

City of Alpine
Regular City Council Meeting
Tuesday, August 4, 2020

Notice is hereby given that the City Council of the City of Alpine, Texas will hold **a Regular Meeting at 5:30 P. M. on Tuesday, August 4, 2020 via Zoom Conference, in the City of Alpine, Texas. Meeting login details may be found at www.cityofalpine.com** for the purpose of considering the attached agenda. This notice is posted pursuant to the Texas Open Meetings Act. (Section 551.043, Texas Government Code).

Members of the audience will be provided an opportunity to address the Council on any agenda item after determination of quorum and proof of notice of the meeting. Zoom meeting comment and question rules and procedures are listed on the City Website. Remarks will be limited to a total of 3 minutes per person. Please email your name to Geo Calderon (g.calderon@ci.alpine.tx.us). If you have a petition or other information pertaining to your subject, please email it to the City Secretary beforehand. All names wanting to make public comment for the meeting will be queued up and given to the Mayor at that section of the meeting. The Mayor will call on those individuals one at a time and our meeting moderator will take you off mute to make your comments. This will function the same as our existing sign-up sheet in Council Chambers. ***** Please note, you MUST include your full name (first and last) along with what Ward you reside in or have business interest in. If you do not live or own property in the City please state that in your email.** 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, and Pledge of Allegiance.
2. Determination of a Quorum and Proof of Notice of City Council Meeting.
3. Public Comments – (limited to 3 minutes per person)
4. Presentation, Recognitions and Proclamations – (A. Ramos, ,Mayor) – None
5. Reports -

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

City Attorney's Report –

- Update on statewide COVID orders

- Update on code enforcement and municipal court

City Manager Report

- COVID-19 Update
- Economic Development
- Human Resources/Staffing
- Budget Approval Timeline

City Staff Update –

- Utilities Update – Water/Sewer/TCEQ and Gas/Texas Railroad Commission by Scott Perry, Johnny Marquez, and Randy Guzman.
- Quarterly Update – Visitor Center / HOT by Director of Tourism Chris Ruggia.

6. Public Hearings –

- Public Hearing to obtain citizens views and comments regarding the City requesting \$216,000 from the TX Community Development Block Grant – Downtown Revitalization program for sidewalks and related infrastructure improvements in the downtown area.

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.)

- A. Approval of minutes from City Council meeting on July 21, 2020. (E. Zimmer, City Manager)
- B. Approval of acceptance of \$600.00 donation to the Alpine Police Department. (E. Zimmer, City Manager)
- C. Approval of Sarah Davison for the HOT Committee for Ward 1. (M. Curry, City Council)
- D. Approval of Jerry Johnson for the HOT Committee for Ward 2. (R. Olivas, City Council)
- E. Approval of Karen Sulewski for the HOT Committee for Ward 3. (B. Fitzgerald, City Council)

8. Information or Discussion items –

1. Family Crisis Center Readout – by Executive Director Sara Stropoli. (E. Zimmer, City Manager)
2. Discussion on Section 54 Code of Ordinances. (E. Zimmer, City Manager)
3. Discussion of Fire Fee's for the City of Alpine. (E. Zimmer, City Manager)

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

1. Discuss, consider, and take appropriate action setting a date for the Emergency Services and Law Enforcement Workshop. (E. Zimmer, City Manager)
2. Discuss, consider, and take appropriate action on Resolution 2020-07-02, a Resolution authorizing the City of Alpine to participate in the Texas CDBG for the downtown revitalization in the amount of \$216,000. (E. Zimmer, City Manager)
3. Discuss, consider, and take appropriate action on the first reading of the City of Alpine Personnel Policy. (E. Zimmer, City Manager)
4. Discuss, consider, and take appropriate action to approve the Holiday Schedule for the City of Alpine FY 2021/2022. (E. Zimmer, City Manager)
5. Discuss, consider, and take appropriate action to approve recommendations from Planning & Zoning on Gary Neel application for a Conditional Use Permit for a non-conforming structure (storage container) placed at 201 S. Halbert Street, Alpine, Texas. Property Identification is 201 S. Halbert. Legal description is 1.21 acres of land out of the Southeast part of track 4, Section 43 to the City of Alpine, Brewster County, Texas. Record owner is Gary Neel. (E. Zimmer, City Manager)

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

11. Executive Session - - Pursuant to Texas Government Code 551.071 Consultation with Attorney on a matter for which it is the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct conflict with this Chapter and requires discussion of the item in closed session), and 551.071(consultation with attorney regarding potential or contemplated claims against the City) Pursuant to Texas Government Code 551.074 – to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. –

1. Discussion of update on Parkhill Smith and Cooper. (E. Zimmer, City Manager)

NOTICE: The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code, Sections 551.071 (consultation with

attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.086 (economic development.)

