

**City of Alpine
Regular City Council Meeting
Tuesday, February 3rd, 2015
5:30 P.M.
Minutes**

- 1. Call to Order, Invocation and Pledge of allegiance to the flag – Mayor Rangra called the meeting to order. Jo Beth McLeod, Pastor of 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, Councilors Bermudez, Salas, Fitzgerald, Gonzales and Stephens were present. The meeting notice had been posted on January 30th, 2015 at 3:00 P.M. City Attorney Mick McKamie and Adrian Spears were also present for the meeting as well as City Manager Zimmer and City Secretary Taylor.**

- 3. Presentations, recognitions and proclamations –**
 - A. Proclamation for National Wear Red Day in Alpine, Texas. (Mayor Rangra) – A proclamation declaring February 6th as National Wear Red Day in Alpine was presented to Mary Clare Spear with Big Bend Regional Medical Center by Mayor Rangra.**

 - B. Certification of Appreciation to Norma Olivo for serving on the Planning and Zoning Commission. (Mayor Rangra). City Secretary Taylor accepted the Certificate of Appreciation from Mayor Rangra for Norma Olivo, who could not attend the meeting.**

4. Reports –

City Mayor's Report - Mayor Rangra said he went on January 30th to a Rio Grande COG meeting in El Paso. He said most of the COG money is spent in El Paso. He said he asked them if they could send a little more money our way. He said he received a letter from TxDot and TCEQ and the General Land Office. He said he shared those with the Council members. He said some of the council members will travel to San Marcos next week for a TML meeting. He said he hopes one or more of them will do a presentation to the council after the meeting.

City Manager Report –

City Manager Zimmer said he had a meeting with the County Judge and Hugh Garrett concerning Emergency Management and the Emergency Management Coordinator position. He said he hoped to have a more

detailed job description at the February 17th Council Meeting.

- **February Event Calendar – Tourism & Local Activities - City Manager Zimmer provided a list of the February Events which are as follows:
February 5-7 - Micro-Cinema: Our Native American Experience
February 6 – No Dry County at Railroad Blues
February 11 – Red Elvises at Railroad Blues
February 12 – Chihuahuan Desert Bike Fest
February 14 – Love Your Community 5K
February 14 – Valentine’s in Valentine
February 14 – Slow Down Summer – Valentine’s Day party at Railroad Blues
February 21 – SRSU Distinguished Alumni Gala/Athletic Hall of Honor
February 21 – Fat Saturday Party at Granada
February 21 – Johnny Rawls at Railroad Blues
February 27-28 – Cowboy Poetry Gathering\
February 27 – Family Crisis Center Dance**

- **Data Update from Visitor Center Regarding Statistics on Demographics and Needs for Visitors to Alpine – City Manager Zimmer said the First Quarterly Update from the Visitors Center included phone calls, visitors, packets sent and the results from the survey. He said the next step will be to explore deeper into the needs of the town as represented by the feedback. He said that information will be in the next quarter’s info. He said the Visitors Center discovered a need for “Travel-Event Planning” for meals, day-trips, etc... He said Fredericksburg uses a process in their Visitor Center to help facilitate prior planning for guests. City Manager Zimmer said for tourists, relocation calls and miscellaneous calls, the total amount for October was 204, the total amount for November was 152, and the total amount for December was 146 for a total of 502 for the quarter. The numbers of visitors in town, in state, out of state and out of the country total for October was 409. The total number for November was 301 and the total number for December was 271 for a grand total of 981 for the quarter. Concerning packets mailed, which consists of mailed to visitors in state, visitors out of state, relocation in state and relocation out of state, in October the total was 216, November 73, and December 154. The total for the quarter was 443 packets mailed. City Manager Zimmer said there was also data from 80 surveys included in the council packets. He said some interesting observations were that 5 travelers were in Alpine for pure business, 66 came here for pleasure or recreation, 9**

came here for both pleasure and recreation. He said 31 visitors characterized Alpine as Family Friendly. He said there was a good representation of events and attractions listed by the visitors and Alpine exceeded the expectations of 28 visitors.

