



CITY OF ALPINE
REGULAR CITY COUNCIL MEETING
803 W. Holland Avenue, Alpine, Texas 79830
Tuesday, August 2, 2022 - 5:30 P.M.

Notice is hereby given that the City Council of the City of Alpine, Texas will hold a regular meeting at 5:30 P.M. on August 2, 2022, in City Council Chambers, at 803 West Holland Avenue, in the City of Alpine, Texas for the purpose of considering the attached agenda. This notice is posted pursuant to the Texas Open Meetings Act (Government Code Sec. 551.043). **PUBLIC NOTICE – THE USE OF CELLULAR PHONES AND ELECTRONIC EQUIPMENT IS PROHIBITED IN THE CITY COUNCIL CHAMBERS DURING MEETINGS OF THE CITY COUNCIL EXCEPT FOR PURPOSES EXPLICITLY AUTHORIZED BY STATE LAW (TEXAS GOVERNMENT CODE SEC. 551.023).** This meeting will be conducted in accordance with the official Rules of Decorum for City Council Meetings available at www.cityofalpine.com/decorum. Public Comments are limited to agenda items only. Individuals who wish to address the City Council may do so by completing a Public Comment Card and by placing the completed card on the City Secretary's desk not later than five minutes before the commencement of the meeting. The Public Comment Card may also be completed online at www.cityofalpine.com/councilcomments. A Public Comment Card is not required for speakers who wish to comment on a Public Hearing item. When speakers are acknowledged, please approach the microphone at the podium and state your name and Ward for the record. Public Comments are limited to 3 minutes per person, and a bell will signal the end of each speaker's time. Please conclude speaker comments promptly when the bell rings. State law generally prohibits the Council from discussing or taking any action on any issue not included on the agenda, but if appropriate, the Council may schedule the topic for future discussion or refer the matter to staff. **NO PERSONAL ATTACKS ON COUNCIL MEMBERS OR CITY STAFF WILL BE ALLOWED.** The Mayor and/or City Council Members may call a point of order to stop personal attacks. If an individual continues to personally attack an elected official or staff member in a meeting, they may be barred.

AGENDA

1. **Call to Order.**
2. **Determination of a Quorum and Proof of Notice of the Meeting.**
3. **Public Comments** – (limited to 3 minutes per person)
4. **Presentations, Recognitions, and Proclamations** –

1. Presentation to Jovannie Gonzales for her 20 years of service to the City (C. Eaves, Mayor)

5. **Reports** –

City Mayor Report

- Meet with the Mayor
- Drones
- West Texas Rural Philanthropy Days
- Border Patrol and 911 Memorial
- Emergency Sirens
- Alpine Independent School District
- Visitor Center Grand Opening and Ribbon Cutting
- Entertainment Events Around Town
- Sul Ross Small Business Development Center

City Attorney Report

- None.

City Manager Report

- Drip Program
- County/City Clean Up – West Sul Ross
- Use of Private Well – Daugherty
- Hotel Occupancy Tax Collections

City Staff Update

- Animal Services Report by Animal Services Supervisor, Jennifer Stewart.
- Visitor Center Report by Visitor Center Coordinator, Heather Yadon.

6. **Public Hearings** –

1. Public Hearing to obtain citizen views and comments regarding the second and final reading of Ordinance 2022-07-01, an ordinance annexing Lots Two through Twelve, Block One, Allen Addition to Brewster County that is adjacent and contiguous territory to the City.

2. Public Hearing to obtain citizen views and comments regarding the first reading of Ordinance 2022-08-01, an ordinance making appropriations for the support of the City of Alpine, Texas for the fiscal year beginning October 1, 2022, and ending September 30, 2023; Appropriating money to a sinking fund to pay interest and principal on the City's indebtedness; Adopting the annual budget of the City of Alpine, Texas for the Fiscal Year 2022-2023.
3. Public Hearing to obtain citizen views and comments regarding a Conditional Use Permit application allowing applicants, Stephen & Elizabeth Wood, to establish a mixed-use occupancy residential and commercial business with a detached commercial kitchen on-premise. The property is located at 209 N 13th St. Record property owners are Stephen & Elizabeth Wood.
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 July 19, 2022, Regular Meeting Minutes (G. Calderon, City Secretary)
 2. Approval of the Fiscal Year 2022-2023 Blue Cross and Blue Shield renewal rates (M. Antrim, City Manager)
 3. Approval of the Fiscal Year 2022-2023 Humana renewal rates (M. Antrim, City Manager)
8. **Information or Discussion Items**
 1. Discussion regarding proposed changes to Boards, Commissions, and Committees up to and including the draft handbook and prospective ordinance changes (M. Antrim, City Manager)
 2. Discussion regarding the Texas Disposal Systems plastic bag landfill issue, and how the issue is being addressed (S. Tandy, City Council)
 3. Discussion regarding the paving on Orange Street (S. Tandy, City Council)
 4. Discussion regarding the Fiscal Year 2023 Tax Rates (M. Antrim, City Manager)
9. **Action items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable.** (Action items limited to 10 per meeting).
 1. Approve the second and final reading of Ordinance 2022-07-01, an ordinance annexing Lots Two through Twelve, Block One, Allen Addition to Brewster County that is adjacent and contiguous territory to the City; Approving a service plan for the annexed area (M. Antrim, City Manager)
 2. Approve the first reading of Ordinance 2022-08-01, an ordinance making appropriations for the support of the City of Alpine, Texas for the fiscal year beginning October 1, 2022, and ending September 30, 2023; Appropriating money to a sinking fund to pay interest and principal on the

City's indebtedness; Adopting the annual budget of the City of Alpine, Texas for the Fiscal Year 2022-2023. (M. Antrim, City Manager)

3. Approve the first reading of Ordinance 2022-08-02, an ordinance amending Chapter 2 - Administration; Amending Article V - Records Management to the Alpine Code of Ordinances (M. Antrim, City Manager)
4. Approve Resolution 2022-08-01, a resolution approving the recommended Hotel Occupancy Tax Grant Awards from the Hotel Occupancy Tax Committee for the Fiscal Year 2022-2023 (M. Antrim, City Manager)
5. Approve a Conditional Use Permit application allowing applicants, Stephen & Elizabeth Wood, to establish a mixed-use occupancy residential and commercial business with a detached commercial kitchen on-premise. The property is located at 209 N 13th St. Record property owners are Stephen & Elizabeth Wood. The Planning & Zoning Commission has recommended approval of the Conditional Use Permit (M. Antrim, City Manager)

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

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

11. Executive Session – None.

12. Action – Executive Session – None.

13. Adjourn.

CERTIFICATION

I, Geoffrey R. Calderon, do hereby certify that this notice was posted at City Hall, a convenient and readily accessible place to the general public, and on the City website at www.cityofalpine.com pursuant to Section 551.043, Texas Government Code. The said notice was posted by 2:00 P.M. on July 29, 2022, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting. This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the Office of the City Secretary at (432) 837-3301, option 1, or email city.secretary@ci.alpine.tx.us for further information.


Geoffrey R. Calderon, City Secretary



INTRODUCTION OVERVIEW

1. **Call to Order.**
2. **Determination of a Quorum and Proof of Notice of the Meeting.**
3. **Public Comments** – (limited to 3 minutes per person)
4. **Presentations, Recognitions, and Proclamations** –
 1. Presentation to Jovannie Gonzales for her 20 years of service to the City (C. Eaves, Mayor)

REPORTS OVERVIEW

5. Reports –

City Mayor Report

- Meet with the Mayor
- Drones
- West Texas Rural Philanthropy Days
- Border Patrol and 911 Memorial
- Emergency Sirens
- Alpine Independent School District
- Visitor Center Grand Opening and Ribbon Cutting
- Entertainment Events Around Town
- Sul Ross Small Business Development Center

City Attorney Report

- None.

City Manager Report

- Drip Program
- County/City Clean Up – West Sul Ross
- Use of Private Well – Daugherty
- Hotel Occupancy Tax Collections

City Staff Update

- Animal Services Report by Animal Services Supervisor, Jennifer Stewart.
- Visitor Center Report by Visitor Center Coordinator, Heather Yadon.



**CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
AUGUST 2, 2022**

REPORTS

1. City Mayor Report

- Meet with the Mayor
- Drones
- West Texas Rural Philanthropy Days
- Border Patrol and 911 Memorial
- Emergency Sirens
- Alpine Independent School District
- Visitor Center Grand Opening and Ribbon Cutting
- Entertainment Events Around Town
- Sul Ross Small Business Development Center

BACKGROUND

NONE.

SUPPORTING MATERIALS

NONE.

STAFF RECOMMENDATION

N/A



CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
AUGUST 2, 2022

REPORTS

1. City Manager Report
 - Drip Program
 - County/City Clean Up – West Sul Ross
 - Use of Private Well – Daugherty
 - Hotel Occupancy Tax Collections

BACKGROUND

NONE.

SUPPORTING MATERIALS

NONE.

STAFF RECOMMENDATION

N/A



**CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
AUGUST, 2022**

REPORTS

1. City Staff Update
 - Animal Services Report by Animal Services Supervisor, Jennifer Stewart

BACKGROUND

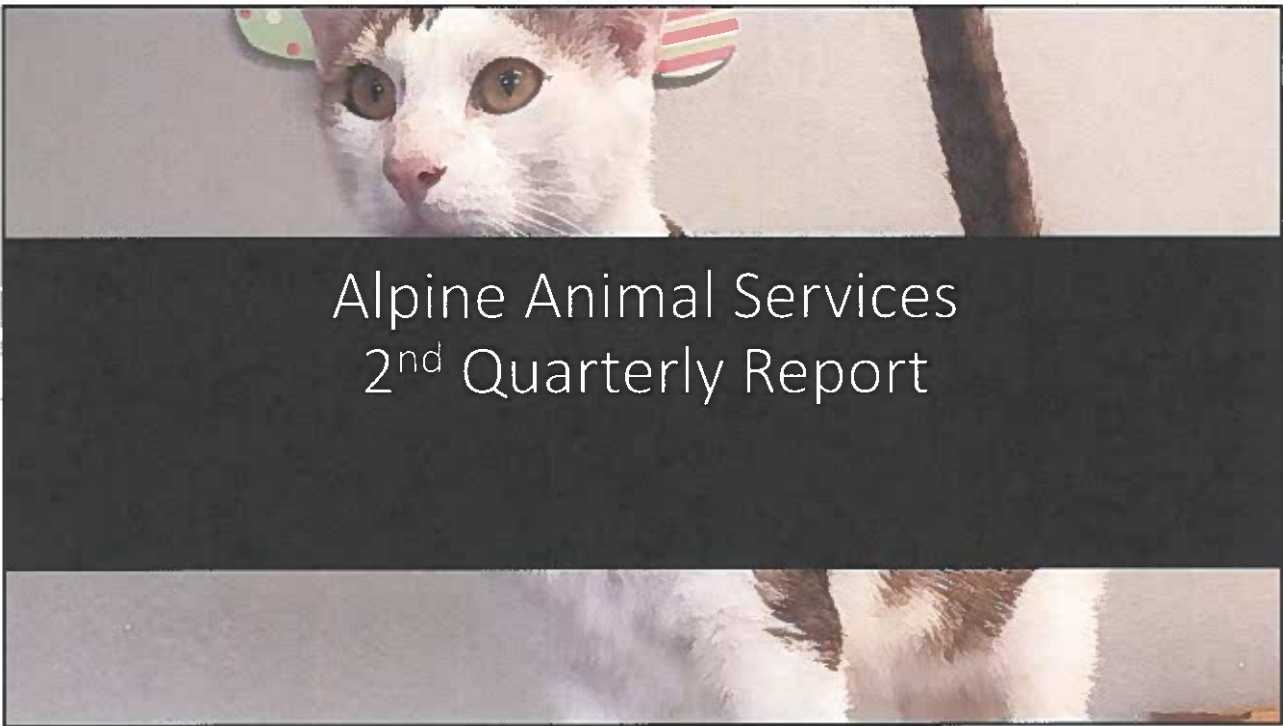
NONE.

SUPPORTING MATERIALS

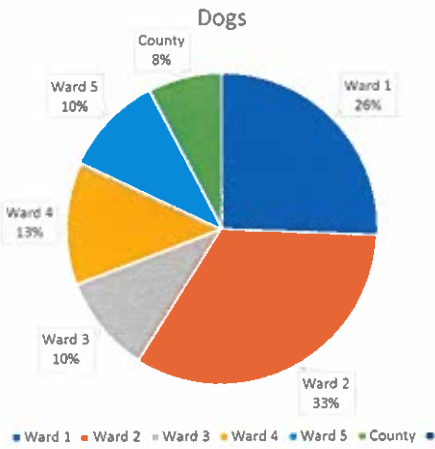
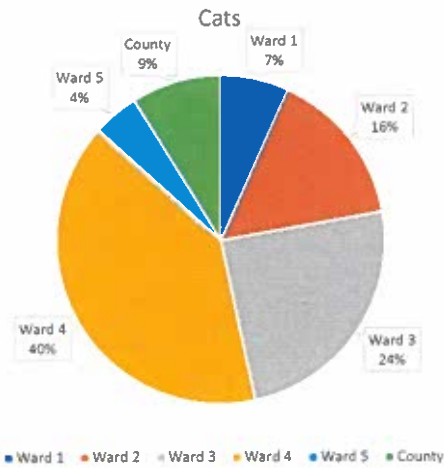
1. Slide Presentation.

