

**City of Alpine  
Regular City Council Meeting  
May 20th, 2014  
6:00 P.M.  
Minutes**

**1. Call to Order, Invocation and Pledge of allegiance to the flag – Mayor Rangra**

called the meeting to order. Invocation was given by Councilor Bermudez who asked that the audience bow their heads, we will have a moment of silence, and each person will pray in their own way. Mayor Rangra led the Pledge of allegiance to the national and state flags. \_

**2. Determination of a quorum and proof of notice of the meeting – Mayor Rangra, Councilors Bermudez, Salas, Fitzgerald, Gonzales and Castelli were present. Meeting notice was posted at 5:00 P.M. on May 16, 2014.**

**3. Presentations, recognitions and proclamations –**

**A. Present Certificates of Election to newly elected Council Members and Mayor. (A. Rangra, Mayor) – Certificates of Election were presented to Mayor Rangra, Councilor Salas and Councilor Gonzales.**

**4. Reports –**

**City Mayor's Report** - Mayor Rangra said he thought it would rain earlier but then it dried out. He said maybe we might want to pray a little harder for rain.

**City Attorney Report** – Barbara Quirk was present to represent the McKamie firm remotely. She said they had been working on public information act requests which seem to be increasing recently. She said they have also been monitoring litigation which has recently been threatened against the city and they have been supporting the city staff in other issues and legal questions.

**City Manager Report** – The City Manager said just for clarification for the citizens. Barbara Quirk is on Mick McKamie's staff and Mick has jury duty this week so he was unable to attend. He said recently all the work that we have doing with the City Attorney, Barbara has been supporting us. He said it is helpful to have her here this evening in Mick's absence. He said he wanted to start off today talking a little bit about the TxDot project. He said a couple of weeks ago we saw them milling up the cut out areas for

parking along Avenue E and for the last two weeks we kind of felt like progress has stopped. He said he talked with Chris Weber this morning and he said a couple of the issues that they have been working through are 1) their plant that they have set up to basically manufacture the asphalt here, they have had electrical issues that they have now resolved. He said they are also using 17% of the materials that will go down from the asphalt will be reuse of material that they are milling up. He said that is the main reason they milled up those cut out sections was to use that for their initial trial batch. He said they did pre-pave today out where their plant is set up on the road to the wastewater treatment plant. He said they are running a test batch and sending that to El Paso tonight. He said if they get the go ahead tomorrow, they will then start milling up Avenue E or a portion of it on Thursday. He said if they have to run another test batch it could be pushed out a couple of days. He said he felt like it was important to give an update even though TxDot does not work for the city, obviously their project is going to be disruptive to our traffic flow from a city perspective. He said we are making significant progress on Brown Street. He said we got the first layer down this last week and he just wanted to show a couple of pictures of our team in action. He said we are putting down that first layer of rock and then we will do the seal coat. He said everything on this road has actually progressed nicely for us. He said we have not had any significant hiccups. He said there was only one traffic issue over the weekend where we had an individual who thought it would be fun to "peel out" on the new road and just so the citizens know and our council knows, that is very destructive. He said we do have to go back and fix that. He said if we can ascertain who does it, last year we had an individual who ended up paying a \$750 dollar fine, by the time they paid for the traffic fine and the repair itself. He said so we do ask people to be cognizant of what we are doing and be respectful of the teams that are out there. He said the next project, once we are done with Brown Street, we are going to move over here to Sul Ross, from 13<sup>th</sup> up to Tom's Triangle. He said that is probably the second most area in town that he gets complaints on. He said we will also do the road right in front of the gas company there because Apple is really torn up. He said after that project, we are going to move over to 14<sup>th</sup> Street from Del Rio North, to the North end of town. He said it is a heavy traffic street. He said it is really torn up and one that is on our list. He said that is just to give the people a status of what we are doing. He said he thinks we have done a nice job on a day to day basis trying to communicate with Ray. He said we appreciate Ray getting our information out on the radio. He said sometimes it is very helpful for people to hear his reports and where we are moving. He said it gives them kind of that daily reminder.

He said onward to Kokernot Pool. We are scheduled to open this weekend. He said this is something we thought was important, to get open by Memorial Day weekend. He said we are going to be open seven days a week, from eleven to 6. He said we are expanding the hours a little bit and opening all seven days instead of 6 days. He said we feel like that is critical, especially for the youth in our community. He said Kay Whitley is going to provide the

evening water aerobic classes during the weekdays, Monday through Thursday, 6 to 7 P.M. He said it is not play time for the kids but she had upwards of 30 people from the community there on a daily basis last year. He said we think that is an important program. He said Wayne Schroeder is going to be offering swim lessons during three separate weeks over the summer and we are very excited about that. He said we are increasing the concessions to include food products. He said we are also, in talking to Megan this afternoon, moving forward with a little armband process, where when someone comes in and they pay, they get an armband. He said with being open seven hours we feel like there may be some kids from some families who might come from eleven to one, go and do some activities and want to come back. He said we want to offer them that opportunity to use the pool for the entire day for the admission fee that they paid. He said we are going to try it this year and see how it goes by really trying to attract and keep people coming out to the pool.

He said the day after our last council meeting, TxDot Aviation was in town, reviewing items of concern, primarily our taxiway and our parking area. He said we are queuing up that project. He said TxDot Aviation tends to work on about a two year cycle from engineering to actual implementation. He said he will get more of a solid estimate from them over the next couple of weeks on what the absolute project cost is. He said he has asked them to look on not just the element of fixing the cracks and expanding but also look at retrofitting two LED lights for our runway. He said several years ago there was a proposal on expanding or building a new terminal. He said what he has asked them to do is structure that feedback to us so that we can almost build that modularly and say as a city here is what we want to do long term with the Airport and how do we accumulate funds to get to that point. He said in the Interim, once we are done with Highway 118's piece of TxDot's local project, we are going to work with Chris Weber, Hector and Eddie on our Street's team and look at some interim solutions for a couple of these cracks on the runway. He said he is pretty excited about that.

