



City of Alpine
Regular City Council Meeting
803 W. Holland Avenue, Alpine, Texas 79830
Tuesday, July 6, 2021 - 5:30 P.M.

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS WILL HOLD A REGULAR MEETING AT 5:30 P.M. ON TUESDAY, JULY 6, 2021, AT CITY COUNCIL CHAMBERS AT 803 W. HOLLAND AVENUE AND VIA ZOOM CONFERENCE, IN THE CITY OF ALPINE, TEXAS. **MEETING LOGIN DETAILS MAY BE FOUND AT WWW.CITYOFALPINE.COM**. THIS NOTICE IS POSTED PURSUANT TO THE TEXAS OPEN MEETINGS ACT (SECTION 551.043, TEXAS GOVERNMENT CODE).

Members of the audience will be provided an opportunity to address the Council on any agenda item after the determination of quorum and proof of notice of the meeting. Zoom meeting guidelines and procedures may be found on the City Website. **Remarks will be limited to a total of 3 minutes per person. Please speak into the microphone located at the podium and state your name and address for in-person attendance. When addressing the Council, please introduce yourself by first and last name and state aloud the Ward that you reside in or have business interest in.** For public comments made by virtual attendance, please email your name and the Ward that you reside in or have business interest in. For public comments made by virtual attendance, please email your name to the meeting moderator at g.calderon@ci.alpine.tx.us. If you do not live or own property in the City please state that in your email. If you have a petition or other information pertaining to your subject, please email it to the City Secretary beforehand at city.secretary@ci.alpine.tx.us. 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 or meeting disruptions. If an individual continues to personally attack an elected official or staff member in a meeting, they may be barred.

REGULAR CITY COUNCIL MEETING AGENDA - 5:30 P.M.

1. Call to Order and Pledge of Allegiance.

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

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

4. Presentation, Recognitions, and Proclamations –

- Billy Jones - TCOLE Intermediate Dispatch Certification
- Sadie Portillo - TCOLE Intermediate Dispatch Certification
- William Romero - TCOLE Intermediate Dispatch Certification
- Dominique Rubio - TCOLE Intermediate Dispatch Certification

5. Reports -

City Mayor Report – None

City Attorney Report - None

City Manager Report -

- Illegal Dumping
- Projects in Action

City Staff Update -

- Municipal Court Update by Honorable Judge Jodi Cole

6. Public Hearings -

- Public Hearing to obtain citizen views and comments on the second and final reading of Ordinance 2021-05-01, an ordinance amending Chapter 18 - Buildings and Building Regulations, Article VII - Outdoor Lighting to the Alpine Code of Ordinances

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 June 15, 2021 Regular Meeting Minutes (M. Antrim, Interim City Manager)
2. Approval of June 29, 2021 Special Meeting Minutes (M. Antrim, Interim City Manager)
3. Approval of FY 2021-2022 Budget Calendar (M. Antrim, Interim City Manager)
4. Approval of FY 2021-2022 Holiday Calendar (M. Antrim, Interim City Manager)
5. Approval of Martin Sandate as City representative for the Alpine Public Library Board of Directors (J. Johnson, City Council)
6. Approval of Resolution 2021-07-01 designating the City Manager as the authorized representative for the Department of Justice, Justice Assistance Program Grant (M. Antrim, Interim City Manager)
7. Approval of Resolution 2021-07-02 designating the City Manager as the authorized representative for the Department of Homeland Security, Local Border Security Program Grant (M. Antrim, Interim City Manager)

8. Information or Discussion items –

1. Utility Billing Issues & Concerns (C. Rodriguez, City Council)
2. Discuss and receive updates from APD on key issues (C. Rodriguez, City Council)
3. Zoom meeting and Council Procedures (M. Antrim, Interim City Manager)
4. Five Year Capital Improvement Plan (M. Antrim, Interim City Manager)
5. Discuss Council Member Residency Requirements & Qualifications (M. Antrim, Interim City Manager)

9. Action items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. (Action items limited to (up to) 10 per meeting. After being called upon by the Mayor or Mayor Pro Tem, Citizens are required to state their name and the Ward in which they reside. Priority will be given to citizens of Alpine and those who own businesses or property in the City. Individuals who do not live in, or own businesses or property in the City Limits of Alpine, will be allowed to speak if there is time available.)

1. Discuss, consider, and approve the second and final reading of Ordinance 2021-05-01, an ordinance amending Chapter 18 - Buildings and Building Regulations, Article VII - Outdoor Lighting to the Alpine Code of Ordinances (J. Stokes, City Council)

2. Discuss, consider, and approve Resolution 2021-07-03, a resolution establishing a partnership between the City as applicant and Big Bend Telecom (BBT) as sub recipient to deploy fiber optic facilities with National Telecommunications and Information Administration (NTIA) grant funds in the City of Alpine, Texas (M. Antrim, Interim City Manager)
3. Discuss, consider, and approve Resolution 2021-07-04, a resolution authorizing the City of Alpine to accept a donation from Dr. Avinash Rangra of trees and memorial plaques to be placed at American Legion Park and the Dog Park area at Kokernot Park (J. Stokes, City Council)
4. Discuss, consider, and approve Resolution 2021-07-05, a resolution adopting an investment policy regarding funds for the City of Alpine and provisioning an effective date (M. Antrim, Interim City Manager)
5. Discuss, consider, and approve appointments for Planning & Zoning Commission vacancies, one at large position and one ward 2 position:
 - a. Rick Stephens - Recommended by Planning & Zoning (4 affirmative votes, 1 against)
 - b. Deborah Derden - Recommended by Planning & Zoning (Unanimous recommendation)
 - c. Lucy Escovedo - Recommended by Planning & Zoning (Unanimous recommendation)
 (M. Antrim, Interim City Manager)
6. Discuss, consider, and approve job descriptions for City Manager and City Secretary (M. Antrim, Interim City Manager)
7. Discuss, consider, and approve the internal transfer of Interim City Secretary, Geoffrey R. Calderon, to full-time City Secretary (J. Stokes, City Council)
8. Discuss, consider, and approve the contract for Interim City Attorney (M. Antrim, Interim City Manager)
9. Discuss, consider, and approve the recommendation from the Airport Advisory Board for a new lease allowing Customs and Border Protection to build a helipad. (M. Antrim, Interim City Manager)

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

11. Executive Session -

1. Update on pending litigation - Creswell Suit - TML assigned legal counsel (M. Antrim, Interim City Manager)
2. Acquisition or Sale of City Property (M. Antrim, Interim City Manager)

NOTICE: The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the

Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.086 (economic development).

12. Action – Executive Session -

1. Action, if any, on pending litigation - Creswell Suit - TML assigned legal counsel (M. Antrim, Interim City Manager)
2. Action, if any, on Acquisition or Sale of City Property (M. Antrim, Interim City Manager)

13. Adjournment.

CERTIFICATION

I, Geoffrey R. Calderon, Interim City Secretary, hereby certify that this notice was posted at City Hall, a convenient and readily accessible place to the general public and to the City's website www.cityofalpine.com pursuant to Section 551.043, Texas Government Code. The said notice was posted at 2:00 P.M. on July 2, 2021, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting. This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (432)837-3301, option 1, or email city.secretary@ci.alpine.tx.us for further information.



Geoffrey R. Calderon, Interim City Secretary



REGULAR CITY COUNCIL MEETING AGENDA - 5:30 P.M.

- 1. Call to Order and Pledge of Allegiance.**
- 2. Determination of a Quorum and Proof of Notice of the Meeting.**
- 3. Public Comments – (limited to 3 minutes per person)**
- 4. Presentation, Recognitions, and Proclamations –**
 - Billy Jones - TCOLE Intermediate Dispatch Certification
 - Sadie Portillo - TCOLE Intermediate Dispatch Certification
 - William Romero - TCOLE Intermediate Dispatch Certification
 - Dominique Rubio - TCOLE Intermediate Dispatch Certification

Certificate of Honor and Recognition

hereby presented to

Billy Jones

On the 6th of July 2021

For successful completion of the
TCOLE Intermediate Dispatch Certification

Robert Martin

Chief of Police
Robert Martin



Andres Ramos

Mayor
Andres Ramos

Certificate of Honor and Recognition

hereby presented to

Dominique Rubio

On the 6th of July 2021
For successful completion of the
TCOLE Intermediate Dispatch Certification

Robert Martin
Chief of Police
Robert Martin



Andres Ramos
Mayor
Andres Ramos

Certificate of Honor and Recognition

hereby presented to

Sadie Portillo

On the 6th of July 2021
For successful completion of the
TCOLE Intermediate Dispatch Certification

Robert Martin
Chief of Police
Robert Martin



Andres Ramos
Mayor
Andres Ramos

Certificate of Honor and Recognition

hereby presented to

William Romero

On the 6th of July 2021
For successful completion of the
TCOLE Intermediate Dispatch Certification

Robert Martin
Chief of Police
Robert Martin



Andres Ramos
Mayor
Andres Ramos

5. **Reports** -

City Mayor Report – None

City Attorney Report - None

City Manager Report -

- Illegal Dumping
- Projects in Action

City Staff Update -

- Municipal Court Update by Honorable Judge Jodi Cole

6. Public Hearings -

- Public Hearing to obtain citizen views and comments on the second and final reading of Ordinance 2021-05-01, an ordinance amending Chapter 18 - Buildings and Building Regulations, Article VII - Outdoor Lighting to the Alpine Code of Ordinances

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 June 15, 2021 Regular Meeting Minutes (M. Antrim, Interim City Manager)
2. Approval of June 29, 2021 Special Meeting Minutes (M. Antrim, Interim City Manager)
3. Approval of FY 2021-2022 Budget Calendar (M. Antrim, Interim City Manager)
4. Approval of FY 2021-2022 Holiday Calendar (M. Antrim, Interim City Manager)
5. Approval of Martin Sandate as City representative for the Alpine Public Library Board of Directors (J. Johnson, City Council)
6. Approval of Resolution 2021-07-01 designating the City Manager as the authorized representative for the Department of Justice, Justice Assistance Program Grant (M. Antrim, Interim City Manager)
7. Approval of Resolution 2021-07-02 designating the City Manager as the authorized representative for the Department of Homeland Security, Local Border Security Program Grant (M. Antrim, Interim City Manager)

1. Approval of June 15, 2021 Regular Meeting Minutes (M. Antrim, Interim City Manager)

**City of Alpine
Regular City Council Meeting
Tuesday, June 15, 2021
5:30 P.M.
Minutes**

WORKSHOP - 3:00 P.M.

1. **Call to Order and Pledge of allegiance to the flags** – Mayor Ramos called the meeting to order. The meeting was held at the City Council Chambers located at 803 West Holland Avenue and via Zoom conference in the City of Alpine, Texas. Mayor Ramos led the pledge of allegiance to the flags.
 2. **Determination of a quorum and proof of notice of the meeting** – Councilor Judy Stokes, Councilor Chris Rodriguez, Councilor Sara Tandy, Councilor Martin Sandate, and Councilor Jerry Johnson attended at the City Council Chambers. Interim City Manager, Megan Antrim, and Interim City Secretary, Geoffrey Calderon, attended at the City Council Chambers. Interim City Attorney, Rod Ponton, also attended at the City Council Chambers. Interim City Secretary, Geoffrey Calderon, reported that the agenda was posted at 2:00 P.M. on June 11, 2021.
 3. **Public Comments** (limited to 3 minutes per person) – Ramon Olivas
 4. **Workshop**
 - a. Workshop regarding general job descriptions for City Manager & City Secretary.
 5. **Adjourn**
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REGULAR CITY COUNCIL MEETING - 5:30 P.M.

1. **Call to Order.** – Mayor Ramos called the meeting to order. The meeting was held at the City Council Chambers located at 803 West Holland Avenue and via Zoom conference in the City of Alpine, Texas. Mayor Ramos led the pledge of allegiance to the flags.
2. **Determination of a Quorum and Proof of Notice of the Meeting** – Councilor Judy Stokes, Councilor Chris Rodriguez, Councilor Sara Tandy, Councilor Martin Sandate, and Councilor Jerry Johnson attended at the City Council Chambers. Interim City Manager, Megan Antrim, and Interim City Secretary, Geoffrey Calderon, attended at the City Council Chambers. Interim City Secretary, Geoffrey Calderon, reported that the agenda was posted at 2:00 P.M. on June 11, 2021.

3. **Public Comments** – (limited to 3 minutes per person) – Laura Gold, Chris Ruggia, Jim Burr, Jan Woodward.

4. **Presentation, Recognitions, and Proclamations** – (A. Ramos, Mayor) – None

5. **Reports** – Copies of the charts presented during the meeting are posted on the City website at www.cityofalpine.com/cmreports.

City Mayor's Report – (A. Ramos, Mayor) – None

City Attorney's Report –

- Municipal Court Update
- Rules of Procedure for City Council Meetings
- Open meetings update

City Manager Report –

- Employee Acknowledgements
- Life Jacket Donation
- Municipal Court Clerk
- Grant Mania Update
- Summer Heat

City Staff Updates – None

6. **Public Hearings** –

- Public Hearing to obtain citizen views and comments on the second and final reading of Ordinance 2021-05-06, an ordinance amending Chapter 23 - City Council, Article II - Rules of Procedure to the Alpine Code of Ordinances.
- Public Hearing to obtain citizen views and comments on Short Term Rental Special Use Permit Applications.

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 June 1, 2021 Minutes (M. Antrim, Interim City Manager)
2. Approval of Judy Stokes for the vacant Animal Advisory Board position (J. Stokes, City Council)

3. Approval of Lucy Escovedo for the vacant Ward 5 Parks & Recreation Advisory Board Position (J. Johnson, City Council)

Councilor Rodriguez requested that items two (2) and three (3) be moved from the regular sequence of the consent agenda. Motion was made by Councilor Johnson, by Resolution 2021-06-25, to approve item one (1) on the consent agenda. The motion was seconded by Councilor Stokes. Motion unanimously carried.

Motion was made by Councilor Rodriguez that the Council make board decisions as stated in the charter, and that board appointments do not have to go through the boards prior to City Council. Motion was not seconded. Motion lost. Motion was made by Councilor Rodriguez to table items two (2) and three (3). The motion was not seconded. The motion was lost.

Mayor Ramos called for the vote on the approval of item two (2). Councilor Stokes, Councilor Tandy, Councilor Sandate, and Councilor Johnson voted in favor. Councilor Rodriguez voted against. The motion was passed 4 to 1.

Motion was made by Councilor Johnson, by Resolution 2021-06-26, to approve Lucy Escovedo for the vacant Ward 5 Parks & Recreation Advisory Board position. The motion was seconded by Councilor Sandate. Councilor Stokes, Councilor Tandy, Councilor Sandate, and Councilor Johnson voted in favor. Councilor Rodriguez voted against. The motion was passed 4 to 1.

8. Information or Discussion items –

1. Traffic & Speeding problems on West Del Rio (J. Stokes, City Council)
2. Tourism, Upcoming Events, and a possible meeting with Kiwanis, Lions Club, Artwalk, and Viva Big Bend Representatives (J. Stokes, City Council)
3. Donation by Dr. Avinash Rangra for Park Improvements (J. Stokes, City Council)
4. City Zoom meeting guidelines and impacts on open meetings and public attendance (J. Stokes, 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 (up to 10 per meeting). after being called upon by

Mayor or Mayor Pro Term. Citizens are required to state their name and the Ward in which they reside. Priority will be given to citizens of Alpine and those who own businesses or property in the City. Individuals who do not live in, or own businesses or property in the City limits of Alpine, will be allowed to speak if there is time available.) –

1. Discuss, consider, and approve the WTG gas contract, including the relocation of City gates (M. Antrim, Interim City Manager) – **Motion was made by Councilor Rodriguez, by Resolution 2021-06-27, to discuss, consider, and approve the WTG gas contract, including the relocation of City gates. Motion was seconded by Councilor Tandy. The motion was unanimously carried.**
2. Discuss, consider, and approve Resolution 2021-06-06 regarding WTG gas rates. (M. Antrim, Interim City Manager) – **Motion was made by Councilor Rodriguez, by Resolution 2021-06-28, to discuss, consider, and approve Resolution 2021-06-06 regarding WTG gas rates. Motion was seconded by Councilor Tandy. Councilor Stokes, Councilor Rodriguez, Councilor Tandy, Councilor Sandate, and Councilor Johnson voted against. The motion failed with unanimous opposition.**

Motion was made by Councilor Rodriguez to amend the original motion, by Resolution 2021-06-29, to discuss, consider and approve Resolution 2021-06-06 regarding WTG gas rates which will be \$4.35 for three (3) years. The motion was seconded by Councilor Tandy. Councilor Stokes, Councilor Rodriguez, Councilor Tandy, Councilor Sandate, and Councilor Johnson voted against. The motion was unanimously carried.

