

**City of Alpine
Regular City Council Meeting
Tuesday, June 2nd, 2015
5:30 P.M.
Minutes**

- 1. Call to Order, Invocation and Pledge of allegiance to the flags – Mayor Rangra called the meeting to order. Councilor Fitzgerald said the invocation. 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 Antrim, Salas, Fitzgerald, Gonzales and Stephens were present. The meeting notice had been posted at 1:45 P.M. on May 29th, 2015. City Manager Zimmer and City Secretary Taylor were also present.**

- 3. Presentations, recognitions and proclamations –**
 - A. Presentation to Martin Benevich for his service on the Parks Board. (A. Rangra, Mayor) – Mayor Rangra presented a Certificate of Appreciation to Martin Benevich for his years of service with the Parks Board.**

 - B. Presentation to Council Members Antrim, Fitzgerald and Stephens – Certificate of Election. (A. Rangra, Mayor) – Mayor Rangra presented Certificates of Election to Councilmembers Antrim, Fitzgerald and Stephens.**

- 4. Reports –**
 - City Mayor's Report - Mayor Rangra said last week Congressman Hurd was here and he and the Congressman talked for a few minutes concerning the issues that concern our city. He said he also spoke with our County Judge Cano this morning about the pipeline. He said he wanted to introduce a young man who is our new Emergency Management Coordinator for Brewster County. His name is Matt VanAustrien and he has come to Brewster County from Wimberly. Matt said he left Wimberly this past weekend after he had worked for 12 hours in the water. He said we have to always hope for the best, but plan for the worst. He said that is his job and he looks forward to working with everyone.**

City Manager Report – (E. Zimmer, CM)

- Airport Update – Visit by Ed Oshinski (Chief Engineer from TxDot Aviation) and three of his key team members on May 19th, 2015.
 - 1) Reviewing crack remediation strategy**
 - 2) Quality and composition of existing sub-base material.
Took core samples****

- 3) Timing on full taxiway and apron
- 4) Output expected over next two weeks
- Klotz Engineering came out during same time period (on their own nickel) to evaluate with their asphalt specialist in hope of preparing a better bid for the long term business.
- EGL Construction from El Paso has also viewed cracks and crack-seal solution in preparation to bid on work through TxDot program.
- **TCEQ Enforcement Action Update Docket No. 2014-0519 – MLM – E; Enforcement Case #48535 –**
 - 1) Continue to work with TCEQ and RCDC on SEP project plan for Alpine. Will need final review complete by first meeting in July
 - 2) Completed Old marathon Highway Lift Station Update (photo on next page)
 - 3) New aerator is fully functional now. Anticipate sludge levels to go down and wasting to minimize with greater aerobic activity. Solar Panel configuration with remediated Inverter to supply power.
 - 4) Updated Permit Application complete. Working in conjunction with Enforcement action parameters
- **Kokernot Pool Update**
 - 1) Opened yesterday – June 1, 2015
 - 2) Wayne Schroeder is Pool Manager this year
 - He and wife June will also be offering the swimming lessons again this year
 - They are working on evening water aerobics program
 - 3) Pool parties this year can be scheduled Thursday through Sunday evenings.
 - 4) Offering Concession again this year
 - 5) Getting enough life-guards to apply was troublesome until we hired Wayne.
- **HOT Update –**
 - 1) Summer Events campaign launched and ongoing, highlighting 8 Alpine events and emphasizing our cool summer temperatures. The campaign includes:
 - a) print advertising in Texas Monthly, Ride Texas, Texas Music, Austin Monthly
 - b) short videos on social media
 - c) Web ads on texasmonthly.com
 - d) Broadcast ads on Midland/Odessa public radio
 - e) Landing page at visitalpinetx.com/summer
 - f) table-top display distributed to local businesses and