He said concerning the gas company, we have completed our leak survey over the past month and found seven minor grade "c" leaks in Alpine and 0 in Fort Davis. He said we have a three year time frame to complete. He said we have remediated three of the seven with a goal of completing all seven by the end of this year which would be well within the three year time frame. He said we are also monitoring four other elements in the infrastructure that Randy and his team have a little bit of concern on. He said in the last couple of council meetings we have had some discussion on spotting on private residences. He said working back with Texas 811, TML Risk Pool and the Railroad Commission on their recommendation of spotting utilities past the service meter. He said we should have that at the next council meeting. He said for the water and sewer update, right now we are currently averaging about 1.2 million gallons of water use a day. He said we know that will continue to climb through the summer and we are averaging just short of half a million gallons going out to the wastewater treatment plant daily. He said

not only are we returning affluent water to Kokernot Park tank, we are working on automating that so that currently we have a human that has to turn on and off the switch and once we get the automation with the flow from the tank, we will be able to continuously supply while it is being used. He said beyond the golf course we will get the affluent water on the soccer fields, baseball fields and really start utilizing more of that here in the city. He said we are also looking at placing a portable hydrant in that general area which will allow us to get water, so when TxDot is watering down the roads to keep the dust down and when our local teams are watering down the roads to keep the dust down, we should be using that affluent water instead of the potable water. He said we are aggressively working to provide a solution to do that, to cut down on our potable water usage.

He said on the Code Enforcement Side, 62 code violations were identified, 8 investigations initiated and it continues to be fairly steady in our building, plumbing and electrical permits. He said we had a Planning and Zoning Commission meeting this past week. He said one of the elements that we are going to ask at our next Planning and Zoning Meeting is to start really looking at our ordinances as they relates to commercial vehicles parked at residences. He said it is one that comes into his office with some level of regularity. He said when you look at ordinances, it is an opportunity to really dissect our language. He said we obviously have a lot of entrepreneurial people who reside in Alpine. He said a lot of folks who may work for a corporation but are the one or two who are the extension in this area, so we need to think about the class of vehicle, the size of vehicle and the markings on the vehicle and what makes sense for Alpine. He said the idea around that is to have our Planning and Zoning Commission review it and make a recommendation to council. He said we continue to work on a Historic Preservation District and of course we want to continue to encourage our residents and volunteers to attend the P & Z meetings. He said the P & Z commission in his opinion is very critical to the livelihood of Alpine and he wants to continue to see people involved and engaged.

He said concerning the tourism side, we continue to turn it upwards. He said we saw that in our revenue spike in hotel motel tax this last month. He said we are building an email data base. He said right now we have over 525 email addresses so as we decide to do some blasts out there about things that are going on in Alpine, those email blasts are very cheap for us to produce, versus high dollar advertising. He said there is also a cyclical nature to travelers. He said right now West Texas is very sexy and we continue to see our community and our region have an upside in tourism. He said we are also working on some co-branding techniques so that we are advertising multiple events with the notion that we want folks to have so much going on that when they come out here they do not get everything accomplished and they want to come back. He said that is kind of our mantra right now with our tourism team. He said also reviewing the process for our applications and recommendations for our next fiscal year.

He said concerning our finance department, we have just about got in all of

our recommendations from our department heads on the five year capital plan. He said Megan and he will be putting that together to work through Section 5.08 and 5.09 of the City Charter to make sure it is not only visible to council but also visible to the community. He said we continue to work on our Capital Asset inventory, inputting that into the system. He said our RFP on electricity procurement is posted and we are getting responses before the end of this month and gearing for updates predicated on the administrative and franchise fee budget updated ordinance. He said we will have the first reading of that ordinance this evening. He said he continues to welcome questions to himself and the finance director. He said he has had some very healthy conversations with a couple of residents from the community over the past couple of weeks and he is really pleased with that.

Councilor Bermudez asked what the entry fee was for the pool. The City Manager said \$1.00 for youth and \$2.00 for adults. Councilor Bermudez asked if the City would be offering the season pass cards that they did last year. The City Manager said we would be offering that and you can buy an annual pass. He said it is \$30 for an individual and \$50 for a family. He said we also have eight reservations for pool parties and we will rent out in the evenings for pool parties. He said that is \$30 dollars an hour and that basically covers the cost of lifeguards that are necessary for that. He said we have really not done any rate changes. He said we have tried to hold the line and it is a really great asset for the community. Councilor Gonzales asked if we were getting any results back on the hangars at the airport rate increase. The City Manager said we did get a nice check from one individual, catching up on their lease payments that was not administrated properly. He said we have had two people write letters about feeling that their lease increase was not correct. He said he responded to both of them. He said some folks get hung up on wanting to use the word retroactive which is something as a city that we have not done. He said what we are looking at is increasing to the amount predicated in the lease that they signed. He said we are reemphasizing that with both individuals. He said by and large he has not had people calling to have a sit down meeting with him. Mayor Rangra asked how many hangars we had at the Airport. The City Manager said thirty eight lots leased out. He said they do not all have constructed hangars yet. He said we have two or three that we are working through to get the hangars built.

#### City Staff Updates – None

#### 5. Citizens Comments (on agenda items) –

Manfred Fritsche said he wanted to address item 8B concerning the budget variance review by the City Manager and item 10 concerning the Marfa Film Festival. He said in regards to 8B, he would like to say that it is has been exactly four months that the City Manager has come before council and the public and advised us all that about a half a million dollars had vanished for the sewer plant/belt press project and the railroad quiet zone. He said he was

wondering if as part of this review, he might give an update as to where it stands and if any progress has been made in identifying where the money actually went. He said with reference to item 10, \$4,000 in funding for the Marfa Film Festival, he feels like the City government of Marfa has treated us badly at the time when our gas company split up. He said he thinks they took advantage of us and they ripped us off and we ought to not be giving them \$4,000.

**6. Public Hearings – None**

**7. Consent Agenda - (Minutes, Financial reports, Department written reports, Board appointments, etc.) -**

**A. Approve Accounts Payable (E. Zimmer, CM) – This item was moved down to Action items with the consent of the council.**

**8. Information or Discussion items –**

**A. Review of calculations on property tax rates/allocations – Matt White to present information. (A. Rangra, Mayor) – Mayor Rangra said he put this item on the agenda. He said he thinks most of you have or all of you have received greetings from the tax office. He said quite a few people called and wanted to know why their property values were up anywhere from 10 to 50 percent. He said he thought the best person who could answer the question is Matt White. Matt said basically what happened this year is that the Texas law requires that the Appraisal District value property at 100% of its market value. He said in order to stay in compliance with the law, he had to raise values based on sales and costs predictions. He said all those went out. He said on that notice it does list your estimated tax and that is estimated on last year's rate. He said it is up to the taxing entities to adjust their tax rates with the new values. He said they are always ready and open to see taxpayers come in and talk to them. He said that is just one of the things that we have to deal with is property taxes in Texas. Councilor Fitzgerald said one of his constituents is not happy and he wanted to know what the process was to dispute these amounts. He asked how we went about doing that. Matt said the first thing was to come to the office and talk to them so that they could work out if there are specific problems with the property. He said if not a protest form can be filed with the appraisal review board. He said they are a group of citizens that make up an equalization board that hears the case and decides which way it should go. He said or maybe we should meet somewhere in the middle. He said they are there as arbiters to determine who is right in terms of values. He said it can seem intimidating. He said it is very informal and you just go in there and talk it out. Councilor Fitzgerald said his social security check was cut in half this year and his appraisal went up 16%. He said he would be one of the**

