

**CITY OF SANTA FE
REGULAR COUNCIL MEETING
OCTOBER 8, 2009 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 Mayor Ralph Stenzel.

Roll Call:	Present:	Mayor Ralph Stenzel Mayor Pro-tem Jeff Tambrella Councilmember Bubba Jannett Councilmember Jim Abney Councilmember Pat McCrary City Manager Joe Dickson City Secretary Janet L. Davis
	Absent:	Councilmember Joe Carothers, 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 Councilmember Jim Abney.

Reports:

The minutes of 9/10/09 and 9/24/09 will be presented for approval at the next meeting.

Planning and Zoning Business:

Old Business: None

New Business:

1. Consideration and possible action: Acceptance of infrastructure for the Rain River Estates Subdivision Section Two located at 4th Street and Avenue L
Community Services Director Diana Steelquist said this item is for acceptance of the public infrastructure, specifically the streets and street drainage systems, in Section Two of the 42-lot Rain River Estates Subdivision. She said the drainage district has accepted the detention pond and the developer has submitted a warranty for the public improvements. Motion by Councilmember Jannett, seconded by Councilmember Tambrella to accept the infrastructure for the Rain River Estates Subdivision Section Two located at 4th Street and Avenue L. The motion passed the roll call vote unanimously.

Minutes (cont.)

2. Consideration and possible action: Public hearing and first 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 R-1, Single Family Residential District, to HC, High Commercial District, for three tracts totaling 5.14 acres located at the northeast corner of Avenue S and FM 1764, known as 13218 FM 1764, 13226 FM 1764, and 13230 FM 1764, described as Abstract 1, Page 10, Part of Lot 223 (223-1), (223-2), and (223-3), Thamans 2nd Subdivision, City of Santa Fe, Galveston County, Texas

Community Services Director Diana Steelquist said this property owner has requested a zone change from R1 to HC and the Planning and Zoning Commission voted unanimously to recommend approval of the request. She said that two citizens opposed the requested change but other favored the change because of the potential commercial development. Mayor Stenzel opened the public hearing at 7:09 p.m. Mr. Dennis Fielder of Jan Lane voiced his concerns about the zone change because of what could potentially develop, although the property is still deed restricted. He said he prefers that the property remain zoned residential. Mr. Roy Felker of 13218 FM 1764, the owner of one of the properties and the requestor of the zone change, said he is aware of the deed restrictions and has spoken with the neighbors about the proposed change. He said the majority of the property owners have agreed to approve a change in the deed restrictions. Motion by Councilmember McCrary, seconded by Councilmember Tambrella to pass the first 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 R-1, Single Family Residential District, to HC, High Commercial District, for three tracts totaling 5.14 acres located at the northeast corner of Avenue S and FM 1764, known as 13218 FM 1764, 13226 FM 1764, and 13230 FM 1764, described as Abstract 1, Page 10, Part of Lot 223 (223-1), (223-2), and (223-3), Thamans 2nd Subdivision, City of Santa Fe, Galveston County, Texas. The motion passed the roll call vote unanimously.

City Business (Other):

Old Business:

1. Consideration and possible action: Second and final reading of an ordinance granting a permit to Florida Gas Transmission Company, LLC, its successors and assigns, to replace a portion of a pipeline in the City of Santa Fe; setting forth conditions accompanying the granting of this permit; and providing an effective date

City Manager Joe Dickson said this is the second reading of the ordinance granting a permit to replace a portion of an existing gas line that runs through a portion of the city limits. He said that Florida Gas will remove the old pipe in Galveston and Brazoria County except for the pipe under the road crossings. Mr. Dickson said the shut off valves are in the proximity of the locations required by the city's regulations so Florida Gas is requesting a waiver of that provision. They are also requesting a waiver of the pipe encasing requirement and the criminal penalties for violation of the city's regulations. Mr. Dickson said the City Attorney has reviewed and approved the waivers requested and the ordinance granting a permit, and Florida Gas is cooperating with the city even though they are regulated by a higher authority. Motion by

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Councilmember Jannett, seconded by Councilmember Abney to pass the second and final reading of an ordinance granting a permit to Florida Gas Transmission Company, LLC, its successors and assigns, to replace a portion of a pipeline in the City of Santa Fe; setting forth conditions accompanying the granting of this permit; and providing an effective date and granting the waivers as requested. The motion passed the roll call vote unanimously.

2. Consideration and possible action: Second and final reading of an ordinance of the City of Santa Fe, Texas, amending Chapter 4, Business Regulations, Code of Ordinances, Section 8, Vehicle Wrecker and Wrecker Company Regulations, to update the regulations and procedures to ensure compliance with current state law requirements

Police Chief Kenneth Campbell said this is the second reading of the amendments to the wrecker regulations. He said the revisions that were discussed and made during the previous meeting have been incorporated into this document. Motion by Councilmember Abney, seconded by Councilmember Jannett to pass the second and final reading of an ordinance of the City of Santa Fe, Texas, amending Chapter 4, Business Regulations, Code of Ordinances, Section 8, Vehicle Wrecker and Wrecker Company Regulations, to update the regulations and procedures to ensure compliance with current state law requirements. The motion passed the roll call vote unanimously.

