



CITY OF ALPINE
WORKSHOP – 4:30 P.M.
REGULAR CITY COUNCIL MEETING – 5:30 P.M.
803 W. Holland Avenue, Alpine, Texas 79830
Tuesday, January 16, 2024

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 January 16, 2024, 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. Workshop to discuss city wastewater projects, goals, and current endeavors.
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** – Will discuss as part of Information and Discussion item 7.
 - City Staff Update** – None.
6. **Public Hearings** – None.
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 January 2, 2024 Regular Meeting Minutes. (G. Calderon, City Secretary)
 2. Approval of the excused absence of Councilor Sandate from the January 2, 2024 City Council meeting due to a family vacation. (G. Calderon, City Secretary)
8. **Information or Discussion Items –**

1. Discuss the draft non-profit donation policy for organizations such as Alpine Public Library, Family Crisis Center, Sunshine House, Child Advocacy, and others that the City donates to. (C. Eaves, Mayor)
2. Discuss the draft tax abatements policy for historic renovations. (C. Eaves, Mayor)
3. Discuss the short term rental ordinance and procedures. (M. Antrim, City Manager)
4. Discuss Parks and Recreation Board Fiscal Year 2022-2023 Key Objectives and status. (D. Nance, City Council)
5. Dark Skies Update Presentation by Stephen Hummel, Dark Skies Initiative Coordinator for the McDonald Observatory. (M. Antrim, City Manager)
6. Discuss concerns with Ward 2 districting boundaries. (M. Antrim, City Manager)
7. Discuss and consider prioritizing following items:
 - a) TDS Contract.
 - b) STRs - Operation without a license and parking requirements.
 - c) Waste Water Treatment Plant Upgrade Plan and Lift Stations (Holiday Inn).
 - d) Streets - Equipment purchase, employee levels and paving plan for this year.
 - e) Water Plan - Three key issues. East/west connection, Southeast city water pressure, water distribution maintenance plan.
 - f) Grant Priorities.
 - g) Budget.
 - h) Employees - Position Descriptions, Market Pay, Hiring, Retention, Employee Policies.
 - i) Key Employee Department Positions - Finance, Utilities, Roads.
 - j) City Attorney List of Actions.
 - k) City Council Agenda - Chapter 23 Updates.
 - l) City Charter Revisions.
 - m) Golf Course.
 - n) Ordinance Review Process/Prioritization.
 - o) Annexation Map.
 - p) Zoning Map.
 - q) Annual Policy and Resolutions.
 - r) Ward Map and Any Redistricting Required to Balance Voting.
 - s) Economic Development Plan - Strong Towns.
 - t) Long Term Traffic in Alpine.
 - u) City System Upgrades.
 - v) Potential for Quiet Zone.
 - w) Board and Commission Priorities – Tasks.
 - x) Zoning updates - discussion on making changes to allow for additional housing, mobile home parks.

(M. Antrim, City Manager)
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. Accept the Resignation of Councilmember Ward 1 Judy Stokes effective upon the appointment of a successor to the Ward 1 City Council position. (M. Antrim, City Manager)

2. Approve Order 2024-01-01, an Order of General Election for May 4, 2024, for the purpose of electing one Ward 2 Council Member, one Ward 4 Council Member, and Mayor for two-year terms; with early voting from April 22, 2024, to April 30, 2024. (G. Calderon, City Secretary)
3. Approve twelve-month lease with CAPPS, Van & Truck Rental, for two vehicles utilized by officers participating in the High Intensity Drug Trafficking Program for FY 2023-2024. (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

City Attorney Update:

- a) Customs and Border Protection Hangar Lease Renewal.
- b) Pending Public Information Requests and Attorney General Responses.
- c) Discuss August 2023 – December 2023 Bojorquez Law Firm Summary Totals.
(M. Antrim, City Manager)

Personnel Matters § 551.074, Texas Government Code

- a) Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee - Director of Finance/ Finance Manager. (M. Antrim, City Manager)
- b) Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee - Director of Utilities. (M. Antrim, City Manager)

12. Action – Executive Session –

1. Action, if any, concerning any of the matters listed in executive session. (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 3:00 P.M. on Friday, January 12, 2024, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting.

WITNESS MY HAND AND SEAL
this 12th day of January 2024.


Geoffrey R. Calderon, City Secretary



WORKSHOP OVERVIEW

WORKSHOP AGENDA

1. Call to Order.
2. Workshop –
 1. Workshop to discuss city wastewater projects, goals, and current endeavors.
3. Adjourn.

INTRODUCTION OVERVIEW

REGULAR MEETING AGENDA

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.

REPORTS OVERVIEW

5. Reports –

City Mayor Report.

City Attorney Report – None.

City Manager Report – Will discuss as part of Information and Discussion item 7.

City Staff Update – None.

PUBLIC HEARINGS OVERVIEW

6. **Public Hearings** – None.

CONSENT AGENDA OVERVIEW

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 January 2, 2024 Regular Meeting Minutes (G. Calderon, City Secretary)
 2. Approval of the excused absence of Councilor Sandate from the January 2, 2024 City Council meeting due to a family vacation. (G. Calderon, City Secretary)



CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
JANUARY 16, 2024

CONSENT AGENDA

1. Approval of January 2, 2024 Regular Meeting Minutes. (G. Calderon, City Secretary)

BACKGROUND

NONE.

SUPPORTING MATERIALS

- a) January 2, 2024 Regular Meeting Minutes. (G. Calderon, City Secretary)

STAFF RECOMMENDATION

APPROVE.

**City of Alpine
Workshop &
Regular City Council Meeting
Tuesday, January 2, 2024
Minutes**

WORKSHOP – 4:30 P.M.

1. **Call to Order** – Mayor Catherine Eaves called the meeting to order at 4:30 P.M. The meeting was held at City Council Chambers located at 803 West Holland Avenue and via Zoom Videoconference in the City of Alpine, Texas. Mayor Eaves led the pledge of allegiance to the flags.

City Council Members Present:

Mayor Catherine Eaves
Councilor Judy Stokes
Councilor Chris Rodriguez
Councilor Darin Nance
Councilor Rick Stephens

City Staff and Stakeholders Present:

Megan Antrim, City Manager
Geoffrey R. Calderon, City Secretary

Others Present: Approximately 8 other attendees.

Present Virtually:

Councilor Darin Nance

Not Present:

Councilor Martin Sandate

2. **Workshop –**

1. Workshop proposed changes to Chapter 23 – City Council to the Alpine Code of Ordinances, including updates to the order of business, updates to the rules of procedure, and updates to the rules of decorum for City Council meetings.

3. **Adjourn. (5:16 P.M.)**

REGULAR MEETING – 5:30 P.M.

1. **Call to Order & Pledge of Allegiance** – Mayor Catherine Eaves called the meeting to order at 5:30 P.M. The meeting was held at City Council Chambers located at 803 West Holland Avenue and via Zoom Videoconference in the City of Alpine, Texas. Mayor Eaves led the pledge of allegiance to the flags.

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

City Council Members Present:

Mayor Catherine Eaves
Councilor Judy Stokes
Councilor Chris Rodriguez
Councilor Rick Stephens

City Staff and Stakeholders Present:

Megan Antrim, City Manager
Geoffrey R. Calderon, City Secretary
Joey Delgado, City Attorney
Felipe Fierro, Captain of Police
Abel Hinojos, Airport Supervisor

Others Present: Approximately 10 other attendees.

Minutes: 01-02-2024

Approved: 1-16-2024

Present Virtually:
Councilor Darin Nance

Not Present:
Councilor Martin Sandate

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 3:00 P.M. on Friday, December 22, 2023.

3. **Public Comments** – (limited to 3 minutes per person) – None.
4. **Presentations, Recognitions, and Proclamations** – None.
5. **Reports** – Copies of presentations displayed during the meeting are posted on the City website at www.cityofalpine.com/reports –

City Mayor Report.

City Attorney Report – None.

City Manager Report –

- Update on Recycle Center Mulcher.

City Staff Updates – None.

6. **Public Hearings** –

Open. (5:34 P.M.)

1. Public Hearing to obtain citizen views and comments regarding the second and final reading of Ordinance 2023-12-02, an ordinance amending Appendix C - Zoning, 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.

Public Comments: None.

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

Public Comments: None.

3. Public Hearing to obtain citizen views and comments regarding Special Use Permit 2023-12-01, a short-term rental special use permit allowing a short-term rental to be established at 303 S. 14th Street. The property owner of record is Joshua Cobos. The Parcel ID of the subject property is 10502.

Public Comments: None.

4. Public Hearing to obtain citizen views and comments regarding Special Use Permit 2023-12-02, a short-term rental special use permit allowing a short-term rental to be established at 801

E. Ave E. The property owner of record is Kim Langridge Etux. The Parcel ID of the subject property is 10653.

Public Comments: None.

Close. (5:36 P.M.)