people coming to see them. Matt said the appraised value is only one part of the taxes. He said every year every entity has to post what their effective tax rate is which is the tax rate where they would get the same amount of revenue that they got last year based on an increased value. He said it is up to the entities and the citizens of the entities to discuss their feelings with that tax rate. Councilor Gonzales said he would like to talk about the exemptions and the homestead. Matt said if you are a homeowner and live in your house, Texas grants you a homestead exemption. He said there is a different amount for each entity. He said the city does not currently offer a homestead exemption. He said they offer an over 65 exemption. He said what that does is depending on the amount from the entity, it takes a portion of the appraised value off of the property. He said if you have a \$100,000 house you are only taxed \$85,000 rather than the whole \$100,000 but they are only for people who live in their home and claim it as their homestead. Councilor Gonzales said if you qualify for both you get a bigger exemption. Matt said yes. He said over 65 exemption as an additional amount and he believes that the city offers \$15,000 off per home over 65. Councilor Gonzales said at this time he wants to be called old. Mayor Rangra asked how they decided what the market value is. Matt said they collect sale data and send out letters to every property that has had a transaction where it is bought or sold property and they send out survey forms to all the buyers. He said they get about 15 to 20% of the surveys returned. He said they use that property and that classification to determine and adjust that class of property. He said if they have three sales in a neighborhood that go up 10 to 15%, they adjust that entire section. Mayor Rangra asked how many homes had to be sold to determine what the value was. Matt said there is no set number. Mayor Rangra asked if the state had any input in this. Matt said not directly other than it is the law. Matt said the state will test our values for the school districts and if our values are too low the school district loses its funding. He said we always try to be right within that percentage range that we need to be in, within 5%. Councilor Fitzgerald asked if the current market analysis was based on 15% return. Matt said yes. Mayor Rangra said based on Matt's experience he values a home at \$100,000. He asked how the state would decide if it is under value or over value. Matt said they would look at the same sales that he looks at and they will also send an appraiser out from the area to view the property and they will run an appraisal on it. Matt said we also have to use, if there is a lack of sales, the national cost estimator and it basically tells you how much it costs to build a house depending on the type and quality of construction. Mayor Rangra said a family has inherited property from the grandparents and it was built many years ago. Matt said they would look at what it would cost to build right now. Mayor Rangra said that is kind of strange. Matt said that is how the law was written. Mayor Rangra said he knew. He said at the last Lion's Club meeting they discussed property values. He asked that Matt explain why

the farms and ranches are valued so low. Matt said the rural taxable land and improvement value on ranches. He said they are for taxing purposes, open space ag land that is called special valuation land and it has its value at a different rate than market value. Mayor Rangra said so the people of Alpine are paying most of the taxes. Matt said it depends on how you look at it. He said there are ranches that write checks for \$200,000 in taxes and there is a difference. Matt said there is a lot of land and there is not a lot of A) sales on it. He said a lot of those families have owned those ranches for a long time and B) the Texas Legislature has allowed that these are open space, special valuation lands. Mayor Rangra said so nothing has been sold and it is vacant. He asked how that would be valued. Matt said by cost. Mayor Rangra said just cost and not what it would cost to build it. Matt said minus the depreciation. Councilor Gonzales asked if the farmers and ranchers also had an exemption, like if they have a certain number of cattle, they do not have to pay taxes. Matt said if they are exempt, the equipment that they use for ranching is not exempt under the special valuation for that land. Matt said it is not that you get x amount of dollars off of the value, it is the valuation based on the productivity of the land and how it is populated, by a five year average of the land population and that is what it is. Councilor Gonzales asked if Matt personally did valuations of property. Matt said occasionally, not so much. He said he does the mass appraisal. Councilor Gonzales said Matt does not do individuals, he does the whole thing. Matt said that was right. Councilor Gonzales said if there was an area, and he is making this up, and there were ten blocks. He said you have only sold one house there and you are going to base the value of the ten blocks on that one house that sold? Matt said potentially. He said how else could we value it. Councilor Gonzales said you could use the numbers that they used the year before to determine the tax that they are paying. Councilor Gonzales said to compare a house that is 30 years old and one that just got built and sold for x number of dollars. Matt said there is depreciation to figure into it. Matt said there is depreciation that we really need to look into. Councilor Gonzales said all he sees are the numbers. He said he does not see a depreciation at all. He said he sees an increase in the value of the house. Matt said the market value is increasing faster than the depreciation. Mayor Rangra said this item is for the public to know and if you have questions, feel free to ask them. He said when they use the amount of how much it will cost to build a house, if that took into consideration locally. Matt said we use the national estimator without the use of a modifier. He said it costs more to build out here. Joseph Goldman said our taxes never went down. Mayor Rangra said taxes were going to go down in the near future. He asked is there was an set of consistencies that can be checked as to how you evaluate and appraise. Matt said it can be checked. Joseph asked if it was available and Matt said yes. It was discussed that the State of Texas Comptroller's Office has what is called a property value sum. He said

they come out every other year to basically break your appraisal district. He said they will go out and pick random properties. He said again, if the appraisal district values are too low the state will take away the state aid.

**B. Update on Account Conversions along with Income Statement Review, Budget Variance Review and current checking account balances. (E. Zimmer, CM)** – The City Manager said included this week from a finance Department perspective, the first page in the booklet, talks about the transitions and some of the critical items that Megan and her team are working on right now. He said we created the new funds, fund 11 and fund 12, fund 10, as well as our interest and sinking fund, fund 75 and our health insurance fund 2. He said these are critical elements that the council is looking for and we needed to do from a governmental perspective, separating out these entities. He said as you get into the details on some of the budget variance sheets, you will start seeing some of the transitions, especially with next month's data. He said the next page, the finance department plan of action, he just kind of wanted to go back in time and make sure that we were grounded still on the plan that we had presented to council back at the April 1<sup>st</sup> meeting as far as some of the steps that we were going through. He said he knows that there is a lot of detail related to this. He said what he would share at a high level is when they did the software transition in June and July timeframe of last year, and some of the accounts were billed, there were some mistakes made and we have had to go back through and back out a couple of those mistakes. He said we had to ensure that moving forward we are identifying our liabilities accurately. He said Megan can speak to some of the detail on that. He said he is very confident that we continue to get these items lined out. He said especially when we think about how we identify money for some of these programs like the PD Fed Fund and the abandoned vehicle fund, our interest and sinking fund account that we should be utilizing to pay down our debt payments. He said when we bring money in from a tax perspective, a portion of that goes to M & O and a portion of that goes to INS. He said and by getting fund 75 set up and set up properly that allows us to direct money appropriately so that when our debt obligations come up, we write them out of that interest and sinking fund instead of out of the government or general fund. He said the technology fund for municipal court needed to be separated out so we have effectively done that. He said we feel very confident that we are making good progress. He said when you look at our income statements through the April timeframe, which is 58.3 percent of the year, October 1<sup>st</sup> through April 30<sup>th</sup>, on the General Fund side, fund one, our total revenue is a little over 2.3 million and our expenses are 1.9 million. He said we are showing basically positive net income of \$396,000. He said water, sewer and sanitation revenue is a little over 2 million and expenses are a little over 1.8 million so our net income is \$255,000. He said concerning the Airport, the total revenue to date is \$348,000 and the