New Business:

1. Consideration and possible action: Adoption of a resolution authorizing ratification of the unanimous settlement agreements in Public Utility Commission of Texas Docket Nos. 36918 and 37200 regarding CenterPoint Energy Houston Electric LLC's applications for approval of hurricane restoration costs and of a financing order authorizing securitization of such costs

City Manager Joe Dickson said this resolution authorizes ratification of the agreement for CenterPoint Energy Electric to receive reimbursement for costs associated with restoration of services following Hurricane Ike. Their request was for \$677 million and the Gulf Coast Coalition of Cities intervened in the request to the PUC and was able to get the amount reduced to \$662 million. A financing order was also approved so CenterPoint could secure bonds to continue with their restoration costs and not wait fourteen years to recover these expenses through the rate adjustment. Motion by Councilmember McCrary, seconded by Councilmember Tambrella to adopt the resolution authorizing ratification of the unanimous settlement agreements in Public Utility Commission of Texas Docket Nos. 36918 and 37200 regarding CenterPoint Energy Houston Electric LLC's applications for approval of hurricane restoration costs and of a financing order authorizing securitization of such costs. The motion passed the roll call vote three to one. Those voting for: Councilmember Abney, Councilmember Tambrella, and Councilmember McCrary. Those voting against: Councilmember Jannett.

2. Consideration and possible action: Authorizing partial refund of building development permit fees to Holliday Builders for the SFISD RJ Wollam gym

City Manager Joe Dickson said Council approved a reduction in the permit fee schedule at a previous meeting. Three days prior to that revision, staff issued a permit under the old fee schedule to the SFISD

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contractor to build the gym at Wollam Elementary. This request is for authorization to refund the difference between the old fee schedule and the new fee schedule to the contractor. Motion by Councilmember Abney, seconded by Councilmember Tambrella to authorize a partial refund of the building development permit fees to Holliday Builders for the SFISD RJ Wollam gym. The motion passed the roll call vote unanimously.

3. Consideration and possible action: Authorizing staff to proceed with the purchase of one new slope mower for the street department, a tractor/mower with front end loader for the park department, four new police vehicles, and AC units for the library and to seek proposals for the financing

City Manager Joe Dickson said this request is for authorization to proceed with the purchase of the new equipment approved in the budget and to seek proposals for the financing of the equipment. He said that a mower for the park department was included as an outright purchase in the budget, but it has been included in the proposed financing because staff is proposing to purchase a larger, more expensive mower that would better suit the city's needs. Motion by Councilmember Tambrella, seconded by Councilmember McCrary to authorize staff to proceed with the purchase of one new slope mower for the street department, a tractor/mower with front end loader for the park department, four new police vehicles, and AC units for the library and to seek proposals for the financing. The motion passed the roll call vote unanimously.

4. Consideration and possible action: Adoption of a resolution authorizing the Mayor to execute the Interlocal Participation Agreement between the City and the Local Government Purchasing Cooperative ("BuyBoard") for purchasing services

City Manager Joe Dickson said BuyBoard is another purchasing co-op like HGAC which will give the city another avenue to purchase equipment and services at competitive costs. There is no membership fee for the participating governmental entities. Motion by Councilmember Abney, seconded by Councilmember Tambrella to adopt the resolution authorizing the Mayor to execute the Interlocal Participation Agreement between the City and the Local Government Purchasing Cooperative ("BuyBoard") for purchasing services. The motion passed the roll call vote unanimously.

5. Consideration and possible action: First reading of an ordinance amending Chapter 7, Personnel, Code of Ordinances, Section 6, City Administration, Subsection C, Police Department, Paragraph 9, to provide for the classification of police officers

Director of Administrative Services Pam Wood said we need to update our ordinance to coincide with the new fiscal year budget which allocated funds for an additional police officer position. Motion by Councilmember Jannett, seconded by Councilmember Tambrella to pass the first reading of an ordinance amending Chapter 7, Personnel, Code of Ordinances, Section 6, City Administration, Subsection C, Police Department, Paragraph 9, to provide for the classification of police officers and to dispense with the second reading. The motion passed the roll call vote unanimously.

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6. Consideration and possible action: Approval of the Lone Star Libraries Grant Plan of Action for FY2010

Library Director Brenda Cheatham said we are in our 9th year of funding through this program and staff is proposing to use a majority of the funds to expand the library's virtual resources, specifically \$6,000 for the database and about \$727 for new books. Motion by Councilmember McCrary, seconded by Councilmember Abney to approve the Lone Star Libraries Grant Plan of Action for FY2010. 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
The next regular meeting is scheduled for November 12 at 7 p.m.

Motion by Councilmember Jannett, seconded by Councilmember McCrary to adjourn. The motion passed and the meeting adjourned at 7:35 p.m.

RALPH STENZEL, MAYOR

ATTEST:

Janet L. Davis, City Secretary