

City of Alpine
Regular City Council Meeting
Tuesday, November 17, 2020
5:30 P.M.
Minutes

1. Call to Order, and Pledge of allegiance to the flags – Mayor Ramos called the meeting to order. The meeting was held at the Civic Center and via Zoom Conference in the City of Alpine, Texas. 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 Betty Fitzgerald, Councilor Stephens and Mayor Ramos were present. Councilor Escovedo was absent. City Secretary, Cynthia Salas reported that the agenda was posted at 5:00 P.M. on November 13, 2020. City Secretary Cynthia Salas, City Manager Erik Zimmer attended at the Civic Center. City Attorney Rod Ponton attended via zoom.
3. Public Comments (limited to 3 minutes per person) –
4. Discuss, consider, and take appropriate action on approving Ordinance 2020-11-03 for the canvass of the votes for the November 3, 2020 City of Alpine General Election for Mayor, one Council Member in Ward 2, and one Council Member Ward 4. All three terms are through the May Election 2022. (E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 2020-11-15 to approve Ordinance 2020-11-13 for the canvass of the votes for the November 3, 2020 City of Alpine General Election for Mayor, one Council member in Ward 2 and one Council member in Ward 4. All three terms are through the May Election 2022. Motion was seconded by Councilor Curry. Motion passed 4 to 0.
5. Swearing in of Mayor, Council member Ward 2, and Council member Ward 4 by the Honorable Roy Ferguson, State District Judge for the 394th Judicial District. (E. Zimmer, City Manager) – Honorable Roy Ferguson State District Jude for the 394th Judicial District swore in the Mayor, Council member Ward 2 Chris Rodriguez, and Council member Ward 4 Martin Sandate.
6. Presentation, Recognitions, and Proclamations – (A. Ramos, Mayor)
 - Presentation to Ramon Olivas for his 4 years (2 terms) in office as Council member for Ward 2.
 - Presentation to Lucy Escovedo for her 4 years (2 terms) in office as Council member for Ward 4.
7. Reports – Copies of the charts presented during the meeting are posted on the City website at <https://www.cityofalpine.com/Alpine%20City%20Council%20-%20CM%20Report%203-17-2020.pdf>

City Mayor's Report – (A. Ramos, Mayor) – None

City Attorney's Report –

- UPRR update
- Municipal court update
- Alpine Police Dept. review / update

City Manager Report –

- Coronavirus Update
- Fall Events Update
- Ordinance update Roadmap
- Schedule of Fees Update

City Staff Updates –

- Police (Chief Martin), Animal Control (Jennifer Stewart)

8. Public Hearing - None

9. 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 minutes from City Council meeting on November 3, 2020. (E. Zimmer, City Manager)

Motion was made by Councilor Stephens, by Resolution 2020-11-16 to approve the consent agenda as presented. Motion was seconded by Councilor Curry. Motion unanimously carried.

10. Information or Discussion items –

1. Charter Discussion: Role of the Mayor as defined by City of Alpine Charter and Interference with Administration as outlined by Section 3.10 of City Charter. (E. Zimmer, City Manager)

11. 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.) after being called upon by Mayor or Mayor Pro Term. 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 appropriate action to determine whether or not to continue to engage Rod Ponton as the City Attorney for the City of Alpine. (M. Curry, City Council) – Motion was made by Councilor Curry, by Resolution 2020-11-17, to determine whether or not to continue to engage Rod Ponton as the City Attorney for the City of Alpine. Motion was seconded by Councilor Stephens. Councilor Curry, Councilor Rodriguez, Councilor Fitzgerald, and Councilor Stephens voted for. Motion Sandate voted against. Motion passed 4 to 1
2. Discuss, consider, and take appropriate action to on recommendations on Resolution 2020-11-14 in regard to an Electric Provider Services for the City of Alpine. (E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 2020-11-14 on recommendations in regard to an Electric Provider Services Reliant for the City of Alpine. Motion was seconded by Councilor Curry. Motion was made to amend by Councilor Stephens for a 5 year contract. Motion was seconded by Councilor Curry. Motion unanimously carried.
3. Discuss, consider, and take appropriate action on City Attorney Rod Ponton’s bill. (E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 2020-11-18 to approve the September and October City Attorney’s bill in the amount of \$10,435 in lieu of the \$11,935 that was proposed on the basis that \$540.00 in September and \$960.00 worth of expenses in the October bill that should not be charged to the City. Motion was seconded by Councilor Curry. Motion unanimously carried.

4. Discuss, consider, and take appropriate action on Resolution 2020-11-13, on Alpine Country Club request. (R. Stephens, City Council) – **Motion was made by Councilor Stephens, by Resolution 2020-11-13, to approve relative to the Alpine County Club request that has a number of key elements.**

1) that City Council continue the monthly discount of 60% for water being provided to the Alpine County Club which is already in place

2) authorize the City Manager to provide water from the effluent tank at no cost to the Alpine Country Club for the use of the golf course. The objective of City will be to provide effluent water 20 or more days per month.

3) that the Country Club continue to invest in projects as identified in their capital plan and report progress to the City Council not later than March 2021 that this Resolution take a place effective July 1, 2020 which was the expiration of the old agreement and goes through September 30, 2021. That the Alpine County Club work with the City to establish a cost ability irrigation system on the course property to be completed March 2021. Motion was seconded by Councilor Curry. Motion unanimously carried.

12. City Councilmember Comments and Answers – No discussion or action may take place.

13. Executive Session - Pursuant to Texas Government Code 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 551.071(consultation with attorney regarding potential or contemplated claims against the City) Pursuant to Texas Government Code 551.074 – to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. –

Motion was made by Councilor Stephens, by Resolution 2020-11-19, to move into Executive Session. Motion was seconded by Councilor Curry. (8:02)

1. Discuss update with attorney regarding Parkhill, Smith, and Cooper negotiations. (E. Zimmer, City Manager)

2. Discuss update from UPPR. (E. Zimmer, City Manager)

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 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)

Motion was made by Councilor Stephens, by Resolution 2020-11-20, to come out of Executive Session. Motion was seconded by Councilor Curry. (8:20pm)

Motion was made by Councilor Stephens, by Resolution 2020-11-21, to move into open session. Motion was seconded by Councilor Rodriguez. (8:21pm)

14. Action – Executive Session –

1. Discuss, consider, and take appropriate action, if any, regarding Parkhill, Smith, and Cooper. (E. Zimmer, City Manager) – **Motion was made by Councilor Stephens, by Resolution 2020-11-21 to take no action. Motion was seconded by Councilor Rodriguez. Motion unanimously carried.**

2. Discuss, consider, and take appropriate action, if any, regarding UPRR. (E. Zimmer, City Manager)-
Motion was made by Councilor Stephens, by Resolution 2020-11-22 to take no action. Motion was seconded by Councilor Sandate. Motion unanimously carried.

I certify that this notice was posted at 5:00 P.M. on November 13, 2020, 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 5:00 P.M. on November 13, 2020, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Cynthia Salas, City Secretary