expenses are \$303,000 so a net income of a little over \$45,000. He said in our gas department our total revenue is almost 1.7 million and the expenses are about \$960,000. He said our net income on the gas side is \$719,000. He said we will see over the last five months of the year, a flip in the performance of the gas vs. our water companies. He said obviously last month in our gas revenues we felt a big slow down in the revenues and we will see that pick up on the water side. He said these numbers that you looked at through April also don't reflect the 8% administrative fee or 5% franchise fee that we discussed last week. He said we would go through the first reading of the ordinance this week and the public hearing and second reading of the ordinance in two more weeks and then we will apply those providing everything passes. He said the total income for the city, net income year to date is 1.4 million. He said in hotel occupancy tax, we realized a lot of revenue at the end of the seventh month. He said we have a lot of entities that pay quarterly so through the second quarter they paid in month seven for us. He said on a cash flow perspective, we look at our cash position from our beginning of the fiscal year to where we are at right now. He said through early May we are at 1.15 million better in cash position. He said it is extremely important that we start building up the reserve funds to handle things like our health care and build up the reserves. He said we have to do work at the Airport and we have to do other capital projects and we are in a better position to do those. He said once again it really boils down to day to day and week to week management with our department heads insuring that we are calling out any expenses that come in that are abnormal and working through solutions on how we stay within budget and continue to build reserve accounts or reserves in those accounts. He said he thinks he can effectively say that the teams and department heads are on board and it is reflected in their performance through the first half of the year. He said it does not mean that we do not have risks out there and we have to continue to focus on really building up reserves so that if we have a major issue that hits the city we will be prepared to handle that. He said we are very pleased with that. He said the capital planning that we go through will then help us as a city start strategizing on what we really need to do to continue to help Alpine grow and thrive. He said until we get to that conclusion and the output from the capital planning process, he is going to continue to be very particular about our spending and continue to work to build up the reserves. He said that is our strategy. He said concerning the budget variance perspective, we provided the information in the packets and up to early April our public works department was much slower in spending because we were not really doing the road paving projects or parks were not needing to be mowed and watered every week. He said now that Hector's team is really kind of full force in their work, we have to manage it and make sure that he stays within his salary and overtime budget variance. He said that is one of those additional elements. Mayor Rangra said we are showing the gas

department with a net income of \$719,000 and as we go into the summer the people will be using less gas. The City Manager said that was correct. Mayor Rangra said on the expense side he sees a variation depending on how much gas you buy. He said it is around \$600,000 on the gas department. The City Manager said on the gas department we have spent \$959,000 through the first seven months of the year so that is roughly \$130,000 per month. Mayor Rangra asked if we had plenty of money to take care of payroll, maintenance and other costs in the summertime. The City Manager said yes. He said one of the other significant elements that he shared in the City Manager report was the idea around the leak survey that we completed, understanding where we had any issues from an infrastructure perspective. He said he felt like we exited that survey with pretty good feedback based on the audit. Mayor Rangra asked about health insurance and if we had enough money. The City Manager said our goal and the recommendation from RH Administrators was to build that fund to half a million. He said until we get to that level of having it in a reserve account he is going to tell the council that he is going to continue to redirect dollars into that. He said when we get into the 2014/2015 budget cycle, we will recommend a line item that takes money from each department through next year's budget cycle and directs it into that reserve account until we get healthy. He said Megan has talked to the city of Fort Stockton who utilizes the same plan. He said she felt like the comments to her were that three or four years ago they were in the same position as Alpine in the sense that they did not have a reserve account and it was much higher risk. He said but now they have been able to establish a reserve account appropriate for their employee base. He said we have to get into that space as a city. Mayor Rangra said next year we are going to look for some alternatives, right? The City Manager said we will look at alternatives. He said as you look at our City Charter, within the Charter itself it outlines that the city will provide health insurance to every full time employee. He said short of a charter change we have obligated ourselves as a city to do that. He said through that we have to look at the alternatives, what is the cost for a fully funded versus a partially self-funded program. He said ideally, if you have a generally healthy work force, a partially self-funded on a typical year is going to cost an entity less than a fully funded one. Mayor Rangra said we have four months left until the next budget. He asked if the City Manager was going to be able to give the council some information on that pretty soon. The City Manager said he almost has all the recommendations from the department heads on the 5 year capital plan and the expectation is that those are in and ready to have the first discussion with council in the June timeframe. He said we are cued up in June to start reviewing the expense budgets at the city staff level and department head level and then we will be prepared in July to discuss the expense budget and have our expense budget meetings with the council and the citizens. Councilor Fitzgerald said he felt it was interesting to note, there being a lot of

controversy about the issues that have occurred with the gas company, over the last year or two, a 42.85% net income came from the gas company which he thinks is rather significant. Manfred Fritsche said he brought this up initially when the City Manager made a startling announcement in January namely that approximately half a million dollars of funds vanished for the railroad quiet zone and the belt press project at the sewer plant. He said from his point of view, a half a million dollars is not chump change and it is a significant amount of money. He said the city charter section 5.11 has some very specific mandates included therein. He said namely if the money was spent for other legitimate purposes it had to have been approved as a line item for the budget. He said if that was not done, the payments made, if for other purposes, are void and illegal. He said moreover the city charter makes the mandate that any one on the city, elected or appointed officers who authorized such a payment are liable for it. He said he cannot understand why nothing has been propagated as to what happened to that half a million dollars. He said he has filed a couple of TPIA requests. He said he got a call from the City Attorney the other day asking him to clarify a point in his TPIA request, and he understands that annoys some people around here, but when the City Council does not answer any questions from the public at this meeting and when the city manager does not disclose anything, the citizens do not have subpoena power. He said he cannot go in and make anybody produce documents. He said he cannot compel the testimony of any citizen or any employee related to the document. He said there is only one way for us to go at it and that is the TPIA request. He said he is sorry that annoys the administration but that is the only way they get any answers. He said when he got a call from the City Attorney, she wanted some clarification on the TPIA request. He said she was unfamiliar with the city charter. He said she had not read it and did not know it and he pointed out to her that section 5.11 had some very specific language and he thinks Mr. Zimmer should be forthright on this. He said he appreciates very much what he has done in regard to tightly managing expenses but the citizens are entitled to an explanation as to what happened to the half million dollars because in due cause the city will come back and get another certificate of obligation and we will pay for it again.

