

**CITY OF SANTA FE
REGULAR COUNCIL MEETING
DECEMBER 10, 2015 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 Jeff Tambrella.

Roll Call:	Present:	Mayor Jeff Tambrella Mayor Pro-tem Bubba Jannett Councilmember Pat McCrary Councilmember Charles Coleman City Attorney Ellis J. Ortego City Manager Joe Dickson Director of Administrative Services Pam Wood
	Absent:	Councilmember Corey Jannett, excused Councilmember Joe Carothers, excused City Secretary Janet L. Davis, excused

The invocation was given by 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 11/12/15 were approved as presented.

Citizens' Comments: Boy Scouts working on their Eagle Scout badge were in attendance at meeting. Mr. Paul Millo said this is his last council meeting as he is retiring at the end of the month. He thanked the Council and the citizens for allowing him to serve as city marshal.

Planning and Zoning 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, amending Article 2, Definitions, to clarify the definition of a parking space and paving; amending Article 6, Off Street Parking, Section 6.01.07, Parking Area Standards, to clarify parking area surface requirements
Community Services Director Diana Steelquist said this is the final reading of the zoning ordinance amendment to clarify our expectations of hard surface parking requirements. Motion by Councilmember McCrary, seconded by Councilmember Coleman to pass the 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, amending Article 2, Definitions, to clarify the definition of a parking space and paving; amending Article 6, Off Street Parking, Section 6.01.07, Parking Area Standards, to clarify parking area surface requirements. The motion passed the roll call vote unanimously.

New Business: None

City Business (Other):

Old Business:

1. Consideration and possible action: Second and final reading of an ordinance amending Chapter 5, Fire Protection, Code of Ordinances, by adding Section 6, Fire Lanes, including definition, specifications, and penalties; having a severability clause

City Manager Joe Dickson said this is the final reading of this ordinance, and as the fire marshal previously stated, we have adopted the International Fire Code and Life Safety Code which requires fire apparatus access roads to ensure the public health and safety of our citizens. However, there is no state statute providing for enforcement nor for penalties for violation of those provisions, so this ordinance establishes local specifications for such. Motion by Councilmember Bubba Jannett, seconded by Councilmember McCrary to pass the second and final reading of an ordinance amending Chapter 5, Fire Protection, Code of Ordinances, by adding Section 6, Fire Lanes, including definition, specifications, and penalties; having a severability clause. The motion passed the roll call vote unanimously.

New Business:

1. Consideration and possible action: Authorizing Mayor to give written permission to the County to commence with eminent domain proceedings against Texas First Bank for acquisition of right-of-way on FM 646 N and authorizing the Santa Fe Economic Development Corporation to incur additional expenses incurred by the County due to eminent domain proceedings, as provided in the Contractual Agreement between the County of Galveston, City of Santa Fe, and Santa Fe Economic Development Corporation

SFEDC President Robert Cheek said the engineering and environment studies for the widening of FM 646 from FM 1764 to Hwy. 6 is complete. He said that 50 plus parcels of land along the right of way have been acquired at the appraised value, but Texas First Bank has not agreed to release their portion for the highway improvement project. Mr. Cheek said the bank is requesting payment for the value of all the oak trees along the property, in addition to the value of the portion of the employee parking lot they will lose, along with future earnings on the land. He said we are requesting that the County commence with eminent domain proceedings so we may continue with the highway expansion project. He further stated that the cost of the property we need to acquire may increase but the SFEDC is prepared to pay the arbitration costs and the unreimbursable ten percent of the acquisition cost of the property subject to eminent domain proceedings. Mr. Cheek said the city and the EDC have been working on this highway expansion project for many years, and we are looking forward to its completion. Motion by Councilmember Coleman,

seconded by Councilmember Bubba Jannett to authorize the Mayor to give written permission to the County to commence with eminent domain proceedings against Texas First Bank for acquisition of right-of-way on FM 646 N and authorizing the Santa Fe Economic Development Corporation to incur additional expenses incurred by the County due to eminent domain proceedings, as provided in the Contractual Agreement between the County of Galveston, City of Santa Fe, and Santa Fe Economic Development Corporation. The motion passed the roll call vote unanimously.

