

**CITY OF SANTA FE  
REGULAR COUNCIL MEETING  
SEPTEMBER 10, 2009 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 Jim Abney  
Councilmember Joe Carothers  
Councilmember Pat McCrary  
City Attorney Ellis J. Ortego  
City Manager Joe Dickson  
City Secretary Janet L. Davis

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.

Reports:

The minutes of 7/9/09, 7/14/09, 7/16/09, 7/30/09, 8/6/09, 8/11/09, 8/13/09, 8/20/09, and 8/27/09 were approved as presented.

Planning and Zoning Business:

Old Business:

1. Consideration and possible action: 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 for approximately 1,089 acres or 1.7 square miles, being 1,013.6 acres annexed in March, 2008, and 75.42 acres of adjacent tracts called Area "A" located generally north of 4<sup>th</sup> Street and south of 2<sup>nd</sup> Street, east of Cemetery Road and west of the Texas City/Santa Fe city limits from Agricultural Residential (AR) to Neighborhood Commercial (NC), Single Family Residential (R-1), Multi-Family Residential (R-3), Highway Commercial (HC), Manufactured Housing (MH), or Agricultural Residential (AR), per the 2008 zoning plan, City of Santa Fe, Galveston County, Texas  
Community Services Director Diana Steelquist said Council held a joint public hearing with the Planning and Zoning Commission to discuss the zoning for areas annexed in March, 2008. Following the public hearing, the Planning and Zoning Commission reviewed the comments and requests made by the citizens and made adjustments to the proposed zoning map to accommodate the citizens' concerns. Motion by Councilmember Abney, seconded by Councilmember Tambrella to pass the first reading of an ordinance of

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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 for approximately 1,089 acres or 1.7 square miles, being 1,013.6 acres annexed in March, 2008, and 75.42 acres of adjacent tracts called Area "A" located generally north of 4<sup>th</sup> Street and south of 2<sup>nd</sup> Street, east of Cemetery Road and west of the Texas City/Santa Fe city limits from Agricultural Residential (AR) to Neighborhood Commercial (NC), Single Family Residential (R-1), Multi-Family Residential (R-3), Highway Commercial (HC), Manufactured Housing (MH), or Agricultural Residential (AR), per the 2008 zoning plan, City of Santa Fe, Galveston County, Texas. The motion passed the roll call vote unanimously.

2. Consideration and possible action: 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 for approximately 695.3 acres or 1.086 square miles, called Area "B" located 660 feet west of Avenue F and north of the diversionary canal, south and east of the city limits of Santa Fe from Agricultural Residential (AR) to Single Family Residential (R-1), Neighborhood Commercial (NC), Highway Commercial (HC), or Agricultural Residential (AR), per the 2008 zoning plan, City of Santa Fe, Galveston County, Texas

Community Services Director Diana Steelquist said Council held a joint public hearing with the Planning and Zoning Commission to discuss the zoning for areas annexed in March, 2008. Following the public hearing, the Planning and Zoning Commission reviewed the comments and requests made by the citizens and made adjustments to the proposed zoning map to accommodate the citizens' concerns. Motion by Councilmember Jannett, seconded by Councilmember McCrary 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 changing the zoning classification for approximately 695.3 acres or 1.086 square miles, called Area "B" located 660 feet west of Avenue F and north of the diversionary canal, south and east of the city limits of Santa Fe from Agricultural Residential (AR) to Single Family Residential (R-1), Neighborhood Commercial (NC), Highway Commercial (HC), or Agricultural Residential (AR), per the 2008 zoning plan, City of Santa Fe, Galveston County, Texas. The motion passed the roll call vote unanimously.

3. Consideration and possible action: 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 for Area "C" annexed in March 2008 from Agricultural Residential (AR) to Highway Commercial (HC), Light Manufacturing (LM), or Agricultural Residential (AR), being approximately 150.7 acres south of 28<sup>th</sup> Street and along FM 646 S, City of Santa Fe, Galveston County, Texas

Community Services Director Diana Steelquist said Council held a joint public hearing with the Planning and Zoning Commission to discuss the zoning for areas annexed in March, 2008. Following the public hearing, the Planning and Zoning Commission reviewed the comments and requests made by the citizens and made adjustments to the proposed zoning map to accommodate the citizens' concerns. The Commission is recommending that only the existing businesses be zoned HC or LM, as appropriate, and

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that all the other properties remain zoned AR. She said they recommended that the RV Park remain zoned AR and continue to operate on the property as a legal, non-conforming use. Motion by Councilmember Carothers, seconded by Councilmember Tambrella 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 changing the zoning classification for Area "C" annexed in March 2008 from Agricultural Residential (AR) to Highway Commercial (HC), Light Manufacturing (LM), or Agricultural Residential (AR), being approximately 150.7 acres south of 28<sup>th</sup> Street and along FM 646 S, City of Santa Fe, Galveston County, Texas. The motion passed the roll call vote unanimously.

