CITY OF ALPINE

***REGULAR CITY COUNCIL MEETING* – 5:30 P.M.**

803 W. Holland Avenue, Alpine, Texas 79830

Tuesday, May 7, 2024

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 May 7, 2024, in City Council Chambers, at 803 West Holland Avenue, in the City of Alpine, Texas for the purpose of considering the attached agenda. This notice is posted pursuant to the Texas Open Meetings Act (Government Code Sec. 551.043). **PUBLIC NOTICE – THE USE OF CELLULAR PHONES AND ELECTRONIC EQUIPMENT IS PROHIBITED IN THE CITY COUNCIL CHAMBERS DURING MEETINGS OF THE CITY COUNCIL EXCEPT FOR PURPOSES EXPLICITLY AUTHORIZED BY STATE LAW (TEXAS GOVERNMENT CODE SEC. 551.023).** This meeting will be conducted in accordance with the official Rules of Decorum for City Council Meetings available at www.cityofalpine.com/decorum. Public Comments are limited to agenda items only. Individuals who wish to address the City Council may do so by completing a Public Comment Card and by placing the completed card on the City Secretary's desk no later than five minutes before the commencement of the meeting. The Public Comment Card may also be completed online at www.cityofalpine.com/councilcomments. A Public Comment Card is not required for speakers who wish to comment on a Public Hearing item. When speakers are acknowledged, please approach the microphone at the podium and state your name and Ward for the record. Public Comments are limited to 3 minutes per person, and a bell will signal the end of each speaker's time. Please conclude speaker comments promptly when the bell rings. State law generally prohibits the Council from discussing or taking any action on any issue not included on the agenda, but if appropriate, the Council may schedule the topic for future discussion or refer the matter to staff. **NO PERSONAL ATTACKS ON COUNCIL MEMBERS OR CITY STAFF WILL BE ALLOWED.** The Mayor and/or City Council Members may call a point of order to stop personal attacks. If an individual continues to personally attack an elected official or staff member in a meeting, they may be barred.

REGULAR MEETING AGENDA – 5:30 P.M.

1. **Call to Order & Pledge of Allegiance to the Flags.**

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

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

4. **Presentations, Recognitions, and Proclamations** –

    1. Proclamation of National Police Week (May 15-21, 2024)
    2. Proclamation of National Public Works Week (May 19-25, 2024)
    3. Proclamation of National Municipal Clerks Week (May 5-11, 2024)

5. **Reports** –

    City Mayor Report.

    City Attorney Report.

    City Manager Report.

    - Water Infrastructure Update – Lead & Copper.
    - Wastewater Infrastructure Update.
    - Paving Update.
    - Employee Classification and Compensation.
    - Texas Department of Transportation (TxDOT) Mobility Planning Grant.
    - Utility Billing Software.

    City Staff Update.

6. **Public Hearings** –

    1. Public Hearing to obtain citizen views and comments regarding the second and final reading of Ordinance 2024-04-03, an ordinance amending Chapter 23 – City Council to the Alpine Code of Ordinances; Amending Article I – In General; Amending Article II – Rules of Procedure; Amending Article III – Rules of Decorum; Amending rules, regulations, and guidelines for City Council meetings and procedures; Implementing an updated ethics policy.

    2. Public Hearing to obtain citizen views and comments regarding the second and final reading of Ordinance 2024-04-04, an ordinance authorizing the vacation, abandonment, and sale of approximately 0.128 acres of city property, being the undeveloped alley lying between Lots 1 – 10, Block 71, Original Townsite, between South 1st and South 2nd Streets in the City of Alpine, Brewster County, Texas; 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.

    3. Public Hearing to obtain citizen views and comments regarding the first reading of Ordinance 2024-05-01, an ordinance approving Rezone Application 2024-04-01; Amending the official zoning map of the city by rezoning the property located at 1702 East Avenue H and legally described as Thomas Derrick Addition, Block 20; Lots 3-11, Lots 15-20, and Lots 21 & 22; located In Alpine, Brewster County, Texas as the same appears in the Map or Plat Records on

file in the Office of the County Clerk of Brewster County, Texas; Rezoning the subject property from R-4 Mobile Home District to C-1 Neighborhood Commercial District.

4. Public Hearing to obtain citizen views and comments regarding the first reading of Ordinance 2024-05-02, an ordinance approving Rezone Application 2024-04-02; Amending the official zoning map of the city by rezoning the property located at 601 South Walker Street and legally described as Lots No. Three (3), Four (4), and Five (5), Block Forty-Nine (49), Hancock Addition (South of the Railroad) to the City of Alpine, Brewster County, Texas; Rezoning the subject property from R-4 Mobile Home District to C-1 Neighborhood Commercial District.

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 April 16, 2024 Regular Meeting Minutes (G. Calderon, City Secretary)
   2. Approval of the excused absence of Councilor Rodriguez from the April 16, 2024 Regular City Council Meeting. (G. Calderon, City Secretary)
   3. Approval of the appointment of Heidi Wasserman to the Place 6 (At Large) Position on the Hotel Occupancy Tax Committee. (R. Stephens, City Council)

8. **Information or Discussion Items** –

   1. Discuss updates to proposed revisions to the Alpine City Charter. (C. Eaves, Mayor)
   2. Alpine Railroad Bridge Study - Provide an overview from the TxDot Union Pacific Railroad Bridge study held April 18, 2024. (R. Stephens, City Council)
   3. Discuss the noise ordinance and disturbances in Ward 4, including disturbances in the residential area by the Veterans of Foreign Wars establishment. (M. Sandate, City Council)
   4. Overview of the Social Media Do's and Don'ts Training Webinar held for Public Officials on April 25th. (R. Stephens, City Council)

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 2024-04-03, an ordinance amending Chapter 23 – City Council to the Alpine Code of Ordinances; Amending Article I – In General; Amending Article II – Rules of Procedure; Amending Article III – Rules of Decorum; Amending rules, regulations, and guidelines for City Council meetings and procedures. (M. Antrim, City Manager)
   2. Approve the second and final reading of Ordinance 2024-04-04, an ordinance authorizing the vacation, abandonment, and sale of approximately 0.128 acres of city property, being the undeveloped alley lying between Lots 1 – 10, Block 71, Original Townsite, between South 1st and South 2nd Streets in the City of Alpine, Brewster County, Texas; 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. (J. Stokes, City Council)

3. Approve the first reading of Ordinance 2024-05-01, an ordinance approving Rezone Application 2024-04-01; Amending the official zoning map of the city by rezoning the property located at 1702 East Avenue H and legally described as Thomas Derrick Addition, Block 20; Lots 3-11, Lots 15-20, and Lots 21 & 22; located In Alpine, Brewster County, Texas as the same appears in the Map or Plat Records on file in the Office of the County Clerk of Brewster County, Texas; Rezoning the subject property from R-4 Mobile Home District to C-1 Neighborhood Commercial District. The property ID of the subject property is 12816. The record property owner is Vicky R. Vega. The Planning & Zoning Commission has recommended denial of this application. (M. Antrim, City Manager)
4. Approve the first reading of Ordinance 2024-05-02, an ordinance approving Rezone Application 2024-04-02; Amending the official zoning map of the city by rezoning the property located at 601 South Walker Street and legally described as Lots No. Three (3), Four (4), and Five (5), Block Forty-Nine (49), Hancock Addition (South of the Railroad) to the City of Alpine, Brewster County, Texas; Rezoning the subject property from R-4 Mobile Home District to C-1 Neighborhood Commercial District. The property ID of the subject property is 10842. The record property owner is Melinda Vega. The Planning & Zoning Commission has recommended denial of this application. (M. Antrim, City Manager)
5. Approve the Interlocal Cooperation Contract between the Texas Department of Public Safety and the Alpine Municipal Court to continue participation in the Failure to Appear program. (M. Antrim, City Manager)
6. Accept the selected bid responsive to Request for Proposal 2024-04-01 to Evergreen Solutions, LLC, for a classification and compensation study for the City of Alpine and authorize the City Manager to execute the contract. (M. Antrim, City Manager)

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

NOTICE: The City Council reserves the right to reconvene, recess, realign, change the order of business, or adjourn into Executive Session at any time during the course of the meeting prior to adjournment, to discuss any item listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (development).

11. Executive Session – None.

12. Action – Executive Session – None.

13. Adjourn.

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

CERTIFICATION

I, Geoffrey R. Calderon, do hereby certify that this notice was posted at City Hall, in a convenient and readily accessible place to the general public, and on the City website at www.cityofalpine.com/agenda pursuant to Section 551.043, Texas Government Code. The said notice was posted by 2:00 P.M. on Friday, May 3, 2024, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting.

WITNESS MY HAND AND SEAL
This 3rd day of May 2024.

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

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. Proclamation of National Police Week (May 15-21, 2024)
    2. Proclamation of National Public Works Week (May 19-25, 2024)
    3. Proclamation of National Municipal Clerks Week (May 5-11, 2024)

Proclamation

By Catherine Eaves, City of Alpine Mayor

WHEREAS, in 1962 President Kennedy proclaimed May 15th as National Peace Officers Memorial Day and the calendar week in which May 15th falls as National Police Week. Established by a joint resolution of Congress in 1962, National Police Week pays special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others; and

WHEREAS, the Members of the Alpine Police Department play an essential role in promoting the safety, security, and general wellbeing of all people, while safeguarding the rights and freedoms of the citizens and visitors of the City of Alpine; and

WHEREAS, it is of the utmost importance for all citizens to recognize and understand the challenges, duties and efforts of their police department, and that members of our police department recognize, understand and perform their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder, by protecting the innocent against deception, the weak against oppression, and the vulnerable against harm; and

WHEREAS, the Alpine Police Department has grown to be a progressive, professional, and responsive law enforcement agency which unceasingly provides a vital public service at all times and in all conditions.

NOW, THEREFORE I, Catherine Eaves, Mayor of the City of Alpine, Texas, on behalf of the community, do hereby recognize May 15 to 21, 2024 as

National Police Week

And call upon all citizens of the City of Alpine to join in commemorating police officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of May in the Year 2024.

_____

Catherine Eaves, Mayor

Proclamation

By Catherine Eaves, City of Alpine Mayor

WHEREAS, Public Works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Alpine; and

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of Public Works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and

WHEREAS, it is in the public interest for the citizens, civic leaders and children in the City of Alpine to gain knowledge of and to maintain an ongoing interest and understanding of the importance of Public Works and Public Works programs in their respective communities; and,

WHEREAS, the year 2024 marks the 64th annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association.

NOW, THEREFORE I, Catherine Eaves, Mayor of the City of Alpine, Texas, on behalf of the community, do hereby recognize May 19 to 25, 2024 as

National Public Works Week

In Alpine, Texas, and urge all citizens to pay tribute to our Public Works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of May in the Year 2024.

_____

Catherine Eaves, Mayor

Proclamation

By Catherine Eaves, City of Alpine Mayor

WHEREAS, The Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

WHEREAS, The Office of the Professional Municipal Clerk is the oldest among public servants; and

WHEREAS, The Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

WHEREAS, Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS, The Professional Municipal Clerk serves as the information center on functions of local government and community; and

WHEREAS, Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Professional Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations; and

WHEREAS, It is most appropriate that we recognize the accomplishments of our Municipal Clerk, Geoffrey Calderon, and his Clerk, Alexandra Tackett.

NOW, THEREFORE I, Catherine Eaves, Mayor of the City of Alpine, Texas, on behalf of the community, do hereby recognize May 5 to 11, 2024 as

Professional Municipal Clerks Week

In Alpine, Texas, and encourage all citizens to join me in this worthy observance.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of May in the Year 2024.

_____

Catherine Eaves, Mayor

REPORTS OVERVIEW

5. **Reports** –

City Mayor Report.

City Attorney Report.

City Manager Report.

- Water Infrastructure Update – Lead & Copper.
- Wastewater Infrastructure Update.
- Paving Update.
- Employee Classification and Compensation.
- Texas Department of Transportation (TxDOT) Mobility Planning Grant.
- Utility Billing Software.

PUBLIC HEARINGS OVERVIEW

6. **Public Hearings** –

1. Public Hearing to obtain citizen views and comments regarding the second and final reading of Ordinance 2024-04-03, an ordinance amending Chapter 23 – City Council to the Alpine Code of Ordinances; Amending Article I – In General; Amending Article II – Rules of Procedure; Amending Article III – Rules of Decorum; Amending rules, regulations, and guidelines for City Council meetings and procedures; Implementing an updated ethics policy.
2. Public Hearing to obtain citizen views and comments regarding the second and final reading of Ordinance 2024-04-04, an ordinance authorizing the vacation, abandonment, and sale of approximately 0.128 acres of city property, being the undeveloped alley lying between Lots 1 – 10, Block 71, Original Townsite, between South 1st and South 2nd Streets in the City of Alpine, Brewster County, Texas; 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.
3. Public Hearing to obtain citizen views and comments regarding the first reading of Ordinance 2024-05-01, an ordinance approving Rezone Application 2024-04-01; Amending the official zoning map of the city by rezoning the property located at 1702 East Avenue H and legally described as Thomas Derrick Addition, Block 20; Lots 3-11, Lots 15-20, and Lots 21 & 22; located In Alpine, Brewster County, Texas as the same appears in the Map or Plat Records on file in the Office of the County Clerk of Brewster County, Texas; Rezoning the subject property from R-4 Mobile Home District to C-1 Neighborhood Commercial District.
4. Public Hearing to obtain citizen views and comments regarding the first reading of Ordinance 2024-05-02, an ordinance approving Rezone Application 2024-04-02; Amending the official zoning map of the city by rezoning the property located at 601 South Walker Street and legally described as Lots No. Three (3), Four (4), and Five (5), Block Forty-Nine (49), Hancock Addition (South of the Railroad) to the City of Alpine, Brewster County, Texas; Rezoning the subject property from R-4 Mobile Home District to C-1 Neighborhood Commercial District.

CITY COUNCIL

MEETING AGENDA ITEM COVER MEMO

MAY 7, 2024

PUBLIC HEARINGS

1. Public Hearing to obtain citizen views and comments regarding the second and final reading of Ordinance 2024-04-03, an ordinance amending Chapter 23 – City Council to the Alpine Code of Ordinances; Amending Article I – In General; Amending Article II – Rules of Procedure; Amending Article III – Rules of Decorum; Amending rules, regulations, and guidelines for City Council meetings and procedures; Implementing an updated ethics policy.
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SUPPORTING MATERIALS

- Two letters from neighboring property owners expressing opposition to Public Hearing Item No. 4/Action Item No. 4 regarding the rezone application for the property located 601 S. Walker Street.

City Secretary 2-3
100 N 13th St
Alpine, Texas 79830

Dear Sir: April 16, 2024

I am writing to express my strong opposition to REZONE 2024-04-02, the proposed rezoning at 601 South Walker Street. Recently there have been many new developments near my location and it appears as if this is the first in which I am being notified and allowed to voice my concerns and thoughts. While communities change and grow, there should be limits in order to help keep neighborhoods safe. Also, if the 601 South Walker is rezoned then what is to keep other neighborhoods from being impacted from the same rezoning in the future? When the 601 South Walker was a bar there were issues of trash and other discarded material finding its way on to my property without any concern from the property owner. We have seen in neighboring towns how galleries take hold and what they bring with them. A following concern would also be the traffic and noise that would be brought due to events being hosted at the 601 South Walker as well. The proximit of the residences in the area would have them experiencing issues as to other

locations that have similar zoning within the city. Local wildlife does find its way to area and would be impacted due to the increased traffic with issues occurring for both the people and wild life. I urge you to disapprove the proposed rezoning, and from recent discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Robert E. Rodriguez
PO Box 805
Alpine, Texas 79831

Robert E. Rodriguez

April 18, 2024

To: Alpine City Council c/o Geoffrey R. Calderon, TRMC, City Secretary & Chief Governance Officer

Please accept my objection to the Rezone 2024-04-01 Application to rezone property identified as: "Lots no. Three (3), Four (4), and Five (5), Block Forty Nine (49) Hancock Addition (South of the Railroad) to the City of Alpine." This property is located at 601 S. Walker Street (Property ID 10842).

I do not believe this business benefits the families residing in the surrounding neighborhoods in any way; BUT, it would serve to bring more traffic & non-locals into this residential neighborhood. I think a business of this type is better suited to a commercial district, <u>not in an R-4 Mobile Home District</u>.

The aforementioned property is located on S. Hwy 118 & in recent years neighborhood residents have seen an upsurge of traffic on 118 due to the apartment complex, businesses located south, as well as residents of South County coming & going into town, not to mention diesel trucks, motorcycles, & RVs (non-stop).

Another concern is that rezoning to Neighborhood Commercial District would open the door for other types of commercial businesses in our residential neighborhoods. (A few attempts have previously been made to establish a bar on said property). Please consider the families residing in these neighborhoods.

Thank you for your consideration.

Sincerely,

Lorenc Uranga (for Mercedes Uranga, dec.)
Raul Quiñones Jr
Gloria Garcia
Roberto Quinones
Jessie Cara
[illegible] 801 AVE J

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 April 16, 2024 Regular Meeting Minutes (G. Calderon, City Secretary)
    2. Approval of the excused absence of Councilor Rodriguez from the April 16, 2024 Regular City Council Meeting. (G. Calderon, City Secretary)
    3. Approval of the appointment of Heidi Wasserman to the Place 6 (At Large) Position on the Hotel Occupancy Tax Committee. (R. Stephens, City Council)

CITY COUNCIL

MEETING AGENDA ITEM COVER MEMO

MAY 7, 2024

CONSENT AGENDA

1. Approval of April 16, 2024 Regular Meeting Minutes. (G. Calderon, City Secretary)

BACKGROUND

NONE.

SUPPORTING MATERIALS

1. April 16, 2024 Regular Meeting Minutes. (G. Calderon, City Secretary)

STAFF RECOMMENDATION

APPROVE.

City of Alpine
Workshop &
Regular City Council Meeting
Tuesday, April 16, 2024
Minutes

WORKSHOP – 4:00 P.M.

1. **Call to Order** - Mayor Catherine Eaves called the meeting to order at 4:00 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.

City Council Members Present:
Catherine Eaves, *Mayor*
Councilor Judy Stokes, *Ward 1*
Councilor Darin Nance, *Ward 3*
Councilor Martin Sandate, *Ward 4*
Councilor Rick Stephens, *Ward 5*

City Council Members Not Present:
Councilor Chris Rodriguez, *Ward 2*

City Officials Present:
Megan Antrim, *City Manager*
Geoffrey Calderon, *City Secretary*
Robert Ruckes, *Building Official*
Jessica Isley, *Building Services*

Others Present:
Lori Griffin

2. **Workshop –**

   a. Workshop to discuss updates to the short term rental ordinance including updates to rules, regulations, and requirements for short term rentals operating within the city.

3. **Adjourn. (5:04 P.M.)**

REGULAR MEETING – 5:30 P.M.

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

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

City Council Members Present:
Catherine Eaves, *Mayor*
Councilor Judy Stokes, *Ward 1*
Councilor Darin Nance, *Ward 3*
Councilor Martin Sandate, *Ward 4*
Councilor Rick Stephens, *Ward 5*

City Council Members Not Present:
Councilor Chris Rodriguez, *Ward 2*

City Staff and Stakeholders Present:
Megan Antrim, *City Manager*
Geoffrey R. Calderon, *City Secretary*
Alessandra Gad, *City Attorney*
Abel Hinojos, *Airport Supervisor*

Others Present:
Approximately 10 other attendees.

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 Friday, April 12, 2024.

3. **Public Comments** – (limited to 3 minutes per person) – None.

4. **Presentations, Recognitions, and Proclamations** –

   1. Proclamation of April as Safe Digging Month.
   2. Proclamation of April as Earth Month.
   3. Proclamation of Administrative Professionals Week (April 21-27, 2024)
   4. Proclamation of National Tourism Week (May 5-11, 2024)
   5. Proclamation of National Public Service Recognition Week (May 5-11, 2024)

   Mayor Eaves called a short recess. (5:45 P.M.)

   The meeting resumed (5:52 P.M.)

5. **Reports** –

   City Mayor Report.

   City Attorney Report – None.

   City Manager Report –

   - January 2024 and February 2024 Revenue and Expense Report.

   City Staff Updates – None.

6. **Public Hearings** –

   Open (6:03 P.M.)

   1. Public Hearing to obtain citizen views and comments regarding the second and final reading of Ordinance 2024-04-02, an ordinance authorizing the installation of additional three way stop signs at the Eastbound and Westbound intersections of North Hancock Drive and Avenue B.

      Public Comments: None.

   2. Public Hearing to obtain citizen views and comments regarding Special Use Permit 2024-04-03, a short term rental special use permit allowing a short term rental to be established at 1106 W. Stockton. The property owner of record is Christopher Penney. The Parcel ID of the subject property is 12588.

      Public Comments: None.

   Close (6:04 P.M.)

7. **Consent Agenda** – (Minutes, Financial reports, Department written reports, Board appointments, etc.) – (Notice to the Public – The following items are of a routine and administrative nature. The Council has been furnished with background and support material on each item, and/or it has been discussed

at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Council Member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.) –

1. Approval of April 2, 2024 Regular Meeting Minutes. (G. Calderon, City Secretary)
2. Approve Special Use Permit 2024-04-03, a short term rental special use permit allowing a short term rental to be established at 1106 W. Stockton. The property owner of record is Christopher Penney. The Parcel ID of the subject property is 12588. (G. Calderon, City Secretary)
3. Approve payment of the March 2024 monthly billing summary for Bojorquez Law Firm services. (M. Antrim, City Manager)
4. Approve the excused absence of Councilor Stokes from the April 2, 2024 Regular City Council Meeting. (G. Calderon, City Secretary)

Councilor Nance requested that item no. 1 be removed from the consent agenda for separate discussion.

RESOLUTION 2024-04-09: On a motion by Councilor Stephens and seconded by Councilor Nance to approve item no. 2, 3, and 4, the City Council adopted the motion with all members present voting in favor.

Consent Agenda Item No. 1

RESOLUTION 2024-04-10: On a motion by Councilor Nance and seconded by Councilor Stephens to approve the April 2, 2024 minutes with the amendment showing that Councilor Stephens made the motion for action item no. 4, the City Council unanimously adopted the motion.

8. <u>Information or Discussion items</u> –

1. Discussion regarding proposed Charter revisions including amendments, tentative propositions, and sample language. (C. Eaves, Mayor)
2. Update from Alpine Emergency Services Board Chairperson Paul Leoffler. (M. Antrim, City Manager)
3. Discuss Short Term Rental Compliance. (R. Stephens, City Council)
4. Discuss options of hosting the Farmer's Market at the Visitor Center. (R. Stephens, City Council)
5. Discuss policies and procedures regarding Proclamations and ceremonial requests, including the addition of Proclamations, the presentation of ceremonial requests, and providing for council members to assist in reading Proclamations at meetings where there are many scheduled. (C. Eaves, Mayor)
6. Discuss the use of city buildings and plan moving forward including future improvements, changes, and relocation of employees. (J. Stokes, City Council)

Mayor Eaves called a short recess. (7:33 P.M.)

The meeting resumed. (7:38 P.M.)

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

1. Approve the second and final reading of Ordinance 2024-04-02, an ordinance authorizing the installation of additional three way stop signs at the Eastbound and Westbound intersections of North Hancock Drive and Avenue B. (R. Stephens, City Council)

   RESOLUTION 2024-04-11: On a motion by Councilor Stephens and seconded by Councilor Sandate to approve, the City Council unanimously adopted the motion with all members present voting in favor.

2. Approve the first reading of Ordinance 2024-04-03, an ordinance amending Chapter 23 – City Council to the Alpine Code of Ordinances; Amending Article I – In General; Amending Article II – Rules of Procedure; Amending Article III – Rules of Decorum; Amending rules, regulations, and guidelines for City Council meetings and procedures; Providing cumulative and Severability Clauses; Providing a Texas Open Meetings Act Clause; And Providing an Effective Date. (M. Antrim, City Manager)

   RESOLUTION 2024-04-12: On a motion by Councilor Stokes and seconded by Councilor Nance to approve the first reading of Ordinance 2024-04-03, the City Council unanimously adopted the motion with all members present voting in favor.

   RESOLUTION 2024-04-13: On a motion by Councilor Stokes and seconded by Councilor Stephens to amend the original motion to update section 23-12 Order of Business to include the amendment that executive reports are for discussion only, the City Council unanimously adopted the motion with all members present voting in favor.

3. Approve the first reading of Ordinance 2024-04-04, an ordinance authorizing the vacation, abandonment, and sale of approximately 0.128 acres of city property, being the undeveloped alley lying between Lots 1 – 10, Block 71, Original Townsite, between South 1st and South 2nd Streets in the City of Alpine, Brewster County, Texas; 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. (J. Stokes, City Council)

   RESOLUTION 2024-04-14: On a motion by Councilor Stephens and seconded by Councilor Sandate to approve, the City Council unanimously adopted the motion with all members present voting in favor.

4. Approve Texas Water Development Board Application Affidavit for request for financial assistance for Lead Service Line Replacement Funding under the Drinking Water State Revolving Fund. (M. Antrim, City Manager)

   RESOLUTION 2024-04-15: On a motion by Councilor Stephens and seconded by Councilor Stokes to approve, the City Council unanimously adopted the motion with all members present voting in favor.

5. Approve Texas Water Development Board Application Filing and Authorized Representative Resolution for Lead Service Line Replacement Funding under the Drinking Water State Revolving Fund. (M. Antrim, City Manager)

RESOLUTION 2024-04-16: On a motion by Councilor Stephens and seconded by Councilor Stokes to approve, the City Council unanimously adopted the motion with all members present voting in favor.

6. Approve the transfer of Hotel Occupancy Funds originally granted to the Kiwanis Club of Alpine in the amount of $6,250 for Advertising and Promotion of the Arts for the 4th of July Celebrations to the Alpine Community Projects Non-Profit for taking on the 4th of July Celebrations. (M. Antrim, City Manager)

   RESOLUTION 2024-04-17: On a motion by Councilor Nance and seconded by Councilor Stokes to approve, the City Council voted to adopt the motion 3 to 1 with all members voting in favor excluding Councilor Stephens, who abstained.

7. Approve a letter of opposition to Customs and Border Protection proposed plans to install 25.15 miles of new high-intensity lighting along the international border in El Paso County. (C. Eaves, Mayor)

   RESOLUTION 2024-04-18: Councilor Stokes moved to approve a letter of opposition to CBP for the proposed plans to install 25.15 miles of new high-intensity lighting along the international border in El Paso County. Councilor Nance seconded the motion. Discussion ensued.

   RESOLUTION 2024-04-19: On a motion by Councilor Stephens and seconded by Councilor Sandate to amend the motion as presented to amend the proposed letter based upon comments we have given the City Manager and authorize her to prepare an update, the City Council unanimously adopted the amendment motion with all members present voting in favor. The City Council subsequently adopted the original motion as amended by unanimous vote.

8. City Secretary performance evaluation and goals for the upcoming year. (M. Antrim, City Manager)

   RESOLUTION 2024-04-20: Councilor Stokes moved to hear the city secretary performance evaluation and goals. Councilor Nance seconded the motion. Discussion ensued.

   RESOLUTION 2024-04-21: On a motion by Councilor Stephens and seconded by Councilor Sandate to extend the meeting past 9pm, the City Council unanimously adopted the motion.

   RESOLUTION 2024-04-22: On a motion by Councilor Stephens and seconded by Councilor Stokes to amend the original motion to approve the appraisal evaluation and for Geo to come back at the next meeting to discuss short term and long-term goals, the City Council unanimously adopted the amendment with all members present voting in favor. The City Council subsequently adopted the original motion as amended by unanimous vote.

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

NOTICE: The City Council reserves the right to reconvene, recess, realign, change the order of business, or adjourn into Executive Session at any time during the course of the meeting prior to adjournment, to discuss any item listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (development).

RESOLUTION 2024-04-23: On a motion by Councilor Stephens and seconded by Councilor Nance to recess into executive session, the City Council unanimously adopted the motion with all members present voting in favor. **(9:03 P.M.)**

***Mayor Eaves called a break.* (9:03 P.M.)**

***The meeting resumed.* (9:25 P.M.)**

RESOLUTION 2024-04-24: On a motion by Councilor Stephens and seconded by Councilor Nance to move into regular session, the City Council unanimously adopted the motion with all members present voting in favor. **(9:28 P.M.)**

Mayor Eaves announced a correction to the Executive Session items and relevant Sections of the Texas Government Code that allow the executive session item.

RESOLUTION 2024-04-25: On a motion by Councilor Stephens and seconded by Councilor Stokes to recess into executive session, the City Council unanimously adopted the motion with all members present voting in favor. **(9:29 P.M.)**

11. <u>Executive Session</u> –

Consultation with Attorney § 551.071, Texas Government Code

1. City Attorney Update:
    a) Discuss Customs and Border Protection Hangar Lease Renewal.
    b) Discuss Pending Public Information Requests and Attorney General Responses.

Personnel Matters § 551.074, Texas Government Code

2. City Manager performance evaluation and goals for the upcoming year. (M. Antrim, City Manager)

12. <u>Action – Executive Session</u> –

RESOLUTION 2024-04-26: On a motion by Councilor Stephens and seconded by Councilor Stokes to reconvene into open session, the City Council unanimously adopted the motion with all members present voting in favor. **(11:07 P.M.)**

1. Action, if any, concerning the City Manager performance evaluation and goals for the upcoming year. (M. Antrim, City Manager)

RESOLUTION 2024-04-27: On a motion by Councilor Stephens and seconded by Councilor Sandate to approve the City Manage performance evaluation and ask her to come to the next meeting with her goals going forward, the City Council unanimously adopted the motion with all members present voting in favor.

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

13. <u>Adjourn.</u> (11:07 P.M.)

APPROVED:

ATTEST:

Catherine Eaves, *Mayor*

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

CERTIFICATION

I, Geoffrey R. Calderon, do hereby certify that notice of this meeting was posted at City Hall, in a convenient and readily accessible place to the general public, and to the City website at www.cityofalpine.com/agenda pursuant to Section 551.043, Texas Government Code. The said notice was posted by 2:00 P.M. on Friday, April 12, 2024, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting.

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

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

CITY COUNCIL

MEETING AGENDA ITEM COVER MEMO

MAY 7, 2024

CONSENT AGENDA

2. Approval of the excused absence of Councilor Rodriguez from the April 16, 2024 Regular City Council Meeting. (G. Calderon, City Secretary)

BACKGROUND

NONE.

SUPPORTING MATERIALS

NONE.

STAFF RECOMMENDATION

APPROVE.

CITY COUNCIL

MEETING AGENDA ITEM COVER MEMO

MAY 7, 2024

CONSENT AGENDA

3. Approval of the appointment of Heidi Wasserman to the Place 6 (At Large) Position on the Hotel Occupancy Tax Committee. (R. Stephens, City Council))

BACKGROUND

NONE.

SUPPORTING MATERIALS

- Board & Commissions Questionnaire/Application.

STAFF RECOMMENDATION

APPROVE.

BOARDS, COMMISSIONS, & COMMITTEES QUESTIONNAIRE

Name: Heidi Wassermann

Street Address: 10 Rim Road (Physical) 20 Sunny Glen (mailing)

City, State & Zip: Alpine, TX 79830

Phone Number:

E-Mail:

Occupation: Business Owner (Wassermann Wrench, Wassermanns)

Are you a resident of Alpine, Texas?: No

How long have you been a resident of, or been involved with, Alpine?: Since 2007

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

Are you a qualified (registered) voter of the City of Alpine?: No

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

Hotel Occupancy Tax HOT

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

BA - Communication, 1987 (20 Yrs Radio Personality)
M.Ed. - Education, Educational Diagnostician 2010
Taught AISD 2007-2008, 588 Co-op 2008-2015
Wassermann Wrench 2014-present
Wassermann's Store 2015
203 W. Holland Ave

Moved Here in 2007

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

Taught at SRSU 2014-2022

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

Because of our businesses, I am very interested in how Alpine grows economically and responsibly.

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

If yes, in what capacity?: NA

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

NA

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: NA

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: Heidi Wasserman **Date:** 4.23.24

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

INFORMATION OR DISCUSSION OVERVIEW

8. <u>Information or Discussion Items</u> –

1. Discuss updates to proposed revisions to the Alpine City Charter. (C. Eaves, Mayor)
2. Alpine Railroad Bridge Study - Provide an overview from the TxDot Union Pacific Railroad Bridge study held April 18, 2024. (R. Stephens, City Council)
3. Discuss the noise ordinance and disturbances in Ward 4, including disturbances in the residential area by the Veterans of Foreign Wars establishment. (M. Sandate, City Council)
4. Overview of the Social Media Do's and Dont's Webinar held on April 25th. (R. Stephens, City Council)

CITY COUNCIL

MEETING AGENDA ITEM COVER MEMO

MAY 7, 2024

INFORMATION OR DISCUSSION

1. Discuss updates to proposed revisions to the Alpine City Charter. (C. Eaves, Mayor)

BACKGROUND

NONE.

SUPPORTING MATERIALS

- Proposition recommendations and other considerations.

STAFF RECOMMENDATION

NONE.

Reasons that it is recommended to review city charters approximately every two years:

1. Reflect current needs as needs and priorities change over time
2. Legal Compliance with state and federal laws
3. Improved efficiency and effectiveness in governance- such as clarifying roles and responsibilities, streamline processes, addressing ambiguities or inconsistencies in the existing charter
4. Community engagement
5. Long term planning – sustainability, resilience to help prepare for future challenges and opportunities
6. Enhanced accountability- clearer guidelines and provisions in the charter can enhance accountability among elected officials and city staff- improved transparency

A balance is needed between specificity and generality of the Charter, one in which transparency is enhanced yet there is enough flexibility to allow the Charter to evolve with time and be adaptable:

1. Specific to reduce ambiguities enhances understanding so that it is clear to all – residents, council, administrators, etc.
2. Improves transparency, accountability and trust in government
3. **Prevents adding to the massive number of ordinances and decreases the amount of time council has to spend on ordinances and the cost of codifying them with Municode. Currently we have:**

- (29 Chapters - but some chapters are elaborate and contain many articles. An example is Chapter 90 - Taxation which includes subsets of different ordinances such as Coin-Operated Machines, Short Term Rentals, Hotel Occupancy Tax, Property Taxes, etc.
- 4 Appendixes - Franchises, Subivisions, Zoning, Annexations - These can also be in depth such as the zoning ordinance. The subdivision ordinance can probably be pretty in depth, but currently it isn't *too* in depth.)

4. Specific provisions help maintain consistency in decision-making processes and policies, which prevents arbitrary or inconsistent actions that arise from vague guidelines.
5. Legal Protection- Detailed, specific charters provide legal protection by clearly defining the powers, limitations and procedures of the city government and reduce the likelihood of legal challenges or disputes.

PROPOSITION A

SHALL ARTICLE II POWERS OF THE CITY, SECTION 2.01 GENERAL POWERS, OF THE CITY OF ALPINE, TEXAS CITY CHARTER BE AMENDED TO ADD (D) THE COUNCIL IS REQUIRED TO REVIEW THE CITY CHARTER AS NEEDED BUT AT LEAST EVERY 6 YEARS TO KEEP IT IN COMPLIANCE WITH ALL STATE AND FEDERAL LAWS AND TO VERIFY THAT THE CHARTER STILL MEETS THE NEEDS OF THE RESIDENTS OF ALPINE?

This proposition would amend specifically the listed sections and subsections of the City Charter listed below as indicated with the underlined words being amended additions. The remainder of the sections and subsections with no listed amendments remain unchanged and in full force and effect unless expressly amended by another proposition passed during the same election:

Article II Powers of the City

Section 2.01 General Powers

(D) the council is required to review the City Charter as needed but at least every 6 years to keep it in compliance with all state and federal laws and to verify that the Charter still meets the needs of the residents of Alpine?

The proposition on the ballot shall state as follows:

PROPOSITION A

"SHALL ARTICLE II POWERS OF THE CITY, SECTION 2.01 GENERAL POWERS, OF THE CITY OF ALPINE, TEXAS CITY CHARTER BE AMENDED TO ADD (D) THE COUNCIL IS REQUIRED TO REVIEW THE CITY CHARTER AS NEEDED BUT AT LEAST EVERY 6 YEARS TO KEEP IT IN COMPLIANCE WITH ALL STATE AND FEDERAL LAWS AND TO VERIFY THAT THE CHARTER STILL MEETS THE NEEDS OF THE RESIDENTS OF ALPINE?"

FOR _____

AGAINST _____

PROPOSITION B

SHALL ARTICLE II POWERS OF THE CITY, SECTION 2.03 ALTERATION AND EXTENSION OF BOUNDARIES, OF THE ALPINE, TEXAS CITY CHARTER BE AMENDED TO REMOVE SECTION (B) BY ACTION OF THE CITY COUNCIL, WITH OR WITHOUT THE CONSENT OF THEINHABITANTS OR OWNERS OF THE TERRITORY TO BE ANNEXED?

This proposition would amend the specifically listed sections and subsections below as indicated with the words struck through being amended deletions. The remainder of the sections and subsections with no listed amendments remain unchanged and in full force and effect unless expressly amended by another proposition passed during the same election:

Article II Powers of the City

Section 2.03 Alteration and Extension of Boundaries

(B) ~~by action of the City Council, with or without the consent of the inhabitants or owners of the territory to be annexed~~

The proposition on the ballot shall state as follows:

PROPOSITION B

"SHALL ARTICLE II POWERS OF THE CITY, SECTION 2.03 ALTERATION AND EXTENSION OF BOUNDARIES, OF THE ALPINE, TEXAS CITY CHARTER BE AMENDED TO REMOVE SECTION (B) BY ACTION OF THE CITY COUNCIL, WITH OR WITHOUT THE CONSENT OF THEINHABITANTS OR OWNERS OF THE TERRITORY TO BE ANNEXED?"

FOR _____

AGAINST _____

PROPOSITION C

SHALL ARTICLE II POWERS OF THE CITY, SECTION 2.04 ANNEXATION PROCEDURES, OF THE ALPINE, TEXAS CITY CHARTER BE AMENDED TO REMOVE, WHETHER BY ACTION OF THE CITY COUNCIL OR BY PETITION?

This proposition would amend the specifically listed sections and subsections below as indicated with the words struck through being amended deletions. The remainder of the sections and subsections with no listed amendments remain unchanged and in full force and effect unless expressly amended by another proposition passed during the same election:

Article II Powers of the City

Section 2.04 Annexation Procedures

All action of the City Council~~, whether by action of the City Council or by petition~~ shall be undertaken in strict compliance with State law

The proposition on the ballot shall state as follows:

PROPOSITION C

"SHALL ARTICLE II POWERS OF THE CITY, SECTION 2.04 ANNEXATION PROCEDURES, OF THE ALPINE, TEXAS CITY CHARTER BE AMENDED TO REMOVE, WHETER BY ACTION OF THE CITY COUNCIL OR BY PETITION?"

FOR _____

AGAINST _____

PROPOSITION D

SHALL ARTICLE III THE CITY COUNCIL, SECTION 3.01 NUMBER, SELECTION AND TERMS OF OFFICE, SUBSECTION (B), OF THE ALPINE, TEXAS CITY CHARTER BE AMENDED TO CHANGE THE WORDS DISTRICTS TO THE WORDS WARDS?

This proposition would amend the specifically listed sections and subsections below as indicated by changing the word Districts to the word Wards. The remainder of the sections and subsections with no listed amendments remain unchanged and in full force and effect unless expressly amended by another proposition passed during the same election:

Article III THE CITY COUNCIL

Section 3.01 Number, Selection, and Terms of Office

(B) Councilmembers shall be elected from ~~districts~~ Wards. Places on the Council shall correspond to five (5) single-member ~~districts~~ Wards. Only eligible voters registered in ~~districts~~ Wards 1,2,3,4 and 5 may vote for places 1,2,3,4, and 5 respectively.

The proposition on the ballot shall state as follows:

PROPOSITION D

"SHALL ARTICLE III THE CITY COUNCIL, SECTION 3.01 NUMBER, SELECTION AND TERMS OF OFFICE, SUBSECTION (B), OF THE ALPINE, TEXAS CITY CHARTER BE AMENDED TO CHANGE THE WORDS DISTRICTS TO THE WORDS WARDS?"

FOR _____

AGAINST _____

PROPOSITION E

SHALL ARTICLE III THE CITY COUNCIL, SECTION 3.01 NUMBER, SELECTION AND TERMS OF OFFICE, SUBSECTION (D) OF THE ALPINE, TEXAS CITY CHARTER BE AMENDED TO STATE THE FOLLOWING (D) THE MAYOR AND COUNCILMEMBERS WILL BE ELECTED FOR 3-YEAR TERMS WITH TWO TERM LIMITS SEQUENTIALLY BEGINNING WITH THE 2025 ELECTION FOR WARDS 1 AND 3, 2026 ELECTION FOR WARDS 5 AND THE MAYOR, 2027 FOR WARDS 2, 4. AFTER TWO TERMS SERVED A COUNCILMEMBER OR MAYOR MUST SIT OUT FOR AT LEAST ONE YEAR BEFORE BECOMING ELIGIBLE TO SERVE ON COUNCIL AGAIN?

This proposition would amend the specifically listed sections and subsections below as indicated by changing the councilmember terms to 3 years with two term limits and a provision that members must sit out for at least one year before being eligible to serve on council again. The remainder of the sections and subsections with no listed amendments remain unchanged and in full force and effect unless expressly amended by another proposition passed during the same election:

Article III THE CITY COUNCIL

Section 3.01 Number, Selection, and Terms of Office

(D) SHALL ARTICLE III THE CITY COUNCIL, SECTION 3.01 NUMBER, SELECTION AND TERMS OF OFFICE, SUBSECTION (D) OF THE ALPINE, TEXAS CITY CHARTER BE AMENDED TO STATE THE FOLLOWING (D) THE MAYOR AND COUNCILMEMBERS WILL BE ELECTED FOR 3-YEAR TERMS WITH TWO TERM LIMITS SEQUENTIALLY BEGINNING WITH THE 2025 ELECTION FOR WARDS 1 AND 3, 2026 ELECTION FOR WARDS 5 AND THE MAYOR, 2027 FOR WARDS 2, 4. AFTER TWO TERMS SERVED A COUNCILMEMBER OR MAYOR MUST SIT OUT FOR AT LEAST ONE YEAR BEFORE BECOMING ELIGIBLE TO SERVE ON COUNCIL AGAIN?

. ~~The Mayor and Councilmembers for places 2 and 4 will be elected in even-numbered years. Councilmembers for places 1,2, and 5 will be elected in odd-numbered years. The Mayor and Councilmembers will be elected for two-year terms.~~

The proposition on the ballot shall state as follows:

PROPOSITION E

SHALL ARTICLE III THE CITY COUNCIL, SECTION 3.01 NUMBER, SELECTION AND TERMS OF OFFICE, SUBSECTION (D) OF THE ALPINE, TEXAS CITY CHARTER BE AMENDED TO STATE THE FOLLOWING (D) THE MAYOR AND COUNCILMEMBERS WILL BE ELECTED FOR 3-YEAR TERMS WITH TWO TERM LIMITS SEQUENTIALLY BEGINNING WITH THE 2025 ELECTION FOR WARDS 1 AND 3, 2026 ELECTION FOR WARDS 5 AND THE MAYOR, 2027 FOR WARDS 2, 4. AFTER TWO TERMS SERVED A COUNCILMEMBER OR MAYOR MUST SIT OUT FOR AT LEAST ONE YEAR BEFORE BECOMING ELIGIBLE TO SERVE ON COUNCIL AGAIN?

FOR _____

AGAINST _____

PROPOSITION F

SHALL ARTICLE III THE CITY COUNCIL, SECTION 3.01 NUMBER, SELECTION AND TERMS OF OFFICE, SUBSECTION (F) OF THE ALPINE, TEXAS CITY CHARTER BE ADDED TO STATE COUNCIL MEMBERS MAY BE CENSURED BY A MAJORITY VOTE OF THE COUNCIL FOR FAILING TO COMPLETE BUDGET WORKSHEETS, QUESTIONNAIRES AND/OR RESPOND TO INQUIRY REQUESTS BY THE CITY SECRETARY, CITY MANAGER, AS WELL AS UNPROFESSIONAL BEHAVIOR DURING COUNCIL MEETINGS INCLUDING EXECUTIVE SESSIONS E.G. LEAVING CHAMBERS BEFORE DISMISSED BY THE MAYOR. CENSORSHIP MAY RESULT IN AN ANNOUNCEMENT BY THE MAYOR AT TWO REGULAR CITY COUNCIL MEETINGS AND NOTIFICATIONS IN THE NEWSPAPER, RADIO, AND ON THE CITY WEBSITE?

This proposition would amend the specifically listed sections and subsections below as indicated by changing the passage to state that there are consequences for Councilmembers who do not do what is required of them to represent their constituents. The remainder of the sections and subsections with no listed amendments remain unchanged and in full force and effect unless expressly amended by another proposition passed during the same election:

Article III THE CITY COUNCIL

Section 3.01 Number, Selection, and Terms of Office

(F) COUNCIL MEMBERS MAY BE CENSURED BY A MAJORITY VOTE OF THE COUNCIL FOR FAILING TO COMPLETE BUDGET WORKSHEETS, QUESTIONNAIRES AND/OR RESPOND TO INQUIRY REQUESTS BY THE CITY SECRETARY, CITY MANAGER, AS WELL AS UNPROFESSIONAL BEHAVIOR DURING COUNCIL MEETINGS INCLUDING EXECUTIVE SESSIONS E.G. LEAVING CHAMBERS BEFORE DISMISSED BY THE MAYOR. CENSORSHIP MAY RESULT IN AN ANNOUNCEMENT BY THE MAYOR AT TWO REGULAR CITY COUNCIL MEETINGS AND NOTIFICATIONS IN THE NEWSPAPER, RADIO, AND ON THE CITY WEBSITE?

The proposition on the ballot shall state as follows:

PROPOSITION F

"SHALL ARTICLE III THE CITY COUNCIL, SECTION 3.01 NUMBER, SELECTION AND TERMS OF OFFICE, OF THE ALPINE, TEXAS CITY CHARTER BE ADDED TO STATE (F) COUNCIL MEMBERS MAY BE CENSURED BY A MAJORITY VOTE OF THE COUNCIL FOR FAILING TO COMPLETE BUDGET WORKSHEETS, QUESTIONNAIRES AND/OR RESPOND TO INQUIRY REQUESTS BY THE CITY SECRETARY, CITY MANAGER, AS WELL AS UNPROFESSIONAL BEHAVIOR DURING COUNCIL MEETINGS INCLUDING EXECUTIVE SESSIONS E.G. LEAVING CHAMBERS BEFORE DISMISSED BY THE MAYOR. CENSORSHIP MAY RESULT IN AN ANNOUNCEMENT BY THE MAYOR AT TWO REGULAR CITY COUNCIL MEETINGS AND NOTIFICATIONS IN THE NEWSPAPER, RADIO, AND ON THE CITY WEBSITE?"

FOR _____

AGAINST _____

PROPOSITION G

SHALL ARTICLE III THE CITY COUNCIL SECTION 3.07 MEETINGS, OF THE ALPINE, TEXAS CITY CHARTER BE AMENDED TO ADD SECTION (F) COUNCILMEMBERS WHO EXCEED 4 CONSECUTIVE EXCUSED ABSENCES AND/OR 3 UNEXCUSED FROM REGULAR CITY COUNCIL MEETINGS IN ONE FISCAL YEAR SHALL VACATE THEIR SEAT TO BE FILLED AS PER THIS CHARTER SECTION 3.06 VACANCIES. ATTENDANCE VIA ZOOM DOES NOT CONSTITUTE AN ABSENCE?

This proposition would amend the specifically listed sections and subsections below as indicated by adding Section (F) Councilmembers who exceed 4 consecutive excused absences and/or 3 unexcused absences from Regular City Council Meetings shall vacate their seat. The remainder of the sections and subsections with no listed amendments remain unchanged and in full force and effect unless expressly amended by another proposition passed during the same election:

Article III The City Council

Section 3.07 Meetings

(F) Councilmembers who exceed 4 consecutive excused absences and/or 3 unexcused absences from Regular City Council Meetings shall vacate their seat to be filled as per this Charter Section 3.06 Vacancies. Attendance via Zoom does not constitute an absence.

The proposition on the ballot shall state as follows:

PROPOSITION G

"SHALL ARTICLE III THE CITY COUNCIL SECTION 3.07 MEETINGS, OF THE ALPINE, TEXAS CITY CHARTER BE AMENDED TO ADD SECTION (F) COUNCILMEMBERS WHO EXCEED 4 CONSECUTIVE EXCUSED ABSENCES AND/OR 3 UNEXCUSED FROM REGULAR CITY COUNCIL MEETINGS IN ONE FISCAL YEAR SHALL VACATE THEIR SEAT TO BE FILLED AS PER THIS CHARTER SECTION 3.06 VACANCIES. ATTENDANCE VIA ZOOM DOES NOT CONSTITUTE AN ABSENCE?"

FOR _____

AGAINST _____

PROPOSITION H

SHALL ARTICLE III THE CITY COUNCIL, SECTION 3.03 MAYOR AND MAYOR PRO TEM SUBSECTION (C) OF THE ALPINE, TEXAS CITY CHARTER BE AMENDED TO STATE THE MAYOR AND MAYOR PRO TEM WHILE PRESIDING OVER THE COUNCIL SHALL VOTE ONLY IN THE CASE OF A TIE. NEITHER WILL HAVE THE POWER OF VETO?

This proposition would amend the specifically listed sections and subsections below as indicated by changing the passage to state that the Mayor and Mayor Pro Tem while presiding over the Council shall vote only in the case of a tie and there are no veto powers. The remainder of the sections and subsections with no listed amendments remain unchanged and in full force and effect unless expressly amended by another proposition passed during the same election:

Article III THE CITY COUNCIL

Section 3.03 Mayor and Mayor Pro Tem

(C) The Mayor and Mayor Pro Tem while presiding over the council shall vote only in the case of a tie. Neither will have the power of Veto.

(C)~~The Mayor, or the Mayor Pro Tem while presiding over The Council in the absence of the Mayor, shall vote only in the case of a tie except to pass an ordinance when the voting membership of the Council is reduced below five (5) owing to one or more absences and/or vacancies and/or abstentions. Neither the Mayor nor the Mayor Pro Tem shall have the power of veto.~~

The proposition on the ballot shall state as follows:

PROPOSITION H

"SHALL ARTICLE III THE CITY COUNCIL, SECTION 3.03 MAYOR AND MAYOR PRO TEM SUBSECTION (C) OF THE ALPINE, TEXAS CITY CHARTER BE AMENDED TO STATE THE MAYOR AND MAYOR PRO TEM WHILE PRESIDING OVER THE COUNCIL SHALL VOTE ONLY IN THE CASE OF A TIE. NEITHER WILL HAVE THE POWER OF VETO?"

FOR _____

AGAINST _____

PROPOSITION I

SHALL ARTICLE III THE CITY COUNCIL, SECTION 3.05 COMPENSATION SUBSECTION (A) OF THE ALPINE, TEXAS CITY CHARTER BE AMENDED TO STATE (A) CITY COUNCIL MEMBERS WILL RECEIVE A MONTHLY STIPEND OF $300 PER MONTH AND THE MAYOR WILL RECEIVE A STIPEND OF $325.00 STARTING THE BEGINNING OF FISCAL YEAR OCTOBER 2026 WITH AN ANNUAL RATE OF INFLATION INCREASE BEGINNING OCTOBER 1, 2027. STIPENDS FOR COUNCILMEMBERS INCLUDING THE MAYOR WILL CONTINUE TO BE SET ANNUALLY BY ORDINANCE AND NOW CAN RANGE ONLY BETWEEN $0.00-$500.00?

This proposition would amend the specifically listed sections and subsections below as indicated by changing the passage to state that City Councilmembers will receive $300.00 monthly and the Mayor will received $325.00 monthly beginning with the start of the October 2026 Fiscal Year and will increase annually with the rate of inflation starting with the start of the October 2027 fiscal year. Stipends will be set by ordinance and will be reduced to between $0.00 and $500.00 per council member each fiscal year. The remainder of the sections and subsections with no listed amendments remain unchanged and in full force and effect unless expressly amended by another proposition passed during the same election:

Article III THE CITY COUNCIL

Section 3.05 Compensation

(A) CITY COUNCIL MEMBERS WILL RECEIVE A MONTHLY STIPEND OF $300 PER MONTH AND THE MAYOR WILL RECEIVE A STIPEND OF $325.00 STARTING THE BEGINNING OF FISCAL YEAR OCTOBER 2026 WITH AN ANNUAL RATE OF INFLATION INCREASE BEGINNING OCTOBER 1, 2027. STIPENDS FOR COUNCILMEMBERS INCLUDING THE MAYOR WILL CONTINUE TO BE SET ANNUALLY BY ORDINANCE AND NOW CAN RANGE ONLY BETWEEN $0.00-$500.00?

(A)~~The Council shall determine the annual salary of the Mayor and Councilmembers by ordinance. No ordinance increasing such salary shall become effective until the date of the commencement of the terms of those elected at the next regular election following by six (6) months or more the adoption of the ordinance.~~

The proposition on the ballot shall state as follows:

PROPOSITION I

"SHALL ARTICLE III THE CITY COUNCIL, SECTION 3.05 COMPENSATION SUBSECTION (A) OF THE ALPINE, TEXAS CITY CHARTER BE AMENDED TO STATE (A) CITY COUNCILMEMBERS WILL RECEIVE A MONTHLY STIPEND OF $300 PER MONTH AND THE MAYOR WILL RECEIVE A STIPEND OF $325.00 STARTING THE BEGINNING OF FISCAL YEAR OCTOBER 2026 WITH AN ANNUAL RATE OF INFLATION INCREASE BEGINNING OCTOBER 1, 2027. STIPENDS FOR COUNCILMEMBERS INCLUDING THE MAYOR WILL CONTINUE TO BE SET ANNUALLY BY ORDINANCE AND NOW CAN RANGE ONLY BETWEEN $0.00-$500.00?"

FOR _____

AGAINST _____

PROPOSITION J

SHALL ARTICLE III THE CITY COUNCIL SECTION 3.06 VACANCIES, OF THE ALPINE, TEXAS CITY CHARTER SECTION (A) IF A SINGLE VACANCY OCCURS, WITH A YEAR OR LESS REMAINING ON THE TERM COUNCIL SHALL APPOINT A SUCCESSOR TO SERVE UNTIL THE NEXT REGULAR CITY ELECTION. IF MORE THAN A YEAR REMAINS ON THE TERM, THEN AN ELECTION WILL BE HELD. THOSE WISHING TO BE APPOINTED MUST FILL OUT THE CANDIDACY APPLICATION USED DURING REGULAR CITY ELECTION FILING PERIODS AND THEY MUST BE PUT ON THE NEXT REGULAR CITY COUNCIL AGENDA IN WHICH THE PAPERWORK MEETS THE CITY SECRETARY'S PACKET FILING DEADLINE AS A DISCUSSION ITEM. DURING THE FOLLOWING REGULAR CITY COUNCIL MEETING, COUNCIL WILL MAKE THE APPOINTMENT AS AN ACTION ITEM WHICH MAY NOT OCCUR BEFORE PUBLIC COMMENTS?

This proposition would amend the specifically listed sections and subsections below as indicated by amending Section (A) If a single vacancy occurs, the council shall appoint a candidate, if a year or less remains on the term who has completed the election packet application used in Candidate filing packets for Regular Elections. Council will appoint the successor as an Action Item after public comments have been made only after they have appeared as a Discussion Item at a previous Regular City Council Meeting. If more than a year remains on the term, then an election will be held. The remainder of the sections and subsections with no listed amendments remain unchanged and in full force and effect unless expressly amended by another proposition passed during the same election:

Article III The City Council

Section 3.06 Vacancies

(A) If a single vacancy occurs, with a year or less remaining on the term Council shall appoint a successor to serve until the next regular City election. If more than a year remains on the term, then an election will be held. Those wishing to be appointed must fill out the Candidacy Application used during Regular City Election Filing Periods and they must be put on the next Regular City Council Agenda in which the paperwork meets the City Secretary's packet filing deadline as a discussion item. During the following Regular City Council Meeting, Council will make the appointment as an Action Item which may not occur before public comments.

The proposition on the ballot shall state as follows:

PROPOSITION J

"SHALL ARTICLE III THE CITY COUNCIL SECTION 3.06 VACANCIES, OF THE ALPINE, TEXAS CITY CHARTER SECTION (A) IF A SINGLE VACANCY OCCURS, WITH A YEAR OR LESS REMAINING ON THE TERM COUNCIL SHALL APPOINT A SUCCESSOR TO SERVE UNTIL THE NEXT REGULAR CITY ELECTION. IF MORE THAN A YEAR REMAINS ON THE TERM, THEN AN ELECTION WILL BE HELD THOSE WISHING TO BE APPOINTED MUST FILL OUT THE CANDIDACY APPLICATION USED DURING REGULAR CITY ELECTION FILING PERIODS AND THEY MUST BE PUT ON THE NEXT REGULAR CITY COUNCIL AGENDA IN WHICH THE PAPERWORK MEETS THE CITY SECRETARY'S PACKET FILING DEADLINE AS A DISCUSSION ITEM. DURING THE FOLLOWING REGULAR CITY COUNCIL MEETING, COUNCIL WILL MAKE THE APPOINTMENT AS AN ACTION ITEM WHICH MAY NOT OCCUR BEFORE PUBLIC COMMENTS?"

FOR _____

AGAINST _____

PROPOSITION K

SHALL ARTICLE III THE CITY COUNCIL SECTION 3.06 VACANCIES, OF THE ALPINE, TEXAS CITY CHARTER SECTION (B) BE AMENDED TO ADD THAT IF COUNCIL HAS TO FILL A VACANCY THOSE WISHING TO BE APPOINTED MUST FILL OUT THE CANDIDACY APPLICATION USED DURING REGULAR CITY ELECTION FILING PERIODS AND THEY MUST BE PUT ON THE NEXT REGULAR CITY COUNCIL AGENDA IN WHICH THE PAPERWORK MEETS THE CITY SECRETARY'S PACKET FILING DEADLINE AS A DISCUSSION ITEM. DURING THE FOLLOWING REGULAR CITY COUNCIL MEETING, COUNCIL WILL MAKE THE APPOINTMENT AS AN ACTION ITEM WHICH MAY NOT OCCUR BEFORE PUBLIC COMMENTS?

This proposition would amend the specifically listed sections and subsections below as indicated by amending Section (B) If two or more vacancies shall occur at one time and a special election cannot be held because the vacancies occur more than 120 days preceding a general City Election or in the event that State law prohibits a special election, the council shall appoint a candidate who has completed the election packet application used in Candidate filing packets for Regular Elections. Council will appoint the successor as an Action Item after public comments have been made only after they have appeared as a Discussion Item at a previous Regular City Council Meeting. The remainder of the sections and subsections with no listed amendments remain unchanged and in full force and effect unless expressly amended by another proposition passed during the same election:

Article III The City Council

Section 3.06 Vacancies

(B) If two or more vacancies shall occur at one time, a special election shall be called in compliance with the Texas election code to elect successors to fill the unexpired terms unless such vacancies occur within one hundred twenty (120) days preceding a general City election, in which case no special election will be called. In that event, or if State law prohibits a special election before the next general City election, the remaining Councilmembers shall by a majority vote fill such vacancies. The persons so selected shall serve only until the next general City election, when such vacancies shall be filled, as in the case of an original election, for the remainder of the unexpired terms. Those wishing to be appointed must fill out the Candidacy Application used during Regular City Election Filing Periods and they must be put on the next Regular City Council Agenda in which the paperwork meets the City Secretary's packet filing deadline as a discussion item. During the following Regular City Council Meeting, Council will make the appointment as an Action Item which may not occur before public comments.

The proposition on the ballot shall state as follows:

PROPOSITION K

"SHALL ARTICLE III THE CITY COUNCIL SECTION 3.06 VACANCIES, OF THE ALPINE, TEXAS CITY CHARTER SECTION (B) BE AMENDED TO ADD THAT IF COUNCIL HAS TO FILL A VACANCY THOSE WISHING TO BE APPOINTED MUST FILL OUT THE CANDIDACY APPLICATION USED DURING REGULAR CITY ELECTION FILING PERIODS AND THEY MUST BE PUT ON THE NEXT REGULAR CITY COUNCIL AGENDA IN WHICH THE PAPERWORK MEETS THE CITY SECRETARY'S PACKET FILING DEADLINE AS A DISCUSSION ITEM. DURING THE FOLLOWING REGULAR CITY COUNCIL MEETING, COUNCIL WILL MAKE THE APPOINTMENT AS AN ACTION ITEM WHICH MAY NOT OCCUR BEFORE PUBLIC COMMENTS?"

FOR _____

AGAINST _____

Items remaining to be written in appropriate format:

- Section 3.07 The council holds 2 meetings per month except November if the 3rd Tues of the month falls during the week of Thanksgiving and December
- Rewrite Section 3.07 (B) to include must be in person to count as part of the quorum. Councilmembers online count as being present however they don't count as part of the quorum
- Rewrite 3.10 Interference with Administration to clarify that council can talk to employees for investigation, advice or inquiry but can't give employees directives to perform or not perform tasks.
- Section 4.04 rewrite to add attorney or law firm
- Rewrite Section 4.05 (C) Judge also 3 years running concurrently with the Mayor
- Section 5.04 Budget- City Council Members and the Mayor must complete a budget worksheet and taxation worksheet prepared by and sent out at least 4 weeks before the deadline by the CM
- Section 7.08 Recall – change the word district to ward
- Section 9.07 Charter Amendment change district to ward
- Section 10.04 (B) 1 and 2 change district to ward
- Section 10.05 change word district to ward
- Megan is going to check to see if ETJ needs a proposition. If so, it will be inserted near Prop C
- Election cycles 2025 for 1,3 2026 for Mayor, 5 2027 for 2, 4
- One year to sit out. Reason for one year is so that someone could move from council to mayor or vice versa as well as being appointed

Charter or Ordinance.

My notes for a small salary increase without an annual stipend which can be added back in by ordinance

- 300 monthly salary X 12 months = 3600 X 5 councilmembers = 18,000 annually PLUS add in Mayor 325 monthly x 12 months = 3900 total annually added to 18,000.00 is 21,900 being proposed in council salaries.
  Currently 100 per month x 12 months = 1200 annually x 5 councilmembers = 6,000 annually plus mayor 125 x 12 = 1500 annually for mayor grand total is 7500.00 annually for entire council. However, each council person gets 3000 in Discretionary x 6 members = 18,000 annually. 18,000 stipends + 7500 annual salaries = 25,500.00 is current total annual cost to city. No stipends unless by ordinance and can only range up to 500. If chose 500 annually x 6 = 3000 would be the max cost to the city. 21,900 annual salaries plus 3000 annual stipends = 24,900 which is still less than current cost of 25,500.00

CITY COUNCIL

MEETING AGENDA ITEM COVER MEMO

MAY 7, 2024

INFORMATION OR DISCUSSION

2. Alpine Railroad Bridge Study - Provide an overview from the TxDot Union Pacific Railroad Bridge study held April 18, 2024. (R. Stephens, City Council)

BACKGROUND

NONE.

SUPPORTING MATERIALS

- Alpine railroad study overview.

STAFF RECOMMENDATION

NONE.

Alpine Railroad Study

Fact Sheet – February 2024

Overview

The Texas Department of Transportation (TxDOT) is conducting the Alpine Railroad Study to investigate options to address the low clearance at the Union Pacific Railroad (UPRR) crossing bridge over US 67/90 approximately ¼ mile west of FM 1703, in Alpine, Texas, as shown below in Figure 1.

This bridge is frequently subject to strikes by over height vehicles. The current clearance of this bridge is signed at 13'7"; TxDOT requires a minimum clearance of 18'6".

Figure 1: Alpine low clearance bridge.

Purpose of the Study

TxDOT wants to be proactive in planning for a safe and efficient railroad crossing by working with the City of Alpine, Brewster County, and the local community to come up with a solution.

