

**City of Alpine
Special City Council Meeting
Tuesday, May 5th, 2015
4:00 P.M.
Minutes**

1. **Call to Order, Invocation and Pledge of allegiance to the flag** – Mayor Rangra called the meeting to order. There were people with signs in the Civic Center and Mayor Rangra asked City Attorney Mick McKamie if the public was allowed to have signs in the Civic Center. City Attorney McKamie said that would be up to the Council and that it was a matter of decorum.
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 at 9:30 A.M. on May 1st, 2015. City Manager Zimmer and City Secretary Taylor were also present.
3. **Presentations, recognitions and proclamations** –
4. **Reports** –
City Mayor's Report -
City Manager Report –
City Staff Updates – None
5. **Citizens Comments (on agenda items)** – (limited to 3 minutes) –
6. **Public Hearings** – None
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being discussed separately unless requested by a Council Member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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.)
8. **Information or Discussion items** – (Citizens are allowed to comment – limited to 3 minutes – after being called upon by Mayor.) –
 - A. **Trans-Pecos Pipeline and the Environmental and Economic impact on this area. (A. Bermudez)** –

Councilor Bermudez said they were trying to get the people here from the pipeline like they did when they came to Commissioners Court but it was a little bit too late. She said Mr. Zimmer and she decided that we would go ahead and have the citizens speak and tell us what they wanted to say and what their reasons were so that the information could be noted. She said the people from the pipeline will be coming in later on to a meeting. Councilor Gonzales said he was just here to listen. Councilor Stephens said he did not have a position one way or the other relative to the pipeline but he thinks there are some important questions from an Alpine perspective. He said he did some research as many have done. He said there have been 185 pipeline incidents in Texas between 1995 and 2014 in regards to gas transmission. He said there were 5 fatalities during that period, 35 injuries and \$221,000,000 in damage to property. He said in 2014 there were 11 incidents in the State of Texas. He said what we need to understand is what are the situations behind the 11 incidents. He said he has had a lot of people contact him about the potential for possible explosions. He said another question is what goes on with a 42" transmission line under pressure and what are the potential concerns from the blast perspective and what is the analysis they have done and what has been learned over time. He said the pipeline will be in close proximity to the city and the areas we are most concerned about are the hospital, the airport and homes within our city limits. He said the next question is where are other pipelines operating in Texas that are also operating a 42" pipeline under the same pressure, how long have they been operating and were there incidents they had relative to those things. He said from his standpoint he is not for or against the pipeline. He said the first part we should look at is the safety implications and if they are being properly addresses. He said if those are being properly addressed we can talk about what the economic impact and job impact is. He said those are the questions he will be raising to the pipeline company as a resident of Alpine. Sara Kennedy Mele said she was a resident of Sunny Glen. She said she lives on McBride Lane. She said the Commissioner's Court said they would try to adjust the route of the pipeline. She said you have an airport, a hospital and then you have close proximity to Alpine and then it goes through to Sunny Glen. She said they have one entrance and exit out of Sunny Glen. She said also on 1703, they have a 20 acre pasture where they are building a water reservoir and they have a well on that 23 acres. She asked if the council thought they would be pumping the water out of our spring that they have in Sunny Glen to fill this reservoir. She said they are going to be pumping it unless they are bringing it in from someplace else. She said the people in Sunny Glen could be out of water for two and one half years which is pretty spectacular if they have a fire. She said how are the wells on the ranchers property going to fight a fire. She said the Forest Rangers would have to come in. She said honestly she is not for the pipeline. She said they said today that 300 trucks, not all of them 18 wheelers, would be coming in and out of 1703. She said she knows that

