

**CITY OF SANTA FE  
REGULAR COUNCIL MEETING  
FEBRUARY 22, 2024 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 O'Brien  
Councilmember Ronald "Bubba" Jannett  
Councilmember John Dickerson  
Councilmember Dana Marks

Absent: None.

The invocation was given by Pastor T.C. Judd from True Faith Community Church, and Mayor Bill Pittman then led those present in the Pledge of Allegiance to the U. S. Flag and to the Texas Flag.

Mayor Pittman thanked Pastor T.C. Judd and the Santa Fe Ministerial Alliance for always attending the Council meetings to lead the invocation.

**Staff Report:**

1. 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, investment reports, utility audit services, PEG channel development), and Santa Fe Economic Development Corporation project updates presentation given by Finance Director Rudy Zepeda.

**Citizens' Comments:**

None.

**Business:**

**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 Neighborhood Commercial (NC) to Single-Family Residential (R-1) at 14302 Peck Street, Santa Fe, Texas, legally described as ABST 611 I & I N RR SUR SEC 17 LOT 11 BLK 28 Arcadia Townsite, City of Santa Fe, Galveston County, Texas; and providing for the incorporation of preamble, a repealer clause, a severability clause, and an effective date**

Community Services Director Georgia Carmack explained that the first reading of this item was at the last regular meeting on February 8, 2024. There have been many issues with the property as it is very small, and it limits the property owners of what can be built. The proposed zone change, if approved, will allow the lot to be more useable for the property owner.

Motion by Councilmember O'Brien, seconded by Councilmember Dickerson, to approve the second and final reading of the ordinance changing the zoning classification from Neighborhood Commercial (NC) to Single-Family Residential (R-1) at 14302 Peck Street, Santa Fe, Texas as presented. The motion passed the roll call vote unanimously.

**2. 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 Neighborhood Commercial (NC) to Highway Commercial (HC) at 12330 FM 1764, Santa Fe, Texas, legally described as ABST 1 page 11 pt of lot 19 (19-5) Thamans 1st Sub, City of Santa Fe, Galveston County, Texas; and providing for the incorporation of preamble, a repealer clause, a severability clause, and an effective date**

Community Services Director Georgia Carmack explained the first reading of this item was at the last regular meeting on February 8, 2024. The property used to be a used car lot however, the property owner leased it to another business which then removed the legally nonconforming use. The property owner is in the process of selling to a used car lot business, however, with the property zoned as Neighborhood Commercial (NC), this type of business would not allowed without this proposed zoning change. Therefore, the property owner would like to rezone the property to Highway Commercial (HC).

Motion by Councilmember Dickerson, seconded by Councilmember Marks, to approve the second and final reading of the ordinance changing the zoning classification from Neighborhood Commercial (NC) to Single-Family Residential (R-1) at 12330 FM 1764, Santa Fe, Texas, as presented. The motion passed the roll call vote unanimously.

**New Business:**

**1. Consideration and possible action: Appointment of one alternate member to Alternate Position #1 on the Zoning Board of Adjustment and Building Standards Commission to serve the remainder of an unexpired two-year term to expire in July 2025**

City Secretary Natalie Arnett said that Ronald Daily has resigned from his position on the Zoning Board of Adjustment and Building Standards Commission. Due to his resignation, there is now a vacancy for one alternate member to Alternate Position #1, for the unexpired term to end July 2025. Staff solicited applications for the vacancy, and received one applicant interested in the position.

Motion by Councilmember O'Brien, seconded by Councilmember Noto, to reappoint Dewayne Mittelsted to Alternate Position #1, to serve an unexpired term ending July 2025, on the Zoning Board of Adjustment and Building Standards Commission. The motion passed the roll call vote unanimously.

**2. Consideration and possible action: Approving a Cooperating Working Agreement between the City of Santa Fe, Texas, and Innovative Alternatives, Inc., for the City's 2024-2025 Victim of Crime Act (VOCA) grant for funding of the Santa Fe Resiliency Center; directing the City Manager to execute the agreement on behalf of the City; and directing the City Manager to execute additional Cooperative Working Agreements with other entities as such entities agree to support the Santa Fe Resiliency Center's primary objective of supporting victim recovery through trauma resolution mental health and adjunct services through reciprocal referrals, consultations, and the minimization of unnecessary duplication of services**

Items 2 and 3 on the agenda were considered together.

