



**CITY OF ALPINE**  
**REGULAR CITY COUNCIL MEETING**  
**803 W. Holland Avenue, Alpine, Texas 79830**  
**Tuesday, March 21, 2023 - 5:30 P.M.**

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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 March 21, 2023, 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](http://www.cityofalpine.com/decorum). Public Comments are limited to agenda items only. Individuals who wish to address the City Council may do so by completing a Public Comment Card and by placing the completed card on the City Secretary’s desk no later than five minutes before the commencement of the meeting. The Public Comment Card may also be completed online at [www.cityofalpine.com/councilcomments](http://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** –
  1. Dark-Sky Week Proclamation.
5. **Reports** –
  - City Mayor Report** –
    1. Tony Gonzales – Community Grant.
    2. Alpine Nonprofits – there is one for everyone.
  - City Attorney Report** –
    1. TDS.
    2. Sunny Glen Wells.
  - City Manager Report** –
    1. Congressman Gonzales’ Community Projects Funding.
    2. Audit Update – Special / Called Meeting.
    3. Legislative Update.
    4. Airport Lighting Project Update.
    5. Strategic Planning – Next Steps.
    6. FY 2023-2024 Budget.
  - City Staff Update** – None.
6. **Public Hearings** –
  1. Public Hearing to obtain citizen views and views regarding the second and final reading of Ordinance 2023-03-01, an ordinance providing for parking controls in the 100 Block of West Gallego Avenue and the 400 Block of South 5th Street.
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 March 7, 2023 Regular Meeting Minutes. (G. Calderon, City Secretary)
2. Approval of the appointment of Joanna Laxton to the Place 5 position on the Planning & Zoning Commission. (J. Johnson, City Council)

**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 limited to 10 per meeting).**

1. Approve the second and final reading of Ordinance 2023-03-01, an ordinance providing for parking controls in the 100 Block of West Gallego Avenue and the 400 Block of South 5th Street. (M. Antrim, City Manager)
2. Approve the first reading of Ordinance 2023-03-02, an ordinance authorizing the vacation, abandonment, and sale of approximately 0.057 acres of City property, being a portion within Lot 4 within W. Brown Right of Way, Block G4, Gillis 2nd Addition to the City of Alpine; Authorizing the City Manager to execute a Deed without Warranty; Directing that funds from the sale of the City's interest be deposited in the general fund for the purpose of street improvements; Providing for Terms and Conditions of such thereof. (M. Antrim, City Manager)
3. Approve Resolution 2023-03-17, a resolution establishing the official City of Alpine Donation Policy. (M. Antrim, City Manager)
4. Approve Order 2023-03-04, an order approving the May 6, 2023 Joint Election Agreement between the City of Alpine and Alpine ISD. (G. Calderon, City Secretary)
5. Approve Order 2023-03-05, an order appointing and setting the rate of pay for election officials, setting the number of election workers, and designating the Early Voting Ballot Board for the May 6, 2023 General Election. (G. Calderon, City Secretary)

**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 –**

**Consultation with Attorney § 551.071, Texas Government Code**

1. Consultation with the City Attorney regarding the Texas Disposal Systems contract review. (S. Tandy, City Council)
2. Consultation with the City Attorney regarding the proposed American Electric Power (AEP) Franchise Agreement. (M. Antrim, City Manager)

**Personnel Matters § 551.074, Texas Government Code**

1. Continue the discussion regarding City Council expectations for the City Manager during the upcoming year and discuss a salary adjustment. (S. Tandy, City Council)
2. Conduct the annual performance evaluation of the City Secretary. (S. Tandy, City Council)

**12. Action – Executive Session –**

1. Action, if any, concerning City Council expectations for the City Manager for the upcoming year and a salary adjustment. (S. Tandy, City Council)
2. Action, if any, concerning the annual performance evaluation of the City Secretary. (S. Tandy, City Council)

**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](http://www.cityofalpine.com/agenda) pursuant to Section 551.043, Texas Government Code. The said notice was posted by 2:00 P.M. on Friday, March 17, 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](mailto:city.secretary@cityofalpine.com) 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** –
  1. Dark-Sky Week Proclamation.

# Proclamation

By Catherine Eaves, City of Alpine Mayor

**WHEREAS**, the aesthetic beauty and wonder of a natural night sky is a shared heritage of all humankind; and

**WHEREAS**, the experience of standing beneath a starry night sky inspires feelings of wonder and awe, and encourages a growing interest in science and nature, especially among young people and visitors; and

**WHEREAS**, light pollution has scientifically-established economic and environmental consequences, which result in significant impacts to the ecology and human health of all communities; and

**WHEREAS**, 80-percent of the world's population, and 98-percent of Texas' population, lives under a dome of light pollution—excessive artificial lighting at night that disrupts natural darkness—and may never experience the visual wonder or ecological and health benefits of living under a dark sky; and

**WHEREAS**, light pollution represents a waste of natural resources amounting to roughly \$3 billion per year of wasted energy in the United States and contributes to diminished energy security; and

**WHEREAS**, the City of Alpine lies at the heart of the Big Bend region of Texas, one of the darkest areas remaining in North America, and is part of the Greater Big Bend International Dark Sky Reserve, the largest area in the world certified by the International Dark Sky Association; and

**WHEREAS**, astronomical research at McDonald Observatory and other facilities in the Big Bend region depend upon access to dark night skies to be successful; and

**WHEREAS**, the Big Bend region is home to dozens of nocturnal wildlife species, and is visited by hundreds of migratory bird species, which rely on undisturbed night environments to hunt, mate, navigate, and thrive; and

**WHEREAS**, the International Dark-Sky Association, is the globally-recognized authority on light pollution, promotes International Dark-Sky Week to raise awareness of light pollution, and provide free education, resources, and solutions to the public to encourage the protection of and enjoyment of dark skies and responsible outdoor lighting.

**NOW, THEREFORE** I, Catherine Eaves, Mayor of the City of Alpine Texas, on behalf of the community, do hereby recognize April 15, 2023 to April 22, 2023, as

## International Dark-Sky Week

In the City of Alpine, Texas and ask each resident to join me, not only in observing and pondering upon this important week, but also in raising awareness and support for protecting our precious dark skies resources and helping Alpine be the leader in dark-sky awareness for the region.

**IN WITNESS WHEREOF**, I have hereunto set my hand this 21<sup>st</sup> day of March in the Year 2023.

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Catherine Eaves, Mayor

## REPORTS OVERVIEW

### 5. Reports –

#### City Mayor Report –

1. Tony Gonzales – Community Grant.
2. Alpine Nonprofits – there is one for everyone.

#### City Attorney Report –

1. TDS.
2. Sunny Glen Wells.

#### City Manager Report –

1. Congressman Gonzales' Community Projects Funding.
2. Audit Update – Special / Called Meeting.
3. Legislative Update.
4. Airport Lighting Project Update.
5. Strategic Planning – Next Steps.
6. FY 2023-2024 Budget.

#### City Staff Update – None.



**CITY COUNCIL  
MEETING AGENDA ITEM COVER MEMO  
MARCH 21, 2023**

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**REPORTS**

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**City Mayor Report**

1. Tony Gonzales – Community Grant.
2. Alpine Nonprofits – there is one for everyone.

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**BACKGROUND**

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NONE.

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**SUPPORTING MATERIALS**

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NONE.

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**STAFF RECOMMENDATION**

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N/A





**CITY COUNCIL  
MEETING AGENDA ITEM COVER MEMO  
MARCH 21, 2023**

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**REPORTS**

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**City Attorney Report**

1. TDS.
2. Sunny Glen Wells.

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**BACKGROUND**

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NONE.

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**SUPPORTING MATERIALS**

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NONE.

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**STAFF RECOMMENDATION**

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N/A



**CITY COUNCIL  
MEETING AGENDA ITEM COVER MEMO  
MARCH 21, 2023**

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**REPORTS**

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**City Manager Report**

1. Congressman Gonzales' Community Projects Funding.
2. Audit Update – Special / Called Meeting.
3. Legislative Update.
4. Airport Lighting Project Update.
5. Strategic Planning – Next Steps.
6. FY 2023-2024 Budget.

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**BACKGROUND**

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NONE.

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**SUPPORTING MATERIALS**

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NONE.

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**STAFF RECOMMENDATION**

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N/A

## **PUBLIC HEARINGS OVERVIEW**

### **6. Public Hearings –**

1. Public Hearing to obtain citizen views and views regarding the second and final reading of Ordinance 2023-03-01, an ordinance providing for parking controls in the 100 Block of West Gallego Avenue and the 400 Block of South 5th Street.

## 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 March 7, 2023 Regular Meeting Minutes. (G. Calderon, City Secretary)
  2. Approval of the appointment of Joanna Laxton to the Place 5 position on the Planning & Zoning Commission. (J. Johnson, City Council)



**CITY COUNCIL  
MEETING AGENDA ITEM COVER MEMO  
MARCH 21, 2023**

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**CONSENT AGENDA**

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1. Approval of March 7, 2023 Regular Meeting Minutes (G. Calderon, City Secretary)

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**BACKGROUND**

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NONE.

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**SUPPORTING MATERIALS**

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1. March 7, 2023 Regular Meeting Minutes.

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**STAFF RECOMMENDATION**

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APPROVE.

**City of Alpine**  
**Regular City Council Meeting**  
**Tuesday, March 7, 2023**  
**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 Videoconference in the City of Alpine, Texas. Mayor Eaves led the pledge of allegiance to the flags.

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

**City Council Members Present:**

Mayor Catherine Eaves  
Councilor Judy Stokes  
Councilor Chris Rodriguez  
Councilor Sara Tandy  
Councilor Martin Sandate  
Councilor Jerry Johnson

**City Staff and Stakeholders Present:**

Megan Antrim, City Manager  
Geoffrey R. Calderon, City Secretary  
Rod Ponton, City Attorney  
Darrell Losoya, Chief of Police  
Kirk Caughman, Police Lt.

**Not Present:** None.

**Citizens Present:**

Gerri Davis, Karen Cantrell, Kathy Bork, Jeanine Bishop, Maryann Vega, Chris Ruggia, Andrea Tucker, A. Geehan, Cynthia Purdue.

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 March 3, 2023.

3. **Public Comments** – (limited to 3 minutes per person) –

- Kathy Bork, Ward 5, addressed the City Council regarding discussion item no. 1.
- Karen Cantrell, Ward 1, addressed the City Council regarding Resolution 2023-03-01.
- Chris Ruggia, Ward 3, addressed the City Council regarding discussion item no. 1 and action item no. 7.

4. **Presentations, Recognitions, and Proclamations** – None.

5. **Reports** – Copies of presentations displayed during the meeting are posted on the City website at [www.cityofalpine.com/reports](http://www.cityofalpine.com/reports) –

**City Mayor Report**

1. Alpine Community Projects Nursing Home Initiative and Hospital Board
2. Z&P update from Monday the 27<sup>th</sup> meeting.

**City Attorney Report** –

1. Ordinance Process.
2. Hector Holguin Litigation.
3. AEP Franchise Agreement.

4. Municipal Court Update.

City Manager Report – None.

City Staff Updates – None.

6. Public Hearings – None.

7. Consent Agenda – (Minutes, Financial reports, Department written reports, Board appointments, etc.) – (Notice to the Public – The following items are of a routine and administrative nature. The Council has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Council Member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.) –

1. Approval of February 21, 2023 Regular Meeting Minutes (G. Calderon, City Secretary)

2. Approval of January 2023 Big Bend Law invoice. (M. Antrim, City Manager)

**RESOLUTION 2023-03-03:** On a motion by Councilor Stokes and seconded by Councilor Tandy to approve item no. 1, the City Council unanimously voted to adopt the motion.

**RESOLUTION 2023-03-04:** On a motion by Councilor Rodriguez and seconded by Councilor Stokes to table item no. 2, the motion failed with Councilor Rodriguez voting in favor and the remaining Council Members voting against.

*Councilor Rodriguez requested that Consent Agenda item no. 2 be discussed separately out of the regular sequence of the Consent Agenda.*

**RESOLUTION 2023-03-05:** On a motion by Councilor Stokes and seconded by Councilor Tandy to approve the City Attorney Bill, the motion passed 4 to 1 with Councilor Rodriguez voting against.

8. Information or Discussion items –

1. Alpine Public Library report by Executive Director Don Wetterauer. (M. Antrim, City Manager)

2. Family Crisis Center of the Big Bend report by Andrea Tucker. (M. Antrim, City Manager)

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

4. Presentation by Don Shipley regarding the Airport and possible ways the City can bring in money in the future. (C. Eaves, Mayor)

*Mayor Eaves announced that item no. 4 was withdrawn.*

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 first reading of Ordinance 2023-03-01, an ordinance providing for parking controls in the 100 Block of West Gallego Avenue and the 400 Block of South 5th Street. (M. Antrim, City Manager)

**RESOLUTION 2023-03-06:** On a motion by Councilor Sandate and seconded by Councilor Tandy to approve the first reading of Ordinance 2023-03-01, the City Council unanimously voted to adopt the motion.

2. Approve Resolution 2023-03-01, a resolution initiating annexation proceedings and setting dates, times, and places for public hearings on the annexation of the proposed Skyway Gardens II development, legally described as 5.000 acres out of Section 102, Block 9, Brewster County, Texas, Being a portion of that certain 10.0 acre tract described in Volume 314, Page 453, Official Public Records of Brewster County Texas. (M. Antrim, City Manager)

**RESOLUTION 2023-03-07:** On a motion by Councilor Stokes and seconded by Councilor Sandate to approve Resolution 2023-03-01, the City Council voted to adopt the motion 4 to 1 with Councilor Rodriguez abstaining due to a potential conflict of interest.

3. Approve Resolution 2023-03-02, a resolution awarding sponsorship of the annual Mountain Country Christmas Bazaar to a local non-profit organization for a term of two years to include 2023 and 2024. (M. Antrim, City Manager)

**RESOLUTION 2023-03-08:** On a motion by Councilor Stokes and seconded by Councilor Sandate to allow applicants to come up and speak to the Council, the City Council unanimously voted to adopt the motion.

*Gerri Davis presented to the City Council on Behalf of the Women's Club of Alpine.*

*Cyndi Perdue presented to the City Council on Behalf of the Big Bend Blue Grass Association.*

*Jeanine Bishop presented to the City Council on Behalf of the Alpine Humane Society.*

**RESOLUTION 2023-03-09:** On a motion by Councilor Rodriguez and seconded by Councilor Johnson to award sponsorship of Mountain Country Christmas to the Women's Club of Alpine, the City Council unanimously voted to adopt the motion.

4. Approve Order 2023-03-01, an order approving the Certification of Unopposed Candidates for the May 6, 2023 General Election. (G. Calderon, City Secretary)

**RESOLUTION 2023-03-09:** On a motion by Councilor Johnson and seconded by Councilor Tandy to approve Order 2023-03-01, the City Council unanimously voted to adopt the motion.

5. Approve Order 2023-03-02, an order of Cancellation for the unopposed Ward 1 and Ward 3 races for the May 6, 2023 General Election. (G. Calderon, City Secretary)

**RESOLUTION 2023-03-10:** On a motion by Councilor Rodriguez and seconded by Councilor Sandate to approve, the City Council unanimously voted to adopt the motion.

6. Approve Order 2023-03-03, an order approving the agreement between City of Alpine and Brewster County Election Administrator for Election Equipment and Services for the May 6, 2023 General Election. (G. Calderon, City Secretary)

**RESOLUTION 2023-03-11:** On a motion by Councilor Tandy and seconded by Councilor Stokes to approve, the City Council unanimously voted to adopt the motion.

7. Approve a Letter of Support & Partnership for the Afro Food, Fashion, Arts, and Dance Festival (AFROFABFEST) to be held on September 28 - October 1, 2023. (M. Antrim, City Manager)

**RESOLUTION 2023-03-12:** On a motion by Councilor Tandy and seconded by Councilor Stokes to approve, the City Council unanimously voted to adopt the motion.



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

*The Mayor Called a Recess (7:04 P.M.)*

*The Meeting Reconvened (7:11 P.M.)*

**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).

**RESOLUTION 2023-03-13:** On a motion by Councilor Stokes and seconded by Councilor Sandate to recess into executive session, the City Council unanimously voted to adopt the motion. **(7:12 P.M.)**

**11. Executive Session –**

**Personnel Matters § 551.074, Texas Government Code**

1. Conduct the annual performance evaluation of the City Manager. (S. Tandy, City Council)

**12. Action – Executive Session –**

**RESOLUTION 2023-03-14:** On a motion by Councilor Tandy and seconded by Councilor Stokes to move into regular session, the City Council unanimously voted to adopt the motion. **(8:08 P.M.)**

1. Action, if any, concerning the annual performance evaluation of the City Manager. (S. Tandy, City Council)

**RESOLUTION 2023-03-15:** On a motion by Councilor Tandy and seconded by Councilor Stokes to accept the evaluation on the City Manager, the City Council unanimously voted to approve the motion.

**RESOLUTION 2023-03-16:** On a motion by Councilor Tandy and seconded by Councilor Stokes to adjourn, the meeting was adjourned.

**13. Adjourn. (8:08 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](http://www.cityofalpine.com/agenda) pursuant to

Council minutes: 03-07-2023

Approved: 03-21-2023

Section 551.043, Texas Government Code. The said notice was posted by 2:00 P.M. on March 3, 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](mailto:city.secretary@cityofalpine.com) for further information.

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Geoffrey R. Calderon, City Secretary



**CITY COUNCIL  
MEETING AGENDA ITEM COVER MEMO  
MARCH 21, 2023**

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**CONSENT AGENDA**

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2. Approval of the appointment of Joanna Laxton to the Place 5 position on the Planning & Zoning Commission. (J. Johnson, City Council)

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**BACKGROUND**

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NONE.

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**SUPPORTING MATERIALS**

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1. Board Application/Questionnaire.

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**STAFF RECOMMENDATION**

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APPROVE.

RECEIVED  
City of Alpine, Texas

ATTN: Geoffrey

MAR 07 2023

OFFICE OF THE CITY SECRETARY

BY:



**BOARDS, COMMISSIONS, & COMMITTEES QUESTIONNAIRE**

Name:

Joanna Laxton

Street Address:

109 N 3RD

City, State & Zip:

Alpine, TX 79830

Phone Number:

432-538-2104

E-Mail:

Joanna.Laxton@gmail.com

Occupation:

Independant Contractor - Energy & Security

Are you a resident of Alpine, Texas?:

Yes

How long have you been a resident of, or been involved with, Alpine?:

5 years

Are you a qualified (registered) voter of Brewster County?:

Yes

Are you a qualified (registered) voter of the City of Alpine?:

Yes

The Board, Commission, or Committee ("Board") that you have interest in serving:

Planning & Zoning

Please provide brief background information about yourself, including education, work experience, and any special qualifications you have for serving on this Board:

We reside in the downtown/historical district of Alpine. I want to get more involved w/ community happenings.

