

**CITY OF SANTA FE  
REGULAR COUNCIL MEETING  
FEBRUARY 14, 2019      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 Corey Jannett  
                                 Councilmember Jason O'Brien  
                                 Councilmember Bill Pittman  
                                 Councilmember Joe Carothers  
                                 Councilmember Bubba Jannett  
                                 City Attorney Ellis J. Ortego  
                                 City Manager Joe Dickson  
                                 City Secretary Janet L. Davis

The invocation was given by City Manager Joe Dickson and the pledge of allegiance to the U. S. Flag and to the Texas Flag was led by City Manager Joe Dickson. Mayor Tabor asked for a moment of silence for the first anniversary of the Parkland shooting tragedy.

**Mayor's and City Manager's Report:**

The minutes of 1/10/19, 1/22/19, and 2/5/19 were approved as presented. City Manager Joe Dickson presented the December 31, 2018, quarterly investment report with unrestricted funds in the amount of \$1,212,920, and restricted funds in the amount of \$391,514, for a total investment portfolio in the amount of \$1,604,434.

Citizens' Comments: None

Planning and Zoning Business:

Old Business: None

New Business:

**1. Consideration and possible action: Public Hearing and first 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 adding a conditional use permit for a cellular communications tower on one tract totaling 1.345 acres located in the Highway Commercial (HC) Zoning District at 1307 FM 646 N, City of Santa Fe, Galveston County, Texas**

Community Services Director Diana Steelquist said the Planning and Zoning Commission held a public hearing last week and the applicant's agent requested the item be tabled. She said since then the applicant has requested the application be withdrawn, but Council needs to approve the withdrawal request since the information has already been advertised. Motion by Councilmember Carothers, seconded by Councilmember O'Brien to accept the withdrawal request. The motion passed the roll call vote unanimously.

**2. Consideration and possible action: Public Hearing and first 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 Highway Commercial (HC) to Light Manufacturing (LM) and by adding a conditional use permit for a gas powered utility plant for one tract totaling 9.43 acres located in the 3400 block of FM 646 N, City of Santa Fe, Galveston County, Texas**

Community Services Director Diana Steelquist said Pro Energy is proposing to construct a six unit, natural gas powered utility plant on a 9.4 acre tract located on FM 646 N near the CenterPoint power station. She said the current zoning for that tract is highway commercial, but a utility use is allowed with a conditional use permit in all districts except the highway commercial or transportation zone. Ms. Steelquist said at the February 5 Planning and Zoning Commission public hearing Pro Energy addressed residents' concerns including noise, hours of operation, drainage, property values, pollution emissions, water table, unsightly, hazardous chemical use, and the area being inappropriate for the plant. Following that public hearing, she said the Planning and Zoning Commission recommended approval five to two with the conditions stipulated in Article 8, Performance Standards, to be specifically included as part of the ordinance, along with an opaque fence and landscaping requirements as a condition of the permit. Mr. Mike Alvarado representing Pro Energy, a private company owning, operating, and maintaining this type of utility plant, said this \$100 million dollar investment commitment is a reliable, safe, and state-of-the-art natural gas facility and the proposed location was chosen because of its access to natural gas, electricity, water, other industrial uses in the area, and the availability of land. He assured Council that the operations would be in compliance with TCEQ regulations and noise levels would be in compliance with city codes. Mr. Alvarado said they would be applying technology to further reduce noise levels and said this facility is not anything like the refineries in appearance, process, high pressure, or emissions. He said the proposed height of the exhaust stack is 65 feet where the air exits at 80 mph, the air exhaust is 42 feet, the air filtering system is 35 feet, and the turbine package is 15 feet. Mr. Alvarado said this peaking facility would be operated from a control center to meet energy demands at peak periods and usually operates less than ten percent of the time. Councilmember Pittman said he calculated 4 acres needed for detention and asked if the structures would meet building elevation requirements. Mr. Alvarado said only six units are proposed even though twelve units will fit on ten acres, including detention. Ms. Steelquist said the mechanical equipment would not be required to meet construction standards because most of the equipment will be on pilings. Councilmember Bubba Jannett asked about the life span of the facility and Mr. Alvarado said this facility would probably operate beyond the 20 to 25 year life span because of the little run time anticipated for operations. Councilmember Pittman asked about sound and water use and ProEnergy representatives said the sound is not like a jet engine but more like a vibration and low rumble that doesn't carry far and they plan to use grey water from the water district for cooling purposes. Councilmember Carothers asked about routine maintenance and Pro Energy representatives responded that run-based scheduled maintenance is to industry standards along with periodic run checks to limit downtime.

