

**City of Alpine
Regular City Council Meeting
Tuesday, February 17th, 2015
5:30 P.M.
Minutes**

1. **Call to Order, Invocation and Pledge of allegiance to the flag** – Mayor Rangra called the meeting to order. Oscar Cobos, gave the invocation and Mayor Rangra led the pledge of allegiance to the flags.
2. **Determination of a quorum and proof of notice of the meeting** –Mayor Rangra, Councilors Bermudez, Salas, Fitzgerald, Gonzales and Stephens were present. The meeting notice had been posted at 2:30 P.M. on February 13, 2015 at .M. City Attorney Mick McKamie was present remotely for the meeting as well as City Manager Zimmer and City Secretary Taylor.
3. **Presentations, recognitions and proclamations** – None
4. **Reports** –

City Mayor's Report -

Mayor Rangra said Councilor Bermudez and Councilor Gonzales and himself went to a TML meeting in San Marcos. He said since there are quite a few items on the agenda, he will talk about it at the next meeting. He said next month, on March 10, 2015, will be Brewster County Legislative Day at the Texas Capital Building. He said if you would like to attend, call Senator Uresti's assistant. He said he received a certified letter from Mike Ash with Commonwealth and we will discuss that later on the agenda. He said BAJA Broadband is making changes in the channels. He said this Friday he will attend a COG meeting in El Paso. He said he thought he should tell you that your Mayor is pretty busy.

City Manager Report –

- **Emergency Management Coordinator – Discuss collaborative effort between Brewster County and the City of Alpine to create a joint County/City EMC position consistent with County and City goals and objectives; discuss shared costs for the position, to include salary range/benefits package and office equipment, travel, training, communication and vehicle operation expenses.** – City Manager Zimmer said he initially met with County Judge Cano, Mayor Rangra, Commissioner Garrett and Mike Ellis on January 22, 2015. He said the County Commissioner's Court met on February 9th, 2015 to discuss this further. He said we obtained information from the County outlining the role, compensation, etc. and that is included in this packet. He said the key activity needs for the EMC from the City

are:

1. Clearer oversight of our Fire Department
2. Clearer oversight of our EMS contract
3. Better coordination with the County on future EMS contract renewals
4. Asset management specifically for our Fire Department
5. Clearer communication lines between the County, City, Sheriff and PD during states of emergency
6. Annual review of Emergency Ops Plan
7. Plus additional as identified by Council and Staff and Section 30-32 of City Ordinances

Interlocal agreements as outlined in Chapter 791 of our State Government Code to be adhered to through the process.

- County Involvement at Airport – Review preliminary dialogue as an output from EMC discussions.
 1. Building on thought process established with EMC position, need to help gain more involvement with County regarding Airport Facility Maintenance
 2. Airport directly benefits residents of City and County
 3. Board positions can be filled by County Residents
 4. New Hangar requests on the rise
 5. Targeting some paving work help (supplement) by County for new taxiways adjacent to hangar build outs
 6. Would follow same interlocal process identified with EMC role
 7. Showed council picture of hangar facility currently

- Airport Capital Improvements – Review meeting with TXDOT Aviation Staff and preliminary timelines for future renovations of taxiway and apron.
 1. Met with Megan McLellan and two other reps from TXDOT Aviation on Friday, January 30th, 2015.
 2. Reviewed short term interim solution and main reconstruction slated for 2017
 3. Inserted breakdown of costs in packet
 - Roughly \$300K to be spent for interim repair
 - Full renovation approximately \$2.6M (Design and Construction)
 - 90/10 monies to be targeted for project
 4. TxDOT Aviation Conference in mid-April in San Marcos.

