

City of Alpine
REGULAR CITY COUNCIL MEETING
Tuesday, September 17, 2024 – 5:30 PM
Minutes

1. **CALL TO ORDER.**

- A. Pledge of Allegiance to the United States Flag.
- B. Pledge of Allegiance to the Texas Flag.
- C. Determination of a Quorum and Proof of Notice of the Meeting.

City Council Members Present:

Catherine Eaves
Councilor Reagan Stone
Councilor Darin Nance
Councilor Lucy Escovedo
Councilor Rick Stephens
Councilor Eva Martinez

City Staff and Stakeholders Present:

Megan Antrim, City Manager
Geoffrey R. Calderon, City Secretary
Alessandra Gad, City Attorney
Darrell Losoya, Chief of Police
Robert Rücker, Building Official
Johnny Marquez, Interim Director of Utility
Randy Guzman, Director of Gas Utility.
Abel Hinojos, Airport Supervisor
Adelina Beall, Environmental Services

Not Present:

Others Present: 14 attendees.

Mayor Eaves announced that a quorum of the City Council was present at the City Council Chambers and City Secretary, Geoffrey Calderon, reported that the meeting agenda was posted by 2:00 P.M. on September 13, 2024.

2. **PUBLIC COMMENTS.**

Each person in attendance who desires to speak to the City Council on an item on the agenda shall speak during this section, or at one singular agenda item. A Public Comment Card must be filled out and turned in to the City Secretary at least 5 minutes prior to the start time of the meeting. The Public Comment Card may be filled out at www.cityofalpine.com/councilcomments. Public comments may be made regarding agenda items only. Attendees must be physically present in order to address the City Council. Comments by proxy are not allowed. Public Comments are limited to 3 minutes per person. Unused time may not be yielded to other attendees. Please note that the City Council may only take action on items posted on the agenda. The Texas Open Meetings Act prohibits the Council from deliberating or taking action on an item not listed on the agenda. City Staff may ask commenters clarifying questions, respond with facts, and explain policy.

Public Comments: None.

3. **PUBLIC HEARINGS.**

At this time, the Mayor will invite members of the public to address each item listed in this section. Comments made during this section are limited to the topic of each public hearing. Attendees must be physically present in order to address the City Council. Comments by proxy are not allowed. Public Comments are limited to 3 minutes per person. Unused time may not be yielded to other

attendees. If more than one public hearing is being held, each person will be allowed to speak during each topic.

Open (5:31 P.M.)

- A. Public Hearing to obtain citizen views and comments regarding the second and final reading of Ordinance 2024-09-05, an ordinance approving the Fiscal Year 2024-2025 proposed tax rate of \$0.439205 per \$100 of assessed valuation for the fiscal year October 1, 2024 through September 30, 2025 for use and support of the Municipal Government of the City of Alpine, Texas.
- B. Public Hearing regarding the first and final reading of Ordinance 2024-09-06, an ordinance amending the City of Alpine Fiscal Year 2023-2024 Budget; Providing Repealing and Severability Clauses; A Texas Open Meetings Act Clause; and Providing an Effective Date.

Close (5:32 P.M.)

4. PUBLIC PRESENTATIONS.

- A. Presentations & Recognitions
- B. Proclamations
 - i) Proclamation of Constitution Week for September 17, 2024 - September 23, 2024. (C. Eaves, Mayor)

Judy Perry, Paisano Chapter of the National Daughters of the American Revolution addressed the City Council regarding Constitution Week. Mayor Catherine Eaves presented the Constitution Week Proclamation to Judy Perry.

- C. Community Interest Items
 - i) Mayor Announcements
 - ii) City Manager Announcements
 - iii) Council Member Announcements

5. CHANGES TO POSTED AGENDA.

NOTICE: *The City Council reserves the right to change the order of business at any time during the meeting. To change the order of business a motion, a second, and a majority vote is required.*

- A. **Items to be continued or withdrawn.** Items may be continued to the next City Council meeting or withdrawn from consideration during this agenda. Items to be continued or withdrawn require a motion, a second, and a majority vote.
- B. **Items to be removed from the Consent Agenda for separate discussion.** Items may be withdrawn from the consent agenda by a simple request by the Mayor or any City Council member. *Items removed from the consent agenda* will be considered in the Items withdrawn

from the consent agenda section directly after approval of the items not requiring separate discussion.

