

**City of Alpine
Regular City Council Meeting
June 4th, 2013
6:00 P.M.
Minutes**

- 1. Call to Order, Invocation and Pledge of allegiance to the flag –
JoBeth McLeod with the First Presbyterian Church, gave the invocation and Mayor Rangra led the pledge of allegiance to the flags.**

- 2. Determination of a quorum and proof of notice of the meeting – Mayor Rangra and Councilmembers Bermudez, Davidson, Fitzgerald, Gonzales and Castelli were present. Meeting notice had been posted at 4:00 P.M. on May 31st, 2013.**

- 3. Presentations, recognitions and proclamations –**
 - A. Present Certificate of Recognition to Jim “Fitz” Fitzgerald for his service on the Airport Advisory Board. (C. Harrington, CM) – Mayor Rangra said Fitz “retired” from the Airport Advisory Board because he was elected to the Council. He thanked him for his service on the Airport Board.**

 - B. Present Certificate of Recognition to Walt Pyle for his service on the Airport Advisory Board. (C. Harrington, CM) – Mayor Rangra said Walt Pyle served on the Airport Advisory Board from June 7, 2011 – May 21st, 2013. He thanked Walt for his service to the City of Alpine.**

 - C. Present Certificate of Recognition to Charles Maxwell for his service on the Planning and Zoning Commission. (A. Bermudez) – Mayor Rangra said Charles Maxwell served on the Planning and Zoning Commission for eight years, 2005 – 2013. He said he had known Charles for some time and thanked him for his service.**

- 4. Reports –**

City Mayor’s Report - Mayor Rangra said he did not have much to report. He said early this year there were kids from Marfa who came here and were really impressed with our parks. He said they had an interesting show on May 24th and he thought it was a good show. He said the kids are doing good things. He said it was a good job and he enjoyed it. Mayor Rangra said he attended a Law Enforcement graduation at the college

City Attorney Report – The City Attorney said we have not been sued and

we are not suing anyone so we are in good shape.

City Manager Report –

A. Status of General Ledger Software Installation - The City Manager said he would like to report to City Council that staff has been working very heavily with our general ledger software vendor since the last Council meeting. He said for the last week he has been in here working very diligently and we are getting set up for conversion. He said effectively we will close the books on June 30th with the old system and open the books on July 1st with the new ledger system. He said we will be able to start giving you reports with more information and more timely information. Councilor Fitzgerald said he commended him for doing this so quickly. The City Manager said he wished he could take credit but Mr. Stassney, who is the owner of the company, got a pass from his wife to stay out here for a week and stayed after it night and day. Councilor Fitzgerald said it was a team effort, he was sure. Councilor Fitzgerald asked if there was any further report from the Texas Ranger. The City Manager said he had not had any contact with him. Councilor Fitzgerald asked if the new Finance Director had anything to report. The City Manager said we are getting close. He said the new software person helped us pull something together and hopefully by the next meeting he will have a status of where we are. Councilor Bermudez asked about the swimming pool. The City Manager said the swimming pool is still on target. He said the fencing is being installed and supposedly we will be finished by late tomorrow or first thing Thursday, at which point we will get Atlantis Pools back in here to do the filling and check everything out. He said we started advertising for lifeguards. He said everything is moving.

City Staff Updates – The City Manager said we did not have any City Staff updates. He said whenever we do, we will try to make sure that they are listed on the agenda. Mayor Rangra said he thought it would be a good idea for the City Manager to identify the Staff member that was going to speak first.

5. Citizens Comments (on agenda items) –

Katherine Parker – said she wanted to comment on item 15. She said she is putting up a new hangar and someone brought up that it is not under the color code. She said this is a gray. She said she put a lot of work into putting something together into selling herself to the Council but she found out after investigating that all it was, was Steve Belardo who has a sick vendetta against herself and Johnny and he

is trying to stir up trouble. She said her hangar has sat there for two weeks because they stopped working on it due to the inspector asking us to. She said there has not been a stop work order and the more she looks into this she has names of everyone at the Airport who opposes it. She said UPS and Border Protection are excited to see the old hangar go down and the new \$150,000 hangar go up. She said it is not out of the color code. She said it is actually gray with a sheer coat on it. She said that is what she has going up after speaking with the City Manager and City Attorney. She said she hopes the Council will realize that and since there is not a stop work order so she can have her guys start on that at 7:00 in the morning. She said she cannot have her insulation hanging out with thunderstorms coming and any more damage being done.

