councilmember Marks, to approve the purchase of the two Motorola MCC7500E consoles to be installed in the dispatch center as presented. The motion passed the roll call vote unanimously.

11. Consideration and possible action: Authorizing the Acting City Manager to enter into an agreement with DebtBook for the purchase of a software subscription to assist in the compliance of financial reporting and regulations related to Governmental Accounting Standards Board (GASB) 87 and 96

Accounting Specialist Roberto Cisneros explained the City obtained two different written bids and that, after considering both options, the staff recommends DebtBooks over Leasequery. The difference between the two is that Leasequery only holds up to 200 records for the amount of \$16,980.00 annually and DebtBooks holds unlimited records for the amount of \$6,500.00 annually. Mr. Cisneros also said that DebtBooks is geared towards a government subscription base, while Leasequery is more of a private company base. Mr. Cisneros informed Council that this is a necessary expense and confirmed that it is included in the provisions of the current budget.

Motion by Councilmember O'Brien, seconded by Councilmember Collins, to authorize the Acting City Manager to enter into an agreement with DebtBook to assist in the compliance of financial reporting and regulations as presented. The motion passed the roll call vote unanimously.

12. Consideration and possible action: Authorizing the Mayor to execute a Temporary Easement Agreement for Drainage for the Mulberry Farms detention ponds and associated storm sewer system

Acting City Manager Alun Thomas informed Council that in order for the City to accept the infrastructure maintenance, it must be located on platted property or property that has been dedicated to the public. However, this property has not yet been dedicated to the public. Therefore, the City would need a temporary easement agreement that allows the City to accept that infrastructure while the property is being platted and will expire upon acceptance of the planning process agreement. Mayor Bill Pittman said he does not want to accept the responsibility for infrastructure maintenance in its current condition if doing so would have the effect of agreeing that the drainage system is complete and up to the City's standards. City Engineer Matt Johnson explained the developer would still have to come to City Council and request its acceptance, and the City would still have to formally accept the infrastructure in the future. Mr. Johnson said that no development is supposed to occur on unplatted property, but

Pond A, Pond B and everything south of the recently constructed pavement from Phase 1 is on unplatted property. The ponds should have never been constructed before platting, he said. Mr. Johnson said the temporary easement would bring the development somewhat into conformance with the City's requirements. The final plat has been approved by the Planning and Zoning Commission but will not be finalized until Council has also approved it. Mr. Johnson explained that this item is just to accept the easement, not the infrastructure.

Motion by Councilmember O'Brien, seconded by Councilmember Noto, to authorize the Mayor to execute a Temporary Easement Agreement for the Mulberry Farms requesting detention ponds and associated storm sewer system as presented. The motion passed the roll call vote unanimously.

13. Discussion: Migration of the City's internet domain from ci.santa-fe.tx.us to santafetx.gov

Acting City Manager Alun Thomas explained that the existing structure of the City's internet domain name is often not recognized by members of the public as being a legitimate government site. Mr. Thomas said as of Tuesday, December 13, 2022, the City would be switching its email addresses to the new domain and said that if anyone had forgotten their password that now would be the time to let him know so he could get the passwords updated before anyone is locked out of their email.

14. Discussion: Proposed straightening of the curve on Avenue L at 6th Street as it relates to Mulberry Farms Public Improvement District

Mayor Bill Pittman explained to Council that there are some drainage issues in the area of Mulberry Farms. One such issue is on the west side of Avenue J just south of McGregor Street where 6th Street crosses Avenue J. There, the water must take a right-angle turn, but that the addition of a subterranean pipe through the island west of the S-curve on Avenue J would cost \$17,00.00 - \$20,000.00 to install and should bring far better drainage to the area. The pipe was chosen over an open ditch due to safety concerns for vehicles travelling along Avenue J. Mayor Pittman spoke with Mulberry Farms' developer, Daniel Blanco, who said he could do the work. Mayor Pittman asked for Council's opinion on reallocating the funds currently budgeted for Mulberry Farms' straightening the S curve on Avenue L to other drainage projects in the immediate vicinity of the development. It was the consensus of Council that City Engineer Matt Johnson look into how best to reallocate the Avenue L improvement funds that were included in the Public Improvement District (PID) Agreement to other drainage projects in the area.

15. Executive Session, closed to the public, pursuant to Chapter 551.074, Texas Government Code, regarding the appointment and employment of public officers or employees – Fire Marshal, Acting City Manager, and Assistant City Secretary

Mayor Bill Pittman adjourned the regular meeting at 9:02 p.m. into executive session, closed to the public – and reconvened it at 11:43 p.m.

Councilmember Collins was excused from the meeting at 10:55 p.m.

16. Consideration and possible action: Matters discussed in Executive Session regarding the Fire Marshal, the Acting City Manager, and the Assistant City Secretary

Motion by Councilmember Noto, seconded by Councilmember O'Brien, to extend Alun Thomas' role as Acting City Manager with a pay increase to \$146,000.00 annual salary, and continue Natalie Arnett's role as Assistant City Secretary with a pay increase to \$23.36 per hour. The motion passed the roll call vote unanimously.

Motion by Councilmember Dickerson, seconded by Councilmember Marks. to extend an offer of employment to Jack Helton to be the City's next Fire Marshal. The motion passed the roll call vote unanimously.

Announcements:
None.

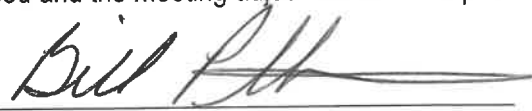
Summary of action from this agenda, request for future agenda items, and scheduling future meetings: The next regular Council meeting is currently scheduled for January 12, 2023.

Motion by Councilmember O'Brien to adjourn. The motion passed and the meeting adjourned at 11:45 p.m.

ATTEST:



Natalie Arnett, Assistant City Secretary



BILL PITTMAN, MAYOR