- **Audit Timeline – Proposed timeline by Finance Director on completion of Fiscal Audit for FY 2013-14. City Manager Zimmer said the auditors will be in Alpine during the week of February 9th, 2015 to work through the majority of their data gathering for the 2013-14 audit. He said Megan and her team have been compiling data for the auditors during the past three weeks in an effort to facilitate the auditors visit. He said two key variables lead us to believe this year’s audit will come together with greater ease. He said we did not have a software conversion this fiscal year and this is the second year with the newer staff and auditor.**

- **Racial Profiling Report – Annual Report provided by Chief Scown as required by SB 1074 – Chief Scown provided a Racial Profiling Report to the Council for their review. City Manager said this report is filed annually as required by SB 1074 – Texas Racial Profiling law. He said this report will be on the City Website after this meeting. He said the report outlines law and local policies. He said the City of Alpine Police Department will continue to strive to maintain strong relationships with the citizens in the community. He said it is clearly important that we focus on this topic with national issues being apparent in different parts of the country.**

- **P25 Compliance Report Update – Review and discussion of materials purchased to date and remaining needs of our Alpine PD to become fully P25 compliant. – City Manager Zimmer said to comply with P25, in communications the equipment needed is as follows:**

Police Department – Base Unit/Repeater -	\$44,367.05
Mobile Units (12) -	\$30,000.00
Handheld (10) -	\$31,000.00
License Renewal -	\$ 100.00
Fire Department – Base Unit/Repeater -	\$44,367.05
Mobile Units (10) -	\$25,000.00
Handheld (10) -	\$31,000.00
License Renewal -	\$ 100.00
Ambulance - Base Unit/Repeater -	\$44,367.05
Mobile Units (3) -	\$ 7,500.00
Handheld (5)	\$15,500.00

License Renewal Fee \$ 100.00

City Manager Zimmer said the monies for all departments equals \$273,401.15. He said the cost of each mobile radio is \$2,500 and the cost for each hand held radio is \$3,100.00.

- TCEQ Notice of Violation for : Lift Station on Old Mararhon Road, Alpine (Brewster County), Texas Regulated Entity No.: RN103114690, (TCEQ ID No.:WQ0014349001) – City Manager Zimmer said the official notice of violation was received in January and we budgeted monies for the repair this year. He said we tore down the old structure and we are putting in new pumps, a control box and electrical. He said Lawrence and his team are building a new permanent structure and completion is anticipated in the next 30 to 60 days.

City Staff Updates – None

5. Citizens Comments (on agenda items) – (limited to 3 minutes) –

Oscar Cobos – said concerning items 11 and 12, he asked about Chief Scown teaching at Sul Ross and said he wished there would have been a representative from the police department here tonight to explain their item. He asked about the Coyanosa pipeline and the Future of gas.

6. Public Hearings –

- A. To discuss the community development needs of the City of Alpine Prior to the proposed submission of a Program Year 2015-2016 Texas Community Development Block Grant Application to the Texas Department of Agriculture – Office of Rural Affairs. These proposed submissions include Centennial Field Lights and Fighting Buck Avenue Repaving. (E. Zimmer, CM) There were no public Comments.

7. Consent Agenda – (Minutes, Financial reports, Department written reports, board appointments, etc.) – (Notice to the Public – The following items are of a routine and administrative nature. The Council has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Council Member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.)

A. Approve Accounts Payable. (E. Zimmer, CM)

B. Approve Council Minutes of January 20th, 2015. (A. Rangra, Mayor) –

Motion was made by Councilor Bermudez, by Resolution 2015-02-01, to approve the Consent Agenda in full. Motion was seconded by Councilor Fitzgerald. Motion unanimously carried.

8. Information or Discussion items – (Citizens are allowed to comment – limited to 3 minutes – after being called upon by Mayor.) –

A. Discussion on City of Alpine’s interest to adopt a resolution supporting The Commonwealth Company’s request to develop a parcel of land in town to create 30-40 living units. The development will use housing tax credits allocated by the Texas Department of Housing and Community Affairs (TDHCA). The units will be restricted to rental by households earning a specific percentage of area median income (AMI). (E. Zimmer, CM) – Mr. Mike Ash with Commonwealth was present. City Manager Zimmer said this was a program through TDHEA. The application deadline to get this project in is February 27th, 2015. City Manager Zimmer said this is affordable tax credit housing. Mr. Ash said there would be 30 to 40 units. He said the competition is scored and one of the critical things is the support of the city. He said they would need a Resolution of Support and also some type of financial support (which may be in-kind). He said without that the project would not go forward. He said they have an architect working on the plan to see how many units the site will hold. He said it is the site at the Southeast corner of Brown and 16th Street. He said it would be located on Brown and 16th Street. He said it was a cottage style development. He said they would be single story and single entrance homes. He said they broke ground last month in Pecos, Texas. He said this is high quality housing. He said this would create tax and financial benefits to the city. He said there would be 40 units. He said these would be 2 or 3 bedroom units. He said it would be called Mission Village in Alpine. Councilor Fitzgerald asked Mr. Ash if he consulted with Code Enforcement to see if the property would support this housing district. City Manager Zimmer said they assessed the input of the infrastructure of water and sewer. Mr. Ash said there are three projects in Texas, one in Pecos, one in Monahans and one in Jacksonville. Councilor Stephens verified that these would be one story homes. Mr. Ash said yes they were. Mr. Ash said this would serve Alpine residents who do not have adequate housing right now. He said they expect to see a growth in housing in Alpine in the near future. He said the property, long term, will be well managed and well run. He said they will have an operating reserve at day 1 to fund future maintenance. He said there would be a third party actually managing the property and that would be UAH out of Dallas. He said they do a great job. Councilor Gonzales asked if we find that we will not be able to support the infrastructure and sewer, etc., will they not do the project. City Manager Zimmer said if we are not able to support it they

