



CITY OF ALPINE

REGULAR CITY COUNCIL MEETING

803 W. Holland Avenue, Alpine, Texas 79830

Tuesday, November 1, 2022 - 5:30 P.M.

Notice is hereby given that the City Council of the City of Alpine, Texas will hold a regular meeting at 5:30 P.M. on November 1, 2022, 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 not 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.

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** –
 - Proclamation of Municipal Court Week – November 7th to 11th 2022.
5. **Reports** –

City Mayor Report

- I. Meet with the Mayor, Phone Calls, Emails, and Text Messages:
 - A. Noise Complaints - Noise Ordinance Needed.
 - B. Traffic Stops.
- II. Community Organization Meetings.
 - A. AHA and Historic Districts, to protect our history.
 - B. Lion's Club- working on benches for downtown.
- III. Saturday at the Farmer's Market 10:30-12:00 Meet with the Mayor.
- IV. Town Hall Meeting Saturday, 11-5-2022 at the Granada at 2 pm.
- V. City Talk Radio Program, every other Thursday at 9:05.

City Attorney Report – None.

City Manager Report –

- I. Noise Ordinance – Draft.
- II. TCEQ Landfill Inspection.
- III. Human Resource Update.
- IV. TML Region IV Meeting.
- V. Generator Grant Update.
- VI. Flood Management Evaluation.
- VII. Strategic Plan Meetings Recap.

City Staff Update

- Utilities Report by Director of Utilities, Keith Segar.
- Municipal Court Update by the Honorable Judge Gilbert Valenzuela and Municipal Court Clerk, Linda Stewart.

6. Public Hearings –

1. Public Hearing to obtain citizen views and comments on the second and final reading of Ordinance 2022-09-02, an ordinance establishing Chapter 16 - Boards, Commissions, and Committees to the Alpine Code of Ordinances; Amending processes, procedures, guidelines, and requirements for City Boards, Commissions, and Committees. (M. Antrim, City Manager).

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 October 18, 2022 Regular Meeting Minutes. (G. Calderon, City Secretary)
2. Approval of the excused absence of Councilor Rodriguez from the October 18, 2022 Regular City Council Meeting (G. Calderon, City Secretary)
3. Approval of Updated Fiscal Year 2023 City Council Meeting Calendar. (M. Antrim, City Manager)
4. Approval of Short Term Rental Special Use Permit for 308 N. 10th Street. The record property owners are Adam Gabbert and Elizabeth Harvey. (G. Calderon, City Secretary)

8. Information or Discussion Items –

1. Parks and Recreation Board update by Chair of the Board, Darin Nance. (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. Approve the second and final reading of Ordinance 2022-10-03, an ordinance establishing Chapter 16 - Boards, Commissions, and Committees to the Alpine Code of Ordinances; Amending processes, procedures, guidelines, and requirements for City Boards, Commissions, and Committees. (M. Antrim, City Manager)
2. Approve Resolution 2022-11-01, a resolution approving a directive tasking the Animal Advisory Board with key City objectives for the Fiscal Year 2022-2023. (M. Antrim, City Manager)
3. Approve Resolution 2022-11-02, a resolution approving a directive tasking the Planning & Zoning Commission with key City objectives for the Fiscal Year 2022-2023. (M. Antrim, City Manager)

4. Approve Resolution 2022-11-03, a resolution approving a directive tasking the Parks & Recreation Board with key City objectives for the Fiscal Year 2022-2023. (M. Antrim, City Manager)
5. Approve Resolution 2022-11-04, a resolution adopting a new rental agreement and updated fee schedule for the Alpine Civic Center. (M. Antrim, City Manager)

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

NOTICE: The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.086 (economic development).

11. Executive Session – None.

12. Action – Executive Session – None.

13. 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/agenda pursuant to Section 551.043, Texas Government Code. The said notice was posted by 2:00 P.M. on October 28, 2022, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting. 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@ci.alpine.tx.us for further information.


Geoffrey R. Calderon, City Secretary



INTRODUCTION OVERVIEW

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** –
 - Proclamation of Municipal Court Week – November 7th to 11th 2022.

Proclamation

In Recognition of Municipal Court Week

WHEREAS, municipal courts play a significant role in preserving public safety and promoting quality of life in Texas; and

WHEREAS, more people come in contact with municipal courts than all other Texas courts combined and public impression of the Texas judicial system is largely dependent upon the public's experience in municipal court; and

WHEREAS, state law authorizes a municipality to either appoint or elect a municipal judge for a term of office, the Alpine Municipal Court is a state court and its judges are members of the state judiciary; and

WHEREAS, the procedures for the Alpine Municipal Court operations are set forth in the Texas Code of Criminal Procedure and other laws of the State of Texas; and

WHEREAS, the City of Alpine is committed to the notion that our legal system is based on the principle that an independent, fair, and competent judiciary will interpret and apply the laws that govern us and that judges and court personnel should comply with the law and act in a manner that promotes public confidence in the integrity and impartiality of the judiciary; and

WHEREAS, Alpine Municipal Judges are not policy makers for the City of Alpine but are bound by the law and the Canons of Judicial Conduct and are required to make decisions independent of the governing body of the City Council, city officials, and employees; and

WHEREAS, the City Council recognizes that the Constitution and laws of the State of Texas contain procedural safeguards in criminal cases for all defendants, including indigent defendants, and supports the Alpine Municipal Court in complying with such legal requirements.

NOW, THEREFORE, BE IT PROCLAIMED, that the week of November 4th to 8th, 2022 be designated

Municipal Court Week

In Alpine, Texas, in recognition of the fair and impartial justice offered to our citizens by the Alpine Municipal Court.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of November in the Year 2022.

Catherine Eaves, Mayor



REPORTS OVERVIEW

5. Reports –

City Mayor Report

- I. Meet with the Mayor, Phone Calls, Emails, and Text Messages:
 - A. Noise Complaints - Noise Ordinance Needed.
 - B. Traffic Stops.
- II. Community Organization Meetings.
 - A. AHA and Historic Districts, to protect our history.
 - B. Lion's Club- working on benches for downtown.
- III. Saturday at the Farmer's Market 10:30-12:00 Meet with the Mayor.
- IV. Town Hall Meeting Saturday, 11-5-2022 at the Granada at 2 pm.
- V. City Talk Radio Program, every other Thursday at 9:05.

City Attorney Report – None.

City Manager Report –

- I. Noise Ordinance – Draft.
- II. TCEQ Landfill Inspection.
- III. Human Resource Update.
- IV. TML Region IV Meeting.
- V. Generator Grant Update.
- VI. Flood Management Evaluation.
- VII. Strategic Plan Meetings Recap.

City Staff Update

- Utilities Report by Director of Utilities, Keith Segar.
- Municipal Court Update by the Honorable Judge Gilbert Valenzuela and Municipal Court Clerk, Linda Stewart.



**CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
NOVEMBER 1, 2022**

REPORTS

City Mayor Report

- I. Meet with the Mayor, Phone Calls, Emails, and Text Messages:
 - A. Noise Complaints - Noise Ordinance Needed.
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BACKGROUND

NONE.

SUPPORTING MATERIALS

NONE.

STAFF RECOMMENDATION

N/A



**CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
NOVEMBER 1, 2022**

REPORTS

City Manager Report –

- I. Noise Ordinance – Draft.
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- VI. Flood Management Evaluation.
- VII. Strategic Plan Meetings Recap.

BACKGROUND

NONE.

SUPPORTING MATERIALS

1. Strategic Plan – Buzz Words.

STAFF RECOMMENDATION

N/A

Strategic Plan – Buzz Words

Streets/Potholes EcoDevo-General
Streets/Potholes-Staffing Council
Employees Ideas Employee Meters Childcare
Planning WWTP/Nonpotable Dark Workforce/Resources
Parks Repair-Infrastructure Benefits CIP
Practices Train Employees/City Streets/Curb
Streets/Sidewalks Accountability City Development/Water Eldercare
Development/Housing City Green Questions
Education Water Volunteer APD Input Business
Hall Youth Code Care Public
CIP/streets Best idea Range Resources Finance
IT/Smart Truck Training Medical Streets Grocery gutter
Long Billing Infrastructure-General
Tourism Enforcement Infrastructure/Staffing Opportunities general
WWTP Conservation Economy Development/Process Infrastructure
Dollar IT/Software Store New
Traffic Sidewalks Recreation
Development Streets/Lighting Accurate
Housing



**CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
NOVEMBER 1, 2022**

REPORTS

City Staff Update

- Utilities Report by Director of Utilities, Keith Segar.

BACKGROUND

NONE.

SUPPORTING MATERIALS

1. Slide Presentation.

STAFF RECOMMENDATION

N/A

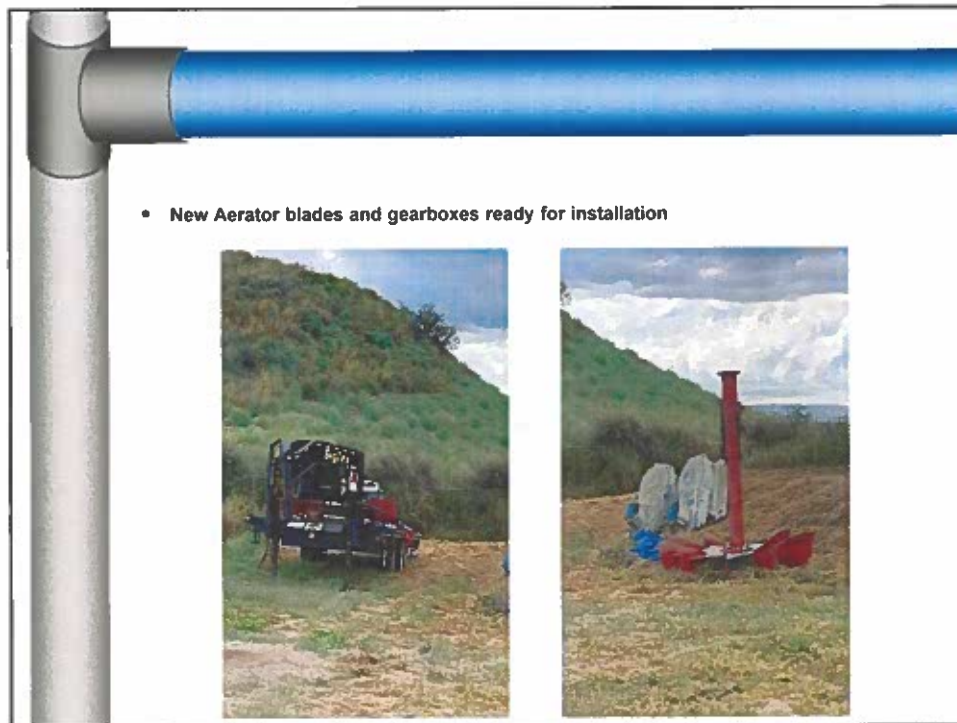
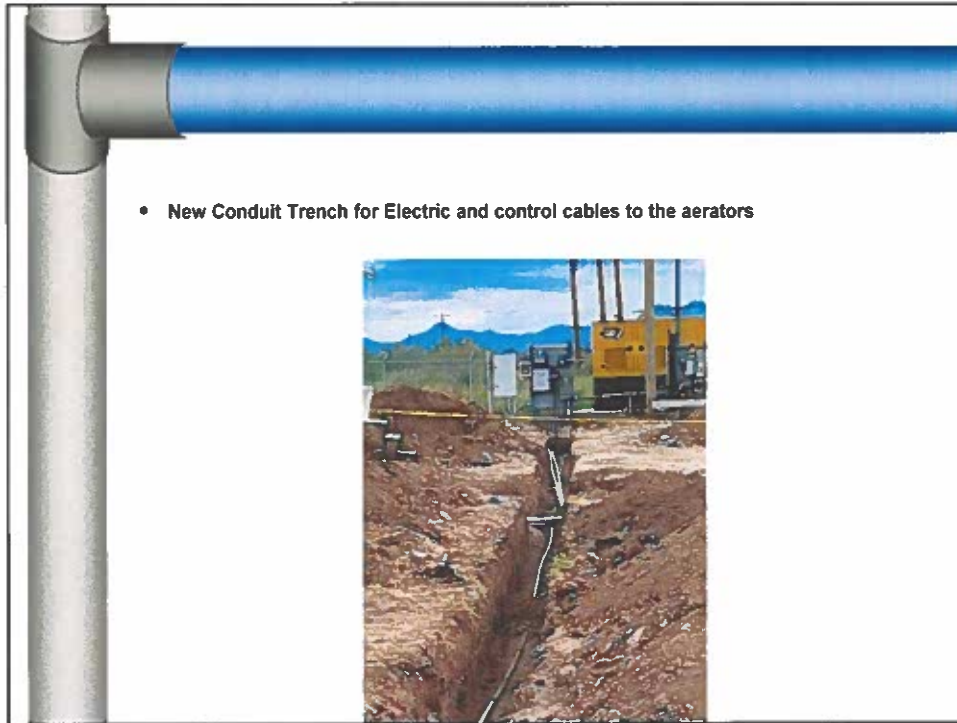
UTILITIES DEPARTMENT UPDATES

City Council Meeting 11/1/2022

CITY OF
ALPINE

- Electric Control Panels for the new Aerators that have arrived



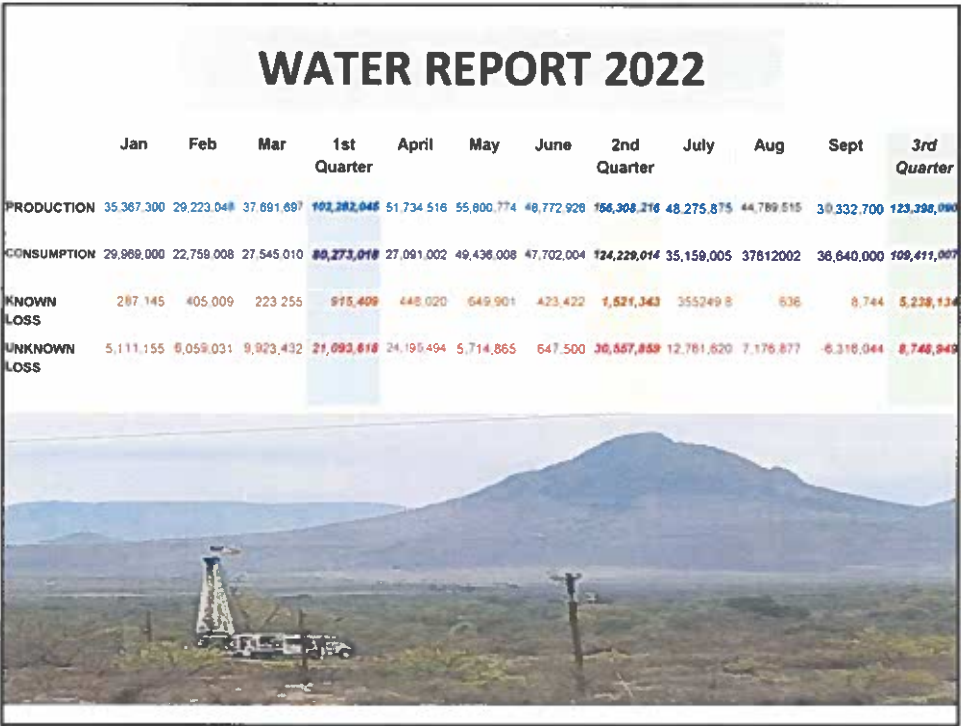


- Preparing to install first aerator gearbox in the #1 position



- Dedicated employees working on a Saturday to repair just one of many frequent water leaks that occur after hours and on weekend!







**CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
NOVEMBER 1, 2022**

REPORTS

City Staff Update

- Municipal Court Update by the Honorable Judge Gilbert Valenzuela and Municipal Court Clerk, Linda Stewart.

BACKGROUND

NONE.

SUPPORTING MATERIALS

1. Slide Presentation.

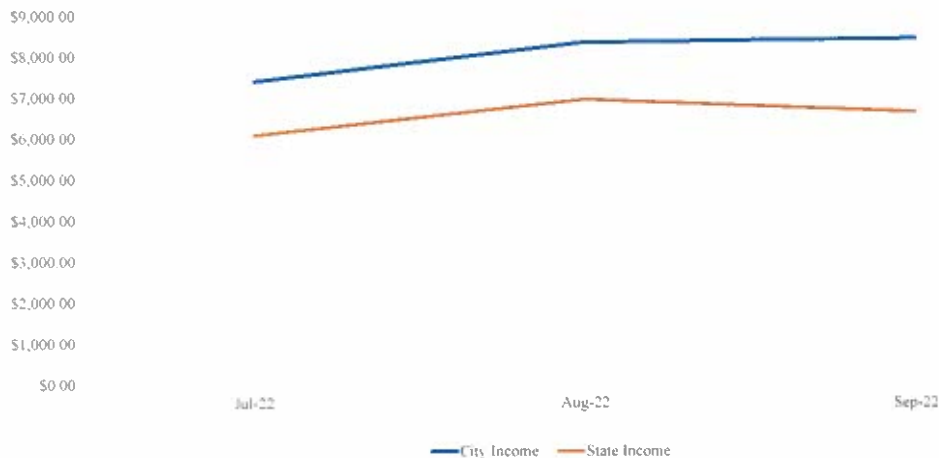
STAFF RECOMMENDATION

N/A

Municipal Court Report

July 2022 – September 2022

Court Revenue: July 2022 – September 2022

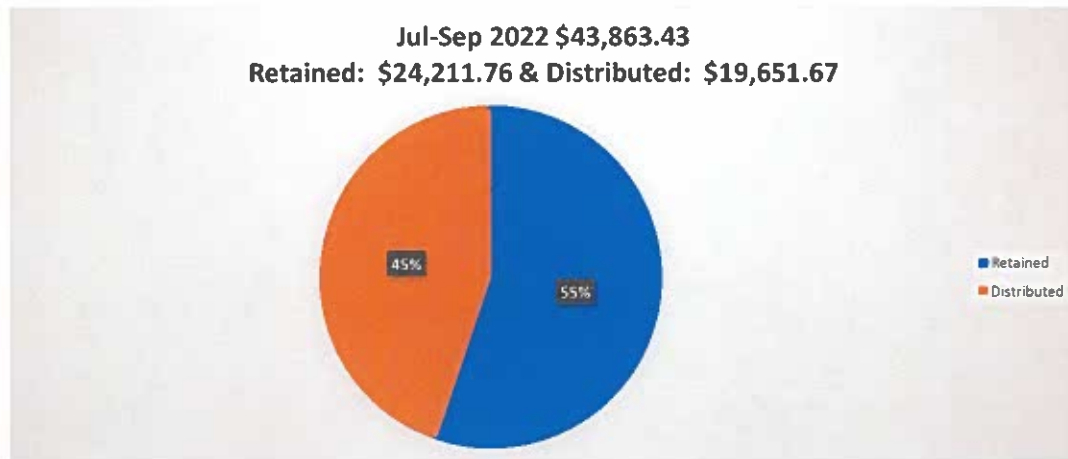


Judge: Gilbert E. Valenzuela
 Prosecutor: Rod Ponton
 Clerk: Linda Stewart

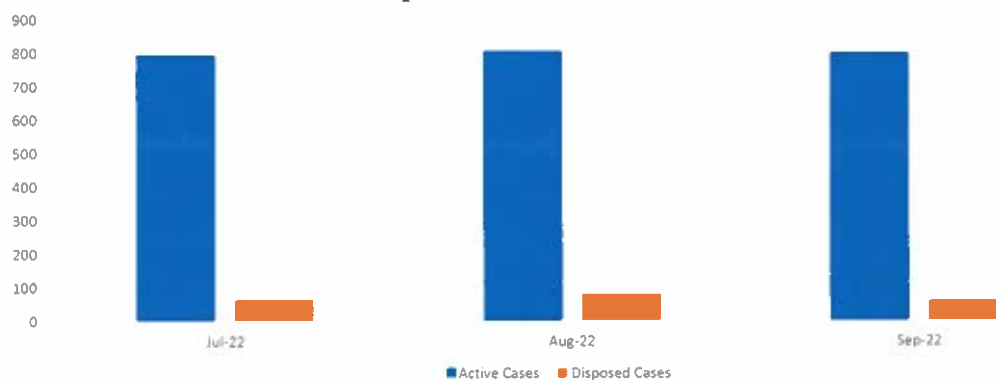
Jul City Income: \$7,398.20
 Aug City Income: \$8,360.73
 Sep City Income: \$8,452.83

Jul State Income: \$6,072.77
 Aug State Income: \$6,948.70
 Sep State Income: \$6,630.20

Jul-Sep 2022 Revenue Distribution



Jul-Sep 2022 Cases In Court

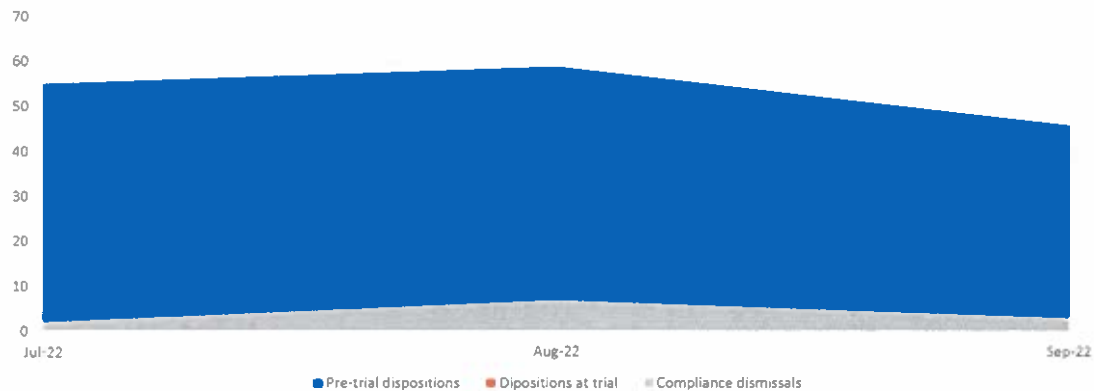


Judge: Gilbert E. Valenzuela
 Prosecutor: Rod Ponton
 Clerk: Linda Stewart

Jul Active Cases: 796
 Aug Active Cases: 807
 Sep Active Cases: 801

Jul Disposed Cases: 61
 Aug Disposed Cases: 79
 Sep Disposed Cases: 57

Jul-Sep 2022 Dismissals



Jul-2022 Pretrial Dispositions	55	Jul-2022 Compliance Dismissals	2	Jul-2022 Dispositions at Trial	0
Aug-2022 Pretrial Dispositions	59	Aug-2022 Compliance Dismissals	7	Aug-2022 Dispositions at Trial	0
Sep-2022 Pretrial Dispositions	46	Sep-2022 Compliance Dismissals	3	Sep-2022 Dispositions at Trial	1

Progress/Changes

- Old/Past Statute of Limitation Defendant Files purged Feb 2014 through Jan 2019, per the Standing Order dated June 9, 2022
- All procedures are followed, records improved, with thorough Case Notes in paper & digital files: Working more with Code Enforcement cases
- After not having a Municipal Court Judge on the bench from May 1, 2022 until August 2022, regular court dates have been re-established
- One emergency hearing – Animal Control/Dog Bite Case – Dog was Euthanized for killing another dog
- Warrant Round-up on 09/22/2022 - \$5,410.07 in fines/court costs were received in the days just prior to Round-up as a result of Ads in the Avalanche and Posting on Facebook. 10 individuals were arrested and appeared in person in Court, 3 others appeared via Zoom Court. Next Warrant Round-up is scheduled for January 19, 2023
- Municipal Court Judge & Court Clerk attended TMCEC training in July. Municipal Court Clerk is working on earning Municipal Court Clerk I designation and will take Certification Exam sometime in the Spring of 2023.

PUBLIC HEARING OVERVIEW

6. Public Hearings –

1. Public Hearing to obtain citizen views and comments on the second and final reading of Ordinance 2022-09-02, an ordinance establishing Chapter 16 - Boards, Commissions, and Committees to the Alpine Code of Ordinances; Amending processes, procedures, guidelines, and requirements for City Boards, Commissions, and Committees. (M. Antrim, City Manager).

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 October 18, 2022 Regular Meeting Minutes. (G. Calderon, City Secretary)
 2. Approval of the excused absence of Councilor Rodriguez from the October 18, 2022 Regular City Council Meeting (G. Calderon, City Secretary)
 3. Approval of Updated Fiscal Year 2023 City Council Meeting Calendar. (M. Antrim, City Manager)
 4. Approval of Short Term Rental Special Use Permit for 308 N. 10th Street. The record property owners are Adam Gabbert and Elizabeth Harvey. (G. Calderon, City Secretary)



**CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
NOVEMBER 1, 2022**

CONSENT AGENDA

1. Approval of October 18, 2022 Regular Meeting Minutes. (G. Calderon, City Secretary)

BACKGROUND

NONE.

SUPPORTING MATERIALS

1. October 18, 2022 Regular Meeting Minutes.

STAFF RECOMMENDATION

APPROVE.

City of Alpine
Regular City Council Meeting
Tuesday, October 18, 2022
Minutes

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 conference 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 Sara Tandy
Councilor Martin Sandate
Councilor Jerry Johnson

Not Present:

Councilor Chris Rodriguez

City Staff Present:

Megan Antrim, City Manager
Geoffrey R. Calderon, City Secretary
Darrell Losoya, Chief of Police
Randy Guzman, Director of Gas Utility
Christopher Ruggia, Director of Tourism
Alicia Salinas, Director of Finance
Keith Segar, Director of Utilities
Abel Hinojos, Airport Supervisor
Jennifer Stewart, Animal Services Supervisor
Heather Yadon, Visitor Center Coordinator

Mayor Eaves announced that a quorum of the City Council was present at the City Council Chambers and City Secretary, Geoffrey Calderon, reported that the meeting agenda was posted by 2:00 P.M. on October 14, 2022.

3. **Public Comments** – (limited to 3 minutes per person) – ,
 - Jim Street, Ward 1, expressed support for Action Item No. 3, Ordinance 2022-10-03, and spoke to the need for an Airport Advisory Board and for the Transportation Committee.
4. **Presentations, Recognitions, and Proclamations** –
 - Proclamation of National Friends of Libraries Week.
5. **Reports** – Copies of presentations displayed during the meeting are posted on the City website at www.cityofalpine.com/reports –

City Mayor Report

I. Meet with the Mayor Discussions:

- A. At Town Hall Meetings have a poster for people to rank their favorite to the least favorite event or things to support: such as library, parks, arts, music, etc.
- B. Would partnering with Marfa, Fort Davis, and Marathon to raise our collective population and income levels to petition more upscale stores to come to the area be something we should work toward. Stores such as JC Penney, Kohls, etc.
- C. Should we partner with the University and do a Cost of Living Survey?
- D. Employee of the Month for each department. Winners receive something such as a gift card, an extended lunch, or a day where they can leave at four instead of five, etc.

