

**CITY OF SANTA FE  
REGULAR COUNCIL MEETING  
MARCH 28, 2013 7:00 P.M.  
COUNCIL CHAMBERS  
12002 HWY. 6  
SANTA FE, TEXAS**

**MINUTES**

The meeting was called to order at 7:03 p.m. by Councilmember Bubba Jannett.

Roll Call: Present: Councilmember Bubba Jannett  
Councilmember Jeff Tambrella  
Councilmember Wanda Wagner  
Councilmember Joe Carothers  
City Manager Joe Dickson  
City Secretary Janet L. Davis  
Absent: Mayor Ralph Stenzel, excused  
Mayor Pro-tem Pat McCrary, excused  
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: None

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 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 6.94 acres located at 12311 FM 1764, being Abst 1, Page 11, Part of Lot 18 (18-1), Thamans 1<sup>st</sup> Subdivision, City of Santa Fe, Galveston County, Texas**

Community Services Director Diana Steelquist said this is the second reading of the ordinance to change the zone from NC to HC for the location of a former business called "Funland" on FM 1764. The owner, Mr. Villanueva, would like to operate a wholesale business at this location, but that use is not allowed in the Neighborhood Commercial zone. Motion by Councilmember Tambrella, seconded by Councilmember Wagner to pass the second and final reading of an ordinance 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 6.94 acres located at 12311 FM 1764, being Abst 1, Page 11, Part of Lot 18 (18-1), Thamans 1<sup>st</sup> 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 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 8.02, Noise, by providing a table of allowable noise levels measured by decibels; and providing for severability**

Community Services Director Diana Steelquist said this is the second and final reading of the amendment to the zoning ordinance to provide a table for time limits and decibel levels. Motion by Councilmember Carothers, seconded by Councilmember Wagner to pass the second and final reading of an ordinance amending 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 8.02, Noise, by providing a table of allowable noise levels measured by decibels; and providing for severability. 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 6, Health and Sanitation, Section 4, Noise, Code of Ordinances, by adding clarifications and exceptions; providing for penalties and severability**

Community Services Director Diana Steelquist said this is the second and final reading of the amendment to the general city codes pertaining to noise by providing a time frame and the source of the noise. Motion by Councilmember Tambrella, seconded by Councilmember Wagner to pass the second and final reading of an ordinance amending Chapter 6, Health and Sanitation, Section 4, Noise, Code of Ordinances, by adding clarifications and exceptions; providing for penalties and severability. The motion passed the roll call vote unanimously.

New Business:

**1. Consideration and possible action: Granting/denying permit to Boone Exploration, Inc. for the Algoa 3D seismic project, consisting of 7.1 square miles, utilizing the Vibroseis method**

City Manager Joe Dickson said Boone Exploration has applied for a permit to conduct seismic testing within our annexed strip of land near Algoa Friendswood Road. They will not be using explosives and have agreed to all the regulations of the city's ordinance. They have paid the permit fee and provided an insurance certificate and permit bond. He said we will need a cash bond as a condition of the permit. Mr. Randy Turner with Boone Exploration was present to answer any questions. Councilmember Wagner asked how the vibration was generated, and Mr. Turner said the vibration goes straight down creating a downward cone. He said they have agreed to cover any damage and repair expenses should there be any. Motion by Councilmember Carothers, seconded by Councilmember Tambrella to grant the permit to Boone Exploration, Inc. for the Algoa 3D seismic project, consisting of 7.1 square miles, utilizing the Vibroseis method and setting the cash bond at \$5,000. The motion passed the roll call vote unanimously.

**2. Consideration and possible action: Adoption of a resolution to protect and defend the constitutional right to keep and bear arms**

City Manager Joe Dickson said this resolution has come about with the news media focusing on the availability and possibly restriction of weapons. He said League City, Webster, Pearland, Rockwall, and Gonzales have passed basically the same language. Staff is recommending passage to make a statement that enough is enough. Motion by Councilmember Tambrella, seconded by Councilmember Wagner to adopt the resolution to protect and defend the constitutional right to keep and bear arms. The motion passed the roll call vote unanimously.

