

**CITY OF SANTA FE
REGULAR COUNCIL MEETING
JUNE 27, 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 Bubba Jannett
 Councilmember Joe Carothers
 Councilmember Bill Pittman
 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's and City Manager's Report:

- a. The minutes of 5/9/19, 5/14/19, 6/4/19, and 6/18/19 were approved as presented.
- b. City Manager Joe Dickson presented the investment report for the quarter ending March 31, 2019, reporting a restricted portfolio in the amount of \$389,980 and an unrestricted portfolio of \$2,393,126.
- c. Ms. Amy Reed, Board Director for Keep Texas Beautiful and affiliate partner for Keep Houston Beautiful presented the gold award and the first place government award for populations under 30,000 to Mandy Jordan of Keep Santa Fe Beautiful.
- d. Mr. Dan Gardner, owner of Texas Coast K9 Training LLC, presented a donation to Chief Meadows, Captain Shores, K9 Officer Danesi, and Tor for the city's canine program.
- e. City Manager Joe Dickson announced his plans to retire effective January 3, 2020.
- f. Councilmember Bubba Jannett thanked Joe for all his time and thanked his family for supporting him throughout his 13 years on Council.

Citizens' Comments: None

Business:

Old Business: None

New Business:

Mayor Tabor and City Manager Joe Dickson recognized outgoing councilmembers Joe Carothers and Bubba Jannett, and former Mayor Jeff Tambrella (from last year) with appreciation of service awards.

1. Oaths of Office by newly-elected officers

Newly-elected Councilmember Fidencio Leija was administered the oath of office by his wife, Kristina Tibaldo-Leija. Police Captain Robert Shores administered the oath of office to newly-elected Councilmember IV Hoke. City Secretary Janet L. Davis administered the oath of office to returning Councilmember Bill Pittman. The councilmembers took their place at the dais.

Council adjourned at 7:20 p.m. for a reception to thank the outgoing members and welcome the newly-elected members and reconvened at 7:51 p.m.

2. Consideration and possible action: Selection of Mayor Pro-tem

Motion by Councilmember Corey Jannett, seconded by Councilmember O'Brien to nominate Bill Pittman as Mayor Pro-tem. The motion passed the roll call vote unanimously.

3. Consideration and possible action: Adoption of a resolution committing funds for cost sharing of sewer utilities to the Santa Fe girls' softball field

Mayor Tabor said we are working with the softball league to improve sewer utilities in the area of 6th Street near Avenue L. He said the water district has agreed to provide the labor for a force main and lift station and the girls softball league is requesting the city share the material costs to run the sewer utilities to the fields, enabling this service to also benefit those in the local area who wish to tie into these public services. Mayor Tabor said the city's share would be approximately \$14,000. Councilmember Corey Jannett clarified that this is not a budgeted item and asked if the project would be completed this budget year. Mayor Tabor responded that the project should be complete in a few months. Motion by Councilmember Pittman, seconded by Councilmember Hoke to adopt the resolution committing funds for cost sharing of sewer utilities to the Santa Fe girls' softball field. The motion passed the roll call vote unanimously.

4. Consideration and possible action: Adoption of a resolution committing funds for cost sharing of utility extension to Tower Road Estates in exchange for developers' request to annex the subdivision of 39.22 acres of land

City Manager Joe Dickson said the Tower Road Estates developer has requested the city annex the proposed subdivision in exchange for an incentive the city would offer for utility extension. He said the \$100,000 incentive would be paid in four installments of \$25,000 as the subdivision develops and for each 15 homes built, and we will see a long-term return on our investment. Councilmember Pittman said the last time this was discussed we were unsure if the property in question was contiguous. City Attorney Ellis Ortego said this arrangement is possible because the city is getting something in return. Councilmember Leija asked about the drainage impact and the amount of green space in the subdivision. Mr. Andy McDonald who is overseeing construction of the project said the city has a plat which indicates green space, an approved drainage plan to a DD#1 outfall ditch, sidewalks, a walking trail around the lake, curb and gutter, water and sewer utilities, and underground electricity. He said the city would gain about \$185,000 in permit fees upon buildout, in addition to the annual property tax revenue. Mr. Dickson said this resolution is a commitment to the project. Councilmember Pittman asked if this development would substantially increase the workload for inspections and Building Official Marty Haley said we will need to add more inspectors, with or without this subdivision. Councilmember Jannett asked where this money would come from and Mr. Dickson responded it would come from the fund balance. Motion by Councilmember O'Brien, seconded by Councilmember Leija to adopt the resolution committing funds for cost sharing of utility extension to Tower Road Estates in exchange for developers' request to annex the subdivision of 39.22 acres of land. The motion passed the roll call vote unanimously.