6. Public Hearings – None

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

- A. Approve Council Minutes of May 14th, 2013. (C. Harrington, CM)
- B. Approve Accounts Payable. (C. Harrington, CM)

Motion was made by Councilor Davidson, by Resolution 2013-06-01, to approve the Consent Agenda as a whole. Motion was seconded by Councilor Gonzales. Motion unanimously carried.

8. Information or Discussion items – None

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 acceptance of the Alpine Humane Society appointment of Nancy Beckwith to the Animal Advisory Board. (C. Harrington, CM) –** The City Manager said on January 14th of this year, Alpine Humane Society chose Nancy Beckwith to be their representative to replace Ms. Kay Wilde due to her resignation. He said it had never been brought forward to City Council for their approval. He said tonight we are presenting to you the recommended approval of the Humane Society and the staff's recommendation of approval. Motion was made by Councilor Bermudez, by Resolution 2013-06-02 to accept the Alpine Humane Society appointment of Nancy Beckwith to the Animal Advisory Board. Motion was seconded by Councilor Fitzgerald. Councilor Castelli asked if there was a residency requirement since she did not live in the city. The City Manager said not that he was aware of, since this was the animal advisory board since it is a little bit broader and she is the representative of the Humane

Society. He said it is a little different. Motion carried unanimously.

10. **Discuss and Consider approving the first reading of Ordinance 2013-06-01, an Ordinance of the City of Alpine, Texas establishing a Municipal Court Technology Fund as allowed by Section 102.0172 of the Texas Code of Criminal Procedure. (C. Harrington, CM)** – The City Manager said part of this tonight is brought forth by the work that the interim Finance Director is doing. He said we found that we have been collecting a technology fee but we have not found an ordinance that was ever drafted to actually approve it by the Council. He said what Mr. Armstrong has done is draft up a very simple ordinance that adopts the technology fee that we are allowed to collect. He said the staff would recommend approval. He said Mr. Armstrong is certainly available if you have questions about it. Councilor Gonzales said we are just making this legal, right? The City Attorney said that was right. The City Manager said he thought the Council might see more of this as time goes on. Mayor Rangra said the Court Costs would be \$4. The City Attorney said \$4.00 per conviction. He said that is standard state wide. Motion was made by Councilor Davidson, by Resolution 2013-06-02, to approve the first reading of Ordinance 2013-06-01, an Ordinance of the City of Alpine, Texas establishing a Municipal Court Technology Fund as allowed by Section 102.0172 of the Texas Code of Criminal Procedure. Motion was seconded by Councilor Gonzales. Motion unanimously carried.

11. **Discuss and Consider approval of Dog Park as recommended by Dog Park Committee, Animal Advisory Board and Parks Board. (C. Harrington, CM)** – The City Manager said last month we brought forward a donation from the Humane Society of the fencing material to construct this dog park. He said at the time we told the Council that the dog park itself still had to go through the processes and he is happy to report that it has been all the way through the Dog Park Committee, the Animal Advisory Board and the Parks Board and now it is back to the Council for a final approval of the location. He said in the package you will note that the dog park itself is a 50' by 315 foot run that will be split between small dogs and large dogs to try and keep them separated for the smaller guys. He said it will be located adjacent to the radio station fence in that part of the park where there will be access off the walking trail so people can bring their dogs in there. He said the park does not involve any funds from the city. He said it is all proposed to be done with volunteers and we have already had the materials donated and it is a great opportunity for us to provide a little more service at the park for our residents. He said he knows there are already quite a few dogs that are walked at the park with their owners now. He said this will give them an opportunity to run loose from a leash for a while. He said the staff would recommend approval of this. Councilor Fitzgerald said he appreciates the people who have designed this and made room for a small dog. The City Manager said he believes that