- Gas Company Resolutions as reviewed at the January 20th, 2015 Council Meeting and voted on by the SWTMGC Board of Directors at the final meeting on February 12th, 2015. -

1. Final Gas Company (SWTMGC) meeting held February 12, 2015 at City of Alpine Gas Company Facility
 2. Resolution by Board to split remaining funds in bank account. Check to Alpine for a little over \$65K. Will need to complete resolution in Alpine over next month to determine reserve account and usage of those dollars
 3. Resolution by Board to split Royalty Agreement between City of Marfa and City of Alpine
- **City of Alpine Paving** – Discuss preliminary research and timeline goals for full readout. City Manager showed the Council a chart showing the causes of potholes and how paving was done.
 1. Working on analysis of costing for different types of paving methodologies
 2. Working with TXDOT Aviation on understanding their cost models
 3. Working with regional politicians and political groups on available equipment – for both paving and base creation
 4. Create a final write-up by March/April timeframe depicting needs of City and ensuing costs to satiate the needs.
 - **City Building Assets** – Discuss preliminary research and timeline goals for full readout. –
 1. Working with Executive Assistant on creating a list of all building Assets in City Portfolio
 2. Listing: Book value, assessed value, dollar amount of repairs over Last 7-10 years, current repairs needed (and dollar amount), amount to be budgeted annually for repairs/reserve
 3. Make determinations prior to next year's budget cycle on usage of the larger key assets
 4. Understand their relationship to Asset listing on our fiscal audit
 5. Targeting completion of analysis by April 2015.

Councilor Bermudez said one of the conferences she attended had to do with the Emergency Management Coordinator. Mayor Rangra asked if he understood correctly that if the cost of a project with TXDOT was over \$100,000 the grant would be 90/10. The City Manager said correct. Mayor Rangra said under \$100,000 would be 50/50. The City Manager said correct. Mayor Rangra said we need to keep the projects over \$100,000 from now on. He said there is a bill in the legislature right now to do away with Home Rule Cities because the state wants to control us.

City Staff Updates – None

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

Steve Posner – said he wanted to comment on item 10, and why it would be against the citizens of Alpine to turn our profitable City Airport over to a private Fixed Base Operator. He said he was an FAA licensed pilot and has flown all over the world. He said it is a saying at small airports that no matter what you do, never give up the fuel sales. He said the Airport pumps roughly 100,000 gallons of fuel per year and the city makes a profit of \$1.25 per gallon. He said if an FBO came in all the profits would go to him instead of the city. He also talked about the cost of staffing the airport. He said the city would start losing money on the airport. He said the city is a granted airport and must continue maintaining the airport.

Walt Pyle – said he wanted to comment on item 10. He said the revenue stream to the city will be disrupted by a private FBO. He said the city has certain obligations to make sure any contract is in compliance with TxDot Aviation. He said he spoke with Bill Gunn today and he said he would be happy to work with the City in drafting a contract for an FBO. He said Bill Gunn wants our revenue to remain at least what it is now.

Oscar Cobos – said he wanted to comment on item 10. He said he has been quoted as supporting an FBO. He said he has filed a TPIA with the city concerning the FBO's contract and Resume's. He said he would have done a three month advertisement for this process. He said the airport is self sustaining. He said the people have a right to see things done in a more productive manner. He said he hopes that we do not enter into a 10 year contract.

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.)

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

B. Approve Council Minutes of January 29th, 2015. (A. Rangra, Mayor) –

Motion was made by Councilor Fitzgerald, by Resolution 2015-02-07, to approve the Consent Agenda in full. Motion was seconded by Councilor Bermudez. Motion unanimously carried.

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

A. Planning and Zoning Commission Update with Chairman (or designee) (E. Zimmer, CM). - City Manager Zimmer said as we previously discussed, every month we would have a report from one of the boards or commission to give us a status update. He said this evening we have Jerry Mitchell, the Chair from the Planning and Zoning Commission.

- **2014 updates and changes to Planning and Zoning Commission – Chair Mitchell said basically in 2014, about half of the year, they spent dealing with variances, only to find out that they were not supposed to deal with variances. He said they are also tasked with dealing with the Master Plan. He said one of our Board Members, Carl Fleming, has been working with the Historical District and we will also be dealing with making changes on that.**
- **Progress on City Council Request for Planning and Zoning Commission to work on updates with zoning and ordinances – He said they have spent about half of the year 2014 working with Ordinances and have probably gone through about 35% to 40% of them at this time, rewording and changing some. He said a lot of them are in need of bringing up to speed.**
- **2015 goals – He said the 2015 goals are to deals with any issues that we are tasked with and zoning issues.**
- **Needs from Council for Board – He said as far as needs, we finally have the Planning and Zoning Commission up to full staff so we should be able to get new ideas. He said when we get into a Master Plan we will be needing some input from the city departments and City Council as to what direction they feel the City should go.**

