

**City of Alpine  
Regular City Council Meeting  
Wednesday, February 17th, 2016  
5:30 P.M.  
Minutes**

- 1. Call to Order, Invocation and Pledge of allegiance to the flags – Mayor Rangra called the meeting to order. Jo Beth McLeod from the First Presbyterian Church and President of the Ministerial Alliance said the invocation. Mayor Rangra led the pledge of allegiance to the flags.**
- 2. Determination of a quorum and proof of notice of the meeting – Mayor Rangra, Councilors Antrim, Salas, Fitzgerald, Gonzales and Stephens were present. The meeting notice had been posted at 11:00 A.M. on February 12th, 2016. City Manager Zimmer and City Secretary Taylor were also present. Adolfo, from the City Attorney’s Office was present remotely.**
- 3. Presentations, recognitions and proclamations – None**

**4. Reports –**

**City Mayor’s Report - (A. Rangra, Mayor) –**

**City Manager Report – (E. Zimmer, CM) – City Manager Zimmer reported on the following items:**

**Update on TCEQ Enforcement Order**

- **Docket #2014-0519-MLM-E**
- **As of February 16, 2016 email with Sandy Van Cleave of TCEQ, their Board has not officially signed off on Order – Anticipates April 2016**
- **De-Watering Box is ordered and scheduled to deliver the end of this month**
- **RFP for Aerator Installation (walkway build and wiring in or aerator) prepared and ready to go out to bid**
- **Team continues to work on other elements of order**
- **Reporting mechanism created to report back to TCEQ**
- **Recent TCEQ Enforcement report on DMR signing**

**Monthly Financial Reporting**

- **Reporting timeframe: October 1, 2015 through January 31, 2016 or 33% of Fiscal year**
- **Auditors continue to work through questions with Finance Department for previous years audit**
- **Budget amendments approved at February 2, 2016 meeting and will show on next months’ reports**

**City Manager Zimmer showed graphs showing Gov’t Fund Results Revenues**

- Code Enforcement revenues trending up
- ACO Revenues continue to exceed budget expectations
- Sales Tax @ 34%
- Ad Valorem tax @ 80%
- Municipal Court Revenues at 24%

#### Expenses

- Tracking audit with County – Important for PD
- Legal Fees: Professional Services down; Litigation Expenses higher than expected
- Tracking Salaries and OT – reviewed at Staff Mtg. Yesterday  
-Early fiscal year holidays cause more OT for PD and ACO

#### City Manager Zimmer showed other graphs (showing Revenues and Expenditures)

- Water/Sewer Sanitation Results
- Airport Results
- HOT Results
- Gas Results

Councilor Gonzales had a question about the percentage collected or percentage used on revenues. City Manager Zimmer said he could look at this either way. He said the terminology was created by the software. Councilor Gonzales asked if the terminology could be changed since this was kind of confusing. City Manager Zimmer said this was the first request he had for this but he would be glad to talk to Jim with Hill Country Software and see if this language could be updated. Councilor Gonzales thanked Erik. Mayor Rangra said software is often generic in their terms. Mayor Rangra asked where we stood in terms of the financial health of the City. City Manager Zimmer said the Specific Activity Report shows about 3.7 million. City Manager Zimmer said there are different ways to look at the health of the city. He said when you compare to the budget that we have allocated this year, we are not overspending our budget. He said our revenues are generally trending in the way according to what we budgeted. He said we are certainly in the black. He said if you look at it from a different perspective and say the health of the city and look at our assets as a whole, we can go back to those budget conversations from last summer and say there really was an additional half million that we really should have budgeted in order to really have a fully funded streets program. He said there are additional infrastructure or maintenance dollars that we should have budgeted towards water and sewer where we only budget 1 to 1.2 percent of our assets. He said he would argue that we really need to be thinking about that from a 3% range. He said to go from where we are at now to go to a really healthy city is making that leap. He said a part of what we have had to do is get rid of the unnecessary spending in the past and focus on what we absolutely have to do to run the city and maintain the assets and build a budget that is

affordable for the citizens. Mayor Rangra asked if we had an emergency, could we take care of it without having to go to the bank? City Manager Zimmer said it depended on where the emergency would occur. Mayor Rangra said the public needs to know that the City is not broke. He said he just wanted the public to know where we stand.