II. Upcoming Events

- A. Next Town Hall Meeting, October 19th (tomorrow) at Alpine Elementary 6:00 pm
Then, Saturday, November 5th at 2:00 pm at the Granada.
- B. City Talk on Thursday the 20th at 9:05 am.
- C. Next Meet with the Mayor on Saturday the 29th at the Farmers Market 10:30-12:00.

City Attorney Report – None.

City Manager Report –

- I. Revenue & Expenses – August 2022
- II. Revenue & Expenses – September 2022

City Staff Updates

- Animal Services Report by Animal Services Supervisor, Jennifer Stewart.
- Visitor Center Report by Visitor Center Coordinator, Heather Yadon.
- Tourism Quarterly Report by Director of Tourism, Chris Ruggia.
- Police Department Report by Chief of Police, Darrell Losoya.
- Gas Department Report by Gas Director, Randy Guzman.

6. Public Hearings –

- 1. Public Hearing to obtain citizen views and comments on the second and final reading of Ordinance 2022-10-01, an ordinance amending Chapter 10 - Animals to the Alpine Code of Ordinances; Amending Article II - Keeping Animals; Amending Sections 10-48 - Registration of Dogs and Cats; Providing for updated registration fees and procedures for the registration of dogs and cats.

Public Comments: None.

- 2. Public Hearing to obtain citizen views and comments on Ordinance 2022-10-02, an ordinance amending a typographical error in Ordinance 2022-08-03; levying ad valorem taxes for use and support of the municipal government of the City of Alpine, Texas for the 2022-2023 fiscal year; providing for the apportioning of each levy for specific purposes; and providing when taxes shall become due and when the same shall become delinquent if not paid.

Public Comments: 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 October 4, 2022 Regular Meeting Minutes. (G. Calderon, City Secretary)

2. Approval of 4th Quarter Investment Report. (M. Antrim, City Manager)

RESOLUTION 2022-10-11: On a motion by Councilor Johnson and seconded by Councilor Sandate to approve the consent agenda as presented, the City Council unanimously voted to adopt the motion.

8. **Information or Discussion items** – None.

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 2022-10-01, an ordinance amending Chapter 10 - Animals to the Alpine Code of Ordinances; Amending Article II - Keeping Animals; Amending Sections 10-48 - Registration of Dogs and Cats; Providing for updated registration fees and procedures for the registration of dogs and cats. (M. Antrim, City Manager)

RESOLUTION 2022-10-12: On a motion by Councilor Stokes and seconded by Councilor Johnson to approve the second and final reading of Ordinance 2022-10-01, the City Council unanimously voted to adopt the motion.

2. Approve the first and final reading of Ordinance 2022-10-02, an ordinance amending a typographical error in Ordinance 2022-08-03; levying ad valorem taxes for use and support of the municipal government of the City of Alpine, Texas for the 2022-2023 fiscal year; providing for the apportioning of each levy for specific purposes; and providing when taxes shall become due and when the same shall become delinquent if not paid. (M. Antrim, City Manager)

RESOLUTION 2022-10-13: On a motion by Councilor Johnson and seconded by Councilor Sandate to approve the first and final reading of Ordinance 2022-10-02, the City Council unanimously voted to adopt the motion.

3. Approve the first reading of Ordinance 2022-10-03, an ordinance establishing Chapter 16 - Boards, Commissions, and Committees to the Alpine Code of Ordinances; Amending processes, procedures, guidelines, and requirements for City Boards, Commissions, and Committees. (M. Antrim, City Manager)

RESOLUTION 2022-10-14: On a motion by Councilor Stokes and seconded by Councilor Johnson to approve the first reading of Ordinance 2022-10-03 with the amendment to dissolve the Airport Board, the City Council unanimously voted to adopt the motion.

4. Approve Resolution 2022-10-09, a resolution authorizing the City of Alpine to participate in the Texas Recycles Day Grant Program. (M. Antrim, City Manager)

RESOLUTION 2022-10-15: On a motion by Councilor Sandate and seconded by Councilor Tandy to approve Resolution 2022-10-09, the City Council unanimously voted to adopt the motion.

5. Approve Resolution 2022-10-10, a resolution authorizing the City to participate in an Agreement with the State of Texas through the Department of Transportation to request the closure of North Highway 118 (Between Holland Avenue and Avenue E) on November 18 through November 20, 2022. (M. Antrim, City Manager)

RESOLUTION 2022-10-16: On a motion by Councilor Tandy and seconded by Councilor Johnson to approve, the City Council unanimously voted to adopt the motion.

6. Approve FY 2022-2023 Tax Collection Agreement with Brewster County. (M. Antrim, City Manager)

RESOLUTION 2022-10-17: On a motion by Councilor Stokes and seconded by Councilor Johnson to approve Fiscal Year 2022-2023 Tax Collection Agreement with the County, the City Council unanimously voted to adopt the motion.

7. Authorize the City Attorney to initiate contract discussions with S. Daugherty for use of Daugherty Well #1 for long-term City Use. (M. Antrim, City Manager)

RESOLUTION 2022-10-18: On a motion by Councilor Johnson and seconded by Councilor Tandy to approve the City Attorney to initiate contract discussions with S. Daugherty for use of Daugherty Well #1 for long-term City use, the City Council unanimously voted to adopt the motion.

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

NOTICE: The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, Pursuant to Texas Government Code 551.071 (consultation with an attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.086 (economic development).

11. Executive Session – None.

12. Action – Executive Session – None.

13. Adjourn. (7:05 P.M.)

APPROVED:

ATTEST:

Catherine Eaves, Mayor

Geoffrey R. Calderon, City Secretary

CERTIFICATION

I, Geoffrey R. Calderon, hereby certify that this notice 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 2:00 P.M. on October 14, 2022, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting. 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@ci.alpine.tx.us for further information.

Geoffrey R. Calderon, City Secretary

Council minutes: 10-18-2022

Approved: 11-01-2022



**CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
NOVEMBER 1, 2022**

CONSENT AGENDA

2. Approval of the excused absence of Councilor Rodriguez from the October 18, 2022 Regular City Council Meeting (G. Calderon, City Secretary)

BACKGROUND

NONE.

SUPPORTING MATERIALS

NONE.

STAFF RECOMMENDATION

APPROVE.



**CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
NOVEMBER 1, 2022**

CONSENT AGENDA

3. Approval of Updated Fiscal Year 2023 City Council Meeting Calendar. (M. Antrim, City Manager)

BACKGROUND

NONE.

SUPPORTING MATERIALS

1. Fiscal Year 2023 City Council Meeting Calendar.

STAFF RECOMMENDATION

APPROVE.

2023 CITY COUNCIL MEETING CALENDAR

Council Meetings are highlighted in blue

October 2022						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

November 2022						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December 2022						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

January 2023						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February 2023						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March 2023						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
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April 2023						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May 2023						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June 2023						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

July 2023						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

August 2023						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September 2023						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

CITY HOLIDAYS FISCAL YEAR 2023

Oct 10, 2022	Columbus Day	Dec 26, 2022	Christmas Day (obs.)	Feb 20, 2023	Presidents' Day	Jul 4, 2023	Independence Day
Nov 11, 2022	Veterans Day	Dec 30 – Jan 2	New Year's Day	Apr 7 – Apr 10	Good Friday	Sep 4, 2023	Labor Day
Nov 23 – 25	Thanksgiving Day	Jan 2, 2023	New Year's Day (obs.)	May 29, 2023	Memorial Day		
Dec 22 -26	Christmas Day	Jan 16, 2023	Martin Luther King Day	Jun 19, 2023	Juneteenth		



**CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
NOVEMBER 1, 2022**

CONSENT AGENDA

4. Approval of Short Term Rental Special Use Permit for 308 N. 10th Street. The record property owners are Adam Gabbert and Elizabeth Harvey. (G. Calderon, City Secretary)

BACKGROUND

NONE.

SUPPORTING MATERIALS

1. Short Term Rental Special Use Permit Application.

STAFF RECOMMENDATION

APPROVE.

TRANSIENT/SHORT-TERM RENTAL INSPECTION CHECKLIST

CITY OF ALPINE

Initial Inspection: At the time of initial application the short-term rental shall be inspected by the Building Official or designee. The purpose of this inspection is to assure conformance of the dwelling unit with the International Residential Code, International Fire Code, Property Management Code and City of Alpine Short-Term Rental ordinance, related to potential safety issues and to establish maximum occupancy, including but not limited to an approved means of egress from every bedroom. A follow up inspection is included in the initial fee. Any further inspections will cost \$ 35.00 each. An inspection won't occur until all required application documents have been received by the city.

Property Address 308 N 10th Property Owner _____ Phone _____

Local Representative _____ Phone _____

Parking Diagram approved Yes / No

Number of occupants approved Yes / No

General Requirements:

- ☒ House numbers installed and clearly visible from street.
- ☒ Smoke alarms installed in all sleeping rooms.
- ☒ Carbon Monoxide detectors as required by fire code
- ☒ Fire Extinguisher or Sprinkler System
- Sanitation:**
- ☒ All plumbing fixtures connected to sanitary sewer with approved P-traps.
- ☒ All plumbing fixtures connected to approved water supply
- ☒ Hot and cold water.
- ☒ No signs of mold or mildew on wall surfaces.
- ☒ No signs of infestation from rodents or insects.
- ☒ All sanitary facilities installed and maintained in safe and sanitary condition.

Safety:

- ☒ Basement and all sleeping rooms are provided with windows designed to meet egress standards or exterior doors
- ☒ All stairs, decks, and balconies over 30 inches in height are provided with approved guardrails.
- ☒ Requirements of the IBC and IRC are met for dwelling units.
- ☒ Dwelling has no broken windows or doors
- ☒ No broken, rotted, split, buckled or exterior wall or roof coverings that affect the protection of the structural elements behind them.

Any of the above items which have been checked must be corrected and re-inspected prior to the issuance of a transient/short-term rental permit.

To request an inspection please call 432.837.9281 Building Services.

Inspected by: [Signature]

Requires re-inspection NO

Mechanical:

- ☒ Every habitable room contains at least two electrical outlets and light fixtures.
- ☒ All electrical equipment, wiring, and appliances have been installed and are in a safe manner
- ☒ Dwelling is equipped with heating facilities in operating condition.
- ☒ All solid fuel burning appliances are installed per applicable codes maintained in safe working condition.
- ☒ Dwelling has proper ventilation in all rooms and areas where fuel All fuel burning appliances are installed.

Structural:

- ☒ Dwelling has no sags, splits or buckling of ceilings, roofs, ceiling or roof supports or other horizontal members due to defective material or deterioration.
- ☒ No split, lean, list, or buckle of dwelling walls, partitions or other vertical supports due to defective material or deterioration.
- ☒ No evidence of decay or damage to exterior stairs or decks.

Approved AD Date: 9/27/2022

Approved _____ Date: _____

City of Alpine Short-Term Rental Special Use Permit Application Checklist

☒ **Application:** Completed Short-Term Rental (STR) Special Use Permit Application

☒ **\$350.00 STR Special Use One Time Permit Fee:** Cash, check, or money order payable to the City of Alpine. The permit application fee is non-refundable.

Method of Payment: Check

☐ **Fire Inspection Appointment:** The operator will receive a call to schedule

Please complete and submit the following attached documents with your application

1. ☒ **Short-Term Rental Registration Form:** Completed STR Registration Form
2. ☐ **STR Local Representative Certification:** See attachment. Please provide a copy of Driver's License if different from STR owner
3. ☒ **Homeowner's Association Declaration:** See attachment
4. ☒ **Proof of Property Insurance:** Please complete attachment and provide a copy of a property insurance summary that states STR coverage is included and/or complete insurance waiver (See attachment). If operator chooses to opt-out of property insurance a General Release of Liability MUST be signed by the operator.

Please submit the following documents with your application

5. ☒ **Letter:** Submit a letter describing the proposed STR use, describe whether the proposed STR will or will not cause substantial harm to the value, use, or enjoyment of the other properties in the neighborhood. Also describe how the proposed STR will add to the value, use or enjoyment of other properties in the neighborhood.
6. ☒ **Floor Plan:** A Sketch floor plan of the dwelling with dimensional room layout. Please identify sleeping areas, evacuation route(s) and location of fire extinguishers.
7. ☒ **Parking Plan Requirement:** A site plan/survey of the property that indicates the maximum number of vehicles that can be legally parked on the property. Parking spaces cannot include on-street parking, sidewalks, alleys or other public rights-of-way
8. ☒ **Driver's License:** Please provide a copy of STR owner's driver's license
9. ☒ **Proof of STR Property Ownership:** Property tax documents, deed, or copy of title (all owners must sign application)
10. ☐ **Info Sheet:** A copy of the informational sheet/brochure that is provided to guests of the STR. Please include:
 - A.) The 24-hour contact information of the STR owner or local representative
 - B.) Neighborhood info such as parking and noise restrictions, trash collection schedules, etc.
 - C.) Emergency and non-emergency telephone numbers for police and fire departments
 - D.) Instructions for obtaining severe weather, natural or man-made disaster alerts.

For Building Services Use Only

Date Submitted: _____ Receipt No: _____
BLD Inspection: _____ Fire Inspection: _____
Approved: _____ Not Approved: _____

City of Alpine, Texas

Short-Term Rental Special Use Permit (STR-SUP) Application

STR-CUP Application Fee is \$350.00 per property. (non-refundable) Please complete one application per property

STR Type: ☐ Owner Occupied ☒ Single Unit Non-Owner-Occupied ☐ Multi-Unit Non-Owner Occupied

Existing/New Structure: ☒ Existing Structure ☐ New Construction

PART 1. PROPERTY INFORMATION

Street address of property

308 N 10th St Alpine TX 789

Legal description of property (must provide copy of survey or describe meets and bounds on 8 1/2 x 11 sheet)

Lot Block Addition

Lot Six and Seven in Block Twenty Nine Original Townsite of Alpine

Square footage of property

Number of Bedrooms & Units

Size of property lot

1130

1, 1

.33 acres

Present zoning district

Proposed use of the property
Short-Term Rental

Zoning ordinance provision requiring a conditional use (This box will be completed by the Building Official)
STR

PART 2. PROPERTY OWNER INFORMATION

Name of current property owner(s) (Use separate sheet of paper with additional owners' information if necessary)

Elizabeth Harvey and Adam Gabbert

Mailing address of property owner (cannot be P.O Box)

4312 Shoalwood Avenue

City/State/Zip code of property owner

Austin, TX 78756

Telephone number of property owner

512 - 797-2976

Email address of property owner

adam.gabbert@me.com

PART 3. DESIGNATED OPERATOR'S INFORMATION

Name of designated operator

Bienvenido Big Bend / April Mc Anally

Designated operator's physical address (must be located within 30 minutes of STR property)

117 N. 6th St.

City/State/Zip code of designated operator

Alpine, TX 79830

Telephone number of designated operator

432-386-8296

Email address of designated operator

bienvenido big bend@gmail.com

PART 4. SUPPORTING DOCUMENTS**Please complete and submit the following attached documents with application**

1. ☒ **STR Local Representative Certification:** Please provide a copy of Driver's License if different from STR owner)
2. ☒ **Homeowner's Association Declaration:** See attachment
3. ☒ **Proof of Property Insurance:** Please complete attachment and provide a copy of a property insurance summary that states STR coverage is included and/or complete General Release of Liability waiver (See attachment)

Please submit the following documents with your application

4. ☒ **Letter:** Submit a letter describing the proposed STR use, describe whether the proposed STR will, or will not cause substantial harm to the value, use, or enjoyment of the other properties in the neighborhood. Also describe how the proposed STR will add to the value, use or enjoyment of other properties in the neighborhood.
5. ☒ **Floor Plan:** A Sketch floor plan of the dwelling with dimensional room layout. Please identify sleeping areas, evacuation route(s) and location of fire extinguishers.
6. ☒ **Parking Requirement:** A site plan/survey of the property that indicates the maximum number of vehicles that can be legally parked on the property. Parking spaces cannot include on-street parking, sidewalks, alleys or other public rights-of-way
7. ☒ **Driver's License:** Please provide a copy of STR owner's driver's license
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 - A.) The 24-hour contact information of the STR owner or local representative
 - B.) Neighborhood info such as parking and noise restrictions, trash collection schedules, etc.
 - C.) Emergency and non-emergency telephone numbers for police and fire departments
 - D.) Instructions for obtaining severe weather, natural or man-made disaster alerts.

Part 5. ADDITIONAL SUPPORTING DOCUMENTS FOR COMERCIAL PROPERTIES ONLY

10. ☐ **Illumination Plan**

PART 6. ADDITIONAL SUPPORTING DOCUMENTS FOR NEW CONSTRUCTION ONLY

11. ☐ **Site Application Form B:** Application of site plan approval (Section 20, see attached Form "B") The site plan submission shall meet the requirements of Section 20.04 (A)(E) Site Plan Requirements.
12. ☐ **Letter:** Submit a letter describing conditional requirements or conditions imposed upon the particular conditional use by applicable district regulations

PART 7. ACKNOWLEDGEMENTS

AM All STR-SUP applications are assumed to be complete when filed and will be placed on the agenda for public hearing at the discretion of the staff. Based on the size of the agenda, your application may be scheduled to a later date.

AM At least ten (10) before the public hearing for a STR-CUP application, the city will send written notice to all property owners within 200 feet of the STR to inform them of the use of the STR-CUP application. The notice will provide the applicant's 24-hour contact information and information about STR regulations.

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

AM Any changes to a site plan (no matter how minor or major) approved with a STR-SUP can only be approved by city council through the public hearing process.

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

ANS All short-term rentals are subject to fire inspections before issuance of a STR-SUP permit. The inspections will include compliance with the 2018 International Fire Code, 2015 International Residential Code, 2015 International Building Code and all applicable City of Alpine Code of Ordinances.

ANS After a STR-SUP is approved, all short-term rentals must register with the city annually. There is a \$100 annual registration fee.

ANS All short-term rentals are required to pay a hotel occupancy monthly or quarterly to the City of Alpine. Failure to register and pay for HOT taxes is grounds for revocation of a STR-SUP.

ANS I have read and understand all of the requirements as set forth by the application for a Short-Term Rental Special Use Permit and acknowledge that all requirements of this application have been met at the time of submittal.

PART 7. SIGNATURE TO AUTHORIZE FILING OF A STR-SUP (ALL PROPERTY OWNERS MUST SIGN, SUBMIT AN ADDITIONAL SIGNATURE PAGE IF NECESSARY)

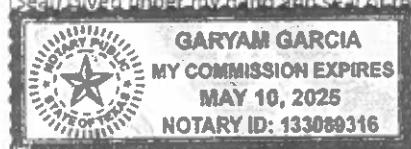
Adam Gabbert
Print Property Owners Name

[Signature]
Property Owners Signature

The State Of Texas
County Of TRAVIS
Before Me Garyam Garcia on this day personally appeared Adam Gabbert
(Notary) (Applicant)

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

(Seal) Given under my hand and seal of the office this 13 day of September, A.D. 2022



[Signature]
Notary in And for State of Texas

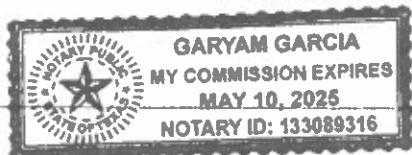
Elizabeth Harvey
Print Property Owners Name

[Signature]
Property Owners Signature

The State Of Texas
County Of TRAVIS
Before Me Garyam Garcia on this day personally appeared Elizabeth Harvey
(Notary) (Applicant)

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

(Seal) Given under my hand and seal of the office this 13 day of September, A.D. 2022



[Signature]
Notary in And for State of Texas

**CITY OF ALPINE
SHORT TERM RENTAL REGISTRATION**


☒ **New** ☐ **Change**

SECTION 1: PROPERTY INFORMATION		
Property Name	Street Number 308	Street Name N. 10th
LEGAL DESCRIPTION		
Addition, Block, Lot lots six and seven in block twenty nine Original Townsite of Alpine		Total Number of Units in Building 1

SECTION 2: OWNER INFORMATION <i>Complete at least one listed below</i>		
A. Individual Ownership		
Owner First Name Adam	Owner Last Name Gabbert	Primary Telephone Number 512 - 797 - 2974
Mailing Address 4312 Shoalwood Ave Austin TX 78756		Email Address adam.gabbert@me.com
B. Corporate Ownership		
Ownership Form: <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> LLC <input type="checkbox"/> Kiosk <input type="checkbox"/> Other (Please Explain)		
Business Name		
Contact First Name	Contact Last Name	Primary Telephone Number
Mailing Address		Email Address

SECTION 3: DESIGNATED OPERATOR <i>If Different than owner</i>	
Property Manager Name Bienvenido Big Bend / April McNally	Primary Telephone Number 432 - 386 - 8294
Mailing Address 117 N 6th St. Alpine, TX 79830	Email Address bienvenidobigbend@gmail.com

I acknowledge that all information supplied above is true and correct to the best of my knowledge or belief. I further acknowledge that the Short Term Rental that I own is subject to all provisions of the orders and ordinances of Alpine, and all of the provisions of the codes, statutes, and rules adopted under the codes and statutes of the State of Texas regarding Short Term Rental establishments. I acknowledge that as a Short Term Rental owner I am responsible for the payment of Hotel Occupancy Taxes amounting to 7% per stay. I understand that payment of Hotel Occupancy Taxes is payable to the City of Alpine.

 Applicant's Signature	Adam Gabbert Printed Name	7/13/2022 Date
--	-------------------------------------	--------------------------

CITY OF ALPINE
STR HOMEOWNER'S ASSOCIATION DECLARATION

I DECLARE the homeowner's association for which this property belongs allows transient rental /short-term rental dwellings.

(Property Address)

(Managing HOA Representative Signature)

Date: _____

OR

I DECLARE there is no Homeowners Association requirement for this property.

308 N 10th St Alpine TX 79830

(Property Address)

(STR Owners Signature)

Date: 9/13/2022

CITY OF ALPINE
STR LOCAL REPRESENTATIVE CERTIFICATION

☒ **New** ☐ **Change**

24-hour Representative: The short-term rental owner and designated representative's name, physical address, email address and phone number must be provided to the City upon permit application and annual renewal. The information shall be kept current at all times. The owner or representative shall be available by phone (24 hours a day, seven days a week) to ensure a response to complaints regarding emergencies and the condition, operation, or conduct of the occupants. A 24-hour representative must be able to physically respond to the short-term rental site within 30 minutes, and if requested they must respond. ~~If there is a change in the designated representative the property owner must immediately submit to the City the name and contact information of the new representative.~~

Short-Term Rental Address: 308 N. 10th St. Alpine, Texas 79830

Property Owner Name: Adam Gabbert & Elizabeth Harvey

Local Representative:

Name: April McAnally Telephone: 432-386-8296

Physical Address: 117 N. 6th St. Alpine, Texas 79830 Email: bienvenidobigbend@gmail.com

Mailing Address: PO BOX 1235, Alpine, Texas 79831

Local Representative Responsibilities:

- The owner or representative shall be available by phone (24 hours a day, seven days a week) to ensure a response to complaints regarding emergencies and the condition, operation, or conduct of the occupants.
- A 24-hour representative must be able to physically respond to the short-term rental site within 30 minutes.
- If there is change in the designated representative the property owner must submit to the City the name and contact information of the new representative.
- Neighbor Notice: The City shall provide an initial mailing or email to neighbors within a 200-foot radius of the short-term rental property address. The notice shall contain the owner and representative contact information, a parking plan, and the city website address where the information is also posted. The neighbors and the city shall be immediately informed whenever there is a change in contact information.

By signing below, the local representative acknowledges that he/she has read, fully understands and agrees to comply with the responsibilities outlined above. Please provide a copy of Driver's License if different from STR property owner.

Local Representative Signature: April McAnally Date: _____

Property Owner's Signature: [Signature] Date: 9/19/2022

Date _____



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

09/16/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER

Proper Insurance Services, LLC
14 W Patrick St, Suite 201
Frederick, MD 21701

CONTACT**NAME:**

PHONE (A/C, No, Ext): 888-631-6680

FAX

(A/C, No): 888-331-9299

E-MAIL

ADDRESS: mortgageinfo@proper.insure

INSURER(S) AFFORDING COVERAGE**NAIC #**

INSURER A: Concert Specialty Insurance Company

INSURER B:

INSURER C:

INSURER D:

INSURER E:

INSURER F:

INSURED

Elizabeth Harvey and Adam Gabbert
4312 Shoalwood Avenue
Austin, TX 78756

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
X	COMMERCIAL GENERAL LIABILITY			PVR20220908125227	09/15/2022	09/15/2023	EACH OCCURRENCE \$ 1,000,000
	CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
							MED EXP (Any one person) \$ 0
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP-OP AGG \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						
X	POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC						
	OTHER						
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	ANY AUTO						BODILY INJURY (Per person) \$
	ALL OWNED AUTOS						BODILY INJURY (Per accident) \$
	HIRED AUTOS						PROPERTY DAMAGE (Per accident) \$
	SCHEDULED AUTOS						
	NON-OWNED AUTOS						
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	DED						
	RETENTION S						
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE
	ANY PROPRIETOR, PARTNER, EXECUTIVE OFFICER MEMBER EXCLUDED? (Mandatory in NH)						OTH-ER
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

308 North 10th Street, Alpine, TX 79830

CERTIFICATE HOLDER**CANCELLATION**

Additional Insured:
Bienvenido Big Bend
117 North 6th Street
Alpine, TX 79830

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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EVIDENCE OF PROPERTY INSURANCE

DATE (MM/DD/YYYY)

09/16/2022

THIS EVIDENCE OF PROPERTY INSURANCE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE ADDITIONAL INTEREST NAMED BELOW. THIS EVIDENCE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS EVIDENCE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE ADDITIONAL INTEREST.