STAFF RECOMMENDATION

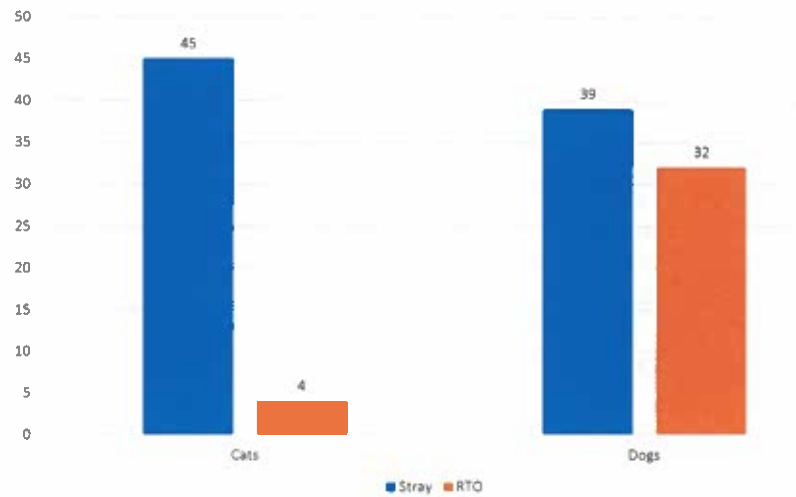
N/A



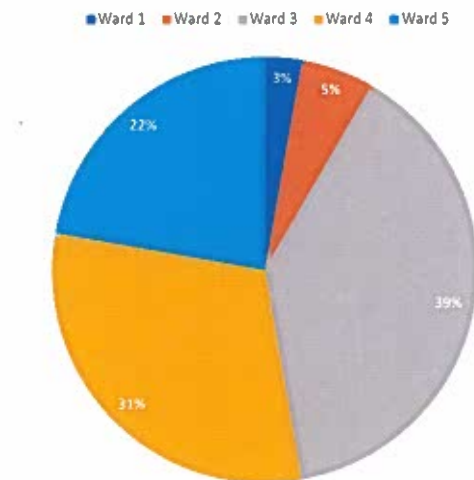
Stray intakes by ward



Returned to owner



Feral cat intakes by ward





Surrenders

- Total: 9
- Cats: 5
- Dogs: 4



Other intakes

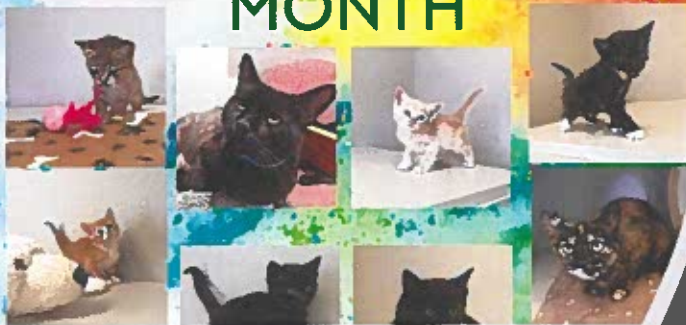
- 1 dog brought in for quarantine
- 3 kittens born in care

Adoptions

- 38 total
- 11 cats
- 14 dogs
- 13 chickens



ADOPT-A-CAT MONTH



June is Adopt-A-Cat Month

9 cats were adopted and
3 were transported



CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
AUGUST 2, 2022

REPORTS

1. City Staff Update
 - Visitor Center Report by Visitor Center Coordinator, Heather Yadon

BACKGROUND

NONE.

SUPPORTING MATERIALS

1. Slide Presentation.

STAFF RECOMMENDATION

N/A

Alpine Visitor Center

Visitor Center Open House

Official Ribbon Cutting and Open House of the new additions to the Alpine Visitor Center.

Thank you to everyone who joined us and to our partners from the hotel and lodging industry that continue to help us make Alpine a place that people want to come and visit.

Some of the things that we are still working to complete before the end of the fiscal year is the perineal landscaping. I want to thank Morrisons, Murphy Street Mercado and El Papalote for giving us great prices on plants and me lots of tips.

Visit Alpine Pavilion Events

Viva Big Bend Local Showcase- after our ribbon cutting, we were excited to kickoff a showcase of local musicians for Viva Big Bend. This was hosted by Desert Debo and also featured Tom Griffith, Texas Sage and Jeb Spacepilot. This is our second year of hosting a free Viva event and having the new space to do it in was wonderful!

Viva Big Bend Kids Show- Our new pavilion was also the location of the Viva Big Bend Kids Show with Mr. Will. This show has been held at Plaine in the past but with that business closing and our construction complete we were happy to have the kids show here and hope to have it here again. We served free snow cones and popcorn for the kids.

Family Fun Day- This event was put on by the Family Crisis Center of the Big Bend with the Visitor Center offering the new pavilion and yard space for them. Visit Alpine also sponsored A Few Too Many to provide entertainment for the event. There were bouncy houses, face painting, food and lots of fun. The attendance is estimated at around 200 people for this entirely FREE event. The Family Crisis Center is hoping to make this an annual event.

M.U.S.I.C- This stand for Musicians Under the Stars In a Circle so when they are at the Visitor Center they use both the pavilion and the lawn. They welcome any musicians to join in and play or anyone and everyone is welcome to just come and enjoy the music. They hosted their June jam session here. With so many musicians busy with Viva Big Bend they did not host a July MUSIC but will return again in August.

Alpine Multi-cultural Festival

Visit Alpine was at the Multi-Cultural Festival on Sunday June 12th. This was a 2-day event at Kokernot Park. With temperatures over 100 at the height of the day it was very warm and attendance was lower with many people not staying for extended periods of time. We did offer Alpine info to anyone looking to explore our City further or make a return trip. Because the festival largely featured music, we promoted Viva Big Bend heavily as an event to come back for. I want to thank the festival organizers Eva and Ramon Olivas for offering us the chance to be there.

July 4th Celebration

Visit Alpine had an information tent at the annual July 4th celebration in Kokernot Park. Again, thank you to Rhonda Cole and the Kiwanis Club for letting us be at the park to reach out to visitors. There was a large number of out-of-town guests at this event. Many made a weekend out of experiencing all the July 4th festivities in the Big Bend region by also attending the Fort Davis celebrations and Cowboys Baseball games.

Theatre of the Big Bend Promos

The Theatre of the Big Bend welcomed an entire cast of professional actors to Alpine this summer for You're A Good Man Charlie Brown. After our success in using a digital press kit to get Spirits of the West to news

organizations we suggested Theatre of the Big Bend produce similar material. Because they are capable of producing the video news stories themselves, they were able to reach audiences in Midland/Odessa, San Angelo and El Paso for very low cost. Visit Alpine helped by giving guidance on the video formats needed for television news and distribution of the press kit.

Visit Alpine Info Bags and Giveaways for Additional Events

250 Bags for West Texas Philanthropy Days

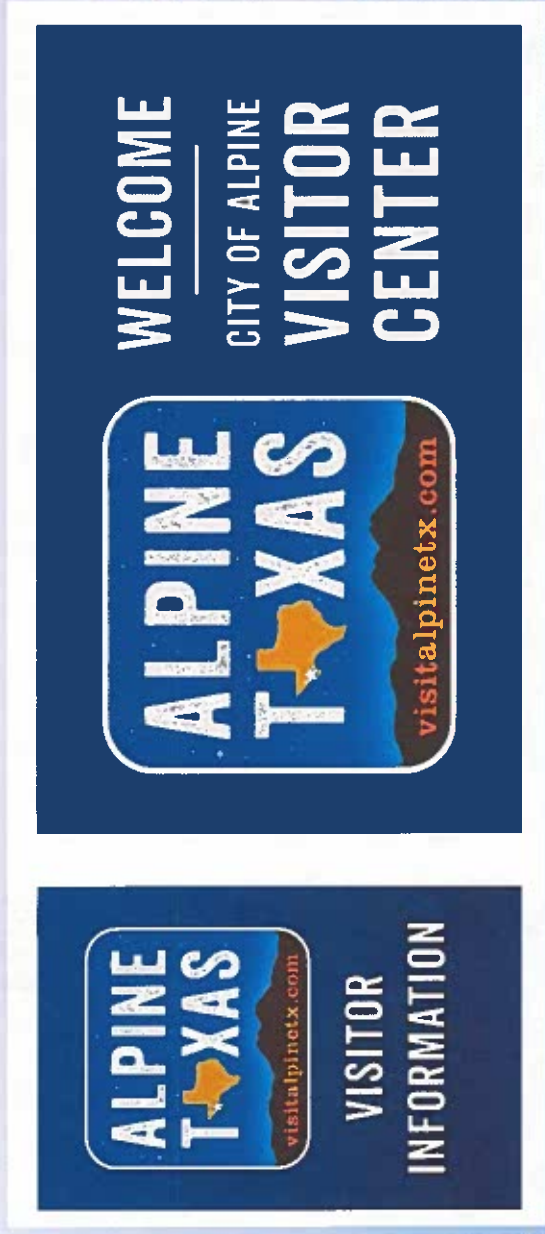
125 Giveaways for Legends Golf Tournament

75 Giveaways for Artwalk Sponsors Events

75 Giveaways for Viva Big Bend VIP

Visitor Center Updates

New Sign and Landscaping



Visit Alpine Pavilion



Family Fun Day



Visit Alpine Pavilion

M.U.S.I.C Circle





Multi-Cultural Festival

July 4th Celebration



Theatre of the Big Bend Promotion



July 19 at 6:26 AM

The show gives audiences a look into the lives of Charlie Brown and



NEWSWEST9.COM

'You're a Good Man, Charlie Brown' holds final week of pe
the Big Bend

Theatre of the Big Bend is with Chris Ruggia and 4 others.

July 18 at 8:50 PM

Look who made the news in El Paso! <https://www.youtube.com/watch?v=qadNuYQaFIU>

Get your tickets for closing weekend! Last three shows July 22, 23, and 24 at the Kokernot Outdoor Theatre. Curtain at 8:00 pm. Don't miss this wonderful show! Visit www.bit.ly/sulross-theatre for tickets. #sulrossstateuniversity #visitalpinetx

REMEMBER THIS?

YOUTUBE.COM

ABC 7 at 4 "You're a Good Man, Charlie Brown" in Alpine

ABC 7 at 4 "You're a Good Man, Charlie Brown" in Alpine

You, Abbey Branch and 8 others

2 Comments

PUBLIC HEARING OVERVIEW

6. Public Hearings –

1. Public Hearing to obtain citizen views and comments regarding the second and final reading of Ordinance 2022-07-01, an ordinance annexing Lots Two through Twelve, Block One, Allen Addition to Brewster County that is adjacent and contiguous territory to the City.
2. Public Hearing to obtain citizen views and comments regarding the first reading of Ordinance 2022-08-01, an ordinance making appropriations for the support of the City of Alpine, Texas for the fiscal year beginning October 1, 2022, and ending September 30, 2023; Appropriating money to a sinking fund to pay interest and principal on the City's indebtedness; Adopting the annual budget of the City of Alpine, Texas for the Fiscal Year 2022-2023.
3. Public Hearing to obtain citizen views and comments regarding a Conditional Use Permit application allowing applicants, Stephen & Elizabeth Wood, to establish a mixed-use occupancy residential and commercial business with a detached commercial kitchen on-premise. The property is located at 209 N 13th St. Record property owners are Stephen & Elizabeth Wood.

CONSENT AGENDA OVERVIEW

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

1. Approval of July 19, 2022, Regular Meeting Minutes (G. Calderon, City Secretary)
2. Approval of the Fiscal Year 2022-2023 Blue Cross and Blue Shield renewal rates (M. Antrim, City Manager)
3. Approval of the Fiscal Year 2022-2023 Humana renewal rates (M. Antrim, City Manager)



**CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
AUGUST 2, 2022**

CONSENT AGENDA

1. Approval of July 19, 2022, Regular Meeting Minutes (G. Calderon, City Secretary)

BACKGROUND

NONE.

SUPPORTING MATERIALS

1. July 19, 2022, Regular Meeting Minutes

STAFF RECOMMENDATION

APPROVE.

City of Alpine
Regular City Council Meeting
Tuesday, July 19, 2022
Minutes

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

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

City Council Members Present:

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

Not Present:

None.

City Staff Present:

Megan Antrim, City Manager
Geoffrey R. Calderon, City Secretary
Darrell Losoya, Chief of Police
Keith Segar, Director of Utilities
Andrew Devaney, Director of Building Services
Chris Ruggia, Director of Tourism
Jessica Boorse, Permit Technician
Adelina Beall, Environmental Services Coordinator
Abel Hinojos, Airport Supervisor

Mayor Eaves announced that a quorum of the City Council was present at the City Council Chambers and City Secretary, Geoffrey Calderon, reported that the meeting agenda was posted by 2:00 P.M. on July 15, 2022.

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

- Rick Stephens, Ward 5, expressed concern over the proposed 2022-203 Fiscal Year Budget.
- Karen Cantrell, Ward 1, expressed concerns regarding the noise ordinance and supported proposed enhancements.

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

2. **Reports** – Copies of presentations displayed during the meeting are posted on the City website at www.cityofalpine.com/reports –

City Mayor Report

- Budget Workshops
- Speeding on Gallego and One Ways
- Follow up on the Wild Hog Situation
- Downtown Trees and Clocks
- Community Clean-Ups
- Sign up to receive text messages for emergency warnings
- Emergency Sirens
- Noise ordinance
- Sul Ross University Topping off Ceremony for Museum Complex addition
- Update on Partnership with Sul Ross State University - Dr. Robert Munoz
- Update on Partnership with Alpine Independent School District - Dr. Michelle Rinehart

- Meet with the Mayor - summaries of topics residents are concerned with: Daycare, Ladder Truck, Restrooms in parks, Budget, Road Construction, Hiring, Repairs to city buildings, City Vehicles

City Attorney Report

- None.

City Manager Report

- Finance Revenue & Expense Report

City Staff Updates

- Tourism Quarterly Report by Director of Tourism, Chris Ruggia
- Building Services Report by Permit Technician, Jessica Boorse
- Environmental Services Report by Environmental Services Coordinator, Adelina Beall

6. Public Hearings –

1. Public Hearing to obtain citizen views and comments regarding the first reading of Ordinance 2022-07-01, an ordinance annexing Lots Two through Twelve, Block One, Allen Addition to Brewster County that is adjacent and contiguous territory to the City.

- Rick Stephens, Ward 5, expressed concerns regarding the annexation of Lot 1.

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.) –

City Secretary, Geoffrey R. Calderon, announced that item no. 2 was withdrawn by the applicant due to a potential conflict of interest and will not be considered with the consent agenda:

Approval of the appointment of Phillip Carey to the At-Large position on the Planning & Zoning Commission (C. Eaves, Mayor)

Secretary Calderon announced the updated consent agenda items as follows:

1. Approval of July 5, 2022, Regular Meeting Minutes (G. Calderon, City Secretary)
2. Approval of the Fiscal Year 2022 - 2023 City Holidays (M. Antrim, City Manager)
3. Approval of 3rd Quarter Investment Report (M. Antrim, City Manager)

RESOLUTION 2022-07-19: On a motion by Councilor Rodriguez and seconded by Councilor Tandy to approve the consent agenda, the City Council unanimously voted to adopt the motion.

8. Information or Discussion items –

1. Alpine Public Library Quarterly Report by Executive Director, Don Wetterauer (M. Antrim, City Manager)
2. Emergent Air - EMS Provider Report by Walter Kuykendall (M. Antrim, City Manager)
3. Discuss requests from Senator C. Blanco and State Representative E. Morales for needs and challenges the City of Alpine is facing for possible legislation (M. Antrim, City Manager)
4. Discuss the first draft of the Fiscal Year 2022-2023 Proposed Budget (M. Antrim, City Manager)

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

1. Approve the first reading of Ordinance 2022-07-01, an ordinance annexing Lots Two through Twelve, Block One, Allen Addition to Brewster County that is adjacent and contiguous territory to the City; Approving a service plan for the annexed area (M. Antrim, City Manager)

RESOLUTION 2022-07-20: On a motion by Councilor Rodriguez and seconded by Councilor Stokes to approve, the City Council unanimously voted to adopt the motion.