hotels

- 2) Target launch date of June 15 for a new online reservation portal specific to the City of Alpine
 - 3) April Texas Highways editorial coverage on Antelope Lodge, April Texas Monthly editorial coverage featuring Museum of the Big Bend and May Texas Monthly Big Bend issue brief editorial coverage featuring Alpine. A combined advertising value of \$38,000.
 - 4) An additional upcoming feature on Viva Big Bend is expected in the July issue of Texas Highways
 - 5) Provided photography and information to Southern Living and Midland Reporter-Telegram
 - 6) Heavy Social Media Work
 - 7) Our advertorial list on texasmonthly.com "Top 10 Things To Do in Alpine" have gotten more than 890,000 impressions to date.
 - 8) Produced two ads in partnership between visitalpinetx.com and Alpine Cowboys Baseball: ½ page in May Texas Monthly (with Big Bend cover story) and web ad on texasmonthly.com featuring the "Top 10 Things To Do in Alpine" list.
 - 9) Conducting research into the cost and feasibility of installing wayfinding signs in town which would direct travelers to key points of interest.
 - 10) New record for 1Q receipts – almost \$1.8 million in taxable Receipts. Two of Alpine's larger hotels are undergoing brand changes. The hotel formerly known as the Ramada is now the Lone Star Inn, and the Best Western is simply the Alpine Classic Inn. Both may partner with larger chains again.
 - 11) Carried out lobbying campaign in partnership with Alpine Chamber of Commerce regarding additional TxDot directional signage to Big Bend National Park and Big Bend Ranch State Park via Alpine at locations on I-10, I-20, US18 and US90.
 - 12) Ongoing: collecting visitor surveys via hotels/motels and the Chamber of Commerce—These surveys give us more information about why visitors are in town, what they do while they are here, as well as if/how they researched the city, and whether Alpine met their expectations.
- Landfill Update -
 - 1) Toured Landfill with Finance Director and TDS team last week.
 - Recycle area at Landfill has been cleaned up and noticeable process improvement

- Overall perimeter cleanliness is improving.
 - Maximizing use of each cell
 - 2) Anticipate excavating in to Cell 3 within next two to three years. Will require surveying.
 - 3) Continue to remediate past improper burying of material as we expand Cell 2
 - 4) Day to Day operator on TDS Staff doing a good job at Compaction on site to maximize life of landfill
 - 5) Robust Recycle Program (KAB) in City continues to maximize the life of the landfill
- **IT Update –**
 - 1) **Big Bend Telephone Data and Telephone Infrastructure**
 - Estimated completion date: Network operational by June 19.
 - Finished Locations: All locations have fiber installed and spliced. Switches will be installed this week. Still need to install fixed wireless at Sewer Plant and Airport, which will be done next week. While those locations, along with Kokernot Park, will be internet capable by June 19, it will likely be July 1 before they are fully network capable.
 - Phone system and Wifi: Will be installed and tested last week of June
 - This will allow us to migrate off the month-to-month AT&T rates.
 - 2) Continue to address hardware issues and will complete justification process through FY 2015-16 Budget cycle
 - 3) Working on conversion of GIS information for Water/Sewer to cloud based application. Current vendors we are talking to also have capabilities with other departments (streets, parks, gas, airport, etc.)

City Staff Updates – None

5. **Citizens Comments (on agenda items) – (limited to 3 minutes) –**
Steve Anderson said he was a lawyer and the Counsel for the Big Bend Conservation Alliance and he was here to talk about the pipeline. He said he is not here tonight to talk about how bad this pipeline is going to be, because he thinks there are plenty of other people here tonight to do that. He said this is not a done deal. He said he has been researching issues for the last several weeks. He said he has been talking to expert lawyers across the state and they have come to the conclusion that there are legitimate challenges to the pipeline's claim for eminent domain. He said those challenges will be brought and he believes that voting against the pipeline will put the council on the right side of history.

Bernie Zelazny said he has a serious concern regarding item 12, the pipeline issue. He said it appears to him that the gas pipeline is going to cross Musquiz as well as Sunny Glen water lines and he is hoping that the city and county can join together to prevent or minimize this from occurring because just the idea of having a pipeline crossing where we have our water coming into town, scares the “dickens” out of him.