AGENCY Proper Insurance Services, LLC 14 W Patrick St, Suite 201 Frederick, MD 21701		PHONE (A/C, No, Ext): 888-631-6680		COMPANY Concert Specialty Insurance Company	
FAX (A/C, No): 888-331-9299		E-MAIL ADDRESS: mortgageinfo@proper.insure			
CODE:		SUB CODE:			
AGENCY CUSTOMER ID #:					
INSURED Elizabeth Harvey and Adam Gabbert 4312 Shoalwood Avenue Austin, TX 78756		LOAN NUMBER		POLICY NUMBER PVR20220908125227	
		EFFECTIVE DATE 09/15/2022		EXPIRATION DATE 09/15/2023	
				<input type="checkbox"/> CONTINUED UNTIL TERMINATED IF CHECKED	
THIS REPLACES PRIOR EVIDENCE DATED:					

PROPERTY INFORMATION

LOCATION/DESCRIPTION

308 North 10th Street, Alpine, TX 79830

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS EVIDENCE OF PROPERTY INSURANCE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

COVERAGE INFORMATION

COVERAGE / PERILS / FORMS	AMOUNT OF INSURANCE	DEDUCTIBLE
House	\$180,000	\$1,000 Wind or Hail - 2% of Total Insured Value

REMARKS (Including Special Conditions)

Policy Premium: \$1,920.13

Proper Insurance Services


FEIN: 47-1586857, Virginia Insurance Lic. #136878

Special Cause of Loss, Replacement Cost Valuation

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

ADDITIONAL INTEREST

NAME AND ADDRESS N/A	<input checked="" type="checkbox"/> MORTGAGEE	<input type="checkbox"/> ADDITIONAL INSURED
	<input type="checkbox"/> LOSS PAYEE	
	LOAN #	
AUTHORIZED REPRESENTATIVE 		

Elizabeth Harvey and Adam Gabbert
4312 Shoalwood Ave.
Austin, TX 78756

September 10, 2022

City of Alpine
309 West Sul Ross
Alpine, TX 79830

To Whom it May Concern,

We purchased our home at 308 N. 10th Street in December 2020. We have loved spending time in Alpine and getting to know the community and making friends and acquaintances here. Our plan is to move to Alpine full time once our daughter has finished school. We did not purchase our home with the intention of it being a Short-Term Rental (STR), but after some consideration it seems like a good solution to our personal needs and that it will have a positive impact on the neighborhood. We intend to use the proceeds from the rental income to landscape and improve our property, which should be of benefit to our neighbors. We hope that having a professional company manage our property will further improve it and ensure that any issues that arise are addressed promptly (and will help keep the weeds mowed during these very rainy periods!).

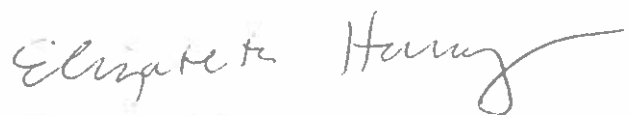
Our home is small, and we intend to rent to groups of four or under, and plan to market our home to small families who wish to explore the natural beauty of the area. We will prohibit any parties or gatherings, but it is unlikely anyone would rent a home our size with the intention of having one. We do not anticipate that the presence of short-term renters would be any different than when our small family is visiting the home and will provide not only the property manager's contact information but also ours to our neighbors should they have any concerns with guest behavior. We have ample off-street parking and will ask guests to park there and encourage them to walk to the many great locally owned businesses nearby.

We intend to be responsible and respectful owners of our short-term rental and would welcome any questions or concerns that you or neighbors might have. Thank you for your time and consideration.

Sincerely,



Adam Gabbert



Elizabeth Harvey

Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your social security number or your driver's license number.

GENERAL WARRANTY DEED

Effective Date December 12th 2020

Grantor GENE R. HENDRYX, JR. joined herein pro forma by his wife MARY CHRISTIE

Grantor's Mailing Address 129 Tiffany Ln
Eureka KS 67045-7160
Greenwood County Kansas

Grantee ADAM GABBERT and ELIZABETH HARVEY

Grantee's Mailing Address 4312 Shoalwood Ave
Austin, TX 78756-3215
Travis County Texas

Consideration Cash and other valuable Consideration

Property (including any improvements)

Being all of Lots Six (6) and Seven (7) in Block Twenty Nine (29) ORIGINAL TOWNSITE of
Alpine Brewster County Texas

Reservations from Conveyance

None

Exceptions to Conveyance and Warranty

Subject to validly existing easements and rights-of-way whether of record or not, and taxes for
2020, which have been prorated and adjusted in cash as of the date hereof, the payment of
which Grantee assumes

Grantor, for the Consideration and subject to the Exceptions to Conveyance and Warranty, grants, sells, and conveys
to Grantee the Property, together with all and singular the rights and appurtenances therein in any way belonging, to have and to
hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors
to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every
person whatsoever lawfully claiming or to claim the same or any part thereof, except as to the Exceptions to Conveyance and
Warranty.

When the context requires, singular nouns and pronouns include the plural

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.
THE SIGNATURE PAGE FOLLOWS

GENERAL WARRANTY DEED
 GENE R. HENDRYX JR et ux - Grantor
 ADAM GABBERT and ELIZABETH HARVEY - Grantees
 SIGNATURE PAGE

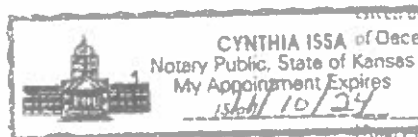
EXECUTED by Grantor on December 12, 2020 to be effective
 as of the Effective Date

Gene R. Hendryx Jr.
 GENE R. HENDRYX JR
Mary Christie
 MARY CHRISTIE

(Acknowledgment)

STATE OF KANSAS §
 COUNTY OF GREENWOOD §

Before me, a Notary Public in and for the State of Kansas, on this day personally appeared GENE R. HENDRYX and MARY CHRISTIE HENDRYX, proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and Consideration therein expressed.



Witnessed under my hand and seal of office this 12th day
 of December, 2020.

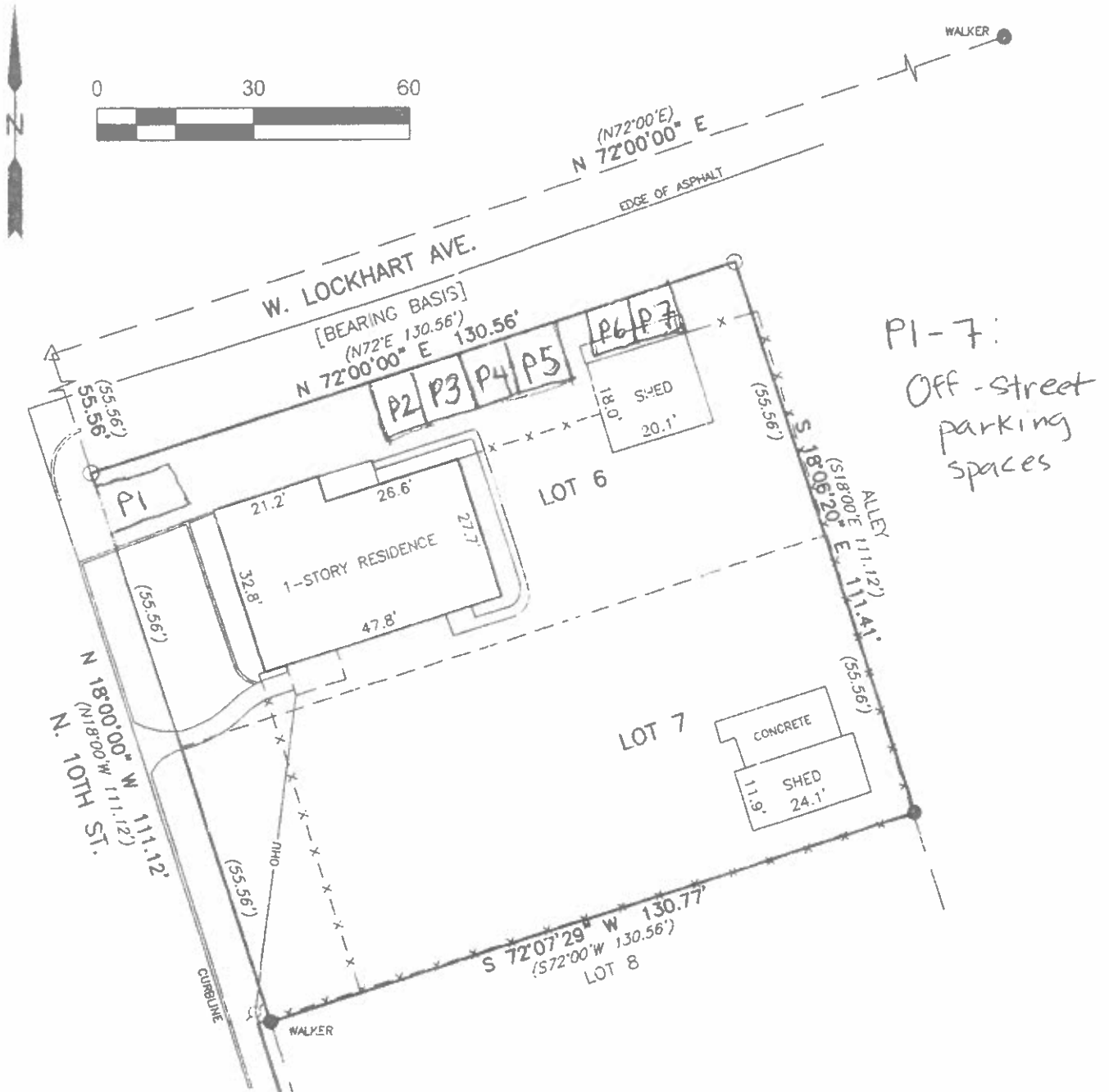
Cynthia Issa
 Notary Public, State of Kansas
 Cynthia Issa
 Notary's Name (Printed)
 11/10/24
 Date commission expires

AFTER RECORDING RETURN TO
 ELLISON ABSTRACT
 P.O. BOX 418
 ALPINE, TX 79831
 GFM 202011466

PREPARED IN THE LAW OFFICE OF
 JOSEPH P. JAMES
 ATTORNEY AT LAW
 P.O. BOX 2013
 FORT DAVIS, TX 79714

SURVEY PLAT

LOTS 6 AND 7, BLOCK 29, ORIGINAL TOWN OF ALPINE
 ENVELOPE 184, PLAT RECORDS OF BREWSTER COUNTY, TEXAS
 308 N. 10TH ST. ALPINE, TEXAS



AN EXHAUSTIVE SEARCH OF THE PUBLIC RECORD HAS NOT BEEN CONDUCTED. EASEMENTS NOT SHOWN HEREON MAY AFFECT THIS TRACT.

LEGEND

- IRON ROD FOUND
 - CAPPED 1/2 INCH IRON ROD SET [MUELLER]
 - UTILITY POLE
 - OHU — OVERHEAD UTILITY
 - x — FENCE
 - () RECORD INFORMATION
- BEARING BASIS: AS SHOWN



ACCORDING TO FEMA FIRM MAP PANEL 4800850002B, DATED 11/16/1990, THIS TRACT APPEARS TO LIE WITHIN ZONE X [AREAS OUTSIDE THE 500-YR FLOODPLAIN].

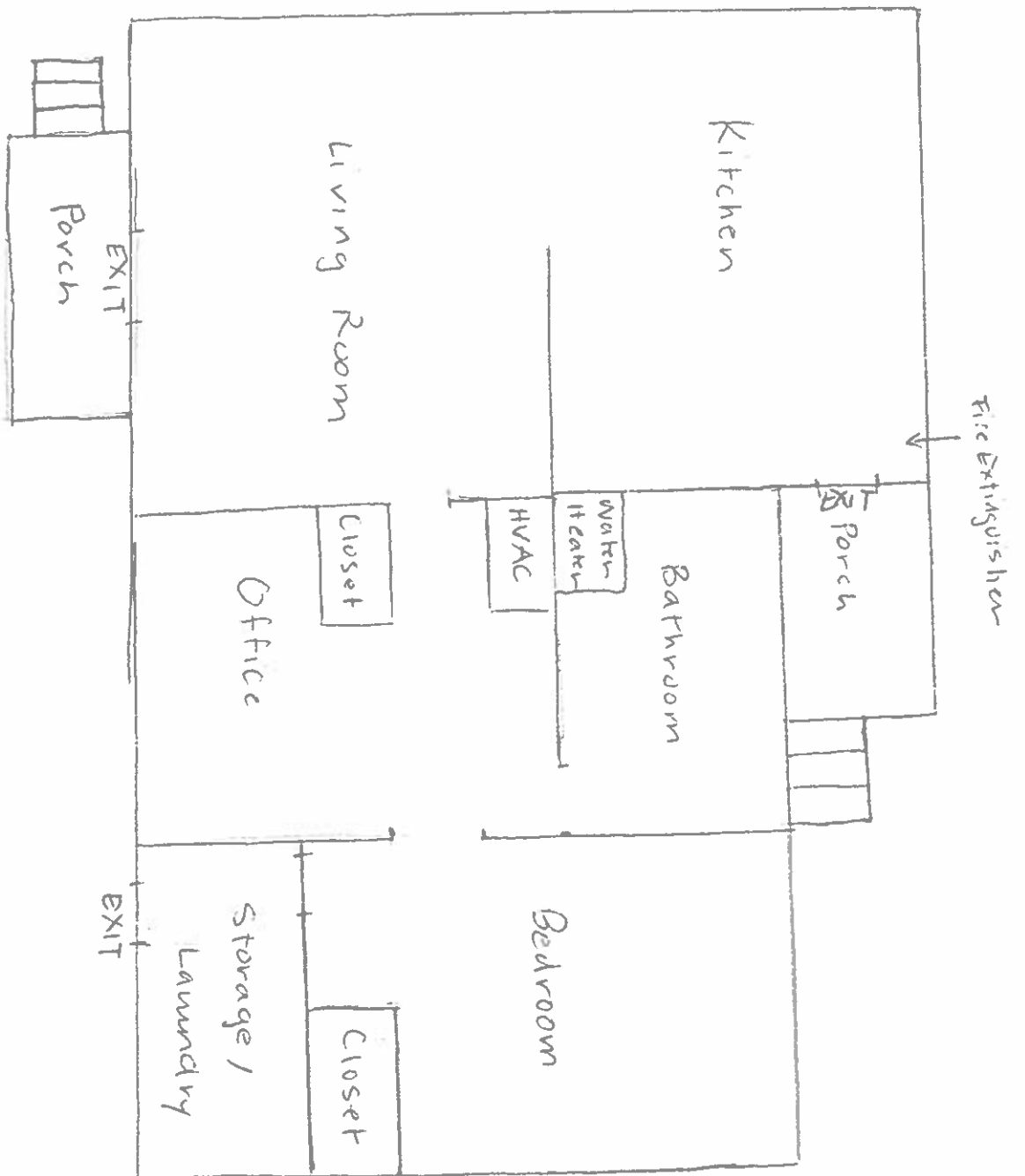
I HEREBY CERTIFY THAT THIS PLAT IS BASED ON AN ACTUAL ON THE GROUND SURVEY AND THAT THE LINES AND CORNERS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Kevin Mueller

12-21-2020

KEVIN MUELLER
 105 N. COCKRELL
 (432) 538-2115
 KEVIN.MUELLER@SAWTOOTHSURVEY.COM

SAW TOOTH SURVEY
 P.O. BOX 1751
 ALPINE, TX 79831



INFORMATION OR DISCUSSION OVERVIEW



8. Information or Discussion Items –

1. Parks and Recreation Board update by Chair of the Board, Darin Nance. (M. Antrim, City Manager)







PARK PRIORITIZATION AND MAINTENANCE

1. Preference to keep parks. The most maintained parks are also the most used.
 2. Options to lower maintenance & labor costs.
 - a. Standardized design specs and native plant list.
 - b. Capital projects such as site-wide irrigation systems.
 - c. Public and community partnerships such as Adopt-a-Tree
 3. Alpine Parks Makeup
 - a. Alpine has 12 parks with 35 total acres. Kokernot is 24 acres or about $\frac{2}{3}$ of all park acreage.
- 
- 





RENTAL FEES FOR CITY PARK ASSETS SUCH AS THE KOKERNOT PARK PAVILION

1. Next item for PRB review.
 - a. Look at other municipalities in Texas and compare our city park charges.
 - i. Currently charges \$25 per day for using the Kokernot Pavilion.
 - ii. Charges a rental fee for the Civic Center.
 - iii. Revenue from city pool fees.
 - b. Other opportunities to offset costs:
 - i. There is currently no cost for using sports fields such as the baseball and soccer areas. Other cities use facility lease agreements.
 - ii. Increase or create fees for certain uses or events?
- 
- 



UPDATE ON THE DOG PARK SHADE PROJECT

1. Received quotes from local companies. Cost of shade structure approximately 16' by 42' would be \$3,500-\$4,000.
 2. Items to finalize before moving forward.
 - a. Fundraising with the Alpine Humane Society
 - b. Verify structure design with the City of Alpine
 - c. Verify project schedule with the Alpine ISD welding department. This group will be providing labor on the project.
- 
- 

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. Approve the second and final reading of Ordinance 2022-10-03, an ordinance establishing Chapter 16 - Boards, Commissions, and Committees to the Alpine Code of Ordinances; Amending processes, procedures, guidelines, and requirements for City Boards, Commissions, and Committees. (M. Antrim, City Manager)
2. Approve Resolution 2022-11-01, a resolution approving a directive tasking the Animal Advisory Board with key City objectives for the Fiscal Year 2022-2023. (M. Antrim, City Manager)
3. Approve Resolution 2022-11-02, a resolution approving a directive tasking the Planning & Zoning Commission with key City objectives for the Fiscal Year 2022-2023. (M. Antrim, City Manager)
4. Approve Resolution 2022-11-03, a resolution approving a directive tasking the Parks & Recreation Board with key City objectives for the Fiscal Year 2022-2023. (M. Antrim, City Manager)
5. Approve Resolution 2022-11-04, a resolution adopting a new rental agreement and updated fee schedule for the Alpine Civic Center. (M. Antrim, City Manager)



CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
NOVEMBER 1, 2022

To: Honorable Mayor and City Council
Agenda Item: Action Item 1 – Ordinance 2022-10-03
Agenda Sponsor: M. Antrim, City Council
Memo Prepared By: Geoffrey R. Calderon, City Secretary

SYNOPSIS

Approve the second and final reading of Ordinance 2022-10-03, an ordinance establishing Chapter 16 - Boards, Commissions, and Committees to the Alpine Code of Ordinances; Amending processes, procedures, guidelines, and requirements for City Boards, Commissions, and Committees. (M. Antrim, City Manager)

BACKGROUND

1. The City Council held a workshop on January 11, 2022, to discuss Boards & Commissions.
2. A *Boards, Commissions, and Committees Handbook* was drafted to improve communication to new board members regarding their responsibilities and expectations and to improve and streamline requirements, rules, processes, and procedures.
3. An email was sent to City Council with the draft handbook on July 13, 2022, asking for feedback on the proposed handbook.
4. The feedback was received, and a discussion occurred on August 2 pertaining to changes or recommendations from the City Council.
5. An ordinance was drafted based on the proposed handbook and feedback. The proposed ordinance was sent to the City Attorney. The draft ordinance was sent to the City Council on August 31 requesting feedback. No feedback was received from the City Attorney or the City Council.
6. The proposed ordinance would delete the Alpine Advisory Board, would delete the Transportation Board, and would delete the Beautification and Environmental Board and combine it with the Parks and Recreation Board.
7. The City Council considered the first version of the proposed ordinance (2022-09-02) Boards, Commissions, and Committees ordinance on September 20, 2022. The Council voted to postpone the item due to feedback received from Brewster County residents/Airport stakeholders.

8. Feedback was requested from the City Council as to what individual members would prefer to do with the Airport Board and the Transportation Board. The majority of the feedback received was to keep the Airport Board and to delete the Transportation Board.
9. The proposed ordinance was amended to reflect the changes and sent to the City Council for review on September 23, 2022. No additional changes were requested by the packet deadline.
10. The City Council met on October 18, 2022 and approved the first reading of the proposed ordinance. The City Council unanimously voted to approve the first reading with the amendment of dissolving the Airport Advisory Board.
11. The updated version of the ordinance is included in this packet (Ordinance 2022-10-03).
12. Per the City Charter - if the ordinance is amended to any matter of substance, an additional reading and public hearing must be conducted before the ordinance may be fully adopted.
13. Once action is taken on the ordinance, the *Boards, Commissions, and Committees Handbook* will be updated and presented to Council for approval.
14. If approved, the *Boards, Commissions, and Committees Handbook* will be sent to each board member to communicate the changes, requirements, and guidelines for boards, commissions, and committees. The handbook will also be provided to any new and/or prospective board members going forward.

SUPPORTING MATERIALS

1. Ordinance 2022-10-03.

STAFF RECOMMENDATION

NONE.

ORDINANCE 2022-10-03

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS
ESTABLISHING CHAPTER 16 – BOARDS, COMMISSIONS, AND COMMITTEES TO THE
ALPINE CODE OF ORDINANCES; AMENDING PROCESSES, PROCEDURES, GUIDELINES,
AND REQUIREMENTS FOR CITY BOARDS, COMMISSIONS, AND COMMITTEES.**

WHEREAS, the City Council and City Administration have identified areas of concern in the processes, procedures, guidelines, and requirements for the current Boards, Commissions, and Committees, and have determined that the program should be re-established; and

WHEREAS, the City Council of the City of Alpine desires to adopt a cohesive, streamlined, and reorganized structure for City Boards, Commissions, and Committees; and

WHEREAS, several discussions have taken place during Council meetings to consider the vision of enhancing Boards, Commissions, and Committees, including a workshop held on January 11, 2022, where the Council, City Staff, and Board Members provided feedback; and

WHEREAS, based on the feedback received from the discussions, an ordinance and handbook were drafted to resolve areas of concern regarding City Boards, Commissions, and Committees; and

WHEREAS, it is deemed by the City Council to be in the best interest of the City to amend the current Boards, Commissions, and Committees ordinances to reflect the updated processes, procedures, requirements, and guidelines that will better align with the City's vision.

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

**SECTION I
FINDINGS OF FACT**

The Alpine Code of Ordinances is hereby amended to reflect the changes hereto attached as Exhibit "A." The premises attached as Exhibit "A" are found to be true and correct legislative and factual findings of the City Council of the City of Alpine and are hereby approved and incorporated herein as findings of fact.

**SECTION II
REPEAL OF ORDINANCE 2020-04-03**

Ordinance 2020-04-03, establishing the Transportation Vision Plan Committee is hereby repealed.

**SECTION III
INCLUSION IN THE CODE OF ORDINANCES**

The provisions of this ordinance shall become and be made a part of the Code of Ordinances of Alpine, Texas. The sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word. The codifier of the City is empowered to make amendments to match the style of the existing code.

**SECTION IV
CUMULATIVE CLAUSE**

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

**SECTION V
SEVERABILITY CLAUSE**

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

**SECTION VI
PROPER NOTICE AND MEETING**

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

**SECTION VII
EFFECTIVE DATE**

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

PASSED AND ADOPTED THIS 1ST DAY OF NOVEMBER 2022 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.

**INTRODUCTION AND FIRST READING
OCTOBER 18, 2022**

**SECOND AND FINAL READING
NOVEMBER 1, 2022**

APPROVED:

ATTEST:

Catherine Eaves, Mayor

Geoffrey R. Calderon, City Secretary

APPROVED AS TO FORM:

Rod Ponton, City Attorney

EXHIBIT “A”

EDITOR’S NOTE:

Additions are highlighted in Yellow and Underlined. Omissions appear in Red Strikethrough Text. Previous Editor’s notes and codification references are Italicized in Blue and will be retained by the codifier at the relevant provisions’ new location within the Code. Codification references added by the City are highlighted in blue.

Chapter 2 – Administration

ARTICLE III. RESERVED.

Secs. 2-176—2-225. Reserved.

