

**CITY OF SANTA FE  
REGULAR COUNCIL MEETING  
DECEMBER 14, 2023 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 Jason Obrien  
Councilmember John Dickerson  
Councilmember Dana Marks

Absent: Councilmember Ronald "Bubba" Jannett, excused

The Invocation was given by Pastor Brad Drake from Dayspring Church, 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 Bill Pittman presented the Mayor's Spirit award to the City of Santa Fe Lions Club.

City Manager Alun Thomas gave a brief update on Staff's activities during the past month, noting that work has begun internally on Capital Improvement Project items to discuss with Council in future during the upcoming budget workshops, with the same focus on excellence, value, and fiscal sustainability that has been a key part of City budgets for years. He said that a great deal of time has been spent on developments, such as the development and the proposed development that Council has before it this evening. An opening on the Santa Fe Economic Development Corporation's Board of Directors occurred last Thursday with the resignation of Tamra Loftin from the Board, and applications are being accepted. There is also a vacancy for an alternate member of the City's Library Advisory Board, for which applications are being accepted. Four members of the Santa Fe Economic Development Corporation, and our Finance Director, Rudy Zepeda, as its Executive Director, attended TML's Economic Development Conference last month in Bastrop, and hopefully learned some things that can help our EDC perform even better. This evening, the City's Park Department hosted a "Santa Paws" event at the Mae S. Bruce Therapeutic Garden in front of City Hall. The event allowed people to bring their pets and take a free photograph of their pets with Santa. Several City staff members and some of our elected officials have been in attendance at the Santa Fe Chamber of Commerce's functions over the past several weeks, and Mr. Thomas said that it has been encouraging to see such a strong turnout, and he commended the Chamber on its excellent events.

1. Presentation and approval of minutes: 11/9/2023 regular meeting, 11/16/2023 special meeting. The 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) Finance – city finance activities (including cash flow, financial reports, Council review of unaudited financial statements for the fiscal year ended 2023 for the City of Santa Fe and Santa Fe Economic Development Corporation, review of 4th Quarter Investment Report for the City of Santa Fe and Santa Fe Economic Development Corporation, and review of the 2023 Annual Investment Report for the City of Santa Fe and Santa Fe Economic Development Corporation), and Santa Fe Economic Development Corporation project updates, presented by Finance Director Rudy Zepeda.
  - 2) Community Services – building permits issued, fees collected, inspections performed, development update
  - 3) Parks and Community Center – park maintenance activities, center rental statistics, Candy Trail event



- 4) Municipal Court – cases filed, revenue collected, warrants issued and cleared
- 5) Police – calls for service statistics, traffic crash analysis, use of force incidents
- 6) Fire Marshal – burn permit issuance, inspection activities
- 7) Library – patron and program attendance, circulation material statistics, fines and donations collected
- 8) Street – drainage projects, street maintenance and improvement activities, equipment maintenance

Citizens' Comments:

None.

Business:

**A. Old Business:**

**1. Consideration and possible action: Second and final reading of an ordinance of the City of Santa Fe, Texas, amending Ordinance No. 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 Single-Family Residential (R-1) to Highway Commercial (HC) at 12120 FM 1764, Santa Fe, Texas, legally described as ABST 11 W 120 ft of Lot 18 (18-2) Novelli Sub, City of Santa Fe, Galveston County, Texas; and with a Conditional Use Permit to allow a single-family, attached caretaker residence; and providing for the incorporation of preamble, a repealer clause, a severability clause, and an effective date**

Community Services Director Georgia Carmack explained that this item had its first reading at the last regular meeting, on November 9, 2023. The property is currently zoned as Single-Family Residential (R-1) however, the requirements of R-1 zoning will not allow the property owner to operate a business from the home. Changing the property's zoning district to Highway Commercial (HC) will allow for the property owner to run their furniture and home décor business with the stipulations put in place by the Santa Fe City Council. If Council approves the second reading, the owner will then go to the Santa Fe Planning and Zoning Commission with an application for a Corridor Development Permit so there will be additional improvements to the property before the business can open.

Motion by Councilmember Noto, seconded by Councilmember Dickerson, to approve the second and final reading of the Ordinance as presented. The motion passed the roll call vote unanimously.