**3. Consideration and possible action: First reading of an ordinance amending Chapter 4, Business Regulations, Code of Ordinances, Section 8, Vehicle Wrecker and Wrecker Company Regulations, to add definitions and modify standards of conduct; providing for penalties and severability; and providing an effective date**

Santa Fe Police Sergeant Steve Womack said these amendments will add definitions, increase the allowable fuel charge, further meet state and local requirements, provide for more concise, easier reading, and make it easier for wrecker company compliance. We currently have four companies on rotation – MCH, Walker, Winwood, and Peanuts. Motion by Councilmember Carothers, seconded by Councilmember Wagner to pass the first reading of an ordinance amending Chapter 4, Business Regulations, Code of Ordinances, Section 8, Vehicle Wrecker and Wrecker Company Regulations, to add definitions and modify standards of conduct; providing for penalties and severability; and providing an effective date. The motion passed the roll call vote unanimously.

**4. Consideration and possible action: Authorizing Mayor to execute Agreement to Relinquish Canine**

Police Chief Kenneth Campbell said our K-9, Bor, is ready to retire, and his handler, Sgt. Bruss, will fill the vacancy in the Criminal Investigation Division. Mr. Ken Cox who donated the dog gave his blessing on Bor's retirement agreeing that the industry standard recommends that the canine remain with their handler. Staff plans to bring a new K-9 agreement to Council for consideration next month. Motion by Councilmember Carothers, seconded by Councilmember Tambrella to authorize the Mayor to execute the Agreement to Relinquish Canine. The motion passed the roll call vote unanimously.

**5. Consideration and possible action: Authorizing the Mayor to execute the Deed without Warranty conveying to Galveston County WCID #8 the 250,000 gallon elevated storage tank located at 14416 First Street and funded by the TDRA CDBG Disaster Recovery Non-Entitlement Program Contract No. DRS010168, GLO 10-5184-000-5167**

Administrative Services Director Pam Wood said Council awarded the contract for the elevated storage tank project to Phoenix Fabricators in 2011. Mr. John Mercer, our engineer, certified completion of the project on March 28, 2012. As with other projects and according to our Interlocal Agreement, WCID #8 assumes full responsibility one year following completion, and this action is to convey the tank to the district. Motion by Councilmember Carothers, seconded by Councilmember Wagner to authorize the Mayor to execute the Deed without Warranty conveying to Galveston County WCID #8 the 250,000 gallon elevated storage tank located at 14416 First Street and funded by the TDRA CDBG Disaster Recovery Non-Entitlement Program Contract No. DRS010168, GLO 10-5184-000-5167. The motion passed the roll call vote unanimously.

**6. Consideration and possible action: Awarding bid and authorizing the Mayor to execute the contract for contractor services for a ground storage tank located at 3636 Avenue L, City of Santa Fe, Galveston County, Texas, funded by GLO Contract No. 13-078-000-7101, Community Development Block Grant, Disaster Recovery Program, Round 2.2, Non Housing Grant**

Administrative Services Director Pam Wood said construction of the ground storage tank was advertised and a mandatory pre-bid meeting was held on March 14. Bids were opened on March 21. Of the six bids submitted, Schier Construction of Houston submitted the lowest bid and it is the recommendation of the engineer that the contract be awarded to them. She said the environmental assessment for the project is in the process of being cleared, so staff recommended that Council award the bid to Schier Construction and authorize the Mayor to execute the contract subject to receipt of authorization to release the funds. Motion by Councilmember Carothers, seconded by Councilmember Tambrella to award the bid to Schier Construction and authorizing the Mayor to execute the contract for contractor services for a ground storage tank located at 3636 Avenue L, City of Santa Fe, Galveston County, Texas, funded by GLO Contract No. 13-078-000-7101, Community Development Block Grant, Disaster Recovery Program, Round 2.2, Non Housing Grant, subject to receipt of authorization to release the funds. The motion passed the roll call vote unanimously.

Announcements: Council thanked the Parks Board and staff for their hard work on another successful Easter Egg hunt.

Summary of action from this agenda, request for future agenda items, and scheduling future meetings  
The next regular meeting is tentatively scheduled for April 11, 2013.

Motion by Councilmember Tambrella, seconded by Councilmember Wagner to adjourn. The motion passed and the meeting adjourned at 7:30 p.m.

---

RALPH STENZEL, MAYOR

ATTEST:

---

Janet L. Davis, City Secretary