Councilor Castelli has a small dog too. Motion was made by Councilor Bermudez, by Resolution 2013-06-03, to approve the Dog Park as recommended by the Dog Park Committee, Animal Advisory Board and Parks Board. Motion was seconded by Councilor Gonzales. Councilor Castelli said he wanted to say that it was a wonderful idea and he is a thousand percent in favor of it. He said he thinks that anything we do to represent the city needs to be done well and right the first time. He said what he does not see here are any orders for rules and regulations to guide behavior because being a dog owner and walking a dog in this town, he has lost track of the times that his dog has been attacked. He said it seems to be a lack of education. He said he has always tossed around what it was. He said with this packet we got a copy of the minutes and financial report from the Humane Society. He said they are very proud of the number of volunteer hours that have been given to the Humane Society. He said 3,014 hours of work in the shelter and 2,900 hours on the telephone and 14 hours education. He said in this town the way people treat their dogs we need just the opposite. He said we need 3,000 hours of education for these people. He said he thinks that ties back to starting off with the dog park and starting it right. He said you know these are the rules. He said he has a sister that spends pretty much full time as an animal advocate. He said she said things that are required in a normal dog park - children are not allowed under 10 years old, the issue of dogs when one is on a leash and one is not on a leash of aggressive behavior – so no leashed animals in a dog park, what defines aggressive behavior and a sign noting that so that we would start off that way. He asked if anyone had talked to Martha Latta about getting one or two more of the doggie stations and bags and will there be a trash can there so that there will be a place to put the waste. He asked if someone will regularly empty the trash. He said he thinks our plan needs to be to keep this park clean. He said there are some people who will not use the wastebags, especially the large side where it is a bigger issue. He said those are his points. He said he thought we could rush into this but he would really like to see the entire package so that the first time somebody walks there, it is not half done or we are not reacting to a problem. He said these are our rules and this is how it is done and we are very proud of it and we want your support. He said he thinks without all that in line we need to spend more time planning this out. Councilor Gonzales said we have been talking about rules and what we are going to do. He encouraged Michael to join us so that all of these things are done. He said he loves the ideas. He said we have been bringing these up. He said we have been talking putting the rules on there. He said we have been talking about the doggie bags. He said we have talked about the trash can. He said we have considered all these things. He said right now we are just talking about getting the approval of the City Council to the dog park committee so that we can go ahead and move ahead. He said we are in the process of doing that and if that is what is required we will do it. Councilor Gonzales said we are going to post the rules at the dog park so that everyone knows.

Councilor Castelli said this is something new to the city and that there would be a package outlining what we are doing. He said this seems like it is willy nilly. He really thinks we should put together a package. Mayor Rangra said maybe we can prepare a package. The City Manager said he hears what Councilor Castelli is saying but he thinks at this point we are just trying to tie down that you are okay with the layout of the park. He said, like you, what he would like to see is a full blown packet. He said this would deal with animal waste and how animals are controlled and activities that take place in the park. He said all that has gone through all the boards at this time is just trying to get a location down and a layout down and then we will come back with a full scale. He said he would welcome if your sister has some good information relative to the rules it would be most appreciated. He said he has never had the experience of taking a dog to the dog park. He said it would be very helpful. Councilor Bermudez asked if there was any way we could go ahead and maybe even start the dog park and not open it until we have the packet with all the rules and regulations. Nancy Beckwith said she had answers to all of the questions. Nancy Beckwith said she is the Chair of the dog park committee. She said this is her baby. She said she has been to dog parks her whole life with her dogs in Florida. She said we need to do it right the first time. She said we are designing a dog park with rules and a fence and a poop picker up. She said she is having a class on July 8th on dog park etiquette. She said sometimes other dogs are not really aggressive but they are just correcting other dogs from being rude. She said people have to know the difference. She said hopefully people who are interested in coming to the dog park will come. She said one of the biggest problems here in Texas is the way dogs are treated. She said dogs can live in back yards and dogs can live with families and hopefully this will change things. Councilor Castelli said he thought it was wonderful that she thought this out. He said from this information he was not aware of that. He said when it opens there will be a sign there and people will know at least the minimum that is expected from them. Nancy said we would have benches and garbage cans and dog poop and water. She said it will not be very big but it is what we have. Motion carried unanimously.

12. Discuss and Consider approval of appointment of Municipal Court Judge as Administrative and Civil hearing officer when Municipal Court has Civil Jurisdiction. (C. Harrington, CM) – The City Attorney said we are going to be bringing to you soon, tools that are allowed in the Local Government Code for handling dangerous substandard buildings. He said Councilor Castelli certainly knew of one that we were trying to deal with recently. He said junk vehicles and high weeds, dangerous and neglected animals and other nuisances where health and safety standards are concerned. He said these are tools that are allowed to the City of Alpine in the Local Government Code, Chapter 64.214 as well as Chapter 822 of the Texas Health and Safety Code regarding animals and Chapter 682, the

Transportation Code, regarding certain civil parking issues. He said in all this, granted by the state, is Civil Jurisdiction. He said currently our Municipal Court only sits as a Criminal Court. He said it is a fine only criminal court to be sure but it is a criminal court. He said in these matters the Municipal Court would sit as a Civil Court. He said that means fines might be imposed but they would be administrative fines and the standard of proof is different as a matter of presenting cases. He said once we appoint the Judge to this area it will provide the Judge with security and insurance protection in acting in a Civil capacity as opposed to merely a criminal capacity. He said this is not a house cleaning item but it is a forward looking item to ordinances that will be coming up expanding the city's ability to deal with these items and issues in the future and hopefully helping us clean up and keep us from making the same mistakes. Councilor Fitzgerald asked if there would be fines involved. The City Attorney said it would be a fee and not necessarily a fine and there are penalties. He said it is just not imposition of a criminal fine. He said there is enforcement ability. Motion was made by Councilor Davidson, by Resolution 2013-06-04, to approve Ordinance 2013-06-02, appointing the Municipal Court Judge as Administrative and Civil hearing officer when Municipal Court has Civil Jurisdiction. Motion was seconded by Councilor Fitzgerald. Motion unanimously carried.