3. Discuss, consider, and approve the second and final reading of Ordinance 2021-05-06, an ordinance amending Chapter 23 - City Council, Article II - Rules of Procedure to the Alpine Code of Ordinances (C. Rodriguez, City Council) – **Motion was made by Councilor Rodriguez, by Resolution 2021-06-30, to discuss, consider, and approve the second and final reading of Ordinance 2021-05-06, an ordinance amending Chapter 23 – Article II – Rules of Procedure to the Alpine Code of Ordinances. Motion was seconded by Councilor Stokes. Councilor Stokes, Councilor Rodriguez, Councilor Tandy, Councilor Sandate, and Councilor Johnson voted against. The motion failed with unanimous opposition.**

Motion was made by Councilor Rodriguez, by Resolution 2021-06-31, to table the second and final reading of Ordinance 2021-05-06. Motion was seconded by Councilor Stokes. The motion was unanimously carried.

4. Discuss, consider, and approve the first reading of Ordinance 2021-05-01, an ordinance amending Chapter 18, Buildings and Building Regulations, Article VII - Outdoor Lighting to the Alpine Code of Ordinances (J. Stokes, City Council) – **Motion was made by Councilor Stokes, by Resolution 2021-06-32, to discuss, consider, and approve the first reading of Ordinance 2021-05-01, an ordinance amending Chapter 18, Buildings and Building Regulations, Article VII – Outdoor Lighting to the Alpine Code of Ordinances. Motion was seconded by Councilor Rodriguez. The motion was carried unanimously.**
5. Discuss, consider, and approve the proposed City of Alpine Organizational Chart (M. Antrim, Interim City Manager) – **Motion was made by Councilor Johnson, by Resolution 2021-06-33,**

to approve the proposed City of Alpine organizational chart. Motion was seconded by Councilor Tandy. The motion was unanimously carried.

6. Discuss, consider, and approve the Interlocal Agreement for the Kokernot Lodge, Poet's Grove, a project between the City of Alpine and Sul Ross State University (M. Antrim, Interim City Manager) – Motion was made by Councilor Rodriguez, by Resolution 2021-06-34, to discuss, consider, and approve the Interlocal Agreement for the Kokernot Lodge, Poet's Grove, a project between the City of Alpine and Sul Ross State University. Motion was seconded by Councilor Sandate. The motion was unanimously carried.
7. Discuss, consider, and approve submitted bid proposal by U Construction on the remodel of the Visitor Center (M. Antrim, Interim City Manager) - Motion was made by Councilor Rodriguez, by Resolution 2021-06-35, to discuss, consider, and approve submitted bid proposal by U Construction on the remodel of the Visitor Center. Motion was seconded by Councilor Johnson. The motion was unanimously carried.
8. Discuss, consider, and approve Special Use Permit Applications for: (M. Antrim, Interim City Manager)
 - a. Short Term Rental Special Use Permit for 503 E Avenue B. Owner of record is Jason & Robin Stone.
 - b. Short Term Rental Special Use Permit for 208 Berkeley Street. Owner of record is Adam & Shatiel Brant.
 - c. Short Term Rental Special Use Permit for 115 & 117 N 6th Street. Owner of record is Desert Dame Thirty.

Motion was made by Councilor Rodriguez, by Resolution 2021-06-36, to discuss, consider, and approve Special Use Permit applications for:

- a. Short Term Rental Special Use Permit for 503 E Avenue B. Owner of record is Jason & Robin Stone.
- b. Short Term Rental Special Use Permit for 208 Berkeley Street. Owner of record is Adam & Shatiel Brant.
- c. Short Term Rental Special Use Permit for 115 & 117 N 6th Street. Owner of record is Desert Dame Thirty.

Motion was seconded by Councilor Stokes. The motion was unanimously carried.

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

(7:23 P.M.) Motion was made by Councilor Rodriguez, by Resolution 2021-06-37, to move into executive session to discuss the update on pending litigation, to discuss and consider the appointment of Interim Utilities Director, and to discuss and consider the Interim City

Secretary and Utilities Director compensation. Motion was seconded by Councilor Sandate. The motion was carried unanimously.

11. Executive Session –

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

1. Update on pending litigation - Creswell Suit - TML assigned legal counsel (M. Antrim, Interim City Manager)
2. Discuss and consider the appointment of Interim Utilities Director (M. Antrim, Interim City Manager)
3. Discuss and consider Interim City Secretary and Utilities Director Compensation (M. Antrim, Interim City Manager)

(8:10 P.M.) Motion was made by Councilor Johnson, by Resolution 2021-06-38, to reconvene regular session. Motion was seconded by Councilor Stokes. The motion was unanimously carried.

12. Action – Executive Session

1. Update on Pending litigation – Creswell Suit – TML assigned legal counsel (M. Antrim, Interim City Manager) – **Motion was made by Councilor Johnson, by Resolution 2021-06-39, to take no action. Motion was seconded by Councilor Rodriguez. The motion was unanimously carried.**
2. Action, if any, on appointment of Interim Utilities Director (M. Antrim, Interim City Manager) - **Motion was made by Councilor Johnson, by Resolution 2021-06-40, to appoint Jessica Washington as Interim Utilities Director. Motion was seconded by Councilor Tandy. The motion was unanimously carried.**
3. Action, if any, on Interim City Secretary and Interim Utilities Director compensation (M. Antrim, Interim City Manager) - **Motion was made by Councilor Johnson, by Resolution 2021-06-41, to increase the pay for the interim city secretary to \$1,925.00 per pay period and the Interim Utilities Director to \$2,500 per pay period. Motion was seconded by Councilor Tandy. The motion was unanimously carried.**

13. Adjourn. (8:12 P.M.)

ATTEST:

Andres “Andy” Ramos, Mayor

Geoffrey R. Calderon, Interim City Secretary

CERTIFICATION

I, Geoffrey R. Calderon, Interim City Secretary, hereby certify that this notice was posted at City Hall, a convenient and readily accessible place to the general public, and to the City website at www.cityofalpine.com pursuant to Section 551.043, Texas Government Code. The said notice was posted at 2:00 P.M. on June 25, 2021, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting. This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (432) 837-3301, option 1, or email city.secretary@ci.alpine.tx.us for further information.

Geoffrey R. Calderon, Interim City Secretary

2. Approval of June 29, 2021 Special Meeting Minutes (M. Antrim, Interim City Manager)

**City of Alpine
Special City Council Meeting
Tuesday, June 29, 2021
5:30 P.M.
Minutes**

SPECIAL CITY COUNCIL MEETING - 5:30 P.M.

1. **Call to Order.** – Mayor Pro Tem, Jerry Johnson, called the meeting to order. The meeting was held at the City Council Chambers located at 803 West Holland Avenue and via Zoom conference in the City of Alpine, Texas.
2. **Determination of a Quorum and Proof of Notice of the Meeting** – Councilor Judy Stokes, Councilor Chris Rodriguez, Councilor Sara Tandy, Councilor Martin Sandate, and the Mayor Pro Tem, Jerry Johnson, attended at the City Council Chambers. Mayor Andres Ramos arrived late during agenda item 10 (City Council Member Comments and Answers). The meeting was chaired by Mayor Pro Tem Johnson until agenda item 11 (Executive Session). Interim City Manager, Megan Antrim, and Interim City Secretary, Geoffrey Calderon, attended at the City Council Chambers. Interim City Secretary, Geoffrey Calderon, reported that the agenda was posted at 2:00 P.M. on June 25, 2021.
3. **Public Comments** – (limited to 3 minutes per person) – Karen Cantrell, Kacy Fullwood, Tom Kelner
4. **Presentation, Recognitions, and Proclamations** – (A. Ramos, Mayor) – None
5. **Reports** – Copies of the charts presented during the meeting are posted on the City website at www.cityofalpine.com/cmreports.
 - City Mayor's Report** – (A. Ramos, Mayor) – None
 - City Attorney's Report** – None
 - City Manager Report** – None
 - City Staff Updates** – None
6. **Public Hearings** – None

7. **Consent Agenda** – (Minutes, Financial reports, Department written reports, board appointments, etc.) – None

(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.)

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

9. **Action items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable.** (Action items limited to (up to 10 per meeting). After being called upon by Mayor or Mayor Pro Tem. Citizens are required to state their name and the Ward in which they reside. Priority will be given to citizens of Alpine and those who own businesses or property in the City. Individuals who do not live in, or own businesses or property in the City limits of Alpine, will be allowed to speak if there is time available.) –

1. **Discuss, consider, and approve the recommendation from the Planning & Zoning Commission to approve a Special Use Permit Application to allow for an established Bed and Breakfast to sell alcohol to guests only. Property is located at 403 N 8th Street. Record owners are Thomas & Sharon Kelner (M. Antrim, Interim City Manager) – Motion was made by Councilor Tandy, by Resolution 2021-06-42, to discuss, consider, and approve the recommendation from the Planning & Zoning Commission. Motion was seconded by Councilor Stokes. Councilor Stokes, Councilor Tandy, and Councilor Martin Sandate voted in favor of the motion. Councilor Rodriguez voted against the motion. Motion passed 3 to 1.**

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

(5:37 P.M.) Motion was made by Councilor Tandy, by Resolution 2021-06-43, to move into executive session. Motion was seconded by Councilor Sandate. The motion was carried unanimously.

11. **Executive Session** –

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1. **Discuss, consider, and review the complaint received from the Chief of Police, Robert Martin, concerning the Alpine Municipal Court, Warrants, and Magistrations (M. Antrim, Interim City Manager) – Motion was made by Councilor Rodriguez, by Resolution 2021-06-44, to allow the Chief of Police, Robert Martin, to attend Executive Session. Motion was seconded by Councilor Johnson. The motion was unanimously carried.**

(6:49 P.M.) Motion was made by Councilor Johnson, by Resolution 2021-06-45, to reconvene regular session. Motion was seconded by Councilor Sandate. The motion was unanimously carried.

12. Action – Executive Session

1. Discuss, consider, and review the complaint received from the Chief of Police, Robert Martin, concerning the Alpine Municipal Court, Warrants, and Magistrations (M. Antrim, Interim City Manager) – No action was taken.

13. Adjourn. (6:51 P.M.)

ATTEST:

Andres “Andy” Ramos, Mayor

Geoffrey R. Calderon, Interim City Secretary

CERTIFICATION

I, Geoffrey R. Calderon, Interim City Secretary, hereby certify that this notice was posted at City Hall, a convenient and readily accessible place to the general public, and to the City website at www.cityofalpine.com pursuant to Section 551.043, Texas Government Code. The said notice was posted at 2:00 P.M. on June 25, 2021, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting. This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary’s Office at (432) 837-3301, option 1, or email city.secretary@ci.alpine.tx.us for further information.

Geoffrey R. Calderon, Interim City Secretary

3. Approval of FY 2021-2022 Budget Calendar (M. Antrim, Interim City Manager)

City of Alpine FY 2022 Budget Calendar

All dates of local meetings are subject to progress made during workshops.

Meetings and adoption dates are subject to change.

PUBLIC DATES:

June 1 – Initial Discussion on FY 2021 – 2022 Budget Process

June 7- HOT requests posted on City Website – notice also included in local paper and City Facebook

June 11 – City Council Budget Questionnaire Due

June 21 -25- City Department Meetings to discuss budget worksheets

July 6 - Present Five (5) Year Capital Plan
Discuss Budget and Financial Policy Updates
Investment Policy

July 9 – Deadline to submit FY 2022 HOT requests

July 16 – Proposed Budget Filed with City Secretary

July 20 - 1st Budget Workshop

July 25 – Issuance of Certified Tax Roll (Dependent on Appraisal Office and Tax Office)

August 3 - 2nd Budget Workshop –
Discuss Tax Rates (dependent on receipt of certified tax roll)

August 5 & 12 – Notice in Paper for 1st Reading – Budget

August 17- Proposed Budget 1st Reading

August 26 & September 2 – Notice in Paper for 2nd Reading & Public Hearing – Budget
Notice in Paper for 1st Reading – Tax Rate

September 7 - Proposed Budget 2nd Reading & Public Hearing
1st Reading of Proposed Tax Rate
Adoption of Proposed Budget

September 9 & 16 – Notice in Paper for 2nd Reading & Public Hearing – Tax Rate

September 21 – 2nd reading of proposed Tax Rate and Public Hearing
Adoption of Proposed Tax Rate

4. Approval of FY 2021-2022 Holiday Calendar (M. Antrim, Interim City Manager)

**CITY OF ALPINE
OFFICIAL HOLIDAYS FOR FY 2021-2022**

Colombus Day	Monday	October 11, 2021
Veterans Day	Thursday	November 11, 2021
Thanksgiving Day	Wednesday Thursday Friday	November 24, 2021 November 25, 2021 November 26, 2021
Christmas Day	Wednesday Thursday Friday	December 22, 2021 December 23, 2021 December 24, 2021
New Years Eve New Year's Day	Friday	December 31, 2021 January 3, 2022
Martin Luther King Day	Monday	January 17, 2022
President's Day	Monday	February 21, 2022
Good Friday Day	Friday Monday	April 15, 2022 April 18, 2022
Memorial Day	Monday	May 30, 2022
Juneteenth	Monday	June 20, 2022
Independence Day	Monday	July 4, 2022
Labor Day	Monday	September 5, 2022

**CITY OF ALPINE
OFFICIAL HOLIDAYS 2020-2021**

Colombus Day	Monday	Oct. 12, 2020	1
Veterans Day	Wednesday	Nov. 11, 2020	2
Thanksgiving Day	Wednesday	Nov. 25, 2020	3
	Thursday	Nov. 26, 2020	4
	Friday	Nov. 27, 2020	5
Christmas Day	Wednesday	Dec. 23, 2020	6
	Thursday	Dec. 24, 2020	7
	Friday	Dec. 25, 2020	8
	Wednesday	Dec. 30, 2020	9
New Years Eve	Thursday	Dec. 31, 2020	10
New Year's Day	Friday	Jan. 1, 2021	11
Martin Luther King Day	Monday	Jan. 18, 2021	12
President's Day	Monday	Feb. 15, 2021	13
Good Friday Day	Friday	April 2, 2021	14
	Monday	April 5, 2021	15
Memorial Day	Monday	May 31, 2021	16
Independence Day	Sunday	4, 2021, July	
	Monday	5, 2021, July	17
Labor Day	Monday	Sept. 6, 2021	18

5. Approval of Martin Sandate as City representative for the Alpine Public Library Board of Directors
(J. Johnson, City Council)

6. Approval of Resolution 2021-07-01 designating the City Manager as the authorized representative for the Department of Justice, Justice Assistance Program Grant (M. Antrim, Interim City Manager)

THE STATE OF TEXAS

COUNTY OF BREWSTER

CITY OF ALPINE

RESOLUTION 2021-07-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS DESIGNATING THE CITY MANAGER AS THE AUTHORIZED REPRESENTATIVE FOR THE DEPARTMENT OF JUSTICE, JUSTICE ASSISTANCE PROGRAM GRANT.

WHEREAS, the City of Alpine is committed to provide for the safety and welfare of its citizens; and

WHEREAS, the City of Alpine was awarded the FY2020 Justice Assistance Grant (JAG) to procure Body Armor and Body Cameras for the Alpine Police Department (Grant #4027801); and

WHEREAS, the City of Alpine must comply with all parts of the JAG requirements, including having up-to-date information on record; and

WHEREAS, the previous Resolution 2020-02-11 approved by City Council on 02/18/2020 cites the City Manager by name specifically as the Authorized Official for the JAG.

