

2. Discuss, consider, and take appropriate action on Resolution 2020-11-03 for the renovation of the Old Schoolhouse. (E. Zimmer, City Manager)



# CITY COUNCIL

## AGENDA REQUEST

<b>AGENDA FOR COUNCIL MEETING: INITIATED BY:</b>	<b>NOVEMBER 3, 2020</b>	<b>AGENDA REQUEST NO:</b>	<b>ACTION</b>
	<b>ERIK ZIMMER</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>ADMINISTRATION</b>
	<b>PRESENTED BY:</b> <b>ERIK ZIMMER</b>	<b>FINANCE DIRECTOR:</b> <b>ADDITIONAL DIRECTOR (S):</b>	<b>MEGAN ANTRIM</b>

<b>SUBJECT / PROCEEDING:</b>	<b>DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION ON RESOLUTION 2020-11-03 FOR THE RENOVATION OF THE OLD SCHOOLHOUSE</b>
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<b>EXHIBITS:</b>	<b>RESOLUTION 2020-11-03</b>
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CLEARANCES		APPROVAL	
<b>LEGAL:</b>	<b>CITY ATTORNEY</b>	<b>ROD PONTON:</b>	_____
<b>FINANCE:</b>	<b>FINANCE DIRECTOR</b>	<b>MEGAN ANTRIM:</b>	_____
<b>APPROVAL:</b>	<b>CITY MANAGER</b>	<b>ERIK ZIMMER:</b>	_____

BUDGET	
<b>EXPENDITURE REQUIRED: \$</b>	<b>0</b>
<b>SAVINGS ANTICIPATION: \$</b>	
<b>CURRENT BUDGET FY2020-2021: \$</b>	<b>0</b>
<b>ADDITIONAL FUNDING: \$</b>	

RECOMMENDED ACTION
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EXECUTIVE SUMMARY
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Resolution on renovation of Old Schoolhouse (aka - old Sunshine House)  
City Council Meeting  
3 November 2020

Mayor and City Council,

This particular Resolution is being requested of Council to allow us to forgo the RFP process in our renovation project of the Old Schoolhouse. We are targeting the initial phase of this project immediately to utilize CARES Funds for the predominance of the renovation costs. The President's emergency declaration and ensuing Governor's order give us latitude to forgo the competitive bid process to get these projects done more expeditiously. The window is closing on us for the use of the funds (target is by the end of this calendar year).

Internally, we know what the competitive pricing needs to be and will be leaning on local vendors to get the project complete for us.

This Resolution was pulled together to help Council have heightened visibility and the opportunity to discuss further.

Thank you for your consideration,

Kind regards,  
Erik Zimmer, City Manager

STATE OF TEXAS  
CITY OF ALPINE

COUNTY OF BREWSTER

**RESOLUTION 2020-11-03**

**RESOLUTION AUTHORIZING THE CITY OF ALPINE TO MAKE IMPROVEMENTS TO CITY STRUCTURES TO ADHERE TO PUBLIC HEALTH GUIDANCE DUE TO PRESIDENTIAL DECLARATION RELATED TO COVID 19 PANDEMIC IN MARCH 2020.**

**WHEREAS**, on March 13, 2020, the Governor of the State of Texas declared a state of disaster and the President of the United States declared a national emergency in relation to COVID-19; and

**WHEREAS**, said state of disaster requires that certain emergency measures be taken pursuant to the Executive Order of the Governor Relating to Emergency Management; therefore, the following regulations shall take effect immediately upon issuance, and shall remain in effect until the state of disaster is terminated; and

**WHEREAS**, the City of Alpine adopted Ordinance 2020-03-06, an emergency ordinance outlining the Governor's Orders on March 20, 2020.

**WHEREAS**, Brewster County has also adopted certain emergency measures on March 31, 2019 regarding COVID-19;

**WHEREAS**, the City of Alpine is considered an Essential Government Function, and per City Ordinance 2020-03-06 *"All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public shall continue. Further, nothing in this ordinance shall prohibit any individual from accessing 'Essential Government Functions.' Each government body shall determine its Essential Government Functions and identify employees and/or contractors necessary to the performance of those functions, including but not limited to support services such as Chambers of Commerce, non-profit support services and the like. To the extent feasible, all Essential Government Functions shall be performed in compliance with the social distancing of six feet per person is maintained."* This Ordinance does not apply to the Federal, State or County Government.

**WHEREAS**, to adhere to the guidelines issued by the Centers for Disease Control and Prevention (CDC) and follow the orders from the Texas Governor's Office related to Public Health and Safety measures, the City of Alpine has had to limit in-person public access to routine City operations and resources, as well as promote teleworking for staff since March 20,

2020 due to limited space at the current City Administration building;

**WHEREAS**, the City of Alpine strives to improve current and long-term, in-person public access to essential City functions in a safe, socially-distanced environment by remodeling a City owned facility to allow for additional public areas for the City and its employees to continue to provide essential services.

**WHEREAS**, Chapter 252 Section 022 (a)(2) of the Local Government Code allows a city to forego the competitive bidding procedures when making a purchase that is necessary to preserve or protect the public health or safety of the city's residents.

**WHEREAS**, the City of Alpine will be purchasing services to make improvements/remodel a City owned facility to allow for the essential functions of the City to continue to be provided with the availability of social distancing for the health and safety of the City's citizens.

**PASSED AND ADOPTED THIS 3<sup>rd</sup> DAY OF NOVEMBER 2020 BY THE CITY COUNCIL OF  
THE CITY OF ALPINE, TEXAS.**

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Andres "Andy" Ramos, Mayor  
City of Alpine

ATTEST:

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Cynthia Salas, City Secretary  
City of Alpine

3. Discuss, consider, and take appropriate action for approval of City Attorney's September 2020 invoice. (E. Zimmer, City Manager)



# CITY COUNCIL

## AGENDA REQUEST

<b>AGENDA FOR COUNCIL MEETING:</b> <b>INITIATED BY:</b>	NOVEMBER 3, 2020	<b>AGENDA REQUEST NO:</b>	ACTION
	ERIK ZIMMER	<b>RESPONSIBLE DEPARTMENT:</b>	ADMINISTRATION
<b>PRESENTED BY:</b>	ERIK ZIMMER	<b>FINANCE DIRECTOR:</b>	MEGAN ANTRIM
		<b>ADDITIONAL DIRECTOR (S):</b>	
<b>SUBJECT / PROCEEDING:</b>	DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION FOR APPROVAL OF CITY ATTORNEY'S SEPTEMBER 2020 INVOICE.		
<b>EXHIBITS:</b>			

CLEARANCES		APPROVAL	
<b>LEGAL:</b>	CITY ATTORNEY	<b>ROD PONTON:</b>	_____
<b>FINANCE:</b>	FINANCE DIRECTOR	<b>MEGAN ANTRIM:</b>	_____
<b>APPROVAL:</b>	CITY MANAGER	<b>ERIK ZIMMER:</b>	_____

BUDGET	
<b>EXPENDITURE REQUIRED:</b>	\$ 0
<b>SAVINGS ANTICIPATION:</b>	\$
<b>CURRENT BUDGET FY2020-2021:</b>	\$ 0
<b>ADDITIONAL FUNDING:</b>	\$

RECOMMENDED ACTION
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EXECUTIVE SUMMARY
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Bill to:

**City of Alpine**  
100 N 13 Street  
Alpine, TX 79830

**INVOICE**

To September 30, 2020

Invoice Date September 30, 2020

Invoice Number Due 181

Date Due Upon Receipt

City Attorney 0247

**Account Summary**

Current Invoice \$5,302.50

**Total Due \$5,302.50**

**Fee Detail**

Date		Description	Hours	Rate	Total
9/1/2020	RP	PSC matter; review Perry letter and follow up re claimed sewer plant work; draft reply to PSC attorney demand	4.30	\$200.00/hr	\$860.00
9/1/2020	RP	Review Animal ordinance for the Animal Advisory Board	0.40	\$200.00/hr	\$80.00
9/2/2020	RP	Receive/review Municipal Court docket for September 8	0.30	\$200.00/hr	\$60.00
9/3/2020	RP	Follow up on radio tower on the Clayton Williams CW ranch	0.30	\$200.00/hr	\$60.00
9/3/2020	RP	Receive email from Josephine Jordan, UPRR; UPRR agrees to pay fine of \$17,500 in full; update Erik Zimmer of agreement	0.40	\$200.00/hr	\$80.00



Date		Description	Hours	Rate	Total
9/4/2020	RP	Review Municipal Court files	0.40	\$200.00/hr	\$80.00
9/4/2020	RP	Emails to/from Erik Zimmer re APD	0.30	\$200.00/hr	\$60.00
9/4/2020	RP	Send Erik Zimmer copy of APD arrest video, memo; requested telephone conference with Erik Zimmer	0.40	\$200.00/hr	\$80.00
9/8/2020	RP	Attend Alpine Municipal Court docket	2.00	\$200.00/hr	\$400.00
9/9/2020	RP	Research municipal liability case law for pattern/practice civil rights violation, "policy" requisites, sovereign immunity waiver, email writeup	3.80	\$200.00/hr	\$760.00
9/9/2020	RP	APD writeup	0.20	\$200.00/hr	\$40.00
9/10/2020	RP	Draft email and memo to Alpine city council re Alpine Police Department, attached legal cases	2.30	\$200.00/hr	\$460.00
9/10/2020	RP	Telephone conference with County Attorney Steve Houston	0.30	\$200.00/hr	\$60.00
9/11/2020	MA	Send via email, response letter to Dub Wade re PSC	0.30	\$75.00/hr	\$22.50
9/11/2020	RP	Receive/review Agenda and back up materials for Alpine City Council meeting on September 15	0.50	\$200.00/hr	\$100.00
9/11/2020	RP	Receive/review email response from Dub Wade; email to Scott, Alpine Utilities Director re response from PSC	0.60	\$200.00/hr	\$120.00
9/15/2020	RP	Review open record case law re character of previously released record, draft AG Open Records inquiry re previously released records character	1.50	\$200.00/hr	\$300.00
9/15/2020	RP	Review TOMA for employee request for open v. closed hearing, draft letter requesting city attorney agenda item to be heard in open session	1.20	\$200.00/hr	\$240.00
9/15/2020	RP	Attend Alpine City Council meeting	2.00	\$200.00/hr	\$400.00
9/21/2020	RP	Research illegal dumping of tires case law, culpable mental state requirements, draft	1.50	\$200.00/hr	\$300.00
9/23/2020	RP	Review potential agenda items for next meeting	0.50	\$200.00/hr	\$100.00