Councilor Stephens asked if the Commission planned on having workshops and bringing the Council up to speed along the way. Chair Mitchell said the Planning and Zoning will be giving the Council revisions along the way for their approval. He said we will be doing this in sections. He said the public is welcome at their meetings and they encourage the input. He said they are also looking at a Board of Adjustments. He said they have discussed it in 2014 and 2015 and the need of it. He said Texas has laws that we have to follow and that is one of the reasons we do not do variances anymore. Councilor Gonzales said he would like to thank Planning and Zoning because he thinks they have a giant task.

B. Income Statement, Budget Variance, Specific Activity Report. (E. Zimmer, CM) – City Manager Zimmer went over the income statement, budget variances from different departments and specific activity report for the Council. He said the biggest change is the revenue tied to our government fund and that was ad valorem taxes. He talked about the expenses and revenues for each department and sales tax. Councilor

Stephens asked how much of our revenue is going to debt service in 2014. City Manager said we have about 7 ½ percent going to debt payments and we are \$746,000 in debt payments. Councilor Stephens said those funds could be applied to many other items if we did not have that debt service. City Manager Zimmer said that was correct. Councilor Salas asked if we had numbers from the tracking by Judge Trook. City Manager Zimmer said the City Finance Director and he had been working with Judge Trook and pulling reports from what is available in Hill Country. He said the Court has to provide state level reporting monthly. He said that would identify how many cases go to court and how many are dismissed and how many are closed and the revenues associated with those. Councilor Fitzgerald said he would be interested at looking at the court figures. Mayor Rangra asked if ad valorem was 74% of the 1.8 million. City Manager Zimmer said that was 74% of the budget. Mayor Rangra asked if the council could get percentages of how much of that is sales tax and property tax. City Manager Zimmer said that is in the packet that he gave the council.

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

- 9. Discuss and Consider adopting a resolution supporting The Commonwealth Company's request to develop a parcel of land in town to create 30-40 living units. The development will use housing tax credits allocated by the Texas Department of Housing and Community Affairs (TDHCA). The units will be restricted to rental by households earning a specific percentage of area median income (AMI). (E. Zimmer, CM) – City Manager Zimmer said included in the City Council's packet was some follow up information, namely a draft of a site layout plan that runs along Brown and 16th Street and the corner of Sul Ross as well. He said behind that is a draft Resolution that Mick McKamie has provided with a couple of further updates to it, that was put on the bench. He said there is also a letter from Commonwealth, from Mike Ash, who is here, that talks about holding the city harmless if the appropriate zoning is not accomplished for this project. He said also in the packet is a letter under his signature that we will give to Commonwealth. He said also there is a document in the packet which outlines that the City of Alpine does have services, water, wastewater, trash and gas. He said Mike Ash with Commonwealth is in attendance this evening. He said Mick McKamie and Barbara have spent some time working with him on some of their thoughts about the Resolution and subsequently he has given those back to Mike. He said he has taken some comments from public citizens, he said some of them have come to his office and he is sure that some of them have come to the council as well. He said we want to have some dialogue about that and**

