

**CITY OF SANTA FE
REGULAR COUNCIL MEETING
FEBRUARY 28, 2013 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 Ralph Stenzel.

Roll Call: Present: Mayor Ralph Stenzel
 Mayor Pro-tem Pat McCrary
 Councilmember Jeff Tambrella
 Councilmember Wanda Wagner
 Councilmember Joe Carothers
 Councilmember Bubba Jannett
 City Manager Joe Dickson
 City Secretary Janet L. Davis
 Absent: City Attorney Ellis J. Ortego, 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 1/10/13 and 1/24/13 were approved as presented.
- b. City Manager Joe Dickson reviewed the December 31, 2012, quarterly investment report with an ending balance of \$1,306,384.

Planning and Zoning Business: None

City Business (Other):

Old Business: None

New Business:

11. Consideration and possible action: Authorizing advertisement and solicitation of bids for a ground storage tank funded by GLO Contract No. 13-078-000-7101, Community Development Block Grant Disaster Recovery Program, Round 2.2 Non-Housing Grant

Mr. John Mercer, the city's engineer for these grant projects, said this is the seventh project for water facilities with disaster recovery grant funds. He said this project is for a ground storage tank at the water plant on Avenue L and it will supplement the current water storage capacity. Motion by Councilmember Tambrella, seconded by Councilmember McCrary to authorize the advertisement and solicitation of bids for a ground storage tank funded by GLO Contract No. 13-078-000-7101, Community Development Block Grant Disaster Recovery Program, Round 2.2 Non-Housing Grant. The motion passed the roll call vote unanimously.

1. Public hearing regarding amendment of 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, Article 8, Performance Standards, Section 8.03, Noise, providing a table of allowable noise levels measured by decibels

City Manager Joe Dickson said this issue was brought up during the proposed annexation hearings last year. He said staff has reviewed the current regulations of 65 decibels which is very low. Mr. Dickson said the Planning and Zoning Commission has reviewed the regulations and conducted a public hearing to hear comments from members of the public. He said the proposed recommended levels were taken from the Center for Disease Control's table of noise levels. Tonight is only a public hearing with Council. Mayor Stenzel opened the public hearing at 7:10 p.m. Mr. Glen Johnson of 1911 Bunyard and owner of the motorcross track in the area proposed for annexation next year said he is concerned at the 9 p.m. to 7 a.m. restriction on weekends. He said some of the weekend events go through 11:00 p.m. and he is usually open on Tuesdays and Thursdays until 9:30 p.m. He also said he is not concerned with the decibels levels at this time because he is well below the 85 decibels stated in the proposed ordinance. Council was receptive to extending the time on weekends. Mr. Daniel Kitchener, a member of the Planning and Zoning Commission, suggested we issue a conditional use permit for specific cases like this one. Mayor Stenzel closed the public hearing at 7:21 p.m.

2. Consideration and possible action: Adoption of a resolution issuing an order for the general city officers' election to be held May 11, 2013, and establishing procedures for the election

City Manager Joe Dickson said this resolution will order the general election for Council Places 1, 4, and 5. He said early voting begins April 29 and ends May 7, with the extended hours being conducted on May 6 and May 7 from 7:30 a.m. to 7:30 p.m. Motion by Councilmember Carothers, seconded by Councilmember Wagner to adopt the resolution issuing an order for the general city officers' election to be held May 11, 2013, and establishing procedures for the election. The motion passed the roll call vote unanimously.

3. Presentation by Building Committee for proposed Justice Center

Mr. Matthew Driscoll, a member of the Building Committee, read a prepared statement on behalf of the Building Committee, unanimously recommending that a bond election in the amount of \$3,550,000 for a new Justice Center be ordered for May 11 in conjunction with the general election for Council. He said the Council established the Building Committee to determine if a police/court facility was needed, and then if necessary, analyze alternatives and develop a recommendation for the facility. He said the committee conducted many public meetings at City Hall and determined that the existing facilities were inadequate and did not provide enough floor space necessary to adequately provide public safety services to the community. They determined a new facility was needed and agreed it should be located on the city's property on FM 646 N. The committee developed a draft floor plan with that location in mind, and after review of statements of qualifications from architectural firms, selected a firm to assist the committee beyond the draft stage plan. Mr. Driscoll said the committee's goal was to recommend a fiscally conservative plan to adequately meet the current needs, and the committee believes this plan accomplishes that goal. The committee members thanked Council for engaging citizens to recommend solutions. Council thanked the committee for their time and interest in the community and project and expressed their appreciation for a job well done.

4. Consideration and possible action: First reading of an ordinance ordering a special election to be held on May 11, 2013, for the purpose of submitting to the qualified electors of the City of Santa Fe, Texas, a proposition for the issuance of public improvement bonds for various purposes and making other provisions related to the subject

City Manager Joe Dickson said the recommended bond amount is \$3,550,000. The city's financial advisor John Robuck of BOSC was present to explain the tax structure for the proposed bond. He said a 10-year structure would need a \$.0874 tax increase; a 15-year structure would need a \$.0635 tax increase; and a 20-year structure would need a \$.0534 tax increase. Mr. Robuck said current assumptions were based on the current freeze-adjusted taxable value, a 96 percent collection rate, conservative growth rates, and a bond sale date of July, 2013. He said the useful life of the building is about 40 to 50 years, and a 20-year tax structure would have the least impact on the tax rate. The Building Committee also recommended the 20-year tax structure for the bond. Motion by Councilmember Jannett, seconded by Councilmember McCrary to pass the first reading of the ordinance ordering a special election to be held on May 11, 2013, for the purpose of submitting to the qualified electors of the City of Santa Fe, Texas, a proposition in the amount of \$3,550,000 with a 20-year repayment structure for the issuance of public improvement bonds for various purposes and making other provisions related to the subject, and to dispense with the second reading of the ordinance. The motion passed the roll call vote unanimously.