TxDOT did a statewide evaluation of all railroad crossings and looked at underpasses with low clearances. The TxDOT El Paso District office identified three railroad crossings as needing attention: one in Alpine, one Sierra Blanca, and one crossing near Van Horn, on US 90.

In Alpine, some of the current issues created by low clearance and bridge strikes are:

- Safety for the travelling public and the UPRR is compromised when portions of the bridge are knocked down onto the roadway.
- Significant costs to the city in the form of providing law enforcement to respond to incidents and control traffic.
- Highway closures are problematic - the city is not equipped to detour traffic through the south side of town.
- Delays and costs to Union Pacific, specially to ensure that railroad is evaluated for safety if it is hit.

Study and Planning Process

TxDOT will be assessing traffic projections, analyzing current and future transportation needs, and identifying and evaluating design concepts and alternatives for consideration for the UPRR and US 67/90 railroad crossing. Current design requirements and speed limits for urban communities to meet motorized vehicles, bicyclist, and pedestrians will be addressed.

These concepts/alternatives will be shared with leadership from both City of Alpine and Brewster County to solicit feedback. Utilizing feedback from stakeholder meetings, a final solution that is both physically and financially viable will be recommended.

Schedule

Currently, stakeholder outreach is planned for February-April, 2024. The study is expected to be completed by May, 2024.

Potential Benefits

Potential benefits of improvements to the bridge include:

- Increasing safety
- Accommodating pedestrian, bicyclist, and vehicle opportunities
- Decreasing the risk of closing US 67 due to crashes
- Improving responsiveness and reliability of emergency response
- Improving community image for visitors
- Improving access to high school facilities
- Improving drainage
- Improving economic viability
- Extending the character of downtown

Figure 2: Location of Alpine low crossing bridges.

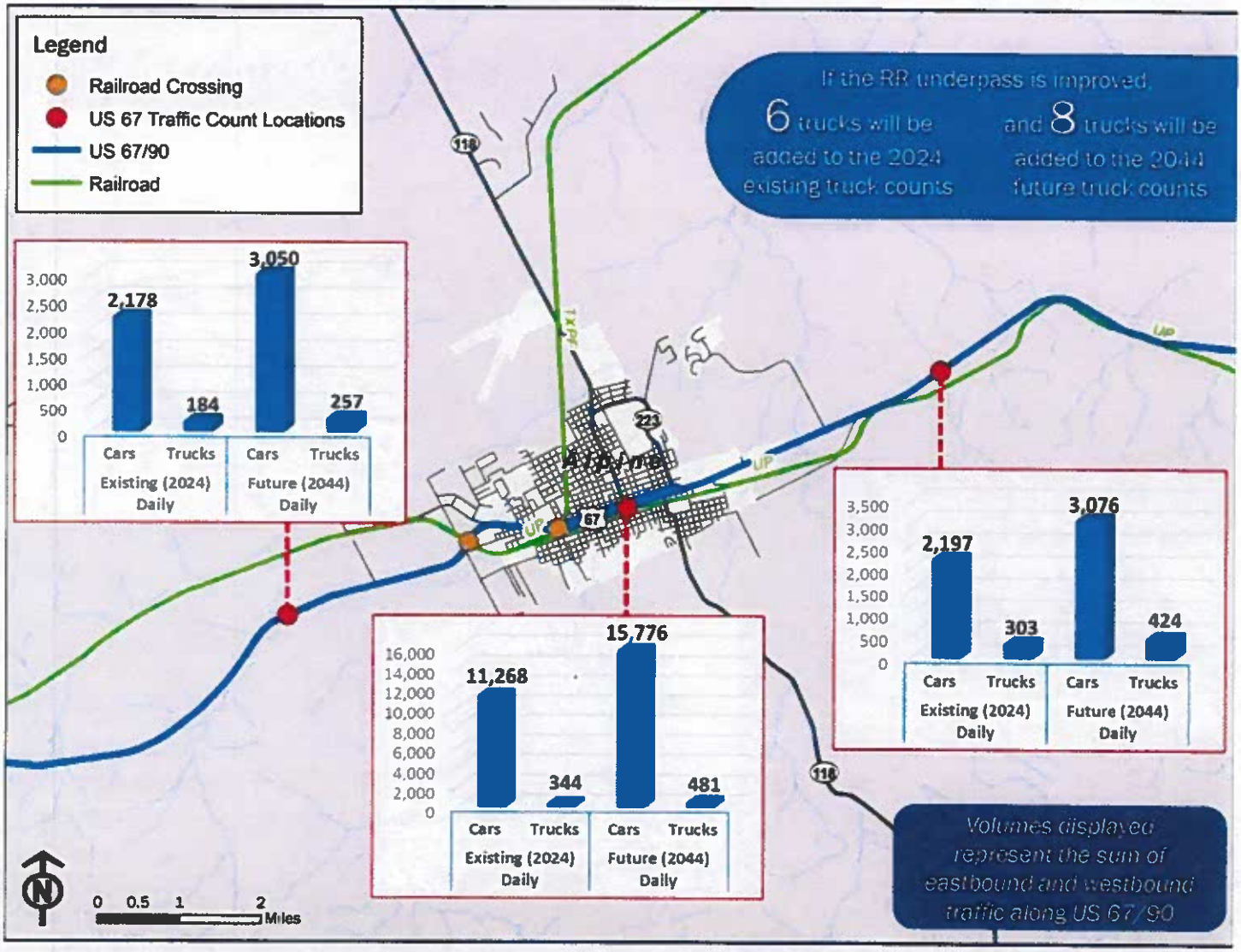
Contact Information

Please contact Jose A. Bocanegra, TxDOT El Paso District Project Manager, on (915) 790-4365 or via email: jose.bocanegra@txdot.gov or Doug Huneycutt, CDM Smith Project Manager, on (512) 652-5349 or via email: huneycuttd@cdmsmith.com.

Alpine RR Study - Traffic Analysis Summary

Traffic counts were collected at several locations within and surrounding Alpine along US 67/90, which included heavy vehicle information. Traffic projections for future scenarios were developed based on TxDOT's approved growth rate for this corridor.

The six trips (2024) which are making longer detours currently to reach I-10 near Fort Stockton are assumed to utilize US 67/90 if improvements are made to the railroad underpass. The improved railroad underpass scenario would observe an increase of about eight truck trips per day through Alpine by 2044, increasing overall truck volumes through the city by 2%.



For more information contact:

Jose Bocanegra, TxDOT El Paso District PM
915-790-4365 or jose.bocanegra@txdot.gov

Doug Huneycutt, CDM Smith PM
512-652-5349 or huneycuttcd@cdmsmith.com

PROS & CONS of ALTERNATIVES

Alpine Community Perspective

SST-1 NOW

ALTERNATIVE	PROS	CONS
ST-1 Short-Term (Signing) Open to Traffic 1 to 2 years	• Quickly implementable • Improved notification to high-load trucks • Less emergency closures • Keeps traffic on the same roadway • Restricts High Loads out of Alpine	• Does not increase clearance • Drivers can choose to ignore or not notice • Railroad bridge still susceptible to high load hits
B-1 Mid-Term Underpass (Increasing Clearance to 18'-6") Open to Traffic - 7 years	• Moderate Implementation • (The bridges (UPRR and TPTLRR) remain essentially on the same alignment (roadbed) • Minimizes impact on adjoining properties • Meets all safety requirements • Accommodates pedestrians and bicycles safely	• Most trucks will be able to enter Alpine • Some ROW could be needed if slopes are used • Some utilities will need adjustment
B-2 Mid-Term Overpass Open to Traffic - 8 years	• The bridges (UPRR and TPTLRR) offset northward of the existing same alignment (roadbed) about 75' • Meets all safety requirements • Accommodates pedestrians and bicycles safely • May be able to eliminate railroad crossing on W. Ave. E	• All traffic will be able to enter Alpine • Changes access along the UPRR overpass for the three industrial buildings between the UPRR and FM 1703 • Requires minimal ROW from the three industrial locations between the UPRR and FM 1703 • Requires ROW acquisition of the Dollar General store and some City of Alpine parcels between W. Ave E and W. Holland Ave. • Some utilities will need adjustment
A Long-Term Open to Traffic 10-25 years	• Provides alternate route around Alpine • Safety measures included • Routes permitted high loads around Alpine • Allows bicycles • Local property access with driveway permit • Local roadway connections with overpasses	• Alignment A on the east end crosses near or through a closed City of Alpine landfill. (can be adjusted) • Requires most ROW – Ranchlands, few residential • Five local streams/floodplains are crossed • Biological Environmental Impacts • A few utilities will need adjustment

options C & D. North bypass dropped due to environmental concerns

PROS & CONS of ALTERNATIVES

Alpine Community Perspective

ST-1 NOW

ALTERNATIVE	PROS	CONS
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Options C & D. North bypass dropped due to environmental concern

CITY COUNCIL

MEETING AGENDA ITEM COVER MEMO

MAY 7, 2024

INFORMATION OR DISCUSSION

3. Discuss the noise ordinance and disturbances in Ward 4, including disturbances in the residential area by the Veterans of Foreign Wars establishment. (M. Sandate, City Council)

BACKGROUND

NONE.

SUPPORTING MATERIALS

- Email from resident.

STAFF RECOMMENDATION

NONE.

Gmail

Geo Calderon <g.calderon@ci.alpine.tx.us>

Fwd: request for the city council to discuss noise

Martin Sandate <ward4.sandate@ci.alpine.tx.us>
To: Geo Calderon <g.calderon@cityofalpine.com>

Mon, Apr 29, 2024 at 10:32 AM

---------- Forwarded message ---------
From: **Candy Whyman**
Date: Fri, Apr 26, 2024, 12:53 PM
Subject: request for the city council to discuss noise
To: <ward4.sandate@cityofalpine.com>

I am requesting that the Alpine city council place on their agenda a public discussion about the noise disturbance being created in a residential area by the VFW located at 605 E Avenue F.

The reason for this request is the fact that the extended noise is causing distress to the residents of the area. According to the 2024 Alpine city zoning map the VFW is located on R-2 zoned land and surrounded by more residential zoned land. Although I have not been able to obtain a copy of the special use permit, I am assuming that the VFW was issued one at some point in the past. However since reopening in March the VFW has consistently created noise disturbances and the Alpine police department has been called a number of times with no relief for the residents.

I am including here portions of the Alpine municipal noise code that I believe to be relevant to my request.

Sec. 26-61. - Definitions.

Nighttime hours residential shall mean the hours from 10:00 p.m. on one day until 7:00 a.m. the following day for properties in the following zoning districts: R-1, R-2, R-3, R-4, AND for commercial, manufacturing or industrial properties (C-1, C-1a, C-2, C-2a, M-1) when measured at a property line which separates that property from any residentially zoned property (R-1, R-2, R-3, R-4).

Plainly audible means any sound that can be detected by a person using his or her unaided hearing faculties. For example, if the sound source under investigation is a portable or personal vehicular sound amplification or reproduction device, the enforcement officer need not determine the name of the song, specific words, or the artist performing it. The detection of the rhythmic bass component of the music is sufficient to constitute a plainly audible sound.

Property line shall mean, with respect to single occupancy properties, the line along the ground surface and its vertical extension that separates the real property owned, leased, or occupied by one person from that owned, leased, or occupied by another person. With respect to shared occupancy properties the term shall mean the imaginary line that represents the legal limits of occupancy of any person who owns, leases, or otherwise occupies an apartment, condominium, hotel or motel room, office, or any other type of occupancy from that of other occupants.

Sec. 26-62. - Prohibitions.

a. **Sounds exceeding, or not complying with, the following under the conditions and measurement criteria set forth in this chapter shall be unlawful and no responsible party shall make, assist in making, permit, continue or cause to be made or continued such sounds in any zoning area except as defined in this article.**

1. Sound levels shall not exceed the following:
   D. Fifty-five db(A) nighttime hours residential.
2. Outdoor amplified sound is prohibited from 10:00 p.m. on any day until 7:00 a.m. the following day in residentially zoned properties (R-1, R-2, R-3, R-4).

(4) Knowingly making, or causing to be made, any unreasonable sound is prohibited on any residentially zoned property (R-1, R-2, R-3, R-4). In determining whether a sound is unreasonable, the following factors shall be considered as applicable to the circumstances:

a. That the sound occurs between the hours of 10:00 p.m. and 7:00 a.m.;
b. That the sound is not compatible with the normal activity of the area in which the property is located at that time of day;
c. That the sound created at a location where the sound emanates is due to an excessive number of people for that time of day;
d. That the sound has been enhanced in volume or range by any type of electronic, mechanical or other means; and
e. That the sound is plainly audible or physically detectable at a distance defined below under section 26-67.

Sec. 26-67. - Method of sound measurement.

a. Whenever portions of this chapter prohibit sound over a certain decibel limit, measurement shall be made with a type 1 or type 2 calibrated sound level meter utilizing the A-weighting scale and the slow meter response as specified by the American Standards Association or better. Measurements recorded shall be taken so as to provide a proper representation of the sound being measured. The microphone of the meter shall be positioned so as not to create any unnatural enhancement or diminution of the measured sound. Traffic, aircraft, and other transportation noise shall not be considered in taking measurements except where such background noise interferes with the noise being measured and cannot reasonably be distinguished from the primary noise. Measurements will be made for a duration of no less than 30 seconds. Violations will be based on the highest registered reading within such time period which is attained more than one time in said time period or sustained.
b. Measurements of sound shall be taken from a distance of 200 feet from the property line of the property from which the sound originates.

As stated above the level of plainly audible noise being created by the VFW in a residential area is causing distress to the residents and the police have been contacted about the noise on a number of occasions. I am requesting that the Alpine city council determine if the Alpine police department are required to take measurements at 200 feet from the property line or if the plainly audible noise that travels past the property line is an appropriate measurement for the police to either request the noise be brought into compliance or that the responsible party be issued a citation.

I have personally spoken to both the "canteen manager" Brian Portillo and the VFW board consisting of the Quartermaster, the Commander, and the Adjutant and have had no resolution. The VFW was under the impression that they were on commercial zoned land but that does not excuse them from adhering to the residential noise code due to the fact that they are surrounded by residential zoned land

Thank You
Candy Whyman

ACTION OVERVIEW

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

   1. Approve the second and final reading of Ordinance 2024-04-03, an ordinance amending Chapter 23 – City Council to the Alpine Code of Ordinances; Amending Article I – In General; Amending Article II – Rules of Procedure; Amending Article III – Rules of Decorum; Amending rules, regulations, and guidelines for City Council meetings and procedures. (M. Antrim, City Manager)

   2. Approve the second and final reading of Ordinance 2024-04-04, an ordinance authorizing the vacation, abandonment, and sale of approximately 0.128 acres of city property, being the undeveloped alley lying between Lots 1 – 10, Block 71, Original Townsite, between South 1st and South 2nd Streets in the City of Alpine, Brewster County, Texas; 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. (J. Stokes, City Council)

   3. Approve the first reading of Ordinance 2024-05-01, an ordinance approving Rezone Application 2024-04-01; Amending the official zoning map of the city by rezoning the property located at 1702 East Avenue H and legally described as Thomas Derrick Addition, Block 20; Lots 3-11, Lots 15-20, and Lots 21 & 22; located In Alpine, Brewster County, Texas as the same appears in the Map or Plat Records on file in the Office of the County Clerk of Brewster County, Texas; Rezoning the subject property from R-4 Mobile Home District to C-1 Neighborhood Commercial District. The property ID of the subject property is 12816. The record property owner is Vicky R. Vega. The Planning & Zoning Commission has recommended denial of this application. (M. Antrim, City Manager)

   4. Approve the first reading of Ordinance 2024-05-02, an ordinance approving Rezone Application 2024-04-02; Amending the official zoning map of the city by rezoning the property located at 601 South Walker Street and legally described as Lots No. Three (3), Four (4), and Five (5), Block Forty-Nine (49), Hancock Addition (South of the Railroad) to the City of Alpine, Brewster County, Texas; Rezoning the subject property from R-4 Mobile Home District to C-1 Neighborhood Commercial District. The property ID of the subject property is 10842. The record property owner is Melinda Vega. The Planning & Zoning Commission has recommended denial of this application. (M. Antrim, City Manager)

   5. Approve the Interlocal Cooperation Contract between the Texas Department of Public Safety and the Alpine Municipal Court to continue participation in the Failure to Appear program. (M. Antrim, City Manager)

   6. Accept the selected bid responsive to Request for Proposal 2024-04-01 to Evergreen Solutions, LLC, for a classification and compensation study for the City of Alpine and authorize the City Manager to execute the contract. (M. Antrim, City Manager)

CITY COUNCIL

MEETING AGENDA ITEM COVER MEMO

MAY 7, 2024

To: Honorable Mayor and City Council
Agenda Item: Action Item 1 – Ordinance 2024-04-03
Agenda Sponsor: M. Antrim, City Manager
Memo Prepared By: G. Calderon, City Secretary

SYNOPSIS

Approve the second and final reading of Ordinance 2024-04-03, an ordinance amending Chapter 23 – City Council to the Alpine Code of Ordinances; Amending Article I – In General; Amending Article II – Rules of Procedure; Amending Article III – Rules of Decorum; Amending rules, regulations, and guidelines for City Council meetings and procedures; Providing cumulative and Severability Clauses; Providing a Texas Open Meetings Act Clause; And Providing an Effective Date. (M. Antrim, City Manager)

BACKGROUND

- The City Council rules of procedure, in its more recent updates began with the passage of Ordinance 2015-07-01. This ordinance implemented structure to City Council meetings including rules, limits to agenda items, agenda deadlines, and the order of business.
- Ordinance 2021-11-01 repealed Chapter 23 and reestablished the Chapter with updated structure. Many of the prior requirements were kept in the reestablished ordinance, but were provided in a newly established Rules of Procedure Article. This ordinance elaborated on the rules set in the prior ordinance, established updated general information about council meetings, and established customized parliamentary procedure guidelines. In addition, this ordinance established a Rules of Decorum Article that governs rules relating to meeting attendance by the public.
- Ordinance 2022-01-01 amended the order of business by removing the invocation that had not been taking place since the COVID-19 pandemic. This ordinance also provided small changes in the Rules of Decorum by changing basic language in the ordinance. The ordinance also removed the requirement of meeting attendees having to list an address on a public comment card to make a public comment.
- The updates were successful, but City Administration identified areas for improvement in Chapter 23 and shared the ideas regarding updates to the Chapter with the City Council in early 2023. Consideration of updates to the Chapter were scheduled for Fiscal Year 2024.
- The Council subsequently discussed Chapter 23 during the following meetings:

- September 23, 2023;
- October 17, 2023;
- February 20, 2024;
- March 19, 2024.

- In addition to the discussions, the Council held workshops regarding Chapter 23 on the following dates:
  - November 7, 2023
  - January 2, 2024
  - April 2, 2024.
- Based on the discussions and workshops, City Administration drafted Ordinance 2024-04-03 which includes the following updates:
  - Provides clarification to general information including a differentiation between town halls and special meetings, and the requirements for each.
  - Establishes and memorializes an ordinance policy to provide structure and to ensure efficiency in governance.
  - Provides clarification in the City Council's customized parliamentary procedures.
  - Provides updated agenda deadlines and provides:
    - an additional 2 days for the Office of the City Secretary to compile, proofread, prepare documents, and ensure the legislative process.
    - an additional 24 hours for legal review by the Office of the City Attorney.
    - an additional 3 days for Council Members to review the meeting packet ahead of a regular meeting
    - an additional 3 days for the public to review the meeting packet ahead of regular meetings. The public currently only has approximately 24 hours to review meeting packets ahead of regular meetings.
  - Provides an updated Order of Business and establishes new sections to increase meeting efficiency and productivity.
  - Establishes an Ethics article that governs conflict of interest.

SUPPORTING MATERIALS

1. Ordinance 2024-04-03.
2. Fiscal Year 2024 Agenda and Packet Deadline – List.
3. Fiscal Year 2024 Agenda and Packet Deadlines – Calendar for the remainder of the year.

STAFF RECOMMENDATION

APPROVE.

STATE OF TEXAS **CITY OF ALPINE**

COUNTY OF BREWSTER

ORDINANCE 2024-04-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS AMENDING CHAPTER 23 – CITY COUNCIL TO THE ALPINE CODE OF ORDINANCES; AMENDING ARTICLE I – IN GENERAL; AMENDING ARTICLE II – RULES OF PROCEDURE; AMENDING ARTICLE III – RULES OF DECORUM; ESTABLISHING ARTICLE IV – ETHICS; AMENDING RULES, REGULATIONS, AND GUIDELINES FOR CITY COUNCIL MEETINGS AND PROCEDURES; IMPLEMENTING AN UPDATED ETHICS POLICY; PROVIDING CUMULATIVE AND SEVERABILITY CLAUSES; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Alpine is tasked with the governance of the City and holds public meetings to gather information, take action, obtain input, and lead the City; and

WHEREAS, it is critical that proper rules of procedure, general guidelines, and rules of decorum are set to ensure efficient governance of meetings of the City Council; and

WHEREAS, such rules of procedure and rules of decorum may assist the Council in maintaining order of meetings, enable members to conduct business more efficiently, and allows the Council to enact official processes that increase productivity; and

WHEREAS, such rules and guidelines must ensure that civil discourse, intimidation, discrimination, personal attacks and other obstructions are mitigated so that the business of the City may be conducted efficiently without detraction from the purposes and goals of the City Council; and

WHEREAS, it is deemed by the City Council of the City of Alpine to be in the public interest to amend the previously passed, written, and universal Rules of Decorum for Council Members, staff, and other participants to abide by during proceedings of the Alpine City Council.

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

SECTION I
FINDINGS OF FACT

Chapter 23 – City Council to the Alpine Code of Ordinances is hereby amended to reflect the updates attached hereto as Exhibit "A." The premises attached as Exhibit "A" are hereby found to be true and correct legislative and factual findings of the City Council of the City of Alpine and are hereby approved and incorporated herein as findings of fact.

SECTION II
INCLUSION IN THE CODE OF ORDINANCES

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

SECTION 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 judgment 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
PUBLIC HEARING

A public hearing was held on May 7, 2024, where interested parties had the opportunity to make public comments on this ordinance prior to approval. Notice of the date and time of the hearing and notice of how to obtain copies of the proposed ordinance was published in the Alpine Avalanche, the official newspaper of the City of Alpine on May 2, 2024.

SECTION VII
EFFECTIVE DATE

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

PASSED AND ADOPTED THIS 7th DAY OF MAY 2024 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.

INTRODUCTION AND FIRST READING	**SECOND AND FINAL READING**
APRIL 16, 2024	MAY 7, 2024

APPROVED:

_____

Catherine Eaves, Mayor

ATTEST:

_____

Geoffrey R. Calderon, City Secretary

APPROVED AS TO FORM:

_____

City Attorney

EXHIBIT "A"

EDITOR'S NOTE:

Additions are Underlined.

~~Omissions appear in Red Strikethrough Text.~~

Chapter 23 CITY COUNCIL

ARTICLE I. IN GENERAL

Sec. 23-1. Authority.

Pursuant to article III, section 3.08 of the city Charter, the city council shall determine by ordinance its own rules of procedure and order of business.

(Ord. No. 2021-11-01 , § I(Exh. A), 11-16-21)

Sec. 23-2. Construction of authority.

The construction of authority in all matters associated with city council meetings and activities of the city council, including the agenda, shall be:

(1) The United States Constitution and statutes of the United States of America;

(2) The Texas Constitution and statutes of the State of Texas;

(3) The Alpine City Charter; and

(4) The Code of Ordinances of the City of Alpine, Texas.

(Ord. No. 2021-11-01 , § I(Exh. A), 11-16-21)

Sec. 23-3. Meetings shall be public.

The city council shall follow both the letter and the spirit of Vernon's Texas Codes Annotated (V.T.C.A.) ~~V.T.C.A.~~, Government Code ch. 551 (the Texas Open Meetings Act). Accordingly, meetings shall be open to the public.

(Ord. No. 2021-11-01 , § I(Exh. A), 11-16-21)

Sec. 23-4. Types of meetings.

(a) *Regular meetings.* Regular city council meetings shall be held on the first and third Tuesday of each month at 5:30 p.m. in city council chambers at 803 W Holland Avenue, or at such other location as circumstances may necessitate. The location of the meeting shall be clearly delineated on the council agenda. Posting proper notice may change the location or time, or part, or all of any meeting. The City Council shall approve an annual meeting calendar that sets the schedule for the upcoming year prior to the end of each fiscal year. All unfinished meetings shall recess no later than completion of the agenda item pending at 9:00 p.m., unless by motion and majority vote the council decides to continue the meeting; meetings shall be recessed under the following conditions:

(1) If any of the five councilmembers present cannot attend the next day to reconvene, the meeting must adjourn unless all of the council members who cannot attend the next day give permission to recess.

(2) If recessed, the meeting shall be reconvened in the same place, at the same time, and on the next day, unless by motion and majority vote the council decides to set a different time and/or place.

(b) *Workshop meetings.* A workshop is a meeting to discuss or explore matters of interest to the city, review and discuss agenda items, meet with city boards, commissions or committee members, city staff or officers of civic organizations, governing bodies or individuals specifically invited to the session by the mayor, city manager or the council. These meetings are informational and no formal action shall be taken unless the posted agenda indicates otherwise. The mayor may allow any citizen to participate in the discussion at a work session, but only as recognized by the mayor. The mayor may end citizen participation in a work session in order to allow the city council to proceed with discussion.

(c) *Town hall meetings.* Town hall meetings may be held by the city council, by individual city council members, or the mayor. Town halls are informal and meant to engage the citizenry to provide feedback, hold discussions, and to provide input to the city. Town hall meetings may be held at any location, are not recorded, and minutes do not have to be taken for the meeting. Town halls where more than a quorum of the city council may be present must be published in accordance with the Texas Open Meetings Act. No formal action may be taken at a town hall.

(d)~~(c)~~*Special meetings or ~~town hall~~ called meetings.* Special meetings may be called by the city secretary upon written request of the mayor, or by any three members of the city council. The city secretary shall cause the posting of notice of the meeting as governed by applicable law. Special meetings shall normally be held at 5:30 p.m. in city council chambers located at 803 W Holland Avenue. The mayor or three council members may designate a location for the special meeting other than city council chambers as long as the location is open to the public, proper notice is posted, and the meeting is in compliance with applicable law.

(e)~~(d)~~*Emergency meetings.* In case of emergency or urgent public necessity, pursuant to V.T.C.A., Government Code § 551.045, an emergency meeting may be called by the mayor, city manager ~~or his/her designee~~, or two members of the city council. The emergency shall be clearly expressed in the notice of the meeting and the notice must be posted at least two hours before the meeting is convened. Notice shall be provided to the media in accordance with V.T.C.A., Government Code § 551.047.

(f)~~(e)~~*Closed meeting or executive session.* The city council may meet in a closed meeting but only under conditions enumerated in V.T.C.A., Government Code ch. 551. An executive session item relating to personnel matters must be conducted in an open meeting upon the request for a public hearing by the officer or employee who is the subject of the deliberation. Details discussed in closed meetings shall be considered confidential and shall not be discussed or disclosed outside of the meeting. The city council shall determine who may or may not attend executive session by majority vote. No action may be taken by the city council in executive session. Any final action resulting from an executive session must be taken during the open public session.

(Ord. No. 2021-11-01 , § I(Exh. A), 11-16-21)

Sec. 23-5. Types of council action.

The council adopts standing policy for the city primarily in ~~two~~ three forms: (1) ordinances,~~; and~~ (2) resolutions, and (3) orders.

(1) *Ordinances.* An ordinance adopted by the council is a law of the city that may be enforced through the court system. Copies of proposed ordinances are furnished to members of the council

in their agenda packets. Copies of proposed ordinances are made available at city hall and will be furnished to residents upon request to the city secretary. General ordinances are those ordinances of a permanent or continuing nature that affect the residents of the city at large. The council may legislate by ordinance only. Ordinances are maintained by the city secretary.

~~a. A proposed ordinance may be amended during a preliminary reading, but any ordinance amended in substance at a final reading (and public hearing), must be again reconsidered at the next regular meeting. The exceptions to this rule is ordinances authorizing the issue of bonds or other obligations. General ordinances are those ordinances of a permanent or continuing nature that affect the residents of the city at large. The council may legislate by ordinance only. Ordinances are maintained by the city secretary.~~

a. Ordinance policy. In addition to the requirements set forth in the city charter, Section 3.13 and Section 3.14, it is the policy of the city to hold two readings for each ordinance:

   i. At a city council meeting prior to publication of the draft ordinance for official public hearing, the city council will take action to review, amend (as necessary), and vote on the draft ordinance. The agenda action item for the preliminary reading of the ordinance will be designated the "first reading" of the ordinance.

   ii. If the draft ordinance is approved by city council at the first reading, then the ordinance, with or without amendment, will proceed as delineated in the city charter to a public hearing and presentation to the city council for official adoption. The presentation to the city council for official adoption after the public hearing will be designated the "second and final reading" of the ordinance.

   iii. A proposed ordinance may be amended during the first reading, but any ordinance amended in substance at a second and final reading (and public hearing), must be again reconsidered at the next regular meeting. If the ordinance is amended as to any matter of substance at the second and final reading, the council may not adopt it until the ordinance or its amended sections have been subjected to all the procedures required in the case of a newly introduced ordinance in accordance with Section 3.14 of the city charter.

   iv. The exceptions to the two-reading ordinance policy are ordinances authorizing the issue of bonds or other obligations, budget amendments, and ordinances calling or canvassing an election. These ordinances may be adopted at a "first and final reading" so long as the publication requirements with Section 3.14 of the city charter are met. Emergency ordinances may be considered and adopted in accordance with applicable state law and are not subject to the two-reading ordinance policy.

b. Ordinance procedures. Being that ordinances have the force and effect of law, the city implements the following ordinance procedures to ensure the most efficient use of time and resources, to ensure adequate legal and stakeholder review and input, and to ensure transparency in government:

   i. To maximize review by members of the community during the ordinance process, all ordinances shall be recommended by the relevant board, commission, or committee, when the subject of matter of the ordinance would clearly benefit from input from a specific board, commission, or committee.

   ii. An ordinance change may be requested by the mayor, by any member of the city council, by city administration ("the city manager and/or the city secretary"), or

by official action of a board, commission, or committee. The initial request to amend, or establish an ordinance must be made to city administration.

iii. Upon receiving a request to amend or establish an ordinance, city administration must research and provide initial feedback, including a timeline to organize, request staff input, and write the proposed ordinance. The more complex the changes, the longer the time it will take for research and preparation. The initial feedback and tentative schedule for the proposed ordinance will be provided to the requestor within 7 days of receiving the request. Ordinances proposed to be considered by Boards, Commissions, and Committees are subject to the same scheduling steps and timelines outlined in this section to provide city staff with necessary time to review the proposed ordinances, consult with the appropriate departments, and to prepare official recommendations at the board meeting which the proposed ordinance will be considered.

iv. Before official presentation at a City Council meeting, a copy of the draft ordinance should be submitted to the city council and to the city attorney for review. A minimum of two weeks will be provided to the city council and city attorney to review proposed ordinances.

v. Once the two week deadline has been met, the ordinance may be scheduled for a first reading, may be referred to a board, commission, or committee, or may be scheduled for further discussion.

vi. Once the ordinance is approved at a first reading, a second and final reading may be scheduled for city council consideration. Publication requirements must be followed in accordance with sec. 3.14 of the city charter.

vii. Upon approval of the second and final reading of an ordinance, city administration shall notify the city codifier of the passed ordinance and provide notice of the passed ordinance to the public in accordance with sec. 3.14 of the city charter.

(2) *Resolutions.* Resolutions do not have the force of law. A resolution is adopted to state a policy or to define in writing the intent or action of the council when a law is not necessary. The city hereby adopts a policy by which each council action is assigned a resolution number correlating with the action. Resolutions formally document approval of a council action, may be used to define the council's policy on an issue, or may otherwise be used as dictated by ordinance or state statute. In the absence of a formal, written or typed, and signed document, the resolution and associated action shall be verifiable in the minutes of the meeting at which the action was approved by the council. Resolutions are maintained by the city secretary.

(3) *Orders.* Orders are a type of council action that may be approved in limited circumstances. Orders may be considered as for election-related matters, disaster declarations, emergency declarations, or any other acceptable action permitted by law. Orders are maintained by the city secretary.

(Ord. No. 2021-11-01 , § I(Exh. A), 11-16-21)

Sec. 23-6. Record of meetings.

(a) The city secretary shall keep written minutes and video recordings of all city council meetings. Minutes and video recordings of meetings shall be public documents available for inspection by citizens. Minutes are only official upon approval of the city council. ~~Unapproved minutes may be released at the discretion of the city secretary, but shall be clearly marked as "unapproved and~~

~~unofficial."~~ The official minutes of the city council should not include discussion or everything that was said at the meeting, but at minimum shall include:

(1) Action taken by the council.

(2) The text of all main motions, as amended.

(3) The text of all "points of order" and "appeals," along with the reason given by the mayor or mayor pro tem for the ruling.

(4) The results of the vote, as to whether the motion was "adopted," "lost," or "failed."

(5) A record of the council member who made the motion, the council member who seconded the motion, any council member who moves to amend a main motion, and how each council member voted on the item.

(6) A council member may request, through the presiding officer, the privilege of having an abstract of his/her statement on any subject under consideration by the council entered in the minutes. If the council consents thereto by a majority vote, such statement shall be entered in the minutes.

(7) The council may, by majority vote, request to add or amend minutes as the council deems appropriate.

~~(b) Record of the city council agenda packets will be assembled and maintained by the city secretary, and delivered to the city council on the Friday prior to the city council meeting (and a commensurate period for special meetings).~~

~~(1) A redacted version of the packets, redacting all personnel or legal materials, shall be available on the city website at least 24 hours prior to the scheduled meeting.~~

(Ord. No. 2021-11-01 , § I(Exh. A), 11-16-21)

ARTICLE II. RULES OF PROCEDURE

Sec. 23-7. Quorum.

In accordance with section 3.07(b) of the city Charter, the mayor shall, with three of the councilmembers, constitute a quorum. In the absence of the mayor, any four of the council members shall constitute a quorum. If, because of one or more vacancies, the council comprises less than six members, 60 percent of the membership shall constitute a quorum. At any meeting at which both the mayor and mayor pro tem are absent, the quorum may appoint any councilmember to preside as acting mayor.

(Ord. No. 2021-11-01 , § I(Exh. A), 11-16-21)

Sec. 23-8. Parliamentary procedure.

(a) *General procedure.* General rules of parliamentary procedure as defined herein, consistent with the city Charter and any applicable city ordinance, statute or other legal requirement, shall govern the proceedings of the city council. To the extent not inconsistent with these rules, the city council shall utilize Robert's Rules of Order as a general guideline for additional rules of parliamentary procedure without being a procedural requirement. Notwithstanding the above, failure to abide by, or adhere to, these rules shall not nullify or negate any action by the city council. These rules of parliamentary procedure are intended solely as a guideline. The city council may adopt or revoke any specific rules of procedure at any time by resolution or ordinance.

(b) *Parliamentarian.* The city secretary is designated as the parliamentarian of the city council. He/she shall make recommendations to the presiding officer as appropriate to advise on parliamentary procedure. The parliamentarian may offer advice and recommendations, but the presiding officer makes the final ruling on procedural issues, subject to appeal by a majority vote of the city council.

(c) *Duties of the presiding officer.* The presiding officer of the council shall be the mayor. The presiding officer shall preserve strict order and decorum at all regular and special meetings of the council. He/she shall state every question coming before the council, announce the decision of the council on all subjects and decide all questions of order.~~;~~ All rulings by the presiding officer are subject~~, however,~~ to an appeal to the city council, in which event a majority vote of the city council shall govern and conclusively determine such question of order. He/she shall sign all ordinances and resolutions adopted by the council during his/her presence. In the event of the absence of the mayor, the mayor pro tem shall sign ordinances or resolutions as then adopted. The mayor pro tem shall also serve as the presiding officer of a meeting at which the mayor is not physically present, including meetings where the mayor is in attendance virtually. The city secretary shall countersign all official documents and signatures of the mayor or mayor pro tem.

(1) The mayor or mayor pro tem shall preside with fairness and impart maintaining absolute neutrality by posture, demeanor, action and language during all meetings. The mayor, or mayor pro tem when presiding over a meeting, is entitled to offer an opinion on all matters being considered by the city council. The mayor, mayor pro tem, or any council member shall not~~:~~ restrict orderly speech, in any way, of any council member or city manager presentation or discussion of any item.

~~a. Restrict orderly speech, in any way, of any council member or city manager presentation of any item.~~

~~b. Restrict orderly speech, in any way, of any council member or city manager discussion of any item.~~

~~c. At the written request of any council member or the mayor, the department heads of finance, public works, gas and utilities, along with the chief of police, shall attend meetings until dismissed by a majority vote of the council, or until the meeting is adjourned. The specific topic that the department head must address should be included in the written request.~~

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

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

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

~~(g)~~(f) *Motions.* Motions may be made and seconded by any member of the city council, excluding the presiding officer.

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

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

(2) After an agenda item is announced or read by the presiding officer, or the individual who sponsored the item on the agenda, a motion must be on the table and seconded before discussion may take place. A motion and a second is not required for information-only items. The ensuing discussion must be limited to the subject matter or motion currently being considered.

~~(2)~~(3) A council member may make an affirmative motion on the item before discussion may take place.

~~(3)~~(4) A council member may second the motion on the item before discussion may take place.

~~(4)~~(5) Once the motion has been properly made and seconded, the presiding officer shall open the matter for further discussion offering the first opportunity to the moving party, and thereafter, to any council member recognized by the presiding officer.

~~(i)~~(h)*Amendments to motions.* When a motion is on the floor and an amendment is offered, the amendment shall be acted upon prior to acting on the main motion. No motion of a subject other than the agenda item under consideration shall be admitted as an amendment. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be in order. Action shall be taken on the amendments in reverse order of how they were made. If an amendment is approved, the original motion must be approved as amended. Amendments must be seconded.

~~(j)~~(i) *Motion to table.* A motion to table, or a motion to lay on the table, may be made to defer an item until the next meeting. Tabled items will automatically be added to the next city council agenda.

~~(k)~~(j)*Motion to postpone, motion to postpone indefinitely.* A motion to postpone until a specific date may be made if a council member wishes to postpone an item until a specific date. A motion to postpone indefinitely may be made if a council members wishes to postpone an item indefinitely.

~~(l)~~(k)*Points of order.* The city manager, the city secretary, the presiding officer, or any council member may call a point of order to facilitate the running of the meeting, but shall not utilize a point of order to limit constructive feedback or debate pertaining to the discussion. The presiding officer will determine if a point of order is well taken or not well taken, subject to an appeal to the City Council.

~~(m)~~(l) *Call for the question, previous question, calling for a vote.* Any council member, once recognized, may call for the question to request that discussion be ended and that the item being considered be immediately put to a vote. A second is required, and the motion is not debatable. A call for the question shall not be used to limit constructive feedback or debate pertaining to the discussion. The presiding officer will determine if a call for the question is well taken or not well taken, subject to an appeal to the City Council.

~~(n)~~(m) *Continuance of discussion or hearings.* Any item being discussed or any public hearing at a city council meeting may, by order, notice, or motion, be continued or tabled to any subsequent meeting.

~~(o)~~(n) *Recess.* The presiding officer may call for a recess of up to 15 minutes at regular intervals at appropriate points in the meeting agenda.

(Ord. No. 2021-11-01 , § I(Exh. A), 11-16-21)

Sec. 23-9. Agenda.

(a) The mayor, the city manager, the city secretary, the city attorney, or any member of the city council by written request, may place an item on a city council agenda. Residents may not add items to an agenda, but may make a request to their city council member to place an item on an agenda. Resident requests may be added to an agenda at the sole discretion of their city council member. All resolutions or ordinances require sponsorship by a council member or the city manager, excluding resolutions or ordinances that pertain to the office of the city secretary. Ordinances or resolutions pertaining to the office of the city secretary may be added by the individual holding said office.

(b) The written request to add an agenda item shall include a clear description of the proposed action by the council (in the form of a proposed motion) or shall clearly state the item is for discussion purposes only.~~,~~ The written request shall be of sufficient detail to allow staff to contribute background information on the topic, and shall be easily understandable so that any citizen may be able to understand the substance of the item.

(c) Agenda requests and backup documentation shall be filed with the city secretary by 5:00 p.m., ~~Wednesday,~~ 13 days prior to the Tuesday night city council meeting for regular city council meetings ~~(and a commensurate period for special meetings)~~. ~~Deviations from the deadlines, or the submission of additional items either past the established deadlines or once the agenda has been posted, should be exceedingly rare and of a clearly significant nature.~~ Agenda requests and backup documentation for special meetings shall be filed with the city secretary by 5:00 p.m. six days prior to the meeting. All communications, ordinances, resolutions, contract documents, or other matters to be submitted to the council shall also be delivered to the city secretary on the same schedule. ~~The only agenda items excepted by the above-referenced deadline are: city mayor report, city manager report, and city attorney report.~~ The draft agenda shall be sent to the office of the city attorney once the agenda and packet deadline has been met for both regular and special meetings. The office of the city attorney shall conduct a legal review and provide any changes within 24 hours.

(d) Any agenda item requiring financial expenditure by the city must identify the line item of the budget that the expenditure will come from, the financing strategy to be utilized by the city, or the future budget requirements necessary to fulfill the request. The city manager shall be available to assist or advise any council member in gathering the information that they need to make a recommendation.

(e) The city secretary will coordinate the placement and content of items on the agenda with the city manager, who shall resolve any conflicts with mayor and council members. Agenda items may be removed only by the person(s) who initially placed that item on the agenda.

(f) Drafts of contracts, ordinances, resolutions, or other items requiring review should be submitted to the city secretary or city manager in a manner timely enough to allow for the city attorney review prior to the submittal deadline above.

(g) City council meeting agenda packets will be assembled and maintained by the city secretary. Packets for regular meetings shall be completed and delivered to the city council seven days prior to the city council meeting by 5:00 p.m. Packets for special meetings shall be completed and delivered to the city council four days prior to the special city council meeting by 5:00 p.m.

(1) The city council meeting agenda packet for regular meetings, with confidential information redacted, shall be posted to the city website four days prior to the scheduled meeting by 5:00 p.m. The city council meeting agenda packet for special meetings, with confidential information redacted, shall be posted to the city website within 24 hours of the scheduled special meeting.

(Ord. No. 2021-11-01 , § I(Exh. A), 11-16-21)

Sec. 23-10. Rules for attendance at regular meetings of the city council.

(a) Section 3.02(B) of the city Charter provides that a member of city council shall forfeit his or her office if absent from three consecutive regular council meetings without being excused by the council.

(b) A member of city council who will not be able to attend a regular council meeting shall make a reasonable effort to notify the mayor, the city manager's office, or the city secretary's office prior to the meeting, and shall indicate the reason for his or her inability to attend.

(c) Section 3.05(B) of the city Charter provides that if any member of the council is absent from a regularly scheduled meeting of the council without being excused by the council, that member shall forfeit 50 percent of his or her monthly compensation for each such absence, not to exceed 100 percent in any one month. If a member is excused from a regularly scheduled meeting, the reason for the absence shall be reported by the mayor or acting mayor at the meeting at which the absence occurs, or at the following regularly scheduled meeting, and recorded in the minutes.

(d) Absences shall be considered excused if for personal illness, family illness, emergencies, funerals, military service, family events including vacations, weddings, and graduations, business obligations, official city business such as attendance at a conference for municipal officers, or for other good cause as determined by the council. At the next regular meeting following the meeting at which the member was absent, the city council shall consider a vote to determine whether the member's absence is deemed excused or unexcused.

(e) Absence from a regular meeting shall be considered unexcused if the member fails to convey the reason for his or her absence to the mayor, city manager or city secretary or otherwise fails to give sufficient information to the city council to enable it to determine the reason for the absence.

(Ord. No. 2021-11-01 , § I(Exh. A), 11-16-21)

Sec. 23-11. Voting.

(a) Presiding officer may not vote. In accordance with section 3.03 of the city Charter, the mayor, or the mayor pro tem while presiding over the council in the absence of the mayor, shall vote only in the case of a tie except to pass an ordinance when the voting membership of the council is reduced below five owing to one or more absences and/or vacancies and/or abstentions. Neither the mayor nor the mayor pro tem shall have the power of veto.

(b) Before a vote is taken on any item, the mayor or mayor pro tem shall restate the motion to ensure that the matter being considered is clearly understood prior to being voted on by the city council.

(c) ~~When a vote is called, every member present shall vote either "aye" or "nay" or shall abstain. In order to ensure clarity about the position of each councilmember during a vote, the mayor or mayor pro tem shall ask for a positive statement for those in favor of a motion by stating "aye" or raising of their hand, those not in favor of a motion by stating "nay" or raising of their hand, and those who abstain from voting by stating "abstain" or raising of their hand.~~

When a vote is called, a voice vote shall be taken by roll call in sequential order by ward (district). In the case of a tie, the presiding officer must also announce the tie breaking vote by voice vote.

(d) ~~Silence constitutes affirmative vote. Unless a council member states that he/she is not voting, or that he/she abstains, his/her silence shall be recorded as an affirmative vote.~~

~~(e) On the request of the city manager, city secretary, or city council member, a roll call vote shall be taken. After the result of a vote is announced, a member may not change a vote unless, before the~~

~~adjournment of that meeting, permission is given to change the vote by a majority vote of the members present.~~

~~(f)~~ In all matters before the council, including a vote to hire or to terminate a city manager, the mayor may only vote as outlined in subsection (a) of this section.

(1) The term "full city council" means the five city council members who may vote.

(2) Any matter requiring "a majority vote of the full city council" means such matter requires a vote of three members of the council in favor of said matter.

(3) No supermajority of four votes out of five of the city council permitted to vote, in favor of hiring or terminating a city manager, is allowed by the Charter, nor is required.

(Ord. No. 2021-11-01 , § I(Exh. A), 11-16-21)

Sec. 23-12. Order of business.

(a) The order of business for city council meetings is listed below, and all items shall be listed on all regular or special meeting agendas, even if not needed for a given meeting.

~~(b) Informational language on the agenda may be established or amended from time to time by resolution, but any changes of substance shall be amended in this section by ordinance.~~

~~AGENDA~~

~~(1) Call to order and Pledge of Allegiance to the Flag.~~

~~(2) Determination of quorum and proof of notice of the meeting.~~

~~(3) Public comments (limited to three minutes per person).~~

~~(4) Presentations, recognitions, and proclamations.~~

~~(5) Reports:~~

~~City mayor report.~~

~~City attorney report.~~

~~City manager report.~~

~~City staff updates.~~

~~(6) Public hearings.~~

~~(7) Consent Agenda.~~

~~(8) Information or discussion items.~~

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

~~(10) Council member comments.~~

~~(11) Executive session.~~

~~(12) Action – Executive session.~~

~~(13) Adjournment.~~

1. CALL TO ORDER.

A. Pledge of Allegiance to the United States Flag.

B. Pledge of Allegiance to the Texas Flag.

C. Determination of a Quorum and Proof of Notice of the Meeting.

2. PUBLIC COMMENTS.

Each person in attendance who desires to speak to the City Council on an item on the agenda shall speak during this section. A Public Comment Card must be filled out and completed at least 5 minutes prior to the start time of the meeting. The Public Comment Card may be filled out at www.cityofalpine.com/councilcomments. Public comments may be made regarding agenda items only. Attendees must be physically present in order to address the City Council. Comments by proxy are not allowed. Public Comments are limited to 3 minutes per person. Unused time may not be yielded to other attendees.

Please note that the City Council may only take action on items posted on the agenda. The Texas Open Meetings Act prohibits the Council from deliberating or taking action on an item not listed on the agenda. City Staff may ask commenters clarifying questions, respond with facts, and explain policy.

3. PUBLIC HEARINGS.

At this time, the Mayor will invite members of the public to address each item listed in this section. Comments made during this section are limited to the topic of each public hearing. Attendees must be physically present in order to address the City Council. Comments by proxy are not allowed. Public Comments made during public hearings are limited to 3 minutes per person. Unused time may not be yielded to other attendees. If more than one public hearing is being held, each person will be allowed to speak during each topic.

4. PUBLIC PRESENTATIONS.

A. Presentations & Recognitions.

B. Proclamations.

C. Community Interest Items.

With respect to items not listed elsewhere on this agenda, city council members and staff may report on items of community interest, including announcing community events, announcing employee or community recognitions, requesting specific, factual, information or a recitation of existing policy from staff, or requesting placement of items on the agenda for discussion or action at a following meeting.

I. Mayor Announcements.

II. City Manager Announcements.

III. Council Member Announcements.

5. CHANGES TO POSTED AGENDA.

NOTICE: The City Council reserves the right to change the order of business at any time during the meeting. To change the order of business a motion, a second, and a majority vote is required.

A. Items to be continued or withdrawn. Items may be continued to the next City Council meeting or withdrawn from consideration during this agenda. Items to be continued or withdrawn require a motion, a second, and a majority vote.

B. Items to be removed from the Consent Agenda for separate discussion. Items may be removed from the consent agenda by a simple request by the Mayor or any City Council member. Items removed from the consent agenda will be considered in the *Items Removed from the Consent Agenda* section directly after approval of the items not requiring separate discussion. The items may then be approved individually after consideration during said section of the meeting.

C. Action items to be added to the consent agenda. Adding action items to the consent agenda must be requested by the Mayor or any City Council member and requires a motion, a second, and a majority vote.

D. Time-Sensitive Items. The Mayor, any City Council Member, or a member of City Staff may, by simple request, request that time-sensitive items be considered during the *Time Sensitive Items* section.

6. TIME-SENSITIVE ITEMS.

7. CONSENT AGENDA.

8. ITEMS REMOVED FROM THE CONSENT AGENDA.

9. REPORTS & PRESENTATIONS.

Presentations are limited to 6 minutes each. A bell will ring when the 6-minute timeframe has been reached. If further time is needed the presentation may be extended an additional 4 minutes at the discretion of the presiding officer. After the initial period and extension have passed, the presentation may be extended further by a motion, a second, and a majority vote of the City Council.

10. INFORMATION OR DISCUSSION ITEMS.

11. ACTION ITEMS. *(Limited to 10 per meeting).*

12. EXECUTIVE REPORTS.

Executive Reports are limited to 6 minutes each. A bell will ring when the 6-minute timeframe has been reached. If further time is needed the presentation may be extended an additional 4 minutes at the discretion of the presiding officer. After the initial period and extension have passed, the presentation may be extended further by a motion, a second, and a majority vote of the City Council. Executive reports do not require individual items to be listed for presentation, but no discussion may take place during this section unless the items are listed on the agenda.

A. City Mayor Report.

B. City Manager Report.

13. CITY COUNCIL MEMBER COMMENTS. (No discussion or action may take place)

NOTICE: The City Council reserves the right to reconvene, recess, realign, change the order of business, or adjourn into Executive Session at any time during the course of the meeting prior to adjournment, to discuss any item listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Development).

14. EXECUTIVE SESSION.

15. ACTION AFTER EXECUTIVE SESSION.

16. ADJOURN.

(Ord. No. 2021-11-01 , § I(Exh. A), 11-16-21; Ord. No. 2022-01-01 , § I(Exh. A), 1-18-22)

Sec. 23-13, 23-14. Reserved.

ARTICLE III. RULES OF DECORUM

Sec. 23-15. Decorum.

(a) *By council members.* While the council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the council nor disturb any member while speaking or refuse to obey the orders of the council or its presiding officer, except as otherwise herein provided.

(b) *By attendees.* Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the council shall be forthwith, by the presiding officer, subject to loss of speaking privileges unless permission to continue be granted by a majority vote of the council.

(1) Reactions from the audience following the recognition and rewarding of citizens and special guests is considered appropriate and encouraged. Disruptive verbal and/or non-verbal reactions from the audience during staff presentations to the council and during debate between councilpersons are inappropriate and are not permitted. The presiding officer will ensure that the decorum of the meeting is maintained and is appropriate.

(2) It is not the intention of the city council to provide a public forum for the demeaning of any individual or group. Neither is it the intention of the city council to allow a member (or members) of the public to insult the honesty and/or integrity of the city council as a body, the proceedings of the city council, or any member or members of the city council, individually or collectively. The mayor and council will endeavor to ensure that meetings are conducted in a courteous manner, and in an atmosphere free of defamation, intimidation, personal affronts, profanity, or threats of violence.

(3) Members of the public shall not engage in any of the following in the meeting room during a city council meeting:

a. Shouting, unruly behavior, distracting side conversations, or speaking out when another person is talking.

b. Defamation, intimidation, personal affronts, profanity, or threats of violence.

c. ~~Use of phones, pagers, radios, computers or other electronic equipment.~~

~~d.~~ Booing, hissing, foot stomping, ripping of paper, parading, signing or other similar behavior that impedes or disrupts the orderly conduct of the meeting.

(4) Members of the public may utilize electronic equipment in a manner that does not disrupt the meeting. Phone calls or other disruptive behavior will not be permitted.

(5) Members of the public shall not attempt to provide direction regarding rules of procedure, order of business, or otherwise direct the city council on how to properly conduct a meeting. The mayor and the city council are the formal authority to determine what is, or is not: in order, out of order, or the correct way to conduct business of the city. The mayor, any city council member, the city manager, and the city secretary are the only individuals permitted to call a point of order or make recommendations as to how a meeting will be conducted. Outbursts and shouts to direct the meeting are unacceptable and will not be tolerated.

(6)~~(5)~~ No offensive, vulgar, or distracting placards, banners, signs, or apparel shall be permitted to be erected or displayed by persons in attendance in city council chambers or in any other room in which the city council is holding a meeting. Exhibits, displays, and visual aids used in connection with presentations to the city council are permitted.

(Ord. No. 2021-11-01 , § I(Exh. A), 11-16-21)

Sec. 23-16. Enforcement of decorum.

(a) Disturbances, transgressions of the rules or disorderly conduct in the council chamber may cause the transgressor to be removed from the meeting. The presiding officer of the meeting, shall exercise control over persons who disrupt the meeting in the following ascending order of action:

(1) Call the person to order, advising that person of the infraction.

(2) ~~Advise the person that the infraction must cease immediately or the person will be ordered to leave the meeting.~~

(3) Order the person to leave the meeting. If the offending person is a member of council, the presiding officer shall call for a vote on the expulsion of that member from the meeting, and such vote requires a majority for adoption.

~~(4)~~ A police officer may remove an individual or individuals for disrupting a meeting as authorized by ~~V.T.C.A.~~ Vernon's Texas Codes Annotated (V.T.C.A.), Penal Code § 42.05.

(b) The chief of police, or such member or members of the police department as ~~he~~ they may designate, shall be sergeant-at-arms of the council meetings. ~~He/she~~ They shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the council meeting. Upon instructions of the presiding officer unless otherwise directed by a majority vote of the council, it shall be the duty of the designated sergeant(s)-at-arms to remove any person who violates the order and decorum of the meeting.

(Ord. No. 2021-11-01 , § I(Exh. A), 11-16-21)

Sec. 23-17. Audience participation.

At meetings of the city council, the business of the city is conducted between the members of the city council and by those members of the staff, elected officials, department heads, consultants, experts and/or members of the public requested to be present and participate. While the public is invited and encouraged to attend all meetings of the city council, excluding executive sessions, and to ensure that meetings of the

city council are conducted in a way that allows the business of the city to be effectively conducted, the public's participation therein is to be governed by the following:

(1) Audience participation is limited to the role of observers except for during the public comment portion or public hearing portion of the meeting.

(2) Members of the public in attendance at any regular, special, emergency, and/or workshop meeting of the city council shall conduct themselves with proper respect and decorum in speaking to and/or addressing the city council, in participating in public discussions before the city council, and in all actions in the presence of the city council. Members of the public speaking during comment periods or invited to speak shall remain behind the podium while speaking. Attendees must be physically present at a meeting to address the city council. Comments by proxy are not allowed.

(3) City council members shall not have discussions during the public comment and public hearing portions of the agenda, nor take any action thereon other than to refer the item to city staff for research and possible future action. City Staff may ask commenters clarifying questions, respond with facts, and explain policy.

(4) It is the intention of the city council to provide open access to the resident and affected persons of the city to address the city council and express themselves on issues under consideration by the city council. In accordance with such, members of the public in attendance at city council meetings must be respectful of individuals making public comments before, during, and after such comments are made.

(5) ~~Persons may present printed material to be included in the council agenda packets one week prior to a meeting. Persons may present printed material to the city secretary to distribute to the council during a meeting, subject to the same deadline.~~

It is the intention of the city council to hold meetings in a professional, organized, and structured manner. Accordingly, it is prohibited for printed or other material to be passed out during meetings. Residents are welcome to email materials to the council at any time. Residents may also deliver materials to be distributed to council members at city hall during normal business hours.

(6) As described in section 23-9(a), resident requests may be added to an agenda at the sole discretion of the mayor or a city council member. Residents who are added to an agenda through the mayor or a city council member may provide backup documentation to be included with the item in the city council packet, subject to approval by the member who added the item to the agenda. Approved backup documentation is subject to the same deadlines as provided in section 23-9(c).

(7) The presiding officer or city council member may, by simple request, call upon a member of the public who is physically present to provide feedback during consideration of any action item. The feedback provided by the public will be limited to 3 minutes per person.

(Ord. No. 2021-11-01 , § I(Exh. A), 11-16-21)

Sec. 23-18. Addressing the city council.

(a) *Public comments.* Before each meeting of city council the city secretary shall make public comment card ~~citizen comment forms~~ available, on which any city taxpayer or resident may sign his/her name, ward (district) and indicate the agenda item on which he/she wishes to speak. Members of the public that live outside of the city limits may make comments at the discretion of the presiding officer if time

permits. Only public comments regarding agenda items will be allowed. Individuals must be physically present to address the city council. Comments by proxy are not allowed.

(1) Individuals may address the council by oral communication by completing all requested information on the ~~citizen comment form~~ public comment card ~~and placing it at the city secretary's desk on the dais,~~ not later than five minutes before commencement of the meeting.

(2) Each person addressing the council shall step up to the podium, shall give his/her name and ward (district) for the record, and, unless further time is granted by the ~~council~~ presiding officer, shall limit his/her address to three minutes. Unused public comment time may not be "designated" or "yielded" to other attendees. All remarks shall be addressed to the council as a body. ~~and not to any member thereof. No person, other than the council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the council, without the permission of the presiding officer. No question shall be asked to a councilperson except through the presiding officer. Any such question shall be referred by city council to the city manager, for further handling.~~

(3) Persons wishing to address the council on more than one agenda item or topic in a single meeting must speak on all such agenda items or topics during their three-minute presentation. Additional time is not given for additional items (however, emailing, writing, calling, or visiting with council members outside of meetings is, of course, unlimited). This requirement does not restrict anyone from also speaking at any public hearing (see additional information below).

(b) *Public hearings.* Public hearings provide municipal residents and affected parties an opportunity to be heard, typically on certain land use items, final ordinance readings, the annual adoption of the municipal budget, and the annual adoption of the tax rate.

(1) There is not a form or sign up requirement for public hearings at city council meetings. Only comments regarding a public hearing agenda item may be made during the public hearing portion of the meeting. Each person that wishes to address the council during the public hearing portion of the meeting must be in attendance physically and shall raise their hand to notify the presiding officer that they would like to speak. Once acknowledged by the presiding officer, the person shall step up to the podium and shall give his/her name and ward (district) for the record. Unless further time is granted by the presiding officer, the person addressing the council shall limit his/her address to three minutes. Individuals must be physically present to address the city council. Comments by proxy are not allowed. All remarks shall be addressed to the council as a body. ~~and not to any member thereof. No person, other than the council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the council, without the explicit permission of the presiding officer. No question shall be asked to a councilperson except through the presiding officer. Any such question shall be referred by city council to the city manager for further handling.~~

(Ord. No. 2021-11-01 , § I(Exh. A), 11-16-21; Ord. No. 2022-01-01 , § I(Exh. A), 1-18-22)

Reserved. Sec. 23-19 – Sec. 23-29.

ARTICLE IV. ETHICS.

Sec. 23-30. Definitions.

a) In this section, the word "member" means a member of the city council, including the mayor, or a member of a city board, commission, or committee.

b) In this section, the word "board" means the city council, or a city board, commission, or committee.

Sec. 23-31. Purpose.

Local government depends on the service of community-minded individuals to perform many of its services and regulatory responsibilities. Public servants are subject to increased responsibilities and laws designed to ensure the transparency and impartiality of government. The purpose of these guidelines is to outline conflict of interest rules and provide explanations as to how they pertain to a public servant's service on the city council and city boards, commissions, and committees.

Sec. 23-32. Minimum Standards of Conduct.

This explanation of the rules is not an endorsement of mere compliance as a standard of behavior. The rules set a minimum standard. The purpose of the ordinance is to create and maintain public confidence in the decisions of the government by avoiding even the appearance of impropriety. Members may not:

a) transact any business in the member's official capacity with any entity in which the member has a "substantial interest,"

b) formally appear before the board of which he or she is a member while acting as an advocate for himself or herself, or for any other person, group, or entity,

c) represent a private person or entity in an action in Municipal Court that was instituted by or arises from a decision of the member's board,

d) solicit or accept a gift or favor that might reasonably tend to influence the member in the discharge of the member's duties or that the member should know has been offered with the intent to influence or reward official conduct,

e) solicit or accept employment that could reasonably be expected to impair the member's independence in judgment or the member's performance of City duties,

f) use City facilities, personnel, equipment or supplies for private purposes, except to the extent those things are available to the public.

g) accept paid campaign work relating to a ballot proposition if the member's board exercised discretionary authority with respect to the proposition and the member participated in the board's discussion or vote.

Sec. 23-33. Conflict of Interest.

Members are subject to city ordinances regarding conflicts of interest and to the state conflict of interest statute, Chapter 171 Local Government Code. Members who serve on boards that involve the use of federal funds can also have conflict of interest requirements under federal law.

a) In order to assure their independence or impartiality on behalf of the common good and compliance with conflict of interest laws, members shall use their best efforts to refrain from creating a sense or appearance of impropriety in their actions and decisions.

b) A conflict of interest exists when a person's personal interests would reasonably be expected to affect the person's performance of a duty to another person or institution, or if it would reasonably appear so to an observer.

c) When a conflict of interest exists, the board member must recuse herself or himself from discussion on the topic and action on the topic.

d) Chapter 171 of the Texas Local Government Code regulates local public officials' conflicts of interest. Members are prohibited from voting or participating on a matter involving a business entity or real property in which the official has a substantial interest if an action

on the matter will result in a special economic effect on the business that is distinguishable from the effect on the public, or in the case of a substantial interest in real property, it is reasonably foreseeable that the action will have a special economic effect on the value of the property, distinguishable from its effect on the public.

e) A member who has a substantial interest in an action, business entity, or real property is required to file, before a deliberation, vote, or decision on any matter involving the action, business entity, or real property, an affidavit with the office of the city secretary stating the nature and extent of the interest. The affidavit is a state-created form that is available from the office of the city secretary and must be filed within seven (7) days of when the member becomes aware that the matter is under consideration by the city. In addition, a member is required to abstain from further participation in the matter. A member should also submit the conflict of interest affidavit as to avoid the appearance of impropriety, even if a substantial conflict of interest does not exist, but it reasonably appears to an observer that a conflict exists. However, a councilmember who is required to file an affidavit is not required to abstain from participating in the matter if a majority of the councilmembers of the governing body have a substantial interest and are required to file and do file affidavits of similar interests on the same official matter.

f) The existence of a conflict of interest does not speak to the personal honesty or integrity of any individual, whether the individual will be influenced by the conflict or not. No matter how honest a person may be, and regardless of the member's ability to set aside their own personal interest, if a conflict exists it undermines the appearance of fairness and impartiality. It undermines the public's acceptance that all public decisions are being made for the public good.

g) It is not unusual for a conflict of interest to exclude a person from participating in a matter where the person would have a great deal to contribute. The same set of life experience that gives rise to expertise, often gives rise to personal interests that create conflicts. Forgoing this source of expertise is one of the trade-offs that are made in the interest of wide public acceptance of governmental actions.