cannot do the project. City Manager Zimmer said this would need to be re-platted. He said it had not been re-platted since 1915. Councilor Bermudez asked if the sewer and water looked okay. City Manager Zimmer said there is already water and sewer there and gas will be easy to provide, if needed. City Manager Zimmer said AEP has a main distribution line there. He said that will be in the central part of the project. He said water and sewer was parallel with 16th and Brown. He said the amount of funding or in-kind funding is \$36,000. He said we would recoup that back fairly quickly. It was asked if the city did not contribute \$36,000 would the project still continue. It was discussed that without the city's support, the project would not be able to continue. Councilor Fitzgerald said he was in favor of getting people out of trailers and into houses but he did not like to choose from a field of one. Sheila Ness said she was worried about the traffic.

B. SEP Options – Custom SEP for the City of Alpine, Docket #2014-0519

-MLM-E-TCEQ – Notice of Enforcement Action, City of Alpine; RN 103114690 and RN101176261, TPDES Permit No.WQ0014340001 and PWS Registration No. 0330001, Docket No. 2014-0519-MLM-E;

Enforcement Case No. 48535 (E. Zimmer, CM) – City Manager Zimmer said our current status is that we are producing 1,800 feet of waste which equates to approximately 13,400 gallons per day. He said we are using the sludge wasting bags to remove the waste and each bag costs us roughly \$1,600 apiece plus polymer plus shipping. He then described the current process at the sewer plant. He said we still have drying beds. He said we had four options for our SEP project. He said the fine will cost us around \$55,000 to \$60,000. He said option one is the Belt Press which would be a much more costly solution. He said option number two is an aerator – we bought 2 of these and are currently in the process of installing one. He said this process would cost us about \$40,000. He said option three would be for sludge drying rollofs. He said right now we are wasting into drying bags. He said with the rollofs, the wasting with the polymer is going directly into the rollofs. He said after 24 hours that rolloff is ready to take to the landfill. He said that would be eliminating the whole middle step process of the bags. He said he and Lawrence are intrigued with this process because that would give the sewer department some labor back. He said that would allow them to clean out the oxidation ditch quicker. He said option four is Community Improvement. He said this is a custom SEP and we could qualify for that. He said we have some areas in town where we need to extend sewer so what we could do is take the 10 individuals in Kokernot Heights and offer them sewer service. He said when you start adding the material in, including pumps and labor, we will be looking at a very high dollar amount but he did want to look at that option. He said it is not one that he would recommend. He said he would be recommending the third option, the sludge drying rollofs. He said it would not be overly expensive, \$30,000 to \$35,000, but what we are going to end up looking

at is where our revenues are. He said our revenues are trending He said we probably would have to do a budget amendment and that would require us to go through the ordinance process but he is still determining if we can afford it in the budget this year that we approved. He said we will discuss this again either on the February 17th meeting or the March 3, 2015 meeting. Councilor Gonzales said he thought the belt press would be a lot more expensive. Councilor Bermudez said we would have to have an additional structure as well. Councilor Gonzales asked if the rolloff was a trailer and City Manager Zimmer said it was and described the process. Ray Hendryx said this is not the first time the city has been hit by TCEQ with an enforcement action but this response looks a whole lot better than the way we responded before by going out and planting a little grass here and planting a few trees. He said it was basically a joke and he thinks the city, as a result, never took this seriously. He said this is the first time, in any of these enforcement actions, that he can ever recall the city stepping up to the plate and saying let's address this. He said he applauds what the city is doing and said thank you. This was followed by a round of applause.