**C. Discussion of current language and requirements of Historic Preservation District Ordinance – Ordinance 2011-01-01, to include opinion by City Attorney Mick McKamie. (E. Zimmer, CM) – The City Manager said based on the work that our Planning and Zoning Commission is doing and further conversation with Mick and Barbara over the last couple of days, this item is really better handled as he identified earlier in having our Planning and Zoning Commission make a robust recommendation to council on how they would like to proceed**

with this. He said he would like to defer until the Planning and Zoning Commission comes to this issue. He said they did preliminary work this past week and they will continue to work on it. Councilor Castelli asked if our existing ordinance was in effect. The City Manager said yes, we have to continue to honor that ordinance at this time.

**D. Review Charter and Ordinance on City Boards and Commissions. (E. Zimmer, CM) –** The City Manager said he thought it was important for information purposes so we raised this post election. He said it is really interesting when we look at the different advisory boards and commissions and committees that we have representing the city. He said one thing he had a little chuckle about is that we do not have real consistency in the term language between our ordinances. He said the Airport has an annual term and the Parks have a two year term. He said the Animal Advisory Board has a two year term. He said we do not have absolute consistency across the various boards and commissions. He said that is something that he will work with Molly and the City Attorney subsequent with if we want to make some ordinances or changes to see if we can get consistent on that. He said he thinks the spirit of it, as you read through some of the ordinances is when you have a new elected official come in like Councilor Salas and then Councilor Gonzales, they would look at the board positions or commissions representing their ward and then they would make a recommendation to the Mayor on an appointment and then the Mayor would make that nomination and then the five councilmembers would then come together and vote yes or no on that. He said with that being said, we do have a couple of the items out there or a couple of boards out there that current ordinance today specifies that there is a two year term and he believes that at our next meeting we really need to start thinking more about recommendations if you want the same person to stay on the board that is totally appropriate but we still need to follow the process of what the ordinance says and that is make it an actual nomination for that person to carry on or have somebody new to replace that position. He said he thinks that process is important because he tries to attend almost all of the commission and board meetings and different things in life happen to people that may or may not allow them to be an active participant on that board. He said from an Alpine perspective, we absolutely need active participation and so he thinks it gives each of the councilors that point in time to have a conversation with their nominees and ask the question if they want to be on the Parks Board or if they want to be on the Planning and Zoning Commission and if they understand the pertinent ordinances and what are they going to do to help satiate and help Alpine grow. He said from his perspective today, calling this out and saying this is important, we do need, more specifically, Councilor Gonzales and Councilor Salas to look at all of their nominations out there but as we relate to the Airport Board, which is appointed annually, all five of the

councilors will have to look at who is on that board currently and do they want to re-nominate that person or nominate somebody else. He said we really need to do this timely, within 60 days or so that we settle this. He said he wanted to bring this up as a topic today so that the council could start wrapping their heads around this and bring it up in open session. He said a lot of our attendees at the meetings are people who want to take a more active participation in other boards and get their hands more involved. Councilor Bermudez said if any of the public wants to take part in one of these boards, if they will call Molly or someone else and let us know that they are interested. The City Manager said they can call him too. He said if someone has questions about the ordinances that pertain to that board and want to sit down and have a deeper dialogue, he thinks it is healthy for them to talk to their councilor and talk to the city manager and maybe even talk to someone that is already on that board. Mayor Rangra said he thinks the council needs to take another look at the charter. He said sometime in June he will request that the council members submit their names to the Manager and anybody out there who wants to work on the Charter Review Committee. He said we need to have the report in sometime by the end of the year so that we can put that on the ballot for May, 2015. He said lets be thinking about a Charter Review Committee and the other boards.

**Action Items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. (Action items limited to 15 per meeting.)**

**7A. Approve Accounts Payable – Councilor Fitzgerald said the City telephone bill was in excess of \$10,000 last month. He said we need to see if there is some way to cut into that. he asked if the City Manager had looked into reducing that since that seems like an awful lot of money for one month for the city. The City Manager said it is kind of funny that we are dealing with technical issues this evening. He said it is a result of what we are working on with Big Bend Telephone. He said he would tell the council that Big Bend Telephone is continuing to implement fiber in the city to where our core city buildings are. He said they looked at Sul Ross and they have a couple of offsite extentions that they would like to get to and they would also like to have a couple of county buildings in this so they could make Ethernet band services available. He said through that we will get a more robust internet connection and then be able to aggressively look at pricing for our voice services. He said in migrating from the old TDM or tip and ring service to more of a VOIP (voice over internet protocol) service. He said it was not necessarily in the 180 day plan but obviously this is his background from a professional component and he has been really pleased. He said Big Bend Telephone feels like by mid -summer they should be done with their implementation of fiber. He said they have provided him a test set on VOIP service this past week and so**

working with them he is testing that unit. He said we are looking at some of the different features and the costing associated with that. He said one of the other items that we think about with telecom spend is our wireless spend. He said he and Megan were talking this past week and they are a little concerned that they probably spend a little bit more on the wireless side than we need to. He said we may have a line or two out there that is stranded and we need to dial that down. He said he thinks as a city we are going to have to make a decision to either continue on a full pay plan or move to a stipend program where we pay a monthly stipend to employees. He said that allows us from a budgetary perspective to be very clear and succinct and definitive on what that budget spend is going to be vs. we pay the full boat on it and if we have a maintenance need or a handset gets dropped and we have to replace it then that costs the city a little more. He said if you are paying a stipend your recommendation to the employee is go ahead and buy insurance because if you drop it you still have to have a handset for service. He said those are some of the ideas that we are working on that we will obviously present to council. He said they would like to be ready to present that for the 2014/2015 budget cycle. Councilor Fitzgerald said the City Manager is already working on that issue. Councilor Bermudez said when you get a new telephone, sometimes on the bills it says telephone and sometimes it says telephones. The City manager said the telephone line item has encapsulated both the AT&T (which is our land line) and the Verizon (which is our wireless). He said we are really looking at reducing both of those. He said land line and cell phone both. Councilor Bermudez asked if all employees had cell phones. The City Manager said not all employees had cell phones. He said our in the field employees and our department heads have cell phones. He said when he says in the field, he means someone in the water department who is doing service calls or someone in the gas department who does service calls, and police officers who are out in the field. Motion was made by Councilor Fitzgerald, by Resolution 2014-05-03, to approve accounts payable. Motion was seconded by Councilor Bermudez. Motion carried unanimously.

