

City of Alpine
Regular City Council Meeting
Tuesday, April 16, 2019
5:30 P.M.
Minutes

1. Call to Order, Invocation and Pledge of allegiance to the flags – Mayor Ramos called the meeting to order. The meeting was held in the Council Chambers at 803 West Holland in the City of Alpine, Texas. Dr. Nancy Antrim gave the invocation. Mayor Ramos led the pledge of allegiance to the flags.
2. Determination of a quorum and proof of notice of the meeting – Councilor Curry, Councilor Olivas, Councilor Escovedo and Councilor Stephens and Mayor Ramos were present. Councilor Fitzgerald was absent and excused. City Secretary, Cynthia Salas reported that the agenda was posted at 2:00 P.M. on April 12, 2019. City Manager, Jessica Garza, Megan Antrim, Abel Hinojos were also present.
3. Presentations, recognitions and proclamations – (A. Ramos, Mayor) – None
4. Reports –
 - City Mayor's Report – (A. Ramos, Mayor) –
 - A. Update on Sul Ross State University and the National Guard clean-up day for the City of Alpine.
 - City Manager Report – None
 - City Staff Updates –
 - A. Quarterly Report – Parks by Supervisor Robert Llanez
 - B. Quarterly Report – Code Enforcement by Code Compliance Officer Scott Lacina.
 - C. Quarterly Report – Building Services by Building Official Victor Meraz.
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being discussed separately unless requested by a Council Member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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. Approval of minutes from City Council meeting on April 2, 2019. (J. Garza, City Manager)
- B. Approval of minutes from Special City Council meeting on April 4, 2019. (J. Garza, City Manager)
- C. Approval of minutes from Special City Council meeting on April 8, 2019. (J. Garza, City Manager)

Motion was made by Councilor Stephens, by Resolution 2019-04-19 to approve the consent agenda as written with a correction date from minutes on April 18, 2019 to April 8, 2019. Motion was seconded by Councilor Escovedo. Motion unanimously carried.

7. Information or Discussion items –

- A. Quarterly Report – West Texas Ambulance by Mike Scudder.
- B. Discuss status of ground lease with Horak Properties, LLC and determine next step if any. (J. Garza, City Manager)
- C. City Manager provide the details of the employee retention rates that were in the April 4 Alpine Avalanche article. (R. Stephens, City Council)
- D. City Manager provide the status and update on the plan for the remainder of the year relative to planned actions to meet the goal of street resurfacing of 36 blocks in Alpine FY 2018/2019. (R. Stephens, City Council)
- E. City Manager provide the status and update on the implementation of Resolution 2019-04-02 that the City of Alpine will utilize budget or average billing for gas and water services for those residents who which to utilize balance or average billing with the start of sign up for that service within one week of April 2, 2019 and implementation of budget billing not later than May 31, 2019. (R. Stephens, City Council)
- F. No Parking on the West side of 5th Avenue between Avenue E and Holland. (R. Stephens, City Council)

8. 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.) –

- 1. Discuss, consider, and take action to approve the Easement and Right of Way Agreement with AEP Texas, Inc. (J. Garza, City Manager) – Motion was made by Councilor Stephens, by Resolution 2019-04-20 to approve the Easement and Right of Way Agreement with AEP Texas Inc.. Motion seconded by Councilor Curry. Motion unanimously carried.
- 2. Discuss, consider, and take action to approve the agreement with the Family Crisis Center of the Big Bend, Inc., a Non-Profit Organization, and providing for funding to provide victim assistance services.(J. Garza, City Manager) – Motion was made by Councilor Olivas, by Resolution 2019-04-21 to approve the agreement with the Family Crisis Center of the Big Bend, Inc., a Non-Profit Organization, and providing for funding to provide victim assistance services. Motion was seconded by Councilor Curry. Councilor Stephens concern is that the agreements goes until 2023 which us beyond the authority of the present Council to appropriate dollars. The agreement should be lined up with the fiscal year and then approve a year at a time. Section 3 to change April 1 to April 16, 2019 through September 30, 2019 up to each successive year for the next three years. Section 4 to modify to reflect the same situation as Section 3. Councilor Stephens doesn't see any problems if not terminated that the agreement would be reviewed and concerned that Council is allocating dollars that are not Council dollars to allocate. Motion carried unanimously. Motion amended by Councilor Stephens that the term of the agreement should be a period of 6 months beginning April 16, 2019 through September 30, 2019 in Section 3 of the agreement. Motion was seconded by Councilor Escovedo. Motion carried unanimously.
- 3. Discuss, consider, and take action to accept the proposal from KSA Engineering to conduct a street evaluation and improvement planning study. (J. Garza, City Manager) – Motion was made by Councilor Curry, by Resolution 2019-04-22 to accept the proposal from KSA Engineering to conduct a street evaluation and improvement planning study. Motion was seconded by Councilor Olivas. Councilor Curry, and Councilor Olivas voted yes and Councilor Escovedo, and Councilor Stephens voted

against. Mayor Ramos voted to accept the proposal and broke the tie. Motion carried 3 to 2.