12. Action – Executive Session –

1. Discuss, consider, and take appropriate action, if any, on Parkhill Smith and Cooper. (E. Zimmer, City Manager)

I certify that this notice was posted at 2:00 P. M. on July 31, 2020, Pursuant to the Texas Open Meetings Act (Texas Government Code Section 51.043). This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (432)837-3301 or email city.secretary@ci.alpine.tx.us for further information.


Cynthia Salas, City Secretary
City of Alpine

6. Public Hearings –

- Public Hearing to obtain citizens views and comments regarding the City requesting \$216,000 from the TX Community Development Block Grant – Downtown Revitalization program for sidewalks and related infrastructure improvements in the downtown area.

To: City of Alpine Mayor and City Council Members

Re: TX-CDBG- Downtown Revitalization program funds & Draft Resolution 2020-

Date: July 27, 2020

Honorable Mayor & City Council-

Per Texas Community Development Block Grant- Downtown Revitalization (TX-CDBG-DR) program regulations, the City of Alpine must hold an official Public Hearing to allow for any public comments on the TC-CDBG-DR funding and project, including a Notice of Public Hearing posted in the newspaper at least 72-hours prior to the Public Hearing date. The TX-CDBG-DR program does not require any specific language for the posting.

The accompanying Resolution for this Public Hearing item will be presented to Council on August 4, 2020 in the Action Items section of the meeting agenda.

Please find all of the supporting documentation for the Public Hearing on the following pages.

Sincerely,

Marci Tuck

Marci Tuck, AICP

Grant Writer,

City of Alpine

Background Information for:

PUBLIC HEARING to obtain citizens' views and comments regarding the City requesting \$216,000 from the TX Community Development Block Grant- Downtown Revitalization program for sidewalk and related infrastructure improvements in the downtown area.

Prepared by: Marci Tuck, Grant Writer

Meeting Date: August 4, 2020

PROJECT DESCRIPTION:

Sidewalks, curb/gutter, driveways, and ADA accessibility improvements in downtown.

Applying for \$216,000 from the TX Community Development Block Grant - Downtown Revitalization (TX-CDBG-DR) program would *provide the City 1,423(+/-) linear feet of ADA accessible, 6-foot wide sidewalk plus 6-inch curbs, driveway ingress/egress, strategic striping, engineering costs and related improvements specifically from 2nd Street to 8th Street, in-between Holland and Avenue E* (see map) – our downtown area.

The TX-CDBG-DR program requires only a 3.5% match of City funds. The City has \$78,000 earmarked in the FY21 Budget towards improving sidewalks, curb and related infrastructure throughout the City limits, a portion of which can be used as our matching funds for this application. The *City's match of \$9,000 (about 4%)* plus \$216,000 in TX-CDBG-DR funds would total \$225,000 towards sidewalk and curb improvements in the downtown area, allowing the remainder of our allocated sidewalks funds to be utilized elsewhere in the City.

STAFF COMMENTS:

Applying for and entering into a grant agreement with the TX-CDBG-DR program will *almost triple the linear footage* of sidewalks the City had expected to improve in FY21. The 3.5% match requirement is one of the lowest matching grants available, offering a substantial return on investment for the City. The City of Alpine is in good standing with the TX-CDBG funding programs from past projects. City Staff has spoken with TX-CDBG program staff and the sidewalk improvements described herein are in line with the program's intended purpose.

