

**CITY OF SANTA FE
REGULAR COUNCIL MEETING
NOVEMBER 13, 2014 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 Jeff Tambrella Councilmember Bubba Jannett Councilmember Wanda Wagner City Attorney Ellis J. Ortego City Manager Joe Dickson City Secretary Janet L. Davis
	Absent:	Councilmember Pat McCrary, excused Councilmember Joe Carothers, 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 10/9/14 were approved as presented.
- b. City Manager Joe Dickson presented the quarterly and annual investment reports for the fiscal year ending September, 2014, summarizing the restricted and unrestricted investments.

Planning and Zoning Business:

Old Business: None

New Business:

1. Consideration and possible action: Public hearing and first 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, the official zoning map adopted under Section 3.08, by adding a conditional use zoning classification for a kennel in the Agricultural Residential (AR) District, located off FM 646 S near 32nd Street, being approximately 4.435 acres, Abst 48, L Crawford Sub, part of Outlot 212 (212-20), Alta Loma Outlots, City of Santa Fe, Galveston County, Texas

Community Services Director Diana Steelquist said this is a request for a conditional use permit for a dog kennel in the AR zone. She said the proposed kennel will be located closer than 500 feet from some residences. Ms. Steelquist said Mr. AJ Tuttoilmondo proposes to sell his 4 acre tract to Mr. John Maroul who wants to build a home on the vacant lot and run a dog kennel on the property. She said the Planning and Zoning Commission held a public hearing where one person spoke in favor of the kennel and four

neighboring property owners provided letters of no opposition. The Commission unanimously recommended approval of the conditional use permit. Mayor Stenzel opened the public hearing at 7:05 p.m. Mr. John Maroul addressed Council as the prospective buyer of the property who wants to open and operate the dog kennel on the property. No other comments were made and Mayor Stenzel closed the public hearing at 7:09 p.m. Motion by Councilmember Tambrella, seconded by Councilmember Wagner to pass the first 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, the official zoning map adopted under Section 3.08, by adding a conditional use zoning classification for a kennel in the Agricultural Residential (AR) District, located off FM 646 S near 32nd Street, being approximately 4.435 acres, Abst 48, L Crawford Sub, part of Outlot 212 (212-20), Alta Loma Outlots, City of Santa Fe, Galveston County, Texas. The motion passed the roll call vote unanimously.

2. Consideration and possible action: Public hearing and first 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, the official zoning map adopted under Section 3.08, by changing the zoning classification from Highway Commercial (HC) to Agricultural Residential (AR) for 7.7598 acres located off FM 646 S near 25th Street, being D & D Brothers Subdivision, 2007, Abst 49, Lots 4A & 4B, City of Santa Fe, Galveston County, Texas

Mayor Stenzel said this item is a zone change request by D & D Brothers and because Councilmember Wagner has to abstain from any discussion or action on this item because she is related to the developer, he postponed this item for lack of a quorum.

City Business (Other):

Old Business: None

New Business:

1. Consideration and possible action: First reading of an ordinance of the City of Santa Fe, Texas, annexing Areas A, B, C, D, and E, totaling approximately 2,569.2 acres of land contiguous and adjacent to the City of Santa Fe, Texas, and located in the City of Santa Fe's extraterritorial jurisdiction (ETJ), Galveston County, Texas; approving a municipal service plan for the annexed property; providing a severability clause; and providing an effective date

Mayor Stenzel said we do not have full Council present and as important as this issue is, he felt a full Council should hear the concerns of all those present before taking any action. Mayor Stenzel postponed discussion and action on this item until next week when we expect to have all Councilmembers in attendance. Special meetings were called for Tuesday and Thursday, November 18 and 20.