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 14, 2023 Special Meeting Minutes (G. Calderon, City Secretary)
2. Approval of December 5, 2023 Regular Meeting Minutes (G. Calderon, City Secretary)
3. Approval of the appointment of Larry Hood to the Place 2 position on the Parks and Recreation Board. (C. Rodriguez, City Council)
4. Approval of the appointment of Guy Fielder to Place 4 position on the Planning & Zoning Commission and approval of the termination of the current appointment to the Building & Standards Commission. (M. Sandate, City Council)
5. Approval of Special Use Permit 2023-12-01, a short-term rental special use permit allowing a short-term rental to be established at 303 S. 14th Street. The property owner of record is Joshua Cobos. The Parcel ID of the subject property is 10502. (G. Calderon, City Secretary)
6. Approval of Special Use Permit 2023-12-02, a short-term rental special use permit allowing a short-term rental to be established at 801 E. Ave E. The property owner of record is Kim Langridge Etux. The Parcel ID of the subject property is 10653. (G. Calderon, City Secretary)

RESOLUTION 2024-01-01: On a motion by Councilor Rodriguez and seconded by Councilor Stokes to accept the consent agenda as read, the City Council unanimously voted to adopt the motion.

8. **Information or Discussion items** –

1. Charter Discussion - where are we now? (C. Eaves, Mayor)
2. Non-Profit Donation policy for organizations such as Alpine Public Library, Family Crisis Center, Sunshine House, Child Advocacy, and others that the City donates to. (C. Eaves, Mayor)
3. Tax Abatements for historic renovations. (C. Eaves, Mayor)

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

1. Approve the second and final reading of Ordinance 2023-12-02, an ordinance amending Appendix C - Zoning, 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)

RESOLUTION 2024-01-02: On a motion by Councilor Stephens and seconded by Councilor Stokes to approve, the City Council voted in the following manner:

FOR: Councilor Stokes, Councilor Stephens

AGAINST: Councilor Rodriguez, Councilor Nance

The Mayor voted affirmatively in favor of passing the ordinance, breaking the tie and causing the motion to be adopted.

2. Approve the second and final 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)

RESOLUTION 2024-01-03: On a motion by Councilor Stephens and seconded by Councilor Stokes to that the motion be approved as presented, the City Council unanimously voted to adopt the motion.

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

Councilor Stokes announced her planned resignation:

“After much deliberation I have made the decision to step down by May 2024 as the Ward 1 Councilor for the City of Alpine due to personal and health reasons. I feel privileged to have served this community I love for the past two and a half, maybe 3, years. I know I have accomplished good things for our city and I hope you all continue to support the sitting Council. Thank you for the opportunity to serve you.”

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 2024-01-04: On a motion by Councilor Stephens and seconded by Councilor Stokes to move into executive session, the City Council unanimously voted to adopt the motion. (6:01 P.M.)

The Mayor Called a recess. (6:01 P.M.)

The executive session resumed. (6:11 P.M.)

11. Executive Session –

Consultation with Attorney § 551.071, Texas Government Code

1. City Attorney Update:

- a) Review and discuss the contract between the Alpine Country Club and City of Alpine. (M. Antrim, City Manager)

12. Action – Executive Session –

RESOLUTION 2024-01-05: On a motion by Councilor Stephens and seconded by Councilor Stokes to reconvene into open session, the City Council unanimously voted to adopt the motion. (6:36 P.M.)

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

RESOLUTION 2024-01-06: Councilor Stephens moved that the City Council ask the City Manager to send a letter to the Alpine Country Club to document concerns and issues with their compliance with the contract and that she provide them a deadline for compliance. The motion was seconded by Councilor Stokes, and the City Council unanimously voted to adopt the motion.

There being no further business, the meeting was adjourned by Mayor Eaves.

13. Adjourn. (6:37 P.M.)

APPROVED:

ATTEST:

Catherine Eaves, Mayor

Geoffrey R. Calderon, City Secretary

CERTIFICATION

I, Geoffrey R. Calderon, hereby certify that notice of this meeting was posted at City Hall, in a convenient and readily accessible place to the general public, and to the City website at www.cityofalpine.com/agenda pursuant to Section 551.043, Texas Government Code. The said notice was posted by 3:00 P.M. on Friday, December 22, 2023, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting.

WITNESS MY HAND AND SEAL OF OFFICE,
this _____ day of _____ 2024.

Geoffrey R. Calderon, City Secretary



**CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
JANUARY 16, 2024**

CONSENT AGENDA

2. Approval of the excused absence of Councilor Sandate from the January 2, 2024 City Council meeting due to a family vacation. (G. Calderon, City Secretary)

BACKGROUND

NONE.

SUPPORTING MATERIALS

NONE.

STAFF RECOMMENDATION

APPROVE.

INFORMATION OR DISCUSSION OVERVIEW

8. Information or Discussion Items –

1. Discuss the draft non-profit donation policy for organizations such as Alpine Public Library, Family Crisis Center, Sunshine House, Child Advocacy, and others that the City donates to. (C. Eaves, Mayor)
2. Discuss the draft tax abatements policy for historic renovations. (C. Eaves, Mayor)
3. Discuss the short term rental ordinance and procedures. (M. Antrim, City Manager)
4. Discuss Parks and Recreation Board Fiscal Year 2022-2023 Key Objectives and status. (D. Nance, City Council)
5. Dark Skies Update Presentation by Stephen Hummel, Dark Skies Initiative Coordinator for the McDonald Observatory. (M. Antrim, City Manager)
6. Discuss concerns with Ward 2 districting boundaries. (M. Antrim, City Manager)
7. Discuss and consider prioritizing following items:
 - a) TDS Contract.
 - b) STRs - Operation without a license and parking requirements.
 - c) Waste Water Treatment Plant Upgrade Plan and Lift Stations (Holiday Inn).
 - d) Streets - Equipment purchase, employee levels and paving plan for this year.
 - e) Water Plan - Three key issues. East/west connection, Southeast city water pressure, water distribution maintenance plan.
 - f) Grant Priorities.
 - g) Budget.
 - h) Employees - Position Descriptions, Market Pay, Hiring, Retention, Employee Policies.
 - i) Key Employee Department Positions - Finance, Utilities, Roads.
 - j) City Attorney List of Actions.
 - k) City Council Agenda - Chapter 23 Updates.
 - l) City Charter Revisions.
 - m) Golf Course.
 - n) Ordinance Review Process/Prioritization.
 - o) Annexation Map.
 - p) Zoning Map.
 - q) Annual Policy and Resolutions.
 - r) Ward Map and Any Redistricting Required to Balance Voting.
 - s) Economic Development Plan - Strong Towns.
 - t) Long Term Traffic in Alpine.
 - u) City System Upgrades.
 - v) Potential for Quiet Zone.
 - w) Board and Commission Priorities – Tasks.
 - x) Zoning updates - discussion on making changes to allow for additional housing, mobile home parks.
(M. Antrim, City Manager)



CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
JANUARY 16, 2024

INFORMATION OR DISCUSSION

1. Discuss the draft non-profit donation policy for organizations such as Alpine Public Library, Family Crisis Center, Sunshine House, Child Advocacy, and others that the City donates to. (C. Eaves, Mayor)

BACKGROUND

NONE.

SUPPORTING MATERIALS

- a) Alpine, Texas nonprofit donation policy

STAFF RECOMMENDATION

APPROVE.

Alpine, Texas Nonprofit Donation Policy

Introduction:

The City of Alpine, Texas recognizes the valuable contributions of local nonprofits in enhancing the quality of life for our residents. The city has established this Nonprofit Donation Policy to provide a transparent and fair process for allocating budgeted funds when available to eligible nonprofits. We recognize that some years the city budget may not have any funds available to donate to nonprofits.

Eligibility Criteria:

1. Nonprofit organizations must be registered and in good standing with the appropriate regulatory authorities.
2. The organization must have a demonstrated positive impact on the community.
3. The organization must consist of and assist a large number (75+) of residents
4. Funding requests should align with the city's priorities and community needs.

Application Process:

1. Nonprofits seeking financial support must submit a completed application to the Alpine City Council or the appropriate independent committee of community members (see Review and Evaluation Section) by ???
2. The application form will be made available on the official City of Alpine website and at City Hall
3. Applications should include:
 - a. Organization details, mission, and objectives.
 - b. Specific details of the project or program for which funding is requested.
 - c. Budget breakdown of the project or program.
 - d. Information on other sources of funding secured or applied for.
 - e. Evidence of nonprofit status and financial transparency.

Review and Evaluation:

1. An independent committee, comprising community members and stakeholders, may be formed to evaluate the applications or in the absence of a committee, City Council will review the applications.

2. Committee members or Council Members affiliated with a nonprofit applying for funding must abstain from discussions and voting.
3. The committee or council will review applications based on merit, alignment with community priorities, and overall impact.
4. The committee or council may request additional information or clarification from the applying nonprofits.

Funding Allocation:

1. The total amount available to be allocated for nonprofit donations will be determined annually as part of the city budgeting process.
2. Funding decisions will be made by the City Council, based on the recommendations of the committee if one exists.

Reporting Requirements:

1. Nonprofits selected for funding must provide quarterly reports on the progress of the funded project or program to the City Council at a regularly scheduled Alpine City Council meeting.
2. Quarterly reports should include financial statements, updates on project milestones, and any challenges faced and should be 6-10 minutes in length including a period of time for questions
3. Failure to submit timely and accurate reports may impact future funding eligibility.

Public Transparency:

1. Funding decisions, including the names of selected nonprofits and allocated amounts, will be made public through the City of Alpine website, KVLV radio, and the Avalanche Newspaper
2. Annual summaries of nonprofit donations and their impact on the community will be provided to the public by the Mayor at the first or second September City Council Meeting.