Date		Description	Hours	Rate	Total
9/23/2020	RP	Review personnel handbook and grievance committee process	0.50	\$200.00/hr	\$100.00
9/25/2020	RP	Review UPRR suit/research	2.30	\$200.00/hr	\$460.00
9/29/2020	RP	Emails to/from Dub Wade requesting status	0.40	\$200.00/hr	\$80.00
Hours Total			26.70	Fee Total	\$5,302.50

**Expense Detail**

Date	Description	Quantity	Rate	Total
<i>No expenses have been charged for this invoice.</i>				
Expenses Total				\$0.00

Fees	\$5,302.50
Expense	\$0.00
Current Due	\$5,302.50
Total Due	\$5,302.50

City Attorney    0247  
City of Alpine

Due Date	Due Upon Receipt
Invoice #	181
Total Due	\$5,302.50
Amount Paid	<div>\$ .</div>

Make payment to:

**BIG BEND LAW**  
123 N. 6th Street  
Alpine, Texas 79830

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4. Discuss, consider making a recommendation to City Council concerning a Conditional Use Permit application for a rezoning from a C-1 to a R-4 for a mobile home. Property Identification/Address is 2607 West Hwy 90. Legal description is Block 9, Section 29 G.H. & S.A.R.R., Abstract 3991, Alpine, TX 79830. Property Owner is Arvind Gandhi Ang Texas. (E. Zimmer, City Manager)



# CITY COUNCIL

## AGENDA REQUEST

<b>AGENDA FOR COUNCIL MEETING: INITIATED BY:</b>	NOVEMBER 3, 2020	<b>AGENDA REQUEST NO:</b>	ACTION
	ERIK ZIMMER	<b>RESPONSIBLE DEPARTMENT:</b>	ADMINISTRATION
<b>PRESENTED BY:</b>	ERIK ZIMMER	<b>FINANCE DIRECTOR:</b>	MEGAN ANTRIM
		<b>ADDITIONAL DIRECTOR (S):</b>	
<b>SUBJECT / PROCEEDING:</b>	DISCUSS, CONSIDER MAKING A RECOMMENDATION TO CITY COUNCIL CONCERNING A CONDITIONAL USE PERMIT APPLICATION FOR A REZONING FROM A C-1 TO A R-4 FOR A MOBILE HOME. PROPERTY IDENTIFICATION/ADDRESS IS 2607 WEST HWY 90. LEGAL DESCRIPTION IS BLOCK 9, SECTION 29 G.H. & S.A.R.R., ABSTRACT 3991, ALPINE, TX 79830. PROPERTY OWNER IS ARVIND GANDHI ANG TEXAS.		
<b>EXHIBITS:</b>			

### CLEARANCES

### APPROVAL

<b>LEGAL:</b>	CITY ATTORNEY	<b>ROD PONTON:</b>	_____
<b>FINANCE:</b>	FINANCE DIRECTOR	<b>MEGAN ANTRIM:</b>	_____
<b>APPROVAL:</b>	CITY MANAGER	<b>ERIK ZIMMER:</b>	_____

### BUDGET

<b>EXPENDITURE REQUIRED: \$</b>	0
<b>SAVINGS ANTICIPATION: \$</b>	
<b>CURRENT BUDGET FY2020-2021: \$</b>	0
<b>ADDITIONAL FUNDING: \$</b>	

### RECOMMENDED ACTION

<b>EXECUTIVE SUMMARY</b>
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Hampton Inn Alpine, TX  
2607 West Highway 90, Alpine, TX 79830

tel: **432.837.7344**  
fax: 432.837.9107

To,

Building Permit Dept.

City of Alpine

Date: July 14, 2020

**RE: Request for conditional permit**

Dear Sir,

I am requesting and applying for conditional permit for mobile home behind our hotel where the 3 acre empty land parcel we have. Purpose and use of this mobile home due to following reason.

We want to provide housing accommodation to our existing and new hire staff. Some of them are coming from Presidio daily for the job at our hotel. Due to recent crises it's very difficult to find employees and more challenging to retain them. Always too much turnover in housekeeping and front desk staff.

Due to educational institutes also closed its hard to get temporary workers too.

We are doing business in the community since 2009 but never experienced this kind of situation. Main idea to have mobile home is to retain our staff and will not be offer to rent out any outsider, It will be strictly for our staff members only.

On behalf of the company my sincere request to consider our application for conditional permit of mobile home.

Thanks

**Paresh Jani – Operation Manager**



# CITY OF ALPINE CONDITIONAL USE PERMIT Form A

## PART 1. APPLICANT INFORMATION

Name of applicant/agent/company/contact

PARESH JANI c/o HAMPTON INN / ANG TEXAS Hospital

Street address of applicant/agent

2607. West HWY 90

City/State/Zip Code of applicant / agent

Alpine, TX 79830

Telephone number of applicant/agents

806-831-2771

Fax number of applicant/agents

432-832-9207

Email address of applicant /agent

jani.paresh@gmail.com

Mobil phone of applicant/agent

806-831-2771

## PART 2. PROPERTY INFORMATION

Street address of public property

2607. West HWY 90

Legal description of subject property (metes and bounds must be described on 8 1/2 x 11 sheet)

Lot

Block

Addition

(9) Sec. 29 615A ABST. 3991

Size of subject property

Square footage

12800

1.78 Acres Acres @ 1/4

Present zoning classification

C-1

Proposed use of the property

Residential - mobile HOME

Zoning ordinance provision requiring a conditional use

## PART 3. PROPERTY OWNER INFORMATION

Name of current property owner

Arvind Goudhi c/o ANG TEXAS Hospital LLC

Street address of property owner

2607. West HWY 90

City/State/Zip code of property owner

Alpine, TX - 79830

Telephone number of property owner

214-784-4810

Fax number of property owner

432-832-9207

PROPERTY ID 32749

- Submit a letter describing the proposed conditional use and note the request on the site plan document
- In the same letter, describe or show on the site plan, and conditional requirements or conditions imposed upon the particular conditional use by applicable district regulations (example: buffer yards, distance between users)
- In the same letter, describe whether the proposed conditional use will, or will not cause substantial harm to the value, use, or enjoyment of the other property in the neighborhood. Also describe how the proposed conditional use will add to the value, use or enjoyment of other property in the neighborhood.
- Application of site plan approval (Section 20, see attached Form "B")
- The site plan submission shall meet the requirements of Section 20.04 Site Plan Requirements.
- All conditional use and conditional use applications are assumed to be complete when filed and will be placed on the agenda for public hearing at the discretion of the staff. Based on the size of the agenda, your application may be scheduled at a later date.
- All public hearings will be opened, and testimony given by applicants and interested citizenry. Public hearings may be continued to the next public hearing. Public hearings will not be tabled.
- Any changes to a site plan (no matter how minor or major) approved with a conditional use permit can only be approved by city council the the public hearing process.
- I have read and understood all requirements as set forth by the application for conditional use or conditional use permit and acknowledge that all requirements of this application have been met at the time of submittal.

**PART 4. SIGNATURE TO AUTHORIZE CONDITIONAL USE REQUEST AND PLACE A CONDITIONAL USE REQUEST SIGN ON THE SUBJECT PROPERTY**

PARESH JANI

[Signature]

Print Applicants Name

Applicant Signature

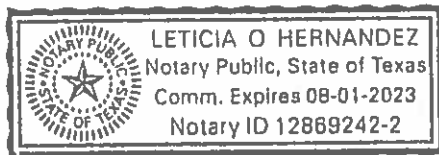
The State of Texas

County Of Brewster

Before ME Leticia Hernandez on this day personally appeared Paresh A Jani  
(notary) (applicant)

Known to me (or proved to me on the oath of card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

(Seal) Given under my hand and seal of office this 9th day of June, A.D. 2020



Leticia O Hernandez  
Notary In And for State of Texas

Arvind Gandhi

[Signature]  
Property Owner Signature

Print Property Owners Name

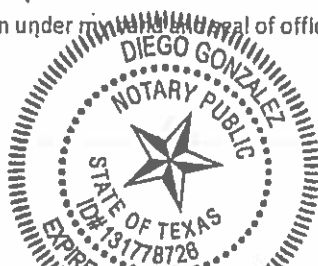
The State Of Texas

County Of Peeps

Before Me Nego Gonzalez on this day personally appeared \_\_\_\_\_  
(notary) (applicant)

Known to me (or proved to me on the oath of card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same for the purposes and consideration therein expressed.

