

City of Alpine
Regular City Council Meeting
Tuesday, May 9, 2023
Minutes

1. **Call to Order & Pledge of Allegiance** – Mayor Catherine Eaves called the meeting to order at 5:30 P.M. The meeting was held at City Council Chambers located at 803 West Holland Avenue and via Zoom Videoconference in the City of Alpine, Texas. Mayor Eaves led the pledge of allegiance to the flags.

2. **Determination of a Quorum and Proof of Notice of the Meeting** –

City Council Members Present:

Mayor Catherine Eaves
Councilor Judy Stokes
Councilor Chris Rodriguez
Councilor Martin Sandate

Not Present:

Councilor Sara Tandy

City Staff and Stakeholders Present:

Megan Antrim, City Manager
Geoffrey R. Calderon, City Secretary
Rod Ponton, City Attorney
Honorable Judge Gilbert Valenzuela
Darrell Losoya, Chief of Police
Linda Stewart, Court Clerk
Jennifer Stewart, Animal Services Supervisor
Darin Nance, Council Member-Elect Ward 3
Rick Stephens, Council Member-Elect Ward 5

Mayor Eaves announced that a quorum of the City Council was present at the City Council Chambers and City Secretary, Geoffrey Calderon, reported that the meeting agenda was posted by 2:00 P.M. on May 5, 2023.

3. **Public Comments** – (limited to 3 minutes per person) – None.

4. **Presentations, Recognitions, and Proclamations** –

1. Community Action Month: May 2023.

The Proclamation for Community Action month was presented by Mayor Eaves.

2. National Travel and Tourism Week: May 7 – 13.

The Proclamation for National Travel and Tourism Week was presented by Mayor Eaves and accepted by Tourism Director, Chris Ruggia, Visitor Center Coordinator, Heather Yadon, and Visitor Center Assistant, Laura Gold.

3. Public Service Appreciation Week: May 7 – 13.

The Proclamation for Public Service Appreciation Week was presented by Megan Antrim and accepted by City of Alpine employees.

Mayor Eaves called a short recess to take a group photo of the City of Alpine employees in attendance for the Public Service Appreciation Week proclamation. (5:39 P.M.)

The meeting resumed. (5:45 P.M.)

5. **Reports** – Copies of presentations displayed during the meeting are posted on the City website at www.cityofalpine.com/reports –

City Mayor Report

1. Alpine Housing Authority Board.
2. Hospital District Board.
3. School District Board.
4. Alpine Nonprofits (Alpine Historic Association, Alpine Community Projects, Alpine Business Alliance, Women's Club, Ambassadors, Lion's Club).
5. Earth Day.
6. Cinco de Mayo Celebrations (Alpine Elementary School, Parade, Downtown Hoedown Street Fest, Salsa Competition, Big Bend Broadway Bash to support Summer Theater).
7. Regional Emergency Medical Services.
8. Dollar General.
9. Loose Ends that need to be tied - Daugherty Well, AEP Agreement.
10. Budget Season and Budget Worksheets and Workshops.
11. Snippet from the Charter and Robert's Rules of Order.

City Attorney Report –

1. Municipal Court Update.
2. AEP Franchise Fee Negotiations Update.
3. Alpine Ordinance RE: Abandoning/Selling City Streets.
4. Skyway Gardens Annexation Update.
5. Texas Disposal Systems Update.

City Manager Report –

1. Texas Municipal League Pilot Project – Phishing.
2. Rio Grande Council of Governments – Upper Rio Grande Regional Flood Planning Group.
3. Community Services of South Central Texas.
4. TxDOT TASA Application – Mobility Study.
5. Utilities Update – Employees, Training, Equipment, Water Usage.
6. HR Update – Required Trainings.
7. FY 2022 Audit Update.
8. Update on Rate Study, Cost of Living Study, Strategic Plan.

City Staff Updates –

1. Municipal Court Update by the Honorable Judge Gilbert E. Valenzuela & Linda Stewart, Court Clerk.
2. Animal Services Report by Animal Services Supervisor, Jennifer Stewart.

6. Public Hearings –

Open (7:07 P.M.)

1. Public Hearing to obtain citizens views and comments regarding the first reading of Ordinance 2023-05-01, an ordinance annexing the proposed Skyway Gardens II

development that is adjacent and contiguous territory to the City legally described as 5.000 acres out of Section 102, Block 9, Brewster County, Texas, being a portion of that certain 10.0 acre tract described in Volume 314, Page 453, Official Public Records of Brewster County, Texas.