2. Approve Resolution, 2022-07-16, a resolution authorizing the closure of the High Intensity Drug Trafficking Areas checking account (M. Antrim, City Manager)

RESOLUTION 2022-07-21: On a motion by Councilor Rodriguez and seconded by Councilor Johnson to approve, the City Council unanimously voted to adopt the motion.

3. Approve Resolution 2022-07-17, a resolution approving the Total Administrative Services Corporation Health Reimbursement Arrangement Employee Benefit for the Fiscal Year 2022-2023 (M. Antrim, City Manager)

RESOLUTION 2022-07-22: On a motion by Councilor Rodriguez and seconded by Councilor Tandy to approve, the City Council unanimously voted to adopt the motion.

4. Approve Resolution 2022-07-18, a resolution authorizing the City to participate in the Texas Water Development Board Asset Management for Small Systems Program (M. Antrim, City Manager)

RESOLUTION 2022-07-23: On a motion by Councilor Rodriguez and seconded by Councilor Sandate to approve, the City Council unanimously voted to adopt the motion.

5. Approve the renewal of the Tourism Director contract for FY 2022-2023 to include a 5% increase (M. Antrim, City Manager)

RESOLUTION 2022-07-24: On a motion by Councilor Rodriguez and seconded by Councilor Sandate to approve, the City Council unanimously voted to adopt the motion.

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

NOTICE: The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, Pursuant to Texas Government Code 551.071 (consultation with an attorney), 551.072 (deliberations about real property),

551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.086 (economic development).

11. Executive Session – None.

12. Action – Executive Session – None.

13. Adjourn. (7:40 P.M.)

APPROVED:

ATTEST:

Catherine Eaves, Mayor

Geoffrey R. Calderon, City Secretary

CERTIFICATION

I, Geoffrey R. Calderon, hereby certify that this notice was posted at City Hall, 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 by 2:00 P.M. on July 15, 2022, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting. This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the Office of the City Secretary at (432) 837-3301, option 1, or email city.secretary@ci.alpine.tx.us for further information.

Geoffrey R. Calderon, City Secretary



CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
AUGUST 2, 2022

CONSENT AGENDA

2. Approval of Fiscal Year 2022-2023 Blue Cross and Blue Shield Health Insurance renewal rates (M. Antrim, City Manager)

BACKGROUND

1. In FY 2021, the City signed a two-year contract for health insurance coverage with Blue Cross/ Blue Shield. Renewal to take place for FY 2023.
2. City anticipated an overall increase of over 20% for health insurance due to larger claims than reported during initial contract discussion for FY 2020.
3. City worked with Riley Dearing, InCore Group, to review and determine best rates and providers to cover insured employee, focus placed on staying with current provider Blue Cross/ Blue Shield
4. Blue Cross/ Blue Shield – current provider – quoted an increase of 9.9%, much lower than anticipated.
5. Supporting Materials provide comparison with current health insurance rates and renewal rates with maintaining Humana for dental and vision care and renewal rates for moving all insurance to BC/BS.
6. Recommendation – continue with Blue Cross/Blue Shield for health insurance.

SUPPORTING MATERIALS

1. Renewal Comparison Flyer

STAFF RECOMMENDATION

1. APPROVE.



RECOMMENDATION

Benefits: In-Network		RENEWAL WITH HUMANA		RENEWAL WITH BCBS DENTAL / VISION	
		Current	Renewal	Current	Renewal
Deductible- Individual/Family		\$1000/\$3000	\$1000/\$3000	\$1000/\$3000	\$1000/\$3000
OOP Max- Individual/Family		\$4000/\$12000	\$4000/\$12000	\$4000/\$12000	\$4000/\$12000
Office Visit Copay- PCP/SP		\$30/\$60	\$30/\$60	\$30/\$60	\$30/\$60
Co-Insurance		80%	80%	80%	80%
Prescription Drug Benefits					
Pharmacy Benefit		\$10/\$20/\$70/\$120/\$150/\$250	\$10/\$20/\$70/\$120/\$150/\$250	\$10/\$20/\$70/\$120/\$150/\$250	\$10/\$20/\$70/\$120/\$150/\$250
Rates & Enrollment Count					
Employee Only	49	\$573.03	\$629.81	\$573.03	\$620.50
Employee & Spouse	6	\$1,129.30	\$1,241.16	\$1,129.30	\$1,222.82
Employee & Child(ren)	8	\$1,018.06	\$1,118.92	\$1,018.06	\$1,102.38
Employee & Family	2	\$1,546.51	\$1,699.72	\$1,546.51	\$1,674.60
Total Participation					
Monthly Premium		\$46,091.77	\$50,658.45	\$46,091.77	\$49,909.66
Annual Premium		\$553,101	\$607,901	\$553,101	\$598,916
Annual +/- vs Current			\$54,800		\$45,815
Percentage +/- vs Current			9.9%		8.3%

PLEASE NOTE: Rates are subject to change due to employee elections during Open Enrollment. This spreadsheet is for visual reference only. Should an error occur in the rating or formulas that is different than the actual renewal or proposal - the renewal or proposal supersedes and is the final source.



CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
AUGUST 2, 2022

CONSENT AGENDA

3. Approval of Fiscal Year 2022-2023 Humana Dental and Vision renewal rates (M. Antrim, City Manager)

BACKGROUND

1. In FY 2021, the City signed a one-year contract with Humana for Dental and Vision Insurance Coverage for its employees. It was renewed in FY 2022 with no changes to the rates. Next renewal to take place for FY 2023.
2. City anticipated a slight increase in rates.
3. City worked with Riley Dearing, InCore Group, to review and determine best rates and providers to cover insured employee, focus placed on staying with current provider or adding to Blue Cross/ Blue Shield
4. Humana Dental renewal rates offered with no changes.
5. Humana Vision renewal rates – slightly over 2% increase
6. Supporting Materials provide comparison with current dental and vision insurance rates and renewal rates with maintaining Humana for dental and vision care and renewal rates for moving all insurance to BC/BS.
7. Recommendation is to continue with Humana -provides for unlimited annual maximum's, whereas BC/BS has a set limit of \$1,500.

SUPPORTING MATERIALS

1. Dental Renewal Information Flyer
2. Vision Renewal Information Flyer

STAFF RECOMMENDATION

1. APPROVE.



Dental - Renewal FY23

Providers		Huamna Unlimited Traditional Plus
Employee Only	51	\$31.24
Employee & Spouse	5	\$62.49
Employee & Child(ren)	9	\$88.92
Employee & Family	3	\$122.17
Total Participation	68	
Monthly Premium		\$3,072.48
Annual Premium		\$36,870
Percentage +/- vs Current		
Benefits		
Preventative		100%
Basic Restorative		80%
Major Restorative Care		50%
Endodontics treatment(Root Canal)		80%
Orthodontia		50% \$1500 maximum Benefit
Annual Deductible		\$50
Annual Maximum		Unlimited
Waiting periods		12 month waiting period of Ortho
		12 month waiting on Basic and Major for new hires only

PLEASE NOTE: Rates are subject to change due to employee elections during Open Enrollment. This spreadsheet is for visual reference only. Should an error occur in the rating or formulas that is different than the actual renewal - the renewal supersedes and is the final source.



Dental

Providers	Humana Unlimited Traditional Plus <i>Current</i>	BCBS Dental plan DTNHR42
Employee Only	51 \$31.24	\$30.68
Employee & Spouse	5 \$62.49	\$61.36
Employee & Child(ren)	9 \$88.92	\$84.29
Employee & Family	3 \$122.17	\$126.73
Total Participation	68	
Monthly Premium	\$3,072.48	\$3,010.28
Annual Premium	\$36,870	\$36,123
Percentage +/- vs Current		-2.02%
Benefits		
Preventative	100%	100%
Basic Restorative	80%	80%
Major Restorative Care	50%	50%
Endodontics treatment(Root Canal)	80%	80%
Orthodontia	50% \$1500 maximum Benefit	50% \$1500 maximum Benefit
Types of Ortho	Child only	Adult and Child to 19 years old
Annual Deductible	\$50	\$50
Annual Maximum	Unlimited	\$1,500
Waiting periods	12 month waiting period on Ortho	Unknown
	12 month waiting on Basic and Major for new hires only	12 month waiting period on certain services

PLEASE NOTE: Rates are subject to change due to employee elections during Open Enrollment. This spreadsheet is for visual reference only. Should an error occur in the rating or formulas that is different than the actual renewal - the renewal supersedes and is the final source.



Vision - RENEWAL FY23

Providers		Humana Vision 100
Employee Only	48	\$5.14
Employee & Spouse	7	\$10.28
Employee & Child(ren)	8	\$9.77
Employee & Family	2	\$15.35
Total Participation	65	
Monthly Premium		\$427.54
Annual Premium		\$5,130
Percentage +/- vs Current		
Benefits		
Eye Exam		\$10
Material deductible		\$25
Frame/contact allowance		\$100 + 20% off balance
Limits		
Exam		1 every 12 months
Lenses		1 every 12 months
Frames		1 every 24 months

PLEASE NOTE: Rates are subject to change due to employee elections during Open Enrollment. This spreadsheet is for visual reference only. Should an error occur in the rating or formulas that is different than the actual renewal - the renewal supersedes and is the final source.



Vision

Providers		Humana Vision 100 <i>Current</i>	BCBS Voluntary 1-12/12/24 \$100
Employee Only	50	\$4.85	\$5.53
Employee & Spouse	5	\$9.70	\$10.51
Employee & Child(ren)	9	\$9.22	\$11.05
Employee & Family	3	\$14.48	\$16.25
Total Participation	67		
Monthly Premium		\$412.29	\$465.95
Annual Premium		\$4,947	\$5,591
Percentage +/- vs Current			13.01%
Benefits			
Eye Exam		\$10	\$10
Material deductible		\$25	\$25
Frame/contact allowance		\$100 + 20% off balance	\$100 + 20% off balance
Limits			
Exam		1 every 12 months	1 every 12 months
Lenses		1 every 12 months	1 every 12 months
Frames		1 every 24 months	1 every 24 months

PLEASE NOTE: Rates are subject to change due to employee elections during Open Enrollment. This spreadsheet is for visual reference only. Should an error occur in the rating or formulas that is different than the actual renewal - the renewal supersedes and is the final source.

INFORMATION OR DISCUSSION OVERVIEW

8. Information or Discussion Items

1. Discussion regarding proposed changes to Boards, Commissions, and Committees up to and including the draft handbook and prospective ordinance changes (M. Antrim, City Manager)
2. Discussion regarding the Texas Disposal Systems plastic bag landfill issue, and how the issue is being addressed (S. Tandy, City Council)
3. Discussion regarding the paving on Orange Street (S. Tandy, City Council)
4. Discussion regarding the Fiscal Year 2023 Tax Rates (M. Antrim, City Manager)



**CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
AUGUST 2, 2022**

INFORMATION OR DISCUSSION

1. Discuss the proposed changes to Boards, Commissions, and Committees up to and including the draft handbook and prospective ordinance changes (M. Antrim, City Manager)

BACKGROUND

1. The City Council held a workshop on January 11, 2022, to discuss Boards & Commissions.
2. The Boards and Commissions Handbook has been drafted to improve communication to new board members regarding their responsibilities and expectations and to improve and streamline requirements, rules, processes, and procedures.
3. An email was sent to City Council with the draft handbook on July 13, 2022, asking for feedback on the proposed handbook.
4. The feedback has been received and the discussion is scheduled to discuss which changes the City Council would like to implement going forward.
5. Once the discussion takes place, City Administration will begin drafting the ordinance changes to mirror the information in the handbook and present a proposed ordinance to the City Council.

SUPPORTING MATERIALS

1. Recommended changes received by the Wednesday, July 27, 2022, deadline.
2. Proposed Boards, Commissions, and Committees Handbook.

STAFF RECOMMENDATION

NONE.

**FEEDBACK RECEIVED FROM CITY COUNCIL MEMBERS
BOARDS, COMMISSIONS, AND COMMITTEES**

1. Members of Boards/Commissions/Committees should not be a member of the City Council.
2. Term limits should be 3 terms (6 years) as opposed to 4 terms (8 years).
3. If appointed by a Council Member or the Mayor, there should be no need for Council confirmation.
4. A member of the City Council should be on every board. This member may serve as a voting member, or alternatively, as an ex-officio, non-voting member.
5. Agreed with handbook, as is.

CITY OF ALPINE BOARDS, COMMISSIONS, AND COMMITTEES HANDBOOK



VERSION 1.0

ADOPTED: XX/XX/2022

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FOREWARD

The City of Alpine (“City”) is a home rule municipality, thereby giving the City the power of self-governance. City Council is composed of five (5) Council members and a Mayor, which have two-year staggered office terms. Council members and the Mayor carry out legislative responsibilities, such as identifying the needs of the City, developing programs that satisfy those needs, and evaluating the extent to which municipal services satisfactorily reflect the policy goals of the City Council. The City of Alpine has a Council-Manager form of government, in which the City Manager is responsible for ensuring that City Council policies are carried out. The job of City Manager and staff is to assist with the implementation and ongoing function of the policies and procedures set forth by City Council and manage the day-to-day operations of the City.

Volunteer Boards, Commissions, and Committees also help to support the City Council’s goals and objectives and are mostly created by ordinance, which outlines their composition, duties, and responsibilities. The work done by volunteer citizens serving on Boards, Commissions, and Committees is a vital part of the successful functioning of the City. Members are appointed by the City Council on a periodic basis. Members have an opportunity to affect public policy, gain access to the highest levels of City government, and develop networks. Any citizen that is interested in serving on a Board, Commission, or Committee should request a handbook and an application from the Office of the City Secretary, or the appropriate staff liaison. In addition to submitting a completed application, it will also be helpful to notify the Mayor or a City Council member of your interest. This publication provides a listing of Boards, Commissions, and Committees presently operating in the City. The directory is designed to educate the citizenry of Alpine about opportunities available for community service. The City Council encourages the participation of qualified citizens and is committed to cultural diversity in all appointments. Questions regarding Board, Commission, Committee service or volunteering should be directed to the Office of the City Secretary at (432) 837-3301, option 1, or by email at city.secretary@ci.alpine.tx.us. In recognition of the important civic commitment of any citizen serving the City, we have prepared this handbook to assist members in performing their duties. It is our hope that your service to the City of Alpine will be both rewarding and fulfilling. Thank you for your willingness to serve.

CHAPTER 1 – IN GENERAL

Boards, Commissions, or Committees Defined.