Lori Glover said she and her husband live in Sunny Glen, less than a mile away from where the pipeline is proposed to cross 1703. She said we do not need this pipeline to go through this community and this pipeline does not have to go through this community. She said there are other ways. She said there are things we need to think about seriously. She said we need to make sure that if this pipeline does get built, which she does not want it to, but if it is, we need to make sure it does not go through our community, and she does not just mean the city limits of Alpine but the community just outside of Alpine as well. She said we do not need for it to go near our hospital and we need to make sure this pipeline meets the specifications that will make it safe. She said she wanted to share a couple of things with the council that she found called “Pipeline Emergency Planning” which was written by Lanny Armstrong and other authors. She said obviously there are pipelines all over our state and all over our country. She said Texas probably has even more pipelines than any other state. She said the only place that is left that does not have major pipelines is the Big Bend area and there are maps that show this. Mr. Armstrong, who is the fire chief in Pasadena, Texas says that one thing unites these pipelines. He said no matter the size, pressure or operator. He said all of these pipelines carry hazardous materials that can pose serious risks to people and the environment. She said they did some research and Energy Transfer Partners over the past 12 years has had 12 pipeline incidents. She said that is one per year. She said in some of the research she has done, some of them cost lives. She said pipelines are not necessarily safe. She said this is a serious thing that we need to consider.

Oscar Cobos said he wanted to thank Mayor Rangra for putting this item on the agenda. He said visiting with Laura with the Bloomberg News who is very well aware of what is going on, being with the news media. He thanked her for being here. He said as far as we know we still have leverage. He said House Bill 40 has been the strategy of Governor Abbott to do away with our freedom of expression and rights. He said he wanted to say to the council that we are the people and we still have the right to express ourselves. He said not everything should be left up to the “crown”. He said we do have to have facts and emotions on this because we are for real. He said between November, 2014 and February, 2015, there is a 400% raise in unemployment. He said there are 5,361 claims for unemployment for the oil and gas industry. He said Halliburton has laid off 9,000 and there are a lot of layoffs. He said we are not ready here for some

rinky-dink operation to come in and present all of this risk for the fascination of somebody's money. He said we have values and resources here. He said we are not willing to compromise. He said if the city has some evidence that they have talked to the people, we need to see the evidence. He said all we have received is hearsay. He said we are here for interest, beyond any money. He said there are other ways of economic development. He said if we work together, our infrastructure is deteriorating. Our Airport needs very much attention and if that line goes through there, it is not going to look good. He said the City Attorney needs to consider extra-territorial jurisdiction when we write out the resolution. He said he is asking for blessings and support for the people.

Suzanne Bailey said she owns property in the city of Alpine. She said she and her husband live just outside the city limits. She said in fact they live next door to the Pumpco Construction project. She said the pipeline people in their press releases, public relations issuing, like to claim that they are good neighbors. She said she would like to ask the Council and Mayor to come and see for themselves what kind of neighbors they really are. She said the construction site is less than 5 minutes away from here. She said it is very easy to find. She said just head toward Marfa and when you come to the Coke plant, take a right and there you are. She said and there she is right next to it. She said they have been working on a 23 acre pasture for over two months. She said they have bladed it, graded it, scraped it, excavated it and vibrated it until she can feel the foundation of her house move under her feet. She said she has now installed a seismograph to measure these vibrations. She said she figures that damage has been done to her house. She said eleven hours a day they work so you do not have to worry about not catching them there. She said they work every day, including Sundays. She said they have created clouds of dust that probably can be seen from outer space. She said there is some kind of a water holding tank that they have created there too. She said they have never been given any information on what the exact purpose of this construction site is. She said what are they going to do with it. She said now she has learned that they have applied for a commercial well permit with Brewster County Groundwater Conservation District. She said they are requesting to draw 27.55 acre-feet per year. She said she had a geologist explain that to her and it equates to 8.9 million gallons of water per year. She said they also told the district that they might want to drill a second well there too. She said that is an enormous amount of water that might be leaving our area. She said she does not think it should be allowed. She asked what effect that would have on all the residential wells in that area is unknown. She said it would take a skilled hydrologist just to make such a prediction. She said she hopes that the city will pass the resolution opposing this pipeline.

