

**CITY OF SANTA FE
REGULAR COUNCIL MEETING
APRIL 11, 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
City Attorney Ellis J. Ortego
City Manager Joe Dickson
City Secretary Janet L. Davis
Absent: Councilmember Bubba Jannett, excused

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's and City Manager's Report:

- a. The minutes of 2/28/19 and 3/14/19 were approved as presented.
- b. Mayor Tabor accepted a Certificate of Appreciation from Kathy Barroso of the Galveston County Health District for our participation and 9th place statewide, 2nd in Galveston County, in the It's Time Texas Community Challenge.
- c. Mayor Tabor presented a proclamation to the Galveston County Children's Service Board for Child Abuse Prevention Month for April
- d. Mayor Tabor presented a proclamation to the Galveston County District Attorney's office and representatives of the National Crime Victims' Rights committee for Crime Victims' Rights Week for April 7 – 13, 2019.
- e. Mayor Tabor presented City Manager Joe Dickson and Community Services Director Diana Steelquist with patriotic employer certificates for working in cooperation with the Secretary of Defense for employee Pedro Jimenez's recent leave of absence to serve his country.
- f. Mayor Tabor presented plaques to City Manager Joe Dickson and Director of Administrative Services Stacey Baker for their dedicated service in wake of the tragedy at Santa Fe High School last May. City Manager Joe Dickson also thanked Mayor Tabor for all his work even before he was officially sworn in as Mayor last year.
- g. City Manager Joe Dickson reported that our audited fund balance for the fiscal year ending September 30, 2018, was \$1,888,414 and Auditor Rick Shell will present the full report to the Council at the next regular meeting.

Citizens' Comments: None

City Business (Other):

Old Business:

1. **Consideration and possible action: Second and final reading of an ordinance amending Chapter 9, Traffic Code, Section 5, creating a civil offense for passing a stopped school bus that is operating certain visual signals while loading and unloading students; creating a civil penalty; and providing for a civil fine and penalties**

Police Chief Philip Meadows said this ordinance will allow the school district to install cameras on school buses to record violators passing the bus while loading and unloading students for the purpose of issuing civil offense citations to violators to improve safety among the traveling public. Motion by Councilmember O'Brien, seconded by Councilmember Carothers to pass the second and final reading of an ordinance amending Chapter 9, Traffic Code, Section 5, creating a civil offense for passing a stopped school bus that is operating certain visual signals while loading and unloading students; creating a civil penalty; and providing for a civil fine and penalties. The motion passed the roll call vote unanimously.

Planning and Zoning Business:

Old 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 changing the zoning classification from Single Family Residential (R-1) to Highway Commercial (HC) for one tract totaling 1.985 acres located at 1625 FM 646 N, City of Santa Fe, Galveston County, Texas

Community Services Director Diana Steelquist said Ms. Fisher has requested a zone change on FM 646 N at Thamans Drive. Ms. Steelquist said the home was built in the 1950s and Ms. Fisher would like to sell it, but the potential buyer is only interested if it's authorized for commercial development. Ms. Steelquist said staff has received a valid petition from area property owners that would require any change be approved by a super majority vote to pass. She said the Planning and Zoning Commission recommended denial of the request. Mayor Tabor opened the public hearing at 7:24 p.m. Mr. Ted Mahoney of 12214 Marion Lane said he opposes this rezoning request because it is not located at an arterial highway intersection and it is not in line with the city's mission statement and goals. Ms. Vickie Wells of 12411 Marion Lane expressed opposition stating that commercial development with concrete improvements will cause more drainage problems in this area that already has flooding during heavy rain events. Amber Karl of 12402 Thaman Drive said she would prefer the property remain zoned as is. Rosalyn Ceccacci of 12403 Marian Lane opposes this request because commercial development will increase traffic flow on these narrow, dead-end streets and will bring safety concerns to this small, private neighborhood. Ms. Billie Mahoney of 12214 Marion said commercial zoning could bring types of activities not conducive to a small, quiet neighborhood and could bring about negative effects on adjacent properties. Mr. Robert Schlitzberger of 12215 Marion opposes rezoning because he projects property devaluation of existing homes if the zone is changed to commercial. Ms. Jennifer Meyer of 12418 Thaman Dr wants zoning to remain unchanged. Mr. Lloyd Morse of 12315 Thaman said he is concerned about the potential negative effects and increased crime in the area if the zone is changed to commercial. Mr. Brad Jewell of 1700 FM 646 N said he is concerned a change to commercial use will have negative effects on property valuations and taxes. Ms. Darlene Fisher, the zone change applicant, said she thought the property at 1625 FM 646 N was already zoned for commercial use. She said the property has flooded three times, she cannot continue to maintain the property, and she is not part of the subdivision since she purchased it from Mr. Thaman who subdivided it many years ago. Mr. Buddy Meyer of 12418 Thaman Dr. said rezoning to commercial would devalue the homes in the adjacent subdivision, restrict access to the adjacent neighborhood for emergency vehicles, and cause more flooding and noise concerns. Ms. Janie Elizondo of 12420 Marion said she is concerned that emergency vehicles may not have access to their homes if proposed commercial development adversely impacts drainage. Mr. Steve Montgomery of 12230 Thaman said he understands Ms. Fisher's concerns but wants a fair impact on the neighborhood. Mayor Tabor closed the public hearing at 7:56 p.m. Councilmember Pittman said he understands