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

that the City of Alpine designates the City Manager as the authorized representative for the Department of Justice, FY2020 Justice Assistance Program, Grant #4027801.

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

Andres "Andy" Ramos, Mayor

ATTEST:

Geoffrey R. Calderon, Interim City Secretary

7. Approval of Resolution 2021-07-02 designating the City Manager as the authorized representative for the Department of Homeland Security, Local Border Security Program Grant (M. Antrim, Interim City Manager)

THE STATE OF TEXAS

COUNTY OF BREWSTER

CITY OF ALPINE

RESOLUTION 2021-07-02

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS
DESIGNATING THE CITY MANAGER AS THE AUTHORIZED REPRESENTATIVE
FOR THE OFFICE OF THE GOVERNOR, LOCAL BORDER SECURITY PROGRAM.**

WHEREAS, the City of Alpine is committed to provide for the safety and welfare of its citizens; and

WHEREAS, the City of Alpine was awarded the FY2020 Local Border Security Program (LBSP) for overtime hours and funds towards the hiring of two new APD officers for the Alpine Police Department (Grant #4113901); and

WHEREAS, the City of Alpine must comply with all parts of the LBSP requirements, including having up-to-date information on record; and

WHEREAS, the previous Resolution 2020-02-12 approved by City Council on 02/18/2020 cites the City Manager by name specifically as the Authorized Official for the LBSP.

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

The City of Alpine designates the City Manager as the authorized representative for the Office of the Governor, FY2020 Local Border security Program, Grant #4113901.

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

Andres "Andy" Ramos, Mayor

ATTEST:

Geoffrey R. Calderon, Interim City Secretary

8. Information or Discussion items –

1. Utility Billing Issues & Concerns (C. Rodriguez, City Council)
2. Discuss and receive updates from APD on key issues (C. Rodriguez, City Council)
3. Zoom meeting and Council Procedures (M. Antrim, Interim City Manager)
4. Five Year Capital Improvement Plan (M. Antrim, Interim City Manager)
5. Discuss Council Member Residency Requirements & Qualifications (M. Antrim, Interim City Manager)

1. Utility Billing Issues & Concerns (C. Rodriguez, City Council)
2. Discuss and receive updates from APD on key issues (C. Rodriguez, City Council)

3. Zoom meeting and Council Procedures (M. Antrim, Interim City Manager)



Open Meetings Act Suspension Updates

On June 30, 2021, Governor Abbott's office approved a request by the Office of the Attorney General to lift the suspensions of certain provisions of the Open Meetings Act. The suspensions will lift at 12:01 a.m. on September 1, 2021.

Thus, as of September 1, 2021, all provisions of the Open Meetings Act will be effective and all Texas governmental bodies subject to the Open Meetings Act must conduct their meetings in full compliance with the Open Meetings Act as written in statute.

Please contact the Office of the Attorney General with questions about the lifting of the suspensions at (888) 672-6787 or via email at TOMA@oag.texas.gov (<mailto:TOMA@oag.texas.gov>).

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CURRENT ORDINANCE / RULES OF PROCEDURE

Sec. 23-21. Meetings.

- (a) All regular city council ("council") meetings ("meeting(s)") shall normally be held at 5:30 p.m. at Council Chambers, 803 W. Holland, Alpine, Texas on the first and third Tuesdays of every month, except December when only a first Tuesday meeting shall be held. Special council meetings may be held when necessary for the transaction of the business of the city, shall normally be held at 5:30 p.m. at Council Chambers as above, and may only be called by written request from the mayor or three councilmembers, using the form adopted by resolution, if possible; this request may be circulated by any councilmember. Posting proper notice may change the location or time, or part or all of any meeting. 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 the councilmembers 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) The mayor shall, with three councilmembers, constitute a quorum; if the mayor is absent, four councilmembers shall constitute a quorum. All rulings from the mayor or mayor pro tem on procedural or substantive matters shall be subject to appeal and reversal by motion and majority vote of council at any time. The mayor or the mayor pro tem may vote only in the case of a tie, on any meeting agenda ("agenda") item ("item(s)").
- (c) 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.
- (d) 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 shall not:
 - (1) Restrict orderly speech, in any way, of any councilmember's or city manager's presentation of any item.
 - (2) Restrict orderly speech, in any way, of any councilmember's or city manager's discussion of any item.
 - (3) At the written request of any councilmember or the mayor, the department heads of finance, public works, gas and utilities, along with the police chief, shall attend meetings until dismissed by a majority vote of the council under Item B or any subsequent item in the order of business, or until the meeting is adjourned. The specific

topic the department head needs to address should be included in the written request. Citizens or anyone attending a meeting shall be given an opportunity to ask questions on the specific topic before city staff are dismissed.

- (e) The mayor, any councilmember, or the city manager ("manager") may place items on any meeting agenda ("agenda"), using the form adopted by resolution if possible. All resolutions or ordinances require sponsorship by a councilmember or the city manager. The manager is responsible for the preparation of the agenda, but may not alter submitted items without permission of the submitter. The submission deadline for all meetings is 5:00 p.m. The last submission day is Wednesday before regular meetings, or the sixth day before special meetings.
 - (1) Items shall indicate the requestor's name and sufficient explanation so that any citizen can understand the substance of the item.
 - (2) Presentations to be made during: presentations, public hearings, information and discussion/action items must meet the submission deadline listed above. The only exceptions to this are the: city mayor, city manager and city staff reports.
 - (3) Any item requiring financial expenditure by the city must identify the line item of the budget the expenditure will come from or the financing strategy to be utilized by the city or the future budget requirements. The city manager will be available (and make staff available) to help pull the back-up information together at the elected official's request.
 - (4) Information packets with back-up materials will be delivered to the mayor and city council members by 5:00 p.m. on the Friday prior to the council meeting.
 - (5) A redacted version of the packets, redacting all personnel or legal materials, will be available on the city website at least 24 hours prior to the scheduled meeting.
- (f) Meetings are held pursuant to the provision of the Texas Open Meetings Act (V.T.C.A., Government Code ch. 551). Citizens desiring to address the city council, or express their opinion about a particular meeting agenda action item are limited to three minutes.
- (g) Before a vote is taken on any item, the city secretary or designee shall read the written motion, and then shall ask whoever made the motion if the motion is correctly stated.
- (h) Robert's Rules of Order may be generally followed for procedural matters. The council may adopt or revoke any specific rules of procedure at any time by resolution. Presiding officer of meeting must adhere to meeting rules/procedures. Councilmembers are allowed to call a point of order to facilitate the running of the meeting.
- (i) Citizen comments after the meeting can be directed to their individual councilmember or the city manager.
- (j) Written minutes, audio recordings, and video recordings shall be made of all meetings. The official minutes should reflect what was done, not everything that was said; and as a minimum shall include:
 - (1) The text of all main motions, as amended;

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- (2) The text of all "points of order" and "appeals", along with the reason given by the mayor or mayor pro tem for the ruling of them;
 - (3) The results of the vote, both as whether the motion was "adopted" or "lost" and as the way each councilmember voted.
- (k) The council and the city attorney shall determine who may or may not attend executive sessions.
- (l) In all matters before the council, including a vote to hire or to terminate a city manager, the mayor may only vote in the event of a tie owing to one or more absences and/or vacancies and/or abstentions.
- (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 on the city council permitted to vote, in favor of hiring or terminating a city manager, is allowed by the Charter or is required.
- (Ord. No. 2015-7-01, 9-1-15; Ord. No. 2019-08-01, §§ 1—4, 9-17-19; Ord. No. 2019-12-03, 1-7-20)

Sec. 23-22. Order of business.

The order of business for city council meetings ("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.

CITY OF ALPINE REGULAR CITY COUNCIL MEETING ANY DATE, 5:30 P.M.

Notice is hereby given that the City Council of the City of Alpine, Texas will hold a meeting at 5:30 P.M. on any date in the City Council Chambers, at 803 West Holland, 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 (V.T.C.A., Government Code § 551.043).

PUBLIC NOTICE—THE USE OF CELLULAR PHONES AND SOUND ACTIVATED PAGERS ARE PROHIBITED IN THE CITY COUNCIL CHAMBERS DURING MEETINGS OF THE CITY COUNCIL.

Members of the Audience will be provided an opportunity to address the Council on any agenda item after determination of quorum and proof of notice of the meeting. Remarks will be limited to a total of 3 minutes per person. Please speak into the microphone located at the podium and state your name and address. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. 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 from speaking at future meetings.

AGENDA

1. Call to Order, Invocation and Pledge of Allegiance to the Flag.
2. Determination of quorum and proof of notice of the meeting.
3. Public Comments (Limited to 3 Minutes for each individual).
4. Presentations, recognitions and proclamations.
5. Reports:
 - City mayor's report.
 - City manager report.
 - City staff updates.
6. Public hearings.
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 councilmember, 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.
8. Information of discussion items.
9. Action items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. (Action items limited to (up to) 10 per meeting).
10. Council members, comments and answers.
11. Executive session.
12. Action—Executive session.
13. Adjournment.

(Ord. No. 2015-7-01, 9-1-15; Ord. No. 2019-12-03, 1-7-20)

pursuant to the Texas Open Meetings Act (~~V.T.C.A., Government Code §~~ Section 551.043, Texas Government Code).

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8. Information ~~of~~ or discussion items.

RECOMMENDED ORDINANCE / RULES OF PROCEDURE

Based on feedback provided by the City Council and the City Attorney, City Administration recommends:

- To continue utilizing Zoom for special attendees i.e. Council members who are unable to attend in person, reports to the Council from organizations or representatives that live outside of the City i.e. TML assigned legal Counsel
- Livestreaming the Zoom meeting through the official City of Alpine YouTube account which can be accessed by visiting: <https://www.youtube.com/c/CityofAlpine>
- Replacing meeting login details on the City website with a link to the City of Alpine YouTube account where each meeting will be livestreamed. This mitigates the issues with security concerns, specifically "Zoom Bombing," and the change will free up resources by preventing the need for City Staff to monitor and determine which attendees are legitimate vs disruptive, and which attendees are granted access to the meeting

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- (c) 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.

- (d) The mayor or mayor pro tem shall preside with fairness and impartiality maintaining absolute neutrality by posture, demeanor, action and language during all meetings. The mayor shall not:
- (1) Restrict orderly speech, in any way, of any councilmember's or city manager's presentation of any item.
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 - (3) At the written request of any councilmember or the mayor, the department heads of finance, public works, gas and utilities, along with the police chief, shall attend meetings until dismissed by a majority vote of the council under Item B or any subsequent item in the order of business, or until the meeting is adjourned. The specific topic the department head needs to address should be included in the written request. Citizens or anyone attending a meeting shall be given an opportunity to ask questions on the specific topic before city staff are dismissed.
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 - (1) The text of all main motions, as amended;
 - (2) The text of all "points of order" and "appeals", along with the reason given by the mayor or mayor pro tem for the ruling of them;
 - (3) The results of the vote, both as whether the motion was "adopted" or "lost" and as the way each councilmember voted.
 - (k) The council and the city attorney shall determine who may or may not attend executive sessions.
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 - (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 on the city council permitted to vote, in favor of hiring or terminating a city manager, is allowed by the Charter or is required.
- (Ord. No. 2015-7-01, 9-1-15; Ord. No. 2019-08-01, §§ 1—4, 9-17-19; Ord. No. 2019-12-03, 1-7-20)

Sec. 23-22. Order of business.

The order of business for city council meetings ("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.

CITY OF ALPINE REGULAR CITY COUNCIL MEETING ANY DATE, 5:30 P.M.

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pursuant to the Texas Open Meetings Act (~~V.T.C.A., Government Code §~~ Section 551.043, Texas Government Code).

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Members of the Audience will be provided an opportunity to address the Council on any agenda item after determination of quorum and proof of notice of the meeting. Remarks will be limited to a total of 3 minutes per person. Please speak into the microphone located at the podium and state your name and address. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. 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 or meeting disruptions. If an individual continues to personally attack an elected official or staff member in a meeting, they may be barred ~~from speaking at future meetings~~. Meetings will be livestreamed on the City of Alpine official YouTube Channel at <https://www.youtube.com/c/CityofAlpine>.

AGENDA

1. Call to Order, Invocation, and Pledge of Allegiance to the Flag.
2. Determination of quorum and proof of notice of the meeting.
3. Public Comments (Limited to 3 Minutes for each individual).
4. Presentations, Recognitions and Proclamations.
5. Reports:
 - City Mayor's Report.
 - City ~~m~~Manager ~~r~~Report.
 - City ~~s~~Staff ~~u~~Updates.
6. Public ~~h~~Hearings.
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 councilmember, 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.
8. Information ~~of~~ or discussion items.

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9. Action items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. (Action items limited to (up to) 10 per meeting). After being called upon by the Mayor or Mayor Pro Tem, Citizens are required to state their name and the Ward in which they reside. Priority will be given to Citizens of Alpine and those who own businesses or property in the City. Individuals who do not live in or own businesses or property in the city limits of Alpine will be allowed to speak if there is time available.
 10. Council members, comments and answers.
 11. Executive session.
 12. Action—Executive session.
 13. Adjournment.

(Ord. No. 2015-7-01, 9-1-15; Ord. No. 2019-12-03, 1-7-20)

4. Five Year Capital Improvement Plan (M. Antrim, Interim City Manager)

July 6, 2021

Honorable Mayor and City Council,

The Capital Improvement Plan is an important process in identify, evaluating, and advocacy of the capital needs of the City of Alpine. Enclosed is the CIP from 2020-2025. This format has been used for multiple years and meets the requirements necessary under the City's Charter.

In reviewing other Cities and GFOA (Government Finance Officers Association) best practices, I made the decision to update the format to a community friendly version. Each CIP item will have a separate page and address department responsibilities, projected expenses, description, financial plan, funding source, and performance measures (if any) and possible impacts on the operating budget.

Departments have worked hard to gather as much information as possible to assist with the format changes. The section on how the CIP may affect the operating budget is new for the City and the short- and long-term financial impact will change as departments gain better insight on how each piece of equipment and facility affect their day-to-day operations. The City has worked for so long with quick fixes and making things work that truly understanding the impact is unknown.

The complete CIP will be presented at the July 20, 2021, City Council Meeting.