~~ARTICLE III. BOARDS AND COMMISSIONS~~

~~DIVISION I. GENERALLY~~

~~Sec. 2-176. Advisory boards and committees.~~

- ~~(a) All new items or issues that are proposed must first meet the approval of the city council before ordinances and resolutions are developed.~~
- ~~(b) All proposed board actions must be presented and approved by the city council.~~
- ~~(c) No directive from an advisory board will be permitted.~~
- ~~(d) The boards shall follow protocol as set out by the city charter or personnel manual (city council city manager department head staff). The city engineer, agent and other agencies may not be contacted by board members without permission of the city council or city manager.~~
- ~~(e) Duties of the advisory boards are to advise, not to delegate or administer projects.~~
- ~~(f) The following language will be placed at the top of each Alpine Board Agenda—“Word of Caution—Any discussion or comments will be addressed to the Chairperson. There will be no personal attacks. That will not be acceptable. Should that happen, the meeting will stop and person or persons will be asked to leave the meeting. Action items voted on tonight will be going to the City Council for consideration.”~~
- ~~(g) Board members may be removed by the city council member who appointed them, or by the city council. If a member is absent for three consecutive meetings, it will be deemed that they have resigned, unless there is an approved excuse for such absences by the board and city council.~~

(Ord. No. 2010-06-04, 9-7-10)

~~Sec. 2-177. Membership; frequency of meetings; appointment of chairperson.~~

~~(a) Membership.~~

- ~~(1) Members of city advisory boards and commissions shall be appointed for a term of two years. The term of a member shall align and coincide with the term of the elected city official who appointed the member.~~
- ~~(2) Member shall reside in and/or own property in the City of Alpine as a taxpayer and be a qualified voter. Members of the airport advisory board may reside in Brewster County and shall be a taxpayer and qualified voter.~~

~~(b) Frequency of meetings. Advisory boards or commissions shall meet quarterly or more often.~~

~~(c) Appointment of chair. The chair for each board or commission shall be appointed by the city council.~~

(Ord. No. 2016-10-02, 11-1-2016)

~~Sees. 2-178—2-200. Reserved.~~

DIVISION II. PLANNING AND ZONING COMMISSION

~~Sec. 2-201. Created; membership; terms.~~

~~There is created and established for the city, being a home rule municipality, a planning and zoning commission which shall be composed of seven members, five of whom shall represent one of the five election wards of the city. Two members shall be selected from the city at large. The members shall be resident citizens, taxpayers and qualified voters of the city. The members shall be recommended by a councilmember representing each ward and shall be appointed by the mayor subject to confirmation by the city council. The members shall serve terms of two years, and the terms of members shall align and coincide with that of the recommending councilmember. All vacancies shall be filled for the unexpired term in the same manner as provided for original appointments. All expired terms shall be filled as provided for original appointments and in the same manner. Members of the commission may be removed by the mayor, with the consent of the city council, after being absent from three consecutive meetings without being excused by the mayor. The reason for an absence shall be reported to the mayor or city secretary before the meeting occurs and shall be recorded in the minutes of the scheduled meeting together with the mayor's decision on the absence. Members of the building and standards commission may not also be members of the planning and zoning commission. The members of the commission shall serve without compensation. The commission shall meet at least quarterly.~~

(Code 1978, § 2-121; Ord. No. 2012-03-01, § 1, 4-3-2012; Ord. No. 2016-10-02, 11-1-2016)

~~Sec. 2-202. Chairperson, vice-chairperson; majority.~~

~~The city council shall appoint a chairperson from the membership of the planning and zoning commission, and commission shall elect a vice chairperson from its membership. The administrative staff of the city shall serve as support staff for the commission and shall prepare all necessary applications, notices and documents for the commission to conduct its affairs in compliance with applicable state statutes. All seven members of the commission shall have a~~

~~vote. A majority of four members shall be necessary to hold a meeting and transact business before the commission.~~

~~(Code 1978, § 2-122; Ord. No. 2015-08-01, § 1, 9-1-2015; Ord. No. 2016-10-02, 11-1-2016)~~

~~Sec. 2-203. Powers and duties.~~

~~The planning and zoning commission shall exercise the powers and duties as prescribed by V.T.C.A., Local Government Code §§ 211.006 and 211.007.~~

~~(Code 1978, § 2-123)~~

~~Secs. 2-204—2-210. Reserved.~~

~~DIVISION 3. BEAUTIFICATION AND ENVIRONMENTAL COMMITTEE~~

~~Sec. 2-211. Establishment of committee.~~

~~A beautification and environmental committee shall consist of six members who are residents of the city and who shall be appointed, one by the mayor, and one appointment from each ward as determined by their respective city council representatives. The term of office shall be for two years and can be reappointed if city council representative desires to do so. The term of each member shall align and coincide with that of the appointing city official. Members of the committee shall reside and/or own property in the city as taxpayers and be qualified voters. The city council shall choose the chairperson of the committee. The members of the committee will appoint the recording secretary and will meet at least quarterly and will set their own bylaws and work plans concerning environmental issues within the City of Alpine. Members of the committee may be dismissed after missing three consecutive meetings.~~

~~(Ord. No. 2008-09-04, § 1, 9-16-08; Ord. No. 2016-10-02, 11-1-2016)~~

~~Sec. 2-212. Criteria for the committee.~~

- ~~(a) Review and evaluate conservation development and concerns.~~
- ~~(b) Inform and engage citizens in environmental issues.~~
- ~~(c) Develop and implement land protection techniques.~~
- ~~(d) Educate the public on issues relating to environmental concerns.~~
- ~~(e) Advise the city council and city staff on issues that are relevant to environmental concerns of the community.~~
- ~~(f) Promote preservation and conservation efforts within the community.~~
- ~~(g) Evaluate programs and issues that have an environmental impact to the community.~~
- ~~(h) Oversee planning of open space and development and smart growth issues.~~

~~(Ord. No. 2008-09-04, § 2, 9-16-08)~~

~~Secs. 2-213—2-225. Reserved.~~

Chapter 10 – Animals

ARTICLE VI. ANIMAL ADVISORY BOARD.

~~Sec. 10-222. Created.~~

~~An animal advisory board is created to provide recommendations and suggestions to the city council and city manager regarding the welfare of impounded animals.~~

~~(Ord. No. 2008-11-01, § 1, 1-6-09)~~

~~Sec. 10-223. Members.~~

~~The city council shall appoint eight members to the board. One member shall be an elected council member, one member shall be a licensed veterinarian, one member shall be a member of the Humane Society, and five members are not limited to specific wards and are not limited to residing within the city limits. Members must live within ten miles of the city limits and be passionate about the duties of the city advisory board. The animal control officer shall sit on the board as the ex-officio member. A member's term is two years and shall align and coincide with that of the appointing city official. The city council shall appoint a chairperson for the board, and the board shall select a vice chairman and recording secretary. The board will meet at least quarterly. Members missing three consecutive meetings may be dismissed.~~

~~(Ord. No. 2008-11-01, § 1, 1-6-09; Ord. No. 2010-02-01, 3-16-10; Ord. No. 2016-10-02, 11-1-16; Ord. No. 2021-02-01, § I(Exh. A), 3-2-21)~~

~~Sec. 10-224. Duties.~~

~~The duties of the board shall be:~~

- ~~(1) — Review and recommend procedures for the care and maintenance of the animal shelter facilities and impounded animals to issue compliance with state law; and~~
- ~~(2) — Periodically review the city's animal control ordinances with state law and make recommendations for revisions thereof.~~

~~(Ord. No. 2008-11-01, § 1, 1-6-09)~~

Chapter 14 – Aviation

ARTICLE I. IN GENERAL.

Sec. 14-1. General Powers of the City.

The city shall, when necessary, employ legal, technical or other skilled services; appropriate and authorize disbursements from the Alpine Municipal Airport Fund (hereinafter created); apply for, receive and accept from the United States of America and/or the state and its agencies, grants, deed of gift, transfers, releases and other benefits, and receipt therefor; withdraw and/or reject applications made to the United States of America and/or the state and its agencies for grants, deeds of gift, transfers, releases and other benefits; deal with, negotiate and enter into licensing agreements and other franchises from the United States of America and/or the state; enforce by

suit, or otherwise, in the name of the city, the payment of any monies due under any lease or contract, or for any charges, or by reason of the use made of any facilities, equipment or services, or for repairs or improvements to or storage or care of any personal property in connection with the operation of the municipal airport or the facilities thereof; designate and appoint members of any airport zoning board which may be created under the provisions of the laws of the state applicable to airport zoning; buy and sell materials and supplies as required in the operation and maintenance of the airport and airport facilities, and to sell or make other proper disposition of any materials, supplies or other items of personal property no longer required for the operation and maintenance of the airport and facilities, subject, however, to any restrictions upon the title to any such property.

(Code 1978, § 3-6)

~~Sec. 14-7. Construction of chapter to be consistent with state law.~~

~~No section of this chapter shall be construed to delegate to the Alpine Advisory Board any power not capable of being delegated under provisions of V.T.C.A., Transportation Code ch. 22, known as the Municipal Airports Act, and all powers delegated in this chapter, if any, shall be subject to any restrictions otherwise imposed by the laws of the state and the Charter of the city. The Alpine Advisory Board shall not have or exercise any power of eminent domain, or other powers not expressly provided in this chapter and only then by express authorization of the city council.~~

(Code 1978, § 3-13)

ARTICLE II. ALPINE ADVISORY BOARD.

~~Sec. 14-41. Definitions.~~

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~Board means the Alpine Advisory Board.~~

(Code 1978, § 3-1)

~~Sec. 14-42. Advisory board established; membership, appointment.~~

~~There is hereby established a board to be designated the "Alpine Advisory Board," for the purposes of advising the city in planning, development and operation of the municipal airport. The board shall consist of five members appointed annually by the city council and shall have duties as set out in this article.~~

(Code 1978, § 3-1)

~~Sec. 14-43. Qualifications of board members; compensation.~~

~~To be eligible to serve on the board, each member of the board shall be a resident citizen and/or own property as a taxpayer and be a qualified voter of Brewster County, Texas. All members of the board shall serve without compensation, but shall be entitled to reimbursement~~

~~for all expenses reasonably incurred by the members of the board in the performance of their duties as members of the board. Members of the board shall serve terms of two years which align and coincide with that of the appointing city official. Members missing three consecutive meetings may be dismissed from the board.~~

(Code 1978, § 3-2; Ord. No. 2009-07-02, 8-4-09; Ord. No. 2016-10-02, 11-1-16)

~~Sec. 14-44. Board officers; meetings; quorum; vote.~~

~~The city council shall appoint a chairperson and vice chairperson and shall also appoint a secretary who may be a member of the board. The members of the board shall meet at least quarterly at places of their choosing. A majority of the board shall constitute a quorum, and all actions taken by the board shall be upon a majority vote of those present at any meeting.~~

(Code 1978, § 3-3; Ord. No. 2016-10-02, 11-1-16)

~~Sec. 14-45. Advisory duties of board.~~

~~The board shall, from time to time, advise the city council on matters of planning, establishment, development, construction, enlargement, improvement, maintenance, equipment, operation, regulation, protection and policing of the municipal airport, and upon other matters in regard to which the council may, from time to time, seek such board's advice.~~

(Code 1978, § 3-4)

~~Sec. 14-46. Board authority to lease, charge rentals.~~

~~Under the city council's policy guidelines the board may rent or lease buildings, structures, facilities, spaces or privileges within the municipal airport for such periods and rentals and upon such terms and provisions as the council may direct, and charge for the use of the various facilities located within the municipal airport as the city council may direct and permit.~~

(Code 1978, § 3-5)

~~Sec. 14-47. Board may not bind city.~~

~~The board shall have no power to contract, and shall not contract, or in any manner undertake to contract, for or on behalf of the city. No undertaking, contract, action or inaction of the board, singly or collectively, or of anyone employed by or acting or holding under it, shall render the city liable to respond in damages or make indemnity or compensation of any character from any source. No contract, lease or agreement pertaining to the airport shall be valid unless it has been executed by the order of the city council.~~

(Code 1978, § 3-12)

Chapter 16 – Boards, Commissions, and Committees

ARTICLE I. IN GENERAL

Sec. 16-1. Advisory Boards, Commissions, and Committees.

- (a) The construction of authority and governance of all processes and procedures concerning boards, commissions, and committees shall be:
 - (1) the United States Constitution and statutes of the United States of America.
 - (2) the Texas Constitution and statutes of the State of Texas.
 - (3) the City Charter of Alpine, Texas.
 - (4) the Code of Ordinances of the City of Alpine, Texas.
 - (5) resolutions of the City Council of the City of Alpine, Texas.
 - (6) the Boards, Commissions, and Committees handbook established by City Council resolution.
- (b) The City Council shall provide directives to all boards, commissions, and committees at least annually by City Council resolution. Directives of the City Council shall provide assignments, objectives, and tasks that boards, commissions, and committees should focus on throughout the year. Directives shall provide insight as to matters of importance to the Council upon which the City Council desires to be advised.
- (c) All proposed board actions must be presented to and approved by the City Council. No directive from a board, commission, or committee will be permitted.
- (e) It shall be the duty of the City Manager to place all official recommendations from a board, commission, or committee on a City Council agenda for consideration.
- (f) Duties of the advisory boards are to advise, not delegate, or administer projects. Boards may only administer projects with explicit authorization from the City Council.
- (g) Board members may not contact City staff without the permission of the City Council or the City Manager. This provision excludes the City Secretary and designated City representatives of a board, commission, or committee.
- (h) The Chairperson or designee of a board, commission, or committee, shall provide reports to the City Council at an open meeting at least quarterly. This provision does not include the Hotel Occupancy Tax Committee and the Music Advisory Board, who may provide annual updates to the City Council.

- (i) Boards, Commissions, and Committees shall have no power to contract for, or on behalf of, the City. No contract, lease, or agreement shall be valid unless it has been executed by the order of the City Council.
- (j) Board members may be removed by the City Council member who appointed them, or by a majority vote of the City Council. If a board member is absent for three consecutive meetings, it will be deemed that they have resigned.
- (k) The City Council may, as deemed necessary from time to time, establish temporary ad-hoc committees, task forces, or other temporary special committees by city council resolution. Any permanent or long-term boards, commissions, or committees must be established by ordinance.
- (l) City employees may not be appointed to an official City Council board, commission, or committee. This provision does not apply to ad-hoc committees, task forces, the grievance committee, or other temporary special committees established by the City Council. This provision does not apply to City employee appointments that are established by ordinance.

Sec. 16-2. Meetings Shall be Public.

Boards, commissions, and committees shall follow both the letter and the spirit of V.T.C.A., Government Code Ch. 551 (the Texas Open Meetings Act). Accordingly, meetings shall be public, and all boards, commissions, and committees shall adhere to requirements established by the Texas Open Meetings Act.

Sec. 16-3. Types of Meetings.

(a) Regular Meetings. Regular board meetings shall be held on the same date and time of each month at 5:30 P.M. in City Council Chambers at 803 W. Holland Avenue, or at such other location as circumstances may necessitate. The location of the meeting shall be clearly delineated on the board agenda. Meetings held at a location other than the City Council Chambers should be exceedingly rare and of a clearly significant nature. Approval by the City Secretary and the posting of proper notice may change the location or time, or part, or all of any meeting.

(b) Workshop Meetings. A workshop is a meeting to discuss or explore matters of interest to a Board. Workshops are typically held to hold a discussion regarding specific subject matters, and/or to invite feedback from the public on any given topic. These meetings are informational and no formal action shall be taken unless the posted agenda indicates otherwise. The Chair of the Board may allow any citizen to participate in the discussion at a work session, but only as recognized by the Chair. The Chair may end citizen participation in a work session in order to allow the board, commission, or committee to proceed with the discussion.

(c) Special Meetings or Town Hall Meetings. Special meetings may be called by the City Secretary upon written request of (3) members of a board and with the approval of the City Secretary. Special meetings should be exceedingly rare and of a clearly significant or urgent nature. For approved special meetings, the City Secretary shall cause the posting of notice of the meeting as governed by applicable law. Special meetings shall normally be held at 5:30 P.M. in City Council Chambers located at 803 W. Holland Avenue. An alternate location other than the

City Council Chambers may be designated subject to the approval of the City Secretary under extenuating circumstances as long as the location is open to the public, proper notice is posted, and the meeting is in compliance with applicable law.

(d) Closed Meeting or Executive Session. The Texas Open Meetings Act (TOMA), does allow for closed or executive meetings on a few limited subjects. Generally, boards will not have the occasion or legal basis to meet in closed or executive sessions. A closed meeting may only occur with the approval of the City Secretary and the City Manager with the advice and consent of the City Attorney. Approved closed meetings for boards, commissions, and committees will be conducted in accordance with the Texas Open Meetings Act.

Sec. 16-4. Role of the Chairperson.

(a) The function of the chairperson (Chair) is to provide leadership for the group by presiding over the group's meetings. The Chair is selected by a majority vote of the board, commission, or committee. The Chair has additional duties and responsibilities which must be performed.

(b) The Chair ensures the smooth operation of the board, commission, or committee and must make certain that the meeting is run by the rules but democratic enough to use the power and authority of the position wisely. The Chair's ability to effectively manage meetings will have a significant impact on the group's success. An effective Chair must make certain that discussions remain focused and do not get sidetracked on irrelevant issues.

Sec. 16-5. Role of other officers.

(a) A Vice-Chair may be selected by a majority vote of the board, commission, or committee members, and the role of the Vice-Chair is to preside in the absence of the Chair. The Vice-Chair will typically have increased responsibility which may include serving as the Secretary of the Board. In case both the Chair and the Vice-Chair are absent from a meeting, the remaining membership may appoint an Acting Chair to preside over the meeting.

(b) If the Chair fails or refuses to act, the Vice-Chair shall perform the duties of the Chair. Other officers and duties may be determined by the respective board, commission, or committee.

Sec. 16-6. Records of Meetings.

(a) The Chair, the Vice-Chair, or the Chair designee shall keep written minutes of all Board meetings. All board meetings shall be recorded. Minutes and video recordings of meetings shall be public documents available for inspection by citizens. Minutes are only official upon approval of the Board. Unapproved minutes may be released at the discretion of the City Secretary, but shall be clearly marked as "Unapproved and Unofficial." The official minutes of Boards should not include discussion or everything that was said at the meeting, but at a minimum shall include:

- (1) Action taken by the Board.
- (2) The text of all main motions, as amended.

- (3) The text of all "points of order" and "appeals" along with the reason given by the Chair, Vice-Chair, or Acting Chair for the ruling.
 - (4) The results of the vote as to whether the motion was "adopted," "lost," or "failed."
 - (5) A record of the Board Member who made the motion, the Board Member who seconded the motion, any Board Member who moves to amend the main motion, and how each Board Member voted on the item.
 - (6) A Board Member may request, through the Chair, the privilege of having an abstract of his/her statement on any subject under consideration by the board, commission, or committee entered in the minutes. If the board consents thereto by a majority vote, such statement shall be entered in the minutes.
 - (7) The board may, by majority vote, request to add or amend minutes as the board deems appropriate.
- (b) Record of board Agenda Packets will be assembled and maintained by the City Secretary, or City Secretary designee, and delivered to the board members electronically prior to the Board meeting.

Sec. 16-7 – 16-30. Reserved.

ARTICLE II. RULES OF PROCEDURE.

Sec. 16-31. Quorum.

The Chair shall, with three of the board members, constitute a quorum. In the absence of the Chair, any four of the Board Members shall constitute a quorum. At any meeting at which both the Chair and Vice-Chair are absent, the quorum may appoint any board member to preside as acting Chair. Vacancies on a board do not reduce the number of members necessary to establish a quorum.

Sec. 16-32. Parliamentary Procedure.

- (a) *General Procedure.* General rules of parliamentary procedure as defined herein, consistent with the City Charter and any applicable City Ordinance, statute, or other legal requirements, shall govern the proceedings of boards, commissions, or committees (boards). To the extent not inconsistent with these rules, boards shall utilize Robert's Rules of Order as a general guideline for additional rules of parliamentary procedure without being a procedural requirement. Notwithstanding the above, failure to abide by, or adhere to, these rules shall not nullify or negate any action by a board. These rules of parliamentary procedure are intended solely as a guideline.
- (b) *Duties of the Presiding Officer.* The Presiding Officer of a board shall be the Chair. The Chair shall preserve strict order and decorum at all meetings of the board. The Chair shall state every question coming before the board, announce the decision of the board on all subjects and decide all questions of order, subject, however, to an appeal to the board, in

which event a majority vote of the board shall govern and conclusively determine such question of order. The Chair shall sign all official documents adopted by the board in their presence. In the event of the absence of the Chair, the Vice-Chair or Acting Chair shall sign documents as adopted, respectively.

(1) The Chair shall preside with fairness, impartiality, and maintain absolute neutrality by posture, demeanor, action, and language during all meetings. The Chair, Vice-Chair, Acting Chair, or any board member shall not:

(I) Restrict orderly speech, in any way, of any board member or City staff presentation of any item.

(II) Restrict orderly speech, in any way, of any board member or City staff discussion of any item.

(d) *Board Deliberations.* The Chair has the responsibility to control the discussion and the order of speakers. Board members will generally be called upon in the order of the request to speak, although the privilege to speak shall generally begin with the moving party or individual who sponsored the item on the agenda, respectively. A board member may not be recognized to speak subsequently until each board member has had an opportunity to obtain the floor. A board member holding the floor may address a question to another board member and that board member may, should they so choose, respond to the question while the floor is still held by the board member asking the question.

(e) *Limits to Deliberations.* After an agenda item is announced or read by the Chair, or the individual who sponsored the item on the agenda, a motion must be on the table and seconded before discussion may take place. The ensuing discussion must be limited to the subject matter or motion currently being considered.

(f) *Obtaining the Floor.* Any member of the board wishing to speak shall first obtain the floor by making a request for the floor to the Chair. The Chair shall recognize any board member who seeks the floor when appropriately entitled to do so.

(g) *Motions.* Motions may be made and seconded by any member of the board.

(h) *Procedures for Motions.* The following is the general procedure for making motions:

(1) The item is announced or read aloud by the Chair or the individual who sponsored the item on the agenda.

(2) A board member may make an affirmative motion on the item before discussion may take place.

(3) A board member may second the motion on the item before discussion may take place.

(4) Once the motion has been properly made and seconded, the Chair shall open the matter for further discussion offering the first opportunity to the moving party, and thereafter, to any board member recognized by the Chair.

(i) *Amendments to Motions.* When a motion is on the floor and an amendment is offered, the amendment shall be acted upon prior to acting on the main motion. No motion of a subject other than the agenda item under consideration shall be admitted as an amendment. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be in order. Action shall be taken on the amendments in reverse order

of how they were made. If an amendment is approved, the original motion must be approved as amended. Amendments must be seconded.

- (j) *Motion to Table.* A motion to Table, or a motion to lay on the table, may be made to defer an item until the next meeting. Tabled items will automatically be added to the next board agenda.
- (k) *Motion to Postpone, Motion to Postpone Indefinitely.* A motion to postpone until a specific date may be made if a board member wishes to postpone an item until a specific date. A motion to postpone indefinitely may be made if a board member wishes to postpone an item indefinitely. A motion to postpone may not be offered as an amendment but as a standalone subsidiary motion that would kill the original motion without having to vote on the original motion.
- (l) *Points of Order.* The Chair, a board member, or City staff may call a point of order to facilitate the running of the meeting but shall not utilize a point of order to limit constructive feedback or debate pertaining to the discussion.
- (m) *Call for the Question, Previous Question, Calling for a Vote.* Any board member may Call for the Question to request that the discussion be ended and that the item being considered be immediately put to a vote. A second is required, and the motion is not debatable. A Call for the Question shall not be used to limit constructive feedback or debate pertaining to the discussion.
- (n) *Continuance of Discussion or Hearings.* Any item being discussed or any public hearing at a board meeting may be continued or tabled to any subsequent meeting by order, notice, or motion. Tabling or continuing the item will not stop the consideration of the item by the board.
- (o) *Recess.* The Chair may call for a recess of up to fifteen (15) minutes at regular intervals at appropriate points in the meeting agenda, subject to appeal and reversal by a majority vote of the board.

Sec. 16-33. Agenda.

- (a) By written request, the Chair, the City Manager, the City Secretary, or any member of the Board may place an item on a board agenda. In addition, designated City staff representatives and Department Heads may add items to a board agenda.
- (b) The written request to add an agenda item shall include a clear description of the proposed action by the board (in the form of a proposed motion) or shall clearly state the item is for discussion purposes only, and shall be of sufficient detail to allow staff to contribute background information on the topic, and shall be easily understandable so that any citizen may be able to understand the substance of the item.
- (c) All action items should originate as an information or discussion item before being presented as an action item so that thoughtful input can be provided by board members before an official action item may be presented to the board. This rule excludes items that are routine and administrative in nature, such as periodic permit approvals and other procedural items. Any deviation from this rule should be exceedingly rare, should be of a clearly significant nature, and will be subject to approval by the City Secretary.
- (d) Agenda requests and backup documentation shall be filed with the Chair by 5:00 p.m., 7 (seven) days prior to the board meeting (and a commensurate period for special meetings).

- (e) The agenda and backup documentation must be sent by the Chair to the City Secretary by 5:00 p.m. 6 (six) days prior to the meeting. Deviations from the deadlines or the submission of additional items past the established deadlines or once the agenda has been posted should be exceedingly rare, should be of a clearly significant nature, and will be subjected to approval by the City Secretary.
- (f) The Chair will coordinate the placement and content of items on the agenda and agenda items may be removed only by the person(s) who initially placed that item on the agenda.
- (g) Drafts of proposed resolutions, ordinance changes, and other items requiring review should be submitted to the City Secretary or City Staff in a manner timely enough to allow for the proper review of the material. City Staff should be given adequate time to produce proposed ordinance changes or other documents.

Sec. 16-34. Rules for Attendance at Regular Meetings of Boards, Commissions, or Committees.

- (a) All board, commission, or committee members are expected to attend meetings to ensure the community is well represented. Attendance is extremely important to the board, commission, or committee.
- (b) Any board member who misses three (3) consecutive meetings or one-third (1/3) of all regular meetings within a 12-month time period shall be deemed to have automatically vacated his or her position on the board.
- (c) A board member who will not be able to attend a regular board meeting shall make a reasonable effort to notify the Chair or the Office of the City Secretary prior to the meeting and shall indicate the reason for their inability to attend.

Sec. 16-35. Voting.

- (a) All board members, including the Chair of the Board, shall generally have the privilege of voting, except when the approved board, commission, or committee guidelines dictate otherwise. No member or board officer shall have the power of veto.
- (b) Before a vote is taken on any item, the Chair shall restate the motion to ensure that the matter being considered is clearly understood prior to being voted on by the board.
- (c) When a vote is called, every board member present shall vote either "Aye" or "Nay" or shall abstain. In order to ensure clarity about the position of each board member during a vote, the Chair shall ask for a positive statement for those in favor of a motion by stating "Aye" or raising of their hand, those not in favor of a motion by stating "Nay" or raising of their hand, and those who abstain from voting by stating "Abstain" or raising of their hand.
- (d) *Silence Constitutes Affirmative Vote.* Unless a board member states that they are not voting, or that they abstain, their silence shall be recorded as an affirmative vote.
- (e) On the request of the Chair, a City staff member, or a board member, a roll call vote shall be taken. After the result of a vote is announced, a board member may not change a vote unless, before the adjournment of that meeting, permission is given to change the vote by a majority vote of the members present before the adjournment of the meeting.

Sec. 16-36. Order of Business.

- (a) The order of business for board meetings is listed below, and all items shall be listed on all regular or special meeting agendas, even if not needed for a given meeting. An informational page of the agenda explaining meeting information, processes, and procedures may be established and amended from time to time by City Council resolution.

AGENDA

1. Call to Order.
2. Determination of quorum.
3. Public Comments (limited to 3 minutes per person).
5. Approval of Minutes of the previous meeting.
4. Public Hearings.
6. Information or Discussion items.
7. Action Items.
8. Board Member Comments.
9. Adjourn.

Sec. 16-37 – 16-60. Reserved.

ARTICLE III. RULES OF DECORUM.

Sec. 16-61. Decorum.

- (a) *By Board Members.* While the board is in session, board members must preserve order and decorum. A board member shall neither, by conversation or otherwise, delay nor interrupt the proceedings or the peace of the board nor disturb any member while speaking nor refuse to obey the orders of the board or its Chair, except as otherwise herein provided.
- (b) *By Attendees.* Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the board shall immediately be subject to loss of speaking privileges by the Chair unless permission to continue is granted by a majority vote of the board.
- (1) Reactions from the audience following the recognition and rewarding of citizens and special guests is considered appropriate and encouraged. Disruptive verbal and/or non-verbal reactions from the audience during staff presentations to the board and during debate between board members are inappropriate and are not permitted. The Chair will ensure that the decorum of the meeting is maintained and is appropriate.