Judge Cano is not for this. She said he would like the pipeline to be moved out of Alpine. She said you are talking about a lot of people and no other place is going that close to a town. Mayor Rangra said he was looking for the map that appeared in the newspaper. He said he received a letter from Energy Transfer and according to this information the pipeline was not supposed to cross Brewster County. He said the map that appeared in the newspaper shows the pipeline coming close to the city. He said none of the pipeline officials have come to talk to the council. Sylvia Nelson said she was a resident of Alpine, Texas. She said she would like to thank Councilor Bermudez for sharing the information about the pipeline not being here. She said as she looked around the room there are a lot of working class people out there who were able to make this meeting. She said the pipeline not being here is just not acceptable. She said she likes to think that the City Council would agree that with their ranks as City Officials comes responsibility. She said she was asking them to think about their responsibility to this community in regards to the proposed pipeline. She said she is asking the Council to support the fight by saying no to the pipeline. She said her analogy is this...she sees this pipeline as a cancer. She said if you are diagnosed with cancer, you may choose to ignore it and hope it goes away or your cancer goes into remission, but yet you live with the fear of it rearing its ugly head once again. She said if we ignore this pipeline, hoping it will go away, it won't. She said the pipeline will simply go into remission for in the pipeline world "in remission" is being buried in West Texas, not to be seen, covered up but yet it is still there waiting to rear its ugly head in one form or another. She said we need to keep in mind that this fight we fight today isn't just a fight for today. She said it is about the fight for tomorrow. She said this is not just about us, but about those who come after us. She said it is about keeping this portion of Texas free from corporate greed. She said this fight will take courage. She said real courage is seeing it through no matter what. She said we need to see this through no matter what. She said she says, no pipeline, no cancer. Rachel Robinson said she was a resident of Alpine, Texas. She said she would like to speak about the integrity of the pipeline company. She said they have a permit for this pipeline as a gas utility. She said at this point in time, they are not a gas utility. She said they are expecting everyone to help them out. She said if the City of Alpine gets gas through this pipeline, they will legitimize what the pipeline company is doing. She said we already have a good system of gas. She said we do not have any problems with it and it may be a few cents cheaper if we bargain on the open market for gas, but if we stay like we are and don't take gas then you can help the people in Alpine by not allowing the pipeline company to use eminent domain because if they get by with their 1/100th or 1/1000th of their gas going to Alpine, to the City of Alpine, then all the residents of Sunny Glen and all the ranchers going up Musquiz Creek will all be under the threat of eminent domain. She said if you do not buy your gas from them and let them provide Alpine with gas, then you free us from that eminent domain

because then we will have the right to say no. Mayor Rangra said for the information of the attendees, to his knowledge, the city does not have any plans to get gas from this outfit. He said to his knowledge they have not contacted a single community along the way. Barry Zavah said he opposed the pipeline. He said it was good to see so many of the community here. He said many do not agree on anything else but those of us here are basically in opposition to the pipeline. He said what is the value of the pipeline. He said what is the value of a clean environment and our national parks. He said first some of the monies that may come to some of the local governments and counties by virtue of the pipeline coming through. He said could it possibly compensate that for the police costs, the public safety costs, public health costs, and can we truly trust the company these days who say everything is fine. He said they will tell you that this is modern technology and there is not anything that could possibly go wrong. He said the foreseen and unforeseen risks of trusting these folks, when the bottom line is not public service, but the almighty dollar. He said who do you trust. He said at the previous meeting where there were company representatives, left, according to reports in the paper, and they failed to address the legitimate concerns that people had. He said if they could not send a representative to answer legitimate questions in a responsible way, do you think the engineer and the wells a few inches below the ground and we promise you this and we promise you that are going to hold any water. He said what does common sense tell us throughout the industrial age. he said then there is a question as to whether or not the federal government is involved. He said this is all within Texas. He said this is going to a national boundary between the US and Mexico. He asked if there was anything beyond the reach of the interstate commerce clause. He said he would like to know the dollar amount of contributions that the people with the major investment in the pipeline company. He said those that have the most to give...what does common sense and experience tell you. He asked if the Railroad Commission was really operating in the public interest. Audrey Painter said she brought a map and asked if it was the same map the Council had earlier. The Mayor said no. She said that is the map that she was shown about one week ago. She said she has lived in Alpine for 50 years. She said for 30 years she lived in the City and for the last 20 years she has lived out in Sunny Glen on the border line, close to the city limits. She said on this map it shows the pipeline going right through her property. She said she loves Alpine and the Big Bend. She said she has lived here most of her life. She said she knows that this is about money and we are all interested in having some money, but she feels so emotional about this. She said it is not about money to her. She said she is not interested in the money that she might make. She said she has no idea how much that might be. She said they have never contacted her, even though their own map shows that they propose to put this through her property. She said she has never had any contact with a pipeline person. She said to her this is a heartfelt, sad, thing. She said it is not going to be pretty. She