determine if the city council wants to approve this resolution. He said he did not know if we wanted Mike Ash to come up or if Mick McKamie wants to make any preliminary statements. Councilor Salas said she would like to hear from the attorney first. Mayor Rangra told City Attorney Mick McKamie to go ahead. Mick said this is a pretty common request from a developer who is about to present their proposed projects to TDHCA which is a point based system. He said the support of the local cities is very important to them as well as some funding from the local community and the local funding is accomplished by a city or a county by providing some in-kind contributions or waiving some extension utility fees and other permit fees. He said he believes Mr. Ash's request was made last night and they were looking for a certain dollar amount with some sort of local funding and we have just prepared a pretty simple resolution draft and if the council wishes to support this project for low or median income housing in the area, this resolution, he believes, should serve the purposes of the developer as they approach the Texas Department of Housing and Community Affairs. He said these types of requests are going on all over Texas, even tonight in other cities and they are not unusual at all. He said what the city would be saying in the Resolution is that we support low to moderate income housing in our city, we need it and we are willing to provide written notification of that support to not only the developer but also the Department which could result in this project being finally constructed in town. He said as far as the amount of the funding that is being requested from the local agency such as the city, typically the point system at TDHCA is based on the number of units and points are attributed to the development on dollars per unit. He said the developer has gone to quite a bit of trouble to figure out what is the amount that the city would need to contribute or agree to contribute in order for those points to be delivered at the review stage at the department. He said the City is under no obligation whatsoever to do this. He said only if you wish to express your support for the development of this type of low and moderate income housing and also the separate issue of local funding and that is a separate issue from support of the project. He said you can decide on whether you wish to fund and at what level and which to fund with city resources. He said sometimes cities do provide a cash grant to this type of an applicant and that's legal because a public purpose is being accomplished by providing this type of housing as well recognized public purposes performed by cities. He said there are a lot of other ways to provide funding as set out in the resolution that we drafted before you. He said it might be most useful, if you have any questions for him, to ask them as we go or after Mr. Ash's presentation. He said he would be happy to answer those the best he can. He said his firm does have quite a bit of experience with tax credit projects and with these type of requests throughout Texas and they would be happy to help in any way they can. Councilor Bermudez said the City Manager sent them an email concerning when San Angelo dealt with a similar request and they turned it down. She asked what the

purpose of the email was. City Manager Zimmer said the purpose was to share what Mick had stated, that there are other communities out there grappling with these applications going across Texas so that was one that came across his desk. He said it was just giving the council more information that was out there. He said it was not designed to have you go any way on your opinion, just more information. Mick said he was special counsel for the City of Galveston for public housing and they had three requests for the City of Galveston for multi-family developments. He said some were similar to Mr. Ash's and some were more traditional apartment complex that the City of Galveston is considering right now. He said there were requests for funding and he believes they were seven figures for those requests. He said he thinks what Erik sent out was just an example. He said this is the time of year that these requests are made annually and this is a very routine type of request received by Texas cities who are in the low and moderate income housing. Councilor Gonzales said the property in question has been platted for something entirely different and the note that we got from San Angelo shows that they have been zoned for multi-housing since 1983. He said that is one of the things and the other one is aren't we supposed to take the platting to Planning and Zoning and isn't Planning and Zoning supposed to take it to a public hearing so that the people who are surrounding the area can have a say in what they want built in their area. City Attorney McCamie said that is exactly right and that is the way that the process works. He said we are way in front of that stage here. He said there is nothing in this Resolution or anything that is before the Council tonight that could or would commit the Council to an approval of a plat or zoning. He said those are separate matters and must go through the full process. He said as an example the City of Hondo last year had a very well designed, he believes, and the Council approved a Resolution very similar to the one you have tonight for that type of housing and agreed to contribute funds to the support of that housing but the zoning was never granted and the project did not come to fruition. He said the zoning process is entirely separate and there is no commitment whatsoever tonight for approval of zoning or to bind the Planning and Zoning Commission or anyone else if a zone change is necessary. Councilor Gonzales said we are not taking it to the public so that they can make a decision on whether or not they want to do this or not. He said he is all in favor of low income housing but we are only talking about three units that are low income and he thinks that we should take that area that we are talking about and replat it so that it can be designated as a multi-family housing or low income housing and then we can take it to bids. He said this is not the only bid that we can accept. He said there are other people who can come and do the same thing. He asked if City Attorney McKamie agreed with that. City Attorney McKamie said that is true. He said he was sure that this type of tax credit development could be attractive to other developers, however, the ownership of the property is totally between the private owners and whoever is making the offer and in this case he