(Seal) Given under my hand and seal of office this 2nd day of July, A.D. 2020



Notary In And for State of Texas

[Signature]



## City of Alpine Site Application Form B

### PART 1. APPLICANT INFORMATION

Name of applicant/agent/company/contact

PARESH JANI Co Hampton Inn

Street address of applicant/agent

2607 West Hwy-90

City/State/Zip Code of applicant/agent

Alpine, TX- 79830

Email address of applicant/agent

janiparesh@gmail.com

Mobil Phone of applicant/agent

806-831-2771

Fax number of applicant/agents

632-877-9207

Phone number of applicant/agents

632-837-7597

Applicants interest in subject property

Staff Residential Mobile Home,

### PART 2. PROPERTY INFORMATION

Street address of subject property

2607, West Hwy-90

Legal description of subject property (meets and bounds must be described on 8 1/2 x 11 sheet)

Lot

Block

(9)

Addition

Size of subject property

Acres

(2)

Square footage

12800

Present zoning classification

Proposed use of property

Residential Mobile Home

Give a general description of the proposed use or uses for the proposed development

For Hotel Staff Residential

Zoning ordinance provision requiring a conditional use

### PART 3. PROPERTY OWNER INFORMATION

Name of current property owner

Arvind Gandhi Zang Taxus Hospitality LLC

Street address of property owner

2607 West Hwy-90

City/State/Zip Code of property owner

Alpine, TX- 79830

- o Attach a final plat, or replat, of the approved subdivision by city council showing property boundary lines, dimensions, easements, roadways, rail lines, and public right-of-way crossing and adjacent to the tract (1 blueline copy)
- o If a master plan showing all information required by Section 20., Site Plan review requirements (see attached requirements).
- o Provide all required information demonstrating compliance with all conditions imposed on any conditional use, site plan zoning, or conditional use zoning.
- o All site plans must conform to the approved concept plan. Any changes to a site plan, approved with a conditional use can only be approved by city council through the public hearing process.

PART 4. SIGNATURE TO AUTHORIZE FILING OF A FINAL SITE PLAN

PARISH JANI

Print Applicants Name

[Signature]  
Applicants Signature

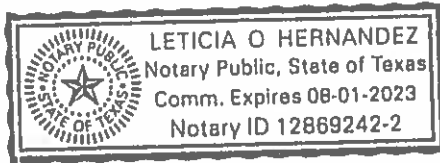
The State Of Texas

County Of Brewster

Before Me Leticia Hernandez on this day personally appeared Parish Jani  
(notary) (Applicant)

Known to me (or proved to me on the oath of card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

(Seal) Given under my hand and seal of the office this 9<sup>th</sup> day of June, A.D. 2020



[Signature]

Notary In And for State of Texas

Arvind Gandhi

Print Property Owners Name

[Signature]  
Property Owners Signature

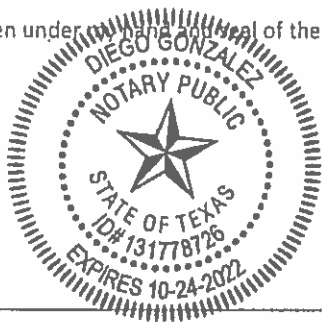
The State Of Texas

County Of Dallas

Before Me Diego Gonzalez on this day personally appeared \_\_\_\_\_  
(notary) (property owner)

Known to me (or proved to me on the oath of card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

(Seal) Given under my hand and seal of the office this 2nd day of July, A.D. 2020



[Signature]  
Notary In And for State of Texas

## ACKNOWLEDGEMENT

*All conditional Use and Special Use Applications are assumed to be complete when filed and will be placed on the agenda for public hearing at the discretion of the staff. Based on the size of the agenda, your application may be scheduled to a later date.*

*All public hearings will be opened, and testimony given by the applicants and interested citizenry. Public hearings may be continued to the next public hearing. Public hearings will not be tabled.*

*Any changes to a site plan (no matter how minor or major) approved with a conditional use or special use permit can only be approved by city council through the public hearing process.*

*Any application for a change in zoning or for an amendment to the zoning ordinance shall have, from the date of submittal, a period of four months to request and be scheduled on an agenda before the Planning and Zoning Commission and City Council, If after said period of four months an application has not been scheduled before the commission and city council said application, along with the required filing fee may be resubmitted any time thereafter for reconsideration, Delays in scheduling applications before the Planning and Zoning Commission and City Council created by city staff shall not be considered a part of the four month period.*

*I have read and understand all of the requirements as set forth by the application for conditional use or special use permit and acknowledge that all requirements of this application have been met at the time of submittal.*

Signature of Applicant 

Date: 06/10/2020

Signature of Owner 

Date: \_\_\_\_\_

## ILLUMINATION PLAN

***An illumination plan to include a site photometric (including illuminated signs) and all fixture details shall be submitted as part of the site plan review process.***

***Applications will not be accepted without this requirement.***

***I hereby acknowledge that an illumination plan has been included as part of this submittal.***

***Applicants Signature*** \_\_\_\_\_

*Agm*

***Date:*** \_\_\_\_\_

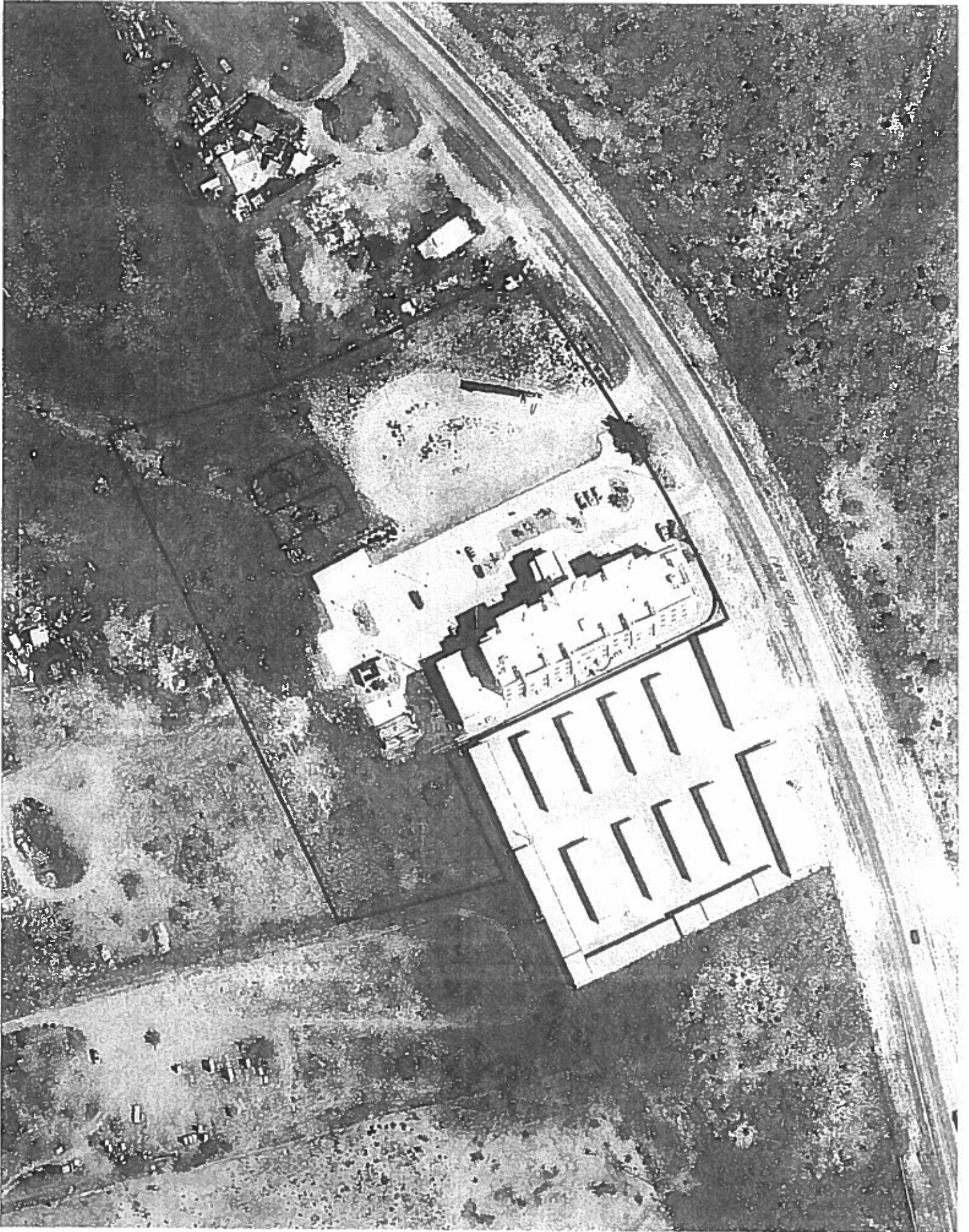
*06/10/2020*

***Property Owners Signature*** \_\_\_\_\_

*A. Gandhi*

***Date:*** \_\_\_\_\_

214 2024 I





5. Discuss and consider making a recommendation to City Council concerning a Conditional Use Permit application for a nonconforming use of structures and premises, and nonconforming characteristics of use. Property Identification/Address is 1107 N. 7<sup>th</sup> Alpine, TX 79830. Legal description North, Block 25, Lot 1-8. Property owner is Rhonda Cole. (E. Zimmer, City Manager)



# CITY COUNCIL

## AGENDA REQUEST

<b>AGENDA FOR COUNCIL MEETING: INITIATED BY:</b>	<b>NOVEMBER 3, 2020</b>	<b>AGENDA REQUEST NO:</b>	<b>ACTION</b>
	<b>ERIK ZIMMER</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>ADMINISTRATION</b>
<b>PRESENTED BY:</b>	<b>ERIK ZIMMER</b>	<b>FINANCE DIRECTOR:</b>	<b>MEGAN ANTRIM</b>
		<b>ADDITIONAL DIRECTOR(S):</b>	
<b>SUBJECT / PROCEEDING:</b>	<b>DISCUSS AND CONSIDER MAKING A RECOMMENDATION TO CITY COUNCIL CONCERNING A CONDITIONAL USE PERMIT APPLICATION FOR A NONCONFORMING USE OF STRUCTURES AND PREMISES, AND NONCONFORMING CHARACTERISTICS OF USE. PROPERTY IDENTIFICATION/ADDRESS IS 1107 N. 7<sup>TH</sup> ALPINE, TX 79830. LEGAL DESCRIPTION NORTH, BLOCK 25, LOT 1-8. PROPERTY OWNER IS RHONDA COLE.</b>		
<b>EXHIBITS:</b>			
<b>CLEARANCES</b>		<b>APPROVAL</b>	
<b>LEGAL:</b>	<b>CITY ATTORNEY</b>	<b>ROD PONTON:</b>	_____
<b>FINANCE:</b>	<b>FINANCE DIRECTOR</b>	<b>MEGAN ANTRIM:</b>	_____
<b>APPROVAL:</b>	<b>CITY MANAGER</b>	<b>ERIK ZIMMER:</b>	_____
<b>BUDGET</b>			
<b>EXPENDITURE REQUIRED: \$</b>		<b>0</b>	
<b>SAVINGS ANTICIPATION: \$</b>			
<b>CURRENT BUDGET FY2020-2021: \$</b>		<b>0</b>	
<b>ADDITIONAL FUNDING: \$</b>			
<b>RECOMMENDED ACTION</b>			
<b>EXECUTIVE SUMMARY</b>			



CUP – 20 \_\_\_\_\_

Applicant: Cole, Rhonda

Property Address: 1107 N 7<sup>th</sup> Alpine, Texas 79830

Legal Description: North, Block 25, Lot 1-8

Acres: 1.7602

Zoning: R-4

Occupancy Classification: R-4

Proposed Conditional Use: Mobile Home Community

Mrs. Cole is requesting a conditional use permit for a Manufactured Home Community.