13. Discuss and Consider appointing Joseph Goldman to replace Charles Maxwell as the Ward 1 Planning and Zoning Representative. (A. Bermudez)
- Councilor Bermudez said she would like to appoint Joseph Goldman to replace Charles Maxwell as the Ward 1 Planning and Zoning Representative. Mayor Rangra asked if the representative for Ward 1 needed to live in Ward 1 and what was the difference between resident and residency. The City Attorney said residence would indicate actual living at the location and intending to live at that location and physically touching the location so vacant property would not qualify as a residence, nor would having a business within the city. He said on the Planning and Zoning board it is a requirement that you be a resident of the City and not necessarily a resident of the particular ward but on some of the other boards there is not a residency requirement. Councilor Fitzgerald said he was going to explain what he was going to do here. He said for various reasons he cannot make an affirmative vote here but in respect to his colleague and good friend, Councilor Bermudez, he will not make a negative vote. He said his conscience will not allow him to make an affirmative so therefore he will abstain from voting on this important issue. Motion was made by Councilor Bermudez, by Resolution 2013-06-05, to appoint Joseph Goldman to replace Charles Maxwell as the Ward 1 Planning and Zoning Representative. Motion was seconded by Councilor Gonzales. Motion carried.

14. Discuss and Consider approving amendment to Section 70-102 of the Code

of Ordinances. (C. Harrington, CM) - The City Attorney said we had Municipal Court last week and it was long. He said one of the things that we discovered was that there was a ticket that was filed for possession of spice in the City limits. He said as he was preparing his court case, he discovered that the term spice has been taken over by the State of Texas. He said it is now a class B misdemeanor for possession in certain amounts and sale. He said and you can have more significant consequences. He said President Obama and the Federal DEA have banned these chemicals in 2010 and under State Law, the Texas Department of State Health Services, it is required to look at what DEA does and the Department of State Health Services did indeed look at it and followed suit, adding the Chemical it creates or is used as spice into the schedule 1 banned controlled substances. He said with the State taking that over, the city's ordinance is obsolete. He said there are good items in the ordinance regarding various smoking materials and other items that cities across the state have banned but with this spice chemical in our city ordinance, it could invalidate the entire ordinance. He said this is a clean up so that the rest of the ordinance remains valid. Councilor Fitzgerald said the spice product that was at one time not illegal is now illegal. The City Attorney said by the State and the Federal Government, yes sir. Motion was made by Councilor Davidson, by Resolution 2013-06-05, to approve the amendment to Section 70-102 of the Code of Ordinances, Ordinance 2013-06-03. Motion was seconded by Councilor Bermudez. Motion unanimously carried.

- 15. Discuss and Consider variance request regarding color on hangar. (C. Harrington, CM) – The City Manager said as Mrs. Parker alluded to earlier, with her comments, she had started up the construction of her hangar and we had a complaint come in through city hall that she was not following the colors that are required under the Airport's Action Plan. He said we had Mrs. Parker come in and discuss it with us. He said there were a number of issues there and amongst them was a set color scheme that we are supposed to be doing. He said in the original quote that Mrs. Parker had, there were color panels on it and those were later changed, with a subsequent statement where it was changed to galvalume instead of the painted panels. He said the staff's opinion at this point is that we really need to stick to the Action Plan at the Airport. He said we need to back up what time has been invested to create an action plan out there to protect how the airport looks. He said he recognized the fact that she did tear down an eyesore and is going back with a nicer hangar but from the staff's viewpoint, we have to stand there and say we have to enforce the action plan that has been adopted. He said from our standpoint we cannot do anything except recommend that the request be denied. Councilor Fitzgerald said he sees what he is saying in the bluebook but Mrs. Parker contends that it is in compliance. He asked what the Code Enforcement had to say. The City Manager said galvalume has a gray color and we have a definite color chart. He said we have a set and galvalume is definitely not**