believes that would be a contingent offer made by Mr. Ash's clients. He said the city really does not really have any ownership interests. He said we could however, ask the Planning and Zoning Commission to evaluate whether or not this particular location or this part of town would be a good place to have more multi-family housing available to the community and do that as a separate question. He said we do not really have anything to bid out, Mr. Gonzales. He said that is up to the owner of the property. Councilor Bermudez asked if this type of housing was different from the low income housing authority that we have here. City Manager Zimmer said this was affordable housing and was different. City Manager Zimmer said these are the units that Mike Ask came in and described a couple of weeks ago. He said they were larger square footage units, two and three bedroom units, where a lot of the housing authority units are studio type apartments and smaller. Councilor Salas asked if these would be similar to the Alpine Manor apartments. The City Manager said similar. He said he thought the square footage of these would be a little bigger. Councilor Gonzales said Alpine Housing Authority does have three bedroom units for large families. He said he was on the Board of the Housing Authority so he knows that they have larger units. City Manager Zimmer said the Housing Authority is spread amongst three different properties here in town. He said this would be in a single location. Mayor Rangra asked Mr. Ash about a letter that Mr. Ash sent to the Council members. He said that it says that a proposed new construction will be an apartment community comprised of approximately 40 units. He said he also has a number on the agenda that states 30-40 units. He said he also has another one for 48 units. He said he is a little perplexed. He said is it less than 40 or is it 40 or is it 48 units. He said also in a letter to Mr. Zimmer, it stated that Commonwealth has submitted a zoning change application for the site of the proposal. He asked if this application went to the Planning and Zoning Commission or to TDHC. Mr. Ash said the application was submitted to Mr. Polanco this afternoon. Mr. Ash said they are at 40 units and the reason the Council is seeing different numbers is that they did not have a site plan which showed buildings on the site so they did not know how many units they could put in. He said when he gave the council the initial package, the range was 36 to 40 and that was based on what he thought could fit on the property. He said that was not based on an architect who has looked at your codes, density requirements and things like that. He said that is why you got that range. He said the letter that the Mayor is referring to that the council got by certified mail last week is a notice that has to go out to city councils and at the time that letter went out they still did not know how many units could be located on the property. He said they asked the architect to see how many units could be located on the property and he had not answered by then. He said the letter would have limited them. He said so by going by 48 units, they could develop up to 48 units. If they had said 36 units in that letter they never could have done more than 36. He said they decided to err on the high side for that estimate because if they

said 48 units they could develop whatever the site would support. He said the answer is 40. Mayor Rangra asked what the application to TDHCA said. Mr. Ash said that goes in next Friday and it will say 40 units. Mayor Rangra asked what kind of tax credit Commonwealth would be getting from the state. Mr. Ash said the tax credit is not a predetermined amount. He said it is an amount that is allocated based on construction costs and the number of affordable units that you have. He said what the state will do is allocate them with a number of credits and probably in this case somewhere around four hundred eighty thousand dollars in tax credits that they will then sell to an investor to raise equity to help build this project. He said the bottom line is that by selling the credits they will have about 80% of the project's value raised in equity and probably 20% in debt. He said they will be able to afford the lower rents and make it more affordable for the residents. Mike Ash said to quickly go over the project. He said there would be 40 units and there would be 23 two bedroom and 17 three bedroom and they will be set aside for households earning between \$17,000 and \$36,000 per year depending on family size. He said it is not a Section 8 or a housing authority where people are paying one-third of whatever their income is for their rent. He said they will be for households with jobs and incomes that will have to be able to afford those rents. He said the rents will be about \$300 to \$750 per month and what they will get is large units. He said the two bedrooms will be about one thousand square feet. He said the three bedrooms will be about 1,200 square feet. He said there will be a club house and they will be given a strong amenity package and also a service package for the residents. He said they will have things like financial counseling, regular social events and those sorts of things. He said they will get a very strong affordable asset in the community that hopefully will appeal to a broad range of people who are not currently being served or could not improve their living status. He said what has happened since the last time he appeared before the council was they obtained the site and it is under contract. He said that happened Friday, after he met with the council, and it was a difficult negotiation, but as of Friday a week and a half ago they have the site under contract. He said since that time they have had a preliminary survey and he received a copy of that today. He said a phase I environmental has been done. He said in the preliminary one they got a draft site plan that the council has in front of them tonight. He said they are working on the engineering report and architectural drawings that will be finished up hopefully this week, at least a draft and he is working with a couple of non-profits and day care providers to get letters of support from them also. He said they did file an application for a change in zoning today, and they will have to go through the zoning process. He said that is their risk. He said they understand that they do not have the zoning they need right now. He said the Planning and Zoning Commission may not approve them and the Council may not approve them in the future. He said that is their risk. He said the money they have spent will be all lost. He said that is what Mr. Zimmer was talking about, the hold harmless letter that is in the