Councilor Darin Nance removed Item B from the consent agenda for separate discussion.

Councilor Reagan Stone removed Item D from the consent agenda for separate discussion.

- C. **Action items to be added to the consent agenda.** Adding action items to the consent agenda must be requested by the Mayor or any City Council member and requires a motion, a second, and a majority vote.
- D. **Time-Sensitive Items.** The Mayor, any City Council Member, or a member of City Staff may request that time-sensitive items be considered during that section.

6. **CONSENT AGENDA.**

- A. Approval of September 3, 2024 Regular Meeting Minutes. (G. Calderon, City Secretary)
- B. Approval of the appointment of Mark Hannan to the Place 1 position on the Parks and Recreation Board. (R. Stone, City Council)
- C. Approve payment of the August 2024 monthly billing summary for Bojorquez Law Firm services. (M. Antrim, City Manager)
- D. Approve Resolution 2024-09-16, a resolution authorizing the City's Police Department to participate in the Office of the Governor's, Public Safety Office, Homeland Security Grants Division, Operation Lone Star (OLS) program for FY 2025.

RESOLUTION 2024-09-17: On a motion by Councilor Rick Stephens and Seconded by Councilor Eva Martinez to approve items A and C, the City Council unanimously voted to adopt the motion.

7. **ITEMS REMOVED FROM THE CONSENT AGENDA.**

RESOLUTION 2024-09-18: Councilor Stone moved to approve Item B and the motion died due to lack of a second. The motion failed and the item was not approved.

RESOLUTION 2024-09-19: On a motion by Councilor Stone and seconded by Councilor Nance to approve Resolution 2024-9-16, the City Council adopted the motion with the Council voting in the following manner:

Councilor Reagan Stone: Nay
Councilor Eva Martinez: Aye
Councilor Darin Nance: Aye
Councilor Lucy Escovedo: Aye
Councilor Rick Stephens: Aye

8. **REPORTS & PRESENTATIONS.**

Presentations are limited to 6 minutes each. A bell will ring when the 6-minute timeframe has been

reached. If further time is needed the presentation may be extended an additional 4 minutes at the discretion of the presiding officer. After the initial period and extension have passed, the presentation may be extended further by a motion, a second, and a majority vote of the City Council.

- A. August 2024 Office of the City Secretary (OCS) Report including Legislative Services, City Council Activities, Board & Commissions Activities, Public Information, and Departmental Statistics and Updates. (G. Calderon, City Secretary)
- B. Alpine Volunteer Fire Department Update from Chief James Etchison. (M. Antrim, City Manager)

Fire Chief, James Etchison, provided a verbal presentation to the City Council regarding the Alpine Volunteer Fire Department.

- C. August 2024 Revenue and Expense Report (M. Antrim, City Manager)

9. **INFORMATION OR DISCUSSION ITEMS.**

- A. Discuss the legal procedures and guidelines for issuing utility easements for City of Alpine. (M. Antrim, City Manager)
- B. Discuss updating Article I. Basic Ordinance, General Zoning Regulations, Section 18 - Definitions: Home Occupancy (M. Antrim, City Manager)

The Mayor called a short recess. (6:53 P.M.)

The meeting resumed. (6:58 P.M.)