Innovative Alternatives (IA) President/CEO Sharon Bayus was unable to attend the meeting however, she sent an annual report via audio recording. She noted that the grant program has cut funds for victims across the nation by 40% which, based off of services from last year, this would be a loss of service to 3,301 victim survivors of violent crimes. Should the budget cuts occur, the Santa Fe Resiliency Center (SFRC) will reduce operations to 60% of the current budget. The Santa Fe Resiliency Center understands that the City of Santa Fe cannot commit to additional funding. Ms. Bayus stated that she would pursue Private Foundation Grants and host fundraising events to help with funding, and also ask that the City help with promoting these events. The current Grant Application budget is \$470,178.22, plus the required 20% (of the total budget) match for this year of \$117,544.57. The approval of the proposed resolution authorizes the application and appoints City Manager Alun Thomas as the authorized official for the grant which allows Mr. Thomas to accept, decline or make changes after the award is made. Again, the Resiliency Center does not project any funding from the City in this application; the Resiliency Center projects 100% of the \$117,544.57 needed for a match to come from the in-kind service of the graduate interns and any other volunteer service to the SFRC or donations.

City Manager Alun Thomas explained that the structure of the funding has been changed and whereas before there was not a match. Per the grant, the City is to come up with the funding of the match. However, Ms. Bayus and IA, the provider company, assures the City that from those in-kind interns getting their hours at the center, there will be no cost to the City. SFRC only asks that the City help with promoting the events for the purpose of the funds.

Council had some concerns about SFRC having to relocate from their current location and into a City facility, Mr. Thomas said that Sharon Bayus is confident that SFRC can make the grant without moving into a City Facility. Many sessions take place on Zoom therefore if the SFRC does not have a new location they can continue to have sessions by Zoom. Council also had concerns about whether SFRC can guarantee that the funds will be received so that the City is not then forced to pay \$117,544.57. These funds were not budgeted for the year.

Motion by Councilmember Noto, seconded by Councilmember Jannett, to approve the resolution approving submission of the Fiscal Year 2024-2025 Santa Fe Coordinated Response VOCA continuation grant application to the Texas Office of the Governor Criminal Justice Division as presented.

City Manager Alun Thomas explained since the discussion was about both the Cooperating Working Agreement and the resolution to approve the submission of the application that this motion would be for the next item on the agenda and that Council would need to make a motion on the approval of the Cooperating Working Agreement.

Motion by Councilmember Noto, seconded by Councilmember O'Brien, to approve a Cooperating Working Agreement between the City of Santa Fe, Texas, and Innovative Alternatives, Inc., for the City's 2024-2025 Victim of Crime Act (VOCA) grant for funding of the Santa Fe Resiliency Center; directing the City Manager to execute the agreement on behalf of the City as presented. The motion passed the roll call vote unanimously.

**3. Consideration and possible action: Adoption of a resolution approving submission of the Fiscal Year 2024-2025 Santa Fe Coordinated Response VOCA continuation grant application to the Texas Office of the Governor Criminal Justice Division for continued operation of the Santa Fe Strong Resiliency Center**  
The action for this item was made under item 2.

**4. Consideration and possible action: Award of Request for Proposal RFP2024-02 for Janitorial Services for City Facilities, and authorizing the Mayor to execute an agreement with the awarded vendor on the behalf of the City**

City Manager Alun Thomas said that the City recently received bids for Janitorial Services. Currently, and for the last couple of years, the City has been in contract with American Janitorial Services, Limited. This is the only company that sent in a bid and the total cost is lower than the current cost.

Motion by Councilmember O'Brien, seconded by Councilmember Dickerson, to award the Janitorial Services to American Janitorial Services Limited and authorizing the Mayor to execute the agreement on behalf of the City. The motion passed the roll call vote unanimously.

**5. Public hearing: Regarding Santa Fe Economic Development Corporation's project to expend funds in an amount not to exceed \$121,666 to NC4 Management, LLC for finance assistance to extend water and sewer connectivity along FM 1764 to accommodate a new 175-unit senior living community to advance economic development**

City Manager Alun Thomas explained the public hearing is the next step in funding the Economic Development Corporation's (EDC) proposed grant to NC4 Management, LLC, for the senior living community along FM 1764. The EDC approved the final project with 3 stipulations:

1. *Fund Disbursement will occur only after substantial completion of the contracted utility extension.*
2. *Funds will be disbursed directly to the contractor providing the utility extension.*
3. *The most recent audited financial report for NC4 Management, LLC must be provided to the City Council and EDC prior to fund disbursement.*

Mayor Bill Pittman opened the public hearing at 7:35 p.m.

There were no comments from the public.

Mayor Bill Pittman closed the public hearing at 7:35 p.m.