- (2) It is not the intention of the City to provide a public forum for demeaning any individual or group. Neither is it the intention of the board to allow a member or members of the public to insult the honesty and/or integrity of the board as a body, the proceedings of the board, or any member or members of the board, individually or collectively. Therefore, the Chair and board will endeavor to ensure that meetings are conducted in a courteous manner, and in an atmosphere free of defamation, intimidation, personal affronts, profanity, or threats of violence.
- (3) Members of the public shall not engage in any of the following in the meeting room during a board meeting:
- (I) Shouting, unruly behavior, distracting side conversations or speaking out when another person is talking.
 - (II) Defamation, intimidation, personal affronts, profanity, or threats of violence.
 - (III) Use of phones, pagers, radios, computers, or other electronic equipment – except as authorized by State law. The Chair may authorize the use of equipment on a case-by-case basis, subject to appeal and/or reversal by a majority vote of the board.
 - (IV) Booing, hissing, foot-stomping, ripping of paper, parading, signing, or other similar behavior that impedes or disrupts the orderly conduct of the meeting.
- (4) Members of the public shall not attempt to provide direction regarding rules of procedure, order of business, or otherwise direct the board on how to conduct a meeting properly. The Chair and the board are the formal authority to determine what is or is not: in order, out of order, or the correct way to conduct the board's business. The Chair, any board member, and City staff are the only individuals permitted to call a point of order or make recommendations on how a meeting will be conducted. Outbursts and shouts to direct the meeting are unacceptable and will not be tolerated.
- (5) No offensive, vulgar, or distracting placards, banners, signs, or apparel shall be permitted to be erected or displayed by persons in attendance in City Council Chambers or in any other room in which the board is holding a meeting. Exhibits, displays, and visual aids used in connection with presentations to the board are permitted.

Sec. 16-62. Enforcement of Decorum.

- (a) Disturbances, transgressions of the rules, or disorderly conduct in the City Council Chambers may cause the transgressor to be removed from the meeting. The Chair of the meeting shall exercise control over persons who disrupt the meeting in the following ascending order of action:

- (1) Call the person to order, advising that person of the infraction.
 - (2) Advise the person that the infraction must cease immediately or the person will be ordered to leave the meeting.
 - (3) Order the person to leave the meeting. If the offending person is a member of board, the Chair shall call for a vote on the expulsion of that member from the meeting, with such vote requiring a majority for adoption.
 - (4) A police officer may remove an individual or individuals for disrupting a meeting as authorized by Texas Penal Code Section 42.05.
- (b) Upon instructions of the Chair unless otherwise directed by a majority vote of the board, it shall be the duty of the Alpine Police Department to remove any person who violates the order and decorum of the meeting.

Sec. 16-63. Audience Participation.

- (a) At meetings of boards, commissions, and committees, the business of Alpine is conducted between the members of the board and by those members of the staff, elected officials, department heads, consultants, experts and/or members of the public requested to be present and participate. While the public is invited and encouraged to attend all meetings of boards, commissions, and committees, the public's participation therein is to be governed by the following:
- (1) Audience participation is limited to the role of observers except during the Public Comment portion of the meeting, the Public Hearing portion of the meeting, or at other times that the Chair of the board deems appropriate.
 - (2) Members of the public in attendance at any Regular, Special, Emergency, and/or Workshop Meeting of a board, commission, or committee shall conduct themselves with proper respect and decorum in speaking to and/or addressing the board, in participating in public discussions before the board, and in all actions in the presence of the board. Members of the public speaking during comment periods or invited to speak shall remain behind the podium while speaking. Attendees must be physically present at a meeting to address the board. Comments by proxy are not allowed.
 - (3) Board members shall not have discussions during the Public Comment and Public Hearing portions of the agenda, nor take any action thereon other than to refer the item to City staff for research and possible future action.
 - (4) It is the intention of the City to provide open access to the resident and affected persons of Alpine to address boards, commissions, and committees, and express themselves on issues under consideration by the board. In accordance with such, members of the public in attendance at board meetings must be respectful of individuals making public comments before, during, and after such comments are made.

- (5) Persons may present printed material, subject to approval by the City Secretary, to be included in the board agenda packets one week prior to a meeting. Persons may present printed material to the City Secretary to distribute to the board, commission, or committee during a meeting, subject to the same approval and deadline.

Sec. 16-64. Addressing the Board, Commission, or Committee.

- (a) *Public Comments.* Any city taxpayer or resident may make a public comment during the public comments portion of a meeting. Members of the public that live outside of the City limits of Alpine may make comments at the discretion of the Chair if time permits. Individuals must be physically present to address the Board. Comments by proxy are not allowed.
 - (1) Each person addressing the board shall raise their hand to notify the Chair that they would like to speak. Once acknowledged by the Chair, the person shall step up to the podium and shall give their name and ward for the record, and, unless further time is granted by the board, shall limit their address to three (3) minutes. Unused public comment time may not be “designated” or “yielded” to other attendees. All remarks shall be addressed to the board as a body and not to any member thereof.
 - (2) Persons wishing to address the board on more than one agenda item or topic in a single meeting must speak on all such agenda items or topics during their 3-minute presentation. Additional time is not given for additional items (however, emailing, writing, or visiting with board members and City Staff outside of meetings is, of course, unlimited). This requirement does not restrict anyone from also speaking at any public hearing (see additional information below).
- (b) *Public Hearings.* Public hearings provide municipal residents and affected parties an opportunity to be heard, typically on certain land use items.
 - (1) Only comments regarding a Public Hearing agenda item may be made during the Public Hearing portion of the meeting. Each person who wishes to address the board during the Public Hearing portion of the meeting must be in attendance physically and shall raise their hand to notify the Chair that they would like to speak. Once acknowledged by the Chair, the person shall step up to the podium and shall give their name and ward for the record. Unless the Chair grants further time, the person addressing the Council shall limit their address to three (3) minutes. Individuals must be physically present to address the board. Comments by proxy are not allowed.

Sec. 16-65 – 16-130. Reserved.

ARTICLE IV. ANIMAL ADVISORY BOARD.

Sec. 16-131. Created.

An animal advisory board is created to provide recommendations and suggestions to the city council and city manager regarding the welfare of impounded animals and the welfare of animals within the City limits of Alpine, Texas.

(Ord. No. 2008-11-01, § 1, 1-6-09)

Sec. 16-132. Purpose.

The purpose of the Animal Advisory Board is to provide recommendations and suggestions to the City Council regarding the welfare of animals within the City.

Sec. 16-133. Duties.

The animal advisory board shall hold public meetings, conduct work sessions, and make recommendations to the City Council regarding the welfare of animals within the City, the welfare of animals in the Alpine Animal Shelter, and policy decisions that affect the health and safety of animals and residents within the City. The board may, from time to time advise the City Council upon other matters in regard to which the Council may seek such board's advice.

Sec. 16-134. Composition of the Board.

The board shall be comprised of seven (7) Brewster County registered voters who have a vested interest in the health and safety of animals within the City. One (1) member shall be a licensed veterinarian, and one (1) member shall be a representative of the Alpine Humane Society. A minimum of three (3) members shall be resident, qualified voters of the City. One (1) City Council Member and the Head Animal Control Officer/Animal Services Supervisor shall serve the board in an ex officio capacity and shall not have the privilege of voting on matters before the board.

Sec. 16-135. Appointment of Board Members, Vacancies.

Each member of the City Council and the Mayor shall present their nominations for board members before the second regular City Council meeting in June, following their election to office. At the same meeting in June, the City Council shall consider those nominations for appointment. Once appointed by a majority vote of the City Council, the appointed board member shall serve until their successor is appointed. Each board member shall be eligible for reappointment. Reappointments can be made to each position by the original appointer or by the person who holds the position of the original appointer. Vacancies may be filled at any time by a member of the City Council or the Mayor, subject to confirmation by a majority vote of the City Council. Members shall serve without compensation.

Sec. 16-136. Placement.

Each board member will be designated by "Place" on the board:

Place 1: Appointed by Council Member Ward 1, subject to City Council confirmation.

Place 2: Appointed by Council Member Ward 2, subject to City Council confirmation.

Place 3: Appointed by Council Member Ward 3, subject to City Council confirmation.

Place 4: Appointed by Council Member Ward 4, subject to City Council confirmation.

Place 5: Appointed by Council Member Ward 5, subject to City Council confirmation.

Place 6: Licensed Veterinarian: Appointed by any Council Member or the Mayor, subject to City Council confirmation.

Place 7: Alpine Humane Society Representative: Appointed by any Council Member or the Mayor, subject to City Council confirmation.

Ex officio: City Council Member: Appointed by Majority vote of the City Council.

Ex officio: Head Animal Control Officer/Animal Services Supervisor.

Sec. 16-137. Terms of Board Members.

The term of each board member shall be two (2) years, from July 1st to June 30th, aligning closely with the term of the elected official who appointed the member. Members may serve for a limit of three (3) consecutive terms, except the licensed veterinarian whose position has no term limit. Any person who has served on the board during three (3) consecutive terms will be ineligible to occupy any position on the board for a period of two (2) years. A partial term of less than one (1) year will not count in determining the number of consecutive terms. Any person who has not served on the board during the previous two consecutive years shall be eligible to serve under the same conditions as and with no more restrictions than a person who has never served on the board.

Sec. 16-138. Removal of Board Members.

Board members serve at the pleasure of the city council. Board members may be removed by the original appointer or by the person who holds the position of the original appointer. The city council may, by majority vote, remove a board member at any time for lack of confidence, incompetence, corruption, misconduct, or malfeasance. Any board member who misses three (3) consecutive meetings or one-third (1/3) of all regular meetings within a 12-month time period shall be deemed to have automatically vacated his or her position on the board. Any board

member who no longer resides within the boundaries as provided above is deemed to have automatically vacated his or her position on the board.

Sec. 16-139. Board Officers.

The Board shall appoint the Chairperson (Chair) of the Board by majority vote. From among its members, the Board may also elect a Vice-Chairperson (Vice-Chair), and a Secretary. Officers shall be elected for a two (2) year term. The Chair of the Board shall preside over all meetings and may vote. If the chairperson fails or refuses to act, the Vice-Chair shall perform the duties of the Chair. If the Chair and Vice-Chair are absent or refuse to act, any board member may be appointed as Acting Chair by the board to preside over the meeting.

Sec. 16-140. City Representative.

The head Animal Control Officer / Animal Services Supervisor is the official City representative for the AAB. The City representative will attend all meetings of the Board, assist Board members with questions regarding the department, processes, procedures, and communicate issues or areas of concern to the Board. The City representative will serve as an ex officio member of the board and shall not have the privilege of voting.

Sec. 16-141. Board Meetings.

The Animal Advisory Board meets on the second Tuesday of each month at 6:00 p.m. in City Council Chambers located at 803 West Holland Avenue. A quorum of four (4) members must be physically present in order to transact business. The Animal Advisory Board must meet at least quarterly.

Sec. 16-142– 16-170. Reserved.

ARTICLE V. HOTEL OCCUPANCY TAX COMMITTEE.

Sec. 16-171. Created.

There is created and established for the City, being a home rule municipality, a hotel occupancy tax advisory committee.

(Ord. No. 2020-02-02, § 1(E)(sh. A), 2-18-20)

Sec. 16-172 Purpose.

The purpose of the Hotel Occupancy Tax Committee (hereafter, the “HOT Committee”) shall be to receive suggestions, study situations, plans, and projects, and generally to act in an advisory capacity to such extent as the City Council may desire to be advised relative to hotel occupancy tax funds of the City.

Sec. 16-173.Duties.

The HOT Committee shall hold public meetings, conduct work sessions, and make recommendations to the City Council regarding the expenditure of hotel occupancy tax funds. The board may, from time to time, advise the City Council upon other matters in regard to which the Council may seek such board's advice.

Sec. 16-174. Composition of the Board.

The board shall be comprised of seven (7) Brewster County registered voters. A minimum of five (5) members shall be qualified, resident voters of the City. Two (2) members shall come from hotels, three (3) members shall come from the arts or historic preservation, and two (2) members, aged 18 years of age or older, will serve at large. One (1) City Council Member and the Director of Tourism shall serve the board in an ex officio capacity and shall not have the privilege of voting. The Director of Tourism may only vote to break a tie.

Sec. 16-175. Appointment of Board Members, Vacancies.

Each member of the City Council and the Mayor shall present their nominations for board members before the second regular City Council meeting in June, following their election to office. At the same meeting in June, the City Council shall consider those nominations for appointment. Once appointed by a majority vote of City Council, the appointed board member shall serve until their successor is appointed. Each board member shall be eligible for reappointment. Reappointments can be made to each position by the original appointer, or the person who holds the position of the original appointer. Vacancies may be filled at any time by a member of the City Council or the Mayor, subject to confirmation by a majority vote of the City Council. Board members shall serve without compensation.

Sec. 16-176. Placement.

Each board member will be designated by "Place" on the board:

Place 1: Hotelier: Appointed by any Council Member or the Mayor, subject to City Council confirmation.

Place 2: Hotelier: Appointed by any Council Member or the Mayor, subject to City Council confirmation.

Place 3: Arts & Historic Preservation: Appointed by any Council Member or the Mayor, subject to City Council confirmation.

Place 4: Arts & Historic Preservation: Appointed by any Council Member or the Mayor, subject to City Council confirmation.

Place 5: Arts & Historic Preservation: Appointed by any Council Member or the Mayor, subject to City Council confirmation.

Place 6: At-Large: Appointed by any Council Member or the Mayor, subject to City Council confirmation.

Place 7: At-Large: Appointed by any Council Member or the Mayor, subject to City Council confirmation.

Ex officio: City Council Member: Appointed by a majority vote of the City Council.

Ex officio: Hot Committee Liaison / Director of Tourism.

Sec. 16-177. Terms of Board Members.

The term of each board member shall be two (2) years, from July 1st to June 30th, aligning closely with the term of the elected official who appointed the member. Members may serve for a limit of three (3) consecutive terms. Any person who has served on the board during three (3) consecutive terms will be ineligible to occupy any position on the board for a period of two (2) years. A partial term of less than one (1) year will not count in determining the number of consecutive terms. Any person who has not served on the board during the previous two consecutive years shall be eligible to serve under the same conditions as and with no more restrictions than a person who has never served on the board.

Sec. 16-178. Removal of Board Members.

Board members serve at the pleasure of the city council. Board members may be removed by the original appointer or by the person who holds the position of the original appointer. The city council may, by majority vote, remove a board member at any time for lack of confidence, incompetence, corruption, misconduct, or malfeasance. Any board member who misses three (3) consecutive meetings or one-third (1/3) of all regular meetings within a 12-month time period shall be deemed to have automatically vacated his or her position on the board. Any board member who no longer resides within the boundaries as provided above is deemed to have automatically vacated his or her position on the board.

Sec. 16-179. Board Officers.

The Director of Tourism shall serve as the official HOT Committee Liaison of the Board. Among the HOT Committee Liaison's duties shall be to call and preside at the meetings of the board, make reports and suggestions to the City Manager and City Council as the board may vote to be submitted; resolve by his vote any tie of votes of such board and generally act as a liaison between the board and the City Manager and City Council. From among its members, the board may elect a Vice-Chairperson (Vice-Chair), and Secretary. Officers shall be elected for a two (2) year term.

Sec. 16-180. City Representative.

The HOT Committee Liaison is the official City representative of the HOT Committee.

Sec. 16-181. Board Meetings.

The HOT Committee must meet at least annually in City Council Chambers located at 803 West Holland Avenue. A quorum of four (4) members must be physically present in order to transact business.

Sec. 16-182 – 16-210. Reserved.

ARTICLE VI. MUSIC ADVISORY BOARD.

Sec. 16-211. Created.

There is created and established for the City, being a home rule municipality, a Music Advisory Board.

(Ord. No. 2020-02-03, § 1(Exh. A), 2-18-20)

Sec. 16-212. Purpose.

The purpose of the Music Advisory Board shall be to receive suggestions, study situations, plans, projects, and generally to act in an advisory capacity to such extent as the City Council may desire to be advised relative to the music industry of the City.

(Ord. No. 2020-02-03, § 1(Exh. A), 2-18-20)

Sec. 16-213. Duties.

The Music Advisory Board shall hold public meetings, conduct work sessions, and make recommendations to the City Council regarding the music industry of the city. The board may, from time to time, advise the City Council on other matters upon which the Council may seek the board's advice.

Sec. 16-214. Composition of the Board.

The board shall be comprised of seven (7) Brewster County registered voters who represent the music industry of the city. A minimum of five (5) members shall be qualified, resident voters of the City. Two (2) members shall be musicians, two (2) members shall represent music venues, two (2) members shall represent music-focused events, and one (1) member shall represent music education. One (1) City Council Member and the Director of Tourism shall serve the board in an ex officio capacity and shall not have the privilege of voting on matters before the board. The Director of Tourism may only vote to break a tie.

Sec. 16-215. Appointment of Board Members, Vacancies.

Each member of the City Council and the Mayor shall present their nominations for board members before the second regular City Council meeting in June, following their election to office. At the same meeting in June, the City Council shall consider those nominations for appointment. Once appointed by a majority vote of the City Council, the appointed board member shall serve until their successor is appointed. Each board member shall be eligible for reappointment. Reappointments can be made to each position by the original appointer. Vacancies may be filled at any time by a member of the City Council or the Mayor, subject to confirmation by a majority vote of the City Council. Members shall serve without compensation.

Sec. 16-216. Placement.

Each board member will be designated by "Place" on the board:

Place 1: Musician: Appointed by any Council Member or the Mayor, subject to City Council confirmation.

Place 2: Musician: Appointed by any Council Member or the Mayor, subject to City Council confirmation.

Place 3: Music Venue: Appointed by any Council Member or the Mayor, subject to City Council confirmation.

Place 4: Music Venue: Appointed by any Council Member or the Mayor, subject to City Council confirmation.

Place 5: Music-Focused Events: Appointed by any Council Member or the Mayor, subject to City Council confirmation.

Place 6: Music-Focused Events: Appointed by any Council Member or the Mayor, subject to City Council confirmation.

Place 7: Music Education: Appointed by any Council Member or the Mayor, subject to City Council confirmation.

Ex officio: City Council Member: Appointed by a majority vote of the City Council.

Ex officio: Music Liaison / Director of Tourism.

Sec. 16-217. Terms of Board Members.

The term of each board member shall be two (2) years, from July 1st to June 30th, aligning closely with the term of the elected official who appointed the member. Members may serve for a limit of three (3) consecutive terms. Any person who has served on the board during three (3) consecutive terms will be ineligible to occupy any position on the board for a period of two (2) years. A partial term of less than one (1) year will not count in determining the number of consecutive terms. Any person who has not served on the board during the previous two consecutive years shall be eligible to serve under the same conditions as and with no more restrictions than a person who has never served on the board.

Sec. 16-218. Removal of Board Members.

Board members serve at the pleasure of the city council. Board members may be removed by the original appointer or by the person who holds the position of the original appointer. The city council may, by majority vote, remove a board member at any time for lack of confidence, incompetence, corruption, misconduct, or malfeasance. Any board member who misses three (3) consecutive meetings or one-third (1/3) of all regular meetings within a 12-month time period shall be deemed to have automatically vacated his or her position on the board. Any board member who no longer resides within the boundaries as provided above is deemed to have automatically vacated his or her position on the board.

Sec. 16-219. Board Officers.

The Director of Tourism shall serve as the Music Liaison of the Board. Among the Music Liaison's duties shall be to call and preside at the meetings of such board, make such reports and suggestions to the City Manager and City Council as such board may vote to be submitted; resolve by his vote any tie of votes of such board and generally act as a liaison between such board and the City Manager and City Council. From among its members the Board may elect a Vice-Chairperson (Vice-Chair), and Secretary. Officers shall be elected for a two (2) year term.

Sec. 16-220. City Representative.

The Music Liaison is the official City representative of the Music Advisory Board.

Sec. 16-221. Board Meetings.

The Music Advisory Board meets at least quarterly in City Council Chambers located at 803 West Holland Avenue. A quorum of four (4) members must be physically present in order to transact business.

Sec. 16-122 – 16-150. Reserved.

ARTICLE VII. PARKS AND RECREATION BOARD.

Sec. 16-151. Created.

There is created and established, for the City, being a home rule municipality, a Parks and Recreation Board.

(Code 1978, § 19-1; Ord. No. 2016-10-02, 11-1-16; Ord. No. 2020-08-03, 9-1-20)

Sec. 16-152. Purpose.

The purpose of the Parks and Recreation Board is to provide recommendations and suggestions to the City Council regarding the Parks and Recreation endeavors of the City. The Parks and Recreation Board also jointly serves as the Beautification and Environmental Committee with an aim of advising the City Council on the beautification and environmental endeavors of the City.

(Code 1978, § 19-6)

Sec. 16-153. Duties.

The duties of the Parks and Recreation Board shall be to receive suggestions, study situations, plans, and projects, and generally act in an advisory capacity to such extent as the City Council may desire to be advised relative to the parks and recreation program and the beautification and environmental program of the City. The Parks and Recreation Board may make such reports as the Council may request so that the Council may have the benefit of the opinions of interested citizens and groups who have time and are willing to make a more in-depth study of, and reports on, park and recreation matters than time will permit the council to engage in, considering the variety of other city business to be dealt with. Other duties of the Parks and Recreation Board include the evaluation of conservation development and concerns, to inform and engage citizens in environmental issues, to develop and implement land protection techniques, to educate the public on issues relating to environmental concerns, to advise the City Council relative to environmental concerns of the community, to promote preservation and conservation efforts within the community, to evaluate programs and issues that have an environmental impact on the community, and to oversee the planning of open space and development and smart growth issues.

Sec. 16-154. Composition of the Board.

The board shall be comprised of seven (7) Brewster County registered voters who have a vested interest in the enhancement of Parks and Recreation within the City. Five (5) members shall be qualified, resident voters of the City, and no more than two (2) members may reside outside of the City limits. One (1) City Council Member shall serve the board in an ex officio capacity and shall not have the privilege of voting on matters before the board.

Sec. 16-155. Appointment of Board Members, Vacancies.

Each member of the City Council and the Mayor shall present their nominations for board members before the second regular City Council meeting in June, following their election to office. At the same meeting in June, the City Council shall consider those nominations for appointment. Once appointed by a majority vote of the City Council, the appointed board member shall serve until their successor is appointed. Each board member shall be eligible for reappointment. Reappointments can be made to each position by the original appointer. Vacancies may be filled at any time by a member of the City Council or the Mayor, subject to confirmation by a majority vote of the City Council. Members shall serve without compensation.

Sec. 16-156. Placement.

Each board member will be designated by "Place" on the board:

Place 1: Appointed by Council Member Ward 1, subject to City Council confirmation.

Place 2: Appointed by Council Member Ward 2, subject to City Council confirmation.

Place 3: Appointed by Council Member Ward 3, subject to City Council confirmation.

Place 4: Appointed by Council Member Ward 4, subject to City Council confirmation.

Place 5: Appointed by Council Member Ward 5, subject to City Council confirmation.

Place 6: Appointed by the Mayor, subject to City Council confirmation.

Place 7: Appointed by any Council Member or the Mayor, subject to City Council confirmation.

Ex officio: City Council Member: Appointed by a majority vote of the City Council.

Sec. 16-157. Terms of Board Members.

The term of each board member shall be two (2) years, from July 1st to June 30th, aligning closely with the term of the elected official who appointed the member. Members may serve for a limit of three (3) consecutive terms. Any person who has served on the board during three (3) consecutive terms will be ineligible to occupy any position on the board for a period of two (2) years. A partial term of less than one (1) year will not count in determining the number of consecutive terms. Any person who has not served on the board during the previous two consecutive years shall be eligible to serve under the same conditions as and with no more restrictions than a person who has never served on the board.

Sec. 16-158. Removal of Board Members.

Board members serve at the pleasure of the city council. Board members may be removed by the original appointer or by the person who holds the position of the original appointer. The city council may, by majority vote, remove a board member at any time for lack of confidence, incompetence, corruption, misconduct, or malfeasance. Any board member who misses three (3) consecutive meetings or one-third (1/3) of all regular meetings within a 12-month time period shall be deemed to have automatically vacated his or her position on the board. Any board member who no longer resides within the boundaries as provided above is deemed to have automatically vacated his or her position on the board.

Sec. 16-159. Board Officers.

The Board shall appoint the Chairperson (Chair) of the Board. From among its members the Board may elect a Vice-Chairperson (Vice-Chair), and Secretary. Officers shall be elected for a two (2) year term. The Chair of the Board shall preside over all meetings and may vote. If the chairperson fails or refuses to act, the Vice-Chair shall perform the duties of the Chair. If the Chair and Vice-Chair are absent or refuse to act, any board member may be appointed as Acting Chair by the board to preside over the meeting.

Sec. 16-160. City Representative.

The Parks & Recreation Department of the City will designate an official City representative for the Parks and Recreation Board. The City representative will attend all meetings of the board, assist board members with questions regarding the department, processes, and procedures, and communicate issues or areas of concern to the Board.

Sec. 16-161. Board Meetings.

The Parks and Recreation Board meets on the second Wednesday of each month at 5:30 p.m. in City Council Chambers located at 803 West Holland Avenue. A quorum of four (4) members must be physically present in order to transact business.

Sec. 16-162 – 16-190. Reserved.

ARTICLE VIII. PLANNING AND ZONING COMMISSION.

Sec. 16-191. Created.

There is created and established for the City, being a home rule municipality, a Planning and Zoning Commission

Code 1978, § 2-121; Ord. No. 2012-03-01, § 1, 4-3-2012; Ord. No. 2016-10-02, 11-1-2016

Sec. 16-192. Purpose.

The purpose of the Planning and Zoning Commission is to advise the City Council on matters related to planning, zoning, or other items that the City Council requests to be advised of.

Sec. 16-193. Duties.

The Planning and Zoning Commission shall exercise the powers and duties as prescribed by City Ordinance and as prescribed by Texas Local Government Code, Chapter 211.

Sec. 16-194. Composition of the Board.

The Board shall be comprised of Seven (7) Brewster County registered voters who are resident citizens, and qualified voters of the City of Alpine. One (1) City Council Member shall serve the board in an ex officio capacity and shall not have the privilege of voting on matters before the board.

Sec. 16-195. Appointment of Board Members, Vacancies.

Each member of the City Council and the Mayor shall present their nominations for board members before the second regular City Council meeting in June, following their election to office. At the same meeting in June, the City Council shall consider those nominations for appointment. Once appointed by a majority vote of City Council, the appointed board member shall serve until their successor is appointed. Each board member shall be eligible for reappointment. Reappointments can be made to each position by the original appointer. Vacancies may be filled at any time by a member of the City Council or the Mayor, subject to confirmation by majority vote of the City Council. Members shall serve without compensation.

Sec. 16-196. Placement.