PUBLIC PARTICIPATION & NEXT STEPS:

- Monday, July 27, 2020- Presented to Planning & Zoning Commission for discussion and feedback
- Tuesday, August 4, 2020 - Public Hearing & Resolution presented at regular Council meeting
- Thursday, August 6, 2020 – Presentation to Alpine Downtown Association for expected endorsement
- Tuesday, September 1, 2020 – Grant application due to TX-CDBG-DR offices in Austin

Blue lines represent the sidewalk sections to be renovated using TX-CDBG-DR funds.



- Quarterly Update – Visitor Center / HOT by Director of Tourism Chris Ruggia.

ALPINE TOURISM PROMOTION PLAN: Report for April-June 2020

This report covers tourism promotion activities for the previous quarter and available occupancy data for the quarter before that. In my presentation to Council I hope to also include some budgetary projections for the remainder of 2020.

HOTEL OCCUPANCY

Texas Hotel Performance Factbook data provided by the Texas Hotel & Lodging Association. The Texas Hotel Performance Factbook is a product of Source Strategies, Inc. Their web site says that their data comes from State Comptroller reports, though direct comparison of a quarterly Comptroller's report shows that they do not include Value Inn ("Alpine Lodging") and that they group short term rentals in a different way. Accordingly, these numbers should be considered as generalizations.

12 months ending March 31 (549 rooms - down from 588 rooms with Bienvenido closed)

Occupancy rate: 58.5% (-1.2% from previous year)

Total Revenue: \$13,010,916 (+1.1% over previous year)

Revenue Per Available Room: \$66.04 (+5.3% over previous year)

3 months ending March 31 (555 rooms - down from 588 rooms with Bienvenido closed)

Occupancy rate: 61.5% (-0.9% from Q1 2019)

Total Revenue: \$3,177,536 (-6.5% from Q1 2019)

Revenue Per Available Room: \$63.61 (-0.6% Q1 2019)

PRINT ADS

Ride Texas - 18,506 circulation (100,000 readers)

Summer - full-page advertorial (co-op with Marfa & Fort Davis)

Total cost: \$565.00

Cost per thousand circulation (full page): \$77.31

Cost per thousand "readers" (full page): \$14.31

Texas Highways - 176,000 circulation (490,000 readers)

August - 1/6-page (Full-page co-op with Fort Davis, Marfa, Fort Stockton, Midland, Odessa)

Total cost (each): \$835.19

Cost per thousand circulation (full page): \$33.25

Cost per thousand "readers" (full page): \$11.90

DIGITAL ADS

Alpine Email Newsletters

April - Sent: 3,177; Opened: 772; Clicks: 63

Open Rate: 24.3%

CTR: 8.16%

Total cost: \$1,000

May - Sent: 3,527; Opened: 926; Clicks: 33

Open Rate: 26.25%

CTR: 3.56%

Total cost: \$1,000

June - Sent: 3,541; Opened: 732; Clicks: 56

Open Rate: 20.67%

CTR: 7.65%

Total cost: \$1,000

Glasstire.com

E-mail newsletter and social media

6,937 impressions and 120 engagements

Cost per thousand impressions: \$56.94

Cost per engagement: \$3.29

Total cost: \$395

Facebook - (3 months: April-June) 250,758 impressions to 118,208 viewers with 4,425 engagements across 6 ad campaigns

Total cost: \$1,290.15

Cost per thousand impressions: \$5.15

Cost per thousand viewers: \$10.91

Cost per engagement: \$0.29

SOCIAL MEDIA (3 months: April-June)

Facebook

31,662 followers (+6.93% over last year)

416,356 impressions (-30.8% from last year)

151 posts (+19.13% over last year)

28,096 engagements (comments, shares) (+3.61% over last year)

Instagram

10,560 followers (+46.81% over last year)

29 posts (-12.46% from last year)

11,774 likes (+50.14% over last year)

138 comments (+90.7% over last year)

Twitter

1,484 followers (+11.24% over last year)

34 tweets (-43.77% from last year)

12,994 impressions (-63.39% from last year)

759 engagements (likes, retweets) (-17.56% from last year)

WEB SITE & MOBILE APP (3 months: April-June)

16,364 visitors (+9.89% over last year)

41,990 page views (+5.41 over last year)

Mobile App & Web Maps

1,441 visitors (+50.2% over last year)