9. Discuss and Consider approving first reading of Ordinance 2014-05-02, an Ordinance amending the City of Alpine FY 2013/2014 Budget for the City of Alpine, Texas, Administrative and Franchise Fees. (E. Zimmer, CM) – The City Manager read the first couple of paragraphs of the Ordinance, 2014-05-02. Motion was made by Councilor Fitzgerald to approve the first reading of Ordinance 2014-05-02, by Resolution 2014-05-04. Motion was seconded by Councilor Gonzales. Manfred Fritsche asked if the public could get a general summary outline. Mayor Rangra gave him a copy of the ordinance. Manfred Fritsche said the public could know all about this but he did not. The City Manager said what we did on exhibit “A” is after we had the review last week and council asked him to draft the ordinance, we took what was budgeted annually for water/sewer/sanitation and gas

and we said okay if we hit our revenue budget on that and we take the 5% franchise fee, what is that going to look like, from an annual perspective. He said on the administration fee we looked at water/sewer/sanitation and gas and the airport, the annual revenue budget there and said okay if we address 8% what does that number look like. He said those outputs, that 5% and the 8% would then drive back into the government fund as revenue on the government fund. He said because we are taking from one department and moving it to another by ordinance, we have had this discussion before, we have to go through the ordinance process. The City Manager said on the franchise fee side, you are looking at \$259,400 and on the administrative side you are looking at \$414,000. He said that is consistent with other municipalities. He said GFOAA will give recommendations to us about what other communities in Texas are doing. Manfred Fritsche said it was a healthy booster shot for the regular budget and it helps the general fund. The City Manager said there is not additional revenue for the city. He said it is taking revenue that is already there and appropriating it to cover costs for our administrative team for anything from costs to audit. Councilor Fitzgerald asked the City Secretary if it was true that if a member of the citizenry has a question about something that is on the agenda, there is a copy of this book that is available to read. He said you cannot take it with you but you can come to City Hall and read it. The City Secretary said that was true. Mayor Rangra said on Fridays the Council gets the information and of course it is too late to go to City Hall but all day Tuesday you can stop by City Hall and they can let you look at it. Motion carried unanimously.

10. Discuss and Consider request to approve \$4,000 in funding for Marfa Film Festival to occur during July 2-6, 2014. (E. Zimmer, CM) – It was discussed that last year they received \$2,000. Motion was made by Councilor Fitzgerald by Resolution 2014-05-05 to approve \$4,000 in funding for Marfa Film Festival to occur during July 2-6, 2014. Motion was seconded by Councilor Bermudez. The City Manager said we do have a couple of representatives from the Marfa Film Festival who are here with us today. He said he tried to do a good write up as well as provide their application for funding this year. He said they have approached Alpine again this year. He said they have continued to expand their viewings specifically in Alpine and in the write-up you will see some of their expansion. He said moving forward they are very committed to continue to host a portion of this event here in the Alpine Area. He said what they attract, even in the Marfa area far exceeds the hotel space that is currently available in Marfa. He said you have a lot of folks that are viewing in Marfa but staying here in Alpine. He said they are asking the city to help offset some of those costs. He said his recommendation to the Marfa film festival was to host it on a holiday weekend. He said on the tourism side, what we want people to do as they come to Alpine on the Fourth of July weekend, is we do not want them to

accomplish doing everything they can do. He said that gives them incentive to come back. He said this really blends in and compliments the host of activities that we have. He said this gives families of all ages and generations an ample opportunity. He said he thinks their request, when you look at the types of people they are bringing in, also the compliment that it gives to the Big Bend Film Commission, it really makes a lot of sense. He said as always he is going to take a hard look at the budget. He said through April we were trending up another \$5,000 over budget on our hotel occupancy tax so that gave us an ample amount to cover this \$4,000 request. He said we have got to get them queued up for the normal cycle for this next year. He said he did not want to have another off cycle one. He said he knew that the Mayor had hosted one of their events at his movie theatre. He said it seemed to be very successful there. He said Rangra Theatre is another venue along with the University and he thinks we will continue to see expansion. Mayor Rangra said this was pro bono. Councilor Fitzgerald said he would like to make a point. He said as far as punishing Marfa for their half of the gas company, this has been discussed ad nauseum. He said the amended Articles of Incorporation and the Inter Local Agreement, both documents filed with the Secretary of State, dictated how that was supposed to be split up. He said if that would have not been done that way, he believed at the time Judge DeHart might have had an alternative opinion. Councilor Gonzales said he just wanted to say that he would like to compliment Erik Zimmer. He said he is a good tourist person. Robin with the Film Commission, said they are really grateful for the help. She said this Commission was created for one purpose, to get people to come to the Big Bend Area and West Texas. Motion unanimously carried.

11. Discuss and Consider approving Texas Department of Public Safety Grant. (E. Zimmer, CM) – Motion was made by Councilor Fitzgerald, by Resolution 2014-05-06, to approve the Texas Department of Public Safety Grant. Motion was seconded by Councilor Gonzales. The City Manager said this money will be used to assist the police department with the purchase of the P25 compliant radios and equipment. He said we have to be compliant with this. He said the award amount is \$30,000. He said the grant is considered to be a reimbursement grant. He said the equipment will be purchased and then reimbursed by the grant accordance. He said with their procedure the City of Alpine will also be requesting a hardship for these purchases if we are allowed. He said this would allow us to be processed prior to the actual expense so that we won't have any out of pocket. He said regardless, the grant amount covers everything. He said the \$30,000 is not something that we are having to pay out of a specific line item. He said he shared with the Council the actual document that has to be signed. Ray Hendryx said this was communication equipment and was it specifically

for the police department or police and fire department. The City Manager said it is for the police department. Betsy Esparza said she just wanted to make sure that the council indicated in the motion that part of the expenditure is for two radios to finish out the Sul Ross PD. Councilor Gonzales asked how many radios we were getting. Betsy said eleven and out of those eleven, two go to Sul Ross. Motion unanimously carried.