Thank you,

Megan Antrim, CPFIM

Director of Finance

Department	Item	Fiscal Year	Amount	Priority	Funding Strategy	Notes
Airport	Lighting Project VASI to PAPI-2 conversion - 2024ALPIN	2020-2022	\$920,000	1	TxDOT Aviation - 90% funded by Grants, 10% Funded Local	Engineering being complete in 2020.
Airport	Sealcoat Project Runway 01/19 sealcoat and mark - 2024APINE	2021	\$590,000	2	TxDOT Aviation - 90% funded by Grants, 10% Funded Local	
Airport	Rotator Beacon	2021	\$10,000	1	CARES Act or Ramp Grant	
Airport	Additional Sealcoating	2021-2023	\$500,000	2	TxDOT Aviation - 90% funded by Grants, 10% Funded Local	
Airport	AWOS replacement/relocation	2022	\$150,000	1	TxDOT Aviation - 90% funded by Grants, 10% Funded Local	
Airport	Update Airport Master Plan and Airport Layout Plan	2022-2023	\$150,000	2	TxDOT Aviation - 90% funded by Grants, 10% Funded Local	
Public Works - Parks	SplashPad	2021	\$200,000	2	25% from City, 75% from donations and outside entities. City has already allocated these dollars.	City has already allocated \$50K to this project.
Public Works - Parks	Tractor - Mower	2022	\$70,000	2	Would look for grants to supplement our General Fund budget.	This item would be used to mow primarily along the city streets and causeways. Would utilize in alleys where applicable.
Public Works - Parks	Kubota Mower	2023	\$45,000	2	Mower to replace on existing fleet. Would need to pay for it via a donation or Public Works budget.	
Public Works - Parks - Grant	TPWD- Trails Grant, 2021-2023 (Phases I-III)	2021-2023	\$400,000	2	50-50 Grant Opportunity - This would directly target Pueblo Nuevo Park buildout and any additional projects that mature	The first main project to address is Pueblo Nuevo
Public Works - Streets	Front End Loader	2020	\$150,000	1	From Public Works budget. Buying a used one would cut this in half. We could also consider a lease.	Getting a Loader that is slightly smaller than our existing piece of equipment would allow us to get into the Alleys better and the portion of the creek between Ave E and Holland. Would also be used in our Paving Projects
Public Works - Streets	Wash Bay Construction	2020	\$15,000	2	From Public Works budget.	Cleaning of vehicles and equipment. Would also be a location for other departments to utilize.
Public Works - Streets	2 New dump trucks	2021	\$150,000	1	Existing dump trucks are coming to end of life and would need to consider as part of paving budget. Buying used would cut the price in half.	Had targeted this purchase for 2018, but was never completed
Public Works - Streets	Small Maintainer	2021	\$75,000	2	From Public Works budget. Would also look at buying a used one for 40-50% of the price	This would allow us to work in the smaller (lighter) areas and smaller jobs maintenance jobs around buildings and parks.
Public Works - Streets - Grant	CDBG- Downtown Revitalization funds for sidewalks, etc	2021	\$225,000	1	US-DA, CDBG. Funds for replacement of sidewalks and curbs in core business area. Est project cost is \$225,000. 96.5% CDBG/3.5% City match required. \$9,000 in City funds needed to apply by 9/1/2020. *City has funds identified for street improvements each year; match can come from those.	
City Administration	Old Schoolhouse (aka - old Sunshine House)	2020-2023	\$200,000	2	Would look at \$80K in year one to get the Finance and Billing Staff moved over. Target Texas Historical Commission Grants after that.	This facility plays historical importance to Alpine and one strategy of restoration is to move City Staff over there and open as our Billing/Finance Office. This would allow us to gradually restore this amazing facility to her old glory. This also allows us to spread out at City Hall and enjoy more social spacing in the workplace.
City Administration	Security Cameras placed across town - used in to Police Department	2021	\$20,000	2	Fund 50% from our IT budget, and look to supplement the remainder with grants.	Strategically place 20-25 more cameras around the community.
City Administration - Grant	Incubator Space for Economic Development	2022	\$400,000	3	Potential Economic Development Administration funding to establish an Incubator Business space	This is still in idea/concept form, but may require some level of match and administration by the City if we pursue this route.
Building Services - Code Enforcement	Technology Upgrades	2020-2024	\$15,000	1	General Fund	Incremental Software updates and upgrades to go along with iWork software tool purchased this fiscal year.
Building Services - Code Enforcement	New Vehicle - Code Enforcement	2020-2024	\$24,000	1	Lease program (60 month lease at \$400/month)	Existing Code Enforcement vehicle is end-of-life.

CIP 2020-2025

Department	Item	Fiscal Year	Amount	Priority	Funding Strategy	Notes
Building Services - Code Enforcement - Grant	COBG - Planning & Capacity Building Grant- Strategic Growth & Development Plan	2021	\$10,000	1	US-DA, CDBG. Funds for a Strategic Growth and Development Plan for the City to include updated zoning. Program limits awards to \$55,000 with a 15% City match required. Est. project total is \$85,000 with \$10,000 in City funds needed to apply by 9/1/2020.	
Visitor Center	Exterior Post Replacement, Exterior Lighting, Outside Benches	2020	\$5,000	2	From HOT Fund	Outdoor posts are rotting and lighting needs to be replaced. Also put in new benches as the venue gains importance for outdoor events.
Visitor Center	New HVAC for Visitor Center	2021	\$10,000	2	Would fund out of HOT Fund as part of the Visitor Center facility improvement	Have purchased a small floor A/C to help cool the office on the east side of building in the interim.
Visitor Center	Interior Lighting, Wiring and Ceiling Work	2021	\$10,000	2	From HOT Fund	Replace wiring and lighting inside the facility. Replace and enhance ceiling. This work needs to be done after HVAC work
Visitor Center	Furniture for Visitor Center Lobby and Conference Room	2022	\$10,000	2	From HOT Fund	Replace furniture in lobby and conference room. Venue will continue to grow in it's community use.
Visitor Center	Outdoor Gazebos (2)	2022	\$7,500	2	From HOT Fund	One at Visitor Center and one at the Park on 5th and Sul Ross Avenue. The one on Sul Ross Avenue will also have information in it for people walking through downtown.
Police	Tasers (current ones are outdated)	2020-2021	\$25,000	2	Targeting grant opportunities first	
Police	New Software for Ticketing and Courts	2020-2021	\$25K-\$40K	1	Target grant opportunities first. Some will come from Operating budget	Costs are reliant on conversion of data from existing system.
Police	New Body Cams - over three years	2020-2023	\$35,000	1	Targeting grant opportunities first	
Police	Uniforms	2020-2025	\$10K/year	1	General Fund	Not really a capital item, but need visibility for the cost structure we need to move forward with
Police	License Plate Readers (LPR's)	2021	\$5,000	1	Targeting grant opportunities first	
Police	Two holding Cells	2021-2022	\$250,000	1	Target grant opportunities first.	Continue to have challenges with County jail occupancy levels and contemplating adding local holding cells
Police	K-9	2021-2022	\$10,000	2	Target grants and second would be General Fund	\$5-\$8K for the K-9 and additional dollars for training
Animal Control	Security Cameras	2020-2022	\$3,000	2	Through General Fund	
Animal Control	Expand Outside Kennels (Fencing and Cover)	2021	\$17,000	1	Target funding through annual operating budget	Would help with puppy intake and also dog enclosures
Animal Control	Shade Structure	2021	\$10,000	2	Target funding through annual operating budget	
Animal Control	Replace both A/C Units	2021	\$5,000	2	Target funding through annual operating budget	Swamp coolers
Animal Control	Replace one vehicle	2021-2025	\$30,000	2	Operating Budget - lease program through Enterprise program for ACO	This would be our last vehicle to include in the lease program for ACO
Animal Control	Cremation / Incinerator	2022	\$18,000	1	Look for Grants first, second option is General Fund	High use item for facility
Municipal Court	New Software - working in collaboration with PD	2020-2021		1		
Fire Department	Ladder truck	2021	\$500,000	1	CDBG - Fire Ambulance & Service Truck (FAST) grant can provide \$500K towards Ladder truck with a minimum \$5K match (no funding is currently listed)	
Utilities	SCADA	2020	\$40,000	1	Target funding through annual operating budget	Will use materials purchased over last two years, but also need to supplement additional materials and labor as outlined in June 2, 2020 meeting.
Utilities	Electrical System	2020	\$50,000	1	Utilize budgeting through operating budget	Will try to complete in 2019-2020 FY
Utilities	Safety Program enhancements - material and training	2020-2022	\$10,000	1	Utilize budgeting through operating budget	
Utilities	Backhoe	2021	\$60,000	1	Utilize budgeting through operating budget	
Utilities	New sewer lines on east side of City	2021-2022	\$450,000	2	Potentially work from reserve dollars	

CIP 2020-2025

Department	Item	Fiscal Year	Amount	Priority	Funding Strategy	Notes
Utilities	Automated Metering System	2021-2022	\$1.2-\$1.4M	2	Would address through reserves over 2-3 year period	Upgrading to this type of meter will provide better capture of water usage and give citizens more accurate visibility to use of water. We can not 'cost-justify' with labor savings for a meter reader, but would increase billing by having meters that measure more precisely.
Utilities - Grant	Refurbish two inactive wells at Musquizez and other underutilized water wells in current collection system	2021-2023	\$125,000	1	Categorize with other large ticket items to determine if we need to obtain debt financing for critical items and impact of debt service on overall operating budget.	We also could review this project for 2022 CDBG Funding Cycle application
Utilities	Expand Ground Tank Storage at Golf Course effluent tank - utilization of water through KP and KL	2022	\$50K-\$100K	3	Work on grants through our Environmental Services team	This is part of the bigger project that Adelina B is working towards with the Regional Water Planning Group out of Austin
Utilities	Drying Beds	2022-2024	\$30,000	2	Utilize budgeting through operating budget	Restore all six drying beds
Utilities	Manhole additions	2023	\$90,000	2	Target funding through annual operating budget	30 identified manhole needs with an average cost of \$3K each to build with local staff.
Utilities	Clarifiers	2024	\$20,000	1	Utilize budgeting through operating budget	Completed some work in early 2020. anticipate more repair in 3-5 years
Utilities - Gas	Kubota - Mini Excavator and Utility Trailer	2021	\$55,000	1	Fund from annual Gas Budget	
Utilities - Gas	Alternate to Kubota - repair existing Ditch Witch	2020	\$10,000	1	Annual operating budget	This would extend life by 2-5 years and push the \$55K capital cost out to that timeframe.
Utilities - Gas	Recifier - For Fighting Buck Avenue	2021	\$50,000	1	Annual operating budget	Similar to project we did on South Neville Haynes in 2015
Utilities - Gas	Combustible Gas Indicators	2020-2023	\$36,000	2	Annual operating budget	Need 6 total (replace 2 of them a year for 3 years). Would cost \$12K a year.
Utilities - Gas	A/C Unit for Facility	2023	\$25,000	3	Annual operating budget	

CIP 2020-2025

CITY WIDE SOFTWARE

RESPONSIBLE DEPARTMENT

ADMINISTRATION

PROJECT MANAGER

CITY OF ALPINE DEPARTMENT HEADS

PROJECTED EXPENSE

\$ 250,000 TO \$ 500,000



PROJECT DESCRIPTION

Updating and implementation of a city - wide software program. Current software varies department to department and in some cases is no longer supported or maintained by developers.

FINANCIAL PLAN	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	
	Year 1	Year 2	Year 3	Year 4	Year 5	
	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	

FUNDING SOURCE

General Fund Operating - Departmental

Utilities

Gas Department


Airport

OPERATING BUDGET IMPACT IF COMPLETED

OPERATING BUDGET IMPACT IF NOT COMPLETED

PERFORMANCE MEASURES

AIRPORT RUNWAY 1/19 SEALCOAT

RESPONSIBLE DEPARTMENT	
ALPINE CASPARIS MUNICIPAL AIRPORT	
PROJECT MANAGER	
ABEL HINOJOS, AIRPORT SUPERVISOR	
PROJECTED EXPENSE	
\$ 590,000	
PROJECT DESCRIPTION	
Seal coat runway 1/19	

FINANCIAL PLAN	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	
	Year 1	Year 2	Year 3	Year 4	Year 5	
	0	0	0	0	0	0 Required Match paid FY2020 through CARES Funds and Alpine Operating Budget

FUNDING SOURCE
Texas Department of Transportation - Aviation Division grant & FAA support project. 90% funded by FAA/State, 10% funded by City of Alpine. City required match \$59,000

OPERATING BUDGET IMPACT IF COMPLETED	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	
Sealer/Manpower/Foreign Object Debris (FOD) Removal						

OPERATING BUDGET IMPACT IF NOT COMPLETED	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	
Potential liability for airplane engine replacement for ingesting FOD						

PERFORMANCE MEASURES
Rehabbing the surface will provide longevity over the useful life of the runway.

TRAINING FACILITY & SHOOTING RANGE

RESPONSIBLE DEPARTMENT

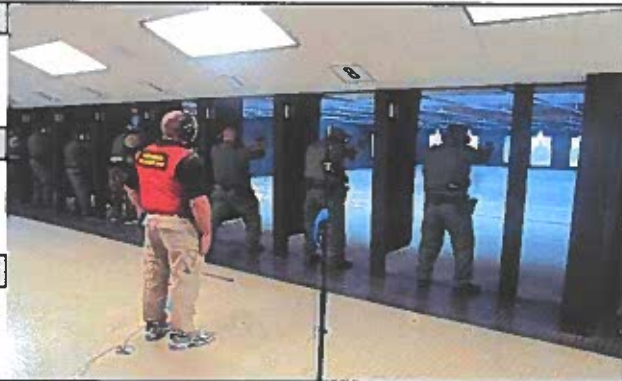
ALPINE POLICE DEPARTMENT

PROJECT MANAGER

ROBERT MARTIN, CHIEF OF POLICE

PROJECTED EXPENSE

\$ 10,000 TO \$ 250,000



PROJECT DESCRIPTION

Construction of training facility to be used by Alpine law enforcement to maintain required certifications. Shooting range to be utilized both day and night without limitations.

	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	
FINANCIAL PLAN	Year 1	Year 2	Year 3	Year 4	Year 5	

FUNDING SOURCE

General Fund Operating - Police Department

Outside grant funding possibilities

OPERATING BUDGET IMPACT IF COMPLETED

Additional maintenance

OPERATING BUDGET IMPACT IF NOT COMPLETED

No Impact

PERFORMANCE MEASURES

ANIMAL SHELTER REPAIRS & MAINT

RESPONSIBLE DEPARTMENT

ANIMAL CONTROL SERVICES

PROJECT MANAGER

JENNIFER STEWART, ACO SUPERVISOR

PROJECTED EXPENSE

\$ 30,000



PROJECT DESCRIPTION

Upgrade current incinerator to a larger capacity unit to allow for additional disposal of larger animals

FINANCIAL PLAN	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	
	Year 1	Year 2	Year 3	Year 4	Year 5	
	\$ 10,000	\$ 10,000	\$ 10,000			

FUNDING SOURCE

General Fund Operating Budget - Animal Control Services Department

OPERATING BUDGET IMPACT IF COMPLETED

N/A

OPERATING BUDGET IMPACT IF NOT COMPLETED

N/A

PERFORMANCE MEASURES



GAS DEPT BUILDING UPDATES

RESPONSIBLE DEPARTMENT

GAS DEPARTMENT

PROJECT MANAGER

RANDY GUZMAN, DIRECTOR OF GAS DEPARTMENT

PROJECTED EXPENSE

\$ 50,000



PROJECT DESCRIPTION

Continued maintenance of facility to include additional coverage and update of poly line storage

FINANCIAL PLAN	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	
	Year 1	Year 2	Year 3	Year 4	Year 5	
	\$ 10,000	\$ 10,000	\$ 30,000			

FUNDING SOURCE

Gas Department operating fund

OPERATING BUDGET IMPACT IF COMPLETED

OPERATING BUDGET IMPACT IF NOT COMPLETED

PERFORMANCE MEASURES



SPLASH PAD

RESPONSIBLE DEPARTMENT

PUBLIC WORKS - PARKS DEPARTMENT

PROJECT MANAGER

ROBERT LLANEZ, PARKS FOREMAN

PROJECTED EXPENSE

\$ 200,000



PROJECT DESCRIPTION

The installation of a splash pad at Kokernot park

FINANCIAL PLAN	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	
	Year 1	Year 2	Year 3	Year 4	Year 5	
	0	0	0	0	0	Prior CIP - \$50,000 allocated

FUNDING SOURCE

Prior CIP - City allocation 25% and 75% from donations and outside entities

OPERATING BUDGET IMPACT IF COMPLETED

Additional maintenance and insurance costs

OPERATING BUDGET IMPACT IF NOT COMPLETED

No Impact

PERFORMANCE MEASURES

5. Discuss Council Member Residency Requirements & Qualifications (M. Antrim, Interim City Manager)

ARTICLE III THE CITY COUNCIL

Section 3.01 Number, Selection, and Terms of Office

- (A) The legislative and governing body of the City shall consist of a Mayor and five (5) Councilmembers and shall be known as the "City Council of the City of Alpine".
- (B) Councilmembers shall be elected from districts. Places on the Council shall correspond to five (5) single-member districts. Only eligible voters registered in districts 1, 2, 3, 4, and 5 may vote for places 1, 2, 3, 4, and 5, respectively.
- (C) The Mayor shall be elected from the City at large by direct vote of the citizens.
- (D) The Mayor and Councilmembers for places 2 and 4 will be elected in even-numbered years. Councilmembers for places 1, 3, and 5 will be elected in odd-numbered years. The Mayor and Councilmembers will be elected for two-year terms.
- (E) Any person who has served on the City Council during three (3) consecutive terms will be ineligible to occupy any position on the Council for a period of two (2) years. A partial term of less than one (1) year will not count in determining the number of consecutive terms. Any person who has not served on the Council during the previous two consecutive years shall be eligible to serve under the same conditions as and with no more restrictions than a person who has never served on the Council.