FY 2024 Agenda and Packet Deadlines			
Council Meeting	*13 days prior* **Agenda/Packet Deadline @ 5:00 P.M.**	*7 days prior* **Packet to Council by 5:00 P.M.**	*4 days prior* **Packet Posted Online by 5:00 P.M.**
May 21, 2024	May 8, 2024	May 14, 2024	May 17, 2024
June 4, 2024	May 22, 2024	May 28, 2024	May 31, 2024
June 18, 2024	June 5, 2024	June 11, 2024	June 14, 2024
July 2, 2024	June 19, 2024	June 25, 2024	June 28, 2024
July 16, 2024	July 3, 2024	July 9, 2024	July 12, 2024
August 6, 2024	July 24, 2024	July 30, 2024	August 2, 2024
August 20, 2024	August 7, 2024	August 13, 2024	August 16, 2024
September 3, 2024	August 21, 2024	August 27, 2024	August 30, 2024
September 17, 2024	September 4, 2024	September 10, 2024	September 13, 2024

APRIL 2024

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MAY 2024

JUNE 2024

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Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
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5	6	7	8 5/21 Agenda Item and Backup Deadline	9	10	11
12	13	14 5/21 packet to Council	15	16	17 5/21 packet posted online	18
19	20	21 5/21 Council Meeting	22 6/4 Agenda Item and Backup Deadline	23	24	25
26	27 City Offices Closed	28 6/4 packet to Council	29	30	31 6/4 packet posted online	1

MAY 2024

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JUNE 2024

JULY 2024

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Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
26	27 Memorial Day	28	29	30	31	1
2	3	4 6/4 Council Meeting	5 6/18 Agenda Item and Backup Deadline	6	7	8
9	10	11 6/18 packet to Council	12	13	14 6/18 packet posted online	15
16	17	18 6/18 Council Meeting	19 City Offices Closed	20 7/2 Agenda Item and Backup Deadline	21	22
23	24	25 7/2 packet to Council	26	27	28 7/2 packet posted online	29
30	1	2	3	4 Independence Day	5	6

JUNE 2024

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JULY 2024

AUGUST 2024

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30	1	2 7/2 Council Meeting	3 7/16 Agenda Item and Backup Deadline	4 City Offices Closed	5	6
7	8	9 7/16 packet to Council	10	11	12 7/16 packet posted online	13
14	15	16 7/16 Council Meeting	17	18	19	20
21	22	23	24 8/6 Agenda Item and Backup Deadline	25	26	27
28	29	30 8/6 packet to Council	31	1	2 8/6 packet posted online	3

JULY 2024

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AUGUST 2024

SEPTEMBER 2024

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28	29	30	31	1	2 8/6 packet posted online	3
4	5	6 8/6 Council Meeting	7 8/20 Agenda Item and Backup Deadline	8	9	10
11	12	13 8/20 packet to Council	14	15	16 8/20 packet posted online	17
18	19	20 8/20 Council Meeting	21 9/3 Agenda Item and Backup Deadline	22	23	24
25	26	27 9/3 packet to Council	28	29	30 9/3 packet posted online	31

AUGUST 2024

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SEPTEMBER 2024

OCTOBER 2024

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Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
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8	9	10 9/17 packet to Council	11	12	13 9/17 packet posted online	14
15	16	17 9/17 Council Meeting	18 10/1 Agenda Item and Backup Deadline	19	20	21
22	23	24 10/1 packet to Council	25	26	27 10/1 packet posted online	28
29	30	1	2	3	4	5

CITY COUNCIL

MEETING AGENDA ITEM COVER MEMO

MAY 7, 2024

To: Honorable Mayor and City Council
Agenda Item: Action Item 2 – Ordinance 2024-05-01
Agenda Sponsor: J. Stokes, City Council
Memo Prepared By: G. Calderon, City Secretary

SYNOPSIS

Approve the second and final reading of Ordinance 2024-04-04, an ordinance authorizing the vacation, abandonment, and sale of approximately 0.128 acres of city property, being the undeveloped alley lying between Lots 1 – 10, Block 71, Original Townsite, between South 1st and South 2nd Streets in the City of Alpine, Brewster County, Texas; 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. (J. Stokes, City Council)

BACKGROUND

- Councilor Stokes is the city representative on the Family Crisis Center of the Big Bend (FCBB) board. The FCCBB, a non-profit corporation, purchased the property located at 402 East Gallego, previously known as the Alpine Community Center.
- The structure at this location was constructed on a city alley. After FCCBB had the property surveyed, the organization learned of the unimproved alley. FCCBB has applied to purchase the property. An ordinance for consideration of the sale was drafted for consideration by the City Council.
- A utility review was requested on April 3, 2024 with a requested completion date of April 10, 2024. The Gas Department and the Water Department have confirmed that are not any utilities in the subject alley.
- The fair market value of the property was determined to be $3,300. The appraisal was conducted by Superior Land Services, LLC.
- Councilor Stokes has proposed to donate the remaining funds in the Ward 1 discretionary account towards the purchase ($1,750).
- The ordinance requires that the applicant replat the subject property, that should any utilities exist, that an easement be conveyed to the city should utilities exist in the subject

property, and that the City Manager issue a certificate of compliance upon completion of all requirements.

SUPPORTING MATERIALS

1. Ordinance 2024-04-04.
2. Petition for closure and purchase of city-owned property, including official appraisal confirming the fair market value of the subject property.

STAFF RECOMMENDATION

APPROVE.

STATE OF TEXAS CITY OF ALPINE

COUNTY OF BREWSTER

ORDINANCE 2024-04-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE TEXAS, AUTHORIZING THE VACATION, ABANDONMENT, AND SALE OF APPROXIMATELY 0.128 ACRES OF CITY PROPERTY, BEING THE UNDEVELOPED ALLEY LYING BETWEEN LOTS 1 – 10, BLOCK 71, ORIGINAL TOWNSITE, BETWEEN SOUTH 1ST AND SOUTH 2ND STREETS IN THE CITY OF ALPINE, BREWSTER COUNTY, TEXAS; 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 the Family Crisis Center of the Big Bend to purchase 5,556.00 square feet of an unimproved alley situated in the middle of their property; and

WHEREAS, the alley has been unused and has no public purpose, as a building was built upon the alley and has been situated upon the alley for over 70 years; and

WHEREAS, the Family Crisis Center of the Big Bend, a non-profit organization, serves Alpine and the Big Bend area by striving to eliminate family and sexual violence through community education, crisis intervention services, and providing advocacy to survivors; and

WHEREAS, an appraisal of the property was conducted by Superior Land Services, LLC, who has confirmed that the appraised fair market value of the property is $3,300; 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 the unimproved alley requested to be purchased by the Family Crisis Center of the Big Bend is not needed for public purposes and it is in the public interest to vacate, abandon, and close the alley. The property, legally described approximately 0.128 acres, being the undeveloped alley lying between Lots 1-10, Block 71, Original Townsite, between South 1st and South 2nd Streets to the City of Alpine, Brewster County, Texas is hereby abandoned, vacated, and closed.

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 uimproved alley described in Section 1 of this ordinance to the purchaser, Family Crisis Center of the Big Bend, 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 THREE THOUSAND THREE HUNDRED DOLLARS ($3,300.00).

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 7TH DAY OF MAY 2024 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.

INTRODUCTION AND FIRST READING
APRIL 16, 2024

SECOND AND FINAL READING
MAY 7, 2024

_____
Catherine Eaves, Mayor

ATTEST:

_____
Geoffrey R. Calderon, City Secretary

APPROVED AS TO FORM:

_____
City Attorney

Checklist for Vacation, Closure, Abandonment &

Purchase of City-Owned Property

The following actions are necessary to process a request by a landowner for purchase of city property.

1. Petition for purchase of City property- The application must contain the following:

   a) Petition with signatures of any butting property owners
   b) Title verification of ownership
   c) Detailed sketch of area requesting to be closed which shows surrounding area to the nearest street in all directions, all abutting lots, and record owner of each lot
   d) Name and contact information of the petitioner

2. Within 20 days from the date of the submittal of the application, petitioner(s) must provide the City with the a certified appraisal and a certified survey. It is the purchaser's responsibility to obtain the certified appraisal and survey and deliver the completed documents to the City. The costs are at the expense of the purchaser and are nonrefundable.

3. City will conduct a utility review.

4. After the abutting property owners have agreed in writing and notified the City of their desire to proceed with the closure and sale of the property, the City Council shall conduct a public hearing.

5. A notice of public hearing shall be published in a paper of general circulation in the City.

6. The City Council will conduct the public hearing.

7. An ordinance authorizing the sale of the property shall be set for the Council agenda and must be passed and approved by the Council. Ordinances require at least two (2) public hearings or readings.

8. The purchaser shall deliver a certified check to the Finance Department for the council-approved sale amount no later than 5 working days after the passage of the ordinance.

9. Landowners must commit to the re-plat of the lots within 60 days of the sale.

10. A Deed for the property will be drafted conveying the sold property to the purchaser. The purchaser must file the deed with Brewster County at the expense of the purchaser.

11. A certificate of compliance will be issued upon completion of all requirements.

A completed original application package must be submitted to the Office of the City Secretary located at City Hall, 100 N. 13th Street, Alpine, Texas, 79830. Any questions may be directed to city.secretary@ci.alpine.tx.us.

RECEIVED
City of Alpine, Texas

APR 02 2024 8:00 am

OFFICE OF THE CITY SECRETARY

BY:

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) Family Crisis Center of the Big Bend Inc (Purchaser) of the City of Alpine, County of Brewster, State of Texas, and request the City Council of the City of Alpine, Texas to close and/or abandon a street/alley described as: see attached survey (alley, street location and boundaries)

Said) FCCBB (property owner(s)) represents that they/he/she own(s) the following property: 402 E Gallego Alpine Tx (Street Address) and legally described as All of Block 71 Original Town (Legal Description) which adjoins or abuts the street/alley. Said property owner(s) request the above referenced street/alley be closed and/or abandoned for the following reason(s): The alley has not been used for over 70 years. The building sits on the alley and has been there for over 70 years. We feel it is in everyone's best interest that we be allowed to purchase the alley.

ABUTTING PROPERTY OWNER PETITION

Rhonda Cole, President

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

Address: PO Box 1470 Alpine Tx Signature: Rhonda Cole

Phone Number: 432-294-0956 Date: 03-27-24

ABUTTING PROPERTY OWNER PETITION NA

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

Address: _____ Signature: _____

Phone Number: _____ 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 required 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 FLCBB (Printed Name of Purchaser) this the day 27th (Day) of March (Month), 20 24 (Year).

Rhonda Cole
(Signature of Purchaser)
President

THE STATE OF TEXAS §

COUNTY OF BREWSTER §

This instrument was acknowledged before me on this the 27th day of March, 20 24.

JUDY L STOKES
Notary Public
STATE OF TEXAS
My Commission Expires 04/22/2026
ID # 124181115-2

[SEAL]

Judy L Stokes
Notary Public, State of Texas

RESPECTFULLY SUBMITTED BY _____ (Printed Name of Purchaser) this the day _____ (Day) of _____ (Month), 20_____ (Year).

_____
(Signature of Purchaser)

THE STATE OF TEXAS §

COUNTY OF BREWSTER §

This instrument was acknowledged before me on this the _____ day of _____, 20_____.

[SEAL]

_____
Notary Public, State of Texas

_____ _____

Printed name of purchaser Signature of purchaser

THE STATE OF TEXAS §

COUNTY OF BREWSTER §

This instrument was acknowledged before me on this the _____ day of _____, 20_____.

[SEAL] _____

Notary Public, State of Texas

EXHIBIT 2

AGREEMENT TO REPLAT PURCHASED PROPERTY

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

See attached survey
(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 27th day of March, 2024

Rhonda Cole, President
FCCBB
Printed name of Purchaser

Rhonda Cole
Signature of Purchaser

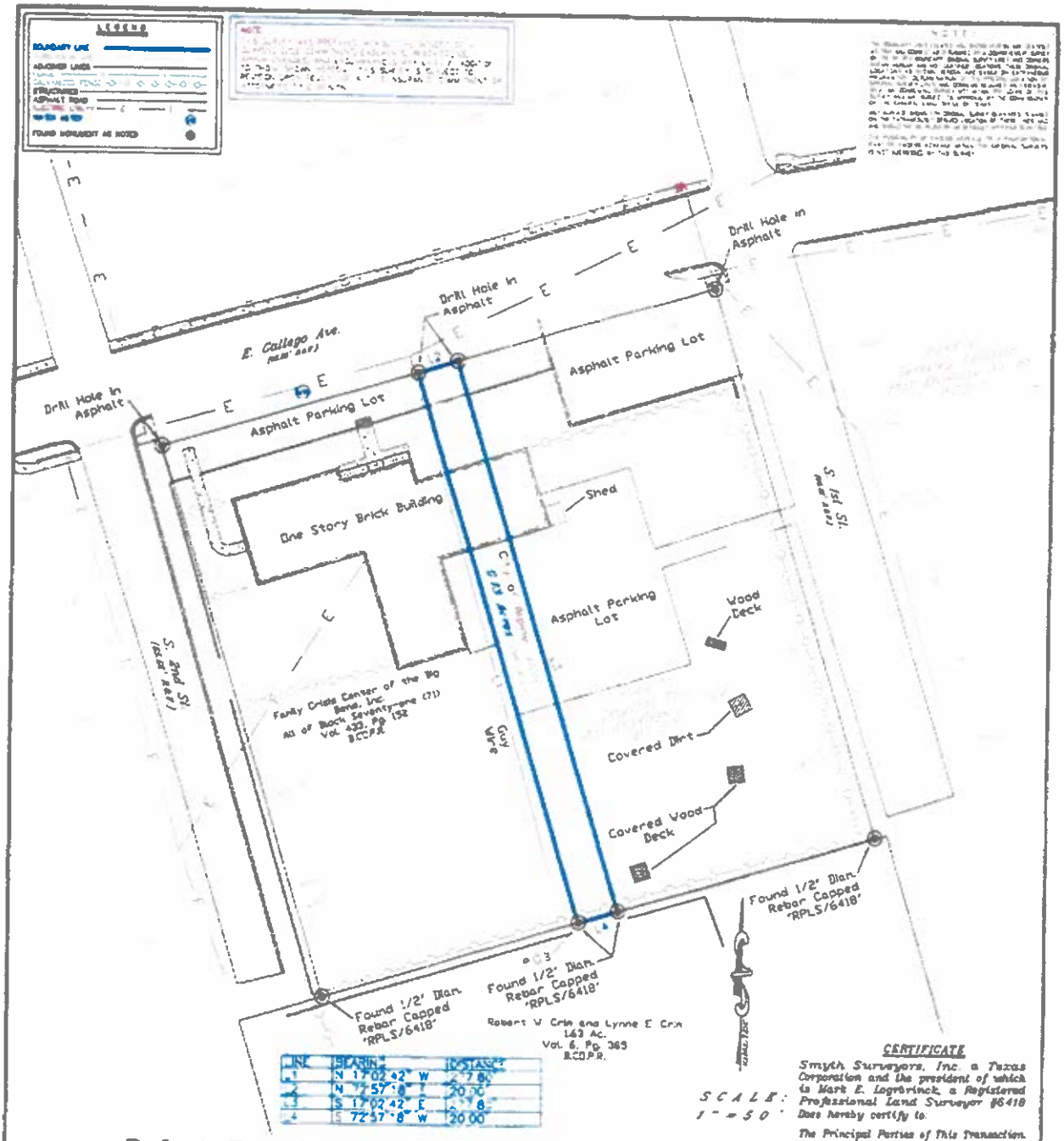
THE STATE OF TEXAS §

COUNTY OF BREWSTER §

This instrument was acknowledged before me on this the 27th day of March, 2024.

[SEAL] JUDY L STOKES
Notary Public
STATE OF TEXAS
My Commission Expires 04/22/2028
ID # 124181152

Judy L Stokes
Notary Public, State of Texas



LINE	BEARING	DISTANCE
L1	N 17°02'42" W	6.78'
L2	N 72°57'18" E	20.00'
L3	S 17°02'42" E	6.78'
L4	S 72°57'18" W	20.00'

SCALE: 1" = 50'

PLAT SHOWING:

Being a Boundary Survey of 0.13 Acres, more or less, lying in Brewster County, Texas, being all of the platted alley of Block Seventy-one of the Original Townsite of Murphysville (now Alpine), as shown on the Plat of the Original Townsite of Alpine, recorded in Plat Envelope No. 184 of the Brewster County Plat Records, Brewster County, Texas.

NOTES

PREPARED FOR:
FAMILY CRISIS CENTER OF THE BIG BEND, INC
C/O RHONDA COX
AN REAL ESTATE CO
PO BOX 1214
ALPINE, TX 79831
rc@24@bigbend.net

PURPOSE OF SURVEY
BOUNDARY/IMPROVEMENT

WARNING: UNAUTHORIZED ALTERATION OF CERTIFIED MATERIAL IS FORGERY

Smyth Surveyors, Inc. FIRM #10008800

235 N. GETTY ST.
SUITE B
UVALDE, TEXAS 78801
PHONE 830-591-0858

CERTIFICATE

Smyth Surveyors, Inc. a Texas Corporation and the president of which is Mark E. Logebrinck, a Registered Professional Land Surveyor #6418 Does hereby certify to:

The Principal Parties of This Transaction.

STATE OF TEXAS:
COUNTY OF UVALDE:

I, MARK E. LOGEBRINCK, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND BY MEN WORKING UNDER MY SUPERVISION AND THAT SAME IS TRUE AND CORRECT ACCORDING TO SAID SURVEY. THE PLAT AS PREPARED HAS A LIKENESS OF MY SEAL, IN THE COLOR RED, HEREON, AND IS ALSO EMBOSSED WITH MY IMPRESSION SEAL. IF THIS PLAT DOES NOT HAVE THESE TWO CONDITIONS FULFILLED, IT IS A COPY AND MAY HAVE BEEN ALTERED. I ASSUME NO RESPONSIBILITY FOR COPIES OF THE PLAT OTHER THAN THE COPIES BEARING MY ORIGINAL SEALS AND SIGNATURE.

COMPLETED: MAY 18, 2023

Mark E. Logebrinck

REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 6418

PROJECT NO.	22-0447	CHK'D BY:	
DRAWING NO.	22-0447A		
DATE:	MAY 18, 2023		

SUPERIOR LAND SERVICES LLC

P. O. Box 140
Alpine, TX 79831-140

April 1, 2024

City of Alpine
Attn: Geoffrey R. Calderon, City Secretary
101 N. 13th Street
Alpine, TX 79830

Re: Restricted Appraisal of 5,556.00 square feet (0.128 acres), being the undeveloped alley lying between Lots 1 – 10, Block 71, Origina Townsite, between South 1st and South 2nd Streets in the City of Alpine, Brewster County, Texas

Dear Mr. Calderon,

As requested, I have inspected the property referenced above, collected and analyzed market data and have provided you, representing the City of Alpine, herein with my opinion of the market value of the ownership of the fee simple title of the surface estate of said property. The subject property consists of approximately 5,556.00 square feet (0.128 acres), more or less, located south of East Gallego Avenue between South 1st and South 2nd Streets. The subject property was inspected on March 25, 2024, which serves as the effective date of valuation.

As agreed, this report is presented in a restricted format with data and analysis presented to support an estimate of value. This appraisal report meets the minimum appraisal standards set forth by the Uniform Standards of Appraisal Practice (U.S.P.A.P.) of the Appraisal Foundation, Title XI of F.I.R.R.E.A., and the Code of Professional Ethics of the American Society of Farm Managers and Rural Appraisers. I have researched the market for applicable, comparable data and other pertinent information. As the building and site improvements were constructed without knowledge of the specific land parcel and as such are considered non-contributary, the Cost Approach to value estimation is not applicable. As the property is not currently leased for the generation of economic income, the Income Approach to value estimation is not necessary for credible assignment results.

The following pages set forth the current market data and assumptions employed in formulating my opinion of the market value for the subject property. Based on the available data, my opinion of the market value of the ownership interest of the surface estate of the subject property, assuming a reasonable exposure time of three to six months, as of March 25, 2024, is:

THREE THOUSAND THREE HUNDRED DOLLARS
($3,300.00)

It has been a pleasure to prepare this report. If you have any questions concerning the contents of this report, please feel free to call.

Respectfully submitted,

Paul V. Loeffler

Paul V. Loeffler
TALCB Lic # 1327826-G

Restricted Use Appraisal Report

Client Information:

CITY OF ALPINE
Attn: Geoffrey R. Calderon, City Secretary
101 N. 13TH STREET
Alpine, TX 79830

Date of Valuation: **March 25, 2024**
Date of Inspection: March 25, 2024
Appr. Report Date: April 1, 2024

Appraiser: Paul V. Loeffler
TALCB #1327826-G

Summary

County: **Brewster**

Net Square Feet: ***5,556.00 sq. ft., more or less***
Property ID No.: ***None; City Property***

Land Located: **400 Block of East Gallego Avenue, Alpine, TX**

Legal Description: **Undeveloped/unused alley between South 1st Street and South 2nd Street; south of East Gallego Avenue; between Lots 1-5 and 6-10, Block 71, Original Townsite of City of Alpine, Brewster County, Texas**

Land Value Indicated by: Sales Comparison: **$ 3,333.60**

MARKET VALUE OF PROPERTY: **$3,300.00**

Special Remarks: The subject property of approximately 5,556.00 square feet (0.128 acres) is owned by the City of Alpine and is currently the undeveloped, unused alley between South 1st and South 2nd Streets and south of East Gallego Avenue. The subject property lies between ten lots (Lots 1-10) owned by Family Crisis Center of the Big Bend, Inc. (the parent parcel). Assemblage of the subject property (5,556.00 sq. ft.) with the Family Crisis Center of the Big Bend, Inc. (parent parcel) property is the objective.

Scope of Appraisal: This appraisal has been prepared in accordance with accepted techniques, standards, methods, and procedures of the appraisal industry. This appraisal was completed after analysis of the subject area and neighborhood, inspection of the subject property, and collection of comparable sales and market data. Information regarding the subject, the area, and the neighborhood has been collected and analyzed to determine the subject's highest and best use.

This appraisal was developed using the Sales Comparison Approach. The Cost Approach and the Income Approach are not considered applicable due to the age, size and footprint of the improvements on the property, as well as the property not being considered an economical unit. For these reasons, these approaches are excluded from this analysis.

The comparable sales information was obtained through various reporting services and was confirmed by knowledgeables of the sales such as the grantor, grantee, broker, and other appraisers.

Purpose and Intended Use of the Appraisal: The purpose of the appraisal is to estimate the market value of the property for the use and benefit of the City of Alpine, its successors and/or assigns, for a probable sales price determination.

Market Value Defined

According to Federal Reserve Regulation 12 CFR Part 225, subpart H, market value is defined as:

"The most probable price in terms of money 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, 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 each acting in what they consider their best interest;
3. a reasonable time is allowed for exposure in the open market;
4. payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable 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."

This is a restricted appraisal report intended for a specific purpose and a specific client; as such, it may not be understood properly without additional information that is retained in the appraiser's work file.

Definition of Exposure Time

According to *The Appraisal of Rural Property, 2nd Ed.*, The Appraisal Foundation, and the *Uniform Standards of Professional Appraisal Practice, 2024-2025 ed.*, Exposure Time is defined as follows:

"The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective opinion based on an analysis of past events assuming a competitive and open market."

Exposure time is different for various types of property and under different marketing conditions. It is noted that the overall concept of reasonable exposure encompasses not only adequate, sufficient, and reasonable time but also adequate, sufficient, and reasonable effort. This statement focuses on the time element.

The fact that exposure time is always presumed to occur prior to the effective date of value is substantiated by related facts in the appraisal process: supply/demand conditions as of the effective date of the appraisal; the use of current cost information; the analysis of historical sales information (sold after exposure and after completion of negotiations between the seller and buyer); and, the analysis of future income expectancy projected from the effective date of value. The opinion of the reasonable exposure period is a function of time, price and use, not an isolated opinion of time alone. Following review of the market data presented and the analysis of the physical, functional and economic factors affecting the property, our opinion of a reasonable exposure time for the subject property, assuming conventional marketing, is estimated to be three to six months.

Property Rights Appraised: Fee Simple, Surface only

Minerals Conveyed: 0 % **Royalties Conveyed: 0 %** **Mineral Value per Acre: $0**

SALES HISTORY

The subject property is owned by the City of Alpine, Texas. The subject parcel was acquired by the City of Alpine as an alley right-of-way as part of the Original Townsite Plat of Murphyville (now Alpine) as recorded in Plat

Envelope No. 184, Official Plat Records, Brewster County, Texas. The property has not changed hands since originally platted, more than a century ago.

HIGHEST AND BEST USE ANALYSIS

PHYSICALLY POSSIBLE: The subject property has significant limitations for typical uses due to the size and orientatic of the subject parcel; indicating the most common and practical use being assemblage of the land to an adjoining property. The presence of the building and site improvement encroachments occupying the majority of the surrounding larger parcel, well as the narrow width (20.0 feet) limit alternative development of the tract or any use as a service alley.

LEGALLY PERMISSABLE: The adjoining property is subject to zoning ordinances and regulations administered by the City of Alpine and any use following assemblage with the adjoining property must comply with those regulations. The adjoining parcel is currently zoned "R-2", Two Family District, for multi-family uses as well as certain restricted educationa religious and day care facilities. The past and intended use of the larger parcel and its improvements are believed to meet th allowed uses.

FINANCIALLY FEASIBLE: Market analysis and the surrounding land uses indicate a most feasible and practical use being that of support of the proposed surrounding use, following assemblage with the adjoining property.

MAXIMALLY PRODUCTIVE: The most productive use to achieve the highest value of the land is for assemblage with the adjoining property to support the intended use of such.

SITE DESCRIPTION ANALYSIS: The subject parcel consists of approximately 5,556.0 square feet, more or less, of land, rectangular in shape and is currently the undeveloped and unused alley between South 1st and South 2nd Streets, south of the 400 block of East Gallego Avenue. The property is approximately 20.0 feet wide (fronting Gallego Avenue) by 277.80 feet long (north to south). All city utilities including water, sanitary sewer and gas, as well as electricity and telephone, are in place on the adjoining properties or streets. No utilities except those contained within the existing building occupying a portion of the tract are reported on the subject property. The adjoining property is zoned "R-2" for two family residential uses. It is believed that the past use of the property as a neighborhood center, preschool and day care, as well as the proposed future use, will comply with existing zoning regulations. The majority of the surrounding properties are developed to residential uses, with one parcel to the north being a church.

Topography: **Slight slope to the north** **Trees:** **Building and landscaping**

Flood Plain: ☐ YES ☒ NO **Map Panel #:** **480085 0002B**

ENHANCEMENTS: All city utilities in proximity, paved street frontage at north end.

DETRIMENTS: Size, existing building and site improvements.

UTILITIES

ELECT:	☒ YES ☐ NO	**Elect. Provided by:** AEP Texas
GAS:	☒ YES ☐ NO	
TELEPHONE:	☒ YES ☐ NO	
WATER METER:	☐ YES ☒ NO	**Water Provided by:** City of Alpine
WATER WELL:	☐ YES ☒ NO	
PUMP:	☐ YES ☒ NO	
DEPTH:	**Not applicable**	
SEPTIC TANK:	☐ YES ☒ NO	**Size/Condition:** **City Sewer available**

ADDITIONAL COMMENTS:

On the date of inspection, no situation or condition was observed which would be considered to constitute an environmental contamination or concern; however, the appraiser is not qualified to render an opinion of possible environmental concerns or contaminations. The client is advised to consult with an environmental professional concerning any situation that may present an environmental concern.

During the inspection of the subject property, the appraiser did not observe any threatened or endangered species; **however, the appraiser is not qualified to render an opinion of the possible existence of threatened or endangered species.** The client is advised to consult with a qualified professional biologist concerning the possibility of the presence of threatened or endangered species. In the event there is shown to be the presence of threatened or endangered species on the subject property, the appraiser reserves the right to change the opinion of value based upon the property rights lost due to regulations for the protection of threatened or endangered species.

SALES COMPARISON APPROACH

Sales	1	2	3	4	5
Date	4/24/2023	1/20/2023	6/16/2022	7/14/2021	1/31/2020
Address	909 W. Murphy Ave.	904 W. Avenue J	1104 W. Sanderson	203 E. Murphy Ave.	933 E. Gallego
Size/S.F. of Lots	16,664	7,667	13,305	26,145	37,050
Sales Price	$22,000	$21,000	$36,000	$52,300	$60,000
Grantor	Ned Allen	Ned Allen	Christine Johnson	Schaake	Sanchez
Grantee	Montilva & Paredes	Ramon Aguirre	Jose Uranga	Chisos Brewing	Food Pantry
Recording	117302	116718	115490	113171	109576
Price/S.F.	$1.32	$2.74	$2.71	$2.00	$1.62
Financing	$0.00	$0.00	$0.00	$0.00	$0.00
Condition of Sale	$0.00	$0.00	$0.00	$0.00	$0.40
Time	$0.00	$0.00	$0.00	$0.00	$0.00
Adjusted Values	$1.32	$2.74	$2.71	$2.00	$2.02
Size	$0.00	$0.00	$0.00	$0.00	$0.00
Function/Utility	<$0.33>	<$1.42>	<$1.42>	<$1.42>	<$1.42>
Land	$0.00	$0.00	$0.00	$0.00	$0.00
Appeal	$0.00	$0.00	$0.00	$0.00	$0.00
Water	$0.00	$0.00	$0.00	$0.00	$0.00
Improvements	$0.00	$0.00	$0.00	$0.00	$0.00
Other	$0.00	$0.00	$0.00	$0.00	$0.00
Total Adjustments	$0.00	$0.00	$0.00	$0.00	$0.00
Adjusted Values	$0.99	$1.32	$1.29	$0.58	$0.60

ADJUSTED PRICE: $ 0.60 per square foot X 5,556.0 square feet = $ 3,333.60

Rounded to $ 3,300.00

MARKET ANALYSIS

The subject parcel is located in the south-central part of Alpine, on the south side of East Gallego Avenue and is approximately 5,556 square feet (0.128 acres) in size. The five sales utilized in the analysis are considered the most current transactions having similarity to the subject property in most aspects. The sales set forth range from 7,667 square feet to 37,050 square feet in total size and all have taken place in a period of just over four years prior to the effective date of value. Unadjusted, the sales prices range from $1.32/sq. ft. to $2.74/sq. ft.

Sale 5 is adjusted upward by 20 percent for Condition of Sale. Given the non-profit status of the buyer (Food Pantry of Alpine) and the intended use of the property being construction of a new food bank building, the seller of the property discounted the sales price by 20 percent from the initial listing price.

In comparing the five sales to each other and to the subject parcel, each of the sales are considered to have superior utility, primarily in terms of the size and layout of the lot. The subject property is unique in being a much smaller size and shape than most city lots in Alpine, measuring approximately 20 feet wide by 278 feet long. It is currently owned by the City of Alpine and is the undeveloped, unused north to south alley located in the city block bounded by East Gallego Avenue on the north and South 1st (east) and South 2nd (west) Streets. The south side is bounded by an acreage homesite parcel.

A diligent search of all available data revealed minimal sales of vacant properties of comparable size, especially with respect to the width to length ratio. Each of the sales discovered were conveyances of similar undeveloped, unopened streets or alleys sold by the City of Alpine to the adjoining property owner. These sales occurred from mid-2017 through late 2021 and included tracts of 3,920 to 16,553 square feet in size. The sales prices ranged from $0.36 to $1.50 per square foot, depending upon location, size and utility.

As discussed, the subject's size is not capable of supporting a residential or commercial construction due to the reduced tract width and location in the center of a fully developed city block. When these factors are considered along with the current existing building and site improvements, the highest and best use of the parcel is assemblage with the adjoining property. For all these reasons, the subject parcel is considered greatly inferior in terms of function and utility to the normal sized vacant parcel selling on the open market in Alpine.

Through comparison of these and other sales in the subject market, adjustment levels of 25 to 60 percent were indicated for the reduced function and utility found in the subject. Due to the unique circumstances found in the subject property (building and site improvements), as well as the four prior conveyances of similar properties by the City of Alpine, an adjustment amount at the top of the indicated range is considered appropriate to address the reduced function and utility of the subject parcel. The adjustment in Sales 2 through 5 is derived by applying a 60 percent discount to the mean value of these four sales ($2.37/sf), yielding an adjustment amount of $1.42 per square foot. The lower unadjusted sales price in Sale 1 ($1.32/sf) is believed to be due to the property adjoining the Union Pacific Railroad, a very active rail line passing through Alpine. This sale is adjusted downward at a level of 25 percent, the lower end of the indicated range due to the lower sale price.

As mentioned previously, the subject property's highest and best use is considered to be the assemblage of land with the adjoining property, such being the five lots lying on both sides of the unused alley which comprise the larger parcel.

Following all adjustments derived through comparison and analysis, the value range indicated by the comparable sales is $0.58 to $1.32 per square foot, with the mean of the range being $0.956 per square foot.

The mean value of the range of the four City of Alpine conveyances discussed above is $0.845 per square foot. Due to the diminished market appeal, the lack of functional utility due to size, the existing improvements present and the stated highest and best use of the subject parcel, a value near the lower end of the indicated range presented is considered to be representative of the market value of the subject, as of the effective date of valuation. As supported by the data and analysis presented, the indicated market value of the subject, by the Sales Comparison Approach, as of March 25, 2024, is $0.60 per square foot or $3,300.00 (rounded).

ASSUMPTIONS AND LIMITING CONDITIONS

1. LIMIT OF LIABILITY: The liability of the appraiser and employees is limited to the client and to the fee collectec Further, there is no accountability, obligation, or liability to any third party. If this report is placed in the hands of anyone other than th client, the client will make such party aware of all limiting conditions and assumptions of the assignment and related discussions. Th Appraiser assumes no responsibility for any costs incurred to discover or correct any deficiencies of any type present in the property physically, financially, and legally.

2. COPIES, PUBLICATION, DISTRIBUTION, USE OF REPORT: Possession of this report or any copy thereof does no carry with it the right of publication, nor may it be used for other than its intended use; the physical reports(s) remain the property of th appraiser for the use of the client – the fee being for the **analytical services only.**

The Bylaws and Regulations of the American Society of Farm Managers and Rural Appraisers require each Member o Candidate to control the use and distribution of each appraisal report signed by such Member or Candidate; except as hereinafte provided, the client may distribute copies of this appraisal report in its entirety to such third parties as he may select; however, selectec portions of this appraisal report will not be given to third parties without the prior written consent of the signatories of this appraisa report. Neither all nor any part of this appraisal report will be disseminated to the general public communication without the prior writter consent of the appraiser. (See last items in following list for client agreement/consent).

3. CONFIDENTIALITY: This appraisal is to be used only in its entirety and no part is to be used without the entire report. All conclusions and opinions concerning the analysis set forth in the report were prepared by the Appraiser(s) whose signatures(s) appear on the appraisal report, unless indicated as "Review Appraiser." No change of any item in the report will be made by anyone other than the Appraiser(s). The Appraiser(s) will have no responsibility if any such unauthorized change is made.

The Appraiser(s) may not divulge the material (evaluation) contents of the report, analytical findings or conclusions, or give a copy of the report to anyone other than the client or his designee as specified in writing except as may be required by the American Society of Farm Managers and Rural Appraisers as they may request in confidence of ethics enforcement, or by court of law or body with the power of subpoena.

4. TRADE SECRETS: This appraisal was obtained from Superior Land Services LLC, Paul V. Loeffler, Appraiser and Consultant, or related independent contractors and/or appraiser trainees and consists of "trade secrets and commercial or financial information" which is privileged and confidential and exempted from disclosure under 5 U.S.C. 552(b)(4). Notify the appraiser(s) signing the report of any request to reproduce this appraisal in whole or part.

5. INFORMATION USED: No responsibility is assumed for accuracy of the information furnished by work of others, the client, his designee, or public records. I am not liable for such information or the work of possible subcontractors. Be advised that some of the people associated with the Appraiser and possibly signing the report is independent contractors. The comparable data relied upon this report has been confirmed with one or more parties familiar with the transaction or from affidavit or other sources thought reasonable; all are considered appropriate for inclusion to the best of our factual judgment and knowledge. An impractical and uneconomic expenditure or time would be required in attempting to furnish unimpeachable verification in all instances, particularly as to engineering and market related information. It is suggested that the client consider independent verification as a prerequisite to any transaction involving sale, lease, or other significant commitment of funds for the subject property.

6. TESTIMONY AND COMPLETION OF CONTRACT FOR APPRAISAL SERVICES: The contract for appraisal, consultation or analytical services is fulfilled and the total fee payable upon completion of the report. The appraiser(s) or those assisting in preparation of the report will not be asked or required to give testimony in court or hearing because of having made the appraisal, in full or in part, nor engage in post appraisal consultation with client or third parties except under separate and special arrangement and at an additional fee. If testimony or deposition is required because of subpoena, the client will be responsible for any additional time, fees, and charges, regardless of issuing party.

7. EXHIBITS: The sketches and maps in this report are included to assist the reader in visualizing the property and are not necessarily to scale. Various photos, if included, are included for the same purpose as of the date of the photos. Site plans are not surveys unless shown from a separate surveyor.

8. LEGAL, ENGINEERING, FINANCIAL, STRUCTURAL, OR MECHANICAL, HIDDEN COMPONENTS, SOIL: No responsibility is assumed for matters legal in character or nature, nor matters of a survey, nor of any architectural, structural, mechanical, or engineering nature. No opinion is rendered as to the title, which is presumed to be merchantable. The property is appraised as if free and clear, unless otherwise stated in particular parts of the report. The legal description is assumed to be correct as used in this report as furnished by the client, his designee, or as derived by the appraiser(s).

Please note that no advice is given regarding mechanical equipment or structural integrity or adequacy, nor soils and potential for settlement, drainage (seek assistance from a qualified architect and/or engineer); nor matters concerning liens, title status, and legal marketability (seek legal assistance). The lender and owner should inspect the property before any disbursement of funds; further, it is

likely that the lender or owner may wish to require mechanical or structural inspections by qualified and licensed contractors, civil c structural engineer, architect, or other expert.

The appraiser(s) have inspected as far as possible by observation the land and improvements; however, it was not possible t personally observe conditions beneath the soil or hidden structural components. We have not critically inspected mechanical component in the improvements, and no representations are made herein as to these matters unless specifically stated and considered in the repor The value estimates consider there being no such conditions that would cause a loss in value. The land or the soil of the area bein appraised appears firm; however, subsidence in the area is unknown. The appraiser(s) do(es) not warrant against this condition o occurrence of problems arising from soil conditions. As these are Extraordinary Assumptions, the appraiser(s) reserve(s) the right t change the opinion of value based upon conditions disclosed following the report date pursuant to U.S.P.A.P. Standard Rule 2-2(a)(xi).

The appraisal is based on there being no hidden, unapparent, or apparent conditions of the property site, subsoil, or structures o toxic materials which would render it more or less valuable. No responsibility is assumed for any such conditions or for any expertise o engineering to discover them. All mechanical components are assumed to be in an operable condition and status standard for properties o the subject type. Conditions of heating, cooling, ventilating, electrical, and plumbing equipment are considered to be commensurate witl the condition of the balance of the improvements unless otherwise stated. No judgment may be made by us as to adequacy of insulation type of insulation, or energy efficiency of the improvements or equipment which is assumed standard for subject age and type. As thes are Extraordinary Assumptions, the appraiser(s) reserve(s) the right to change the opinion of value based upon conditions disclose following the report date pursuant to U.S.P.A.P. Standard Rule 2-2(a)(xi).

The Appraiser(s) assume(s) no responsibility for any costs or consequences arising due to the need or the lack of need for floo hazard insurance. An Agent for The Federal Flood Insurance Program should be contacted to determine the actual need for Flood Hazar Insurance.

This appraisal report does not constitute a property inspection and cannot be relied upon to disclose defects or conditions in the property.

9. LEGALITY OF USE: The appraisal is based on the premise that there is full compliance with all applicable federal, state and local environmental regulations and laws unless otherwise stated in the report; further, that all applicable zoning, building, and use regulations and restrictions of all types have been complying with unless otherwise stated in the report; further, it is assumed that all required license, consents, permits or other legislative or administrative authority by local, state, federal and/or private entities or organizations have been or can be obtained or renewed for any considered in the value estimate.

10. COMPONENT VALUES: The distribution of the total valuation in this report between land and improvements apply only under the existing program of utilization. The separate valuations for land and building must not be used in conjunction with any other appraisal and is invalid if so used.

11. INCLUSIONS: Furnishings and equipment or personal property or business operations, except as specifically indicated and typically considered as a part of real estate, have been disregarded with only the real estate being considered in the value estimate unless otherwise stated. In some property types, business and real estate interests and values are combined.

12. PROPOSED IMPROVEMENTS, CONDITIONED VALUE: Improvements proposed, if any, on or off-site, as well as any repairs required, are considered, for purposes of this appraisal, to be completed in workmanlike manner according to information submitted and/or considered by the appraisers. In cases of proposed construction, the appraisal is subject to change upon inspection of property after construction is completed. This estimate of market value is as of the date shown, as proposed, as if completed and operating at levels shown and projected.

13. VALUE CHANGE & ALTERATION OF ESTIMATE BY APPRAISER(S): The estimated market value, which is defined in the report, is subject to change with market movement over time; value is highly related to exposure, time, promotional effort, terms, motivation, and conditions surrounding the offering. The value estimate considers the productivity and relative attractiveness of the property physically and economically in the marketplace as it contributes to an economic or social need.

In cases of appraisals involving capitalization of income benefits, the estimate of market value or investments value or value in use is a reflection of such benefits and the appraiser's interpretation of income, yields, and other factors derived from general and specific client and market information. Such estimates are reported as of a specific date; they are thus subject to change since the market and value are naturally dynamic.

The "Estimate of Market Value" in the appraisal report is not based in whole or in part upon the race, color, or national origin of the present owners or occupants of the properties in the vicinity of the property appraised.

14. CHANGE: Appraisal report and value estimates are subject to change if physical, legal entity, or financing different from envisioned at the time of writing this report becomes apparent at a later date.

15. MANAGEMENT OF THE PROPERTY: It is assumed that the property which is the subject of this report will be under prudent and competent ownership and management, neither inefficient nor super-efficient. As these are Extraordinary Assumptions, the appraiser reserves the right to change the opinion of value based upon conditions disclosed following the report date pursuant to U.S.P.A.P. Standard Rule 2-2(a)(xi).

16. CONTINUING EDUCATION: A mandatory continuing education program is in place for those appraisers certified by the Texas Appraiser Licensing and Certification Board and the appraiser(s) signing the report is current under this program.

17. FEE: The fee for this appraisal or study is for the service rendered and not for the time spent on the physical report or the physical report itself. The compensation (fee) for the preparation of this appraisal report has no relation to the final values reported.

18. CHANGES & MODIFICATIONS: The appraiser(s) reserves the right to alter statements, analysis, conclusions or any value estimate in the appraisal if there becomes known to the undersigned facts pertinent to the appraisal process which were unknown to us/me at the time of report preparation.

19. MINERAL RIGHTS, NOISE, AND ENVIRONMENTAL CONCERNS: Mineral rights, noise, and environmental factors have not been given segregated consideration except as noted; they have been treated with the whole.

20. ACCEPTANCE OF, AND/OR USE OF, THIS APPRAISAL REPORT BY THE CLIENT OR ANY THIRD PARTY CONSTITUTES ACCEPTANCE OF THE ABOVE CONDITIONS.

CERTIFICATE OF APPRAISAL

I certify that, to the best of my knowledge and belief:

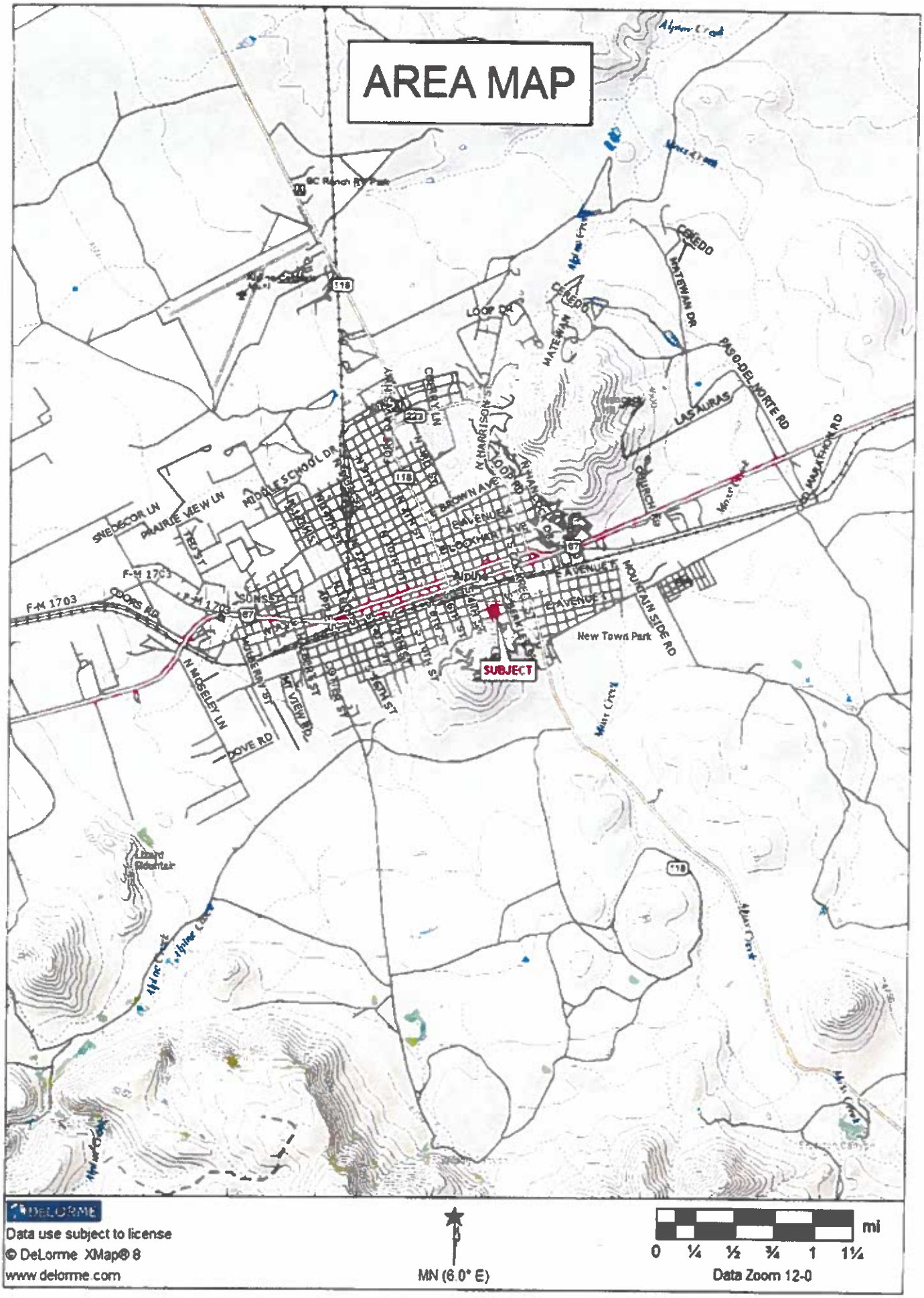
- the statements of fact contained in this report are true and correct.
- the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no personal bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- my engagement in this assignment was not contingent upon developing or reporting predetermined results.
- my compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- my analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice (U.S.P.A.P.)* and the Code of Professional Ethics of the American Society of Farm Managers and Rural Appraisers.
- The use of this report is subject to the requirements of the Texas Appraisers Licensing and Certification Board relating to review by their duly authorized representatives.
- I, Paul V. Loeffler, am currently certified under the mandatory continuing education programs of the Texas Appraisers Licensing and Certification Board.
- I have made a personal inspection of the property that is the subject of this report.
- no one has provided significant real property appraisal assistance to the person signing this certification.

Respectfully submitted,

Paul V. Loeffler

Paul V. Loeffler
Texas Certified General Real Estate Appraiser
License No. 1327826-G

AREA MAP



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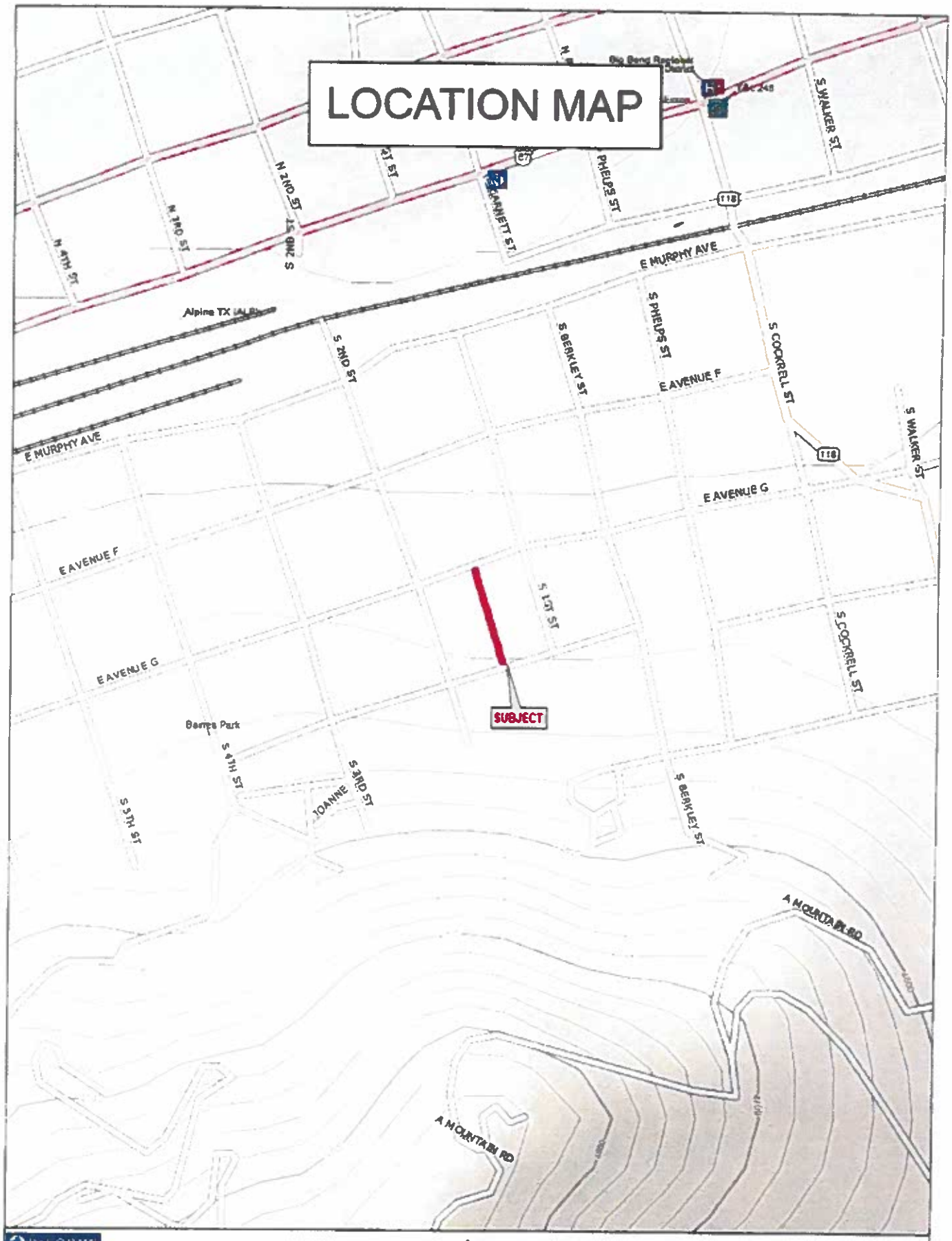
LOCATION MAP



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MN (6.0° E)

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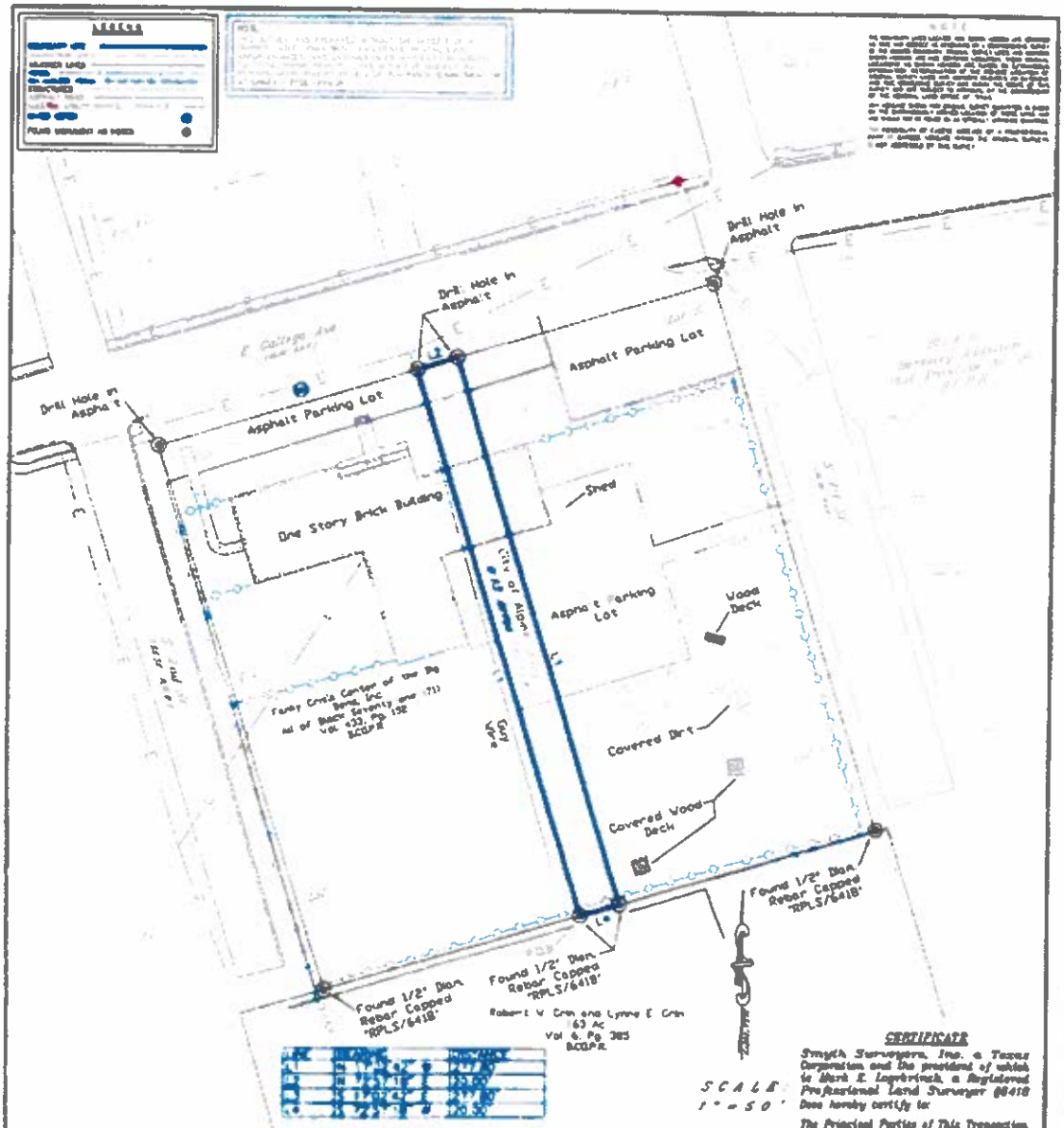
Data Zoom 15-5



PLAT SHOWING:

Being a Boundary Survey of 0.13 Acres, more or less, lying in Brewster County, Texas, being all of the platted alley of Block Seventy-one of the Original Townsite of Murphysville (now Alpine), as shown on the Plat of the Original Townsite of Alpine, recorded in Plat Envelope No. 184 of the Brewster County Plat Records, Brewster County, Texas.

CERTIFICATE

Smyth Surveyors, Inc. a Texas Corporation and the president of which is Mark E. Lagerstrand, a Registered Professional Land Surveyor #6418 Does hereby certify to:

The Principal Parties of This Transaction.

STATE OF TEXAS:
COUNTY OF UVALDE:

I, MARK E. LAGERSTRAND, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND BY MEN WORKING UNDER MY SUPERVISION AND THAT SAME IS TRUE AND CORRECT ACCORDING TO SAID SURVEY. THE PLAT AS PREPARED HAS A LIKENESS OF MY SEAL, IN THE COLOR RED, HEREON, AND IS ALSO EMBOSSED WITH MY IMPRESSION SEAL. IF THIS PLAT DOES NOT HAVE THESE TWO CONDITIONS FULFILLED, IT IS A COPY AND MAY HAVE BEEN ALTERED. I ASSUME NO RESPONSIBILITY FOR COPIES OF THE PLAT OTHER THAN THE COPIES BEARING MY ORIGINAL SEALS AND SIGNATURE.

COMPLETED: MAY 16, 2023

Mark E. Lagerstrand
REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 6418
SMYTH SURVEYORS, INC.
235 N. GETTY ST. SUITE B
UVALDE, TEXAS 78801
PHONE 830-591-0858

PREPARED FOR
FAMILY CRISIS CENTER OF THE BIG BEND, INC
C/O RHONDA COLE
A+ REAL ESTATE CO
PO BOX 1214
ALPINE, TX 79831
rhonda24@aplpine.net

PURPOSE OF SURVEY
BOUNDARY/IMPROVEMENT

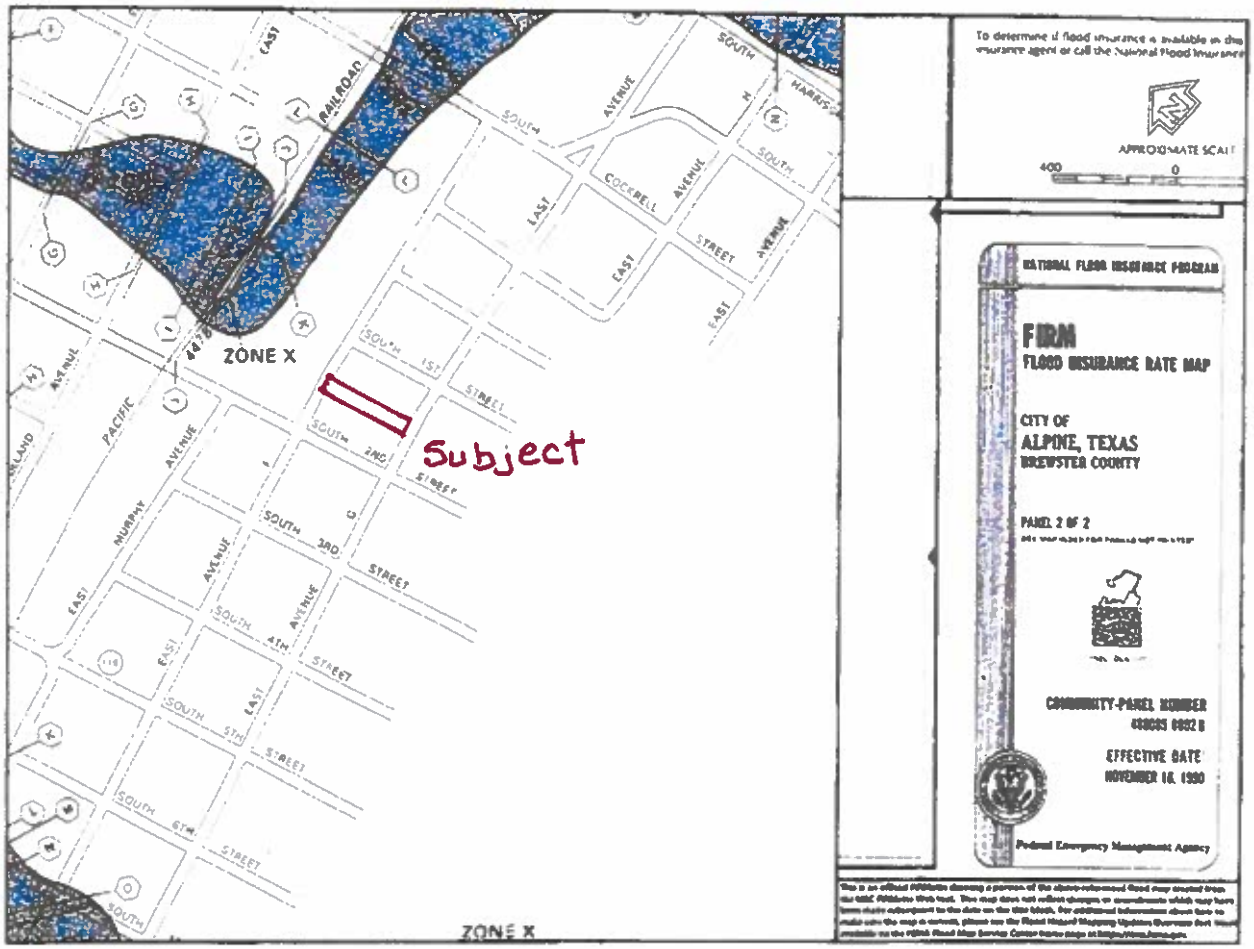
UNAUTHORIZED ALTERATION OF CERTIFIED MATERIAL IS FORGERY

Smyth Surveyors, Inc. *FIRM #10006800*

235 N. GETTY ST.
SUITE B
UVALDE, TEXAS 78801
PHONE 830-591-0858

PROJECT NO.	23-0447	CHK'D BY:
DRAWING NO.	23-0447A	
DATE:	MAY 16, 2023	

SUBJECT FLOOD MAP

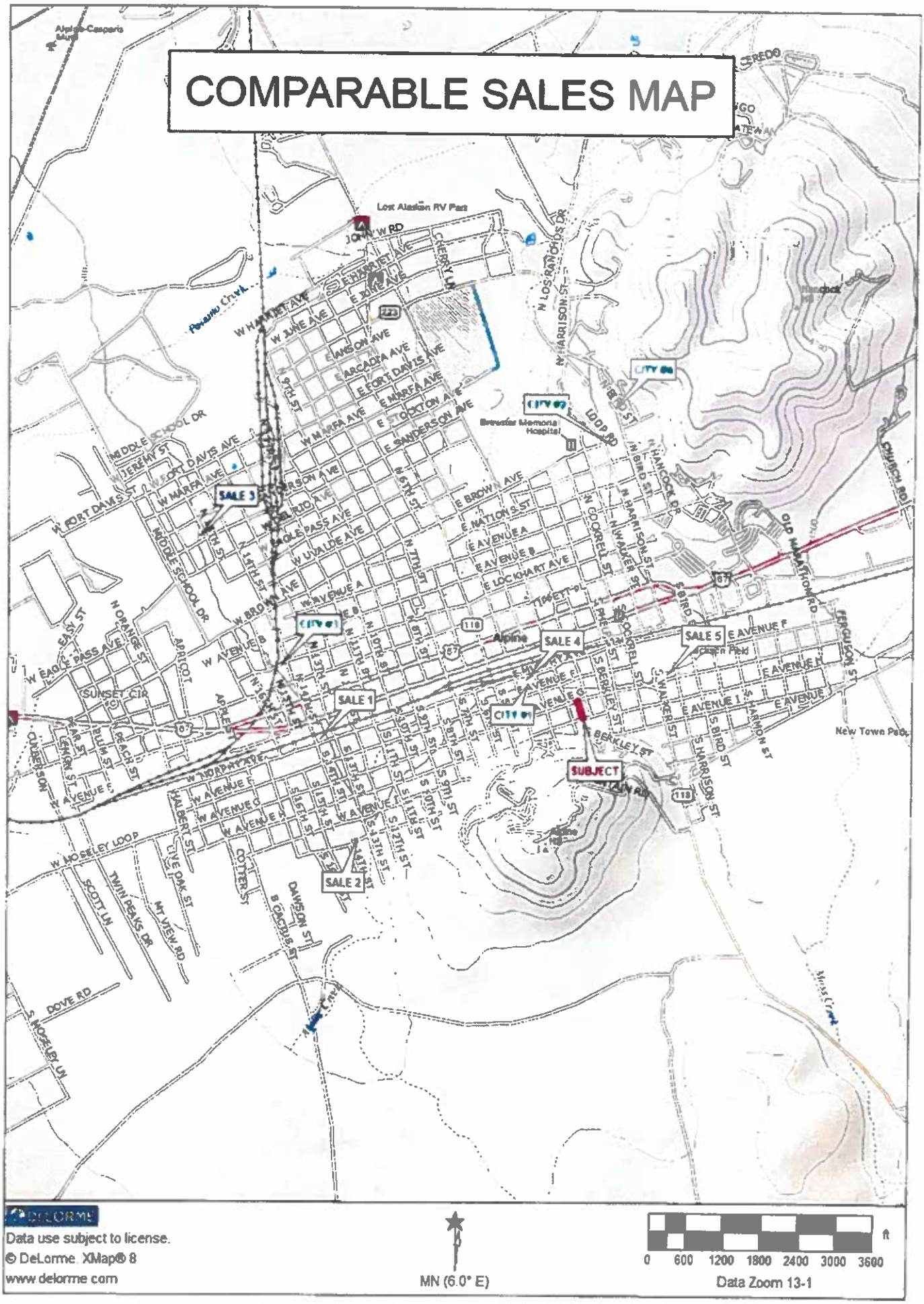


SUBJECT PHOTOS

Subject property, facing south from E. Gallego Ave. Alley R-O-W extends through the building.