Review and Amendments:

1. This policy will be subject to periodic review to ensure its effectiveness and relevance.
2. Amendments to the policy may be proposed by the City Council and will be subject to public comments and hearings during regularly scheduled City Council Meetings.

Adoption and Implementation:

This policy will be effective as of ????? and will be communicated to all eligible nonprofits and the public through the City of Alpine Website, City Council Meeting Minutes, KVLF radio and the Avalanche Newspaper.



CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
JANUARY 16, 2024

INFORMATION OR DISCUSSION

2. Discuss the draft tax abatements policy for historic renovations. (C. Eaves, Mayor)

BACKGROUND

NONE.

SUPPORTING MATERIALS

- a) Alpine, Texas policy for tax abatements to renovations of historic buildings.

STAFF RECOMMENDATION

APPROVE.

Alpine, Texas Policy for Tax Abatements to Renovations of Historic Buildings

Objective:

The objective of this policy is to encourage the preservation and revitalization of historic buildings in commercial zones within the City of Alpine by providing tax abatements to property owners who undertake substantial renovations to these structures. This policy aims to promote the cultural and economic value of preserving historic architecture while fostering community development.

Eligibility Criteria:

1. **Historic Designation:** The building must be officially designated as a historic structure by the Alpine Historic Preservation Commission, should one exist, and if currently active or a recognized historic preservation entity or in the process of obtaining National Historic Landmark designation, and should be located in a commercially zoned area
2. **Renovation Scope:** Renovations must be substantial and go beyond routine maintenance. Eligible projects may include structural improvements, restoration of historic features, and upgrades that enhance the building's safety, accessibility, and energy efficiency.
3. **Commitment to Preservation:** Property owners must commit to preserving the historic character of the building. Any proposed changes should adhere to established preservation guidelines and be subject to review by the Alpine City Council or the Zoning and Planning Commission or the Alpine Historic Preservation Commission, should one exist, or a recognized historic preservation entity.

Tax Abatement Structure:

1. **Duration:** The tax abatement period will be determined based on the scale and significance of the renovation project. Typically, abatements will be granted for a period not exceeding 5 years or less.

2. **Abatement Percentage:** The percentage of tax abatement will be calculated based on the total cost of eligible renovation expenses. The abatement rate will be ??? of the qualifying expenses, capped at ??? amount.

3. **Phased Abatements:** For larger renovation projects, tax abatements may be phased to correspond with project milestones. This encourages continuous progress and completion of the renovation within a reasonable timeframe.

Application Process:

1. Property owners must submit a formal application to the Zoning and Planning Commission, the Alpine City Council or, the Alpine Historic Preservation Commission, should one exist, outlining the scope of the renovation project, estimated costs, and adherence to preservation guidelines.

2. The Zoning and Planning Commission, the Alpine City Council or, the Alpine Historic Preservation Commission, should one exist, will review and approve applications based on the eligibility criteria and the positive impact on historic preservation.

Monitoring and Compliance:

1. Property owners receiving tax abatements will be required to provide regular updates on the progress of the renovation project to the City Council.

2. Failure to comply with preservation guidelines or abandonment of the project may result in the revocation of tax abatements.

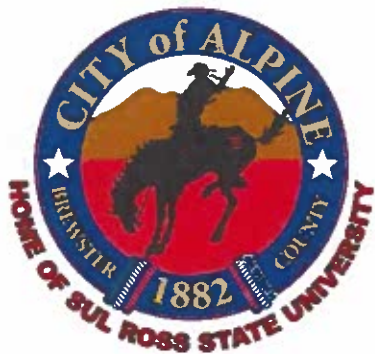
Public Awareness and Education:

The city, through the City Council, The Zoning and Planning Commission or the Alpine Historic Preservation Commission will undertake efforts to raise awareness about the tax abatement program, its benefits, and the importance of historic preservation. Workshops, informational sessions, and outreach programs will be organized to educate property owners and the community.

Review and Amendments:

This policy will be periodically reviewed to assess its effectiveness and may be amended as needed to address changing circumstances or goals.

By implementing this policy, the City of Alpine aims to stimulate investment in historic preservation, fostering a sense of community pride and contributing to the overall cultural and economic vitality of the area.



CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
JANUARY 16, 2024

INFORMATION OR DISCUSSION

3. Discuss the short-term rental ordinance and procedures. (M. Antrim, City Manager)

BACKGROUND

Continued discussions regarding:

1. Non-Permitted Short-term Rentals
2. Delinquency
3. Application Process
4. Denial Process
5. Parking Concerns
6. Discuss including under Chapter 22 - Businesses

SUPPORTING MATERIALS

1. Chapter 90 – Article V – Short Term Rentals

STAFF RECOMMENDATION

N/A

ARTICLE V. - SHORT TERM RENTALS

Sec. 90-121. - Generals.

This article as herein established has been written for the purpose to control, manage and limit short term rentals commonly referred to as vacation rentals within allowable districts described in the zoning ordinance. The intent of this chapter is to safeguard the life, health, safety, welfare and property of the occupants of residential dwelling units, the neighbors of said occupants, the general public and to minimize adverse impacts to the housing supply caused by the conversion of residential units to tourist or transient use.

(Ord. No. 2021-01-01, 2-2-21)

Sec. 90-122. - Definitions.

Administrator means the director of the department designated by the city manager to enforce and administer this chapter, including the director's designees.

Advertise means the act of drawing the public's attention to a short-term rental in order to promote the availability of the residence for use as a short-term rental. Said advertising may be found in any medium, including but not limited to, newspaper, magazine, brochure, website, or mobile application.

Bedroom means the living area(s) of the dwelling unit that is designed and furnished for sleeping and which has proper egress as required by the International Residential Code.

Booking service means any reservation and/or payment service provided by a person or entity that facilitates a short-term rental transaction between an owner and a prospective occupant, and for which the person or entity collects or receives, directly or indirectly through an agent or intermediary, a fee in connection with the reservation and/or payment services provided for the short-term rental transaction.

Hosting platform means a person or entity that participates in the short-term rental business by providing, and collecting or receiving a fee for, booking services through which an owner may offer premises for an occupant on a short-term basis. Hosting platforms usually, though not necessarily, provide booking service through an online platform that allows an owner to advertise the premises through a website provided by the hosting platform and the hosting platform conducts a transaction by which potential occupants arrange their use and their payment, whether the would-be-occupant pays rent directly to the owner or to the hosting platform.

Occupant means any individual person living, sleeping or possessing a building, or portion thereof. A person is not required to be paying rent, providing in-kind services, or named in any lease, contract or other legal document to be considered an occupant.

Owner means any person, agent, operator, firm, trust, corporation, partnership, or any other legal entity who has a legal or equitable interest in the property; or who is recorded in the official records of the county as holding title to the property; or who otherwise has control of the property, including the guardian of the estate of any such person, and the executor of the estate of such person if ordered to take possession of real property by a court.

Premises means property, a lot, plot or parcel of land, including any structures or portions of structures thereon.

Short-term rental (STR) means a residential premise, or portion thereof, used for lodging accommodations to occupants for a period of less than 30 consecutive days. The definition of short-term rental does not include a bed and breakfast as defined in the Code.

(Ord. No. 2021-01-01, 2-2-21)

Sec. 90-123. - Unpermitted short-term rentals prohibited.

- (a) It shall be unlawful for any owner or person to rent, lease, advertise, or otherwise permit or allow any residential premises to be operated or used as an unpermitted short-term rental.
- (b) All hosting platforms shall provide the following information in a notice to any owner listing a short-term rental located within the city through the hosting platform's service. The notice shall be provided prior to the owner listing the premises and shall include the following information: the "short-term rental" article of this Code prohibits the short-term rental of residential premises within the city without an active short-term rental permit.
- (c) Notwithstanding any other provision of this article, nothing shall relieve any owner, person, occupant, or housing platform of the obligations imposed by the applicable provisions of state law and this Code, including but not limited to, those obligations imposed by the Tax Code. Further, nothing in this article shall be construed to limit any remedies available under the applicable provisions of state law and this Code.

(Ord. No. 2021-01-01, 2-2-21)

Sec. 90-124. - Short-term rental permit required.

An owner who desires to use its premises as a short-term rental must have a valid, active short-term rental permit from the city prior to using, allowing the use of, or advertising the use of said premises as a short-term rental. Each rentable unit must be permitted. Upon application to the city, a short-term rental permit shall be approved by the administrator, or designee, if the application satisfies all the conditions of this chapter, the "taxation chapter," and the zoning ordinance. The administrator may place reasonable conditions on short-term rental permits to ensure compliance with the provisions of this article.

(Ord. No. 2021-01-01, 2-2-21)

Sec. 90-125. - Permit limitations.

- (a) Short-term rental permits are transferable only by inheritance to a natural person as directed in a will or trust. The permit is not transferable upon the sale of the property.
- (b) If the subject dwelling is on property that has a homeowners association (HOA) at the time of permitting, the owner of the dwelling shall provide the city with an affidavit of proof that the HOA allows for vacation rental of their dwelling, if not allowed, then the application will be denied.
- (c) A short-term rental permit shall expire on the last day of the month one year after the date of issuance. No short-term rental permit may be renewed without a completed renewal application submitted by the owner and payment of the renewal fee. If the renewal application satisfies all the conditions of this chapter and zoning ordinance, an application for the renewal of a short-term rental permit shall be approved by the Administrator, or designee.

