

**City of Alpine**

**Regular City Council Meeting, Tuesday, May 7th, 2013, 6:00 P.M.**

Notice is hereby given that the City Council of the City of Alpine, Texas will hold a Regular meeting at **6:00 P.M. on Tuesday, May 7th, 2013 in the City Council Chambers, at 803 West Holland, in the City of Alpine, Texas** for the purpose of considering the attached agenda. This notice is posted pursuant to the Texas Open Meetings Act. (Section 551.043, Texas Government Code).

**PUBLIC NOTICE – THE USE OF CELLULAR PHONES AND SOUND ACTIVATED PAGERS ARE PROHIBITED IN THE CITY COUNCIL CHAMBERS DURING MEETINGS OF THE CITY COUNCIL.**

**Members of the audience will be provided an opportunity to address the Council before agenda items are discussed. The audience is also allowed to comment during the discussion of the agenda items with the Council. Please speak into the microphone located at the podium and state your name and address. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. State law generally prohibits the Council from discussing or taking any action on any issue not included on the agenda, but, if appropriate, the Council may schedule the topic for future discussion or refer the matter to staff. NO PERSONAL ATTACKS ON COUNCIL MEMBERS OR CITY STAFF WILL BE ALLOWED.**

**Agenda**

1. Call to Order, Invocation and pledge of allegiance to the flag —
2. Determination of a quorum and proof of notice of the meeting –
3. Presentations, recognitions and proclamations –
  - A. Proclamation – Municipal Clerk’s Week. (A. Rangra, Mayor)
  - B. Proclamation – Honoring Martha Latta (A. Rangra, Mayor)
  - C. Memorial Resolution from the City of Alpine for the City of West, Texas. (A. Rangra, Mayor)
4. Reports –
  - City Mayor’s Report -
  - City Attorney Report –
  - City Manager Report –
    - A. Response to Texas Water Development Board
  - City Staff Updates –
5. Citizens Comments (on agenda items) –
6. Public Hearings –
  - A. Public Hearing to obtain citizens comments and questions for zoning change requested from C-2 to R-1. Owner wants to refinance their home and get a lower interest rate as well as equity to fix fences, new windows, etc. They cannot get a home equity loan on a commercial property. Property identification/street address is Lot 5 and the North 18.44 feet of Lot 4, Block D – 109 N. 14<sup>th</sup> Street. Legal description is Gillis Addition, Block D, Lot 5 and the North 18.44 feet of Lot 4. Record owner is Kerri A. Artz Blackman. (C. Harrington, CM)

B. Public Hearing to obtain citizens comments and questions for zoning change requested from R-1 to R-3. Owner wants to renovate existing building and turn into apartments for rent. Property identification/street address is Old Nursing Home, 1003 Loop Road, Alpine, Texas. Legal description is .234 acres + or – out of Lot 8, Kokernot Addition and all of Lot 6 and 7, Block 9, Kokernot Addition. Record Owner is MSL Associates, Missionary Foundation of America, Inc., Agents – James L. Ahern, Jr. or Rhonda Cole. (C. Harrington, CM)

7. Consent Agenda – (Minutes, Financial reports, Department written reports, board appointments, etc.) –

A. Approve Council Minutes of March 14<sup>th</sup>, April 2<sup>nd</sup>, April 9<sup>th</sup> and April 16<sup>th</sup>, 2013. (C. Harrington, CM)

B. Approve Accounts Payable. (C. Harrington, CM)

8. Information or Discussion items –

Action items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. (Action items limited to 15 per meeting.)

9. Discuss and Consider authorizing the City Manager to enter into a contract with Website Movers for technical assistance in converting the city to a new website server. (C. Harrington)

10. Discuss and Consider zoning change requested from C-2 to R-1. Owner wants to refinance their home and get a lower interest rate as well as equity to fix fences, new windows, etc. They cannot get a home equity loan on a commercial property. Property identification/street address is Lot 5 and the North 18.44 feet of Lot 4, Block D – 109 N. 14<sup>th</sup> Street. Legal description is Gillis Addition, Block D, Lot 5 and the North 18.44 feet of Lot 4. Record owner is Kerri A. Artz Blackman. Planning and Zoning does not recommend approval of this zoning change. (C. Harrington, CM)

11. Discuss and Consider approving ordinance adopting new open records policy. (C. Harrington, CM)

12. Discuss and Consider recommendation of Planning and Zoning Commission, regarding request of Big Bend Minerals, Agent Billy Cowell, for special conditions, allowing not more than three family members to work at said business, located at 902 N. 5<sup>th</sup> Street, Alpine, Texas, pursuant to Section 18, Home Occupation, Subsection(h), of the Zoning Ordinance of the City of Alpine, Texas. (C. Harrington, CM)

13. Discuss and Consider accepting donation from Alpine Humane Society. (J. Gonzales)

14. Discuss and Consider approving a Resolution authorizing a contract renewal for water rights. (C. Harrington)

15. Discuss and Consider rescinding Ordinance and approving Public Information Request Policy. (C. Harrington, CM)

16. Discuss and Consider approving plans for Pueblo Nuevo Park as

recommended by the Parks Board. (C. Harrington, CM)

17. Discuss and Consider authorizing the expenditure of funds from the Hotel Motel Tax Revenues in the amount of \$6,000 to Sul Ross University. (C. Harrington, CM)
18. Discuss and Consider authorizing the City Manager to enter into a contract with Nectar Computers to act as the IT Administrators for the City of Alpine at a rate of \$70/billable hour. (C. Harrington, CM)
19. Citizen's Comments (limit 3 minutes) –
20. Council Member's Comments and Answers -
21. Executive Session – Pursuant to Texas Government Code, Subsection 551.074, Personnel Matters. -
  - A. Evaluation of the City Attorney and Municipal Judge (C. Lujan)
  - B. Possibly take action, up to termination if necessary, concerning City Attorney and Municipal Judge. (C. Lujan)
  - C. Discuss, possible Unethical Behavior, and abuse of title by the City Attorney. (C. Lujan)
  - D. Discuss, possible TOMA violations by the City Mayor, City Attorney, and Council Board regarding discussions of firing, and hiring top City Employees. (C. Lujan)
22. Action- Executive Session – Pursuant to Texas Government Code, Subsection 551.074, Personnel Matters. -
  - A. Action on evaluation: City Attorney and Municipal Judge (C. Lujan)
  - B. Possible action resulting from evaluation, up to termination if necessary, concerning City Attorney and Municipal Judge. (C. Lujan)
  - C. Discuss and Consider, regarding item D, above, reporting information to the proper authority, if necessary, to determine if any TOMA violation occurred. (C. Lujan)

**23. Adjournment –**

I certify that this notice was posted at 5:00 P.M. on May 3rd, 2013, pursuant to Texas Open Meetings Act (Texas Government Code Section 51.043). This facility is Wheel Chair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (432)837-3301 or fax (432)837-2044 for further information.

---

Margaret "Molly" Taylor, City Secretary