**City Staff Updates – None**

**5. Public Hearings – None**

- 6. 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 Minutes of February 2nd, 2016. (A. Rangra, Mayor) –**

Councilor Stephens asked that item 6A be moved to the Action items so that the item could be discussed. Item was moved to the action items of the agenda.

**7. Information or Discussion items –**

**A. Update of City-County Initiatives. (J. Gonzales) –** Councilor Gonzales said the County did look at the notes that Rick gave us but their main purpose for the last two meetings was their audit and the information that they were dealing with, so we are still waiting to get some answers from them for the questions that we submitted. Councilor Gonzales said he was glad to hear that they have approved their audit. He said he is sure we look forward to receiving this grant money for our overtime. City Manager Zimmer said it was for about \$17,000 to \$20,000. He said effective next year the City will be able to apply for its own grant benefits. Councilor Gonzales said it will be nice not having that problem again. Councilor Stephens asked what the process was in working with the County now. Councilor Gonzales said there were several things that had been discussed. He said they spoke about adequate plans for emergencies, fire hydrants, the ambulance service, the ETJ to the City of Alpine. Councilor Gonzales said the city is responsible for maintaining the ETJ and he does not think the county is doing anything with the area in the city ETJ. He said we are responsible for that one mile. He said they talked about the

water board and he was told that the water board members are picked by the County but the water board is run by the state. He said the county does not have any responsibility for the water board. He said these are the things we need to look at. Councilor Gonzales said he thinks what we need is an agreement of some sort between the city and county. He said the county said the city is using the county jails and not being charged. He said if we are going to ask for money back they are going to turn around and say that they need to start charging the city for the jail use, prisoners that are brought to the jail. He said he thinks we can work something out as far as the money is concerned. The ambulance service was discussed and when it expired. Councilor Salas said the contract expires on September 30th for the City and the County. She said Carol's ambulance is at the hospital as we speak and it is staffed. Councilor Stephens said he does understand what Councilor Gonzales said about the water board but the county does budget for it. He said they would have fiscal responsibility from the state. Councilor Gonzales said they do not have much money at all and the county does not tell them what to do, the state tells them what to do. Mayor Rangra said the State sets up the rules and regulations and then the board follows those. He said the state does not interfere with the management by the board. He said the county gives the money to run the board. He said the members are appointed instead of elected and in that way the members of the board are chosen by the county.

**B. Annual Racial Profiling Report. (E. Zimmer, CM) – City Manager Zimmer** said the Council has the Racial Profiling Report in their packets. He said this is an annual requirement by Senate Bill 1074. He said we reviewed this last year about this time. He said he has not received any specific complaints from citizens this year about racial profiling, or any other comments. He said this report will also be posted on the City of Alpine website tomorrow as a helpful link on the police department page but he wanted to wait until he had an opportunity to share it with the council. He said certainly this is something that our staff thinks a lot about. He said the majority of our staff is actually minority. He said we think about how we are perceived and how we interact with our citizens. Mayor Rangra asked if we train our police officers to determine the ethnicity of a person. He said he believed training was important. City Manager Zimmer said part of their training program is not to racial profile. He said the reason the annual report is critical is to see if there are any trends of inappropriate behavior and that is why it is important that we stop and take a look at this every year. Mayor Rangra asked if we provided training to the police officers to make the right judgments, in the terms of is this person brown, black, yellow so they can enter it under ethnicity? City Manager Zimmer said part of their training is to look at the color of the complexion, eye color, height and all of the key elements that are going to be placed in the report after an incident.