Section 3.02 Qualifications

- (A) Each member of the City Council and the Mayor, in addition to other qualifications prescribed by the laws of the State of Texas, shall
 - (1) be a qualified voter of the City;
 - (2) reside within the corporate limits of the City if a candidate for Mayor or within the district for which they are a candidate if a candidate for Councilmember.
 - (3) not hold any other office or employment under the City

government.

- (B) If the Mayor or a member of the City Council shall cease to possess any of these qualifications or shall cease to reside in the City or in the district from which they were elected or shall be convicted of a felony or is absent from three (3) consecutive regular Council meetings without being excused by the Council, he or she shall immediately forfeit the office.
- (C) The Council is to be the sole judge of its members' qualifications. A majority vote of the elected members of the Council in regular session is required to declare the office forfeited.

Section 3.03 Mayor and Mayor Pro Tem

- (A) The Mayor shall preside at meetings of the Council and shall be recognized as head of the City government for all ceremonial purposes and by the Governor for purposes of military law, but shall have no administrative duties.
- (B) The Council shall elect from among its members a Mayor Pro Tem who shall act as Mayor during the absence or disability of the Mayor.
- (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.

Section 3.04 General Powers and Duties

All powers of the City shall be vested in the Mayor and Council except as otherwise provided by law or this Charter. The Council shall provide for the exercise of such powers and for the performance of all duties and obligations imposed on the City by law.

Section 3.05 Compensation

- (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 ordi-

9. Action items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. (Action items limited to (up to) 10 per meeting. After being called upon by the

Mayor or Mayor Pro Tem, Citizens are required to state their name and the Ward in which they reside. Priority will be given to citizens of Alpine and those who own businesses or property in the City. Individuals who do not live in, or own businesses or property in the City Limits of Alpine, will be allowed to speak if there is time available.)

1. Discuss, consider, and approve the second and final reading of Ordinance 2021-05-01, an ordinance amending Chapter 18 - Buildings and Building Regulations, Article VII - Outdoor Lighting to the Alpine Code of Ordinances (J. Stokes, City Council)
2. Discuss, consider, and approve Resolution 2021-07-03, a resolution establishing a partnership between the City as applicant and Big Bend Telecom (BBT) as sub recipient to deploy fiber optic facilities with National Telecommunications and Information Administration (NTIA) grant funds in the City of Alpine, Texas (M. Antrim, Interim City Manager)
3. Discuss, consider, and approve Resolution 2021-07-04, a resolution authorizing the City of Alpine to accept a donation from Dr. Avinash Rangra of trees and memorial plaques to be placed at American Legion Park and the Dog Park area at Kokernot Park (J. Stokes, City Council)
4. Discuss, consider, and approve Resolution 2021-07-05, a resolution adopting an investment policy regarding funds for the City of Alpine and provisioning an effective date (M. Antrim, Interim City Manager)
5. Discuss, consider, and approve appointments for Planning & Zoning Commission vacancies, one at large position and one ward 2 position:
 - a. Rick Stephens - Recommended by Planning & Zoning (4 affirmative votes, 1 against)
 - b. Deborah Derden - Recommended by Planning & Zoning (Unanimous recommendation)
 - c. Lucy Escovedo - Recommended by Planning & Zoning (Unanimous recommendation)(M. Antrim, Interim City Manager)
6. Discuss, consider, and approve job descriptions for City Manager and City Secretary (M. Antrim, Interim City Manager)
7. Discuss, consider, and approve the internal transfer of Interim City Secretary, Geoffrey R. Calderon, to full-time City Secretary (J. Stokes, City Council)
8. Discuss, consider, and approve the contract for Interim City Attorney (M. Antrim, Interim City Manager)
9. Discuss, consider, and approve the recommendation from the Airport Advisory Board for a new lease allowing Customs and Border Protection to build a helipad. (M. Antrim, Interim City Manager)

1. Discuss, consider, and approve the second and final reading of Ordinance 2021-05-01, an ordinance amending Chapter 18 - Buildings and Building Regulations, Article VII - Outdoor Lighting to the Alpine Code of Ordinances (J. Stokes, City Council)

**STATE OF TEXAS
CITY OF ALPINE**

COUNTY OF BREWSTER

ORDINANCE 2021-05-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS AMENDING CHAPTER 18 – BUILDINGS AND BUILDING REGULATIONS, ARTICLE VII – OUTDOOR LIGHTING TO THE ALPINE CODE OF ORDINANCES; PROVIDING REPEALING AND SEVERABILITY CLAUSES; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Alpine has cause in pursuit of their legislative duties on behalf of citizens of Alpine to take steps to ensure adequate lighting standards within the city; and

WHEREAS, a series of outdoor lighting ordinance workshops took place between October 2020 and April 2021 where citizens could provide input to a proposed Outdoor Lighting Ordinance aimed at preserving West Texas dark skies; and

WHEREAS, it is deemed to be in the best interest of the City to amend the current outdoor lighting ordinance and replace it with the recommended changes received through the Outdoor Lighting Ordinance Workshops.

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

**SECTION I
FINDINGS OF FACT**

Chapter 18 – Buildings and Building Regulations, Article VII – Outdoor Lighting, is hereby amended to reflect the changes hereto attached 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
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 III
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 IV
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 V
EFFECTIVE DATE**

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

PASSED AND ADOPTED THIS 6TH DAY OF JULY 2021 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.

INTRODUCTION AND FIRST READING

JUNE 15, 2021

SECOND AND FINAL READING

JULY 6, 2021

ATTEST:

Andres "Andy" Ramos, Mayor

Geoffrey R. Calderon, Interim City Secretary

APPROVED AS TO FORM:

Rod Ponton, City Attorney

EXHIBIT "A"

ARTICLE VII. - OUTDOOR LIGHTING^[6]

Footnotes:

--- (6) ---

Editor's note— Ord. No. 2010-06-01, adopted Sept. 7, 2010, deleted the former Art. VII, §§ 18-231—18-237, and enacted a new Art. VII as set out herein. The former Art. VII pertained to outdoor lighting and derived from Ord. No. 2000-4-2, §§ 1—7, adopted 5-23-00.

Sec. 18-231. - Title, purpose and scope.

(1)(a) This article shall be known and cited as the "Outdoor Lighting Ordinance."

(2)(b) The purpose of this article is:

~~(1) To provide safer, more efficient and attractive outdoor lighting;~~

~~(2) To conserve energy;~~

~~(3) To make our community a better place to live and work and a more inviting place to visit; and~~

~~(4) To preserve the darkness and clarity of the night sky, mindful of the needs of McDonald Observatory;~~

~~(e) This article shall apply within the city, hereinafter referred to as city, and within the surrounding areas where the city asserts powers of extraterritorial jurisdiction;~~

a) To reduce glare and improve nighttime visibility which contributes to safer, more secure, and attractive outdoor living spaces.

b) To encourage efficient, controlled lighting that conserves energy.

c) To make our community a better place to live and work and a more inviting place for tourist to visit.

d) To protect properties from light trespass.

e) To preserve our heritage of a clear, dark night sky.

f) To be mindful of the needs of McDonald Observatory for minimal artificial light at night to conduct ongoing astronomical research; and

g) To position the City to apply for a designation as an International Dark Sky Community.

h) To encourage and demonstrate the use of best outdoor lighting practices. *Exhibit 2 of Section 18-240 provides an illustration of best outdoor lighting practices.*

3. Scope (what the State allows)

i) This article shall apply within the City limits, hereinafter referred to as "City".

j) Nothing herein shall be construed as preventing or limiting the City from applying this article within the surrounding areas where the City asserts powers of extraterritorial jurisdiction through agreements with property owners, or as a term affixed to a conditional approval (such as a variance).

(Ord. No. 2010-06-01, (exh. A), 9-7-10)

Sec. 18-232. - Definitions.

(a) ~~The following definitions are hereby adopted for the purposes of this article:~~

~~*Area lighting* means light fixtures located on public or private property that are designed to light spaces including but not limited to parks, parking lots, and sales lots.~~

~~*Axis of illumination* means the midline of the beam emitted by a light fixture.~~

~~*Beam of a light fixture* means the spatial distribution of the emitted light.~~

~~*Candela (cd)* means the unit of measurement of the intensity of a point source of light (approximately equal to one candlepower).~~

~~*Existing light fixtures* means those outdoor light fixtures already installed at the time this article is adopted.~~

~~*Foot candle (fc)* means the illuminance measured one foot from a one candela source.~~

~~*Floodlight* means a light fixture having a wide beam.~~

~~*Full cutoff* means a shielded light fixture that emits no light above a horizontal plane touching the lowest part of the fixture.~~

~~*Glare* means visual discomfort or impairment caused by a bright source of light in a direction near one's line of sight.~~

~~*Horizontal and vertical foot candles* means the illuminance measured by a light meter in those positions (illuminance may also be measured in other specified positions or directions).~~

~~*Illuminance* means the intensity of light in a specified direction measured at a specific point.~~

~~*Lamp or bulb* means a source of light.~~

~~*Light fixture* means the assembly that holds or contains a lamp or bulb.~~

~~*Light pollution* means the sky glow caused by scattered light emitted upward from unshielded or poorly aimed light fixtures.~~

~~*Light trespass* means unwanted light falling on public or private property from an external location.~~

~~*Lumen* means the unit of luminous flux, the total amount of light falling uniformly on or passing through an area of one square foot, each point of which is one foot from a one candela source, yielding an illuminance of one foot candle at that distance (the output of lamps and bulbs is customarily measured in lumens, a common 100-watt incandescent light bulb, for example, having an output less than 1,800 lumens).~~

~~*Private lighting* means outdoor light fixtures located on property owned or controlled by individual persons, including but not limited to families, partnerships, corporations, and other entities engaged in the conduct of business or other non-governmental activities.~~

~~*Public lighting* means outdoor light fixtures located on property owned, leased, or controlled by the city or other governmental entity or entities, including but not limited to streets, highways, alleys, easements, parking lots, parks, playing fields, schools, institutions of higher learning, and meeting places, and all entities completely or partly funded by grants obtained by the city or its agents from federal, state or private sources.~~

~~*Sag lens or drop lens* means a clear or prismatic refracting lens that extends below the lowest opaque portion of a light fixture.~~

Searchlight means a light fixture having a narrow beam intended to be seen in the sky.

Spotlight means a light fixture having a narrow beam.

Wallpack means a floodlight mounted on the wall of a building or other structure.

The following definitions are hereby adopted for the purposes of this article:

- 1) Adaptive controls mean mechanical or electronic devices, when used in the context of outdoor lighting systems, intended to actively regulate the switching, duration, and/or intensity of light emitted by the outdoor lighting system. Examples of adaptive controls include timers, dimmers and motion-sensing switches.
- 2) Beam of a light fixture means the spatial distribution of the emitted light.
 - a) Floodlight means a light fixture having a wide beam.
 - b) Spotlight means a light fixture having a narrow beam.
 - c) Searchlight means a light fixture with a narrow beam intended to be seen in the sky.
- 3) Correlated Color Temperature (CCT) means a measure of the color properties of light emitted by lamps, being equal to the temperature, expressed in Kelvins (K). CCT values are typically provided on lighting manufacturer packaging or data sheets.
- 4) Decorative holiday lighting means low-intensity string lights, whose luminous output does not exceed fifty (50) lumens per linear foot, and fully shielded floodlights, whose luminous output does not exceed one thousand (1,000) lumens and which are aimed and oriented in such a way as to not create light trespass onto another property nor into the night sky, operated only during prescribed periods of time during the calendar year.
- 5) Electronic Message Display means any illuminated sign of an informative or advertising nature, whether on-or off-premises, and operable at night, whose content is made visible to the viewer by means of luminous elements under active electronic control and therefore subject to alteration in order to vary the content of the message. Electronic displays may be either static or dynamic in terms of light color and intensity. *Exhibit 5 of Section 18-240 is a sample educational illustration about internally lit message displays*
- 6) Existing light fixtures means those outdoor light fixtures already installed at the time this article is adopted.
- 7) Fully Shielded means an outdoor luminaire constructed so that in its installed position, all of the light emitted from the light fixture is projected below the horizontal plane passing through the lowest light-emitting part of the fixture. *Exhibit 4 of Section 18-240 provides examples of properly shielded light fixtures.*
- 8) Glare means visual discomfort or impairment caused by a bright source of light in a direction near one's line of sight.
- 9) Greenhouse means any building that is constructed of glass, plastic, or other transparent material in which plants are grown under climate-controlled conditions and includes hoop houses and other similar structures.
- 10) Illuminance means the intensity of light in a specified direction measured at a specific point.
- 11) Light source means a light emitting portion of the luminaire and any diffusing elements and surfaces intended to reflect or refract light emitted from the lamp individually or collectively, for example, a lamp, bulb, lens, highly reflective surface, or frosted glass.

- 12) Light pollution means the unintended, adverse and /or obtrusive effect of the use of outdoor light at night.
- 13) Light trespass means light emitted from fixtures designed or installed in a manner that unreasonably causes light to fall on a property other than the one where the light is installed, in a motor vehicle drivers' eyes, or upwards toward the sky. If the light source is visible from another property or the public roadway, the light is creating light trespass. It is expected that the illumination produced by a light source may be viewed from other properties but the light source itself should not be visible from other properties. *Exhibit 3 of Section 18-240 is a sample educational illustration about light trespass.*
- 14) Lumen means the unit of measurement used to quantify the amount of light produced by a bulb or emitted from a light source. Lumen values are typically provided on lighting manufacturer packaging or data sheets. For the purposes of this article, unless otherwise stated, the lumen output values shall be the initial lumen output ratings as defined by the manufacturer, multiplied by the lamp efficiency. Lamp efficiency of 95% shall be used for all solid-state lamps and 80% for all other lamps, unless an alternate efficiency rating is supplied by the manufacturer.
- 15) Lumens per Net Acre means the total outdoor light output, as defined in this article, divided by the number of acres, or part of an acre with outdoor illumination. Undeveloped, non-illuminated portions of the property may not be included in the net acreage calculation.
- 16) Luminaire means a complete lighting assembly or lighting fixture, consisting of a lamp, housing, optic(s), and other structural elements, but not including any mounting pole or surface.
- 17) Luminance is a measure of light emitted by or from a surface.
- 18) Nit is the standard unit of measure of luminance used for internally illuminated signs, digital signs, or electronic message displays
- 19) Nonconforming means not conforming to the current ordinance.
- 20) Nonconforming outdoor lighting is lighting that was legally installed before the enactment of this article, that does not conform with the standards set forth in this article.
- 21) Outdoor Lighting means temporary or permanent lighting that is installed, located, or used in such a manner to cause light rays to shine outdoors.
 - a) Nonresidential fixtures that are installed indoors that cause light rays to shine outside are considered outdoor lighting for the intent of this article. *See Exhibit 1 of Section 18-240 for an illustration of this type of situation.*
 - b) Residential fixtures installed indoors generating more than 3,800 lumens (approximately equal to a 300-watt incandescent bulb) that cause light to shine outside are also considered outdoor lighting for the intent of this article. All of the lighting that illuminates the translucent portion of a greenhouse or solarium, including roofing material, is considered outdoor lighting for the intent of this article. *Exhibit 1 of Section 18-240 illustrates an example of indoor/outdoor lighting.*
- 22) Private lighting means outdoor light fixtures that are owned or leased or operated or maintained or controlled by individual persons, including but not limited to families, partnerships, corporations, and other entities engaged in the conduct of business or other non- governmental activities.
- 23) Public lighting means outdoor light fixtures that are owned or leased or operated or maintained or controlled by the City or other governmental entity or entities completely or partly funded by grants obtained by the City or its agents from federal, state or private sources. The light fixtures are normally located on, but are not limited to, streets, highways, alleys, easements, parking lots, parks, playing fields, schools, institutions of higher learning, and meeting places.