Subject property, facing north along east line (stake) from the south end. Alley R-O-W extends through yard and building to East Gallego Avenue

COMPARABLE SALES MAP



TALCB

TEXAS APPRAISER LICENSING & CERTIFICATION BOARD

Certified General Real Estate Appraiser

Appraiser: **PAUL VICTOR LOEFFLER**

License #: **TX 1327826 G** License Expires: **04/30/2024**

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 General Real Estate Appraiser

For additional information or to file a complaint please contact TALCB at www.talcb.texas.gov.

Chelsea Buchholtz
Commissioner

CITY COUNCIL

MEETING AGENDA ITEM COVER MEMO

MAY 7, 2024

To: Honorable Mayor and City Council
Agenda Item: Action Item 3 – Ordinance 2024-05-01
Agenda Sponsor: M. Antrim, City Manager
Memo Prepared By: G. Calderon, City Secretary

SYNOPSIS

Approve the first reading of Ordinance 2024-05-01, an ordinance approving Rezone Application 2024-04-01; Amending the official zoning map of the city by rezoning the property located at 1702 East Avenue H and legally described as Thomas Derrick Addition, Block 20; Lots 3-11, Lots 15-20, and Lots 21 & 22; located In Alpine, Brewster County, Texas as the same appears in the Map or Plat Records on file in the Office of the County Clerk of Brewster County, Texas; Rezoning the subject property from R-4 Mobile Home District to C-1 Neighborhood Commercial District. The property ID of the subject property is 12816. The record property owner is Vicky R. Vega. The Planning & Zoning Commission has recommended denial of this application. (M. Antrim, City Manager)

BACKGROUND

- The applicant seeks to establish a European Mounting site at the subject property. If this zoning designation is approved, the designation would be considered a non-contiguous zoning designation, also commonly referred to as a "spot zone," which is typically illegal in Texas.
- In 2016, the Council updated Appendix C – Zoning, Sections 20-21, were updated by Ordinance 2016-08-02 and included the ability for a member of the Planning & Zoning Commission or the City Council to initiate a non-contiguous zoning request.
- The Planning & Zoning Commission unanimously recommended denial of the application and zoning designation change at the April 22, 2024 meeting. Under Section 21.11 to the Alpine Code of Ordinances, this recommendation of denial results in the requirement that a three-fourths vote of the Council Members must vote in favor in order for the zoning designation to be approved.
- Chapter 211 of the Texas Local Government code states that "the governing body by ordinance may provide that the affirmative vote of *at least three-fourths of **all** its members* is required to overrule a recommendation of the municipality's zoning commission that a proposed change to a regulation or boundary be denied." This will result in the requirement that 4 members be present and voting in favor to ultimately pass the zoning change.
- The Planning & Zoning Commission unanimously recommended an ordinance change that would remove the ability for a spot zone to be initiated by the Planning & Zoning Commission or the City Council. The proposed ordinance is scheduled for consideration by the City Council on 5/21/24.

EXCERPTS FROM THE TEXAS LAW AND PROCEDURE MANUAL

- The Texas Supreme Court has defined "spot zoning" as "an unacceptable amendatory ordinance that singles out a small tract for treatment that differs from that accorded similar surrounding land without proof of changes in conditions." *Pharr v. Tippitt, 616 S.W.2d 173, 177* (Tex. 1981). The Court also describes spot zoning as "preferential treatment which defeats a pre-established comprehensive plan," and "piecemeal zoning."
- To spot zone is to rezone a lot or parcel to benefit an owner for a use incompatible with surrounding land uses and that does not further the comprehensive zoning plan (i.e., an arbitrary departure from the comprehensive plan). The power to amend cannot be arbitrarily exercised. It cannot be exercised merely because someone wants it done. Zoning amendments can be exercised when the public good requires such action. When the adjoining landowners buy their land, they (to an extent) should be able to rely upon the classification which existed at the time the purchase was made.
- The Texas Supreme Court established 4 guidelines to be applied in a balancing test to determine whether a rezoning constitutes spot zoning:
    1) The law demands that an approved zoning plan should be respected and not altered for the special benefit of a landowner when the change will cause substantial detriment to the surrounding lands or serve no substantial public purpose.
    2) "The nature and degree of an adverse impact upon neighboring lands is important. Lots that are rezoned in a way that is substantially inconsistent with the zoning of the surrounding area, whether more or less restrictive, are likely to be invalid."
    3) Another factor to consider is the suitability or unsuitability of the tract's use as it is presently zoned. "The size, shape, and location of a lot may render a tract unusable or even confiscatory as zoned."
    4) The amendment "must bear a substantial relationship to the public health, safety, morals, or general welfare." However, the rezoning ordinance may be justified "if the substantial public need exists," even though it results in the landowner's windfall.
- Be prepared to expressly justify a rezoning based on the Comprehensive Plan or consider first modifying the Comprehensive Plan. To a large extent, the legal validity of rezoning a small tract may depend on: (a) documentation of changes in area conditions, and (b) whether the rezoning corroborates or carries on the principles of the city's comprehensive plan. Many municipal zoning codes follow what is commonly referred to as the Maryland Rule (aka, "Change or Mistake Rule") pursuant to which rezoning a particular tract can only be justified if there has been a documented change in conditions or circumstances for the area, or the municipality determines it was a mistake to assign the current zoning designation to that piece of property.
- The Office of the City Attorney approved of the zoning change if the Council wishes to pursue the zoning change designation.

SUPPORTING MATERIALS

1. Ordinance 2024-05-01.

STAFF RECOMMENDATION

APPROVE.

STATE OF TEXAS CITY OF ALPINE

COUNTY OF BREWSTER

ORDINANCE 2024-05-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS APPROVING REZONE APPLICATION 2024-04-01; AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY REZONING THE PROPERTY LOCATED AT 1702 E AVENUE H AND LEGALLY DESCRIBED AS THOMAS DERRICK ADDITION, BLOCK 20; LOTS 3-11, LOTS 15-20, AND LOTS 21 & 22; LOCATED IN ALPINE, BREWSTER COUNTY, TEXAS AS THE SAME APPEARS IN THE MAP OR PLAT RECORDS ON FILE IN THE OFFICE OF THE COUNTY CLERK OF BREWSTER COUNTY, TEXAS; REZONING THE SUBJECT PROPERTY FROM R-4 MOBILE HOME DISTRICT TO C-1 NEIGBORHOOD COMMERCIAL DISTRICT; PROVIDING FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING CLAUSES.

WHEREAS, Council Member Martin Sandate, Ward 4 Council Member, initiated a zoning change to update the zoning designation from R-4 Mobile Home District to C-1 Neighborhood Commercial District for the property located at 1702 E Avenue H on behalf of the property owner; and

WHEREAS, the subject property is legally described as Thomas Derrick Addition, Block 20; Lots 3-11, Lots 15-20, and Lots 21 & 22; located In Alpine, Brewster County, Texas as the same appears in the Map or Plat Records on file in the Office of the County Clerk of Brewster County, Texas; and

WHEREAS, the subject property has a Property ID of 12816 in the public records of Brewster County, Texas, and the record owner of the property is Vicky R. Vega; and

WHEREAS, the applicant of the rezoning application, Vicky R. Vega, seeks to establish taxidermy cleaning service, the use of which is not acceptable under the current zoning designation; and

WHEREAS, on April 22, 2024, the Planning & Zoning Commission of the City of Alpine held a public hearing regarding the request to rezone, public notice of which was duly provided to the public in the March 28, 2024 edition of the official newspaper of the city; and

WHEREAS, the Planning & Zoning Commission voted unanimously to recommend denial of the rezoning request; and

WHEREAS, the City Council held a public hearing on May 21, 2024, regarding the request to rezone, public notice of which was duly provided to the public in the March 28, 2024 edition of the official newspaper of the city; and

WHEREAS, notices were sent by United States Postal Service mail to property owners within 200 feet regarding the times and places of the public hearings at least 10 days prior to said hearings; and

WHEREAS, pursuant to Section 21.11, Appendix A – Zoning, the City Council may approve the zoning designation that the Planning & Zoning Commission has not recommended approval of upon approval of three-fourths of the members of the City Council; and

WHEREAS, Chapter 211 of the Texas Local Government Code provides that municipalities have the authority to regulate zoning; and

WHEREAS, Section 2.01(B)(8) of the City's Charter provides the City to provide land use and development regulations, including zoning regulations, by ordinance; and

WHEREAS, Sec. 21.02 of Alpine's zoning ordinance state that the boundaries of the districts proposed in a zoning application may be noncontiguous if the zoning is initiated by the council or the planning and zoning commission; and

WHEREAS, after receiving a recommendation from the Planning & Zoning Commission, receiving resident feedback, and receiving feedback from City Staff, the City Council deems it to be in the best interest of the City to approve the zoning change of the subject property as requested by the applicant.

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

SECTION I
FINDINGS OF FACT

Each and every one of the recitals, findings, and determinations contained in the preamble of 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 repeated and incorporated herein as if copied in their entirety.

SECTION II
ZONING CHANGE

The zoning designation of C-1 Neighborhood Commercial District is hereby approved for the property located at 1702 East Avenue H and legally described as Thomas Derrick Addition, Block 20; Lots 3-11, Lots 15-20, and Lots 21 & 22; located In Alpine, Brewster County, Texas as the same appears in the Map or Plat Records on file in the Office of the County Clerk of Brewster County, Texas. The official zoning map of the City is hereby amended to reflect the updated zoning.

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
PUBLIC HEARING

A public hearing was held on May 21, 2024, where interested parties had the opportunity to make public comments on this ordinance prior to approval. Notice of the date and time of the hearings, and notice of how to obtain copies of the proposed documents, was published in the Alpine Avalanche, the official newspaper of the City of Alpine.

SECTION VII
EFFECTIVE DATE

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

PASSED AND ADOPTED THIS 21st DAY OF MAY 2024 BY A THREE-FOURTHS VOTE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.

INTRODUCTION AND FIRST READING

MAY 7, 2024

SECOND AND FINAL READING

MAY 21, 2024

APPROVED:

_____

Catherine Eaves, Mayor

ATTEST:

_____

Geoffrey R. Calderon, City Secretary

APPROVED AS TO FORM:

_____

City Attorney

CITY OF ALPINE BUILDING SERVICES DEPARTMENT
309 W SUL ROSS AVENUE ALPINE, TX 79830
(432) 837-3281

APPLICATION FOR REZONING & CONDITIONAL USE PERMIT

Section 21.03. The city council shall have jurisdiction with respect to all rezone requests. The planning and zoning commission shall review and submit a recommendation to the city council on all applications for rezoning.

ADDRESS OF PROPERTY:		**ACREAGE OF SITE:**	
1702 E Ave H		Less than one	
LEGAL DESCRIPTION:		**CURRENT ZONE:**	
TD block 20 Lot 3 thru lland 15 Thru 20		R4	
PROPERTY OWNER:	**APPLICANT NAME:**	**TELEPHONE:**	**EMAIL:**
Vicky Vega	Martin Sandate	4322942093	wardysandateci alpine tx.us
APPLICANT MAILING ADDRESS:	**CITY, STATE & ZIP:**		
1107 E Ave I	Alpine TX 79830		
APPLICANT MAILING ADDRESS:		**CITY, STATE & ZIP:**	
1702 E Ave H		Alpine TX 79830	
PROJECT FOR WHICH REZONING IS SOUGHT:		**APPLICAPLE SECTION/SUBSECTION ORDINANCE:**	
Commercial			
SPECIFIC USE OF THE PROPERTY:		**EXISTING USES OF ADJACENT PROPERTIES:**	
Taxidermy cleaning service		residenial	
PARCEL ID#: 12816		**SURVEY INCLUDED:** ☐	

***If the applicant is not the legal owner of the property, a signed statement by the owner that the applicant is the authorized agent of the owner of the property*

REZONING CHECKLIST

Initiation of zoning or rezoning:

☐ **Section 21.01. Zoning or rezoning of property may be initiated by the:**

☑ Council;

☐ Planning and zoning commission;

☐ Record owner;

☐ Petition of:

a. The owners of at least 51 percent of the land, by land area, in the proposed district; or

b. At least 51 percent of the owners of individual properties in the proposed district.

i. Property owned by the City Of Alpine or other governmental entities shall be fully excluded from the area subject to petition of the owners, except such property may be included in support if it contains structures or features that

contribute to the historic character of the district, as determined by the historic landmark commission. The amount of such property to be calculated as supporting shall not exceed one-third of the 51 percent of the land in the proposed district.

(Ord. No. 2016-08-02, 9-20-16; Ord. No. 2016-10-03, 11-1-16)

☐ **Section 21.02. Proposed district boundaries must be contiguous.**

Except as provided in section 21.01, the boundaries of the districts proposed in a zoning or rezoning application must be contiguous.

*** The boundaries of the districts proposed in a zoning application may be noncontiguous if the zoning is initiated by the council or the planning and zoning commission. (Ord. No. 2016-08-02, 9-20-16; Ord. No. 2016-10-03, 11-1-16*

SUBMITTAL VERIFICATION/INSPECTION AUTHORIZATION:

I as owner of the property hereinafter referenced, do hereby execute this document, and acknowledge the above statements to be true and, accurate to the best of knowledge. I have received, read and understand the terms and conditions of this request and agree to compliance with all applicable codes and ordinances of the City. I authorize the City or their representatives to visit and inspect the property for which this application is being submitted

OPTIONAL:

_____ I authorize my duly authorized agent to coordinate with the City and its representatives and speak in my behalf for the purpose of representing me in regards to this request

APPLICANT SIGNITURE Martin Sandate

PRINTED NAME Martin Sandate **DATE** 03/12/2024

FOR STAFF USE ONLY

PERMIT # 24-007410

TOTAL FEE$ 0 EXEMPT

DATE: 03/14/24

Section 21.15. Refunds.

The fees established shall be non-refundable to the applicant unless the request is completely withdrawn before the procedure of notices as set forth in section 20.13 have begun.

(Ord. No. 2016-08-02, 9-20-16; Ord. No. 2016-10-03, 11-1-16)

RECEIVED

MAR 14 2024

Section 21.04. -Conditional Use Permit Application fee $250.00 & $100.00 REZONING Application Fee Total amount due: $350.00

CITY COUNCIL

MEETING AGENDA ITEM COVER MEMO

MAY 7, 2024

To: Honorable Mayor and City Council
Agenda Item: Action Item 4 – Ordinance 2024-05-02
Agenda Sponsor: M. Antrim, City Manager
Memo Prepared By: G. Calderon, City Secretary

SYNOPSIS

Approve the first reading of Ordinance 2024-05-02, an ordinance approving Rezone Application 2024-04-02; Amending the official zoning map of the city by rezoning the property located at 601 South Walker Street and legally described as Lots No. Three (3), Four (4), and Five (5), Block Forty-Nine (49), Hancock Addition (South of the Railroad) to the City of Alpine, Brewster County, Texas; Rezoning the subject property from R-4 Mobile Home District to C-1 Neighborhood Commercial District. The property ID of the subject property is 10842. The record property owner is Melinda Vega. The Planning & Zoning Commission has recommended denial of this application. (M. Antrim, City Manager)

BACKGROUND

- The applicant seeks to establish an art studio at the subject property. If this zoning designation is approved, the designation would be considered a non-contiguous zoning designation, also commonly referred to as a "spot zone," which is typically illegal in Texas.
- In 2016, the Council updated Appendix C – Zoning, Sections 20-21, were updated by Ordinance 2016-08-02 and included the ability for a member of the Planning & Zoning Commission or the City Council to initiate a non-contiguous zoning request.
- The Planning & Zoning Commission unanimously recommended denial of the application and zoning designation change at the April 22, 2024 meeting. Under Section 21.11 to the Alpine Code of Ordinances, this recommendation of denial results in the requirement that a three-fourths vote of the Council Members must vote in favor in order for the zoning designation to be approved.
- Chapter 211 of the Texas Local Government code states that "the governing body by ordinance may provide that the affirmative vote of *at least three-fourths of **all** its members* is required to overrule a recommendation of the municipality's zoning commission that a proposed change to a regulation or boundary be denied." This will result in the requirement that 4 members be present and voting in favor to ultimately pass the zoning change.
- The Planning & Zoning Commission unanimously recommended an ordinance change that would remove the ability for a spot zone to be initiated by the Planning & Zoning Commission or the City Council. The proposed ordinance is scheduled for consideration by the City Council on 5/21/24.

EXCERPTS FROM THE TEXAS LAW AND PROCEDURE MANUAL

- The Texas Supreme Court has defined "spot zoning" as "an unacceptable amendatory ordinance that singles out a small tract for treatment that differs from that accorded similar surrounding land without proof of changes in conditions." *Pharr v. Tippitt, 616 S.W.2d 173, 177* (Tex. 1981). The Court also describes spot zoning as "preferential treatment which defeats a pre-established comprehensive plan," and "piecemeal zoning."
- To spot zone is to rezone a lot or parcel to benefit an owner for a use incompatible with surrounding land uses and that does not further the comprehensive zoning plan (i.e., an arbitrary departure from the comprehensive plan). The power to amend cannot be arbitrarily exercised. It cannot be exercised merely because someone wants it done. Zoning amendments can be exercised when the public good requires such action. When the adjoining landowners buy their land, they (to an extent) should be able to rely upon the classification which existed at the time the purchase was made.
- The Texas Supreme Court established 4 guidelines to be applied in a balancing test to determine whether a rezoning constitutes spot zoning:
    1) The law demands that an approved zoning plan should be respected and not altered for the special benefit of a landowner when the change will cause substantial detriment to the surrounding lands or serve no substantial public purpose.
    2) "The nature and degree of an adverse impact upon neighboring lands is important. Lots that are rezoned in a way that is substantially inconsistent with the zoning of the surrounding area, whether more or less restrictive, are likely to be invalid."
    3) Another factor to consider is the suitability or unsuitability of the tract's use as it is presently zoned. "The size, shape, and location of a lot may render a tract unusable or even confiscatory as zoned."
    4) The amendment "must bear a substantial relationship to the public health, safety, morals, or general welfare." However, the rezoning ordinance may be justified "if the substantial public need exists," even though it results in the landowner's windfall.
- Be prepared to expressly justify a rezoning based on the Comprehensive Plan or consider first modifying the Comprehensive Plan. To a large extent, the legal validity of rezoning a small tract may depend on: (a) documentation of changes in area conditions, and (b) whether the rezoning corroborates or carries on the principles of the city's comprehensive plan. Many municipal zoning codes follow what is commonly referred to as the Maryland Rule (aka, "Change or Mistake Rule") pursuant to which rezoning a particular tract can only be justified if there has been a documented change in conditions or circumstances for the area, or the municipality determines it was a mistake to assign the current zoning designation to that piece of property.
- The Office of the City Attorney approved of the zoning change if the Council wishes to pursue the zoning change designation.

SUPPORTING MATERIALS

1. Ordinance 2024-05-02.

STAFF RECOMMENDATION

APPROVE.

STATE OF TEXAS CITY OF ALPINE

COUNTY OF BREWSTER

ORDINANCE 2024-05-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS APPROVING REZONE APPLICATION 2024-04-02; AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY REZONING THE PROPERTY LOCATED AT 601 SOUTH WALKER STREET AND LEGALLY DESCRIBED AS LOTS NO. THREE (3), FOUR (4), AND FIVE (5), BLOCK FORTY-NINE (49), HANCOCK ADDITION (SOUTH OF THE RAILROAD) TO CITY OF ALPINE, BREWSTER COUNTY, TEXAS; REZONING THE SUBJECT PROPERTY FROM R-4 MOBILE HOME DISTRICT TO C-1 NEIGBORHOOD COMMERCIAL DISTRICT; PROVIDING FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING CLAUSES.

WHEREAS, Council Member Martin Sandate, Ward 4 Council Member, initiated a zoning change to update the zoning designation from R-4 Mobile Home District to C-1 Neighborhood Commercial District for the property located at 601 South Walker on behalf of the property owner; and

WHEREAS, the subject property is legally described as lots No. Three (3), Four (4), and Five (5), Block Forty-Nine (49), Hancock Addition (South of the Railroad) to City of Alpine, Brewster County, Texas as the same appears in the Plat Records on file in the Office of the County Clerk of Brewster County, Texas; and

WHEREAS, the subject property has a Property ID of 10842 in the public records of Brewster County, Texas, and the record owner of the property is Melinda A. Vega; and

WHEREAS, the applicant of the rezoning application, Melinda A. Vega, seeks to establish art studio at the subject property, the use of which is not acceptable under the current zoning designation; and

WHEREAS, on April 22, 2024, the Planning & Zoning Commission of the City of Alpine held a public hearing regarding the request to rezone, public notice of which was duly provided to the public in the March 28, 2024 edition of the official newspaper of the city; and

WHEREAS, the Planning & Zoning Commission voted unanimously to recommend denial of the rezoning request; and

WHEREAS, the City Council held a public hearing on May 21, 2024, regarding the request to rezone, public notice of which was duly provided to the public in the March 28, 2024 edition of the official newspaper of the city; and

WHEREAS, notices were sent by United States Postal Service mail to property owners within 200 feet regarding the times and places of the public hearings at least 10 days prior to said hearings; and

WHEREAS, pursuant to Section 21.11, Appendix A – Zoning, the City Council may approve the zoning designation that the Planning & Zoning Commission has not

recommended approval of upon approval of three-fourths of the members of the City Council; and

WHEREAS, Chapter 211 of the Texas Local Government Code provides that municipalities have the authority to regulate zoning; and

WHEREAS, Section 2.01(B)(8) of the City's Charter provides the City to provide land use and development regulations, including zoning regulations, by ordinance; and

WHEREAS, Sec. 21.02 of Alpine's zoning ordinance state that the boundaries of the districts proposed in a zoning application may be noncontiguous if the zoning is initiated by the council or the planning and zoning commission; and

WHEREAS, after receiving a recommendation from the Planning & Zoning Commission, receiving resident feedback, and receiving feedback from City Staff, the City Council deems it to be in the best interest of the City to approve the zoning change of the subject property as requested by the applicant.

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

SECTION I
FINDINGS OF FACT

Each and every one of the recitals, findings, and determinations contained in the preamble of 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 repeated and incorporated herein as if copied in their entirety.

SECTION II
ZONING CHANGE

The zoning designation of C-1 Neighborhood Commercial District is hereby approved for the property located at 1702 East Avenue H and legally described as Thomas Derrick Addition, Block 20; Lots 3-11, Lots 15-20, and Lots 21 & 22; located In Alpine, Brewster County, Texas as the same appears in the Map or Plat Records on file in the Office of the County Clerk of Brewster County, Texas. The official zoning map of the City is hereby amended to reflect the updated zoning.

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
PUBLIC HEARING

A public hearing was held on May 21, 2024, where interested parties had the opportunity to make public comments on this ordinance prior to approval. Notice of the date and time of the hearings, and notice of how to obtain copies of the proposed documents, was published in the Alpine Avalanche, the official newspaper of the City of Alpine.

SECTION VII
EFFECTIVE DATE

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

PASSED AND ADOPTED THIS 21st DAY OF MAY 2024 BY THREE-FOURTHS VOTE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.

INTRODUCTION AND FIRST READING

MAY 7, 2024

SECOND AND FINAL READING

MAY 21, 2024

APPROVED:

_____

Catherine Eaves, Mayor

ATTEST:

_____

Geoffrey R. Calderon, City Secretary

APPROVED AS TO FORM:

_____

City Attorney

CITY OF ALPINE BUILDING SERVICES DEPARTMENT
309 W SUL ROSS AVENUE ALPINE, TX 79830
(432) 837-3281

APPLICATION FOR REZONING & CONDITIONAL USE PERMIT

Section 21.03. The city council shall have jurisdiction with respect to all rezone requests. The planning and zoning commission shall review and submit a recommendation to the city council on all applications for rezoning.

ADDRESS OF PROPERTY:		ACREAGE OF SITE:	
601 South Walker		Less than one	
LEGAL DESCRIPTION:		CURRENT ZONE:	
Hancock Block 49, Lots 3,4,5,		R4	
PROPERTY OWNER:	APPLICANT NAME:	TELEPHONE:	EMAIL:
Melinda A Vega	Martin Sandate	432 294 2043	ward4sandate@ci alpine tx us
APPLICANT MAILING ADDRESS:	CITY, STATE & ZIP:		
265 CJ Jones Cove Cibolo Tx 78108			
APPLICANT MAILING ADDRESS:		CITY, STATE & ZIP:	
1107 E Ave I		Alpine TX 79830	
PROJECT FOR WHICH REZONING IS SOUGHT:		APPLICAPLE SECTION/SUBSECTION ORDINANCE:	
Commercial			
SPECIFIC USE OF THE PROPERTY:		EXISTING USES OF ADJACENT PROPERTIES:	
Art studio		residential	
PARCEL ID#: 108842		SURVEY INCLUDED: ☐	

***If the applicant is not the legal owner of the property, a signed statement by the owner that the applicant is the authorized agent of the owner of the property*

REZONING CHECKLIST

Initiation of zoning or rezoning:

☐ **Section 21.01. Zoning or rezoning of property may be initiated by the:**

☑ Council;

☐ Planning and zoning commission;

☐ Record owner;

☐ Petition of:

a. The owners of at least 51 percent of the land, by land area, in the proposed district; or

b. At least 51 percent of the owners of individual properties in the proposed district.

i. Property owned by the City Of Alpine or other governmental entities shall be fully excluded from the area subject to petition of the owners, except such property may be included in support if it contains structures or features that

contribute to the historic character of the district, as determined by the historic landmark commission. The amount of such property to be calculated as supporting shall not exceed one-third of the 51 percent of the land in the proposed district.

(Ord. No. 2016-08-02, 9-20-16; Ord. No. 2016-10-03, 11-1-16)

☐ **Section 21.02. Proposed district boundaries must be contiguous.**

Except as provided in section 21.01, the boundaries of the districts proposed in a zoning or rezoning application must be contiguous.

*** The boundaries of the districts proposed in a zoning application may be noncontiguous if the zoning is initiated by the council or the planning and zoning commission. (Ord. No. 2016-08-02, 9-20-16; Ord. No. 2016-10-03, 11-1-16*

SUBMITTAL VERIFICATION/INSPECTION AUTHORIZATION:

I as owner of the property hereinafter referenced, do hereby execute this document, and acknowledge the above statements to be true and, accurate to the best of knowledge. I have received, read and understand the terms and conditions of this request and agree to compliance with all applicable codes and ordinances of the City I authorize the City or their representatives to visit and inspect the property for which this application is being submitted

OPTIONAL:

_____ I authorize my duly authorized agent to coordinate with the City and its representatives and speak in my behalf for the purpose of representing me in regards to this request.

APPLICANT SIGNITURE Martin Sandate

PRINTED NAME Martin Sandate DATE 3-25-2024

FOR STAFF USE ONLY

PERMIT # 24-007422

TOTAL FEE$ 0 EXEMPT

DATE: 03/27/24

Section 21.15. Refunds.

The fees established shall be non-refundable to the applicant, unless the request is completely withdrawn before the procedure of notices as set forth in section 20.13 have begun.

(Ord No. 2016-08-02, 9-20-16· Ord No 2016-10-03, 11-1-16)

RECEIVED

MAR 27 2024

Section 21.04. -Conditional Use Permit Application fee $250.00 & $100.00 REZONING Application Fee Total amount due: $350.00

CITY COUNCIL

MEETING AGENDA ITEM COVER MEMO

MAY 7, 2024

To: Honorable Mayor and City Council
Agenda Item: Action Item 5 – Interlocal Cooperation Contract
Agenda Sponsor: M. Antrim, City Manager
Memo Prepared By: M. Antrim, City Manager

SYNOPSIS

Approve the Interlocal Cooperation Contract between the Texas Department of Public Safety and the Alpine Municipal Court to continue participation in the Failure to Appear program. (M. Antrim, City Manager)

BACKGROUND

- The Failure to Appear Program was authorized by the Texas Legislature in 1995 and the Texas Department of Public Safety (TDPS) was assigned responsibility for the administration of the program.
- OmniBase responded to the Request for Proposal and was selected by TDPS as the initial vendor for the program in 1996. Accordingly, OmniBase is the only company to administer the FTA program and has been included in each of the enhancements to the program since it was first authorized.
    - OmniBase is a customized software for database entry free of charge to jurisdictions contracting with TDPS for the FTA program
    - It is an automated central database of violators reported by jurisdiction to the program
    - Omnibase provides notice to violators after TDPS acceptance advising of restrictions on drivers licenses and providing information on contacting the reporting jurisdiction
- Under the 88th Legislative Session, the Department of Public Safety revised their Failure to Appear contracts.
- Changes require the City to sign a new contract to continue participation in the Failure to Appear Program.
- The contract outlines the responsibilities of all parties (City of Alpine, Texas Department of Public Service, and Omnibase)

SUPPORTING MATERIALS

1. Notice from Texas Department of Public Safety.
2. Interlocal Cooperation Contract.

STAFF RECOMMENDATION

APPROVE.

TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 N LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001
512/424-2000
www.dps.texas.gov

STEVEN C. McCRAW
DIRECTOR
WALT GOODSON
FREEMAN F. MARTIN
DWIGHT D. MATHIS
DEPUTY DIRECTORS

COMMISSION
STEVEN P. MACH, CHAIRMAN
NELDA L. BLAIR
LARRY B. LONG
STEVE H. STODGHILL
DALE WAINWRIGHT

January XX, 2024

Re: Notice of Interlocal Cooperation Contract (ICC) for Failure to Appear (FTA) Program

Dear Court Administrator,

Due to changes occurring in the 88th Legislative Session, the Department revised the FTA contract (ICC). This notice is to inform you of the changes and the need to sign a new contract to continue your participation in the FTA program. You must return the signed contract (ICC) **within 90 days** from the date of this notice to continue participating in the program.

The following changes have been made to the contract (ICC):

- Changes to language and restructuring of the original ICC to provide clarity regarding the specific responsibilities held by each party.
- Inclusion of indigency into the program as mandated by House Bill 291, 88th Legislative Session.
- Language to account for future changes to the current statute, either federal or state, ensuring that the ICC remains in compliance with the latest legal requirements until a revised ICC is available.

It is imperative that all participants in the FTA program adhere to these updated terms to ensure the program's continued effectiveness and compliance with relevant legislation. Submit the completed and signed contract (ICC) by mail, email, or fax. Please ensure you address this attention to FTA Program.

Mailing address:
Enforcement & Compliance Service
5805 North Lamar Blvd, Bldg A,
Austin, TX 78752-0300
E-mail: driver.improvement@dps.texas.gov
Fax: (512) 424-2848

Should you have any questions, please send an email to driver.improvement@dps.texas.gov. Thank you for your immediate attention to this matter.

Regards,
Manager
Enforcement and Compliance Service

Enclosure

Interlocal Cooperation Contract
Failure to Appear Program

State of Texas
County of BREWSTER

I. PARTIES AND AUTHORITY

This Interlocal Cooperation Contract (Contract) is entered into between the Department of Public Safety of the State of Texas (DPS), an agency of the State of Texas and the Municipal Court of the [City or County] of City of Alpine (Court), a political subdivision of the State of Texas, referred to collectively in this Contract as the Parties, under the authority granted in Tex. Transp. Code Chapter 706 and Tex. Gov't Code Chapter 791 (the Interlocal Cooperation Act).

II. BACKGROUND

A peace officer authorized to issue citations within the jurisdiction of the Court must issue a written warning to each person to whom the officer issues a citation for a traffic law violation. This warning must be provided in addition to any other warnings required by law. The warning must state in substance that if the person fails to appear in court for the prosecution of the offense or if the person fails to pay or satisfy a judgment ordering the payment of a fine and cost in the manner ordered by the Court, the person may be denied renewal of the person's driver license.

As permitted under Tex. Transp. Code § 706.008, DPS contracts with a private vendor (Vendor) to provide and establish an automated Failure to Appear (FTA) system that accurately stores information regarding violators subject to the provisions of Tex. Transp. Code Chapter 706. DPS uses the FTA system to properly deny renewal of a driver license to a person who is the subject of an FTA system entry generated from an FTA Report.

An FTA Report is a notice sent by Court requesting a person be denied renewal of a driver's license in accordance with this Contract. The Court may submit an FTA Report to DPS's Vendor if a person fails to appear or fails to pay or satisfy a judgment as required by law. There is no requirement that a criminal warrant be issued in response to the person's failure to appear.

III. PURPOSE

This Contract applies to each FTA Report submitted by the Court to DPS or its Vendor and accepted by DPS or its Vendor.

IV. PERIOD OF PERFORMANCE

This Contract will be effective on the date of execution and terminate five years from that execution date unless terminated earlier in accordance with Section VII.C, *General Terms and Conditions, Termination.*

V. COURT RESPONSIBILITIES

A. FTA Report

For a matter involving any offense which a Court has jurisdiction of under Tex. Code Crim. Proc. Chapter 4, where a person fails to appear for a complaint or citation or fails to pay or

satisfy a judgment ordering payment of a fine and cost in the manner ordered by the Court, the Court will supply DPS, through its Vendor, an FTA report including the information that is necessary to deny renewal of the driver license of that person. The Court must make reasonable efforts to ensure that all FTA Reports are accurate, complete, and non-duplicative. The FTA Report must include the following information:

1. the jurisdiction in which the alleged offense occurred;
2. the name of the court submitting the report;
3. the name, date of birth, and Texas driver license number of the person who failed to appear or failed to pay or satisfy a judgment;
4. the date of the alleged violation;
5. a brief description of the alleged violation;
6. a statement that the person failed to appear or failed to pay or satisfy a judgment as required by law;
7. the date that the person failed to appear or failed to pay or satisfy a judgment; and
8. any other information required by DPS.

B. Clearance Reports

The Court that files the FTA Report has a continuing obligation to review the FTA Report and promptly submit appropriate additional information or reports to the Vendor. The clearance report must identify the person, state whether or not a fee was required, and advise DPS to lift the denial of renewal and state the grounds for the action. All clearance reports must be submitted immediately, but no later than two business days from the time and date that the Court receives appropriate payment or other information that satisfies the person's obligation to that Court.

To the extent that a Court uses the FTA system by submitting an FTA Report, the Court must collect the statutorily required $10.00 reimbursement fee from the person who failed to appear, pay or satisfy a judgment ordering payment of a fine and cost in the manner ordered by the Court. If the person is acquitted of the underlying offense for which the original FTA Report was filed or found indigent by the court, the Court will not require payment of the reimbursement fee.

Court must submit a clearance report for the following circumstances:

1. the perfection of an appeal of the case for which the warrant of arrest was issued or judgment arose;
2. the dismissal of the charge for which the warrant of arrest was issued or judgment arose;
3. the posting of a bond or the giving of other security to reinstate the charge for which the warrant was issued;
4. the payment or discharge of the fine and cost owed on an outstanding judgment of the Court; or
5. other suitable arrangement to satisfy the fine and cost within the Court's discretion.

After termination of the Contract, the Court has a continuing obligation to report dispositions and collect fees for all violators in the FTA system at the time of termination. Failure to comply with the continuing obligation to report will result in the removal of all outstanding entries of the Court in the FTA Report, resulting in the lifting of any denied driver license renewal status from DPS.

C. Quarterly Reports and Audits

Court must submit quarterly reports to DPS in a format established by DPS.

Court is subject to audit and inspection at any time during normal business hours and at a mutually agreed upon location by the state auditor, DPS, and any other department or agency, responsible for determining that the Parties have complied with the applicable laws. Court must provide all reasonable facilities and assistance for the safe and convenient performance of any audit or inspection.

Court must correct any non-conforming transactions performed by the Court, at its own cost, until acceptable to DPS.

Court must keep all records and documents regarding this Contract for the term of this Contract and for seven years after the termination of this Contract, or until DPS or the State Auditor's Office (SAO) is satisfied that all audit and litigation matters are resolved, whichever period is longer.

D. Accounting Procedures

Court must keep separate, accurate, and complete records of the funds collected and disbursed and must deposit the funds in the appropriate municipal or county treasury. Court may deposit such fees in an interest-bearing account and retain the interest earned on such accounts for the Court.

Court will allocate $6.00 of each $10.00 reimbursement fee received for payment to the Vendor and $4.00 for credit to the general fund of the municipal or county treasury.

E. Non-Waiver of Fees

Court will not waive the $10.00 reimbursement fee for any person that has been submitted on an FTA Report, unless any of the requirements in Tex. Trans. Code § 706.006(a) or §706.006(d) are met.

Failure to comply with this section will result in: (i) termination of this Contract for cause; and (ii) the removal of all outstanding entries of the Court in the FTA Report, resulting in the lifting of any denied driver license renewal status from DPS.

F. Litigation Notice

The Court must make a good-faith attempt to immediately notify DPS in the event that the Court becomes aware of litigation in which this Contract or Tex. Transp. Code Chapter 706 is subject to constitutional, statutory, or common-law challenge, or is struck down by judicial decision.

VI. DPS's RESPONSIBILITIES

DPS will not continue to deny renewal of the person's driver license after receiving notice from the Court that the FTA Report was submitted in error or has been destroyed in accordance with the Court's record retention policy.

VII. PAYMENTS TO VENDOR

Court must pay the Vendor a fee of $6.00 per person for each violation that has been reported to the Vendor and for which the Court has subsequently collected the statutorily required $10.00 reimbursement fee. In the event that the fee has been waived by Tex. Trans. Code § 706.006(a) or §706.006(d), no payment will be made to the Vendor.

Court agrees that payment will be made to the Vendor no later than the last day of the month following the close of the calendar quarter in which the payment was received by the Court.

DPS will not pay Vendor for any fees that should have been submitted by a Court.

VIII. GENERAL TERMS AND CONDITIONS

A. Compliance with Law. This Contract is governed by and construed under and in accordance with the laws of the State of Texas. The Court understands and agrees that it will comply with all local, state, and federal laws in the performance of this Contract, including administrative rules adopted by DPS.

B. Notice. The respective party will send the other party notice as noted in this section. Either party may change its information by giving the other party written notice and the effective date of the change.

Court		**Department of Public Safety**
Attn.:	City Manager	Enforcement & Compliance Service 5805 North Lamar Blvd., Bldg A Austin, Texas 78752-0001 (512) 424-5311 [fax] Driver.Improvement@dps.texas.gov (512) 424-7172
Address:	100 N. 13th Street	
Address:	Alpine, Texas 79830	
Fax:	432-837-2044	
Email:	city.manager@cityofalpine.com	
Phone:	432-837-3301, option 1	

C. Termination.

Either party may terminate this Contract with 30 days' written notice.

DPS may also terminate this Contract for cause if Court doesn't comply with Section V.C., *Quarterly Reports and Audits* and V.E., *Non- Waiver of Fees*.

If either Party is subject to a lack of appropriations that are necessary for that Party's performance of its obligations under this Contract, the Contract is subject to immediate cancellation or termination, without penalty to either Party.

D. Amendments.

This contract may only be amended by mutual written agreement of the Parties.

E. Miscellaneous.

1. The parties shall use the dispute resolution process provided for in Chapter 2260 of the Texas Government Code to resolve any disputes under this Contract; provided

however nothing in this paragraph shall preclude either Party from pursuing any remedies available under Texas law.

2. This Contract shall not constitute or be construed as a waiver of any of the privileges, rights, defenses, remedies, or immunities available to either Party or the State of Texas.
3. Any alterations, additions, or deletions to the terms of the contract that are required by changes in federal or state law or regulations are automatically incorporated into the contract without written amendment hereto, and shall become effective on the date designated by such law or by regulation.

CERTIFICATIONS

The Parties certify that (1) the Contract is authorized by the governing body of each party; (2) the purpose, terms, rights, and duties of the Parties are stated within the Contract; and (3) each party will make payments for the performance of governmental functions or services from current revenues available to the paying party.

The undersigned signatories have full authority to enter into this Contract on behalf of the respective Parties.

Court*	**Department of Public Safety**
_____	_____
Authorized Signatory	**Driver License Division Chief or Designee**
City Manager	
Title	
May 7, 2024	
Date	**Date**

*An additional page may be attached if more than one signature is required to execute this Contract on behalf of the Court. Each signature block must contain the person's title and date.

CITY COUNCIL

MEETING AGENDA ITEM COVER MEMO

MAY 7, 2024

To: Honorable Mayor and City Council
Agenda Item: Action Item 6 – Award bid responsive to RFP 2024-04-01
Agenda Sponsor: M. Antrim, City Manager
Memo Prepared By: M. Antrim, City Manager

SYNOPSIS

Accept the selected bid responsive to Request for Proposal 2024-04-01 to Evergreen Solutions, LLC, for a classification and compensation study for the City of Alpine and authorize the City Manager to execute the contract. (M. Antrim, City Manager)

BACKGROUND

- The Alpine City Council allocated $50,000 in this year's budget to allow for the procurement and completion of a Classification and Compensation Study.
- The Request for Proposal was released on April 8, 2024
- Notice was provided on the City's website, published in the Alpine Avalanche, and by mail.
- Deadline to submit proposal – Tuesday, April 30, 2024 by 4 pm.
- Objectives of the study included:
    - Complete a Classification and Compensation Study of public employees who are providing equitable services.
    - Determine if changes in existing position descriptions are needed; and if so, update and/or create uniform job descriptions.
    - Prepare a comparative analysis that identifies the City of Alpine's competitive position in a comparative labor market, including comparative city employers.
    - Provide a recommendation for total salaries and benefits, including the total compensation package, and including a recommended compensation policy.
    - As part of the recommended compensation policy include policies addressing compensation for promotions, demotions, certifications, and on call.
    - Clearly outline promotional opportunities that provide recognizable compensation growth.
    - Establish a minimum hourly pay rate of $15.00 an hour and address compression.
    - Prepare a pay structure (pay ladder) that provides clear direction on employee compensation.
    - Prepare recommendations for compensation rules and policies, to maintain competitiveness, ensure equity, and position the organization for future development.

- The City of Alpine received four (4) proposals:
  - Lunt Consulting
  - Evergreen
  - Gallagher Benefit Services
  - PayPoint HR

- All four (4) proposals were evaluated on the following criteria:
  - Thoroughness and understanding of the tasks to be completed 20%
  - Related public-sector experience, preferably in a municipal setting, Conducting similar studies. 20%
  - References, credentials, and/or recommendations from past clients. 15%
  - Costs associated with developing, preparing, and presenting the study. 25%
  - Time required to accomplish the requested services. 20%
- Based on the evaluation criteria, it is recommended to accept Evergreen's proposal for Classification and Compensation Study for the City of Alpine.
- The recommendation is based on:
  - Municipal Experience (both small and large cities)
  - Cost - $34,500
  - Time frame for completion (estimated 4 months)
  - Outlined structure of tasks
  - Use of software and training to be provided to HR staff
  - Employee engagement – all levels of employment and surveys
  - Training to implement and maintain compensation/classification structure
  - Sample Final report
  - Additional one year technical assistance at no additional cost

SUPPORTING MATERIALS

1. Request for Proposal 2024-04-01- Classification and Compensation Study
2. Evaluation Criteria Summary
3. Evergreen Proposal

STAFF RECOMMENDATION

APPROVE.

CITY OF ALPINE

REQUEST FOR PROPOSAL

CLASSIFICATION AND COMPENSATION STUDY

RPF 2024-04-01

CLOSING DATE & TIME:

APRIL 30, 2024 AT 4:00 PM Central Standard Time

Deliver or Mail to:

CITY SECRETARY

100 NORTH 13TH STREET

ALPINE, TEXAS 79830

(Note: Without exemption- Proposal must be time and date stamped by the City Secretary's Office. Timely physical delivery is at the risk of the respondent.)

CITY OF ALPINE
RFP - CLASSIFICATION AND COMPENSATION STUDY
2024-04-01

Sealed Proposal Due: April 30, 2024 at 4:00 pm

INTRODUCTION

The City of Alpine, Texas invites proposals from qualified consulting firms to complete a Classification and Compensation Study. This project is a comprehensive study of positions, classifications, and compensation, excluding elected officials. Proposals should address how a Respondent would conduct a comprehensive study using an objective evaluation process and methodology to review the current classifications and play levels for all regular, full time, and part-time positions.

The City strives to competitively recruit and retain employees, motivate employees to excel in job performance, and structure work to provide the best services to the community while being good stewards of resources.

Submittal of a proposal does not create any right or expectation of a Contract with the City of Alpine. There is no expressed or implied obligation for the City of Alpine to reimburse the responding firms for any expenses incurred by preparing proposals in response to this request.

The **deadline for submittal of proposals is 4:00 PM, Central Time, April 30, 2024**. Any proposals received after this time and date will not be considered. Proposals must be sealed and marked **"SEALED BID – 2024-04-01 - CLASSIFICATION AND COMPENSATION STUDY"** on the proposal. The full address for proposal delivery is as follows:

CITY OF ALPINE
C/O CITY SECRETARY
100 N 13TH ST
ALPINE, TEXAS 79830

The Request for Proposal (RFP) is available for review on the City of Alpine website at www.cityofalpine.com/opportunity/bids.

Questions and inquiries about this RFP shall be directed to Megan Antrim, City Manager, at (432) 837-3301 or city.manager@ci.alpine.tx.us. Questions should be submitted in writing on or before the date specified herein.

Proposals will be opened publicly on April 30, 2024, at 4:00 pm in the City Manager's Office located at 100 North 13th Street, Alpine, Texas.

TABLE OF CONTENTS

This Request for Proposal includes the following sections:

1. City Background
2. Objective
3. Scope of Services
4. City's Responsibilities
5. Proposal Format
6. Budget and Contract
7. Selection Criteria
8. Discretion and Liability Waiver
9. General Information
10. Addenda
11. Questions

1. CITY BACKGROUND

The City of Alpine, Texas is located 68 miles Southwest of Fort Stockton in beautiful Far West Texas. Alpine is a Home-Rule City and operates under the council/manger form of municipal government. The City Council hires a City Manager to execute Council policy and manage the day-to-day operations of the City. There are six Council members, including the Mayor. Each Council member represents the Ward (District) in which they reside and the Mayor serves in an at-large capacity. The City provides the following services: Police, Animal Control, Court, Building Services, Public Works, Parks and Recreation, Water, Wastewater, Sanitation, Environmental Services (Recycling), Gas and General Executive and Administrative Services.

The City of Alpine currently has 86 budgeted positions, including both part and full time. The City payroll is set up bi-weekly for all employees and monthly for elected officials. City Council determines the annual cost of living increase and availability of merit raises as part of the annual budget. This fluctuates year to year. For FY 2023-2024, City Council provided a five percent (5%) cost of living increase for all employees and up to an additional five percent (5%) for possible merit raises for each position. Additionally, employees in designated positions receive certification pay for certain credentials.

The City of Alpine also provides a comprehensive benefits package that includes medical, dental, and vision insurance. Other benefits include partial dependent medical coverage, basic life insurance, paid sick leave, and paid vacation.

The City of Alpine is a member of the Texas Municipal Retirement System which requires all full-time employees to defer five percent (5%) of their salaries, which the City matches 2:1; with a five (5) year vesting period, and 20 years for full-service retirement. The City of Alpine also provides this benefit for part-time employees.

2. OBJECTIVE

The City of Alpine invites proposals from qualified consulting firms and desires to obtained fixed price proposals to:

A. Complete a Classification and Compensation Study of public employees who are providing equitable services.
B. Determine if changes in existing position descriptions are needed; and if so, update and/or create uniform job descriptions.
C. Prepare a comparative analysis that identifies the City of Alpine's competitive position in a comparative labor market, including comparative city employers.
D. Provide a recommendation for total salaries and benefits, including the total compensation package, and including a recommended compensation policy.
E. As part of the recommended compensation policy include policies addressing compensation for promotions, demotions, certifications, and on call.
F. Clearly outline promotional opportunities that provide recognizable compensation growth.
G. Establish a minimum hourly pay rate of $15.00 an hour and address compression.
H. Prepare a pay structure (pay ladder) that provides clear direction on employee compensation.
I. Prepare recommendations for compensation rules and policies, to maintain competitiveness, ensure equity, and position the organization for future development.

Responding firms should have significant experience conducting salary surveys and comparative analyses, preferably involving jurisdictions of a range of sizes, include sizes similar and tax base to the City of Alpine, Texas, and offering a set of programs and services that overlaps with the City's.

The resulting classification and compensation program shall enable the City to competitively recruit employees, motivate employees to excel in job performance, and fit with the organization's current size and culture.

3. SCOPE OF SERVICES

The project consists of furnishing all labor, materials, equipment, tools, supervision and travel necessary to complete the following tasks:

A. General
    a. Provide a comprehensive evaluation of every job within the City to determine relative worth within the organization for internal equity and for the establishment of pay ranges and step progressions (pay ladder) within the ranges.
    b. Review all current job classifications, confirm, and recommend changes to hierarchical order of jobs using your evaluation system.
    c. In collaboration with City Management, establish appropriate benchmarking standards and conduct salary surveys as needed for similar positions with comparable Texas municipalities, and appropriate private sector competitive employers.

d. Identify potential pay compression issues and provide potential solutions. Including addressing pay compression resulting from increasing the starting wage from $13.50 to $15.00.
e. Analyze and recommend changes to the present compensation structure to meet market analysis. This recommendation may include recommendations for individual positions as well.
f. Analyze and recommend changes to the present supplemental pay structures to meet market analysis (i.e. certification pay, education pay, car allowance, phone allowance, longevity, on call compensation, etc.).
g. Analyze and recommend changes to the present benefits to meet market analysis (paid time off structure – types and amounts).
h. All recommendations are expected to include analysis of implementation costs.

B. Communication and Information
a. The selected consultant will attend City Council meeting for introduction to the Mayor and Councilmembers and provide a brief overview of the process and methodology.
b. Consultant to schedule an initial meeting with City Management and HR to discuss the process and tasks to be performed in the study to include reasonable dedication of key personnel.
c. Consultant to meet with department heads to explain study and process to be used.
d. Consultant to provide frequent updates to City Manager or their designee.
e. Consultant to provide final report and recommendations to City Manager or City Council in person.

C. Classification Study
a. Consultant to review current classification grade methodology and propose recommended strategies for the City.
b. Consultant to conduct interviews and/or job audits as appropriate. Interviews and/or job audits may be conducted individually or in groups based upon classification.
c. Consultant to update job descriptions to uniformly reflect the distinguishing characteristics, essential job functions, minimum qualifications (education/experience and knowledge/skills/abilities), working conditions (physical demands, work environment, and travel requirements), certification/licenses/registrations requirements for classification, and organizational information, as needed. The consultant will ensure that content and titles are current, accurate, and consistent with FLSA (exempt/nonexempt), EEO, and ADA considerations.
d. Consultant to present proposed recommendations to the City Manager for review prior to making any final classification determinations.
e. Consultant to finalize class specifications and recommend appropriate classification for each employee, including correction or identified discrepancies between existing and proposed classifications.
f. Consultant to identify career ladders/promotional opportunities as deemed appropriate.

g. Consultant to submit recommendations for appropriate implementation measures that the Human Resource staff will need to take.
h. Consultant to provide straightforward, easily understood, maintenance system that Human Resource Department will use to keep the classification system current and equitable. The classification system should be provided in electronic medium. Maintenance should include annual activities, as well as the process we would use in the review of the classification of individual jobs, as needed.
i. Consultant to conduct a comprehensive training program for Human Resources staff to ensure that staff can explain and administer the new system in the future. The training program should be clearly spread out in the proposal.

D. Compensation Study

a. Consultant to review current compensation plan (salary ranges) and understand current challenges in recruiting and retaining employees.
b. Consultant to recommend and identify a consistent and competitive market position that the City can strive to maintain.
c. Consultant to recommend comparable labor markets, including both private and public sector employers for compensation study.
d. Consultant to develop and conduct a comprehensive compensation survey of the market including comparable Texas municipalities, and appropriate private sector competitive employers.
e. Consultant to recommend appropriate salary range for each position based on the classification plan, the compensation survey results, and the internal relationships and equality. Prepare a new salary structure based on the results of the survey and best practices.
f. Consultant to develop guidelines to assist City staff with determining the starting pay for new employees based on knowledge and experience above the minimum requirements of the position, how difficult the position is to fill, and market competitiveness.
g. Consultant to recommend implementation strategies including calculating the cost of implementing the plan.
h. Consultant to identify any extreme current individual or group compensation inequities and to provide a recommended corrective action plan and process to remedy these situations.
i. Consultant to make recommendations and provide implementation strategies related to other key compensation practices, based on market demands, including pay performance, skill pay, special assignment pay, certification pay, promotional pay, on call pay, and acting assignment pay.
j. Consultant to provide system documentation and computer formats/software to administer compensation plan.
k. Consultant to provide recommendations for the ongoing internal administration and maintenance of the proposed compensation plan. Maintenance should include annual activities such as market surveys.
l. Consultant to conduct compression analysis to include any recommendations for implementation.

m. Consultant to conduct a comprehensive training program for Human Resource staff to ensure that the staff can explain and administer the new system in the future. The training program should be clearly spelled out in the proposal.
n. Develop and present administration recommendations and impact studies including the cost, if any, of implementing the proposed compensation policies with current employees, and the future impact of recommended changes.
o. Schedule and attend meetings with City Administration, including but not limited to:
    i. City Manager
    ii. HR Coordinator
    iii. Directors

E. Benefits Study
    a. Consultant to review current benefits, including but not limited to sick leave, vacation leave, certification pay, on call, and other related compensation for Police, Exempt, Non-Exempt, and department heads.
    b. Consultant to conduct a comprehensive benefits survey of the market including municipalities of similar size and operations, and appropriate private sector competitors.
    c. Consultant to review trends in benefit offerings and recommendations.
    d. Consultant to develop and present to administration recommendations and impact studies including the costs, if any, of implementing the proposed benefits policies with current employees, and future impact of recommended changes.

4. CITY'S RESPONSIBILITIES

The City staff will provide the consultant with all relevant information it has pertaining to the City and its operations including existing job descriptions, organizational charts, and relevant sections of the municipal code. The City may provide additional documents and information, as appropriate.

5. PROPOSAL FORMAT AND SUBMISSION

The offeror shall submit one original (conspicuously marked "ORIGINAL"), five complete copies and one memory stick of their written proposal in a sealed envelope shall be delivered **no later than 4:00 PM on April 30, 2024, to:**

City of Alpine
Attention: City Secretary
100 N 13th St
Alpine, Texas 79830

All proposals must be clearly marked on the outside of the envelope:
"2024-04-01 Classification and Compensation Study"

Faxed and emailed submittals are not accepted.

Include all information requested, **organized in tabbed sections clearly identified in a table of contents as described in the paragraphs that follow.** Any other information thought to be relevant, but not applicable to the enumerated categories, may be provided as a separate appendix to the proposal.

The following information/documents shall be included in the proposal package to be considered responsive to the Request for Proposals:

A. **Cover letter** summarizing the proposal.
B. **Scope of work.** Provide a description of the work program including description of deliverables and activities.
C. **Description of Project Team.** Provide names, title and qualifications (resumes) of the proposed project manager and support staff who will be conducting the work on this assignment, including their experience and projects in which they had "hands on" responsibility, and length of time with the firm. The project manager will be expected to be fully involved and conversant in the details of the project on a day-to-day basis. Describe the organizational structure of staff members and sub-consultants (if any).
D. **Statement of Methods and Procedures.** Provide a statement describing the scope of the work as you understand it. Describe the approach, means, methods, and procedures to be used to gather data, analyze findings, and develop recommendations as requested. Provide a sample of reports and/or other correspondence.
E. **Management Synopsis.** Provide a synopsis prepared for management review, covering the significant features of the proposal including overall costs and terms of work.
F. **Cost of Services.** Provide a schedule of billing rates and a specific "not to exceed" capped fee including associated fees (i.e. printing costs, attendance to meetings, travel). A requested payment schedule should accompany the work schedule.
G. **Work Schedule.** Provide a timeline indicating tasks required and start and completion dates for each. It is expected that the work will commence as soon as possible after the contract is awarded.
H. **References.** Provide a list of (5) references for similar projects, three of which are cities, including names of contract persons and telephone numbers, for your firm and for any subcontractors.
I. **Required forms.** Complete and include Attachment A – Certificate of Interested Parties and Attachment B – House Bill 89 Verification Form
J. **Final Product.** Provide a statement that the proposer agrees to:
    a. Deliver at least one (1) original, five (5) copies, and a flash drive of the final report to the City Manager or their designee.
    b. Provide the final report, tables, schedules, job descriptions, charts, spreadsheets, salary surveys, and other materials necessary for implementation and maintenance of the compensation/classification system in an electronic medium (flash drive); and
    c. Appear at a City Council meeting, or meeting with City Management, to deliver the final report.
K. **Additional Servies (Optional).** Provide any other related and recommended projects or services not specified in the RFP which may be considered essential or benefited

by the firm. These services should be priced separately from "G" above and shown here.

6. BUDGET/CONTRACT

The City of Alpine wishes to negotiate a contract with a "not to exceed" dollar total based on the clearly defined scope of work. It should be noted that the selected consultant will be required to enter into a professional services contract including insurance as appliable.

7. SELECTION CRITERIA

After city staff has reviewed the proposals, final selection will be determined. The successful contractor will be required to enter into an agreement for professional services with the City of Alpine.

Interviews may be scheduled with finalists in the process, at the discretion of the review committee.

Proposals will be evaluated using the following criteria:

• Thoroughness and understanding of the tasks to be completed	20%
• Related public-sector experience, preferably in a municipal setting, Conducting similar studies.	20%
• References, credentials, and/or recommendations from past clients.	15%
• Costs associated with developing, preparing, and presenting the study.	25%
• Time required to accomplish the requested services.	20%

8. DISCRETION AND LIABILITY WAIVER

The City reserves the right to reject all proposals or to request and obtain from one or more of the consulting firms submitting proposals, supplementary information as may be necessary for City staff to analyze the proposals pursuant to the consultant selection criteria listed above.

The consultant, by submitting a response to this RFP, waives all right to protest or seek any legal remedies whatsoever regarding any aspect of this RFP.

All responses will be made public upon request.

9. GENERAL INFORMATION

The City's website is www.cityofalpine.com. The City of Alpine's current budget can be found on the City's website.

10. ADDENDA

It is the proposer's responsibility to check the website for any addenda. Go to www.cityofalpine.com/opportunity/bids.

11. QUESTIONS

Questions pertaining to this document should be submitted via email with "Questions about Comp Study" in the subject line, at least two days prior to the due date to city.manager@ci.alpine.tx.us.

ATTACHMENT A- CERTIFICATE OF INTERESTED PARTIES
TEXAS ETHICS COMMISSION (FORM 1295)

Texas Government Code effective January 1, 2016, requires that a governmental entity receive a Certificate of Interested Parties Texas Ethics Commission Form 1295 before entering into a contract with Victoria County. This included new, amended, extended, or renewed contracts that meet one or both of the following criteria:

1. Requires an action or vote by the Commissioners Court
2. Has a value of at least $1 million.

The Vendor must:

1. Go to: https://www.ethics.state.tx.us/FiJe/click on Form 1295 Filings, click on the click here if you do not have a user ID, and follow the instructions to set up an account. If you already have an account, then you may log in and proceed with the process.
2. Submit and print a copy of the form which will contain a unique certification number.
3. An authorized agent of the Respondent must sign the printed copy of the form.
4. The completed Form 1295 must be included with your solicitation when it is submitted to City of Alpine. (Scanning and emailing this form is sufficient for renewals & maintenance of solicitations)

ATTACHMENT B - HOUSE BILL 89 VERIFICATION FORM

Prohibition on Contracts with Companies Boycotting Israel

The 85thTexas Legislature approved new legislation, effective Sept. I, 2017, which amends Texas Local Government Code Section I. Subtitle F, Title 10, Government Code by adding Chapter 2270 which states that a governmental entity may not enter into a contract with a company for goods or services unless the contract contains a written verification from the company that it:

1. does not boycott Israel; and
2. will not boycott Israel during the term of the contract.

Pursuant to Section 2270.001, Texas Government Code:

(1) "Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli- controlled territory, but does not include an action made for ordinary business purposes.

(2) "Company" means a for-profit organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations that exist to make a profit.

I, _____, do hereby depose and verify the truthfulness and accuracy of the contents of the statements submitted on this certification under the provisions of Subtitle F, Title 10, Government Code Chapter 2270 and that the company named below:

1. does not boycott Israel currently; and
2. will not boycott Israel during the term of the contract; and
3. is not currently listed on the State of Texas Comptroller's Companies that Boycott Israel List located at bttps://comptroller.texas.gov/purcbasing/publications/divestmeot.php

_____

Company Name

_____

Signature and Title of Authorized Official Date

Classification and Compensation Study Evaluation Criteria Summary					
	Score	Score	Score		Rank
Lunt Consulting	58	60	61		3
Evergreen	**100**	**85**	**100**		**1**
Gallagher Benefit Services	55	62	55		4
PayPoint HR	95	80	95		2

A Proposal to Conduct a Classification and Compensation Study for the City of Alpine, TX

RFP #2024-04-01

ORIGINAL

Evergreen Solutions, LLC

April 30, 2024

Evergreen Solutions, LLC

2528 Barrington Circle • Unit #201 • Tallahassee, Florida 32308
850.383.0111 • fax 850.383.1511

April 24, 2024

City of Alpine
Attention: City Secretary
100 N 13th Street
Alpine, Texas 79830

To Whom It May Concern:

Evergreen Solutions, LLC is pleased to submit a proposal to conduct a Classification and Compensation Study for the City of Alpine. Our response is based on our review of your Request for Proposal (RFP #2024-04-01), our experience in working with hundreds of local governments and other public sector organizations throughout the country, our understanding of the Texas labor market, and our knowledge of best practices in local government human resources management. **Evergreen is well qualified to provide the services being requested by the City of Alpine as we have provided similar services to more than 1,200 public sector organizations throughout the country.**

Evergreen was formed in 2004 to provide an alternative to traditional consulting firms. We provide an innovative and effective option by focusing on clients needing partners and not simply another service provider. Evergreen is licensed to transact business in the State of Texas under the name Recio and Ling Consulting, LLC (#32059488299).