the city's economic development board intends to run water utilities on FM 646 N up to 2nd Street and clarified that this requested zone change would not affect those plans. Motion by Councilmember Carothers, seconded by Councilmember Pittman to pass 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 Single Family Residential (R-1) to Highway Commercial (HC) for one tract totaling 1.985 acres located at 1625 FM 646 N, City of Santa Fe, Galveston County, Texas. The motion failed the roll call vote two to two. Those voting for: Councilmember Carothers and Councilmember Pittman. Those voting against: Councilmember Corey Jannett and Councilmember O'Brien. Because a valid petition was received from area property owners that require any change be approved by a super majority vote, Mayor Tabor's vote to break the tie was unnecessary.

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 changing the zoning classification from Neighborhood Commercial (NC) to Light Manufacturing (LM) for one tract totaling 4.7174 acres located at 2618 FM 646 N, City of Santa Fe, Galveston County, Texas

Community Services Director Diana Steelquist said this zone change request is for an RV park, but she said the zoning ordinances does not encourage additional manufactured housing after adoption of the zoning regulations. She said the Planning and Zoning Commission held a public hearing and they have recommended approval of the request to change the zoning from neighborhood commercial to light manufacturing to accommodate the park use. Ms. Steelquist said the applicants to remove the existing double-wide trailer and retain the existing brick home on the lot to serve as an office for this proposed RV park. Ms. Hertenberger express concerns that additional wells and septic systems on the property may contaminate the water tables in the area. Ms. Steelquist said the light manufacturing zone would allow for redevelopment of this tract of land and we have stringent performance standards applicable for uses in this district. She also said any development of the site would be limited to whatever can operate on a private septic system and water well. Mr. Mohamed Nizami, the applicant, said he plans to utilize an aerobic septic system for the proposed park at 2618 FM 646 N. Councilmembere Carothers said the city's economic development board is planning to run water utilities along FM 646 but public sewer access is many years away. Mayor Tabor closed the public hearing at 8:09 p.m. Motion by Councilmember Corey Jannett, seconded by Councilmember O'Brien 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 Neighborhood Commercial (NC) to Light Manufacturing (LM) for one tract totaling 4.7174 acres located at 2618 FM 646 N, City of Santa Fe, Galveston County, Texas. The motion passed the roll call vote three to one. Those voting for: Councilmember Corey Jannett, Councilmember O'Brien, and Councilmember Pittman. Those voting against: Councilmember Carothers.

City Business (Other):

New Business:

1. Consideration and possible action: Authorizing Mayor to execute Interlocal Cooperation Contract between the City and Texas State University for funding of Tobacco Enforcement Program grant

Police Chief Philip Meadows said the Tobacco Safety Grant is sponsored by Texas State University for \$100 for each sting operation conducted, up to a maximum of \$5,200. Chief Meadows is seeking approval to participate in the enforcement program. Motion by Councilmember Carothers, seconded by Councilmember O'Brien to authorize the Mayor to execute the Interlocal Cooperation Contract between the City and Texas State University for funding of Tobacco Enforcement Program grant. The motion passed the roll call vote unanimously.