#### New Business:

1. Discussion: Presentation and review of annual activity reports from the Planning and Zoning Commission and the Board of Adjustment  
Community Services Director Diana Steelquist reviewed the annual activity reports of the Planning and Zoning Commission and the Board of Adjustment/Building Standards Commission.

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 Agricultural Residential (AR) to Manufactured Housing (MH), for 3.058 acres located at the SW corner of Avenue T and 6<sup>th</sup> Street, described as Abst 47 Page 5 Lots 9 & 10 (9-1), Mary Hall Unrecorded Sub; Abst 47 Page 5 E ½ of Lot 11 (11-1), Mary Hall Unrecorded Sub; Abst 47 Page 5 W ½ of Lot 11 (11-2), Mary Hall Unrecorded Sub, City of Santa Fe, Galveston County, Texas  
Community Services Director Diana Steelquist said this property is located on the corner of Avenue T and 6<sup>th</sup> Street and is owned by Alvin Cook. She said Mr. Cook had a manufactured home on the tract at one time, and when it was removed, he was unable to replace it because the time limit had expired. He is requesting that the area be rezoned MH. The Planning and Zoning Commission recommended denial of the request because they were concerned about the property becoming an RV or mobile home park. She said residents of Haylee Park voiced their concerns that the rezoning may lower their property values. Staff recommended approval of the request based on the surrounding zoning and the circumstances involved in this request. Mayor Stenzel opened the public hearing at 7:25 p.m. Ms. Jamie Payne of 13224 19<sup>th</sup> Street said she has lived here since 1984. Ms. Payne said she had a similar situation occur but she was able to replace her manufactured home within the time frame because she was aware of Mr. Cook's circumstance. She said his property is well kept and he only missed the time frame for replacement by a very short time. Mr. Cook said he purchased the land in 1970 and has complied with all the city's requirements. He said he missed the time frame to replace the manufactured home because he thought he had 6 months to do so instead of 90 days. He said he does not plan to create a mobile home park there and he does not want one there. He said there are other manufactured homes in the area to the north and to the south. Mayor Stenzel closed the public hearing at 7:32 p.m. Motion by Councilmember Abney, seconded by Councilmember Carothers 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

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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 Agricultural Residential (AR) to

Manufactured Housing (MH), for 3.058 acres located at the SW corner of Avenue T and 6<sup>th</sup> Street, described as Abst 47 Page 5 Lots 9 & 10 (9-1), Mary Hall Unrecorded Sub; Abst 47 Page 5 E ½ of Lot 11 (11-1), Mary Hall Unrecorded Sub; Abst 47 Page 5 W ½ of Lot 11 (11-2), Mary Hall Unrecorded Sub, City of Santa Fe, Galveston County, Texas. The motion failed. Those voting for: Councilmember Abney and Councilmember Carothers. Those voting against: Councilmember Tambrella, Councilmember Jannett, and Councilmember McCrary.

City Business (Other):

Old Business:

1. Consideration and possible action: Second and final reading of an ordinance of the City of Santa Fe, Texas, approving negotiated resolution between the Gulf Coast Coalition of Cities and CenterPoint Energy Entex ("CenterPoint" or "Company") regarding the company's cost of service adjustment ("COSA") filing; declaring existing rates to be unreasonable; requiring the company to reimburse cities' reasonable ratemaking expenses; adopting tariffs that reflect rate adjustments consistent with the negotiated resolution and finding the rates to be set by the attached tariffs to be just and reasonable; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; declaring an effective date; repealing any prior ordinances inconsistent with this ordinance and requiring delivery of this ordinance to the company and legal counsel

City Manager Joe Dickson said CenterPoint Energy Entex filed for a rate increase exceeding the 5 percent cap. The Gulf Coast Coalition of Cities intervened and the increase was reduced to 5 percent, which equates to about 65 cents, with an additional 16 cents for the rate case hearing. Motion by Councilmember Carothers, seconded by Councilmember Abney to pass the second and final reading of an ordinance of the City of Santa Fe, Texas, approving negotiated resolution between the Gulf Coast Coalition of Cities and CenterPoint Energy Entex ("CenterPoint" or "Company") regarding the company's cost of service adjustment ("COSA") filing; declaring existing rates to be unreasonable; requiring the company to reimburse cities' reasonable ratemaking expenses; adopting tariffs that reflect rate adjustments consistent with the negotiated resolution and finding the rates to be set by the attached tariffs to be just and reasonable; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; declaring an effective date; repealing any prior ordinances inconsistent with this ordinance and requiring delivery of this ordinance to the company and legal counsel. The motion passed the roll call vote unanimously.

New Business:

1. Consideration and possible action: First 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

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Mayor Stenzel said staff has requested that this discussion be tabled to the next meeting. Motion by Councilmember McCrary, seconded by Councilmember Carothers to table this item until the next meeting. The motion passed the roll call vote unanimously.