(Ord. No. 2021-01-01, 2-2-21)

Sec. 90-126. - Requirements of application.

- (a) Except as provided in this section, every complete application for a short-term rental permit shall include the following information with such detail and in form approved by the administrator:
 - (1) The name, address, contact information and authenticated signature for the owner of the premises;
 - (2) The name, address and contact information of the operator, agent if any, and designated local responsible party.
 - (3) The city registration number for hotel occupancy tax;
 - (4) A plot plan of the premises identifying the location of parking spaces to be used in conjunction with the short-term rental;
 - (5) A dimensioned floor plan of the proposed short-term rental identifying bedrooms, other living spaces and emergency evacuation routes;
 - (6) Release of liability;
 - (7) The name and contact information of the property owner's association, if any, of which the premises are covered by dedicatory instruments;
 - (8) A copy of the proposed host rules for the short-term rental.
- (b) An application for short-term renewal permit may be filed beginning 30 days prior to expiration of a current permit. Every complete application for a short-term rental renewal permit shall include updates, if any, to the information contained in the original permit application or any subsequent

renewals. The permit holder shall sign a statement affirming that there is either no change to such information, or that any updated information is accurate and complete.

- (c) An application for a short-term rental renewal permit submitted after the expiration of the most immediate permit for the premises shall be treated as an application for a new permit as described in subsection (a) of this section.
- (d) If a complete application for a short-term renewal permit is submitted less than 30 days prior to expiration of the current permit, the administrator in his sole discretion may grant a one-time extension of the current permit not to exceed ten days.

(Ord. No. 2021-01-01, 2-2-21)

Sec. 90-127. - Designation of local responsible party required.

An owner must designate the name and contact information of a local responsible party who can be contacted regarding immediate concerns and complaints from the public. Said individual must be available to be reached in person or by phone at all times while occupants are on the premises of a short-term rental. If called, a local responsible party must be able to and shall be present at the premises within one hour of the call from the administrator, or his designee. A local responsible party must be authorized to make decisions regarding the premises and its occupants and shall not act to release the owner of any liability under this chapter.

(Ord. No. 2021-01-01, 2-2-21)

Sec. 90-128. - Release of liability required.

It shall be unlawful for the owner of premises operating as a short-term rental to operate without either proof of insurance or a release of liability indemnifying and holding the city harmless from any and all claims that should arise out of the operation of the short-term rental.

(Ord. No. 2021-01-01, 2-2-21)

Sec. 90-129. - Building permits required.

All work done to the property must meet all city permitting requirements as spelled out in this Code.

(Ord. No. 2021-01-01, 2-2-21)

Sec. 90-130. - Permit fees.

An initial permit fee of \$350.00 (nonrefundable) will include the preliminary fire inspection fees. Upon completion of all required forms, approval of each dwelling unit by the administrator or his designee, and payment of the initial permit fee, the administrator may recommend a special use permit (short term rental

permit) to be considered by the city council. Once approved by the city council, a special use permit (short term rental permit) shall be issued.

The annual permit renewal fee shall be \$100.00.

An annual fire inspection is required, the fee of which shall be established by city ordinance.

City short-term rental taxes must be paid quarterly for the permit to remain valid, as verified by the city short-term rental tax form.

(Ord. No. 2021-01-01, 2-2-21)

Sec. 90-131. - Hotel occupancy tax; request for occupancy history.

It shall be unlawful for any owner of premises used for a short-term rental to fail to pay hotel occupancy taxes under state law and this chapter. Upon the request of the administrator or the finance department of the city, the owner of a premises used as a short-term rental shall remit, within 30 days, an accounting of all occupants who rented the premises and the hotel occupancy taxes paid therefor. It shall be unlawful for a person to fail to provide said information requested in a timely manner.

(Ord. No. 2021-01-01, 2-2-21)

Sec. 90-132. - Short-term rental permit non transferable.

A short-term rental permit is non-transferable and shall not be assigned nor transferred to another person or entity. Only by inheritance is a short-term rental transferable.

(Ord. No. 2021-01-01, 2-2-21)

Sec. 90-133. - Parking restrictions.

Parking is established by the International Building Codes (IBC) and will differ based on the zoning districts.

Guidelines are as follows: One parking space per sleeping unit plus one parking space per 500 square feet of common area. The parking spaces required shall be on the same lot or where use of such is provided on another lot not more than 500 feet radially from the subject lot.

(Ord. No. 2021-01-01, 2-2-21)

Sec. 90-134. - Neighbor notice.

The city shall provide [by] mailing, email or otherwise distribute by hand a flier to neighbors within 200-foot radius of the vacation rental property address. The notice shall contain the owner and representative contact information, a parking plan, and city website address where the information is also posted. The

neighbors and the city shall be informed whenever there is a change in contact information.

(Ord. No. 2021-01-01, 2-2-21)

Sec. 90-135. - Zones.

Vacation rentals are permitted in zones R-1, R-2, R-3, R-4, M-1, C-2a, C-2, C-1, C-1a, C-O by conditional use permit. All permits must meet general zoning regulations as defined in appendix C, zoning, of this Code.

(Ord. No. 2021-01-01, 2-2-21)

Sec. 90-136. - Penalties.

Any person, firm or corporation violating any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed \$2,000.00 and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

(Ord. No. 2021-01-01, 2-2-21)

Sec. 90-137. - Enforcement.

- (a) The owner of a short-term rental use that was not registered with the city for hotel occupancy tax prior to April 1, 2021 and who is unable to obtain a permit for said use or fails or refuses to obtain a permit for the use following the effective date of the ordinance from which this article derived, shall discontinue the short-term rental use no later than April 30, 2021.
- (b) If the permit of a short-term rental use is not renewed, the owner shall discontinue the use no later than the date on which the existing permit or any extension thereof expires.
- (c) This article shall be and is hereby declared to be cumulative of all other ordinances of the city; and this article shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this article, in which event such conflicting provisions, if any, in such other ordinances are hereby repealed.
- (d) If any section, subsection, sentence, clause or phrase of this article is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this article.
- (e) All of the regulations provided in this article are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the city council or any city official or employee charged with the enforcement of this article, acting for the city in the discharge of his duties, shall not thereby render himself personally liable; and he is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of said duties.

(Ord. No. 2021-01-01, 2-2-21)



CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
JANUARY 16, 2024

INFORMATION OR DISCUSSION

4. Discuss Parks and Recreation Board Fiscal Year 2022-2023 Key Objectives and status. (D. Nance, City Council)

BACKGROUND

NONE.

SUPPORTING MATERIALS

- a) Resolution 2022-11-03

STAFF RECOMMENDATION

APPROVE.

STATE OF TEXAS

COUNTY OF BREWSTER

CITY OF ALPINE

RESOLUTION 2022-11-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS APPROVING A DIRECTIVE TASKING THE PARKS AND RECREATION BOARD WITH KEY CITY OBJECTIVES FOR THE FISCAL YEAR 2022-2023.

WHEREAS, the general purposes of the Parks and Recreation Board is to receive suggestions, study situations, plans, projects, and to act in a general advisory capacity to the City Council relative to the Parks and Recreation program of the City; and

WHEREAS, the Parks and Recreation Board is a critical part of obtaining citizen views, and the City Council benefits from the views and plans derived from the Board; and

WHEREAS, the City Council recognizes that key items related to parks must be addressed, and shall annually task the Parks & Recreation Board with objectives on which the City Council desires to be advised.

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

SECTION I. The City Council hereby tasks the Parks and Recreation Board with the following Fiscal Year 2023 objectives:

- I. **Ordinance Review** – The current ordinances should be streamlined and uniform guidelines put in place. The Board is tasked with reviewing the ordinances and recommending changes that benefit the citizens of Alpine.

Deadline: Ongoing

- II. **Park Rules** – Uniform rules and guidelines are desired at City Parks, although exceptions may be made per Park for matters that benefit the general public.

Deadline: September 2023

- III. **Festivals and Event Permitting** – Establishing small, medium, and large Event or Festival Permits, processes, and procedures. The Board should determine what rules organizers must follow, guidelines, and other information pertinent to events and festivals in City Parks.

Deadline: September 2023

- IV. **Rental Fees** – Rental fees for assets in City Parks including the Kokernot Park Pavilion and Event Permitting should be reviewed and recommended by the Board.

Deadline: September 2023

- V. **Park prioritization** – The Board shall advise the City Council on the priority of each City park to citizens of Alpine, which will assist the Council in determining which parks should be prioritized, closed, or repurposed to benefit the general public. The Board shall also determine what percentage of the budget should be spent on each park.

Deadline: September 2023

- VI. **Inventory of Playground Equipment** – Develop an inventory of playground equipment, its condition, and determine if the City needs more equipment for some parks, and determine the cost associated with improvements.

Deadline: September 2023

- VII. **Possible Utility Bill Donation Project** – Study the possibility of including a donation box on our Utility Bills for use in improving City parks.

Deadline: September 2023

- VIII. **Park Activities** – Study the implementation of park activities to be held in City parks, and investigate the feasibility of revenue-generating activities.

Deadline: September 2023


- IX. **Reporting** – Present updates on the board's activity each quarter and work with City Staff to determine the best time to make the quarterly presentations.

Deadline: Ongoing

SECTION II. This resolution is effective immediately upon its passage.

PASSED, APPROVED, AND ADOPTED BY A MAJORITY VOTE OF THE CITY COUNCIL ON THIS THE 1st DAY OF NOVEMBER 2022 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.