My background includes real estate/marketing

over

Please contact the Office of the City Secretary or your Council Representative with any questions.

and 15 years working in Commodities

**Please state why you wish to serve the City of Alpine as a member of a Board:**

To learn more about my community and serve in a way to assist in improving it.

**Do you currently, or have you in the past, served the City of Alpine?:** Yes:  No:

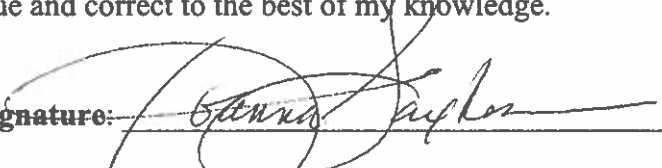
**If yes, in what capacity?:** \_\_\_\_\_

**If Yes, how long did you serve? Please provide date ranges if possible:**

**Do you receive any compensation from the City of Alpine or are there any potential conflicts of interest if you serve the City of Alpine?** Yes:  No:

**If yes, please explain:** \_\_\_\_\_

As evidenced by my signature below, I certify that the statements contained in this document are true and correct to the best of my knowledge.

**Signature:**  **Date:** 3/4/23

*Please contact the Office of the City Secretary or your Council Representative with any questions.*

## INFORMATION OR DISCUSSION OVERVIEW

8. Information or Discussion Items – None.

## ACTION ITEMS OVERVIEW

9. **Action items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable.** (Action items limited to 10 per meeting).
  1. Approve the second and final reading of Ordinance 2023-03-01, an ordinance providing for parking controls in the 100 Block of West Gallego Avenue and the 400 Block of South 5th Street. (M. Antrim, City Manager)
  2. Approve the first reading of Ordinance 2023-03-02, an ordinance authorizing the vacation, abandonment, and sale of approximately 0.057 acres of City property, being a portion within Lot 4 within W. Brown Right of Way, Block G4, Gillis 2nd Addition to the City of Alpine; Authorizing the City Manager to execute a Deed without Warranty; Directing that funds from the sale of the City's interest be deposited in the general fund for the purpose of street improvements; Providing for Terms and Conditions of such thereof. (M. Antrim, City Manager)
  3. Approve Resolution 2023-03-17, a resolution establishing the official City of Alpine Donation Policy (M. Antrim, City Manager)
  4. Approve Order 2023-03-04, an order approving the May 6, 2023 Joint Election Agreement between the City of Alpine and Alpine ISD. (G. Calderon, City Secretary)
  5. Approve Order 2023-03-05, an order appointing and setting the rate of pay for election officials, setting the number of election workers, and designating the Early Voting Ballot Board for the May 6, 2023 General Election. (G. Calderon, City Secretary)



**CITY COUNCIL**  
**MEETING AGENDA ITEM COVER MEMO**  
**MARCH 21, 2023**

To: Honorable Mayor and City Council  
Agenda Item: Action Item 1 – Ordinance 2023-03-01  
Agenda Sponsor: Megan Antrim, City Manager  
Memo Prepared By: Geoffrey R. Calderon, City Secretary

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**SYNOPSIS**

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Approve the second and final reading of Ordinance 2023-03-01, an ordinance providing for parking controls in the 100 Block of West Gallego Avenue and the 400 Block of South 5th Street. (M. Antrim, City Manager)

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**BACKGROUND**

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1. Two Council Members have received feedback that the Parking at Our Lady of Peace Church is impeding the ability for handicapped attendees to access the church.
2. The Chief of Police received a formal request from the Priest of the Church to change the fire lane to a handicapped lane so that disabled attendees may park in front of the church and have better access to the facility.
3. Ordinance 2020-04-04 was the last ordinance implementing parking changes at the Church. The other aspects of Ordinance 2020-04-04 would be kept such as the designated fire lane on the east side of the Church.

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**SUPPORTING MATERIALS**

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1. Letter from Chief of Police.
2. Ordinance 2023-03-01.
3. Aerial View of Church.
4. Front View of Church.
5. Ordinance 2020-04-04.

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**STAFF RECOMMENDATION**

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**APPROVE.**





309 West Sul Ross Avenue  
Alpine, Texas 79830

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Chief Darrell R. Losoya  
Telephone (432) 837-3486

losoya.police@ci.alpine.tx.us  
Fax (432) 837-2616

February 13, 2023

Megan Antrim  
City Manager  
City of Alpine

**Reference: Handicap Parking  
Our Lady of Peace Catholic Church  
100 block of West Gallego Avenue**

I am requesting that the Alpine City Council consider changing an ordinance that will allow closer handicap parking for the Our Lady of Peace Catholic Church Congregation. The current handicap parking is located across the street. The updated handicap parking will provide parallel parking for 5-6 vehicles allowing a safer exit/entry for handicap passengers especially those with physical disabilities.

The ordinance will designate the south side curb of the 100 block of West Gallego Avenue, from Fifth Street towards the west for one hundred forty seven (147) feet.

If additional information is needed please let me know. Thank you for your assistance.

Respectfully,

Chief Darrell R. Losoya  
Alpine Police Department

***PROUD TO SERVE, READY TO PROTECT***

**ORDINANCE 2023-03-01**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS, PROVIDING FOR PARKING CONTROLS IN THE 100 BLOCK OF WEST GALLEGO AVENUE AND THE 400 BLOCK OF SOUTH 5TH STREET.**

**WHEREAS**, the City Council has received feedback from residents that the no-parking zone established by Ordinance 2020-04-04 on the South side of Gallego Avenue inhibits handicapped access to Our Lady of Peace Church; and

**WHEREAS**, the Chief of Police has received an official request from the Church Priest to abolish the fire lane on Gallego Avenue and establish handicapped parking on the South side of the street in front of the church; and

**WHEREAS**, the Chief of Police has investigated the request and has made an official recommendation to the City Council to grant the request made by residents and Our Lady of Peace Church; and

**WHEREAS**, the City Council has cause in their legislative pursuit to ensure the effective use and regulation of city streets, curbs, and parking; and

**WHEREAS**, the City Council has deemed that approval of the recommendation from the residents, the church, and the Chief of Police to be in the public interest.

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

**SECTION I**

**HANDICAPPED LANE ESTABLISHED**

The fire lane on Gallego Avenue established by Ordinance 2020-04-04 is hereby abolished and a handicapped lane is hereby established on the South side of Gallego Avenue from 5<sup>th</sup> Street towards the West for one hundred forty-seven (147) feet. The handicapped lane shall be marked by appropriate signage and a blue curb.

**SECTION II**

**FINDINGS OF FACT**

The premises in this ordinance 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 III**

**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 IV**

**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 V  
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 VI  
EFFECTIVE DATE**

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

**PASSED AND ADOPTED THIS 21<sup>ST</sup> DAY OF MARCH 2023 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.**

**INTRODUCTION AND FIRST READING**

**MARCH 7, 2023**

**SECOND AND FINAL READING**

**MARCH 21, 2023**

APPROVED:

\_\_\_\_\_  
Catherine Eaves, Mayor

ATTEST:

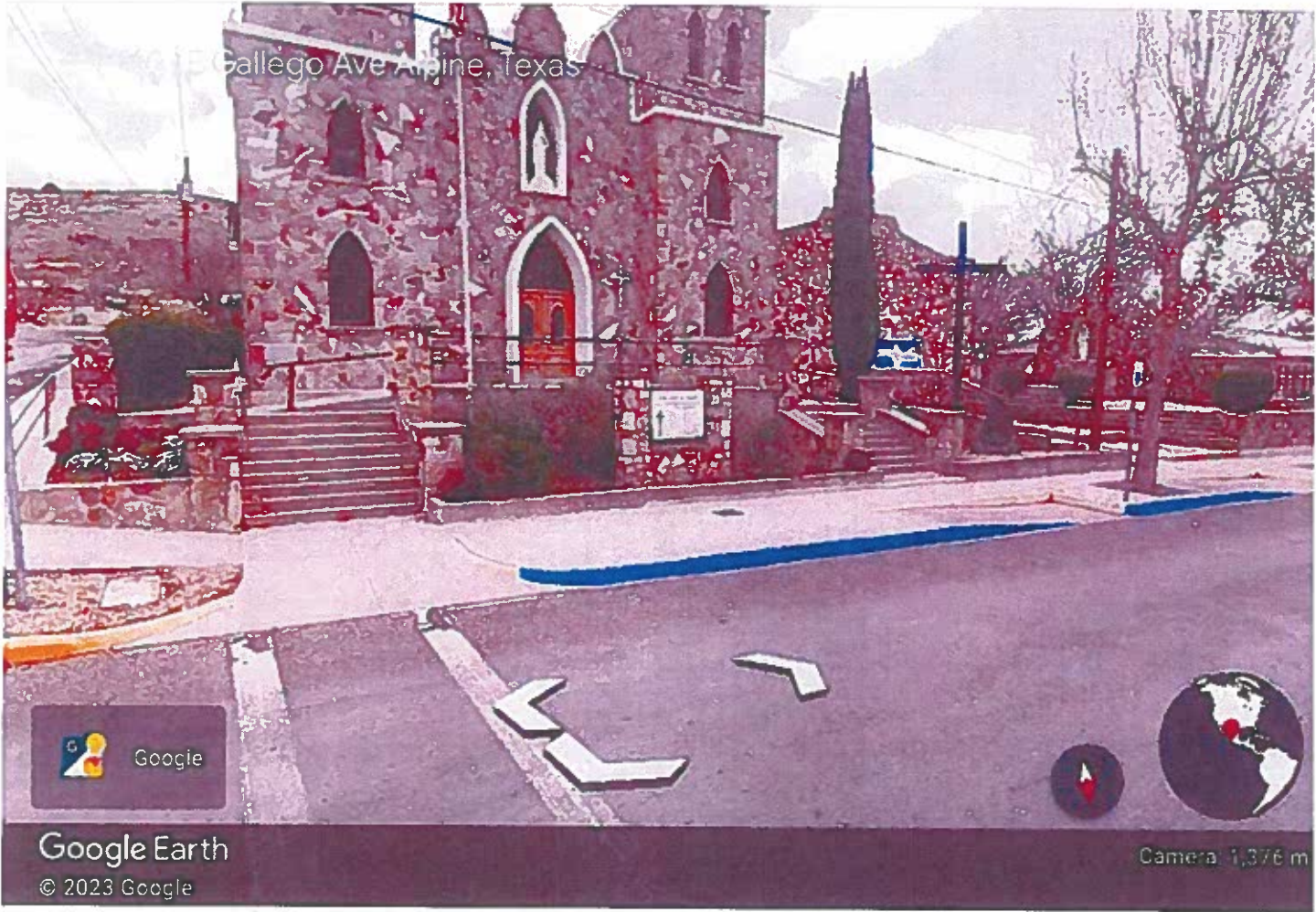
\_\_\_\_\_  
Geoffrey R. Calderon, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Rod Ponton, City Attorney



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**STATE OF TEXAS  
CITY OF ALPINE**

**COUNTY OF BREWSTER**

**ORDINANCE 20200404**

**AN ORDINANCE PROVIDING FOR PARKING CONTROLS IN THE 100 BLOCK OF WEST GALLEGO AVENUE AND THE 400 BLOCK OF SOUTH 5<sup>TH</sup> STREET.**

**WHEREAS**, the Alpine Police Department has recommended the addition of designated handicap parking spaces and a fire lane for emergency personnel on the 100 block of West Gallego and the 400 block of South 5<sup>th</sup> Street; and

**WHEREAS**, the City Council has cause in their legislative pursuit to ensure the effective use and regulation of city streets, curbs, and parking; and

**WHEREAS**, the City Council has determined that the recommendation from the Alpine Police Department to modify the parking spaces and the addition of a fire lane for emergency personnel is deemed to be in the best interest of the City and its citizens.

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

**SECTION 1.** A total of ten (10) handicap parking spaces are hereby established in the 100 block of West Gallego Avenue on the North side of the roadway with appropriate signage to be placed designating the parking spaces.

**SECTION 2.** A fire lane is hereby established and will be marked with appropriate signage and a red curb on the South side of Gallego Avenue from 5<sup>th</sup> Street towards the West for One hundred forty-seven (147) feet. The curb on 5<sup>th</sup> Street on the West side of the roadway will be marked a fire lane from Gallego Avenue towards the South, two hundred sixty-four (264) feet.

**SECTION 3.** Additional angled parking on the East side of the roadway on 5<sup>th</sup> street is hereby established being spaced ninety-six (96) inches wide. Six (6) additional parking spaces are established on Gallego Avenue on the South side of the roadway, west of the designated fire lane, being eighteen (18) feet long and parallel to the curb.

**PASSED AND ADOPTED THIS 5<sup>TH</sup> DAY OF MAY 2020 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.**

**INTRODUCTION AND FIRST READING  
APRIL 21, 2020**

**SECOND AND FINAL READING  
MAY 5, 2020**

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

**ATTEST:**



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

**APPROVED AS TO FORM:**



**Rod Panton, City Attorney  
City of Alpine**



**CITY COUNCIL**  
**MEETING AGENDA ITEM COVER MEMO**  
**MARCH 21, 2023**

To: Honorable Mayor and City Council  
Agenda Item: Action Item 2 – Ordinance 2023-03-02  
Agenda Sponsor: Megan Antrim, City Manager  
Memo Prepared By: Geoffrey R. Calderon, City Secretary

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**SYNOPSIS**

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Approve the first reading of Ordinance 2023-03-02, an ordinance authorizing the vacation, abandonment, and sale of approximately 0.057 acres of City property, being a portion within Lot 4 within W. Brown Right of Way, Block G4, Gillis 2nd Addition to the City of Alpine; Authorizing the City Manager to execute a Deed without Warranty; Directing that funds from the sale of the City's interest be deposited in the general fund for the purpose of street improvements; Providing for Terms and Conditions of such thereof. (M. Antrim, City Manager)

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**BACKGROUND**

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1. Jonathan and Amanda Rutledge have petitioned the City to purchase a piece of City property that is located in the right of way of W. Brown Ave.
2. The City Attorney has reviewed the request and surrounding circumstances and has advised that the requestors may proceed to purchase the property from the City.
3. The requestor had the subject property appraised at \$2,980. If approved, a replat will be required.

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**SUPPORTING MATERIALS**

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1. Ordinance 2023-03-02.
2. Petition Documents for a request to purchase City Property.

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**STAFF RECOMMENDATION**

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**APPROVE.**



STATE OF TEXAS

CITY OF ALPINE

COUNTY OF BREWSTER

**ORDINANCE 2023-03-02**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE TEXAS, AUTHORIZING THE VACATION, ABANDONMENT, AND SALE OF APPROXIMATELY 0.057 ACRES OF CITY PROPERTY, BEING A PORTION WITHIN LOT 4 WITHIN W. BROWN RIGHT OF WAY, BLOCK G4, GILLIS 2<sup>ND</sup> ADDITION TO THE CITY OF ALPINE; AUTHORIZING THE CITY MANAGER TO EXECUTE A DEED WITHOUT WARRANTY; DIRECTING THAT FUNDS FROM THE SALE OF THE CITY'S INTEREST BE DEPOSITED IN THE GENERAL FUND FOR THE PURPOSE OF STREET IMPROVEMENTS; PROVIDING FOR TERMS AND CONDITIONS OF SUCH THEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Alpine, Texas, as a Home-Rule Municipality and operating under the laws of the State of Texas, has the authority under *Chapters 272 and 253 of the Texas Local Government Code*, as amended, to vacate, abandon, and close municipal rights-of-way, streets or alleys, by ordinance, when such action is in the best interest of and serves the public purpose; and

**WHEREAS**, Chapter 272, *Texas Local Government Code*, authorizes political subdivisions to sell and convey rights-of-way to one or more abutting property owners; and

**WHEREAS**, the City has received a petition from Jonathan and Amanda Rutledge to purchase 0.057 acres of Lot 4 within the W. Brown Avenue Right of Way because the requestor was under the impression that he already owned that portion of the property; and

**WHEREAS**, an appraisal of the property was conducted by United Appraisers of Texas, LLC, who has confirmed that the appraised fair market value of the property is \$2,980; and

**WHEREAS**, the City Council of the City of Alpine, Texas, finds and declares that it is in the best interest of all of the citizens of the City of Alpine, Texas, that upon vacation and abandonment of said property, it be sold for the appraised value thereof.

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

**SECTION 1.** All of that certain portion of W. Brown Ave requested to be purchased by Jonathan and Amanda Rutledge is not needed for public purposes and it is in the public interest to vacate, abandon, and close that portion of the street. The property, legally described as those 0.057 acres of Lot 4 within W. Brown Right of Way, located in Block G4, Gillis Second Addition to the City of Alpine, Brewster County, Texas is hereby abandoned, vacated, and closed, with said abandoned, vacated and closed portion more particularly described and identified on the survey plat attached hereto as *Exhibit "A."*

**SECTION 2.** The City approves the vacation, abandonment, closure, and sale of the property contingent to a permanent utility easement being retained by the City for all public utilities and utility maintenance

vehicles and equipment. The purchasers of the property must convey appropriate easements to the City to cover any public utility lines which may already exist or may hereafter be laid on the aforementioned property in the future.

**SECTION 3.** The City Manager is hereby authorized and directed to convey a Deed Without Warranty for the portion of W. Brown described in Section 1 of this ordinance to the purchaser, Jonathan and Amanda Rutledge, upon completion of payment of the fair market value and all other requirements outlined herein. The consideration for said sale shall be deposited in the General Fund for the purpose of street improvements, as required by Texas Local Government Code, Section 253.001

**SECTION 4.** The abandonment, vacation, closure, and sale provided herein is made and accepted subject to all present zoning and deed restrictions, if the latter exists, and all easements, whether apparent or non-apparent, aerial, surface, or underground.

**SECTION 5.** The abutting property owner declaring interest to buy all or portions of the said unimproved alley shall pay all costs associated with procedures necessitated for the purposes of the petition, compensation for the fair market value of the property, the costs to have the property replatted within sixty (60) days, and any cost of recording official instruments with the Brewster County Clerk. The appraised value thereof being TWO THOUSAND NINE HUNDRED EIGHTY DOLLARS (\$2,980.00).

**SECTION 6.** The City Manager of the City of Alpine is hereby authorized to execute and deliver a Certificate of Compliance to the purchaser upon the completion of all conditions and requirements set forth in this ordinance including the mandatory replat of the property within sixty (60) days.

**SECTION 7.** The abandonment, vacation, closure, and sale of property shall be effective upon the purchaser satisfying all conditions and requirements set forth in this Ordinance, as evidenced by a Certificate of Completion and Deed without Warranty executed by the City Manager.

**SECTION 8.** Should any part of this Ordinance be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

**SECTION 9.** The foregoing recitals are found to be true and correct legislative and factual findings of the City Council of the City of Alpine, Texas and are hereby incorporated as findings of fact.