2. Consideration and possible action: Granting/denying request by David Jetelina to release the lien on property at 3813 Jackson Street and authorizing the Mayor to execute the necessary documents

City Manager Joe Dickson said the city placed a lien on this property in 1995. He said Mr. Jetelina has since purchased the property, but he was unaware that there was a lien on the property. The County did not perform a thorough title search so Mr. Jetelina was unaware of the lien and the city was not notified of the tax sale. When Mr. Jetelina discovered the lien, he advised the city that the previous owner, Mr. Clark, had filed for excess proceeds from the sale. Mr. Jetelina suggested the city intervene and request those funds to offset our original lien. Following a motion by the City Attorney, the city did receive the excess funds from the sale but there is still a balance due on the lien plus interest due from 1995. Mr. Jetelina is requesting release of the lien so he may develop the property. City Attorney Ellis Ortego recommended, due to the confusion, that we subtract the excess proceeds from the original lien and waive the interest accrued, leaving a balance of \$1,681.01 to be paid by Mr. Jetelina before releasing the lien. Motion by Councilmember Bubba Jannett, seconded by Councilmember Coleman to waive the interest accrued, to accept payment in the amount of \$1,681.01, to grant the request by David Jetelina to release the lien on property at 3813 Jackson Street, and to authorize the Mayor to execute the necessary documents. The motion passed the roll call vote unanimously.

3. Consideration and possible action: Adoption of a resolution proclaiming April as Fair Housing Month

Director of Administrative Services Pam Wood said the national fair housing law recognizes April as fair housing month. As part of our grant obligation, this resolution proclaims April as fair housing month in our community. Motion by Councilmember McCrary, seconded by Councilmember Coleman to adopt the resolution proclaiming April as Fair Housing Month. The motion passed the roll call vote unanimously.

4. Consideration and possible action: Adoption of a resolution approving the City of Santa Fe Section 4B Economic Development Corporation 2014/15 budget amendment

Director of Administrative Services Pam Wood said the SFEDC Board has approved a 2014/15 budget amendment due to an outstanding engineering invoice that was submitted late for payment. Motion by Councilmember Bubba Jannett, seconded by Councilmember McCrary to adopt the resolution approving the City of Santa Fe Section 4B Economic Development Corporation 2014/15 budget amendment. The motion passed the roll call vote unanimously.

5. Consideration and possible action: First reading of an ordinance of the City Council of the City of Santa Fe, Texas, amending Chapter 7, Personnel, Code of Ordinances, City of Santa Fe, Texas, Section 4, Municipal Court, subsection H(4), Technology Fund, to remove the expiration date

City Manager Joe Dickson said this technology fund was created by the state legislature in 2000 and the regulations originally provided an expiration date for collection of this fee. The expiration date was later repealed, and the city is simply removing the expiration date from our regulations. Motion by Councilmember McCrary, seconded by Councilmember Bubba Jannett to pass the first reading of an ordinance of the City Council of the City of Santa Fe, Texas, amending Chapter 7, Personnel, Code of Ordinances, City of Santa Fe, Texas, Section 4, Municipal Court, subsection H(4), Technology Fund, to remove the expiration date. The motion passed the roll call vote unanimously.

6. Consideration and possible action: Adoption of a resolution electing not to require the remittance of a PEG fee by holders of a state-issued certificate of franchise authority

City Manager said the cable companies began operating under a state-issued cable franchise in 2007. That franchise provided for a 5 percent franchise payment in addition to a 1 percent fee for the exclusive use of public, educational, and governmental (PEG) programming. He said the city has accumulated approximately \$120,000 for this purpose, but these funds can only be used for capital costs for PEG facilities. Mr. Dickson said PEG fee revenue may not be spent on operational or other non-capital costs. He said Council has the option of discontinuing that 1 percent fee saving this pass-through cost for our citizens. Councilmember Coleman felt we should continue to accumulate the funds for the future purchase of qualified capital. Other members of Council felt we should not burden our citizens with the additional fee until such time as we have a plan for the use of the funds. Motion by Councilmember Bubba Jannett, seconded by Councilmember McCrary to adopt the resolution electing not to require the remittance of a PEG fee by holders of a state-issued certificate of franchise authority. The motion passed the roll call vote unanimously.

Announcements:

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

Motion by Councilmember Bubba Jannett, seconded by Councilmember McCrary to adjourn. The motion passed and the meeting adjourned at 8:00 p.m.

JEFF TAMBRELLA, MAYOR

ATTEST:

Janet L. Davis, City Secretary