APPROVED:


Catherine Eaves, Mayor

ATTEST:


Geoffrey R. Calderon, City Secretary





CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
JANUARY 16, 2024

INFORMATION OR DISCUSSION

5. Dark Skies Update Presentation by Stephen Hummel, Dark Skies Initiative Coordinator for the McDonald Observatory. (M. Antrim, City Manager)

BACKGROUND

NONE.

SUPPORTING MATERIALS

- a) Slide show presentation

STAFF RECOMMENDATION

APPROVE.

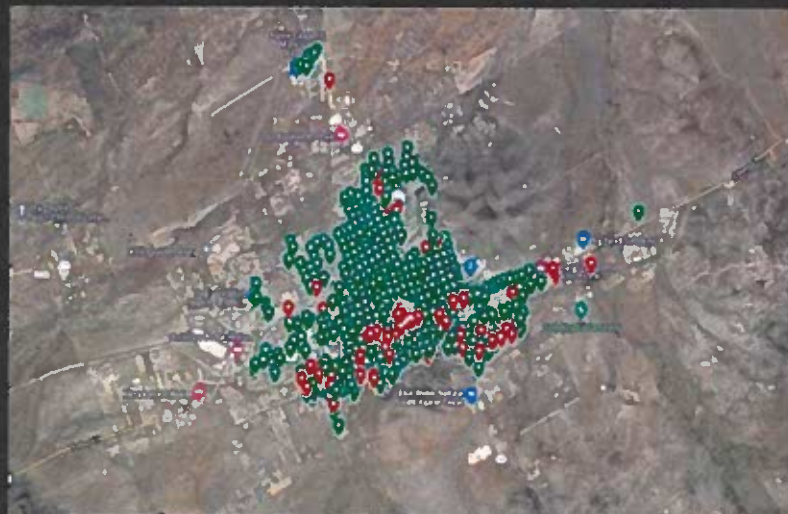
City of Alpine Dark Skies Updates

Stephen Hummel
Dark Skies Initiative Coordinator
McDonald Observatory



Inventory Map

- Map of pole-mounted lighting on city or utility owned poles
 - Includes mercury vapor lights eligible for swap program
- 657 lights surveyed
 - 81% overall compliant, up from 70% in 2021
 - 90% compliant when looking at streetlights



Community Feedback

- No safety concerns noted from new streetlights
 - New lights are the same model as most previously existing lights
- 6 complaints that new lights were too bright
- 4 complaints that new lights were installed incorrectly



Is It Darker?

- Light pollution (skyglow) levels remain about the same. Why?
 - Most of the lights were replaced with the same model
 - New lights are brighter than old, dirty lights
 - Weather and variable factors (Christmas lights, car headlights etc) complicate measurement
 - Light pollution in Alpine is dominated by a handful of large sources

Streetlights account for <15% of the skyglow in Alpine, as seen from McDonald Observatory



Stadiums, parking lots, and other lighting on commercial buildings accounts for an estimated 75% of skyglow



Compared to other cities

- Prior to the swap, Alpine had been increasing in light pollution by about 0.8% per year from 2015-2023. Other cities:

- Marfa -0.95%
- Van Horn: 3.9%
- Pecos: 5.5%
- Presidio / Ojinaga: 8.0%
- North American average: 9.8%

Alpine is performing far better than the typical US city!

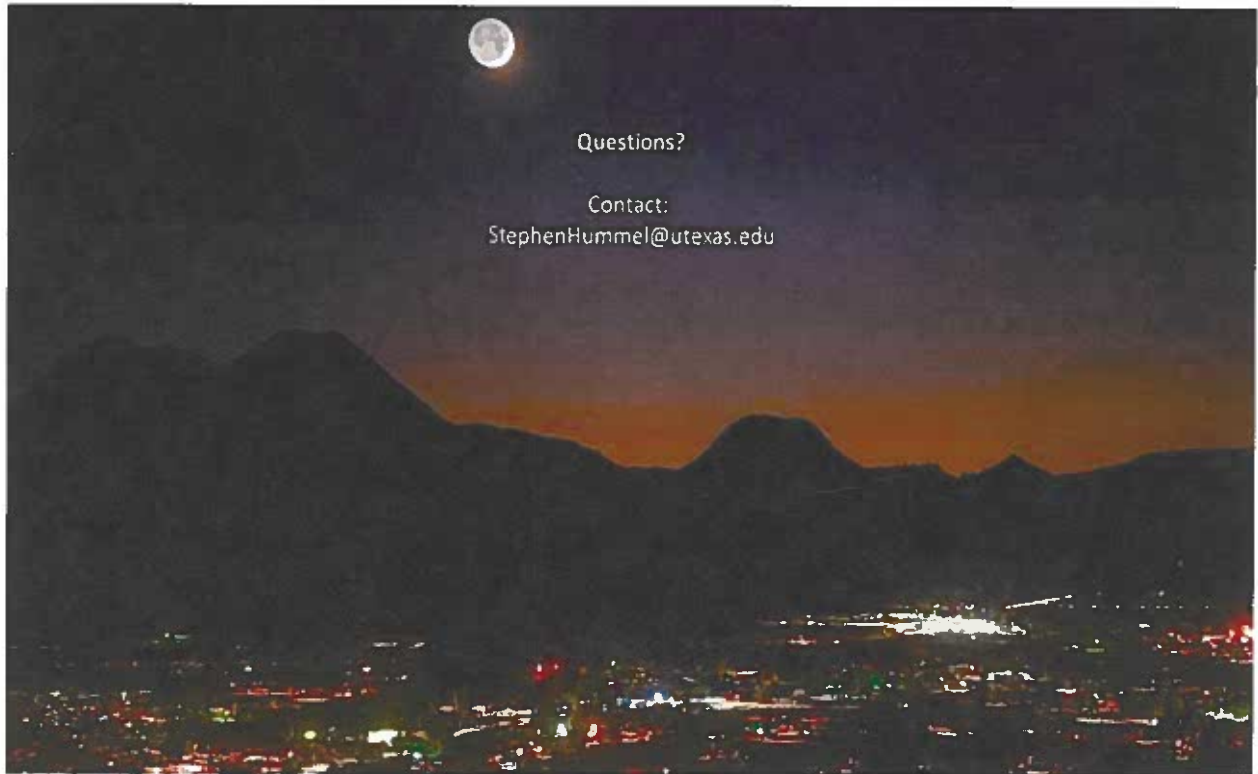
Sources: VURS CBS, Globe at Night



The increase is mostly driven by installation of daylight-white LED fixtures (Ryan et al., 2023)

Questions?

Contact:
StephenHummel@utexas.edu





CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
JANUARY 16, 2024

INFORMATION OR DISCUSSION

6. Discuss concerns with Ward 2 districting boundaries (M. Antrim, City Manager)

BACKGROUND

The City has a resident reach out to apply for Ward 2 candidacy to find that his voter registration information lists them in Ward 3. They were under the impression they resided within Ward 2. They believe this to be incorrect. The City has initiated the following steps:

1. Immediately contacted the Elections Administrator to verify Ward designation.
2. Immediately contacted the City Attorney's Office to determine the best process needed to review and make any necessary changes.
3. Please note the Ward Map does not reflect the resident being within the City. This led to review of the annexation map, as well as, the annexation document to verify the property is within the City. City Secretary, Geo Calderon, and myself have had further discussion on what was actually annexed at the time (2010). Conflicting information which we are working through verifying.
4. Annexation paperwork does not directly acknowledge any particular Ward being assigned. Unable to locate any formal documentation that indicates designated Ward selections for the annexed area.
5. Need to verify surrounding area Ward designations.

Bojorquez Law Firm has suggested the City update our Ward Map. We are not in disagreement. We have PDF copies of the map, but not an actual GIS map outlining the various properties and Ward designations.

I have initiated conversations with the Rio Grande Council of Governments regarding the map. They do not have any prior maps we might have been able to utilize, but are ready to assist with creating.

Items still pending that need to be addressed before making a decision to change Ward designation.