said they will say that they will reseed the ground and it will look just like it did. She said in the meantime, it won't. She said she will not like knowing that is in the ground, and that is what she is giving to her kids someday. She said please do not let them do this. Mark Glover said he was a resident of Brewster County. He said he was not here to complain about the time slot they were given today but most people are at work. He said it looks like a pretty good turnout. He said he was not here to protest the sale of 100,000 gallons of Alpine city water that the city is selling to Pumpco every day seven days a week although he is gravely concerned. He said he is not here to decode the rumors that negotiations are already underway between the City and ETP for a pipeline easement at the airport. Mayor Rangra said let me interject that the City has not been approached and if there are rumors that the city has been involved in any shape or form he can assure the audience that is not so. He said any rumor that the city has something over the table or under the table is wrong. Mark Glover said they are rumors, they are certainly rumors. He said he is not here today to say that he does not want clean energy for Mexico because he does. He said methane gas is not clean. He said anything fracked is not clean. He said 27% of the gas that is transported in pipelines leaks. He said methane gas is 86 times more powerful than CO2. He said 2014 was the hottest year on record for the earth and we are literally cooking ourselves to death. He said he is not here to reiterate that Alpine is the gateway to the Big Bend although it is true. He said with a pipeline here we may soon be considered the tail end of the Permian Basin oil patch. He said he is not here today to remind you that this is the last region in Texas that has not been encumbered by the oil and gas industry. He said why must we allow special interests to dictate when and where they will pollute our air, suck away our water, take our land and destroy our earth. He said he is not here to talk about jobs but he wonders how many here will get a job with this pipeline, temporary, part time, security guard at minimum wage. He said why do we have to accept jobs that are hurting the air, land and other people. He said if he had the grants that the oil and gas industry had, he would make more high paying jobs. He said he is not here to question the ad valorem tax that is suggested by ETP that may not even come close to the true cost of providing city and county services though he hopes somebody does. He said he is here today to ask common sense. He said he is here today to ask the Council to pass a resolution before our rights to exercise common sense at the local level is taken away by the stroke of a governors pen. He said he is asking today for the Council to stand up against the injustice of a private corporation who is taking our land for private gain rather than public good. He said he is asking the Council to stand up for the law of our nation which gives all of us the right to clean air, clean water and clean soil. He said they are here today to ask the City Council to vote for a city wide Resolution banning oil and gas exploration including pipelines and compression stations. Oscar Cobos said he really takes pleasure in the power of protest. He said he visited with Val Beard yesterday and she

mentioned also that it is a confirmation that the gas line stops 12 miles far away from Presidio and going through here, through this area, is not going to happen. He said this gas line of 143 miles stretch, anybody in the oil and gas industry would know that there is compression stations involved. He said right now in the oilfield there are cutbacks, layoffs and there are people who are working past the hours that they should be working with only a few hours of sleep. He said we have a deteriorating infrastructure in this community. He said we have areas of concern all over the community, all the way to the airport and this is no time for something like this to come into our area. He said each and every one of us know today that there is going to be a dividing line and as leaders in this community he is asking today that the Council stand for their community. He said if someone here is in favor of this gas line, if you are in favor of special interests, there is no room for you in this community. He said Mark pointed out all the risks and areas of concern that we have in this community. He said the community should keep the protest going and they are looking forward to shutting the door to special interests and also asking the City to keep an eye on the Home Rule Legislation because that in itself will make it harder to pass a Resolution. He said today he is saying rise up for your land and your resources and we need leaders that are here for our community and not for special interests. Monica McBride said she grew up in Crane, Texas and that is oil and gas country. She said she loves oil and gas but she does not want it here. She said Mayor Rangra has a map that shows there is a different route. She said she hopes that is their intention, however her father-in-law owns land next to Audrey Painter and this company went on to his land illegally and surveyed his property behind a locked gate. She said it has happened other places too. She said Sarah Neely said the water would be affected at Sunny Glen. She said the water will be affected in the city. She said the water from Sunny Glen feeds the city of Alpine. She said concerning eminent domain, the government can seize your property if it is for the public good. She said this gas line has one outlet near Presidio. She said they can claim eminent domain because they have that outlet there and that is going to benefit citizens of the United States. She said you have to resist. They may use that. She said she knows they have no plans for it, but they may use that. She said this is hearsay, but the gas will not be saved in Mexico. She said the plans that she has heard are not to keep the gas in Mexico. She said the gas is going to be shipped out. She said this is going to benefit not the public good but a gas company in the United States and it is going to benefit a gas company in Mexico only. She said she thinks the thing we need to do is keep resisting. She said they are going to build a pipeline, it is going to go there. She said this is a big and powerful company but we can change the route. She said everyone needs to keep writing and calling and we can make a difference. Julian Mach said he has lived here all of his life. He said he really appreciates that the Council is listening to all of their concerns. He said he is sure the City has concerns of its own. He said he just wanted to list the concerns that he had. He said

