



CITY OF ALPINE
WORKSHOP – 4:30 P.M.
REGULAR CITY COUNCIL MEETING – 5:30 P.M.
803 W. Holland Avenue, Alpine, Texas 79830
Tuesday, December 5, 2023

Notice is hereby given that the City Council of the City of Alpine, Texas, will hold a workshop meeting at 4:30 P.M. and a regular meeting at 5:30 P.M. on December 5, 2023, in City Council Chambers, at 803 West Holland Avenue, in the City of Alpine, Texas for the purpose of considering the attached agenda. This notice is posted pursuant to the Texas Open Meetings Act (Government Code Sec. 551.043). **PUBLIC NOTICE – THE USE OF CELLULAR PHONES AND ELECTRONIC EQUIPMENT IS PROHIBITED IN THE CITY COUNCIL CHAMBERS DURING MEETINGS OF THE CITY COUNCIL EXCEPT FOR PURPOSES EXPLICITLY AUTHORIZED BY STATE LAW (TEXAS GOVERNMENT CODE SEC. 551.023).** This meeting will be conducted in accordance with the official Rules of Decorum for City Council Meetings available at www.cityofalpine.com/decorum. Public Comments are limited to agenda items only. Individuals who wish to address the City Council may do so by completing a Public Comment Card and by placing the completed card on the City Secretary’s desk no later than five minutes before the commencement of the meeting. The Public Comment Card may also be completed online at www.cityofalpine.com/councilcomments. A Public Comment Card is not required for speakers who wish to comment on a Public Hearing item. When speakers are acknowledged, please approach the microphone at the podium and state your name and Ward for the record. Public Comments are limited to 3 minutes per person, and a bell will signal the end of each speaker’s time. Please conclude speaker comments promptly when the bell rings. State law generally prohibits the Council from discussing or taking any action on any issue not included on the agenda, but if appropriate, the Council may schedule the topic for future discussion or refer the matter to staff. **NO PERSONAL ATTACKS ON COUNCIL MEMBERS OR CITY STAFF WILL BE ALLOWED.** The Mayor and/or City Council Members may call a point of order to stop personal attacks. If an individual continues to personally attack an elected official or staff member in a meeting, they may be barred.

WORKSHOP AGENDA – 4:30 P.M.

1. Call to Order.

2. Workshop –

1. Jacob | Martin – Feasibility Study (Skyway Gardens) Update.
2. Jacob | Martin – Current Water Projects Update.
3. Kurt Grant – Communities Unlimited – Water Rate Presentation.

3. Adjourn.

REGULAR MEETING AGENDA – 5:30 P.M.

1. Call to Order & Pledge of Allegiance to the Flags.

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

3. Public Comments – (limited to 3 minutes per person)

4. Presentations, Recognitions, and Proclamations – None.

5. Reports –

City Mayor Report.

City Attorney Report – None.

City Manager Report –

- September 2023 Revenue & Expense Report.
- October 2023 Revenue & Expense Report.
- Airport Update.

City Staff Update – None.

6. Public Hearings –

1. Public Hearing to obtain citizen views and comments regarding the first reading of Ordinance 2023-12-01, an ordinance approving Rezone Application 2023-10-01-A; Amending the official zoning map of the city by rezoning the property located at 401 W. Sul Ross and legally described as the East 18.89 feet of Lots 8, 9, 10, all of Lots 1, 2, and 3, and that portion of the platted alley lying between said lots, all out of Block 28, Original Townsite of Alpine, Envelope 184, Plat Records of Brewster County, Texas, from R-2 Two-Family District to C-0 Office Services District. The Planning & Zoning Commission has recommended denial of this zoning change.
2. Public Hearing to obtain citizens views and comments regarding the first reading of Ordinance 2023-12-02, an ordinance amending Appendix C - Zoning, Schedule of Districts, Article I - Schedule of Districts, Section II - R-1 One Family District to the Alpine Code of Ordinances; Repealing the requirement that beauty salons are not an acceptable use in a residential area by

approved special use permit; Providing the establishment of up to a \$500 penalty per occurrence for violations of the ordinance. The Planning & Zoning Commission has recommended approval of the ordinance.