Action Items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. (Action items limited to (up to) 10 per meeting.) (Citizens are allowed to comment—limited to 3 minutes – after being called upon by Mayor)

9. **Discuss and Consider Resolution to apply for 2015-2016 Rural Community Development Block Grant assistance under the Community Development Fund. (E. Zimmer, CM) – City Manager Zimmer said Jerry Carvajal, with Grantworks will be here this evening and will be available for questions. He said one of the elements that we talked about a couple of meetings ago was using the CDBG process for lights at Centennial Field. He said the good news is that the amount of income in Alpine is improving and the bad news is we did not meet the threshold for low to moderate income and will not be allowed to apply for the grant for the lighting project at Centennial. He said they left the lights on the public hearing this evening in case something changed. He said since this prevents us from doing the lights, they did not want to miss the opportunity to pass this year without applying for something. He said they started talking about Fighting Buck Avenue and paving it between Brown and the High School. He said the census data would work for Fighting Buck Avenue since Alpine Manor is located there. He said Fighting Buck is a heavily travelled street, both with driving and walking. He said this would be a good project to get behind. He said it would allow us to get rid of that really low spot that is on the South Side of the creek. He said if we could get enough funding we could also put down an asphalt path that could be used instead of the crushed granite. He said the other thing it will allow us to do if we get this grant , during this**

fiscal cycle, is redirect the money to other paving projects. He said we have to do work on Fighting Buck Avenue. He said it is breaking down and has some really bad spots on it. The City Manager said we have an action item that we need to approve and that is for a Resolution to go after the grant money for Fighting Buck Avenue. Councilor Fitzgerald said he walks a lot at Kokernot and Fighting Buck is a joke. He said his question was, if we asked for this money were we going to have to match it or was it 100% grant. The City Manager said this was 100% grant. Jerry Carvajal said as far as the last project we applied for at Centennial, which was approved, it was from the 2000 census. He said at that time the low to moderate income was at 62% but now the low to mod income is 48% so we do not meet the requirements for the 50% threshold. Motion was made by Councilor Stephens, by Resolution 2015-02-02, to apply for a 2015-2016 Rural Community Development Block Grant assistance under the Community Development fund for the repair of Fighting Buck Avenue. Motion was seconded by Councilor Fitzgerald. Ray Hendryx asked how much the grant was for. City Manager Zimmer said \$159,000. Jerry Carvajal said the grant could be for as much as \$160,000 to \$200,000 but we will know by Friday. Motion unanimously carried.

10. Discuss and Consider reviewing Ordinance, Chapter 70, OFFENSES AND MISCELLANEOUS PROVISIONS, Article II Minors, Division 2 – Curfew and take any action required through Local Government Code Section 370.002 – Review of Juvenile Curfew Order of Ordinance. (E. Zimmer, CM) – City Manager Zimmer said we must review the ordinance every 3 years. He said if there are any changes for the ordinance we must do two hearings and have a public hearing. He said the Council would review the ordinance at the next meeting. Motion was made by Councilor Fitzgerald, by Resolution 2015-02-03, to review the Ordinance, Chapter 70, Offenses and Miscellaneous Provisions, Article II Minors, Division 2 – Curfew and take any action required through the Local Government Code, Section 370.002 – Review of Juvenile Curfew Order of Ordinance at the next meeting. Motion was seconded by Councilor Gonzales. Motion unanimously carried.
11. Discuss and Consider authorizing City Manager to accept West Texas HIDTA (High Intensity Drug Trafficking Area) grant award (GI5SW0009) for the Alpine Police Department in support of Alpine Multi-agency Task Force Initiative. (E. Zimmer, CM) – Motion was made by Councilor Fitzgerald, by Resolution 2015-02-04, to authorize the Council to accept the grant money in the amount of \$24,781, for HIDTA grant award. Motion was seconded by Councilor Bermudez. City Manager Zimmer said this was primarily used for overtime. Joseph Goldman asked what HIDTA was. City Manager Zimmer explained the flow of drugs from Mexico and South America through here. Motion unanimously carried.
12. Discuss and Consider acquiring and taking action on, if necessary, the