10. **ACTION ITEMS.**

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

- A. Approve the first reading of Ordinance 2024-09-02, an ordinance amending *Chapter 10 – Animals* to the Alpine Code of Ordinances; Amending *Sec. 10-8 City-Sponsored Clinics Authorized* to update who can authorize a city sponsored rabies vaccination-registration clinic; Amending *Sec. 10-10 Wildlife Feeding* to amend the definition and objective of wildlife feeding; Amending *Sec. 10-11 - Hunting* providing clarifying language that hunting is prohibited within the city limits of Alpine, except for the capture and control of nuisance animals by an authorized government official; Amending *Sec. 10-42 - Public Nuisances Designated* to provide clarifying language, provide additional circumstances that constitute an animal nuisance, and making section references to other relevant sections in the chapter; Removing *Sec. 10-45 - Standing Bulls, Stallions or Jacks at Stud* and relocating the section to a more appropriate portion of the code, and establishing *Sec. 10-95 - Standing Bulls, Stallions or Jacks at Stud* under *Division II – Permits*; Amending *Sec. 10-9. - Guide Dogs* by updating the title to more appropriate language, *10-9 Service Animals*, to better align with federal and state verbiage and requirements; Providing the establishment of up to a \$500 penalty per occurrence for violations of the ordinance; And providing for the following: Findings of Fact, enactment, Repealer, Penalty, Savings, Severability, Proper Notice and Meeting, and Effective Date clauses. (M. Antrim, City Manager)

RESOLUTION 2024-09-20: On a motion by Councilor Rick Stephens and seconded by Councilor Eva Martinez to approve the ordinance as presented, the City Council unanimously adopted the motion.

- B. Approve the first reading of Ordinance 2024-09-03, an ordinance amending *Chapter 82 – Solid Waste*; Providing for updated definitions throughout the chapter; Providing clarification that disposing of ash or other byproduct of burning is considered illegal dumping; Providing clarification that bulky items placed next to collection containers is considered illegal dumping; Establishing responsibilities of residential and commercial sanitation accounts; Providing clarification that rates and fees are established by the approved contract with the waste hauler contractor; Providing for updated requirements concerning disposal of dead animals, disposal of construction and demolition wastes, and bulky waste disposal; Providing clarification regarding offenses, penalties, and fines for violations of the chapter; Establishing *Division 3-Scrap Tires* that provides criteria and guidelines for the proper disposal and storage, transportation, collection, and processing of tires; Providing the establishment of up to a \$4,000 penalty per occurrence for violations of the ordinance; And providing for the following: Findings of Fact, Enactment, Repealer, Penalty, Savings, Severability, Proper Notice and Meeting, and Effective Date clauses.

RESOLUTION 2024-09-21: On a motion by Councilor Rick Stephens and seconded by Councilor Eva Martinez to approve the Ordinance 2024-09-03 as presented, discussion ensued.

RESOLUTION 2024-09-22: On a motion by Councilor Rick Stephens and seconded by Councilor Eva Martinez to amend the original motion to state that contractors are required to have a roll off container or trailer onsite for all construction debris to obtain a permit, and shall be inspected for holding valid landfill receipts upon final inspection, the City Council unanimously adopted the amendment.

RESOLUTION 2024-09-23: Councilor Reagan Stone moved to amend the original motion to include that the city allow each customer to dispose of an additional yard of yard waste per month. The motion died due to a lack of a second and the amendment was not approved.

The City Council then unanimously voted to adopt the original motion as amended by Resolution 2024-09-22.

- C. Approve the second and final reading of Ordinance 2024-09-05, an ordinance approving the Fiscal Year 2024-2025 proposed tax rate of \$0.439205 per \$100 of assessed valuation for the fiscal year October 1, 2024 through September 30, 2025 for use and support of the Municipal Government of the City of Alpine, Texas. (M. Antrim, City Manager)

RESOLUTION 2024-09-24: Councilor Eva Martinez moved that the property tax rate be increased by the adoption of a tax rate of \$0.439205, which is effectively a 3.5 percent increase in the tax rate. A tax rate of \$0.439205 per \$100 valuation has been recommended for Fiscal Year 2024-2025 Budget, Maintenance and Operating is \$0.429007 and Interest and Sinking is \$0.010198. The motion was seconded by Councilor Escovedo. The City Council unanimously voted to adopt the motion.