Mark Glover said we have a new neighbor among us. He said we are not

sure what to make of them. He said Pumpco on behalf of ETP has owned the 23 acres at the end of Ted Street for 6 months now. He said the promised economic benefits have not yet manifested. He said he knows of nobody locally who has been hired full time. He said the Lost Alaskan has rented a few trailer spaces and Porters has sold a little more beer. He said what has happened is that our daily water consumption has increased by over 10% so they can semi control the dust on their 23 acre project. He said as their 80,000 pound tankers full of our limited aquifer water roll over our roads, adding to potholes, traffic and diesel emissions. He said there has been no tax collected, although a full refundable water deposit of \$250 has. He said as far as we know the 23 acres could be a compression station. He said ETP has not denied it. He said they claimed they had 70,000 horsepower in Waha. He said he went there two weeks ago and to all five competing compression stations totaling 45,000 horsepower. He said ETP has only 12,000. He said it is very busy pumping gas up there. He said chalk that up. He said it is likely that we can count on a compression station in the Big Bend, probably in Alpine at the foot of the past, at least one. He said do not count on ETP admitting it. He said the compression station will roar 24/7 and spew volatile gases, with an added risk of explosion. He said a compression station here will be the most citizen altering event in the history of Alpine. He said we will no longer be the gateway to the Big Bend but the tail end of the oil patch. He said he is asking the City Council to slow this billionaire down.

Barry Zavah – said he lives in Brewster County and can see Alpine from where he lives. He said he spends most of his yearly resources in the City of Alpine. He said he opposes the pipeline and is asking the Council to pass the resolution standing in opposition to ETP. He said ETP is an organization who several years brought rolling black-outs to California, 15 to 20 years ago, through Enron and laughed about making it difficult for Grandma. He said this is the same industry which brought us nuclear in New York State and other places. He said every time one of these things is constructed they say, no problem, what could possibly go wrong. He said it is not a matter of if, it is a matter of when. He said ETP is the definition of the industry stereotype. He said they are bullies. He said the information that they give to different people is unreliable and we do not know anything about them. He said they have a track record and he did not have to do any research to guess what the result would be. He said they have been cited and are unreliable. He said this is the group you are going to deal with? He said you would not deal with them to shake their hand and trust them, would you? He said what is the impact of ETP in Big Bend. He asked if the brochures of the Chamber of Commerce of Alpine going to be commensurate with the activities of ETP in this area. Mayor Rangra informed Mr. Zavah that his time was up.

Cleo Blay said she was a taxpayer and property owner in the City of

Alpine. She said she believes that the Council must share the great love for this beautiful piece of earth that we call home. She said she spent 10 years working as a guide in the National Parks of the Southwest United States. She said half of the time was in the Big Bend National Park. She said for five years when she was not working she was travelling in India. She said she explored a lot of that country but a person must only touch down in one of the cities to instantly experience the harsh and overloading effects of air pollution. She said in Texas, there is so much territory. She said one of the largest states in the nation where there are so many fewer people than in countries like India. She said once we start getting pipelines in the last remaining areas of the earth our fate may become that of India's. She said we have no choice but to breathe the common air. She said once the area is so polluted we experience the effect in areas like Big Bend. She said it will take centuries to repair that sort of damage. She said her grandchildren may never know what it is to live in a truly clean environment. She said we must know the value of what we have. She said our atmosphere is finite. She said at some point we have to say, enough is enough. She said we must stop supporting the blatant ruin of our earth through allowing the fossil fuel industry to own our politicians, our communities and the very air we breathe. She asked that the council pass the resolution.