6. Consideration and possible action: Adoption of a resolution authorizing the execution of Addendum to Residential Solid Waste Collection Services Contract between the City of Santa Fe and AmeriWaste, Inc. to extend the term of the current contract and to authorize a rate increase or Authorizing staff to seek proposals for solid waste collection services for a three-year term beginning January 1, 2015

City Manager Joe Dickson said we entered into a contract for solid waste collection services with AmeriWaste in 2005, and after two extensions, the contract is set to expire on December 31, 2014. AmeriWaste has requested another three-year extension to December 31, 2017, with a 2.6 percent rate increase. Ms. Janell Marin of AmeriWaste was present to request the extension and answer any questions. She said the rate increase request is based upon the CPI, as authorized in the contract, and is needed to cover increased landfill expenses and employee pay increases and healthcare expenses. Comments from the public questioned the pickup frequency and limitations on quantity of pickup allowed. Councilmember Tambrella said he felt we owe it to the citizens to solicit competitive proposals since we have not done so in a while. Motion by Councilmember Jannett, seconded by Councilmember Tambrella to authorize staff to seek proposals for solid waste collection services for a three-year term beginning January 1, 2015. The motion passed the roll call vote unanimously.

2. Consideration and possible action: Adoption of a resolution designating signators for contractual documents for requesting funds pertaining to the Texas Community Development block Grant Program Contract 7214401

Administrative Services Director Pam Wood said this resolution designates signators for the awarded and accepted CDBG \$350,000 grant with a \$52,000 match by Galveston County Water Control and Improvement District #8. She said the Mayor and Mayor Pro-tem have been appointed in the past to execute contractual documents and documents requesting funds. Motion by Councilmember Jannett, seconded by Councilmember Tambrella to adopt the resolution designating the Mayor and Mayor Pro-tem as the signators for contractual documents for requesting funds pertaining to the Texas Community Development block Grant Program Contract 7214401. The motion passed the roll call vote unanimously.

3. Consideration and possible action: Adoption of a resolution adopting a complaint and grievance procedure in compliance with Texas Community Development Block Grant Standards

Administrative Services Director Pam Wood said we need to adopt a complaint and grievance procedure in compliance with Section 504 of the Rehabilitation Act of 1973 for the CDBG program even though this is a non-housing grant. Motion by Councilmember Tambrella, seconded by Councilmember Wagner to adopt the resolution adopting a complaint and grievance procedure in compliance with Texas Community Development Block Grant Standards. The motion passed the roll call vote unanimously.

4. Consideration and possible action: Adoption of a resolution proclaiming April, 2015, as Fair Housing Month

Administrative Services Director Pam Wood said we are required to comply with the Fair Housing Standards to be eligible for receipt of grant funds. She said adopting this resolution proclaiming April as Fair Housing Month will help fulfill our fair housing activity obligations required under the CDBG contract. Motion by Councilmember Jannett, seconded by Councilmember Wagner to adopt the resolution proclaiming April, 2015, as Fair Housing Month. The motion passed the roll call vote unanimously.

5. Consideration and possible action: Adoption of a resolution authorizing the award of professional service provider contracts for the 2014 Texas Community Development Block Grant Award Contract 7214401

Administrative Services Director Pam Wood said we have been awarded a \$350,000 grant from the Texas Department of Agriculture. She said the only proposal received for administrator of the grant was

submitted by GrantWorks but Mercer Engineering and Shelmark Engineering both submitted engineering proposals. The engineering proposals were reviewed by staff who recommended awarding the contract to Mercer Engineering. Motion by Councilmember Tambrella, seconded by Councilmember Wagner to adopt the resolution authorizing the award of the administration service provider contract to GrantWorks and the professional engineering services contract to John D. Mercer Engineering and Associates. The motion passed the roll call vote unanimously.

7. Consideration and possible action: Adoption of a resolution authorizing the sale and conveyance of real property

City Manager Joe Dickson said Council approved the sale of these two properties, one on 5th Street and the other on Peck Street, by public auction, but the title company is requiring a formal resolution by Council authorizing conveyance of the property to the buyers. Motion by Councilmember Jannett, seconded by Councilmember Wagner to adopt the resolution authorizing the sale and conveyance of real property. The motion passed the roll call vote unanimously.

8. Consideration and possible action: Adoption of a resolution authorizing the execution and delivery of a lease with option to purchase agreement and related documents for acquisition of two John Deere tractors and mowers and a used pickup truck for use in the street department

City Manager Joe Dickson said we received five proposals for the financing of the tractors, mowers, and pickup truck and Baystone Government Finance submitted the most advantageous proposal at a 2.26 percent interest rate. Additionally, staff would like to include the purchase of an air compressor for about \$3,000 since the pickup truck was quoted for \$14,000 instead of the anticipated \$19,000. Motion by Councilmember Wagner, seconded by Councilmember Tambrella to adopt the resolution authorizing the execution and delivery of a lease with the option to purchase agreement and related documents, with annual lease payments, with Baystone Government Finance for acquisition of the two tractors, two mowers, used pickup truck, and air compressor. The motion passed the roll call vote unanimously.