The City of Alpine (“City”) values on the input from volunteer residents serving on boards, commissions, and committees. The City may have various kinds of Boards, Commissions, and Committees, including but not limited to:

1. Advisory Boards, Commissions, and Committees: Advisory role to the City. These boards make recommendations to the City, but the City Council makes final decisions.

2. Decision-making Boards, Commissions, and Committees: Decision making Boards, Commissions, and Committees are usually quasi-judicial boards empowered to make decisions and rulings on behalf of a governing body.

Alpine Advisory Boards, Commissions, or Committees.

As of this publication, the City of Alpine has seven (7) Advisory Boards, Commissions, or Committees. These Boards, Commissions, or Committees advise the Mayor, City Council, City Manager, and City Staff on different issues of importance tasked to each Board. These entities play a key role in keeping the City of Alpine government accountable and transparent to the citizenry and assist in providing ideas, feedback, and suggestions, and may serve as a sounding board for proposed policy or procedures. Current advisory Boards, Commissions, and Committees found within the City of Alpine’s Code of Ordinances are as follows:

Airport Advisory Board

Animal Advisory Board

Hotel Occupancy Tax Committee

Music Advisory Board

Parks and Recreation Board

Planning and Zoning Commission

Alpine Decision-Making Boards, Commissions, or Committees.

As of this publication, the City of Alpine has one (1) Decision-Making Commission: Building and Standards Commission.

Airport Advisory Board (Air-AB).

Purpose: The purpose of the Airport Advisory Board (hereafter, the “Air-AB”) is to provide for the orderly and safe development, planning, maintenance, and operation of the Alpine-Casparis Municipal Airport. This Board may advise the City Council in an effort to promote the public health, safety, general welfare, and to protect the public interest while preserving the safety, appearance, and functionality of the airport.

Duties: The Air-AB shall hold public meetings, conduct work sessions, and make recommendations to the City Council regarding taxiway development and maintenance, matters of planning, development, establishment, construction, policy and procedure, expansion & improvement; provide suggestions for equipment, operation, regulation, protection, complaints, and policing of the municipal airport, and upon other matters in regard to which the council may, from time to time, seek such Board’s advice.

Composition of the Board: The Board shall be comprised of seven (7) Brewster County registered voters who have a vested interest in the Alpine Municipal Airport.

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

Placement: Each board member will be designated by “Place” on the board:

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

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

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

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

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

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

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

Terms of Board Members: The term of each board member shall be two (2) years, from July 1st to June 30th, aligning closely with the term of the elected official who appointed the member. Members may serve for a limit of four (4) consecutive terms.

Removal of Board Members: Board members serve at the pleasure of city council. The city council may by majority vote remove a board member at any time for lack of confidence, incompetence, corruption, misconduct, or malfeasance. Any board member who misses three (2) consecutive meetings, or one-third (1/3) of all regular meetings within a 12-month time period shall be deemed to have automatically vacated his or her position on the board. This section shall not apply to a board member who applied for and received an excused absence by a majority vote of the board. Any board member who no longer resides within the boundaries as provided above, is deemed to have automatically vacated his or her position on the board.

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

City Representative: The Airport Supervisor is the official City representative for the Air-AB. The City representative will attend all meetings of the Board, assist Board members with questions regarding the department, processes, procedures, and communicate issues or areas of concern to the Board.

Board Meetings: The Air-AB meets on the third (3rd) Wednesday of each month at 5:30 p.m. in City Council Chambers located at 803 West Holland Avenue. A quorum of four (4) members must be physically present in order to transact business.

Open Meetings: The Board shall comply with the provisions of Chapter 551, Texas Government Code, commonly referred to as the Open Meetings Act, including posting notices and agendas, so as to adequately inform the public of the time, location and substance of business to be undertaken. A quorum of the Board must be physically present to conduct a meeting, and members may attend and participate virtually if a quorum is physically present. Members attending virtually must have their video camera turned on to participate.

Animal Advisory Board (AAB).

Purpose: The purpose of the Animal Advisory Board (hereafter, the “AAB”) is to provide recommendations and suggestions to the City Council regarding the welfare of animals within the City.

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

Composition of the Board: The Board shall be comprised of eight (8) Brewster County registered voters who have a vested interest in the health and safety of animals within the City. One (1) member shall be an elected City Council member, one (1) member shall be a licensed Veterinarian, and one (1) member shall be a member of the Alpine Humane Society. Three (3) members must reside within the Corporate City limits of Alpine, and no more than two (2) members may reside outside of the City limits.

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

Placement: Each board member will be designated by “Place” on the board:

Place 1: City Council Member: Appointed by Majority vote of the City Council.

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

*Place 3: **Alpine Humane Society Representative:** Appointed by any Council Member or the Mayor, subject to City Council confirmation.*

Place 4: Appointed by Council Member Ward 1, subject to City Council confirmation.

Place 5: Appointed by Council Member Ward 2, subject to City Council confirmation.

Place 6: Appointed by Council Member Ward 3, subject to City Council confirmation.

Place 7: Appointed by Council Member Ward 4, subject to City Council confirmation.

Place 8: Appointed by Council Member Ward 5, subject to City Council confirmation.

Terms of Board Members: The term of each board member shall be two (2) years, from July 1st to June 30th, aligning closely with the term of the elected official who appointed the member. Members may serve for a limit of four (4) consecutive terms, except the licensed veterinarian whose position has no term limit.

Removal of Board Members: Board members serve at the pleasure of city council. The city council may by majority vote remove a board member at any time for lack of confidence, incompetence, corruption, misconduct, or malfeasance. Any board member who misses three (2) consecutive meetings, or one-third (1/3) of all regular meetings within a 12-month time period shall be deemed to have automatically vacated his or her position on the board. This section shall not apply to a board member who applied for and received an excused absence by a majority vote of the board. Any board member who no longer resides within the boundaries as provided above, is deemed to have automatically vacated his or her position on the board.

Board Officers: The City Council shall appoint the Chairperson (Chair) of the Board. From among its members the Board shall elect a Vice-Chairperson (Vice-Chair), and Secretary. Officers shall be elected for a one (2) year term. The Chair of the Board shall preside over all meetings and may vote. If the chairperson fails or refuses to act, the Vice-Chair shall perform the

duties of the Chair. If the Chair and Vice-Chair are absent or refuse to act, any board member may be appointed as Acting Chair by the board to preside over the meeting.

City Representative: The head Animal Control Officer / Animal Services Supervisor is the official City representative for the AAB. The City representative will attend all meetings of the Board, assist Board members with questions regarding the department, processes, procedures, and communicate issues or areas of concern to the Board. The City representative will serve as ex-officio member of the board and may only vote to break a tie.

Board Meetings: The AAB meets on the second (2nd) Tuesday of each month at 6:00 p.m. in City Council Chambers located at 803 West Holland Avenue. A quorum of four (4) members must be physically present in order to transact business.

Open Meetings: The board shall comply with the provisions of Chapter 551, Texas Government Code, commonly referred to as the Open Meetings Act, including posting notices and agendas, so as to adequately inform the public of the time, location and substance of business to be undertaken. A quorum of the Board must be physically present to conduct a meeting, and members may attend and participate virtually if a quorum is physically present. Members attending virtually must have their video camera turned on to participate.

Hotel Occupancy Tax Committee (HOT).

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

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

Composition of the Board: The Board shall be comprised of seven (7) Brewster County registered voters. Two (2) members shall come from hotels, three (3) members shall come from the arts or historic preservation, and two (2) members, aged 18 years of age or older, will serve at-large and must reside within the Corporate City limits of Alpine. The Director of Tourism serves as ex-officio member of the Board and shall only vote to break a tie.

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

Placement: Each board member will be designated by “Place” on the board:

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

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

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

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

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

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

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

Terms of Board Members: The term of each board member shall be two (2) years, from July 1st to June 30th, aligning closely with the term of the elected official who appointed the member. Members may serve for a limit of four (4) consecutive terms.

Removal of Board Members: Board members serve at the pleasure of city council. The city council may by majority vote remove a board member at any time for lack of confidence, incompetence, corruption, misconduct, or malfeasance. Any board member who misses three (2) consecutive meetings, or one-third (1/3) of all regular meetings within a 12-month time period shall be deemed to have automatically vacated his or her position on the board. This section shall not apply to a board member who applied for and received an excused absence by a majority vote of the board. Any board member who no longer resides within the boundaries as provided above, is deemed to have automatically vacated his or her position on the board.

Board Officers: The Director of Tourism shall serve as the official HOT Committee Liaison of the Board. Among the HOT Committee Liaison's duties shall be to call and preside at the meetings of such board, make such reports and suggestions to the City Manager and City Council as such board may vote to be submitted; resolve by his vote any tie of votes of such

board and generally act as a liaison between such board and the City Manager and City Council. From among its members the Board may elect a Vice-Chairperson (Vice-Chair), and Secretary. Officers shall be elected for a one (2) year term.

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

Board Meetings: The HOT Committee meets as necessary in City Council Chambers located at 803 West Holland Avenue. A quorum of four (4) members must be physically present in order to transact business.

Open Meetings: The Board shall comply with the provisions of Chapter 551, Texas Government Code, commonly referred to as the Open Meetings Act, including posting notices and agendas, so as to adequately inform the public of the time, location and substance of business to be undertaken. A quorum of the Board must be physically present to conduct a meeting, and members may attend and participate virtually if a quorum is physically present. Members attending virtually must have their video camera turned on to participate.

Music Advisory Board (MAB).

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

Duties: The MAB shall hold public meetings, conduct work sessions, and make recommendations to the City Council regarding the music industry of the city. The Board may, from time to time advise the City Council upon other matters in regard to which the Council may seek such Board’s advice.

Composition of the Board: The Board shall be comprised of seven (7) Brewster County registered voters which represent the music industry of the city. Two (2) members shall be musicians, two (2) members shall represent music venues, two (2) members shall represent music-focused events, and one (1) member shall represent music education. The Director of Tourism serves as ex-officio member of the Board, and is the designated the Music Liaison.

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

Placement: Each board member will be designated by “Place” on the board:

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

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

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

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

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

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

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

Terms of Board Members: The term of each board member shall be two (2) years, from July 1st to June 30th, aligning closely with the term of the elected official who appointed the member. Members may serve for a limit of four (4) consecutive terms.

Removal of Board Members: Board members serve at the pleasure of the City Council. The City Council may by majority vote remove a board member at any time for lack of confidence, incompetence, corruption, misconduct, or malfeasance. Any board member who misses three (2) consecutive meetings, or one-third (1/3) of all regular meetings within a 12-month time period shall be deemed to have automatically vacated his or her position on the board. This section shall not apply to a board member who applied for and received an excused absence by a majority vote of the board. Any board member who no longer resides within the boundaries as provided above, is deemed to have automatically vacated his or her position on the board.

Board Officers: The Director of Tourism shall serve as the Music Liaison of the Board. Among the Music Liaison's duties shall be to call and preside at the meetings of such board, make such reports and suggestions to the City Manager and City Council as such board may vote to be submitted; resolve by his vote any tie of votes of such board and generally act as a liaison between such board and the City Manager and City Council. From among its members the Board

may elect a Vice-Chairperson (Vice-Chair), and Secretary. Officers shall be elected for a one (2) year term.

City Representative: The Music Liaison is the official City representative of the MAB.

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

Open Meetings: The Board shall comply with the provisions of Chapter 551, Texas Government Code, commonly referred to as the Open Meetings Act, including posting notices and agendas, so as to adequately inform the public of the time, location and substance of business to be undertaken. A quorum of the Board must be physically present to conduct a meeting, and members may attend and participate virtually if a quorum is physically present. Members attending virtually must have their video camera turned on to participate.

Parks and Recreation Board (PRB).

Purpose: The purpose of the Parks and Recreation Board (hereafter, the “PRB”) is to provide recommendations and suggestions to the City Council regarding Parks and Recreation endeavors of the City. The Parks and Recreation Board also jointly serves as the Beautification and Environmental Committee with an aim of advising the City Council on beautification and environmental endeavors of the City.

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

Composition of the Board: The Board shall be comprised of seven (7) Brewster County registered voters who have a vested interest in the enhancement of Parks and Recreation within the City. Five (5) members must reside within the Corporate City limits of Alpine, and no more than two (2) members may reside outside of the City limits.

Appointment of Board Members, Vacancies: Each member of the City Council and the Mayor shall present their nominations for board members before the second regular City Council meeting in June, following their election to office. At the same meeting in June, the City Council shall consider those nominations for appointment. Once appointed by a majority vote of City

Council, the appointed board member shall serve until their successor is appointed. Each board member shall be eligible for reappointment. Reappointments can be made to each position by the original appointer. Vacancies may be filled at any time by a member of the City Council or the Mayor, subject to confirmation by majority vote of the City Council. Members shall serve without compensation.

Placement: Each board member will be designated by “Place” on the board:

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

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

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

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

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

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

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

Terms of Board Members: The term of each board member shall be two (2) years, from July 1st to June 30th, aligning closely with the term of the elected official who appointed the member. Members may serve for a limit of four (4) consecutive terms.

Removal of Board Members: Board members serve at the pleasure of the City Council. The City Council may by majority vote remove a board member at any time for lack of confidence, incompetence, corruption, misconduct, or malfeasance. Any board member who misses three (2) consecutive meetings, or one-third (1/3) of all regular meetings within a 12-month time period shall be deemed to have automatically vacated his or her position on the board. This section shall not apply to a board member who applied for and received an excused absence by a majority vote of the board. Any board member who no longer resides within the boundaries as provided above, is deemed to have automatically vacated his or her position on the board.

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

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

Board Meetings: The PRB meets on the second (3rd) Wednesday of each month at 5:30 p.m. in City Council Chambers located at 803 West Holland Avenue. A quorum of four (4) members must be physically present in order to transact business.

Open Meetings: The board shall comply with the provisions of Chapter 551, Texas Government Code, commonly referred to as the Open Meetings Act, including posting notices and agendas, so as to adequately inform the public of the time, location and substance of business to be undertaken. A quorum of the Board must be physically present to conduct a meeting, and members may attend and participate virtually if a quorum is physically present. Members attending virtually must have their video camera turned on to participate.

Planning and Zoning Commission (P&Z).

Purpose: The purpose of the Planning and Zoning Commission (hereafter, “P&Z”) is to advise the City Council on matters related to planning, zoning, or other items that the City Council request to be advised of.

Duties: P&Z shall exercise the powers and duties as prescribed by City Ordinance and as prescribed by Texas Local Government Code, Chapter 211.

Composition of the Board: The Board shall be comprised of Seven (7) Brewster County registered voters who are resident citizens, taxpayers, and qualified voters of the City of Alpine.

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

Placement: Each board member will be designated by “Place” on the board:

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

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

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

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

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

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

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

Terms of Board Members: The term of each board member shall be two (2) years, from July 1st to June 30th, aligning closely with the term of the elected official who appointed the member. Members may serve for a limit of four (4) consecutive terms.

