

CITY OF SANTA FE
NOTICE OF SPECIAL JOINT MEETING
CITY COUNCIL & ECONOMIC DEVELOPMENT CORPORATION
APRIL 7, 2020 7:00 P.M.
COUNCIL CHAMBERS
12002 HWY. 6, SANTA FE, TEXAS

In accordance with the Orders of the Office of the Governor issued March 16, 2020, and March 19, 2020, and in compliance with the recommendations of the CDC and other governmental agencies, to limit meetings to less than ten persons to limit the spread of the COVID-19 virus, the Joint Special Meeting between the City Council and the Economic Development Corporation will be conducted by Zoom Videoconference. There will be no public access to the Council Chambers at 12002 Hwy. 6, Santa Fe, Texas.

Members of the public will not be permitted to attend the meeting in person, but may, instead attend by telephone conference at the number above or via Zoom Videoconference at the Meeting ID provided above. Also, members of the public may submit comments to the City Council in any of the following ways: 1) emailing the City Secretary at janet@ci.santa-fe.tx.us; 2) delivering written comments by fax (409.316.1941) or email to City Hall prior to the meeting; or 3) identifying themselves on the telephone conference / Zoom videoconference when requested by the Mayor for members of the public wishing to provide public comment. Those identifying themselves to make public comment during the meeting will be placed on a list and called in that order during Citizens' Comments. You may also wish to visit our Facebook page at City of Santa Fe City Hall Facebook Live to watch the Joint City Council/EDC meeting live and to make comments on the agenda items.

Join Zoom Meeting

<https://zoom.us/j/858016683?pwd=OTRocXdIRVF3b0lQT1R6WjUvdzZxZz09>

Meeting ID: 858 016 683

Password: 948475

One tap mobile

+13462487799,,858016683# US (Houston)

Dial by your location

+1 346 248 7799 US (Houston)

+1 253 215 8782 US

888 788 0099 US Toll-free

877 853 5247 US Toll-free

AGENDA

- I. Call to Order
- II. Roll Call
 - a. City Council
 - b. Santa Fe Economic Development Corporation
- III. Invocation and Pledge of Allegiance to the U.S. Flag and to the Texas Flag
- IV. Citizens' Comments

(At this time, any person with City and/or EDC-related business not on this agenda should request via telephone or via the Zoom videoconference platform they be recognized to speak to the Council or the EDC. Time is limited to three (3) minutes. In compliance with the Texas Open Meeting Act, the City Council / EDC Board may not deliberate on the comments. Personal attacks will not be allowed, and personnel matters should be addressed to the City Manager during normal business hours.)
- V. City / EDC Business:
 - A. Old Business: None
 - B. New Business:
 1. Consideration and possible action: Joint Letter from the City and the EDC addressed to Governor Greg Abbott, Lieutenant Governor Dan Patrick, and Attorney General Ken Paxton requesting an executive order, disaster declaration or other formal action to temporarily expand the spending authority of the City of Santa Fe 4B Economic Development Corporation ("Santa Fe EDC") to include programs and projects that would assist local businesses during the COVID-19 crisis, including but not limited to projects for the general promotion and development of new or expanded business enterprises, which may also include but is not limited to projects ... that promote or develop new or expanded business enterprises pursuant to Tex. Loc. Gov't Code Ch. 501, Subchapter C, and Chapter 505, Sections 505.155 and 505.158, and subject to all other procedural and legal prerequisites associated with same. [*Public Testimony*]
 2. Public Hearing: In accordance with Sections 505.159 and 505.160 of the Texas Local Government Code, the Santa Fe EDC, a Texas non-profit 4B economic development corporation, will receive public comments related to the following proposed economic development project being considered by the Santa Fe EDC as follows:
 - Pursuant to Local Government Code Section 505.158, the Santa Fe EDC proposes to participate in a project generally referred to as a program to assist eligible and qualifying small businesses located in the City of Santa Fe with financial assistance during the COVID-19 state of disaster and time of social distancing. The Santa Fe EDC's participation in any such general or specific project or program is subject to the having or otherwise receiving the proper legal authorization to do so.

- VII. Announcements
- VIII. Summary of action from this agenda;
Request for future agenda items;
Scheduling future meetings
- IX. Adjournment

The City of Santa Fe will make every reasonable effort to make its meetings accessible to persons with disabilities. Requests for accommodation services must be made prior to the meeting by contacting the City Secretary at (409) 925-6412.