- 24) Sag-lens or drop-lens fixture means a fixture, typically seen on older streetlights or parking lot lights, where the lens extends below the lowest opaque part of the fixture such that light is scattered above the horizontal plane.
- 25) Shielding is made of Opaque material through which light does not escape.
- 26) Temporary lighting means non-permanent lighting installations installed and operated for a duration not to exceed thirty (30) days.
- 27) Total outdoor light output means the total amount of light, measured in lumens, from all outdoor light fixtures within the illuminated area of a property. The lumen value to be used in the calculation is the lumen value as defined in this article. To compute the total, add the lumen outputs attributed to each light fixture together.
- 28) Warranting – is the process used by the City of Alpine to determine whether lighting is required. Such warranting process shall not assume the need for any lighting nor for continuous lighting unless conditions warrant the need. Lighting shall only be installed where warranted.

(Ord. No. 2010-06-01, (exh. A), 9-7-10)

Sec. 18-233. - Existing outdoor light fixtures.

- ~~(a) To reduce glare, safety hazards for drivers and pedestrians, light trespass, and light pollution, all existing spotlights, floodlights, and wallpacks will be adjusted in accordance with the following provisions, excepting the lights at existing sports facilities used temporarily during scheduled sporting or related events.~~
 - ~~(1) For spotlights and floodlights mounted overhead on poles and used for area lighting, the axis of illumination will be adjusted to an angle not more than 20 degrees from the vertical line between the fixture and the ground (see Exhibits 1 and 2 of section 18-240).~~
 - ~~(2) For spotlights and floodlights mounted at or near ground level and used to light a building, billboard, or other structure, the axis of illumination will be adjusted to minimize the amount of light escaping above, below, and to the sides of the illuminated object.~~
 - ~~(3) Wallpacks will be shielded or replaced with full cut-off wallpacks.~~
- ~~(b) It will be the responsibility of the city to publish this article in the newspaper of record and to disseminate the ordinance [this article] by other appropriate means; to make it's best efforts, when possible, to identify those spotlights, floodlights, and wallpacks requiring adjustment; and, as time permits, to inform their owners of these provisions, including owners' right to apply for Dark Sky Fund assistance.~~
 - ~~(1) Any required adjustments should be completed within six months from the date of the adoption of the lighting ordinance or as soon as possible. Any owner who fails to comply with these provisions may be issued a warning notice. Any owner who further fails to comply after 30 days from the issuance of such warning notice may be subject to a fine of \$25.00 for each day of noncompliance, unless the city council grants a waiver or variance.~~

~~It is not the intent of this article to require an additional investment in order to comply with these provisions. Persons needing assistance to purchase light fixtures to comply with this article may apply for assistance from the Dark Sky Fund.~~

- ~~(c) All existing exterior lighting shall comply, if possible, with this lighting ordinance [this article] on or before January 1, 2015. All new construction shall comply after the adoption of this article.~~

~~(d) — An owner of a grandfathered luminaire may replace or modify the luminaire so that it conforms to this article if requested by a designated city official. However, the replacement or modification of the luminaire must be provided at no cost to the owner including materials and labor. For example, a grandfathered mercury vapor outdoor light may be retrofitted with a light shield to make it fully shielded.~~

- 1) All existing outdoor lighting that was legally installed before the enactment of this article, that does not conform with the standards specified by this article shall be considered nonconforming. Nonconforming outdoor lighting will be required to be replaced within five (5) years pursuant to the terms of this article.
- 2) If more than fifty percent (50%) of the total appraised value of a structure (as determined from the records of the county's appraisal district), has been destroyed, the nonconforming status expires, and the structure's previously nonconforming outdoor lighting must be removed and may only be replaced in conformity with the standards of this article.
- 3) Existing outdoor light fixtures that are Nonconforming shall be brought into conformance with this article as follows:
 - a) Nonresidential Application. All existing outdoor lighting located on a subject property that is part of an application for a rezoning application, conditional use permit, subdivision approval, or a building permit for a major addition is required to be brought into conformance with this article before final inspection, issuance of a certificate of occupancy, or final plat recordation, when applicable.
 - i) For the following permits issued by the City, the applicant shall have a maximum of 90 days from date of permit issuance to bring the lighting into conformance: site development permit, sign permit for an externally or internally illuminated outdoor sign, initial alcoholic beverage permit, initial food establishment permit, and on-site sewage facility permit.
 - b) Residential addition or remodel. Nothing herein shall be construed to terminate a residential property's nonconforming status as a result of an addition or remodel. However, all outdoor residential lighting that is affixed to a construction project requiring a building permit is required to conform the standards established by this ordinance.
- 4) Any currently "grandfathered" or lighting allowed by a variance, will be subject to this Outdoor Lighting Ordinance in 5 years unless a trigger causes it to be subject to the ordinance at an earlier date.
- 5) Additions, Modifications or Alterations:
 - a) Major Additions.
 - i) If a major addition occurs on a property, lighting for the entire property shall comply with the requirements of this Code. For purposes of this section, the following are considered to be:
 - (1) Additions of 25 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after the effective date of this Ordinance.
 - b) Single or cumulative additions, modification or replacement of 25 percent or more of installed outdoor lighting luminaires existing as of the effective date of this Ordinance.
 - c) Minor Modifications or Alterations and New Lighting Fixtures for Non-residential and Multiple Dwellings:
 - i) All additions, modifications, or replacement of more than 25 percent of outdoor lighting fixtures existing as of the effective date of this Ordinance shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting.

- 6) Outdoor lighting on any property that is not in conformance with this article shall be brought into conformance with this article within five (5) years from the date of adoption of this article.
- 7) New Uses or Structures or Change of Use.
 - a) All new construction and/or new luminaries installed (including replacements for existing fixtures) shall comply after the adoption of this article.
 - b) Whenever there is a new use of a property (zoning or variance change), or the use on the property is changed, all outdoor lighting on the property shall be brought into compliance with this Ordinance before the new or changed use commences.
 - c) Any new lighting shall meet the requirements of this Ordinance
- 8) Abandonment of nonconforming.
 - a) A nonconforming structure shall be deemed abandoned if the structure remains vacant for a continuous period of six (6) months. In that instance, the nonconforming status expires, and the structure's previously nonconforming outdoor lighting must be removed and may only be replaced in conformity with the standards of this article.
 - b) It is unlawful to expand, repair or replace outdoor lighting that was previously nonconforming, but for which the prior nonconforming status has expired, been forfeited, or otherwise abandoned.
 - c) Outdoor lighting on any property that is not in conformance with this article shall be brought into conformance with this article within five (5) years from the date of adoption of this article.
 - d) All new construction and/or new luminaires installed (including replacements for existing fixtures) shall comply after the adoption of this article.
- 9) Amortization:
 - a) On or before [amortization date -phase out], all outdoor lighting shall comply with this Code
 - b) Amortization Extension.
 - i) Residential property owners may make a request to the City for an amortization extension of up to a maximum of ten (10) years from the date a nonconforming fixture was installed provided that the fixture was compliant with existing City ordinances at the time it was installed, and that date of installation can be substantiated via documents, date stamped photographs, etc. or, at the prerogative of the City Manager, corroborative written statements.
 - c) Amortization (phase out) extensions to the date at which outdoor lighting shall conform with this article shall be on a per fixture basis with the following requirements:
 - i) The light fixture must be documented to cost at least \$100 when originally purchased.
 - ii) The fixture cannot be brought into compliance by changing the bulb or lighting element or installing shielding.
 - iii) If the bulbs or other lighting elements of the fixture require replacement during the amortization period, the replacement bulbs or lighting elements shall not be rated in excess of 2700 Kelvin.

(Ord. No. 2010-06-01, (exh. A), 9-7-10)

Sec. 18-234. - General Provisions ~~New light fixtures installed after the adoption of this article, including replacements for existing fixtures.~~

~~(a) Lighting at public and private outdoor sports facilities, including but not limited to playing fields, arenas, tracks, and swimming pools, will be shielded as well as is practicable to reduce glare, safety hazards, light trespass, and light pollution; will provide levels of illuminance consistent with nationally recognized Illuminating Engineering Society of North America (IESNA) standards; and will be~~

~~operated on a schedule that coincides with scheduled events. This article does not prohibit existing public facility use.~~

- ~~(b) No lighting of towers and associated facilities is allowed, except by permit, except for flagpoles and except as required by the Federal Aviation Administration or other federal or state agency. In coordination with the applicable federal or state agency, the applicant shall determine the maximum height of the tower that would not require lighting. If a proposed tower would require lighting, the applicant shall demonstrate that a tower height that requires lighting is necessary. Such justification shall include documentation showing:~~

- ~~(1) Coverage limitations;~~
- ~~(2) Type of system (e.g. cellular, radio, television);~~
- ~~(3) Technical and engineering details of the lighting to be installed; and~~
- ~~(4) Requirements of federal, state, and local agencies.~~

~~If a tower height that requires lighting is justified, the applicant shall demonstrate how the lighting will be shielded from the ground. Shielding of tower lighting onto nearby properties shall be installed as part of construction of the tower. If lighting is justified, slowly blinking red lights must be used at night. White strobe lights at night are prohibited.~~

- ~~(c) All outdoor lighting fixtures shall be full cutoff fixtures (see Exhibit 3 of section 18-240).~~

- ~~(1) New streetlights shall be full cutoff fixtures of approved historical design, utilizing a minimum output consistent with the safety of drivers and pedestrians.~~
- ~~(2) Sag lens or drop lens fixtures are prohibited.~~
- ~~(3) Streetlights and private lighting shall be allowed to shine on adjacent property in the absence of a complaint of light trespass by an owner or occupant.~~
- ~~(4) Light trespass is defined as 0.2 fe measured five feet above the ground five feet inside the property line with the detector aimed at the source. Upon receiving a complaint of light trespass from an owner or occupant, the city will evaluate the complaint. Where light trespass is found to occur, the city will take appropriate steps to eliminate or minimize the unwanted light emanating from a light on city property, or from private lighting. If a violation is found to occur the offender may switch to a lower wattage bulb or convert to FCO fixtures to become compliant.~~

- ~~(d) In the interest of conserving energy and protecting the environment, mercury vapor fixtures are prohibited.~~

- ~~(e) Each flag shall be lighted by one spotlight emitting no more than 1,800 lumens.~~

1) Shielding

- a) Unless exempted elsewhere in this article, all outdoor lighting shall be fully shielded.
- b) When the light source is on and is visible from a distance of four (4) times or more than the mounting height of the fixture, it is nonconforming.
- c) New streetlights shall be full cutoff fixtures (fully shielded) of approved historical design, utilizing a minimum output consistent with the safety of drivers and pedestrians.
- d) Mounting height or topography or proximity to other properties may cause public or private outdoor light fixtures to require additional shielding to prevent glare or an unsafe condition on properties other than the one on which it is installed.

- e) All of the lighting that illuminates the translucent portion of a greenhouse or solarium must be shielded so that no direct light shines outside of the structure and no more than 4% of the reflected or refracted illumination is allowed to escape outside the structure.
- f) Outdoor light fixtures with a maximum output of 200 lumens per fixture, regardless of the number of bulbs, may be left unshielded provided the source of the light is not visible from any other property and the fixture conforms to all other stipulations of this article. The output from these fixtures shall not exceed 10% of the lumens per net acre allowed by this article.
- g) *See examples in Section 18-240 Exhibit 4*

2) Light trespass is prohibited. No luminaire installed within City limits, except government owned streetlights, shall create conditions of light trespass.

- a) Government owned streetlights may only create light trespass below it within one hundred (100) feet of its installed location.
- b) All outdoor lighting except government owned street lighting shall be shielded so that the light source shall not be visible from any other property.
- c) Light trespass means light emitted from fixtures designed or installed in a manner that unreasonably causes light to fall on a property other than the one where the light is installed, in a motor vehicle drivers' eyes, or upwards toward the sky.
- d) If the light source is visible from another property or the public roadway, the light is creating light trespass.
- e) It is expected that the illumination produced by a light source may be viewed from other properties but the light source itself should not be visible from other properties.
- f) Upon receiving a complaint of light trespass from an owner or occupant, the city will evaluate the complaint. Where light trespass is found to occur, the city will take appropriate steps to eliminate or minimize the unwanted light emanating from a light on city property, or from private lighting. If a violation is found to occur the offender may switch to a lower wattage bulb or convert to FCO fixtures to become compliant.
- g) *Exhibit 3 of Section 18-240 is a sample educational illustration about light trespass.*

3) Outdoor Sports Facilities.

- a) Lighting at public and private outdoor sports facilities, including but not limited to playing fields, arenas, tracks, and swimming pools, will be shielded to the greatest practical extent to reduce glare, safety hazards, light trespass, and light pollution.
- b) Lighting will provide levels of illuminance that are adjustable according to task, allowing for illuminating levels not to exceed nationally recognized Illuminating Engineering Society of North America (IESNA) standards according to the appropriate class of play, as well as for lower output during other times, such as when field maintenance is being actively performed; and
- c) Lighting shall be provided exclusively for illumination of the surface of play and adjacent viewing stands, and not for any other application, such as lighting a parking lot; and
- d) Lighting must be extinguished by 11:00 p.m. or within one (1) hour of the end of active play. The outdoor sports facility lighting shall be fitted with mechanical or electronic timers to prevent lights from being left on accidentally overnight.
- e) Outdoor sports facility lighting will be exempted from the other regulations of this article if its design and installation, as certified by a professional engineer (PE) licensed in the state of Texas, adheres to the version of the International Dark-Sky Association's Criteria for Community-

Friendly Outdoor Sports Lighting operative at the time when the construction permit is submitted to the City for review.

4) Towers.

- a) No lighting of towers and associated facilities is allowed, except by permit, and except as required by the Federal Aviation Administration or other federal or state agency.
- b) In coordination with the applicable federal or state agency, the applicant shall determine the maximum height of the tower that would not require lighting.
- c) If a proposed tower would require lighting, the applicant shall demonstrate that a tower height that requires lighting is necessary.
- d) Such justification shall include documentation showing:
- e) Coverage limitations.
- f) Type of system (e.g., cellular, radio, television).
- g) Technical and engineering details of the lighting to be installed; and
- h) Requirements of federal, state, and local agencies.
- i) If a tower height that requires lighting is justified, the applicant shall demonstrate how the lighting will be shielded from the ground.
- j) Shielding of tower lighting onto nearby properties shall be installed as part of construction of the tower.
- k) If lighting is justified, slowly blinking red lights must be used at night.
- l) White strobe lights at night are prohibited (this needs clarification if ok to use during the daylight hours)
- m) *All outdoor lighting fixtures shall be full cutoff fixtures (see Exhibit 3 of section 18-240).*

5) Streetlighting

- a) New streetlights shall be full cutoff fixtures of approved historical design, utilizing a minimum output consistent with the safety of drivers and pedestrians.
- b) Sag-lens or drop lens fixtures are prohibited.
- c) Streetlights and private lighting shall be allowed to shine on adjacent property in the absence of a complaint of light trespass by an owner or occupant.
- d) Light trespass means light emitted from fixtures designed or installed in a manner that unreasonably causes light to fall on a property other than the one where the light is installed, in a motor vehicle drivers' eyes, or upwards toward the sky. If the light source from another property or the public roadway, the light is creating light trespass. It is expected that the illumination produced by a light source may be viewed from other properties but the light source itself should not be visible from other properties. Exhibit 3 of Section 18-240 is a sample educational illustration about light trespass.
- e) Upon receiving a complaint of light trespass from an owner or occupant, the city will evaluate the complaint. Where light trespass is found to occur, the city will take appropriate steps to eliminate or minimize the unwanted light emanating from a light on city property, or from private lighting. If a violation is found to occur the offender may switch to a lower wattage bulb or convert to FCO fixtures to become compliant.
- f) In the interest of conserving energy and protecting the environment, mercury vapor fixtures are prohibited.

6) Color Temperature.

- a) The correlated color temperature (CCT) of luminaries shall not exceed 2700 Kelvins.
- b) Luminaries rated below 2500 Kelvin are encouraged for better nighttime visibility.

7) Service Station Canopies and other building overhangs.

- a) All luminaires mounted on or recessed into the lower surface of service station canopies or other overhangs shall be fully shielded and utilize only flat lenses or windows.
- b) Shielding must be provided by the luminaire itself, and not by surrounding structures such as canopy edges.
- c) Light directed on service station pumps may be angled to illuminate the pump to the level of federal standards and to shield the light from normal view.