5. 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 Highway Commercial (HC) for two tracts totaling 6.672 acres located at 2908 FM 646 N, City of Santa Fe, Galveston County, Texas

Community Services Director Diana Steelquist said the applicant would like to develop an RV storage facility, but that use is not allowed in the neighborhood commercial district. She said there are many residential homes in the area, but single-family homes are no longer appropriate for this area since FM 646 is a major thoroughfare. Ms. Steelquist said the Planning and Zoning Commission recommended approval of the zone change request. Councilmember Pittman said he is concerned about code enforcement issues in the area. Mayor Tabor opened the public hearing at 8:16 p.m. Mr. Buddy Meier of 12418 Thaman said he disagrees that this area is not appropriate for residential as it is the gateway to our community and should not be littered with commercial development. Ms. Maureen Hertenberger of 2625 Ave. Q said the city needs rules governing RV parks to ensure that developers do not allow more code enforcement issues to burden city staff. Mr. Curtis Tipton of 12610 Sunset Circle said he wants to provide an RV storage facility for the community that is fenced, gated, and has security lighting. Mr. Steve Cates, a realtor and resident of Santa Fe, said FM 646 is an entry-way corridor and commercial area. Mr. Jim Lock of 3229 Ave. Q said he is concerned about the lack of adequate drainage in the area and what impact this commercial development will have on an already flood-prone area. Mayor Tabor closed the public hearing at 8:31 p.m. Ms. Steelquist said we have development regulations in place already. Drainage District #1 President Dennis Wagner said that is a very distressed area for drainage, and he said he prefers a design be presented to Council prior to consideration of a zone change so drainage following these big rains can be addressed. Mr. Wagner said the rain date is 10-12 years old and needs to be updated along with the drainage criteria. Mr. Tipton, the developer, said he does not want to spend a lot of money before he knows if the zone change request will be approved. Mr. Wagner said a survey profile is a good investment before the property is purchased in order to determine if the development project is feasible. Motion by Councilmember O'Brien, seconded by Councilmember Leija to table this item. The motion passed the roll call vote unanimously.

6. 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 Mr. Nazimi is again requesting a zone change from neighborhood commercial to light manufacturing for an RV park on FM 646 N. She said the health district has confirmed two septic systems on site – one for the site built house proposed to be used as the office and the other could serve the proposed seven RV sites. She said the water well would be enlarged and the Planning and Zoning Commission unanimously recommended approval. Mayor Tabor opened the public hearing at 8:46 p.m. Ms. Maureen Hertenberger of 2625 Ave. Q said RV parks should be highly regulated so the city does not get substandard developments, and she asked Council to table action on this item until those rules could be developed to avoid code enforcement issues. Mr. Nazami, the developer of the proposed RV park, said he was previously asked to ensure the septic systems could handle the proposed development, and he provided a plat of the proposed park for Council to review. He said the property was a previous code enforcement problem but has not been a problem since he took ownership of it 3 years ago. Drainage District #1 President Dennis Wagner asked if he had any elevations or drainage plans for the proposed development to determine if the project is financially advantageous and feasible. Mayor Tabor closed the public hearing at 9:00 p.m. Motion by Councilmember O'Brien, seconded by Councilmember Leija to table this item. 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 the text of Ordinance No. 02-03, commonly known as the City of Santa Fe Unified Development Code, or the Santa Fe Zoning Ordinance, 2002 Edition, amending Article 4, Zoning Districts, Section 4.02.04, Area Regulations for Single-Family Residential Lot Sizes, amending Appendix 4E, Lot Area and Standards Matrix for Single-Family Residential Lots; providing for severability