council's packet. He said if they fail with the zoning process it is their problem. He said they will also have to go through the replatting process. He said they understand that the platting has been there since 1915 and will need some changes. He said they will appear before the Planning and Zoning Commission at their March meeting. He said in terms of the benefits, the city will get a high quality asset for the community and a big increase in property taxes. He said what they are asking for, in terms of a Resolution for support are two things. He said one is a Resolution of support saying that the city supports the project and the other is a financial resolution. He said he and the City Manager have had a number of conversations to see how they could structure that to avoid any kind of severe impact on the city and they have talked about three or four roadways that run east and west across the site that are at least platted and may be dedicated to the city. He said he hopes they will find out from the title company tomorrow. He said what they would like to do is if they are dedicated they will have to be abandoned and if they are platted, when they go in to replat, they will plat without those and what they would like to do is find some way to calculate a dollar benefit for the city giving up that plat, or those platted streets as a way of providing a benefit. He said the other kinds of things are in kind things like sewer updates, or utility extensions or those types of things. He said in terms of the Resolution he has one question for clarification and one suggestion. He said Mr. McKamie talked a little bit about the amount not being in the resolution. He said he requested that the Council add the following language to the resolution. He said "this resolution is a firm commitment from the City of Alpine for the purposes of commitment of development funding by a local political subdivision in the amount of \$35,600." He said the reason for the request is that the current version of the Resolution, or at least the last one he saw, does not have a dollar amount in there and without that dollar amount they will not get any points for the firm financing. He said the TDHCA gives you points depending on how much local financing you have. He said he requests that. He said he also had a question about some language. He said the resolution states and talks about amounts previously talked about with the city by the developer. He said he does not recall that he has made any representation about value and he just wants to make sure that we are on the same page about that. Councilor Fitzgerald said he has a little bit of heartburn about this whole thing. He said they did not get to see Mr. Ash until about two weeks ago and he said their deadline is at the end of the month. He talked about when he was in the construction business in Dallas and asked Mr. Ash why they were not here in November. He said he did not like it that Commonwealth was asking the Council to make a decision in two weeks. He said also he is very reluctant to spend tax payer dollars or assets in supporting a project for a private enterprise. He said he checked out their references but it does not seem like anyone in Irving knows Commonwealth or Mr. Ash. He said that does not mean necessarily that they are not legitimate and he is not accusing them of that. Mr. Ash said they work with

consultants that are based in Austin. He said they do not want their consultants competing with each other so they assign them to different regions. He said he was working in Pecos and Monahans before this project. He said because of the way they are assigned to regions, he never considered being out here prior to the January date when they realized that there was an opportunity. He said he thinks he has done everything he could in the limited amount of time that they had to try to be a part of the community and try to work with everyone to make sure they had all the information to make a decision. He said they are a small company in Texas. He said he is the only person in Texas and he would never expect that anyone had heard of them. He said the best thing he could do is to give the council the references from the places they have worked with. He said he lives and offices in Irving, Texas. He said he understands about the public resources but if you look at the asset that they are bringing to the community, the social and financial value, he thinks they are more than paying their way. He said they will go from \$200 a year taxes on that site to \$15,000 to \$20,000 a year in taxes. He said they do not need the money to use for the project, but for scoring. Councilor Bermudez said the Council will not vote on this until we have heard from Planning and Zoning, right? Councilor Stephens said the Council has to make a decision on this. He said the Texas State Government is giving out hundreds of millions of dollars. He said Commonwealth is asking for about \$400,000 from the state, if he understands correctly. He said in order to go to the Texas Housing Authority Mr. Ash needs a good score to be able to obtain the \$400,000. Mr. Ash is then going to go out and get investors. He said he thinks the question the City Council needs to ask is if we are interested in having 40 units built here in Alpine that will give us about \$18,000 more a year in tax revenue. He said since 1915 we have received \$175 a year from that property. He said unfortunately the timing is not good. He said Mr. Ash did say that he still has to go through our Planning and Zoning Commission and still has to get all approvals necessary. He said what we are saying tonight is if they can get the money we will be happy to continue the dialogue. He asked if the council wanted them to go for a try or not. He said if the council chooses not to vote on this tonight, which that is the council's prerogative, this opportunity goes out the window. He said he believes that we as a city council have to ask ourselves what we want to do with that land since no one else wants to build on it today. He said it has sat there for the last 100 years. Councilor Fitzgerald asked what the effect would be on the infrastructure, water, sewer and gas. Councilor Salas asked the City Manager if the infrastructure would support this. The City Manager said the infrastructure would support the 40 units. Mayor Rangra said normally a developer will submit plans to the council. He asked what the area median income was. Mr. Ash said he could not tell Mayor Rangra off the top of his head but he could tell him what the incomes are that this project would serve. He said here in Alpine the median income is in the lower \$50,000. Mayor Rangra said Mr. Ash was wrong. He said he thought the median