included. Councilor Fitzgerald said the color that Mrs. Parker wants to put on there is not in fact on the chart. The City Manager said there is not color on there. He said this is a panel that you buy. He said galvalume comes in a galvanized look. He said it is kind of a grayish color but that is not one of the colors that is approved under the action plan. Councilor Fitzgerald said she contends it is the color. He said he is conflicted here. The City Manager said all he can tell him is that it is not one of the colors that is in the action plan. Councilor Davidson asked if this was the Action plan that was adopted by the City Council. The City Manager said he would have to assume so. Councilor Davidson said it does not have the same power as the binding power that an Ordinance would have. The City Manager said it is not. He said it is just a plan where it was determined that we want to go on terms of development at the Airport. Councilor Castelli asked if this was a leaseholder and if the lease stipulated an action plan. The City Manager said yes it is very clear that they have to follow the Rules of the City including our Ordinance. He said there is an Ordinance in there that states that you have to be permitted and you have to do certain things. Councilor Castelli asked if the handout that they had was a part of this. The City Manager said yes it was. Councilor Castelli said it clearly says beige through dark brown, and that is what the lease says that they are obligated to follow. The City Manager asked the Code Enforcement Officer if that was correct. The Code Enforcement Officer said that was correct. The City Attorney said the Airport Ordinance not only provides the tie in to the Action Plan but it also provides for the variance procedure. He said what you see in the Action Plan does not have force of law. He said for example if we decided to criminalize the construction of the offending we could not do it because it was not pink. He said he thought the Council was being handed the actual color scheme from the Action plan. He said it is the policy that has been adopted by council and has been promulgated by all these lease holders at the airport. Councilor Castelli said these are gray and there is not a beige or brown in here and he is a professional designer. He said according to that beige is not allowed. The Code Enforcement officer went to the City Secretary's office to retrieve a copy of the Original Action plan. The City manager said the trim and accent is the bottom half and it does range down to stucco. He said he is not a color expert. Mrs. Parker said there is really a lot more to this than the color. She said if the story be told it goes back to the former City Manager and she put in her information and he never did anything with it so she went directly to the FAA. She said she talked to Bill Gunn and got his name and number. She said she called him and asked him and he said if she remodeled it was not a rebuild if you send it back. She said she talked to the Animal Advisory Board talking back and forth and there have been some things. She said the Airport has always had lots of chaos. She said she finally got from Mr. Gunn that you do not have to have that from the City Council because you were just a remodel. She said that is when she moved forward, thinking she did not need anything else from the City or the Council. She said when

her builder went in to get a permit that was never stated what colors that should have been on her permit. She said she thinks that was just a lot of confusion. She said she has talked to everyone she could at the Airport, including Airport Advisory people and they are excited. She said they actually think the color scheme was good. She said Mr. Angel said it was good. She said she wanted to find out if there was an FAA regulation that you can't have galvalume. She said actually when she talked to Kyp today, he said actually your hangar is gray because it has a sheer coat on it which makes it where galvalume turns gray. She said there are galvalume hangers out there now. She said that is the traditional type, when someone puts a hangar out there. She said there are tons of them and she was going to take pictures and she thought it was kind of silly to fight something when she is enhancing the Airport. She said she understands there is a color scheme but there is always a conflicting idea of what color should it be or shouldn't be. She said she felt her permit should have stated what you can and can't do. She said at the time the permit was issued everything was fine. She said she had the steel up and is getting ready to go over the walls and no one would have even known that was not allowed if someone like she said before, not had personal issues with her by bringing that up. She said she understands that we have to follow what you have but she is asking that the council would either do a little more in thinking on your color scheme. She said no one wants a purple hangar. She said everything the Parker's put up is gray, galvalume and the office buildings across the street are gray and galvalume. She said she plans on making it nice. She said she has the second nicest hanger on the Airport and DPS and Border Protection said it would be the number one nicest hangar on the Airport. She said she asked that the Council consider this. She said she has a lot of money and a lot of time into what she has got. She said you cannot tell right now whether it is white or gray. She said if they paint it, it becomes the same eyesore that some of the other ones are that get painted, after three or four years with our elements. She said she had signatures from everyone at the Airport. She said the one person who complained, Steve Belardo, has no airplane and no hangars and has no interest at all. She said she thinks it is just a big mess. She said she asks that Council consider when they are making a decision that they take all that into consideration, that she is actually doing something good for the Airport. Councilor Castelli said to clarify the confusion we were just in, we should just fire the color copier. He said you can see these are brown and beiges. He said looking at this and if it is reflected on a lease it is clear that you have an obligation to follow the lease. He said galvalume is not based to dark brown and those are the Airport standards. He said standards are there to promote a unified look to our airport. He said as it changes and hopefully gets upgraded over time the look will be unified. He said he will retract what he said about it. The City Manager said when he saw the original it looked a little browner to him but he is not a color expert. Motion was made by Councilor Bermudez, by Resolution 2013-06-06, to approve