Community Services Director Diana Steelquist said there is an increased demand for single-family development in our community, and our limiting factor for growth is the lack of public water and sewer availability. She said this ordinance would reduce the lot size where public water and sewer are readily available and streets are paved with curb and gutter. Motion by Councilmember Pittman, seconded by Councilmember O'Brien to table this item. 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 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 Agricultural Residential (AR) to Single-Family Residential (R-1) for one tract totaling 9.797 acres located at 3429 Ave. S, City of Santa Fe, Galveston County, Texas

Community Services Director Diana Steelquist said the applicant for this zone change has withdrawn his request at this time. A public hearing was not held since the item was withdrawn. Motion by Councilmember O'Brien, seconded by Councilmember Hoke to accept the withdrawal request. The motion passed the roll call vote unanimously.

9. Consideration and possible action: Adoption of a resolution revising the fee schedule for building development permits

Community Services Director Diana Steelquist said the Texas Legislature recently adopted legislation prohibiting residential permit fees from being based upon the value of the development. She said staff has revised the city permit fee schedule in response to this new legislation. She said commercial permit fees will still be value based. Councilmember Pittman said this is almost a net zero compared to the old fee schedule, and he said the state has done an injustice to cities with this new legislation. Ms. Steelquist said we do not collect permit fees to make money but to cover costs associated with providing development regulation services. She said the last fee revision was ten years ago. Councilmember Leija asked why we did not go with a flat rate and Ms. Steelquist responded that she does not feel a flat rate is a fair rate for all developments. Motion by Councilmember O'Brien, seconded by Councilmember Corey Jannett to adopt the resolution revising the fee schedule for building development permits. The motion passed the roll call vote unanimously.

10. Consideration and possible action: Awarding bid and Ratifying execution of contract for Avenue G ½ street improvements

City Manager Joe Dickson said we signed the contract to expedite paving of Avenue G ½ in anticipation of school opening in a few months. He reminded Council that the school has set aside funds for this but the city could extend the length of the paving if we were to bid and oversee the project. Mr. Dickson said there is over 800 feet of concrete street proposed and the city cost is \$26,000 in addition to the school's allocated funds in the amount of \$245,000. He said staff recommends awarding the bid to Carter Construction and authorizing the Mayor to ratify execution of the contract. Motion by Councilmember Pittman, seconded by Councilmember O'Brien to award the bid to Carter Construction LLC and ratifying execution of the contract for Avenue G ½ street improvements. The motion passed the roll call vote unanimously.

11. Consideration and possible action: Appointment/reappointment of Municipal Court Judge for a two-year term to expire May, 2021

City Manager Joe Dickson said Carlton Getty has been the Municipal Court Judge since incorporation of the city and he is willing to continue in that capacity. Motion by Councilmember O'Brien, seconded by Councilmember Corey Jannett to reappoint Honorable Carlton Getty as Municipal Court Judge for a two-year term to expire May, 2021. The motion passed the roll call vote unanimously.

12. Consideration and possible action: Appointment/reappointment of Associate Municipal Court Judge for a two-year term to expire May, 2021

City Manager Joe Dickson said staff is recommending to not fill the Associate Municipal Court Judge term for budgetary reasons at this time. Motion by Councilmember Pittman, seconded by Councilmember Corey Jannett to not appoint or reappoint an Associate Municipal Court Judge at this time. The motion passed the roll call vote unanimously.

13. Consideration and possible action: Appointment/reappointment of a member to serve on the Police Officers' Civil Service Commission for a three-year term to expire June, 2022

City Manager Joe Dickson said the Civil Service Commission has three members and the term of Bill Reitmeyer expires this month. He said Mr. Reitmeyer has expressed his willingness to continue to serve another term. Motion by Councilmember Pittman, seconded by Councilmember O'Brien to reappoint Mr. Bill Reitmeyer as a member to serve on the Police Officers' Civil Service Commission for a three-year term to expire June, 2022. The motion passed the roll call vote unanimously.