Removal of Board Members: Board members serve at the pleasure of city council. The city council may by majority vote remove a board member at any time for lack of confidence, incompetence, corruption, misconduct, or malfeasance. Any board member who misses three (3) consecutive meetings, or one-third (1/3) of all regular meetings within a 12-month time period shall be deemed to have automatically vacated his or her position on the board. This section shall not apply to a board member who applied for and received an excused absence by a majority vote of the board. Any board member who no longer resides within the boundaries as provided above, is deemed to have automatically vacated his or her position on the board.

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

City Representative: The Building Official / Director of Building Services is the official City representative for the P&Z. The City representative will attend all meetings of the Board, assist Board members with questions regarding the department, processes, procedures, and communicate issues or areas of concern to the Board.

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

Open Meetings: The board shall comply with the provisions of Chapter 551, Texas Government Code, commonly referred to as the Open Meetings Act, including posting notices and agendas,

so as to adequately inform the public of the time, location and substance of business to be undertaken. A quorum of the Board must be physically present to conduct a meeting, and members may attend and participate virtually if a quorum is physically present. Members attending virtually must have their video camera turned on to participate.

Building and Standards Commission (B&S).

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

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

- (1) Order the repair, within a fixed period, of buildings found to be in violation of an ordinance;
- (2) Declare a building substandard in accordance with the powers granted by Chapter 54 of the Texas Local Government Code;
- (3) Order, in an appropriate case, the immediate removal of persons or property found on private property, enter on private property to secure the removal if it is determined that conditions exist on the property that constitute a violation of an ordinance, and order action to be taken as necessary to remedy, alleviate, or remove any substandard building found to exist;
- (4) Issue orders or directives to any peace officer of the state, including a sheriff or constable or the chief of police of the municipality, to enforce and carry out the lawful orders or directives of the commission panel;
- (5) determine the amount and duration of the civil penalty the municipality may recover as provided by Section 54.017, Texas Local Government Code.

Composition of the Board: The Board shall be comprised of seven (7) resident taxpayers and qualified voters of the City. Members of the Building and Standards Commission may not be a member of the City Council or the Planning & Zoning Commission.

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

Placement: Each board member will be designated by “Place” on the board:

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

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

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

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

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

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

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

Terms of Board Members: The term of each board member shall be two (2) years, from July 1st to June 30th, aligning closely with the term of the elected official who appointed the member. Members may serve for a limit of four (4) consecutive terms.

Removal of Board Members: Board members serve at the pleasure of city council. The city council may by majority vote remove a board member at any time for cause on a written charge (Sec. 54.033, Texas Local Government Code). Before a decision regarding a removal is made, the City Council must hold a public hearing on the matter if requested by the Commission member subject to the removal action. Any board member who misses three (3) consecutive

meetings, or one-third (1/3) of all regular meetings within a 12-month time period shall be deemed to have automatically vacated his or her position on the board. This section shall not apply to a board member who applied for and received an excused absence by a majority vote of the board. Any board member who no longer resides within the boundaries as provided above, is deemed to have automatically vacated his or her position on the board.

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

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

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

Open Meetings: The board shall comply with the provisions of Chapter 551, Texas Government Code, commonly referred to as the Open Meetings Act, including posting notices and agendas, so as to adequately inform the public of the time, location and substance of business to be undertaken. A quorum of the Board must be physically present to conduct a meeting, and members may attend and participate virtually if a quorum is physically present. Members attending virtually must have their video camera turned on to participate.

CHAPTER II – APPOINTMENT PROCESS

Application Process.

Citizens interested in serving on a board, commission or committee can obtain an application from the City Secretary's Office at City Hall or from the City's website, <https://www.cityofalpine.com/boardapplication>. The completed application can be submitted directly to the City Secretary or to the Mayor or Council member who nominated the applicant. Applications are valid for one (1) year, after which a new application must be submitted.

Appointment Process.

The City Council makes appointment to City of Alpine boards, commissions, and committees. The City Council considers applications to these entities during regular City Council meetings.

Notice of Appointment.

After the City Council appoints a person to serve as a member of a board, commission, or committee, the City Secretary will notify the appointee in writing of the appointment.

Eligibility and Qualifications.

The City Council seeks qualified persons to serve on boards, commissions and committees. The qualifications required to serve on a particular board, commission or committee are determined by City of Alpine's Code of Ordinances, Policy or by State Law, which established the board, commission or committee.

Appointments to Boards, Commissions or Committees that do have eligibility requirements must be made in accordance with the governing City ordinance or State statute/s. Board, Commission, and Committee members must continue to meet the eligibility requirements during the entire time they serve. If a member cannot continue to maintain the necessary requirements, they shall resign their position.

Oath of Office.

Upon appointment, an oath of office is administered to all members of Boards, Commissions, and Committees. The oath of office can be administered by the City Secretary or designee or a City-employed Notary Public for the State of Texas.

Open Meetings Act Training.

Upon appointment, each new board, commission or committee member is required to complete the Open Meetings Act Training as required by the Attorney General of the State of Texas within ninety (90) days of their appointment and provide a certificate of completion to the City Secretary for the City's records.

Public Information Act Training.

Upon appointment, each new board, commission or committee member is encouraged to complete the Public Information Act Training provided by the Attorney General of the State of Texas within ninety (90) days of their appointment and provide a certificate of completion to the City Secretary for the City's records.

Conflict of Interest.

Board, commission, and committee members are subject to provisions of Chapter 171 and Chapter 176 of the Local Government Code related to Conflicts of Interest & Disclosure requirements. Upon appointment each new board, commission or committee member is required to complete a *Conflict of Interest Acknowledgement Form*. The Conflict of Interest Acknowledgement Form and helpful links regarding the subject may be found at www.cityofalpine.com/conflict.

CHAPTER III – RESPONSIBILITIES OF BOARDS, COMMISSIONS, AND COMMITTEE MEMBERS

In General.

It is an honor to be selected as a City board, commission or committee member and it provides a special opportunity for genuine public service. Although specific duties of each body vary widely, there are certain responsibilities that are common to all members. The following is a summary of those responsibilities:

- a) Members should understand the role and scope of their responsibilities and should be informed of the individual board, commission or committee's purpose and of its operating procedures.
- b) Members should be careful to represent the majority views of their individual board, commission or committee. Individual "opinions" to the public and press should be identified as such.
- c) Members should represent the public interest and not special-interest groups.
- d) Good communication is essential – members are in a position to serve as liaison between the City and its citizens and can help to reconcile opposing viewpoints and to build a consensus around common goals and objectives. Members serve as a communication link between the community, staff, and City, presenting recommendations and providing a channel for citizen expression.
- e) Members are required to review their agenda packets prior to meetings, and contact City staff with any questions. Where possible, members should personally view situations (i.e. visit sites or view geographical issues) under consideration prior to the meeting in order to be fully prepared to discuss, evaluate, and act on all matters scheduled for consideration. Conclusions based on a thorough review of the agenda item will strengthen the value of the group's recommendations.

- f) Establishing good working relationship within the group is important for the group's effectiveness. These relationship aspects include respecting individual viewpoints; allowing other members time to present their views fully before making comments; being open and honest; and welcoming new members.
- g) City Council is a non-partisan body. Therefore, its appointments to boards, commissions or committees are made without regard to political party affiliation. Members are not restricted from participating in political activities; however, members should not attempt to use or involve their board, committee or commission membership in the conduct of outside political activities.

Working with City Staff.

Each board, commission, or committee member works with City staff and with the designated department staff assigned to that board, commission or committee. City staff provides general assistance, such as preparation of agenda materials and general review of department programs and activities, and to perform limited studies and other services.

Reporting to the City Council.

The role of each board, commission, or committee is to make recommendations to City Council. It is through the boards, commissions, and committees that the City Council can receive citizen input. All boards, commissions and committees are required to communicate the position of the body to the City Council and shall provide regular updates to City Council during Council meetings. This is typically done by the Chair of the board, commission, or committee.

There will be occasions when City staff will be required to prepare an agenda item for City Council review. In preparation of such a report, the staff member should present both the staff position and the board, commission or committee's position. It is the desire of the City Council to have an opportunity to hear and consider all sides of an issue and all recommendations to assist in its decision-making process.

Texas Open Meetings Act (TOMA).

The Texas Open Meetings Act (TOMA) requires that every meeting of the City Council be open to the public. The Act also requires all boards and commissions, other than advisory boards,

commissions and committees, to follow this requirement as well. In Alpine, all boards, commissions and committees follow the procedures for open meetings. These requirements include:

- a) A Posted Notice is required of a meeting. Written notice of the date, hour, place and subject of each meeting must be posted on a public bulletin board, located at a place convenient to the public for at least seventy-two (72) hours preceding the scheduled time of the meeting. Only those matters posted can be discussed and acted on by the governmental body.
- b) Minutes are required to be prepared and a voice or video recording made of each open meeting. Minutes must state the subject of each deliberation and indicate each vote, order, decision or other action taken.
- c) Closed Meetings – The Texas Open Meetings Act (TOMA), does allow for closed or executive meetings on a few limited subjects. Generally, boards, commissions or committees will not have the occasion or legal basis to meet in closed or executive session. Closed meetings are allowed to discuss pending litigation, certain personnel matters, and the lease or acquisition of land. Before a closed meeting can be held, a quorum of the governmental body must convene in an open meeting and the presiding officer publicly announce that a closed meeting will be held and identify the sections of the Act authorizing the closed meeting. No final action, decision, or vote can be made in a closed meeting. All final actions, decisions, and votes must be made in open meetings. The governmental body is also required to keep a Certified Agenda of the matters discussed in the closed meeting and a record of any further action taken. The presiding officer must include an announcement at the beginning and end of the closed meeting indicating the time and place and must certify that the agenda is a true and correct record of the proceedings. Blank Certified Agenda forms for use by presiding officers are available from the Office of the City Secretary. In lieu of maintaining a Certified Agenda, a tape recording of the closed meeting may be made.

Penalties – A fine of not less than \$100 nor more than \$500 or imprisonment in the county jail for not less than one (1) month nor more than six (6) months, or both fine and imprisonment, can be imposed for violating the provisions of the Open Meetings Act or conspiring to circumvent

the provisions of the Open Meetings Act by meeting in numbers less than a quorum for the purposes of secret deliberations.

CHAPTER IV – MEETINGS.

Authority.

Pursuant to Chapter 16 – Boards & Commissions, to the City of Alpine Code of Ordinances, the City Council shall determine by resolution boards, commissions, and committees Handbook and Rules of Procedure.

Construction of Authority.

The construction of authority in all matters associated with board, commission, or committee meetings and activities of said entities, including the agenda, shall be:

- (1) the United States Constitution and statutes of the United States of America
- (2) The Texas Constitution and statutes of the State of Texas
- (3) the Alpine City Charter
- (4) the Code of Ordinances of the City of Alpine, Texas
- (5) Resolutions of the City of Alpine, Texas.

Meetings Shall be Public.

All board meetings shall follow both the letter and the spirit of Chapter 551 of the Texas Government Code – The Texas Open Meetings Act (TOMA). Accordingly, meetings shall be open to the public and boards, commissions, and committees shall follow all aspects of the TOMA.

Types of Meetings.

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

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

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

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

Role of the Chairperson.

The function of the chairperson (Chair) is to provide leadership for the group by presiding over the group's meetings. The chair is selected by the City Council. The Chair has additional duties and responsibilities, which must be performed.

The Chair ensures the smooth operation of the board, commission or committee, and must make certain that the meeting is run by the rules, but democratic enough to use the power

and authority of the position wisely. The Chair's ability to effectively manage meetings will have a significant impact on the group's success. An effective Chair must make certain that discussions remain focused and do not get sidetracked on irrelevant issues.

Role of other Officers.

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

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

Records of Meetings.

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

- (1) Action taken by the Board.
- (2) The text of all main motions, as amended.
- (3) The text of all "points of order" and "appeals," along with the reason given by the Chair, Vice-Chair, or Acting Chair for the ruling.
- (4) The results of the vote, as to whether the motion was "adopted," "lost," or "failed."
- (5) A record of the Board Member who made the motion, the Board Member who seconded the motion, any Board Member who moves to amend a main motion, and how each Board Member voted on the item.

- (6) A Board Member may request, through the Chair, the privilege of having an abstract of his/her statement on any subject under consideration by the board, commission, or committee entered in the minutes. If the board consents thereto by a majority vote, such statement shall be entered in the minutes.
 - (7) The board may, by majority vote, request to add or amend minutes as the board deems appropriate.
- (b) Record of board Agenda Packets will be assembled and maintained by the City Secretary, or City Secretary designee, and delivered to the board members electronically prior to the Board meeting.

CHAPTER V – MEETING RULES OF PROCEDURE

Quorum.

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

Parliamentary Procedure.

- (a) *General Procedure.* General rules of parliamentary procedure as defined herein, consistent with the City Charter and any applicable City Ordinance, statute, or other legal requirements, shall govern the proceedings of boards. To the extent not inconsistent with these rules, boards shall utilize Robert's Rules of Order as a general guideline for additional rules of parliamentary procedure without being a procedural requirement. Notwithstanding the above, failure to abide by, or adhere to, these rules shall not nullify or negate any action by a board. These rules of parliamentary procedure are intended solely as a guideline.
- (b) *Duties of the Presiding Officer.* The Presiding Officer of a board shall be the Chair. The Chair shall preserve strict order and decorum at all meetings of the board. The Chair shall state every question coming before the board, announce the decision of the board on all subjects and decide all questions of order, subject, however, to an appeal to the board, in which event a majority vote of the board shall govern and conclusively determine such question of order. The Chair shall sign all official documents adopted by the board during their presence. In the event of the absence of the Chair, the Vice-Chair or Acting Chair shall sign documents as adopted, respectively.
 - (1) The Chair shall preside with fairness, impart, and maintain absolute neutrality by posture, demeanor, action, and language during all meetings. The Chair, Vice-Chair, Acting Chair, or any board member shall not:
 - (I) Restrict orderly speech, in any way, of any board member or City staff presentation of any item.
 - (II) Restrict orderly speech, in any way, of any board member or City staff discussion of any item.
- (d) *Board Deliberations.* The Chair has the responsibility to control the discussion and the order of speakers. Board members will generally be called upon in the order of the request to speak, although the privilege to speak shall generally begin with the moving party or individual who sponsored the item on the agenda, respectively. A board member may not be recognized to speak subsequently until each board member has had an opportunity to obtain the floor. A board member holding the floor may address a question to another board member and that board member may, should they so choose, respond to the question while the floor is still held by the board member asking the question.

