

**CITY OF ALPINE
HOTEL OCCUPANCY TAX COMMITTEE MEETING
MONDAY, NOVEMBER 20, 2023 - 5:30 P.M.**

NOTICE IS HEREBY GIVEN THAT THE HOTEL OCCUPANCY TAX COMMITTEE OF THE CITY OF ALPINE, TEXAS WILL HOLD A MEETING AT 5:30 P.M. ON **MONDAY, NOVEMBER 20, 2023** AT THE CITY COUNCIL CHAMBERS LOCATED AT 803 WEST HOLLAND AVENUE AND VIA ZOOM VIDEO CONFERENCE FOR THE PURPOSE OF CONSIDERING THE ATTACHED AGENDA. MEETING LOGIN DETAILS MAY BE FOUND ON THE CITY WEBSITE 24 HOURS PRIOR AT WWW.CITYOFALPINE.COM/MEETINGLINK. THIS NOTICE IS POSTED PURSUANT TO THE TEXAS OPEN MEETINGS ACT. ACTION ITEMS APPROVED AT THIS MEETING WILL BE CONSIDERED BY THE CITY COUNCIL FOR FINAL ACTION.

AGENDA

1. Call to Order.

2. Determination of a Quorum.

3. Public Comments.

4. Approval of minutes of previous Board Meeting –

a) July 10, 2023 Regular Meeting Minutes.

5. Public Hearings – None.

6. Discussion Items –

- a) Discuss available sources of economic and visitor data reports.
- b) Review Hotel Occupancy Tax financial overview (projected revenue, expenses, fund balance).
- c) Examine possible areas of strategic action by the Committee.
- d) Discuss conflict of interest policy.

7. Action Items –

- a) Approve the excused absence of Jessica Lundeby from the July 10, 2023 Hotel Occupancy Tax Committee meeting.

8. Board Member Comments.

9. Next Meeting.

- a) February 15, 2024.

10. Adjourn.

NOTICE: This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the Office of the City Secretary at (432) 837-3301, option 1, or email city.secretary@cityofalpine.com for further information.

CERTIFICATION

I, Geoffrey R. Calderon, hereby certify that this notice was posted at City Hall, a convenient and readily accessible place to the general public, and to the City website at www.cityofalpine.com pursuant to Section 551.043, Texas Government Code. The said notice was posted at 5:00 P.M. on November 14, 2023, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting.


Geoffrey R. Calderon, City Secretary





**HOT COMMITTEE
MEETING AGENDA ITEM COVER MEMO
NOVEMBER 20, 2023**

APPROVAL OF MINUTES

- a) July 10, 2023 Regular Meeting Minutes.

BACKGROUND

NONE.

SUPPORTING MATERIALS

- a) July 10, 2023 Regular Meeting Minutes.

STAFF RECOMMENDATION

APPROVE.

**CITY OF ALPINE
HOTEL OCCUPANCY TAX COMMITTEE MEETING
MONDAY, JULY 10, 2023 - 5:30 P.M.
MINUTES**

1. **Call to Order** – Chris Ruggia, Chair of the Hotel Occupancy Tax Committee, called the meeting to order at 5:30 P.M. The meeting was held in City Council Chambers located at 803 West Holland Avenue, Alpine, Texas, 79830 and via Zoom video conference.

Committee Members Physical Present:

Chris Ruggia, Chair of the Committee
Alicia Fernbaugh, Place 1
Evin Hanke, Place 2
Larry Nichols, Place 5
Karen Sulewski, Place 6
Susie Gonzales, Place 7

Committee Members Not Present:

Alicia Fernbaugh, Place 1
Jessica Lundebly, Place 3

Committee Members Present via Zoom:

John Green, Place 4

City Staff Present via Zoom:

Geoffrey R. Calderon, City Secretary

2. **Determination of Quorum.**

3. **Public Comments** – Benjamin Garcia.

4. **Approval of minutes of previous Board Meeting** – None.

5. **Information or Discussion Items** – None.

6. **Action Items** –

a) Approve a recommendation to the City Council to award HOT Grants for FY 2023-2024.

On a motion by Chris Ruggia and seconded by Board Member Gonzales for all those in favor of recommending the funding amounts discussed during the meeting, the Hotel Occupancy Tax Committee unanimously voted to adopt the motion.