Each board member will be designated by "Place" on the board:

Place 1: Appointed by Council Member Ward 1, subject to City Council confirmation.

Place 2: Appointed by Council Member Ward 2, subject to City Council confirmation.

Place 3: Appointed by Council Member Ward 3, subject to City Council confirmation.

Place 4: Appointed by Council Member Ward 4, subject to City Council confirmation.

Place 5: Appointed by Council Member Ward 5, subject to City Council confirmation.

Place 6: Appointed by the Mayor, subject to City Council confirmation.

Place 7: Appointed by any Council Member or the Mayor, subject to City Council confirmation.

Ex officio: City Council Member: Appointed by a majority vote of the City Council.

Sec. 16-197. Terms of Board Members.

The term of each board member shall be two (2) years, from July 1st to June 30th, aligning closely with the term of the elected official who appointed the member. Members may serve for a limit of three (3) consecutive terms. Any person who has served on the board during three (3) consecutive terms will be ineligible to occupy any position on the board for a period of two (2) years. A partial term of less than one (1) year will not count in determining the number of consecutive terms. Any person who has not served on the board during the previous two consecutive years shall be eligible to serve under the same conditions as and with no more restrictions than a person who has never served on the board.

Sec. 16-198. Removal of Board Members.

Board members serve at the pleasure of the city council. Board members may be removed by the original appointer or by the person who holds the position of the original appointer. The city council may, by majority vote, remove a board member at any time for lack of confidence, incompetence, corruption, misconduct, or malfeasance. Any board member who misses three (3) consecutive meetings or one-third (1/3) of all regular meetings within a 12-month time period shall be deemed to have automatically vacated his or her position on the board. Any board member who no longer resides within the boundaries as provided above is deemed to have automatically vacated his or her position on the board.

Sec. 16-199. Board Officers.

The Commission shall appoint the Chairperson (Chair) of the board. From among its members the Board may elect a Vice-Chairperson (Vice-Chair), and Secretary. Officers shall be elected for a two (2) year term. The Chair of the Board shall preside over all meetings and may vote. If the chairperson fails or refuses to act, the Vice-Chair shall perform the duties of the Chair. If the Chair and Vice-Chair are absent or refuse to act, any board member may be appointed as Acting Chair by the board to preside over the meeting.

Sec. 16-200. City Representative.

The Building Official / Director of Building Services is the official City representative for the Planning and Zoning Commission. The City representative will attend all meetings of the board, assist board members with questions regarding the department, processes, and procedures, and communicate issues or areas of concern to the board.

Sec. 16-201. Board Meetings.

The P&Z meets on the fourth (4th) Monday of each month at 5:30 p.m. in City Council Chambers located at 803 West Holland Avenue. A quorum of four (4) members must be physically present in order to transact business.

Sec. 16-202 – 16-330. Reserved.

ARTICLE IX. BUILDING AND STANDARDS COMMISSION.

Sec. 16-331. Created.

There is created and established for the City, being a home rule municipality, a Building and Standards Commission.

Ord. No. 2015-03-01, § 1, 5-19-15; Ord. No. 2016-10-02, 11-1-16

Sec. 16-332. Purpose.

The Building and Standards Commission (hereafter, the “B&S”) is responsible for the preservation of public safety relating to proper materials and methods used for building construction, fire safety, or improvements of buildings and deteriorated buildings within the City. This is a quasi-judicial board that has the authority under state law to authorize the condemnation of hazardous properties in the City.

Sec. 16-333. Duties.

The B&S shall hold public meetings, conduct public hearings, and make decisions related to Building and Building Regulations. The Commission is empowered to (Sec 54.036, Texas Local Government Code):

- (1) Order the repair, within a fixed period, of buildings found to be in violation of an ordinance;
- (2) Declare a building substandard in accordance with the powers granted by Chapter 54 of the Texas Local Government Code;
- (3) Order, in an appropriate case, the immediate removal of persons or property found on private property, enter on private property to secure the removal if it is determined that conditions exist on the property that constitute a violation of an ordinance, and order action to be taken as necessary to remedy, alleviate, or remove any substandard building found to exist;

- (4) Issue orders or directives to any peace officer of the state, including a sheriff or constable or the chief of police of the municipality, to enforce and carry out the lawful orders or directives of the commission panel;
- (5) determine the amount and duration of the civil penalty the municipality may recover as provided by Section 54.017, Texas Local Government Code.

Sec. 16-334. Composition of the Board.

The Board shall be comprised of Seven (7) Brewster County registered voters who are resident citizens, and qualified voters of the City of Alpine. One (1) City Council Member shall serve the board in an ex officio capacity and shall not have the privilege of voting on matters before the board. Voting members of the Building and Standards Commission may not be a member of the City Council or the Planning & Zoning Commission.

Sec. 16-335. Appointment of Board Members, Vacancies.

Each member of the City Council and Mayor shall present their nominations for board members before the second regular City Council meeting in June, following their election to office. At the same meeting in June, the City Council shall consider those nominations for appointment. Once appointed by a majority vote of City Council, the appointed board member shall serve until their successor is appointed. Each board member shall be eligible for reappointment. Reappointments can be made to each position by the original appointer. Vacancies may be filled at any time by a member of the City Council or the Mayor. Members shall serve without compensation.

Sec. 16-336. Placement.

Each board member will be designated by "Place" on the board:

Place 1: Appointed by Council Member Ward 1, subject to City Council confirmation.

Place 2: Appointed by Council Member Ward 2, subject to City Council confirmation.

Place 3: Appointed by Council Member Ward 3, subject to City Council confirmation.

Place 4: Appointed by Council Member Ward 4, subject to City Council confirmation.

Place 5: Appointed by Council Member Ward 5, subject to City Council confirmation.

Place 6: Appointed by the Mayor, subject to City Council confirmation.

Place 7: Appointed by any Council Member or the Mayor, subject to City Council confirmation.

Ex officio: City Council Member: Appointed by a majority vote of the City Council.

Sec. 16-337. Terms of Board Members.

The term of each board member shall be two (2) years, from July 1st to June 30th, aligning closely with the term of the elected official who appointed the member. Members may serve for a limit of three (3) consecutive terms. Any person who has served on the board during three (3) consecutive terms will be ineligible to occupy any position on the board for a period of two (2) years. A partial term of less than one (1) year will not count in determining the number of consecutive terms. Any person who has not served on the board during the previous two consecutive years shall be eligible to serve under the same conditions as and with no more restrictions than a person who has never served on the board.

Sec. 16-338. Removal of Board Members.

Board members serve at the pleasure of the city council. The city council may by majority vote remove a board member at any time for cause on a written charge (Sec. 54.033, Texas Local Government Code). Before a decision regarding a removal is made, the City Council must hold a public hearing on the matter if requested by the Commission member subject to the removal action. Any board member who misses three (3) consecutive meetings or one-third (1/3) of all regular meetings within a 12-month time period shall be deemed to have automatically vacated his or her position on the board. Any board member who no longer resides within the boundaries as provided above is deemed to have automatically vacated his or her position on the board.

Sec. 16-339. Board Officers.

The Commission shall appoint the Chairperson (Chair) of the Board. The Chair shall administer oaths and compel the attendance of witnesses. From among its members, the board may elect a Vice-Chairperson (Vice-Chair), and Secretary. Officers shall be elected for a one (2) year term. The Chair of the board shall preside over all meetings and may vote. If the chairperson fails or refuses to act, the Vice-Chair shall perform the duties of the Chair. If the Chair and Vice-Chair are absent or refuse to act, any board member may be appointed as Acting Chair by the board to preside over the meeting.

Sec. 16-340. City Representative.

The Building Official / Director of Building Services is the official City representative for the Building and Standards Commission. The City representative will attend all meetings of the Board, assist Board members with questions regarding the department, processes, and procedures, and communicate issues or areas of concern to the Board. The City of Alpine designates the Building Official / Director of Building services as the appropriate official to present all cases before the building and standards commission.

Sec. 16-341. Board Meetings.

The Building and Standards Commission meets on the fourth (4th) Wednesday of each month at 5:30 p.m. in City Council Chambers located at 803 West Holland Avenue. A quorum of four (4) members must be physically present in order to transact business.

Sec. 16-342. Building and Building Regulations.

The building and standards commission shall:

- (a) Use the standards of criteria related to the deterioration of the building or structure, fire hazard, pestilence, structural deformity, inadequate fire safety measures, and other conditions as recognized by the building codes adopted by the City of Alpine including Chapter 18 – Building and Building Regulations.**
- (b) Hear evidence and shall, upon a finding that the conditions as set out in the ordinances have been met, declare a structure substandard.**

Sec. 16-343 – 16-370. Reserved.

Chapter 18 – Buildings and Building Regulations

ARTICLE X. DANGEROUS BUILDINGS.

DIVISION I. IN GENERAL.

Sec. 18-281. Definitions.

The words and phrases contained herein shall have the following meaning ascribed to them unless the context states otherwise:

Abatement. Repairing, removing or demolishing a structure or building so as to bring it into compliance with the minimum standards as set forth in this article.

Accessory structure. A building or structure incidental to the dwelling unit and located on the same property.

Appeal court. The Municipal Court of the City of Alpine, Texas, sitting as a Civil Court.

Building. Any structure built for the support, shelter and enclosure of persons, animals, goods or movable property of any kind. Any roof-covered structure shall be considered a building. Also see "structure."

Building codes. The most recent version of the codes adopted by the City of Alpine, including the International Property Maintenance Code, the International Building Code, International Residential Code, the Uniform Plumbing Code, and the National Electric Code.

Dangerous building. Any building or structure that does not comply with the minimum standards.

Minimum standards. The minimum standards for continued use and occupancy of a building or structure as set forth in section 18-284 herein.

Inspector. The individual designated by the city manager to carry out the duties of this article.

Owner of record. Any person, agent, firm, corporation or governmental agency shown to be the owner or owners of a structure in:

- (1) The real property, assumed name, or appraisal district records of Brewster County;
- (2) The tax and utility records of the City of Alpine; or

- (3) The records of the secretary of State of Texas.

Public nuisance.

- (1) Whatever is dangerous to human life or health; whatever renders the ground, water, air or food hazardous to human life, or health, or that is offensive to the senses; or that is detrimental to the public health; or
- (2) Any structure that creates a hazard to health, safety, comfort or welfare.

Structure. A combination of materials held or put together in a specific way to form a construction for use, occupancy or ornamentation, whether installed on, above, or below the surface of land or water. Structure includes buildings as defined herein.

(Ord. No. 2013-06-04, § 1, 7-2-13)

Sec. 18-282. General information.

- (a) *Notices mailed.* All notices required to be mailed under this article, shall be mailed by certified mail, return receipt requested. When a notice is mailed in accordance with this section and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered.
- (b) *Notices posted.* All notices required to be posted shall be attached to the structure as close to the front door as practicable. If there is no front door, notice shall be attached to the structure in a noticeable place.
- (c) *Change of owner.* If a building or structure has been designated as a dangerous building, it is the owner's responsibility to furnish a purchaser, transferee, grantee, mortgagee or lessee a true and correct copy of the notice of dangerous building and to provide the Inspector written notification of the intent to enter into such transaction, including the name and address of the purchaser, transferee, grantee, mortgagee or lessee. A purchaser shall be bound by the notices and orders issued pursuant to this article. It is the purchaser's responsibility to provide a copy to the inspector of the document changing ownership which has been recorded in the Official Public Records of Brewster County.

(Ord. No. 2013-06-04, § 1, 7-2-2013)

Sec. 18-283. Abatement of dangerous buildings.

- (a) It shall be unlawful for any owner, occupant, or other person in control of a structure to allow that structure to be in a condition that does not conform to the minimum standards.
- (b) Any structure that does not conform to the minimum standards is hereby declared to be a public nuisance and shall be abated by vacation, relocation of occupants, repair, demolition, or removal as necessary upon the issuance of an order to abate issued by the board in accordance with the procedures specified in this article.

(Ord. No. 2013-06-04, § 1, 7-2-2013)

Sec. 18-284. Conditions requiring abatement.

- (a) Regardless of its date of construction, a structure is considered not to meet the minimum standards of the city and shall not continue to be used or occupied if the following conditions are present and constitute a danger to persons or property:

(1) *Unoccupied structures.*

- a. Any structure or any part thereof constructed or maintained in violation of any provision of this Code, or any law of the county, state or federal government which makes the structure unsafe;
- b. Any structure with roof, ceiling, floors, walls, sills, windows, foundation or any combination thereof, rotted or decayed, and falling apart;
- c. Any structure with shingles or roofing material not in place, or is not free from leaks and sags;
- d. Any structure that is uninhabitable due to obsolescence and deterioration caused by neglect, vandalism, fire damage, old age, or the elements;
- e. Any structure that is in danger of falling and injuring persons or property;
- f. Any structure that is a fire menace because it is in a dilapidated condition, or that is likely to become a fire menace or be set on fire; or contains a fire load with the potential to cause a fire;
- g. Any structure that has been damaged by fire, water, earthquake, wind, hail, rain, vandalism, or other cause to such an extent that the roof, windows or doors or portions of the structure that protect the interior from the weather, no longer reasonably protect from the weather;
- h. Any structure that is open and accessible so as to become a harbor for insects, rodents, vermin, uninvited persons or transients; or a place for potential illegal activity;
- i. Any structure that is in unsanitary condition and likely to create disease because of the presence of insects, rodents or vermin;
- j. Any structure that is damp and in unsanitary condition and is likely to create disease and sickness;
- k. Any structure that has holes, cracks or other defects in it;
- l. Any structure that does not have railings for stairs, steps, balconies, porches;
- m. Any structure that is not weathertight and waterproof, including but not limited to, roofs, walls, windows, doors and flooring;
- n. Any structure that does not have a moisture resistant finish or material for the flooring or subflooring of each bathroom, shower room and toilet room;
- o. Any structure with floors that are missing, buckled, warped, worn, loose, or unlevel;
- p. Any structure with an electric system that is a hazard due to inadequate maintenance, dilapidation, fire hazard, disaster, damage or abandonment or not safely capable of carrying a load imposed by normal use of appliances and fixtures;
- q. Any structure where the deterioration, decay or inadequacy of its floor joists, floors, subfloors, or foundation is likely to cause the structure to partially or completely collapse; or
- r. Any structure not in compliance with the adopted codes of the City of Alpine, specifically including the International Property Maintenance Code, that otherwise fails to meet the requirements of this chapter.

(2) *Occupied structures.* In addition to the conditions for unoccupied structures:

- a. Any structure that does not have in operating condition a connection to discharge sewage from the structure or land into a public sewer system or septic system;

- b. Any structure that does not have the minimum required fixtures as required in the International Property Maintenance Code and the UPC Building Codes; all of which shall be in operating condition and connected to both hot and cold water sources;
 - c. Any structure that does not have electrical service meeting required codes as described by the International Property Maintenance Code or the National Electric Code; or
 - d. Any structure that does not meet the standards established for an occupied structure as established by the adopted building codes of the city.
- (b) Any structure that is not occupied by its owners, lessees or other invitees, has been left unsecured from unauthorized entry to the extent that it may be entered by vagrants, transients or other uninvited persons as a place of harborage or may be entered and utilized by children as a play area, regardless of its structural condition.
- (c) Any structure that is boarded up, fenced or secured if:
- (1) The structure constitutes a danger to the public even though secured from entry; or
 - (2) The means used to secure the structure are inadequate to prevent unauthorized entry or use of the structure.

(Ord. No. 2013-06-04, § 1, 7-2-2013)

Sec. 18-285. Inspection and notice of required abatement

- (a) *Inspection.* The inspector shall inspect any structure that he has probable cause to believe does not meet the minimum standards. If the structure is not open and accessible, the Inspector may obtain permission from the owner or a person in control of the premises, or may apply for an administrative search warrant pursuant to Texas Code of Criminal Procedure Section 18.05 unless an exception to the warrant requirement exists.
- (b) *Determination.* The inspector shall use section 18-284 of this article to determine compliance or noncompliance.
- (c) *Notice.*
- (1) After a determination that a structure requires abatement, an initial notice shall be provided to the owner as on file at the Brewster County Appraisal District.
 - (2) The initial notice shall contain the following:
 - a. The nature of the violation(s) of the minimum standards; and
 - b. That the structure is dangerous and that the owner must vacate and/or repair, remove, or demolish the structure for the good of the public health, safety and welfare.
 - (3) A notice shall be posted on the dangerous building as follows:

"THIS STRUCTURE IS DANGEROUS ACCORDING TO THE MINIMUM STANDARDS SET FORTH IN THE CITY OF ALPINE CODE OF ORDINANCES, CHAPTER 18, SECTION 18-284 AND THE OWNER MUST REPAIR, REMOVE, OR DEMOLISH IT. CONTACT _____ AT _____ FOR FURTHER INFORMATION. THIS NOTICE SHALL REMAIN ON THIS STRUCTURE UNTIL IT IS REPAIRED, REMOVED FROM THE CITY OF ALPINE CITY LIMITS, OR DEMOLISHED."

- (d) The owner or the owner's designated representative has 15 days from the date of the notice to contact the inspector regarding their intent to repair, remove or demolish the dangerous building.

(Ord. No. 2013-06-04, § 1, 7-2-2013)

Sec. 18-286. Hearing.

A public hearing shall be held so that the court may determine whether the structure complies with the minimum standards set forth in this article.

- (a) *Notice of hearing.*
 - (1) The inspector shall make a diligent effort to discover the identity and address of the owner(s) of record and any lienholders or mortgagees of the structure and the underlying property.
 - (2) The inspector shall notify each owner, lienholder, or mortgagee by mail.
 - (3) The inspector shall notify any unknown interested parties by posting a copy of the notice on each structure.
 - (4) The inspector shall file a notice of hearing in the official public records of real property in Brewster County.
- (b) *Contents of notice of hearing.* The notice of hearing shall contain the following information:
 - (1) The owner, lienholder, mortgagee or unknown interested parties have the burden of proof and will be required to submit at the hearing proof of the scope of any work that may be required to make the structure comply with the ordinance and the amount of time it will take to reasonably perform the work.
 - (2) The name and address of the owner of record.
 - (3) A legal description of the property.
 - (4) A general description of the structures not meeting the minimum standards.
 - (5) A description of the proceeding.

(Ord. No. 2013-06-04, § 1, 7-2-2013)

Sec. 18-287. Orders of the court

- (a) The court may issue one of the following orders:
 - (1) Order to secure or vacate the structure and relocate the occupants.
 - (2) Order to repair, remove or demolish.
 - (3) Order to remove or demolish.
 - (4) Order to release.
- (b) If the structure is occupied and the court issues an order pursuant to subsection (a)(1), the structure shall be vacated and the occupants relocated.
- (c) Orders of the court issued pursuant to subsections (a)(2) and (a)(3) shall allow 60 days for the ordered action to be completed.

- (d) If a residential structure is removed or demolished pursuant to this article, any and all accessory structures located on the same property shall be removed or demolished, regardless of structural condition.
- (e) The inspector shall promptly mail a copy of any order issued pursuant to subsection (a) of this section, to the owner of record, any lienholder or mortgagee along with a notice containing the following:
 - (1) An identification of the structure and the property on which it is located;
 - (2) A description of the violation(s) of the minimum standards;
 - (3) A statement that the municipality will secure, vacate, repair, remove or demolish the structure if the ordered action is not taken within sixty (60) days.
- (f) Sixty days after an order to repair, remove or demolish has been issued, the Inspector has the authority to request the utilities be disconnected at the structure in order to prepare for demolition.
- (g) Once an order to remove or demolish has been issued by the court, the inspector has the authority to request the utilities be disconnected at the structure in order to prepare for demolition.
- (h) Within ten days following the date that an order is issued, the inspector shall:
 - (1) File a copy of the order in the office of the city secretary of the City of Alpine; and
 - (2) Publish in a newspaper of general circulation in the city a notice containing the following:
 - a. The street address or legal description of the property;
 - b. The date the hearing was held;
 - c. A brief statement indicating the results of the order; and
 - d. Instructions stating where a complete copy of the order may be obtained.

(Ord. No. 2013-06-04, § 1, 7-2-2013)

Sec. 18-288. Permits.

- (a) Any permits issued for work on a structure on which the court has issued an order shall expire on the deadline established by the order.
- (b) Applicants for a permit to make repairs on a structure on which the court has issued an order shall meet with the appropriate inspecting official from the city's code enforcement department and the building official prior to the granting of a permit. The meeting will be to ensure the applicant understands (i) the scope of work required to be completed to comply with the minimum standards, (ii) that such repairs shall be completed by the deadline established by the order and (iii) that if all repairs are not completed by the deadline established by the order, the structure will be demolished. A permit will not be issued unless the applicants comply with this meeting requirement.
- (c) No permits will be issued after the deadline established by the order.

(Ord. No. 2013-06-04, § 1, 7-2-2013)

Sec. 18-289. Appeals.

Any owner, lienholder or mortgagee of record of property jointly or severally aggrieved by an order of the court under this article may file in district court a verified petition setting forth that the decision is illegal, in whole or in part, and specifying the grounds of the illegality. The petition must be filed by an owner, lienholder, or mortgagee within 30 calendar days after the date a copy of the court's order is mailed to them in accordance with this article.

(Ord. No. 2013-06-04, § 1, 7-2-2013)

Sec. 18-290. Expense of abatement.

- (a) If an owner or other interested party does not secure, vacate, repair, remove, or demolish a structure within 60 days, the inspector may take the ordered action at the city's expense.
- (b) *Calculation of costs.*
 - (1) Costs include all expenses incurred as a result of the enforcement of the order.
 - (2) The general administrative expenses of inspecting structures, locating owners, conducting hearings, and issuing notices and orders, together with all associated administrative functions, require a reasonable minimum charge of \$500.00 per property. The building official shall maintain a log of all expenses incurred during this process. If this total is greater than \$500.00, the cost shall be the greater amount.
- (c) *Lien.* Any expenses incurred by the city pursuant to subsection (a) of this section will be assessed against the property on which the structure stands or stood. The city will have a privileged lien upon filing same in the Official Public Records of Brewster County subordinate only to tax liens against the property unless it is a homestead as protected by the Texas Constitution. The lien will be extinguished if the property owner or other interested party reimburses the city for all expenses and penalties.

(Ord. No. 2013-06-04, § 1, 7-2-2013)

Sec. 18-291. Seizure and sale of property to recover expenses.

The city may foreclose a lien on property pursuant to Texas Local Government Code § 214.004:

- (1) In a proceeding relating to the property brought under Subchapter E, Chapter 33, Tax Code; or
- (2) In a judicial proceeding, if:
 - a. A building or other structure on the property has been demolished;
 - b. A lien for the cost of the demolition of the structure or other structure on the property has been created and that cost has not been paid more than 180 days after the date the lien was filed; and
 - c. Ad valorem taxes are delinquent on all or part of the property.

(Ord. No. 2013-06-04, § 1, 7-2-2013)

Sec. 18-292 – 18-300. Reserved.

DIVISION II. BUILDING AND STANDARDS COMMISSION.

Sec. 18-301. In General.

The building and standards commission shall:

- (a) Use the standards of criteria related to: deterioration of the building or structure, fire hazard, pestilence, structural deformity, inadequate fire safety measures and other conditions as recognized by the building codes adopted by the City of Alpine, Article IX, section 18-260, and Article X, sections 18-281—284;
- (b) Hear evidence and shall, upon a finding that the conditions as set out in the ordinances have been met, declare a structure substandard.

Sec. 18-302. Notice.

1. A public hearing shall be held so that the building and standards commission may determine whether the structure complies with the minimum standards set forth in this section.

(a) Notice of hearing.

- (1) The city secretary shall make a diligent effort to discover the identity and address of the owner(s) of record and any lienholders or mortgagees of the structure and the underlying property.
- (2) The city secretary shall notify each owner by personal delivery, by certified mail with return receipt requested, or by delivery by the United States Postal Service using signature confirmation service, to the record owners of the affected property, and each holder of a recorded lien against the affected property, as shown by the records in the office of the county clerk of the county in which the affected property is located if the address of the lienholder can be ascertained from the deed of trust establishing the lien or other applicable instruments on file in the office of the county clerk lienholder, or mortgagee by mail.
- (3) The inspector shall notify any unknown interested parties by posting a copy of the notice on each structure.
- (4) The inspector shall file a notice of hearing in the official public records of real property in Brewster County.

(b) Contents of notice of hearing. The notice of hearing shall contain the following information:

- (1) The notice must be posted and either personally delivered or mailed on or before the 10th day before the date of the hearing before the commission panel and must state the date, time, and place of the hearing. In addition, the notice must be published in a newspaper of general circulation in the municipality on one occasion on or before the 10th day before the date fixed for the hearing.
- (2) The owner, lienholder, mortgagee, or unknown interested parties have the burden of proof and will be required to submit at the hearing proof of the scope of any work that may be required to make the structure comply with the ordinance and the amount of time it will take to reasonably perform the work.

- (3) The name and address of the owner of record.
 - (4) A legal description of the property.
 - (5) A general description of the structures not meeting the minimum standards.
2. When a municipality mails a notice in accordance with this section to a property owner, lienholder, or registered agent and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered.

Sec. 18-303. Functions of the building and standards commission.

1. The building and standards commission may issue one of the following orders:
 - (a) Order to secure or vacate the structure and relocate the occupants.
 - (b) Order to repair, remove or demolish.
 - (c) Order to remove or demolish.
 - (d) Order to release.
2. If the structure is occupied and the commission issues an order pursuant to subsection D.1(a), the structure shall be vacated and the occupants relocated.
3. Orders of the commission issued pursuant to subsections D.1(b) and D.1(c) shall allow 45 days before the ordered action to be completed.
4. If a residential structure is removed or demolished pursuant to this article, any and all accessory structures located on the same property shall be removed or demolished, regardless of structural condition.
5. The inspector shall promptly mail a copy of any order issued pursuant to subsection D.1 of this section, to the owner of record, any lienholder or mortgagee along with a notice containing the following:
 - (a) An identification of the structure and the property on which it is located;
 - (b) A description of the violation(s) of the minimum standards;
 - (c) A statement that the municipality will secure, vacate, repair, remove or demolish the structure if the ordered action is not taken within 45 days.
6. Forty-five days after an order to repair, remove or demolish has been issued, the inspector has the authority to request the utilities be disconnected at the structure in order to prepare for demolition.
7. Once an order to remove or demolish has been issued by the commission, the inspector has the authority to request the utilities be disconnected at the structure in order to prepare for demolition.
8. Within ten days following the date that an order is issued, the inspector shall:
 - (a) File a copy of the order in the office of the city secretary of the City of Alpine; and
 - (b) Publish in a newspaper of general circulation in the city a notice containing the following:
 - (1) The street address or legal description of the property;
 - (2) The date the hearing was held;
 - (3) A brief statement indicating the results of the order; and

(4) Instructions stating where a complete copy of the order may be obtained.