I hereby certify this agenda was posted at Santa Fe City Hall on April 4, 2020, by 6:00 p.m.

Janet L. Davis (virtual)
Janet L. Davis, City Secretary

April 7, 2020

The Honorable Greg Abbott
Governor of Texas
State Insurance Building
1100 San Jacinto Blvd.
Austin, Texas 78701

The Honorable Dan Patrick
Lieutenant Governor of Texas
P.O. Box 12068
Austin, Texas 78711

The Honorable Kenneth Paxton
Office of the Attorney General
300 W. 15th Street
Austin, Texas 78701

The Honorable Ted Cruz
Texas State Senator
1919 Smith Street, Suite 9047
Houston, Texas 77002

The Honorable John Cornyn
Texas State Senator
5300 Memorial Drive, Suite 980
Houston, Texas 77007
Fax: 713-572-3777

The Honorable Randy Weber
State Representative, 14th District
174 Calder Road, Suite 150
League City, Texas
Fax: 281-316-0271

**RE: Executive Order / Declaration expanding sales tax spending authority
The City of Santa Fe 4B Economic Development Corporation**

Dear Honorable Sirs,

The City of Santa Fe 4B Economic Development Corporation (“Santa Fe EDC”) and its authorizing city want to do everything possible for Santa Fe’s local businesses and community during this public health disaster and crisis. Locally owned businesses desperately need our financial assistance to meet essential expenditures such as rent and utilities; public safety is also a concern as the City is increasingly burdened by the increased demand for law enforcement during this time. In Santa Fe, the ability to access any and all financial resources available to the Santa Fe EDC and the City is almost tantamount to fighting the COVID-19 virus itself.

The Santa Fe EDC is a Type B non-profit economic development corporation and administers the one-half cent sales tax the Santa Fe voters approved in May 2001. However, the voters only authorized expenditures for limited economic development projects relating to “public works infrastructure improvements, specifically water/wastewater expansion, drainage, and streets and roads, including the maintenance and operating expenses for those projects development with economic development funds designed to promote new or expanded business enterprises.” Prior to the pandemic, the City and the Santa Fe EDC authorized a special election in May 2020 to expand the EDC’s spending authority to include the full breadth of economic development projects allowed under the Texas Local Government Code. However, the May elections are now postponed.

The City of Santa Fe and its EDC need your help to temporarily expand the Santa Fe EDC’s spending authority while the Governor’s state-wide disaster declaration is in place. Specifically, the City and the Santa Fe EDC request an executive order, declaration, or other formal action to temporarily expand the Santa Fe EDC’s spending authority to include programs and projects that

would assist local businesses during the COVID-19 crisis, including but not limited to projects for the general promotion and development of new or expanded business enterprises, which may also include projects that promote or develop specific new or expanded business enterprises pursuant to Texas Local Government Code Ch. 501, Subchapter C, and Ch. 505, Secs. 505.155 and 505.158.

Governor, you have the power to grant our community the relief it needs during this unprecedented time. Last week you relied on Texas Government Code Ch. 418 to issue a disaster declaration for all 254 Texas counties, which gave you additional powers over state agencies and boards of commissions as the number COVID-19 cases increased statewide. According to Sec. 418.016, the governor has the power to suspend the provisions of *any* regulatory statute prescribing the procedures to conduct state business or the orders or rules of a state agency if strict compliance with the provisions, orders, or rules would in any way prevent, hinder, or delay necessary action in coping with this COVID-19 disaster. Further, Sec. 418.017 allows the governor to use *all available resources of political subdivisions that are reasonably necessary to cope with a disaster*.

The Santa Fe EDC is a resource available and ready to serve the City, its constituents, and its local businesses in any way possible during this crisis – we just need you to exercise your authority to grant us the temporary power to use the Santa Fe EDC’s financial resources for all legal purposes under Chapters 501 and 505 of the Texas Local Government Code during the pendency of your disaster declaration. Please help us help our community.

Respectfully,

City of Santa Fe, Texas

Santa Fe 4B Economic Development Corp.

Jason Tabor, Mayor

Fidencio Leija – Director / EDC President

Bill Bittman, Mayor Pro Tem

Matt Crable – Director

Fidencio Leija, Council Member

Ashley Carner – Director

IV Hoke, Council Member

Blu Ballio – Director

Jason O’Brien, Council Member

Robert Bracknell – Director

Corey Jannett, Council Member

Greg Vicknair – Director

Bobby J. Wiley – Director