9. Consideration and possible action: Authorizing execution and submission of the FY 2014 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency

Police Chief Kenneth Campbell said this is the Chapter 59 asset forfeiture report for the fiscal year ending September 30, 2014, which reports seized and forfeited funds, other property, and expenditures to the Office of the Attorney General. He said we had a beginning balance of \$12,180.37 and an ending balance of \$5,380.27, using \$6,800 for the first lease purchase payment of the camera system at the new Justice Center. Motion by Councilmember Jannett, seconded by Councilmember Tambrella to authorize execution and submission of the FY 2014 Chapter 50 Asset Forfeiture Report by a Law Enforcement Agency. The motion passed the roll call vote unanimously.

10. Consideration and possible action: Authorizing acceptance and execution of the Grant Agreement with Dogs for Law Enforcement (DLE) for donation of a police canine to the Santa Fe Police Department

Police Chief Kenneth Campbell said staff submitted a grant application for a new canine because we plan to retire Kujo very soon. He said our request has been granted and Hondo, a new canine puppy, has been donated to the police department by Dogs for Law Enforcement. Chief Campbell said Hondo is in training and will soon succeed Kujo and enable us to continue our existing canine program. Motion by

Councilmember Jannett, seconded by Councilmember Wagner to authorize acceptance and execution of the Grant Agreement with Dogs for Law Enforcement (DLE) for donation of a police canine to the Santa Fe Police Department. The motion passed the roll call vote unanimously.

11. Consideration and possible action: Terminating existing lease agreement with Skyway Towers for use of the property adjacent to the Thelma Webber Community Center on Beriton Street for a communication tower facility and Authorizing the Mayor to execute the Easement Agreement between the City and Skyway Towers to place a recorded permanent Easement on the property

City Manager Joe Dickson said Council approved a lease agreement with Skyway Towers in June, 2013, for a wireless communication tower next to the community center for a fee of \$650 per month. He said the lease agreement was for five years with the option to renew for ten consecutive five-year terms. Mr. Dickson said Skyway Towers has submitted a second and final offer to place a recorded permanent easement on the property for the tower, as provided for in the current lease agreement, for a lump sum payment of \$93,000. He said staff feels that we should continue with the current lease agreement as the city would receive more revenue under the long-term lease arrangement. Motion by Councilmember Jannett, seconded by Councilmember Tambrella to reject the offer to place a recorded permanent Easement on the property. The motion passed the roll call vote unanimously.

12. Consideration and possible action: Granting/denying request by Anthony Jammer to abandon a portion of the unopened Ave. D right-of-way

Community Services Director Diana Steelquist said this portion of Ave. D is off of 4 ½ Street and is used as a driveway by one of the abutting property owners. She said the abutting property owners do not consent to the abandonment and the Planning and Zoning has recommended denial of the request. The requestor, Anthony Jammer, said his fence is being damaged by people driving four wheelers along the unopened right-of-way and he would like to control access to the property to prevent further damage. Ms. Steelquist said that unfortunately the city's regulations require permission from the abutting property owners in order to approve the abandonment request. Motion by Councilmember Jannett, seconded by Councilmember Tambrella to deny the request by Anthony Jammer to abandon a portion of the unopened Ave. D right of way. The motion passed the roll call vote unanimously.

Announcements: None

Summary of action from this agenda, request for future agenda items, and scheduling future meetings
Special meetings to discuss the proposed annexation are scheduled for Tuesday, November 18, 2014, at 7 p.m. and Thursday, November 20, 2014, at 7 p.m.

Motion by Councilmember Jannett, seconded by Councilmember Tambrella to adjourn. The motion passed and the meeting adjourned at 8:50 p.m.

ATTEST:

RALPH STENZEL, MAYOR

Janet L. Davis, City Secretary