Currently, eleven (11) mobile homes and two (2) houses are on the property. Mrs. Cole purchased this property and has not added any new structures or mobile homes. Mrs. Cole does not want to move the eleven (11) mobile homes and subdivide the property which would also require a replat.

Her only option would be to establish a mobile home community in order to legally operate eleven (11) mobile homes and two (2) home rentals.

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**Section 4. - Nonconforming lots, nonconforming uses of land, nonconforming structures, nonconforming uses of structures and premises, and nonconforming characteristics of use.**

**Section 3. - Application of district regulations.**

The regulations set by this ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, and particularly, except as hereinafter provided. 1. No building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.

2. No building or other structure shall hereafter be erected or altered.

(a) To exceed the height or bulk;

(b) To accommodate or house a greater number of families;

(c) To occupy a greater percentage of lot area;

(d) To have narrower or smaller rear yards, front yards, side yards or other open spaces than herein required; or in any other manner contrary to the provisions of this ordinance.

**CITY OF ALPINE**  
**CONDITIONAL USE/SITE PLAN APPLICATION**

**APPLICATION REVIEW REQUIREMENTS**

- *Meet with building service staff to review application requirements for your specific development.*
- **Form "A"** application with original / notarized signatures of owner and applicant.
- **Form "B"** application with original / notarized signatures of owner and applicant.
- *Filing fee- \$ 350.00*
- *Address and / legal description (lot, block & subdivision) of property on 8 1/2" x11".*
- *Signature of both owner and applicant on acknowledgement form.*
- *Verification with the City of Alpine's public Works and Utilities Department regarding platting information. Have the attached verification statement signed.*
- **Four (4) 24" x 36" blackline prints of complete site plan submittal individually folded by the applicant to 9" x 12" (including grading, drainage, elevations, landscapes, etc.) Scale of no less than 1" = 50'.**
- **Three (3) 24" x 36 "copies of the site plan only individually folded by the applicant to 9" x 12"**
- *Submit a letter describing the proposed Conditional use and note the request on the site plan document, describe or show on the site plan, and special requirements or conditions imposed upon the particular conditional use by the applicable district regulations ( example: buffer yards, distance between users ), describe whether the proposed conditional use will , or will not cause substantial harm to the value, use, or enjoyment of other property in the neighborhood. Also, describe how the proposed conditional use will add to the value, use or enjoyment of other property in the neighborhood.*

APPLICATIONS MUST BE COMPLETE AND MEET ALL ALPINE ORDINANCES REQUIREMENTS BEFORE A  
CONDITIONAL USE REQUEST CAN BE SET FOR PUBLIC HEARING

Direct questions to Building Services Department at 432.837.3281

## CITY OF ALPINE CONDITIONAL USE PERMIT Form A

### PART 1. APPLICANT INFORMATION

Name of applicant/agent/company/contact

RITONDA COLE

Street address of applicant/agent

P.O. Box 1214

City/State/Zip Code of applicant / agent

ALPINE TX 79831

Telephone number of applicant/agents

432. 294. 0956

Fax number of applicant/agents

Email address of applicant /agent

Mobil phone of applicant/agent

### PART 2. PROPERTY INFORMATION

Street address of public property

1107 N. 7th ST. ALPINE TX 79830

Legal description of subject property (metes and bounds must be described on 8 1/2 x 11 sheet

Lot

1-8

Block

25

Addition

NORTH

Size of subject property

Square footage

Acres

Present zoning classification

R-4

Proposed use of the property

R-4 MOBILE HOME PARK

Zoning ordinance provision requiring a conditional use

CONDITIONAL USE SECTION 4 RURAL LAND USE

### PART 3. PROPERTY OWNER INFORMATION

Name of current property owner

RITONDA COLE

Street address of property owner

309 W. DEL RIO

City/State/Zip code of property owner

ALPINE TX 79830

Telephone number of property owner

432. 294. 0956

Fax number of property owner

<ul style="list-style-type: none"> <li>○ Submit a letter describing the proposed conditional use and note the request on the site plan document</li> <li>○ In the same letter, describe or show on the site plan, and conditional requirements or conditions imposed upon the particular conditional use by applicable district regulations (example: buffer yards, distance between users)</li> <li>○ In the same letter, describe whether the proposed conditional use will, or will not cause substantial harm to the value, use, or enjoyment of the other property in the neighborhood. Also describe how the proposed conditional use will add to the value, use or enjoyment of other property in the neighborhood.</li> <li>○ Application of site plan approval (Section 20, see attached Form "B")</li> <li>○ The site plan submission shall meet the requirements of Section 20.04 Site Plan Requirements.</li> </ul>
<ul style="list-style-type: none"> <li>○ All conditional use and conditional use applications are assumed to be complete when filed and will be placed on the agenda for public hearing at the discretion of the staff. Based on the size of the agenda, your application may be scheduled at a later date.</li> <li>○ All public hearings will be opened, and testimony given by applicants and interested citizenry. Public hearings may be continued to the next public hearing. Public hearings will not be tabled.</li> <li>○ Any changes to a site plan (no matter how minor or major) approved with a conditional use permit can only be approved by city council the the public hearing process.</li> <li>○ I have read and understood all requirements as set forth by the application for conditional use or conditional use permit and acknowledge that all requirements of this application have been met at the time of submittal.</li> </ul>

**PART 4. SIGANTURE TO AUTHORIZE CONDITIONAL USE REQUEST AND PLACE A CONDITIONAL USE REQUEST SIGN ON THE SUBJECT PROPERTY**

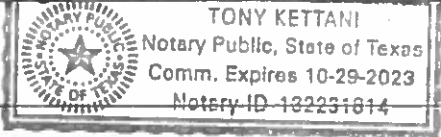
Rhonda Davis Cole Rhonda Davis Cole  
 Print Applicants Name Applicant Signature

The State of TEXAS  
 County Of BREWSTER

Before ME TONY KETTANI on this day personally appeared Rhonda Davis Cole  
 (notary) (applicant)

Known to me (or proved to me on the oath of card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

(Seal) Given under my hand and seal of office this second day of September 2020

  
 Notary in And for State of Texas

Rhonda Davis Cole Rhonda Davis Cole  
 Print Property Owners Name Property Owners Signature

The State of TEXAS  
 County Of BREWSTER

Before Me TONY KETTANI on this day personally appeared Rhonda Davis Cole  
 (notary) (applicant)

Known to me (or proved to me on the oath of card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same for the purposes and consideration therein expressed.

(Seal) Given under my hand and seal of office this second day of September A.D. 2020

Notary in And for State of Texas

## ACKNOWLEDGEMENT

*All conditional Use and Special Use Applications are assumed to be complete when filed and will be placed on the agenda for public hearing at the discretion of the staff. Based on the size of the agenda, your application may be scheduled to a later date.*

*All public hearings will be opened, and testimony given by the applicants and interested citizenry. Public hearings may be continued to the next public hearing. Public hearings will not be tabled.*

*Any changes to a site plan (no matter how minor or major) approved with a conditional use or special use permit can only be approved by city council through the public hearing process.*

*Any application for a change in zoning or for an amendment to the zoning ordinance shall have, from the date of submittal, a period of four months to request and be scheduled on an agenda before the Planning and Zoning Commission and City Council, If after said period of four months an application has not been scheduled before the commission and city council said application, along with the required filing fee may be resubmitted any time thereafter for reconsideration, Delays in scheduling applications before the Planning and Zoning Commission and City Council created by city staff shall not be considered a part of the four month period.*

*I have read and understand all of the requirements as set forth by the application for conditional use or special use permit and acknowledge that all requirements of this application have been met at the time of submittal.*

Signature of Applicant Ritonia Cole

Date: 9.2.2020

Signature of Owner Ritonia Cole

Date: 9.2.2020

## PLATTING VERIFICATION

This verification statement must be signed prior to the submittal of this conditional use Application.

✓ It has been determined that the property described below does require platting or replatting and the applicant has been instructed on this procedure.

                     It has been determined that the property described below is currently platted or does not require platting or replatting at this time.

Address of subject property 1107 North ALAM TX

Legal description of subject property NORTH BLOCK 25 LOT 1-8



Building Services Department

9/01/2020

Date

This form is signed by the building services department and submitted along with a completed application to the planning and zoning department of building services.

# Manufactured/Mobile Home Community

## Instructions

Complete sections A and B on this form and make sure the following information is entered correctly on the Business License Application (BLA):

- On line 3.d. of the BLA enter the mailing and physical location (street) addresses of the community (the 'park') you are registering with this application.
- In section 3.a. of the BLA enter the information of the legal owner of the real property you identified on line 3.d.
- On line 3.c. of the BLA enter the name of the community (the 'park') you are registering. If this park name is different than the full, legal name of the owner you listed in section 3.a., the park name must also be listed on a line in section 2 of the BLA to register it as a "Trade Name".