Public Comments: Rick Stephens, Ward 5; Sylvana Milan, Ward 4; Brianna Adams, Ward 4; Karen Cantrell, Ward 1; Cynthia Salas, Ward 2.

2. Public Hearing to obtain citizens views and comments on Special Use Permit 2023-04-03, a Special Use Permit for the purpose of allowing the applicant, Cactus If You Can, LLC, to obtain a Mixed Beverage license/permit from the Texas Alcoholic Beverage Commission to establish a bar at the subject property.

Public Comments: David Keller, Ward 4; Chris Ruggia, Ward 3; Sam Stavenoah, Brewster County Resident.

3. Public Hearing to obtain citizen views and comments regarding Short Term Special Use Permit Applications.

Public Comments: None.

Close (7:23 P.M.)

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.) –

1. Approval of April 18, 2023 Regular Meeting Minutes. (G. Calderon, City Secretary)
2. Approval of the excused absence of Councilor Tandy from the April 18, 2023 Regular City Council Meeting. (G. Calderon, City Secretary)
3. Approval of the appointment of Jessica Lundeby to the Place 3 (Arts & Historic) position on the Hotel Occupancy Tax Committee. (J. Stokes, City Council)
4. Approval of the appointment of Amit Rangra to the Place 1 position on the Planning & Zoning Commission. (J. Stokes, City Council)
5. Approval of Short Term Rental Special Use Permit 2023-04-02 for 609 E Ave E. The record property owner is Lori Cobos. (G. Calderon, City Secretary)
6. Approval of Fiscal Year 2022-2023 Budget Calendar. (M. Antrim, City Manager)
7. Approval of Resolution 2023-05-01, a resolution authorizing the City to participate in the Office of the Governor, Public Safety Office, Criminal Justice Division's Justice Assistance Grant (JAG) for Fiscal Year 2023 to include Mobile Security Cameras - 4497001. (M. Antrim, City Manager)
8. Approval of March 2023 City Attorney Invoice. (M. Antrim, City Manager)

Mayor Eaves requested to remove item no. 4 from the regular sequence of the consent agenda to be discussed separately.

Councilor Rodriguez requested that item no. 8 be discussed separately.

RESOLUTION 2023-05-03: On a motion by Councilor Stokes and seconded by Councilor Sandate to approve consent agenda items no.1, 2, 3, 5, 6, and 7, the City Council unanimously voted to adopt the motion.

RESOLUTION 2023-05-04: On a motion by Councilor Stokes to appoint Amit to the Planning & Zoning Commission, the motion died due to lack of a second.

Due to lack of a motion, consent agenda item no. 8 was lost.

8. Information or Discussion items –

1. Parks and Recreation Board Update by Chair of the Board, Darin Nance. (M. Antrim, City Manager)
2. Continue the discussion regarding the approval of a letter of support for the H2 Hydrogen Hub. (C. Eaves, Mayor)
3. Discuss updates on the feasibility study for the proposed Skyway Gardens II water infrastructure. (J. Stokes, City Council)
4. Discuss updates regarding the purchase of generators. (J. Stokes, City Council)
5. Discuss the status of hiring a Director of Finance and a Director of Utilities. (J. Stokes, City Council)

Mayor Eaves called a recess. (7:58 P.M.)

Meeting Resumed (8:04 P.M.)

9. Action items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. (Action items are limited to 10 per meeting.) –

1. Approve the first reading of Ordinance 2023-05-01, an ordinance annexing the proposed Skyway Gardens II development that is adjacent and contiguous territory to the City legally described as 5.000 acres out of Section 102, Block 9, Brewster County, Texas, being a portion of that certain 10.0 acre tract described in Volume 314, Page 453, Official Public Records of Brewster County, Texas; Approving a service plan for the annexed area; Approving a development agreement between the developer and the City; Providing findings of fact; Providing cumulative and severability clauses; Providing an effective date. (M. Antrim, City Manager)

RESOLUTION 2023-05-05: Councilor Stokes moved to approve with Councilor Sandate seconding the motion. Discussion ensued.

RESOLUTION 2023-05-06: Councilor Stokes moved to postpone the item until the language can make everybody happy. Councilor Sandate seconded the motion. Councilor Stokes and Councilor Sandate voted to approve. Councilor Rodriguez abstained.

2. Approve the first reading of Ordinance 2023-05-02, an ordinance amending Chapter 10 - Animals to the Alpine Code of Ordinances; Establishing a uniform fee structure for all Animal Services Fees; Amending Permit Requirements for Kennels, private boarding, boarding as a business, raisers, or breeders of dogs, cats, and other animals. (M. Antrim, City Manager)

RESOLUTION 2023-05-07: On a motion by Councilor Stokes and seconded by Councilor Sandate to approve, the City Council unanimously voted to adopt the motion.