David Keller with the Big Bend Conservation Alliance said he said he believed since this issue was so important that the Council had already educated themselves about it. He said he would not bore the Council with details that they probably already know. He said he wanted to talk about the gravity of the pipeline issue because it may be the most important thing that the Council votes on in this term of office. He said the Trans-Pecos Pipeline is probably the greatest threat that the Big Bend Region has ever faced. He said he would say anyone who is not opposed to this and say that they care about Alpine and its people and the people of the Big Bend simply does not understand the gravity of this situation. He said the Big Bend is the Last Frontier in the state of Texas. He said it is the last place that has not been overrun by the Oil and Gas Industry. He said the United States is covered in a maze of oil and gas transmission pipelines but they still stop short of the Big Bend. He said if this pipeline is built it will be the regions first but not the last. He said there will be more to follow, more pipelines, more roads, more chain link fences and more compressor stations. He said as elected leaders, the Council has a responsibility to its constituents, to act in their best interest, to protect them and provide a safe environment for them to live in. He said people choose to live here because they love it here, for the clean air and the panoramic vistas and the brilliant night skies. He said as such this pipeline is an affront to our quality of life, our community, our people and our very reason for being here. He said for all these things and many more he asks the Council to support the Resolution against the Trans-Pecos Pipeline.

He asked for the Council to be the first to go on record as opposing the pipeline. He asked the Council to go down in history as being on the right side of this issue. He asked the Council to stand strong against this industrial goliath. He said the people of Alpine and the Big Bend will thank the Council for decades to come.

Jason Morrow said he lived at Double Diamond and said he had a couple of questions. He wanted to know if Pumpco was getting water from the City Tank on "A" Mountain. He said it sure looks like it. He said he wanted to know how all of the Council members stood on this issue. Mayor Rangra said the Council cannot respond to any questions at this time.

Angie Bermudez said she was speaking to someone who she thinks is for this pipeline. She said they were trying to change her mind and they said something about Pumpco hiring locally. She said she did not think this was true. She said they were already coming with their people. She said they also said this will be good for businesses and they are going to make more money. She said she was born and raised here and Alpine has been very dear to her. She said she would hate for something like this to come here and maybe destroy lives. She said she does not want this pipeline to go through our beautiful country out there. She said if it does go through we will never be able to sleep again peacefully at night. She said she hoped that all the Councilmembers voted for the Resolution.

6. Public Hearings –

A. Public Hearing to obtain citizens views and comments on Ordinance 2015-06-01, Zoning Change from R-1 to C-0 – Presidio County Health Services Owner and Agent Linda Molinar, CEO. They are requesting this change for the property to become a Medical Clinic. Property identification/street address is 1605 N. Ft. Davis Hwy, Alpine, Texas. Legal description is North Heights Addition, Block 7, Part of Lots 3 and 4 and all of Lots 5-8. (E. Zimmer, CM) – City Manager Zimmer said as required by law, this is a public hearing for this particular zoning change request. He said it has been duly posted. There was no public comment on this item.

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 April 21st, 2015. (A. Rangra, Mayor) –

Motion was made by Councilor Salas, by Resolution 2015-06-01, to approve items 7A and 7B. Motion was seconded by Councilor Fitzgerald. Motion carried unanimously.

8. Information or Discussion items – (Citizens are allowed to comment – limited to 3 minutes – after being called upon by Mayor.) – None

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 first reading of Ordinance 2015-06-01, upon recommendation by Planning and Zoning Commission for Zoning Change from R-1 to C-0, Presidio County Health Services, Owner and Agent Linda Molinar, CEO. PCHS is requesting this change for the property to become a Medical Clinic. Property identification/street address is 1605 N. Ft. Davis Hwy, Alpine, Texas. Legal description is North Heights Addition, Block 7, Part of Lots 3 and 4 and all of Lots 5-8. (E. Zimmer, CM). – City Manager Zimmer said the Council does have the minutes from the Planning and Zoning Commission meeting. He said the meeting last week was well attended. He said it was standing room only in the Council chambers. He said the recommendation that did come out from the Planning and Zoning Commission for the Council was unanimously in favor. He said they recommended the change from R-1 to C-O. Motion was made by Councilor Gonzales, to approve the first reading of Ordinance 2015-06-01, upon the recommendation by the Planning and Zoning Commission for Zoning Change from R-1 to C-0, for the purpose of the property to become the location for a Medical Clinic. Motion was seconded by Councilor Salas. Councilor Stephens said his recommendation was to vote against the Resolution tonight, not because he was not in favor of it, but his concern is going from a C-O to an R-1, the way the Ordinance reads now, there could still be an R-3 apartment complex built at that site. He said that is not the intent of what the community wants to do but as a property owner on 5th Street, which is right across the street from this property, his recommendation is to postpone this for one meeting until such time as the new Planning and Zoning Ordinance is put into place which would preclude building an R-3, at which time he would have no problem with it. He said item 13 calls for a recommendation to go to the new Planning and Zoning Ordinances which would take the R-3 out of the situation. Councilor Antrim said she spoke with a number of her constituents about the zoning change and they were in favor of having the medical clinic