**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 or Mayor Pro Tem) Citizens are required to state their name and the Ward in which they reside. Priority will be given to citizens of Alpine and those who own businesses or property in the City. Individuals who do not live in, or own businesses or property in the City limits of Alpine, will be allowed to speak if there is time available.)**

- 6A. Approve Consent Agenda – Approve minutes of February 2nd meeting. –** Councilor Stephens said this was in regard to item 7B in the minutes. He said this was concerning the fire hydrants. He said they had a simple discussion and Councilor Gonzales asked about the fire hydrants. He said Councilor Gonzales said the fire hydrants were brand new and that they should be used for replacements for the ones that are not working. Councilor Stephens said he later asked the question if these fire hydrants were really new and he wanted the record to reflect that subsequent to that meeting we determined that those fire hydrants were over ten years old. Mayor Rangra asked if Councilor Stephens wanted to add that the fire hydrants were over ten years old. Councilor Stephens said that was the only thing he wanted to change. Motion was made by Councilor Stephens, by Resolution 2016-02-11, to approve the minutes of February 2nd, 2016 as amended. Motion was seconded by Councilor Fitzgerald. Councilor Gonzales said we understand they are ten years old or older but we need to know when they were put in. He said he knows they are a lot newer than some of the ones that we have on the south side. He said he received an email from the City Manager saying they were put in under a grant, but he does not think so. He said he thinks they were put in when the city financed the water project. Councilor Salas said this is all being worked on right now and we are addressing the fire hydrants. City Manager said the fire hydrants were put in, in 2006, by Key Enterprises. He said he was given this information by Johnny Marquez. Motion carried unanimously 5-0.
- 8. Discuss and Consider approving the second and final reading of Ordinance 2015-07-02, an Ordinance rezoning from R-3 to C-2, Block 9, Section 98, part of NW/4 1.8771 acres in the City of Alpine, Brewster County, Texas. Property identification/street address is 2210 N. Hwy 118 in Alpine, Texas. Rebecca Lewis, Owner. Ms. Lewis has petitioned rezoning this property from R-3 designation to C-2 designation. (E. Zimmer, CM) -** City Manager Zimmer said this is the second reading of this Ordinance. He said we reviewed this last week. Motion was made by Councilor Salas, by Resolution 2016-02-12, to approve the second and final reading of Ordinance 2015-07-02, an Ordinance rezoning from R-3 to C-2, Block 9, Section 98, part of NW/4 1.8771 acres in the City of Alpine, Brewster County, Texas. Motion was seconded by Councilor Fitzgerald. Bob Litton said he does not understand why she wants to make a change. He said he is not opposed to it. He is just being critical of the way the

item is listed on the agenda. Mayor Rangra said these items go through Planning and Zoning first, where they are discussed thoroughly. He said people go to the Planning and Zoning Commission meetings to ask questions. He said once the application comes to the Council from the Planning and Zoning Commission we discuss it thoroughly during the first reading and if there are changes to be made we make them. He said this is the second reading and these items have been pretty well discussed as to why they are requesting the change. Motion carried unanimously 5-0.

9. Discuss and Consider approving Resolution 2016-02-10, a Resolution Establishing an Order of General Election for Alpine, Texas. The election will be held to elect a Mayor, Council Member Ward 2 and Council Member Ward 4. The election will be held on May 7<sup>th</sup> 2016, with Early Voting by personal Appearance and end on May 3, 2016. Article III of the Alpine City Charter outlines selection, qualifications and terms of office. (E. Zimmer, CM) – Motion was made by Councilor Stephens, by Resolution 2016-02-10, establishing an Order of General Election for Alpine, Texas. Motion was seconded by Councilor Gonzales. City Manager Zimmer said we have to have a Resolution every year that we have an election. Councilor Stephens verified that the election was on Saturday, May 7<sup>th</sup> and Councilor Gonzales asked if the final filing deadline was February 19<sup>th</sup>. Motion carried unanimously 5-0.
  