- (e) *Limits to Deliberations.* After an agenda item is announced or read by the Chair, or the individual who sponsored the item on the agenda, a motion must be on the table and seconded before discussion may take place. The ensuing discussion must be limited to the subject matter or motion currently being considered.
- (f) *Obtaining the Floor.* Any member of the board wishing to speak shall first obtain the floor by making a request for the floor to the Chair. The Chair shall recognize any board member who seeks the floor when appropriately entitled to do so.
- (g) *Motions.* Motions may be made and seconded by any member of the board, excluding the Chair.
- (h) *Procedures for Motions.* The following is the general procedure for making motions:
 - (1) The item is announced or read aloud by the Chair or the individual who sponsored the item on the agenda.
 - (2) A board member may make an affirmative motion on the item before discussion may take place.
 - (3) A board member may second the motion on the item before discussion may take place.
 - (4) Once the motion has been properly made and seconded, the Chair shall open the matter for further discussion offering the first opportunity to the moving party, and thereafter, to any board member recognized by the Chair.
- (i) *Amendments to Motions.* When a motion is on the floor and an amendment is offered, the amendment shall be acted upon prior to acting on the main motion. No motion of a subject other than the agenda item under consideration shall be admitted as an amendment. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be in order. Action shall be taken on the amendments in reverse order of how they were made. If an amendment is approved, the original motion must be approved as amended. Amendments must be seconded.
- (j) *Motion to Table.* A motion to Table, or a motion to lay on the table, may be made to defer an item until the next meeting. Tabled items will automatically be added to the next City Council agenda.
- (k) *Motion to Postpone, Motion to Postpone Indefinitely.* A motion to postpone until a specific date may be made if a board member wishes to postpone an item until a specific date. A motion to postpone indefinitely may be made if a board member wishes to postpone an item indefinitely. A motion to postpone may not be offered as an amendment but as a standalone subsidiary motion that would kill the original motion without having to vote on the original motion.
- (l) *Points of Order.* The Chair, a board member, or City staff may call a point of order to facilitate the running of the meeting, but shall not utilize a point of order to limit constructive feedback or debate pertaining to the discussion.
- (m) *Call for the Question, Previous Question, Calling for a Vote.* Any board member may Call for the Question to request that the discussion be ended and that the item being considered be immediately put to a vote. A second is required, and the motion is not

debatable. A Call for the Question shall not be used to limit constructive feedback or debate pertaining to the discussion.

- (n) *Continuance of Discussion or Hearings.* Any item being discussed or any public hearing at a board meeting may, by order, notice, or motion, be continued or tabled to any subsequent meeting. Tabling or continuing the item will not stop the consideration of the item by the board.
- (o) *Recess.* The Chair may call for a recess of up to fifteen (15) minutes at regular intervals at appropriate points in the meeting agenda, subject to appeal and reversal by a majority vote of the board.

Agenda.

- (a) The Chair, the City Manager, the City Secretary, or any member of the Board by written request, may place an item on a board agenda. Designated City staff representatives may add items to a board agenda.
- (b) The written request to add an agenda item shall include a clear description of the proposed action by the board (in the form of a proposed motion) or shall clearly state the item is for discussion purposes only, shall be of sufficient detail to allow staff to contribute background information on the topic, and shall be easily understandable so that any citizen may be able to understand the substance of the item.
- (c) All action items should originate as an information or discussion item before being presented as an action item so that thoughtful input can be provided by board members before an official action item may be presented to the board. This rule excludes items that are routine and administrative in nature, such as periodic permit approvals and other procedural items. Any deviation from this rule should be exceedingly rare, should be of a clearly significant nature, and will be subject to approval by the City Secretary.
- (d) Agenda requests and backup documentation shall be filed with the Chair by 5:00 p.m., 7 (seven) days prior to the board meeting (and a commensurate period for special meetings).
- (e) The agenda and backup documentation must be sent by the Chair to the City Secretary by 5:00 p.m. 6 (six) days prior to the meeting. Deviations from the deadlines, or the submission of additional items either past the established deadlines or once the agenda has been posted, should be exceedingly rare, should be of a clearly significant nature, and will be subjected to approval by the City Secretary.
- (f) The Chair will coordinate the placement and content of items on the agenda and agenda items may be removed only by the person(s) who initially placed that item on the agenda.
- (g) Drafts of proposed resolutions, ordinance changes, and other items requiring review should be submitted to the City Secretary or City Staff in a manner timely enough to allow for the proper review of the material. City Staff should be given adequate time to produce proposed ordinance changes or other documents.

Rules for Attendance at Regular Meetings of Boards, Commissions, or Committees.

- (a) All board, commission, or committee members are expected to attend meetings to ensure the community is well represented. Attendance is extremely important to the board, commission or committee.
- (b) A board member shall forfeit his or her office if absent from two (2) regular board meetings without being excused by the board.
- (c) A member of a board who will not be able to attend a regular board meeting shall make a reasonable effort to notify the Chair or the Office of the City Secretary prior to the meeting, and shall indicate the reason for his or her inability to attend.
- (d) Absences shall be considered excused if for personal illness, family illness, emergencies, funerals, military service, family events including vacations, weddings, and graduations, business obligations, official city business such as attendance at a conference for municipal officers, or for other good cause as determined by the board. At the next regular meeting following the meeting at which the member was absent, the board shall consider a vote to determine whether the member's absence is deemed excused or unexcused.
- (e) Absence from a regular meeting shall be considered unexcused if the member fails to convey the reason for his or her absence to the Chair or the Office of the City Secretary or otherwise fails to give sufficient information to the board to enable it to determine the reason for the absence.

Voting.

- (a) All board members, including the Chair of the Board, shall generally have the privilege of voting, except when approved board, commission, or committee guidelines dictate otherwise. The Chair, Vice-Chair, or Acting Chair shall not have the power of veto.
- (b) Before a vote is taken on any item, the Chair shall restate the motion to ensure that the matter being considered is clearly understood prior to being voted on by the board.
- (c) When a vote is called, every member present shall vote either "Aye" or "Nay" or shall abstain. In order to ensure clarity about the position of each councilmember during a vote, the Chair shall ask for a positive statement for those in favor of a motion by stating "Aye" or raising of their hand, those not in favor of a motion by stating "Nay" or raising of their hand, and those who abstain from voting by stating "Abstain" or raising of their hand.
- (c) *Silence Constitutes Affirmative Vote.* Unless a board member states that they are not voting, or that they abstain, their silence shall be recorded as an affirmative vote.
- (c) On the request of the Chair, a City staff member, or a board member, a roll call vote shall be taken. After the result of a vote is announced, a member may not change a vote unless, before the adjournment of that meeting, permission is given to change the vote by a majority vote of the members present.

Order of Business.

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

AGENDA

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

CHAPTER VI – MEETING RULES OF DECORUM

Decorum.

- (a) *By Board Members.* While the board is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay nor interrupt the proceedings or the peace of the board nor disturb any member while speaking or refuse to obey the orders of the board or its Chair, except as otherwise herein provided.
- (b) *By Attendees.* Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the board shall be forthwith, by the Chair, subject to loss of speaking privileges unless permission to continue is granted by a majority vote of the board.
 - (1) Reactions from the audience following the recognition and rewarding of citizens and special guests is considered appropriate and encouraged. Disruptive verbal and/or non-verbal reactions from the audience during staff presentations to the board and during debate between board members are inappropriate and are not permitted. The Chair will ensure that the decorum of the meeting is maintained and is appropriate.
 - (2) It is not the intention of the City to provide a public forum for the demeaning of any individual or group. Neither is it the intention of the board to allow a member (or members) of the public to insult the honesty and/or integrity of the board as a body, the proceedings of the board, or any member or members of the board, individually or collectively. The Chair and board will endeavor to ensure that meetings are conducted in a courteous manner, and in an atmosphere free of defamation, intimidation, personal affronts, profanity, or threats of violence.
 - (3) Members of the public shall not engage in any of the following in the meeting room during a board meeting:
 - (I) Shouting, unruly behavior, distracting side conversations or speaking out when another person is talking.
 - (II) Defamation, intimidation, personal affronts, profanity, or threats of violence.
 - (III) Use of phones, pagers, radios, computers, or other electronic equipment – except as authorized by State law. The Chair may authorize use of equipment on a case-by-case basis, subject to appeal and/or reversal by a majority vote of the board.
 - (IV) Booing, hissing, foot-stomping, ripping of paper, parading, signing or other similar behavior that impedes or disrupts the orderly conduct of the meeting.
 - (4) Members of the public shall not attempt to provide direction regarding rules of procedure, order of business, or otherwise direct the board on how to properly conduct a meeting. The Chair and the board are the formal authority to determine

what is, or is not: in order, out of order, or the correct way to conduct the business of the Board. The Chair, any board member, and City staff are the only individuals permitted to call a point of order or make recommendations as to how a meeting will be conducted. Outbursts and shouts to direct the meeting are unacceptable and will not be tolerated.

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

Enforcement of Decorum.

- (a) Disturbances, transgressions of the rules or disorderly conduct in the City Council Chambers may cause the transgressor to be removed from the meeting. The Chair of the meeting, shall exercise control over persons who disrupt the meeting in the following ascending order of action:
 - (1) Call the person to order, advising that person of the infraction.
 - (2) Advise the person that the infraction must cease immediately or the person will be ordered to leave the meeting.
 - (3) Order the person to leave the meeting. If the offending person is a member of board, the Chair shall call for a vote on the expulsion of that member from the meeting, and such vote requires a majority for adoption.
 - (4) A police officer may remove an individual or individuals for disrupting a meeting as authorized by Texas Penal Code Section 42.05.
- (b) Upon instructions of the Chair unless otherwise directed by a majority vote of the board, it shall be the duty of the Alpine Police Department to remove any person who violates the order and decorum of the meeting.

Audience Participation.

- (a) At meetings of boards, commissions, and committees, the business of Alpine is conducted between the members of the board and by those members of the staff, elected officials, department heads, consultants, experts and/or members of the public requested to be present and participate. While the public is invited and encouraged to attend all meetings of boards, commissions, and committees, the public's participation therein is to be governed by the following:
 - (1) Audience participation is limited to the role of observers except for during the Public Comment portion of the meeting, the Public Hearing portion of the meeting, or at other times that the Chair of the board deems appropriate.
 - (2) Members of the public in attendance at any Regular, Special, Emergency, and/or Workshop Meeting of the City Council shall conduct themselves with proper respect and decorum in speaking to and/or addressing the board, in participating

in public discussions before the board, and in all actions in the presence of the board. Members of the public speaking during comment periods or invited to speak shall remain behind the podium while speaking. Attendees must be physically present at a meeting to address the board. Comments by proxy are not allowed.

- (3) Board members shall not have discussions during the Public Comment and Public Hearing portions of the agenda, nor take any action thereon other than to refer the item to City staff for research and possible future action.
- (4) It is the intention of the City to provide open access to the resident and affected persons of Alpine to address boards, commissions, and committees, and express themselves on issues under consideration by the board. In accordance with such, members of the public in attendance at board meetings must be respectful of individuals making public comments before, during, and after such comments are made.
- (5) Persons may present printed material, subject to approval by the City Secretary, to be included in the board agenda packets one week prior to a meeting. Persons may present printed material to the City Secretary to distribute to the Council during a meeting, subject to the same deadline.

Addressing the Board, Commission, or Committee.

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

board during the Public Hearing portion of the meeting must be in attendance physically and shall raise their hand to notify the Chair that they would like to speak. Once acknowledged by the Chair, the person shall step up to the podium and shall give their name and ward for the record. Unless further time is granted by the Chair, the person addressing the Council shall limit their address to three (3) minutes. Individuals must be physically present to address the board. Comments by proxy are not allowed.



**CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
AUGUST 2, 2022**

INFORMATION OR DISCUSSION

2. Discussion regarding the Texas Disposal Systems plastic bag landfill issue, and how the issue is being addressed (S. Tandy, City Council)

BACKGROUND

NONE.

SUPPORTING MATERIALS

NONE.

STAFF RECOMMENDATION

NONE.



**CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
AUGUST 2, 2022**

INFORMATION OR DISCUSSION

3. Discussion regarding the paving on Orange Street (S. Tandy, City Council)

BACKGROUND

NONE.

SUPPORTING MATERIALS

NONE.

STAFF RECOMMENDATION

NONE.



**CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
AUGUST 2, 2022**

INFORMATION OR DISCUSSION

4. Discussion on FY 2023 Tax Rates (M. Antrim, City Manager)

BACKGROUND

1. City received the Certified Appraised Values on July 21, 2022
2. Began working with Tax Assessor/Collector, Sylvia Vega, on Truth in Taxation Form on July 22, 2022
3. Requested additional information required to complete Truth in Taxation Form, continued conversations and verification of numbers and sources
4. Tax Assessor/ Collector pending access to online software to complete form

SUPPORTING MATERIALS

1. Certified Tax Roll

STAFF RECOMMENDATION

N/A

2022 Certified Tax Roll

The City of Alpine

I, Sylvia Vega, Tax Assessor/Collector for Brewster County, have reviewed and accepted the Certified Appraisal roll for the 2022 Tax Year. A property listing is attached which lists the taxable property within The City of Alpine.