**2. Consideration and possible action: First reading of an ordinance of the City Council of the City of Santa Fe, Texas, amending Subsection 4.03.05 C of Section 4.03, R-2 Medium Density Residential District, of Article 4, Zoning Districts, of the City of Santa Fe's Zoning Code to reduce the rear setback requirement; updating Appendix 4-E of the Zoning Code to reflect such change; and providing a repealer clause, a severability clause, and an effective date**

Community Services Director Georgia Carmack explained the setback requirements for R-2 Medium Density Residential District (R-2) appears to excessively limit property owners on where they can build on their own property. Ms. Carmack said the R-2 rear setback requirements are currently 25 feet and staff recommends that Council reduce that rear setback requirement to 15 feet. Ms. Carmack noted that Staff's recommendation to decrease the setback is in line with a recommendation made in the Comprehensive Plan.

Building Official Ray Burgess gave Council a brief presentation, along with a diagram, explaining R-2 setbacks and how the setbacks currently restrict the builder on what can be built on those lots to stay in compliance with the additional requirement that the structure(s) cover no more than 40% of the lot. The 40% maximum coverage requirement is in place to mitigate potential flooding concerns, so is something from which the City should not deviate. He spent some time using the under-development Centennial Oaks subdivision as an example, explaining what the proposed change would do for that development, noting that the individual property owners would need to



replat the land should they wish to take advantage of the reduced setback, which would be a substantial expense. Ms. Carmack noted that there is currently no open, undeveloped land in the city that is not within Centennial Oaks.

Council discussed the possibility of establishing different required rear setbacks for R-2 lots that are dependent upon the height, in stories, of the structure(s) placed upon the lot, with taller structures requiring greater setbacks. Additionally, whether a lot is an interior, corner, exterior, lot likely makes a difference.

Councilmember Noto expressed his disagreement with the Comprehensive Plan and its recommendation that the City provide for greater opportunities for denser housing, saying that he believes that the overwhelming majority of residents would disagree. He then expressed his desire for the City to look at zoning improvements more broadly, on a citywide basis, and make improvements there rather than in the piecemeal fashion such as this as has traditionally been done, and said that he believes that an additional zoning district or districts might be necessary to better guide development.

Following the long discussion by Council, there was no motion made.

### **3. Discussion and direction: Review of citizens' comments related to possible changes to the City Charter through a May 2024 election, and solicitation and discussion of Council's comments regarding the same**

Communications Specialist Laurie Tollett explained during a prior City Council meeting, Council had mentioned changes to the City Charter through the May 2024 election. Staff conducted a survey of the public during the month of November so they could review the City Charter and for Council to give some feedback on changes they would like to see made. There were a total of four recommendations, as presented in the agenda packet.

Mayor Bill Pittman explained that the Council does not want to negotiate the changes and believes a committee should review the City Charter to make reasonable changes. City Manager Alun Thomas explained that it was recommended by Council during a previous meeting to get information from the public and that staff just wanted to give an update on what had been received from the requested survey. These recommendations can be discussed at a later date if Council so chooses. Council decided previously not to have a Charter Review Commission therefore, Council will review the Charter along with the City Attorney to make the proposed changes.

Councilmember Noto had sent City Manager Alun Thomas a couple of propositions such as term limits for Mayor and Councilmembers to serve two terms, and a balanced budget amendment however, he noted that State Law already requires Municipalities to approve a balanced budget.

## **B. New Business:**

### **1. Consideration and possible action: Regarding a request from Mulberry Farms, LLC for the acceptance of the infrastructure associated with the Construction Plans for Water, Sanitary Sewer, and Drainage Facilities and Paving & Appurtenances to serve Mulberry Farms Section 2**

Building Official Ray Burgess said there has been a lot of progress on Section 2 of Mulberry Farms over the past few weeks and it is getting close to completion. Mr. Burgess provided the Council with a packet that includes a list of the requirements needed by the Developer that shows what has been completed and what has not been completed. The list had been sent to the Developer about a week prior to the meeting so the Developer could review the list and have the 19 outstanding requirements completed before the acceptance of the infrastructure could be made. Mr. Burgess received a letter from Galveston County Water District 8 (WCID 8) before the meeting that explains there are some responsibilities that the Developer has and has agreed to fix, in conclusion, WCID 8 has approved Section 2.



In the packet was a copy of the Final Inspection Report from a walkthrough conducted by Building Official Ray Burgess, Streets Superintendent Billy Creppon, and the City's Engineer, Brian D. Gerould, P.E., from IDS Engineering on December 7, 2023. Mr. Burgess also showed pictures from a walkthrough conducted on December 14, 2023, that shows some clean up and maintenance that has not been completed. Lastly, there was an email in the packet from the Developer in January 2023, in which he explains that he would have the cleanup completed by any means necessary.

Travis Sellers, P.E. from IDS Engineering explained the letter of acceptance from them is pending until he receives everything that is required by the Santa Fe City Development Code.