**PASSED, APPROVED, AND ADOPTED BY A MAJORITY VOTE ON THIS 4<sup>TH</sup> DAY OF APRIL 2023 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.**

**INTRODUCTION AND FIRST READING  
MARCH 21, 2023**

**SECOND AND FINAL READING  
APRIL 4, 2023**

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Catherine Eaves, Mayor

**ATTEST:**

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Geoffrey R. Calderon, City Secretary

**APPROVED AS TO FORM:**

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Rod Ponton, City Attorney

To: City Council of the City of Alpine

Date: 02/22/2023

From: Jonathan and Amanda Rutledge

Re: Closure & Purchase of City-Owned Property

Greetings,

I am requesting the City Council of the City of Alpine to close and/or abandon a section of West Brown Street that has been a fenced part of my backyard for about 40 years. The location of the property is 305 West Nations Ave. which is described as part of Lot 4, and all of Lot 5 and 6, block G4, Gillis 2<sup>nd</sup> Addition to the City of Alpine. The section of property that I am requesting to be closed and/or abandoned is 0.057 acres of lot 4 which is within the West Brown Ave. right of way.

The Gillis 2<sup>nd</sup> Addition was added to the City of Alpine in 1909 with the north boundary being West Brown Ave. The property in question is bordered to the west by 8<sup>th</sup> Street, the South by West Nations Ave., the east by an alleyway, and the north by West Brown Ave. The fence line on West Brown Ave. is on the original 1909 property line and has been in place since we bought the property in 1984.

In 1910, the North Addition was added to the City of Alpine. The south boundary line of the North Addition is West Brown Ave. Somehow during this annexation, the City of Alpine encroached into the already established property in the Gillis 2<sup>nd</sup> Addition.

The section of property that I am requesting to be closed and/or abandoned is bordered to the west by 8<sup>th</sup> Street, the east by an alleyway, the north by West Brown Ave., and the south by my property located at 305 West Nations Ave. This section of property does not abut any other property owner.

I am respectfully requesting the City Council of the City of Alpine to close and/or abandoned this section of the property and allow me to purchase it so that it may remain a part of the backyard that I grew up in.

I have attached the following items as reference material.

- A recent survey highlighting the section in question.
- A map showing this section and the surrounding streets, alleys, and properties.
- The original annexation map for the Gillis 2<sup>nd</sup> Addition from 1909.
- The original annexation map for the North Addition from 1910.
- Verification of ownership.
- Petition of closure and purchase of a city-owned property.
- A recent property appraisal report.

Thank you for your time and attention to this matter. Please contact me at the below information with any concerns.

Sincerely,

Jonathan and Amanda Rutledge

Jonathan Rutledge

Amanda Rutledge

305 West Nations Ave.

Alpine, TX 79830

979-627-5273

applesdorski@outlook.com

**EXHIBIT 1**

**PETITION FOR CLOSURE & PURCHASE OF CITY-OWNED PROPERTY**

**STATE OF TEXAS §**

**COUNTY OF BREWSTER §**

**TO THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS:**

Now, come(s) Jonathan and Amanda Rutledge of the City of Alpine, County of Brewster, State of  
(Purchaser)

Texas, and request the City Council of the City of Alpine, Texas to close and/or abandon a  
street/alley described as: 0.057 acres of lot 4 within West Brown right of way  
(alley, street location and boundaries)

Said) Jonathan and Amanda Rutledge represents that they/he/she own(s) the following property:  
(property owner(s))

305 West Nations Ave., Alpine, TX 79830 and legally described as  
(Street Address)

Part of Lot 4 & All of Lots 5 & 6 Block G4 Gillis 2nd Addition which adjoins or abuts  
(Legal Description)

the street/alley. Said property owner(s) request the above referenced street/alley be closed and/or  
abandoned for the following reason(s): This property has been part of my fenced backyard for over  
40 years and abuts to no other property but mine.

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**ABUTTING PROPERTY OWNER PETITION**

I, \_\_\_\_\_, affirm that I own the property that abuts the street or  
(Abutting Property Owner Printed Name)  
alley that the above petition is concerning. I hereby request the closure, abandonment, and sale of  
the land to the above petitioner.

Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

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**ABUTTING PROPERTY OWNER PETITION**

I, \_\_\_\_\_, affirm that I own the property that abuts the street or  
(Abutting Property Owner Printed Name)  
alley that the above petition is concerning. I hereby request the closure, abandonment, and sale of  
the land to the above petitioner.

Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

The City shall have the right to reserve easements necessary for the existing utilities or require the owner(s) provide a new utility/drainage easement should the closing require relocation of utilities. The said property owner(s) agree(s) that should the closing require relocation of utilities, such relocation shall be at their expense.

The purchaser(s) agree(s) that expenses related to the survey (plat and field notes including jointers), appraisal, publication and mailing of public hearing notices and any other applicable fees shall be at the petitioner's expense.

We, the petitioner(s) agree to hold the City of Alpine harmless, and indemnify it against all suits, costs, expenses and damages that may arise out of this request for closure and abandonment.

RESPECTFULLY SUBMITTED BY Jonathan Rutledge this the day 21 of Feb, 2023  
(Printed Name of Purchaser) (Day) (Month) (Year)

*[Signature]*  
Signature of Purchaser

THE STATE OF TEXAS §  
COUNTY OF BREWSTER §

This instrument was acknowledged before me on this the 21<sup>st</sup> day of February, 2023.

[SEAL]

*[Signature]*  
Notary Public, State of Texas



RESPECTFULLY SUBMITTED BY Amanda Rutledge this the day 21 of Feb, 2023  
(Printed Name of Purchaser) (Day) (Month) (Year)

*[Signature]*  
(Signature of Purchaser)

THE STATE OF TEXAS §  
COUNTY OF BREWSTER §

This instrument was acknowledged before me on this the 21<sup>st</sup> day of February, 2023.

[SEAL]

*[Signature]*  
Notary Public, State of Texas



**EXHIBIT 2**

**AGREEMENT TO REPLAT PURCHASED PROPERTY**

**WHEREAS**, I (we), the undersigned purchaser(s) of real property described as

0.057 acres of lot 4 within West Brown right of way

(alley, street location and boundaries)

located in the City of Alpine, County of Brewster, and State of Texas wish to purchase said property from the City of Alpine; and

**WHEREAS**, said purchase requires that the property described above be replatted upon approval by the City Council; and

**WHEREAS**, I (we) understand that the replat is non-negotiable and a contingent part of the sale.

**THEREFORE**, I (we) agree to have the property described above replatted as required by the City of Alpine and to file said replat with the County of Brewster within sixty (60) days of the finalization of the sale of the property.

1. I (we) agree that all costs associated with the aforementioned replat, including surveying, filing, advertising and recording fees shall be the responsibility of the undersigned.
2. I (we) agree that any improvements made prior to the completion of this replat are made entirely at our own risk and the City of Alpine shall not be responsible for any cost or loss.
3. I (we) agree that the City of Alpine may seek injunctive relief to enforce the terms of this agreement and that I (we) shall be assessed with those costs, expenses and reasonable attorney's fees.
4. This agreement is binding upon the parties and their heirs, successors and assigns.
5. I (we) agree to deliver a certified check to the Alpine Finance Department no later than five (5) working days after the passage of the ordinance.

In witness whereof, I (we) have hereunto set my (our) hand(s) this the 7 day of Feb, 20 23

Jonathan Rutledge

Printed name of Purchaser

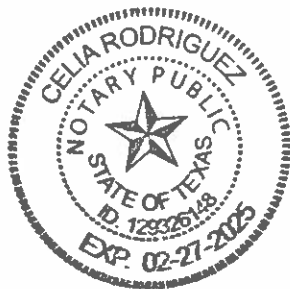
[Signature]  
Signature of Purchaser

**THE STATE OF TEXAS §**

**COUNTY OF BREWSTER §**

This instrument was acknowledged before me on this the 2<sup>nd</sup> day of February, 20 23.

[SEAL]



[Signature]  
Notary Public, State of Texas



Amanda Rutledge  
Printed name of purchaser

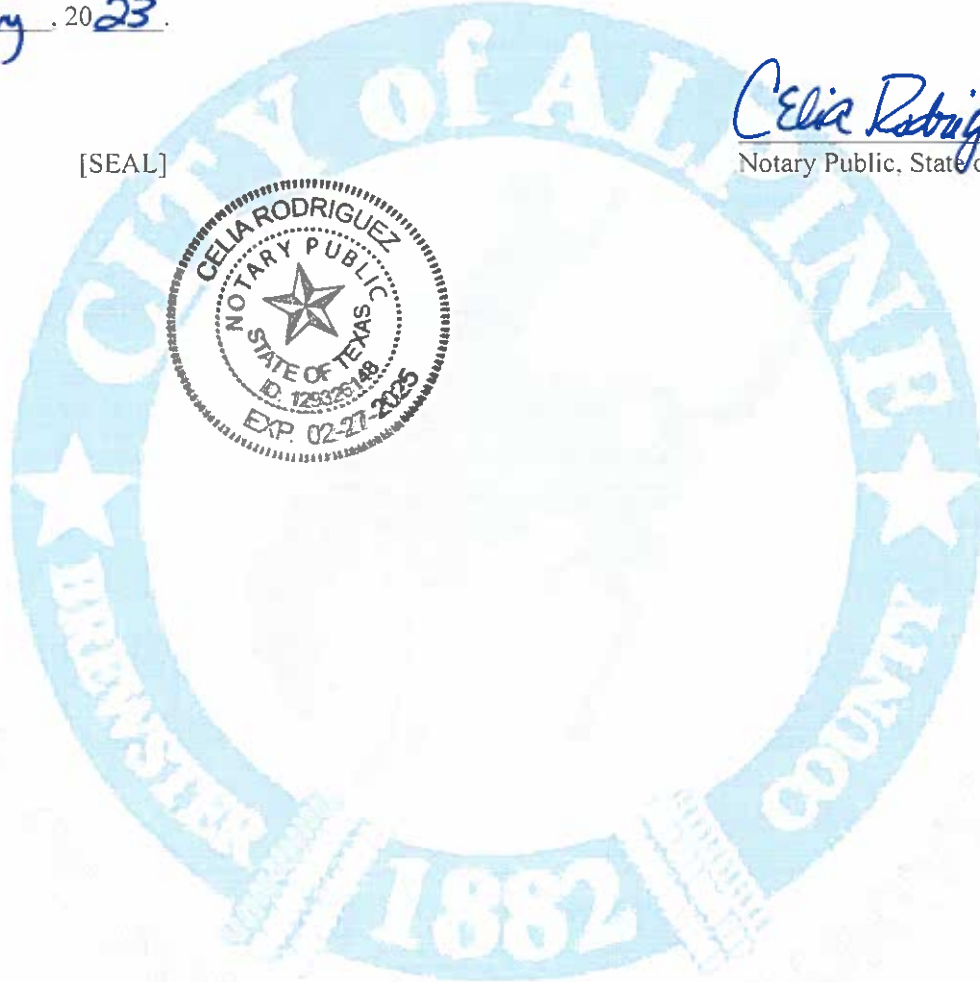
Amanda Rutledge  
Signature of purchaser

THE STATE OF TEXAS §  
COUNTY OF BREWSTER §

This instrument was acknowledged before me on this the 21<sup>st</sup> day of February, 2023.

[SEAL]

Celia Rodriguez  
Notary Public, State of Texas



## **SUPPLEMENT 1**

### **LOCAL GOVERNMENT CODE**

#### **TITLE 8. ACQUISITION, SALE, OR LEASE OF PROPERTY**

##### **SUBTITLE C. ACQUISITION, SALE, OR LEASE PROVISIONS APPLYING TO MORE THAN ONE TYPE OF LOCAL GOVERNMENT**

##### **CHAPTER 272. SALE OR LEASE OF PROPERTY BY MUNICIPALITIES, COUNTIES, AND CERTAIN OTHER LOCAL GOVERNMENTS**

Sec. 272.001. NOTICE OF SALE OR EXCHANGE OF LAND BY POLITICAL SUBDIVISION; EXCEPTIONS. (a) Except for the types of land and interests covered by Subsection (b), (g), (h), (i), (j), or (l), and except as provided by Section 253.008, before land owned by a political subdivision of the state may be sold or exchanged for other land, notice to the general public of the offer of the land for sale or exchange must be published in a newspaper of general circulation in either the county in which the land is located or, if there is no such newspaper, in an adjoining county. The notice must include a description of the land, including its location, and the procedure by which sealed bids to purchase the land or offers to exchange the land may be submitted. The notice must be published on two separate dates and the sale or exchange may not be made until after the 14th day after the date of the second publication.

(b) The notice and bidding requirements of Subsection (a) do not apply to the types of land and real property interests described by this subsection and owned by a political subdivision. The land and those interests described by this subsection may not be conveyed, sold, or exchanged for less than the fair market value of the land or interest unless the conveyance, sale, or exchange is with one or more abutting property owners who own the underlying fee simple. The fair market value is determined by an appraisal obtained by the political subdivision that owns the land or interest or, in the case of land or an interest owned by a home-rule municipality, the fair market value may be determined by the price obtained by the municipality at a public auction for which notice to the general public is published in the manner described by Subsection (a). The notice of the auction must include, instead of the content required by Subsection (a), a description of the land, including its location, the date, time, and location of the auction, and the procedures to be followed at the

auction. The appraisal or public auction price is conclusive of the fair market value of the land or interest, regardless of any contrary provision of a home-rule charter.

This subsection applies to:

(1) narrow strips of land, or land that because of its shape, lack of access to public roads, or small area cannot be used independently under its current zoning or under applicable subdivision or other development control ordinances;

(2) streets or alleys, owned in fee or used by easement;

(3) land or a real property interest originally acquired for streets, rights-of-way, or easements that the political subdivision chooses to exchange for other land to be used for streets, rights-of-way, easements, or other public purposes, including transactions partly for cash;

(4) land that the political subdivision wants to have developed by contract with an independent foundation;

(5) a real property interest conveyed to a governmental entity that has the power of eminent domain;

(6) a municipality's land that is located in a reinvestment zone designated as provided by law and that the municipality desires to have developed under a project plan adopted by the municipality for the zone; or

(7) a property interest owned by a defense base development authority established under Chapter 378, Local Government Code, as added by Chapter 1221, Acts of the 76th Legislature, Regular Session, 1999.

(c) The land or interests described by Subsections (b) (1) and (2) may be sold to:

(1) abutting property owners in the same subdivision if the land has been subdivided; or

(2) abutting property owners in proportion to their abutting ownership, and the division between owners must be made in an equitable manner.

(d) This section does not require the governing body of a political subdivision to accept any bid or offer or to complete a sale or exchange.

(e) This section does not apply to land in the permanent school fund that is authorized by legislation to be exchanged for other land of at least equal value.

(f) The fair market value of land, an easement, or other real property interest in exchange for land, an easement, or other real property interest as authorized by Subsection (b) (3) is conclusively determined by an appraisal obtained by the political subdivision. The cost of any streets, utilities, or other improvements constructed on the affected land or to be constructed by an entity other than the

political subdivision on the affected land may be considered in determining that fair market value.

(g) A political subdivision may acquire or assemble land or real property interest, except by condemnation, and sell, exchange, or otherwise convey the land or interests to an entity for the development of low-income or moderate-income housing. The political subdivision shall determine the terms and conditions of the transactions so as to effectuate and maintain the public purpose. If conveyance of land under this subsection serves a public purpose, the land may be conveyed for less than its fair market value. In this subsection, "entity" means an individual, corporation, partnership, or other legal entity.

(h) A municipality, other than a municipality with a population of more than one million that is located primarily in a county with a population of two million or more, owning land within 5,000 feet of where the shoreline of a lake would be if the lake were filled to its storage capacity may, without notice or the solicitation of bids, sell the land to the person leasing the land for the fair market value of the land as determined by a certified appraiser. While land described by this subsection is under lease, the municipality owning the land may not sell the land to any person other than the person leasing the land. To protect the public health, safety, or welfare and to ensure an adequate municipal water supply, property sold by the municipality under this subsection is not eligible for and the owner is not entitled to the exemption provided by Section [11.142\(a\)](#), Water Code. The instrument conveying property under this subsection must include a provision stating that the exemption does not apply to the conveyance. In this subsection, "lake" means an inland body of standing water, including a reservoir formed by impounding the water of a river or creek but not including an impoundment of salt water or brackish water, that has a storage capacity of more than 10,000 acre-feet.

(i) A political subdivision that acquires land or a real property interest with funds received for economic development purposes from the community development block grant nonentitlement program authorized by Title I of the Housing and Community Development Act of 1974 (42 U.S.C. Section 5301 et seq.) may lease or convey the land or interest, without the solicitation of bids, to a private, for-profit entity or a nonprofit entity that is a party to a contract with the political subdivision if the land or interest will be used by the private, for-profit entity or the nonprofit entity in carrying out the purpose of the entity's grant or contract. The land or interest may be leased or conveyed without the solicitation of bids if the political

subdivision adopts a resolution stating the conditions and circumstances for the lease or conveyance and the public purpose that will be achieved by the lease or conveyance.

(j) A political subdivision may donate, exchange, convey, sell, or lease land, improvements, or any other interest in real property to an institution of higher education, as that term is defined by Section 61.003, Education Code, to promote a public purpose related to higher education. The political subdivision shall determine the terms and conditions of the transaction so as to effectuate and maintain the public purpose. A political subdivision may donate, exchange, convey, sell, or lease the real property interest for less than its fair market value and without complying with the notice and bidding requirements of Subsection (a).

(k) This section does not apply to sales or exchanges of land owned by a municipality operating a municipally owned electric or gas utility if the land is held or managed by the municipally owned utility, or by a division of the municipally owned electric or gas utility that constitutes the unbundled electric or gas operations of the utility, provided that the governing body of the municipally owned utility shall adopt a resolution stating the conditions and circumstances for the sale or exchange and the public purpose that will be achieved by the sale or exchange. For purposes of this subsection, "municipally owned utility" includes a river authority engaged in the generation, transmission, or distribution of electric energy to the public, and "unbundled" operations are those operations of the utility that have, in the discretion of the utility's governing body, been functionally separated.