3. Public Hearing to obtain citizen views and comments regarding Replat 2023-11-01, a replat application allowing the applicant, Jose Cobos, to combine lots in order to provide the ability to use a primary address at the subject property without the necessity of building a primary structure on one lot. The subject property is located at South 6th Street and West Avenue F and is legally described as Lots 5 and 6, Block 55, Original Townsite of Alpine, Texas, as shown in the Subdivision Plat on file in Volume 2, Page 97, Deed Records of Brewster County, Texas. The record property owner is Jose Cobos. The Property ID of the subject property is 35832. The current zoning classification of the property is R-3 Apartment District. If the replat is approved the zoning classification will remain R-3 Apartment District. The Planning & Zoning Commission has recommended approval of this replat.
 4. Public Hearing to obtain citizen views and comments regarding Replat 2023-11-02, a replat application allowing the applicant, Ruben Montilva, to combine lots to allow the applicant to install a structure over currently existing common lot lines. The subject property is located at South 14th Street and West Murphy Street and is legally described as Lots 5 and 6, Block 9, Thomas-Turney-Higgins Addition to the City of Alpine as shown in the subdivision plat on file in envelope 108, plat records of Brewster County, Texas. The record property owners are Ruben Montilva and Nieves Paredes. The Property ID of the subject property is 12885. The current zoning classification of the property is R-4 Mobile Home District. If the replat is approved the zoning classification will remain R-4 Mobile Home District. The Planning & Zoning Commission has recommended approval of this replat.
 5. Public Hearing to obtain citizen views and comments regarding Special Use Permit 2023-11-03, a short term rental Special Use Permit allowing a short term rental to be established at 202 N 4th St. The property owner of record is Karl Brauch. The Parcel ID of the subject property is 11906.
 6. Public Hearing to obtain citizen views and comments regarding Special Use Permit 2023-11-04, a short term rental Special Use Permit allowing a short term rental to be established at 1004 W. Del Rio St. The property owner of record is Justin Tallant and Colleen West. The Parcel ID of the subject property is 30379.
 7. Public Hearing to obtain citizen views and comments regarding Special Use Permit 2023-11-05, a special use permit for the purpose of allowing the applicant, Lowe's Market #178, to obtain a Wine-Only Package Store Permit (Q) from the Texas Alcoholic Beverage Commission to operate a grocery store with alcohol sales. The property in question is located at 104 N. 2nd Street. The record property owner is Porter & Company, LTD. The property ID of the subject property is 11792.
 8. Public Hearing to obtain citizen views and comments regarding Special Use Permit 2023-11-06, a short term rental special use permit allowing a short term rental to be established at 401 E. Ave A. The property owner of record is Richard K Zimmer Etux. The Parcel ID of the subject property is 11097.
 9. Public Hearing to obtain citizen views and comments regarding Special Use Permit 2023-11-07, a short term rental special use Permit allowing a short term rental to be established at 907 E. Nations. The property owner of record is Mark Ofenstein. The Parcel ID of the subject property is 11054.
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 November 7, 2023 Regular Meeting Minutes. (G. Calderon, City Secretary)
2. Approval of the appointment of Kristal Baca to the Place 3 position on the Parks and Recreation Board. (D. Nance, City Council)
3. Approval of Special Use Permit 2023-11-03, a short term rental Special Use Permit allowing a short term rental to be established at 202 N 4th St. The property owner of record is Karl Brauch. The Parcel ID of the subject property is 11906. (G. Calderon, City Secretary)
4. Approval of Special Use Permit 2023-11-04, a short term rental Special Use Permit allowing a short term rental to be established at 1004 W. Del Rio St. The property owner of record is Justin Tallant and Colleen West. The Parcel ID of the subject property is 30379. (G. Calderon, City Secretary)
5. Approval of Special Use Permit 2023-11-06, a short term rental Special Use Permit allowing a short term rental to be established at 401 E. Ave A. The property owner of record is Richard K Zimmer Etux. The Parcel ID of the subject property is 11097. (G. Calderon, City Secretary)
6. Approval of Special Use Permit 2023-11-07, a short term rental Special Use Permit allowing a short term rental to be established at 907 E. Nations. The property owner of record is Mark Ofenstein. The Parcel ID of the subject property is 11054. (G. Calderon, City Secretary)
7. Approve Resolution 2023-12-01, a resolution approving the amended lease agreement between South Plains Community Action Association (SPCAA) and the City of Alpine for the use of property located at 607 W. Gallego Avenue, known as the Neighborhood Center. (M. Antrim, City Manager)

8. Information or Discussion Items –

1. County Liaison Commissioner's Court Report. (J. Stokes, City Council)
2. Presentation by Andrew Devaney, Building Official, regarding zoning changes within residential zones. (J. Stokes, City Council)
3. Discuss proposed parking changes to the short term rental ordinance. (J. Stokes, City Council)
4. City Council discuss the annual goals and objectives for the City Boards and Commissions. (R. Stephens, City Council)