there but their only concern was if the clinic failed, with that zone, what could then come into that property. She said in general they supported the clinic coming in. Mayor Rangra said the Council could make an amendment to the motion so it should not be changed to R-3. Councilor Gonzales said the proposal is that on the expiration of the special use permit the property reverts to R-1 zoning. He said if the clinic does fail it is going back to R-1. Councilor Stephens said if that is what the Resolution says, he did not see it. The City Manager said a special use is not applicable to this property. He said there are no provisions in our Ordinances to allow for special use. He said if approved, converting from an R-1 to C-O, the property owner would enjoy all rights of a C-O. He said he has heard some concerns from some of the residents there about an apartment complex. He said that seems to be the only thing that has come to the City Office. He said he thinks Councilor Antrim has probably heard that as well in people who voice their concerns. He asked if we should postpone this for one meeting to allow the zoning change to go into effect. He said that might be more worthwhile. He said the proposed change would extract the R-3 from the C-O. He said he thinks that would mitigate the concerns of the people in the community. He said otherwise we might be putting the cart before the horse. Councilor Gonzales asked if we could go ahead and approve Item 13 and then come back to this item. City Manager Zimmer said that would be another way to handle it. Mayor Rangra said he was going to ask the City Attorney a question about this. He said a motion was made by the Council to approve item 9 and now the Council is talking about postponing this item until the next meeting. He asked if he needed to take a vote on the motion and then have another motion to postpone it or could we just change this into a Motion to postpone it until the next meeting. Barbara Quirk said the Motion to postpone could be amended to the other motion. She said the Council could go ahead and have the vote to postpone. Councilor Gonzales withdrew his motion and Councilor Salas withdrew her second. Motion was made by Councilor Gonzales, to postpone this item until the next meeting. Motion was seconded by Councilor Stephens. Motion carried unanimously.

10. Discuss and Consider appointing a committee of two Council persons and the City Manager as an Ex-Officio member to recommend the Protocol, Procedure and Rules for 2015-16 Council meetings by the July 7th meeting. (A. Rangra, Mayor.) – Mayor Rangra said we have used the protocol this past year by using Ordinance 2014-08-01. Mayor Rangra said he would like two councilmen to volunteer for this. Councilor Salas said she volunteered Councilor Stephens and Councilor Antrim for this. Mayor Rangra said he did not ask for a Councilmember to volunteer other Council members. Mayor Rangra asked Councilor Antrim and Councilor Stephens if they were willing to serve. Both agreed to serve. Councilor Salas made the motion by Resolution 2015-06-02, to appoint Councilor Stephens and

Councilor Antrim as a committee of two Council persons who will serve with the City Manager (as an Ex-Officio member) to recommend the Protocol, Procedure and Rules for 2015-2016 Council meetings by the July 7th meeting. Motion was seconded by Councilor Fitzgerald. Councilor Gonzales said he did not mean any disrespect to our new Councilmember but he thinks we may need someone with a little more experience. Councilor Gonzales said he thinks we need to pick someone who has been on the City Council for more than one meeting. Mayor Rangra said last year we had Councilor Salas on this committee and she was brand new. The vote was taken and the motion unanimously carried.