8) General curfew.

- a) In all nonresidential zones,
- b) All privately owned exterior lighting not adaptively controlled shall be extinguished by 11:00 p.m. or within one (1) hour of the end of normal business hours, whichever occurs later.
- c) Exterior lighting with adaptive controls shall reduce lighting to 25% or less of the total outdoor light output allowed by 11:00 p.m. or within one (1) hour of the end of normal business hours, whichever occurs later. Adaptive controls may be used to activate lights and resume normal light output when motion is detected and be reduced back to 25% or less of total outdoor light output allowed within 5 minutes after activation has ceased, and the light shall not be triggered by activity off property.
- d) Businesses whose normal operating hours are (24) twenty-four hours per day are exempt from this provision.
- e) All publicly owned lighting not adaptively controlled must be fully extinguished by 11:00 p.m., or within one (1) hour of the end of occupancy of the structure or area to be lit, whichever is later.
- f) All outdoor lighting is encouraged to be turned off when no one is present to use the light.

9) Lumen Caps.

- a) The lumen per net acre value is an upper limit and not a design goal; design goals should be the lowest level that meets the requirement of the task.
- b) Lumen per net acre values exclude governmental owned streetlights used for illumination of public rights-of-way and outdoor recreation facilities.
- c) Nonresidential Property. Total outdoor light output installed on any nonresidential property shall not exceed 50,000 lumens per net acre in any contiguous illuminated area.
- d) Residential Property. Total outdoor light output installed on any residential property shall not exceed 25,000 lumens per net acre in any contiguous illuminated area.

10) Adaptive Controls.

- a) All new publicly owned lights, including streetlights, will incorporate adaptive controls (e.g., timers, motion-sensors, and light-sensitive switches) to actively regulate the emission of light from light fixtures such that the lighting of areas is restricted to times, places and amounts required for safe occupancy.

11) Flagpoles.

- a) Property owners are encouraged to not illuminate flagpoles at night, but rather to hoist flags after dawn and lower flags before sunset.
- b) If flags are illuminated at night, lighting is permitted with the following conditions:

- i) Flagpoles with a height greater than 20 feet above ground level shall be illuminated only from above. The total light output from any luminaire mounted on top of or above a flagpole shall not exceed 800 lumens.
- ii) Flagpoles with a height equal to or less than twenty (20) feet above ground level may be illuminated from below with up to two (2) spotlight type luminaires emitting no more than 1,000 lumens, utilizing shields to reduce glare and prevent excessive light from shining around the intended target of illumination (the flag).
- iii) Luminaires are to be mounted so that their lenses are perpendicular to the flagpole and the light output points directly toward the flag(s).

12) Prohibitions.

- a) The use of the following types of outdoor lighting are prohibited, except as specifically exempted here or elsewhere in this article.
- b) Sag-lens or drop lens fixtures are prohibited. Sag-lens or drop-lens fixture means a fixture, typically seen on older streetlights or parking lot lights, where the lens extends below the lowest opaque part of the fixture such that light is scattered above the horizontal plane.
- c) Any luminaire that uses mercury vapor lamps is prohibited.
- d) Searchlights, skybeams, and similar lighting, except as required by emergency response personnel during emergency conditions.
- e) Any light that dynamically varies its output by intermittently fading, flashing, blinking, or rotating. This type of lighting includes strobe lighting.
- f) Light Trespass is prohibited. Refer to General Provisions.

13) Warranting.

- a) New installations of outdoor lighting will only be installed on public properties and right-of-way upon determination by the City Manager that a public safety hazard exists in the area to be lit, and that the hazard can only be effectively mitigated through the use of outdoor lighting and not through some other passive means, such as reflectorized roadway paint or markers.

(Ord. No. 2010-06-01, (exh. A), 9-7-10)

Sec. 18-235. - ~~Reserved~~ ~~Maximum maintained levels of illuminance required or permitted at specific facilities.~~

- ~~(a) Maximum, average, and minimum levels of illuminance (maintained) for different facilities are listed below in horizontal foot candles. Unless otherwise specified, minimum levels shall be the lowest consistent with safety and security.~~
 - ~~(1) Parking lots and parking areas: average 2.0 fc; minimum 0.2fc.~~
 - ~~(2) Entry areas near buildings: maximum 5.0 fc.~~
 - ~~(3) Service stations and other fueling facilities: maximum 10 fc in the area surrounding pump islands; parking areas and entry areas shall be lighted as required in subsections (a)(1) and (a)(2) of this section; drop lens fixtures are prohibited, whether mounted under canopies or on poles.~~
 - ~~(4) Sales lots where merchandise, including automobiles, is displayed at night: maximum 15 fc.~~
- ~~(b) For locations and facilities not specified herein, the city council may set acceptable levels of illuminance upon request based on guideline established by the IESNA.~~

~~(e) The use of searchlights is prohibited for advertising, attracting attention to any event, and for any other use except for emergency purposes.~~

(Ord. No. 2010-06-01, (exh. A), 9-7-10)

Sec. 18-236. – **Plan Submission and Compliance Review** ~~Large outdoor lighting projects.~~

~~(a) Any outdoor lighting project that will produce a luminous power of 100,000 lumens or more in the aggregate shall file a lighting plan with the city. A lighting plan shall be filed at the same time as any other plans required by the city and shall specify the following:~~

~~(1) Number and types of light fixtures to be used;~~

~~(2) Their output in lumens; and~~

~~(3) Photometric data from the manufacturer(s) showing the spatial distribution of the light output from the proposed fixtures, both on the ground and as a function of angle from the vertical (nadir).~~

~~(b) The lighting plan shall be reviewed by the city building official, taking into account factors, including but not limited to, levels of illuminance, luminance, glare, safety hazards, light trespass, and light pollution. The building official may seek input from community members knowledgeable about outdoor lighting during the review process. The building official shall approve or reject the plan within 30 days of submission, returning it to the applicant with an explanation. The applicant shall not move forward with the outdoor lighting project until the lighting plan is approved.~~

1) Any individual applying for a compliance review or building permit under this article intending to install new outdoor lighting or update existing outdoor lighting shall file a lighting plan with the City.

2) A lighting plan shall be filed at the same time as any other plans required by the City. The individual may obtain from City staff a document that lists all of the items that comprise a proper and complete outdoor lighting submittal.

3) The submittal shall contain, but not necessarily be limited to the following:

a) Plans must indicate

i) the number and location on the premises of proposed and existing light fixtures, the type of light fixture (the manufacturer's order number), the lamp type, Kelvin rating, initial lumens produced, the mounting height for each fixture, adaptive controls, building elevations for any structure whose interior lighting is defined as outdoor lighting per this article and the manufacturer's specification sheet for each light fixture.

ii) The number of acres or part of an acre that is to be illuminated contiguously, the square footage of the footprint for each structure within the area to be illuminated; and

iii) Any other evidence that the proposed installation will comply with this ordinance.

b) Compliance Review.

i) The lighting plan shall be reviewed by the City building official to determine compliance with this article, taking into account all factors, including but not limited to, levels of illuminance, luminance, glare, safety hazards, light trespass, and light pollution.

ii) The building official may seek input from community members knowledgeable about outdoor lighting during the review process.

iii) The building official shall approve or reject the plan within 30 days of submission, returning it to the applicant with an explanation.

iv) The applicant shall not move forward with the outdoor lighting project until the lighting plan is approved.

v) After the lighting plan is approved, no substitutions may be made for approved light fixtures without re- submitting the plan for review with the substitutions.

(Ord. No. 2010-06-01, (exh. A), 9-7-10)

Sec. 18-237. - Exemptions, temporary permitting, amendments, enforcement, civil remedies and public nuisance. ~~Exemptions, amendments, and variances:~~

~~(a) This article shall not apply to the following:~~

- ~~(1) Decorative holiday lighting from November 15 through the next January 15;~~
- ~~(2) Lighting required by the law to be installed on surface vehicles and aircraft;~~
- ~~(3) Airport lighting required by law;~~
- ~~(4) Temporary emergency lighting;~~
- ~~(5) Temporary lighting other than security lighting at construction projects; and~~
- ~~(6) Governmental facilities where compelling needs for safety and security are demonstrated, or government sports facilities.~~

~~(b) This article may be amended from time to time as local conditions change, and as changes occur in the recommendations of nationally recognized organizations such as the Illuminating Engineering Society of North America and the International Dark Sky Association, if the council wishes to do so.~~

~~(c) Nothing in this article shall be construed as limiting the right of any person or entity to pursue legal action against any other person or entity under any applicable law, including the doctrine of light trespass.~~

~~(d) The city council may grant variances in the application of the provisions of this article.~~

1) This article shall not apply to the following:

- a) Decorative holiday lighting from November 15 through the next January 15 during the hours of 6:00 a.m. to 11:00 p.m. each day, except that flashing holiday lights are prohibited on nonresidential properties. Holiday lights may be illuminated one additional seven (7) day period per calendar year.
- b) String, festoon, bistro, and similar lighting, provided that the emission of no individual lamp exceeds fifty (50) lumens, and no installation of such lighting exceeds, in the aggregate, six thousand (6,000) lumens. These lights must be rated at or below 2700 Kelvin.
- c) Underwater lighting of swimming pools and similar water features.
- d) Lighting required by law to be installed on surface vehicles and aircraft.
- e) Airport lighting required by law.
- f) Lighting required by federal or state laws or regulations.
- g) Temporary emergency lighting needed by law enforcement, fire and other emergency services as well as building egress lighting whose electric power is provided by either battery or generator.
- h) Lighting employed during emergency repairs of roads and utilities provided such lighting is deployed, positioned and aimed such that the resulting glare is not directed toward any roadway or highway or residence.
- i) Temporary lighting, other than security lighting, at construction projects provided such lighting is deployed, positioned and aimed such that the resulting glare is not directed toward any roadway or highway or residence.
- j) Governmental facilities where compelling needs are demonstrated.

- k) Temporary lighting, permitted in this article, for theatrical, television, performance areas, or events provided such lighting is deployed, positioned and aimed such that the resulting glare is not directed toward any roadway or highway or residence.

2) Temporary Permitting.

- a) Lighting such as that needed for theatrical, television, performance areas, or events may be allowed by temporary exemption.
- b) Temporary lighting that does not conform to the provisions of this article may be approved at the discretion City Council or the City Manager subject to submission of an acceptable Temporary Outdoor Lighting Permit.
- c) Permit term and renewal.
 - i) Permits issued shall be valid for no more than seven (7) calendar days and subject to no more than one renewal, at the discretion of City Manager, for an additional seven (7) calendar days.
- d) Conversion to a permanent status.
 - i) Any lighting allowed by Temporary Outdoor Lighting Permit that remains installed after fourteen (14) calendar days from the issue date of the permit is declared permanent and is immediately subject to all of the provisions of this article.
- e) Permit contents.
 - i) A request for a Temporary Outdoor Lighting Permit for a temporary exemption to any provision of this article must list the specific exemption requested and the start and end date of the exemption. Search lights, skybeams and similar lighting will not be allowed. The City may ask for any additional information which would enable a reasonable evaluation of the request for temporary exemption.

3) Amendment.

- a) This article may be amended from time to time as local conditions change, and as changes occur in the recommendations of nationally recognized organizations such as the Illuminating Engineering Society of North America and the International Dark-Sky Association, if the council wishes to do so.

4) Enforcement.

- a) It will be the responsibility of the City to publish this article in the newspaper of record and to disseminate the ordinance [this article] by other appropriate means; to publish information about the ordinance on the City website; and, as time permits, to inform owners of noncompliant lighting of these provisions.
- b) The City Manager is authorized to promulgate one or more interpretive documents to aid in the administration of, and compliance with, this article. Such interpretive documents, with examples such as Exhibits 1, 2, 3 and 4 of Section 18-240, shall be educational only and shall not constitute regulations, amendments, or exceptions.

5) Violations.

- a) It shall be unlawful to install or operate any outdoor lighting luminaire in violation of any provision of this article.
- b) Any person violating any provision of this article shall be guilty of a class A misdemeanor and may also be subject to suit for injunctive relief.
- c) Each and every day during which the illegal erection, maintenance and use of such nonconforming lighting continues shall be considered to constitute a separate offense.
- d) Any owner who fails to comply with these provisions may be issued a warning notice.

- e) The owner of the noncompliant lighting must, within 30 days from the issuance of such warning notice, submit a lighting plan as defined in Sec. 18-236 to come into compliance with this article.
- f) Any owner who further fails to comply after 60 days from the issuance of such warning notice may be subject to criminal and civil penalties including a fine of \$50.00 for each day of noncompliance, unless the City Council grants a waiver of the fine.

6) Civil remedies.

- a) Nothing in this article shall be construed as limiting the right of any person or entity to pursue legal action against any other person or entity under any applicable law, including the doctrine of light trespass.

7) Public nuisance.

- a) Any violation of this article that results in light trespass or an unreasonable interference with the common and usual use of neighboring property is hereby declared to be a public nuisance, which is prohibited by this article.

(Ord. No. 2010-06-01, (exh. A), 9-7-10)

Cross reference— Streets, sidewalks, and other public places, ch. 86.

Sec. 18-238. - Notification.

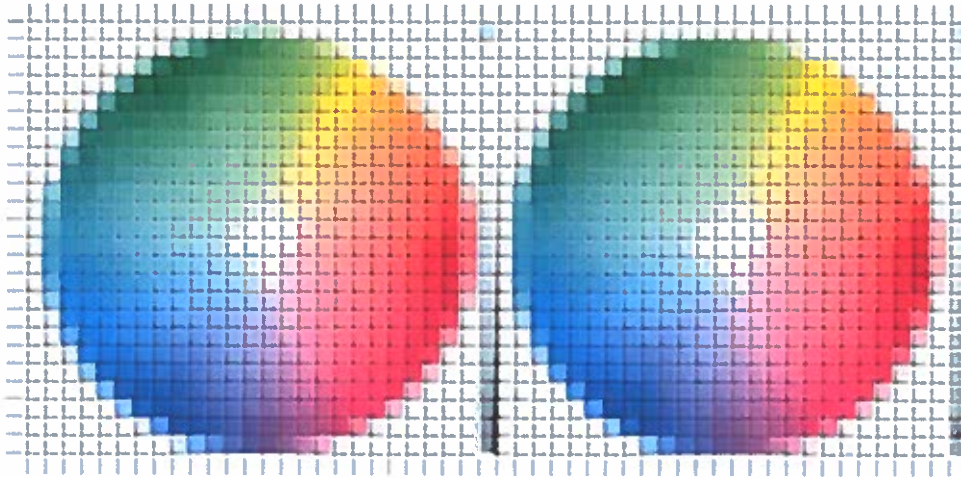
All building permit applicants will be notified of the city lighting ordinance [this article].

(Ord. No. 2010-06-01, (exh. A), 9-7-10)

~~Sec. 18-239. - Sign illumination.~~

- ~~(a) — All permanent signs may be non-illuminated, illuminated by internal, internal indirect (halo), or lit by external indirect illumination, unless otherwise specified. All illuminated signs shall be extinguished at 11:00 p.m. or when the use or activity closes, whichever is later.~~
- ~~(b) — Internal illumination. Outdoor, internally illuminated signs, including but not limited to awning/canopy signs, cabinet signs (whether freestanding or building mounted), changeable copy panels or service island signs, shall be constructed with an opaque background and translucent letters and symbols, or with a colored background and lighter letters and symbols. Where white or other night bright colors are part of a logo, such colors are permitted in the logo only, provided that such logo shall represent not more than 50 percent of the total sign area permitted. Colors considered to be "night bright", as used in this provision, are defined with reference to the color wheel below. Existing signs may be grandfathered in, or not subject to change as determined by the city council. If existing signs are damaged more than 50 percent, they will need to comply with the standards in this article.~~

Figure 1 - DELETE



Color Wheel "A" Sign Background – Color Wheel "B" Logo Color

Sec. 18-239. - Sign illumination.