3. Approve Resolution 2023-05-02, a resolution adopting a swimming pool fee schedule for the Fiscal Year 2023 for the Alpine Municipal Swimming Pool. (M. Antrim, City Manager)

RESOLUTION 2023-05-08: On a motion by Councilor Sandate and seconded by Councilor Stokes to approve Resolution 2023-05-02, the City Council unanimously voted to adopt the motion.

4. Approve a letter of support for the City to participate in the Smithsonian Traveling Exhibit. (M. Antrim, City Manager)

RESOLUTION 2023-05-09: On a motion by Councilor Rodriguez and seconded by Councilor Sandate to approve a letter of support for the City to participate in the Smithsonian Traveling Exhibit, the City Council unanimously voted to adopt the motion.

5. Approve Special Use Permit 2023-04-03, a Special Use Permit for the purpose of allowing the applicant, Cactus If You Can, LLC, to obtain a Mixed Beverage license/permit from the Texas Alcoholic Beverage Commission to establish a bar at the subject property. The property in question is located at 102 E Murphy. The Property ID of the subject property is 12107. The record property owner is Hotel Ritchey LLC. (M. Antrim, City Manager)

RESOLUTION 2023-05-10: On a motion by Councilor Stokes and seconded by Councilor Sandate to approve, the City Council unanimously voted to adopt the motion.

RESOLUTION 2023-05-11: On a motion by Councilor Stokes seconded by Councilor Sandate to take the meeting past 9:00 P.M., the City Council voted unanimously to adopt the motion.

6. Approve the Interlocal Agreement with Brewster County establishing the Alpine Emergency Services Board for management of the Alpine Volunteer Fire Department. (M. Antrim, City Manager)

RESOLUTION 2023-05-12: Councilor Stokes moved to approve with Councilor Sandate seconding the motion. Discussion ensued.

RESOLUTION 2023-05-13: On a motion by Councilor Stokes and seconded by Councilor Sandate to postpone the item pending an amendment, the City Council unanimously voted to adopt the motion.

7. Approve the appointment of Aaron Rodriguez, Stacey Wood, and Albert Benitez to be representatives of the City to the Alpine Emergency Services Board. (M. Antrim, City Manager)

RESOLUTION 2023-05-14: On a motion by Councilor Rodriguez and seconded by Councilor Sandate to approve the appointment of Aaron Rodriguez, Stacey Wood, and Albert Benitez to be representatives of the City to the Alpine Emergency Services Board, the City Council unanimously voted to adopt the motion.

10. City Council Member Comments and Answers – No discussion or action may take place.

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, Pursuant to Texas Government Code 551.071 (consultation with an 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).

RESOLUTION 2023-05-15: On a motion by Councilor Stokes and seconded by Councilor Sandate to recess into executive session, the City Council unanimously voted to adopt the motion. **(9:05 P.M.)**

Mayor Eaves called a 5-minute recess. (9:05 P.M.)

Executive Session Resumed. (9:10 P.M.)

11. Executive Session –

Consultation with Attorney § 551.071, Texas Government Code

1. Discuss the proposed Daugherty lease with the City Attorney. (M. Antrim, City Manager)

12. Action – Executive Session –

RESOLUTION 2023-05-16: On a motion by Councilor Rodriguez and seconded by Councilor Stokes to reconvene open session, the City Council unanimously voted to adopt the motion. **(9:44 P.M.)**

1. Action, if any, concerning the proposed Daugherty lease discussion with the City Attorney. (M. Antrim, City Manager)

RESOLUTION 2023-05-17: On a motion by Councilor Rodriguez and seconded by Councilor Sandate to take no action, the City Council unanimously voted to adopt the motion.

There being no further business, the meeting was adjourned.

13. Adjourn. (9:45 P.M.)

APPROVED:

ATTEST:

Catherine Eaves, Mayor

Geoffrey R. Calderon, City Secretary

CERTIFICATION

I, Geoffrey R. Calderon, hereby certify that this notice was posted at City Hall, in a convenient and readily accessible place to the general public, and to the City website at www.cityofalpine.com/agenda pursuant to Section 551.043, Texas Government Code. The said notice was posted by 2:00 P.M. on May 5, 2023, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting. 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 Office of the City Secretary at (432) 837-3301, option 1, or email city.secretary@cityofalpine.com for further information.

Geoffrey R. Calderon, City Secretary