(l) The notice and bidding requirements provided by Subsection (a) do not apply to a donation or sale made under this subsection. A political subdivision may donate or sell for less than fair market value a designated parcel of land or an interest in real property to another political subdivision if:

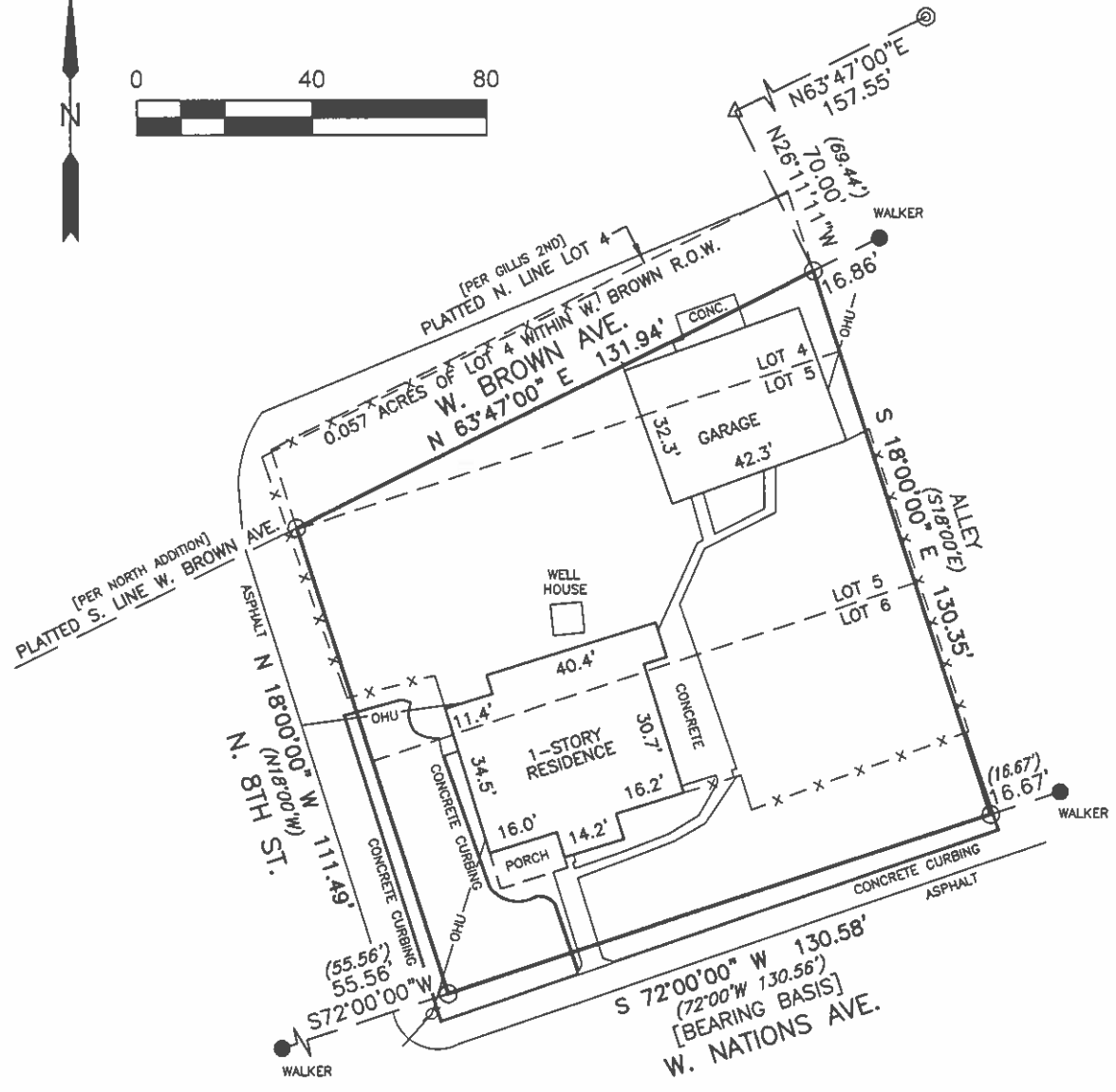
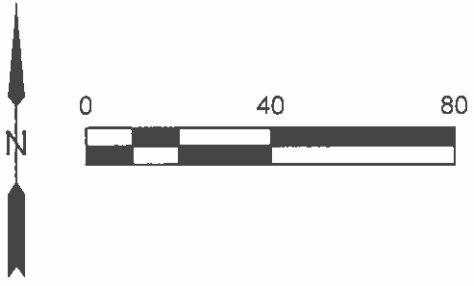
(1) the land or interest will be used by the political subdivision to which it is donated or sold in carrying out a purpose that benefits the public interest of the donating or selling political subdivision;

(2) the donation or sale of the land or interest is made under terms that effect and maintain the public purpose for which the donation or sale is made; and

(3) the title and right to possession of the land or interest revert to the donating or selling political subdivision if the acquiring political subdivision ceases to use the land or interest in carrying out the public purpose.

# SURVEY PLAT

LOTS 4, 5, AND 6, BLOCK G4, GILLIS 2ND ADDITION TO THE CITY OF ALPINE  
 VOLUME 15, PAGE 596, DEED RECORDS OF BREWSTER COUNTY, TEXAS  
 305 W. NATIONS AVE. ALPINE, TEXAS



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

**LEGEND**

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



ACCORDING TO FEMA FIRM MAP PANEL 4800850002B, DATED 11/16/1990, A PORTION OF THIS TRACT APPEARS TO LIE WITHIN ZONE AE [BASE FLOOD ELEVATIONS HAVE BEEN DETERMINED].

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*  
 10-7-2022  
 KEVIN MUELLER  
 105 N. COCKRELL ST.  
 (432) 538-2115  
 KEVIN.MUELLER@SAWTOOTHSSURVEY.COM

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

The property is a part of the fenced backyard of 305 West Nations Ave. It is 0.057 acres of lot 4 and is within the West Brown right of way.

Alley Way

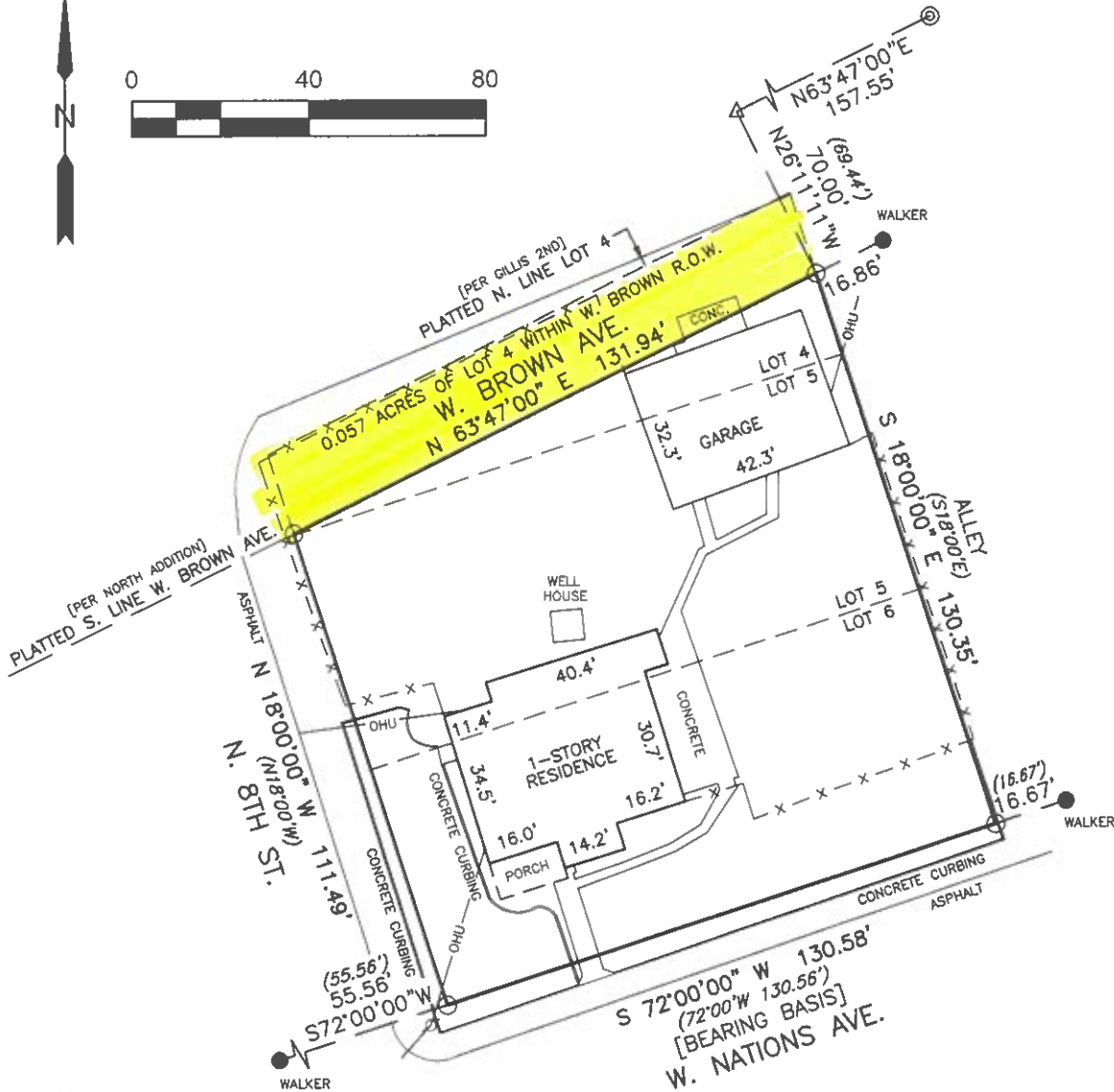
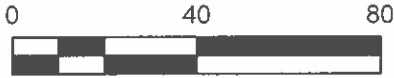






# SURVEY PLAT

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10-7-2022

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

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

LOAN POLICY OF TITLE INSURANCE (Form T-2)

Issued by

Stewart Title Guaranty Company

SCHEDULE A

Name and Address of Title Insurance Company:  
STEWART TITLE GUARANTY COMPANY  
1900 Post Oak Boulevard  
Suite 800, Houston, 77056  
File No.: 202210513

Policy No.: M-0000-923305452

Loan No.: 1231200  
Address for Reference only: 305 W NATIONS, ALPINE, TX 79830  
Amount of Insurance: \$180,000.00  
Date of Policy: December 16, 2022, at 02:48 pm

Premium: \$1,680.20

1. Name of Insured: WESTEX COMMUNITY CREDIT UNION
2. The estate or interest in the Land that is encumbered by the Insured Mortgage is: Fee Simple
3. Title is insured as vested in:  
JONATHAN HILLSMAN RUTLEDGE and AMANDA RUTLEDGE
4. The Insured Mortgage, and its assignments, if any, are described as follows:  
A Deed of Trust executed by JONATHAN HILLSMAN RUTLEDGE and AMANDA RUTLEDGE, in favor of DEVORA MITCHELL, Trustee for the benefit of WESTEX COMMUNITY CREDIT UNION, dated December 12, 2022, securing the payment of one note of even date therewith for a principal sum of \$ 180,000.00, payable according to its terms; said Deed of Trust recorded in Document # 116536, Official Public Records of Brewster County, Texas. Public Records of Brewster County, Texas, Recorded on December 12, 2022 .
5. The Land referred to in this policy is described as follows:  
Lots 4, 5, and 6, Block G4, Gillis 2nd Addition to the City of Alpine, Brewster County, Texas, more particularly described in survey exhibit "A" by Kevin Mueller, R.P.L.S. #5911, dated October 7, 2022, attached hereto and incorporated herein for all purposes.
6. This policy incorporates by reference those endorsements selected below:
  - T-5 (Leasehold Loan Policy Endorsement)
  - T-17 (Planned Unit Development)
  - T-19 (Restrictions, Encroachments, Minerals)
  - T-19.2 (Minerals and Surface Damage)
  - T-19.3 (Minerals and Surface Damage)
  - T-28 (Condominium)
  - T-31 (Manufactured Housing) referring to manufactured housing unit serial number \_\_\_\_\_
  - T-31.1 (Supplemental Coverage Manufactured Housing Unit)
  - T-33 (Variable Rate)
  - T-33.1 (Variable Rate--Negative Amortization)
  - T 35 (Revolving Credit/Future Advance)
  - T-36 (Environmental Protection Lien) Paragraph b refers to the following state statute(s): TEX. HEALTH & SAFETY CODE §361.194; TEX. HEALTH & SAFETY CODE §§342.007, 342.008; TEX. LOCAL GOV'T CODE §§214.001, 214.0015(b), (d), and (e); and TEX. NATURAL RESOURCES CODE §134.150, if applicable.
  - T-39 (Balloon Mortgage)
  - T-42 (Equity Loan Mortgage) and subparagraph 2(f) of the Equity Loan Mortgage Endorsement set forth in Procedural Rule P-44.C(2)  is  is not added.
  - T-42.1 (Supplemental Coverage Equity Loan Mortgage)
  - T-43 (Texas Reverse Mortgage)
  - Section 13 of the Conditions of this policy, which relates to Arbitration, is hereby deleted.

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

Book 0403 / Page 0754  
Doc #112699

**GIFT DEED**

DATE: April 29, 2021

LU

GRANTOR: Steven C. Wilcox  
Vickie Davis Wilcox

GRANTOR ADDRESS:  
Steven Wilcox  
PO Box 126  
Marfa, TX  
79843

Vickie Wilcox  
PO Box 126  
Marfa, TX  
79843

GRANTEES: Jonathan Hillsman Rutledge

GRANTEES ADDRESS:  
308 N. COCHRAN  
Bellville, TX 77418

PROPERTY:

All of Lots Four (4), Five (5) and Six (6), Block G-4, GILLIS 2ND ADDITION to the City of Alpine, Brewster County, Texas, as the same appears in the Plat recorded in Volume 15, Page 596, Deed Records of Brewster County, Texas.

*Steven C. Wilcox*  
Steven C. Wilcox

*Vickie D Wilcox*  
Vickie Davis Wilcox

April 29, 2021

*Crystal Shannon Funke*  
Crystal Shannon Funke  
April 29, 2021



**Doc#: 112699**  
**# Pages: 2**  
**05/05/2021 08:39AM**  
**Filed & Recorded in**  
**Official Records of**  
**BREWSTER COUNTY**  
**SARAH VASQUEZ**  
**COUNTY CLERK**  
**Fees: \$26.00**

**STATE OF TEXAS**  
**COUNTY OF BREWSTER**  
I hereby certify that this Instrument was  
**FILED** on the date and at the time stamped  
hereon by me and was duly **RECORDED** in the  
Volume and Page of the Official Public  
Records of Brewster County, Texas  
**VOL: 0403 PAGE: 0754**

*Sarah Vasquez*

**County Clerk, Brewster County, Texas**

**APPRAISAL REPORT  
OF**



Part of Lot 4 W Brown ROW (0.057ac)  
Alpine, TX 79830

**PREPARED FOR**

Jonathon Hillsman Rutledge  
305 W Nations Ave  
Alpine, TX 79830

**AS OF**

03/05/2023

**PREPARED BY**

United Appraisers of Texas, LLC  
P. O. Box 12  
Fort Davis, TX 79734

# LAND APPRAISAL REPORT

**IDENTIFICATION**

Borrower Jonathan Hillsman Rutledge Census Tract 9503.00 Map Reference Area Not Mapped  
 Property Address Part of Lot 4 W Brown ROW (0.057ac)  
 City Alpine County Brewster State TX Zip Code 79830  
 Legal Description Part of Lot 4 within W Brown ROW (0.057ac)  
 Sale Price \$ N/A Date of Sale N/A Loan Term \_\_\_\_\_ yrs. Property Rights Appraised  Fee  Leasehold  De Minimis PUD  
 Actual Real Estate Taxes \$ N/A (yr) Loan Charges to be paid by seller \$ N/A Other Sales Concessions N/A  
 Lender/Client Jonathan Hillsman Rutledge Address 305 W Nations Ave, Alpine, TX 79830  
 Occupant Vacant Appraiser WALTER HENRY HOPPER Instructions to Appraiser Current Market Value  
 No address # was provided for subject property.

**NEIGHBORHOOD**

Location	<input type="checkbox"/> Urban	<input checked="" type="checkbox"/> Suburban	<input type="checkbox"/> Rural	Good	Avg.	Fair	Poor
Built Up	<input checked="" type="checkbox"/> Over 75%	<input type="checkbox"/> 25% to 75%	<input type="checkbox"/> Under 25%		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Growth Rate	<input type="checkbox"/> Fully Dev.	<input checked="" type="checkbox"/> Rapid	<input checked="" type="checkbox"/> Steady	<input type="checkbox"/> Slow		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Property Values	<input type="checkbox"/> Increasing	<input checked="" type="checkbox"/> Stable	<input type="checkbox"/> Declining		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Demand/Supply	<input type="checkbox"/> Shortage	<input checked="" type="checkbox"/> In Balance	<input type="checkbox"/> Oversupply		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marketing Time	<input type="checkbox"/> Under 3 Mos.	<input checked="" type="checkbox"/> 3-6 Mos.	<input type="checkbox"/> Over 6 Mos.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Present Land Use	<u>65</u> % Family	<u>2</u> % Family	<u>0</u> % Apts	<u>10</u> % Condo		<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<u>25</u> % Vacant	<u>0</u> %				<input checked="" type="checkbox"/>	<input type="checkbox"/>
Change In Present Land Use	<input checked="" type="checkbox"/> Not Likely	<input type="checkbox"/> Likely(*)	<input type="checkbox"/> Taking Place (*)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(*) From _____ To _____				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Predominate Occupancy	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Tenant	<u>0</u> % Vacant		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Single Family Price Range	\$ <u>65,000</u> to \$ <u>550,000</u>	Predominant Value \$ <u>225,000</u>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Single Family Age	<u>0</u> yrs to <u>100+</u> yrs.	Predominant Age <u>45</u> yrs			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, view, noise): Marketability of neighborhood is average due to it's proximity to downtown Alpine, the county courthouse, schools, places of worship, etc. Subject ROW is adjacent to residential properties on all sides along W Brown Ave & N 8th St and having minimal frontage <20' on N 8th St and approximately 132' along W Brown Ave. Subject's marketability is limited due to size, shape & required setbacks from both ROWs (N 8th & W Brown) making tract excess and not buildable.

**SITE**

Dimensions Irregular - See Attached Survey = 2483 sf  Corner Lot  
 Zoning Classification R-1 Single Family Residential Present Improvements  do  do not conform to zoning regulations  
 Highest and best use  Present use  Other (specify) Residential

Elec.	<input checked="" type="checkbox"/> Public	Other (Describe) <u>Public</u>	OFF SITE IMPROVEMENTS	Topo <u>Level</u>
Gas	<input checked="" type="checkbox"/> City		Street Access <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private	Size <u>Smaller than Typical</u>
Water	<input checked="" type="checkbox"/> City		Surface <u>Paved</u>	Shape <u>Irregular</u>
San. Sewer	<input checked="" type="checkbox"/> City		Maintenance <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private	View <u>Single Family Residences &amp; Elementary School</u>
	<input type="checkbox"/> Underground Elect. & Tel.		<input type="checkbox"/> Storm Sewer <input type="checkbox"/> Curb/Gutter	Drainage <u>Appears typical/may require engineering</u>
			<input type="checkbox"/> Sidewalk <input type="checkbox"/> Street Lights	Is the property located in a HUD identified Special Flood Hazard Area? No <input checked="" type="checkbox"/> Yes

Comments (favorable or unfavorable including any apparent adverse easements, encroachments or other adverse conditions): As always, Buyer should explore any easements, setbacks &/or access issues prior to purchase to determine any potential impact. Appraiser is not a surveyor and makes no warrants or affirmations of boundaries, easements, encroachments, setbacks or legalities concerning such. All references to legal description are based upon information provided by Owner &/or Owner's representative.

The undersigned has recited three recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to or more favorable than the subject property, a minus (-) adjustment is made thus reducing the indicated value of subject; if a significant item in the comparable is inferior to or less favorable than the subject property, a plus (+) adjustment is made thus increasing the indicated value of the subject.