10. Discuss and Consider approving Election Agreement with Brewster County for May 7<sup>th</sup>, 2016 Election. Agreement includes leasing election equipment and election services from Brewster County Clerk's office. (E. Zimmer, CM) – City Manager Zimmer said historically Molly has worked with Brewster County in holding our elections. He said the Council has the agreement in their packets. He said it is very similar to the agreement that we had last year. He said he has not received any comments or questions on this agreement since it was posted last Friday on the agenda. Motion was made by Councilor Fitzgerald, by Resolution 2016-02-13, to approve the Election Agreement with Brewster County for the May 7<sup>th</sup>, 2016 Election. Motion was seconded by Councilor Antrim. Mayor Rangra said this involves leasing electronic equipment from Brewster County for the Election. Councilor Salas asked why we had to lease the equipment from the County. The City Secretary said we do not own the equipment and there has to be an agreement by law. She said we help to pay for the original costs of the equipment and we pay a very small amount. Mayor Rangra said this could be something we could discuss with the County. Councilor Salas asked if she needed to put something in writing for Councilor Gonzales to take to the County. Councilor Gonzales said yes, please. Motion carried unanimously 5-0.
  
11. Discuss and Consider action item to approve Solid Waste Advisory Committee (SWAC) grant funding application requesting shredding of all collected brush at Recycle Center. Grant applications due by 2-26-16. (E.

**Zimmer, CM)- City Manager Zimmer said he is writing the grant application since Patsy McWilliams is still out on maternity leave. He said after our big ice storm we allowed our citizens to bring their brush in to be shredded. He said we were not able to shred all the brush since we do not have a tub grinder and had to take a lot of the brush to the recycling center, where it is still stacked at this time. He said the pile is so large that at this time we are unable to accept any more brush. He said he has received a price quote from Texas Disposal System for \$6,950 to grind the brush up into mulch that we would give back to the community. He said while he was at the workshop on February 1<sup>st</sup>, he asked if they thought this type of application would be accepted. He said they seemed to think it was a good idea. He said once we have this brush shredded, we can reopen the recycling center to accept brush again from our sanitation customers and we will still have another large pile of mulch to give out. He said wood chips have been very popular in the community for the last several years. He said being able to obtain this at no charge is very nice. He said the application does require a Resolution. Motion was made by Councilor Gonzales, by Resolution 2016-02-14, to approve the Solid Waste Advisory Committee (SWAC) grant funding application requesting shredding of all collected brush at the Recycle Center. Motion was seconded by Councilor Salas. Councilor Stephens asked if there could be an amendment to the application to ask for an additional \$3,000 so that the brush could also be picked up by the dumpsters and taken to be shredded. He said probably 50% of the dumpsters have stacks of brush beside them. City Manager Zimmer said we could ask for a certain amount of money to collect brush beside the dumpsters. Motion was amended by Councilor Stephens to request an additional \$3,000 in grant funding for the brush to be picked up by the dumpsters and then shredded. Motion was seconded by Councilor Antrim. Vote was taken on the amendment. Motion carried unanimously 5-0. Vote was taken on the original motion with the added amendment. Motion carried unanimously 5-0.**

- 12. Discuss and Consider nominating and appointing new Councilmember to replace Councilor Gonzales as City Council representative on the Animal Advisory Board. (R. Stephens)- Motion was made by Councilor Stephens, by Resolution 2016-02-15, to appoint Councilor Nancy Antrim as the City Council Representative on the Animal Advisory Board. Motion was seconded by Councilor Gonzales. Councilor Stephens said he felt it was important at this time to appoint a member to the Animal Advisory Board since the Animal Ordinance discussions were going to be an important item to start within the next couple of months. Joseph Goldman asked if the purpose of the Animal Advisory Board was to advise animals. He said why don't they call it an Animal Care Advisory Board. Mayor Rangra said the purpose of the Board is to advise the Council. Motion unanimously carried 5-0.**
- 13. Discuss and Consider selecting Chairman, Vice-Chairman and Recording Secretary for Animal Advisory Board per Section 10-223 of the City of Alpine**