As a national firm, Evergreen Solutions continues to grow and our territory now includes clients in 47 states, including many clients in the State of Texas. For example, Evergreen has been on contract or is currently on contract to work with the following public sector organizations in providing work similar in scope to the services being requested: Fort Bend County; Matagorda County; Hood County; Taylor County; Randall County; Denton County; Hill County; Blanco County; Kaufman County; Burnet County; Jefferson County; Travis County; San Patricio County; Brazoria County; City of Athens; City of Lockhart; City of Portland; City of Del Rio; City of Lakeway; City of Austin; City of Aransas Pass; City of Conroe; City of Coppell; City of Deer Park; City of La Porte; City of Rowlett; City of Seguin; City of Buda; City of Missouri City; City of Amarillo; City of Beaumont; City of Denton; City of Farmers Branch; City of Mont Belvieu; City of DeSoto; City of Fate; City of Sachse; City of Gonzales; City of South Padre Island; City of Odessa; City of Haskell; City of Duncanville; City of Harlingen; City of Kingsville; City of Pflugerville; City of Seabrook; City of Texas City; City of Fredericksburg; City of Sunset Valley; Town of Addison; The Woodlands Township; Town of Little Elm; Dallas Area Rapid Transit; Texas City Management Association; Brazos River Authority; Bexar Met; Denton County Fresh Water Supply District; Upper Trinity Regional Water District; Barton Springs/Edwards Aquifer Conservation District; New Braunfels Utilities; Montgomery County Emergency Communication District; Amarillo College; University of Texas at Tyler; Alvin Community College; South Texas College; Tarrant County College District; Sul Ross State University; Trinity University; Lone Star College System; El Paso Community College District; Midwestern State University; Austin Community College; Texas Southern University; Texas A & M University – San Antonio; Texas A & M University – Kingsville; Sam Houston State University; San Jacinto Community College; Texas Wesleyan University; Angelo State University; Alamo Colleges District; Prairie View A & M University; Brazosport College; Midland College; Irving Independent School District; El Paso Independent School District; and the Wayside School District. A detailed description of the services provided to some of these clients can be found in **Section 7** of our proposal.

In other states, Evergreen has worked with, or is currently on contract to work with, the following local governments in a variety of human resources and management capacities: City of Santa Fe, NM; City of Carlsbad, NM; City of Albuquerque, NM; City of Flagstaff, AZ; City of Prescott, AZ; City of Page, AZ; Town of Sahuarita, AZ; Yavapai County, AZ; City of Manitou Springs, CO; City of Fountain, CO; Grand County; Ouray County, CO; City of Camarillo, CA; City of Fresno, CA; City of Hemet, CA: City of Yucaipa, CA; City of Long Beach - Long Beach Management Association, CA; Mariposa County, CA; Inyo County, CA; Calaveras County, CA; City of Boulder City, NV; Ogden City Corporation, UT; City of Albany, OR; City of Bend, OR; City of Portland, OR; Columbia County, OR; Spokane County, WA; City of Ridgefield, WA; City of Lee's Summit, MO; City of St. Peters, MO; City of Fulton, MO; City of Branson, MO; City of Columbia, MO; City of Troy, MO; City of Jefferson, MO; City of Dardenne Prairie, MO; Jefferson County, MO; Jackson County, MO; St. Charles County, MO; Jasper County, MO; City of Broken Arrow, OK; City of Hot Springs, AR; City of Salina, KS; City of Leawood, KS; Sedgwick County, KS; Shawnee County, KS; Mahoning County, OH; Blount County, TN; City of Clarksville, TN; City of Murfreesboro, TN; City of Bloomington, IN; City of Urbana, IL; City of Moline, IL; McLean County, IL; Genesee County, MI; City of Kalamazoo, MI; City of Pittsburgh, PA; County of Montgomery, PA; Cumberland County, PA; Town of Bridgewater, MA; Town of Colchester, VT; Genessee County, NY; City of Baltimore, MD; City of Hyattsville, MD; City of Annapolis, MD; City of Hagerstown, MD; City of Westminster, MD; Charles County, MD; Frederick County,

MD; Prince George's County, MD; Talbot County, MD; Allegany County, MD; Washington County, MD; Kent County Levy Court, DE; City of Milford, DE; City of Newport News, VA; City of Fredericksburg, VA; City of Norfolk, VA; City of Covington, VA; City of Williamsburg, VA; City of Falls Church, VA; County of Culpeper, VA; County of York, VA; Gloucester County, VA; Essex County, VA; Surry County, VA; Isle of Wight County, VA; Prince George County, VA; James City County, VA; Louisa County, VA; Loudoun County, VA; Spotsylvania County, VA; Northumberland County, VA; Bedford County, VA; Shenandoah County, VA; Chesterfield County, VA; King George County, VA; Alleghany County, VA; Union County, NC; Gaston County, NC; New Hanover County, NC; Guilford County, NC; Transylvania County, NC; Dare County, NC; Jackson County, NC; Franklin County, NC; Vance County, NC; Harnett County, NC; Haywood County, NC; Buncombe County, NC; City of Raleigh, NC; City of Fayetteville, NC; City of Rocky Mount, NC; City of Goldsboro, NC; City of Hendersonville, NC; Town of Clayton, NC; City of Columbia, SC; City of Greenwood, SC; City of Lancaster, SC; City of Chester, SC; City of Rock Hill, SC; City of Spartanburg, SC; City of Conway, SC; City of Myrtle Beach, SC; City of Mauldin, SC; City of Goose Creek, SC; Berkeley County, SC; Dillon County, SC; Charleston County, SC; Dorchester County, SC; Spartanburg County, SC; Town of Hilton Head Island, SC; Town of Kiawah Island, SC; City of Atlanta, GA; City of Alpharetta, GA; City of Brookhaven, GA; City of Statesboro, GA; City of Norcross, GA; City of Garden City, GA; City of Stockbridge, GA; City of Fayetteville, GA; City of Dublin, GA; City of Dunwoody, GA; City of Roswell, GA; City of Chamblee, GA; City of Savannah, GA; City of Cedartown, GA; City of Kingsland, GA; Forsyth County, GA; Lumpkin County, GA; Douglas County, GA; Columbus Consolidated Government, GA; Worth County, GA; Cherokee County, GA; City of Daphne, AL; City of Opelika, AL; City of Hartselle, AL; City of Auburn, AL; City of Foley, AL; Baldwin County, AL; Chambers County, AL; City of Sarasota, FL; City of Winter Park, FL; City of Orlando, FL; City of Sunrise, FL; City of Hollywood, FL; City of Melbourne, FL; City of Ft. Myers, FL; Miami-Dade County, FL; Palm Beach County, FL; Alachua County, FL; Manatee County, FL; Martin County, FL; Monroe County, FL; and Sarasota County, FL.

The Evergreen Team is able to fully comprehend the challenges and goals of the City of Alpine based on our vast understanding of local government human resources, and the fact that we possess the necessary experience and knowledge. Our team has significant expertise in conducting classification and compensation studies for local governments and other public sector organizations, as evidenced in **Section 2** of our proposal.

Some of the human resource services Evergreen has focused on include: classification and compensation studies; salary and benefits surveys; staffing studies; workload analyses; performance management studies; HR department reviews; recruitment, hiring, and retention studies; strategic and workforce planning; and labor pool availability. Through our experiences in conducting this wide range of projects, we have gained knowledge of all operations in local government human resources management.

Evergreen's approach to conducting a classification and compensation study draws not only from extensive human resources work with local government clients, but also from direct feedback of our past clients. In essence, we offer you tools that are innovative as well as those that have been proven to work in real places with real people. Some of the key facets of our approach identified in **Section 3** of our proposal include:

- We emphasize communication as the key to successful study completion as well as implementation. Our team understands that compensation by its very nature creates anxiety in staff and managers alike. In order to ensure a successful study process and "buy-in" at implementation, City administrators, department heads, and staff need to be involved in every step of the process. This is a critical component of our communication plan. Continuous communication is ensured through the use of meetings/conference calls and the submission of written progress reports.

- Our methodology utilizes the latest in technology. In order to reduce the cost to our client partners and enhance wider participation, we offer all of our tools in an electronic format. In essence, every step of the process can be done on the Web. Further, our web-based ***JobForce Manager*** tool allows our client partners to facilitate implementation and eases the ongoing maintenance of the compensation system.

- We understand that one size does not fit all. Some consultants provide the same overall solution to every client; however, we provide a variety of alternatives that allow our client partners to select the solution that best meets their business and human capital needs.

As President of Evergreen Solutions, I am authorized to commit our firm contractually to this engagement. We have reviewed your terms and conditions and believe we can successfully work within your requirements.

We appreciate this opportunity and commit to you our best effort if selected for this engagement. If you have any questions, please feel free to contact me at (850) 383-0111 or via email at jeff@consultevergreen.com.

Sincerely,

Dr. Jeff Ling, President
Evergreen Solutions, LLC

A Proposal to Conduct a Classification and Compensation Study for the City of Alpine, Texas

RFP #2024-04-01

Submitted to:

Attention: City Secretary
City of Alpine
100 N 13th Street
Alpine, Texas 79830

Submitted by:

Evergreen Solutions, LLC
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April 30, 2024

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APPENDIX: SAMPLE FINAL REPORT

Section 1.0
Scope of Work

1.0 Scope of Work

In this section, we provide our understanding of the scope of work and our approach and methodology for conducting the Classification and Compensation Study for the City of Alpine.

1.1 Understanding of the Scope Work

According to the scope of work of the Request for Proposal, the primary objectives of the study are to:

- *complete a Classification and Compensation Study of public employees who are providing equitable services;*
- *determine if changes in existing position descriptions are needed; and if so, update and/or create uniform job descriptions;*
- *prepare a comparative analysis that identifies the City of Alpine's competitive position in a comparative labor market, including comparative city employers;*
- *provide a recommendation for total salaries and benefits, including the total compensation package, and including a recommended compensation policy;*
- *as part of the recommended compensation policy include policies addressing compensation for promotions, demotions, certifications, and on call;*
- *clearly outline promotional opportunities that provide recognizable compensation growth;*
- *establish a minimum hourly pay rate of $15.00 an hour and address compression;*
- *prepare a pay structure (pay ladder) that provides clear direction on employee compensation; and*
- *prepare recommendations for compensation rules and policies, to maintain competitiveness, ensure equity, and position the organization for future development.*

1.2 Approach and Methodology

Evergreen Solutions is uniquely qualified to conduct a Classification and Compensation Study for the City of Alpine as our team includes recognized experts in local government human resources management and understands that there is not a "one size fits all" solution to compensation management. Our approach is built on working collaboratively with all parties to make sound, implementation-focused recommendations. Specifically, we have developed a methodology that:

- focuses on market competitiveness;
- is based on the organization's compensation philosophy;
- recognizes that compensation is comprised of more than just base pay levels;
- reflects changes in recent compensation strategies;
- designs custom solutions that take into account the diversity of needs present in the organization and allows you to select the components and options that best meet your overall needs; and
- produces a structure that improves the organization's ability to recruit, reward, motivate, and retain talent in a competitive environment that includes both public and private sector employers.

We will work closely with the City's designated Project Manager, City Management, and the Human Resources Department and the Human Resources Department throughout the process to ensure constant communication of issues, concerns, and potential outcomes. We work closely with your staff to gain a solid understanding of your current operational realities, challenges, and desired outcomes. Moreover, Evergreen will work with you to balance your need to meet your performance goals while carefully managing your resources.

Compensation management has undergone significant transformation in the private sector and over time public sector organizations have mirrored these changes. While compensation once centered on the separate administration of base pay and core benefits, a shift has occurred that has transformed compensation management.

Progressive organizations now recognize that to effectively recruit, reward, motivate, and retain employees, compensation management requires strategic thinking and planning. Compensation management must support an organization's overall strategic direction. To accomplish this, effective organizations design a compensation philosophy that details where an organization wants to be in relation to the market in key areas. These key areas include cash compensation, benefits, and work/life balance. Compensation is thus a reflection of the organization's philosophy.

Evergreen realizes that we will need to tailor our approach to fit the operating, fiscal, and competitive needs of the organization. Recommendations must always reflect competitive needs while supporting the organization's overall mission.

Listed below is an overview of the typically recommended approach that Evergreen takes when conducting a study of this nature.

Kick Off Meeting

Evergreen begins each engagement by meeting with our client's leadership team. Frequently, this initial meeting will accomplish several goals, including:

- finalizing the project work plan;
- identifying milestone and deliverable dates;
- gaining insight into the management structure and approach;
- collecting classification, compensation, and benefits data;
- identifying additional data needs; and
- developing preliminary schedules for subsequent tasks.

At this time, we will also request a copy of the employee database that reflects current classification and compensation data.

Communication Plan

Communication is a critical component of any Classification and Compensation Study. Communicating with employees directly and early in the process builds support for the process and the accompanying outcomes. As part of our communication plan, we meet first with key project staff to fully understand the nature and scope of the project. The results of these meetings are then communicated to employees during the project outreach through employee orientation sessions, focus groups, and interviews. Regular updates are provided to the client's Project Manager and can be posted on the client's intranet site, if available and desired. Additionally, the communication plan for the distribution of the end product, particularly how the results will be distributed to employees, is also critical.

Employee Orientation and Focus Groups

Based on client feedback and a review of best practices, we have designed an orientation curriculum that provides employees insight into the process as well as provides a forum for answering questions and soliciting participation. Following the orientation sessions, we begin the focus group process. Focus groups are used to gain detailed insight into employee perceptions, concerns, and issues. The protocol for the sessions is provided to your project team in advance and refined to meet your needs.

We have found that employee orientation sessions and focus groups are critical venues for building employee participation and buy-in. Since they take place at the outset of the project, they are a critical introduction to the project and the question-and-answer formats allow employees to become engaged in the process. During these sessions, Evergreen's consultants can also help to manage expectations since some employees may have unrealistic expectations based on anecdotal information.

Department Head Interviews

Evergreen staff conduct one-on-one interviews with department heads and/or senior management (in addition to any other employees the client determines is necessary) to identify challenges for consideration. These interviews will allow our staff to add details to our understanding of the organization and its needs. They also allow our consultants the opportunity to better understand the organizational structure of each department as well as the unique recruiting and retention issues that may be present in each department. Frequently, department directors and senior management serve as invaluable resources in explaining how internal equity relationships have evolved over time and explaining the nuances between the differences in jobs.

Job Assessment Tool and Management Issue Tool

Another important activity undertaken at this time is the distribution of Evergreen's Job Assessment Tool© (JAT). These questionnaires are central components of the job evaluation process. The JAT asks a series of questions regarding an employee's job that captures the nature of the job and how it interacts with work within the organization.

The JAT contains questions that ask about each of the following areas:

- scope of duties;
- complexity of work;
- supervision received and exercised;
- physical requirements;
- financial responsibilities;
- analytical/mental requirements;
- knowledge and skills required for the job; and
- level of responsibility/reporting relationships.

Evergreen will contact the client's Project Manager should there be a need to clarify question responses or issues with information collected from the JAT. Due to budgetary constraints faced by many of our clients, we have designed the JAT as a web-based tool so that data can be collected electronically. If requested, we can also provide a paper-based version of the tool.

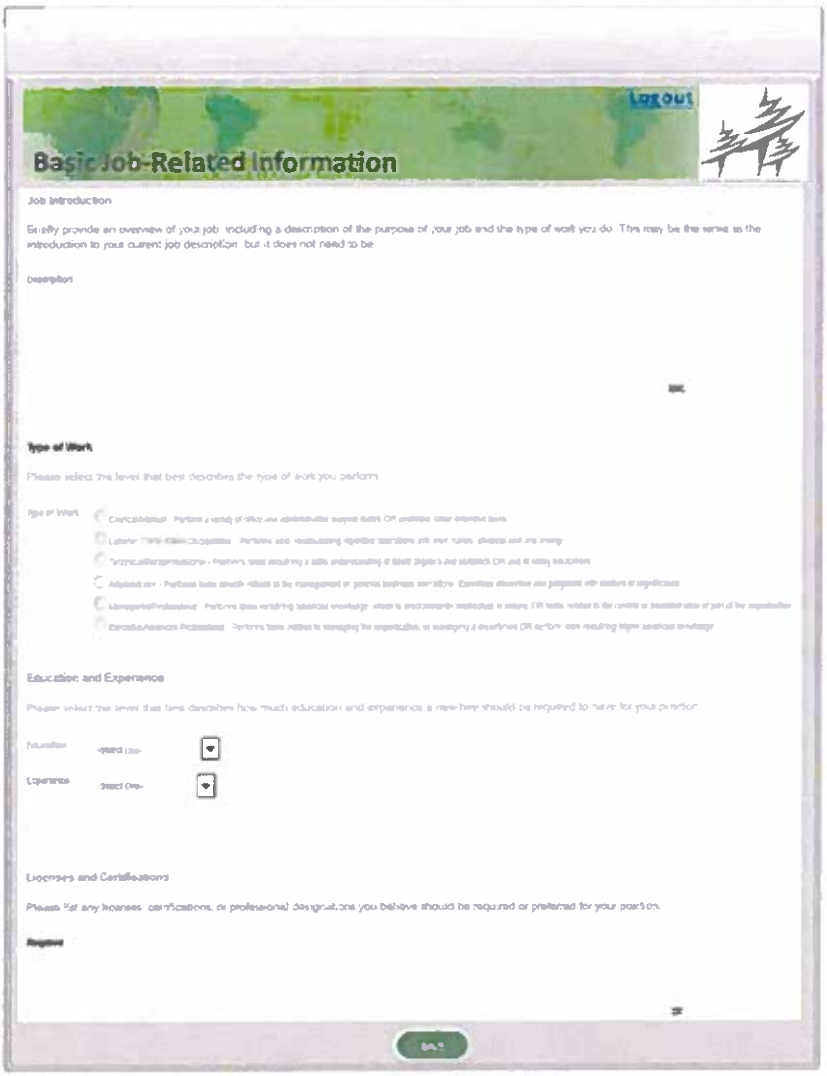
Exhibit 1-1 below depicts a screenshot of the JAT home screen showing the levels of access for a Supervisor. Supervisors have access to their own surveys in addition to the ability to review and approve the surveys of their direct reports. The supervisor review process ensures validation of the JAT data collected from employees and prevents comments made by employees from being taken out of context.

Exhibit 1-1
Supervisor's JAT Home Screen

Source: Evergreen Solutions, 2023

Exhibit 1-2 illustrates how Evergreen uses the JAT to collect functional details of employee's jobs. Seeking to understand how employees summarize their responsibilities in their own words allows our analysis to expand beyond what may be conveyed in a traditional job description. An informal survey of municipal employees revealed that 90 percent felt that the job descriptions held on file with their employers were inaccurate or incomplete representations of their duties. Understanding this, Evergreen designed the JAT to fill in those gaps to ensure that the entirety of an employee's job is analyzed within the context of the study.

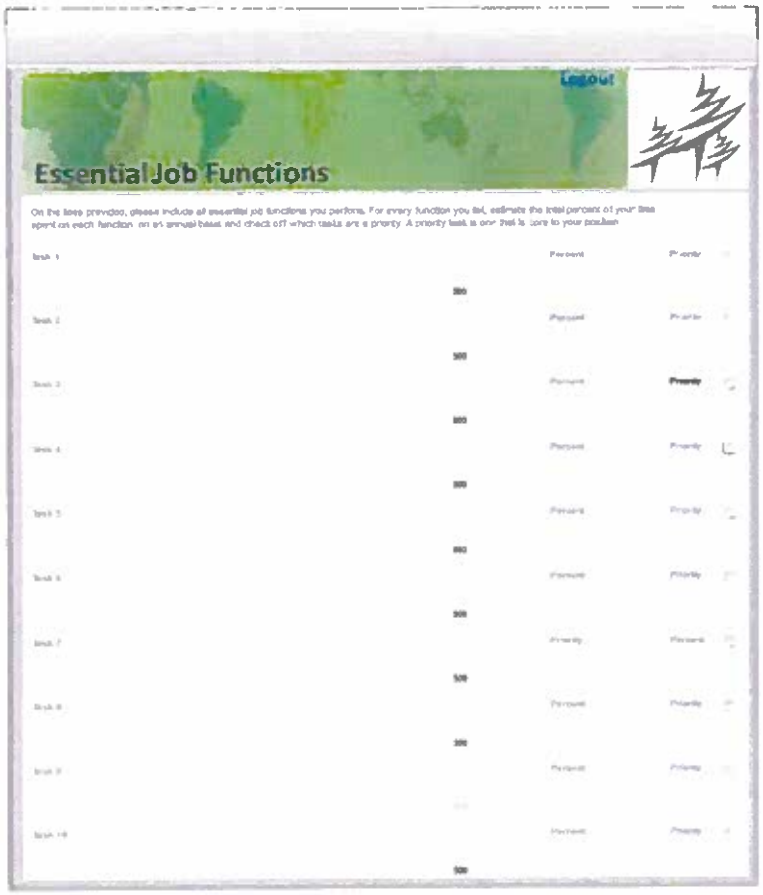
Exhibit 1-2
Job Description and Responsibilities



Source: Evergreen Solutions, 2023

Exhibit 1-3 shows a similar page in which employees are asked to list the Essential Functions of their job. These are the tasks and activities that define the classification and make it unique. Gathering information such as this allows Evergreen to assess the validity of the present classification structure and identify classifications or individuals within classifications that need to be restructured or reclassified.

Exhibit 1-3
Job Functions



Source: Evergreen Solutions, 2023

In addition to the JAT, Evergreen will also distribute our Management Issues Tool (MIT). The MIT is distributed to supervisors and managers and is used to collect specific information from supervisors and managers related to such issues as recruitment and retention problems, classification issues, pay equity issues, problems with titles, and other related issues. Each MIT will be logged and a specific response will be provided. The MIT process is designed to allow supervisors and managers to give direct input into the process and they serve as "red flags" to Evergreen staff during the analysis portion of the project.

Preliminary Assessment

As a starting point for analysis, Evergreen's project consultants review the client's database in comparison to the pay plan and information collected from the JATs to produce a preliminary assessment. The preliminary assessment summarizes the strengths and weaknesses of your human resource management system. The compensation analysis focuses on the number of pay grades, range widths, percentage differences between grades, step plans versus open range plans, and the expected time to reach full job competency. The overall analysis focuses on structure, movement, and equity (internal) as well as specific concerns such as turnover, longevity, compression, and range anomalies. The issues we identify in the assessment become core considerations in creating the potential solutions later in the process.

Job Evaluation

The next step in the process is to review responses to the JATs and identify any possible misclassifications. Once the review of the JATs has been completed, Evergreen's consultants will evaluate all jobs on each of the compensatory factors, score each position, and determine if there is any need for further investigation of specific positions. If serious discrepancies exist, Evergreen's consultants will work directly with the Client Project Manager to resolve any issues.

Once work has been properly classified, changes in the current classification system rankings can be recommended. Our goal is to produce a classification system that reflects the internal equity relationships suggested by the JAT scoring conducted earlier.

Compensation

Our approach to compensation analysis is based on the belief that compensation should be organization-specific, fair, equitable, and directly tied to strategic goals. To ensure that all these criteria are met, we will conduct an extensive analysis on the relevant labor market, the internal structure and inter-relatedness of jobs within the organization, and the relative worth of jobs within the organization vis-à-vis the compensation philosophy.

The most traditional component of a total compensation program is base pay (fixed pay). However, inclusion of benefits in total compensation strategy is not a new concept. Provision of benefits was originally a recruitment tool, though over time the provision of core benefits has become an expectation. Research shows that public sector organizations commonly use superior benefits packages as a way to offset structural disadvantages in base pay. The purpose of the survey is to collect information for comparison to current offerings, and making recommendations for change consistent with the parameters of the organization's compensation philosophy.

Market and Benefits Surveys

A key component of assessing compensation is to consider market position, which is sometimes referred to as external equity or competitiveness. Evergreen's consultants wait until well into the classification analysis to design the market survey to ensure that jobs are understood, anomalies in classification characteristics are documented, and sufficient input has been received. The market survey will obtain standard range information related to minimum, midpoint, and maximum salaries. Data collection will focus on the public sector, but will include information from the private sector where applicable. Further, we will look to include any employers to whom the organization has recently lost employees.

In addition, a benefits survey will also be administered in tandem with the market survey. Special consideration can be given to select highly competitive, market-driven positions if necessary.

Benchmarks

One of the most important components of the external assessment is in the selection and utilization of benchmark positions for the labor market survey. We will work with the client to identify the appropriate number of benchmark positions to best suit the client's needs in the labor market survey. Based on our experience, we have found that it is simply not practical to survey all positions within the organization—the resulting surveys become too cumbersome for labor market peers to complete, and the response rate on the whole suffers. We ensure, through multiple checks and balances, that the benchmark positions chosen will represent a broad spectrum of positions across the organization, from all job families, pay levels, and functional areas.

Targets

To conduct an external labor market assessment, we work with the client to identify the most appropriate targets to survey. Evergreen selects peer organizations based on the local labor competition, regional markets, and class-specific markets. Peer organizations should be those organizations that compete with the client for labor in at least one job family. An appropriate mix of peers in the public and private sectors will be included in the survey, and if necessary, augmented with published secondary data sources.

Typically, Evergreen waits until the outreach process has been completed to identify the complete list of market peers. This is because we often will uncover specific information during the focus group and interview sessions that identifies potentially critical survey targets. Ideally, we would like to work with the client after the outreach has been concluded to identify the final list of potential market peers.

An important factor of our methodology is that the client has the final approval of all aspects of the study. We will not proceed with the analysis unless the client is completely comfortable with the survey targets chosen. Often, there are different factors impacting an organization, such as proximity to a major metropolitan area, technology corridor, or specific market (i.e., military base), that have a direct effect on its ability to recruit and retain employees in specific positions. These factors have to be taken into account when selecting survey targets. Once the targets are selected and approved, the survey instrument is developed and sent to the client for final approval. Subsequent to client approval, the survey is then distributed to the targets in both paper and electronic formats.

Evergreen uses a four-fold method of communicating with respondents. Our staff notifies the target group that the survey is being sent or made available, confirms receipt, and encourages participation. Once the data are received, they are cleaned, validated, and summarized. A separate report is issued that shows the results of the salary survey.

Unifying the Solution

After determining the appropriate division of work and market position, the compensation structure can be created. There is not a single, perfect solution for every client partner. The nuances and unique characteristics of each client necessitate a customized solution to best meet the organization's needs.

The Evergreen Team has considerable experience in developing multiple solutions and working with client partners to determine the one that best meets their needs. Our analytical team uses a variety of tools to produce various potential solutions: regression analysis, market thresholds, and other human resource models. Several major options are presented to the client's team before the implementation plan is created.

It is at this stage in the process that we typically meet with the client to identify the direction of the final solution. We will present to the client a draft report for review and comment. We typically ask the client to examine the draft solution objectively and provide insights and recommendations on the direction of the report. When this process is completed, Evergreen's consultants will proceed with the final solution. The solution also contains information regarding fiscal impact and implementation.

Compensation Administration Guidelines

In order for clients to maintain the recommended compensation system, Evergreen develops compensation administration guidelines for use by the client after completion of the study. The guidelines will include recommendations on installation and continuing administration of the system. The team first conducts a review of current practices and procedures then assesses their effectiveness, compliance with legal guidelines, and applicability to the recommended system.

Once this review and assessment are complete, revisions to the current practices and/or new guidelines can be recommended, as needed. At a minimum, the recommendations will address areas such as:

- how employees will move through the pay structure/system as a result of transfers, promotions, or demotions;
- how to pay employees whose base pay has reached the maximum of their pay range or value of their position;
- the proper mix of pay and benefits;
- how often to adjust pay scales and survey the market;
- timing of implementation; and
- how to keep the system fair and competitive over time.

System Maintenance

Our goal is to produce recommendations that are effective and that can be maintained by our clients. We are strongly committed to providing transparent and replicable solutions. In essence, when we complete our core assignment, our goal is that our client's staff can maintain and update the system on their own. We are readily available to provide assistance, but our goal is to give our clients all the tools and training that are needed. Towards this end we will provide the Human Resources Department with all necessary tools and training to maintain the system over time.

Based on client needs and industry best practices, Evergreen has developed a compensation and classification maintenance tool to assist our clients with implementing, managing, and updating the solutions: ***JobForce Manager***. This tool allows our clients to estimate future pay plan changes, update market information, make determinations on reclassifications, and create new jobs. By automating these tasks, ***JobForce Manager*** allows our clients to not only streamline, but also increase the fairness and transparency of regular compensation and classifications tasks after solution implementation.

Exhibit 1-4 displays the interface from ***JobForce Manager*** for determining a position's pay grade; additional features include a job scoring tabulation sheet, market survey results database and summary report, pay plan report, and employee salary calculators for modeling fiscal impacts of compensation changes at the employee level. All data and reports are downloadable and printable, so they can be provided to key decision makers.

Exhibit 1-4
***JobForce Manager* Tool**

CURRENT TITLE	PAY PLAN	SAT SCORE	REGRESSION MIDPOINT	MARKET MIDPOINT	POSITION MIDPOINT (SELECT)	GRADE	MINIMUM	MIDPOINT	MAXIMUM	
Accounting Specialist II	ESP	212.5	$30,100.27	$31,220.80	$31,508.69	108	$22,702.21	$31,508.69	$40,315.17	
Accounting Specialist III	ESP	281.3	$28,058.27	$34,379.43	$40,213.96	110	$28,974.42	$40,213.96	$51,453.51	
Accounting Specialist IV	ESP	306.3	$42,315.73	$40,186.80	$44,335.90	112	$31,944.29	$44,235.90	$56,727.50	
Accounting Supervisor	ESP	500.0	$67,561.02	$69,350.91	$68,779.53	121	$49,556.08	$68,779.53	$88,002.97	
Acquisition Specialist	ESP	306.3	$42,315.73	$41,595.80	$44,235.90	112	$31,944.29	$44,235.90	$56,727.50	
Administrative Aide	ESP	312.5	$43,130.08	$36,624.74	$44,235.90	112	$31,944.29	$44,235.90	$56,727.50	
Administrative Recording Secretary	Professional	381.3	$52,088.10	$40,894.20	$68,245.16	212	$46,586.13	$68,245.16	$89,894.19	
Administrative School Secretary I	ESP	206.3	$29,265.91	$31,619.17	$33,084.13	106	$23,837.32	$33,084.13	$42,330.93	
Administrative School Secretary II	ESP	231.3	$32,543.36	$35,996.09	$34,738.33	107	$25,029.19	$34,738.33	$44,447.48	
Administrative School Secretary III	ESP	256.3	$35,800.82	$37,701.80	$38,298.01	109	$27,594.68	$38,298.01	$49,003.35	
Administrative Secretary I	ESP	231.3	$32,543.36	$32,190.02	$33,084.13	106	$23,837.32	$33,084.13	$42,330.93	
Administrative Secretary I	ESP	206.3	$29,265.91	$32,190.02	$33,084.13	106	$23,837.32	$33,084.13	$42,330.93	
Administrative Secretary II	ESP	231.3	$32,543.36	$33,919.04	$34,738.33	107	$25,029.19	$34,738.33	$44,447.48	
Administrative Secretary II	ESP	231.3	$32,543.36	$33,919.04	$34,738.33	107	$25,029.19	$34,738.33	$44,447.48	
Administrative Secretary III	ESP	256.3	$35,800.82	$35,971.01	$38,298.01	109	$27,594.68	$38,298.01	$49,003.35	
Administrative Specialist	Professional	231.3	$32,543.36	$43,762.63	$38,422.62	204	$31,538.09	$38,422.62	$47,307.14	
Administrative Specialist-School Food Services	Professional	275.0	$38,243.91	$42,861.08	$45,636.61	207	$36,508.29	$45,636.61	$54,763.93	

Source: Evergreen Solutions, 2023

Section 2.0
Description of Project Team

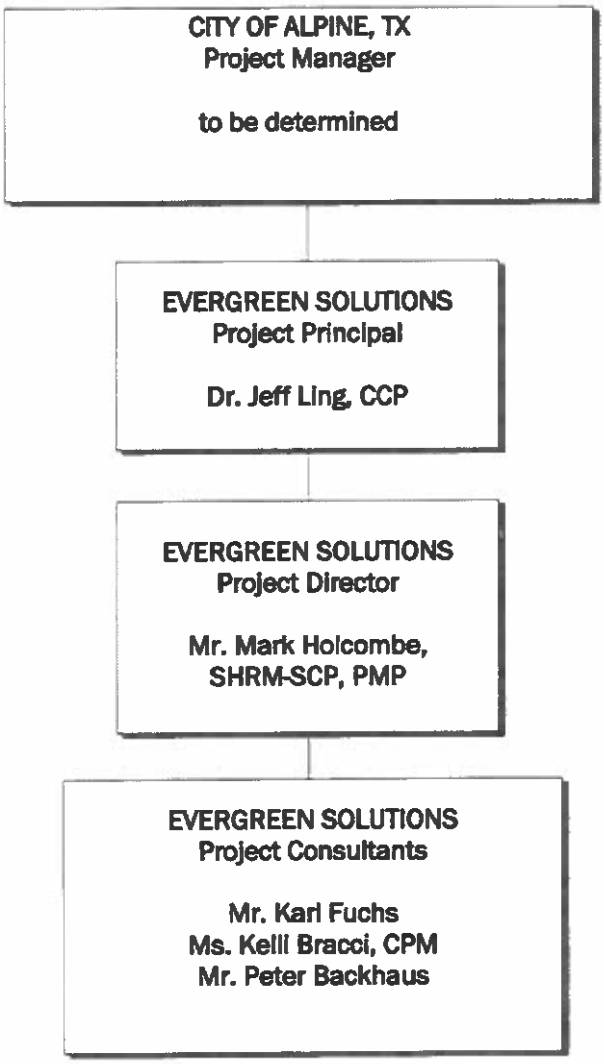
2.0 Description of Project Team

In this section, we provide you with the qualifications of our proposed project team through summary resumes. Detailed resumes are available upon request.

2.1 Proposed Project Team

Exhibit 2-1 reflects our proposed project management and personnel assignments. The structure has been designed to clearly define the roles and responsibilities of each part of the Classification and Compensation Study so that there will be no confusion as to who is responsible for any aspect of this engagement with the City of Alpine.

Exhibit 2-1
Proposed Project Management and Personnel Assignments



City of Alpine Project Manager. With each project engagement, we work with the client to identify one specific point of contact to serve as a Project Manager. The City's Project Manager (CPM) will be our reference point throughout the engagement. We will take project direction, leadership, and guidance from the CPM and all project deliverables will be filtered through the CPM throughout the duration of the project.

Evergreen Solutions' Project Principal. Our Project Principal will have ultimate accountability for the success of this project. Evergreen Solutions' Project Principal is always a senior leader in our firm, typically the President. The Project Principal will have contractual authority over the contract and will be our top level of project responsibility.

Evergreen Solutions' Project Director. Evergreen Solutions designates a Project Director for each HR consulting project. The Project Director will work with the Project Principal regarding the scheduling of the project with the City. The Project Director will have the most frequent contact with the City and will assign project activities to the Project Consultants and will ensure that deliverables are met within specified timelines.

Evergreen Solutions' Project Consultants. Our Project Consultants are a team of consultants who have worked together on numerous projects, and who will provide consulting and analytical work on all project activities. The Project Consultants will review pay plans, conduct orientation sessions and focus groups, administer the Job Assessment Tool (JAT) and Management Issues Tool (MIT), collect the data for the salary and benefits survey, review and revise job descriptions, and prepare draft and final reports.

Consultant Team Members must be thoroughly knowledgeable in the portion of the project they are responsible for, as well as have expertise in the issues that are unique to each individual client. Our firm is proposing an exceptional team of consultants who have worked together on many similar projects. We always make sure each project is sufficiently staffed to handle any additional tasks or unforeseen issues that may arise during the course of the study. The combination of our individual knowledge and skills form a superior team who will be able to competently perform all of the pieces of the Classification and Compensation Study for the City of Alpine.

2.2 Key Personnel

The following paragraphs provide summaries of each team member's qualifications and experience related to his/her role in this engagement.

Project Principal
Dr. Jeff Ling

Dr. Jeff Ling is the President of Evergreen Solutions who has been with the firm since its inception in 2004. He is a Certified Compensation Professional (CCP) who has more than 25 years consulting experience in the following areas: human resources; performance improvement; process analysis; strategic planning; statistical analysis; research methodology; data management; surveys and polling; technology analysis; change management; and risk analysis.

Dr. Ling has planned, organized, and managed studies on human resources assessment, survey analysis, government efficiency, technology planning, information utilization, public opinion, market expansion, and privatization. Each of these studies dealt with summarizing major alternatives for decision makers and providing viable recommendations. He has consulting experience in public sector Evaluation, research management, efficiency analysis, survey analysis, statistical modeling, and technology planning.

Dr. Ling has worked with a multitude of clients in the capacity of Project Principal. He has worked on hundreds of engagements across the nation and includes work in state and local governments, school districts, institutions of higher education, quasi-governmental agencies, and private industry.

Dr. Ling has been instrumental in creating, reviewing, and evaluating the methodology employed by Evergreen Solutions on all human resource engagements. His background and skill set make him uniquely qualified for assessing organizational critical needs and strategy. He is also an expert in policy development and long-term planning.

A sample of the types of studies Dr. Ling has been involved with includes:

- **Compensation/Classification**– He developed the methodology and techniques for organizations to employ for successful data collection and implementation based on internal and external equity needs. He has been the Project Principal for numerous projects related to classification and/or compensation. **Note: He has served as the Project Principal or Project Director for more than 1,200 public sector projects related to Classification and/or Compensation.**

- **Performance Evaluation** – He has provided the framework for many organizations transitioning into goal-based performance evaluation systems or fully functional merit-based pay structures. He understands the importance of a well stratified, objective based review process and has been instrumental in assisting a number of large organizations transition from traditional systems into merit-based pay structures with minimal transitional costs and interruption.

- **Market Research** – He provided the basis for which market research was collected, analyzed, and review. He ensured that data collection procedures and methods were statistically reliable using his knowledge of statistics and overall market research.

- **Policy Development** – He has a thorough and firm understanding of policy development and has assisted many clients with implementing tailored policies and practices that reflect best practices.

Dr. Ling holds a Doctorate's Degree from Florida State University in Political Science and has taught courses addressing research methodology, statistical analysis, technological innovations, and political economy at various universities.

Project Director Mr. Mark Holcombe, PMP, SHRM-SCP

Mr. Mark Holcombe has more than ten years of management and consulting experience and is recognized as a certified Project Management Professional (PMP) and a SHRM Senior Certified Professional (SHRM-SCP). He has been at Evergreen Solutions seven years, during which time he has promoted through the organization and has led Evergreen's largest local government practice for the past two years. His academic foundation in micro and macroeconomics, combined with his experience leading a business before joining Evergreen, has given him significant experience in leading teams, modeling and controlling costs, and working to provide a product that meets the needs of all stakeholders. This experience has been instrumental in ensuring that his team is able to translate complex and comprehensive data into actionable insights for his clients.

At Evergreen, Mr. Holcombe's emphasis has been in compensation and classification studies of varying size and scope. He has led projects with cities and counties, colleges and universities, K-12 school districts, transportation organizations, and statewide government organizations. Some of his principal areas of expertise are:

- Refining client compensation and classification systems, ensuring alignment with HR best practices and meeting specific client needs;
- Leading initiatives focusing on market competitiveness for large and complex public sector clients;
- Constructing reports and visuals to share complex findings in an approachable way;
- Crafting complex cost models to facilitate accurate budgetary projections for clients;
- In-depth assessment of market data, synthesizing information from a variety of sources to provide comprehensive compensation insights;
- Redesigning classification systems to modernize and streamline titling conventions for entire organizations or within job families; and
- Conducting reviews centered around gender and racial equity in compensation systems, ensuring their adherence to local, state, and federal laws and regulations.

Because Mr. Holcombe has conducted more than 200 HR studies since coming to Evergreen, we have included only a sample of some of the public sector projects that he has been involved with in the western portion of the country, including: a Compensation Study for the City of Buda, TX; a Classification and Compensation Study and Analysis for Taylor County, TX; a Compensation and Classification Study for the City of Pearland, TX; a Compensation Study and FSLA Review for the City of La Porte, TX; a Compensation and Benefits Study for the City of Portland, TX; a Compensation Benchmarking and Structure Analysis for the City of Seguin, TX; a Compensation and Classification Study for the Woodlands Township, TX; a

Classification and Compensation Study for Randall County, TX; Compensation Consultant Services for Dallas Area Rapid Transit, TX; Competency Modeling and Succession Planning for Dallas Area Rapid Transit, TX; a Classification and Compensation Study for the City of Mont Belvieu, TX; a Compensation and Classification for the City of Denton, TX; a Comprehensive Market Salary and Benefits Study for the City of Missouri City, TX; a Classification and Compensation Study for the City of Beaumont, TX; a Compensation and Benefits Survey and Analysis for the City of Deer Park, TX; a Compensation Study for the City of Duncanville, TX; a Compensation and Classification Study and Organizational Review of the RSMU Department for Brazos River Authority, TX; a Compensation Study for the Montgomery County Emergency Communications District, TX; a Staffing Study for the City of Pflugerville, TX; a Compensation Study for the City of Big Spring, TX; a Comprehensive Classification and Compensation Study for the City of Odessa, TX; a Compensation and Classification Study for the City of League City, TX; a Wage and Compensation Study for Jefferson County, TX; a Classification and Compensation Study and Analysis for Waller County, TX; a Classification and Compensation Study for the City of Kingsville, TX; a Classification and Compensation Study for Hill County, TX; a Classification and Compensation Study and Analysis for Matagorda County, TX: a Classification and Compensation Study for Jasper County, MO; a Compensation Study for the Metropolitan St. Louis Water District, MO; a Compensation Study for the City of Jefferson, MO; a Compensation Study for the City of Fulton, MO; a Classification and Benefits Study for the City of St. Peters, MO; a Classification and Compensation Study for the City of Leawood, KS; a Comprehensive Compensation Study for Shawnee County, KS; a Classification and Compensation and Race/Gender Equity Study for the City of Salina, KS; a Compensation Study for Sedgwick County, KS; a Classification and Compensation Study for the City of Albuquerque, NM; a Compensation and Benefits Study for the Middle Rio Grande Conservancy District, NM; a Classification and Compensation Study/ Gender Pay Equity Analysis for the City of Santa Fe, NM; a Classification and Compensation Study for the City of Prescott, AZ; A Compensation Study for the City of Flagstaff, AZ: a Classification, Compensation, and Benefits Study for Yavapai County, AZ: a Wage Compensation Study Services for Northern Arizona Intergovernmental Public Transportation Authority, AZ; a Performance Management Study for Northern Arizona Intergovernmental Public Transportation Authority, AZ; an Employee Engagement Survey for the Northern Arizona Intergovernmental Public Transportation Authority, AZ; a Salary Study and Analysis for the Arizona Supreme Court; a Classification and Compensation Consultant Services for the City of Hemet, CA; a Classification and Compensation Study for the City of Yucaipa, CA; a Job Classification and Total Compensation Study Services for the Cosumnes Community Services District, CA; a Comprehensive Classification and Compensation Study for the City of Camarillo, CA; a Classification and Compensation Study for the Pleasant Valley Recreation and Park District, CA; a Classification and Compensation Study for the City of Fresno, CA; a Compensation Study for the Long Beach Management Association, CA; a Compensation Review for Mariposa County, CA; a Classification and Compensation Study for Inyo County, CA: a Compensation Study for Grand County, CO; a Compensation Study for the Tri-County Metropolitan Transportation District of Oregon; a Compensation Study for the

City of Bend, OR; a Professional Technical and Expert Services for the City of Portland, OR; a Classification and Compensation Study for the Nisqually Indian Tribe, WA; Compensation Study Services to Skagit Transit, WA; an Organizational Review of the Executive Team for Skagit Transit, WA; a Classification and Compensation Study for the City of Ridgefield, WA; and a Classification and Compensation Study for the North Dakota Court System, ND.

Mr. Holcombe holds a Bachelor Degree in Economics with a concentration in Behavioral Economics and Criminology from Florida State University. He is a certified Project Management Professional (PMP) and holds a SHRM-SCP certification.

Project Consultant
Mr. Karl Fuchs

Mr. Karl Fuchs is a Senior Consultant with Evergreen with over 25 years of experience serving public sector organizations in various aspects of human resources management. His past roles include Human Resources Director and Plans and Operations Analyst. He is also a Retired Marine Corps Veteran. In addition to his regular duties while serving as a Human Resources Director, he successfully implemented creative recruiting and retention strategies which lessened time to hire and lengthened retention, especially in hard to fill positions. He streamlined and updated legacy processes and provided remedies for classification and compensation of non-bargaining unit employees.

Mr. Fuchs was a Plans and Operations Analyst working under DoD contract where he provided subject matter expertise on operational manpower and employment of U. S. Marine forces in the Middle East. He developed staffing requirements for Contingency Plans, multi-national joint exercises, and the deployment and redeployment of forces conducting combat operations. He also supervised staff in various HR roles such as pay management, employee recognition, and official travel.

While Mr. Fuchs was on active duty, he served in various capacities focusing on talent management and development. He also volunteered for assignments as DEI manager. He led and maintained compliance of programs including HRIS, pay/entitlements, promotions, limited duty, workplace investigations, performance management, employee recognition, corporate charge card, official travel, equal opportunity, separations/retirements, personnel accountability, and casualty affairs. Over the course of his career, he participated in training the Moroccan, Jordanian, and Afghan militaries.

A sample of some of the public sector projects that Mr. Fuchs has been involved with include: a Classification and Compensation Study and Analysis for Taylor County, TX; a Classification and Compensation Study and Analysis for Matagorda County, TX; a Comprehensive Classification, Compensation, and Staffing Analysis Study for the City of Odessa, TX; a Compensation and Classification Study for the City of Denton, TX; a Compensation Study for City of Pearland, TX; Compensation Consultant Services for Dallas Area Rapid Transit, TX; a Classification and Compensation Study for the City of Albuquerque, NM; a Classification and Compensation Study/ Gender Pay

Equity Analysis for the City of Santa Fe, NM; a Compensation Study for Mountain Line, AZ; an Employee Engagement Survey for the Northern Arizona Intergovernmental Public Transportation Authority (NAIPTA); a Salary Study and Analysis for the Arizona Supreme Court; a Classification and Compensation Study for the City of Yucaipa, CA; a Classification, Compensation, and Consultant Services for the City of Hemet, CA; a Classification and Compensation Study for the City of Fresno, CA; a Comprehensive Classification and Compensation Study for the Camarillo, CA; a Classification and Compensation Study for the Pleasant Valley Recreation and Park District, CA; a Compensation and Benefits Study for the Long Beach Management Association, CA; a Compensation Review for Mariposa County, CA; a Classification and Compensation Study for Inyo County, CA ; a Professional Technical and Expert Services for the City of Portland, OR; a Classification and Compensation Study for the Nisqually Indian Tribe, WA; a Classification and Compensation Study for the North Dakota Court System, ND; a Total Compensation and Classification Study for Cumberland County, PA; an Operational Audit for Everett Public Schools, MA; a Classification and Compensation Study for The Community Colleges of Baltimore County, MD; a Compensation and Classification Study for Howard County, MD; a Compensation Study for the City of Baltimore, MD; a Classification and Compensation Study for Garrett County, MD; a Staffing Study for Rock Hill Schools, SC; a Classification and Compensation Study for the City of Mauldin, SC; a Classification and Compensation Study for Richland County, SC; a Classification/Pay Plan Structure and Compensation Study for the Louisville Regional Airport Authority, KY; a Classification and Compensation Study for the City of South Fulton, GA; a Classification and Compensation Study for City of Atlanta, GA; a Classification and Compensation Study for the City of Thomasville, GA; a Compensation Study for Highlands County Clerk of the Circuit Court and Comptroller, FL; a Classification and Compensation Study for the Town of Ft Myers Beach, FL; a Compensation Study for Manatee County, FL; a Compensation and Classification Study for Jefferson County, FL; a Compensation Study for Sarasota County, FL; a Compensation and Classification Study for the City of Clearwater, FL; a Classification Study for the City of Orlando, FL' a Compensation Study for the City of Doral, FL; a Compensation Study for South Walton Fire District, FL; and a Classification and Compensation Study for the Broward County Sheriff's Office, FL.

Mr. Fuchs earned his Juris Master from Florida State University, College of Law and Bachelor of Arts in Business Administration specializing in Management from Saint Leo University. He is currently working on a Master's in Public Administration focusing on Local Government Management.

Project Consultant
Mr. Kelli Bracci

Ms. Kelli Bracci, CPM, is a Senior Consultant with Evergreen Solutions. She has a Bachelor's of Science in Education from Georgia Southern University and a Juris Master from Florida State University's College of Law with a concentration in Human Resources and Legal Risk Management. She is a Certified Public Manager (CPM).

Ms. Bracci began her career working in the classroom as a teacher before transitioning to state government. After 11 years with the state, she transitioned to the private sector with Evergreen Solutions, LLC. She is

experienced in classification and compensation, employee engagement, relationship management, process improvement, supervisory and leadership development, organizational change management, project coordination, and effective communication. She deeply believes that HR is integral in creating a positive culture in every organization.

Some of the public sector projects that Ms. Bracci has recently been involved with include: a Compensation and Classification Study for the City of Denton, TX; a Classification and Compensation Study for Hill County, TX; a Classification and Compensation Study and Analysis for Taylor County, TX; a Compensation and Classification Study for the City of Coppell, TX; a Compensation and Classification Study for the City of Denton, TX; a Classification and Compensation Study and Analysis for Waller County, TX; a Classification and Compensation Study for the City of Beaumont, TX; a Compensation and Classification Study for the Woodlands Township, TX; a Classification and Compensation Study for the City of Kingsville, TX; a Compensation Study for the City of Duncanville, TX; a Compensation and Classification Study for the City of League City, TX; a Classification and Compensation Study for the City of Seguin, TX; a Classification and Compensation Study for Randall County, TX; a Classification and Compensation Study and Analysis for Matagorda County, TX; a Classification and Compensation Study for the City of Albuquerque, NM; a Classification and Compensation Study/ Gender Pay Equity Analysis for the City of Santa Fe, NM; a Classification, Compensation, and Benefits Study for Yavapai County, AZ; a Classification and Compensation Study for the North Dakota Court System, ND;a Classification and Compensation Study for the City of Fresno, CA; a Classification and Compensation Study for Pleasant Valley Recreation and Park District, CA; a Compensation Review for Mariposa County, CA; a Classification and Compensation Study for Inyo County, CA; a Professional Technical and Expert Services for the City of Portland, OR; a Classification and Compensation Study for the Nisqually Indian Tribe, WA; a Classification and Compensation Study for the City of Leawood, KS; a Classification and Compensation and Race/Gender Equity Study for the City of Salina, KS; a Compensation Study for Sedgwick County, KS; a Classification and Compensation Study for the Town of Strasburg, VA; a Classification and Compensation Study for the City of Falls Church, VA; a Classification and Compensation Study for Mary Baldwin University, VA; a Compensation and Classification Study for Bedford County, VA; a Compensation and Classification Study for Allegany County, MD; a Classification and Compensation Study for Garrett County, MD; a Classification System and Pay Plan Development Study for Franklin County, NC; a Classification and Compensation Study for Jackson County, NC; a Salary and Compensation Comparability Study for Raleigh Housing Authority, NC; a Position Classification and Revision Project for Harnett County, NC; a Classification and Compensation Study for the City of Myrtle Beach, SC; a Classification and Compensation Study for the City of South Fulton, GA; a Compensation Plan Update for the City of Garden City, GA; a Classification and Compensation Study and Analysis for Columbus Consolidated Government, GA; a Classification and Compensation Study for Barrow County, GA; a Classification and Compensation Study for the City of East Point, GA; a Comprehensive Position Classification and Compensation-Benefits Study and Analysis for the

City of Kennesaw, GA; a Classification and Compensation Study for City of Thomasville, GA; a Compensation Study for the City of Zephyrhills, FL; a Classification and Compensation Study for Jackson County, FL; a Classification and Compensation Study for Indian River State College, FL; a Classification and Compensation Study for St. Petersburg College, FL; a Pay and Classification Study for Jefferson County, FL; and a Classification and Compensation Study for the Broward County Sheriff's Office, FL.

Project Consultant Mr. Peter Backhaus

Mr. Peter Backhaus is a Senior Consultant with Evergreen Solutions. He is able to apply his knowledge and skills as a Consultant for Evergreen, through various functions including: conducting market research and collecting compensation data, running regression analyses, and recommending appropriate pay grades.

Mr. Backhaus began his career working in sales through various markets. He quickly transitioned into a role with Verizon's most prominent partner as an account manager, focusing on business relationships and growth in the Tallahassee Florida area. Most prominently in his sales path, he joined a startup as the sales manager to lead a team through client growth and retention, while also developing outbound strategy for adopting new verticals for the company. With the startup, projected targets were exceeded, and several notable clients were guided to successful business paths. He strongly values the relationships developed with his clients and communication through all modes of life.

Some of the public sector projects that Mr. Backhaus has been involved with include: a Compensation Study for City of Aransas Pass, TX; a Classification and Compensation Study for Blanco County, TX; a Classification and Compensation Study for the City of Beaumont, TX; a Compensation Study for the City of Buda, TX; a Compensation and Benefits Study for the City of Portland, TX; a Classification and Compensation Study for Waller County, TX; a Classification and Compensation Study for the City of Kingsville, TX; Compensation Benchmarking and Structure Analysis for the City of Seguin, TX; a Compensation and Classification Study for the City of Denton, TX; a Job Market Survey for New Braunfels Utilities, TX; a Classification and Compensation Study for the City of Albuquerque, NM; a Job Classification and Total Compensation Study Services for the Consumnes Community Services District, CA; a Classification and Compensation Study for the City of Fresno, CA; a Classification and Compensation Study for Inyo County, CA; a Compensation Study for the City of Bend, OR; a Professional Technical and Expert Services for the City of Portland, OR; a Compensation Study for the City of Jefferson, MO; a Classification and Benefits Study for the City of St. Peters, MO; a Compensation Study and Analysis for McLean County, IL; a Classification and Compensation Study for the City of Moline, IL; a Classification and Compensation Study for Culpeper County, VA; an HR Market Study for Botetourt County, VA; a Compensation and Classification Study for Mecklenburg County, VA; a Compensation Study for the Town of Central, SC; an Employee Compensation and Classification Study for the City of Greenwood, SC; a Classification and Compensation Study and Analysis for Darlington County, SC; a Compensation Study for the City of Orangeburg, Department of Public Utilities, SC; a Classification and Compensation Study

for Dare County, NC; a Classification and Compensation Study for Barrow County, GA; a Classification and Compensation Study for the City of Jackson, GA; a Classification and Compensation Study for the City of Calhoun, GA; a Classification and Compensation Study for the City of South Fulton, GA; a Classification and Compensation Study for the City of Hampton, GA; a Classification and Compensation Study and Analysis for Columbus Consolidated Government, GA; a Compensation Study for Cherokee County, GA; a Classification and Compensation Study for the City of Jackson, GA; a Classification and Compensation Study for the City of Sylvester, GA; a Classification and Compensation Study for the City of Rome, GA; Compensation Consulting Services to Effingham County, GA; a Classification and Compensation Study for the City of Eastpoint, GA; a Comprehensive Position Classification and Compensation/Benefits Study and Analysis for the City of Kennesaw, GA; a Classification and Compensation Study for the City of Vienna, GA; a Compensation Study for the City of Duluth, GA; a Classification and Compensation Study for the City of Johns Creek, GA; a Classification and Compensation Study for the City of Auburn, AL; a Compensation and Benefits Study for the City of Mobile, AL; a Classification and Compensation Study for Riviera Utilities, AL; a Compensation Study for the City of Bradenton, FL; a Classification and Compensation Study for Boynton Beach, FL; a Comprehensive Classification and Compensation Study for Citrus County, FL; a Classification and Compensation Study for the City of Apalachicola, FL; a Compensation Study for the City of New Port Richey, FL; a Compensation Study for the City of Zephyrhills, FL; a Classification and Compensation Study for Okaloosa County, FL; a Classification and Compensation Study for Franklin County, FL; and a Compensation Study for the City of Flagler Beach, FL.

Mr. Backhaus has a Bachelor's of Science in Economics with Minors in Sociology and Communication.

Note: A team of experienced analytical and clerical support staff will contribute to this study, as needed.

Section 3.0
Statement of Methods and Procedures

3.0 Statement of Methods and Procedures

In this section, we include a detailed work plan—identifying the tasks, activities, and milestones necessary to accomplish the deliverables required in the scope of work of the Request for Proposal and the structure and content of our work product. **We have included a Sample Final Report in the Appendix.**

3.1 Detailed Work Plan

The detailed work plan that Evergreen proposes to use to conduct the Classification and Compensation Study for the City of Alpine is provided in this section. Evergreen understands that the City has 86 budgeted positions that will be included in the study.

Our work plan consists of the following 11 work tasks:

- Task 1: Project Initiation
- Task 2: Evaluate the Current System
- Task 3: Collect and Review Current Environment Data
- Task 4: Evaluate and Build Projected Classification Plan and Make FLSA Determinations
- Task 5: Identify List of Market Survey Benchmarks and Approved List of Targets
- Task 6: Conduct Market Salary and Benefits Survey and Provide External Assessment Summary
- Task 7: Develop Strategic Positioning Recommendations
- Task 8: Conduct Solution Analysis
- Task 9: Develop and Submit Draft and Final Reports
- Task 10: Develop Recommendations for Compensation Administration
- Task 11: Provide Revised Class Descriptions

Task 1.0 Project Initiation

TASK GOALS

- Finalize the project plan with the City.
- Gather all pertinent data.
- Finalize any remaining contractual negotiations.
- Establish an agreeable final time line for all project milestones and deliverables.

TASK ACTIVITIES

1.1 Discuss with the City's Project Manager and any other key staff the following objectives:

- the classification and pay plan study process;

- understand mission and current compensation philosophy;
- review our proposed methodology, approach, and project work plan to identify any necessary revisions;
- reach agreement on a schedule for the project including all assignments and project milestones/deliverables; and
- establish an agreeable communication schedule.

1.2 Identify potential challenges and opportunities for the study. Discuss the strategic direction of the City and some of the short- and long-term priorities. This activity serves as the basis for assessing where the City is going and what type of pay plan will reinforce current and future goals.

1.3 Obtain relevant materials from the City, including:

- any previous projects, research, evaluations, or other studies that may be relevant to this project;
- organizational charts for the departments and divisions, along with related responsibility descriptions;
- current position and classification descriptions, salary schedule(s), and classification system; benefits information; and
- personnel policies and procedures, including step placement policies.

1.4 Review and edit the project work plan and submit a timeline for the completion of each project task.

1.5 Provide weekly progress reports to the City's Project Manager (CPM) and City Manager throughout the study.

KEY PROJECT MILESTONES

- Comprehensive project management plan
- Comprehensive database of City staff

Task 2.0 Evaluate the Current System

TASK GOAL

- Conduct a comprehensive preliminary evaluation of the existing compensation plan(s) for the City.

TASK ACTIVITIES

2.1 Obtain the existing pay structure and compensation philosophy (if any). Review the existing pay structure and look for potential problems and issues to be resolved.

2.2 Determine the strengths and weaknesses of the current pay plan(s) and structure for the City. Address any pay compression issues that may exist and discuss possible solutions.

2.3 Complete an assessment of current conditions that details the pros and cons of the current system, taking into account the current benefit package as part of total compensation, as well as highlights areas for potential improvement in the final adopted solution.

KEY PROJECT MILESTONES

- Review of existing compensation plan(s)
- Pay compression issues and solutions
- Assessment of current conditions

Task 3.0 Collect and Review Current Environment Data

TASK GOALS

- Conduct statistical and anecdotal research into the current environment within the City.
- Guide subsequent analytical tasks.

TASK ACTIVITIES

3.1 Schedule and conduct employee orientation sessions to describe the scope of work and methodology.

3.2 Interview department heads to obtain relevant information and statistical/anecdotal data on specific compensation issues and policies. Obtain insight into perceived current compensation system strengths and weaknesses.

3.3 Hold focus groups with a sample of employees to obtain additional relevant information and statistical/anecdotal data on specific compensation issues and policies.

3.4 Work with the CPM and Human Resources staff to administer the JATs and MITs. Our staff utilizes a web-based tool for data collection, but we can provide paper copies as well as those for classifications without computers or Internet access. We will seek approval from the CPM before distribution of the JAT/MIT questionnaire.

3.5 Review any data provided by the City that may provide additional relevant insight.

KEY PROJECT MILESTONES

- Job assessment tool distribution
- Department head interviews
- Employee focus groups and orientation sessions

Task 4.0 Evaluate and Build Projected Classification Plan and Make FLSA Determinations

TASK GOALS

- Identify the classification of existing positions utilizing the approved method for job evaluation.
- Characterize internal equity relationships within the City.

TASK ACTIVITIES

4.1 Ensure that all class specifications have been provided to Evergreen by the CPM.

4.2 Review the work performed by each classification and score based on job evaluation. Include an evaluation of supervisory comments.

4.3 Review job evaluation scores and identify the classification of positions.

4.4 Schedule and conduct additional follow up with employees for jobs where uncertainty exists over data obtained from job evaluation.

Develop preliminary recommendations for the classification structure and discuss with the CPM. The classification system designed at this point would be based solely on internal equity relationships and would be guided by the job evaluation scores for each classification. Essentially, a structure of classifications would be established, and classifications with similar scoring would be grouped and spacing between jobs would be determined.

4.5 Identify career ladders/promotional opportunities for each classification.

4.6 Develop recommendations of FLSA (exemption) status based on results of the job evaluation (JAT) review and federal requirements.

4.7 Review recommendations with the CPM.

KEY PROJECT MILESTONES

- Job evaluation scores by class
- Recommended classification changes
- Preliminary job structure based on internal equity

Task 5.0 Identify List of Market Survey Benchmarks and Approved List of Targets

TASK GOALS

- Reach an appropriate number and identify the proper benchmark positions for the external labor market assessment of salary and benefits.
- Identify and develop a comprehensive list of targets for conducting a successful external labor market assessment of salary and benefits.

TASK ACTIVITIES

5.1 Identify, from the initial review, a list of classifications (benchmarks) to include in the labor market survey. **Note:** Evergreen will work with the CPM to identify up to 70 classifications to use as benchmarks for the salary and benefits survey.

5.2 Finalize the list of positions with the CPM.

5.3 For each employee group review with the CPM peer organizations to use as targets for the salary and benefits survey. **Note:** Evergreen will work with the CPM to select up to 20 targets for the salary and benefits survey.

5.4 Develop a preliminary list of organizations for the external labor market survey of salary, placing a comparative emphasis on characteristics such as:

- size of the organization;
- geographic proximity to the Alpine area;
- economic and budget characteristics; and
- other demographic data.

5.5 Develop a list of survey targets by employee group. Develop a system for use of secondary data including potential sources and weighting of secondary data, if necessary.

5.6 Review survey methodology with the CPM and refine survey methodology prior to distribution of surveys.

5.7 After approval of survey methodology, develop contact list of peer organizations and notify peers of impending surveys.

KEY PROJECT MILESTONES

- Final list of benchmark positions for the external labor market assessment salary survey
- Initial list of survey peers
- Survey methodology
- Final list of survey organizations and contacts

Task 6.0 Conduct Market Salary and Benefits Survey and Provide External Assessment Summary

TASK GOALS

- Conduct the external labor market salary survey.
- Conduct benefits survey.
- Provide a summary of the market salary and benefits survey results to the CPM.

TASK ACTIVITIES

6.1 Prepare a customized external labor market salary survey for the CPM's approval. Discuss questions and categories for the market survey.

6.2 Develop a listing of the current benefits provided by the City for comparisons with peer organizations, including but not limited to leave, vacation leave, certification pay, on call, and other related compensation for Police, Exempt, Non-Exempt, and department heads.

6.3 Using the list of City provided benefits and major benefits offerings not provided by the City develop a list of benefits to include in the external labor market survey.

6.4 Prepare benefits survey to be included with salary survey developed in **Task 6.1.**

6.5 Review trends in benefit offerings and recommendations.

6.6 Contact the targets for electronic completion of the survey. Provide paper copies by fax, if requested.

6.7 Conduct necessary follow-up through e-mails, faxes, and phone calls.

6.8 Collect and enter survey results into Evergreen's electronic data analysis tools.

6.9 Validate all data submitted.

6.10 Develop summary report of external labor market salary and benefits assessment results.

6.11 Submit summary report of external labor market salary and benefits assessment results to the CPM.

KEY PROJECT MILESTONES

- Market survey instrument
- Benefits survey instrument
- Summary report of external labor market salary and benefits assessment results

Task 7.0
Develop Strategic Positioning Recommendations

TASK GOALS

- Assess the appropriateness of the current compensation philosophy for the City.
- Develop a plan for all employees, providing issue areas and preliminary recommendations for strategic improvement.