2. Consideration and possible action: Ratifying execution of Interlocal Agreement with County of Galveston to partially fund improvements to various streets within the city limits of the City of Santa Fe

City Manager Joe Dickson said the county's bond issue included funding for street improvements in the local communities, and Santa Fe is allotted \$1,420,000 for these improvements. He said we have selected Ave. L between 6th St and 11th St, Ave. Q north from FM 1764 to the dead end, and Ave. T from Hwy. 6 south to the city limits. Mr. Dickson said the agreement with the county was signed by Mayor Tabor last month so the project could move forward for approval by the Commissioners' Court. Motion by Councilmember Pittman, seconded by Councilmember O'Brien to ratify execution of the Interlocal Agreement with the County of Galveston to partially fund improvements to various streets within the city limits of the City of Santa Fe. The motion passed the roll call vote unanimously.

3. Consideration and possible action: Adoption of a resolution amending Resolution #2019-05 dated February 14, 2019, 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 to provide applicable matching funds to continue the program

City Manager Joe Dickson said the VOCA grant application was previously submitted and we were under the impression that the cash match requirement would be waived again this year. He said we have been informed that a waiver is only considered for the initial application, so this resolution amends our previous resolution and commits to providing the required 20 percent match for the 21-month period. Mr. Dickson said the cash match is in the amount of about \$380,000 and consists of benefits for employees of the resiliency center and indirect costs for administrative salaries not included in the grant. Councilmember O'Brien said we need to continue to provide services to the community through the resiliency center. Mayor Tabor said we may need to continue this program for several years to come. Motion by Councilmember Pittman, seconded by Councilmember Corey Jannett to adopt the resolution amending Resolution #2019-05 dated February 14, 2019, 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 to provide applicable matching funds to continue the program. The motion passed the roll call vote unanimously.

4. Consideration and possible action: Adoption of a resolution authorizing the aerial spraying for the abatement of mosquitoes

Motion by Councilmember Corey Jannett, seconded by Councilmember O'Brien to adopt the resolution authorizing the aerial spraying for the abatement of mosquitoes. The motion passed the roll call vote unanimously.

5. Consideration and possible action: Adoption of a resolution suspending the May 27, 2019, effective date of the proposal by CenterPoint Energy Resources Corp, D/B/A CenterPoint Energy Entex and CenterPoint Energy Texas Gas – Texas Coast Division to implement interim grip rate adjustments for gas utility investment in 2018 and requiring delivery of this resolution to the company and legal counsel

City Manager Joe Dickson said CenterPoint as has requested a GRIP rate adjustment which allows utilities to recover costs of capital investments. He said we cannot deny the request but we can delay its effective date. Motion by Councilmember O'Brien, seconded by Councilmember Pittman to adopt the resolution suspending the May 27, 2019, effective date of the proposal by CenterPoint Energy Resources Corp, D/B/A CenterPoint Energy Entex and CenterPoint Energy Texas Gas – Texas Coast Division to implement interim grip rate adjustments for gas utility investment in 2018 and requiring delivery of this resolution to the company and legal counsel. The motion passed the roll call vote unanimously.

6. Consideration and possible action: Adoption of a resolution suspending the May 10, 2019, effective date of CenterPoint Energy Houston Electric, LLC's requested rate change to permit the city time to study the request and to establish reasonable rates; approving continued cooperation with the Gulf Coast Coalition of Cities; hiring Lloyd Gosselink Attorneys and Consulting Services to negotiate with the Company and direct any necessary litigation and appeals; requiring reimbursement of Cities' rate cast expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel

City Manager Joe Dickson said CenterPoint Energy Electric has requested a rate increase and this resolution would suspend the effective date for 90 days to give the coalition time to study the request and negotiate reasonable rates. Motion by Councilmember Carothers, seconded by Councilmember Corey Jannett to adopt the resolution suspending the May 10, 2019, effective date of CenterPoint Energy Houston Electric, LLC's requested rate change to permit the city time to study the request and to establish reasonable rates; approving continued cooperation with the Gulf Coast Coalition of Cities; hiring Lloyd Gosselink Attorneys and Consulting Services to negotiate with the Company and direct any necessary litigation and appeals; requiring reimbursement of Cities' rate cast expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel. The motion passed the roll call vote unanimously.

Announcements: Easter egg hunt this Saturday at the Joe A. Tambrella park beginning at 10:30 a.m.. Earth Day event coming at the end of this month.

Summary of action from this agenda, request for future agenda items, and scheduling future meetings
The next regular meeting is scheduled for May 9, 2019.

Motion by Councilmember Pittman, seconded by Councilmember O'Brien to adjourn. The motion passed and the meeting adjourned at 8:39 p.m.

ATTEST:

JASON TABOR, MAYOR

Janet L. Davis, City Secretary