11. Discuss and Consider electing a Mayor Pro Tem for the 2015-2016 Council. (A. Rangra, Mayor) – Motion was made by Councilor Salas, by Resolution 2015-06-03, to nominate Councilor Stephens, from Ward 5 as the Mayor Pro Tem for the 2015-2016 Council. Motion was seconded by Councilor Fitzgerald. Councilor Fitzgerald said he just wanted to make sure that Councilor Stephens was okay with that. Councilor Stephens said he agreed to serve. Motion unanimously carried.

12. Discuss and Consider opposing, by Resolution, the construction of a certain 143 plus mile long, 42" pipeline, to transport natural gas as it traverses through Brewster County by the Alpine-Casparis Municipal Airport and opposing any and all activities that advance and promote the proposed or intended business plans and operations of the Trans Pecos Pipeline near or through any portion of portions of Alpine, Brewster County and Big Bend being against the expressed will of the Council of the City of Alpine, Texas. (A. Rangra, Mayor) – Mayor Rangra said he put this item on the agenda because there are strong feelings in our community about the pipeline. He asked if anyone was here from ETP in the audience. Mayor Rangra said he was not against any business. He said he was in business himself. Mayor Rangra said when you fill up your tank with gas, there is almost always some leakage. He said some of the information he had which comes from a weekly magazine published by the American **Chemical** Society said there had been a leakage nationwide of methane gas and that there is always some leakage. He said they are stating that there is about 42 million tons of leakage annually. He said of this, 47% has been through transmission and storage. He said the pipeline that is going to be coming through Brewster County on its way to Presidio will be going through three cities. He said these are Alpine, Shafter and Marfa. He said we citizens do not have any information as to what is the actual amount of gas that is going to be passing through this area. He said he understands that the material used for the pipeline is of the lowest quality. He said he spoke with County Judge Eleazar Cano this morning. He said there was no information available to the County or the Commissioner's Court either. He said even though the pipeline will not be located within the city limits of Alpine, Alpine is the largest part of the

county. Mayor Rangra said if there is a problem or a leak, what procedure would we have to determine a leakage and what would we do if we had a catastrophe. He said we live in a dry county and if there were a fire, could we handle that? He said two years ago, or so, a fire started in Marfa and spread all the way to Fort Davis destroying livestock and property along the way. He asked if we had the facilities to fight this kind of fire. He asked if we had any sort of assurance from this outfit that they would help us in case this happened. He asked what the safety measures were. He said the only one who can answer these questions is ETP. He again asked if anyone present was from ETP. Motion was made by Councilor Gonzales to accept the Resolution. There was no second to the motion and the motion died for lack of a second.

13. Discuss and Consider first reading of Ordinance 2015-06-02, Amending Appendix C, Zoning as recommended by the Planning and Zoning Commission, Article 1, Basic Ordinance and Schedule of Districts. (E. Zimmer, CM) – City Manager Zimmer said in the packets is an output from many months of work that the Planning and Zoning Commission has put in. He said in October of this past year the Planning and Zoning Commission was given a direction to go ahead and really start working on updates to the zoning ordinances. He said one of the things that the Planning and Zoning team along with the assistance of Mr. Polanco has done is to include a cover sheet that really details the proposed changes. He said he hopes the Council has had the opportunity to review this. Motion was made by Councilor Fitzgerald, by Resolution 2015-06-04 to approve the first reading of Ordinance 2015-06-02, amending Appendix C, Zoning as recommended by the Planning and Zoning Commission, Article 1, Basic Ordinance and Schedule of Districts. Motion was seconded by Councilor Stephens. Councilor Gonzales asked about page 4 where it talks about designation on the completion of a permit and it says the permit shall, instead of the permit shall expire. The City Manager said they designate within the permit. He said not only does the work have to start within 90 days but it has to designate an estimated time of completion. Councilor Gonzales said it says at one year, the permit shall... The City Manager said he believed the word expire was in the full document and that this was just an excerpt. He said Councilor Gonzales was looking at the change sheet. Robert said the ... means there is other text to come. City Manager Zimmer said previously you were given 90 days and now you are given 180 days and completion would be required within a year. Councilor Stephens said he would like to compliment Planning and Zoning for all of their hard work. He said they have gone a long way to update this document. Mayor Rangra asked about some of the changes on Section 7. He also asked about in Section 15, complaints, whether the complaint could be anonymous. City Manager Zimmer said whenever a complaint is filed you do want to have a name so that you can respond to that individual. He said if a complaint comes in, we are going to investigate.