Total Appraised Value	\$518,338,726
Total Assessed Value	\$485,871,314
Total Taxable Value	\$437,117,603
Value Under Protest	<u>0</u>
Number of Accounts	<u>4,065</u>


Tax Assessor Collector

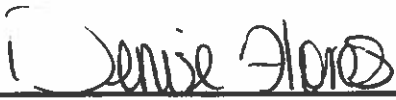
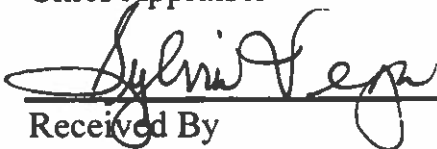

Date

CERTIFICATION OF 2022 APPRAISAL ROLL FOR
THE CITY OF ALPINE

“I Denise Flores, Chief Appraiser for the Brewster County Central Appraisal District, solemnly swear that the attached is that portion of the approved appraisal roll of the Brewster County Central Appraisal District which lists property taxable by City of Alpine and constitutes the appraisal roll for The City of Alpine”

2022 Appraisal Roll Information

Total Appraised Value	\$518,338,726
Total Assessed Value	\$485,871,314
Net Taxable Value	\$437,117,603
Freeze Adjusted Taxable*	N/A
Number of Accounts	<u>4,065</u>
Number of Accounts Under Protest	<u>0</u>
 *Number of Accounts that have a Ceiling	 0
*Actual Tax from Accounts that have a Ceiling	N/A

	<u>7/21/2022</u>
Chief Appraiser	Date
	<u>7/21/2022</u>
Received By	Date

2022 CERTIFIED TOTALS

Property Count: 4,065

11 - City of Alpine
Grand Totals

7/21/2022

12:43:27PM

Land		Value			
Homesite:		54,490,286			
Non Homesite:		11,307,467			
Ag Market:		218,504			
Timber Market:		0	Total Land	(+)	66,016,257
Improvement		Value			
Homesite:		330,620,129			
Non Homesite:		78,066,091	Total Improvements	(+)	408,686,220
Non Real		Count	Value		
Personal Property:	449		43,852,982		
Mineral Property:	0		0		
Autos:	0		0	Total Non Real	(+)
			Market Value	=	43,852,982
					518,555,459
Ag	Non Exempt	Exempt			
Total Productivity Market:	218,504	0			
Ag Use:	1,771	0	Productivity Loss	(-)	216,733
Timber Use:	0	0	Appraised Value	=	518,338,726
Productivity Loss:	216,733	0			
			Homestead Cap	(-)	32,467,412
			Assessed Value	=	485,871,314
			Total Exemptions Amount (Breakdown on Next Page)	(-)	48,753,711
			Net Taxable	=	437,117,603

APPROXIMATE TOTAL LEVY = NET TAXABLE * (TAX RATE / 100)
 2,222,065.48 = 437,117,603 * (0.508345 / 100)

Certified Estimate of Market Value: 518,535,609
 Certified Estimate of Taxable Value: 437,097,753

Tax Increment Finance Value: 0
 Tax Increment Finance Levy: 0.00

2022 CERTIFIED TOTALS

Property Count: 4,065

11 - City of Alpine
Grand Totals

7/21/2022

12:43:28PM

Exemption Breakdown

Exemption	Count	Local	State	Total
CHODO	2	862,935	0	862,935
DV1	14	0	125,308	125,308
DV2	10	0	93,000	93,000
DV3	14	0	154,000	154,000
DV4	25	0	252,000	252,000
DVHS	22	0	4,359,779	4,359,779
EX	1	0	0	0
EX-XG	4	0	1,041,650	1,041,650
EX-XJ	2	0	267,900	267,900
EX-XL	1	0	21,400	21,400
EX-XN	16	0	581,283	581,283
EX-XU	1	0	85,394	85,394
EX-XV	173	0	28,688,424	28,688,424
EX366	112	0	102,374	102,374
LVE	2	0	0	0
OV65	622	12,118,264	0	12,118,264
Totals		12,981,199	35,772,512	48,753,711

2022 CERTIFIED TOTALS

Property Count: 4,065

11 - City of Alpine
Grand Totals

7/21/2022 12:43:28PM

State Category Breakdown

State Code	Description	Count	Acres	New Value	Market Value	Taxable Value
A	SINGLE FAMILY RESIDENCE	2,287	751.0825	\$2,461,080	\$327,098,614	\$278,451,065
B	MULTIFAMILY RESIDENCE	65	37.2927	\$0	\$15,319,728	\$15,306,399
C1	VACANT LOTS AND LAND TRACTS	591	195.2138	\$0	\$7,633,666	\$7,621,666
D1	QUALIFIED OPEN-SPACE LAND	7	83.5800	\$0	\$218,504	\$1,771
E	RURAL LAND, NON QUALIFIED OPE	14	202.0660	\$0	\$704,985	\$704,985
F1	COMMERCIAL REAL PROPERTY	299	136.5678	\$1,514,091	\$83,742,336	\$83,678,521
F2	INDUSTRIAL AND MANUFACTURIN	2	2.4900	\$0	\$220,790	\$220,790
J3	ELECTRIC COMPANY (INCLUDING C	5	0.7882	\$0	\$7,035,204	\$7,035,204
J4	TELEPHONE COMPANY (INCLUDI	15	14.3153	\$0	\$6,441,648	\$6,441,648
J5	RAILROAD	2	0.3077	\$0	\$3,418,236	\$3,418,236
J7	CABLE TELEVISION COMPANY	4		\$0	\$1,108,640	\$1,108,640
J8	OTHER TYPE OF UTILITY	3		\$0	\$167,600	\$167,600
L1	COMMERCIAL PERSONAL PROPE	269		\$0	\$26,890,555	\$26,890,555
L2	INDUSTRIAL AND MANUFACTURIN	1		\$0	\$90,790	\$90,790
M1	TANGIBLE OTHER PERSONAL, MOB	286		\$41,389	\$6,812,803	\$5,979,733
X	TOTALLY EXEMPT PROPERTY	311	488.1475	\$173,958	\$31,651,360	\$0
Totals			1,911.8515	\$4,190,518	\$518,555,459	\$437,117,603

2022 CERTIFIED TOTALS

Property Count: 4,065

11 - City of Alpine
Grand Totals

7/21/2022 12:43:28PM

CAD State Category Breakdown

State Code Description		Count	Acres	New Value	Market Value	Taxable Value
A1	SINGLE FAMILY RESIDENCE	1,927	625.9874	\$2,132,826	\$305,798,703	\$261,124,550
A2	SINGLE FAMILY RESIDENCE (MH)	381	125.0951	\$328,254	\$21,299,911	\$17,326,515
B1	MULTIFAMILY RESIDENCE	59	36.9713	\$0	\$13,822,170	\$13,808,841
B2	MULTIFAMILY RESIDENCE	6	0.3214	\$0	\$1,497,558	\$1,497,558
C1	VACANT LOT	522	155.3041	\$0	\$6,569,945	\$6,557,945
C2	VACANT LOT	27	8.1271	\$0	\$473,083	\$473,083
C3	VACANT LOT	43	31.7826	\$0	\$590,638	\$590,638
D1	QUALIFIED AG LAND	7	83.5800	\$0	\$218,504	\$1,771
E1	FARM OR RANCH IMPROVEMENT	1	7.0800	\$0	\$50,551	\$50,551
E3	NON QUALIFIED LAND	13	194.9860	\$0	\$654,434	\$654,434
F1	COMMERCIAL REAL PROPERTY	299	136.5678	\$1,514,091	\$83,742,336	\$83,678,521
F2	INDUSTRIAL REAL PROPERTY	2	2.4900	\$0	\$220,790	\$220,790
J3	ELECTRIC COMPANY (INCLUDING CC	5	0.7882	\$0	\$7,035,204	\$7,035,204
J4	TELEPHONE COMPANY (INCLUDING I	15	14.3153	\$0	\$6,441,648	\$6,441,648
J5	RAILROAD	2	0.3077	\$0	\$3,418,236	\$3,418,236
J7	CABLE TV COMPANY	4		\$0	\$1,108,640	\$1,108,640
J8	OTHER TYPE OF UTILITY	3		\$0	\$167,600	\$167,600
L1	COMMERCIAL PERSONAL PROPER	269		\$0	\$26,890,555	\$26,890,555
L2	INDUSTRIAL PERSONAL PROPERTY	1		\$0	\$90,790	\$90,790
M1	TANGIBLE OTHER PERSONAL, MOBI	286		\$41,389	\$6,812,803	\$5,979,733
X	TOTALLY EXEMPT PROPERTY	311	488.1475	\$173,958	\$31,651,360	\$0
Totals			1,911.8515	\$4,190,518	\$518,555,459	\$437,117,603

2022 CERTIFIED TOTALS

Property Count: 4,065

II - City of Alpine
Effective Rate Assumption

7/21/2022 12:43:28PM

New Value

TOTAL NEW VALUE MARKET:	\$4,190,518
TOTAL NEW VALUE TAXABLE:	\$4,015,754

New Exemptions

Exemption	Description	Count		
EX	Exempt	1	2021 Market Value	\$0
EX-XN	11.252 Motor vehicles leased for personal use	1	2021 Market Value	\$0
EX-XV	Other Exemptions (including public property, r	2	2021 Market Value	\$231,882
EX366	HB366 Exempt	74	2021 Market Value	\$127,627
ABSOLUTE EXEMPTIONS VALUE LOSS				\$359,509

Exemption	Description	Count	Exemption Amount
DV2	Disabled Veterans 30% - 49%	1	\$7,500
DV3	Disabled Veterans 50% - 69%	2	\$20,000
DV4	Disabled Veterans 70% - 100%	1	\$12,000
DVHS	Disabled Veteran Homestead	2	\$601,355
OV65	Over 65	17	\$329,491
PARTIAL EXEMPTIONS VALUE LOSS		23	\$970,346
NEW EXEMPTIONS VALUE LOSS			\$1,329,855

Increased Exemptions

Exemption	Description	Count	Increased Exemption Amount
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INCREASED EXEMPTIONS VALUE LOSS

TOTAL EXEMPTIONS VALUE LOSS \$1,329,855

New Ag / Timber Exemptions**New Annexations****New Deannexations****Average Homestead Value**

Category A and E

Count of HS Residences	Average Market	Average HS Exemption	Average Taxable
1,314	\$169,094	\$24,314	\$144,780
Category A Only			

Count of HS Residences	Average Market	Average HS Exemption	Average Taxable
1,314	\$169,094	\$24,314	\$144,780

2022 CERTIFIED TOTALS

11 - City of Alpine
Lower Value Used

Count of Protested Properties	Total Market Value	Total Value Used
1	\$285,985.00	\$266,135

ACTION ITEMS OVERVIEW

9. **Action items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable.** (Action items limited to 10 per meeting).
1. Approve the second and final reading of Ordinance 2022-07-01, an ordinance annexing Lots Two through Twelve, Block One, Allen Addition to Brewster County that is adjacent and contiguous territory to the City; Approving a service plan for the annexed area (M. Antrim, City Manager)
 2. Approve the first reading of Ordinance 2022-08-01, an ordinance making appropriations for the support of the City of Alpine, Texas for the fiscal year beginning October 1, 2022, and ending September 30, 2023; Appropriating money to a sinking fund to pay interest and principal on the City's indebtedness; Adopting the annual budget of the City of Alpine, Texas for the Fiscal Year 2022-2023. (M. Antrim, City Manager)
 3. Approve the first reading of Ordinance 2022-08-02, an ordinance amending Chapter 2 - Administration; Amending Article V - Records Management to the Alpine Code of Ordinances (M. Antrim, City Manager)
 4. Approve Resolution 2022-08-01, a resolution approving the recommended Hotel Occupancy Tax Grant Awards from the Hotel Occupancy Tax Committee for the Fiscal Year 2022-2023 (M. Antrim, City Manager)
 5. Approve a Conditional Use Permit application allowing applicants, Stephen & Elizabeth Wood, to establish a mixed-use occupancy residential and commercial business with a detached commercial kitchen on-premise. The property is located at 209 N 13th St. Record property owners are Stephen & Elizabeth Wood. The Planning & Zoning Commission has recommended approval of the Conditional Use Permit (M. Antrim, City Manager)



CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO
AUGUST 2, 2022

To: Honorable Mayor and City Council
Agenda Item: Action Item 1 – Ordinance 2022-07-01
Agenda Sponsor: M. Antrim, City Manager
Memo Submitted By: Geoffrey Calderon, City Secretary

SYNOPSIS

Approve the second and final reading of Ordinance 2022-07-01, an ordinance annexing Lots Two through Twelve, Block One, Allen Addition to Brewster County that is adjacent and contiguous territory to the City; Approving a service plan for the annexed area (M. Antrim, City Manager)

BACKGROUND

- The City received a letter on May 26, 2022, requesting annexation of lots 2 through 12, Block 1, Allen Addition, Brewster County, Texas.
- The City received the completed petition by the landowner on June 16th and scheduled a resolution to be considered at the next regular City Council meeting.
- The land is planned to be used in a commercial capacity. If annexed, the City will be able to collect property taxes and sales taxes from the store.
- The City initiated annexation proceedings with the passage of Resolution 2022-07-02. The second and final hearing has been publicized and AISD has been notified as required by the Local Government Code.
- The current and prospective owners have agreed to the proposed Municipal Service plan.

SUPPORTING MATERIALS

1. Ordinance 2022-07-01.
 - a. Exhibit "A" – Letter requesting annexation & petition of the landowner.
 - b. Exhibit "B" – Survey of the proposed annexation land.
 - c. Exhibit "C" – Municipal Service Plan.

STAFF RECOMMENDATION

APPROVE: City Staff supports approval of this ordinance.

STATE OF TEXAS

CITY OF ALPINE

COUNTY OF BREWSTER

ORDINANCE 2022-07-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS ANNEXING LOTS TWO THROUGH TWELVE, BLOCK ONE, ALLEN ADDITION TO BREWSTER COUNTY THAT IS ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY; APPROVING A SERVICE PLAN FOR THE ANNEXED AREA; PROVIDING FINDINGS OF FACT; PROVIDING CUMULATIVE AND SEVERABILITY CLAUSES, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Alpine, Texas (“the City”) is home rule municipality authorized by State law to annex territory lying adjacent and contiguous to the City;

WHEREAS, the owner of the property, as hereinafter described, has made a written request for the City to annex such property in compliance with the Texas Local Government Code; and

WHEREAS, the property is adjacent contiguous with the corporate city limits of Alpine and the City Council has initiated annexation proceedings with the passage of Resolution 2022-07-02; and

WHEREAS, two separate public hearings were conducted, the second of which was published in the official newspaper of the City not more than twenty nor less than 10 days prior to the public hearing in accordance with § 43.0673 of the Texas Local Government Code; and

WHEREAS, a letter to the Alpine Independent School District was sent not more than twenty nor less than 10 days prior to the public hearing in accordance with § 43.095 of the Texas Local Government Code.

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

**SECTION I.
FINDINGS OF FACT**

All of the premises in this ordinance 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.
REQUEST OF LAND OWNERS**

The request and petition of the landowner to annex Lots two through twelve, Block One, Allen Addition, has been duly accepted by the City Council of Alpine, Texas, in accordance with Subchapter C-3 of Chapter 43 of the Local Government Code. The request and petition are hereto attached as Exhibit “A” to this ordinance.

**SECTION III.
ANNEXATION OF PROPERTY**

The following described property (hereinafter referred to as the “Annexed Property”), the survey of which is hereto attached as Exhibit “B” to this ordinance, is hereby annexed into the corporate city limits of Alpine, Texas:

Lots Two (2) through Eleven (11), inclusive in Block One (1), ALLEN ADDITION, a subdivision of Brewster County, Texas, as the same appears in the Map or Plat Records on file in the office of the County Clerk of Brewster County, Texas, and being the same property described in Deed recorded in Volume 222, Page 403, Deed Records of Brewster County, Texas.

**SECTION IV.
MUNICIPAL SERVICE PLAN**

The Service Plan submitted herewith is hereby approved as part of this Ordinance, made a part hereof, and attached hereto as Exhibit "C." The future owners and inhabitants of the Annexed Property shall be entitled to all of the rights and privileges of the City as set forth in the Service Plan, and are further bound by all acts, ordinances, and all other legal action now in full force and effect and all those which be hereafter adopted.