TASK ACTIVITIES

7.1 Identify the compensation philosophy and accompanying thresholds.

7.2 Using the market salary and benefits survey data collected in **Task 6.0,** and the classification data reviewed in **Task 4.0**, recommend the appropriate pay plan(s) for the City.

7.3 Identify any extreme current individual or group compensation inequities and to provide a recommended corrective action plan and process to remedy these situations.

7.4 Develop guidelines to assist City staff with determining the starting pay for new employees based on knowledge and experience above the minimum requirements of the position, how difficult the position is to fill, and market competitiveness.

7.5 Provide implementation strategies related to any other key compensation practices, based on market demands, including compensation for promotions, demotions, certifications and on call, pay performance, skill pay, special assignment pay, certification pay, promotional pay, and acting assignment pay.

7.6 Produce a pay plan for the City that meets its needs from an internal and external equity standpoint.

KEY PROJECT MILESTONES

- Proposed compensation strategic direction, taking into account internal and external equity
- Plan for addressing unique, highly competitive positions

Task 8.0 Conduct Solution Analysis

TASK GOALS

- Conduct analysis comparing job evaluation values.
- Survey results for the benchmark positions.
- Produce several possible solutions for implementation.

TASK ACTIVITIES

8.1 Conduct regression analysis or other appropriate techniques to properly slot each classification into the proposed pay plan for the City.

8.2 Place all classifications into pay grades based on **Task Activity 8.1.** Sort alphabetically by job class title, in descending order by range, and by old class title and new class specifications.

8.3 Create implementation solutions for consideration that take into account the current position of the City as well as the findings from the classification and compensation analysis. Identify and prepare a range of compensation policy alternatives.

8.4 Meet with the CPM to discuss the potential solutions.

8.5 Determine the best solution to meet the needs of the City in the short-term and long-term.

8.6 Document the accepted solution.

KEY PROJECT MILESTONES

- Initial regression analysis
- Potential solutions
- Documented final solution

Task 9.0 Develop and Submit Draft and Final Reports

TASK GOALS

- Develop and submit a draft and Final Report of the Classification and Compensation Study to the City of Alpine.
- Present the Final Report.

TASK ACTIVITIES

9.1 Produce a comprehensive draft report that captures the results of each previous step, including a complete listing of the allocation of job classes to salary range requirements. Provide the draft report to the CPM for review that will include all costs associated with all recommendations as well as implementation strategies.

9.2 Make edits and submit necessary copies of the Final Report to the CPM.

9.3 Present the Final Report and recommendations to City Management an/or City Council.

9.4 Develop a communication plan for sharing study results with employees of the City.

9.5 Develop a plan for maintaining recommendations over time.

KEY PROJECT MILESTONES

- Draft and final reports
- Final presentation
- Communication plan
- Implementation and maintenance database

Task 10.0 Develop Recommendations for Compensation Administration

TASK GOALS

- Develop recommendations for continued administration by City staff to sustain the recommended compensation and classification system.
- Conduct training.

TASK ACTIVITIES

10.1 Develop recommendations and guidelines for continued administration and maintenance of the classification and compensation system by City staff, including recommendations and guidelines related to:

- how employees will move through the pay structure/system as a result of transfers, promotions, or demotions;
- how to pay employees whose base pay has reached the maximum of their pay range or value of their position;
- the proper mix of pay and benefits;
- how often to adjust pay scales and survey the market;
- the timing of implementation; and
- how to keep the system fair and competitive over time.

10.2 Recommend recruitment/retention strategies, where appropriate.

10.3 Present recommendations to the CPM for review.

10.4 Finalize recommendations.

10.5 Provide training and tools to Human Resources Department staff to ensure that staff can conduct audits/adjustments consistent with study methods until the next formal study is conducted using Evergreen's ***JobForce Manager*** tool that will enable Human Resources staff to estimate future pay plan changes, update market information, make determinations on reclassifications, and create new jobs – allowing for streamlining, and an increase in fairness and transparency of regular compensation and classification tasks after solution implementation. **Note:** Evergreen understands that Maintenance should include annual activities, as well as the process that would be used in the review of the classification of individual jobs as needed.

KEY PROJECT MILESTONES

- Recommendations for compensation administration
- Recommendations for recruitment/retention policies
- Training on Evergreen's ***JobForce Manager*** tool

Task 11.0
Provide Revised Class Descriptions

TASK GOALS

- Update existing class descriptions.
- Create new class descriptions only for those classifications recommended by Evergreen as a result of the job evaluation process.
- Provide final version of all class descriptions/specifications in electronic format (i.e., MS Word).

TASK ACTIVITIES

11.1 Assess current class descriptions for form, content, validity, and ADA, FLSA, EEO compliance, etc.

11.2 Discuss any necessary changes to the class description format with the CPM.

11.3 Update classification descriptions based on data gathered from the job evaluation process.

11.4 Create new class descriptions only for those classifications recommended by Evergreen as a result of the job evaluation process.

11.5 Recommend a systematic, regular process for reviewing job descriptions.

KEY PROJECT MILESTONES

- Updated class descriptions
- New class descriptions, as needed
- Recommendations for regular review of class descriptions

3.2 Structure and Content of Work Product

At the conclusion of the study, Evergreen will deliver a draft and final report that will include the following six chapters.

- **Chapter 1: Introduction** - This chapter provides an introduction into the study and describes the necessary steps that will take place. The major deliverables include a revised project plan, timeline, outreach protocols, document questions, and weekly update reports.
- **Chapter 2: Summary of Outreach** - This chapter provides a summary of any employee meetings and department head interviews. The major deliverables include a summary of outreach results and potential issues for further investigation.
- **Chapter 3: Assessment of Current Conditions** - This chapter provides an overall assessment of the structure of the compensation plan in place and a brief analysis of the employee demographics. The major

deliverables include career path analysis, range and rank compression analysis, strengths and weaknesses of the current system, and initial findings.

- **Chapter 4: Market Summary** - This chapter provides results of the market salary survey that was distributed to peer organizations. The major deliverables include a summary of market peers, proposed benchmark jobs, peer survey, extrapolation file for benchmarks to other jobs, and market results by classification.

- **Chapter 5: Benefits Summary** - This chapter provides results of the market benefits survey that was distributed to peer organizations.

- **Chapter 6: Solution** - This chapter summarizes the proposed recommendations based on the findings from the previous chapters. The recommendations generally include four different categories: *Classification, Overall Structure, Compensation*, and *Administration*. The major deliverables include report, policy recommendations, and implementation plans.

In addition to the final report, Evergreen will provide a solution file that will include a cost breakdown and implementation strategy for all recommended options for the City in updating its classification and compensation structure. Evergreen will also provide updated and/or new job descriptions in electronic format.

Evergreen will also provide training using its own ***JobForce Manager*** software that will allow the City to facilitate the implementation and ongoing maintenance of the recommended changes to its classification and compensation system. The City will have access to this software free of charge at the conclusion of the study.

Section 4.0
Management Synopsis

4.0 Management Synopsis

The following describes the significant features of our proposal to conduct a Classification and Compensation Study for the City of Alpine.

Scope of Work

In **Section 1** of our proposal, we provide our overall approach and methodology for completing this study. Our approach is built on working collaboratively with all parties to make sound, implementation-focused recommendations. Specifically, we have developed a methodology that: focuses on market competitiveness; is based on the organization's compensation philosophy; recognizes that compensation is comprised of more than just base pay levels; reflects changes in recent compensation strategies; designs custom solutions that take into account the diversity of needs present in the organization and allows you to select the components and options that best meet your overall needs; and produces a structure that improves the organization's ability to recruit, reward, motivate, and retain talent in a competitive environment that includes both public and private sector employers.

Description of Project Team

In **Section 2** of our proposal, the qualifications our proposed project team through summary resumes. Detailed resumes are available upon request.

Structure and Content of Work Product

In **Section 3** of our proposal, we provided a detailed work plan—identifying the tasks, activities, and milestones necessary to accomplish the deliverables listed in the scope of work of the Request for Proposal and the structure and content of the final work product.

Our detailed work plan consists of the following 11 work tasks:

- Task 1 Project Initiation
- Task 2: Evaluate the Current System
- Task 3: Collect and Review Current Environment Data
- Task 4: Evaluate and Build Projected Classification Plan and Make FLSA Determinations
- Task 5: Identify List of Market Survey Benchmarks and Approved List of Targets
- Task 6: Conduct Market Salary and Benefits Survey and Provide External Assessment Summary
- Task 7: Develop Strategic Positioning Recommendations
- Task 8: Conduct Solution Analysis
- Task 9: Develop and Submit Draft and Final Reports
- Task 10: Develop Recommendations for Compensation Administration
- Task 11: Provide Revised Class Descriptions

At the conclusion of the study, Evergreen will deliver a draft and final report that will include the following six chapters.

- **Chapter 1: Introduction** - This chapter provides an introduction into the study and describes the necessary steps that will take place. The major deliverables include a revised project plan, timeline, outreach protocols, document questions, and weekly update reports.

- **Chapter 2: Summary of Outreach** - This chapter provides a summary of any employee meetings and department head interviews. The major deliverables include a summary of outreach results and potential issues for further investigation.

- **Chapter 3: Assessment of Current Conditions** - This chapter provides an overall assessment of the structure of the compensation plan in place and a brief analysis of the employee demographics. The major deliverables include career path analysis, range and rank compression analysis, strengths and weaknesses of the current system, and initial findings.

- **Chapter 4: Market Summary** - This chapter provides results of the market salary survey that was distributed to peer organizations. The major deliverables include a summary of market peers, proposed benchmark jobs, peer survey, extrapolation file for benchmarks to other jobs, and market results by classification.

- **Chapter 5: Benefits Summary** - This chapter provides results of the market benefits survey that was distributed to peer organizations.

- **Chapter 6: Solution** - This chapter summarizes the proposed recommendations based on the findings from the previous chapters. The recommendations generally include four different categories: *Classification, Overall Structure, Compensation*, and *Administration*. The major deliverables include report, policy recommendations, and implementation plans.

Cost of Services

Our total, not-to-exceed, fixed cost to complete all tasks identified in our detailed work plan in **Section 3** of our proposal is **$34,500**. Our cost is all inclusive, and includes travel costs (meals and lodging), transportation, fringe benefits, indirect costs (overhead), clerical support, and all other out-of-pocket expenses. Our cost includes two onsite visits to the City to perform the requested work as most of the work can be conducted virtually.

Work Schedule

Evergreen possesses the ability, staff, skills, and tools to conduct the Classification and Compensation Study for the City of Alpine in approximately four months of the project start date and following the signing of the contract. This is based on a tentative start date of June 1, 2024, and a completion date of September 30, 2024.

References

In **Section 7** of our proposal, we included our firm's background and history of our firm, a list of similar studies we have conducted or are currently under contract to conduct in the State of Texas and some of our larger clients, and references.

Required Forms

As required in the Request for Proposal (RFP), Evergreen has included Attachment A – Certificate of Interested Parties and Attachment B – House Bill 89 Verification Form.

Final Product

Evergreen agrees to the following statements, as required in the RFP:

- *deliver at least one (1) original, five (5) copies, and a flash drive of the final report to the City Manager or their designee;*
- *provide the final report, tables, schedules, job descriptions, charts, spreadsheets, salary surveys, and other materials necessary for implementation and maintenance of the compensation/classification system in an electronic medium (flash drive); and*
- *appear at a City Council meeting, or meeting with City Management, to deliver the final report.*

Additional Services

Evergreen Solutions will provide the City's Human Resources staff with the necessary training and materials so that an understanding of the methodology and how to implement, administer, and maintain the recommended classification and compensation system is accomplished. In addition, Evergreen will provide up to one-year technical assistance by phone at no cost to assist with any implementation concerns and/or to answer any questions regarding the maintenance of the new system.

Section 5.0
Cost of Services

5.0 Cost of Services

Evergreen Solutions, LLC is pleased to present our proposed cost to conduct a Classification and Compensation Study for the City of Alpine. We are committed to providing the highest quality consulting services to our client partners for a reasonable cost. Our firm is fortunate that our overhead is minimal and our expenses are reasonable so we can pass that cost savings on to our clients.

Our total, not-to-exceed, fixed cost to complete all tasks identified in our detailed work plan in **Section 3** of our proposal is **$34,500**. Our cost is all inclusive, and includes travel costs (meals and lodging), transportation, fringe benefits, indirect costs (overhead), clerical support, and all other out-of-pocket expenses. Our cost includes two onsite visits to the City to perform the requested work as most of the work can be conducted virtually.

Our preferred payment schedule for all tasks is as follows:

- 25% - upon completion of Tasks 1 – 2
- 25% - upon completion of Tasks 3 – 4
- 25% - upon completion of Tasks 5 – 6
- 15% - upon completion of Tasks 7 – 10
- 10% - upon completion of Task 11

We are willing to negotiate the time, scope, and cost of the basic tasks, or any other options that the City of Alpine wishes to identify.

Section 6.0
Work Schedule

6.0 Work Schedule

Evergreen possesses the ability, staff, skills, and tools to conduct the Classification and Compensation Study for the City of Alpine in approximately four months of the project start date and following the signing of the contract. This is based on a tentative start date of June 1, 2024, and a completion date of September 30, 2024.

This proposed work schedule, as identified in **Exhibit 6-1**, can be modified in any way to best meet the needs of the City of Alpina.

Exhibit 6-1
Proposed Work Schedule

PROJECT TASKS	2024			
	JUN	JUL	AUG	SEPT
1.0: Project Initiation				
2.0: Evaluate the Current System				
3.0: Collect and Review Current Environment Data				
4.0: Evaluate and Build Projected Classification Plan and Make FLSA Determinations				
5.0: Identify List of Market Survey Benchmarks and Approved List of Targets				
6.0: Conduct Market Salary and Benefits Survey and Provide External Assessment Summary				
7.0: Develop Strategic Positioning Recommendations				
8.0: Conduct Solution Analysis				
9.0: Develop and Submit Draft and Final Reports				
10.0: Develop Recommendations for Compensation Administration				
11.0: Provide Updated Class Descriptions				

Section 7.0
References

7.0 References

Evergreen Solutions is well qualified to conduct a Classification and Compensation Study for the City of Alpine due to our experience in conducting more than 1,200 similar studies for local governments and other public sector organizations across the country, especially in the State of Texas. In this section, we provide you with the background and history of our firm, a list of similar studies we have conducted or are currently under contract to conduct in the State of Texas,and references.

7.1 Firm's Background and History

Evergreen Solutions, LLC is a national, multidisciplinary, public sector management consulting firm, which specializes in working with public sector organizations, including hundreds of local governments, across the nation. We provide a unique approach, rather than the "consulting as usual" approach, by partnering with our clients to find innovative, real-world solutions to public management.

Evergreen Solutions was formed in 2004 to provide a modern, practical alternative to the typical consulting options. The firm is made up of management and human resource professionals as well as strategic partners who came together to form an innovative alternative that places clients and their needs before any individual, model, or corporate goal.

Evergreen's philosophy is based on an understanding that there is not a "one size that fits all" solution to compensation management. Our approach is built on working collaboratively with all parties to make sound, implementation-focused recommendations.

Evergreen is licensed to transact business in the State of Texas under the name Recio and Ling Consulting, LLC (#32059488299). Evergreen employes 29 full- and nine part-time employees who provide a variety of human resources and management consulting.

Evergreen's main focus is on people, management, and technology. This focus allows our team to provide a broad variety of services, including, but not limited to: classification and compensation studies; salary and benefits surveys; performance management reviews; workload analyses; staffing studies; HR department reviews; disparity studies; efficiency studies; training assessments; and strategic planning.

We invite you to browse our Web site at **www.ConsultEvergreen.com** or visit us on Facebook at www.facebook.com or Linkedin at www.linkedin.com for more information about our services, staff, and past experience.

Find us on: facebook.

LinkedIn

Evergreen Solutions assists public sector professionals in exercising control over the inter-related elements that determine success or failure. We do that by applying a situation-responsive discipline that emphasizes:

- full visibility into the entire organization through research and discovery;
- a spirit of partnership with staff and leadership;
- sound recommendations based on best practices and proven methods; and
- a practical go-forward plan that leads to quantifiable results.

Collectively, the members of the Evergreen Solutions Team have:

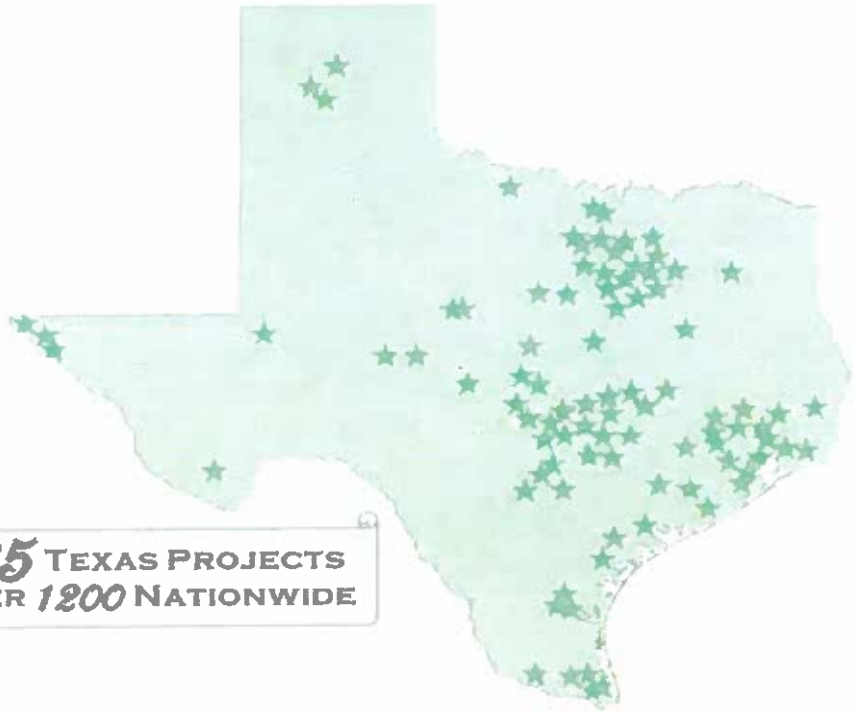
- extensive experience in conducting classification and compensation studies for local governments and other public sector organizations throughout the country, including many in the State of Texas;
- comprehensive experience in all components vital to the successful completion of this engagement;
- knowledge of relevant Texas statutes and regulations as well as federal regulations;
- objectivity and flexibility due to the fact that we have no vested interests; and
- specialized analytical tools that we bring to the project.

Clients nationwide have been successfully implementing recommendations from our team of professional consultants for decades. Evergreen has contracted with public sector, quasi-governmental, and non-profit organizations in 47 states throughout the country.

Exhibit 7-1 includes a sample list of public sector clients in the State of Texas that Evergreen has worked with, or is currently on contract to work with, providing work similar in scope to the services being requested.

Exhibit 7-1: Texas Public Sector HR Clients

Alamo Colleges District	City of Haskell	Jefferson County
Alvin Community College	City of Kingsville	Kaufman County
Amarillo College	City of La Porte	Lone Star College System
Angelo State University	City of Lakeway	Matagorda County
Austin Community College	City of Lockhart	Midland College
Barton Springs/Edwards Aquifer Cons. District	City of Missouri City	Midwestern State University
Bexar Metropolitan Water District	City of Mont Belvieu	Montgomery County ECD
Blanco County	City of Odessa	New Braunfels Utilities
Brazos River Authority	City of Pearland	Prairie View A & M University
Brazoria County	City of Pflugerville	Randall County
Burnet County	City of Portland	Sam Houston State University
City of Amarillo	City of Rowlett	San Jacinto Community College
City of Aransas Pass	City of Sachse	San Patricio County
City of Athens	City of Seabrook	South Texas College
City of Beaumont	City of Seguin	Sul Ross State University
City of Big Spring	City of South Padre Island	Taylor County
City of Buda	City of Sunset Valley	Tarrant County Community College District
City of Conroe	City of Temple	Texas A & M University - Kingsville
City of Conway	City of Texas City	Texas A & M University - San Antonio
City of Coppell	Dallas Area Rapid Transit	Texas Southern University, Houston
City of Deer Park	Denton County	Texas City Management Association
City of Del Rio	Denton Co. Fresh Water Supply District	Town of Addison
City of Desoto	El Paso Independent School District	The Woodlands Township
City of Denton	Fort Bend County	Town of Little Elm
City of Duncanville	Fort Worth Housing Solutions	Travis County
City of Farmers Branch	Harris-Galveston Subsidence District	Trinity University
City of Fate	Hill County	University of Texas at Tyler
City of Fredericksburg	Hood County	Wayside School District
City of Gonzales	Irving Independent School District	Waller County
City of Harlingen		



OVER 85 TEXAS PROJECTS AND OVER 1200 NATIONWIDE

7.2 Select Relevant Experience

Because Evergreen has conducted more than 1,200 classification and/or compensation studies since its inception, we include in this section a list of similar local government projects that we have conducted or are currently on contract to conduct in the State of Texas. **Note:** Evergreen has also worked for many other public sector organizations in the State of Texas as you can see in **Exhibit 7-1.**

Compensation and Classification Study
City of Coppell, Texas

Evergreen Solutions was engaged with the City of Coppell to conduct a Compensation and Classification Study. Evergreen reviewed existing job functions by position as they pertained to the current and recommended structure; examined current market position using peer comparisons; developed a comprehensive labor market salary survey for the North Texas region that included other local municipalities; analyzed existing internal hierarchy based on job relationships and essential functions, identifying problem areas within the internal hierarchy system and proposed implementation methods to correct identified problems; developed a pay plan; reviewed and recommended assignments of all positions to an appropriate pay grade, and made recommendation(s) for corresponding education and experience requirements by classification; reviewed and revised job descriptions; and recommended implementation strategies, including calculating the cost of implementing the study results.

Classification and Compensation Study
City of Athens, Texas

Evergreen Solutions was retained by the City of Athens to conduct a Classification and Compensation Study by revising and/or creating a job classification and compensation structure to ensure a fair and equitable system both internally and externally. Evergreen performed the following tasks: conducted job evaluations to establish and/or redefine grades/ classifications groups and job relationships; identified benchmark jobs from each grade/classification to survey; determined a relevant job market; conducted a customized market salary and benefit package survey for all classification groups; performed survey data analysis and recommended pay structures; and met with City Management and key staff to determine implementation strategies (including multi-year implementation strategies if needed) to present to the City Council. In the end, Evergreen provided recommendations for the ongoing internal administration and maintenance of the proposed compensation and classification plan.

Job Classification, Salary Survey, Compensation Plan Study Services
City of Duncanville, Texas

Evergreen was engaged with the City of Duncanville to provide professional Job Classification, Salary Survey, and Compensation Pay Plan Study Services that allowed the creation of a comprehensive job classification and compensation system and pay plans for employees within the City. Evergreen's consultants reviewed and analyzed the City's current structure and practices of job classifications and job descriptions including: conducting orientation sessions; providing questionnaires; conducting management and employee interviews; reviewing questionnaire responses with supervisory and management staff; performing a job analysis; and developing and/or revising job descriptions.

Evergreen prepared a customized market survey of salaries of the local and area municipalities that included all of the competitive markets where the city recruited employees. Evergreen established a system for an ongoing and easily understood maintenance of the new, or updated, pay plan that was easy for employees to understand and for managers to administer. The recommended pay plan effectively balanced market and internal equity supported the classification system, and promoted an employee's perception of organizational fairness and equity in the City. **Note:** Evergreen was again hired in 2023 to conduct a Classification and Compensation Study Update.

Compensation and Classification Study
City of Beaumont, Texas, Texas

Evergreen Solutions was retained by the City of Beaumont to conduct a Compensation and Classification Study for its **1,295 employees**. Evergreen examined internal equity to determine whether positions were properly classified as well as external equity to determine whether the City was competitive in the market.

Classification and Compensation Study
City of Kingsville, Texas

Evergreen Solutions was retained by the City of Kingsville to conduct a Classification and Compensation Study for **1,172 employees**. Evergreen conducted a market salary survey and job analysis to determine internal and external equity and updated the City's personnel manual.

Comprehensive Compensation and Classification Study
City of Farmers Branch, Texas

Evergreen was engaged with the City of Farmers Branch to conduct a Comprehensive Compensation and Classification Study. The primary objectives of the study were to: review and revise current classification system; determine relevant competitive markets; develop a custom compensation survey to distribute to peer organizations; propose guidelines for an improved or new compensation program and step/grade plan; and provide recommendations to keep the current pay structure competitive. **Note:** Evergreen was again hired in 2021 to conduct a Compensation and Benefits Study.

Classification and Compensation Study
City of Lockhart, Texas

Evergreen was retained by the City of Lockhart to conduct a classification and compensation study of its workforce. Employees participated in focus groups, interviews, and a job analysis was conducted to determine the best classifications for the work performed. In addition, pay ranges were analyzed in the public and private sector to determine the appropriate pay levels for all included jobs. Recommendations were provided to improve the fairness and equity in the current system.

Classification, Compensation & Benefits Study
City of Portland, Texas

Evergreen was engaged with the City of Portland (City) to conduct a Classification, Compensation and Benefits Study. Evergreen's consultants evaluated jobs within the City and the current pay and benefits structure. A market survey of salary and benefits was conducted among peers approved by the City. Based on the survey results, Evergreen's consultants made recommendations for changes to the current classification and compensation system, as well as provided a maintenance tool that the Human Resources Department could use to keep the system current and equitable. Training on this maintenance tool was also provided. **Note:** Evergreen was again hired in 2024 to conduct a similar study.

Comprehensive Compensation and Benefits Study
City of Rowlett, Texas

Evergreen was engaged with the City of Rowlett to conduct a comprehensive compensation and benefits study. The primary goal of the study was to ensure that the City was recognized as an employer of choice that provides a viable, cost effective and competitive pay structure. The study measured and provided a compensation analysis on (a) base salary, (b) pay/step plans, (c) employer-provided medical benefits packages and (d) any other incentive-based compensation options, to include "on call" pay. Evergreen's consultants identified any weaknesses within the components of the City's existing compensation package that would negatively impact the organization's ability to attract and retain talented employees.

Comprehensive Compensation and Benefits Study
City of Sachse, Texas

Evergreen was hired by the City of Sachse to conduct a Comprehensive Compensation and Benefits Study. The study measured and provided an analysis on base salary, pay/step plans, employer-provided medical benefits packages and any other incentive-based compensation options, including "on call" pay. To ensure the project's validity and applicability, Evergreen conducted a compensation analysis using similar-sized local municipalities for comparison and recommended comparator cities for consideration. The following study components were compared: pay ranges with comparator cities performing the same or similar functions; actual employee pay with comparator cities performing the same or similar functions; pay/step plans/special assignment pay with comparator cities performing the same or similar functions; and city-provided comprehensive employee benefits packages with comparator cities performing the same or similar functions.

Evergreen recommended pay structure features that provided opportunities for advancement while minimizing salary overlap between levels of responsibility. **Note:** Evergreen was again hired to conduct a classification study for select positions.

Classification and Compensation Study
City of Conroe, Texas

Evergreen was retained by the City of Conroe to conduct a Classification and Compensation Study. The scope of the study included the following major components: review and update and/or rewrite of all city job descriptions; work with a City management team to revise the existing pay plan for both Civil Service and non-Civil Service personnel structures; and evaluate current salary structure and compensation levels for all regular, classified positions and non-classified positions, and recommend appropriate adjustments.

Classification and Compensation Study
City of Seguin, Texas

Evergreen was hired to assist the City of Seguin in designing and implementing a comprehensive classification and compensation plan for its workforce of 330 full-time employees. The scope of the project included two major components: (1) Working with a City management team to revise the existing pay plan and structures; and (2) Evaluating current salary structure and compensation levels for all regular, classified positions and recommending appropriate adjustments. Specifically, Evergreen's consultants reviewed the City's current classification/compensation plan; surveyed management and identified problem areas regarding the classification and compensation system; conducted a salary survey to ensure external equity; reviewed current policies and procedures; reviewed salary structure to determine appropriateness; and provided technical assistance and training to City staff to facilitate the implementation and the maintenance of the recommended system and procedures. **Note:** Evergreen was again hired in 2023 to conduct a Compensation Benchmarking and Structure Analysis.

Pay Structure Study
City of Fate, Texas

Evergreen was hired to develop a new pay plan for the City of Fate. Evergreen performed the following tasks: reviewed the City's salary data; created a new pay plan for the City; slotted current jobs into the new play plan; and verified the internal equity of the new pay plan.

Classification and Compensation Study
City of Pflugerville, Texas

Evergreen was hired by the City of Pflugerville to conduct a Classification and Compensation Study for its workforce of over 300 full- and part-time employees. Evergreen analyzed each position within the City by conducting interviews and job audits; evaluated employee position descriptions and duties; interviewed department heads and managers; and assessed classifications within positions (I, II, III, or Lead, Foreman). Evergreen reviewed current job descriptions, focusing on the purpose, job scope, essential duties and responsibilities, education/training requirements, physical job requirements, and working conditions, determined FLSA status (exempt/non-exempt) for positions under federal regulations, and recommended which positions were essential positions in the event the City had a temporary closure. Based on this review, Evergreen presented a proposed classification structure to City management and incorporated input into the final classification document, including a cost analysis for positions that would require adjustments.

Evergreen surveyed the cities of Georgetown, Round Rock, Hutto, Cedar Park, Leander, San Marcos, and College Station to compare compensation and benefit structures in addition to minimum and maximum rates of pay for select positions and will soon make recommendations toward appropriate ranges for rates of pay for each position identified. This included a minimum, mid-point, and maximum, with 1st and 3rd quartile designations. A Salary Grade Chart was prepared based on these recommendations and was presented to management for final approval. **Note:** Evergreen was again hired in 2021 to conduct a staffing study for the City.

Pay and Classification Study
City of Fredericksburg, Texas

Evergreen was engaged with the City of Fredericksburg to conduct a Pay and Classification Study and make recommendations for implementation of a revised pay plan. The study included all employees and classifications in the City. As part of the study, Evergreen consultants conducted focus groups and interviews with employees, and employees completed a Job Assessment Tool (JAT). Evergreen consultants also conducted a comprehensive salary survey of local and regional employers to assess the market competitiveness of the City. Finally, a detailed plan was developed to provide the City with specific steps to implement an equitable and competitive pay plan. **Note:** Evergreen is on retainer to provide the City with classification, pay grade assignments, organizational management and other on-going human resources support.

Human Resources Department Assessment (Classification and Compensation Study)
City of Buda, Texas

Evergreen was engaged with the City of Buda to conduct a Human Resources Department Assessment. Evergreen's consultants provided a job analysis questionnaire and procedures for future updating and new position creation and developed and fully defined a systematic procedure for evaluating positions using the "point factor method". A worksheet was developed for departments to request a job evaluation for upgrades within a position or for a new position for submission to Human Resources to ensure that job titles were consistently used on job descriptions and the pay plan.

Evergreen further created a new cost effective, affordable compensation structure and management plan that was systematically and equitably acknowledge and rewarded an employee's performance and skills. Evergreen designed a compensation program that included a description and justification of the pay philosophy, a completed pay structure, and rules for moving employees through the pay structure based on their increasing contributions in support of the City. Evergreen consultant's gathered actual salary data from market surveys, local governmental agencies, benchmarked cities, and other appropriate data, as deemed necessary. The recommended compensation structure included a proposed training/career progression plan, including documentation as appropriate, and a plan that rewards employee performance fairly and equitably, with measures that can be documented.

Note: Evergreen was again selected by the City of Buda in 2020 to conduct a Market Salary Update.

Classification and Compensation Study
City of Sunset Valley, Texas

Evergreen was hired by the City of Sunset Valley to assist with a City-wide Compensation and Classification Study, as well as development of a Performance Evaluation System. The study also included a Human Resources Audit and recommendations to strategically align the processes, procedures, staffing, and organization of human resources functions. All employees and classifications in the City were included in the study. As part of the study, the Evergreen Team conducted interviews and focus groups with all City employees. Evergreen consultants conducted a comprehensive salary survey of local and regional employers to assess the market competitiveness of the City. Finally, a detailed plan was developed to provide the City with specific steps to implement an equitable and competitive compensation plan.

Classification and Compensation Pay Plan
City of Amarillo, Texas

Evergreen Solutions was engaged with the City of Amarillo to develop a Classification and Compensation Pay Plan for **2,835 employees.** Evergreen's consultants: reviewed the City's existing classification/compensation system; worked with the City's Human Resources Director and staff to identify a market position for the City; gathered necessary information through the use of questionnaires, job audits, some personal interviews; discussed and determined the appropriate labor market for the compensation survey; analyzed existing internal hierarchy based on job relationships and proposed implementation methods to correct any identified specific problems; developed a pay plan identifying specific parameters; and reviewed and assigned all positions to an appropriate pay grade. In the end, Evergreen recommended implementation strategies including calculating the cost of implementing the study and provided the Human Resources staff with training to maintain and revise the system, as needed.

Compensation Market Review and Classification Study
City of Austin, Texas

Evergreen was contracted to review the City of Austin's classification system for the Human Resources job family. The study's primary purpose was to review the City's classification structure for its human resources jobs and to ensure that all employees working in the human resources area were properly classified based upon the work they performed. To accomplish this purpose, Evergreen met with each Human Resources Manager and conducted extensive outreach sessions (desk audits) with a large percentage of human resources employees. In addition to the interviews and desk audits, Evergreen consultants reviewed Position Analysis Questionnaires (PAQs), job descriptions, organizational charts, and other documentation. The job analysis resulted in recommendations for a job hierarchy within the Human Resources family and the slotting of each individual within the proposed classification system. Evergreen consultants also worked with the Human Resources Department to ensure that the proposed classification system properly aligned with the compensation system. At the conclusion of the study, job descriptions were revised for each job and FLSA exempt status were provided for each job classification.

Classification and Compensation Study
City of Gonzales, Texas

Evergreen was retained by the City of Gonzales to conduct classification and compensation study for all employees. Employees participate in focus groups, interviews, and job analysis to determine the best classifications for the work performed. Classifications were reviewed, as needed, and FLSA determinations were made. Evergreen consultants conducted a market salary survey to identify pay ranges in the public and private sector in order to determine the appropriate pay levels for all included jobs in the City. Recommendations were provided to improve the fairness and equity within the City and a plan was provided to address maintenance of implemented changes to the City's classification and compensation system.

Salary Survey
City of Lakeway, Texas

Evergreen was retained by the City of Lakeway to provide consulting services for the Human Resource Department and to design and implement a salary survey which would classify all City positions appropriately within the plan structure. The Evergreen Team evaluated the City's current salary structure as compared to the specific job market for comparable positions in the public and private sectors. Additional reviews were conducted for existing job descriptions to recommend updates for specific requested positions. Evergreen ensured that content and titles were current, accurate, and consistent with Fair Labor Standards Act (FLSA) and Equal Employment Opportunity (EEO). **Note:** Evergreen was again hired in 2019 to conduct a staffing analysis for the City.

Compensation and Classification Study
City of Mont Belvieu, Texas

Evergreen Solutions was retained by the City of Mont Belvieu to conduct a Compensation and Classification Study. Evergreen performed a comprehensive analysis of the City's current classification and compensation plan by performing the following tasks: placing positions in the current pay plan to ensure positions performing similar work with essentially the same level of complexity, responsibility, and knowledge, skills, and abilities are classified together; determining the accuracy of Federal Labor Standards Act ("FLSA") exemption status of all positions; determining the accuracy of position titles and descriptions regarding unique characteristics of the position, essential job functions, minimum qualifications, working conditions, licensing requirements, "on call" requirements and supervisory requirements; must accommodate the unique nature of certain functions and responsibilities characteristic of City government; identifying potential pay compression issues and providing potential solutions; and analyzing existing internal hierarchy and internal career ladders where appropriate and clearly outlining job progression opportunities and providing recognizable compensation growth. **Note:** Evergreen previously conducted a **Pay for Performance and Salary Survey** for the City.

Compensation and Classification Study
City of Pearland, Texas

Evergreen Solutions was hired in 2020 by the City of Pearland to conduct a Compensation and Classification Study. The study included the review of the existing classification plan, position descriptions and methods of reclassification, the performance of a salary study and the preparation of pay plan schedules, job descriptions, etc. The purpose of the comprehensive compensation and classification study was to develop a clear, equitable, consistent and competitive classification and compensation structure that would foster retention of qualified individuals while providing opportunities for growth and development within and provides the Human Resources Department a framework to operate within to maintain the system. **Note:** Evergreen was previously hired in 2010 by the City to conduct a Classification Study. Evergreen was also hired in 2023 to conduct a Compensation Study.

Classification and Compensation Study
City of League City, Texas

Evergreen Solutions was retained by the City of League City to conduct a Classification and Compensation Study. Evergreen conducted a job analysis to determine the hierarchy of jobs within the City to ensure internal equity and conducted a salary survey to determine whether the salaries at the City were competitive in the market. Evergreen also review and update job descriptions and provided recommendations for the continued maintenance of the revised classification and compensation plan.

Compensation and Classification Study
City of Texas City, Texas

Evergreen Solutions was engaged with the City of Texas City to conduct a Compensation and Classification Study. The purpose of the comprehensive study was to develop a clear, equitable, consistent and competitive classification and compensation structure that fosters retention of qualified individuals while providing opportunities for growth and development within and provides the Human Resources Department a framework to operate within to maintain the system. Evergreen worked with the City to develop a compensation program that is fair, equitable, and competitive with other municipalities in the surrounding geographic market area from which the City of Texas City recruited and lent itself to a total rewards package. Evergreen further worked with the City to develop a classification system that facilitated ongoing compensation analysis and reporting based on similarly-situated employees, similar skills, qualifications, responsibilities, and pay, using job family grouping and EEO job categories that comported with EEOC guidelines for government employees and provided the City with a tool that the HR department could use to continue that evaluation/analysis process.

Comprehensive Classification and Compensation Study (Included a Performance Management Study and a Staffing Study)
City of Odessa, Texas

Evergreen Solutions was engaged with the City of Rowlett to conduct a comprehensive compensation and benefits study for **1,140 employees**. The primary goal of the study was to ensure that the City was recognized as an employer of choice that provides a viable, cost effective and competitive pay structure. The study measured and provided a compensation analysis on (a) base salary, (b) pay/step plans, (c) employer-provided medical benefits packages and (d) any other incentive-based compensation options, to include "on call" pay. Evergreen's consultants identified any weaknesses within the components of the City's existing compensation package that would negatively impact the organization's ability to attract and retain talented employees.

Compensation and Classification Study
City of Denton, Texas

Evergreen Solutions was retained by the City of Denton to conduct a Compensation and Classification Study for its **1,786 employees**. Evergreen worked with the City to develop a communication strategy and plan that allowed the City to be informed and be as transparent as possible and met and solicited feedback and input from different levels of the City including employees, department directors/managers, and executive management. Evergreen conducted a comprehensive market compensation study and provided recommendations to ensure that the City's compensation system supports the City's mission, strategic objectives, and compensation philosophy. Evergreen further conducted a job analysis for up to 50 positions of concern to ensure appropriate pay grade classification and address internal equity concerns and will evaluate current pay grades, e.g. number of pay grades, including additions, deletions, and/or consolidations; appropriate spread between minimum and maximum of pay ranges, and recommend a strategy for improvements. Evergreen reviewed and recommended solutions for a pay for performance system/process.

Compensation Study and FLSA Reivew
City of La Porte, Texas

Evergreen is hired by the City of La Porte to conduct a Compensation Study and FLSAS Review. Evergreen's consultant will examine the City's current compensation system covering non-civil service positions and provide recommendations for compensation policies, procedures, and overall compensation philosophy and make FLSA determinations. In the end, Evergreen will recommend a revised compensation plan that will eliminate and avoid compression issues and aide the City in attracting and retaining qualified employees

Pay and Classification Study
City of Fredericksburg, Texas

Evergreen Solutions was again engaged with the City of Fredericksburg to conduct a Compensation Study in order to make recommendations for the implementation of a revised pay plan. Evergreen's consultants conducted a comprehensive salary survey of local and regional employers to assess the market competitiveness of the City. **Note:** Evergreen was again hired in 2021 to conduct a compensation study in order to update the City's pay plan.

Compensation Study
City of Aransas Pass, Texas

Evergreen Solutions was retained by the City of Aransas Pass to conduct a Compensation Study. Evergreen analyzed the City's current pay and benefit practices to determine whether they were competitive in the market to better assist the City in retaining and attracting a talented workforce.

Classification and Compensation Study and Staffing Analysis
City of Harlingen, Texas

Evergreen Solutions was retained by the City of Harlingen to conduct a Classification and Compensation Study and a Staffing Analysis. Evergreen's consultants performed the following tasks:

- conducted a comprehensive evaluation of every job class within the City to establish appropriate classification and pay grade assignments as well as pay ranges and step progressions within the ranges;
- conducted a compensation survey of the market including comparable Texas municipalities, and, appropriate private sector competitive employers;
- prepared a new salary structure based on the results of the survey and best practice research;
- analyzed and recommended changes to the present compensation structure to meet market analysis;
- reviewed current compensation plan (salary grade levels and steps) to better understand current challenges in recruiting and retaining employees;
- recommended and identified a consistent and competitive market position that the City could strive to maintain;

- recommended appropriate salary range for each position based on the proposed classification plan, the compensation survey results, internal equity and external parity;
- reviewed staffing levels and make recommendations;
- prepared a new salary structure based on the results of the survey and best practices;
- recommended implementation strategies including calculating the cost of implementing the plan;
- identified any extreme current individual or group compensation inequities and provided a recommended corrective action plan and process to remedy these situations;
- recommended and provided implementation strategies related to other key compensation practices, based on market demands; and
- presented findings and recommendations to City Administration as well as the Harlingen City Commission at a regularly scheduled commission meeting.

Classification and Compensation Study
City of Del Rio, Texas

Evergreen is retained by the City of Del Rio to conduct a classification and compensation study. Evergreen will ensure that job positions are accurately classified and appropriately compensated based on factors such as job duties, skills, market conditions, and organizational goals. Evergreen will also review the City's certification pay plan.

Compensation, Classification, and Benefits Study
Denton County, Texas

Evergreen conducted a Comprehensive Compensation, Classification and Benefits Study for the more than 1,550 employees of Denton County. The County had not performed a comprehensive classification and compensation study in 15 years. Evergreen consultants conducted employee orientations, focus groups and interviews, and conducted job analysis of all included positions. This information was used to create an internal equity alignment that is consistent with current job duties and responsibilities. As part of the project, Evergreen conducted a comprehensive salary and benefits survey of local and regional labor market peers to properly assess the County's competitive position for wages and benefits. Evergreen provided customized and detailed recommendations for adjusting the County's compensation and classification structures based on

internal and external equity. Implementation options that were equitable and cost efficient were developed and additional recommendations for maintaining the system over time were also provided. Additionally, revised classification descriptions with FLSA determinations were provided.

Classification and Compensation Study and Analysis
Matagorda County, Texas

Evergreen was hired to conduct a Classification and Compensation Study and Analysis for Matagorda County. The primary objectives of the study are to: attract and retain qualified employees; ensure positions performing similar work with essentially the same level of complexity, responsibility, knowledge, skills, and abilities are classified together; provide salaries commensurate with assigned duties; outline promotional opportunities and provide recognizable compensation growth; provide justifiable pay differential between individual classes; and maintain a competitive position with other comparable government entities and private employers within the same geographic areas.

Classification and Compensation Study and Analysis
Taylor County, Texas

Evergreen Solutions is retained by Taylor County to conduct a Classification and Compensation Study and Analysis. Evergreen's consultants will perform the following tasks: provide a comprehensive evaluation of every job within the County to determine relative worth within the organization for internal equity and for the establishment of pay ranges and step progressions within the ranges; review all current job classifications, confirm, and recommend changes to hierarchical order of jobs using your evaluation system; establish appropriate benchmarking standards and conduct salary surveys as needed for similar positions with comparable Texas Counties as required; identify potential pay compression issues and provide potential solutions; analyze and recommend changes to the present compensation structure to meet market analysis. This recommendation may include recommendations for individual positions as well. **Note:** This project is nearing completion.

Employee Compensation Consulting Services
Ft. Bend County, Texas

Evergreen was retained by Fort Bend County to provide employee compensation consulting services for its **2,800 employees**. Evergreen conducted the following tasks:

- reviewed current compensation plan including policy groups and salary structures;

- conducted Fair Labor Standards Act (FLSA) exempt/non-exempt status review of all positions;
- analyzed internal equity and possible compression issues;
- completed salary survey of City and County governments in the State of Texas as designated by the County;
- designed and executed a salary survey, analyzed results and made recommendations; and
- evaluated and determined each employee's proper step placement on the newly approved salary grade structure.

Note: Evergreen was previously hired to conduct a similar study for the County.

Compensation Consulting Services
Travis County, Texas

Evergreen Solutions was hired by Travis County to provide Compensation Consulting Services. Evergreen performed the following:

- Reviewed and provided input to the Travis County Compensation Manager and staff on their approach and strategy with redesigning the Travis County Classified compensation scale. Shared input and provided best practices to consider based on paygrades, band width, and other design elements.
- Reviewed the compensation work of the Travis County Compensation division related to the redesign of the Travis County Classified compensation scale. Provide input based on work product review.
- Discussed approach and strategy with the redesign of the Peace Office Pay Scale, to include minimum and maximum ranges based on Travis County's researched market data for FY2020.
- Discussed best practices with use of Peace Office Pay market data when determining how to gauge market competitiveness.
- Provided other consultative support with projects being proposed or implemented by the Travis County Compensation team.

Note: Evergreen previously conducted a Compensation Analysis and an IT Analysis and Compensation System Design.

Classification and Compensation Study
Burnet County, Texas

Evergreen Solutions was retained by Burnet County to conduct a Classification and Compensation Study. Evergreen's consultants conducted a job analysis to determine the appropriate classification structure for the

County and conducted an external salary survey to determine the County's competitiveness with peer organizations in the labor market.

Compensation and Classification Study
Brazoria County, Texas

Evergreen was retained by the Brazoria County to conduct a Compensation and Classification Study. Evergreen developed a compensation program for the County, evaluated current pay grades, and developed a classification system to facilitate the ongoing compensation analysis. Evergreen further assessed position titles and identified appropriate employee status in accordance with FLSA. Evergreen then proceeded to develop multiple alternative recommendations and a communication plan. Finally, Evergreen reviewed and developed different policies procedures and proposed different recommendations.

Classification and Compensation Study and Analysis
Waller County, Texas

Evergreen Solutions was retained by Waller County to conduct a Classification and Compensation Study and Analysis. The objectives of the study were to: attract and retain qualified and quality employees; ensure positions performing similar work with essentially the same level of complexity, responsibility, and knowledge, skills, and abilities are classified together; provide salaries commensurate with assigned duties; outline promotional opportunities and provide recognizable compensation growth; provide justifiable pay differential between individual classes; and develop and maintain a competitive position with other comparable government entities and private-sector employers within the same geographic areas.

Salary Compensation Study
Hood County, Texas

Evergreen was engaged with Hood County to provide an update of their classification and compensation system. Evergreen evaluated the current system, collected and reviewed current environment data, and evaluated and built the projected classification plan. Evergreen identified a list of market survey benchmarks and conducted a market survey. Evergreen's consultants provided the County with the external assessment summary, developed strategic positioning recommendations, and developed and submitted draft and final reports and recommendations for compensation administration. Additionally, Evergreen updated and/or rewrote job descriptions for the County, as necessary, based on the recommendations. **Note:** Evergreen was again hired in 2020 to conduct a staffing study for the County.

Classification and Compensation Study
Kaufman County, Texas

Evergreen Solutions was engaged with Kaufman County to conduct a Compensation Study. Evergreen worked with the County to establish appropriate benchmarking standards and conducted a salary survey for similar positions with comparable entities. Evergreen identified potential pay compression issues and provided potential solutions and analyzed and recommended changes to the current compensation structure that met market analysis. Evergreen also provided a comprehensive evaluation of every job within the County to determine relative worth within the organization for internal equity and reviewed all current job classifications, confirmed, and recommended changes to hierarchical order of jobs using an approved evaluation system.

Classification and Compensation Study
Blanco County, Texas

Evergreen Solutions was retained by Blanco County to conduct a Classification and Compensation Study. Evergreen's consultant conducted a job analysis to determine the proper hierarchy of jobs within the County; conducted a salary survey and analysis to determine competitive market rates; updated job descriptions; and prepared a final report with cost analysis for implementation of all recommendations.

Classification and Compensation Study
Hill County, Texas

Evergreen Solutions was engaged with Hill County to conduct a Classification and Compensation Study. The primary objectives of the study were to: attract and retain qualified employees; ensure positions performing similar work with essentially the same level of complexity, responsibility, and knowledge, skills, and abilities are classified together; provide salaries commensurate with assigned duties; outline promotional opportunities and provide recognizable compensation growth; provide justifiable pay differential between individual classes; and maintain a competitive position with other comparable government entities and private employers within the same geographic areas.

Wage and Compensation Study
Jefferson County, Texas

Evergreen Solutions was engaged with Jefferson County to conduct a Wage and Compensation Study. The objective of the study was to enhance the County's ability to attract, motivate, and retain quality employees to efficiently and cost-effectively deliver services and programs to the citizens of the County through obtaining a Salary Range Comparison of 175 benchmarks positions – within the current surrounding local market and similarly situated Counties in Texas. Based on the market survey results, Evergreen updated the existing plan for the County, including the realignment of jobs within the County's current pay grade.

Classification and Compensation Study
Town of Addison, Texas

Evergreen Solutions was retained by the Town of Addison to conduct a Classification and Compensation Study. Evergreen's consultants performed the following tasks: provided a comprehensive evaluation of every job within the City to determine the relative worth within the organization for internal equity and for the establishment of pay ranges and step progressions within the ranges; reviewed all current job classifications, confirmed, and recommended changes to hierarchical order of jobs using Evergreen's evaluation system; conducted a salary survey for similar positions with comparable Texas entities; identified potential pay compression issues and provided potential solutions; and analyzed and recommended changes to the present compensation structure to meet the market analysis.

Classification and Compensation Study
Town of Little Elm, Texas

Evergreen was retained by the Town of Little Elm to conduct compensation and classification study of its employees. Employees participated in focus groups, interviews, and job analysis to determine the best classifications for the work performed. Classifications were also reviewed, as needed, and FLSA determinations will be made. The rank structure for police and fire department employees were reviewed against peer organizations to determine whether the current structure for each department is effective for its size. Evergreen consultants reviewed pay policies and practices and pay ranges in the public and private sector were analyzed to determine the appropriate pay levels for all included jobs. Recommendations were provided to improve the fairness and equity within the Town. Evergreen provided Town staff with the necessary training and materials so that an understanding of the methodology and how to implement, administer, and maintain the recommended total compensation system would be accomplished.

Compensation and Classification Study
The Woodlands Township, Texas

Evergreen Solutions was retained by The Woodlands Township to conduct a Compensation and Classification Study. Evergreen provided an independent analysis of the compensation plan and developed and recommended a compensation philosophy that met the Town's objective of where they desired to be in the market regarding salaries. Evergreen's consultants designed, proposed, and led the Township in implementing a comprehensive compensation plan that aligned with the proposed compensation philosophy and classified all Township positions appropriately within the plan structure. Evergreen further conducted a job analysis, collected and analyzed the data collected from the JATs and MITs, provided classification recommendations; and recommended any changes to job descriptions based on the data collected.

7.3 References

As required in the Request for Proposal, we have provided the following five references that we feel demonstrate the breadth and quality of the work our team has performed as it relates to the services being requested by the City of Alpine. We invite you to contact our client references as to the quality and timeliness of our consulting projects. Additional references are available upon request.

Comprehensive Classification and Compensation Study (Included Performance Management Study and a Staffing Study)
City of Odessa, Texas
Contact Information: Charles Hurst, SPHR, IPMA-SCP, SHRM-SCP, Director of Human Resources, 411 W. 8th Street, Suite 104, Odessa, Texas 79762, (432) 335-4158, churst@odessa-tx.gov

Compensation and Classification Study
City of Denton, Texas
Contact Information: Carri Byrd, SHRM-CP, PHR, HR Business Partner Supervisor Human Resources, 901 B. Texas Street, Denton, Texas 76209, (940) 349-8349, Carri.Byrd@cityofdenton.com
Note: The final report is included in the **Appendix.**

Classification and Compensation Study
City of Kingsville, Texas
Contact Information: Diana Gonzales, Human Resources Director, 400 W. King Avenue Kingsville, Texas 78363, (361) 595-8017, dgonzales@cityofkingsville.com

Classification and Compensation Study
Burnet County, Texas
Contact Information: Ms. Sara Ann Luther, Human Resources Director, 220 S. Pierce Street Burnet, Texas 78611, (512) 756-5489, sluther@burnetcountytexas.org

Classification and Compensation Study and Analysis
Waller County, Texas
Contact Information: Robert Pechukas Director of Policy and Administration, 836 Austin Street, Suite 216, Hempstead Texas 77445, (979) 826-7749, r.pechukas@wallercounty.us

Section 8.0
Required Forms

8.0 Required Forms

As required in the Request for Proposal (RFP), Evergreen has included Attachment A – Certificate of Interested Parties and Attachment B – House Bill 89 Verification Form.

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY
CERTIFICATION OF FILING

Certificate Number:
2024-1151627

Date Filed:
04/24/2024

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Evergreen Solutions, LLC
Tallahassee, FL United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Alpine

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

RFP #2024-04-01
Classification and Compensation Study

4 Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
		Controlling	Intermediary

5 Check only if there is NO Interested Party. [X]

6 UNSWORN DECLARATION

My name is Dr. Jeff Lurg, and my date of birth is —

My address is 2528 Barrington Cir, Unit 201 (street), Tallahassee (city), FL (state), 32308 (zip code), US (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Leon County, State of FL, on the 26th day of Apr (month), 2024 (year)

Signature of authorized agent of contracting business entity
(Declarant)

ATTACHMENT B - HOUSE BILL 89 VERIFICATION FORM

Prohibition on Contracts with Companies Boycotting Israel

The 85thTexas Legislature approved new legislation, effective Sept. I, 2017, which amends Texas Local Government Code Section I. Subtitle F, Title 10, Government Code by adding Chapter 2270 which states that a governmental entity may not enter into a contract with a company for goods or services unless the contract contains a written verification from the company that it:

1. does not boycott Israel; and
2. will not boycott Israel during the term of the contract.

Pursuant to Section 2270.001, Texas Government Code:

(1) "Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli- controlled territory, but does not include an action made for ordinary business purposes.

(2) "Company" means a for-profit organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations that exist to make a profit.

I, Dr. Jeff Ling, do hereby depose and verify the truthfulness and accuracy of the contents of the statements submitted on this certification under the provisions of Subtitle F, Title 10, Government Code Chapter 2270 and that the company named below:

1. does not boycott Israel currently; and
2. will not boycott Israel during the term of the contract; and
3. is not currently listed on the State of Texas Comptroller's Companies that Boycott Israel List located at bttps://comptroller.texas.gov/purcbasing/publications/divestmeot.php

Evergreen Solutions, LLC

Company Name

4/26/24

Signature and Title of Authorized Official Date

Section 9.0
Final Product

9.0 Final Product

Evergreen agrees to the following statements, as required in the RFP:

- *deliver at least one (1) original, five (5) copies, and a flash drive of the final report to the City Manager or their designee;*
- *provide the final report, tables, schedules, job descriptions, charts, spreadsheets, salary surveys, and other materials necessary for implementation and maintenance of the compensation/classification system in an electronic medium (flash drive); and*
- *appear at a City Council meeting, or meeting with City Management, to deliver the final report.*

Section 10.0
Additional Services

10.0 Additional Services

Evergreen Solutions will provide the City's Human Resources staff with the necessary training and materials so that an understanding of the methodology and how to implement, administer, and maintain the recommended classification and compensation system is accomplished. In addition, Evergreen will provide up to one-year technical assistance by phone at no cost to assist with any implementation concerns and/or to answer any questions regarding the maintenance of the new system.

Appendix:
Sample Final Report

Compensation and Classification Study for the City of Denton, TX

FINAL REPORT

Evergreen Solutions, LLC

August 8, 2023

EVERGREEN SOLUTIONS, LLC

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Chapter 1 - Introduction

The leadership of Denton, TX (the "City") in keeping with its commitment to attracting and retaining the staff necessary to provide high quality services to its citizens determined that its current compensation and classification system and structures needed to be updated to better reflect best practices. The project includes an assessment of current conditions, overview of employee perceptions, analysis of market conditions, and recommendations. This study and the analysis contained within provides leadership with valuable information related to their employee demographics, opinions, market data, as well as internal and external equity.

Internal equity relates to the fairness of an organization's compensation practices among its current employees. Specifically, by reviewing the skills, responsibilities, and duties of each position, it can be determined whether similar positions are being compensated in an equitable manner within the organization. External equity relates to the differences between how an organization's classifications are valued and the compensation available in the marketplace for the same skills, responsibilities, and duties. This component of the study aims to address how the City is positioned in the market relative to other local area government organizations with similar positions and to develop recommendations that allow the City to recruit and retain quality employees. The classification component of this study resolves any inconsistencies related to job requirements or job titles and ensures that all jobs are appropriately categorized and aligned with the work currently performed.

1.1 STUDY METHODOLOGY

Evergreen Solutions combines qualitative and quantitative data analysis to produce recommendations that maximize the fairness and competitiveness of an organization's compensation structure and practices. It is important to note that the data utilized in the study represents a snapshot in time. As market conditions can change rapidly, it is important for the City to conduct regular market surveys to ensure their external market position does not decay. A full compensation and classification review is recommended every three - five years. Some examples of project activities included:

- Conducting a project kick-off meeting;
- Presenting orientation sessions to employees;
- Facilitating focus group sessions with employees;
- Conducting an external market salary survey;
- Developing recommendations for compensation management;
- Revising classification descriptions based on employee JAT feedback;
- Developing recommendations for compensation and classification changes;

- Creating draft and final reports; and
- Conducting training sessions with human resources staff in the methodology used to systematically assess job classifications.

Kickoff Meeting

The kickoff meeting provided an opportunity to discuss the history of the City, finalize the work plan, and begin the data collection process. Data collection included the gathering of relevant background material including existing pay plans, organization charts, policies, procedures, training materials, classification specifications, and other pertinent material.

Employee Outreach

Through the orientation sessions, Evergreen consultants briefed employees on the purpose and major processes of the study. This process addressed employee questions to resolve misconceptions about the study and related tasks and explained the importance of employee participation in the JAT process.

In addition, employees participated in focus group sessions designed to gather input from their varied perspectives as to the strengths and weaknesses of the current system. Feedback received from employees in this context was helpful in highlighting aspects of the organization which needed particular attention and consideration. This information provided some basic perceptional background and a starting point for the research process.

Job Assessment Tool© (JAT) Classification Analysis

Employees were asked to complete individual JAT surveys, where they shared information pertaining to their work in their own words. These JATs were analyzed and compared to the current classification descriptions, and classifications were individually scored based on employee responses to five compensable factor questions. Each of the compensable factors—Leadership, Working Conditions, Complexity, Decision Making, and Relationships—were given weighted values based on employee responses, resulting in a point factor score for each classification. The rank order of classes by JAT scores was used to develop a rank order of classes within the proposed compensation structure. Combined with market data, this information formed the foundation of the combined recommendations. The nature of each compensable factor is described below:

- Leadership – relates to the employee's individual leadership role, be it as a direct report of others who have leadership responsibilities, or as an executive who has leadership over entire departments or the City as a whole.

- Working Conditions – deals with the employee's physical working conditions and the employee's impact on those conditions, as well as the working conditions impact or potential impact on the employee.
- Complexity – describes the nature of work performed and includes options ranging from entry-level manual or clerical tasks up to advanced scientific, legal, or executive management duties.

- Decision Making – deals with the individual decision-making responsibility of the employees. Are decisions made on behalf of the employee or is the employee making autonomous decisions that impact the individual, other employees, or even the entire organization and the citizens that rely on the City?

- Relationships –deals with organizational structure and the nature of the employee's working relationships. Responses range from employees who work primarily alone, those who work as members of a team, those who oversee teams, and even those who report to elected officials or the public.

Salary Survey

The external market for this study was defined as identified local government organizations, including municipal utilities and airports, with similar positions as well as similar characteristics, demographics, and service offerings. Private data was also used to identify the marketability of benchmarked positions, as cities must also compete with the private sector for many jobs. Eighty-nine (89) positions were surveyed, although not all positions had matching positions in the peer organizations. The data was then analyzed comparing City classifications to the jobs performing the same duties at peer organizations to gain a fuller understanding of their market position.

Recommendations

Evergreen developed recommendations for the City to consider helping maximize the effectiveness and efficiency of its current compensation and classification structure. Evergreen provided the City with a variety of recommendations for the future at various costs. Plans ranged from minor tweaks to the current compensation and classification systems to wholesale changes to the entire organizational structure. These plans were designed to fix the issues identified in this report, while continuing to build on the strengths the City currently exhibits.

1.2 REPORT ORGANIZATION

This report includes the following additional chapters:

- Chapter 2 – Summary of Employee Outreach
- Chapter 3 – Assessment of Current Conditions
- Chapter 4 – Market Summary
- Chapter 5 – Benefits Analysis
- Chapter 6 – Recommendations

Chapter 2 – Summary of Outreach

Outreach was conducted by Evergreen consultants. Evergreen met with City employees and explained the process of the study and fielded questions from Employees. Focus groups were conducted to solicit information from employees that gave Evergreen solid information to begin researching. Employees provided Evergreen their opinions on classifications that were

outdated, behind market, or had become crucial classifications that were difficult to retain or recruit. Information was also provided on the employees' opinions of the biggest competitors to the City. Finally, employees provided information on all the positive aspects of employment with the City. Evergreen used employee opinions as a starting point for some data collection, but everything that was used during this study was independently verified by Evergreen. A full summary of the outreach can be found in **Chapter 2** of this report.

Chapter 3 - Assessment of Current Conditions

An assessment of current conditions was conducted to help Evergreen better understand the current standing of all City pay plans, demographics, and compensation structures. This assessment should be considered a snapshot in time and reflects the conditions within the City upon this study's start. By leveraging this information, Evergreen gained a better understanding of the strengths and weaknesses of the current compensation system. When combined with the market results, the Assessment of Current Conditions helped provide a basis for recommendations. A full summary of the Assessment of Current Conditions can be found in **Chapter 3** of this report.

Chapter 4 - Market Summary

A salary survey was designed by Evergreen and approved by the City's human resources department. The external market was defined by City leaders, in conjunction with Evergreen consultants. After the results were received, the data were analyzed to compare the City to the overall results. Combined with the Assessment of Current Conditions, the market survey gave Evergreen the information needed to understand the City's position relative to its labor market. A full summary of the market results can be found in **Chapter 4** of this report.

Chapter 5 – Benefits

A benefits survey was designed by Evergreen and approved by the City's human resources department. A benefits analysis represents a snapshot in time of what is available in peer organizations and can provide the City with an understanding of the full compensation package offered by its peers. A full summary of the benefits survey can be found in **Chapter 5** of this report.

Chapter 6 – Recommendations

During the recommendations phase, Evergreen provided several different solution options based on their current relationship to market. Solutions were provided that only require minor tweaks to the current compensation and classification systems, as well as some solutions that would require wholesale changes to City current structures. Evergreen has provided the City with recommendations that can both leverage the current compensation structure and help expand its ability to recruit and retain talent in the most competitive classifications. A full explanation of the recommendations can be found in **Chapter 6** of this report.