City manager Zimmer said the complaint could be anonymous but we prefer to have a name so we can respond to that person. Mayor Rangra asked if it had to be in writing. The City Manager said yes. Mayor Rangra asked if email would be acceptable. The City Manager said we do have a complaint form on the website that could be pulled off, printed out and submitted. He said that helps us from a tracking perspective. He said this is something that Mr. Polanco tracks monthly and he and Mr. Polanco go over. Mayor Rangra said he thinks sometimes people hesitate to complain because they have to say who they are. The City Manager said the complaint would be filed. Mayor Rangra said the complaint could be accessed through a TPIA then. The City Manager said that was true. Councilor Gonzales said if we are already saying within 180 days, isn't that the job of the person who issued the permit so that they could keep up with what is going on. The City Manager said correct and that is Mr. Polanco's job. He said when he issues permits he checks on the progress of people in town. Carl Fleming from Ward 5, said he was also on the Planning and Zoning Commission. He said he hoped that all the Councilmembers had read through the changes completely. He said he thinks there are things in there that he is sure many of the council does not understand or are not familiar with, that they should be. He said there are some things occurring here that have gone on for a long time in this town that no one has responded to. Carl said what is in this document affects a lot of people in this town. Carl said this document is not fully complete. He said it left out a statement on section 5. He said he was wondering how this was sent so quickly to the council for the first reading. He said he gave a copy of his comments to Robert. He said it was not on purpose, but it needs to be complete. He said the omissions need to be corrected. Mayor Rangra asked if Carl was saying that Planning and Zoning Commission did not vote on this. Carl said Planning and Zoning passed this and set it up but he voted against it because he knew it was not ready. Carl talked about how many C-0's there are in Alpine. He said he thinks the Council is rushing to judgment on this. Mayor Rangra said the Council has the right to amend their actions. Angie Bermudez said she believes that all council members read before they come to the meetings. Robert said there were some grammatical errors and typos in the document. He said it is very difficult to edit yourself. Joseph Goldman said he was also on the Planning and Zoning Commission. He asked what happens when a church fails. He said this is only on the first 7 sections. Councilor Gonzales said it is our first reading so we could change it and have another first reading. Motion unanimously carried.

14. Council Member Comments –

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

Councilor Gonzales – said he felt kind of bad about the pipeline resolution.

He said they need to know how the Council feels.

Councilor Fitzgerald – said he would like to compliment the Planning and Zoning commission on a job well done.

Councilor Salas – said she would also like to compliment the Planning and Zoning Commission for all of their hard work. She thanked everyone for being here.

Councilor Antrim – said she would like to thank everyone who stayed and who did not leave after the pipeline item was over, realizing that there are issues facing the city that need to be addressed.

Motion was made by Councilor Fitzgerald to enter into Executive Session. Motion was seconded by Councilor Stephens. Motion unanimously carried. Council entered into Executive Session at 7:24 P.M.

15. Executive Session –

A. Annual Review – City Manager Zimmer. (R. Stephens)

Council returned to open session at 7:32 P.M.

16. Action After Executive Session –

A. Action, if any, concerning Annual Review of City Manager Zimmer. (R. Stephens) - Motion was made by Councilor Stephens, by Resolution 2015-06-05, to take action to provide data for the City Manager compensation to the City of Alpine and to the City Council for a review of the City Manager's Salary.

17. Adjournment – Meeting was adjourned.

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 1:45 P.M. on May 29th, 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 1:45 P.M. on May 29th, 2015, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Margaret "Molly" Taylor, City Secretary