**6. Consideration and possible action: First of two readings of a resolution of the City Council of the City of Santa Fe, Texas, authorizing and approving the Santa Fe Economic Development Corporation's project to expend funds in accordance with an economic development agreement by and between the Corporation and NC4 Management, LLC towards the financing of water and sewer connectivity to its 175-unit senior living community located on FM 1764**

City Manager Alun Thomas explained that the total cost to the EDC is not to exceed the lesser of one-quarter of the total project cost, or \$121,666.

Mayor Bill Pittman said he would like to possibly add a stipulation that the Developer has to break ground by a deadline so that the funds are not indefinitely encumbered. City Manager Alun Thomas had the Mayor clarify if the breaking ground would be for the whole project or for the water and sewer, the Mayor said that was a good point. Mayor Bill Pittman asked the Developer Cory Boyer if when he breaks ground on the water and sewer would he also break ground on the development at the same time, Mr. Boyer said he would like to extend the water and sewer

by this summer. Once the funds have been received and improvements to the property are complete, NC4 Management, LLC will break ground on the development. The property drawings have not yet been approved. Mr. Boyer and the Council discussed timeframes, the benefits of the sewer and water expansion, the structure and location of the water and sewer expansion along with the structure of the development, the breakdown of the funds and all parties involved in the cost breakdown. Currently, the cost breakdown is not to exceed 25% (\$121,666) between the City and EDC, 25% from Galveston County Water District No. 8 (WCID8), and the Developer and his company are responsible for the remainder of the cost. Mr. Boyer assured the Council that he will have no other requests of the EDC. Councilmember Noto added that he would like to add two stipulations: that WCID8 matches the funds of the City dollar-for-dollar, and the City will be the last of the funds to be expended.

Motion by Councilmember Noto, seconded by Councilmember O'Brien, to approve the first reading of the resolution authorizing the Economic Development Corporation for funding of the water and sewer connectivity to the senior living community on FM 1764, not to exceed the amount of \$121,666 with the stipulations that the City's funds are matched dollar for dollar by the Galveston County Water District 8 and the City's funds are the last to be expended. The motion passed the roll call vote unanimously.

**7. Consideration and possible action: Authorizing the repair of the sallyport door, located within the Santa Fe Justice Center, in an amount not to exceed \$1,238.25, declaring TeamWired, LLC to be a single source vendor for this essential repair, and authorizing the Chief of Police to execute an agreement with TeamWired, LLC on behalf of the City for such repair**

Police Chief Walter Braun said that the electronic door mechanism on the exterior jail sallyport door failed. There was only one company that bid on the maintenance and is also the company that installed the door, TimeWired, LLC. This is a safety matter as the prisoners must be brought in through the front and through the Police Department. City Manager Alun Thomas said the cost is budgeted; however, the cost exceeds the amount that he can authorize. Mr. Thomas said that staff checked around and TimeWire LLC is the only company that would accept and give a quote. Community Services Director Georgia Carmack said that everyone she reached out to said they were not specialized in this type of repair.

Motion by Councilmember O'Brien, seconded by Councilmember Jannett, to approve the repair of the sallyport door by TeamWired LLC, in an amount not to exceed \$1,238.25, and authorize the Chief of Police to execute the agreement on behalf of the City. The motion passed the roll call vote unanimously.

**8. Discussion and direction: Repair or replacement of one or more air conditioning units at the Santa Fe Justice Center**

City Manager Alun Thomas informed Council that the Santa Fe Justice Center is experiencing heating and cooling malfunctions. Building Official Ray Burgess said that there are only 3 companies licensed in the area to work on these types of units. Mr. Burgess had a contact at Humphrey Company LTD, that came to look at the system to see what the best fix would be. It was explained to Mr. Burgess that these types of units will continue to break, and the best option would be to replace the entire system and recommend a 100-ton chiller, replacing all the components, and re-pipe with the correct piping. Mr. Burgess said this is not the first time the units have stopped working and with the cost of repairs he trusts that Humphrey Company LTD is recommending the best option for the Justice Center. There were other companies that came in to look at the system and refused to do the work. The manufacturer of the system requires that companies maintaining on the units that the company is licensed through that manufacturer. Community Services Director Georgia Carmack said that at the moment, staff is looking for guidance from the Council on what it believes is in the best interest of the Justice Center. City Manager Alun Thomas said it would be best to know sooner rather than later since summer is coming up and staff has no air-conditioning. Council agrees a new system would be the route to take however, Council would like for staff to determine which is

the best option (chiller or freon system), based on the square footage of the building (approximately 12,900). After much discussion, Council would like staff to solicit bids for both solely repairs and also bids to replace the whole system, and then the decision could be made from the recommendations from those RFPs.