- 1) All permanent signs may be non-illuminated, illuminated by internal, internal indirect (halo), or lit by external indirect illumination, unless otherwise specified. All illuminated signs shall be extinguished at 11:00 p.m. or within one (1) hour of the end of normal business hours, whichever occurs later. All sign illumination must comply with the correlated color temperature (CCT) requirements of this article.
- 2) Top-down lighting. Externally illuminated signs shall be lit only from the top of the sign, with fully shielded luminaires designed and installed to prevent light from spilling beyond the physical edges of the sign.
- 3) Outdoor internally illuminated signs (whether free standing or building mounted) shall be subject to all the following requirements:
 - a) The sign must be constructed with an opaque background and translucent letters and symbols or with a colored background and lighter letters and symbols. *See Exhibit 5 of Section 18-240 for examples.*
 - b) The internally illuminated portion of the sign **cannot** be white, cream, off-white, light tan, yellow or any light color unless it is part of a registered logo that does not have an alternate version with dark tones. Light tone colors such as white, cream, off-white, light tan, yellow or any light color are permitted in the logo only, provided that such colors in the logo shall represent not more than 33% of the total sign area permitted.
 - c) The internal illumination, between sunset and sunrise, is to be the lowest intensity needed to allow the sign to be visible for up to 1/2 mile from its installation and shall not exceed 100 nits.
- 4) Size limit. The luminous surface area of an individual sign shall not exceed 200 square feet.
- 5) Electronic message displays.
 - a) Electronic message displays are discouraged and shall comply with outdoor lighting curfews stipulated in this ordinance. Messages appearing on electronic displays shall not be displayed for less than (30) seconds and shall require no longer than 0.25 seconds to transition from one message to another. Moving and/or flashing text or images are prohibited.
- 6) Permitted location.

- a) Off-premises signs shall not be placed within one thousand (1,000) feet of another off-premises sign on the same side of an arterial street or highway, regardless of face orientation, or within one thousand (1,000) feet of a residential area.

7) *Refer to Exhibit 5. Internally Illuminated Signs.*

(Ord. No. 2010-06-01, (exh. A), 9-7-10)

Sec. 18-240. - Exhibits.

Figure 2- DELETE

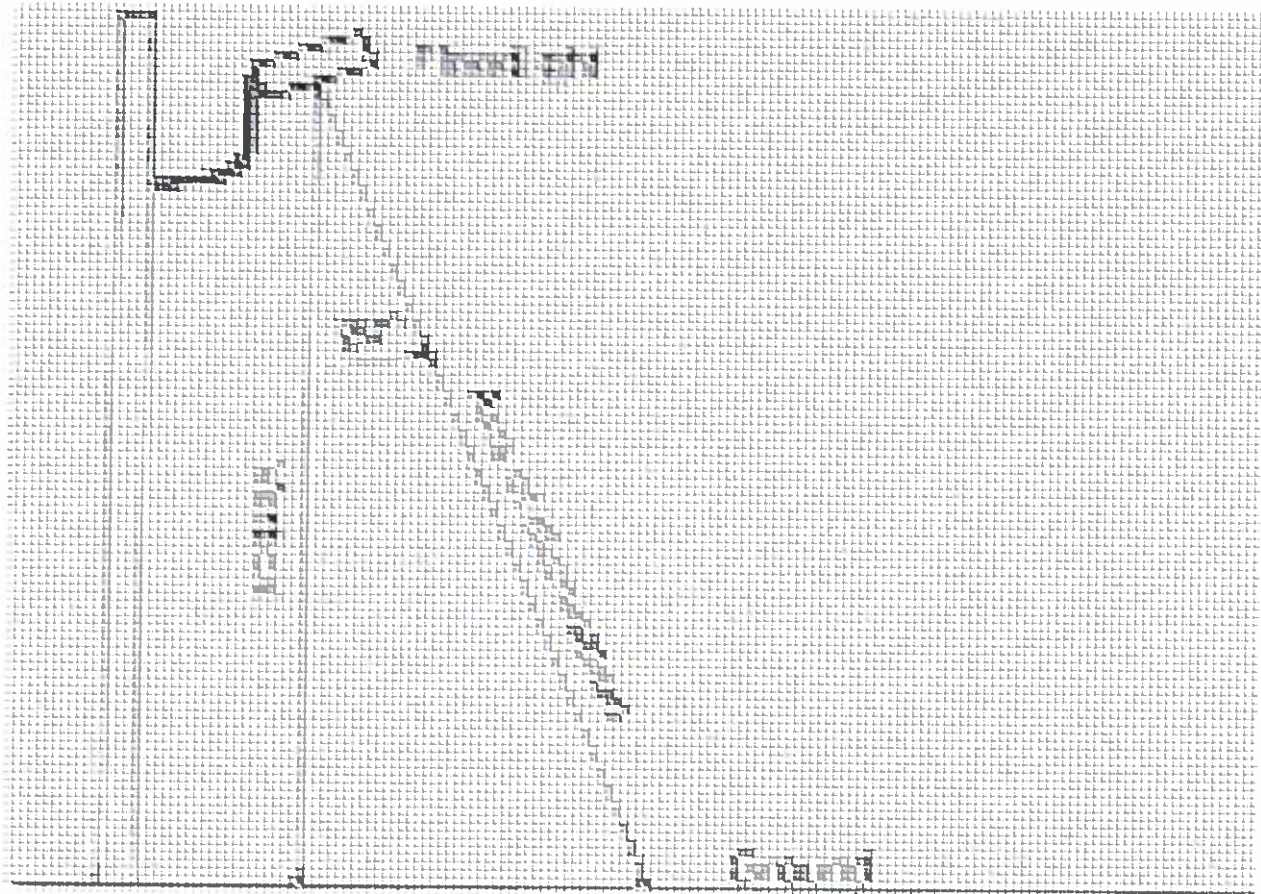


Exhibit 1. See [subsection 18-233(a)(1) of this article]: For spotlights and floodlights mounted overhead on poles and used for area lighting the axis of illumination shall be adjusted to an angle not more than 20 degrees from the vertical line between the fixture and the ground.

Figure 3- DELETE



~~Exhibit 2. A tool for aiming lights as in Exhibit 1, above. Place the upper edge of the tool against the lens, and adjust the fixture so the bubble shows level.~~

~~Exhibit 3. Unacceptable Fixtures and Acceptable Fixtures~~

~~AN ORDINANCE TO IMPROVE OUTDOOR LIGHTING~~

~~City of Alpine, Texas~~

~~Proposed changes to the City of Alpine lighting ordinance adopted in 2000 are designed to benefit residents and businesses in Alpine by constituting better nighttime visibility, public safety, energy efficiency, and preservation of the natural night environment. Please refer to [this article] for the complete Outdoor Lighting Ordinance. To reduce the economic impact to the community a Dark Sky Fund that is funded by private and public donations has been created.~~

~~The goal is not to turn off lights at night but direct it to where it is wanted and prevent it from being wasted into the night sky.~~

~~*Note: Recommended illumination levels established by Illuminating Engineering Society of North America shall be observed. When taking out an electrical permit, provide an isofooteandle plot and fixture 'cut sheet' for proposed lighting along with permit application.~~

Figure 4 - DELETE

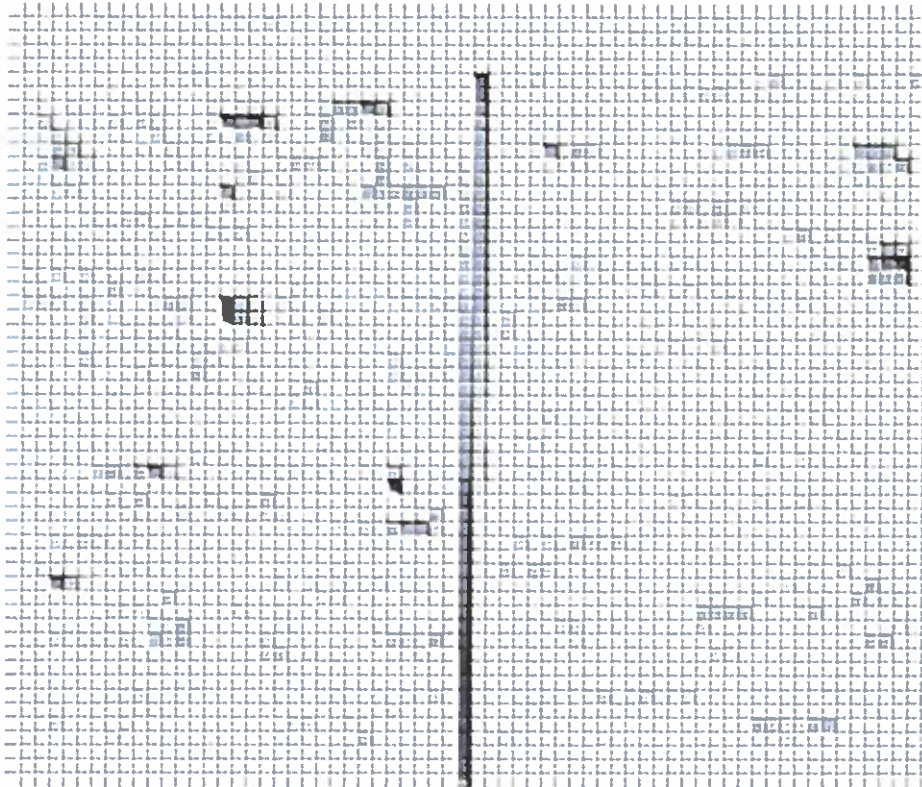
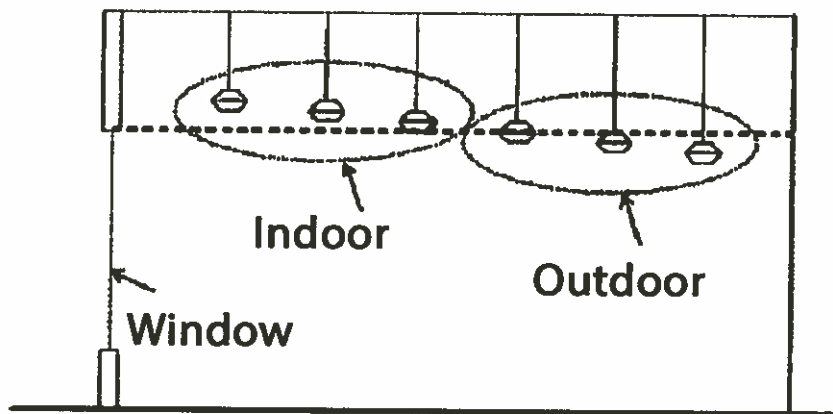


Exhibit 1. Indoor/outdoor lighting.



- 1) Elevation view showing an example of a nonresidential application of indoor lighting, labeled “Outdoor”, which will be subject to this article.
- 2) The example presumes the structure in question is not elevated such that any of the luminaires labeled “Indoor” may be seen from any other property.
- 3) If the structure is elevated such that the luminaires labeled “Indoor” are visible from another property then, they are actually “outdoor lighting” and subject to this article.
- 4) All luminaires under skylights or other translucent roofing materials are subject to this article just as the fixtures behind the window are in this example.

Exhibit 2. An illustration of best outdoor lighting practices.



- 1) Light fixtures/luminaires with no shielding waste light into the sky.
- 2) Use shielding to reclaim wasted light and direct it to the area to be lit.
- 3) Lower the correlated color temperature (CCT) from “cool” white light to “warm” white.
- 4) Lower the intensity to provide as much light as needed for the application, but no more.
- 5) Use adaptive controls, e.g., timers, half-night photocells, motion sensors, etc., to limit the hours the light is in use.

Exhibit 3. Light Trespass



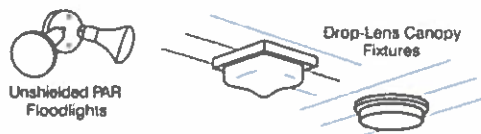
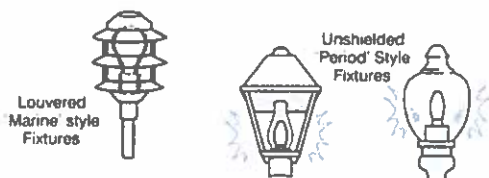
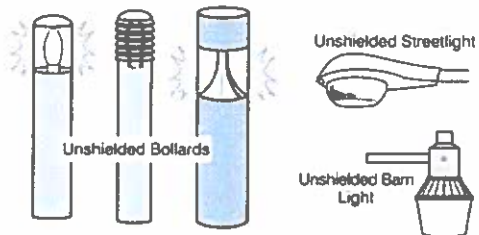
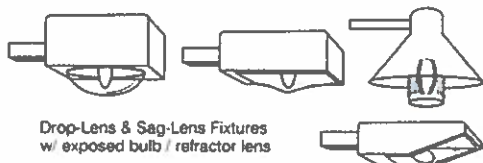
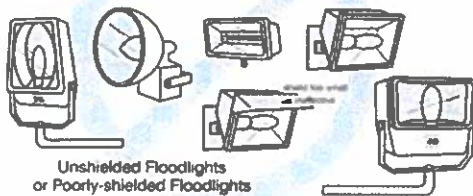
- 1) Light trespass means light emitted from fixtures designed or installed in a manner that unreasonably causes light to fall on a property other than the one where the light is installed, in a motor vehicle drivers' eyes, or upwards toward the sky.
- 2) If the light source is visible from another property or the public roadway, the light is creating light trespass.
- 3) It is expected that the illumination produced by a light source may be viewed from other properties but the light source itself should not be visible from other properties.
- 4) Upon receiving a complaint of light trespass from an owner or occupant, the city will evaluate the complaint.
- 5) Where light trespass is found to occur, the city will take appropriate steps to eliminate or minimize the unwanted light emanating from a light on city property, or from private lighting.
- 6) If a violation is found to occur the offender may switch to a lower wattage bulb or convert to FCO fixtures to become compliant.

Exhibit 4. Unacceptable Fixtures and Acceptable Fixtures - Note the presence or absence of shielding, the purposeful design and the direction the light is intended to shine towards.

Examples of Acceptable / Unacceptable Lighting Fixtures

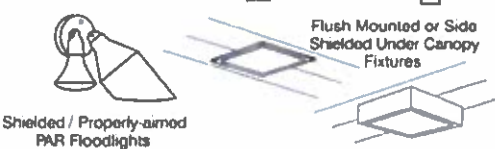
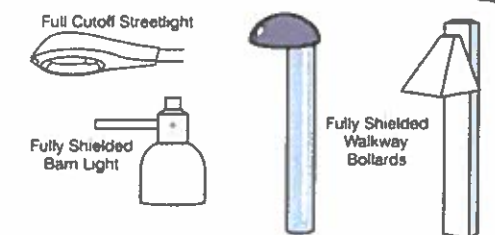
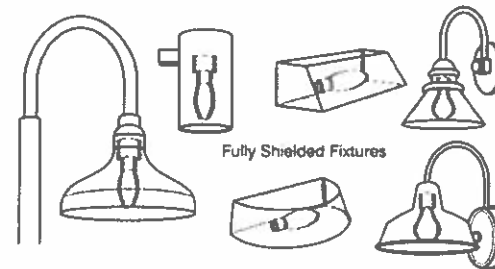
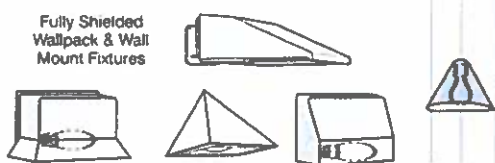
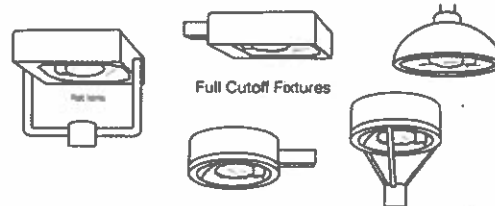
Unacceptable / Discouraged

Fixtures that produce glare and light trespass









Acceptable

Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night



Illustrations by Bob Cretn © 2005. Rendered for the Town of Southampton, NY. Used with permission.

Exhibit 5. Internally Illuminated Signs.

Light Background <input checked="" type="checkbox"/>	Colored Background <input checked="" type="checkbox"/>	Opaque Background <input checked="" type="checkbox"/>
		
		

(Ord. No. 2010-06-01, (exh. A), 9-7-10)

Secs. 18-241—18-250. - Reserved.