**MARKET DATA ANALYSIS**

	SUBJECT PROPERTY	COMPARABLE NO.1	COMPARABLE NO.2	COMPARABLE NO.3
Address	Part of Lot 4 W Brown ROW (0.057ac) Alpine, TX 79830	1104 W Sanderson St Alpine, TX 79830	900 W Uvalde St Alpine, TX 79830	904 W Avenue J Alpine, TX 79830
Proximity to Subject		0.59 miles W	0.35 miles W	0.90 miles S
Sales Price	\$ N/A	\$ 36,000	\$ 24,000	\$ 21,000
Price /	\$ 0	\$ 2.73	\$ 1.71	\$ 2.74
Data Source		Realtor/Brewster CAD	Realtor/Brewster CAD	Realtor/Brewster CAD
Date of Sale and Time Adjustment	DESCRIPTION N/A	DESCRIPTION 06/17/2022	DESCRIPTION 01/27/2023	DESCRIPTION 01/20/2023
Location	Brown Addition	Shipman Addition	Shipman Addition	Hancock Addition
Site/View	2483 sf	13190 sf	14000 sf	7667 sf
Utilities	Elec/Sewer/Water	Elec/Sewer/Water	Elec/Sewer/Water	Elec/Sewer/Water
Functionality	Non-buildable	Buildable (.5x\$6770)	Buildable (.5x\$4306)	Buildable (.5x\$6796)
Sales or Financing Concessions				
Net Adj. (Total)		Plus X Minus \$ -32,615	Plus X Minus \$ -21,847	Plus X Minus \$ -17,602
Indicated Value of Subject		Net=-91% Gross=91% \$ 3,385	Net=-91% Gross=91% \$ 2,153	Net=-84% Gross=84% \$ 3,398

Comments on Market Data: All sales <1mi radius of subject and all were adjusted for site size differences. From this adjusted value, all sales were then discounted 50% which appraiser estimates is representative of subject's lack of functionality due to its "non-buildable" size. City set-back limitations are also a factor with a substantial amount of subject within the setbacks, thereby providing very limited functionality due to these limitations.

Comments and Conditions of Appraisal: Appraiser used the most applicable recent vacant land sales of which he is aware in the Alpine market area. All sales were adjusted for subject's substantially smaller size allowing only limited functionality (whether stand-alone or as-combined). No other adjustments were warranted. All sales exceed 10% line, 15% net & 25% gross adjustments due to site size/value adjustments.

Final Reconciliation: All sales used herein are from subject's immediate market area and are believed reliable value indicators. Appraiser assumes subject's functional utility as below-average even if/when combined with adjoining property due to set-back requirements. Sales used are from the immediate market area w/(>) sales <60 days; therefore, appraiser believes sales used are representative of Alpine's current market.

**RECONCILIATION**

I ESTIMATE THE MARKET VALUE AS DEFINED OF SUBJECT PROPERTY AS OF 03/05/2023 to be \$ 2,980

Appraiser(s) WALTER HENRY HOPPER Review Appraiser (if applicable)  Did  Did Not Physically

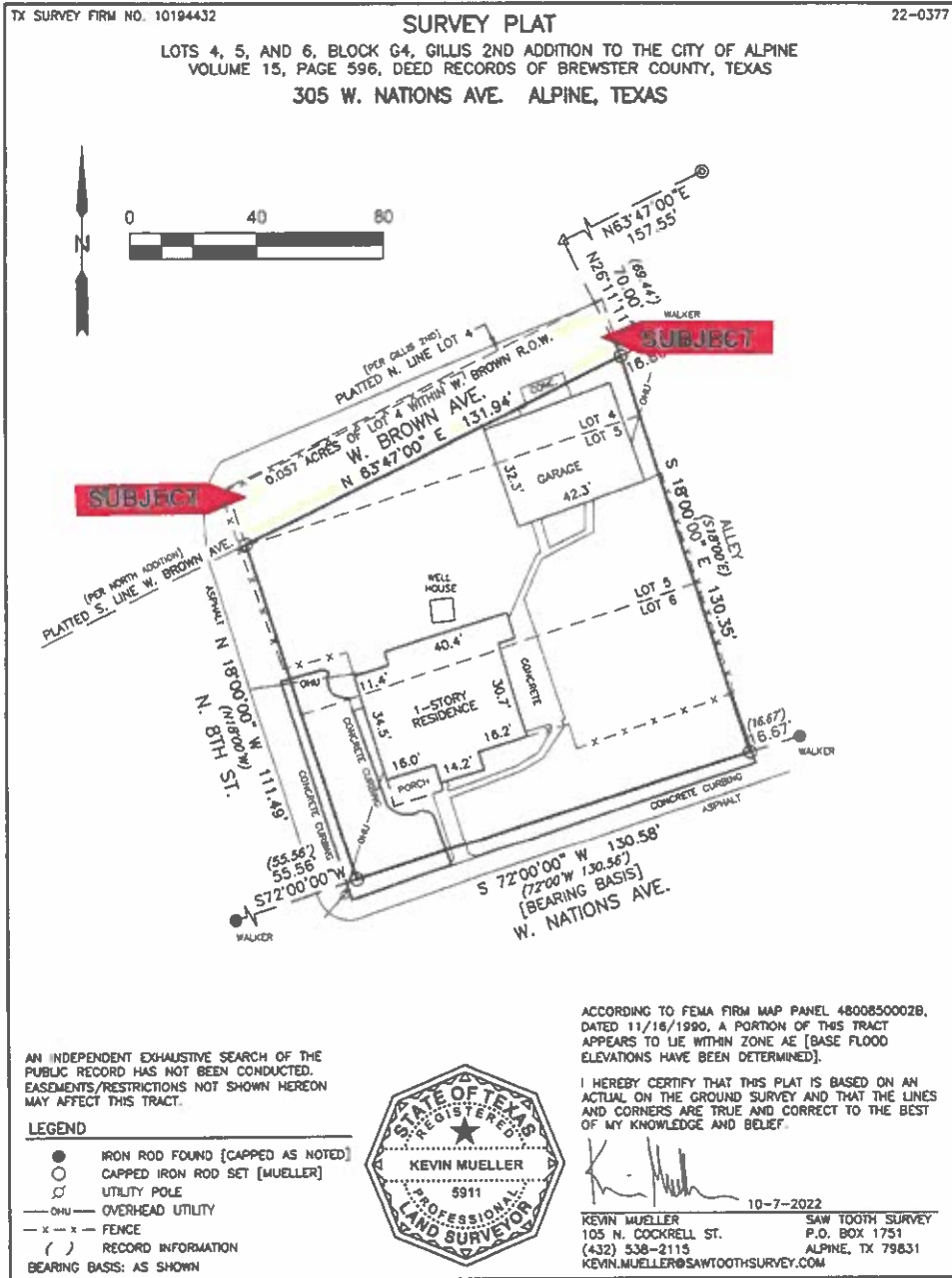
Date Report Signed 03/05/2023 Inspect Property \_\_\_\_\_  
 State Certification # 1333433 State TX State Certification # \_\_\_\_\_  
 Or State License # \_\_\_\_\_ State \_\_\_\_\_ Or State License # \_\_\_\_\_  
 Expiration Date of License or Certification 03/31/2024 Expiration Date of License or Certification \_\_\_\_\_

Borrower Jonathan Hillsman Rutledge

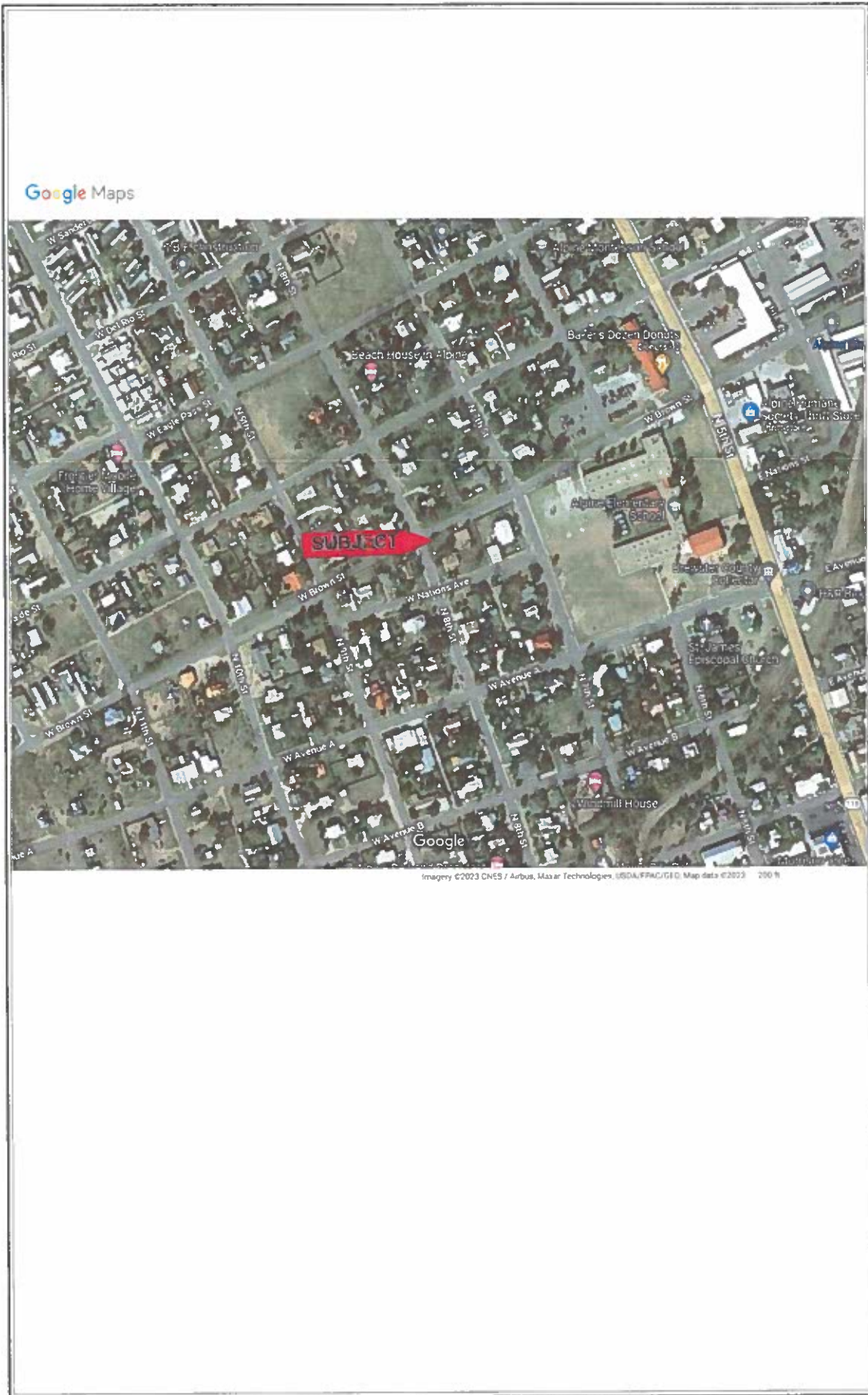
Property Address Part of Lot 4 W Brown ROW (0.057ac)

City Alpine County Brewster State TX Zip Code 79830

Lender/Client Jonathon Hillsman Rutledge Address 305 W Nations Ave, Alpine, TX 79830



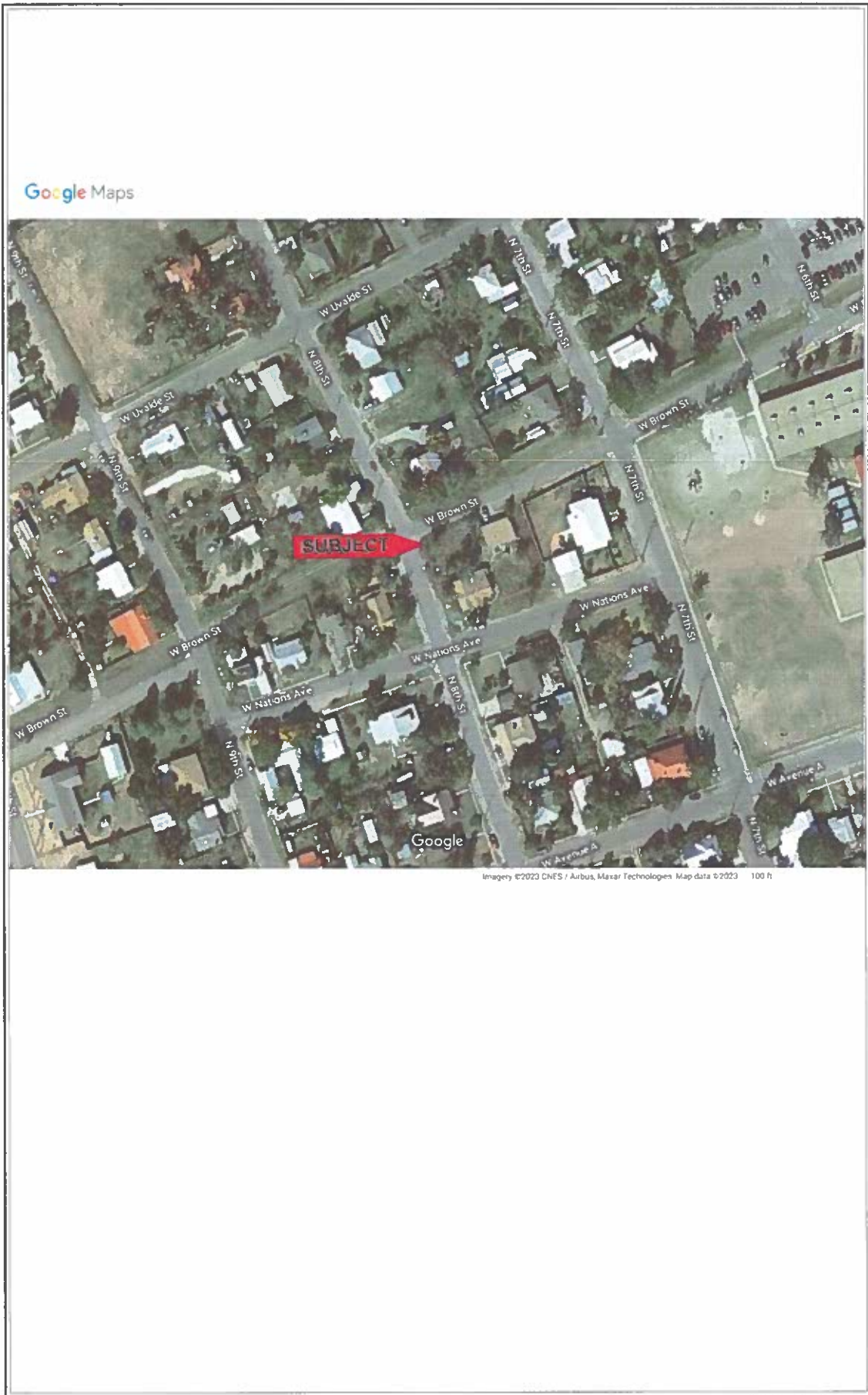
Borrower Jonathan Hillsman Rutledge					
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City	Alpine	County	Brewster	State	TX Zip Code 79830
Lender/Client	Jonathon Hillsman Rutledge	Address 305 W Nations Ave, Alpine, TX 79830			



Imagery ©2023 CNES / Airbus, Maxar Technologies, USDA/FAO/GEO, Map data ©2023 200 ft



Borrower Jonathan Hillsman Rutledge						
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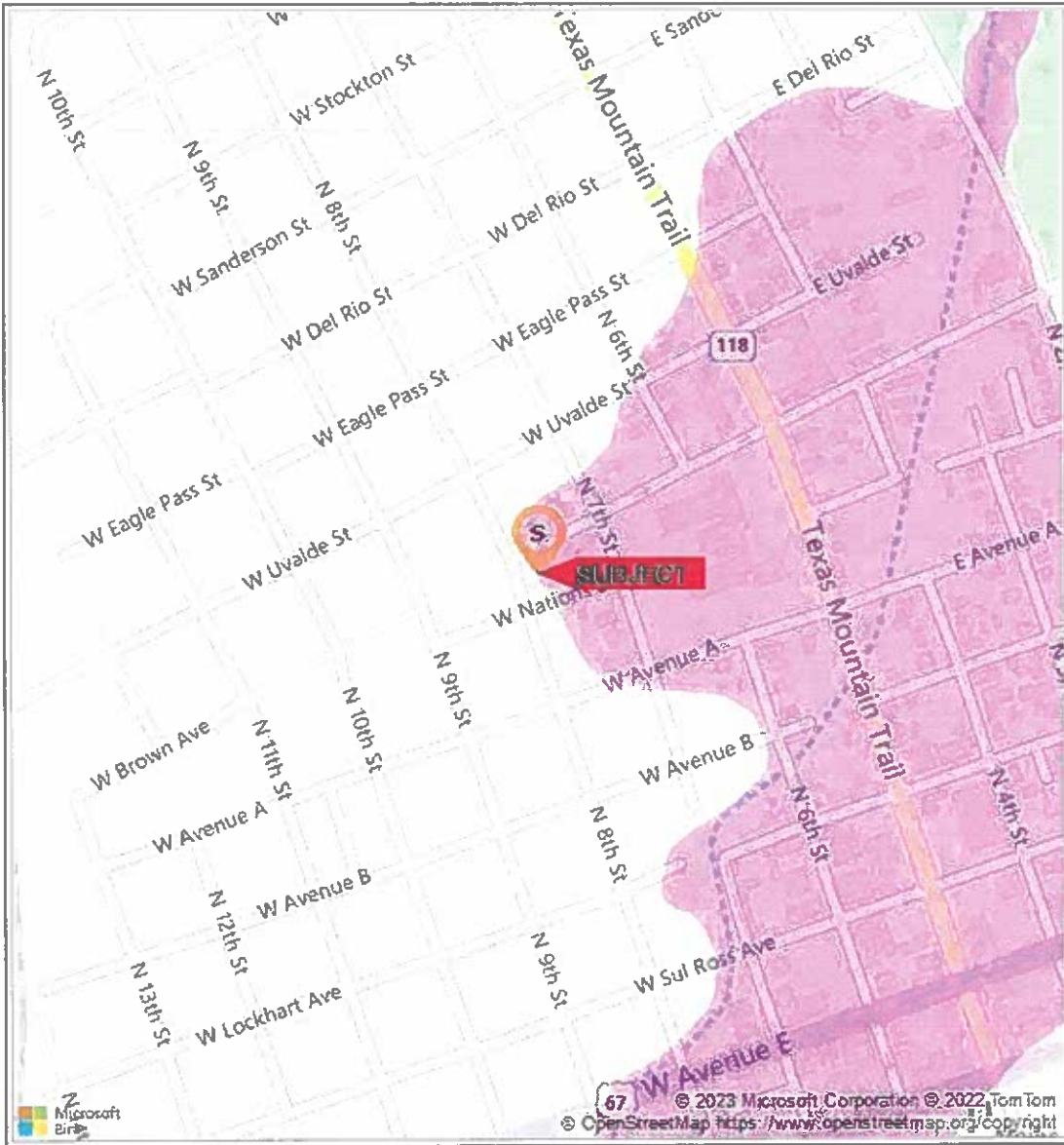
Imagery ©2023 CNES / Airbus, Maxar Technologies Map data ©2023 100 ft

Borrower Jonathan Hillsman Rutledge						
Property Address Part of Lot 4 W Brown ROW (0.057ac)						
City	Alpine	County	Brewster	State	TX	Zip Code 79830
Lender/Client	Jonathon Hillsman Rutledge		Address 305 W Nations Ave, Alpine, TX 79830			





Borrower	Jonathan Hillsman Rutledge						
Property Address	Part of Lot 4 W Brown ROW (0.057ac)						
City	Alpine	County	Brewster	State	TX	Zip Code	79830
Lender/Client	Jonathon Hillsman Rutledge		Address 305 W Nations Ave, Alpine, TX 79830				



**Flood Map Legends**

- Flood Zones
- Areas inundated by 100-year flooding
  - Areas inundated by 500-year flooding
  - Areas of undetermined but possible flood hazards
  - Floodway areas with velocity hazard
  - Floodway areas
  - COBRA zone

**Flood Zone Determination**

In Special Flood Hazard Area (Flood Zone): \_\_\_\_\_ In \_\_\_\_\_

Within 250 ft. of multiple flood zones? \_\_\_\_\_ Within 250 feet \_\_\_\_\_

Community: \_\_\_\_\_ 480085 \_\_\_\_\_

Community Name: \_\_\_\_\_ ALPINE, CITY OF \_\_\_\_\_

Map Number: \_\_\_\_\_ 4800850002B \_\_\_\_\_

Zone: AE Panel: 0002B Panel Date: 11/16/1990

FIPS Code: 48043 Census Tract: 9503.00

This Report is for the sole benefit of the Customer that ordered and paid for the Report and is based on the property information provided by that Customer. That Customer's use of this Report is subject to the terms agreed to by that Customer when accessing this product. THE SELLER OF THIS REPORT MAKES NO REPRESENTATIONS OR WARRANTIES TO ANY PARTY CONCERNING THE CONTENT, ACCURACY, OR COMPLETENESS OF THIS REPORT INCLUDING ANY WARRANTY OR MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. The seller of this Report shall not have any liability to any third party for any use or misuse of this Report.

