



CITY OF ALPINE
REGULAR CITY COUNCIL MEETING
October 1, 2024 – 4:00 PM

City Council Chambers, 803 W. Holland Avenue, Alpine, Texas 79830

1. WORKSHOP MEETING - 4:00 P.M.

- A. Street Study Discussion. (M. Antrim, City Manager)

2. CALL TO ORDER - REGULAR MEETING - 5:30 P.M.

- 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.

3. 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. 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.

4. 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.

- A. Public Hearing to obtain citizen views and comments regarding the second and final 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.

- B. Public Hearing regarding the second and final 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.
- C. Public Hearing to obtain citizen views and comments regarding Replat 2024-10-01, a replat allowing the applicant, Ruben Losoya, to amend lot lines to provide conformance with R-4 zoning requirements for the subject property. The subject property is located at or about 806 S. Cactus Street and is legally described as 1.482 acres out of the South 3.0 acres of the West Half (W/2) of Block 2, Means Addition “A,” Brewster County, Texas, being all of that certain 1.483 acre tract described in Document no. 105626, Official Public Records of Brewster County, Texas. The property owner of record is Ruben Losoya. The Property ID of the subject property is 11311. The current zoning classification of the property is R-4 Mobile Home District. If the replat is approved the zoning classification of the subject property will remain R-4 Mobile Home District.
- D. Public Hearing to obtain citizen views and comments regarding Special Use Permit 2024-10-01, a special use permit authorizing the applicant, Perla Baeza, to obtain a (Malt Beverage) Retail Dealer's On-Premise License (BE) from the Texas Alcoholic Beverage Commission to establish a beer garden that will include malt beverage sales at the subject property. The subject property is located at the previous farmers market, 107 E. Murphy. The property owner of record is Perla Baeza. The Parcel ID of the subject property is 34500.
- E. Public Hearing to obtain citizen views and comments regarding Special Use Permit 2024-10-02, a short term rental special use permit allowing a short term rental to be established at 609 S. 12th Street. The property owner of record is Charles Sanders. The Parcel ID of the subject property is 33952.
- F. Public Hearing to obtain citizen views and comments regarding Special Use Permit 2024-10-03, a short term rental special use permit allowing a short term rental to be established at 801 W. Ave F. The property owner of record is Charles Sanders. The Parcel ID of the subject property is 10484.

5. **PUBLIC PRESENTATIONS.**

- A. Presentations & Recognitions

B. Proclamations

- i) Proclamation 2024 National Public Natural Gas Appreciation Week (PNGW) for October 6–12, 2024.
- ii) Proclamation of Texas Teacher's Day on Saturday, October 5, 2024.

C. Community Interest Items

- i) Mayor Announcements
- ii) City Manager Announcements
- iii) Council Member Announcements

6. **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.
- 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, by simple request, ask that time-sensitive items be considered during that section.

7. **CONSENT AGENDA.**

- A. Approval of September 10, 2024 Special Meeting Minutes. (G. Calderon, City Secretary)
- B. Approval of September 17, 2024 Regular Meeting Minutes. (G. Calderon, City Secretary)
- C. Approval of Special Use Permit 2024-10-02, a short term rental special use permit allowing a short term rental to be established at 609 S. 12th Street. The property owner of record is Charles Sanders. The Parcel ID of the subject property is 33952. (G. Calderon, City Secretary)
- D. Approval of Special Use Permit 2024-10-03, a short term rental special use permit allowing a short term rental to be established at 801 W. Ave F. The property owner of record is Charles Sanders. The Parcel ID of the subject property is 10484. (G. Calderon, City Secretary)
- E. Approve Gibson, Ruddock, Patterson, LLC Letter of Engagement for Fiscal Year 2023-2024 annual audit. (M. Antrim, City Manager)

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

9. **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.

10. **INFORMATION OR DISCUSSION ITEMS.**

- A. Discussion regarding maintenance of city parks, practice fields, and other city assets. (C. Eaves, Mayor)

11. **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 second and final 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)
- B. Approve the second and final 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. (M. Antrim, City Manager)
- C. Approve the first reading of Ordinance 2024-10-01, an ordinance authorizing the vacation, abandonment, and sale of a 205 square foot-wide strip out of W. Brown Ave Right-of-Way,

adjacent and parallel to the Northwest line of Lot 8, Block 8, Hamilton Addition to the City of Alpine; Authorizing the City Manager to execute a deed without warranty to the applicant Li Feng Ni; Directing that funds from the sale of the city's interest be deposited in the general fund for the purpose of street improvements; Providing for terms and conditions of such thereof; Providing for a severability clause; Providing for an effective date. Further, authorize the City Building to issue a permanent variance to the City setback requirements regarding the property line to the W Brown Ave right-of-way. (R. Stephens, City Council)

- D. Approve Resolution 2024-10-01, a resolution designating the Alpine Avalanche as the Official Newspaper of the City of Alpine for Fiscal Year 2024-2025. (M. Antrim, City Manager)
- E. Approve Resolution 2024-10-02, a resolution authorizing the City to participate in the Fiscal Year 2025 Regional Solid Waste Grant Program. (M. Antrim, City Manager)
- F. Approve Replat 2024-10-01, a replat allowing the applicant, Ruben Losoya, to amend lot lines to provide conformance with R-4 zoning requirements for the subject property. The subject property is located at or about 806 S. Cactus Street and is legally described as 1.482 acres out of the South 3.0 acres of the West Half (W/2) of Block 2, Means Addition "A," Brewster County, Texas, being all of that certain 1.483 acre tract described in Document no. 105626, Official Public Records of Brewster County, Texas. The property owner of record is Ruben Losoya. The Property ID of the subject property is 11311. The current zoning classification of the property is R-4 Mobile Home District. If the replat is approved the zoning classification of the subject property will remain R-4 Mobile Home District. (M. Antrim, City Manager)
- G. Approve Special Use Permit 2024-10-01, a special use permit authorizing the applicant, Perla Baeza, to obtain a (Malt Beverage) Retail Dealer's On-Premise License (BE) from the Texas Alcoholic Beverage Commission to establish a beer garden that will include malt beverage sales at the subject property. The subject property is located at the previous farmers market, 107 E. Murphy. The property owner of record is Perla Baeza. The Parcel ID of the subject property is 34500. (M. Antrim, City Manager)
- H. Approval of Speed Humps on Avenue B to reduce speed limit. Stop signs and 20 mph speed limit signs are not effective. (R. Stephens, City Council)
- I. Approve twelve month lease with CAPPS, Van & Truck Rental, for two vehicles utilized by officers participating in the High Intensity Drug Trafficking Program for Fiscal Year 2024-2025. (M. Antrim, City Manager)

12. **EXECUTIVE REPORTS.**

Executive reports are limited to 10 minutes each.

City Mayor Report

City Manager Report

- i) Discuss Board, Commission, and Committee objectives for upcoming Fiscal Year.
- ii) Water, Wastewater, Streets, Employee Compensation Plan

13. **CITY COUNCIL MEMBER COMMENTS.**

14. **EXECUTIVE SESSION.**

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).

A. Consultation with Attorney § 551.071, Texas Government Code

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)

15. **ACTION AFTER EXECUTIVE SESSION.**

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

16. **ADJOURN.**

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 pursuant to Section 551.043, Texas Government Code. The said notice was posted by 3:00 P.M. on September 27, 2024, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting.

WITNESS MY HAND AND SEAL
this 27th day of September, 2024



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