Chapter 2 – Summary of Employee Outreach

Between November 28 – December 2, 2022, Evergreen consultants conducted orientation sessions and focus groups for the City. Orientation sessions were conducted to inform employees about the study's purpose, while also giving them information about the separate ways they would be asked to participate in the study. Focus groups were designed to solicit open feedback from employees about several topics related to compensation and classification. Overall, the goal of these groups was to gauge the general employee sentiment towards the current compensation and classification structures of the City, while also gathering specific concerns employees had.

The observations in this chapter are a generalized summary of opinions, general themes, and trends expressed by employees who either participated in a focus group or provided direct feedback to Evergreen. Information that may identify the commenter has been removed. Note that the views shared in this summary are perceptional and may not reflect actual conditions in the City.

Comments are separated by the following four categories below:

2.1 General Feedback
2.2 Compensation and Classification
2.3 Market Peers
2.4 Summary

2.1 GENERAL FEEDBACK

The primary focus of this study is to address the City's compensation and classification structures. However, it is important to understand how employees currently view employment at large within the City, and as a result, general feedback was sourced from employees on what brought them to work for the City and what were the primary factors that led to their continued employment. The comments described in this section reflect the factors that incentivize prospective applicants to pursue employment with the City and the reasons employees have decided to continue working for the City. These elements are important to highlight, as compensation, while a key factor, is often not the sole determination for where employees wish to work. The responses varied from the benefits, family atmosphere, stability the job provides. Additional comments expressed by employees include:

- **Benefits –** As mentioned by several focus group participants, benefits were one of the leading reasons employees decided to pursue employment with the City. The retirement plan was mentioned as being wonderful for employees. In addition to the

fantastic health coverage, employees were also ecstatic about the Health Clinic that is available for use.

- **Culture** – Several employees described the quality of people they work with as the number one reason they have stayed with the organization. The relationships employees have formed with their coworkers and the superior work environment have kept employees happy in their jobs.

- **Stability** – Many employees mentioned they came to work for the City for the stability the job provides. Some employees mentioned that they had been working for the City long before Covid and felt that the City took care of them during that time.

Many employees stated that they enjoy working with others in the organization and serving their community. Overall, personnel revealed that the City is a wonderful and unique place to work with several distinct advantages in place for employees.

2.2 COMPENSATION AND CLASSIFICATION

As the focus of this study, feedback on compensation and classification was solicited from employees. Employees were asked to identify any concerns, challenges, or limitations observed with how the City currently compensates and classifies its positions. It is important to note that the perceptions of employees listed below do not necessarily reflect or align with the data collected in the market survey, found in **Chapter 4.**

Specific feedback shared by employees related to compensation practices included the following:

- **External Equity** – Feedback on the competitiveness of pay in the City revealed that most employees felt that their pay is lower than other organizations in the area. Employees do not feel as though the pay is competitive and believe this detracts applicants from applying to work for the City. This has left departments with several hard-to-fill vacancies.

- **Internal Equity** – There were several concerns regarding compression within many departments. Some employees explained that subordinate and supervisor pay were similar, causing a compression issue. Many other employees explained that new hires were being hired at rates above those of tenured employees. This brings morale down among employees who have worked at the organization for years. It was mentioned several times how employees felt they could quit and reapply for the same job and receive a higher wage.

- **Turnover** – Several positions were mentioned as positions employees felt had a high turnover ratio. Many mentioned entry-level positions as being difficult to recruit. Additional positions included:

  - Inspectors
  - Entry level laborer positions

- Dispatchers
- Operators
- Engineers
- SCADA (Supervisory Control and Data Acquisition)
- Planning Technicians

- **Vacancies** – Employees mentioned many vacant positions that have high turnover and do not receive many applications. They mentioned that this places an unfair burden on current employees, who then take on the additional responsibilities of the unfilled positions.

- **Certification and Incentive Pay** – A main point of concern in many focus groups was certification pay. Several employees mentioned that they would like to see some sort of certification or incentive pay for bilingual speakers as it relates to their position. Others mentioned certification pay for receiving additional licenses or certifications.

- **Raises** – The consensus was that merit increases across all major departments were unequal. Employees stated they are provided a merit increase in the form of a lump sum check. Employees would like to see these merit increases provided as an additional dollar amount added to their hourly rate.

- **Benefits (perceived strengths)** – Most employees spoke glowingly about their benefits packages. Specifically, employees love the health coverage, wellness clinic, and low monthly premiums. Others mentioned the abundance of sick and vacation time are wonderful benefits that the City offers.

- **Benefits (perceived weaknesses)** – While most employees had wonderful things to say about the Benefits, there were a few benefits that employees would like to see offered. Remote work was a topic discussed in many focus groups, as employees want to work from home more than two days per week. Additionally, employees who do not utilize the benefits desire to see an incentive program that boosts take-home pay.

- **Performance Management** – Many employees stated that the performance review process has changed several times over the years. The overall criticism of this plan was this it seems to be a "one size fits all" approach that does not appear to be working for different, individual departments. Some employees explained that they want a performance review every six months to stay on track of their goals.

2.3 MARKET PEERS

Focus group participants were asked to name organizations they considered to be market peers who they believe to be competitors in the labor market. Respondents shared specific public-sector municipalities and mentioned several private sector competitors. Responses are listed below and were considered when developing the list of peers for the compensation and classification survey. Participants named several organizations as the City's biggest competitors in terms of employee compensation and classification. Organizations included

private companies, such as Buccee's, and cities such as Addison, Plano, McKinney, Lewisville, Fort Worth, or Flower Mound, and the County of Dallas.

2.4 SUMMARY

The feedback received by Evergreen provided a solid foundation for developing recommendations for the City. The willingness of City employees to contribute to this dialogue was evident in the number of employees that took time out of their busy schedules to provide several reasonable observations with respect to potential compensation and classification strengths/weaknesses across the organization. These comments were verified and considered when identifying challenges and formulating recommendations for the City.

Employees were enthusiastic when describing their passion for their job and considered working for the city a positive experience. Employees pointed out well-defined advantages of working for the City that have kept them there. Even though employees emphasized several potential problems, many of these issues are commonly found in other public-sector municipalities.

The employees of the City take pride in their work, enjoy serving their community, and strive to make distinct contributions to their organization and their community. The Evergreen Team used the information gathered from employees throughout the rest of this study to arrive at appropriate recommendations for the City.

Chapter 3 – Assessment of Current Conditions

The purpose of this chapter is to provide a statistical analysis of the classification and compensation system in place in the City at the start of this study. The assessment is divided into the following sections:

3.1 Analysis of Pay Plans
3.2 Grade Placement Analysis
3.3 Quartile Analysis
3.4 Compression Analysis
3.5 Summary

The analysis represented in this chapter represents a snapshot in time – this chapter was built off employee information collected in November of 2022. Every organization changes continuously, so this chapter is not meant to be a definitive statement on continuing compensation practices at the City. Rather, this AOCC is meant to represent the conditions that were in place when this study began. The data contained in provide the baseline for analyses through this study but are not sufficient cause for recommendations in isolation. By reviewing employee data, Evergreen gained a better understanding of the structure and methods in place and identified issues for both further review and potential revision.

3.1 ANALYSIS OF PAY PLANS

The purpose of analyzing the various pay plans used within the City is to help gain an overview of the compensation philosophy as it existed when the study began. The City had a system in place that categorized classifications by level and type of work. This system used various step plans, and utilized alpha-numeric pay grades to represent classifications of varying level and responsibility. The City utilizes separate pay plans to differentiate between General, Electric, Technology, Police, Fire, and Special Agreement employees. **Exhibit 3A** displays the City's pay plans summarized for ease of comparison. The exhibit provides the name; each pay grade on the plan; the value of each pay grade at minimum, midpoint and maximum; the range spread for each pay grade – which is a measure of the distance between the minimum and maximum of the grade; and the number of employees per pay grade.

The City's pay plan includes 78 occupied pay grades that hold 1,283 employees. Range spreads are at 66 percent across the General, Electric and Technology pay plans. The Police and Fire pay plans have narrower pay ranges, varying from 6 to 12 percent. The Special Agreement pay plan ranges from 24 to 58 percent. Several pay grades have only one incumbent, while pay grade G07 contains the most employees with 181.

EXHIBIT 3A
PAY PLAN SUMMARY

Pay Plan	Grade	Minimum	Midpoint	Maximum	Range Spread	Employees
General Plan	G04	$ 29,328	$ 39,021	$ 48,693	66%	42
General Plan	G05	$ 32,261	$ 42,910	$ 53,560	66%	74
General Plan	G06	$ 35,485	$ 47,216	$ 58,926	66%	132
General Plan	G07	$ 39,042	$ 51,938	$ 64,813	66%	181
General Plan	G08	$ 42,952	$ 57,117	$ 71,302	66%	105
General Plan	G09	$ 47,237	$ 62,837	$ 78,416	66%	58
General Plan	G10	$ 51,979	$ 69,118	$ 86,278	66%	23
General Plan	G30	$ 47,476	$ 63,143	$ 78,810	66%	27
General Plan	G31	$ 49,612	$ 65,985	$ 82,357	66%	37
General Plan	G32	$ 51,845	$ 68,954	$ 86,063	66%	9
General Plan	G33	$ 54,178	$ 72,057	$ 89,935	66%	52
General Plan	G34	$ 56,616	$ 75,300	$ 93,983	66%	11
General Plan	G35	$ 59,164	$ 78,688	$ 98,212	66%	32
General Plan	G36	$ 61,826	$ 82,229	$102,631	66%	16
General Plan	G37	$ 64,608	$ 85,929	$107,250	66%	12
General Plan	G38	$ 67,516	$ 89,796	$112,076	66%	24
General Plan	G39	$ 70,554	$ 93,837	$117,119	66%	11
General Plan	G40	$ 73,729	$ 98,060	$122,390	66%	17
General Plan	G41	$ 77,047	$102,472	$127,897	66%	10
General Plan	G42	$ 80,514	$107,084	$133,653	66%	12
General Plan	G43	$ 84,137	$111,902	$139,667	66%	4
General Plan	G44	$ 87,923	$116,938	$145,952	66%	13
General Plan	G45	$ 91,879	$122,200	$152,520	66%	4
General Plan	G46	$ 96,014	$127,699	$159,383	66%	6
General Plan	G47	$100,335	$133,446	$166,556	66%	11
General Plan	G48	$104,850	$139,451	$174,051	66%	2
General Plan	G49	$109,568	$145,726	$181,883	66%	1
General Plan	G80	$110,664	$147,183	$183,702	66%	12
General Plan	G81	$128,370	$170,732	$213,094	66%	7
Electric Plan	E06	$ 39,562	$ 52,624	$ 65,666	66%	5
Electric Plan	E08	$ 47,861	$ 63,669	$ 79,456	66%	4
Electric Plan	E09	$ 52,645	$ 70,034	$ 87,402	66%	7
Electric Plan	E09E	$ 55,286	$ 73,528	$ 91,770	66%	1
Electric Plan	E10E	$ 60,819	$ 80,891	$100,963	66%	2
Electric Plan	E11	$ 63,710	$ 84,739	$105,768	66%	7
Electric Plan	E31	$ 49,897	$ 66,363	$ 82,829	66%	1
Electric Plan	E32	$ 52,442	$ 69,748	$ 87,054	66%	1
Electric Plan	E33	$ 55,117	$ 73,306	$ 91,494	66%	2
Electric Plan	E35	$ 60,882	$ 80,973	$101,064	66%	1
Electric Plan	E36	$ 63,987	$ 85,103	$106,218	66%	1
Electric Plan	E38	$ 70,680	$ 94,005	$117,329	66%	12
Electric Plan	E40	$ 78,073	$103,837	$129,601	66%	2

EXHIBIT 3A (CONTINUED)
PAY PLAN SUMMARY

Pay Plan	Grade	Minimum	Midpoint	Maximum	Range Spread	Employees
Electric Plan	E41	$ 82,055	$109,133	$136,211	66%	2
Electric Plan	E42	$ 86,240	$114,699	$143,158	66%	2
Electric Plan	E44	$ 95,260	$126,696	$158,132	66%	4
Electric Plan	E45	$100,119	$133,158	$166,197	66%	10
Electric Plan	E46	$105,225	$139,949	$174,673	66%	1
Electric Plan	E62	$ 81,643	$106,136	$130,628	60%	1
Electric Plan	E80	$117,394	$156,134	$194,873	66%	1
Electric Plan	E81	$140,872	$187,360	$233,848	66%	4
Electric Plan	E82	$169,047	$224,833	$280,618	66%	1
Technology Plan	T05	$ 46,238	$ 61,485	$ 76,752	66%	1
Technology Plan	T06	$ 50,856	$ 67,642	$ 84,427	66%	2
Technology Plan	T07	$ 55,952	$ 74,402	$ 92,872	66%	8
Technology Plan	T29	$ 59,582	$ 79,244	$ 98,906	66%	1
Technology Plan	T30	$ 63,050	$ 83,856	$104,662	66%	2
Technology Plan	T31	$ 66,517	$ 88,468	$110,419	66%	3
Technology Plan	T32	$ 70,176	$ 93,334	$116,492	66%	2
Technology Plan	T33	$ 74,035	$ 98,467	$122,899	66%	2
Technology Plan	T34	$ 78,107	$103,883	$129,658	66%	5
Technology Plan	T35	$ 82,403	$109,596	$136,789	66%	6
Technology Plan	T36	$ 86,935	$115,624	$144,313	66%	4
Technology Plan	T37	$ 91,717	$121,984	$152,250	66%	2
Technology Plan	T39	$102,083	$135,771	$169,458	66%	1
Technology Plan	T40	$105,161	$139,864	$174,567	66%	4
Technology Plan	T80	$110,419	$146,857	$183,295	66%	1
Technology Plan	T82	$121,737	$161,910	$202,083	66%	1
Police Plan	HE11	$130,000	$137,500	$145,000	12%	4
Police Plan	HF10	$140,000	$157,000	$174,000	24%	1
Fire Plan	IG25	$ 72,842	$ 82,410	$ 91,978	26%	6
Fire Plan	IG26	$ 95,534	$ 98,363	$101,483	6%	2
Fire Plan	IG45	$117,187	$120,432	$123,677	6%	2
Fire Plan	IG50	$133,973	$138,174	$142,376	6%	2
Fire Plan	IG90	$140,000	$157,000	$174,000	24%	2
Special Agreement Plan	SA1	$ 20,800	$ 26,000	$ 31,200	50%	105
Special Agreement Plan	SA2	$ 22,880	$ 28,080	$ 33,280	45%	57
Special Agreement Plan	SA3	$ 24,960	$ 32,240	$ 39,520	58%	22
Special Agreement Plan	SA4	$ 29,120	$ 35,360	$ 41,600	43%	18

Comparing the summary data in **Exhibit 3A** to best practices, a few observations can be made regarding the City pay plans. Based on the analysis of the pay plan, the following facts can be observed:

- The number of employees on each pay grade is widely varied. Multiple pay grades have only a single incumbent occupying the grade, while a few pay grades contain more than one hundred employees.
- The minimum full time equivalent annualized pay offered to any City employee is $20,800 while the maximum salary of any pay grade is $280,618.

3.2 GRADE PLACEMENT ANALYSIS

The Grade Placement Analysis examines how employee salaries are distributed throughout the pay grades. This can help identify salary progression issues, which are usually accompanied by employee salaries that are clustered in segments of the pay grades. A clustering of employee salaries in the lower part of ranges can indicate a lack of salary progression for employees or a prominent level of employee turnover. A clustering of employee salaries in the high end of pay ranges can be a sign of high employee tenure or a sign that the pay ranges are behind market, forcing the organization to offer salaries near the maximum of the range to new hires. Regarding minimum and maximum salaries, employees at the grade minimum are typically newer to the organization or to the classification, while employees at the grade maximum are typically highly experienced and highly proficient in their classification. The Grade Placement Analysis examines how salaries compare to pay range minimums, midpoints, and maximums. Only pay grades with at least one incumbent are included in this analysis.

Exhibits 3B displays the percentage and number of employees compensated at their pay grade minimum and pay grade maximum. The percentages presented are based on the total number of employees in that grade. As can be seen in the exhibit, 1.0 percent (13 total) of all employees are compensated at their pay grade's minimum. A slightly larger percentage of employees, at 13.6 percent (175 total), are compensated at their pay grade's maximum.

EXHIBIT 3B
EMPLOYEES AT MINIMUM AND MAXIMUM BY GRADE

Grade	Employees	# at Min	% at Min	# at Max	% at Max
G04	42	1	2.4%	0	0.0%
G05	74	2	2.7%	1	1.4%
G06	132	3	2.3%	2	1.5%
G07	181	0	0.0%	2	1.1%
G08	105	0	0.0%	4	3.8%
G09	58	1	1.7%	0	0.0%
G10	23	0	0.0%	1	4.3%
G30	27	0	0.0%	0	0.0%
G31	37	0	0.0%	0	0.0%
G32	9	0	0.0%	1	11.1%
G33	52	0	0.0%	3	5.8%
G34	11	0	0.0%	1	9.1%
G35	32	0	0.0%	0	0.0%
G36	16	0	0.0%	2	12.5%
G37	12	0	0.0%	0	0.0%
G38	24	0	0.0%	2	8.3%
G39	11	0	0.0%	0	0.0%
G40	17	0	0.0%	0	0.0%
G41	10	0	0.0%	0	0.0%
G42	12	0	0.0%	0	0.0%
G43	4	0	0.0%	0	0.0%
G44	13	0	0.0%	0	0.0%
G45	4	0	0.0%	0	0.0%
G46	6	0	0.0%	0	0.0%
G47	11	0	0.0%	1	9.1%
G48	2	0	0.0%	0	0.0%
G49	1	0	0.0%	0	0.0%
G80	12	0	0.0%	0	0.0%
G81	7	0	0.0%	0	0.0%
E06	5	0	0.0%	0	0.0%
E08	4	0	0.0%	0	0.0%
E09	7	1	14.3%	0	0.0%
E09E	1	0	0.0%	0	0.0%
E10E	2	0	0.0%	0	0.0%
E11	7	0	0.0%	0	0.0%
E31	1	0	0.0%	0	0.0%
E32	1	0	0.0%	0	0.0%
E33	2	0	0.0%	0	0.0%
E35	1	0	0.0%	0	0.0%
E36	1	0	0.0%	0	0.0%
E38	12	0	0.0%	0	0.0%
E40	2	0	0.0%	0	0.0%
E41	2	0	0.0%	0	0.0%
E42	2	0	0.0%	0	0.0%
E44	4	0	0.0%	0	0.0%
E45	10	0	0.0%	0	0.0%
E46	1	0	0.0%	0	0.0%
E62	1	0	0.0%	0	0.0%
E80	1	0	0.0%	0	0.0%

EXHIBIT 3B (CONTINUED)
EMPLOYEES AT MINIMUM AND MAXIMUM BY GRADE

Grade	Employees	# at Min	% at Min	# at Max	% at Max
E81	4	0	0.0%	0	0.0%
E82	1	0	0.0%	0	0.0%
T05	1	0	0.0%	0	0.0%
T06	2	0	0.0%	0	0.0%
T07	8	0	0.0%	0	0.0%
T29	1	0	0.0%	0	0.0%
T30	2	0	0.0%	0	0.0%
T31	3	0	0.0%	0	0.0%
T32	2	0	0.0%	0	0.0%
T33	2	0	0.0%	0	0.0%
T34	5	0	0.0%	0	0.0%
T35	6	0	0.0%	0	0.0%
T36	4	0	0.0%	0	0.0%
T37	2	0	0.0%	0	0.0%
T39	1	0	0.0%	0	0.0%
T40	4	0	0.0%	0	0.0%
T80	1	0	0.0%	0	0.0%
T82	1	0	0.0%	0	0.0%
HE11	4	0	0.0%	2	50.0%
HF10	1	0	0.0%	1	100.0%
IG25	6	0	0.0%	6	100.0%
IG26	2	0	0.0%	2	100.0%
IG45	2	1	50.0%	0	0.0%
IG50	2	2	100.0%	0	0.0%
IG90	2	0	0.0%	0	0.0%
SA1	105	1	1.0%	80	76.2%
SA2	57	1	1.8%	39	68.4%
SA3	22	0	0.0%	7	31.8%
SA4	18	0	0.0%	18	100.0%
Total	**1283**	**13**	**1.0%**	**175**	**13.6%**

In addition to assessing the number of employees at minimum and maximum, an analysis was conducted to determine the number of employees below and above pay grade midpoint. The percentages refer to the percentage of employees in each pay grade that are above and below midpoint. **Exhibit 3C** displays the results of this analysis: a total of 614 employees are compensated below their pay grade midpoint—which is 47.9 percent of all employees for the City. There are 658 employees compensated above midpoint of their pay grade, which is 51.3 percent of all employees.

EXHIBIT 3C
EMPLOYEES ABOVE AND BELOW MIDPOINT BY PAY GRADE

Grade	Employees	# < Mid	% < Mid	# > Mid	% > Mid
G04	42	35	83.3%	4	9.5%
G05	74	57	77.0%	14	18.9%
G06	132	103	78.0%	29	22.0%
G07	181	104	57.5%	73	40.3%
G08	105	47	44.8%	58	55.2%
G09	58	33	56.9%	24	41.4%
G10	23	7	30.4%	16	69.6%
G30	27	16	59.3%	11	40.7%
G31	37	22	59.5%	15	40.5%
G32	9	4	44.4%	5	55.6%
G33	52	26	50.0%	26	50.0%
G34	11	3	27.3%	8	72.7%
G35	32	18	56.3%	14	43.8%
G36	16	9	56.3%	7	43.8%
G37	12	0	0.0%	12	100.0%
G38	24	7	29.2%	17	70.8%
G39	11	8	72.7%	3	27.3%
G40	17	9	52.9%	8	47.1%
G41	10	4	40.0%	6	60.0%
G42	12	5	41.7%	7	58.3%
G43	4	0	0.0%	4	100.0%
G44	13	3	23.1%	10	76.9%
G45	4	3	75.0%	1	25.0%
G46	6	2	33.3%	4	66.7%
G47	11	3	27.3%	8	72.7%
G48	2	1	50.0%	1	50.0%
G49	1	1	100.0%	0	0.0%
G80	12	4	33.3%	8	66.7%
G81	7	1	14.3%	6	85.7%
E06	5	4	80.0%	1	20.0%
E08	4	3	75.0%	1	25.0%
E09	7	6	85.7%	1	14.3%
E09E	1	1	100.0%	0	0.0%
E10E	2	2	100.0%	0	0.0%
E11	7	6	85.7%	1	14.3%
E31	1	0	0.0%	1	100.0%
E32	1	1	100.0%	0	0.0%
E33	2	1	50.0%	1	50.0%
E35	1	1	100.0%	0	0.0%
E36	1	1	100.0%	0	0.0%
E38	12	8	66.7%	4	33.3%
E40	2	0	0.0%	2	100.0%
E41	2	1	50.0%	1	50.0%
E42	2	1	50.0%	1	50.0%
E44	4	1	25.0%	3	75.0%
E45	10	2	20.0%	8	80.0%
E46	1	0	0.0%	1	100.0%
E62	1	0	0.0%	1	100.0%
E80	1	0	0.0%	1	100.0%

EXHIBIT 3C (CONTINUED)
EMPLOYEES ABOVE AND BELOW MIDPOINT BY PAY GRADE

Grade	Employees	# < Mid	% < Mid	# > Mid	% > Mid
E81	4	3	75.0%	1	25.0%
E82	1	0	0.0%	1	100.0%
T05	1	0	0.0%	1	100.0%
T06	2	2	100.0%	0	0.0%
T07	8	3	37.5%	5	62.5%
T29	1	0	0.0%	1	100.0%
T30	2	2	100.0%	0	0.0%
T31	3	3	100.0%	0	0.0%
T32	2	2	100.0%	0	0.0%
T33	2	2	100.0%	0	0.0%
T34	5	3	60.0%	2	40.0%
T35	6	4	66.7%	2	33.3%
T36	4	3	75.0%	1	25.0%
T37	2	2	100.0%	0	0.0%
T39	1	1	100.0%	0	0.0%
T40	4	2	50.0%	2	50.0%
T80	1	0	0.0%	1	100.0%
T82	1	0	0.0%	1	100.0%
HE11	4	2	50.0%	2	50.0%
HF10	1	0	0.0%	1	100.0%
IG25	6	0	0.0%	6	100.0%
IG26	2	0	0.0%	2	100.0%
IG45	2	1	50.0%	1	50.0%
IG50	2	2	100.0%	0	0.0%
IG90	2	0	0.0%	2	100.0%
SA1	105	1	1.0%	104	99.0%
SA2	57	2	3.5%	55	96.5%
SA3	22	0	0.0%	22	100.0%
SA4	18	0	0.0%	18	100.0%
Total	**1283**	**614**	**47.9%**	**658**	**51.3%**

3.3 QUARTILE ANALYSIS

The last part of the Grade Placement Analysis is a detailed look at how salaries are distributed through pay grades, through a quartile analysis. Here, each pay grade is divided into four segments of equal width, called quartiles. The first quartile represents the first 25 percent of the pay range; the second quartile represents the part of the range above the first quartile up to the mathematical midpoint; the third quartile represents the part of the range from the midpoint to 75 percent of the pay range; and the fourth quartile represents the part of the

range above the third quartile up to the pay range maximum. Employees are assigned to a quartile within their pay range based on their current salary.

The quartile analysis is used to determine the location of employee salary clusters. Quartile analysis helps identify whether clusters exist in specific quartiles of pay grades. Also, the amount of time the employee has spent at the organization is analyzed to observe any relationship between organizational tenure and salary progression. This information, while not definitive alone, can shed light on any root issues within the current compensation and classification plan when combined with market data and employee feedback.

Exhibit 3D shows the number of employees that are in each quartile of each grade, as well as the average overall tenure (i.e., how long an employee has worked for the City) by quartile. Overall, data provides that 14.5 percent of employees fall into Quartile 1 of their respective grade; 34.2 percent fall into Quartile 2; 23.8 percent fall into Quartile 3; and 27.5 percent fall into Quartile 4. While this distribution does not lead to a conclusion, data for average tenure do lead to determinations on the relationship between tenure and salary.

Specifically, overall average tenure generally increases as quartile increases; the average tenure in Quartile 1 is 3.0 years; in Quartile 2 is 6.0 years; in Quartile 3 is 10.4 years; and in Quartile 4 is 8.7 years. This indicates that employees are moved through their pay grades equitably, or at least a positive linear relationship exists between tenure and pay.

Exhibit 3E-3I display graphical representations of the data contained in **Exhibit 3D**, separated by pay grade. Each pay grade is divided into up to four sections representing the percentage of employees, in that pay grade, who belong in each quartile. For example, pay grade SA4 has zero employees in Quartile 1, 2, or 3. That pay grade is represented by a 100 percent green bar, showing that 100 percent of SA4 employees are in Quartile 4. Pay grades G30-G33 have employees in all four quartiles, however, and are consequently represented with bars displaying all four colors, corresponding to the percentage of employees for each pay grade in each quartile.

EXHIBIT 3D
QUARTILE ANALYSIS AND TIME WITH THE ORGANIZATION

GRADE	Total Employees	Average Tenure	1st Quartile		2nd Quartile		3rd Quartile		4th Quartile	
			# Employees	Avg Tenure	# Employees	Avg Tenure	# Employees	Avg Tenure	# Employees	Avg Tenure
G04	42	3.4	16	1.1	22	1.9	2	18.6	2	23.0
G05	74	4.2	29	1.1	31	3.5	7	8.3	7	16.4
G06	132	6.3	42	2.8	61	6.6	21	10.9	8	11.1
G07	181	8.7	19	2.2	89	5.6	47	12.7	26	16.7
G08	105	7.5	9	3.0	38	5.5	33	8.3	25	11.0
G09	58	8.6	10	2.8	24	6.0	17	13.3	7	14.4
G10	23	11.4	0	-	7	7.2	8	10.7	8	15.8
G30	27	10.8	7	4.1	9	7.7	9	17.1	2	19.3
G31	37	6.0	3	3.4	19	4.8	14	7.9	1	11.6
G32	9	3.9	2	0.8	2	2.4	2	5.6	3	5.9
G33	52	9.3	6	5.0	20	4.5	19	13.2	7	15.9
G34	11	12.1	0	-	3	5.9	4	12.8	4	15.9
G35	32	7.6	3	2.0	15	3.1	11	15.3	3	7.7
G36	16	7.4	3	3.8	6	3.7	4	5.8	3	20.8
G37	12	16.2	0	-	0	-	6	11.3	6	21.2
G38	24	9.4	1	15.1	6	10.4	12	6.5	5	13.9
G39	11	11.5	1	16.2	7	13.2	3	6.0	0	-
G40	17	13.2	2	4.5	7	10.8	7	19.5	1	3.1
G41	10	13.2	0	-	4	18.3	3	13.4	3	6.2
G42	12	10.0	0	-	5	3.5	4	9.5	3	21.4
G43	4	6.6	0	-	0	-	4	6.6	0	-
G44	13	10.9	1	1.8	2	15.2	7	14.4	3	3.0
G45	4	1.7	1	0.0	2	1.4	0	-	1	3.9
G46	6	3.4	0	-	2	4.3	3	2.4	1	4.6
G47	11	1.9	1	0.8	2	2.5	7	2.0	1	1.2
G48	2	20.0	0	-	1	11.1	0	-	1	28.9
G49	1	23.0	0	-	1	23.0	0	-	0	-
G80	12	6.1	0	-	4	5.5	4	2.8	4	9.9
G81	7	9.0	0	-	1	0.8	3	4.8	3	15.9
E06	5	7.2	2	6.1	2	6.8	1	10.0	0	-
E08	4	9.1	2	0.7	1	13.8	1	21.1	0	-
E09	7	4.2	5	1.8	1	0.1	0	-	1	20.3
E09E	1	7.8	1	7.8	0	-	0	-	0	-
E10E	2	14.9	1	7.9	1	22.0	0	-	0	-
E11	7	7.4	4	5.8	2	12.0	1	4.6	0	-
E31	1	13.5	0	-	0	-	1	13.5	0	-
E32	1	4.9	1	4.9	0	-	0	-	0	-
E33	2	9.0	0	-	1	3.5	1	14.4	0	-
E35	1	1.6	1	1.6	0	-	0	-	0	-
E36	1	2.3	0	-	1	2.3	0	-	0	-

EXHIBIT 3D (CONTINUED)
QUARTILE ANALYSIS – CITY TENURE

GRADE	Total Employees	Average Tenure	1st Quartile		2nd Quartile		3rd Quartile		4th Quartile	
			# Employees	Avg Tenure	# Employees	Avg Tenure	# Employees	Avg Tenure	# Employees	Avg Tenure
E38	12	8.7	0	-	8	10.1	4	5.9	0	-
E40	2	22.0	0	-	0	-	0	-	2	22.0
E41	2	18.2	1	14.0	0	-	0	-	1	22.4
E42	2	8.5	1	2.9	0	-	1	14.1	0	-
E44	4	8.6	0	-	1	4.6	2	12.6	1	4.8
E45	10	25.5	0	-	2	1.2	0	-	8	31.6
E46	1	5.2	0	-	0	-	0	-	1	5.2
E62	1	8.9	0	-	0	-	1	8.9	0	-
E80	1	9.8	0	-	0	-	0	-	1	9.8
E81	4	6.0	0	-	3	6.8	0	-	1	3.6
E82	1	22.8	0	-	0	-	1	22.8	0	-
T05	1	21.0	0	-	0	-	1	21.0	0	-
T06	2	12.4	0	-	2	12.4	0	-	0	-
T07	8	7.8	0	-	3	1.4	4	9.1	1	22.1
T29	1	7.9	0	-	0	-	0	-	1	7.9
T30	2	6.0	0	-	2	6.0	0	-	0	-
T31	3	2.0	1	2.2	2	1.9	0	-	0	-
T32	2	15.6	0	-	2	15.6	0	-	0	-
T33	2	4.2	2	4.2	0	-	0	-	0	-
T34	5	9.5	0	-	3	9.6	2	9.2	0	-
T35	6	10.6	0	-	4	8.0	2	15.8	0	-
T36	4	11.8	0	-	3	9.0	0	-	1	20.3
T37	2	3.6	2	3.6	0	-	0	-	0	-
T39	1	13.8	1	13.8	0	-	0	-	0	-
T40	4	4.9	0	-	2	5.0	2	4.8	0	-
T80	1	1.0	0	-	0	-	1	1.0	0	-
T82	1	1.8	0	-	0	-	0	-	1	1.8
HE11	4	21.6	0	-	2	16.4	0	-	2	24.8
HF10	1	28.0	0	-	0	-	0	-	1	28.0
IG25	6	20.5	0	-	0	-	0	-	6	20.5
IG26	2	19.1	0	-	0	-	0	-	2	19.1
IG45	2	20.6	1	18.2	0	-	0	-	1	23.0
IG50	2	10.0	2	10.0	0	-	0	-	0	-
IG90	2	24.8	0	-	0	-	1	26.6	1	23.0
SA1	105	2.2	1	2.6	0	-	17	2.1	87	2.2
SA2	57	1.9	1	1.4	1	4.1	0	-	55	1.8
SA3	22	4.4	0	-	0	-	0	-	22	4.4
SA4	18	3.8	0	-	0	-	0	-	18	3.8
Overall	**1283**	**7.3**	**186**	**3.0**	**439**	**6.0**	**305**	**10.4**	**353**	**8.7**

EXHIBIT 3E
QUARTILE PLACEMENT BY PAY GRADE (GENERAL PAY PLAN)

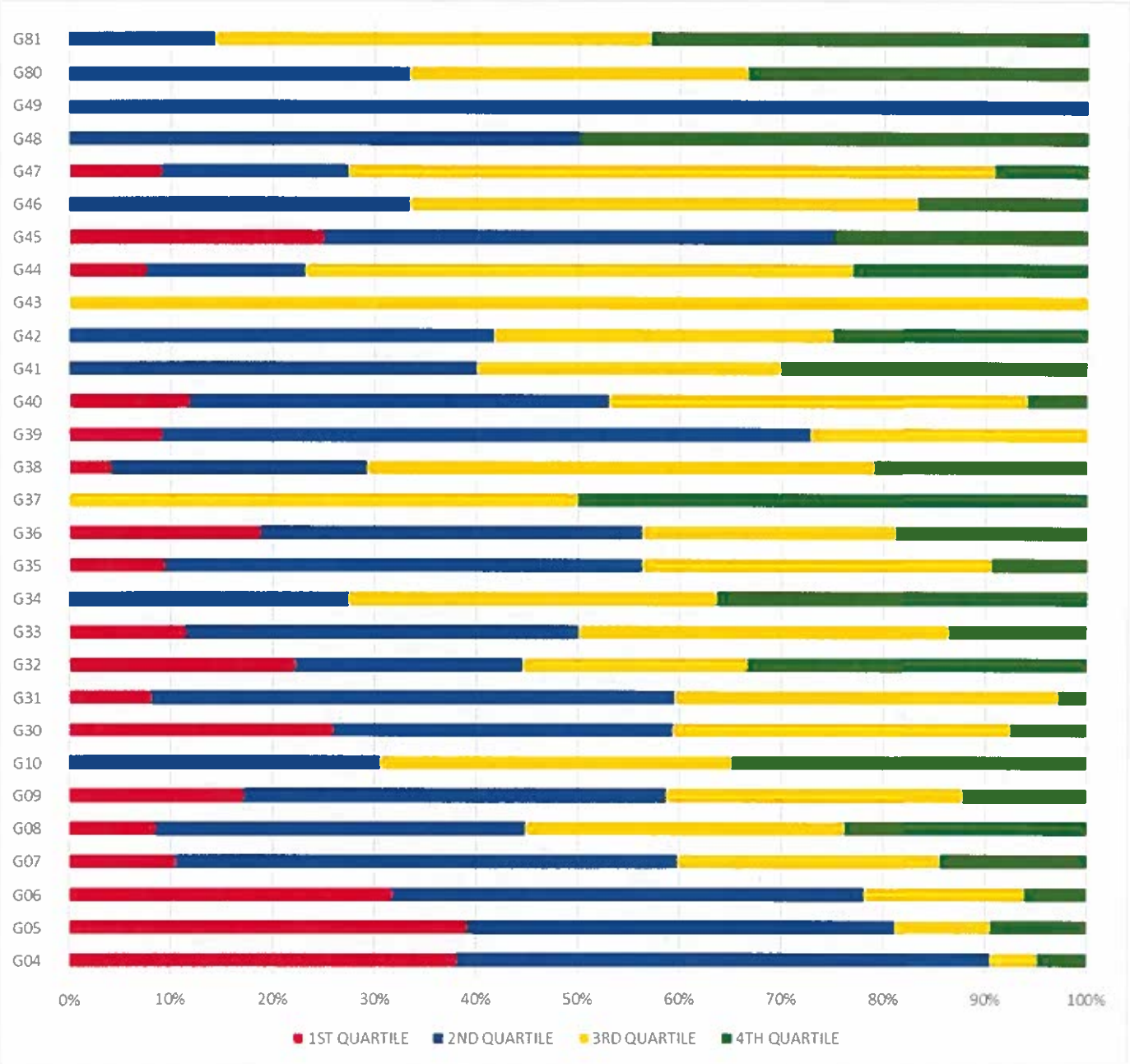


EXHIBIT 3F
QUARTILE PLACEMENT BY PAY GRADE (ELECTRIC PAY PLAN)

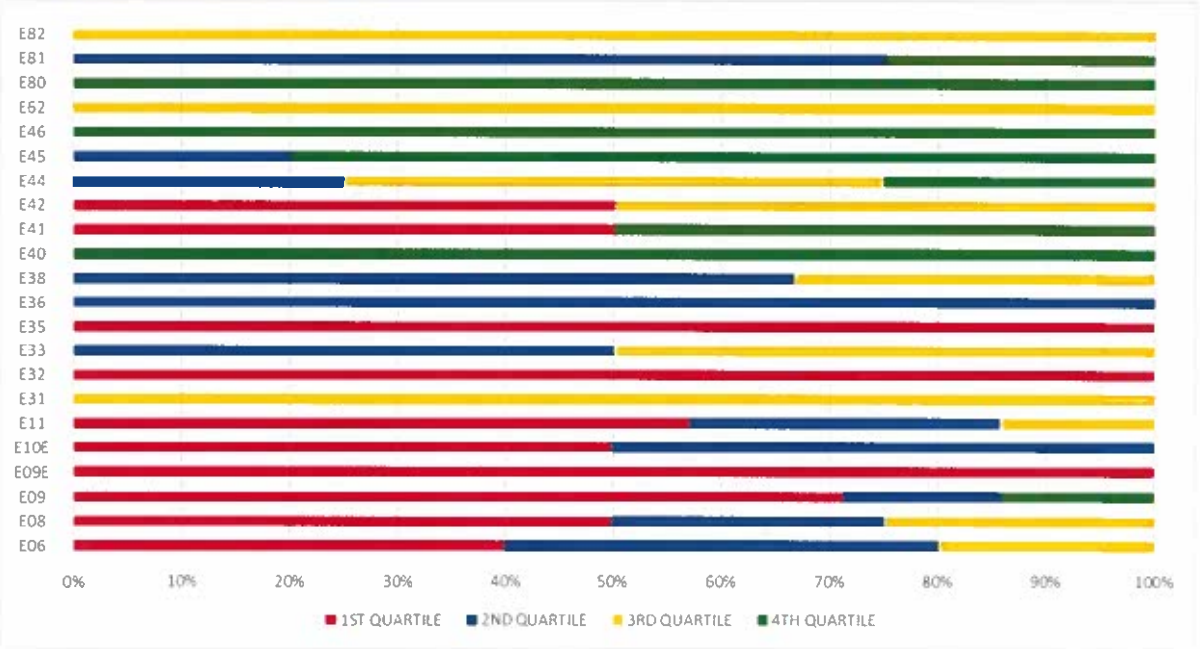


EXHIBIT 3G
QUARTILE PLACEMENT BY PAY GRADE (TECHNOLOGY PAY PLAN)

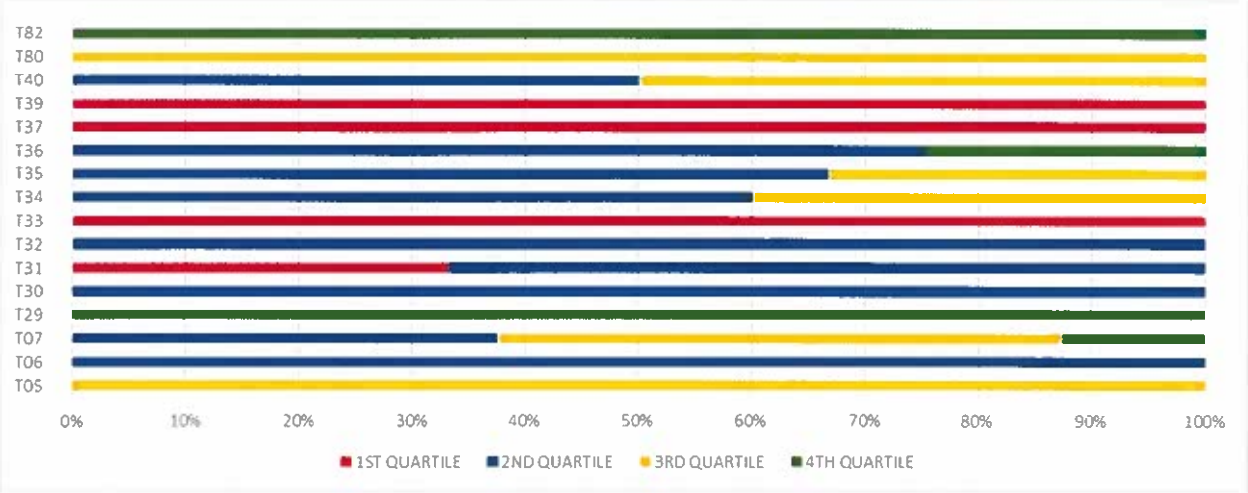


EXHIBIT 3H
QUARTILE PLACEMENT BY PAY GRADE (FIRE PAY PLAN)

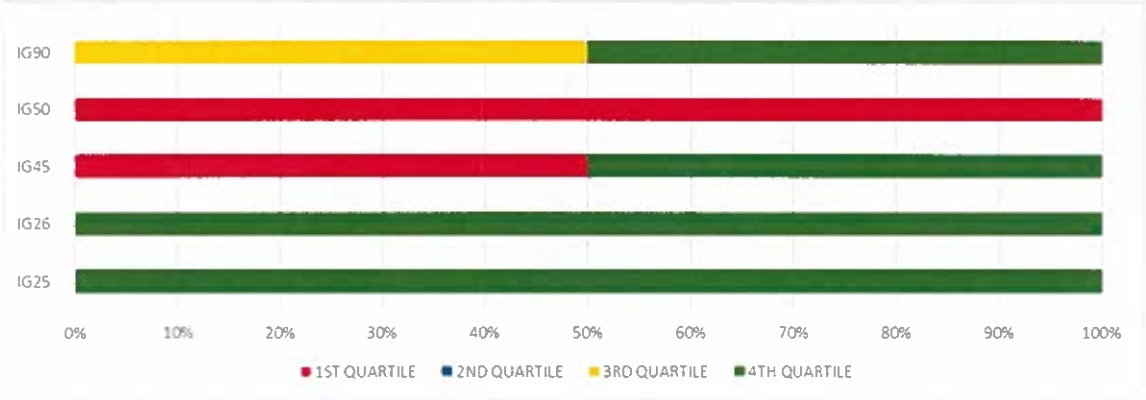
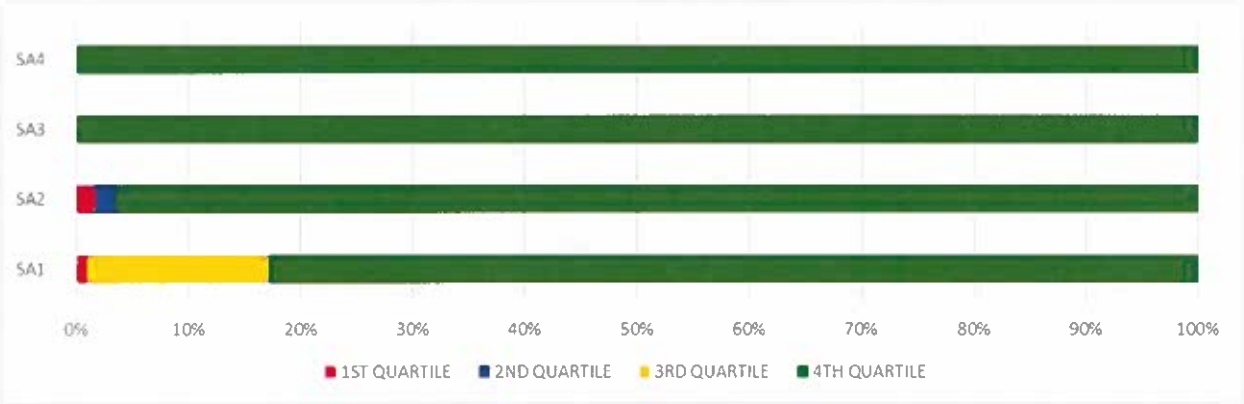


EXHIBIT 3I
QUARTILE PLACEMENT BY PAY GRADE (SPECIAL AGREEMENT PAY PLAN)



3.4 COMPRESSION ANALYSIS

Pay compression can be defined as the lack of variation in salaries between employees with significantly various levels of experience and responsibility. Compression can be seen as a threat to internal equity and morale. Two common types of pay compression can be observed when the pay of supervisors and their subordinates are too close, or when the pay of highly tenured staff and newly hired employees in the same job are too similar.

According to the Society for Human Resources Management (SHRM), specific examples of actions that may cause pay compression include the following:

- Reorganizations change peer relationships and can create compression if jobs are not reevaluated.

- In some organizations, certain departments or divisions may be liberal with salary increases, market adjustments, and promotions—while others are not.

- Some employers have overlooked their Human Resources policies designed to regulate pay, paying new hires more than incumbents for similar jobs under the mantra of "paying what it takes to get the best talent."

- Many organizations have found it easy to hire people who have already done the same work for another organization, eliminating the need for training. Rather than hiring individuals with high potential and developing them for the long term, they have opted for employees who could "hit the ground running" regardless of their potential.

Exhibit 3J indicates the ratio of subordinate to supervisor salaries by grade graphically. Employees were grouped into categories reflecting whether their actual salary was less than 80 percent, greater than 80 percent but less than 95 percent, greater than 95 percent but less than 100 percent, or greater than 100 percent of their supervisor's salary. Less than 80 percent would indicate that the ratio of an employee's salary to his supervisor's salary would yield a result of less than 0.8. For example, an employee with a salary of $79,000.00 and a supervisor with a salary of $100,000.00 would yield a ratio of 0.79 and be placed into the Less than 80 percent category.

An analysis of the data would quickly reveal that while most positions in the City are in a great position, with plenty of space between employee and supervisor salaries, there is still a small percentage of employees with salaries more than 95 percent of their supervisor's salary. Anywhere red or blue appears on **Exhibit 3J** is somewhere that warrants an examination of supervisor vs. employee salary.

EXHIBIT 3J
EMPLOYEE TO SUPERVISOR SALARY RATIO BY PAY GRADE

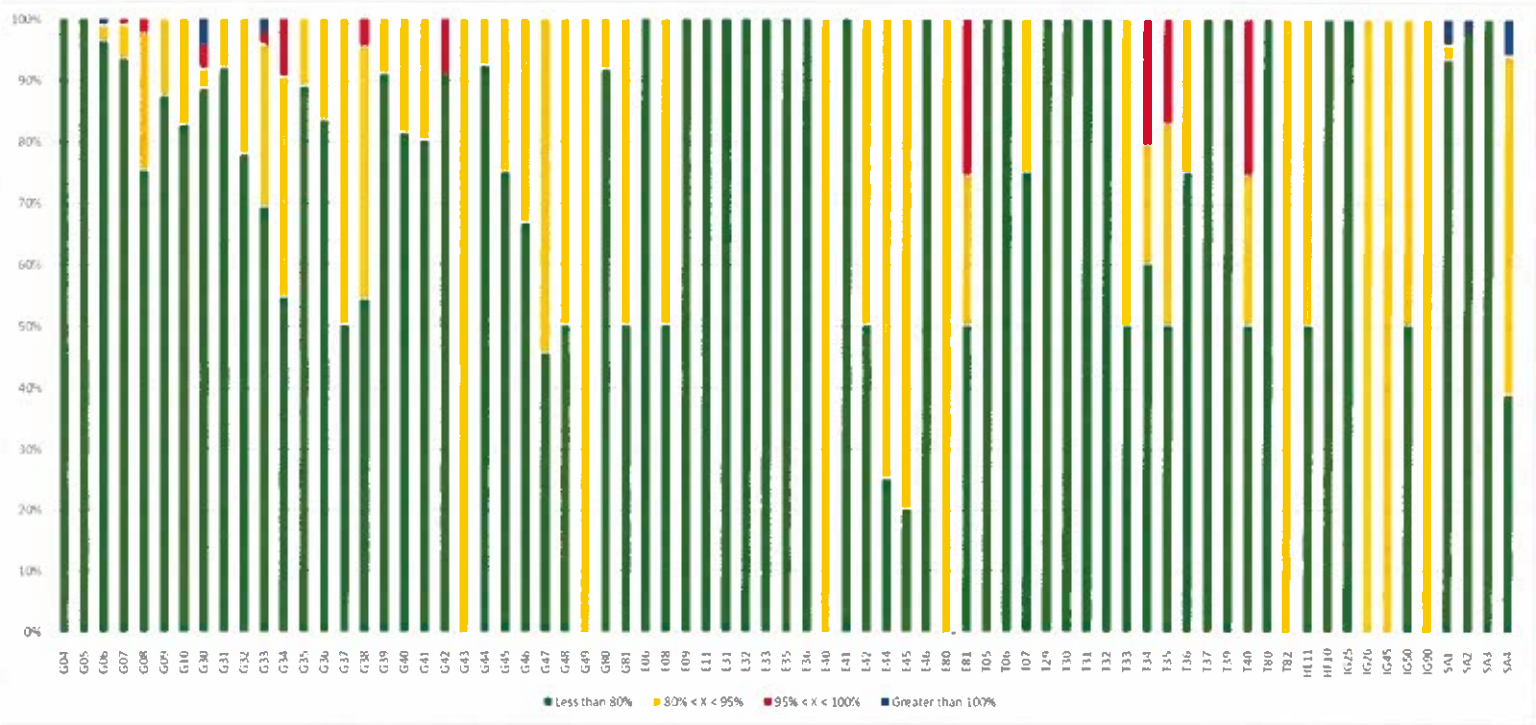
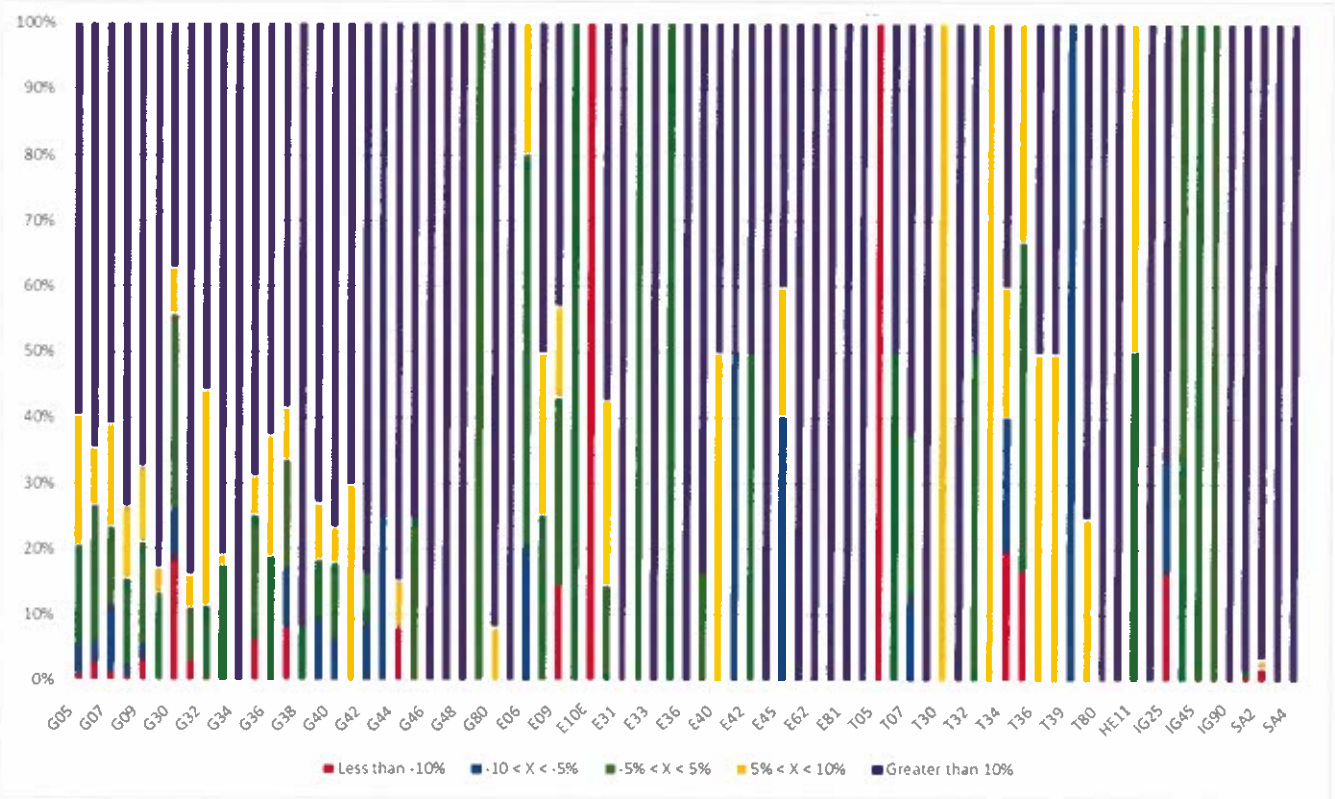


Exhibit 3K highlights the actual vs. expected salaries of City employees, sorted by pay grade. Expected salary is calculated using a fifteen-year progression assumption for employees. For example, an employee who had worked at his position for seven and a half years would expect to be at the grade midpoint, while an employee with fifteen or more years of class years would expect to be at the grade maximum. An important distinction between this compression table and the quartile analysis: this compression table utilizes class years, while the Quartile analysis uses tenure. Class years are differentiated from tenure by using the date that you started working in your current classification as the start date, instead of the date you first were hired by the City. To illustrate, if an employee had been an accountant for fifteen years, and then was promoted last year to Accountant Supervisor that employee would have fifteen years of tenure, but only one class year.

On **Exhibit 3K**, it is easy to discern that most City employees are being paid wages more than 10 percent above what they would expect to receive, based on their class years. While this is clearly good for employees, it is not necessarily bad for the City. It could mean that the City is overpaying employees or that pay grades are too low, forcing the City to advance employees more quickly through pay grades to keep competitive with the market. However, it could just as easily be another indicator of employee promotion and advancement through the ranks. When an employee has advanced to near the top of his pay grade and he receives a promotion, he will often not start at his new pay grade minimum. An employee will not accept a pay decrease, so that employee is therefore started above the minimum on his new pay grade. That puts him above his "expected pay," by definition. He has zero class years, but his pay is above the minimum. Then, if he advances exactly at the speed expected for the rest of his career, he will always remain above his "expected" pay. While the truth lies somewhere in between these examples, a definitive answer cannot be determined without more data.

EXHIBIT 3K
ACTUAL VS. EXPECTED SALARY



3.5 SUMMARY

The City utilizes different pay plans to classify their various employee groups. This provides a customized approach to allow the City to adjust each pay plan as much or as little as needed to fit the changing needs of the three distinct groups. There were many observations made about the City's compensation system at the start of the study.

- Range spreads, recommended to be between 50-70 percent, vary across the different pay plans.
- One percent of employees are paid at the minimum of their pay grade.
- About a third of employees (34.2 percent) are in Quartile 2 of their pay grade.
- Most City employees are paid less than 80.0 percent of their supervisors' salaries.
- Many employees are paid more than their expected salary, based on a fifteen-year progression plan.
- While there will always be outliers, the City has a positive relationship between tenure and pay grade penetration.

This analysis acts as a starting point for the development of recommendations in subsequent chapters of this report. Paired with market data, Evergreen can make recommendations that will ensure that the City compensation system is structurally sound in terms of best practice, competitive with the market, and treats all employees equitably moving forward.

Chapter 4 – Market Summary

The market summary chapter benchmarks the City's compensation practices against its market peers to establish how competitive the City is for employees within its market. To complete this market study, Evergreen compared pay ranges of select benchmark positions that the City possesses against the compensation of positions performing those same duties within peer organizations. By aggregating the differences in pay ranges across all the positions, a reasonable determination is made as to the City's competitive position within the market.

It is important to note that individual salaries are not analyzed in this methodology, since individual compensation can be affected by variables such as experience and performance. For this reason, Evergreen looked at average pay ranges across the entire classification to make the most accurate comparison. The results of this market study should be considered reflective of the current state of the market at the time of this study; however, market conditions can change rapidly. Consequently, it is necessary to perform market surveys of peer organizations regularly for an organization to consistently monitor its position within the market. Furthermore, the market results detailed in this chapter provide a foundation for understanding the City's overall structural standing to the market, and the rates reflected in this chapter, while a crucial factor, are not the sole determinant for how classifications were placed into the proposed salary ranges outlined in **Chapter 6.**

Evergreen conducted a comprehensive market salary survey for the City, which included 29 peers including cities, counties, airports, electric utility companies, and state entities. Target peers were selected based on several factors, including geographic proximity and population size. Target organizations were also identified for their competition to the City for employee recruitment and retention efforts. The list of targets provided data for this study is included in **Exhibit 4A.**

EXHIBIT 4A
TARGET MARKET PEERS

Market Peers
Alliance Airport
Austin Energy
Bryan Texas Utilities
City of Addison
City of Allen
City of Arlington
City of Austin
City of Carrollton
City of Coppell
City of Corinth
City of Dallas
City of Flower Mound
City of Fort Worth
City of Frisco
City of Grand Prairie
City of Grapevine
City of Irving
City of Lewisville
City of McKinney
City of Mesquite
City of Plano
City of Richardson
City of Sugar Land
Dallas County
Denton County
Lubbock Power & Light
Meacham Airport
North Texas Municipal Water District
Upper Trinity Regional Water District

Since the data collected for the market summary was from various regions of Texas, it was necessary to adjust peer responses relative to the City based on cost of living. For all organizations that fell outside the City's immediate region, a cost-of-living adjustment was applied to the reported pay ranges to ensure the market average was attained in terms of the spending power an employee would have in the City. Evergreen utilizes cost of living index information from the Council for Community and Economic Research, and the scale is based on the national average cost of living being set at 100. The cost-of-living index figures for the City and each respondent market peer are in **Exhibit 4B.**

EXHIBIT 4B
RESPONDENTS WITH COST-OF-LIVING ADJUSTMENTS

Market Peers	Cost of Living Index
City of Denton	**101.7**
Alliance Airport	106.1
Austin Energy	109.2
Bryan Texas Utilities	104.3
City of Addison	106.7
City of Allen	109.2
City of Arlington	94.0
City of Austin	109.2
City of Carrollton	101.7
City of Coppell	106.1
City of Corinth	104.3
City of Dallas	109.2
City of Flower Mound	104.3
City of Fort Worth	109.2
City of Frisco	101.7
City of Grand Prairie	104.3
City of Grapevine	109.3
City of Irving	106.1
City of Lewisville	109.2
City of McKinney	109.2
City of Mesquite	101.7
City of Plano	109.2
City of Richardson	106.1
City of Sugar Land	93.6
Dallas County	93.8
Denton County	101.7
Lubbock Power & Light	99.1
Meacham Airport	104.3
North Texas Municipal Water District	104.3
Upper Trinity Regional Water District	106.7

4.1 MARKET DATA

The results of the market study are displayed in **Exhibit 4C**, which includes the benchmark job titles and the market average salaries for each position at the minimum, midpoint, and maximum points of the pay ranges. Also included within the exhibit are the percentage differentials of the City's pay ranges at each respective point, relative to the market average pay. A positive percent differential is indicative of the City's pay range exceeding that of the

average of its market peers; alternatively, a negative percent differential indicates the City's compensation for a given position lagging behind the average of its peers. For those classifications where no differential is shown, this is due to the City not possessing a pay range for comparison to the market. The exhibit also includes the average pay range for the market respondents for each position and how many responses each benchmark received.

While all benchmarks are surveyed by each peer, not every peer organization possesses an appropriate match to supply salary information for. Consequently, the benchmarks receive varying levels of response. For this study's purpose, all positions that received less than five matches from market peers were not considered in establishing the City's competitive position. The rationale behind these positions being excluded is that insufficient response can lead to unreliable averages that may skew the aggregated data, blurring the reality of the City's actual position in the market. Eighty-nine of the 111 positions surveyed had a sufficient response for inclusion.