United Appraisers of Texas, LLC  
**SUBJECT PHOTO ADDENDUM**

File No. W23-019

Borrower	Jonathan Hillsman Rutledge						
Property Address	Part of Lot 4 W Brown ROW (0.057ac)						
City	Alpine	County	Brewster	State	TX	Zip Code	79830
Lender/Client	Jonathon Hillsman Rutledge		Address	305 W Nations Ave, Alpine, TX 79830			



**FRONT OF  
SUBJECT PROPERTY**

Part of Lot 4 W Brown ROW (0.057ac)  
Alpine, TX 79830



**REAR OF  
SUBJECT PROPERTY**

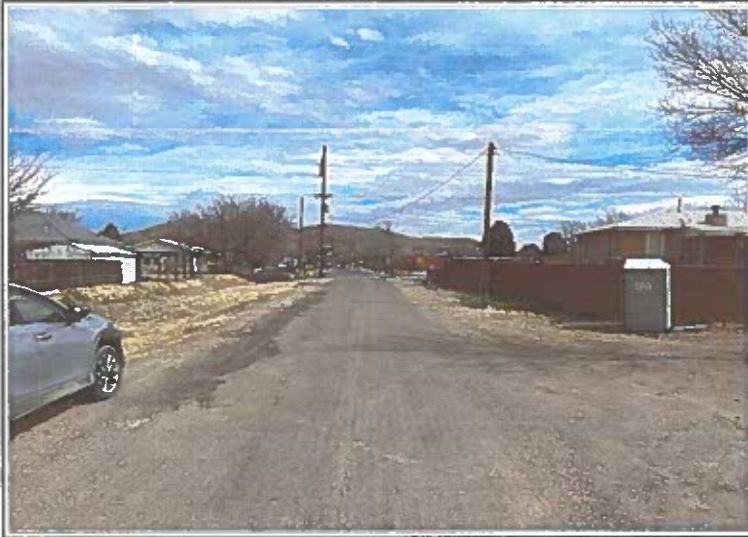


**STREET SCENE**

United Appraisers of Texas, LLC  
**SUBJECT PHOTO ADDENDUM**

File No. W23-019

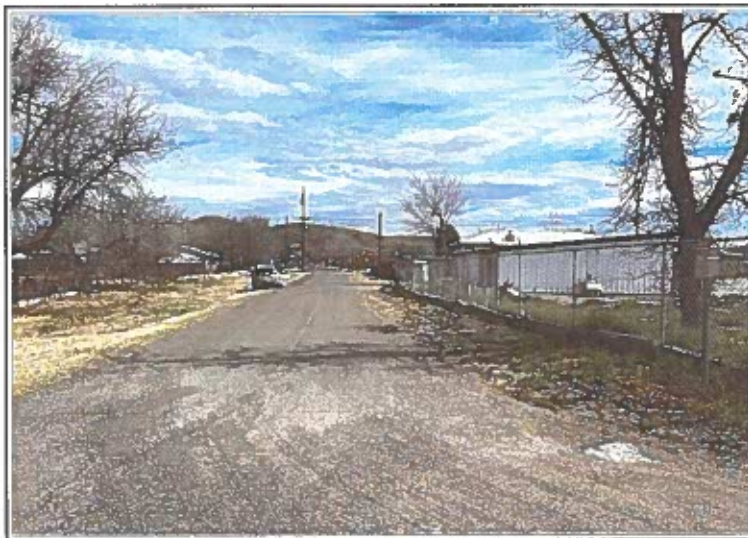
Borrower	Jonathan Hillsman Rutledge						
Property Address	Part of Lot 4 W Brown ROW (0.057ac)						
City	Alpine	County	Brewster	State	TX	Zip Code	79830
Lender/Client	Jonathon Hillsman Rutledge		Address	305 W Nations Ave. Alpine, TX 79830			



Alternate street view



Corner view W Brown Ave @ N 8th St



Frontage view of W Brown Ave from corner

United Appraisers of Texas, LLC  
**SUBJECT PHOTO ADDENDUM**

File No. W23-019

Borrower Jonathan Hillsman Rutledge						
Property Address Part of Lot 4 W Brown ROW (0.057ac)						
City	Alpine	County	Brewster	State	TX	Zip Code 79830
Lender/Client	Jonathon Hillsman Rutledge		Address	305 W Nations Ave, Alpine, TX 79830		



View of subject property from N 8th St



View of subject property



Alternate front view of subject

Borrower Jonathan Hillsman Rutledge  
Property Address Part of Lot 4 W Brown ROW (0.057ac)  
City Alpine County Brewster State TX Zip Code 79830  
Lender/Client Jonathon Hillsman Rutledge Address 305 W Nations Ave, Alpine, TX 79830



**COMPARABLE SALE # 1**  
1104 W Sanderson St  
Alpine, TX 79830



**COMPARABLE SALE # 2**  
900 W Uvalde St  
Alpine, TX 79830



**COMPARABLE SALE # 3**  
904 W Avenue J  
Alpine, TX 79830



PURPOSE AND USE OF LIMITED APPRAISAL

The purpose of this limited appraisal is to estimate market value by performing an evaluation of real property collateral for use in a proposed underwriting. This limited appraisal is for the use of the party to whom it is addressed and any further use or dissemination without consent of the appraiser and addressee is prohibited.

DEFINITION OF MARKET VALUE

Market value, as referenced in OCC Rule 12 CFR 34.42(f):

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, and knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions\* granted by anyone associated with the sale. \*Adjustments to the comparable must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

DESCRIPTION OF LIMITED VALUATION PROCESS

In performing this preliminary value analysis, the valuation process consisted of: (1) Reviewing assessment/public records and comparable database listing information for the subject; (2) Conducting an inspection of the subject and its environs; (3) Analyzing sales of regional residential real estate; (4) arriving at a value conclusion; (5) Writing this report.

Departures from specific appraisal guidelines included: SR 1-3 because the appraiser has presumed, for the purpose of the limited appraisal, that the existing use of the subject property is the highest and best use; SR 1-4 because only a sales comparison analysis of value was employed in this limited appraisal since it is the primary valuation method for residential dwelling similar to the subject. Any additional uses of the departure provision are specifically stated in the attached appraisal report or its attachments.

SALES HISTORY

According to the data utilized in preparing the report, the property  has  has not transferred within the past 12 months.

LEVEL OF RELIABILITY

The use of the departure provision to allow a limited appraisal with a single approach to value reduces the level of reliability of this report.

RECONCILIATION

Complete weight was given to the Sales Comparison Approach as it is the approach used by most buyers when purchasing a single family dwelling. The Income Approach was not applicable because of the lack of rental information and meaningful relevancy to the value of a dwelling located in this primarily owner occupied neighborhood. On the other hand, the Departure Provision was utilized to estimate the Cost Approach because the appraiser decided this omission in this limited appraisal assignment would not confuse or mislead the client or the intended users of this report. The market value is estimated on the FHLMC form 704 or similar attached.

ASSUMPTIONS AND LIMITING CONDITIONS

- \* No responsibility is assumed for the legal discrimination or for matters indicating legal or title considerations. Title to the property is assumed to be marketable. The property is appraised free and clear of any and all liens and encumbrances, except as noted in the report.
- \* Information furnished by others during the course of the research has been verified to the extent possible and is believed to be reliable, but no warranty is given for its accuracy.
- \* No responsibility is assumed for the effect on value of hidden or unapparent conditions of the subsoil or structures; or for arranging engineering studies to discover such conditions.
- \* No evidence of contamination or hazardous materials was observed. However, the appraiser is not qualified to detect potential hazardous waste material that may have an effect on the subject property. The client may wish to retain such an expert if he desires.
- \* Sketches and other illustrative material are included only to assist the reader in visualizing the real estate and its environs, are based on data developed and supplied by others, and are not meant to represent a survey or as-built plan.
- \* Any distribution of the total valuation among land, improvement, and/or other components applies only under the stated program of utilization and must not be interpreted or used as individual values for other purposes.
- \* The appraiser is not required to provide consultation, testimony, or attendance in court by reason of this assignment, unless such services have been assigned in contracting the assignment.
- \* Possession of the report or a copy thereof does not carry with it the right of publication, and it may not be used for any purpose by anyone other than the addressee, without the written consent of the author and addressee. Even with such permission, out-of-context quoting from and/or partial reprinting of the report is prohibited. The report is an integrated entity and is only valid in its entirety.
- \* Neither all nor part of the contents of the report shall be disseminated to the public relations, news, sales, or other media without the prior written consent and approval of the author.


LIMITED SCOPE APPRAISAL CERTIFICATION

I certify to the best of my knowledge and belief that: the statements of fact contained in this report are true and correct; the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limited conditions and are personal, unbiased, professional analyses, opinions and conclusions; I have no present or prospective interest in the real estate and have no personal interest or bias with respect to the stipulated result, or the occurrence of a subsequent event; the analyses, opinions and conclusions were developed and the report prepared in conformance with and subject to the requirements of the Uniform Standards of the Professional Appraisal Practice of the Appraisal Foundation; the appraisal assignment was not based upon a requested minimum valuation, a specific valuation, or the approval of a loan; I personally prepared all conclusions and opinions about the real estate that were set forth in the appraisal report. If I relied on significant professional assistance from any individual(s) in the performance of the appraisal or the preparation of the appraisal report, I have named such individual(s) and disclosed the specific tasks performed by each in the reconciliation section of this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in the report; therefore, if an unauthorized change is made to the appraisal report, I will not take the responsibility for it.

SUPERVISORY APPRAISER'S CERTIFICATION

If a supervisory appraiser signed the appraisal report, he or she certifies and agrees that: I directly supervised the appraiser who prepared the appraisal report, have reviewed the appraisal report, agree with the statements and conclusions of the appraiser, agree to be bound by the appraiser's certification above, and am taking full responsibility for the appraisal and the appraisal report.

PROPERTY ADDRESS: Part of Lot 4 W Brown ROW (0.057ac), Alpine, TX 79830

APPRaiser:  
 Signature:   
 Name: WALTER HENRY HOPPER  
 Date Signed: 03/05/2023  
 State Certification #: 1333433  
 or State License #: \_\_\_\_\_  
 State \_\_\_\_\_  
 Expiration Date of Certification or License: 03/31/2024  
 Did  Did Not Inspect the Interior of the Property

SUPERVISORY APPRAISER (only if required)  
 Signature: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Date Signed: \_\_\_\_\_  
 State Certification #: \_\_\_\_\_  
 or State License #: \_\_\_\_\_  
 State \_\_\_\_\_  
 Expiration Date of Certification or License: \_\_\_\_\_  
 Did  Did not Inspect property

Borrower Jonathan Hillsman Rutledge						
Property Address Part of Lot 4 W Brown ROW (0.057ac)						
City	Alpine	County	Brewster	State	TX	Zip Code 79830
Lender/Client	Jonathon Hillsman Rutledge		Address 305 W Nations Ave, Alpine, TX 79830			

WALTER HENRY HOPPER  
 PO BOX 1483  
 MARFA, TX 79843



## Certified Residential Real Estate Appraiser

**Appraiser: WALTER HENRY HOPPER**  
**License #: TX 1333433 R**      **License Expires: 03/31/2024**

Having provided satisfactory evidence of the qualifications required by the Texas Appraiser Licensing and Certification Act, Occupations Code, Chapter 1103, authorization is granted to use this title:  
**Certified Residential Real Estate Appraiser**

For additional information or to file a complaint please contact TALCB at [www.talcb.texas.gov](http://www.talcb.texas.gov).

  
**Chelsea Buchholtz**  
 Commissioner

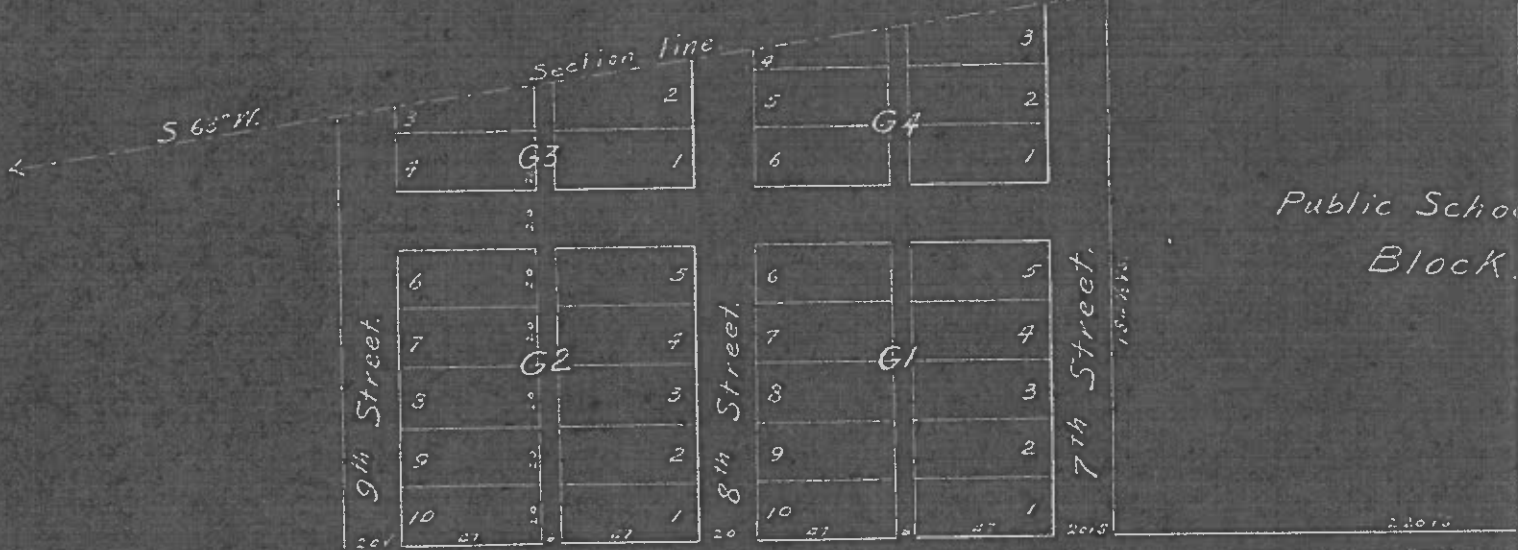
I hereby certify that the foregoing instrument was filed for record in my office on the 3rd day of July A.D. 1909 at 9:00 o'clock A.M. and duly recorded on the 3rd day of July A.D. 1909 at 2:30 o'clock P.M.,

*Flora L. Daugherty*  
County Clerk, Brewster County, Texas.

By *May Greenwood*, Deputy.

PLAT & SUB-DIVISION OF "2nd GILLIS ADDITION" TO TOWN OF ALPINE.

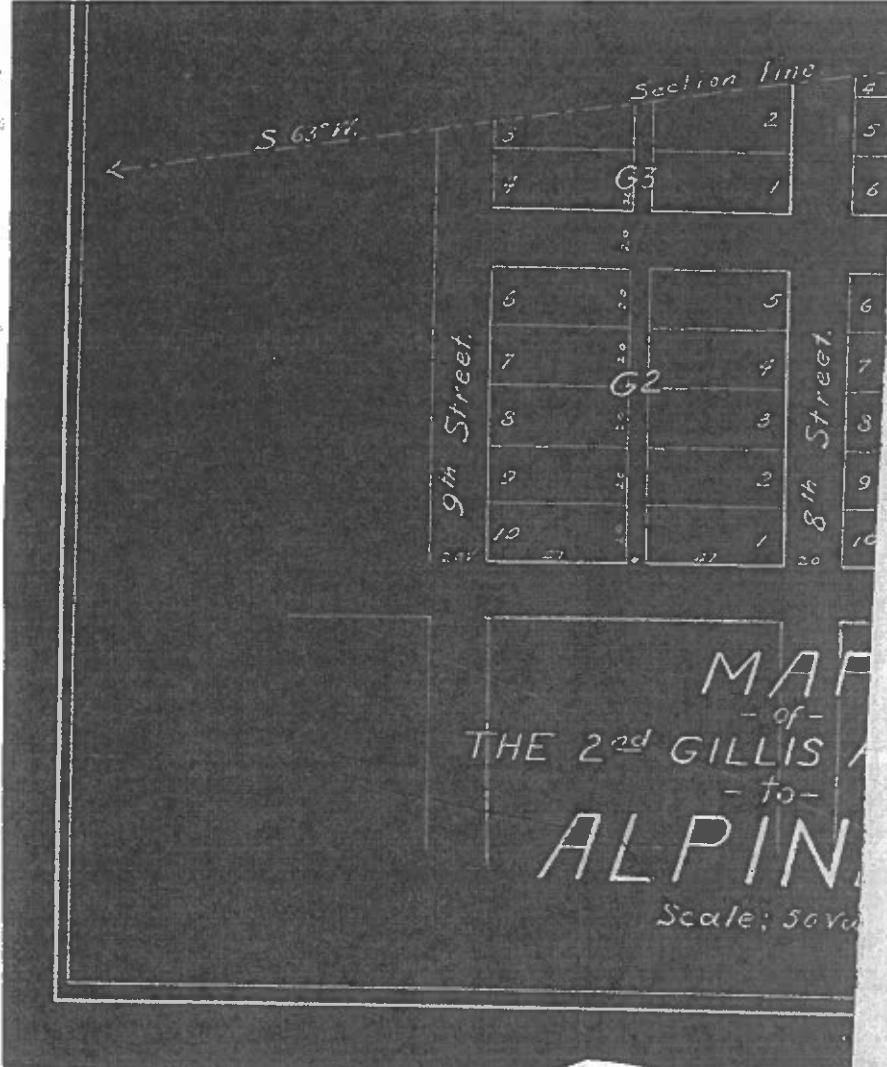
*Exhibit A*



MAP  
- of -  
THE 2<sup>nd</sup> GILLIS ADDITION  
- to -  
**ALPINE, TEX.**  
Scale: 50 Varas = 1 inch.