The Developer, Daniel Blanco, explained that they have a maintenance bond that holds the contractors accountable for any maintenance that arises. Mr. Blanco explained that once the builders and Comcast came in, they destroyed everything that was left in good condition. Mr. Blanco said he does not mind calling his contractors to come and fix things that arise from now until the year warranty is up. Council expressed concerns about some issues that were to be fixed previously by the developer that have not yet been fixed. Mr. Blanco expressed he has done everything that he could to exceed expectations. Council explained it would like to see Mr. Blanco's development completed, however, it cannot promise citizens that these issues will be corrected since they were not corrected previously.

Motion by Councilmember Noto, seconded by Councilmember Marks, to deny acceptance of the Mulberry Farms, LLC infrastructure until the required list has been completed. The motion passed the roll call vote unanimously.

**2. Consideration and possible action: Adoption of a resolution of the City Council of the City of Santa Fe, Texas approving and authorizing a Development Agreement between the City of Santa Fe and Tres Rios Laguna Azure, LLC, and amendment to a Professional Services Agreement between the same and any documents in connection therewith including any amendments; and providing an effective date**

Megatel Homes, LLC Vice President of Land Acquisitions and Development Steve Maglisceau handed out brochures and gave a brief presentation explaining the company and showcasing the design of the development and where it will be located. The development will consist of homes, apartments, a laguna, water activities, fitness center, restaurants and many other activities for adults, teens, and children.

Mayor Bill Pittman discussed the Situs Plan with Megatel Homes, LLC President Zach Ipour, wherein the developer would purchase all of the materials for the development through Santa Fe, and the City agrees to reimburse the developer 40% of the resulting sales tax from the transactions. Mayor Pittman explained to Council that the laguna is in League City's ETJ and Megatel is in the process of trying to get this portion released from the City of League City's ETJ therefore, the City of Santa Fe would then receive the sales tax. However, if not, then Megatel has agreed to pay the City of Santa Fe and the Santa Fe Economic Development Corporation 2% of the yearly sales taxes received. Megatel has also agreed to pay \$3,000,000 to the City of Santa Fe 8 months after the development closes on the property, for the City to expend on whatever it sees fit.

Megatel has agreed to complete a detailed traffic analysis around each section of the development. The results from the traffic analysis will determine what will need to be done to the streets by the developer. If or once the agreement is approved the analysis will need to be sent to the City's Engineer for approval. City Manager Alun Thomas clarified the routes of the traffic for the time being which will mostly be Tower Road until the extension of Bay Area Boulevard has been built.

After much discussion, President Zach Ipour said he is excited to start the development and hopes to break ground in the first quarter of 2024.



Motion by Councilmember O'Brien, seconded by Councilmember Noto, to adopt the resolution approving and authorizing a Development Agreement between the City of Santa Fe and Tres Rios Laguna Azure, LLC as presented. The motion passed the roll call vote unanimously.

Councilmember Noto commended Mayor Pittman for his countless hours of hard work and time dedicated to this development and also commended Zach Ipour for being a partner throughout the process in making this development acceptable for the residents of Santa Fe.

**3. Discussion and direction: Request from the Board of Directors of Galveston County Water Control and Improvement District No. 8 to close 15th Street at the intersection of Highway 6 due to safety concerns**

City Manager Alun Thomas explained the Board of Directors of Galveston County Water Control and Improvement District No. 8 (WCID 8) expressed safety concerns about the intersection at 15<sup>th</sup> Street and Highway 6 with the angle at where the streets meet. Staff searched Santa Fe Police Departments records and there have not been any reported collisions there for the past 5 years.

WCID 8 Chairman Tommy Anderson explained that WCID 8 is in the process of purchasing the small piece of property (between the intersection and back fence of TXR Construction) which is owned by TXR Construction, to reroute the intersection. WCID 8 would like to close 15<sup>th</sup> Street at Highway 6 and move the intersection across the proposed property to get to Highway 6, this would make the turn on to Highway 6 more of a right angle rather than a sharp angle that makes it hard to see oncoming traffic. Mr. Thomas had Mr. Anderson clarify whether it would be a new alignment of a city street, or a private road used as a driveway to WCID 8 that the public could then use as access to and from Highway 6. Mr. Anderson said yes, it would be a private road that would be used as a driveway to get to WCID 8 that the public could still use to have access to Highway 6. Council expressed many concerns about traffic and the citizens who live in that area.