**SECTION V.
ZONING**

The Annexed Property shall be zoned C-2 as provided in the City Zoning Ordinance.

**SECTION VI.
BOUNDARY MAP**

The official map and boundaries of the City, as adopted and amended, are hereby amended to include the Annexed Property as part of the City of Alpine.

**SECTION VII.
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 VIII.
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 IX
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 X
EFFECTIVE DATE

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

PASSED AND ADOPTED THIS 2ND DAY OF AUGUST 2022 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.

INTRODUCTION AND FIRST READING

JULY 19, 2022

SECOND AND FINAL READING

AUGUST 2, 2022

ATTEST:

Catherine Eaves, Mayor

Geoffrey R. Calderon, City Secretary

APPROVED AS TO LEGAL FORM:

Rod Ponton, City Attorney

EXHIBIT "A"

.JOHN COWAN & ASSOCIATES" INC.

REGISTERED PROFESSIONAL LAND SURVEYORS
SINCE 1946

FFM REGISTRATION No
10025500

10147 OR 135
R.L.N.T. TEXAS 75762

903 581 2238
TDSURVEYS.COM

May 26, 2022

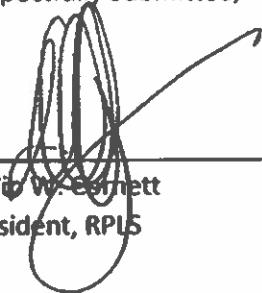
City of Alpine
Geoffrey R. Calderon, City Secretary
100 N. 13th Street
Alpine, TX 79830
(432) 837-3301 x1

Mr. Calderon,

John Cowan & Associates, on behalf of Horse Apple 118, LLC, is petitioning the City Council of Alpine, Texas to annex the property identified as Brewster County Appraisal District Property ID: 21863. This tract of land is Lots 2-11, Block 1, of the Allen Addition, as shown by plat of same recorded in Volume 59, Page 418 of the Map Records of Brewster County, Texas. The tract is located at the Southwest corner of Highway 118 and East Harriet Avenue, Alpine, Texas. Upon approval of the petition of the annexation of the property, we request that the tract be originally zoned as C-1, Neighborhood Commercial District.

If you have any questions or concerns, please don't hesitate to contact me at 903-581-2238 or by email pcornett@jcowaninc.com.

Respectfully Submitted,


Philip W. Cornett
President, RPLS



PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS

TO THE MAYOR OF THE GOVERNING BODY OF ALPINE, TEXAS:

The undersigned owners of the hereinafter described tract of land, which is vacant and without residents, or on which fewer than three qualified voters reside, hereby waive the requirement to be offered a development agreement pursuant to Section 43.016, and petition your honorable Body to extend the present city limits so as to include as part of the City of Alpine, Texas, and upon annexation request that the tract of land be zoned as C-1, Neighborhood Commercial District, the following described territory, to wit:

Brewster County Appraisal District Property ID: 21863. Also, known as Lots 2-11, inclusive, in Block 1 of the Allen Addition, as shown by plat of same recorded in Volume 59, Page 418 of the Map or Plat Records of Brewster County, Texas. This tract of land is located at the Southwest corner of Highway 118 and East Harriet Avenue, Alpine, Texas.

We certify that the above-described tract of land is contiguous and adjacent to the City of Alpine, Texas and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

Signed: [Signature]

Signed: _____

Signed: _____

THE STATE OF TEXAS

COUNTY OF Brewster

BEFORE ME, the undersigned authority, on this day personally appeared Kate Brockman, and [Signature], known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 13th day of June, 2022.

[Signature]
Notary Public in and for
12-31-2025 County, Texas.

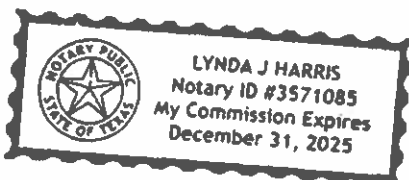


EXHIBIT "C"



AGREEMENT FOR THE PROVISION OF MUNICIPAL SERVICES FOR ANNEXATION OF AREA ON REQUEST OF OWNERS

This Agreement for the Provision of Municipal Services is made and entered into on July 19, 2022, and becomes effective on the date that the City of Alpine agrees by a majority vote of its governing body to annex the proposed area in this Agreement as requested by said Property Owners. ("Effective Date"). This Agreement may be executed in duplicate by and between the City of Alpine, Texas, hereinafter called "City" and Horse Apple 118, LLC, hereinafter called "Owner", each of which duplicate copies shall have the full force and dignity as an original.

This Agreement relates to an area of land that has been requested by its own property owners to be annexed into the city limits of the City of Alpine ("annexed area"). This area is depicted in the attached map ("annexation area") and is legally described as:

"Lots two (2) through Eleven (11), inclusive, in Block One (1), ALLEN ADDITION, a subdivision of Brewster County, Texas, as the same appears in the Map or Plat Records on file in the office of the County Clerk of Brewster County, Texas, and being the same property described in Deed recorded in Volume 222, Page 403, Deed Records of Brewster County, Texas."

In accordance with Texas Local Government Code 43.0672, this Agreement provides for the provisions of municipal services in the annexed area no later than 2.5 years after the effective date of the annexation, unless certain services cannot reasonably be provided within that period and the City proposes a schedule for providing those services.

A. SERVICES TO BE PROVIDED TO THE ANNEXED AREA ON THE EFFECTIVE DATE OF THE ANNEXATION ARE:

- (1) **POLICE:** The City of Alpine Police Department will provide police protection.
- (2) **FIRE:** The Alpine Volunteer Fire Department will provide fire protection and suppression through its existing fire station.
- (3) **EMERGENCY MEDICAL SERVICES:** The City of Alpine has a contract with Elite Medical Air Transport, LLC, DBA Emergent Air to provide emergency medical services.

- (4) **BUILDING SERVICES:** The Building Services Department will provide Building Services and Code Enforcement services upon annexation. This includes issuing building, electrical, and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of Alpine.
 - (5) **PLANNING & ZONING:** The Planning & Zoning division of the Building Services Department is responsible for regulating development and land use through the administration of the City of Alpine Zoning Ordinance, which will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the City of Alpine Subdivision Ordinance.
 - (6) **SOLID WASTE COLLECTION:** The City of Alpine has a contract with Texas Disposal Systems to provide solid waste collection services to City of Alpine utility customers.
 - (7) **WATER AND WASTEWATER:** Water and Wastewater services will be provided by the City to the annexed area.
 - (8) **NATURAL GAS:** Natural Gas Services will be provided by the City to the annexed area.
 - (9) **ROADS AND STREETS:** The City will maintain public roads and streets over which the City has jurisdiction. Roads, streets, or alleyways which are dedicated to and accepted by the City of Alpine, Texas, or which are owned by the City of Alpine, Texas, shall be maintained to the same degree and extent that other roads, streets, and alleyways are maintained in the City. The lighting of public roads, streets, and alleyways shall be maintained by the applicable utility company servicing the City. The City of Alpine will coordinate any request for improved public street lighting with the local electric provider in accordance with the standard city policy.
 - (10) **PARKS, PLAYGROUNDS, AND SWIMMING POOLS:** There are no public recreational facilities in the annexation area including parks, playgrounds, or swimming pools.
 - (11) **OTHER PUBLICLY OWNED FACILITY, BUILDING, OR SERVICE:** Currently, there are no other publicly-owned facilities, buildings, or services identified in the annexation area.
 - (12) **OTHER MUNICIPAL SERVICES:** Excluding electric services, all other City Departments with jurisdiction in the area will provide services according to City policy and procedure.
- B. CAPITAL IMPROVEMENT PROGRAM PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 43.056(E).**
- (1) **POLICE:** No capital improvements are necessary at this time to provide police services.

- (2) **FIRE:** No capital improvements are necessary at this time to provide fire services.
- (3) **EMERGENCY MEDICAL SERVICES:** No capital improvements are necessary at this time to provide emergency medical services.
- (4) **SOLID WASTE COLLECTION:** No capital improvements are necessary at this time to provide solid waste collection services.
- (5) **WATER:** No new capital improvements will be required to provide water services to the area.
- (6) **WASTEWATER:** No new capital improvements will be required to provide waste water services to the area.
- (7) **NATURAL GAS:** No new capital improvements will be required to provide natural gas services to the area.
- (8) **ROADS AND STREETS:** No new road or street related capital improvements are necessary at this time. In general, the City will acquire control of all public roads and public streets within the annexed area upon annexation. Future extensions of roads or streets and future installation of related facilities, such as traffic control devices, will be governed by the City's standard policies and procedures.
- (9) **LIGHTING:** No capital improvements are necessary at this time to provide services. Lighting in new and existing subdivisions will be installed and maintained in accordance with the applicable standard policies and procedures.
- (10) **PARKS, PLAYGROUNDS, AND SWIMMING POOLS:** No capital improvements are necessary at this time to provide services.
- (11) **OTHER PUBLICLY OWNED FACILITIES, BUILDINGS, OR SERVICES:** In general, other City functions and services, and the additional services described above can be provided for the annexed area by using existing capital improvements, except for necessary water and wastewater capital improvements.
- (12) **CAPITAL IMPROVEMENTS PLANNING:** The annexed area will be included with the other territory in connection with the planning for new or expanded facilities, functions, and services as part of the City's Capital Improvement Plan

C. EFFECTIVE TERM

This Agreement shall be in effect for a ten-year period commencing on the effective date of the annexation unless otherwise stated in this Plan. Renewal of the Agreement shall be at the option of the City. A renewal of this Agreement may be exercised by the City Council provided the renewal is adopted by ordinance and specifically renews this Agreement for a stated period of time.

D. SPECIAL FINDINGS

The City Council of the City Alpine, Texas, finds and determines that this Agreement will not provide any

fewer services or a lower level of services in the annexation area than were in existence in the annexation area at the time immediately preceding the annexation process. The Plan will provide the annexed area with a level of service, infrastructure, and infrastructure maintenance that is comparable to the level of service, infrastructure, and infrastructure maintenance available in other parts of the municipality with topography, land use, and population density similar to those reasonably contemplated or projected in the annexed area.

The City reserves the right guaranteed to it by the Texas Local Government Code to amend this Plan if the City Council determines that changed conditions or subsequent occurrences or any other legally sufficient circumstances exist under the Local Government Code or other Texas laws to make this Agreement unworkable or obsolete or unlawful.

E. GOVERNING LAW

This Agreement may not be amended or repealed except as provided by the Texas Local Government Code or other controlling law. Neither changes in the methods or means of implementing any part of the service programs nor changes in the responsibilities of the various departments of the City shall constitute amendments to this Agreement, and the City reserves the right to make such changes. This Agreement is subject to and shall be interpreted in accordance with the Constitution and laws of the United States of America and the State of Texas, the Texas Local Government Code, and the orders, rules, and regulations of governmental bodies and officers having jurisdiction.

F. FORCE MAJEURE

In case of an emergency, such as force majeure as that term is defined in this Agreement, in which the City is forced to temporarily divert its personnel and resources away from the annexed area for humanitarian purposes or protection of the general public, the City obligates itself to take all reasonable measures to restore services to the annexed area of the level described in this Plan as soon as reasonably possible. Force Majeure shall include, but not be limited to, acts of God, acts of the public enemy, war, blockages, insurrection, riots, pandemics, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, droughts, tornadoes, hurricanes, arrest and restraint of government, explosions, collisions and other inability of the City, whether similar to those enumerated or otherwise, which is not within the control of the City.

G. LEVEL OF SERVICE

The City will provide municipal services" in the annexed area in the manner and time required by Texas Local Government Code 43.056. Nothing in this Agreement shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed area, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service. The City of Alpine will provide services to the newly annexed area in a manner that is similar in type, kind, quantity, and quality of service presently enjoyed by the citizens of the City of Alpine, Texas, who reside in areas of similar topography, land utilization, and population density.

H. REMEDY

A person residing or owning land in an annexed area may enforce this Agreement by applying for a writ of mandamus not later than the second anniversary of the date the person knew or should have known that the municipality was not complying with the Agreement. It is presumed that a resident or landowner in

the annexation area is provided full municipal service in the absence of a written request identifying the service not provided to the resident or landowner per the Agreement. Written notice is to be delivered or sent to the City Manager at the following address:

City of Alpine
100 N. 13th Street
Alpine, Texas 79830

APPROVED BY
CITY OF ALPINE, TEXAS:

ATTEST:

Catherine Eaves, Mayor

Geoffrey R. Calderon, City Secretary

The State of Texas
County of Brewster

§
§

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas on this day personally appeared **CATHERINE EAVES, MAYOR** of Alpine, Texas, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the City of Alpine, Texas, a municipal corporation, and that she executed the same as the act and deeds of such corporation for the purposes and consideration therein expressed and in the capacity herein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ day
of _____ 2022.

[Seal]

NOTARY PUBLIC, State of Texas

Printed Name: _____

Commission Expires: _____

HORSE APPLE 118, LLC

PROPERTY OWNER

[Signature]
Authorized Representative of Horse Apple 118, LLC

Pate Brookover
Printed Name of Authorized Representative
of Horse Apple 118, LLC

The State of Texas §
County of Brewster §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas
on this day personally appeared Pate Brookover known to me to be the person and
officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was
the act of the said Horse Apple 118, LLC, and that he executed the same for the purposes
and consideration therein expressed and in the capacity herein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 7 day
of July 2022.

[Seal]



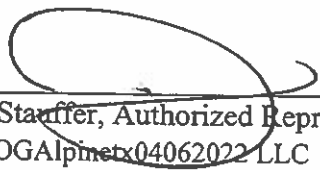
[Signature]
NOTARY PUBLIC, State of Texas

Printed Name: Logan Schnautz

Commission Expires: 3-24-2026

DGOGAlpinetx04062022 LLC

PROSPECTIVE OWNER



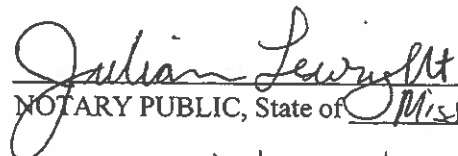
Jacob Stauffer, Authorized Representative
of DGOGAlpinetx04062022 LLC

The State of Missouri §
County of Greene §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Missouri on this day personally appeared **JACOB STAUFFER** known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said **JACOB STAUFFER**, and that he executed the same for the purposes and consideration therein expressed and in the capacity herein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 8 day
of July 2022.

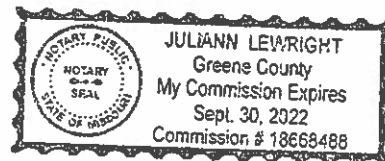
[Seal]



NOTARY PUBLIC, State of Missouri

Printed Name: Juliann Lewright

Commission Expires: 9/30/22



[illegible]