14. Consideration and possible action: Appointment/reappointment of members to serve on the Santa Fe Economic Development Corporation for a two-year term to expire June, 2021

City Manager Joe Dickson said the Economic Development Corporation has seven members and all, with the exception of Rusty Norman, have expressed their willingness to continue to serve another term. He said we have received several new applications from community members who wish to serve on this board. Councilmember Pittman expressed his concern with continuity on the board due to unstaggered terms. Councilmember Leija said our corporation's bylaws are out of date and need to be changed. Councilmember Pittman said the corporation has already committed funds for several long-term projects and he is concerned that a whole new board would disrupt continuity. City Manager Joe Dickson provided a history of the city's sales tax elections for Section B projects, stating that it wasn't until the third try that it passed by the voters since it was stripped down to only water, sewer, streets, and drainage. He said we recently learned that we can attempt to expand the use of funds to other projects without losing what we already have. Councilmember Leija and Mayor Tabor said Council approval is all that is necessary to change the bylaws and expand the use of funds. Motion by Councilmember Pittman, seconded by Councilmember Hoke to table this item until the next meeting. The motion passed the roll call vote unanimously.

15. Consideration and possible action: Appointment/reappointment of members to serve on the Mae S. Bruce Library Advisory Board for a two-year term to expire July, 2021

Library Director Brenda Cheatham said the library advisory board has five members with three of those expiring next month. She said Ms. Sue Johnson and Ms. Vicki Franzke have expressed their willingness to serve another term and position 5 is still vacant. Motion by Councilmember Corey Jannett, seconded by Councilmember Pittman to reappoint Ms. Sue Johnson and Ms. Vicki Franzke for a two-year term to expire July, 2021, and to appoint a member to fill the vacant position at the next meeting. The motion passed the roll call vote unanimously.

16. Consideration and possible action: Discussion of property tax exemptions for the 2019/20 fiscal year and adoption of a resolution adopting certain property tax exemptions pursuant to Section 11.13 and Section 11.261 of the Texas Property Tax Code

City Manager Joe Dickson said the city currently offers property tax exemptions for those over 65 and disabled in addition to the tax freeze for those over 65 and disabled. He said offering homestead exemptions has been discussed in previous years but he feels the city, at this time, cannot afford the revenue loss that a homestead exemption would produce. Mr. Dickson said property tax exemptions must be adopted by July 1. Motion by Councilmember Pittman, seconded by Councilmember O'Brien to adopt the resolution adopting the over 65 and disabled property tax exemption and the tax freeze for over 65 and disabled, pursuant to Section 11.13 and Section 11.261 of the Texas Property Tax Code. The motion passed the roll call vote unanimously.

17. Consideration and possible action: Adoption of a resolution authorizing the Friends of the Library to expand the Mae S. Bruce Library with Mae S. Bruce trust funds

City Manager Joe Dickson said Ms. Bruce donated the library and the land to the city many years ago and she also put aside money in a trust fund for library expansion. He said the trust fund money, estimated to be about \$340,000, does not belong to the city. Mr. Dickson said if the Friends of the Library were given permission to construct an expansion on city property and then give it to the city, the use of funds would be more efficient since competitive bidding laws and publication requirements could be avoided. Motion by Councilmember Leija, seconded by Councilmember Hoke to adopt the resolution authorizing the Friends of the Library to expand the Mae S. Bruce Library with Mae S. Bruce trust funds. The motion passed the roll call vote unanimously.

Announcements: Community potluck family event this Sunday between 1 p.m. and 4 p.m. at Runge Park; cleanup at Runge Park this weekend; and a reminder that fireworks are not permitted in the city on July 4.

Summary of action from this agenda, request for future agenda items, and scheduling future meetings

Motion by Councilmember Corey Jannett, seconded by Councilmember Bill Pittman to adjourn. The motion passed and the meeting adjourned at 9:55 p.m.

ATTEST:

JASON TABOR, MAYOR

Janet L. Davis, City Secretary