After much discussion the Council asked that WCID 8 conduct the following:

1. Have an Engineer lay out the proposed plan.
2. The plan must go to TxDot for approval (the City would also need to approve it later).
3. The Water District must conduct a survey of property owners along 15<sup>th</sup> Street, from the Highway to Main Street, and within 200 feet of that route, and include addresses with responses.
4. The survey needs to include that the citizens will still have access to the proposed road change and the citizens will not be cut off from using the proposed road.

**4. Consideration and possible action: Approval of a renewal Statement of Work between the City of Santa Fe and CivicPlus, LLC for website services, including a one-time first year fee for platform migration, and authorizing the Mayor to execute the Statement of Work on behalf of the City**

City Manager Alun Thomas said that the City manages a website through Municode. In 2021 Municode was bought out by CivicPlus, LLC. CivicPlus now needs the City to transition to its new website format, which is more modern and appealing to staff rather than Municode, which is more challenging to create or change pages. There is no additional cost to the City beyond the first year's migration fee. Councilmember Noto asked if the migration would have anything to do with updating the Code of Ordinances, Mr. Thomas explained that although Municode and CivicPlus are now one company, the Code of Ordinances is a different, unrelated offering.

Motion by Councilmember Noto, seconded by Councilmember Marks, to approve the renewal Statement of Work between the City of Santa Fe and CivicPlus, LLC for website services as presented. The motion passed the roll call vote unanimously.



**5. Consideration and possible action: Adoption of a resolution of the City Council of the City of Santa Fe, Texas authorizing the execution of an Addendum to the Residential Services Solid Waste Collection Services Contract between the City of Santa Fe and AmeriWaste, Inc. to extend the term of the current contract and to authorize a rate increase for a 21-month term ending September 30, 2025**

City Manager Alun Thomas said that AmeriWaste has been the City's provider since 2014. AmeriWaste agreed to extend the current contract and to authorize a rate increase for a 21-month term, to allow the contract to align with the City's Fiscal Year. The extension will consist of a 15% rate increase rather than the prevailing consumer price index increase which is 17.3%. The increase will raise the residential solid waste collection cost for an individual home by approximately \$1.89 per month after taxes. At the end of the contract, staff will go out for a Request for Proposals (RFP) to ensure that the City is still in line with the new market.

Mayor Bill Pittman wanted some clarification on the recycling process and what items are allowed to be recycled, AmeriWaste staff gave a brief description of how the process works and said that there could be a list of what can and cannot be recycled attached to the invoices that are sent to the residents.

Motion by Councilmember O'Brien, seconded by Councilmember Marks, to approve the resolution the execution of an Addendum to the Residential Services Solid Waste Collection Services Contract between the City of Santa Fe and AmeriWaste, Inc. as presented. The motion passed the roll call vote unanimously.

**6. Consideration and possible action: Approval of the purchase of one perpetual license for PIX4Dmapper software from Pix4D Inc for use by the Santa Fe Police Department to facilitate the preparation of scale diagrams of crime or accident scenes for investigation purposes**

Police Chief Walter Braun explained this software was included in the Capital Improvement Plan but was not approved. However, staff has secured a grant from SouthEast Housing Finance Corporation (SETH) for the total cost of the software. Police Detective Jesse Cannon gave the Council a brief description of how the software works and what all its entails.

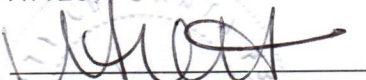
Motion by Councilmember Noto, seconded by Councilmember O'Brien, to approve the purchase of one perpetual license for PIX4Dmapper software from Pix4D Inc. as presented. The motion passed the roll call vote unanimously.

**Announcements:**

Terri O'Connell reminded everyone about the Salvation Army, [registertoring.org](http://registertoring.org). On behalf of Santa Fe Chamber of Commerce, Terri O'Connell thanked staff and Councilmembers for coming out to its events. Sign up for Chamber of Commerce leadership classes is \$750, and the Chamber Gala will be at Santa Fe Fire and Rescue January 26, 2024. City Secretary Natalie Arnett announced that the May 2024 election is approaching and there will be a Candidate Orientation January 3, 2024, 6:00 p.m. to 8:00 p.m. in the Council Chambers. There are two Councilmember positions expiring and the Mayor's position. Pastor Brade Drake invited everyone to the first annual Family Christmas at Dayspring Church December 15, 2023 from 6:00 p.m. to 9:00 p.m.

Motion by Councilmember O'Brien to adjourn. The motion passed and the meeting adjourned at 9:10 p.m.

ATTEST:

  
Natalie N. Arnett, City Secretary

  
BILL PITTMAN, MAYOR