12. Discuss and Consider request to sign waiver of 2011 funds related to Capital Improvement Projects for Alpine Casparis Municipal Airport. (E. Zimmer, CM) – The City Manager said this request came to him from Chris Monroe from TxDot Aviation. He said he is one of the two gentlemen that came out on May 7th and reviewed our Airport. He said over the last few years, Alpine has by the TxDot and US Department of Transportation been awarded \$150,000 to help us offset capital improvements at the Airport. He said we still have to come up with our 10%. He said these dollars have to be used within 3 years so typically what happens is an Airport might accumulate funds for two or three years and then use that as part of the capital improvement project. He said the funds from 2011 have to be spent by August of this year. He said we are not in any position to spend the money this year. He said because of that, Chris Monroe's request to him was for us to sign the transfer of entitlement funds back to TxDot Aviation and allow them to appropriate those funds so they stay within Texas and use them this year before the August time frame. He said if we don't do that, come the August time frame, the US Dept of Transportation will take back those dollars and they will allocate them to whatever state they so choose. He said they could go to Oregon or Virginia. He said they could come back to Texas but by making this gesture to TxDot Aviation, we acknowledge we are not going to spend the monies allocated for 2011 this year and allow them to redistribute it. He said it shows the cooperation from the City of Alpine back with TxDot Aviation. He said he wished he could tell the council that he had a project queued up that was logical, properly engineered and vetted and we had money in reserve to pay for it. He said that is not the case. Councilor Fitzgerald said he was a little concerned about giving the money back because those cracks in the Airport have to get fixed. He said if someone happens to fall into one of those cracks with their plane and the airplane goes down, they are going to come to us. He said he understands that they cost about 10 grand a pop. He asked if we would get that other \$50,000 back later. The City Manager said he believes that we will continue to get that level of funding every year. He said part of the visit was the engineer came out and did an initial assessment and they are looking in the \$350,000 to \$400,000 range for us to do a proper fix of those cracks. He said that means that we need to develop a reserve fund of \$35,000 to \$40,000 to support that project. Councilor Fitzgerald said that is a heck of an asset for the city. He said we do not need any liability issues. He said he was a

little concerned that we would not get it back. Councilor Gonzales said we do have the possibility of losing that money, right? The City Manager said if we do not spend it this year we will lose it. Motion was made by Councilor Gonzales, and seconded by Councilor Bermudez to sign a waiver of the 2011 funds. Mayor Rangra asked if this money was part of the half a million dollars that Congressman Ciro Rodriguez got from the Congress in 2011. The City Manager said he could not specifically answer that. Mayor Rangra said it was half a million dollars, which was approved by the Congress and signed by the President. He said that money was specially for the Alpine Airport. He said the way it works is the state gets money and it is allocated for the city from the feds. He said now TxDot Aviation has the money and instead of giving it directly to Alpine, they started making noises about a match. He said Congressman Rodriguez said we had this money allocated and there was no restriction about matching funds. He said it is kind of ironic that money comes from Washington just to take care of the Airport and then TxDot says, "I tell you what, you need to bring a half a million dollars". He said we did not have a half a million dollars and that is why we got our Congressman to work for us to get the money for us. He said if it is that money and all he is talking about is \$135,000, what Happened to the rest of it? He said half a million dollars came in. The City Manager said he would be glad to look into that but he was not here during that juncture. Mayor Rangra said when the money did not come in some people started calling names and saying Ciro lied because we did not get any money. He said the money was sitting in Austin. He said he would like to know if that half a million dollars is still there and if the \$135,000 was part of that and what happened to the rest? The City Manager said he would be glad to look into that. He said this was the first time he has heard that. Mayor Rangra said we can go to our Congressman Pete Gallego and say you know what, we need to get this money to fix our airport. He said after having said that, we need to take action. Walt Pyle said what we are proposing is what we have heard before from our former City Manager who gave back all of the "Ciro" money. He said it piggy backed on the library and it was allocated for the Airport. He said before that we had to give back a little over a million because we did not have any matching monies. He said the prior City made the spiel that we were getting back more profit but now we cannot match it. He said we bought that. He said it was not in addition but it included this \$500,000. He said now this airport tonight through this enterprise fund has agreed to reimburse the City Manager and all other administrative costs involved, to the tune of 8%. He said it is a blank check that we are giving to Mr. Zimmer. He said lets go ahead and take that money out for his administrative costs. He said now he wants to take that away from them this little bit we have left and it

does not make any sense. He said he is pleading with the Council members to look at this and because of this meeting they had out there, this will be like two years down the line since there has been nothing done. He said he guarantees that some of the cracks out there are 14 inches wide. He asked what is going on here. He said the Airport is a stepchild and everything is given away. He said here we are making money and we have a chance to make more money but yet we are going to give it all away to administrative costs. He said the airport seems to be lacking sometimes. He said he has studied all of these figures and looked at this for the last few years. He said what money the airport makes somehow disappears. He said he does not think it wise to give this money back. Councilor Bermudez said if we do not give it back we are going to lose it anyway. The City Manager said if we do not spend it by the September time frame then we will relinquish it. Councilor Bermudez asked if we could use it at the Airport for anything. The City Manager said we would have to provide matching funds and we have to go through that process. He said we do not have a reserve fund with dollars allocated for the Airport project. He said we obviously would have to discern where that is going to come from and create a budget ordinance to go through that and the grant process and get that completed in that September time frame. Mayor Rangra said what is happening is the money came to Alpine and TxDot is being asked by towns bigger than us for this money. He said TxDot has an eye on this money now. He said if we keep the money with Texas, that is how the big boys work. He said he thinks we need to talk with Pete Gallego and this correspondence is a paper trail. He said there is a lack of communication from HUD and part of the communication has President Obamas signature on it. He said we need to look into that. He said we need to try to get the rest of the money as allocated by the Congress. He said they gave money to the City of Alpine without any strings attached. The City Manager said he did not want anyone to feel like we are not spending any time or effort on this. He said if you will remember we came together as a group and agreed on a 180 day plan. He said we revisited it. He said he has a certain amount of time that is available to work on projects on a week to week, month to month basis, as does his staff. He said there are twelve to fifteen other things that he would absolutely like to focus on. He said but we run out of time. Mayor Rangra said he understood and it was not the City Manager's fault. He said this happened in 2011 and this is 2014. He said people in Austin believe that by this time everyone in Alpine has forgotten about this money. He said he, as a Mayor, remembers what we did then. He said he was not on the council in 2011 but we worked on getting this money. He said there was even a picture taken at the Airport with Ciro. He said he thought it was in the newspaper. He said there was a big check in the paper as well. He said he

thought we should try to get the money back. The City Secretary said the last time we talked to TxDot about the funding, they said it was still there, the \$500,000. She said they said it was still there and it had not been used for any other purpose. Councilor Fitzgerald said we have a couple of months before this as to be done. He said it probably would not hurt to just forego this and see if Gallego can do something for us. Councilor Fitzgerald made a motion to table this item by Resolution 2014-05-07, and asked the City Manager to get in touch with Congressman Gallego's office and see if we can locate the funding for the airport. Motion was seconded by Councilor Bermudez. Motion carried unanimously.