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

1. Approve the first reading of Ordinance 2023-12-01, an ordinance approving Rezone Application 2023-10-01-A; Amending the official zoning map of the city by rezoning the property located at 401 W. Sul Ross and legally described as the East 18.89 feet of Lots 8, 9, 10, all of Lots 1, 2, and 3, and that portion of the platted alley lying between said lots, all out of Block 28, Original Townsite of Alpine, Envelope 184, Plat Records of Brewster County, Texas, from R-2 Two-Family District to C-0 Office Services District. The Planning & Zoning Commission has recommended denial of the zoning change. (M. Antrim, City Manager)

2. Approve the first reading of Ordinance 2023-12-02, an ordinance amending Appendix C - Zoning, Schedule of Districts, Article I - Schedule of Districts, Section II - R-1 One Family District to the Alpine Code of Ordinances; Repealing the requirement that beauty salons are not an acceptable use in a residential area by approved special use permit; Providing the establishment of up to a \$500 penalty per occurrence for violations of the ordinance. The Planning & Zoning Commission has recommended approval of the ordinance. (M. Antrim, City Manager)
3. Approve the first reading of Ordinance 2023-12-03, an ordinance amending the City of Alpine FY 2023-2024 Budget; Providing Repealing and Severability Clauses; A Texas Open Meetings Act Clause; and Providing an Effective Date. (M. Antrim, City Manager)
4. Approve Resolution 2023-12-02, a resolution authorizing participation with the cities served by AEP Texas; Authorizing the hiring of legal counsel; Finding that the City's reasonable rate case expenses shall be reimbursed by the company; Finding that the meeting at which this resolution is passed is open to the public as required by law; Requiring notice of this resolution to legal counsel. (M. Antrim, City Manager)
5. Approve Special Use Permit 2023-11-05, a special use permit for the purpose of allowing the applicant, Lowe's Market #178, to obtain a Wine-Only Package Store Permit (Q) from the Texas Alcoholic Beverage Commission to operate a grocery store with alcohol sales. The property in question is located at 104 N. 2nd Street. The record property owner is Porter & Company, LTD. The property ID of the subject property is 11792. (M. Antrim, City Manager)
6. Approve Replat 2023-11-01, a replat application allowing the applicant, Jose Cobos, to combine lots in order to provide the ability to use a primary address at the subject property without the necessity of building a primary structure on one lot. The subject property is located at South 6th Street and West Avenue F and is legally described as Lots 5 and 6, Block 55, Original Townsite of Alpine, Texas, as shown in the Subdivision Plat on file in Volume 2, Page 97, Deed Records of Brewster County, Texas. The record property owner is Jose Cobos. The Property ID of the subject property is 35832. The current zoning classification of the property is R-3 Apartment District. If the replat is approved the zoning classification will remain R-3 Apartment District. The Planning & Zoning Commission has recommended approval of this replat. (M. Antrim, City Manager)
7. Approve Replat 2023-11-02, a replat application allowing the applicant, Ruben Montilva, to combine lots to allow the applicant to install a structure over currently existing common lot lines. The subject property is located at South 14th Street and West Murphy Street and is legally described as Lots 5 and 6, Block 9, Thomas-Turney-Higgins Addition to the City of Alpine as shown in the subdivision plat on file in envelope 108, plat records of Brewster County, Texas. The record property owners are Ruben Montilva and Nieves Paredes. The Property ID of the subject property is 12885. The current zoning classification of the property is R-4 Mobile Home District. If the replat is approved the zoning classification will remain R-4 Mobile Home District. The Planning & Zoning Commission has recommended approval of this replat. (M. Antrim, City Manager)

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

NOTICE: The City Council reserves the right to reconvene, recess, realign, change the order of business, or adjourn into Executive Session at any time during the course of the meeting prior to adjournment, to discuss any item listed above, as authorized by 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 551.087 (development).

11. Executive Session –

Consultation with Attorney § 551.071, Texas Government Code

1. City Attorney Update:

- a) AEP Franchise Agreement, including potential impact of pending rate case before the Public Utility Commission.
- b) Customs and Border Protection Hangar Lease Renewal.
- c) Texas Disposal Systems Performance and Request to Amend Contract.
- d) Pending Public Information Requests and Attorney General Responses.

(M. Antrim, City Manager)

12. Action – Executive Session –

- 1. Action, if any, concerning the review of cases currently in work by the City Attorney. (M. Antrim, City Manager)

13. Adjourn.

NOTICE: In compliance with the Americans with Disabilities Act, the City of Alpine will provide reasonable accommodations for persons attending meetings. 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.

CERTIFICATION

I, Geoffrey R. Calderon, do hereby certify that this notice was posted at City Hall, in a convenient and readily accessible place to the general public, and on 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 Friday, December 1, 2023, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting.


Geoffrey R. Calderon, City Secretary