7. **Board Member Comments.**

8. **Adjourn (7:55 P.M.)**

APPROVED:

Chris Ruggia, Chair of the Hotel Occupancy Tax Committee

CERTIFICATION

Minutes:07-10-2023

Approved: 11-20-23

I, Geoffrey R. Calderon, hereby certify that this notice was posted at City Hall, a convenient and readily accessible place to the general public, and to the City website at www.cityofalpine.com pursuant to Section 551.043, Texas Government Code. The said notice was posted at 5:00 P.M. on July 4, 2023, 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@cityofalpine.com for further information.

Geoffrey R. Calderon, City Secretary



**HOT COMMITTEE
MEETING AGENDA ITEM COVER MEMO
NOVEMBER 20, 2023**

INFORMATION OR DISCUSSION

- a) Discuss available sources of economic and visitor data reports.
- b) Review Hotel Occupancy Tax financial overview (projected revenue, expenses, fund balance).
- c) Examine possible areas of strategic action by the Committee.
- d) Discuss conflict of interest policy.

BACKGROUND

NONE.

SUPPORTING MATERIALS

- a) Current Ethics Policy approved for City Council, City Employees, and Boards & Commissions.

STAFF RECOMMENDATION

APPROVE.

City of Alpine

Personnel Policies and Guidelines

SECTION 9000 – Code of Ethics

9010 - Code of Ethics

A. Definitions

1. **Benefit** means any economic gain or economic advantage to an officer or employee or to a relative of an officer or employee, but does not include:
 - a. political contributions made and reported in accordance with law;
 - b. awards publicly presented in recognition of public service;
 - c. gifts or other tokens of recognition presented by representatives of governmental bodies or political subdivisions who are acting in their official capacities;
 - d. commercially reasonable loans made in the ordinary course of the lender's business;
 - e. complimentary copies of trade publications;
 - f. reasonable hosting, including travel and expenses, entertainment, meals or refreshments furnished in connection with public events, appearances or ceremonies related to official City business, if furnished by the sponsor of such public event; or in connection with speaking engagements, teaching or rendering other public assistance to an organization or another governmental entity.
 - g. any economic gain or economic advantage conferred by any one person or organization if the economic value totals less than \$50.00 per calendar year.
2. **Confidential Information** means any written information that could be excepted from disclosure pursuant to the Texas Open Records Act, if such disclosure has not been authorized pursuant to law; or any non-written information which, if it were written, could be excepted from disclosing under that Act, unless disclosure has been authorized pursuant to law.
3. **Employee** means a person employed and paid a salary by the City whether under Civil Service or not, including those individuals on a part-time basis and including those officially selected but not yet serving, but does not include an independent contractor or City Council member. For purposes of this Code and for no other purpose, the term employee includes volunteers.

4. **Negotiating** concerning prospective employment means a discussion between a City Supervisor or employee and another employer concerning the possibility of the City Supervisor or employee considering or accepting employment with the employer, in which discussion the City Supervisor or employee responds in a positive way.
5. **Relative** means a person who is related to an official or employee as spouse or any of the following, whether by marriage, blood or adoption: parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half- brother, half-sister, brother-in-law or sister-in-law.
6. **Volunteer** means an individual who provides services to the City without any expectation of compensation or financial gain and without receiving any compensation or financial gain.

B. Standards of Conduct

1. Employee shall not:
 - a. accept or solicit, for personal financial gain, any benefit that might reasonably tend to influence them to act improperly in the discharge of official duties;
 - b. use their official positions improperly to secure unwarranted privileges or exemptions for themselves, relatives or others. This provision does not preclude officers or employees from acting in any manner consistent with their official duties or from zealously providing public services to anyone who is entitled to them.
 - c. participate in making or influencing any City governmental decision or action in which they know that they have any financial interest distinguishable from that of the public generally or from that of other employees generally.
 - d. by their conduct give reasonable basis for the impression that any person can improperly influence, or unduly enjoy their favor in, the performance of their official duties, or that they are unduly affected by the kinship, rank, position or influence of any person.
 - e. use or disclose, other than in the performance of their official duties or as may be required by law, confidential information gained in the course of or by reasons of their positions. This provision applies to former officers and employees as well as to current ones.
 - f. transact any business (other than ministerial acts) on behalf of the City with any business entity of which they or their relatives are officers, agents or members or on which they or their relatives have a financial interest. In the event such a circumstance arises, then they shall make known their interest, and in the case of an employee, disclose the matter to an appropriate administrative authority within City government so that reassignment or other suitable action may

be taken to remove the employee from any further involvement in the matter.