## A Landlord(s) and/or manager(s) information

If the owner of the community utilizes a landlord and/or manager at this community, identify those persons below. If either the landlord or manager is the same as the owner write "same as owner" below. If no one is acting as the landlord or manager write "none" on the name line.

RHONDA COLE 432.294.0956

Landlord name

P.O. BOX 1214

Address Street

ALPINE TX 79831

City

State

Zip

RHONDA COLE

Manager name

309 W. DEL RIO

Address Street

ALPINE TX 79830

City

State

Zip

## B Additional information and fees

1. How many lots (spaces) are in this community, both occupied and vacant 13

2. Attach a list containing the full address for each lot you counted in #1 above. Provide an address even if the lot is currently vacant. If the addresses are identical for each lot except for the lot number, you may write the full address just once, and then just identify each lot number that uses that same address.

3. How many manufactured and/or mobile homes are currently within the community? Count only those where the owner of the home rents the lot on which the home is located, and does not have any ownership interests in the real property of the community.

4. Open date of the community under this ownership structure: \_\_\_\_\_

5. Submit \$500.00 Fee

## Manufactured Home Park Inventory List

(List All Lots Occupied and Vacant)

Date:	Name of Park	Park Address
-------	--------------	--------------

9.2.2020 COLE'S COURT 1107 N. 7<sup>th</sup> ALPINE TX 79830

Address and Lot #	Color(s)	Make and Year	Vacant (Y/N)
309 W. Del Rio #6	BROWN	?	N
309 W. Del Rio #9	Lilac	1989 Kaufman	N
309 W. Del Rio #10	White/Gold	1980 Skyline	N
309 W. Del Rio #11	Tan/Brown	2014 CMH 31 MAX	N
309 W. Del Rio #12	Gold/Green	1984 Schult	N
1107 N. 7 <sup>th</sup>	Tan/Green	House	N
1109 N. 7 <sup>th</sup> #14	Tan/Brown	1999 Sunoma	N

Do you currently have any RVs in this park? \_\_\_ Yes ☒ No If yes, identify above as RV.

Do you hold an RV/campground license for this park? \_\_\_ Yes ☒ No



2. Attach a list containing the full address for each lot you counted in #1 above. Provide an address even if the lot is currently vacant. If the addresses are identical for each lot except for the lot number, you may write the full address just once, and then just identify each lot number that uses that same address.

3. How many manufactured and/or mobile homes are currently within the community? Count only those where the owner of the home rents the lot on which the home is located, and does not have any ownership interests in the real property of the community.

4. Open date of the community under this ownership structure: \_\_\_\_\_

5. Submit \$500.00 Fee

## Manufactured Home Park Inventory List

(List All Lots Occupied and Vacant)

Page 2 CONT.

Date:	Name of Park	Park Address
-------	--------------	--------------

9.7.2020 COLIE'S COURT 1107 N. 7th ALPINE TX 79830

Address and Lot #	Color(s)	Make and Year	Vacant (Y/N)
1107 N. 7th #15	TAN/Brown	2007 CAVCO	N
309 W. Del Rio #16	Lilac	1975 Marlett	N
309 W. Del Rio #17	TAN/Brown	1983 Fleetwood	N
1110 N 8th	white/green	House	N
1108 N. 8th #3	TAN/Brown	1997 ALAMO	N
1106 N. 8th #4	white/Brown	—	N

Do you currently have any RVs in this park? \_\_\_ Yes ☒ No If yes, identify above as RV.

Do you hold an RV/campground license for this park? \_\_\_ Yes ☒ No

# Cole's Court

Address	Lot #	Color	Year/Make	Vacant	Rented/Owned
309 W Del Rio #6 - Lot Only	5	Brown		N	Rented Space
309 W Del Rio #9	5	Lilac	1989 Kaufman	N	Owned
309 W Del Rio #10	4	White/Gold	1980 Skyline	N	Owned
309 W Del Rio #11	4	Tan/Brown	2014 CMH 31Max	N	Owned
309 W Del Rio #12	4	Gold/Green	1984 Schult	N	Owned
1107 N 7th - House	3&4	Tan/Green		N	Owned
1109 N 7th #15	1&2	Tan/Brown	2007 Cavco	N	Owned
1111 N 7th #14	1	Tan/Brown	1999 Sonoma	N	Owned -
309 W Del Rio #16	1&2	Lilac	1975(e) Marlett	N	Owned
309 W Del Rio #17	1,2 & 8	Tan/Brown	1983 Fleetwood	N	Owned
1110 N 8th - House	8	White/Green		N	Owned
1108 N 8th - #3	7	Tan/Brown	1997 Alamo	N	Owned
1106 N 8th - #4 - Lot Only	6	White/Brown		N	Rented Space

7th St

Lot 1

Lot 2

Lot 3

Lot 4

1111 N 7th #14

1109 N 7th #15

1107 N 7th House

309 W Del Rio #12

#11  
309 W Del Rio

#10  
309 W Del Rio

309 W Del Rio #16

Storage

#17  
309 W Del Rio

Storage

#9  
309 W Del Rio

#6  
309 W Del Rio  
Lot 6 only

1110 N 8th House

1108 N 8th #3

1106 N 8th Lot only #4

Sander son

Del Rio

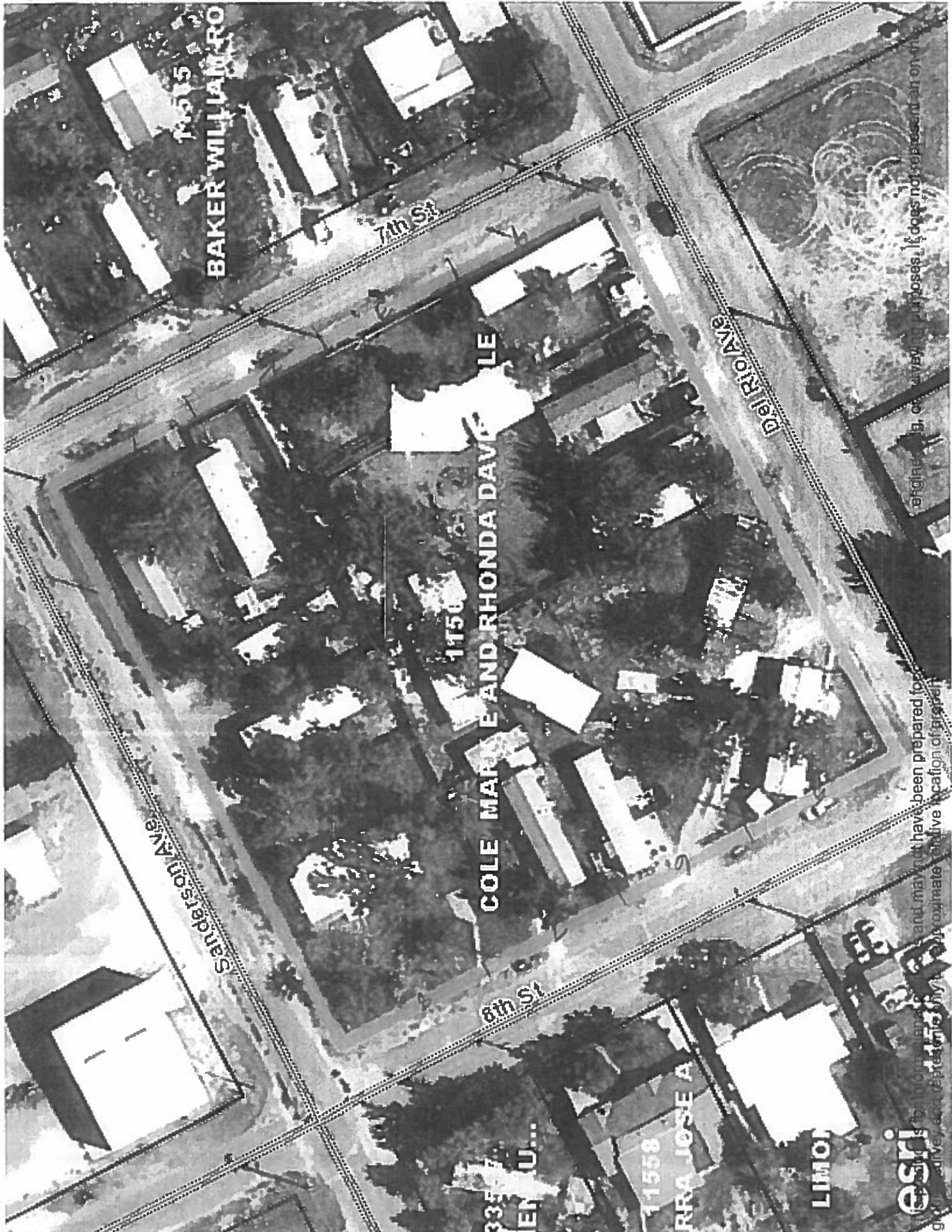
8th St

Lot 8

Lot 7

Lot 6

Lot 5



BAKER WILLIAM RO

7th St

COLE MARIE E AND RHONDA DAVID

1150

8th St

Del Rio Ave

Sanders Ave

11558

LIMON

esri

This information is for informational purposes only and may not have been prepared for any other purpose. It does not represent an official survey and represents only an approximate indication of location.

This information is for informational purposes only and may not have been prepared for any other purpose. It does not represent an official survey and represents only an approximate indication of location.