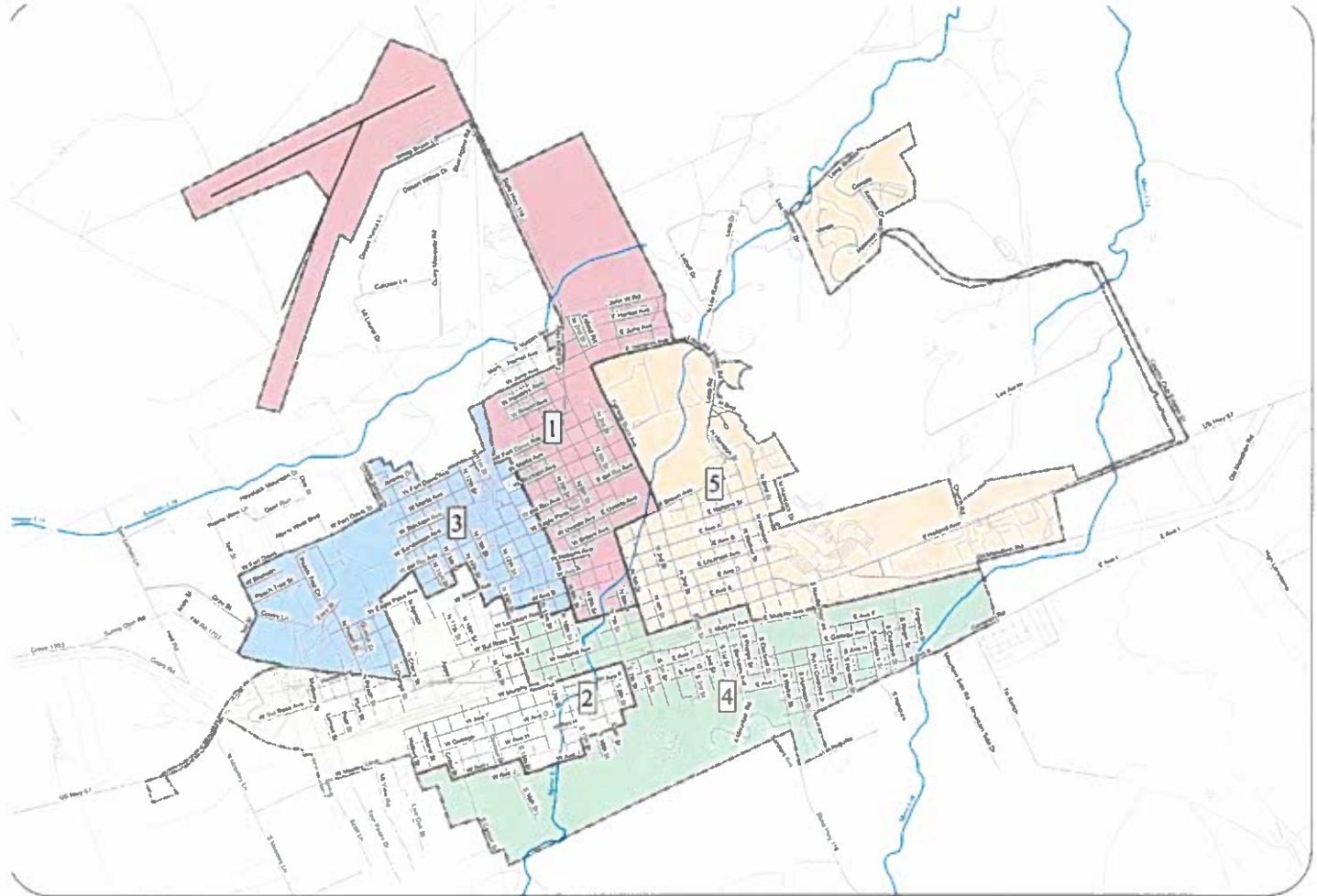
1. Verification of annexation of area. The minutes and plat have been pulled and I have asked the Rio Grande Council of Government to assist with outlining the area annexed in their GIS system.
2. How many residents will be affected?
3. What are residents in the area currently registered under? City Secretary, Geo Calderon, has reached out to the Election Administration with a list of addresses to initiate the verification process.

SUPPORTING MATERIALS

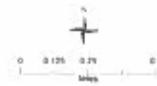
- a) Ward Map
- b) Annexation Map.

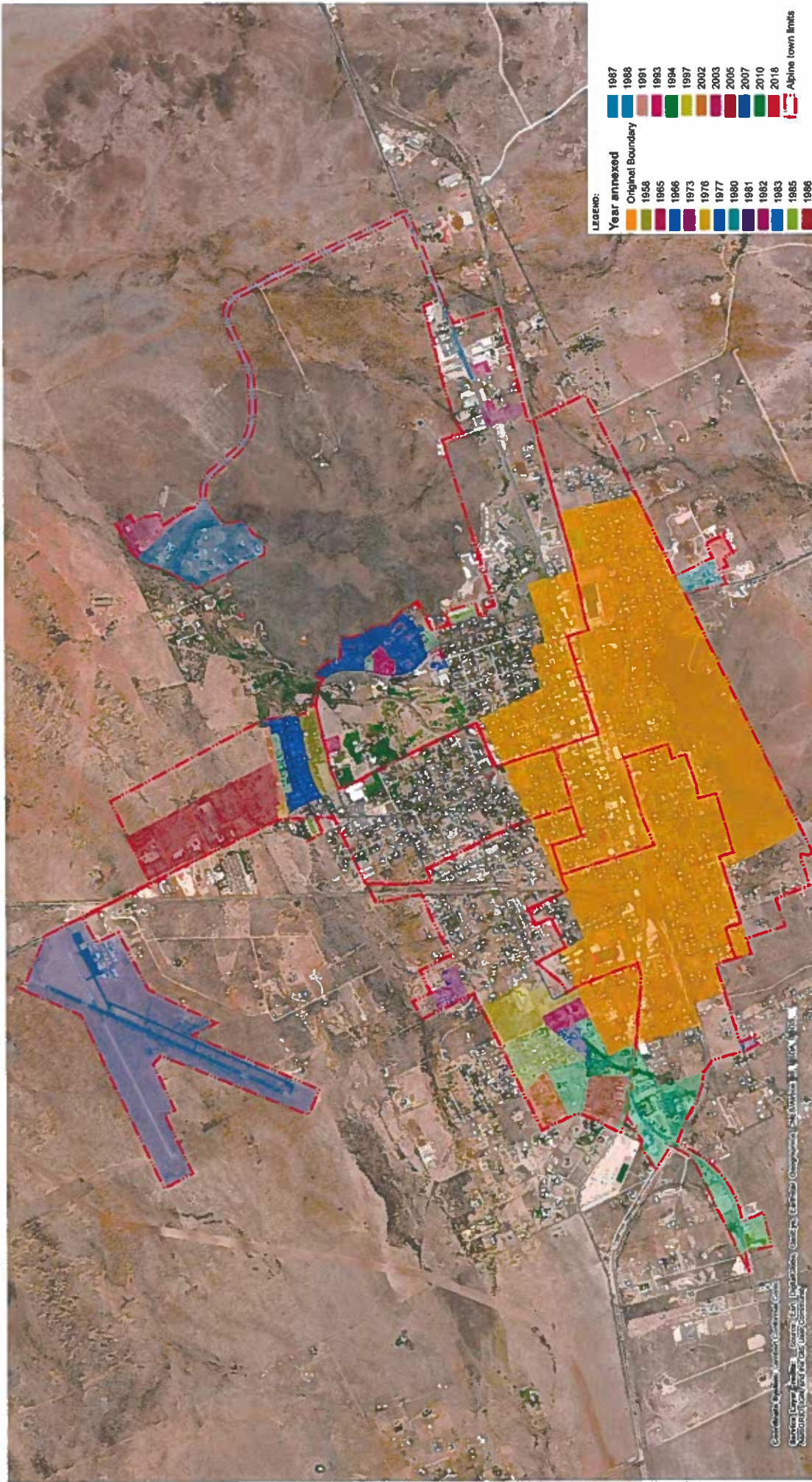
STAFF RECOMMENDATION

N/A



CITY OF ALPINE
Adopted Plan
Council Wards





CITY OF ALPINE
ANNEXATION RECORDS





CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
JANUARY 16, 2024

INFORMATION OR DISCUSSION

7. Discuss and consider prioritizing following items:

- a) TDS Contract.
- b) STRs - Operation without a license and parking requirements.
- c) Waste Water Treatment Plant Upgrade Plan and Lift Stations (Holiday Inn).
- d) Streets - Equipment purchase, employee levels and paving plan for this year.
- e) Water Plan - Three key issues. East/west connection, Southeast city water pressure, water distribution maintenance plan.
- f) Grant Priorities.
- g) Budget.
- h) Employees - Position Descriptions, Market Pay, Hiring, Retention, Employee Policies.
- i) Key Employee Department Positions - Finance, Utilities, Roads.
- j) City Attorney List of Actions.
- k) City Council Agenda - Chapter 23 Updates.
- l) City Charter Revisions.
- m) Golf Course.
- n) Ordinance Review Process/Prioritization.
- o) Annexation Map.
- p) Zoning Map.
- q) Annual Policy and Resolutions.
- r) Ward Map and Any Redistricting Required to Balance Voting.
- s) Economic Development Plan - Strong Towns.
- t) Long Term Traffic in Alpine.
- u) City System Upgrades.
- v) Potential for Quiet Zone.
- w) Board and Commission Priorities – Tasks.
- x) Zoning updates - discussion on making changes to allow for additional housing, mobile home parks. (M. Antrim, City Manager)

BACKGROUND

NONE.

SUPPORTING MATERIALS

NONE.

STAFF RECOMMENDATION

NONE.

ACTION ITEMS OVERVIEW

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. Accept the Resignation of Councilmember Ward 1 Judy Stokes effective upon the appointment of a successor to the Ward 1 City Council position. (M. Antrim, City Manager)
2. Approve Order 2024-01-01, an Order of General Election for May 4, 2024, for the purpose of electing one Ward 2 Council Member, one Ward 4 Council Member, and Mayor for two-year terms; with early voting from April 22, 2024, to April 30, 2024. (G. Calderon, City Secretary)
3. Approve twelve-month lease with CAPPS, Van & Truck Rental, for two vehicles utilized by officers participating in the High Intensity Drug Trafficking Program for FY 2023-2024. (M. Antrim, City Manager)



CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
JANUARY 16, 2024

To: Honorable Mayor and City Council
Agenda Item: Action Item 1 – Ward 1 Resignation
Agenda Sponsor: M. Antrim, City Manager
Memo Submitted by: G. Calderon, City Secretary

SYNOPSIS

1. Accept the Resignation of Councilmember Ward 1 Judy Stokes effective upon the appointment of a successor to the Ward 1 City Council position. (M. Antrim, City Manager).