EXHIBIT 4C
MARKET SURVEY RESULTS

Classification	Survey Minimum		Survey Midpoint		Survey Maximum		Survey Avg	# Resp.
	Average	% Diff	Average	% Diff	Average	% Diff	Range	
Accountant	$52,012.38	4.1%	$65,240.86	9.9%	$78,469.34	13.6%	50.9%	21
Administration Manager	$78,554.45	-6.3%	$98,417.90	-0.4%	$118,281.36	3.4%	50.5%	6
Administrative Assistant I	$36,453.07	-21.6%	$45,252.95	-14.8%	$54,052.82	-10.4%	48.3%	19
Administrative Assistant II	$39,039.42	-19.0%	$48,092.31	-11.4%	$57,145.21	-6.5%	46.4%	9
Administrative Supervisor	$44,131.06	16.3%	$57,374.38	18.6%	$70,617.70	20.0%	60.0%	6
Airport Operations Manager	$76,196.29	-20.8%	$99,108.40	-18.6%	$122,020.51	-17.3%	60.1%	8
Animal Services Officer	$37,677.99	-15.5%	$46,491.92	-8.0%	$55,305.86	-3.2%	46.8%	17
Applications Architect I	$64,602.54	8.3%	$82,421.56	12.4%	$100,240.58	15.0%	55.2%	8
Applications Architect II	$69,770.43	16.6%	$89,781.84	19.9%	$109,793.26	21.9%	57.5%	5
Assistant City Manager	$161,971.08	-	$197,248.79	-	$232,526.49	-	43.2%	9
Assistant Court Rep I	$33,878.90	-14.4%	$41,489.17	-6.1%	$49,099.44	-0.8%	45.0%	16
Assistant Court Rep II	$37,226.24	-14.3%	$46,288.24	-7.6%	$55,350.24	-3.3%	48.7%	10
Assistant Director of Finance	$105,981.99	-1.1%	$132,818.55	4.9%	$156,176.02	10.8%	47.6%	9
Assistant Fire Chief	$135,314.37	3.4%	$151,991.79	3.2%	$167,669.15	3.7%	23.9%	11
Associate Video Producer	$51,731.92	-37.2%	$77,597.89	-48.7%	$103,463.85	-54.9%	100.0%	1
Asst Director of Parks & Rec	$94,718.43	1.4%	$118,134.60	7.8%	$139,340.93	13.4%	47.4%	12
Benefits & HRIS Specialist	$49,227.87	5.4%	$61,763.08	11.2%	$74,298.29	14.9%	51.0%	15
Benefits and Leave Coordinator	$47,423.53	8.9%	$59,256.57	15.1%	$71,089.60	19.1%	49.9%	7
Building Inspector II	$46,115.06	-7.1%	$57,079.70	0.1%	$68,044.35	4.7%	47.7%	16
Business Services Manager	$73,888.05	17.3%	$95,232.27	20.5%	$116,576.49	22.4%	57.8%	9
Buyer	$44,545.21	10.8%	$55,393.71	17.5%	$66,242.21	21.7%	48.8%	16
Chief Financial Officer	$136,904.71	-	$171,614.47	-	$203,785.78	-	49.3%	12
Comptroller/Controller	$94,204.74	6.3%	$116,707.53	5.4%	$139,210.32	17.9%	47.8%	13
Construction Projects Manager	$75,335.35	-10.9%	$94,429.84	-5.0%	$113,524.33	-1.3%	50.7%	6
Crew Leader	$44,426.40	-3.4%	$54,928.51	3.9%	$65,430.61	8.6%	47.4%	17
Crime Scene Investigator	$48,582.59	-2.8%	$60,924.87	3.1%	$73,267.14	6.8%	50.9%	6
Customer Service Manager	$77,686.24	25.4%	$100,563.92	28.1%	$123,441.59	29.7%	59.0%	7
Customer Service Rep	$33,299.71	-3.1%	$41,087.40	4.4%	$48,875.08	9.2%	46.7%	14
Deputy City Attorney	$115,434.57	-14.0%	$143,579.34	-7.3%	$171,724.12	-3.1%	48.6%	6
Deputy Dir of Solid Waste	$126,411.95	-27.3%	$157,308.89	-20.8%	$188,205.83	-16.6%	48.9%	2
Director of Airport	$123,048.34	-10.6%	$156,587.97	-6.2%	$190,127.61	-3.4%	54.4%	6
Director of Capital Projects	$122,539.23	-10.2%	$153,780.46	-4.4%	$183,545.73	0.1%	50.2%	8
Director of Libraries	$120,339.66	-8.4%	$153,019.15	-3.9%	$178,947.21	2.6%	49.0%	10
Director of Water Utilities	$133,394.18	-18.6%	$167,886.61	-13.1%	$194,939.70	-5.9%	46.6%	7
Emer Vehicle Tech Supervisor	$57,727.44	-10.5%	$71,330.18	-3.1%	$84,932.91	1.6%	47.2%	3
Engineer	$75,822.58	-2.8%	$94,854.78	3.3%	$113,886.98	7.2%	50.2%	18
Field Services Worker II	$33,033.21	-11.9%	$40,265.95	-3.2%	$47,498.68	2.5%	43.7%	17
Field Service Worker III	$35,668.22	-10.0%	$44,174.36	-2.9%	$52,680.50	1.7%	47.6%	7
Financial Analyst	$55,854.75	-3.0%	$70,405.24	2.3%	$84,955.74	5.7%	52.2%	13
Fleet Technician	$38,264.36	11.5%	$47,593.43	18.2%	$56,922.50	22.4%	48.7%	11
GIS Analyst	$54,777.09	-1.1%	$67,444.77	6.6%	$80,112.45	11.6%	46.4%	16
GIS Technician	$42,995.91	-9.6%	$52,653.81	-1.4%	$62,311.71	3.9%	45.0%	12
Head Lifeguard	$31,104.84	3.7%	$37,195.57	14.3%	$43,286.31	21.2%	39.2%	9
Health Inspector	$47,459.24	-0.5%	$58,766.26	6.7%	$70,073.27	11.2%	47.6%	4
Heavy Equipment Operator I	$39,660.51	-11.1%	$49,092.51	-3.9%	$58,524.51	0.7%	47.7%	14
Heavy Equipment Operator II	$41,317.92	-5.7%	$52,760.42	-1.6%	$64,202.91	0.9%	55.4%	6
Homeless Programs Coordinator	$48,558.76	15.3%	$64,052.86	16.1%	$79,546.95	16.6%	63.8%	4
HR Compensation/HRIS Admr	$66,376.65	-15.9%	$83,664.97	-10.5%	$100,953.30	-7.2%	52.1%	12
HVAC Technician (Licensed Facilities Trades Tech)	$42,985.82	9.4%	$53,977.15	15.2%	$64,968.47	18.8%	51.3%	9
IT Project Manager	$82,542.26	10.5%	$103,813.30	16.1%	$125,084.34	19.6%	51.7%	12
Kennel Technician	$32,578.27	-10.5%	$39,371.42	-0.9%	$46,164.57	5.3%	41.6%	10
Laboratory Manager	$71,668.17	-6.0%	$92,805.97	-3.3%	$113,943.77	-1.7%	59.0%	6
Lead Civilian Property Tech	$39,215.63	-0.4%	$48,871.88	6.1%	$58,528.14	10.2%	49.2%	7
Librarian	$47,290.87	0.4%	$58,892.56	7.0%	$70,494.25	11.1%	49.1%	16
Library Assistant II	$34,754.92	2.1%	$42,547.48	10.4%	$50,340.04	15.7%	44.8%	15
Library Branch Manager	$68,295.14	-5.5%	$86,441.59	-0.6%	$104,588.04	2.5%	53.1%	10
Logistics Specialist	$40,494.65	15.4%	$52,134.50	18.6%	$63,774.36	20.6%	57.6%	5
Maintenance Tech I - WP	$35,237.57	-18.3%	$42,441.52	-8.4%	$49,645.47	-1.9%	40.9%	12
Maintenance Technician II - WP	$35,665.89	-10.0%	$43,006.34	-0.2%	$50,346.80	6.2%	41.0%	7
Maint Tech III - Water Prod	$39,268.12	-0.6%	$46,891.43	10.2%	$54,514.74	17.3%	38.8%	1
Management Analyst	$49,586.27	8.9%	$62,179.68	14.7%	$74,773.09	18.4%	50.7%	7
Marketing & Outreach Coord	$46,881.97	5.7%	$58,645.89	11.8%	$70,409.81	15.6%	50.2%	14
Microbiologist	$52,509.51	-10.1%	$65,888.02	-4.3%	$79,266.53	-0.6%	51.0%	3
Network Infs Architect I	$71,043.97	4.1%	$88,565.31	10.6%	$106,086.66	14.7%	49.4%	10
Network Infs Architect II	$83,645.61	3.9%	$104,152.66	10.4%	$124,659.72	14.6%	49.0%	5
Parks Field Supervisor	$52,343.23	-10.3%	$64,881.91	-3.2%	$77,420.58	1.3%	48.0%	11
Payroll Supervisor	$52,520.30	-1.0%	$65,503.67	5.4%	$78,487.04	9.5%	49.5%	14
Permit Technician I	$36,400.94	-12.0%	$45,001.29	-4.7%	$53,601.63	-0.1%	47.3%	14
Planner	$51,525.23	-3.8%	$64,073.46	2.9%	$76,621.70	7.2%	48.8%	17
Plans Examiner I	$47,450.26	-19.4%	$59,001.31	-12.7%	$70,552.36	-8.5%	48.7%	17
Plumber (Facilities Skilled Trades Tech)	$43,906.68	-11.7%	$56,567.35	-8.5%	$69,228.03	-6.6%	57.7%	6
Police Assistant Chief	$135,901.95	3.0%	$154,746.31	1.4%	$173,072.54	0.5%	27.2%	13
Police Chief	$140,455.83	-9.0%	$177,097.11	-3.7%	$210,918.27	1.0%	50.3%	9
Police Deputy Chief	$123,765.22	4.9%	$135,160.21	1.7%	$146,555.19	-1.1%	18.1%	8
Public Safety Comm Supv	$57,987.53	-10.9%	$70,001.92	-1.3%	$82,016.32	5.1%	41.5%	13
Public Safety Dispatcher	$44,671.04	-3.9%	$56,227.08	1.6%	$67,783.13	5.1%	51.8%	10
Public Works Inspector II	$49,263.89	-13.7%	$60,640.14	-6.0%	$72,016.39	-1.0%	46.1%	6

EXHIBIT 4C (CONTINUED)
MARKET SURVEY RESULTS

Classification	Survey Minimum		Survey Midpoint		Survey Maximum		Survey Avg Range	# Resp.
	Average	% Diff	Average	% Diff	Average	% Diff		
Records Technician	$35,634.93	-19.4%	$43,305.23	-10.4%	$50,975.53	-4.6%	43.0%	12
Recreation Coordinator	$41,877.27	-7.0%	$51,842.81	0.2%	$61,808.34	4.7%	47.6%	13
Recreation Leader	$34,102.31	-48.5%	$40,610.88	-43.9%	$47,119.45	-40.7%	38.1%	6
Recreation Supervisor	$52,133.21	-5.0%	$64,772.10	1.9%	$77,410.98	6.2%	48.6%	12
Senior Engineer	$86,449.55	-2.7%	$106,716.22	4.7%	$126,982.89	9.5%	46.9%	12
Solid Waste Truck Operator	$38,801.80	0.6%	$46,263.11	11.5%	$53,724.42	18.7%	38.4%	6
Streets Operations Manager	$74,188.57	-5.0%	$93,767.35	0.1%	$113,346.14	3.3%	52.8%	8
Support Services Specialist	$50,187.64	-8.2%	$62,346.31	-1.4%	$74,504.98	3.0%	48.6%	19
Talent Devel & Diversity Spec	$54,423.70	-14.1%	$70,575.21	-11.6%	$86,726.73	-10.1%	59.3%	5
Utility Server Supervisor	$66,172.45	32.4%	$84,154.19	36.7%	$102,135.93	39.4%	54.4%	11
Video Producer	$50,155.26	-15.5%	$62,969.47	-9.7%	$75,783.68	-6.1%	51.1%	12
Warehouse Manager	$56,380.17	18.0%	$70,475.68	24.1%	$84,571.19	28.0%	50.0%	1
Warehouse Oper Specialist I	$34,278.15	-15.5%	$40,811.64	-4.5%	$47,345.13	2.8%	38.1%	5
Water Production Operator I	$36,829.83	-13.2%	$44,993.93	-4.7%	$53,158.03	0.8%	44.3%	12
Water Production Operator II	$40,379.42	-3.4%	$48,845.87	6.1%	$57,312.32	12.3%	42.0%	7
Water Production Operator III	$43,330.38	-0.9%	$52,511.94	8.4%	$61,693.49	14.4%	42.5%	9
Water Production Operator IV	$48,558.68	-2.8%	$56,430.83	10.7%	$64,302.99	19.8%	32.2%	6
Water Utilities Electrician II	$53,561.46	-12.5%	$69,267.56	-9.7%	$84,973.66	-8.0%	58.7%	7
WW Collections Operator I	$40,501.06	-13.2%	$49,585.07	-4.9%	$58,669.08	0.4%	44.9%	3
WW Collections Operator II	$46,788.08	-18.0%	$57,386.75	-10.0%	$67,985.43	-4.8%	45.3%	3
AMI Technician	$45,988.15	4.0%	$57,097.41	10.9%	$68,206.67	15.2%	48.0%	4
D.E.C. Maintenance Supervisor	$90,422.85	5.2%	$115,483.62	9.3%	$140,544.39	11.8%	55.3%	4
D.E.C. Plant Manager	$110,042.42	-4.5%	$141,811.27	-1.3%	$173,580.13	0.6%	57.8%	4
Dispatcher	$45,452.73	-13.9%	$58,719.53	-10.9%	$71,986.33	-9.2%	58.7%	6
Electric SCADA Supervisor	$84,580.04	1.9%	$117,922.77	-2.8%	$151,265.50	-5.5%	80.2%	2
Energy Market Operator	$88,252.03	-21.6%	$112,895.89	-20.0%	$137,539.76	-19.0%	55.8%	3
Instrumentation & Control Tech	$52,344.08	-10.3%	$64,860.06	-3.2%	$77,376.05	1.3%	47.7%	8
Line Designer	$63,260.94	11.1%	$80,014.59	16.1%	$96,768.23	19.2%	52.8%	3
Line Division Manager	$108,328.40	-7.9%	$139,123.73	-4.4%	$169,919.07	-2.2%	56.9%	2
Meter Electrician III	$70,779.40	4.3%	$90,208.80	-15.5%	$109,638.20	-30.7%	54.6%	2
SCADA Analyst - EMO	$78,984.60	3.3%	$105,839.00	0.3%	$132,693.39	-1.6%	69.2%	3
System Operations Supervisor	$106,461.99	-11.1%	$138,173.46	-8.7%	$169,884.93	-7.2%	59.8%	3
Overall Average		**-4.4%**		**0.9%**		**4.6%**	**49.6%**	**8.9**
Outliers Removed*		**-3.8%**		**2.3%**		**6.5%**		

4.2 SALARY SURVEY RESULTS

Market Minimums

It is important to assess where an organization is relative to its market minimum salaries, as they are the beginning salaries of employees with minimal qualifications for a given position. Organizations that are significantly below market may experience recruitment challenges with entry-level employees. As seen in **Exhibit 4C**, the City is currently 3.8 percent below the market average minimum, when considering positions with sufficient responses. The City's benchmark positions ranged from 48.5 percent below to 32.4 percent above the market minimum.

The following are summary points of the results analysis concerning the market minimum:

- Of the 89 positions receiving a sufficient response, 60 were below market, averaging 10.3 percent below. These 60 classifications represent roughly 67.4 percent of all surveyed positions receiving sufficient response.
- Of the 60 positions below market, 31 were more than 10.0 percent below the average market minimum. These positions are displayed in **Exhibit 4D.**

EXHIBIT 4D
CLASSIFICATIONS MORE THAN 10% BELOW THE MINIMUM

Classifications more than 10% Below Market	Difference
Administrative Assistant I	-21.6%
Administrative Assistant II	-19.0%
Airport Operations Manager	-20.8%
Animal Services Officer	-15.5%
Assistant Court Rep I	-14.4%
Assistant Court Rep II	-14.3%
Construction Projects Manager	-10.9%
Deputy City Attorney	-14.0%
Director of Airport	-10.6%
Director of Capital Projects	-10.2%
Director of Water Utilities	-18.6%
Field Services Worker II	-11.9%
Heavy Equipment Operator I	-11.1%
HR Compensation/HRIS Admr	-15.9%
Kennel Technician	-10.5%
Maintenance Tech I - WP	-18.3%
Parks Field Supervisor	-10.3%
Permit Technician I	-12.0%
Plans Examiner I	-19.4%
Plumber (Facilities Skilled Trades Tech)	-11.7%
Public Safety Comm Supv	-10.9%
Public Works Inspector II	-13.7%
Records Technician	-19.4%
Recreation Leader	-48.5%
Talent Devel & Diversity Spec	-14.1%
Video Producer	-15.5%
Warehouse Oper Specialist I	-15.5%
Water Production Operator I	-13.2%
Water Utilities Electrician II	-12.5%
Dispatcher	-13.9%
Instrumentation & Control Tech	-10.3%

- Of the 89 positions receiving sufficient response, 27 were above market, averaging 8.9 percent above. These classifications represent approximately 30.3 percent of all surveyed positions receiving sufficient response.

- Of those 27 positions, nine were more than 10.0 percent above the market minimum average. These positions are displayed in **Exhibit 4E**.

EXHIBIT 4E
CLASSIFICATIONS MORE THAN 10% ABOVE THE MINIMUM

Classifications more than 10% Below Market	Difference
Administrative Assistant I	-14.8%
Administrative Assistant II	-11.4%
Airport Operations Manager	-18.6%
Director of Water Utilities	-13.1%
HR Compensation/HRIS Admr	-10.5%
Plans Examiner I	-12.7%
Records Technician	-10.4%
Recreation Leader	-43.9%
Talent Devel & Diversity Spec	-11.6%
Dispatcher	-10.9%

Market Midpoints

The market midpoint is exceptionally important to analyze, as it is often considered the closest estimation of market average compensation. As seen in **Exhibit 4C**, the City is currently 2.3 percent above the market midpoint.

Analysis of the market midpoint comparisons yielded the following information:

- Regarding the midpoint average, 41 of the positions surveyed receiving sufficient response were below the market midpoint, averaging 7.2 percent below. These 41 positions represent 46.1 percent of the positions surveyed.

- Of the 41 positions below the market midpoint, ten were more than 10.0 percent below the midpoint. These positions are displayed in **Exhibit 4F**.

EXHIBIT 4F
CLASSIFICATIONS MORE THAN 10% BELOW THE MIDPOINT

Classifications more than 10% Below Market	Difference
Administrative Assistant I	-14.8%
Administrative Assistant II	-11.4%
Airport Operations Manager	-18.6%
Director of Water Utilities	-13.1%
HR Compensation/HRIS Admr	-10.5%
Plans Examiner I	-12.7%
Records Technician	-10.4%
Recreation Leader	-43.9%
Talent Devel & Diversity Spec	-11.6%
Dispatcher	-10.9%

- Of the 89 positions receiving sufficient response, 46 were above the market midpoint. These comprise 51.7 percent of the total classifications surveyed receiving sufficient response.

- Twenty-one positions were more than 10.0 percent above the market midpoint. Those positions are displayed in **Exhibit 4G**.

EXHIBIT 4G
CLASSIFICATIONS MORE THAN 10% ABOVE THE MIDPOINT

Classifications More than 10% Above Market	Difference
Administrative Supervisor	18.6%
Applications Architect I	12.4%
Applications Architect II	19.9%
Benefits & HRIS Specialist	11.2%
Benefits and Leave Coordinator	15.1%
Business Services Manager	20.5%
Buyer	17.5%
Customer Service Manager	28.1%
Fleet Technician	18.2%
Head Lifeguard	14.3%
HVAC Technician (Licensed Facilities Trades Tech)	15.2%
IT Project Manager	16.1%
Library Assistant II	10.4%
Logistics Specialist	18.6%
Management Analyst	14.7%
Marketing & Outreach Coord	11.8%
Network Infs Architect I	10.6%
Network Infs Architect II	10.4%
Solid Waste Truck Operator	11.5%
Utility Server Supervisor	36.7%
Water Production Operator IV	10.7%

Market Maximums

The pay range maximum averages, and how they compare to the City's, are also detailed in **Exhibit 4C.** The City is, on average, 6.5 percent above the market at the maximum of its salary bands for these 89 classifications.

The following points are regarding the City's position relative to the market average maximum:

- At the market maximum, 24 of the 89 positions fell below the average, averaging 6.7 percent below. These 24 positions represent about 27.0 percent of the total number of positions surveyed receiving sufficient response.

- Of these 24, four fell more than 10.0 percent below the market maximum. These four positions are displayed in **Exhibit 4H.**

EXHIBIT 4H
CLASSIFICATIONS MORE THAN 10% BELOW THE MAXIMUM

Classifications more than 10% Below Market	Difference
Administrative Assistant I	-10.4%
Airport Operations Manager	-17.3%
Recreation Leader	-40.7%
Talent Devel & Diversity Spec	-10.1%

- Of the 89 positions surveyed receiving sufficient response, 63 were above the market maximum. These 63 positions represent 70.8 percent of the total number of positions surveyed.

- Of the 63 above average positions, thirty of them were more than 10.0 percent above the market maximum. The positions are displayed in **Exhibit 4I**.

EXHIBIT 4I
CLASSIFICATIONS MORE THAN 10% ABOVE THE MAXIMUM

Classifications More than 10% Above Market	Difference
Accountant	13.6%
Administrative Supervisor	20.0%
Applications Architect I	15.0%
Applications Architect II	21.9%
Assistant Director of Finance	10.8%
Asst Director of Parks & Rec	13.4%
Benefits & HRIS Specialist	14.9%
Benefits and Leave Coordinator	19.1%
Business Services Manager	22.4%
Buyer	21.7%
Comptroller/Controller	17.9%
Customer Service Manager	29.7%
Fleet Technician	22.4%
GIS Analyst	11.6%
Head Lifeguard	21.2%
HVAC Technician (Licensed Facilities Trades Tech)	18.8%
IT Project Manager	19.6%
Lead Civilian Property Tech	10.2%
Librarian	11.1%
Library Assistant II	15.7%
Logistics Specialist	20.6%
Management Analyst	18.4%
Marketing & Outreach Coord	15.6%
Network Infs Architect I	14.7%
Network Infs Architect II	14.6%
Solid Waste Truck Operator	18.7%
Utility Server Supervisor	39.4%
Water Production Operator II	12.3%
Water Production Operator III	14.4%
Water Production Operator IV	19.8%

4.3 SALARY SURVEY CONCLUSION

The standing of individual classifications pay range relative to the market should not be considered a definitive assessment of actual employee salaries being similarly above or below the market; however, such differentials can, in part, explain symptomatic issues with recruitment and retention of employees.

The main summary points of the market study are as follows:

- The City is approximately 3.8 percent below the market minimum.
- The City is approximately 2.3 percent above the market midpoint.
- The City is approximately 6.5 percent above the market maximum.
- The City's pay range spread is approximately 66.0 percent for most positions, while its peers' pay range spread is only 49.6 percent. That means that the City's salary scale is wider than its peers. As a result, even though the City is slightly below the average compared to the market at the minimum, because it has a wider spread it catches up to its peers at the higher end of the spectrum and surpasses the market by a few percentage points at the maximum.

The results of the market summary chapter are pivotal in the formulation of recommendations by Evergreen Solutions. By establishing the City's market position relative to its peers, Evergreen is better able to propose recommendations that enable the City to occupy its desired competitive position.

Chapter 5 – Benefits Summary

As a component of this study, Evergreen conducted a benefits market analysis. A benefits analysis, much like a salary evaluation, represents a snapshot in time of what is available in peer organizations. The Benefit Survey can provide the organization with an understanding of the total compensation (salary and benefits) offered by its peers. It is important to realize there are intricacies involved with benefits programs not captured by a benefits survey alone.

This information should be used as a cursory overview and not a line-by-line comparison since benefits can be weighted differently depending on the importance to the organization. It should also be noted that benefits are sometimes negotiated and acquired through third parties, so one-to-one comparisons can be difficult. The analysis in this chapter highlights aspects of the benefits survey that provide pertinent information and had high completion rates by target peers.

Exhibit 5A provides a list of the 8 target peers from which full or partial benefits data were obtained for this analysis.

EXHIBIT 5A
BENEFITS SURVEY RESPONDENTS

City of Allen
Town of Flower Mound
City of Frisco
City of Grapevine
City of Irving
City of McKinney
City of Plano
City of Richardson

5.1 EMPLOYEE INSURANCE COVERAGES AND MISCELLANEOUS BENEFITS

Exhibit 5B displays a basic overview of peer organization size, benefits as a percentage of total compensation, and the average number of health plans offered. Market peers have an average of 1,295 full-time employees and 174 part-time employees. Comparatively, the City has 1,552 full-time employees and 35 part-time employees.

EXHIBIT 5B
OVERALL BENEFITS INFORMATION

Organization Demographics	Peer Average		Denton, TX	
Full-Time Employees	1295	88.2%	1552	97.8%
Part-Time Employees	174	11.8%	35	2.2%
Benefits as a percentage of total compensation	25.8%		35.0%	
Number of health plans offered	2.2		2.0	

Exhibit 5B also displays that the average number of health plans offered by peers (any combination of HMO, PPO, High Deductible, or other type of plan) is 2.2. This is on par with the City's offerings.

5.2 HEALTH PLANS

Exhibit 5C displays data on the types of health plans offered by peers. As shown, 18.8 percent of peers offer an HMO, 57.9 offer a peer PPO, 46.7 percent offer an HSA and 34.8 percent offer another type of plan. Full details on cost to employees and employers can be seen in **Exhibit 5C.** This side-by-side comparison will illustrate the generous offering by the City.

EXHIBIT 5C
OVERVIEW OF HEALTH PLANS OFFERED BY PEERS AND THE CITY

Health Plan Premiums & Deductibles	Peer HMO Average	Peer PPO Average	Peer HSA Average	Other Plans Average	Denton, TX
Percentage of peers offering each plan	18.8%	57.9%	46.7%	34.8%	PPO
DOLLAR AMOUNT (monthly) of employee premium paid by employer	$326.44	$907.37	$599.60	$795.24	$1,254.00
PERCENTAGE (monthly) of employee premium paid by employer	94.7%	86.7%	93.9%	87.0%	91.9%
DOLLAR AMOUNT (monthly) of employee premium paid by employee	$89.43	$123.21	$29.75	$98.52	$110.00
PERCENTAGE (monthly) of employee premium paid by employee	5.3%	13.3%	6.1%	13.0%	8.1%
Individual Maximum Deductible In Network	$1,350.00	$1,555.56	$2,083.33	$1,187.50	$1,000.00
Individual Maximum Deductible Out of Network	-	$3,080.00	$4,000.00	-	n/a
DOLLAR AMOUNT (monthly) of employee plus child premium paid by employer	$556.30	$1,150.37	$1,042.94	$1,125.76	$1,255.70
PERCENTAGE (monthly) of employee plus child premium paid by employer	85.3%	76.9%	85.5%	79.6%	80.3%
DOLLAR AMOUNT (monthly) of employee plus child premium paid by employee	$339.38	$356.21	$136.43	$258.74	$308.00
PERCENTAGE (monthly) of employee plus child premium paid by employee	14.7%	23.1%	14.5%	20.4%	19.7%
Employee Plus Child Maximum Deductible In	$3,375.00	$3,277.78	$4,441.67	$2,250.00	$2,000.00
Employee Plus Child Maximum Deductible Out of	-	$6,660.00	$12,000.00	-	n/a
DOLLAR AMOUNT (monthly) of employee plus spouse premium paid by employer	$658.48	$1,177.62	$1,197.51	$1,390.35	$1,254.00
PERCENTAGE (monthly) of employee plus spouse premium paid by employer	83.4%	75.5%	82.6%	78.2%	84.8%
DOLLAR AMOUNT (monthly) of employee plus spouse premium paid by employee	$712.25	$424.94	$177.97	$332.33	$224.00
PERCENTAGE (monthly) of employee plus spouse premium paid by employee	16.6%	24.5%	17.4%	21.8%	15.2%
Employee Plus Spouse Maximum Deductible In	$3,375.00	$3,277.78	$4,441.67	$2,250.00	$2,000.00
Employee Plus Spouse Maximum Deductible Out	-	$6,660.00	$12,000.00	-	n/a
DOLLAR AMOUNT (monthly) of employee plus family premium paid by employer	$811.71	$1,442.80	$1,690.38	$1,702.45	$1,254.00
PERCENTAGE (monthly) of employee plus family premium paid by employer	81.6%	73.4%	81.5%	75.1%	73.7%
DOLLAR AMOUNT (monthly) of employee plus family premium paid by employee	$797.55	$582.71	$247.00	$484.35	$448.00
PERCENTAGE (monthly) of employee plus family premium paid by employee	18.4%	26.6%	18.5%	24.9%	26.3%
Employee Plus Family Maximum Deductible In Network	$3,375.00	$3,500.00	$4,441.67	$2,250.00	$2,000.00
Employee Plus Family Maximum Deductible Out of Network	-	$7,610.00	$12,000.00	-	n/a

In addition to questions regarding health care coverages, Evergreen asked peers to provide information on dental, vision, short-term disability, long-term disability, and life coverages.

Exhibit 5D shows 46.7 percent of peers offer an employer paid dental plan and 75 percent offer an employee paid dental option. 26.7 percent of peers offer an employer paid vision plan, while 86.7 offer an employee paid vision plan. **Exhibit 5D** also shows the cost to employees and employers. As shown, the cost to City employees is higher than the peer average.

EXHIBIT 5D
DENTAL AND VISION COVERAGE

Dental and Vision Offerings		Peer Percentage Offered	Average Number of Plans Offered	Average maximum monthly amount that the employee pays for employee only coverage	Average maximum monthly amount that the employee pays for employee plus dependent coverage
Dental Insurance	Employer Paid	46.7%	1.2	-	-
	Denton, TX	No	-	-	-
	Employee Paid	75.0%	1.0	$19.48	$62.73
	Denton, TX	Yes	2.0	$53.71	$156.48
Vision Plan	Employer Paid	26.7%	1	-	-
	Denton, TX	No	-	-	-
	Employee Paid	86.7%	1.1	$5.93	$15.93
	Denton, TX	Yes	1.0	$7.74	$20.08

For short-term disability coverage, 37.5 percent of responding peers offer an employer paid plan and 62.5 percent offer an employee paid plan as displayed in **Exhibit 5E.** The City does offer employer paid short-term disability coverage but does not offer employee paid short-term disability coverage.

EXHIBIT 5E
SHORT-TERM AND LONG-TERM DISABILITY COVERAGE

Disability Insurance		Peer Percentage Offered	Average Number of Plans Offered	Average maximum monthly amount that the employee pays for employee only coverage	Average maximum monthly amount the employer pays for employee only coverage	Average maximum monthly amount the employer pays for employee plus
Short-Term Disability	Employer Paid	37.5%	1.0	-	$19.50	$0.00
	Denton, TX	No	-	-	-	-
	Employee Paid	62.5%	0.8	$34.00	-	-
	Denton, TX	Yes	1.0	Varies by age	-	-
Long-Term Disability	Employer Paid	100.0%	100.0%	-	$15.46	$0.00
	Denton, TX	Yes	1.0	-	$0.105 / $100 / month	-
	Employee Paid	17%	33%	#DIV/0!	-	-
	Denton, TX	No	-	-	-	-

Exhibit 5F summarizes the life insurance offerings of responding peers and The City. Overall, all responding peers offer life insurance, and 100 percent said they offer optional dependent coverage. Detailed comparison can be seen in **Exhibit 5F,** illustrating the City is potentially more generous in the potential payout.

EXHIBIT 5F
LIFE INSURANCE

Life Insurance	Peer Percentage Yes	Peer Average	Denton, TX
Is employer-paid life insurance	100.0%	-	Yes
Cost (monthly) to employer for	-		$1,000.00
Dollar amount of death benefit	-	$61,666.67	1x Annual Salary
Is Optional dependent coverage	100.0%	-	Yes
Can the employee purchase (additional) life insurance if desired?	100.0%	-	Yes
Is accidental death insurance provided?	100.0%	-	Yes

5.3 EAP, TUITION REIMBURSEMENT, 529 PLANS, AND FINANCIAL PLANNING

Exhibit 5G displays questions regarding Employee Assistance Programs. As shown, all peers offer an EAP and are slightly more generous in the average number of sessions provided.

EXHIBIT 5G
EMPLOYEE ASSISTANCE PROGRAMS

EAP	Peer Percentage Yes	Peer Average	Denton, TX
Is an EAP offered?	100.0%	-	Yes
Are benefits available to family members as well as the employee?	100.0%		Yes
Provided	-	6.3	6

Exhibit 5H displays questions regarding Tuition Reimbursement. As shown, 6 responding peers indicated that they have provisions to provide some type of tuition reimbursement for employees. On average, peers' tuition reimbursement limit was $2,500, which is less than half of the City's $5,250 in tuition reimbursement.

EXHIBIT 5H
TUITION REIMBURSEMENT

Tuition Reimbursement	Number of Peers Responded Yes	Peer Average	Denton, TX
Is Tuition Reimbursement offered?	6	-	Yes
Tuition Reimbursement Limit	-	$2,500.00	$5,250.00

5.4 RETIREMENT

Exhibit 5I displays that the average number of plans offered by peers is 1.7 while The City has three plans.

EXHIBIT 5I
NUMBER OF RETIREMENT PLANS

Number of Plans	Peer Average	Denton, TX
Number of retirement plans offered	1.7	3.0

Exhibit 5J provides questions regarding retirement details. On average, participating peers offer five years to fully vest. Similar to the market peers, the City offers a state retirement plan to employees.

EXHIBIT 5J
RETIREMENT DETAILS

Retirement Details	Peer Average	Denton, TX
Years to Fully Vest	5.0	5.0
COLA Offered to Retiree Pensions		Yes
Does the organization's retirement plan offer a disability provision?		Yes
What percent of salary does the organization contribute to this employee contribute to this retirement option?	7.0%	7.00%

Exhibit 5K shows that all respondents also offer an additional form employee paid retirement.

EXHIBIT 5K
RETIREMENT OPTIONS

Retirement Participation	Peer Percentage Yes	Denton, TX
Does the organization participate in a State Retirement System?	100.0%	Yes
Is a retirement option other than a	100.0%	Yes
Is D.R.O.P. offered?		No
Is a 401k, 401a, 403(b), or 457 offered?	100.0%	Yes
Is a type of plan other than a 401k, 401a, 403(b) or 457 offered?		Yes
of these non-state retirement options?		Yes

5.5 EMPLOYEE LEAVE, HOLIDAYS, AND COMPENSATORY TIME

Exhibit 5L provides the average minimum and maximum accrual rates—the average years of service required to achieve the maximum accrual rate for Personal Leave, Sick Leave, Annual/Vacation Leave, and Paid Time off (PTO) leave for respondents. The City offers sick leave and annual/vacation leave and does not offer personal leave or paid time off.

EXHIBIT 5L
LEAVE TIME ACCRUAL

Leave Accrual	Organization	Offered?	Minimum Accrual Rate (Monthly)	How many years of service does it require to begin to accrue the minimum rate?	Maximum Accrual Rate (Monthly)	Years to Achieve Maximum Accrual Rate	Absolute Maximum Accrual for a Year
Sick Leave	Peer Percentage Yes/Average	100.0%	9.4	0.0	49.0	5.0	108
	Denton, TX	Yes	10.0	0	10.0	1.0	120
Annual/Vacation Leave	Peer Percentage Yes/Average	100.0%	8.8	0.2	14.0	12.2	320
	Denton, TX	Yes	10.0	0.0	10.0	5.0	Unlimited
Personal Leave	Peer Percentage Yes/Average	16.7%	-	0.0	-	5.0	-
	Denton, TX	No	-	-	-	-	-
Paid-Time Off	Peer Percentage Yes/Average	0.0%	-	0.0	-	-	-
	Denton, TX	No	-	-	-	-	0

The percentage of peers that offer various holidays are shown in **Exhibit 5M.** On average, peers offer 9.7 holidays to employees, compared to generous 13 offered by the City.

EXHIBIT 5M
HOLIDAYS

Paid Holiday observed by peer organizations	Peer Percentage Yes	Denton, TX
New Year's Day	100.0%	Yes
New Year's Eve	0.0%	No
Martin Luther King, Jr. Day	60.0%	Yes
Lincoln's Birthday	0.0%	No
Presidents Day	0.0%	No
Good Friday	40.0%	No
Easter	0.0%	No
Memorial Day	100.0%	Yes
Juneteenth	20.0%	Yes
Independence Day	100.0%	Yes
Labor Day	100.0%	Yes
Veteran's Day	0.0%	Yes
Thanksgiving Day	100.0%	Yes
Day after Thanksgiving	100.0%	Yes
Christmas Eve	100.0%	Yes
Christmas Day	100.0%	Yes
Personal Holiday	75.0%	Yes
Additional Personal Holiday	0.0%	Yes

Exhibit 5N shows that respondents offer both longevity pay, and merit raises, but not merit bonuses, as the City does. Other programs offered by peers include incentive pay and compensatory time.

EXHIBIT 5N
INCENTIVE PAY PROGRAMS

Types of longevity pay, bonuses, allowances, or incentive pay programs.	Numbner of Peers Responded Yes	Denton, TX
Does your organization offer: Longevity Pay?	5	Yes
Does your organization offer: Merit Raises?	1	No
Does your organization offer: Merit Bonuses?	-	Yes

5.6 SUMMARY

Overall, the City was found to be comparable to the market with respect to the benefits portion of total compensation. The results were not surprising in that when single benefits were analyzed alone, some of the City's offerings seemed more generous than those offered by peers. However, when taken as a whole, the total package appeared to be in alignment with the market.

Chapter 6 - Recommendations

After reviewing the information provided in the preceding sections of this report, Evergreen developed recommendations to improve the City's current classification and compensation system. The recommendations and findings that led to each are discussed in detail in this section. The recommendations are organized into three sections: classification, compensation, and administration of the system.

6.1 CLASSIFICATION RECOMMENDATIONS

An organization's classification system establishes how its human resources are employed to perform its core services. The classification system consists of the titles and descriptions of the different classifications, or positions, which define how work is organized and assigned. It is essential that the titles and descriptions of an organization's classifications accurately depict the work being performed by employees in the classifications to ensure equity within the organization and to enable comparisons with positions at peer organizations. A classification analysis identifies issues like incorrect titles, outdated job descriptions, and inconsistent titles across departments. Recommendations are then made to remedy the identified concerns based on human resources best practices.

In the analysis of the City's classification system, Evergreen Solutions collected classification data through the Job Assessment Tool (JAT) process. The JATs, which were completed by employees and reviewed by their supervisors, provided information about the type and level of work being performed for each of the City's classifications. Evergreen reviewed the data provided in the JATs and used the information as the basis for classification recommendations.

FINDING

The classification system being utilized by the City was generally accurate, and titles described the work being performed by employees. Overall, the City's classification provided a clear career path and accurately reflected the duties of employees. Evergreen recommended a few changes to current titles to either better reflect duties or modernize titles. Current job descriptions and corresponding Fair Labor Standards Act (FLSA) exemption status require review, updates, and possible revisions regularly.

RECOMMENDATION 1: Update existing class descriptions to reflect changes, update duties and qualifications, and review all updated descriptions for FLSA status.

Evergreen will provide the City with updated classification descriptions to ensure that they accurately reflect the work being carried out by employees. These are being provided under separate cover. Upon completion and approval of the proposed class descriptions, Evergreen

will further recommend an updated FLSA status for the roles based on the new, updated content contained within the description.

RECOMMENDATION 2: Create a policy to review class descriptions annually and update as needed.

6.2 COMPENSATION RECOMMENDATIONS

The compensation analysis consisted of two parts: an external market assessment and an internal equity assessment. During the external market assessment, the City's compensation for selected benchmark classifications was compared to average compensation offered in the market the City competes for employees in. The external assessment consisted of comparing the City against its peer institutions and organizations within its market and revealed that the City is currently lagging the market slightly.

During the internal equity assessment, consideration of the relationships between and the type of work being performed by the City's employees in their classifications was reviewed and analyzed. Specifically, a composite score was assigned to each of the City's classifications that quantified the classification's level of five separate compensatory factors. The level for each factor was determined based on responses to the JAT.

FINDING

The City currently maintains several specialized pay plans. Evergreen adjusted for marketability and internal equity to update the current system.

RECOMMENDATION 3: Adopt a new, market responsive compensation structure and assign all positions to it equitably.

Evergreen has updated eight (8) pay plans for the City's consideration for non-civil service positions. Six of the pay plans maintain a steady 60 percent range spread. The proposed plan's details are in **Exhibit 6-1.**

EXHIBIT 6-1
PROPOSED PAY PLAN

Grade	Minimum	Midpoint	Maximum	Range Spread	Midpoint Progression
General Pay Plan					
G100	$ 37,960.00	$ 49,348.00	$ 60,736.00	60.0%	-
G101	$ 39,858.00	$ 51,815.40	$ 63,772.80	60.0%	5.0%
G102	$ 41,850.90	$ 54,406.17	$ 66,961.44	60.0%	5.0%
G103	$ 43,943.45	$ 57,126.48	$ 70,309.51	60.0%	5.0%
G104	$ 46,140.62	$ 59,982.80	$ 73,824.99	60.0%	5.0%
G105	$ 50,754.68	$ 65,981.08	$ 81,207.49	60.0%	10.0%
G106	$ 55,830.15	$ 72,579.19	$ 89,328.23	60.0%	10.0%
G107	$ 61,413.16	$ 79,837.11	$ 98,261.06	60.0%	10.0%
G200	$ 52,342.29	$ 68,044.98	$ 83,747.66	60.0%	-
G201	$ 54,959.40	$ 71,447.23	$ 87,935.05	60.0%	5.0%
G202	$ 57,707.37	$ 75,019.59	$ 92,331.80	60.0%	5.0%
G203	$ 60,592.74	$ 78,770.57	$ 96,948.39	60.0%	5.0%
G204	$ 63,622.38	$ 82,709.09	$101,795.81	60.0%	5.0%
G205	$ 66,803.50	$ 86,844.55	$106,885.60	60.0%	5.0%
G206	$ 70,143.67	$ 91,186.78	$112,229.88	60.0%	5.0%
G207	$ 73,650.86	$ 95,746.12	$117,841.37	60.0%	5.0%
G208	$ 77,333.40	$100,533.42	$123,733.44	60.0%	5.0%
G209	$ 81,200.07	$105,560.09	$129,920.11	60.0%	5.0%
G210	$ 85,260.07	$110,838.10	$136,416.12	60.0%	5.0%
G211	$ 92,080.88	$119,705.15	$147,329.41	60.0%	8.0%
G212	$ 99,447.35	$129,281.56	$159,115.76	60.0%	8.0%
G213	$107,403.14	$139,624.08	$171,845.02	60.0%	8.0%
G214	$120,635.21	$150,794.01	$180,952.81	50.0%	8.0%
G215	$130,286.02	$162,857.53	$195,429.03	50.0%	8.0%
G216	$145,920.35	$182,400.43	$218,880.52	50.0%	12.0%
UNG	-	-	-	-	-

EXHIBIT 6-1 (CONTINUED)
PROPOSED PAY PLAN

Grade	Minimum	Midpoint	Maximum	Range Spread	Midpoint Progression
Technology Pay Plan					
T100	$ 48,546.75	$ 63,110.78	$ 77,674.80	60.0%	-
T101	$ 58,256.10	$ 75,732.93	$ 93,209.76	60.0%	20.0%
T102	$ 64,081.71	$ 83,306.22	$ 102,530.74	60.0%	10.0%
T200	$ 65,689.43	$ 85,396.26	$ 105,103.08	60.0%	-
T201	$ 75,542.84	$ 98,205.69	$ 120,868.55	60.0%	15.0%
T202	$ 83,097.13	$ 108,026.26	$ 132,955.40	60.0%	10.0%
T203	$ 91,406.84	$ 118,828.89	$ 146,250.94	60.0%	10.0%
T204	$ 100,547.52	$ 130,711.78	$ 160,876.04	60.0%	10.0%
T205	$ 110,602.28	$ 143,782.96	$ 176,963.64	60.0%	10.0%
T206	$ 121,662.50	$ 158,161.25	$ 194,660.00	60.0%	10.0%
T207	$ 130,178.88	$ 169,232.54	$ 208,286.20	60.0%	7.0%
T208	$ 139,291.40	$ 181,078.82	$ 222,866.24	60.0%	7.0%

EXHIBIT 6-1 (CONTINUED)
PROPOSED PAY PLAN

Grade	Minimum	Midpoint	Maximum	Range Spread	Midpoint Progression
Electric Pay Plan					
E100	$ 45,692.90	$ 59,400.77	$ 73,108.64	60.0%	-
E101	$ 51,404.51	$ 66,825.86	$ 82,247.22	60.0%	12.5%
E102	$ 57,830.07	$ 75,179.10	$ 92,528.12	60.0%	12.5%
E103	$ 66,504.58	$ 86,455.96	$106,407.33	60.0%	15.0%
E200	$ 54,391.85	$ 70,709.41	$ 87,026.96	60.0%	-
E201	$ 58,471.24	$ 76,012.61	$ 93,553.98	60.0%	7.5%
E202	$ 62,856.58	$ 81,713.56	$100,570.53	60.0%	7.5%
E203	$ 67,570.83	$ 87,842.07	$108,113.32	60.0%	7.5%
E204	$ 72,638.64	$ 94,430.23	$116,221.82	60.0%	7.5%
E205	$ 78,086.53	$101,512.50	$124,938.46	60.0%	7.5%
E206	$ 83,943.03	$109,125.93	$134,308.84	60.0%	7.5%
E207	$ 90,238.75	$117,310.38	$144,382.00	60.0%	7.5%
E208	$ 97,006.66	$126,108.66	$155,210.65	60.0%	7.5%
E209	$104,282.16	$135,566.81	$166,851.45	60.0%	7.5%
E210	$112,103.32	$145,734.32	$179,365.31	60.0%	7.5%
E211	$120,511.07	$156,664.39	$192,817.71	60.0%	7.5%
E212	$129,549.40	$168,414.22	$207,279.04	60.0%	7.5%
E213	$155,459.28	$202,097.06	$248,734.85	60.0%	20.0%
E214	$163,232.24	$212,201.92	$261,171.59	60.0%	5.0%
E300	$ 74,618.24	$ 97,003.72	$119,389.19	60.0%	-
E301	$ 89,541.89	$116,404.46	$143,267.03	60.0%	20.0%
E302	$102,973.18	$133,865.13	$164,757.08	60.0%	15.0%
E303	$118,419.15	$153,944.90	$189,470.65	60.0%	15.0%
E304	$136,182.03	$177,036.64	$217,891.24	60.0%	15.0%
E305	$146,395.68	$190,314.38	$234,233.09	60.0%	7.5%

EXHIBIT 6-1 (CONTINUED)
PROPOSED PAY PLAN

Grade	Minimum	Midpoint	Maximum	Range Spread	Midpoint Progression
Trades Pay Plan					
B100	$ 37,960.00	$ 49,348.00	$ 60,736.00	60.0%	-
B101	$ 39,858.00	$ 51,815.40	$ 63,772.80	60.0%	5.0%
B102	$ 41,850.90	$ 54,406.17	$ 66,961.44	60.0%	5.0%
B103	$ 43,943.45	$ 57,126.48	$ 70,309.51	60.0%	5.0%
B104	$ 46,140.62	$ 59,982.80	$ 73,824.99	60.0%	5.0%
B105	$ 48,447.65	$ 62,981.94	$ 77,516.24	60.0%	5.0%
B106	$ 50,870.03	$ 66,131.04	$ 81,392.05	60.0%	5.0%
B107	$ 53,413.53	$ 69,437.59	$ 85,461.65	60.0%	5.0%
Special Agreement Pay Plan					
S100	$ 14.00	$ 15.75	$ 17.50	25.0%	-
S101	$ 15.00	$ 16.88	$ 18.75	25.0%	-
S102	$ 16.05	$ 18.06	$ 20.06	25.0%	7.0%
S103	$ 17.17	$ 19.32	$ 21.47	25.0%	7.0%
S104	$ 18.38	$ 20.67	$ 22.97	25.0%	7.0%
S105	$ 19.66	$ 22.12	$ 24.58	25.0%	7.0%
S106	UNG				
Electric Engineering Pay Plan					
E400	$ 43,614.90	$ 56,699.37	$ 69,783.84	60.0%	0.0%
E401	$ 47,976.39	$ 62,369.31	$ 76,762.22	60.0%	10.0%
E402	$ 52,774.03	$ 68,606.24	$ 84,438.45	60.0%	10.0%
E500	$ 74,072.95	$ 96,294.84	$ 118,516.73	60.0%	0.0%
E501	$ 81,665.43	$ 106,165.06	$ 130,664.69	60.0%	10.0%
E502	$ 89,831.97	$ 116,781.57	$ 143,731.16	60.0%	10.0%
E503	$ 103,306.77	$ 134,298.80	$ 165,290.83	60.0%	15.0%
E504	$ 113,637.45	$ 147,728.68	$ 181,819.92	60.0%	10.0%
E505	$ 119,319.32	$ 155,115.12	$ 190,910.91	60.0%	5.0%

Implementation of the new compensation structure requires two steps. First, all positions were assigned to an appropriate pay grade within the plan. To determine what pay grade each position was assigned, Evergreen used the following factors: the results of the JAT analysis, the results of the market study, as well as consideration for both existing and newly created internal relationships between classifications. Assigning pay grades to classifications requires a balance of internal equity and desired market position, and recruitment and retention concerns also played a role in the process. Thus, the market results discussed in **section 4** were not the sole criteria for the proposed pay ranges.

RECOMMENDATION 4: Evergreen recommends the City adopt a methodology to transition employee salaries into the proposed pay plan that aligns with its established compensation philosophy and meets the available financial resources of the institution.

The second step in implementing the proposed structure is then to transition employee salaries into their newly recommended pay ranges. This step can be done via a variety of methods, each with their own strengths and drawbacks, however, after discussion with City leadership, Evergreen recommends that the institution pursue implementing the following transition methodology:

Compa-Ratio with Living Wage

This option adjusts with consideration for living wages, while also realigning employees in their recommended salary range by maintaining the relationship to midpoint they currently have. This method maintains the relationship between employee salaries and maintains performance gains. The estimated cost for this adjustment is **$7,708,459.71**, affecting **1,135** full-time employees. Salary adjustments for seasonal employees will be addressed at the beginning of each main season for each group of seasonal employees.

Move to Market Additional Adjustment

Additionally, due to the compression identified in some pay grades and between some employees, the City may wish to adopt an additional "Move to Market" adjustment that would provide some compression relief based on tenure for employees. This adjustment focuses on adjusting employees within their pay grades towards their "market value" by providing additional small increases above and beyond the Compa Ratio implementation. As these adjustments are varied based on position within the grade and employee tenure, they will adjust employees differently and are designed to correct some of the compression identified in **Exhibit 3J** earlier in this report. Employees who have more tenure and are lower within their pay grade will see larger adjustments while employees higher within their grades and with lower tenure will see smaller adjustments. The estimated cost for this adjustment is **$890,352.71,** affecting **1,135** full-time employees.

Exhibits 6-2 and 6-3 show the average adjustment by grade and department and the number of employees in each grade affected by the new solution.

EXHIBIT 6-2
BREAKDOWN BY DEPARTMENT

Department	Employees	Total Adjustment Compa	Average Adjustment	Average % Adjustment
AIRPORT	8	$ 70,103.01	$ 8,762.88	14.4%
ANIMAL SERVICES	20	$ 144,203.46	$ 7,210.17	17.2%
CITY MANAGER'S OFFICE/COUNCIL	7	$ 24,829.35	$ 3,547.05	4.7%
COMMUNITY DEVELOPMENT	16	$ 80,084.24	$ 5,005.26	7.0%
CUSTOMER SERVICES	52	$ 284,638.76	$ 5,473.82	12.7%
ECONOMIC DEVELOPMENT	4	$ 31,034.86	$ 7,758.71	8.2%
ELECTRIC	88	$ 580,459.00	$ 6,596.12	6.9%
ENGINEERING SERVICES	42	$ 293,027.73	$ 6,976.85	8.3%
FACILITIES	14	$ 76,706.07	$ 5,479.00	8.7%
FINANCE	30	$ 135,408.05	$ 4,513.60	5.9%
FIRE	9	$ 45,740.19	$ 5,082.24	6.5%
FLEET SERVICES	28	$ 167,039.29	$ 5,965.69	8.7%
GAS WELL REVIEW	1	$ 4,848.67	$ 4,848.67	8.8%
HUMAN RESOURCES	17	$ 102,626.96	$ 6,036.88	6.7%
INTERNAL AUDIT	2	$ 30,340.76	$ 15,170.38	21.7%
LEGAL	14	$ 149,087.95	$ 10,649.14	8.6%
LIBRARY	58	$ 276,383.64	$ 4,765.24	10.0%
MATERIALS MANAGEMENT	20	$ 103,703.14	$ 5,185.16	8.9%
MUNICIPAL COURT/JUDGE	13	$ 97,619.24	$ 7,509.17	16.4%
PARKS & RECREATION	101	$ 682,158.14	$ 6,754.04	14.1%
PLANNING	65	$ 353,877.62	$ 5,444.27	8.4%
POLICE	93	$ 611,371.09	$ 6,573.88	11.4%
PUBLIC AFFAIRS	10	$ 67,001.54	$ 6,700.15	8.8%
RISK RETENTION/HEALTH INS	8	$ 39,220.95	$ 4,902.62	5.1%
SOLID WASTE	128	$ 1,168,543.01	$ 9,129.24	17.6%
STREET CONST/MAINT	37	$ 324,206.64	$ 8,762.34	17.5%
TECHNOLOGY SERVICES	55	$ 400,612.43	$ 7,283.86	7.6%
TRAFFIC	11	$ 70,889.79	$ 6,444.53	13.3%
WASTEWATER	90	$ 653,437.06	$ 7,260.41	14.0%
WATER	94	$ 597,505.24	$ 6,356.44	11.6%

EXHIBIT 6-3
BREAKDOWN BY GRADE

Grade	Employees	Total Adjustment Compa	Average Adjustment	Average % Adjustment
G100	56	$ 315,644.73	$ 5,636.51	18.1%
G101	39	$ 218,256.94	$ 5,596.33	14.6%
G102	59	$ 380,400.78	$ 6,447.47	15.6%
G103	73	$ 348,967.46	$ 4,780.38	9.7%
G104	34	$ 123,856.58	$ 3,642.84	6.7%
G105	51	$ 260,927.16	$ 5,116.22	9.1%
G106	30	$ 154,521.54	$ 5,150.72	7.6%
G107	7	$ 77,212.95	$ 11,030.42	14.8%
G200	37	$ 141,538.74	$ 3,825.37	6.7%
G201	28	$ 155,958.95	$ 5,569.96	8.8%
G202	36	$ 149,694.46	$ 4,158.18	6.3%
G203	17	$ 75,514.22	$ 4,442.01	6.0%
G204	42	$ 306,921.94	$ 7,307.67	10.0%
G205	19	$ 106,383.47	$ 5,599.13	7.1%
G206	19	$ 122,441.06	$ 6,444.27	7.9%
G207	30	$ 264,664.63	$ 8,822.15	10.6%
G208	35	$ 201,369.47	$ 5,753.41	6.3%
G209	17	$ 161,868.71	$ 9,521.69	9.5%
G210	17	$ 61,601.74	$ 3,623.63	3.3%
G211	13	$ 60,045.28	$ 4,618.87	3.9%
G212	7	$ 49,600.97	$ 7,085.85	6.0%
G213	4	$ 41,315.20	$ 10,328.80	7.8%
G214	13	$ 200,107.54	$ 15,392.89	11.3%
G215	14	$ 181,847.16	$ 12,989.08	8.4%
G216	8	$ 77,523.14	$ 9,690.39	5.4%
UNG	0	$ -	-	-
T100	4	$ 7,317.34	$ 1,829.33	3.0%
T101	5	$ 21,411.41	$ 4,282.28	6.6%
T102	6	$ 40,374.16	$ 6,729.03	8.7%
T200	2	$ 4,648.04	$ 2,324.02	3.0%
T201	5	$ 35,767.64	$ 7,153.53	8.7%
T202	7	$ 47,789.84	$ 6,827.12	8.1%
T203	12	$ 98,479.22	$ 8,206.60	8.1%
T204	4	$ 30,543.52	$ 7,635.88	7.2%
T205	2	$ 21,737.39	$ 10,868.70	8.8%
T206	3	$ 53,365.98	$ 17,788.66	13.1%
T207	1	$ 23,270.56	$ 23,270.56	15.2%
T208	1	$ 5,977.30	$ 5,977.30	3.0%

EXHIBIT 6-3 (CONTINUED)
BREAKDOWN BY GRADE

Grade	Employees	Total Adjustment Compa	Average Adjustment	Average % Adjustment
E100	6	$ 41,361.77	$ 6,893.63	14.8%
E101	2	$ 3,834.98	$ 1,917.49	3.0%
E102	5	$ 21,592.08	$ 4,318.42	7.3%
E103	7	$ 15,600.00	$ 2,228.57	3.0%
E200	1	$ 4,449.63	$ 4,449.63	6.5%
E201	1	$ 4,814.46	$ 4,814.46	8.5%
E202	1	$ 8,605.63	$ 8,605.63	13.4%
E203	1	$ 5,679.48	$ 5,679.48	8.5%
E204	0	-	-	-
E205	8	$ 49,222.05	$ 6,152.76	6.7%
E206	2	$ 7,434.29	$ 3,717.15	3.0%
E207	1	$ 8,183.75	$ 8,183.75	10.0%
E208	2	$ 22,042.68	$ 11,021.34	9.9%
E209	4	$ 35,174.86	$ 8,793.72	6.4%
E210	5	$ 51,004.04	$ 10,200.81	7.4%
E211	1	$ 5,199.50	$ 5,199.50	3.0%
E212	2	$ 17,360.29	$ 8,680.15	4.8%
E213	2	$ 30,285.06	$ 15,142.53	7.9%
E214	1	$ 11,734.75	$ 11,734.75	5.2%
E300	0	-	-	-
E301	2	$ 19,227.08	$ 9,613.54	9.7%
E302	1	$ 5,825.77	$ 5,825.77	4.8%
E303	3	$ 37,897.03	$ 12,632.34	10.0%
E304	1	$ 26,267.65	$ 26,267.65	15.3%
E305	0	-	-	-
B100	17	$ 157,884.86	$ 9,287.34	25.8%
B101	14	$ 94,378.88	$ 6,741.35	16.9%
B102	2	$ 13,188.74	$ 6,594.37	15.2%
B103	63	$ 529,173.59	$ 8,399.58	19.2%
B104	25	$ 203,183.92	$ 8,127.36	17.8%
B105	116	$ 1,078,155.69	$ 9,294.45	18.2%
B106	56	$ 385,652.89	$ 6,886.66	12.3%
E400	0	-	-	-
E401	0	-	-	-
E402	1	$ 1,619.90	$ 1,619.90	3.0%
E500	0	-	-	-
E501	1	$ 6,503.45	$ 6,503.45	7.6%
E502	1	$ 6,656.26	$ 6,656.26	7.1%
E503	0	-	-	-
E504	1	$ 6,372.97	$ 6,372.97	5.7%
E505	1	$ 8,631.27	$ 8,631.27	5.6%
HE11	4	$ 28,000.00	$ 7,000.00	5.0%
HF10	1	$ 4,755.00	$ 4,755.00	3.0%
IG90	2	$ 9,955.54	$ 4,977.77	3.0%

6.3 COMPENSATION AND CLASSIFICATION SYSTEM ADMINISTRATION

Any organization's compensation and classification system will need periodic maintenance. The recommendations provided in this chapter were developed based on conditions at the time the study was conducted. Without proper upkeep of the system, the potential for recruitment and retention issues may increase as the compensation and classification system becomes dated and less competitive.

RECOMMENDATION 5: Conduct small-scale salary surveys as needed to assess the market competitiveness of hard-to-fill classifications and/or classifications with retention issues and adjust pay grade assignments if necessary.

While it is unlikely that the pay plan will need to be adjusted for several years, a small number of classifications' pay grades may need to be reassigned more frequently. If one or more classifications are exhibiting high turnover or are having difficulty with recruitment, the City should collect salary range data from peer organizations to determine whether an adjustment is needed for the pay grade of the classification(s) which may become critical classifications.

The City's human resources staff should assess all classifications each year to determine those that should be categorized as "critical" based on market data collected for that year and City turnover. In the first year, we recommend that the critical class supplement be ten percent for those found to classifications with more than 30 percent turnover and/or a market rate percent difference of 20 percent or more (after accounting for the new salary range assignments). Furthermore, if adopted by the City, a critical class supplement could be increased to a larger percent of base pay. For example, if the City in the future experiences considerable competitive pressure in hiring candidates for a specific classification, some of the pressure may relate to the pay ranges, but other factors such as the available supply of labor, compared to demand of experienced candidates may also be present. As a result, the base pay of the associated classification would be increased so long as the external market pressures remain prevalent.

RECOMMENDATION 6: Conduct a comprehensive classification and compensation study every three to five years.

While small-scale salary surveys can improve the market position of specific classifications, it is recommended that a full classification and compensation study be conducted every three to five years to preserve both internal and external equity for the City. Changes to classification and compensation do occur, and while the increments of change may seem minor, they can compound over time. A failure to react to these changes quickly has the potential to place the City in a poor position for recruiting and retaining quality employees.

While the previous two recommendations intend to maintain the competitiveness over time of the classification and compensation structure, it is also necessary to establish procedures for determining equitable pay practices for individual employees.

RECOMMENDATION 7: Revise policies and practices for moving employees' salaries through the pay plan, including procedures for determining salaries of newly hired employees and employees who have been promoted, demoted, or transferred to a different classification.

The method of moving salaries through the pay plan and setting new salaries for new hires, promotions, demotions, and transfers depends on an organization's compensation philosophy. However, it is important for the City to have established guidelines for each of these situations, and that they are followed consistently for all employees. Common practices for improving and establishing employee salaries are outlined below.

Salary Progression

As outlined above, Evergreen recommends City enact the second phase of implementing the new pay plan which would involve a one-time salary adjustment for employees to ensure they are placed in the proper percentile of their salary range. While this major adjustment should be performed when the City has the financial resources to do so, the City should continue to adjust salaries annually when financially feasible. Based on the feedback from employees and City leadership, Evergreen recommends that the basis of salary adjustment in the future be done at three distinct levels.

- Structural: Adjustment to the ranges should be made annually and with the aim of moving employees through their assigned pay range. The City may wish to make these baseline adjustments after considering factors such as annual CPI (Consumer Price Index), market conditions, and financial ability. This annual adjustment will ensure the City's pay ranges do not rapidly fall out of line with that of its peers; however, when conducting the small-scale surveys referenced above, the City should also collect pay plan movement and anticipated movement from its peers to gauge if market movement is keeping pace with CPI movement.

- Classification: As a result of the market surveys, the City may identify classifications or job families that are experiencing considerable market movement and as a result, reassignment of the pay grades should be considered when this occurs. Alternatively, if the City identifies classifications that have become hard to recruit and retain, pay grade reassignment should also be considered to ensure the City is competitive for both recruiting new talent and retaining existing employees.

- Individual: This baseline adjustment should be done for all employees who receive a satisfactory performance evaluation, and the percentage adjustment would need to be roughly 2.0 percent more than the movement of the compensation structure in any given years, to allow for employee progression into the range. Moreover, based on the feedback from employees and the City's desire to recruit and retain a high-quality workforce, Evergreen recommends the City grant additional adjustment to employees who receive above average performance evaluations. The City should exercise a differentiated percentage for high performers that met the financial constraints of the budget while still providing a meaningful incentive for high performance.

RECOMMENDATION 8: Evergreen recommends the City adopt a hiring grid that aligns with its selected implementation methodology and update its policy regarding promotions/demotions and transfers to align with its new compensation structure.

A new employee's starting salary depends on the amount of education and experience the employee possesses beyond the minimum requirements for the job. Typically, an employee

holding only the minimum education and experience requirements for a classification is hired at or near the classification's pay grade minimum. An upper limit to the percentage above the minimum that can be offered to a new employee with only the minimum requirements should be established, where approval is needed to offer a starting salary that is a higher percentage above minimum. Another threshold should be established as the maximum starting salary possible without approval for new employees with considerable experience and/or education above the requirements for the position. It is common for the midpoint to be used as the maximum starting salary for most classifications. Once the City has performed the initial implementation adjustment for current employee salaries, new employee starting salaries should take into consideration internal equity, meaning that new hires should be offered comparable salaries to existing employees in the classification with similar levels of education and experience.

Dependent upon which route the City elects to transition employees into the new salary ranges, a hiring grid should be adopted that provides guidance about where new employee salaries should be set. The adoption of a new hiring grid should be done after an implementation methodology is selected to ensure alignment of salary placement between current employees and new hires, and to prevent new compression issues from arising both within classifications and departments, as well as throughout the City as a whole. Evergreen will work with the City's leadership team to develop a structure that aligns with any selected method of implementation.

Promotions/Demotions

When an employee is promoted to a new classification, it is important to have guidelines for calculating the employee's new salary that rewards the employee for his or her new responsibilities, moves the salary into the new pay grade, and ensures internal equity in the new classification. It is common for organizations to establish a minimum percentage salary increase that depends on the increase in pay grade because of the promotion. The City may find a set 10 percent minimum increase for promotions will help reduce internal compression that can happen an employee promotes. Regardless of the minimum percent increase, the employee's new salary should be within the new pay grade's range, and internal equity of salaries within the classification should be preserved.

Transfers

An employee transfer occurs when an employee is reassigned to a classification at the same pay grade as his or her current classification or when an employee's classification stays the same, but his or her department changes. In either of these cases, it is likely that no adjustment is necessary to the employee's salary. The only situation in which a salary adjustment would be needed for a transferred employee would be if his or her current salary is not aligned with the salaries of employees in the new classification or department. If that occurs, it may be necessary to adjust the salary of the employee or the incumbents of the classification to ensure salary equity within the new classification. However, the City may wish to include a five (5) percent increase for lateral moves if the lateral move is beneficial to meeting the City's needs or falls within a critical classification.

6.4 SUMMARY

The City should be commended for its desire and commitment to provide competitive and fair compensation for its employees. The recommendations in this report establish a new competitive pay plan, externally and internally equitable classification titles and pay grade assignments, and system administration practices that will provide the City with a responsive compensation and classification system for years to come. While the upkeep of this recommended system will require concrete effort, the City will find that having a competitive compensation and classification system that encourages strong recruitment and employee retention is worth this commitment.

CONCLUSION OVERVIEW

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

    NOTICE: The City Council reserves the right to reconvene, recess, realign, change the order of business, or adjourn into Executive Session at any time during the course of the meeting prior to adjournment, to discuss any item listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (development).

11. **Executive Session** – None.

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

13. **Adjourn**.