13. Discuss and Consider approving funding for TML Regional Conference on June 13<sup>th</sup>, 2014 in Alpine. (A. Bermudez) – Councilor Bermudez said this is for TML Region 4. She said TML usually has a conference twice a year and it was our turn to have it. She said we chose to have it here. She said many people come here and they are going to need hotels and motels and they will do shopping and buy gas to go back home. She said above all they really like Alpine. She said as far as cost, we can use the Civic Center which is no cost to us, except for the clean-up. She said we have the decorations and we were told that we could use the ones that we have used before. She said what we are planning to do is have the council go out and get some door prizes for the conference. She said the only thing that will cost us is the catering of the food. She said there will be a concessionaire there who will serve drinks. She said we will have one drink paid for by their registration fee. The City Manager said he thought the approximate high end cost of this would be \$2,500 based on food costs and clean up costs. Councilor Bermudez said we need to remember that each one of the people who is going to eat here will pay a registration fee. The City Secretary said their “free” drink will come out of their registration fee. She said we are not giving anybody any alcohol for free. The City Secretary said the registration fee will probably be \$25. She said they will prepare the invitation a couple of weeks before the meeting because we do not want them to forget it. She said TML will send us the labels and we will do that. She said we will do the event up right. Motion was made by Councilor Bermudez, by Resolution 2014-05-08, to approve \$2,500 for the TML Regional Conference on June 13<sup>th</sup>, 2014 in Alpine. Motion was seconded by Councilor Fitzgerald. The City Manager said in the 2014/2015 budget we will identify a line item that calls this out annually so that the Council can vet it early on and then approve it. Councilor Fitzgerald said he wanted to make sure the City Manager was okay with this since the staff would have to do some work. The City Manager said he was okay with it. Councilor Castelli said the memo that was sent out with this said 15 months ago we spent \$10,000. He asked what we were doing so differently that we were spending so much money for. He also asked

where the money was coming from since it is not in the budget. The City Manager said last time there were photography costs and a different venue. He said there were a lot of extra accoutrements and elements and he does not believe that those are necessary anymore. He said there were two line items that we would look at as far as paying for this particular event. He said one would be out of the council travel and training budget and the other would be out of our administrative side, in the employment recognition line item. He said his goal would obviously be to keep the total cash outlay from the city to below \$500 net. He said if we get \$20 from each participant and if we could keep it under \$500 net between those two line items that would be good. The City Secretary said she would leave it up to the Council to find a speaker. Councilor Bermudez said we could have someone to come and talk to us about TOMA. The City Secretary said from TML. The City Manager said we just cannot pay for our speaker. Motion unanimously carried.

14. Discuss and Consider the appointment of a Mayor Pro Tem. (A. Rangra, Mayor) – Mayor Rangra said we need to have a Mayor Pro Tem just in case he gets sick or he is out of town. Motion was made by Councilor Gonzales, by Resolution 2014-05-13 to appoint Councilor Angie Bermudez as Mayor Pro Tem. Motion was seconded by Councilor Castelli. Motion unanimously carried.
15. Discuss and Consider appointing a committee of two Councilmen and City Manager to submit its recommendation for the City Council meetings Protocol (Rules of Procedure) for FY 2014-15 by July 15<sup>th</sup>, 2014. (A. Rangra, Mayor) - Motion was made by Councilor Bermudez, by Resolution 2014-05-09 to appoint Cynthia Salas, Councilor Gonzales and the City Manager to serve on the committee for the City Council meetings protocol (rules of procedure) for FY 2014-2015 and return their recommendations by July 15, 2014. Motion was seconded by Councilor Gonzales. Motion unanimously carried. \_
16. Discuss and Consider the Property Values recommended by the Brewster County Tax Appraiser Office for the FY 2014-2015. Brewster County Chief Appraiser will make presentation. (A. Rangra, Mayor) – Motion was made by Councilor Gonzales, by Resolution 2014-05-10, to approve the property values recommended by the Brewster County Tax Appraiser office for the FY 2014-2015. Motion was seconded by Councilor Fitzgerald. Councilors Bermudez, Salas, Fitzgerald and Gonzales voted against. Councilor Castelli abstained. Motion failed.
17. Discuss and Consider request for new property application on the Corner of North 10<sup>th</sup> and West Brown as reviewed by the Planning and Zoning Commission. (E. Zimmer, CM) – Motion was made by Councilor Bermudez

to remove items 17 and 18 as they do not pertain to our current ordinance as stated today. Motion was seconded by Councilor Fitzgerald. Motion unanimously carried. \_

18. Discuss and Consider request for new property application at 401 N. 12<sup>th</sup> as reviewed by the Planning and Zoning Commission. (E. Zimmer, CM) – See item #17. \_

19. Citizen's Comments (limit 3 minutes) –

Sheila Ness from Ward 3 said she was concerned about planting trees at the Pueblo Nuevo Park (Veteran's Memorial Park) since the trees that were planted at American Legion Park, in her ward, were dying.

20. Council Member's Comments and Answers –

Councilor Castelli – welcomed Councilor Salas to the Council.

Councilor Gonzales – welcomed Councilor Salas to the Council

Councilor Fitzgerald – also welcomed Councilor Salas to the Council

Councilor Bermudez – said she was sorry that she could not be present for the swearing in ceremony and she also welcomed Councilor Salas to the Council.

Councilor Salas – said thank you and she is excited about being on the Council and she is excited about working with the City Manager, Molly Megan and the City Attorney. She said we will get stuff done.

Mayor Rangra – said he also welcomed Councilor Salas and also welcomed back Councilor Gonzales. He said our city has done a lot of things this year and there is still a lot to accomplish.

21. Executive Session - None

22. Action - Executive Session – None

23. Adjournment– There being no further business, meeting was adjourned upon the motion of Councilor Fitzgerald and seconded by Councilor Salas. Motion carried.

I certify that this notice was posted at 5:00 P.M. on May 16th, 2014, 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.

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Dr. Avinash Rangra, Mayor

Attest:

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Margaret "Molly" Taylor, City Secretary

I, Margaret "Molly" Taylor, City Secretary, do certify that this notice was posted at 5:00 P.M. on May 16th, 2014, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

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Margaret "Molly" Taylor, City Secretary