6. Discuss and consider making a recommendation to City Council concerning a Special Use Permit application to add 25 machines to his game room business. Property Identification/Address 204 W. Murphy St. Alpine, TX 79830. Legal description OT Block 56, Lot 10 & 11, Little Mexico Café. Property owner is Travis Prausa. (E. Zimmer, City Manager)



# CITY COUNCIL

## AGENDA REQUEST

<b>AGENDA FOR COUNCIL MEETING: INITIATED BY:</b>	NOVEMBER 3, 2020	<b>AGENDA REQUEST NO:</b>	ACTION
	ERIK ZIMMER	<b>RESPONSIBLE DEPARTMENT:</b>	ADMINISTRATION
<b>PRESENTED BY:</b>	ERIK ZIMMER	<b>FINANCE DIRECTOR:</b>	MEGAN ANTRIM
		<b>ADDITIONAL DIRECTOR (S):</b>	
<b>SUBJECT / PROCEEDING:</b>	DISCUSS AND CONSIDER MAKING A RECOMMENDATION TO CITY COUNCIL CONCERNING A SPECIAL USE PERMIT APPLICATION TO ADD 25 MACHINES TO HIS GAME ROOM BUSINESS. PROPERTY IDENTIFICATION/ADDRESS 204 W. MURPHY ST. ALPINE, TX 79830. LEGAL DESCRIPTION OT BLOCK 56, LOT 10 & 11, LITTLE MEXICO CAFÉ. PROPERTY OWNER IS TRAVIS PRAUSA.		
<b>EXHIBITS:</b>			

CLEARANCES		APPROVAL	
<b>LEGAL:</b>	CITY ATTORNEY	<b>ROD PONTON:</b>	_____
<b>FINANCE:</b>	FINANCE DIRECTOR	<b>MEGAN ANTRIM:</b>	_____
<b>APPROVAL:</b>	CITY MANAGER	<b>ERIK ZIMMER:</b>	_____

BUDGET	
<b>EXPENDITURE REQUIRED: \$</b>	0
<b>SAVINGS ANTICIPATION: \$</b>	
<b>CURRENT BUDGET FY2020-2021: \$</b>	0
<b>ADDITIONAL FUNDING: \$</b>	

RECOMMENDED ACTION
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EXECUTIVE SUMMARY
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SUP 20- \_\_\_\_\_

Applicant: Nguyen, Phan

Property Address: 204 W. Murphy St. Alpine, Texas 79830

Legal Description: OT Block 56 Lot 10& 11 Little Mexico Café

Property Owner: Travis Prausa

Property Owner Address: 713 S. Cactus # 4 Alpine Tx 79830 Property I.D.: 12124

Acres: 0.3316

Square Feet of Building: 4,021

Zoning: C-2

Occupancy Classification: To be determined

Proposed Special Use: Game Room

Ordinance Reference :Chapter 90 Article IV City of Alpine Coin-Operated Business Ordinance

Mr. Phan is requesting a Special Use Permit (SUP) to add 25 machines to his game room business, located at 204 W. Murphy St. Alpine, Texas 79830.

City inspection was conducted on 8/30/2020 at 204 W. Murphy St.

Mr. Phan is currently operating the only permitted game room in the City of Alpine. He has complied with all permitting requirements required by the city. The Alpine Police Department makes regular visits to his establishment to check his logs and machines. Building services conducts quarterly inspections at his establishment to ensure that all State rules and guidelines are being followed.

Mr. Phan communicates with the building services department when he replaces a machine or has questions concerning state laws in regards to coin-operated machines. He is current on city taxes.

Eight machines are allowed by ordinance per permitted establishment. If an applicant desires to add additional machines, a Special Use Permit must be approved. The Alpine Police Department and Building Services Department will conduct a machine count and inspect all machines for proper State registration, Identification, serial numbers and machine control stickers.

Mr. Phan is aware that any special Use Permit will be attached to the address at: 204 W. Murphy St and that no more than the number of machines approved will be allowed on the premises.

# CITY OF ALPINE CONDITIONAL USE PERMIT Form A

## PART 1. APPLICANT INFORMATION

Name of applicant/agent/company/contact

NGUYEN N. PHAN

Street address of applicant/agent

918 FIELD TRAIL DR

City/State/Zip Code of applicant / agent

MESQUITE TX 75150

Telephone number of applicant/agents

346 402 0062

Fax number of applicant/agents

Email address of applicant /agent

nguyen.phan.9522@gmail.com

Mobil phone of applicant/agent

## PART 2. PROPERTY INFORMATION

Street address of public property

204 W. MURPHY ST. ALPINE TX

Legal description of subject property (metes and bounds must be described on 8 1/2 x 11 sheet)

Lot Block Addition

OT 10411 S6 LITTLE MEXICO CAFE / LOS JALAPENOS

Size of subject property

4,021 sq ft.

YEAR BUILT 1890 Square footage

14,445.60 TOTAL LOT

Acres 0.336

Present zoning classification

C-2 PROPERTY I.D. 12124

Proposed use of the property

GAME ROOM

Zoning ordinance provision requiring a conditional use

ORDINANCE # 2020-02-04

## PART 3. PROPERTY OWNER INFORMATION

Name of current property owner

PRAUSA, TRAVIS

Street address of property owner

713 SOUTI CACTUS #4 ALPINE TX 79830

City/State/Zip code of property owner

Telephone number of property owner

Fax number of property owner



- Submit a letter describing the proposed conditional use and note the request on the site plan document
- In the same letter, describe or show on the site plan, and conditional requirements or conditions imposed upon the particular conditional use by applicable district regulations (example: buffer yards, distance between users)
- In the same letter, describe whether the proposed conditional use will, or will not cause substantial harm to the value, use, or enjoyment of the other property in the neighborhood. Also describe how the proposed conditional use will add to the value, use or enjoyment of other property in the neighborhood.
- Application of site plan approval (Section 20, see attached Form "B")
- The site plan submission shall meet the requirements of Section 20.04 Site Plan Requirements.
- All conditional use and conditional use applications are assumed to be complete when filed and will be placed on the agenda for public hearing at the discretion of the staff. Based on the size of the agenda, your application may be scheduled at a later date.
- All public hearings will be opened, and testimony given by applicants and interested citizenry. Public hearings may be continued to the next public hearing. Public hearings will not be tabled.
- Any changes to a site plan (no matter how minor or major) approved with a conditional use permit can only be approved by city council the the public hearing process.
- I have read and understood all requirements as set forth by the application for conditional use or conditional use permit and acknowledge that all requirements of this application have been met at the time of submittal.

**PART 4. SIGNATURE TO AUTHORIZE CONDITIONAL USE REQUEST AND PLACE A CONDITIONAL USE REQUEST SIGN ON THE SUBJECT PROPERTY**

NGUYEN N PHAN

Print Applicants Name

[Signature]  
Applicant Signature

The State of Texas

County Of BREWSTER

Before ME Tony KETTANI on this day personally appeared x NGUYEN PHAN  
(notary) (applicant)

Known to me (or proved to me on the oath of card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

(Seal) Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, A.D. \_\_\_\_\_

x NGUYEN PHAN

Print Property Owners Name

The State Of Texas

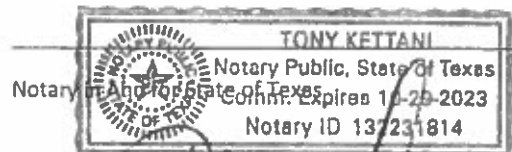
County Of BREWSTER

Before Me Tony KETTANI on this day personally appeared x NGUYEN PHAN  
(notary) (applicant)

Known to me (or proved to me on the oath of card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same for the purposes and consideration therein expressed.

(Seal) Given under my hand and seal of office this second day of September, A.D. 2020

Notary in And for State of Texas



x [Signature]  
Property Owners Signature

## **ACKNOWLEDGEMENT**

*All conditional Use and Special Use Applications are assumed to be complete when filed and will be placed on the agenda for public hearing at the discretion of the staff. Based on the size of the agenda, your application may be scheduled to a later date.*

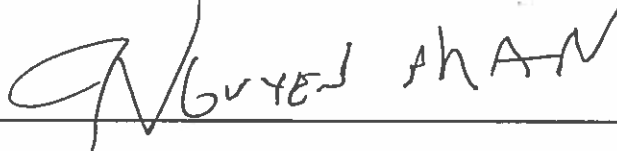
*All public hearings will be opened, and testimony given by the applicants and interested citizenry. Public hearings may be continued to the next public hearing. Public hearings will not be tabled.*

*Any changes to a site plan (no matter how minor or major) approved with a conditional use or special use permit can only be approved by city council through the public hearing process.*

*Any application for a change in zoning or for an amendment to the zoning ordinance shall have, from the date of submittal, a period of four months to request and be scheduled on an agenda before the Planning and Zoning Commission and City Council, If after said period of four months an application has not been scheduled before the commission and city council said application, along with the required filing fee may be resubmitted any time thereafter for reconsideration, Delays in scheduling applications before the Planning and Zoning Commission and City Council created by city staff shall not be considered a part of the four month period.*

*I have read and understand all of the requirements as set forth by the application for conditional use or special use permit and acknowledge that all requirements of this application have been met at the time of submittal.*

Signature of Applicant



Date:

9/2/2020

Signature of Owner

Date:

7. Discuss, consider, and take appropriate action to approve Resolution 2020-11-07 the Region 19 Interlocal agreement for the Utility Department to utilize Region 19 as a Co-Op and utilize their cooperative purchasing agreements. (E. Zimmer, City Manager)



# CITY COUNCIL

## AGENDA REQUEST

<b>AGENDA FOR COUNCIL MEETING: INITIATED BY:</b>	<b>NOVEMBER 3, 2020</b>	<b>AGENDA REQUEST NO:</b>	<b>ACTION</b>
	<b>ERIK ZIMMER</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>ADMINISTRATION</b>
<b>PRESENTED BY:</b>	<b>ERIK ZIMMER</b>	<b>FINANCE DIRECTOR:</b>	<b>MEGAN ANTRIM</b>
		<b>ADDITIONAL DIRECTOR (S):</b>	

<b>SUBJECT / PROCEEDING:</b>	<b>DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION TO APPROVE RESOLUTION 2020-11-07 THE REGION 19 INTERLOCAL AGREEMENT FOR THE UTILITY DEPARTMENT TO UTILIZE REGION 19 AS A COOP.</b>
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<b>EXHIBITS:</b>	
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CLEARANCES	APPROVAL
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<b>LEGAL:</b>	<b>CITY ATTORNEY</b>	<b>ROD PONTON:</b>	_____
<b>FINANCE:</b>	<b>FINANCE DIRECTOR</b>	<b>MEGAN ANTRIM:</b>	_____
<b>APPROVAL:</b>	<b>CITY MANAGER</b>	<b>ERIK ZIMMER:</b>	_____

BUDGET
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<b>EXPENDITURE REQUIRED: \$</b>	<b>0</b>
<b>SAVINGS ANTICIPATION: \$</b>	
<b>CURRENT BUDGET FY2020-2021: \$</b>	<b>0</b>
<b>ADDITIONAL FUNDING: \$</b>	

RECOMMENDED ACTION
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EXECUTIVE SUMMARY
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Resolution to Join the Region-19 Purchasing Coop  
City Council Meeting  
3 November 2020

Mayor and City Council,

Item number seven on the Action Items is a Resolution to support the City of Alpine joining the Region 19 Co-op and utilizing their negotiated purchasing agreements. Our Utility has the need to buy some materials and we want to utilize the preferred pricing as being part of the Co-op.