BACKGROUND

- Councilor Judy Stokes announced that she will resign by May 2024. The Texas Election Code has a holdover provision (Art. XVI, Sec. 17) that would allow the officer to continue to hold office until a successor is sworn-in.
- A voluntary resignation must be in writing, signed by the officer, and submitted to the officer or body authorized to make an appointment or order a special election to fill the vacancy created [Election Code §201.001 and §201.002]. Ordinarily, this authority to order the special election is the city council. If the authority to act on a resignation is a body like city council, then the resignation may be delivered to the presiding officer of the body or to its city secretary [Election Code §201.001(b)].
- The City reached out to the Texas Secretary of State (SOS), Elections Division, and received confirmation that the City can proceed with a special election to fill the vacancy. Based on this feedback, an order calling a special election to fill the vacancy will be presented to the City Council on February 6, 2024.
- If approved, the filing deadline for the special election would begin on February 7, 2024 and end on March 4, 2024 at 5:00 P.M.

SUPPORTING MATERIALS

1. Resignation of Council Member Judy Stokes.
2. Email from SOS confirming that the City can hold a special election to fill the vacancy.

STAFF RECOMMENDATION

APPROVE.

After much deliberation, I have made the decision to step down, by May 2024, as the Ward 1 Councilor for the City of Alpine due to personal and health reasons. I feel privileged to have served this community I love for the past 2 1/2 years. I know I have accomplished good things for our City and hope you all continue to support the sitting Council.

Thank you for the opportunity to serve you.

Judy Stokes
Ward 1 Councilor
City of Alpine

A handwritten signature in blue ink that reads "Judy Stokes". The signature is written in a cursive, flowing style. The first name "Judy" is written with a large, looped 'J' and a trailing flourish. The last name "Stokes" is written in a similar cursive style with a trailing flourish.



Re: Special Election to Fill a Vacancy - Resignation - May 2024 Election - Alpine (EI Response)

Chuck Pinney <CPinney@sos.texas.gov>
To: "g.calderon@cityofalpine.com" <g.calderon@cityofalpine.com>
Cc: "megan.antrim@cityofalpine.com" <megan.antrim@cityofalpine.com>

Mon, Jan 8, 2024 at 4:07 PM

Hello,

Based on your email, it sounds like your city is a home-rule city with two year terms. It sounds like you have a council member who is considering resigning, but has not actually resigned at this point. I am also assuming from your questions that you do not currently have any other vacancies on your council at this time. If I am incorrect about any of those details, please let me know, as it may affect the answers to your questions.

If you are a home-rule city with two-year terms, then your charter would govern the vacancy-filling procedures for your city. While we would generally defer to your city attorney with regard to ambiguous city charter provisions, we can provide some general guidance on terminology and on the requirements of the Election Code.

In general, you cannot take action to fill a vacancy in an office before the vacancy has occurred. Under Election Code 201.001, a resignation must be signed and in writing. Under Election Code 201.023, a vacancy resulting from a resignation occurs on the date that the resignation is accepted by the appropriate authority, or on the eighth day following the date that the resignation was submitted, whichever is earlier. These timelines for the date the vacancy is created would apply regardless of whether the resignation is intended to be effective immediately, or whether it will take effect at some future date. However, if the individual has not actually resigned, but has expressed a possible intent to submit a resignation at some future date, then there is currently no vacancy to be filled and your vacancy-filling procedures have not yet been triggered.

In general, when the term "shall" is used in Texas law, it means that the action that must be performed is mandatory and not discretionary. When a particular action is discretionary and not mandatory, the legislature will use the term "may". These rules are outlined in more detail in the Code Construction Act, specifically in Government Code 311.016.

Generally, when the phrase "until the next regular city election" is used, it means that the office may be filled by appointment until the next regular election for the city, at which point the office will go back on the ballot for the remainder of the unexpired term. In your situation, I would interpret that provision to mean that the city council must appoint someone to fill the vacancy until the May 2024 general election for your city, and at the May 2024 election that office would go back on the ballot for the remaining year of the unexpired term. That office would go back on the ballot again on its regular schedule for a full two-year term in May 2025.

The special election to fill the vacancy in this one-year unexpired term should be ordered as a separate special election, with a separate order of the election. The ordering deadlines and candidate filing periods for that special election would be governed by Election Code 201.054, which I've outlined below. The timelines and procedures outlined in Chapter 202 of the Election Code are specific to state and county offices, and would not apply to city offices.

Election Code 201.054 outlines a few different timelines to call a special election to fill a vacancy in an office, and the filing period for that specific office will depend on the date that the election is ordered.

Under Election Code 201.054(a)(1), if the special election to fill a vacancy is ordered on or before the 70th day before election day, the filing period will begin at the time that the special election is ordered, and will end at 5 PM on the 62nd day before election day. For the May 4, 2024 uniform election date, if the election is ordered on or before Saturday, February 24, 2024, then the filing deadline would be Monday, March 4, 2024 at 5 PM.

Under Election Code 201.054(a)(2), if the special election to fill a vacancy is ordered after the 70th day before election day but on or before the 46th day before election day, then the filing period will begin at the time the special election is ordered, and will end at 5 PM on the 40th day before election day. For the May 4, 2024 uniform election date, if the election is ordered after Saturday, February 24, 2024 but on or before Tuesday, March 19, 2024, then the filing deadline would be Monday, March 25, 2024 at 5 PM.

As I discussed above, the council member would need to resign before the vacancy can be filled through these procedures. I will defer to your city charter and/or city attorney regarding whether the council member can participate in the vote to appoint their own successor, as that may be governed by your charter. However, please note that under Art. XVI, Sec. 17 of the Texas Constitution (the "holdover provision"), when an officer vacates an office, they still have the legal authority to continue exercising the duties of that office until the vacancy is filled and their successor qualifies for office by taking their oath of office. In other words, under the holdover provision, the council member who resigned can continue to attend council meetings and exercise the other duties of their office until that vacancy has been filled and their replacement has taken the oath of office.

Please let us know if you have any questions about this.

Thanks,

Chuck Pinney
Senior Staff Attorney – Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.texas.gov



CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
JANUARY 16, 2024

To: Honorable Mayor and City Council
Agenda Item: Action Item 2 – Order 2024-01-01
Agenda Sponsor: G. Calderon, City Secretary
Memo Prepared By: G. Calderon, City Secretary

SYNOPSIS

2. Approve Order 2024-01-01, an Order of General Election for May 4, 2024, for the purpose of electing one Ward 2 Council Member, one Ward 4 Council Member, and Mayor for two-year terms; with early voting from April 22, 2024, to April 30, 2024. (G. Calderon, City Secretary)

BACKGROUND

- The City Council is required to order an election for the annual election each year.
- With the candidate filing period quickly approaching (January 17 to February 16), the election may be ordered.
- The 2024 candidate packet may be obtained at City Hall by appearing in person.

SUPPORTING MATERIALS

1. Order 2024-01-01.

STAFF RECOMMENDATION

APPROVE.

ORDER 2024-01-01
ORDEN 2024-01-01

ORDER OF GENERAL ELECTION FOR MUNICIPALITIES
ORDEN DE ELECCIÓN GENERAL PARA MUNICIPIOS

An election is hereby ordered to be held on May 4, 2024 for the purpose of voting on:
(Por la presente se ordena celebrar una elección el 4 de mayo de 2024 con el propósito de votar sobre)

List Offices/Propositions/Measures on the ballot
(Enumere los puestos proposiciones medidas oficiales en la boleta)

Council Member Ward 2 (Miembro del consejo del distrito 2)
Council Member Ward 4 (Miembro del consejo del distrito 4)
Mayor (Alcalde)

Early voting by personal appearance will be conducted each weekday at:
(La votación adelantada en persona se llevará a cabo de lunes a viernes en:)

The Main Early Voting Location (Sitio principal de votación adelantada)

Location (sitio)	Hours (horas)
City Council Chambers 803 W. Holland Ave Alpine, Texas 79830	April 22, 2024 - April 30, 2024 (22 de abril de 2024 - 30 de abril de 2024) 8:00 A.M. - 5:00 P.M.

Branch Early Voting Locations (sucursales sitios de votación adelantada)

Location (sitio)	Hours (horas)
None	None

Early voting by personal appearance will be conducted each weekend at:
(La votación adelantada en persona se llevará a cabo en el fin de semana en:)

The Main Early Voting Location (Sitio principal de votación adelantada)

Location (sitio)	Hours (horas)
None	None

Branch Early Voting Locations (sucursales sitios de votación adelantada)

Location (sitio)	Hours (horas)
None	None

Applications for ballot by mail shall be mailed to:
(Las solicitudes para boletas que se votarán adelantada por correo deberán enviarse a:)

Geoffrey R. Calderon, City Secretary

Name of Early Voting Clerk
(Nombre del Secretario a de la Votación Adelantada)

100 N. 13th St
Address (Dirección)

Alpine 79830
City (Ciudad) Zip Code (Código Postal)

(432) 837-3301, option (opción) 1
Telephone Number (Número de teléfono)

citysecretary@cityofalpine.com
Email Address (Dirección de Correo Electrónico)

www.cityofalpine.com
Early Voting Clerk's Website (Sitio web del Secretario a de Votación Adelantada)

Applications for Ballots by Mail (ABMs) must be received no later than the close of business on:
(Las solicitudes para boletas que se votarán por adelantado por correo deberán recibirse no más tardar de las horas de negocio el:)

April 23, 2024 (23 de abril de 2024) (date/fecha)

Federal Post Card Applications (FPCAs) must be received no later than the close of business on:
(La Solicitud de Tarjeta Postal Federal deberá recibirse no más tardar de las horas de negocio el:)

April 23, 2024 (23 de abril de 2024) (date/fecha)

Issued this 16th of January, 2024.
(Emitida este día 16 de enero de 2024).