- D. Approve the first and final reading of Ordinance 2024-09-06, an ordinance amending the City of Alpine Fiscal Year 2023-2024 Budget; Providing Repealing and Severability Clauses; A Texas Open Meetings Act Clause; and Providing an Effective Date. (M. Antrim, City Manager)

RESOLUTION 2024-09-25: On a motion by Councilor Rick Stephens and seconded by Councilor Darin Nance to approve as presented, the City Council unanimously adopted the motion.

- E. Approve Resolution 2024-09-15, a resolution approving a recommendation for Parks and Recreation facilities fees as recommended by the Parks and Recreation Board. (M. Antrim, City Manager)

RESOLUTION 2024-09-26: On a motion by Councilor Darin Nance and seconded by Councilor Rick Stephens to approve Resolution 2024-09-15 as presented, the City Council unanimously adopted the motion.

- F. Approve Order 2024-09-01, an order approving an election services contract with Brewster County for the Joint November 5, 2024 Special Charter Election. (G. Calderon, City Secretary)

RESOLUTION 2024-09-27: On a motion by Councilor Reagan Stone and seconded by Councilor Lucy Escovedo to approve the consent agenda as presented, the City Council unanimously voted to adopt the motion.

- G. Approve the City of Alpine Ballot for the Texas Municipal League (TML) Region 4 Director Election. (M. Antrim, City Manager)

RESOLUTION 2024-09-28: On a motion by Councilor Reagan Stone and seconded by Councilor Eva Martinez to approve the City of Alpine Ballot for the Texas Municipal League Regional Director, a discussion ensued.

RESOLUTION 2024-09-29: On a motion by Councilor Darin Nance and seconded by Councilor Lucy Escovedo to approve Jack Ladd as the City of Alpine choice, the City Council unanimously adopted the amendment.

The City Council unanimously voted to adopt the original motion as amended.

11. **EXECUTIVE REPORTS.**

Executive reports are limited to 10 minutes each.

City Mayor Report

City Manager Report

- i) Update on Water Infrastructure
- ii) Update on Wastewater Infrastructure.
- iii) Update on Streets Infrastructure

iv) Update on Employee Compensation Plan

v) Update on Comprehensive Plan

12. **CITY COUNCIL MEMBER COMMENTS.**

***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).*

RESOLUTION 2024-09-30: On a motion by Councilor Rick Stephens and seconded by Councilor Eva Martinez to move into executive session, the City Council unanimously adopted the motion. **(8:15 P.M.)**

13. **EXECUTIVE SESSION.**

Consultation with Attorney § 551.071, Texas Government Code

A. Discuss Customs and Border Protection Hangar Lease Renewal.

B. Discuss status update on property liens and procedures.

C. Discuss the possible sale and/or acquisition of property for long-term overall city goals and planning, including city owned structures. (M. Antrim, City Manager)

14. **ACTION AFTER EXECUTIVE SESSION.**

RESOLUTION 2024-09-31: On a motion by Councilor Reagan Stone and seconded by Councilor Eva Martinez to move into regular session, the City Council unanimously adopted the motion. **(8:41 P.M.)**

A. Action, if any, concerning any of the items listed in executive session. (M. Antrim, City Manager)

RESOLUTION 2024-09-32: Councilor Rick Stephens moved to authorize the City Manager to make an offer to purchase the property owned by Bill Ivey that was destroyed by fire on May 26th and that that offer be dependent on the fair market value. The motion was seconded by Councilor Eva Martinez. The City Council unanimously voted to adopt the motion.

15. **ADJOURN.**

Being no further business, the meeting was adjourned. (8:42 P.M.)

APPROVED:

ATTEST:

Catherine Eaves, *Mayor*

Geoffrey R. Calderon, TRMC
City Secretary & Chief Governance Officer

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 September 13, 2024, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting.

WITNESS MY HAND AND SEAL
this 13th day of September, 2024



Geoffrey R. Calderon, TRMC
City Secretary & Chief Governance Officer