**Code of Ordinances. (R. Stephens) - Mayor Rangra said before he asked for a motion or second, Section 10-223 of the City of Alpine Code of Ordinances states the makeup of the board and also states that the Animal Advisory Board shall select its own Chairman, Vice-Chairman and Recording Secretary. Councilor Stephens said he has attended the last three meetings of the Animal Advisory Board and the Chair has not attended the last three meetings. He said the Board is only required to meet three times a year. He said his proposal is that the Council ask the Animal Advisory Board to go through the election process and select a Chair, Vice-Chair and Recording Secretary. Councilor Stephens amended his wording of the agenda and made a motion, by Resolution 2016-02-16, to propose that at the next meeting of the Animal Advisory Board, the Board elect a Board Chair, Vice-Chair and Recording Secretary in line with Chapter 10-223 of the City of Alpine Code of Ordinances. Motion was seconded by Councilor Salas. Motion carried unanimously 5-0.**

- 14. Discuss and Consider approving Amendment No. 1 to the Texas Department of Transportation Airport Project participation Agreement TxDOT CSJ No. 1624 ALPIN. TxDot, Commission Approval: Adjusting the grant amount of the project by \$90,150 based on reduction in total design costs by Jutton Engineering. This agreement is to rehabilitate crack/seal clurry seal and mark 5-23; rotomill and overlay apron, taxiway A, C & D at the Alpine-Casparis Municipal Airport. (E. Zimmer, CM) – Motion was made by Councilor Stephens by Resolution 2016-02-17, to approve Amendment No. 1 to the Texas Department of Transportation Airport Project participation Agreement TxDot CSJ No. 1624 ALPIN adjusting the amount of the project down by \$90,150. Motion was seconded by Councilor Fitzgerald. City Manager Zimmer said TxDot Aviation was able to negotiate the amount with Jutton Engineering down. He said what TxDot has asked us to do is to go ahead and reduce the amount and Amendment 1 to the Agreement is reducing that amount by \$90,150. He said we may see other amendments through the 3.2 million dollar project. He said they need to keep their books up to date. He said now the price has been negotiated down to \$174,850. He said this amendment adjusts to that amount. He said there is no reduction of services or reduction of the project. He said we simply were able to have a better price negotiated than what we originally anticipated. Councilor Antrim said the work is being done by Jutton Engineering and she wanted to know why the invoice had Lochner on it. City Manager Zimmer said Mr. Jutton is part of Lochner Engineering and is their principal Engineer. He said Jutton will be on site engineering the project. Motion carried unanimously 5-0.**
  
- 15. Discuss and Consider action concerning money budgeted by Resolution for the parks. \$44K for American Legion and \$44K for Pueblo Nuevo. Resolution stated that the money not spent should be carried to the next budget year. Where was the money spent and who authorized the use of the money? (J. Gonzales) - He said he wanted to ask the lawyer if he had a copy of the**

**Resolution 2006-04-18 concerning the parks. Adolfo from the McKamie Firm said there was no hard copy of a Resolution with the item. Councilor Gonzales asked if a Resolution had to be amended by another Resolution. There was no hard copy of this Resolution but the Agenda item was voted on by Resolution. Councilor Gonzales made a motion that this item be tabled since he is waiting for more information. Motion was seconded by Councilor Salas. Motion carried unanimously 5-0.**

- 16. Council Member Comments And Answers –  
Councilor Stephens – said this had been a good productive meeting and thanked everyone for coming.  
Councilor Gonzales - thanked Councilor Antrim for taking over the Animal Advisory Board position.  
Councilor Fitzgerald - thanked everyone and recognized a new attendee from his ward, Kevin, for attending the Council meeting  
Councilor Salas – thanked everyone for attending and said that she would see them at the next meeting.  
Councilor Antrim – said she appreciated everyone coming to the meeting since the meeting date had been changed.  
Mayor Rangra – thanked everyone for coming and thanked the Council for the good spirited discussion and thanked Abel for his help**
- 17. Executive Session – None**
- 18. Action after Executive Session – None**
- 19. Adjournment – There being no further business, meeting was adjourned upon the motion of Councilor Salas and seconded by Councilor Fitzgerald.**

**NOTICE: The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.086 (economic development).**

I certify that this notice was posted at 11:00 A.M. on February 12th, 2016, 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 11:00 A.M. on February 12th, 2016, 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