Signature of Mayor (Firma del Alcalde)

Signature of Councilperson, Ward 1
(Firma del Concejal, Distrito 1)

Signature of Councilperson Ward 4
(Firma del Concejal, Distrito 4)

Signature of Councilperson, Ward 2
(Firma del Concejal, Distrito 2)

Signature of Councilperson, Ward 5
(Firma del Concejal, Distrito 5)

ATTEST (DAR FE)

Signature of Councilperson, Ward 3
(Firma del Concejal, Distrito 3)

City Secretary
(Secretario a de la ciudad)

Instruction Note: A copy of this election order must be delivered to the County Clerk/
Elections Administrator and Voter Registrar not later than 60 days before election day.
Nota de Instrucción: Se deberá entregar una copia de esta orden de elección al a Secretario(a) del
Condado Administrador(a) de Elecciones y el Registrador(a) de Votantes a más tardar 60 días antes del día de
elección.



CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
JANUARY 16, 2024

To: Honorable Mayor and City Council
Agenda Item: Action Item 3 – CAPPS Rental
Agenda Submitted by: M. Antrim, City Manager

SYNOPSIS

3. Approve twelve-month lease with CAPPS, Van & Truck Rental, for two vehicles utilized by officers participating in the High Intensity Drug Trafficking Program for FY 2023-2024. FY. (M. Antrim, City Manager)

BACKGROUND

- * The City of Alpine has participated in the High Intensity Drug Trafficking Program for over 20 years.
- * The program consists of several agencies within our region and is grant funded.
- * One allowable expense is for leased vehicles. Prior, the City worked with other agencies to assist with the management of the leased vehicles. Recent changes require the City to manage the program.
- * The City has utilized CAPPS, Van and Truck Rental, since prior to 2013.
- * There is no current contract for the two vehicles being used and funding is on hold until updated.
- * The contract is for FY 2023 – 2024 and covers two leased vehicles for \$899 a month, lease payments are reimbursed by grant funds.

SUPPORTING MATERIALS

1. CAPPS, Van and Truck Rental, Lease Agreement

STAFF RECOMMENDATION

Recommendation: APPROVE

MUNICIPAL LEASE AND OPTION AGREEMENT

LESSOR: Capps Rent A Car, Inc.
8555 John Carpenter Freeway
Dallas, Texas 75247

LESSEE: City of Alpine
100 North 13th St.
Alpine, Texas 79830

1. This lease agreement is entered into between Capps Rent A Car, Inc. (Lessor) and City of Alpine. The City of Alpine (Lessee) is authorized under the constitution and laws of the State of Texas to enter into this agreement for the purposes described and both parties agree as follows:

Lessee desires to lease from Lessor, the vehicle(s) in accordance with this agreement and to hold the vehicle(s) for the term of the lease. This agreement covers all vehicles delivered by Lessor and accepted by Lessee for the 2023-2024 fiscal year.

2. Except as may be cancelled in paragraph 5, hereof, this agreement shall be in effect throughout the entire term. The lease term shall be a period of at least 12 months, unless otherwise mutually agreed upon by both parties.

Lessor agrees to provide lessee during the term with quiet use and enjoyment of the equipment. Lessee will not use, operate or maintain the vehicle(s) improperly, carelessly, in violation of any applicable law or in any manner contrary to that contemplated by this agreement.

3. Lessee specifically understands and agrees that there are no understandings, agreements, representations, or warranties pertaining to fitness for a particular purpose for vehicles leased under this agreement.
4. In no event shall the lessor be liable for any loss or damage, including actual or consequential damage in connection with, or arising out of this agreement related to lessee's use of any vehicles, products, or services provided for in this agreement.

Lessee is responsible for all routine maintenance, such as, oil and filter changes (at intervals not to exceed 7,500 miles or when the oil change light comes on), tire repair or replacement and any minor repairs. In the event of a tire replacement, lessee agrees to replace the tire(s) with an identical like brand as was originally provided. Lessee agrees to pay an additional premium in the event that the oil changes are not performed. Minor repairs are defined as those repairs costing \$50.00 or less and are not covered by the vehicle manufacturer warranty.

Any repairs or maintenance in excess of \$50.00 and not covered by manufacturers' warranty and deemed to be the responsibility of the lessor, shall not be performed without prior approval of lessor. Normal wear and tear is acceptable. Abnormal wear and tear or sub-standard body repairs are not acceptable and will be charged back to lessee. Lessee is responsible for the replacement of damaged windshields. Labor to repair holes that have been drilled will be charged back in the event that it cosmetically, and or functionally affects the vehicle(s).

5. The obligation of the lessee to make rental payment hereunder is a current expense of lessee and not a debt of lessee in contravention of any applicable limitations or requirements nor shall anything contained herein constitute a pledge of the general tax revenues, funds or monies of lessee.

The obligations of lessee to make rental payments, and to perform and observe the covenants and agreements contained herein shall be absolute and unconditional in all events, except as expressly provided under this agreement. Notwithstanding any dispute between lessee and lessor, any vendor or any other person, lessee shall not assert any right of set-off or counterclaim against its obligation to make payments under this agreement.

6. If sufficient funds are not appropriated for rental payment due in any fiscal year and the lessee shall have at such time no funds duly authorized for the rental payments, an event of non-appropriation shall be deemed to have occurred. Upon the occurrence of a non-appropriation, the lessee agrees that the lessor may reclaim possession of the vehicle(s). Lessee agrees peaceably to deliver the vehicle(s) to lessor at reasonable location agreed to by both parties. All payments are due and payable in Dallas County Texas.

Lessee shall promptly discharge any mechanic's or material men's liens placed on vehicle(s) by any agent, contractor or supplier of lessee.

7. At its own expense, lessee shall be wholly responsible for liability damages to third parties as a result of its use of the vehicles, furthermore, in the event of an accident or loss, lessee shall be financially responsible to fully restore the vehicle(s) to before damage status.
8. This agreement and the interest of the lessee in the vehicle(s) may not be sold, assigned or encumbered by lessee without the prior written consent of the lessor.
9. To the extent permitted by the laws and constitution of the State of Texas. Lessee shall protect, hold harmless and indemnify lessor from and against any and all liability, obligations, losses, claims and damages whatever, regardless of cause thereof except those resulting from lessor's intentional or neglect, acts or omissions and expenses in connection therewith, including, without limitation, counsel and expenses, penalties and interest arising out of or as the result of entering into this agreement, the ownership of any item of the vehicle(s), the ordering,

acquisition, use, operation, purchase, delivery, rejection, storage or return of any item of the vehicle(s) or any accident in connection with the operation, use, condition, possession, storage or return of any item of the vehicle(s) resulting in damage to property or injury or death to any person. The indemnification arising under this paragraph shall survive the termination of this agreement.

10. If by reason of "Force Majeure" lessee is unable in whole or in part to carry out its agreement on its part herein contained, other than the obligations on the part of lessee, lessee shall not be deemed in default during the continuance of such inability. The term "Force Majeure" as used herein shall mean, without limitation, the following; acts of God, strikes, lockouts or other industrial disturbances, act of public enemies, orders or restraints of any kind of the government of the United States of America or the State of Texas or any of their departments, agencies or officials, or any civil or military authority, insurrections, riots, landslides, earthquakes, fires, storms, draughts, floods or explosions.
11. In the event any provision of this agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof. Venue for any actions arising hereunder shall be Dallas County Texas.
12. All attachments/exhibits, once accepted and approved by both parties, become part of this agreement.

LESSEE: City of Alpine

By: _____

Title: _____

Date: _____

LESSOR: Capps Rent A Car, Inc.

By: _____

Title: _____

Date: _____

Attachment A

Vehicle Price List

Ford F150 4x4 Lariat Pickup

Ford F250 Gas Lariat Pickup

Ford F250 Diesel XLT Pickup

Chevrolet 2500 Diesel

Ford Edge SUV

Monthly Rate: \$899.00 per Month

Vehicles are FOB Dallas, Houston, Austin or San Antonio

Prices are for fiscal year 10/01/2023 through 9/30/2024

CONCLUSION OVERVIEW

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

City Attorney Update:

- a) Customs and Border Protection Hangar Lease Renewal.
- b) Pending Public Information Requests and Attorney General Responses.
- c) Discuss August 2023 – December 2023 Bojorquez Law Firm Summary Totals.
(M. Antrim, City Manager)

Personnel Matters § 551.074, Texas Government Code

- a) Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee - Director of Finance/ Finance Manager.
- b) Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee - Director of Utilities. (M. Antrim, City Manager)

12. Action – Executive Session –

- 1. Action, if any, concerning any of the matters listed in executive session. (M. Antrim, City Manager)

13. Adjourn.