THE STATE OF TEXAS,  
County of Val Verde.)

KNOW ALL MEN BY THESE PRESENTS that I, Walter Gillis, of



THE STATE OF TEXAS,  
 County of Val Verde.)

KNOW ALL MEN BY THESE PRESENTS that I, Walter Gillis, of said County and State, being the owner of a tract of land adjoining the town of Alpine, in the County of Brewster and State of Texas, and being desirous of sub-dividing and platting the same into Blocks, Lots, Streets and Alleys and as an Addition to said town of Alpine, have this day and do hereby Sud-Divide and Plat said tract of land into Blocks, Lots Streets and Alleys and as an ADDITION to said town of Alpine, according to the map or plat of said <sup>tract of</sup> land hereto attached and marked "Exhibit A" and made a part hereof, the same to be known as the "2ND GILLIS ADDITION" TO SAID TOWN OF Alpine, said tract of land and ADDITION embracing Blocks G1, G2, G3, G4, and "PUBLIC SCHOOL BLOCK" together with the surrounding and intervening street and alleys in accordance with and as shown upon said map or plat of said ADDITION hereto attached.

In testimony whereof witness my signature at Del Rio, Texas, this the 5th day of July, 1909.

Walter Gillis.

The State of Texas,)

County of Val Verde.) Before me John J. Foster, a Notary Public in and for Val Verde County Texas, on this day personally appeared Walter Gillis, known to me 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 considerations therein expressed.

Given under my hand and seal of office at Del Rio, Texas, this the 5th day of July, 1909.

John J Foster

(SEAL.)

Notary Public in and for Val Verde County, Texas.

I hereby certify that the foregoing instrument was filed for record in my office on the 6th day of July A.D. 1909 at 9:30 o'clock A.M. and duly recorded on the 6th day of July A.D. 1909 at 11:00 o'clock A.M.,

*Flora L. Daugherty*  
County Clerk, Brewster County, Texas.

By *May Greenwood*, Deputy

L.N. HALBERT TO J.D. JACKSON.

LEASE CONTRACT.

THE STATE OF TEXAS,)

County of Brewster.) This memoranda of an agreement this day made and entered into by and between L N Halbert, first party, acting herein in behalf of Ed Means, and in behalf of all of the heirs of N B Means, deceased, on the one part, and J D Jackson, second party, on the other part, witnesseth:--

I.

First party leases and lets to second party from Jan'y 1st 1909 to Dec 31st 1909, for grazing purposes only the following described lands in block 10, G H & S A Ry Co Survey in Brewster County, viz., Sections 174, 155, 175, <sup>157</sup>176, 177, 253, 87, 161, 162, 165, 166, N $\frac{1}{2}$  of 92 or S $\frac{1}{2}$  of 156.

II.

The lease of said premises is for the consideration of four hundred and sixteen dollars, cash in hand paid said Halbert, the receipt of which is hereby acknowledged.

III.

The said Halbert expressly warrants that he is authorized to act herein in behalf of the part aforesaid, in whose behalf he undertakes to act.

IV.

The said Jackson covenants and agrees to peaceably surrender possession of above described lands at the expiration of this lease.

(SEAL.)

Notary Public in and for Val Verde County, Texas.

I hereby certify that the foregoing instrument was filed for record in my office on the 6th day of July A.D.1909 at 9:30 o'clock A.M. and duly recorded on the 6th day of July A.D.1909 at 11:00 o'clock A.M.,

*Flora L. Daughen*  
County Clerk, Brewster County, Texas.

By *May Greenwood*, Deputy

L.N.HALBERT TO J.D.JACKSON.

LEASE CONTRACT.

THE STATE OF TEXAS,)

County of Brewster.) This memoranda of an agreement this day made and entered into by and between L N Halbert, first party, acting herein in behalf of Ed Means, and in behalf of all of the heirs of N B Means, deceased, on the one part, and J D Jackson, second party, on the other part, witnesseth:--

I.

First party leases and lets to second party from Jan'y 1st 1909 to Dec 31st 1909, for grazing purposes only the following described lands in block 10, G H & S A Ry Co Survey in Brewster County, viz., Sections 174, 155, 175, 176, 177, 253, 87, 161, 162, 165, 166, N $\frac{1}{2}$  of 92 and S $\frac{1}{2}$  of 156.

II.

The lease of said premises is for the consideration of four hundred and sixteen dollars, cash in hand paid said Halbert, the receipt of which is hereby acknowledged.

III.

The said Halbert expressly warrants that he is authorized to act herein in behalf of the part aforesaid, in whose behalf he undertakes to act.

IV.

The said Jackson covenants and agrees to peaceably surrender possession of above described lands at the expiration of this lease.

Executed in duplicate originals this Jan'y 11, 1909.

L.N.Halbert.

J.D.Jackson.

Supplementary to and as a part of the foregoing contract, it is agreed by the said Halbert that in event of the title failing to any part of said land, that he will reimburse the Jacks for the unearned portion of the lease money upon the land, to which the title may have failed

This Jan'y 11, 1909.

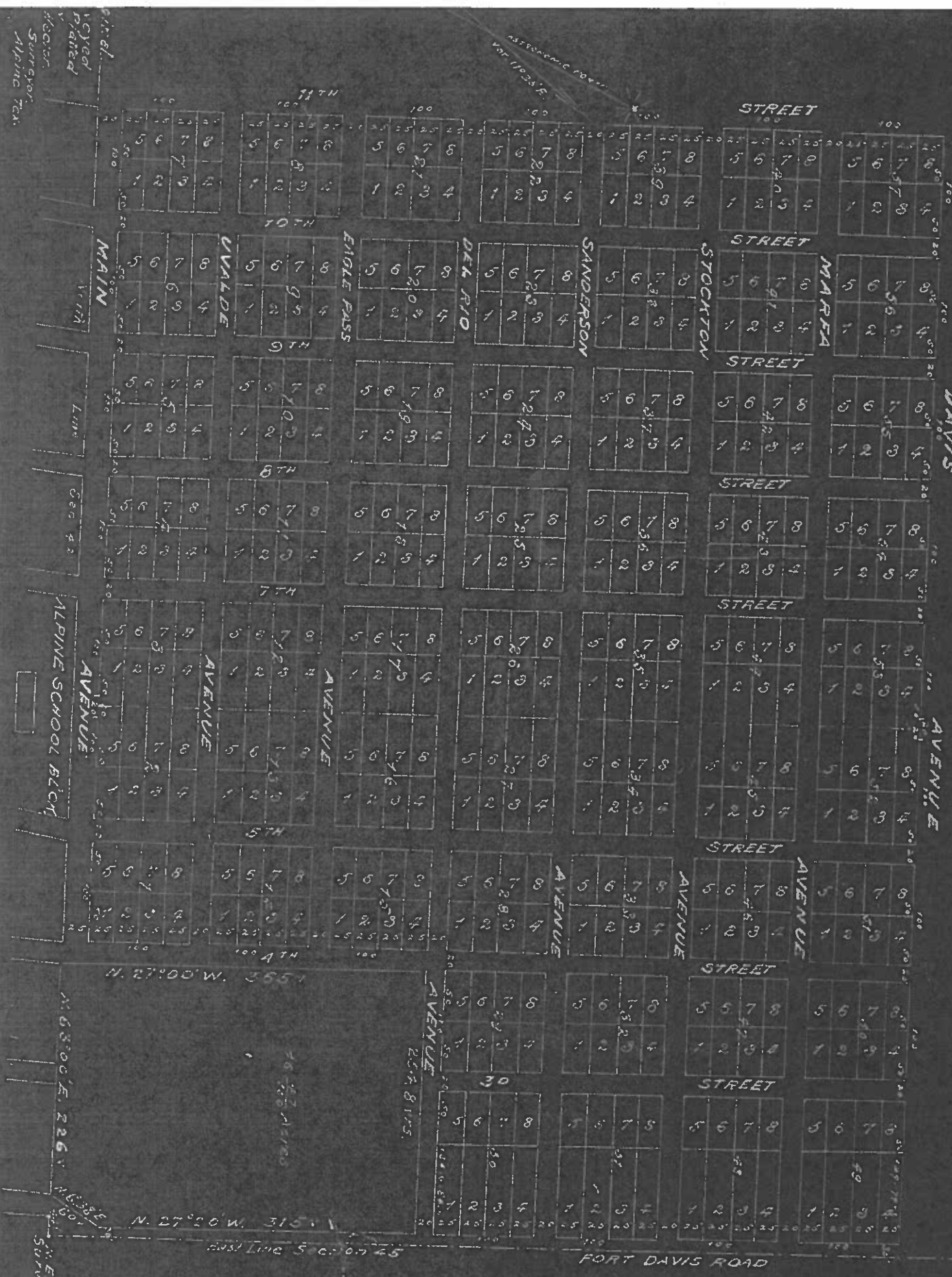
L.N.Halbert.

I hereby certify that the foregoing instrument was filed for record in my office July 6th, 1909 at 10:00 o'clock A.M. and duly recorded on July 6th, 1909 at 11:15 o'clock A.M.

*Flora L. Daughen*

# NORTH ADDITION TO ALPINE

S.E. 1/4 OF SECTION NO 45 TERT. NO 1-771 G.H. & S.A. R.R. CO.



Surveyed  
 by  
 Surveyor  
 Alpine Tex.

N.E. COR.  
 SURVEY  
 DIST.

NORTH ADDITION TO ALPINE

SECTION NO 45 Cont. No 1-711 G. H. & S. A. R. R. Co.

DAVIS

AVENUE

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N. 27°00' W. 365'

N. 27°20' W. 315'

East Line Section 45

FORT DAVIS ROAD

ALPINE SCHOOL BLDG

S. E. COY SURVEY 226

76 7/10 Acres

25 7/8 WMS

25 7/8 WMS

30

37

49

49

25 7/8 WMS

30

37

49

49



The State of Texas,  
County of Brewster.

Know all men by these presents that we, W. D. Kincaid of Uvalde County, Texas, and J. R. Sanford of Maverick County, Texas, being joint owners of 640 acres of land adjoining the City of Alpine on the north, known as abstract number 4508, survey number 45, certificate number 1711, original grantee G.H. & S.A. Ry.

And being desirous of subdividing and platting the south east quarter into acreage, blocks, lots and streets as an addition to the City of Alpine, have this day, and do hereby subdivide and plat said portion of survey number 45 into acreage, blocks, lots and streets as an addition to said City of Alpine, according to the map or plat of said quarter section of land hereto attached and marked "Exhibit A" and made a part hereof, the same to be known as North Addition to the City of Alpine; said addition embracing 57 blocks of land numbered from one to 57, inclusive, and each of said blocks being subdivided into eight lots, the lots in each block being numbered from one to eight inclusive, together with the surrounding and intervening streets, and 16-47/100 acres of land in the extreme south east corner of said quarter section of land in accordance with and as shown upon said map or plat of said addition hereto attached.

In testimony whereof witness our hands this 1st day of August, A. D. 1910.

*W. D. Kincaid*  
*J. R. Sanford*

The State of Texas,  
County of Uvalde.



Before me, *Ludie Flower* Notary Public in and for Uvalde County, Texas, on this day personally appeared W. D. Kincaid, known to me as the person whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office at Uvalde, Texas, this 1st day of August, A. D. 1910.

*Ludie Flower*  
Notary Public, Uvalde County, Texas.

The State of Texas,  
County of Maverick.



Before me, *W. M. Logan*, Notary Public in and for Maverick County, Texas, on this day personally appeared J. R. Sanford, known to me as the person whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same for the purposes and consideration therein expressed.

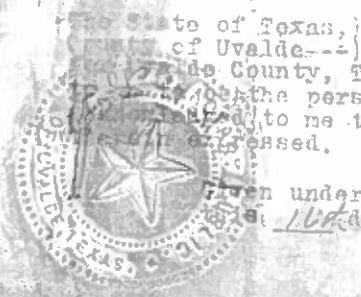
Given under my hand and seal of office at *Uvalde*, Texas, this 15th day of August, A. D. 1910.

*W. M. Logan*  
Notary Public, Maverick County, Texas.

And being desirous of subdividing and platting the south east quarter into ~~blocks~~, blocks, lots and streets as an addition to the City of Alpine, have ~~the~~ ~~city~~, and do hereby subdivide and plat said portion of survey number 45 into ~~blocks~~, blocks, lots and streets as an addition to said City of Alpine, according to the map or plat of said quarter section of land hereto attached and marked "Block A" and made a part hereof, the same to be known as North Addition to the City of Alpine; said addition embracing 57 blocks of land numbered from one to 57 inclusive, and each of said blocks being subdivided into eight lots, the lots in each block being numbered from one to eight inclusive, together with the surrounding and intervening streets, and 16-47/100 acres of land in the extreme south east corner of said quarter section of land in accordance with and as shown upon said map or plat of said addition hereto attached.

In testimony whereof witness our hands this 1st day of August, A. D. 1910.

*W. D. Kincaid*  
*J. R. Sanford*



Before me, *Ludie Flower* Notary Public in and for Uvalde County, Texas, on this day personally appeared *W. D. Kincaid*, known to me as the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations expressed.

Given under my hand and seal of office at Uvalde, Texas, this *1st* day of August, A. D. 1910.

*Ludie Flower*  
Notary Public, Uvalde County, Texas.



Before me, *M. M. Logan*, Notary Public in and for Maverick County, Texas, on this day personally appeared *W. D. Kincaid*, known to me as the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations expressed.

Given under my hand and seal of office at *Uvalde*, Texas, this 15th day of August, A. D. 1910.

*M. M. Logan*  
Notary Public, Maverick County, Texas.



**CITY COUNCIL**  
**MEETING AGENDA ITEM COVER MEMO**  
**MARCH 21, 2023**

To: Honorable Mayor and City Council  
Agenda Item: Action Item 3 – Resolution 2023-03-17  
Agenda Sponsor: Megan Antrim, City Manager  
Memo Prepared By: Geoffrey R. Calderon, City Secretary

---

**SYNOPSIS**

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Approve Resolution 2023-03-17, a resolution establishing the official City of Alpine Donation Policy. (M. Antrim, City Manager)

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**BACKGROUND**

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1. Currently all donations exceeding \$25 must be accepted by the City Council.
2. The City Manager is proposing a donation policy that would establish guidelines, limits, and procedures for different levels of authorization for donations.

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**SUPPORTING MATERIALS**

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1. Resolution 2023-03-17.

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**STAFF RECOMMENDATION**

---

**APPROVE.**

STATE OF TEXAS

CITY OF ALPINE

COUNTY OF BREWSTER

**RESOLUTION 2023-03-17**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALPINE ADOPTING A  
DONATION AND GIFT POLICY.**

**WHEREAS**, individuals, community groups, and businesses may wish to make donations to the City in either cash or in-kind contributions that enhance projects, facilities and programs; and

**WHEREAS**, the need for projects, facilities, and programs exceeds the City's ability to fund all such needed projects; and

**WHEREAS**, it is an acceptable and appropriate practice to accept donations, in order to enhance programs and/or facilities to provide a higher level of service to the public.

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

The Alpine City Council hereby accepts and approves the Donation and Gift Policy attached hereto as **Exhibit A**.

**PASSED, APPROVED, AND ADOPTED BY A MAJORITY VOTE OF THE CITY COUNCIL ON THIS THE 21<sup>st</sup> DAY OF MARCH 2023 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.**

\_\_\_\_\_  
Catherine Eaves, Mayor

**ATTEST:**

\_\_\_\_\_  
Geoffrey R. Calderon, City Secretary

**“Exhibit A”**

# **City of Alpine**



## **Donation & Gift Policy**

**Effective April 1, 2023**

## **I. PURPOSE & POLICY**

Donations allow citizens to make valuable contributions to the City and should be encouraged. This Donation Acceptance Policy seeks to encourage and support departments in the development of partnerships with individuals, community groups, and businesses willing to financially assist the City with the enhancement of projects, facilities, and programs for the benefit of the public at large.

The purpose of this policy is to establish a formal process for review, acceptance, and documentation of donations made to the City, to confirm that the City has relevant and adequate resources to administer such donations and ensure that the City appropriately acknowledges the generosity of the donor in a responsible, transparent, and accountable manner.

## **II. DEFINITIONS**

***Beneficiary Department Head*** shall mean the Director of the City department or his/her designee, for which a donation is designated or intended. The City Manager or designee shall act as the Beneficiary Department Head if no department director is designed or intended.

***Donation or Gift*** shall mean a monetary (cash) contribution, endowments, personal property, real property, financial securities, equipment, in-kind goods or services, or any other asset that the City has accepted and for which the donor has not received any goods or services in return. For the purposes of this Policy, the terms "donation" and "gift" shall be synonymous.

***Donor*** shall mean a person or other legal entity that proposes or provides a donation to the City.

***Endowment*** shall mean donations that are restricted to the extent that only earnings, and not principal, may be used for a particular City department, location, or purpose.

***Fundraising*** shall mean any activity conducted with the intent of generating donations to the City. Fundraising activities may include, but are not limited to, promoting giving, program adoption or pledge drives, and contacting individuals, companies, foundations, or other entities with a request for a donation to the City.

***Designated*** donations shall mean donations that the donor specifies for a particular City department, location, or purpose.

***Undesignated*** donations shall mean donations that are given to the City without any limitations being placed upon its use.

### **III. GENERAL RULE AND PRINCIPLES**

Persons, community groups and business entities making donations to the City should not expect in return any reward, reciprocal benefit, or influence. It is a violation of the City of Alpine's Ethics Policy for a person or entity to knowingly offer, or for any city official, employee, or department to solicit, accept, or agree to accept, any form of donation to the City that reasonably tends to influence or reward official conduct or that is knowingly intended to influence or reward the discharge of official duties.