Sec. 18-304. Permits.

1. Any permits issued for work on a structure on which the commission has issued an order shall expire on the deadline established by the order.
2. Applicants for a permit to make repairs on a structure on which the commission has issued an order shall meet with the appropriate inspecting official from the city's code enforcement and building official prior to the granting of a permit. The meeting will be to ensure the applicant understands:
 - (a) The scope of work required to be completed to comply with the minimum standards;
 - (b) That such repairs shall be completed by the deadline established by the order; and
 - (c) All repairs are not completed by the deadline established by the order (90 days to repair — everything has to be done in 45 days. Forty-five days for appeal), the structure will be demolished. A permit will not be issued unless the applicants comply with this meeting requirement.
 - (d) No permits will be issued after the deadline established by the order.
3. The building and standards commission may not allow the owner, lienholder, or mortgagee more than 90 days to repair, remove, or demolish the building or fully perform all work required to comply with the order unless the owner, lienholder, or mortgagee:
 - (a) Submits a detailed plan and time schedule for the work at the hearing; and
 - (b) Establishes at the hearing that the work cannot reasonably be completed within 90 days because of the scope and complexity of the work.

Sec. 18-304. Appeal.

Any owner, lienholder, or mortgagee of record of property jointly or severally aggrieved by an order of the building and standards commission may file in district court a verified petition setting forth that the decision is illegal, in whole or in part, and specifying the grounds of the illegality. The petition must be filed by an owner, lienholder, or mortgagee within 30 calendar days after the respective dates a copy of the final decision of the municipality is personally delivered to them, mailed to them by first class mail with certified return receipt requested, or delivered to them by the United States Postal Service using signature confirmation service, or such decision shall become final as to each of them upon the expiration of each such 30 calendar day period.

Sec. 18-304. Expense for abatement.

1. If an owner or other interested party does not secure, vacate, repair, remove, or demolish a structure within 45 days, the inspector may take the ordered action at the city's expense with permission for expenses to be incurred from the Alpine City Council.
2. Calculation of costs.
 - (a) Costs include all expenses incurred as a result of the enforcement of the order.
 - (b) The general administrative expenses of inspecting structures, locating owners, conducting hearings, and issuing notices and orders, together with all associated

administrative functions, require a reasonable minimum charge of \$500.00 per property. The building official shall maintain a log of all expenses incurred during this process. If this total is greater than \$500.00, the cost shall be the greater amount.

3. Lien. Any expenses incurred by the city pursuant to subsection G.1 of this section will be assessed against the property on which the structure stands or stood. The city will have a privileged lien upon filing same in the official public records of Brewster County subordinate only to tax liens against the property unless it is a homestead as protected by the Texas Constitution. The lien will be extinguished if the property owner or other interested party reimburses the city for all expenses and penalties.

Sec. 18-304. Rights and remedies saved.

All rights or remedies of the City of Alpine, Texas, are expressly saved as to any and all violations of any building ordinance or amendments thereto, of the city, that have accrued at the time of the effective date the ordinance from which this section derives; and as to such accrued violation, the building and standards commission shall have all the powers that existed prior to the effective date of this ordinance; and that all existing violations of previous building ordinances which would otherwise become non-conforming under this section but shall be considered as violations of this section are violations of this section in the same manner that they were violations of prior building ordinances of the city.

[Ord. No. 2015-03-01, § 1, 5-19-15; Ord. No. 2016-10-02, 11-1-16]

Chapter 74 – Parks and Recreation

ARTICLE II. PARKS AND RECREATION BOARD.

Sec. 74-36. Board established; appointment, terms.

~~There is created and established, for the city, being a home rule municipality, a parks and recreation board which shall be composed of a minimum of five members and a maximum of seven members. As a minimum five of members will represent each one of the five wards of the city. Of the additional two members, one would represent the Alpine Independent School District, the other one represent the Alpine Friends of the Park, or similar organization. The members shall be resident citizens or work in the city. The members representing each ward shall [be] recommended by a councilmember representing each ward and shall be confirmed by the city council. The two additional members shall also be confirmed by the city council. The members shall serve terms of two years, and each member's term shall align and coincide with that of the recommending councilmember. All vacancies shall be filled for the unexpired term in the same manner as provided for in the original appointments. All expired terms shall be filled as provided for in the original appointments and in the same manner. Members of the board may be removed with the consent of the city council, after being absent from three consecutive meetings without being excused by the board chairperson. The reason for an absence shall be reported to the board chairperson before the meeting occurs and recorded in the minutes of the scheduled meeting. The members of the board shall serve without compensation.~~

(Code 1978, § 19-1; Ord. No. 2016-10-02, 11-1-16; Ord. No. 2020-08-03, 9-1-20)

~~Sec. 74-37. General purposes.~~

~~The general purposes of the parks and recreation board shall be to receive suggestions, study situations, plans, projects and generally to act in an advisory capacity to such extent as the city council may desire to be advised, relative to the parks and recreation program of the city and, when requested by the city council, to interview applicants for positions, discuss employee relationships and make such reports as the council may request regarding such, to the end that the council may have the benefit of the opinions of interested citizens and groups who have time, and are willing to make more indepth study of, and reports on, park and recreation matters than time will permit the council to engage in, considering the variety of other city business to be dealt with.~~

(Code 1978, § 19-6)

~~Sec. 74-38. Quorum.~~

~~All members of the parks and recreation board shall have a vote. The minimum number of members present to hold a meeting or conduct business shall be three. Should the number of approved members be at seven, the minimum number of members present to hold a meeting or conduct business shall be four.~~

(Code 1978, § 19-2; Ord. No. 2020-08-03, 9-1-20)

~~Sec. 74-39. Appointment, duties of chairperson.~~

~~A chairperson of the parks and recreation board shall be appointed annually by the city council from among the members of such board, and such chairperson's duties shall be to call and preside at the meetings of such board, make such reports and suggestions to the city manager and city council as such board may vote to be submitted; resolve by his vote any tie votes of such board and generally act as liaison between such board and the city manager and city council. The board may appoint an acting chairperson for any regular meeting that such appointed chairperson is unable to attend and, such acting chairperson shall have a vote in all matters before the board requiring a vote.~~

(Code 1978, § 19-3; Ord. No. 2016-10-02, 11-1-16)

~~Sec. 74-40. Regular meetings.~~

~~Regular meetings of the parks and recreation board shall be held at least quarterly at such times and places as the chairman may, from time to time, establish.~~

(Code 1978, § 19-4; Ord. No. 2016-10-02, 11-1-16)

~~Sec. 74-41. Meetings to be public; exeception.~~

~~All meetings of the parks and recreation board shall be open to the public except such executive sessions as the city council may authorize to interview applicants for park and recreation work, or to discuss employees and their relationship to the program, when requested to do so by the council.~~

(Code 1978, § 19-5)

~~Sec. 74-42. Suggestions and recommendation; action thereon.~~

~~The parks and recreation board, upon placing its request upon the city council's agenda, may make such suggestions and recommendations to the city council, from time to time, as such board may deem advisable and in the best interest of the parks and recreation programs of the city. Each suggestion and recommendation must first be approved by a majority of those members present and voting, and no such suggestions or recommendations shall be made by the parks and recreation board, as such, unless a quorum is present at the meeting where such is made. Nothing in this section shall be construed to prevent any individual from bringing any matter before the council or to prevent the making of the minority report by the members of such board so desiring. The council may act, or not, upon any matter brought before it by the board, upon any minority report, or any suggestion or recommendation of any individual or group.~~

~~(Code 1978, § 19-7)~~

Chapter 90 – Taxation

~~Sec. 90-99. Hotel occupancy tax advisory committee.~~

- ~~(a) *Board established, appointment, terms.* There is created and established for the city, being a home rule municipality, a hotel occupancy tax advisory committee which shall be composed of seven members; two members shall come from hotels, three members shall come from arts or historic preservation, two members shall be any citizen 18 years of age or older. The city manager and the director of tourism shall serve as the ex officio members. The members shall be taxpayers, qualified voter and city residents of Brewster County within 20 miles of the city. The members shall be recommended by a councilmember representing each ward and shall be appointed by the city secretary subject to confirmation by the city council. The members shall serve terms of two years, and each member's term shall align and coincide with that of the recommending councilmember. All vacancies shall be filled for the unexpired term in the same manner as provided for in the original appointments. All expired terms shall be filled as provided for in the original appointments and in the same manner. Members may be dismissed after being absent from three consecutive meetings without being excused by the city secretary. The reason for an absence shall be reported to the city secretary before the meeting occurs and recorded in the minutes of the scheduled meeting together with the city secretary's decision on the absence. The members of the board shall serve without compensation.~~
- ~~(b) *General purposes.* The general purposes of the hotel occupancy tax advisory committee shall be to receive suggestions, study situations, plans, projects and generally to act in an advisory capacity to such extent as the city council may desire to be advised, relative to hotel occupancy tax funds of the city and, when requested by the city council, to interview applicants for positions, discuss employee relationships and make such reports as the council may request regarding such, to the end that the council may have the benefit of the opinions of interested citizens and groups who have time, and are willing to make more in-depth study of, and reports on, hotel occupancy tax matters than time will permit the council to engage in, considering the variety of other city business to be dealt with.~~
- ~~(c) *Quorum.* All seven members of the hotel occupancy tax advisory committee shall have a vote. A majority of four members shall be necessary to constitute a quorum, hold a meeting and transact business.~~

- (d) ~~Appointment, duties of chairperson.~~ A chairperson of the hotel occupancy tax advisory committee shall be appointed annually by the city council from among the members of such board, and such chairperson's duties shall be to call and preside at the meetings of such board, make such reports and suggestions to the city manager and city council as such board may vote to be submitted; resolve by his vote any tie votes of such board and generally act as liaison between such board and the city manager and city council. The board may appoint an acting chairperson for any regular meeting that such appointed chairperson is unable to attend and, such acting chairperson shall have a vote in all matters before the board requiring a vote.
- (e) ~~Regular meetings.~~ Regular meetings of the hotel occupancy tax advisory committee shall be held at least quarterly at such times and places as the chairman may, from time to time, establish.
- (f) ~~Meetings to be public.~~ All meetings of the hotel occupancy tax advisory committee shall be open to the public.
- (g) ~~Suggestions and recommendations; action thereon.~~ The hotel occupancy tax advisory committee, upon placing its request upon the city council's agenda, may make such suggestions and recommendations to the city council, from time to time, as such board may deem advisable and in the best interest of hotel occupancy tax funds of the city. Each suggestion and recommendation must first be approved by a majority of those members present and voting, and no such suggestions or recommendations shall be made by the hotel occupancy tax advisory committee, as such, unless a quorum is present at the meeting where such is made. Nothing in this section shall be construed to prevent any individual from bringing any matter before the council or to prevent the making of the minority report by the members of such board so desiring. The council may act, or not, upon any matter brought before it by the board, upon any minority report, or any suggestion or recommendation of any individual or group.

(Ord. No. 2020-02-02, § 1(Exh. A), 2-18-20)

Appendix C – Zoning

ARTICLE I. BASIC ORDINANCE.

GENERAL ZONING REGULATIONS.

Section 9. RESERVED.

~~Section 9. Building and standards commission.~~

~~A. Created.~~

1. ~~There is hereby created a building and standards commission consisting of five regular members and two alternates (alternate position 1 and alternate position 2) who are citizens of the city and/or own property as taxpayers and are qualified voters, and who are not members of the city council or the city planning and zoning commission. Each member of the city council will appoint one member to the commission from their ward, for a term of two years which shall align and coincide with that of the appointing councilmember. The two alternate members will be selected by the voting majority of the city council from a list submitted by the city~~

~~manager; removable for cause by the appointing authority upon written charges after a public hearing. It is the policy of the city council that a member or alternate who misses three consecutive meetings without excuse by the council is cause for removal of said member or alternate. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant for any cause, in the same manner as the original appointment was made. All cases to be heard by the building and standards commission shall be heard by a quorum of members.~~

- ~~2. The two alternate members are required to attend all meetings in the same manner as the regular members of the board. Alternate members shall not vote unless filling an absence of a regular member or the chairperson. If a regular member or the chairperson is absent from a meeting, alternate position 1 shall take his place. If a second regular member and/or the chairperson is absent from a meeting, alternate position 2 shall take his place. Commission shall select a vice chair, to serve when the chair is absent.~~

~~B. *Proceedings of building and standards commission*~~

- ~~1. A chairperson of the building and standards commission shall be selected by the city council. The building and standards commission shall adopt rules of procedure in accordance with the provisions of this section. Meetings of the building and standards commission shall be held at the call of the chairperson and at such other times as at least a quorum of the commission may determine and at least quarterly. Such chairperson, or in his absence the vice chairperson, may administer oaths and compel the attendance of witnesses.~~
- ~~2. All meetings of the building and standards commission shall be open to the public. The Commission shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the city secretary and shall be a public record.~~
- ~~3. The City of Alpine designates the building official as the appropriate official to present all cases before the building and standards commission.~~
- ~~4. The building and standards commission shall:
 - ~~(a) Use the standards of criteria related to: deterioration of the building or structure, fire hazard, pestilence, structural deformity, inadequate fire safety measures and other conditions as recognized by the building codes adopted by the City of Alpine, Article IX, section 18-260, and Article X, sections 18-281—284;~~
 - ~~(b) Hear evidence and shall, upon a finding that the conditions as set out in the ordinances have been met, declare a structure substandard.~~~~

~~C. *Notice:*~~

- ~~1. A public hearing shall be held so that the building and standards commission may determine whether the structure complies with the minimum standards set forth in this section.
 - ~~(a) *Notice of hearing:*~~~~

- ~~(1) The city secretary shall make a diligent effort to discover the identity and address of the owner(s) of record and any lienholders or mortgagees of the structure and the underlying property.~~
 - ~~(2) The city secretary shall notify each owner by personal delivery, by certified mail with return receipt requested, or by delivery by the United States Postal Service using signature confirmation service, to the record owners of the affected property, and each holder of a recorded lien against the affected property, as shown by the records in the office of the county clerk of the county in which the affected property is located if the address of the lienholder can be ascertained from the deed of trust establishing the lien or other applicable instruments on file in the office of the county clerk lienholder, or mortgagee by mail.~~
 - ~~(3) The inspector shall notify any unknown interested parties by posting a copy of the notice on each structure.~~
 - ~~(4) The inspector shall file a notice of hearing in the official public records of real property in Brewster County.~~
- ~~(b) Contents of notice of hearing. The notice of hearing shall contain the following information:~~
- ~~(1) The notice must be posted and either personally delivered or mailed on or before the 10th day before the date of the hearing before the commission panel and must state the date, time, and place of the hearing. In addition, the notice must be published in a newspaper of general circulation in the municipality on one occasion on or before the 10th day before the date fixed for the hearing.~~
 - ~~(2) The owner, lienholder, mortgagee or unknown interested parties have the burden of proof and will be required to submit at the hearing proof of the scope of any work that may be required to make the structure comply with the ordinance and the amount of time it will take to reasonably perform the work.~~
 - ~~(3) The name and address of the owner of record.~~
 - ~~(4) A legal description of the property.~~
 - ~~(5) A general description of the structures not meeting the minimum standards.~~
- ~~2. — When a municipality mails a notice in accordance with this section to a property owner, lienholder, or registered agent and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered.~~
- ~~D. — Functions of the building and standards commission.~~
- ~~1. — The building and standards commission may issue one of the following orders:~~
 - ~~(a) Order to secure or vacate the structure and relocate the occupants.~~
 - ~~(b) Order to repair, remove or demolish.~~
 - ~~(c) Order to remove or demolish.~~
 - ~~(d) Order to release.~~
 - ~~2. — If the structure is occupied and the commission issues an order pursuant to subsection D.1(a), the structure shall be vacated and the occupants relocated.~~

- ~~3. Orders of the commission issued pursuant to subsections D.1(b) and D.1(c) shall allow 45 days before the ordered action to be completed.~~
- ~~4. If a residential structure is removed or demolished pursuant to this article, any and all accessory structures located on the same property shall be removed or demolished, regardless of structural condition.~~
- ~~5. The inspector shall promptly mail a copy of any order issued pursuant to subsection D.1 of this section, to the owner of record, any lienholder or mortgagee along with a notice containing the following:
 - ~~(a) An identification of the structure and the property on which it is located;~~
 - ~~(b) A description of the violation(s) of the minimum standards;~~
 - ~~(c) A statement that the municipality will secure, vacate, repair, remove or demolish the structure if the ordered action is not taken within 45 days.~~~~
- ~~6. Forty five days after an order to repair, remove or demolish has been issued, the inspector has the authority to request the utilities be disconnected at the structure in order to prepare for demolition.~~
- ~~7. Once an order to remove or demolish has been issued by the commission, the inspector has the authority to request the utilities be disconnected at the structure in order to prepare for demolition.~~
- ~~8. Within ten days following the date that an order is issued, the inspector shall:
 - ~~(a) File a copy of the order in the office of the city secretary of the City of Alpine; and~~
 - ~~(b) Publish in a newspaper of general circulation in the city a notice containing the following:
 - ~~(1) The street address or legal description of the property;~~
 - ~~(2) The date the hearing was held;~~
 - ~~(3) A brief statement indicating the results of the order; and~~
 - ~~(4) Instructions stating where a complete copy of the order may be obtained.~~~~~~

~~E.—Permits.~~

- ~~1. Any permits issued for work on a structure on which the commission has issued an order shall expire on the deadline established by the order.~~
- ~~2. Applicants for a permit to make repairs on a structure on which the commission has issued an order shall meet with the appropriate inspecting official from the city's code enforcement and building official prior to the granting of a permit. The meeting will be to ensure the applicant understands:
 - ~~(a) The scope of work required to be completed to comply with the minimum standards;~~
 - ~~(b) That such repairs shall be completed by the deadline established by the order; and~~
 - ~~(c) All repairs are not completed by the deadline established by the order (90 days to repair — everything has to be done in 45 days. Forty five days for appeal), the structure will be demolished. A permit will not be issued unless the applicants comply with this meeting requirement.~~
 - ~~(d) No permits will be issued after the deadline established by the order.~~~~

3. ~~The building and standards commission may not allow the owner, lienholder, or mortgagee more than 90 days to repair, remove, or demolish the building or fully perform all work required to comply with the order unless the owner, lienholder, or mortgagee:~~

- ~~(a) Submits a detailed plan and time schedule for the work at the hearing; and~~
- ~~(b) Establishes at the hearing that the work cannot reasonably be completed within 90 days because of the scope and complexity of the work.~~

F. ~~Appeal.~~ Any owner, lienholder, or mortgagee of record of property jointly or severally aggrieved by an order of the building and standards commission may file in district court a verified petition setting forth that the decision is illegal, in whole or in part, and specifying the grounds of the illegality. The petition must be filed by an owner, lienholder, or mortgagee within 30 calendar days after the respective dates a copy of the final decision of the municipality is personally delivered to them, mailed to them by first class mail with certified return receipt requested, or delivered to them by the United States Postal Service using signature confirmation service, or such decision shall become final as to each of them upon the expiration of each such 30 calendar day period.

G. ~~Expense for abatement.~~

1. ~~If an owner or other interested party does not secure, vacate, repair, remove, or demolish a structure within 45 days, the inspector may take the ordered action at the city's expense with permission for expenses to be incurred from the Alpine City Council.~~

2. ~~Calculation of costs.~~

- ~~(a) Costs include all expenses incurred as a result of the enforcement of the order.~~
- ~~(b) The general administrative expenses of inspecting structures, locating owners, conducting hearings, and issuing notices and orders, together with all associated administrative functions, require a reasonable minimum charge of \$500.00 per property. The building official shall maintain a log of all expenses incurred during this process. If this total is greater than \$500.00, the cost shall be the greater amount.~~

3. ~~Lien.~~ Any expenses incurred by the city pursuant to subsection G.1 of this section will be assessed against the property on which the structure stands or stood. The city will have a privileged lien upon filing same in the official public records of Brewster County subordinate only to tax liens against the property unless it is a homestead as protected by the Texas Constitution. The lien will be extinguished if the property owner or other interested party reimburses the city for all expenses and penalties.

H. ~~Rights and remedies saved.~~ All rights or remedies of the City of Alpine, Texas, are expressly saved as to any and all violations of any building ordinance or amendments thereto, of the city, that have accrued at the time of the effective date the ordinance form which this section derives; and as to such accrued violation, the building and standards commission shall have all the powers that existed prior to the effective date of this ordinance; and that all existing violations of previous building ordinances which would otherwise become non-conforming under this section but shall be considered as violations of this section are violations of this section in the same manner that they were violations of prior building ordinances of the city.

(Ord. No. 2015-03-01, § 1, 5-19-15; Ord. No. 2016-10-02, 11-1-16)



CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
NOVEMBER 1, 2022

To: Honorable Mayor and City Council
Agenda Item: Action Item 2 – Resolution 2022-11-01
Agenda Sponsor: M. Antrim, City Council
Memo Prepared By: Geoffrey R. Calderon, City Secretary

SYNOPSIS

Approve Resolution 2022-11-01, a resolution approving a directive tasking the Animal Advisory Board with key City objectives for the Fiscal Year 2022-2023. (M. Antrim, City Manager)

BACKGROUND

1. Section 16-1(b) of the proposed Boards, Commissions, and Committees ordinance (2022-10-03) provides for the establishment of annual City Council directives to Boards, Commissions, or Committees. The directives are meant to provide a clear outline of items that the Council would like the boards to complete.
2. On October 6, 2022, at the beginning of the new Fiscal Year, City Administration reached out to the Council and requested feedback on what items the Council would like to task each active board, commission, and committee. A deadline of October 21st was provided.
3. Each item that the Council Members requested are included in this proposed resolution. The deadline for the tasks is for each task to be completed or worked on by the end of this fiscal year.

SUPPORTING MATERIALS

1. Resolution 2022-11-01.

STAFF RECOMMENDATION

APPROVE.

STATE OF TEXAS

CITY OF ALPINE

COUNTY OF BREWSTER

RESOLUTION 2022-11-01

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

WHEREAS, the general purpose of the Animal Advisory Board is to provide recommendations and suggestions to the city council and city manager regarding the welfare of animals within the City; and

WHEREAS, the Animal Advisory 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 animal welfare must be addressed, and shall annually task the Animal Advisory 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 Animal Advisory Board with the following Fiscal Year 2023 objectives:

- I. **Ordinance Review** – The current ordinances should be periodically reviewed, streamlined, and amended to conform with updated legislation.
Deadline: Ongoing
- II. **Registration & Leash Compliance** – Find innovative approaches to get more residents in compliance with registering their animals with the City and how to better adhere to leash requirements.
Deadline: September 2023
- III. **Informational Public Service Announcement** – Create a Public Service Announcement about our advisory board and the services that are provided and have them inserted in our utility bills.
Deadline: September 2023
- IV. **Possible Utility Bill Donation Project** – Study the possibility of including a donation box on our Utility Bills for use in animal care like medications, food, and other necessities for Alpine Animal Services.
Deadline: September 2023

- V. **Wildlife Management** – Continue wildlife management efforts and explore the possibility of relocation and/or mitigation of the deer, wild hogs, and other wildlife nuisance populations within the City.

Deadline: September 2023

- VI. **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
NOVEMBER 1, 2022

To: Honorable Mayor and City Council
Agenda Item: Action Item 3 – Resolution 2022-11-02
Agenda Sponsor: M. Antrim, City Council
Memo Prepared By: Geoffrey R. Calderon, City Secretary

SYNOPSIS

Approve Resolution 2022-11-02, a resolution approving a directive tasking the Planning & Zoning Commission with key City objectives for the Fiscal Year 2022-2023. (M. Antrim, City Manager)

BACKGROUND

1. Section 16-1(b) of the proposed Boards, Commissions, and Committees ordinance (2022-10-03) provides for the establishment of annual City Council directives to Boards, Commissions, or Committees. The directives are meant to provide a clear outline of items that the Council would like the boards to complete.
2. On October 6, 2022, at the beginning of the new Fiscal Year, City Administration reached out to the Council and requested feedback on what items the Council would like to task each active board, commission, and committee. A deadline of October 21st was provided.
3. Each item that the Council Members requested are included in this proposed resolution. The deadline for the tasks is for each task to be completed or worked on by the end of this fiscal year.

SUPPORTING MATERIALS

1. Resolution 2022-11-02.

STAFF RECOMMENDATION

APPROVE.

STATE OF TEXAS

CITY OF ALPINE

COUNTY OF BREWSTER

RESOLUTION 2022-11-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS APPROVING A DIRECTIVE TASKING THE PLANNING AND ZONING COMMISSION WITH KEY CITY OBJECTIVES FOR THE FISCAL YEAR 2022-2023.

WHEREAS, the general purpose of the Planning and Zoning Commission is to carry out matters of planning and zoning within the City as prescribed in Chapter 211 of the Local Government Code; and

WHEREAS, the Planning and Zoning Commission is a critical part of obtaining citizen views, and the City Council benefits from the views, plans, and recommendations derived from the Commission; and

WHEREAS, the City Council recognizes that key items related to the planning and zoning affairs of the City must be addressed, and shall annually task the Planning and Zoning Commission 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 Planning and Zoning Commission with the following Fiscal Year 2023 objectives:

- I. **Ordinance Review** – The current ordinances should be reviewed, amended, and updated to conform with State Law and Planning and Zoning best practices. The Board is tasked with reviewing the ordinances and recommending changes that benefit the City.

Deadline: Ongoing

- II. **Zoning Map** – The Commission shall investigate all zoning changes since 2013 and record changes that have occurred in an effort to update the Zoning Map. The Commission should then provide the data to the City so that the City may cause the Map to be updated internally or by a third party.

Deadline: September 2023

- III. **Comprehensive Zoning Plan** – The Commission shall study, investigate, and recommend a Comprehensive Zoning Plan for the City. The Comprehensive Zoning Plan shall provide updated zones throughout the City that will assist the community in anticipating infrastructure needs and increase the efficiency of development by coordinating improvements and directing growth. The Comprehensive plan will provide for development in an orderly manner, weighing and balancing competing private interests in land use.