4. Discuss, consider, and take action to approve a Request for Qualifications for "On Call" Engineering Service for the City of Alpine. (J. Garza, City Manager) – Motion was made by Councilor Curry, by Resolution 2019-04-23 to approve a Request for Qualifications for "On Call" Engineering Service for the City of Alpine. Motion was seconded by Councilor Olivas. Motion carried unanimously.
5. Discuss, consider, and take action on the second and final reading of Ordinance 2019-03-01 of the City of Alpine, Texas, amending Chapter 94, "Traffic and Vehicles", of the Code of Ordinance, City of Alpine, Texas to require a fee for the requested Police escort services, providing this Ordinance shall be cumulative; providing for severability clause; providing for a saving clause; providing for a penalty clause; providing for publication in the official newspaper; and providing an effective date. (R. Stephens, City Council) – Motion was made by Councilor Stephens, by Resolution 2019-04-24 adopted the second and final reading of Ordinance 2019-03-01 of the City of Alpine, Texas, amending Chapter 94, "Traffic and Vehicles", of the Code of Ordinance, City of Alpine, Texas to require a fee for the requested Police escort services, providing this Ordinance shall be cumulative' providing for severability clause; providing for a saving clause; providing for a penalty clause; providing for publication in the official newspaper; and providing an effective date. Motion was seconded by Councilor Curry. Motion carried unanimously.
6. Discuss, consider, and take action on Resolution 2019-04-05 regarding the importance of truth and good faith in conducting City business. (R. Stephens, City Council) – Motion was carried by Councilor Stephens, by Resolution 2019-04-25 to take action on Resolution 2019-04-05 regarding the importance of truth and good faith in conducting City business. Motion was seconded by Councilor Escovedo. Councilor Olivas was against. Councilor Curry, Councilor Escovedo, and Councilor Stephens voted for. Motion passed 3 to 1.
7. Discuss, consider, and take action on Resolution 2019-04-06 regarding training and development of City Employees. (R. Stephens, City Council) – Motion was made by Councilor Stephens, by Resolution 2019-04-26 to adopt Resolution 2019-04-06 regarding training and development of City Employees. Motion was seconded by Councilor Escovedo. Councilor Curry abstained, Councilor Olivas against, Councilor Escovedo and Councilor Stephens voted for. Motion passed.
8. Discuss, consider, and take action on Resolution 2019-04-07 regarding review and approval of City Manager's absences. (R. Stephens, City Council) – Motion was made by Councilor Stephens, by Resolution 2019-04-27 to adopt Resolution 2019-04-07 regarding review and approval of City Manager's absences. Motion was seconded by Councilor Escovedo. Councilor Curry, Councilor Escovedo, and Councilor Stephens voted for. Councilor Olivas voted against. Motion passed 3 to 1.
9. Councilmember Comments and Answers – No discussion or action may take place. – Individual Council member comments are available by request.

Councilor Stephens – No comment

Councilor Escovedo – No comment

Councilor Fitzgerald – Absent

Councilor Olivas – No comment

Councilor Curry – No comment

Mayor Ramos – No comment

10. Executive Session – Pursuant to Texas Government Code Section 551.071 Consultation with Attorney on a matter for which it is the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct conflict with this Chapter and requires discussion of the item in closed session; and Section 551.074 Personnel Matters.

- A. Review and deliberate on issues brought forward to the City Council from current City employees and former City employees. (R. Stephens, City Council)
- B. Deliberate regarding Personnel Review and discuss the annual performance assessment and evaluation of the City Manager.(R. Stephens, City Council)

Motion was made by Councilor Stephens, by Resolution 2019-04-28 that City Council extend its meeting beyond the 9:00pm time-limited set by Ordinance. Motion was seconded by Councilor Olivas. Motion unanimously carried.

Motion was made by Councilor Stephens, by Resolution 2019-04-29 to go into executive session. Motion was seconded by Councilor Curry. Motion passed 4 to 0 (8:15pm)

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, Section 551.071 (consultation with attorney), 551.074 (personnel matters)

11. Action – Executive Session –

Motion was made by Councilor Stephens, by Resolution 2019-04-30 to end executive session. Motion was made by seconded by Councilor Curry. Motion unanimously carried. (10:15 pm)

- A. Discuss, consider, and take appropriate actions relative to the employment contract of the City Manager, Jessica Garza, including possible reassignment, adjustment of duties, discipline or dismissal. (R. Stephens, City Council)

Motion was made by Councilor Stephens, by Resolution 2019-04-31 that relative to the employment contract of the City Manager, Jessica Garza that Council terminate the contract. Motion was seconded by Councilor Escovedo. Councilor Stephens and Councilor Escovedo for. Mayor Ramos, Councilor Curry and Councilor Olivas against. Motion failed.

- B. Discuss, consider, and take appropriate actions regarding the personnel review and discuss the annual performance assessment and evaluation of the City Manager. (R. Stephens, City Council)

Motion was made by Councilor Stephens, by Resolution 2019-04-32 regarding the personnel review and annual performance assessment and evaluation of the City Manager that City Council meet on April 24, 2019 in Special Executive Session to complete the evaluation reassessment that will be presented to the City Manager on May 7, 2019 in the form of a 6 month performance improvement plan. Motion was seconded by Councilor Curry. Motion unanimously carried.

I certify that this notice was posted at 2:00 P.M. on April 12, 2019, 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.

Andres "Andy" Ramos, Mayor

Attest:

Cynthia Salas, City Secretary

I, Cynthia Salas, City Secretary, do certify that this notice was posted at 2:00 P.M. on April 12, 2019, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Cynthia Salas, City Secretary