there family home is not in the path of the pipeline but is close enough for him to be concerned. He said after ETP's presentation many citizens came away without their questions being answered. He talked about whether the pipeline would be bidirectional. He said the other question that was never answered was about the compression stations. He said initially they said there would be no compression stations at first but it is probable that there will be and we do not know where they are and they are huge and noisy. He said TPP has promised to award Brewster County ad valorem taxes in the amount of 1 million dollars per year. He asked if that would balance with all of the negative impacts that the construction and pipeline will have, such as the wear and tear on the roads, first responders, police department, sheriff's department and emergencies and all of those things. He said a million dollars a year may seem like a lot but maybe it is not. He said the potential for another concern is reduced property value, if it is anywhere near the pipeline. He said that would also mean reduced taxes. He said also another concern is loss of revenue for tourism, not just while the construction is going on but in the long term if there are compression stations and other infrastructure. He said a major concern would be the catastrophic loss of life if due to an explosion which is also a possibility. He said we had an earthquake in 1995 which was the second biggest earthquake in Texas. He said he does not know what that does to a pipeline but it seems like that would be a concern. He said his ultimate concern is that this is a foot in the door for other oil and gas companies. He said if this is a bidirectional pipeline does that mean that there will be more exploration in this area. Alice Santaro showed a cape that had a picture of the actual size of the pipeline on it. She said it is really big. She said she lives in Alpine. She thanked the Council for calling this meeting and thanked Councilor Bermudez for recognizing the urgency of matters concerning the trans-pecos pipeline to the citizens of Alpine. She said Mayor Rangra had made a statement that he thought that natural gas was clean and that he was in favor of it. She said she realized that he was a chemistry professor and she said she was a former scientist herself. She said she was a marine biologist. She said she felt compelled to inform the citizens about the cleanliness of natural gas. She said when people say it is a clean burning fuel, that may be true in comparison with other fossil fuels such as coal. She said natural gas emits 50 to 60 percent less carbon dioxide in a power plant but this leaves out the process of production and transportation entirely. She talked about fugitive emission where methane gas is released into the atmosphere. She said compression stations are required every 30 miles along the route of a pipeline such as the one being proposed. She said people living close to compression stations report strong odors and difficulty in breathing, nose bleeds and skin rashes and headaches. She said when they asked EPP about compression stations they said none were currently planned but they might be installed later. She said it is hard to believe that no compression stations will be required. She said pipelines do on occasion explode. She said so far in 2015 there have

been 10 pipeline related explosions across the United States. She said one was a pipeline less than a year old. She said in considering this pipeline she hopes they are looking at more than the benefits promised by a hand shake. She said this pipeline comes with many high risks and factors for Alpine. Grady Lee said he does live in Alpine and the city and county need to do whatever is necessary to stop the process for the pipeline that has been forced on the community starting with the pipeyard. He said Enough! Beth Doolittle said she is a resident of Presidio County. She said she wanted to clarify a couple of things. She asked if Trans Pecos was present and the Mayor said he did not believe anyone was present from Trans Pecos. She said apparently they are too busy to come to this meeting. She asked about the documentation that the Council had which said that the pipeline was not coming into Brewster County. Mayor Rangra said this was a communication that he received from the powers that be. He said what he saw in the newspaper was quite different. He said what he received shows that the pipeline was not going to be going through Brewster County. She said if they are not coming through Brewster County, why are we having this meeting. Mayor Rangra said the reason we are having the meeting is at the request of Councilmember Bermudez and we are concerned about the contradiction in the maps. She said she did not believe you could have that many people at a construction site without something eventually going wrong. Bernie Zelazny said he would like to say that he agreed with everything he heard almost completely except that this is not a done deal. He asked if anyone there supports the pipeline. No one answered. He said they are requesting a 75 foot easement to put the pipeline in. He said he is concerned about the dust from the pipe yard. He said he has seen other issues in the area and we have stood firm and made it clear that we do not want this kind of invasion in our area. He said we want to keep our air clean. He said we have just begun to fight. Roger Sigland, a resident of Brewster County said he was 79 years old with 3 grandchildren. He said we are destroying our natural resources. He said he does not like to see us participate in the destruction of natural resources by letting this pipeline come through here or anywhere else. He said we do not need to participate in the robbing of our children's birth right with this pipeline. Imogene Chamberlain walked around the room crouched over and said she was walking through a 42 inch pipeline. She also said she lived in Sunny Glen. She said she does not want a pipeline through here. Suzanne Bailey said she lived in close proximity to the pipeyard. She said the area is dusty all of the time. She said they appear to be constructing a very large dirt tank that she has been told will hold their water. She said she is concerned about the city of Alpine selling the water to the pipeline company. She said she would like someone to confirm or deny that information. She said she does know that they do have a well on that property. She said she is afraid that by using the well they will deplete the aquifer. She said she does not support the pipeline. Jeff Bennett said he lived outside the city limits in Los Ranchos. He said he is a professional geologist. He said he serves on the