Deadline: September 2023

- IV. **Historic District** – The Commission shall investigate the possibility of the implementation of a historic district and/or a historic overlay. The Commission shall take steps to determine how to best preserve the History of Alpine and to memorialize a set of standards that will enshrine the character of Alpine’s history through zoning standards.

Deadline: September 2023

- V. **Control Growth of stores deemed detrimental to small economies** – Work with cities which have developed ordinances to control the growth of stores or chains which have been widely accepted to cause damage to small local economies.

Deadline: September 2023

- VI. **In-Person Visits** – Commissioners should consider making in-person visits to sites that are considered for new or different zoning to include current and future development. The Board shall develop policies and report on the impact that the potential zoning changes would have on the areas being considered for changes in zoning.

Deadline: Ongoing

- VII. **Reporting** – Present updates on the Commission’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
NOVEMBER 1, 2022

To: Honorable Mayor and City Council
Agenda Item: Action Item 4 – Resolution 2022-11-03
Agenda Sponsor: M. Antrim, City Council
Memo Prepared By: Geoffrey R. Calderon, City Secretary

SYNOPSIS

Approve Resolution 2022-11-03, a resolution approving a directive tasking the Parks & Recreation Board with key City objectives for the Fiscal Year 2022-2023. (M. Antrim, City Manager)

BACKGROUND

1. Section 16-1(b) of the proposed Boards, Commissions, and Committees ordinance (2022-10-03) provides for the establishment of annual City Council directives to Boards, Commissions, or Committees. The directives are meant to provide a clear outline of items that the Council would like the boards to complete.
2. On October 6, 2022, at the beginning of the new Fiscal Year, City Administration reached out to the Council and requested feedback on what items the Council would like to task each active board, commission, and committee. A deadline of October 21st was provided.
3. Each item that the Council Members requested are included in this proposed resolution. The deadline for the tasks is for each task to be completed or worked on by the end of this fiscal year.

SUPPORTING MATERIALS

1. Resolution 2022-11-03.

STAFF RECOMMENDATION

APPROVE.

STATE OF TEXAS

CITY OF ALPINE

COUNTY OF BREWSTER

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
NOVEMBER 1, 2022

To: Honorable Mayor and City Council
Agenda Item: Action Item 5 – Resolution 2022-11-04
Agenda Sponsor: M. Antrim, City Council
Memo Prepared By: Geoffrey R. Calderon, City Secretary

SYNOPSIS

Approve Resolution 2022-11-04, a resolution adopting a new rental agreement and updated fee schedule for the Alpine Civic Center. (M. Antrim, City Manager)

BACKGROUND

1. Section 26-32 of the Alpine Code of Ordinance stipulates that fees related to renting the Civic Center shall be set by City Council resolution.
2. The last time that the Civic Center fees were amended by the City Council was on April 6, 2021 (Resolution 2021-04-02). The prior amendment March 3, 2020 (Resolution 2020-03-05).
3. Prior to the last two amendments, the fees were amended by ordinance. The Civic Center ordinance was updated to the current structure on April 7, 2020 with the passage of Ordinance 2020-03-01.
4. Updated fees are being recommended by City Administration to further enhance the protection of City assets and the utilization of City resources while continuing to provide a viable community venue for our residents.
5. Additional fees added: Unlocked Doors, Lights left on overnight, A/C & heater left on charge, Alcohol Penalty Charge. Rental fees are recommended to remain the same.

SUPPORTING MATERIALS

1. Resolution 2022-11-04.
2. Resolution 2021-04-02.
3. Resolution 2020-03-05.

STAFF RECOMMENDATION

APPROVE.

STATE OF TEXAS

COUNTY OF BREWSTER

CITY OF ALPINE

RESOLUTION 2022-11-04

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS
ADOPTING A NEW RENTAL AGREEMENT AND FEE SCHEDULE FOR THE ALPINE
CIVIC CENTER.**

WHEREAS, the City of Alpine owns and operates the Alpine Civic Center for the benefit of the City and its residents in order to provide a place for gatherings and public and cultural entertainment events; and

WHEREAS, the City Council has cause in pursuit of their legislative duties on behalf of the citizens of Alpine to modify the rates, agreements, and fee schedule for the Civic Center; and

WHEREAS, the City Council may update Civic Center fees by resolution in accordance with Section 26-32 of the Alpine Code of Ordinances; and

WHEREAS, it is deemed to be in the best interest of the City to establish a new agreement, containing new rates, regulations, and an updated fee schedule for the Civic Center.

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

SECTION I. The agreement and schedule of fees attached in the form hereto described as Exhibit "A" are hereby approved.

SECTION II. This resolution shall become effective immediately upon its passage.

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

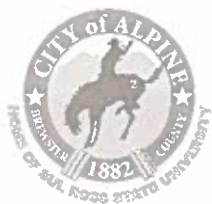
APPROVED:

ATTEST:

Catherine Eaves, Mayor

Geoffrey R. Calderon, City Secretary

EXHIBIT "A"



CIVIC CENTER

100 N. 13TH St
Alpine, Texas 79830
(432) 837-3301 x 1

FACILITY INFORMATION

RATES & FEES	Commercial General Public	Non-Profit Organization	Government Agencies
Full Day Rental (8 Hours)	\$500.00	\$100.00	\$100.00
Half Day Rental (4 Hours, M-F)	\$250.00	\$50.00	\$50.00
Half Day Rental (4 Hours, S/S)	\$500.00	\$100.00	\$100.00
Deposit	\$200.00	\$200.00	\$200.00
Security *Required if alcohol is served*	\$60.00/hr. for 2 officers	\$60.00/hr. for 2 officers	\$60.00/hr. for 2 officers

AMENITIES	Quantity	Description
Plastic tables		2 ½' x 8' rectangle
		5' round
Chairs		Stainless steel
Wi-Fi	Open	Civic Center
Ice machine		
Maximum Occupancy	507	

DEPOSIT AND FEES

Payment of the full rental fees & rental facility deposit is **due at the time of application** by cash, check, or money order. The facility will not be reserved until full payment is made.

Facility Rental Damage and Cleaning Deposit: **\$200.00**

Damage deposits are 100% refundable provided the following conditions are met:

- The room(s) and facility (including outside area) are left properly cleaned and in an orderly manner per the Facility Cleaning Procedures.
- Use of the facility **does not** exceed the scheduled time.
- All equipment is accounted for and undamaged.
- Damage to the area or its contents has not occurred.
- All rules and procedures governing alcohol and smoking are met.
- All doors and windows are closed and locked. All AC/ heaters are turned off.
- All lights turned off & are to remain turned off at the end of every night.
- All rules and procedures governing City of Alpine facility use are met.

Cost for damages	Cost	Description
Plastic tables	\$150.00	Rectangle each
	\$225.00	Round each
Chairs	\$75.00	Each
Lost key	\$100.00	Each
Late return key	\$75.00	Per day
Unlocked door	\$75.00	Per day
Lights left on overnight	\$50.00	Per day/night
A/Cs or heater not turned off	\$50.00	Per day
Alcohol penalty charge	\$480.00	Flat Fee

If the above conditions are not met to the satisfaction of City Staff, an appropriate fee will be deducted from the damage deposit. If the cost of cleaning and/or repair of the facility exceeds the amount of the damage deposit, the rental group will be billed for those additional costs. If the renter or organization fails to satisfy all outstanding payments, they will be barred from renting the Civic Center until all outstanding charges are paid. Deposits will be refunded via check within 30 days post-event.

CANCELLATION POLICY

All reservation cancellations must be made in writing. Cancellations made 10 or more working days prior to the event will result in a full refund of the fees paid. Deposits are not refundable with less than 10 business days written notice.

TERMINATION POLICY

All relative City of Alpine Codes and Ordinances will be in effect and enforced at all City of Alpine facilities. There are regulations governing sound and noise levels, pets, animals, parking, vehicle access, weapon possession, etc. These codes can be viewed online at www.cityofalpine.com. The City of Alpine reserves the right to terminate your event if City Staff, in good faith, perceives that you or your guests pose a risk to the safety of the persons or property on the premises or that you or your guests are violating local, state, or federal laws. Upon verbal notice from City Staff or the Alpine Police Department that your event is being terminated, you and your guests must leave the premises immediately, and you will not receive a refund of your rental fee and damage deposit. You will be responsible for the prompt removal of any personal items brought to your event.

ALCOHOL POLICY

Absolutely no alcohol is allowed in the Civic Center without explicit authorization from the City. Security must be provided by the Alpine Police Department at all times that alcohol is served or consumed. Failure to abide by this rule will result in an alcohol penalty charge and the renter will be barred from renting the Civic Center going forward.

APPLICATION

The City of Alpine encourages the use of the Civic Center if use is of a lawful purpose and does not interfere with the City of Alpine's conduct of programs or the primary purpose for which the buildings and grounds are intended. Community use of facilities is subject to the terms of City of Alpine ordinances, resolutions, this agreement, and the current schedule of user fees. Permission to use a facility may be denied based on the belief that the activity proposed is not in the City of Alpine's best interest or the level of previously scheduled use. No person shall be denied access of the facility based on race, creed, sex, sexual orientation, origin, or other lawfully protected class.

SPONSOR INFORMATION				<i>Complete at least one (A or B) listed below</i>			
A. Individual Sponsor							
First Name			Last Name			Primary Telephone Number	
Mailing Address					Email Address		
Emergency Contact Person (First Name, Last Name)					Emergency Telephone Number		
B. Organization, Business Entity, or Non-Profit							
Organizational Type: <input type="checkbox"/> Organization <input type="checkbox"/> Business Entity <input type="checkbox"/> Non-Profit <input type="checkbox"/> Other _____							
Organization Name				Tax ID Number (Non-profit only)			
Contact First Name			Contact Last Name			Primary Telephone Number	
Mailing Address					Email Address		
Emergency Contact Person (First Name, Last Name)					Emergency Telephone Number		
<i>Deposit Refund will be issued to organization unless otherwise noted:</i>							
EVENT INFORMATION							
Nature & Purpose of Activity						Primary Telephone Number	
Event Date(s)			Event Start Time A.M / P.M			Event End Time A.M / P.M	
Will Alcohol Be Served? <input type="checkbox"/> YES <input type="checkbox"/> NO			Serving Start Time A.M / P.M			Serving End Time A.M / P.M	

CIVIC CENTER RENTAL RATES & FEES WORKSHEET

	COST	QTY DAYS	SUBTOTAL
RENTAL FEES			
Full Day Rental Commercial General Public	\$500.00		\$
Full Day Rental Non-Profit Organization	\$100.00		\$
Full Day Rental Government Agency	\$100.00		\$
Half Day Rental Commercial General Public (M to F)	\$250.00		\$
Half Day Rental Commercial General Public (S/S)	\$500.00		\$
Half Day Rental Non-Profit Organization (M to F)	\$50.00		\$
Half Day Rental Non-Profit Organization (S/S)	\$100.00		\$
Half Day Rental Government Agency (M to F)	\$50.00		\$
Half Day Rental Government Agency (S/S)	\$100.00		\$
SECURITY FEES			
\$60.00/hr for 2 Officers: <i>Security is required if alcohol is being served and/or consumed.</i> _____am/pm to _____am/pm = _____hrs	\$60.00/hr		\$
DEPOSIT & CLEANING FEES			
Facility rental damage and cleaning fee	\$200.00		\$
TOTAL DUE			\$

Sponsor Printed Name

Sponsor Signature

Date

FOR OFFICE USE ONLY – VERIFIED BY

Staff Printed Name

Staff Signature

Date

RULES & REGULATIONS

1. The individual who fills out the agreement must call to let the City know if someone else will be picking up the Civic Center key.
2. No person is allowed to be inside of the DJ booth except the renter; guests are not allowed in the booth.
3. Do not put any personal belongings or items in the closet near the handicapped restrooms.
4. No sawdust, powder or anything on the dance floor that would make the floor "easier to dance on" will be permitted.
5. No staples are allowed. Do not hang decorations from the ceiling. Tape or such that is used needs to be taken off completely and all decorations need to be removed from the building.
6. No items/ decorations which utilize a fire source i.e. candles, torches, fireworks, etc. will be permitted.
7. AC should **not** be below **72°**. Turn on AC 2-3 hours before event to cool down Civic Center. Maximum heat should not exceed **76 °**.
8. No smoking is allowed inside the Civic Center.
9. Vendors must not hook up RVs to any City building outlet without explicit written authorization. This applies to both electrical & water/ wastewater connections.
10. No parking is allowed on Holland St. in front of the payment drop box. **No parking is allowed in front of city offices or in the paved office parking lot during normal business hours (Monday to Friday, 8:00 a.m. – 5:00 p.m.).**
11. The Civic Center must be left as it was found.
12. Clean up includes sweeping & wiping down tables and chairs before putting them away.
13. Tables must be put away in the storage room and chairs must be stacked properly against the wall. Do not drag chairs across the floor; use the dolly that is provided or carry them.
14. Remove all trash, paper, cans, etc. from restroom floors, commodes, sinks, tables, outside of the building and the parking lot. Trash needs to be emptied in outside dumpsters.
15. Clean up has to be done as soon as the event is over or early the next day.
16. Clean, rinse and dry metal ice bins (bar area): Empty buckets into sink, rinse, and replace under the bins.
17. When closing the building make sure all doors are locked, air conditioning /heater is off, and all lights are turned off.
18. If there is damage to the Civic Center, something is left turned on, or doors are left unlocked, the cost will be deducted from the deposit.
NOTE: If damages are more than the deposit, lessee will be invoiced for the remaining amount in addition to the deposit.
19. Keys must be returned the following business day or a penalty will be charged PER DAY.
20. The event must be ended by 2 a.m., so please begin clearing out guests at 1:30 a.m.
21. For emergencies dial 911. For issues that are urgent but not an emergency, please call the Alpine Police Dept. non- emergency line at 432-837-3486.

I have read and understand all of the following rules, I understand that a penalty charge will be assessed from the deposit for each rule that is not followed or broken.

Sponsor Printed Name

Sponsor Signature

Date

AGREEMENT

The person or organization entering into a rental agreement with the City of Alpine for the use of the Civic Center certifies that the information given in this application is current. The undersigned further states that he/she has the authority to make this application for the applicant and agrees that the applicant will observe all rules and regulations. The applicant further agrees to reimburse the City of Alpine for any damages arising from the applicant's use of said facility. Any accident involving injury to participants or damages to the facility or its contents occurring during the use of the City of Alpine facilities or equipment will be reported to the City of Alpine immediately. The applicant agrees that the City of Alpine and its agents or employees will not be liable for any damage to person or property by reason of negligent acts of applicant, its agents, employees, invitees, or subcontractors. Applicant agrees to protect, indemnify for legal costs and other expenses, and hold harmless the City of Alpine and its officers, employees, directors and agents from claims, liabilities, or suits, arising out of injury to person or property from negligent acts of applicant, directly or indirectly attributable to user's activities and/or use of premises except for sole negligence of the City of Alpine.

I have read and agree to the terms above.

Sponsor Printed Name

Sponsor Signature

Date



FACILITY PROCEDURE CHECKLIST

- ☐ All sinks, counters, mirrors, appliances, tables, chairs, doors, walls etc. are clean
- ☐ Stained concrete floor is clean
- ☐ All garbage cans are empty and lined with garbage liners
- ☐ Tables/chairs are clean and correctly aligned in their respective areas
- ☐ No personal items have been left behind
- ☐ AC/Heater & Lights are off
- ☐ All doors are locked

Please note any discrepancies and exact locations below and return to City Hall with your key:

SPONSOR

Sponsor Printed Name

Sponsor Signature

Date/Time

FOR OFFICE USE ONLY

CITY STAFF COMMENTS

Staff Printed Name

Staff Signature

Date

STATE OF TEXAS

COUNTY OF BREWSTER

CITY OF ALPINE

RESOLUTION 2021-04-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS ADOPTING A NEW RENTAL AGREEMENT AND FEE SCHEDULE FOR THE ALPINE CIVIC CENTER.

WHEREAS, the City of alpine owns and operates the Alpine Civic Center for the benefit of the City and its residents in order to provide a place for gatherings and public and cultural entertainment events; and

WHEREAS, the City Council has cause in pursuit of their legislative duties on behalf of citizens of Alpine to modify the rates, agreements, and fee schedule for the Alpine Civic Center; and

WHEREAS, it is deemed to be in the best interest of the City to establish a new agreement, containing new rates, regulations, and fee schedule for the Alpine Civic Center.

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

1. The agreement attached in the form hereto described as Exhibit "A" is hereby found to be true and correct legislative and factual findings of the City Council of the City of Alpine and is hereby approved.
2. This resolution shall become effective immediately upon passage by the City Council.

PASSED AND APPROVED THIS THE 6th DAY OF APRIL 2021 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.



Andres "Andy" Ramos, Mayor
City of Alpine

ATTEST:



Cynthia Salas, City Secretary
City of Alpine

“EXHIBIT A”**CIVIC CENTER
FACILITY INFORMATION***Maximum Occupancy 507*

100 N. 13TH STREET
ALPINE, TEXAS 79830
(432) 837-3301 x 1

AMENITIES

The Alpine Civic Center offers the following amenities for your rental needs:

Plastic Tables 53- 2 ½' x 8' rectangle 24- 5' round	Chairs 270 chairs
Portable Stage	Ice Machine

CIVIC CENTER RATES & FEES

	Commercial General Public	Non-Profit Organization	Government Agencies
Full Day Rental (8 Hours)	\$500.00	\$100.00	\$100.00
Half Day Rental (4 Hours)	\$250.00	\$50.00	\$50.00
Deposit	\$200.00	\$200.00	\$200.00
Security *Required if alcohol is served*	\$60.00/hr. for 2 officers	\$60.00/hr. for 2 officers	\$60.00/hr. for 2 officers

**STATE OF TEXAS
CITY OF ALPINE**

COUNTY OF BREWSTER

RESOLUTION 2020-03-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS ADOPTING A NEW RENTAL AGREEMENT AND FEE SCHEDULE FOR THE ALPINE CIVIC CENTER.

WHEREAS, the City of Alpine owns and operates the Alpine Civic Center for the benefit of the City and its residents in order to attract conventions, conferences, trade shows, meetings, exhibits, gatherings and other public cultural and entertainment events; and

WHEREAS, the City Council has cause in pursuit of their legislative duties on behalf of citizens of Alpine to modify the rates, agreements, and fee schedule for the Alpine Civic Center; and

WHEREAS, it is deemed to be in the best interest of the City to establish a new agreement, containing new rates, regulations, and fee schedule for the Alpine Civic Center.

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

1. All of the premises attached in the form hereto described as Exhibit "A" are hereby found to be true and correct legislative and factual findings of the City Council of the City of Alpine and are hereby approved.
2. This resolution shall become effective immediately upon passage by the City Council.

PASSED AND APPROVED THIS THE 3RD DAY OF MARCH 2020 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.



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

ATTEST:



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

Exhibit "A"



Civic Center Facility Information
100 N 13th Street, Alpine, TX 79830
432-837-3301
Maximum Occupancy 507

- Weddings
- Family and class reunions
- Bridal and baby showers
- Birthday celebrations
- Holiday Gatherings
 - Dances
- Instructional classes

AMENITIES

The Alpine Civic Center offers amenities for your rental needs.

Plastic Tables 53- 2 ½' x 8' rectangle 24- 5' round	Chairs 270 chairs
Disco Ball	Projector Screen
Portable Stage	Ice Machine

CIVIC CENTER RATES & FEES

	Commercial General Public	Non-Profit Organization	Government Agencies
Full Day Rental for One Event	\$650.00	\$400.00	\$400.00
Security *Required at ALL events*	\$75.00/hr. for 2 officers	\$75.00/hr. for 2 officers	\$75.00/hr. for 2 officers

All relative City of Alpine Codes and Ordinances will be in effect and enforced at all City of Alpine facilities. There are regulations governing sound and noise levels, pets, animals, parking, vehicle access, etc. These codes can be viewed online at www.cityofalpine.com. The City of Alpine reserves the right to terminate your event if City Staff, in good faith, perceive that you or your guests pose a risk to the safety of the persons or property on the premises or that you or your guests are violating local, state or federal laws. Upon verbal notice from City Staff or the Police that your event is being terminated, you and your guests must leave the premises immediately, and you will not receive a refund of your rental fee. You will be responsible for the prompt removal of any personal items brought to your event.

DEPOSITS AND FEES

Payment of Rental Facility Deposit is due at the time of application. We accept checks & money orders.

Facility Rental Damage and Cleaning: \$250.00

Damage deposits are 100% refundable provided the following conditions are met:

- The room(s) and facility (including outside area) are left properly cleaned and in an orderly manner per the Facility Cleaning Procedures.
- Use of the facility **does not** exceed the scheduled time.
- All equipment is accounted for and undamaged.
- Damage to the area or its contents has not occurred.
- All rules and procedures governing alcohol and smoking are met.
- All doors and windows are closed and locked.
- All rules and procedures governing City of Alpine facility use are met.

If the above conditions are not met to the satisfaction of City Staff, an appropriate fee will be deducted from the damage deposit. If the cost of cleaning and/or repair of the facility exceeds the amount of the damage deposit, the rental group will be billed for those additional costs. Deposits will be refunded via check within 30 days' post event.

Cancellation Policy

Deposits and Rental Fees will be refunded per the schedule below. Please note, all reservation cancellations must be made in writing.

- Cancellations made 10 or more working days prior to the event will result in a full refund of the fees paid.



Facility Procedure Checklist

- ☐ All sinks, counters, mirrors, appliances, tables, chairs, doors, walls etc. are clean.
- ☐ Stained concrete floor is clean.
- ☐ All garbage cans are empty and lined with garbage liners.
- ☐ Tables/chairs are clean and correctly aligned in their respective areas.
- ☐ No personal items have been left behind.
- ☐ Ac/Heater & Lights are off.
- ☐ All doors are locked.

Please note any discrepancies and exact locations below and return to City Hall with your key:

RENTER SIGNATURE

_____ Date _____

CITY STAFF SIGNATURE

_____ Date _____ Time _____ A.M. / P.M.



The City of Alpine encourages the use of the Civic Center if use is of lawful purpose and does not interfere with the conduct of City of Alpine's programs or the primary purpose for which the buildings and grounds are intended. Community use of facilities is subject to the terms of City of Alpine Policy and Procedures and the current schedule of user fees. Permission to use a facility may be denied based on a belief that the activity proposed may not be in the City of Alpine's best interests, or due to the level of previously scheduled use. No person shall be denied the full enjoyment of the facilities because of race, creed, color, sex, or origin.

NAME _____

ORGANIZATION: _____
(Deposit refund will be issued to organization unless otherwise noted)

Tax ID# (non-profit only) _____

ADDRESS _____

CITY/STATE/ZIP _____

DAYTIME PHONE _____

E-MAIL _____

PHONE# DURING EVENT _____

DATES TO BE USED _____

TIMES OF DAY/EVENING: FROM _____ AM/PM TO _____ AM/PM
(Include set-up & clean-up times)

NATURE AND PURPOSE OF ACTIVITY

WILL ALCOHOL BE SERVED? YES _____ NO _____

RULES AND REGULATIONS

1. The individual that fills out the agreement is the **ONLY** person allowed to pick up the civic center key.
2. Civic center must be left as it was found...
3. Tables must be put away in storage room and chairs must be stacked properly against the wall.
4. Remove all trash, paper, cans, etc. from restroom floors, commodes, sinks, tables & parking lot.
5. Please place trash in outside dumpsters.
6. Clean up includes mopping and sweeping. Clean up has to be done as soon as the event is over or early the next day.
7. When closing the building, make sure all doors are locked, air conditioning/heater is off and anything that needs to be off is off.
8. DJ booth is to be locked at all times, only the keyholder is allowed in the booth.
9. Keys must be returned the following business day, or a \$75.00 penalty charge PER DAY it is late will be taken from your deposit.
10. If there is damage to the Civic Center the cost will be taken from your deposit.
NOTE: If damages are more than the deposit can pay for lessee will be asked to pay for the remaining amount in addition to the deposit.
11. Please no sawdust, powder or anything on the dance floor that would make the floor "easier to dance on".
12. Pick up trash around the outside of the building.
13. **No staples are allowed.**
14. No lighted candles or other objects on tables unless they are in suitable containers that will prevent damage to the tables.
15. **DO NOT** hang decorations from the ceiling.
16. Tape or such that is used needs to be taken off completely.
17. Please remove all decorations from the building.
18. **DO NOT** put any personal belongings or items in the closet near the handicapped restroom.
19. Wipe down tables and chairs before putting them away.
20. **DO NOT** drag chairs across the floor, use the dolly that is provided.

Note:

If you have any questions regarding the Civic Center, please call:
Andrew Boorse @ 432-386-0911.

I have read and understand all of the following rules, I understand a penalty charge will be taken out of my deposit for each rule that is not followed/broken.

Renter Signature X_____

City Staff Signature X_____

AGREEMENT

The person or organization entering into a rental agreement with the City of Alpine for the use of the facility listed described above certifies that the information given in this application is current. The undersigned further states that he/she has the authority to make this application for the applicant and agrees that the applicant will observe all rules and regulations. The applicant further agrees to reimburse the City of Alpine for any damages arising from the applicant's use of said facility. Any accident involving injury to participants or damages to the facility or its contents occurring during the use of the City of Alpine facilities or equipment will be reported to the City of Alpine authorities immediately.

The applicant agrees that the City of Alpine and its agents or employees will not be liable for any damage to person or property by reason of negligent acts of applicant, its agents, employees, invitees, or subcontractors. Applicant agrees to protect, indemnify for legal costs and other expenses, and hold harmless, the City of Alpine and its officers, employees, directors and agents from claims, liabilities, or suits, arising out of injury to person or property from negligent acts of applicant, directly or indirectly attributable to user's activities and/or use of premises except for sole negligence of the City of Alpine.

I have read the rules and regulations above of this form and agree with the conditions and charges as established:

SIGNATURE OF APPLICANT

Date _____



COUNT SHEET

1st count (before event)

2nd count (after event)

Staff count

Chairs		Chairs		Chairs	
Round Tables		Round Tables		Round Tables	
Rectangle Tables		Rectangle Tables		Rectangle Tables	

Note: If any chairs or tables go missing or damaged money will be deducted from your deposit. Chairs = \$75.00 each/Tables = \$150.00 each

Renter Signature X _____

City Staff Signature X _____

CONCLUSION OVERVIEW

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

NOTICE: The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.086 (economic development).

11. **Executive Session** – None.

12. **Action – Executive Session** – None.

13. **Adjourn.**