**9. Discussion and direction: Possible consideration by the Planning and Zoning Commission of the platting requirement imposed by the Subdivision chapter of the City of Santa Fe's Code of Ordinances**

Community Services Director Georgia Carmack explained it was brought to staff that platting should be removed from the Code of Ordinances. Currently, if an individual were to put in an accessory structure, it is not required to be platted, however, if an individual were to put in a primary structure, it is required that the land be platted. A letter from City Attorney Charles Zech advising the benefits of platting and listing the areas in Galveston County that require platting. Ms. Carmack said that staff would like to know if Council would like the platting requirements to be addressed before taking the item before the Planning and Zoning Commission (P&Z) or if Council would like the requirement to stay the same. City Manager Alun Thomas explained that the State of Texas allows the City to decide whether or not to require platting. Platting can be costly to the property owner and can slow down the process of the development. Mayor Bill Pittman clarified what platting is, platting requirements, and explained why the City should not require platting to the Council. Ms. Carmack said there is a "vested rights" option, if a family has owned the property for several years and the property is annexed into the City without any changes made to the property then if the property gifted to another family member and they want to build, they have the option to bring forth the "vested rights petition." The petition will go before the City Manager, P&Z, and possibly the City Council, to petition not to plat that land. Council had never heard about the petition before.

Ms. Carmack explained to Council that the removal of the platting requirements were brought up from issues that are occurring on an undeveloped section of Avenue J. The property was not originally in the City of Santa Fe, but was annexed in 2008. The current property owner purchased the property in 2017, the last plat on this particular property is from 1891. Ms. Carmack said that without platting, the City can not be sure of where the City roads would go. In the past, the platting requirements were not enforced, which leaves most properties unplatted. However, the current staff is following the requirements that are set out in the City's Code of Ordinance. City Manager Alun Thomas wanted the Council to know that staff is simply following the requirements that have been set, and if Council would like to make changes, it can do so, but that staff cannot make such changes. After much discussion, Council had many concerns about the required platting requirements and would like staff to take the item to P&Z.

**10. Consideration and possible action: Authorizing execution by the Mayor of an Interlocal Cooperation Contract with the Texas Department of Public Safety for the Failure to Appear (FTA) Program**

City Manager Alun Thomas said that the Texas Department of Public Safety (DPS) has a Failure to Appear (FTA) Program that allows for an individual that has a citation with Santa Fe Municipal Court but who fails to properly take care of the citation to have their drivers license flagged through the program. That way, the Court and DPS can be notified if the individual is trying to renew their license or change their address, and the DPS will have the individual take care of the citation before the individual can make those changes. Staff believes this program encourages individuals to take of their citation with the Court, and recommended that Council approve the agreement as presented.

Motion by Councilmember O'Brien, seconded by Councilmember Marks, to approve the execution of an Interlocal Cooperation Contract with the Texas Department of Public Safety by the Mayor as presented. The motion passed the roll call vote unanimously.

Announcements:


Terri O'Connell with the Santa Fe Chamber of Commerce said the next "Sunrise Santa Fe" event will be February 28<sup>th</sup> at Lonestar Pharmacy, at 7:45 a.m. The Chamber luncheon will be on March 13<sup>th</sup> at Hidden Palms. The Friends of the Mae S. Bruce Library organization is selling raffle tickets for a quilt, \$1 for one ticket or \$5 for six tickets. Councilmember Jannett thanked the Mayor for the coins he made for the Santa Fe Junior girls' basketball team. City Manager Alun Thomas let everyone know that February 24<sup>th</sup> is the Santa Fe Softball parade, which starts at 9:00 a.m.


Summary of action from this agenda, request for future agenda items, and scheduling future meetings: The next regular Council meeting is currently scheduled for March 14, 2024.

City Secretary Natalie Arnett let Council know that she reached out the Galveston County Water District No. 8 about its Board having a joint meeting with the City Council and Santa Fe Economic Development Corporation. The Water Board agreed they would like to have the joint meeting and for the Council to let them know a date and time. Council asked that Ms. Arnett send the Council some proposed dates to get feedback on its members' availability.

Motion by Councilmember Jannett to adjourn. The motion passed and the meeting adjourned at 8:41 p.m.

ATTEST:

  
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Natalie N. Arnett, City Secretary

  
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BILL PITTMAN, MAYOR