income was around \$20,000. He said he did not know if most of the people in town could afford \$700 in rent. He said maybe they can. He said he does not know what the project will look like or how the neighbors will be taking this. Councilor Salas said two weeks ago we had the pictures of what the project would look like in our packets. Councilor Fitzgerald said several people in that ward do not want this project. Councilor Bermudez said the school is right there also. Council Salas said if we do accept the Resolution this is not something that will happen in the next month or two. She said there are guidelines and steps and no one has done anything with the property for the last 100 years. City Attorney McKamie said he just checked with the Alpine Housing Authority and the median income for a family of four is \$59,000. David Pallanez said if these low income houses come in will it depreciate the value of their houses in that area because they take pride in their homes. Mr. Ash said there have been several studies done of the impact of affordable housing, not low income housing, and the studies have all concluded that they do not negatively affect the property values or property taxes of homes in their area. Dale Christopherson said there have been housing projects that have tried to come into Alpine before. He said he is concerned about the citizens feelings but they do need to be balanced with the positive impact. He said it does not seem to him that the council will be making any kind of a final decision tonight and they could give this project a little more time. Councilor Gonzales said San Angelo, Pecos and Monahans all have a need for more housing because of the oil boom but he does not see us needing that. He said not having the public hearing for the Planning and Zoning Commission before the council vote is like putting the wagon in front of the horse. He said we need to hear from them too. Motion was made by Councilor Fitzgerald, by Resolution 2015-02-09, to approve Mr. Ash's request for a Resolution. Motion was seconded by Councilor Salas. Councilor Stephens, Councilor Bermudez and Councilor Salas voted in favor. Councilors Gonzales and Fitzgerald voted against. Motion carried.

Footnote - At the March 17th, 2015 City Council Meeting, the following Motion was made by the Council for Action Item #15 on the Agenda. Motion was made by Councilor Bermudez for the Council to go ahead and take a revote on the #1 Resolution, that the Council had received in their council packet (backup) on February 13th (for the February 17th Council meeting). (Item 15 on the agenda for the March 17th meeting stated "Discuss and Consider which one of the following three Resolutions No. 2015-02-09, the City Council approved at its February 17 meeting to support the COMMONWEALTH Development Corporation of America dba Commontex Development, Inc. project:

- 1) The one that was included in the package that the Councilmembers received on February 13;
- 2) the one the Councilmembers received on 17th from the City Attorney prior to the meeting;
- 3) The one prepared by the City Attorney after the meeting was

adjourned for the Mayor to sign. (A. Rangra, Mayor)). Motion was seconded by Councilor Salas. Motion failed 5-0. City Attorney McKamie said there were two other alternatives on the agenda item. He asked if the Mayor wanted to ask the Council if there were any additional motions on the other Resolutions included in that item. Mayor Rangra asked if there was a motion on the second item, (Resolution #2, the one the Council received on February 17th, prior to the meeting) There was no motion made, and this item died for lack of a motion. Mayor Rangra asked if there was a motion on the 3rd one (Resolution #3 the one that the City Attorney prepared after the meeting was adjourned). There was no motion made, and this item also died for lack of a motion. This footnote was added to the minutes of February 17th, 2015, at the request of the City Council, during the March 17, 2015 Council Meeting .