- g.** personally provide services for compensation, directly or indirectly, to a person or organization who is requesting an approval, investigation, or determination from the body or department of which the officer or employee is a member.
- h.** accept other employment or engage in outside activities incompatible with the full and proper discharge of their duties and responsibilities within the City, or which might impair their independent judgment in the performance of their public duty.
- i.** personally participate in a decision, approval, disapproval, recommendation, investigation, or rendering of advice in a proceeding, application, request for ruling or determination, contract, claim, or other matter under the jurisdiction of the City, if the employee or a relative of the employee is negotiating or has an arrangement concerning prospective employment with a person or organization that has a financial interest in a matter in which the employee has been participating, the employee shall immediately notify the official responsible for appointment to his or her position of the nature of the negotiation or arrangement and, if the City Manager or his designee determines that a conflict of interest exists, follow the instructions of the City Manager with regard to further involvement in the matter; or
- j.** receive any fee or compensation for their services as employees of the City from any source other than the City, except as may be otherwise provided by law. This shall not prohibit their performing the same or other services for a public or private organization that they perform for the City if there is no conflict with their City duties and responsibilities.
- k.** knowingly perform or refuse to perform any act in order to deliberately thwart the execution of the City ordinances, rules or regulations or the achievement of official City programs.
- l.** personally represent or appear in behalf of the private interest of another before the City council or any City board or department; or if the represented person's interest is adverse to that of the City, represent any person:
 - (1)** in any quasi-judicial proceeding involving the City; or
 - (2)** in any judicial proceeding to which the City is a party

2. Provided, nothing in subsection (1) above shall preclude:

- a.** any employee from performing the duties of his or her employment;

- b. any employee from appearing before the City Council or any City board or department, in a manner consistent with other City policies and rules, to discuss any general City policies or public issues, including the presentation of viewpoints or petitions of other employees; or
- c. an employee from testifying as a witness under subpoena in a judicial or quasi-judicial proceeding.

C. PENALTIES

- 1. The failure of any employee to comply with this article or the violation of one or more of the standards of conduct set forth in this code of Ethics, which apply to him or her shall constitute grounds for expulsion, reprimand, removal from office or discharge.
- 2. Disciplinary action and appeals in the case of an employee of the City, shall be in conformance with procedures established by City personnel rules and regulations.

D. FINANCIAL INTERESTS

- 1. Each Department Director shall file with the City Secretary, immediately upon beginning service, a signed, sworn statement disclosing:
 - a. where, by whom, and in what specific capacity that person is employed or self-employed;
 - b. membership on boards of directors of corporations, whether organized for profit or not;
 - c. partnership interest;
 - d. the name and address of any business in which the person has a financial investment; and
- 2. Any person submitting such a statement of financial disclosure must indicate therein the extent of financial involvement in any investments.
- 3. Each person subject to this provision shall file with the City Secretary a signed, sworn, updated revision of this statement, annually, while in office or employed.
- 4. Each candidate for a Department Director position shall be provided with a notice of financial disclosure requirements at the time of application for such office or employment.

E. COMPLIANCE

- 1. All possible steps are taken to avoid the delegation of substantial discretionary authority to an individual, whom the organization knows or should know, have previously engaged in illegal activities by conducting criminal background checks upon hire and randomly throughout an individual's employment with the organization.
- 2. All steps are taken to ensure that compliance standards are effectively communicated to all employees by requiring participation in training and

by distributing information that explains the requirements of the City of Alpine's Ethics Policy. A copy of the Ethics and Compliance Policy, including any amendments and all related documents are made available to all employees. Training will be held during orientation and annual thereafter. All employees and Council members participate in annual training in ethics and in the compliance program and ethical behavior and each person will sign a document acknowledging their receipt and understanding of the policy's requirements and on ethical behavior generally.

3. Annual internal audits are conducted along with other risk evaluations to monitor compliance and assist in the reduction of identified problem areas.



**HOT COMMITTEE
MEETING AGENDA ITEM COVER MEMO
NOVEMBER 20, 2023**

ACTION

- a) Approve the excused absence of Jessica Lundeby from the July 10, 2023 Hotel Occupancy Tax Committee meeting.

BACKGROUND

NONE.

SUPPORTING MATERIALS

NONE.

STAFF RECOMMENDATION

APPROVE.