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

City Manager Joe Dickson said this is the annual authorization for the health district to aerial spray over the city for the abatement of mosquitoes. Motion by Councilmember Tambrella, seconded by Councilmember Wagner to adopt the resolution authorizing the aerial spraying for the abatement of mosquitoes. The motion passed the roll call vote unanimously.

6. Consideration and possible action: Adoption of a resolution endorsing the appointment to the Galveston County United Board of Health

City Manager Joe Dickson said the cities have a representative on the Galveston County United Board of Health and that seat has been vacated. Commissioners' Court has approved the appointment of Mr. Tim Rainey of Tiki Island as the municipality representative to fill the unexpired term on the board through April 30, 2013. Motion by Councilmember McCrary, seconded by Councilmember Wagner to adopt the resolution endorsing the appointment of Tim Rainey of Tiki Island to the Galveston County United Board of Health. The motion passed the roll call vote unanimously.

7. Consideration and possible action: Presentation and acceptance of 2012 Annual Racial Profiling Report

City Manager Joe Dickson said he will be presenting the 2012 Annual Racial Profiling Report as the Chief is attending an educational seminar. Mr. Dickson summarized the 90-page report of 2,367 traffic stops stating that the report supports the fact that the Santa Fe Police Department does not racially profile. Motion by Councilmember Wagner, seconded by Councilmember Tambrella to accept the 2012 Annual Racial Profiling Report. The motion passed the roll call vote unanimously.

8. Consideration and possible action: Authorizing execution of the Interlocal Agreement between the City and the County of Galveston for services related to road work on 2nd Street

Street Superintendent Chris Beanland said the county is willing to help us with the milling of 2nd Street at a cost to us of \$7,200. City Manager Joe Dickson said an inferior product was used by the county when 2nd Street was improved many years ago and now the base has failed. Mr. Beanland said once Commissioners' Court approves the agreement, the county road administrator will schedule the work, hopefully for weekends, and we will coordinate our work on the road with the county. Motion by Councilmember Carothers, seconded by Councilmember Wagner to authorize the execution of the Interlocal Agreement between the City and the County of Galveston for services related to road work on 2nd Street. The motion passed the roll call vote unanimously.

9. Consideration and possible action: Adoption of a resolution adopting the Local Fair Housing Policies and Practices to comply with the City's previously approved Fair Housing Action Plan

City Manager Joe Dickson said Council approved a project in January, 2012, and these policies are required in order for us to qualify to receive federal grant funds. This policy basically states that we will not overlook lower income areas when we select project areas. Motion by Councilmember Carothers, seconded by Councilmember McCrary to adopt the resolution adopting the Local Fair Housing Policies and Practices to comply with the City's previously approved Fair Housing Action Plan. The motion passed the roll call vote unanimously.

10. Consideration and possible action: Adoption of a resolution adopting procedures related to the recording and reporting of fair housing complaints in accordance with the adopted Fair Housing Activity Plan

City Manager Joe Dickson said this policy on how to handle complaints is required in order for us to qualify to receive federal grant funds. Motion by Councilmember Carothers, seconded by Councilmember Tambrella to adopt the resolution adopting procedures related to the recording and reporting of fair housing complaints in accordance with the adopted Fair Housing Activity Plan. The motion passed the roll call vote unanimously.

12. Consideration and possible action: Authorizing execution of the Professional Services Agreement between the City and The Fraud Guard, LLC, for a comprehensive fraud deterrence program

City Manager Joe Dickson said this is another tool the City can use to deter fraud. He said our independent auditor is highly in favor of this service and the City Attorney has approved the form and content of the agreement. Mr. Dickson said we are planning to implement the program now at no cost until the next fiscal year. He said if we think the program is useful, then we can budget the funds for continuation of the services into the next fiscal year. Motion by Councilmember Tambrella, seconded by Councilmember Wagner to authorize execution of the Professional Services Agreement between the City and The Fraud Guard, LLC, for a comprehensive fraud deterrence program. The motion passed the roll call vote unanimously.

13. Consideration and possible action: Authorizing staff to seek proposals for a bank depository services contract for the period June 1, 2013, to May 31, 2016

City Manager Joe Dickson said the current bank depository agreement will expire at the end of May, so staff is requesting permission to seek proposals for bank depository services for another term. Motion by Councilmember Carothers, seconded by Councilmember McCrary to authorize staff to seek proposals for a bank depository services contract for the period June 1, 2013, to May 31, 2016. The motion passed the roll call vote unanimously.

Announcements: Planning and Zoning Commission meeting scheduled for March 5; Pancake Breakfast with Easter Bunny on March 23 at Red Cap between 7 a.m. and 10 a.m.; Easter Egg Hunt on March 23 at the Joe A. Tambrella park beginning at 10:30 a.m.; and Knights of Columbus fish fry continues each Friday through Lent between 4 p.m. and 7 p.m.

Summary of action from this agenda, request for future agenda items, and scheduling future meetings
The next regular meeting is tentatively scheduled for March 14, 2013.

Motion by Councilmember Jannett, seconded by Councilmember McCrary to adjourn. The motion passed and the meeting adjourned at 7:58 p.m.

RALPH STENZEL, MAYOR

ATTEST:

Janet L. Davis, City Secretary