the variance on the hangar. Motion was seconded by Councilor Castelli. Councilor Fitzgerald asked if we were sure that her color did not conform to that. Councilor Castelli said there is no gray in that range. Katherine Parker asked if anything was said about earth tones in the plans. Councilor Castelli said the moon would be gray but not the earth. The earth is brown. Councilor Davidson asked who the color police were that designed this thing to begin with. He said he had no problem with a purple hangar. He said he thinks he is speaking in the minority here. He said once again, without being real familiar with the process on how this action plan came about and was approved, he questions a lot of aesthetics decisions that get made around this town. He said this is one area where we own the Airport and we can tell people what color to make their hangar. He said there is a lot of tacky stuff out there that could be addressed with ordinances. He said signage being one thing that could be treated in the same way that we are doing this airport and these are just hangars. Nancy Beckwith said with the lack of architectural integrity in Alpine, with all the metal buildings all over the place and people not trying to have the town look nice when tourists come through. She said it looks awful with all the metal everywhere. She said Katherine just wanted her hangar to blend in and not be purple. She said some of the hangars look gray to her. She said she does not see what the problem is. She said she is trying to have a neutral tone hangar. Katherine Parker said if you vote for me not to do the job, does the permit not come into play. She said she was given a permit to go ahead and put it up but was not given guidelines of "you can't put up that type of hangar". She said you are voting against me trying to better what is already here. She said it would be different if she put something ugly up or something that did not match. She said if you go out there you cannot tell if the hangar is gray or white. She said she is asking that the Council approve this because it is super expensive and she is just trying to get this done because sitting the way it is it becomes a hazard to Airplanes and we have stuff laying around and the winds are blowing. She asked the Council if they would rethink the colors. She said she is not trying to do anything. She said she had been further advised. She said she takes her responsibility that maybe she should have read on a little further but the color schemes are brown? She said there is already a mixture of galvalume, brown, white and a color that "she is not sure what it is" out there. She said if you will look at this and really think about your decision she would really appreciate it even if you have to come and see what it looks like and actually enhances the hangar. She said it is a big hangar and it is going to bring big airplanes to be able to come here and fuel here and if not she guesses she was going to have to take the steel down and leave the steel up until she can afford to buy another, how much ever it is going to cost her to replace it and put a color up. She said it is going to fade later anyway and there is so much to worry about. Councilor Bermudez said she thought she read something about someone who was willing to buy this from her. Councilor Castelli said she read that in the Executive Summary.

The City Manager said the staff has spoken to her contractor who is willing to buy the galvalume material at cost. Katherine Parker said he actually told her he would not buy it. She said he said maybe he would consider it and he did not say he would buy it, to her, he didn't. Councilor Castelli said he would like to add something. He said we are talking about aesthetics. He said if your house is ugly should you never make it look nice? He said shouldn't you start somewhere to clean up your house? He said what Nancy Beckwith said, that Alpine is a hodgepodge, we have to start somewhere. He said if as an airport and an airport board, we have made these decisions, that henceforth in the future we will have a standard look which is in the range of earth tones, and he drove out there today to see what we were talking about. He said and yes it is going to be a beautiful hangar. He said it is going to be the biggest thing out there and now the biggest thing out there is not in line with our regulations. He said the Airport is a welcome into Alpine and the front door needs to look as good as possible. Councilor Gonzales asked Mrs. Parker about the invoice of 2/25/13 which was a change order from color to galvalume. She said this was still not the color code and she did not think, from the meeting she had, that the city even realized it then. Mayor Rangra said he thought it was time for a vote. Councilor Fitzgerald voted in favor. Councilor Davidson abstained from voting. Councilors Bermudez, Gonzales and Castelli voted against. Motion failed.

16. Discuss and Consider approving the contribution of \$2,000 from the hotel/motel tax fund to support local screenings during the Marfa Film Festival. (C. Harrington, CM – The City Manager said most of the people present had lived here longer than he had and he was not aware of the Marfa film festival. He said it is scheduled to be this June 26th through the 30th and primarily in Marfa as it has always been in the past. He said this year however, the film organizers are proposing to have two screenings here at the Granada in Alpine. He said they are looking for contributions, seed money to get this going. He said Stewart Ramser can give you more information. He said the seed money is going to augment transportation, a shuttle to get people here. He said from the staff's standpoint, we think this is a tremendous opportunity to get involved and draw away some of the tourist dollars from Marfa. He asked Sam, at the Avalanche, please not to report that. He said this small amount of seed money that we get from the hotel/motel tax, from a business standpoint, he thinks this is an excellent opportunity for us. He said Stewart can elaborate on this a little more, but the money that people pay for the screening will actually be kept here in Alpine. He said it is kind of a win/win all the way around as far as the staff is concerned and we would recommend approval. He said he would like Stewart to give a talk about it. Stewart said tonight he had with him, Robin Lambaria, the founder of the Marfa film festival as well as her production person, Mark Childers. He said he said this is an opportunity and Marfa has