Please let me know if you have any questions,

Kind regards,  
Erik Zimmer, City Manager

Upon agreement and authorized approval by the governing body of each of the parties, this agreement will be in effect between the referenced parties, in which Education Service Center- Region 19 Allied States Cooperative will cooperatively bid out goods and services. This agreement shall automatically renew on the anniversary date. Either party may terminate this agreement with or without cause given a 30-day notice.

Authority for cooperative contracting is granted under Government Code Title 7, Chapter 791 Interlocal Cooperation Contracts, Subchapter B General Interlocal Contracting Authority and Subchapter C Specific Interlocal Contracting Authority and Local Government Code, Chapter 271, Subchapter F, Section 271.101. and Section 271.102.

**Region 19 Education Service Center through Allied States Cooperative will:**

- Provide organizational and administrative support to facilitate member requirements
- Provide staff necessary for efficient operation of the purchasing cooperatives
- Provide administrative support for contract compliance with awarded bidders
- Comply with competitive bidding requirements
- Disseminate information in an expedient manner regarding awards and information related to specified contracts
- Maintain the ESC-Region 19 Allied States Cooperative website
- Provide specific contract requirement bid processing services during the contract period on a case by case basis.

**Purchasing Co-op Members will:**

- Designate a contact person for communications
- To the extent permitted by law, indemnify and save harmless Education Service Center - Region 19 Allied States Cooperative, the Region 19 Board of Directors, and Region 19 employees or representatives from all suits and claims resulting or arising from any breach of this Agreement or related agreements by the Co-op member and any negligent or intentional acts of Co-op member, its employees or agents. This Interlocal Agreement does not constitute a waiver of the sovereign immunity of any of the parties hereto.
- Submit copies of all purchase orders utilizing ESC-Region 19 ASC contracts to ESC Region 19 ASC.
- Pay awarded vendors in compliance with the payment terms set forth in the contracts.
- Notify ESC-Region 19 Allied States Cooperative in writing of any non-compliance issues with awarded vendors.
- Mutually agree with ESC-R19 (ASC) on specific contracts to be utilized due to market coverage by vendors. Each party paying for the performance of governmental function or services must make those payments from current revenues available to the paying party.

Please return approved agreement to: Procurement Director -  
rshernandez@esc19.net & lhernando@esc19.net  
ESC-Region 19 Allied States Cooperative  
6611 Boeing Drive, El Paso, TX 79925

**Purchasing Cooperative Member**

\_\_\_\_\_  
Name of District/Agency

\_\_\_\_\_  
Name of Authorized Person

\_\_\_\_\_  
Signature of Authorized Person

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**Region 19 Education Service Center**

Armando Aguirre, Ed.D.

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

**PURCHASE ORDER CONTACT**

1. \_\_\_\_\_  
Name

\_\_\_\_\_  
Email

2. \_\_\_\_\_  
Name

\_\_\_\_\_  
Email

\_\_\_\_\_  
Address:

\_\_\_\_\_  
City

\_\_\_\_\_  
State Zip

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Fax

**STATE OF TEXAS**  
**CITY OF ALPINE**

**COUNTY OF BREWSTER**

**RESOLUTION 2020-11-07**

**AUTHORIZATION FOR USE OF ESC REGION 19 ALLIED STATES COOPERATIVE**

WHEREAS, the CITY OF ALPINE OF Alpine, Texas, pursuant to the authority granted under Section 271.101 to 271.102 of the Local Government Code, desires to participate in the ESC-Region 19 Allied States Cooperative, in the best interest of the taxpayers through cooperative savings to be realized.

NOW, THEREFORE, BE IT RESOLVED BY the CITY OF ALPINE of Alpine, Texas as Follows:

The terms and conditions of the agreement have been reviewed by the Governing Body of the CITY OF ALPINE and found to be acceptable and in the best interests of the CITY OF ALPINE and its citizens are hereby in all things approved.

The CITY OF ALPINE is authorized to enroll and participate in the ESC Region 19 Allied States Cooperative and purchases through this program shall be deemed to meet competitive purchasing requirements.

**PASSED AND ADOPTED THIS 3<sup>rd</sup> DAY OF NOVEMBER 2020 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.**

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Andres "Andy" Ramos, Mayor  
City of Alpine

ATTEST:

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Cynthia Salas, City Secretary  
City of Alpine

8. Discuss, consider, and take appropriate action on proposed projects and projected costs for improvement of facilities at Lujan Baseball Field (Part of Centennial Park) in Ward 2. (R. Olivas, City Council)





# CITY COUNCIL

## AGENDA REQUEST

<b>AGENDA FOR COUNCIL MEETING: INITIATED BY:</b>	<b>DATE: NOVEMBER 3, 2020</b>  <b>RAMON R. OLIVAS</b>	<b>AGENDA REQUEST NO:</b>	<b>ACTION</b>
<b>PRESENTED BY:</b>	<b>RAMON R. OLIVAS</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>CITY COUNCIL</b>
		<b>FINANCE DIRECTOR:</b>	<b>MEGAN ANTRIM</b>
		<b>ADDITIONAL DIRECTOR (S):</b>	

<b>SUBJECT / PROCEEDING:</b>	<b>DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION ON PROPOSED PROJECTS AND PROJECTED COSTS FOR IMPROVEMENT OF FACILITIES AT LUJAN BASEBALL FIELD (PART OF CENTENNIAL PARK) IN WARD 2.</b>
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<b>EXHIBITS:</b>	<b>SHOW ATTACHED POWERPOINT SLIDES (BLACK &amp; WHITE) AND BUDGET PROPOSAL.</b>
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<b>CLEARANCES</b>	<b>APPROVAL</b>
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<b>LEGAL:</b>		
<b>FINANCE:</b>		
<b>APPROVAL:</b>	<b>CITY MANAGER</b>	<b>ERIC SIMMONS</b>

<b>BUDGET</b>
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<b>EXPENDITURE REQUIRED: \$</b>	<b>\$6,050.00 (ESTIMTE)</b>
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<b>RECOMMENDED ACTION</b>
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<b>EXECUTIVE SUMMARY</b>
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## Lujan Baseball Field Budget

Item:	Quantity:	Cost/Item:	Total:
1. Bench end cover(s)	40	\$ 25	\$1,000
2. Water Fountain	1	\$ 350	\$ 350
3. Bench Safety Railing(s)	2	\$ 500	\$1,000
4. Dugout Repairs		\$ 500	\$ 500
5. Dugout safety rails	4	\$ 50	\$ 200
6. Soccer Field goals	4	\$ 150	\$ 600
7. Night security lamps	2	\$1,200	\$2,400
Estimated Costs			\$6,050

## Valentin Lujan Baseball Field Needs/Projected Costs



### Benches



Covers for rough, sharp, and unsafe edges



Install bench safety rails

### Water Fountain



Need to replace present water fountain



Recommended replacement?

### Players Dugouts



Solar panel lights?



Concrete sitting area needs repairs



Safety rails to enter/exit dugouts

### Landscaping



Plant trees around baseball field

### Soccer field(s)



Purchase two sets of goals for soccer field (s)

Field Security Flood Lights



VALENTIN BASEBALL FIELD - The Future



9. Discuss, consider, and take appropriate action amending the City of Alpine Ordinance, removing Chapter 10 Animals 10-41b, and adding it to Section 10-59, Animals in vehicles. (M. Curry, City Council)



# CITY COUNCIL

## AGENDA REQUEST

<b>AGENDA FOR COUNCIL MEETING: INITIATED BY:</b>	NOVEMBER 3, 2020	<b>AGENDA REQUEST NO:</b>	ACTION
	MARIA CURRY	<b>RESPONSIBLE DEPARTMENT:</b>	CITY COUNCIL
<b>PRESENTED BY:</b>	MARIA CURRY	<b>FINANCE DIRECTOR:</b>	MEGAN ANTRIM
		<b>ADDITIONAL DIRECTOR (S):</b>	

<b>SUBJECT / PROCEEDING:</b>	DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION AMENDING THE CITY OF ALPINE ORDINANCE, REMOVING CHAPTER 10 ANIMALS 10-41B, AND ADDING IT TO SECTION 10-59, ANIMALS IN VEHICLES
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<b>EXHIBITS:</b>	
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### CLEARANCES

<b>LEGAL:</b>	CITY ATTORNEY	<b>ROD PONTON:</b>	_____
<b>FINANCE:</b>	FINANCE DIRECTOR	<b>MEGAN ANTRIM:</b>	_____
<b>APPROVAL:</b>	CITY MANAGER	<b>ERIK ZIMMER:</b>	_____

