

## City of Alpine

### Regular City Council Meeting, Tuesday, December 9th, 2014, 5:30 P.M.

Notice is hereby given that the City Council of the City of Alpine, Texas will hold a meeting at **5:30 P.M. on Tuesday, December 9th, 2014 in the 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 –
4. Reports -
  - City Mayor’s Report –
  - City Manager Report –
  - City Staff Updates –
5. Citizens Comments (on agenda items) – (limited to 3 minutes) –
6. **Public Hearings** –
  - A. Public Hearing to obtain citizens views and comments concerning second and final reading of Ordinance 2014-11-04, for stop signs placement on Means and Avenue H, in the City of Alpine, Texas. (E. Zimmer, CM)
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separately unless requested by a Council Member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 October 21<sup>st</sup> and November 4th, 2014. (A. Rangra, Mayor)

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

A. Income Statement, Budget Variance and Specific Activity Report Read-Out. (E. Zimmer, CM)

**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 equipment location changes at Kokernot Park and Baines park along with changes to make maintenance easier at American Legion Park. (E. Zimmer, CM)

10. Discuss and Consider adopting: (in relation to requirements for receipt of 2014/2015 TDA Grant.)

A) Resolution 2014-12-02, to adopt a resolution to designate Grantworks for administration and Parkhill, Smith and Cooper for the engineering service providers for the 2014 Texas CDBG Fund contract 7214000

B) Resolution 2014-12-03, to designate authorized signators for the 2014 Texas CDBG program contract 7214000

C) Resolution 2014-12-04, to adopt Section 3, Local Opportunity Plan: the state requires all grant recipients to adopt a plan to encourage employment opportunities and contracting with Section 3 residents and businesses

D) Resolution 2014-12-05, to adopt Excessive Force Policy regarding the use of excessive force during nonviolent civil rights demonstrations.

E) Resolution 2014-12-06, to adopt Complaint and Grievance Procedures related to the TxCDBG Program

F) Proclamation (By Resolution 2014-12-07), declaring April as Fair Housing Month.

(E. Zimmer, CM)

11. Discuss and Consider the second and final reading of Ordinance

**2014-11-04 for stop signs placement on Means and Avenue H, as recommended by Chief Scown. (E. Zimmer, CM)**

- 12. Discuss and Consider layout changes at Civic Center. Changes to include eliminating step ups, increasing lights and widening back entry. (E. Zimmer, CM)**
- 13. Discuss and Consider authorizing City Manager to initiate an RFP for a private Fixed Base Operator (FBO) for Alpine Casparis Airport. Responses will be reviewed by city's Airport Advisory Board and City Staff prior to a final recommendation for selection to the City Council. (E. Zimmer, CM)**
- 14. Council Members Comments -**
- 15. Executive Session – Pursuant to Texas Government Code, Section 551.071 (Consultation with Attorney regarding pending litigation) and 551.072 (Deliberations about real property)**
  - A. Armstrong Litigation Update regarding pending litigation, John D. Armstrong, Plaintiff vs. the City of Alpine, Texas, Defendant, In the District Court of Brewster County, Texas, 394<sup>th</sup> Judicial District – (E. Zimmer, CM)**
  - B. Scown Litigation Update regarding pending litigation. Civil Action No. PE-14-CV-00057-RAJ; Emily Livingston Scown and Barbara Scown v. The City of Alpine, Texas; in the United States District Court for the Western District of Texas, Pecos Division and Cause No. 2014-04-B0564-CV; Emily Livingston Scown and Barbara Scown v. The City of Alpine, Texas; in the 394<sup>th</sup> Judicial District Court of Brewster County, Texas – (E. Zimmer, CM)**
  - C. Discuss and Consider land exchange, concerning old city landfill and property west of town. (J. Gonzales)**
- 16. Action- Executive Session –**
  - A. Action, if any, concerning pending litigation (Armstrong) – (E. Zimmer, CM)**
  - B. Action, if any, concerning pending litigation (Scown) – (E. Zimmer, CM)**
  - C. Action, if any, concerning land exchange. (J. Gonzales)**

**17. Adjournment –**

**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 December 5, 2014, Pursuant to Texas Open Meetings Act (Texas Government Code Section 51.043). 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.

---

Margaret "Molly" Taylor, City Secretary