talked to him about expanding beyond that. He said there are lots of opportunities for this to expand and Alpine will be on the forefront of this expansion. He said he does have some information regarding the impact of tourism here. He said in 2010, Marfa film festival was just one of three events. He said the Cowboy Poetry was going on and Chinati and the Marfa film festival. He said the Marfa Film Festival fared very well in a survey. He said what they are suggesting is to benefit Alpine. He said there will be people staying here and they will show movies here and there will be a shuttle service running back and forth between cities. He said we are really getting in for very little money if you look at the overall picture. He said there will be bands from across the country and there will be influential film makers staying in our hotels. He said \$2,000 is all they are asking. He said they have really impressed him with their vision for expansion and seeing this as an opportunity to bring film makers and the film community out to West Texas. Motion was made by Councilor Bermudez, by Resolution 2013-06-07, to approve the contribution of \$2,000 from the hotel/motel tax fund to support local screenings during the Marfa Film Festival. Motion was seconded by Councilor Davidson. Councilor Davidson said he would like to make a comment to reiterate what Stewart had said and he really did not want to contradict our esteemed City Manager here but we are really not siphoning money off of Marfa. He said we are encouraging the growth of the event. He said Marfa has maybe 120 hotel rooms including the guest houses. He said that is really the only growth that we see. He said having seen the impact on the local economy that the other events in Marfa have, he thinks this is a no brainer. He said he was acquainted with Robin when she was doing this before in town and the amount of hours per year that is required to pull this off is very impressive. Councilor Fitzgerald said any time the City can spend \$2,000 and get this much back is great. He said this is worth way more than \$2,000. Stewart said the dates were June 26th through the 30th. He said there will be a wide variety of events. Councilor Davidson said he might point out that the regulations of the hotel/motel occupancy tax specifically permits providing transportation for people's lodging and to the events or functions. Mayor Rangra told Stewart that he has done a very good job. Motion carried unanimously.

- 17. Discuss and Consider authorizing the purchase of 10 pallets of Bermuda Sod in the amount of \$199/pallet for the Municipal Swimming Pool. (C. Harrington, CM)** – The City Manager said as you are aware we are moving ahead. He said we have some bald areas out there that we need to cover with grass to protect it. He said we need to keep dirt from blowing and need to keep people from tracking dirt into the pool. He said we would need about 10 pallets of grass. He said Martha Latta told us what kind to get. He said for lack of a better term it is some sort of a West Texas type Bermuda that can withstand our climatic conditions than other sod that we could have gotten. He said we went to El Paso to get it. He said it was Martha's suggestion because El Paso has that type of grass. He said we are

proposing to purchase 10 pallets of that and bring it in and lay it out as quickly as possible. He said it is priced at \$199 a pallet. He said we are sending a City vehicle and trailer to pick it up, possibly as early as tomorrow morning to go get it. Mayor Rangra asked if the City had checked with the local people to see if they had the grass. The City Manager said this is something special that comes out of El Paso. He said anyone around here would have to special order it. He said this will be picked up and brought back to save us time. Councilor Bermudez said a pallet is big. The City Manager said it has to be loaded with a forklift. Mayor Rangra said if this could be bought locally he would like to do that. Councilor Castelli said if this were February we could seed it and we would not have to buy sod. He said two weeks before the pool opens we need to buy the sod and put it down. Motion was made by Councilor Fitzgerald, by Resolution 2013-06-08, to authorize the purchase of 10 pallets of Bermuda Sod in the amount of \$199/pallet for the Municipal Swimming Pool. Motion was seconded by Councilor Bermudez. Motion carried unanimously.

18. Discuss and Consider acceptance of a donated vehicle from Southwest Air Ambulance for use at the Airport for flight crew courtesy vehicle. (C. Harrington, CM) – The City Manager said there are a number of flight crews that come in here on charters and things of that nature that need transportation into town. He said we are not talking about rental vehicles for passengers, we are talking about flight crews that need to get to and from the Airport for lodging or food or whatever. He said we already operate two or three of those vehicles now. He said some of them are getting a little older and this one was donated by Southwest Air Ambulance for use as a courtesy car. He said it is something we would normally do but any kind of donation like this he would like to bring to the City Council to accept the donation. He said the staff recommends approval of this donation. Motion was made by Councilor Gonzales, by Resolution 2013-06-09, to accept the donated vehicle from Southwest Air Ambulance for use at the Airport for the flight crew courtesy vehicle. Motion was seconded by Councilor Fitzgerald. Motion unanimously carried.