Far West Texas Planning Group and is concerned about water. He said he understands construction and that it is often ugly but necessary. He said he thinks this project is covered with red flags. He said this project requires several federal permits. He said one of them is a Presidential permit. He said we do not know where this pipeline is really going. He said they claim that they are a public utility but the project is obviously a transmission line. He said there is no indication that Federal permitting is on the way. He said construction started prior to permitting. He said this is not only not a normal procedure but he suspects it may give them grief in the future. He said this would permanently alter an 143 mile stretch of the Big Bend. He said it can never be put back the way it was. He said they need to change the route so it can be a win/win situation for everyone. He said unfortunately we know that TPP is blowing smoke. He said Pipelines are forever. Joseph Goldman said he is a citizen of Alpine. He talked about rumors. He said the goal of the pipeline is to transport gas through a 42 inch pipeline. He said he calculated how fast the gas would have to go through the pipeline of that size. He said he asked TPP if they had done the calculation. He said he met the engineer in charge. He said the Engineer is John Villhertz. He said he thinks it is important to get real evidence. He said they are creating confusion. He said he understands that the pipeline has not asked to go within the etj of alpine. Anita DeVries said there is another big issue. She said we are only two steps away from having our local government power taken away from us in regards to anything dealing with oil and gas. She said the Senate has passed that local city councils and Commissioners cannot do anything that is out of step with state regulations concerning oil and gas. She said everyone needs to call up their legislators and tell them that they are against this bill being passed in the House of Representatives and being signed by the Governor because if you do not, the authority of our local government is going to be gone. Amy Ellis said she was a ten year resident of Sunny Glen. She said when they start trenching that area Alpine is going to be a giant dust bowl. She asked city and county officials to please come together and create a special council to address this situation. She said this issue will affect our quality of life and we will lose hotel/motel tax. She said we have a small EMS system and a volunteer fire department. She wanted to know how our fire department going to be able to help in this situation. She said citizens may be moving if their quality of life is impacted. Mattie McKay with the Big Bend Alliance said if the citizens were interested in this topic they meet every Tuesday night at the library at 6 PM. She asked about the issue of the water. The City Manager said we do not have a direct water line to their facility. He said they have purchased some water through their trucks and transported it out that way. She asked if that information could be made public. Liz Sibley said she chooses to live in Alpine because it is a beautiful community. She said there are alternative routes to Mexico. She said this route through us is the fastest route. She said it is not in our best interest. She said it is in their best interest. Mr. Nelson said his wife had spoken

earlier. He said there are some big ranches that the pipeline will cross. He said they might make several hundred thousand dollars from that. He said the ranchers he knows and respects do not want the pipeline crossing their property. Mayor Rangra said he wished we had some people from TPP here tonight and thanked everyone for coming.

9. 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)

10. Council Member Comments –

11. Executive Session –

12. Action After Executive Session –

13. Adjournment – Meeting was adjourned by Mayor Rangra at 5:30 PM.

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 9:30 A.M. on May 1st, 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 9:30 P.M. on May 1st, 2015, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Margaret "Molly" Taylor, City Secretary