1. This Policy is intended to guide the manner in which City staff accept donations.
2. Donations do not become the property of the City until accepted by the City consistent with this Policy.
3. Only City officials authorized by this Policy may accept donations.
4. The City has no obligation to accept any donation proposed by a donor.
5. All donations will be evaluated by the City prior to acceptance to determine whether the donation is in the City's best interest and is consistent with applicable City laws, policies, ordinances, and resolutions.
6. The City does not provide legal, accounting, tax or other such advice to donors. Each donor is ultimately responsible for ensuring the donor's proposed donation meets and furthers the donor's charitable, financial, and estate planning goals. As such, each donor is encouraged to meet with a professional advisor before making any donation to the City.
7. Any accepted donation, grant or sponsorship which would obligate the City to enter into a service or procurement agreement shall be reviewed under the City procurement process and shall not be considered a donation.
8. The City must determine whether an expenditure of City funds, either a direct outlay of City funds or the use of City forces and materials, is associated with or required by acceptance of the donation prior to acceptance.
9. The donation must be used for official City business, and not for political activities or other personal business.
10. A donor may restrict a donation for a particular City department, location or purpose, but not designate the City official who may use the donation.
11. The Beneficiary Department Head is responsible for acknowledging receipt of and thanking, on behalf of the City, the donors of donations.
12. The City shall comply with all applicable laws and regulations of the Internal Revenue Service regarding the acceptance of donations.

13. The Beneficiary Department Head shall work with the Finance Director or his/her designee to determine the appropriate accounting for the donation.

14. City employees who have primary responsibility for the procurement of services, supplies, materials, and equipment and/or Finance Departments, are prohibited from directly or indirectly engaging in any form fundraising solicitations.

#### **IV. GENERAL PROVISIONS AND ACCEPTANCE REVIEW**

The following items will be considered when reviewing donations/gifts:

1. The City welcomes donations that enhance City services, reduce costs that the City would incur in the absence of the donation, or that otherwise provide a benefit to the City. The City may decline any donation without comment or cause.
2. The net benefit of a donation should be considered when determining whether to accept a donation. Net benefit includes all lifecycle costs of ownership, including maintenance, repair, clean-up, administrative, and any potential liability or expenses that may be associated with the donation.
3. Any Department considering acceptance of a donation shall consult with other departments that could be affected by acceptance. For example, other departments may incur costs to provide management, support, maintenance, and repair or enforcement activity in relation to a donation.
4. Donations must not conflict with any provision of the law and have a purpose consistent with City goals and objectives. Donation shall become property of the City.
5. Donors shall not expect, nor shall the City grant, any extra consideration to the donor in relation to City procurement, regulatory matters, or any other business, services, or operations of the City.
6. Donations must be directly related to providing goods or services to the public or for another valid public purpose. Donations may not be used for personal financial gain of any City elected or appointed official or employee.
7. Donations must not add to the City's workload unless it provides a net benefit to the City. Donations should not bring hidden costs such as starting a program that City would be required to fund when the donation was exhausted.
8. Donations shall not place any restrictions on the City unless agreed to in advance by the City Council.



9. Donations, when applicable, shall receive recognition appropriate to the level and nature of the donation as determined by the City. For those of a capital nature, that may be in the form of signage, marking, or naming. Any naming of Parks and Recreation facilities shall be consistent with City policy on the naming of such facilities. Regardless of the recognition strategy selected, the intent shall be to appropriately honor the donor for their contribution to the community. The appearance of traditional commercial advertising should be avoided.
10. Donation values are outlined in Section V – Threshold Amounts for Donation/Gift Acceptance.
11. Donations may NOT obligate the city to make an immediate or initial expenditure not included in the approved City budget.
12. The City reserves the right to decline any donation if, upon review, acceptance of the donations is determined in the sole discretion of the City to not be in the best interest of the City.

## **V. THRESHOLD AMOUNTS FOR DONATION/GIFT ACCEPTANCE**

All donations to the City, including offers to employees related to the City, shall immediately be submitted for consideration for acceptance. Based on the value of the donation offered as outlined below, appropriate City staff shall review every donation and determine if the benefits to be derived warrant acceptance of the donation. The following lists the threshold amounts for donation acceptance.

1. Offers of donations of cash or items valued at \$1,000 or below may be accepted by a Department Head.
2. Offers of donations of cash or items valued at more than \$1,000.01 and up to \$10,000 may be accepted by the City Manager, or designee in his/her absence.
3. Offers of donations of cash, real property, or items valued at more than \$10,000 must be accepted by the City Council. Donations valued at more than \$10,000 shall be accepted through a written agreement consistent with these guidelines and approved by the City Council.
4. Offer of donation of real property or land, must be accepted by the City Council. All real property and land shall be accepted through a written agreement consistent with these guidelines and approved by the City Council. The written agreement shall contain the appraised value of the donated real property, any potential liabilities associated with the

donated real property, such as hazardous conditions or environmental concerns, and whether the donated real property has any special restrictions.

## **VI. ACCOUNTING AND RECORD KEEPING**

1. Donations should be documented to ensure transparency of government, enable measurement of the value and usefulness of the donation, and allow for audits.
2. City officials, employees, and departments receiving a donation to the city of money, real estate, products, services, or property shall report the donation to the City Manager or the City Manager's representative on a designated form. The report must include the date of the donation; the identity of the person or business entity making the donation; the city official, employee, or department receiving the donation; a description of the donation; the estimated monetary value of the donation; the intended use of the donation; and the actual use of the donation. The report must be filed within 30 days after receipt of the donation. This report is required in addition to any other documentation required for the donation. These records shall be maintained and kept up-to-date and accurate by both the receiving department and the Finance Department.
3. The individual or department that receives the donation is responsible for reporting the donation. Reporting is not required for donations to the city of money, real estate, produces, or services with a monetary value of less than \$100, except that reporting is required for donations from a single source in a single year with a cumulative value of \$100 or more.
4. Donations, grants, or sponsorships paid for with a monetary contribution shall not be paid to staff in cash.
5. Donations of certain equipment with a value over \$2,500 and a useful life of more than one (1) year will be recorded in the Finance Departments Capital Asset System.
6. For long-term or complex projects and projects involving professional services, an agreement should be drafted to document the scope of the goods or services to be donated and to document which party retains ownership of intellectual property. If a donation will lead to city expenditures, expenditures should go through the procurement process if required by city code or state law.

## **VII. DISCLAIMERS**

1. The City encourages donations and grants of materials with the understanding that such items have a useful life, and that the City assumes no responsibility for replacement or upkeep. Once a donation is accepted, it becomes City property and the City may maintain, replace or dispose of the item unless the donation is explicitly restricted.



**CITY COUNCIL**  
**MEETING AGENDA ITEM COVER MEMO**  
**MARCH 21, 2023**

To: Honorable Mayor and City Council  
Agenda Item: Action Item 4 – Order 2023-03-04  
Agenda Sponsor: Geoffrey R. Calderon, City Secretary  
Memo Prepared By: Geoffrey R. Calderon, City Secretary

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**SYNOPSIS**

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Approve Order 2023-03-04, an order approving the May 6, 2023 Joint Election Agreement between the City of Alpine and Alpine ISD. (G. Calderon, City Secretary)

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**BACKGROUND**

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1. Chapter 271 of the Texas Election Code requires that School Districts conduct their election with another political subdivision such as a City.
2. Every year AISD conducts their election with the City to meet this requirement. To ensure that the terms of the joint election are clear and beneficial to the public and both entities, the two political subdivisions may opt to enter into a joint election agreement.

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**SUPPORTING MATERIALS**

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1. Order 2023-03-04.
2. Joint Election Agreement.

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**STAFF RECOMMENDATION**

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**APPROVE.**

STATE OF TEXAS

CITY OF ALPINE

COUNTY OF BREWSTER

**ORDER 2023-03-04**

**ORDER OF APPROVAL OF  
JOINT ELECTION AGREEMENT**

**AN ORDER OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS APPROVING A JOINT AGREEMENT BETWEEN THE CITY OF ALPINE AND ALPINE INDEPENDENT SCHOOL DISTRICT FOR THE MAY 6, 2023 GENERAL ELECTION.**

**WHEREAS**, the City of Alpine (“the City”) has called a general election for Saturday, May 6, 2023; and

**WHEREAS**, the Alpine Independent School District (“the AISD”) has called an election for Saturday, May 6, 2023; and

**WHEREAS**, Chapter 271 of the Texas Election Code allows local political subdivisions having elections on the same day to do so jointly, thereby making voting more convenient and easily accessible to voters; and

**WHEREAS**, In accordance with Section 271.002 of the Texas Election Code, the City and AISD will agree to a Joint Election Agreement to hold the joint election.

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

The City Council of the City of Alpine Texas hereby authorizes that the May 6, 2023 Election be held jointly with the Alpine Independent School District.

**PASSED, APPROVED, AND ADOPTED BY A MAJORITY VOTE OF THE CITY COUNCIL ON THE 21<sup>st</sup> DAY OF MARCH 2023.**

\_\_\_\_\_  
Catherine Eaves, Mayor

**ATTEST:**

\_\_\_\_\_  
Geoffrey R. Calderon, City Secretary

**AGREEMENT TO CONDUCT JOINT ELECTION BETWEEN  
THE CITY OF ALPINE AND  
ALPINE INDEPENDENT SCHOOL DISTRICT  
FOR THE MAY 6, 2023 ELECTION**

**THE STATE OF TEXAS           §  
  §  
COUNTY OF BREWSTER       §**

This Agreement to Conduct Joint Election (this “**Contract**”) is entered into by and among City of Alpine, a political subdivision of the State of Texas (the “**CITY**”), and Alpine Independent School District, a political subdivision of the State of Texas, (the “**ISD**”), each individually, a “**Party**” or, collectively, the “**Parties,**” pursuant to Chapter 271 of the Texas Election Code.

**RECITALS**

**WHEREAS**, the CITY and the ISD each have each called an election to be held on May 6, 2023; and

**WHEREAS**, the CITY and the ISD desire to conduct such elections jointly pursuant to Chapter 271 of the Texas Election Code, and

**WHEREAS**, the CITY and the ISD desire to enter into a contract setting out the respective responsibilities of the Parties;

**NOW, THEREFORE**, the Parties agree as follows:

**ARTICLE I  
PURPOSE**

1.01 The Parties have entered into this Contract to conduct a joint election on May 6, 2023. The purpose of this agreement is to maintain consistency and accessibility in voting practices, polling places, and election procedures in order to best assist the voters of the Parties.

**ARTICLE II  
JOINT ELECTION**

2.01 The Parties agree to conduct their respective May 6, 2023 elections jointly pursuant to Chapter 271 of the Texas Election Code. Specifically, the Parties agree to the use of common polling places for both early voting and Election Day.

**ARTICLE III.  
TERM**

- 3.01 Except as hereinafter set out, the term of this Contract shall be from the time of execution until all items with respect to this Contract have been completed.

**ARTICLE IV  
EACH PARTY RESPONSIBLE FOR ITS PRO RATA COST OF SERVICE AS BILLED**

- 4.01 The Parties acknowledge that they have each separately contracted for election services to be provided by Brewster County Elections Administrator for the elections. All costs incurred by the Parties attributable to the coordination, supervision, and running of the election and incurred on behalf of the Parties, including expenses for supplies in connection with the election school(s), election supplies, wages paid for election workers, any paper ballots to be used for the election, and any other expenses reasonably and directly related to the election, including, without limitation, rental and programming of direct recording electronic voting devices and audio ballots shall be borne by the Parties based on their respective Election Services Agreement with the County Elections Administrator, and each Party will be responsible for their pro rata portion.

**ARTICLE V  
GENERAL PROVISIONS**

- 5.01 This Contract shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Brewster County, Texas.
- 5.02 In case any one or more of the provisions contained in this Contract shall for any reason be held to be invalid, illegal or unenforceable in any respect, the invalidity, illegality, or unenforceability shall not affect any other provision, and this Contract shall be construed as if the invalid, illegal, or unenforceable provision had never been a part of the Contract.
- 5.03 This Contract constitutes the only agreement of the Parties hereto and supersedes any prior understanding or written or oral agreement between the parties respecting the written subject matter.
- 5.04 No amendment, modification, or alteration of this Contract shall be binding unless it is in writing, dated subsequent to the date of the Contract and duly executed by all of the Parties.
- 5.05 Any notice to be given hereunder by any party to the other shall be in writing and may be affected by personal delivery, by certified mail, or by common carrier. Notice to a party shall be addressed as follows:

**ISD:**

Dr. Michelle Rinehart  
Superintendent of Schools  
Alpine Independent School District  
704 W. Sul Ross Avenue  
Alpine, TX 79830

**CITY:**

Geoffrey R. Calderon  
City Secretary  
City of Alpine  
100 N. 13th St  
Alpine, TX 79830

Notice by hand-delivery is deemed effective immediately, notice by certified mail is deemed effective three days after deposit with a U.S. Postal Office or in a U.S. Mail Box, and notice by a common carrier, is deemed effective upon receipt. Each party may change the address for notice to it by giving notice of such change in accordance with the provisions of this Section.

Executed to be effective the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**ALPINE INDEPENDENT SCHOOL DISTRICT:**

BY: \_\_\_\_\_  
Eddie Natera, Board President  
Alpine ISD Board of Trustees

ATTEST:

\_\_\_\_\_  
Nikki Ahrens, Secretary  
Alpine ISD Board of Trustees



Executed to be effective the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**CITY OF ALPINE:**

BY: \_\_\_\_\_  
Catherine Eaves, Mayor

**ATTEST:**

BY: \_\_\_\_\_  
Geoffrey R. Calderon, City Secretary



**CITY COUNCIL**  
**MEETING AGENDA ITEM COVER MEMO**  
**MARCH 21, 2023**

To: Honorable Mayor and City Council  
Agenda Item: Action Item 5 – Order 2023-03-05  
Agenda Sponsor: Geoffrey R. Calderon, City Secretary  
Memo Prepared By: Geoffrey R. Calderon, City Secretary

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**SYNOPSIS**

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Approve Order 2023-03-05, an order appointing and setting the rate of pay for election officials, setting the number of election workers, and designating the Early Voting Ballot Board for the May 6, 2023 General Election. (G. Calderon, City Secretary)

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**BACKGROUND**

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- The City Council must approve or acknowledge appointments of certain election officials including the Presiding Judges and Deputy Early Voting Clerk.
- The City Council determines the number of Clerks and the rate of compensation of elections officials, pursuant to Chapter 42 – Election, Sec. 42-7 to the Alpine Code of Ordinances.
- The proposed Order provides the schedule for Early Voting, provides for the appointments of Presiding Judges, provides for acknowledgment of the Deputy Early Voting Clerk, and provides for the acknowledgment of the election workers and Early Voting Ballot Board Members.
- The Order provides that the City Secretary may oversee the appointment process of alternate workers, should issues arise with the current roster of election officials.

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**SUPPORTING MATERIALS**

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1. Order 2023-03-05.

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**STAFF RECOMMENDATION**

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**APPROVE.**

STATE OF TEXAS

CITY OF ALPINE

COUNTY OF BREWSTER

**ORDER 2023-03-05**

**ORDER OF APPOINTMENT  
FOR ELECTION JUDGES AND ALTERNATES**

**AN ORDER OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS APPOINTING AND SETTING THE RATE OF PAY FOR ELECTION OFFICIALS, SETTING THE NUMBER OF ELECTION WORKERS, AND DESIGNATING THE EARLY VOTING BALLOT BOARD FOR THE MAY 6, 2023 GENERAL CITY ELECTION.**

**WHEREAS**, the City of Alpine (“the City”) has called a general election for Saturday, May 6, 2023; and

**WHEREAS**, the City Council shall determine the number of clerks and rate of compensation of Election Officials pursuant to Chapter 42 – Elections, Sec. 42-7 – Judges and Clerks of the Alpine Code of Ordinances; and

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

**SECTION I.** The list of Election Officials and their respective rates of compensation hereto attached as “Exhibit A” is hereby acknowledged and approved.

**SECTION II.** The City Secretary is charged with overseeing the emergency appointment of alternate individuals, should any issues arise with the acknowledged election officials and workers.

**SECTION III.** This order is effective immediately upon passage.

**PASSED, APPROVED, AND ADOPTED BY A MAJORITY VOTE OF THE CITY COUNCIL ON THE 21<sup>st</sup> DAY OF MARCH 2023.**

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Catherine Eaves, Mayor

**ATTEST:**

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Geoffrey R. Calderon, City Secretary

# EXHIBIT “A”

<b>Day</b>	<b>Date</b>	<b>Election Judge</b>	<b>Alternate Judge</b>	<b>Clerk</b>
<i>Monday</i>	4/24/2023	Rosario Delao	Maria Rodriguez	Roland Valles
<i>Tuesday</i>	4/25/2023	Rosario Delao	Maria Rodriguez	Roland Valles
<i>Wednesday</i>	4/26/2023	Rosario Delao	Maria Rodriguez	Roland Valles
<i>Thursday</i>	4/27/2023	Rosario Delao	Maria Rodriguez	Roland Valles
<i>Friday</i>	4/28/2023	Rosario Delao	Maria Rodriguez	Roland Valles
<i>Monday</i>	5/1/2023	Rosario Delao	Maria Rodriguez	Roland Valles
<i>Tuesday</i>	5/2/2023	Rosario Delao	Maria Rodriguez	Roland Valles
<i>Saturday</i>	5/6/2023	Rosario Delao	Maria Rodriguez	Roland Valles

<b>Early Voting Ballot Board Members</b>			
Saturday	5/6/2023	Judge	Lauren Sanders
Saturday	5/6/2023	Alternate Judge	Laura Gold
Saturday	5/6/2023	EVBB Member	Donna Ehrke
Saturday	5/6/2023	EVBB Member	Joan Escamilla

<b>Deputy Early Voting Clerk</b>
Alexandra Tackett

<b>Election Official Compensation</b>	
Election Judge	\$12/hr
Alternate Judge	\$11/hr
Election Clerk	\$10/hr
EVBB Member	\$10/hr
Deputy Early Voting Clerk	Employee Payroll

## 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** –

**Consultation with Attorney § 551.071, Texas Government Code**

1. Consultation with the City Attorney regarding the Texas Disposal Systems contract review. (S. Tandy, City Council)
2. Consultation with the City Attorney regarding the proposed American Electric Power (AEP) Franchise Agreement. (M. Antrim, City Manager)

**Personnel Matters § 551.074, Texas Government Code**

1. Continue the discussion regarding City Council expectations for the City Manager during the upcoming year and discuss a salary adjustment. (S. Tandy, City Council)
2. Conduct the annual performance evaluation of the City Secretary. (S. Tandy, City Council)

**12. Action – Executive Session** –

1. Action, if any, concerning City Council expectations for the City Manager for the upcoming year and a salary adjustment. (S. Tandy, City Council)
2. Action, if any, concerning the annual performance evaluation of the City Secretary. (S. Tandy, City Council)

**13. Adjourn.**