2. Consideration and possible action: First reading of an ordinance amending Chapter 9, Traffic Code, Code of Ordinances, Section 2, Traffic Control Devices, Subsection F, School Zones, by extending the school zone on Avenue S from Rene Circle to FM 1764 and by establishing a school zone on Walker Street from Shouse Road to Avenue S

City Manager Joe Dickson said the SFISD administration has requested that a school zone be established on Walker Street next to Wollam Elementary and that the current school zone on Avenue S between 6<sup>th</sup> Street and Rene Circle be extended to FM 1764. Councilmember Jannett requested that we give the citizens time to get used to the new school zones before we begin issuing citations. Motion by Councilmember Jannett, seconded by Councilmember Tambrella to pass the first reading of an ordinance amending Chapter 9, Traffic Code, Code of Ordinances, Section 2, Traffic Control Devices, Subsection F, School Zones, by extending the school zone on Avenue S from Rene Circle to FM 1764 and by establishing a school zone on Walker Street from Shouse Road to Avenue S. The motion passed the roll call vote unanimously.

3. Public hearing and discussion of proposed 2009/10 general fund operating budget

City Manager Joe Dickson read the budget message and presented the proposed general fund operating budget, inclusive of the new capital improvement plan, for the upcoming fiscal year. He said the budget \$4,540,907, is based on a 4.3 percent decrease in the effective tax rate, and the proposed ending fund balance is \$1,775,957. Highlights of the budget document include an average 3 percent wage increase for employees not covered by collective bargaining, an 8 percent wage increase for those covered under collective bargaining, one additional police officer, no increase in the medical insurance premiums, and various capital asset purchases. Mayor Stenzel opened the public hearing on the budget. Mr. Alvin Cook of 4410 Avenue T asked if we were proposing to cut the taxes because we don't need the money. There were no other comments and Mayor Stenzel closed the public hearing.

4. Consideration and possible action: First and final reading of an ordinance adopting the budget for the fiscal year beginning October 1, 2009

Motion by Councilmember McCrary, seconded by Councilmember Carothers to pass the first and final reading of an ordinance adopting the budget for the fiscal year beginning October 1, 2009. The motion passed the roll call vote unanimously.

5. Consideration and possible action: First and final reading of an ordinance establishing the ad valorem tax rate; date when ad valorem taxes become delinquent; rate as of assessment; providing for certain exemptions; penalty and interest for delinquent taxes and savings clause

Motion by Councilmember Tambrella, seconded by Councilmember Abney to pass the first and final reading of an ordinance establishing the ad valorem tax rate; date when ad valorem taxes become delinquent; rate as of assessment; providing for certain exemptions; penalty and interest for delinquent taxes and savings clause. The motion passed the roll call vote unanimously.

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6. Consideration and possible action: Adoption of a resolution accepting the 2009 tax roll as provided for in the Texas Property Tax Code

Motion by Councilmember Carothers, seconded by Councilmember McCrary to adopt the resolution accepting the 2009 tax roll as provided for in the Texas Property Tax Code. The motion passed the roll call vote unanimously.

7. Consideration and possible action: Adoption of a resolution designating a representative and an alternate representative to the Houston-Galveston Area Council 2010 General Assembly

City Manager Joe Dickson said this is an annual appointment and for several years Council has designated the Mayor as the representative and the Mayor Pro-tem as the alternate representative. Motion by Councilmember Abney, seconded by Councilmember Carothers to adopt the resolution designating the Mayor as the representative and the Mayor Pro-tem as the alternate representative to the Houston-Galveston Area Council 2010 General Assembly. The motion passed the roll call vote unanimously.

8. Consideration and possible action: Ratifying execution of Contract for Election Services between Galveston County and the City of Santa Fe for the City's Special Bond Election to be held on November 3, 2009

City Manager Joe Dickson said this contract is between the City and the County for election services so they can conduct our election in conjunction with their special election also being held on November 3. He said there will be seven early voting locations and forty election day polling locations, and a voter may vote at any one of the locations in Galveston County. Motion by Councilmember Abney, seconded by Councilmember McCrary ratifying execution of the Contract for Election Services between Galveston County and the City of Santa Fe for the City's Special Bond Election to be held on November 3, 2009. The motion passed the roll call vote unanimously.

9. Consideration and possible action: Approval of Santa Fe Economic Development Corporation water infrastructure project at Jackson and Hwy. 6

City Manager Joe Dickson said the Economic Development Board of Directors has identified this project, in conjunction with WCID #8, which would improve the water pressure in the area. The project cost is estimated at \$135,000 and would entail boring under Hwy. 6 and the railroad. Permission from TxDOT and the Railroad still needs to be secured, so construction would not begin until early 2010. Motion by Councilmember Jannett, seconded by Councilmember Tambrella to approve the Santa Fe Economic Development Corporation water infrastructure project at Jackson and Hwy. 6. The motion passed the roll call vote unanimously.

Announcements: Parks Board Ice Cream Social on Saturday, September 12, between 2 p.m. and 4 p.m. at the Joe A. Tambrella Park

Summary of action from this agenda, request for future agenda items, and scheduling future meetings  
The next regular meeting is scheduled for September 24 at 7 p.m.

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

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RALPH STENZEL, MAYOR

ATTEST:

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Janet L. Davis, City Secretary