19. Discuss and Consider ratification of City Manager's acceptance of a low bid from Baeza's Masonry in the amount of \$9,400 for construction of the fencing around the municipal swimming pool. (C. Harrington, CM) – The City Manager said this was something he took on himself. He said we were trying to get the pool in place and done. He said the length of time it takes to put in a fence is pretty significant and they were trying to get this thing going. He said so the staff went ahead and got three bids and they are in your packet. He said the low bid was to Baeza masonry, here in Alpine, to construct this fence. He said they have actually gone out there and gotten started. He said we are anticipating completion tomorrow if not Thursday morning of this. He said he is asking the Council to ratify what he took upon himself to go ahead and do. He said he felt like this was something

the Council wanted to get done in a hurry. He said a one week delay would make a significant difference in meeting deadlines. He said the staff recommends that the Council approve this low bid. Councilor Fitzgerald asked if these funds were already allocated. The City Manager said yes this was what we were committed to do as part of the grant. Motion was made by Councilor Davidson, by Resolution 2013-06-10, to ratify the City Manager's acceptance of a low bid from Baeza's Masonry in the amount of \$9,400 for construction of the fencing around the municipal swimming pool. Motion was seconded by Councilor Bermudez. Motion unanimously carried.

20. Citizens Comments (limit 3 minutes) –

Charles Wilkes - said if the color on this hangar is that critical make it a part of the building procedures so there is no question about it. He said as he understands it when a building permit is issued it is a contract between the builder and the city.

Nancy Beckwith – said she was not saying that because of the architectural integrity of steel buildings that she could not have a galvalume. She said she was saying that she was trying to improve the airport and the hangar and not that she was putting metal up. She said that is not what she was saying at all. She said regarding the usual color, like Mr. Wilkes said before me, you need to get this all ironed out. She said Mrs. Parker is trying to improve the Airport.

21. Council Member's Comments and Answers –

Councilor Davidson - said he would like to make a comment about the Airport. He said one of the things that he sees is that the City charges 10 cents per square foot per year to lease these spaces. He said people come in and invest their money and make a considerable amount of profit. He said the color issue is one thing but he does not know where their ordinance is or how long those leases are but he thinks it is kind of deplorable that there is this great economy going on out there and the city gets 10 cents a square foot a year. He said it is a great deal for anyone to build a hangar.

Councilor Fitzgerald – said he remembers they addressed that Airport issue a few years ago and there is not much the city can do since there are contracts. He said none should be issued again like that. He said he did not know who started that. He said he wanted to commend Mr. Harrington on everything he is doing. He said it has been a very welcome change over the last 6 weeks. The City Manager said he appreciates the compliments but he thinks that he has been given far too much credit. He said we have a great City staff that is working hard and giving 110% and he thinks they are the

ones that deserve all the credit.

Councilor Castelli – said since there have been two comments about the Airport, Ward 5 has an open slot on the Airport Board. He said he has been doing a lot of research and wondered if there was a time frame to respond to or if he could sit in if there was an Airport issue. He said it is a great opportunity because he believes the Airport is a huge asset to Alpine and we can do more with what we have.

Councilor Gonzales - said he just wanted to say that he commends the City Manager for the work he is doing on the pool, trying to meet the deadline and he thinks everyone in the City appreciates that. He said we look forward to jumping in the cool water.

Mayor Rangra – said it will be on the 15th of June, right? And there will be party over there? The City Manager said we were going to have a ribbon cutting and sorting out all the details. Mayor Rangra asked that we send an invitation to Marfa as well. Mayor Rangra said he believes Mr. Harrington is keeping the Council informed and he is a resourceful person.

22. **Executive Session** – None

23. **Action – Executive Session** – None

24. **Adjournment** – There being no further business, meeting was adjourned, upon the motion of Councilor Bermudez, and seconded by Councilor Davidson. Meeting was adjourned.

I certify that this notice was posted at 4:00 PM on May 31st, 2013, pursuant to Texas Open Meetings Act. (Texas Vernon's Annotated Civil statutes, section 551.043 Texas Government Code.) This facility is wheelchair 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.

Dr. Avinash Rangra, Mayor

Attest:

Margaret "Molly" Taylor, City Secretary

I, Margaret "Molly" Taylor, City Secretary, do certify that this notice was posted at 4:00 PM on May 31st, 2013, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Margaret "Molly" Taylor, City Secretary