Mayor Tabor opened the public hearing at 7:45 p.m. Mr. Tommy Anderson of 12150 – 14<sup>th</sup> Street and President of the water board said ProEnergy would not be using service water or well water but rather grey water pumped to their location and stored in their tanks. Mr. Anderson suggested the city make standards for vacating the property in the future a part of their performance standards conditional use permit. Numerous city residents voiced strong opposition to the construction of the utility plant. Concerns included noise effects; property damage caused by plant activity; eyesore; unpleasing smell; operations detrimental to the safety, health, and welfare of the community; operating hours; emissions; explosion factor; chemical hazards; diminished property values; drainage issues; delayed response time for any issues due to remote monitoring; and inappropriate area for utility plant; among other issues. Those speaking at the public hearing: Mark Herzog of 3241 Avenue Q, Maureen Hertenberger of 3229 FM 646, Lisa Blackburn of 3232 Avenue Q, Chris and Stephanie Hansen of 3310 FM 646,

Rusty and Dawn Sharp of 2721 Avenue J, Virgil Powers of 12726 - 4½ Street, Robert Trigo of 12917 – 4½ Street, Kenny Wagner of Avenue Q, Steven Slivinski of 16603 Cowan, Marsha Bass of 12303 – 9<sup>th</sup> Street, Eric Kirkland of 3224 FM 646, Richard and Robin Pavalonis of 3220 FM 646, Jeff Dagle of 4227 Windsor Court, Ed Kubiak of 2318 Avenue Q, Donald and Cynthia Davis of 4422 Castle Dr, Jim Bob Locke of 3229 Ave. Q, and Jeff Shipwash of 2710 FM 646. Mayor Tabor closed the public hearing at 9:20 p.m.

Councilmember Pittman said he looks at this proposed utility plant as a developer. He said this city is still in the early stages of developing and FM 646 N is going to grow and it's going to be commercial. Mr. Pittman said he thinks this is a great endeavor and safe, but it's probably not in the right location for our community. Motion by Councilmember Pittman, seconded by Councilmember Bubba Jannett to deny the first 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 Highway Commercial (HC) to Light Manufacturing (LM) and by adding a conditional use permit for a gas powered utility plant for one tract totaling 9.43 acres located in the 3400 block of FM 646 N, City of Santa Fe, Galveston County, Texas. The motion passed the roll call vote four to one. Those voting for: Councilmember Corey Jannett, Councilmember O'Brien, Councilmember Bubba Jannett, and Councilmember Pittman. Those voting against: Councilmember Carothers.

City Business (Other):

Old Business: None

New Business:

**1. Consideration and possible action: Adoption of a resolution establishing and continuing the Interjurisdictional Emergency Management Plan**

Police Chief Philip Meadows said since we have a new Mayor we need to adopt a resolution continuing our interjurisdictional emergency management plan with the county. Motion by Councilmember Bubba Jannett, seconded by Councilmember Carothers to adopt the resolution establishing and continuing the Interjurisdictional Emergency Management Plan. The motion passed the roll call vote unanimously.

**2. Consideration and possible action: Authorizing submission of an application to the Texas Department of Transportation for a FY 2020 STEP Traffic Safety Grant**

Police Chief Philip Meadows said we would like to apply for the 2020 traffic safety grant where the officers work traffic through overtime. He said grant funds will pay for the overtime incurred and city would be required to provide a 20 percent match which we would meet though our fringe benefit costs. Chief Meadows said we are currently operating the 2019 STEP grant. Motion by Councilmember O'Brien, seconded by Councilmember Pittman to authorize submission of an application to the Texas Department of Transportation for a FY 2020 STEP Traffic Safety Grant. The motion passed the roll call vote unanimously.

**3. Consideration and possible action: Authorizing execution of Interlocal Contract between the City and the County of Galveston for milling services on 2<sup>nd</sup> St. between FM 646 and Avenue L**

Street Superintendent Billy Creppon said we have asked the county to help up reconstruct 2<sup>nd</sup> Street since the road is too wavy to overlay. He said the county would mill the street from FM 646 to Avenue L so then we could re-pave it. Mr. Creppon said milling the street will also help enable us to widen the road from the current 18.5 feet to about 20 feet. Motion by Councilmember Pittman, seconded by Councilmember O'Brien to authorize execution

of the Interlocal Contract between the City and the County of Galveston for milling services on 2<sup>nd</sup> St. between FM 646 and Avenue L. The motion passed the roll call vote unanimously.

**4. Consideration and possible action: Adoption of a resolution approving submission of the Santa Fe Coordinated Response VOCA grant application to the Texas Office of the Governor Criminal Justice Division for continued operation of the Santa Fe Strong Resiliency Center**

City Manager Joe Dickson said this application is to continue the Santa Fe Strong Resiliency Center operations through VOCA grant funding. Motion by Councilmember O'Brien, seconded by Councilmember Corey Jannett to adopt the resolution approving submission of the Santa Fe Coordinated Response VOCA grant application to the Texas Office of the Governor Criminal Justice Division for continued operation of the Santa Fe Strong Resiliency Center. 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 meeting is scheduled for February 28, 2019.

Motion by Councilmember O'Brien, seconded by Councilmember Pittman to adjourn. The motion passed and the meeting adjourned at 9:35 p.m.

---

JASON TABOR, MAYOR

ATTEST:

---

Janet L. Davis, City Secretary