information from a WTG representative concerning the future of gas for the next couple of years. (A. Bermudez) – Councilor Bermudez said there had been concern by the constituents about this. She said she did not understand the attachment that Erik had sent her about the rates going back up. She said she could only see where rates were going down. The City Manager said the attachment identifies that natural gas prices will trend up in the next couple of years. Councilor Bermudez said she looked at the attachment again yesterday and she thinks it changes every day. City Manager Zimmer said the attachment shows the projection at a slight increase. He said nobody is absolute in knowing what the commodity is going to do. He said we have been trending down over recent months. He said one of the things that we talked about was when we got to a lower rate, to lock in and come off the spot rate. He said some of the concern we get from constituents is that they see fluctuating gas prices. He said that is part of what was shared in last week's packet, what the spot rate has done. He said we looked at that and the vote was to go ahead and lock in that longer term rate which we have subsequently done. He said we also talked about if there was a risk that it could drop or a potential to go up, and the answer is yes to both. He said our two largest gas consumers are Sul Ross and the hospital and he did not hear any specific concern from those. He said the average customer is buying one mbtu per month. Councilor Fitzgerald said these prices could change on a daily basis and they do. He said today the stock market was up 300 points. He said just last week the secretary general of OPEC said when this turns around a little bit, he would not be surprised to see \$200 a barrel oil. He said that is insane. He said he thinks we did the right thing by voting to lock in the rates. Councilor Stephens said let's look at what the City of Alpine paid last year on the spot rate. He said it was \$5.16 mbtu. He said Erik locked in at \$4.55 mbtu. He said last August the price was \$5.11 and in December it was \$5.81. He said he feels very comfortable with the rate that Erik locked in on. He said is it going to go up and down, of course it is. He said citizens pay three times the amount because we actually have a city gas company here. Councilor Gonzales asked if that included the delivery charge. He said we have one transmission line right now and asked if another line was being brought through here. The City Manager said that includes the delivery charge from West Texas Gas. Mayor Rangra said we need to look for alternate suppliers besides WTG. Mayor Rangra asked how much the delivery charge was and the City Manager said it was not broken down in their rate. Mayor Rangra said at one time it was \$1.50 and we talked about looking for an alternate supplier and talked about dropping their price to \$1.00 for delivery fee. Mayor Rangra said he would like to have a break down on the gas bill of how much was the rate and how much was the transmission fee and how much the city charged to operate the gas company so the public knows about it. Councilor Gonzales said we have one transmission line right now and said maybe it was possible to tie on to the Cohanosa line that was going to be close to here. He said competition is always good. Councilor Gonzales said do we want to tie

ourselves down to 18 months? City Manager Zimmer said it is already locked in. Councilor Gonzales said no it is not. City Manager Zimmer said the Council authorized it last council meeting and he locked it in already. Councilor Gonzales said the council gave the City Manager the authority to check it out at his discretion. Councilor Bermudez asked if the City Manager signed a contract with them. The City Manager said yes. Councilor Bermudez said the contract was not shown to the council before it was signed. The City Manager said he signed a purchase agreement and the council authorized that by Resolution two weeks ago. Councilor Fitzgerald said we authorized it 5-0. Councilor Bermudez said she remembered that but she did not remember having seen a contract. City Manager Zimmer said we put it on the agenda and had the resolution. Councilor Bermudez said she did not want to take any action on this item.

13. Council Members Comments –

Councilor Stephens – said he did not have any additional comments.

Councilor Gonzales – said he also did not have any comment.

Councilor Fitzgerald – did not have any comments.

Councilor Salas – thanked the staff and Manager.

Councilor Bermudez – said she likes the SEP project and thanked the audience for coming.

Motion was made by Councilor Salas to adjourn the meeting. Motion was seconded by Councilor Fitzgerald. Motion unanimously carried.

Motion was made by Councilor Fitzgerald to enter into executive session. Motion was seconded by Councilor Stephens. Motion unanimously carried.

14. Executive Session – Pursuant to Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property) and 551.074 (personnel matters).

A. Consider annual review for City Attorney Mick McKamie – (E. Zimmer, CM)

B. Discuss and Consider land exchange concerning old city landfill and property west of town. (J. Gonzales)

15. Action – After Executive Session –

A. Action, if any, concerning annual review for City Attorney Mick McKamie – E. Zimmer, CM – At 8:35 P.M., Motion was made by Councilor Stephens

by Resolution 2015-02-05, that the Council has completed the annual review of the City Attorney Mick McKamie. Motion was seconded by Councilor Salas. Motion unanimously carried.

B. Action, if any, concerning land exchange. (J. Gonzales) – At 8:36 P. M. Motion was made by Councilor Gonzales, to consider the land exchange or sale of the old city landfill and property west of town. Motion was seconded by Councilor Bermudez. Councilor Gonzales voted in favor. Councilors Bermudez, Salas, Fitzgerald and Stephens voted against. Motion failed.

16. Adjournment – Meeting was adjourned at 8:38 P.M.

NOTICE: The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.086 (economic development).

I certify that this notice was posted at 3:00 P.M. on January 30th, 2015, 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 3:00 P.M on January 30th, 2015, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Margaret "Molly" Taylor, City Secretary