

**CITY OF SANTA FE
REGULAR COUNCIL MEETING
JULY 22, 2010 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 Joe Carothers Councilmember Pat McCrary Councilmember Jeff Tambrella Councilmember Jim Abney City Manager Joe Dickson Director of Administrative Services Pamela Wood
	Absent:	Councilmember Bubba Jannett, excused City Attorney Ellis J. Ortego, 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 Councilmember Abney.

Reports:

- a. Mr. Ronnie Schultz of the Galveston County Health District presented information on the federal requirements of the Clean Water Act amendments of 1990 and the joint health district, drainage district, city storm water pollution prevention program; and
- b. City Manager Joe Dickson presented the financial statement and investment report for the quarter ending 6/30/10.

Planning and Zoning Business:

Old Business:

1. **Consideration and possible action:** Second and final reading of an ordinance amending Ordinance No. 02-03, commonly known as the 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 District (R-1) to Highway Commercial District (HC) for two tracts totaling 3.082 acres located at 13210 and 13110 FM 1764 described as Abstract 1 M Austin Survey, Part of Lots 223 and 224 (223-6) and Abstract 1 Page 10 Part of Lot 224 (224-2), Thamams 2nd Subdivision, City of Santa Fe, Galveston County, Texas

Community Services Director Diana Steelquist said this is the final reading of the staff-initiated ordinance to change the zoning classification to highway commercial for the remaining two properties on the north section on FM 1764 that are currently zoned R1 and the residential deed restrictions have recently been removed. Motion by Councilmember McCrary, seconded by Councilmember Tambrella to pass the second and final reading of an ordinance amending Ordinance No. 02-03, commonly known as the 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 District (R-1) to Highway Commercial District (HC) for two tracts totaling 3.082 acres located at 13210 and 13110 FM 1764 described as Abstract 1 M Austin Survey, Part of Lots 223 and 224 (223-6) and Abstract 1 Page 10 Part of Lot 224 (224-2), Thamams 2nd Subdivision, City of Santa Fe, Galveston County, Texas. The motion passed the roll call vote unanimously.

2. Consideration and possible action: Second and final reading of an ordinance 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 appendix 4-F, Zoning Matrix, by allowing NAICS use #454390, Open Air Market Use, in a Highway Commercial (HC) Zoning District; providing for penalties; providing for severability

Community Services Director Diana Steelquist said this is the final reading of the ordinance to amend the zoning matrix to permit open air market use in the highway commercial district through a conditional use permit. We have received an inquiry from someone who plans to request a permit for an open air market on FM 646 N at 2nd Street and that applicant is present to explain his plans for the market. Mr. Jack Williams, the owner of the property at 1111 FM 646 N and the prospective applicant for a conditional use permit for an open air market, said he plans to open only on Sundays from 8 a.m. to 4 p.m. at first to offer for sale seasonal items, crafts, and produce and to promote go-green activities such as planting your Christmas tree, etc. Councilmember Abney said some concerns have been expressed that the area could potentially turn into a temporary flea market type environment rather than an attractive open air market. Mr. Williams explained his building and parking plans, and said he has received numerous inquiries for those expressing an interest in participating as an exhibitor. Motion by Councilmember Carothers, seconded by Councilmember Abney to pass the second and final reading of an ordinance 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 appendix 4-F, Zoning Matrix, by allowing NAICS use #454390, Open Air Market Use, in a Highway Commercial (HC) Zoning District; providing for penalties; providing for severability. The motion passed the roll call vote unanimously.

New Business: None

City Business (Other):

Old Business: None

New Business:

1. Consideration and possible action: Approval of the Warrant Amnesty Program for the period August 1, 2010, through September 30, 2010

Municipal Court Administrator Cheryl Hopf said there are numerous outstanding warrants since 1999, and staff is recommending a warrant amnesty program to help clear some of these outstanding warrants that we are currently having trouble collecting. She said through the two-month program, the defendant will appear in person to pay the original fine for the charge and the warrant fees and fail to appear charges will be dismissed. City Manager Joe Dickson said other cities have had similar programs which have been successful for clearing some warrants and bringing in some revenue. Motion by Councilmember Tambrella, seconded by Councilmember Carothers to approve the Warrant Amnesty Program for the period August 1, 2010, through September 30, 2010. The motion passed the roll call vote unanimously.