10. Discuss and Consider recommendation from Airport Advisory Board regarding next steps with Airport RFP FBO responses. Take action as necessary pending outcome of council discussion. (E. Zimmer, CM) - City Manager Zimmer said we had an Airport Advisory Board meeting on February 4th to review the two submissions. He said there were two respondents to the negotiations. He said the Airport Advisory Board has agreed to have the City Manager meet with and work with the two submitters to see if a workable agreement can be reached and the city has also worked with FAA and TxDot on this process. He said the process will take four to six weeks. He said before taking the next step he wanted to make sure that we had the resolve of the council to continue with the recommendations of the Airport Advisory Board to allow the City staff to work with the responders. Motion was made by Councilor Stephens, by Resolution 2015-02-10 to approve the recommendation from the Airport Advisory Board regarding the next steps, authorize the City Manager to negotiate with the two respondents with the Airport RFP FBO responses and fully review the contract with the City Attorney and come back to the City Council with a viable recommendation for final action. Motion was seconded by Councilor Fitzgerald. Oscar Cobos set a meeting has been set for the morning with the two individuals who responded to the RFP's with the City Manager. He said he needs more clarification. Walt Pyle said the City is entering into negotiations based on theories. Motion unanimously carried.
11. Discuss and Consider approving Order of Election, Resolution 2015-02-08, a Resolution Establishing Order of General Election for Alpine, Texas. (E. Zimmer, CM) – Motion was made by Councilor Fitzgerald, 2015-02-08, to approve Resolution 2015-02-08, establishing the Order of General Election for Alpine, Texas for the May 9, 2015 General Election. Motion was seconded by Councilor Bermudez. Motion unanimously carried.
12. Discuss and Consider approving the Juvenile Curfew Ordinance 2004-7-2 which was reviewed at the February 3rd, 2015 City Council meeting and must

be re-approved every 3 years. (E. Zimmer, CM) – Motion was made by Councilor Fitzgerald, by Resolution 2015-02-11, to approve the Juvenile Curfew Ordinance 2004-7-2 which was reviewed at the February 3rd, 2015 City Council meeting and must be re-approved ever 3 years. Motion was seconded by Councilor Gonzales. Motion unanimously carried.

13. Council Members Comments –

Councilor Salas – thanked the staff, Erik and the City Attorney

Councilor Bermudez – said she did not really want a new election.

Motion was made by Councilor Fitzgerald by Resolution 2015-02-12, to enter into Executive Session at 7:35 P.M. Motion was seconded by Councilor Gonzales. Motion unanimously carried.

14. Executive Session – Pursuant to Texas Government Code, Sections 551.071 (consultation with attorney)

- A. Discuss and Consider incorporating the issues and concerns addressed by the councilmembers into the City Attorney’s duties. (A. Rangra, Mayor) –
- B. Results and consultation with City Attorney on finance investigation by FBI. (J. Gonzales) –

Council returned to open session at 8:30 P.M.

15. Action – After Executive Session –

- A. Action, if any, concerning incorporating the issues and concerns addressed by the Councilmembers into the City Attorney’s duties. (A. Rangra, Mayor) – Motion was made by Councilor Gonzales to take no action on this item. Motion was seconded by Councilor Fitzgerald. Motion unanimously carried.
- B. Action, if any, concerning results and consultation with City Attorney on finance investigation by FBI. (J. Gonzales) – Motion was made by Councilor Gonzales to take no action on this item. Motion was seconded by Councilor Fitzgerald. Motion unanimously carried.

16. Adjournment – Meeting was adjourned at 8:37 P.M.

NOTICE: The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on

the posted agenda, above, as authorized by the Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.086 (economic development).

I certify that this notice was posted 2:30 P.M. on February 13th, 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 2:30 P.M. P.M on February 13th, 2015, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Margaret "Molly" Taylor, City Secretary