### BUDGET

<b>EXPENDITURE REQUIRED:</b>	\$ 0
<b>SAVINGS ANTICIPATION:</b>	\$
<b>CURRENT BUDGET FY2020-2021:</b>	\$ 0
<b>ADDITIONAL FUNDING:</b>	\$

### RECOMMENDED ACTION

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### EXECUTIVE SUMMARY

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**STATE OF TEXAS  
CITY OF ALPINE**

**COUNTY OF BREWSTER**

**ORDINANCE 2020-11-02**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS AMENDING CHAPTER 10 – ANIMALS, SECTIONS 10-41 AND 10-59 TO THE ALPINE CODE OF ORDINANCES; PROVIDING REPEALING AND SEVERABILITY CLAUSES; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Alpine has cause in pursuit of their legislative duties on behalf of citizens of Alpine to modify and improve rules and regulations concerning animals; and

**WHEREAS**, the Animal Advisory Board has recommended changes to Chapter 10 – Animals to the Alpine Code of Ordinances; and

**WHEREAS**, it is deemed to be in the best interest of the City to remove item (b) from Section 10-41, and add the same to Section 10-59 of Chapter 10 – Animals to the Alpine Code of Ordinances.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS THAT:**

**SECTION I  
FINDINGS OF FACT**

All of the premises attached in the form hereto described as Exhibit “A” are hereby found to be true and correct legislative and factual findings of the City Council of the City of Alpine and are hereby approved and incorporated herein as findings of fact.

**SECTION II  
CUMULATIVE CLAUSE**

This ordinance shall be cumulative of all provisions of the City of Alpine, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

**SECTION III  
SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council of the City of Alpine that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences paragraphs or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, clause, sentence, paragraph or section.

**SECTION IV  
PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**SECTION V  
EFFECTIVE DATE**

This ordinance shall be effective upon passage and publication as required by State and Local law.

**PASSED AND ADOPTED THIS 17<sup>th</sup> DAY OF NOVEMBER 2020 BY THE CITY COUNCIL OF  
THE CITY OF ALPINE, TEXAS.**

**INTRODUCTION AND FIRST READING**

**NOVEMBER 3, 2020**

**SECOND AND FINAL READING**

**NOVEMBER 17, 2020**

**ATTEST:**

\_\_\_\_\_  
**Andres "Andy" Ramos, Mayor  
City of Alpine**

\_\_\_\_\_  
**Cynthia Salas, City Secretary  
City of Alpine**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Rod Ponton, City Attorney  
City of Alpine**



## EXHIBIT "A"

### Chapter 10 - ANIMALS

#### ARTICLE II. - KEEPING ANIMALS

##### DIVISION 1. - GENERALLY

##### Sec. 10-41. - Standards.

- (a) Requirements for outside dogs—Confinement requirements for dogs kept outdoors. An owner of a dog commits an offense if the fenced yard, or other pen or structure, used as the primary living area for the dog to regularly eat, sleep, drink and eliminate is not:
- (1) At least 150 square feet for each dog six months of age or older;
  - (2) Designed, constructed, and composed of material sufficient to prevent the dog's escape; and
  - (3) Designed in a manner that provides the dog access to the inside of a dog house, building, or shelter that meets all requirements of subsection (a)(4) of this section.
  - (4) A dog house or other building or shelter for a dog must:
    - a. Have a weatherproof top, bottom and sides;
    - b. Have an opening on no more than one side that allows the dog to remain dry and provides adequate shade during daylight hours to prevent overheating and discomfort to the dog;
    - c. Have a floor that is level and dry;
    - d. Be free from cracks, depressions, and rough areas that might be conducive to insects, parasites, and other pests;
    - e. Be of adequate size to allow the dog to stand erect with the dog's head up, to turn around easily, and to sit and lie down in a comfortable and normal position;
    - f. Have sufficient clean and dry bedding material or other means of protection from the weather that will allow the dog to retain body heat when the weather is colder than what a dog of that breed and condition can tolerate;
    - g. Provide suitable means for the prompt elimination of excess liquids;
    - h. Be structurally sound, maintained in good repair, and constructed with material that protects the dog from injury; and
    - i. Allows the dog in and out.
- (b) ~~No person having charge or custody of an animal shall place or confine an animal or allow an animal to be placed or confined or to remain in a motor vehicle or trailer under such conditions or for such period of time as may endanger the health or well being of such animal due to heat, lack of food or water, or other such circumstances as may be reasonably expected to cause suffering, disability or death of such animal.~~
- (c) Owners of animals shall keep such animals restrained at all times within the city. An animal shall be deemed restrained when it is confined on the premises of the owner within a secure fence or enclosure; confined by means of a collar or harness attached to a chain or similar device anchored securely to the owner's property so as to keep the animal on the premises, out of reach of the public right-of-way (sidewalks, alleys and streets), within a vehicle being driven or parked, or under the direct physical control of a competent person by means of a secure leash not over six feet in length or similar secure device.

- (d) The owner shall keep the pen or enclosure in such a manner as not to give off odors offensive to persons residing in the vicinity, or to breed or attract flies, mosquitoes or other noxious insects, or in any manner to endanger the public health or safety, or create a public nuisance.
- (e) The owner of any large or small livestock animal shall keep all pens, enclosures and shelter structures wherein such animals or fowl are kept in a clean and sanitary condition so as not to give off offensive odors which are a source of discomfort to persons residing in the vicinity thereof. The owner of any large or small livestock animal or fowl shall not allow offal, manure and waste material of such animal to accumulate or remain in the pens, enclosures and shelter areas, excluding pasture acreage, in any manner which is conducive to the breeding or attraction of flies, mosquitoes or other noxious insects or in any manner which endangers the public health or safety, or which creates an unhealthy environment. The maintenance or permitting of the conditions in this section on any such lot or parcel of ground is hereby declared to be a public nuisance. The owner of any large or small livestock animal or fowl shall in a sanitary manner remove or dispose of all offal, manure and waste material accumulating from such animal or fowl as needed to ensure sanitary conditions and no less frequently than every 72 hours.
- (f) Feed troughs shall be provided for the feeding of vegetables, meat, scraps or garbage, and such feeding shall be done only in containers or on an impervious platform.
- (g) Watering troughs or tanks shall be provided which shall be equipped with adequate facilities for draining the overflow so as to prevent the breeding of flies, mosquitoes or other insects.
- (h) No putrescible material shall be allowed to accumulate on the premises, and all such material used as feed which is unconsumed shall be removed daily and disposed of by burial or other means approved by the animal control officer.

Sec. 10-59. - Animals in vehicles.

~~A person commits an offense if he intentionally, knowingly, recklessly or with criminal negligence transports an animal in a motor vehicle, trailer or other conveyance in a cruel, inhumane or unsafe manner or fails to effectively and humanely restrain the animal so as to prevent the animal from jumping from or being thrown from the vehicle, trailer or other conveyance during its normal operation.~~

(a) A person commits an offense if he intentionally, knowingly, recklessly or with criminal negligence transports an animal in a motor vehicle, trailer or other conveyance in a cruel, inhumane or unsafe manner or fails to effectively and humanely restrain the animal so as to prevent the animal from jumping from or being thrown from the vehicle, trailer or other conveyance during its normal operation.

(b) No person having charge or custody of an animal shall place or confine an animal or allow an animal to be placed or confined or to remain in a motor vehicle or trailer under such conditions or for such period of time as may endanger the health or well-being of such animal due to heat, lack of food or water, or other such circumstances as may be reasonably expected to cause suffering, disability or death of such animal

10. 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. The engagements that Rod Ponton has as the City Attorney for other cities in West Texas is impacting Alpine's ability to take actions on key issues that required attorney action. (R. Stephens, City Council)



# CITY COUNCIL

## AGENDA REQUEST

<b>AGENDA FOR COUNCIL MEETING:</b>	NOVEMBER 3, 2020	<b>AGENDA REQUEST NO:</b>	ACTION
<b>INITIATED BY:</b>	RICK STEPHENS	<b>RESPONSIBLE DEPARTMENT:</b>	CITY COUNCIL
<b>PRESENTED BY:</b>	RICK STEPHENS	<b>FINANCE DIRECTOR:</b>	MEGAN ANTRIM
		<b>ADDITIONAL DIRECTOR (S):</b>	
<b>SUBJECT / PROCEEDING:</b>	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. THE ENGAGEMENTS THAT ROD PONTON HAS AS THE CITY ATTORNEY FOR OTHER CITIES IN WEST TEXAS IS IMPACTING ALPINE'S ABILITY TO TAKE ACTIONS ON KEY ISSUES THAT REQUIRED ATTORNEY ACTION.		
<b>EXHIBITS:</b>			

CLEARANCES		APPROVAL	
<b>LEGAL:</b>	CITY ATTORNEY	<b>ROD PONTON:</b>	_____
<b>FINANCE:</b>	FINANCE DIRECTOR	<b>MEGAN ANTRIM:</b>	_____
<b>APPROVAL:</b>	CITY MANAGER	<b>ERIK ZIMMER:</b>	_____

BUDGET	
<b>EXPENDITURE REQUIRED:</b>	\$ 0
<b>SAVINGS ANTICIPATION:</b>	\$
<b>CURRENT BUDGET FY2020-2021:</b>	\$ 0
<b>ADDITIONAL FUNDING:</b>	\$

RECOMMENDED ACTION
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EXECUTIVE SUMMARY
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10. City Councilmember Comments and Answers – No discussion or action may take place.

11. 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. – None

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.)

12. Action – Executive Session – None

I certify that this notice was posted at 5:00 P. M. on October 30, 2020, Pursuant to the Texas Open Meetings Act (Texas Government Code Section 51.043). 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 email [city.secretary@ci.alpine.tx.us](mailto:city.secretary@ci.alpine.tx.us) for further information.

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Cynthia Salas, City Secretary  
City of Alpine