2. Consideration and possible action: Adoption of a resolution of the City of Santa Fe, Texas, finding that CenterPoint Energy Entex's ("CenterPoint's" or "Company's") cost of service adjustment ("COSA") filing within the city should be denied; finding that the city's reasonable rate case expenses shall be reimbursed by the company; 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 Entex filed a cost of service adjustment application with each city in their Texas Coast Division service area on May 1, 2010. The company asserts that they are entitled to a \$4.7 million increase and they are also seeking to recover rate case expenses that were deferred from last year's rate case. The 2008 rate case settlement agreement limited the rate increase to 5 percent over existing rates, which is about \$2.7 million, and provides for the payment of the cities' legal expenses. The Gulf Coast Coalition of Cities, the city's primary public interest advocate, has recommended that the rate application be denied by July 30, 2010, or the rate increase requested will become effective. Motion by Councilmember Tambrella, seconded by Councilmember McCrary to adopt the resolution of the City of Santa Fe, Texas, finding that CenterPoint Energy Entex's ("CenterPoint's" or "Company's") cost of service adjustment ("COSA") filing within the city should be denied; finding that the city's reasonable rate case expenses shall be reimbursed by the company; 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.

3. Consideration and possible action: Approval of additional expenditure for the Santa Fe Economic Development Corporation's waterline infrastructure project at Jackson and Hwy. 6

Mr. Robert Cheek, President of the Santa Fe Economic Development Corporation, said Council approved a project to extend waterline infrastructure at Jackson and Hwy. 6. Because this project requires a bore under Hwy. 6 and the railroad, the BNSF insurance and safety requirements are causing the estimated \$135,000 project additional expenditures of approximately \$60,000. Mr. Cheek said the SFEDC feels this is still a viable and important economic development project for the area. Motion by Councilmember Tambrella, seconded by Councilmember Carothers to approve the additional expenditure of the Santa Fe Economic Development Corporation's waterline infrastructure project at Jackson and Hwy. 6. The motion passed the roll call vote unanimously.

4. Consideration and possible action: Public hearing and Adoption of a resolution authorizing the submission of a contract amendment request for the Community Development Block Grant Fund Contract #728370 between the City of Santa Fe and the Texas Department of Rural Affairs

Director of Administrative Services Pam Wood said this is an amendment to the contract for the Runge Park waterline infrastructure project which has been completed. Because the project length, service line, and fire hydrants needed to complete the project were less than originally anticipated by the engineer, the performance statement needs to be amended to show the decrease. This project provided water services to 30 households. There were no comments by the public. Motion by Councilmember Abney, seconded by Councilmember McCrary to adopt the resolution authorizing the submission of a contract amendment request for the Community Development Block Grant Fund Contract #728370 between the City of Santa Fe and the Texas Department of Rural Affairs. The motion passed the roll call vote unanimously.

5. 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, 2012

Library Director Brenda Cheatham said there are five members on the Library Advisory Board and the two-year term of Linda Coyle and Sharon Tipton will expire this month. Both members wish to continue to serve for another term. Motion by Councilmember McCrary, seconded by Councilmember Tambrella to reappointment Linda Coyle and Sharon Tipton to the Mae S. Bruce Library Advisory Board for another two-year term to expire July, 2012. The motion passed the roll call vote unanimously.

Announcements: Santa Fe Football Program ads are now due.

Summary of action from this agenda, request for future agenda items, and scheduling future meetings
Budget workshop tentatively set for July 29 at 6:30 p.m.

Motion by Councilmember Abney, seconded by Councilmember Carothers to adjourn. The motion passed and the meeting adjourned at 7:47 p.m.

RALPH STENZEL, MAYOR

ATTEST:

Janet L. Davis, City Secretary