3,949 page views (-37.71% from last year)

76 iOS downloads (-26.09% from last year)

17 Android downloads (+67.86% over last year)

OTHER ACTIVITIES

Budget and administration:

- Prepare ongoing FEMA reports on emergency activities
- Request and receive HOT collections by month from Megan for past year
- Prepare and deliver quarterly tourism report to Council, including COVID-19 economic impact and projections
- Contact all HOT grant recipients asking for report on planned activities and any budget adjustments/reductions in light of pandemic
- Review ad solicitations as they come in against marketing strategy and budget (most are rejected)
- Consult with Erik re: public reaction to tiered response plan, messaging strategy during reopening transition, etyc
- Participate in City Staff Directors' Meetings
- Continue regular twice-monthly Tourism planning meetings with Erik
- Compile issues arising from proposed short-term rental ordinance with Erik and David Hale, distribute to STR operators, manage phone and email responses, schedule and facilitate zoom workshop, provide workshop results to City Staff and Council
- Review 5-Year Capital Plan with Erik and Heather Yadon
- Complete 2020-2021 Budget worksheet
- Assist Megan in clearing old open purchase orders from previous fiscal years
- Present Tourism/COVID report to City Council
- Review sidewalk sign policies with David Hale
- Encourage applications for HOT Grants Committee
- Consult with Erik and David Hale re: possibility of HOT-funded dark sky fixtures (resolution: probably not an appropriate/strategic use of that fund)

Plan and execute promotions:

- Execute license for drone/time lapse videos
- Complete custom Google Map of Hancock Hill trails system
- Prepare and send e-newsletter promoting music festival
- Commission, review and edit magazine feature pitch by local writer Kerry Laird for October Ultimate Fandango event in October, send to publications – followed by notice of the event's cancellation

- Add new email leads to email list and send Alpine email newsletter re: 1 on 1 on 1 Music Festival and essay by 10-year-old Alpine fan
- Create and send Alpine email newsletter re: Viva Big Bend, Texas Music Friendly Community program and Alpine music history
- Conceive and execute PR campaign with feature article for Trappings of Texas online sale
- Complete Hancock Hill Trails print handout with updated property lines, route mileage/elevation, and safety info, distribute through Visitor Center
- Communicate with Gulf Coast Distillers re: relaunch of Tejas Lager (Big Bend Brewing Company brand), pitch promotional partnerships with Alpine, arrange for Viva Big Bend sponsorship
- Plan content with Open Sky Media for July email newsletter
- Begin work on digital promotions plan including search and remarketing campaigns to target short term rentals and hotels

Worked with Visitor Center Staff on:

- Visitor sample itineraries for in-town visits and day trips from Alpine
- Develop and produce visitor information request postcard and new web form
- Collect and send information requests from Texas Monthly and tourtexas.com
- Musician coordination for 1 on 1 on 1 livestream music festival
- Develop and execute Earth Day Bingo contest to support Keep Alpine Beautiful's programming after event cancellation
- Discuss proposed post-COVID Walk/Hike Festival
- Help with planning and logo materials for in-house informational handouts
- Ongoing website updates of business listings (restaurants, hotels, short term rentals) to reflect COVID-related changes, etc)
- Recommend printing/distribution of COVID-19 handout & census flyers
- Ongoing occupancy check-ins with hotels
- Lay out free Yellow Pages ad for Visitor Center
- Plan for new Hancock Hill materials and volunteer program for trail development
- Re-opening: update Visitor Center info on visitalpinetx.com site and Facebook; design and printing for Welcome sign with COVID distancing policies
- Develop new web site content
- Consult on 2020-2021 budget
- Create oversized Hancock Hill trail map poster
- Manage email newsletter mailing list
- Collect RV park occupancy info for Erik

Media activity:

- **Texas Highways** - phone interview / online article promoting 1 on 1 on 1 LiveStream Music Festival
- **UK Media** - send music festival press releases to UK rep for Texas State Tourism Office
- **TX Music Office** - send music festival information, receive social media promos, press releases for Texas Music Friendly Community workshop
- **Texas Travel Alliance** - send music festival information for distribution
- **CBS7 Midland** - provide video assets of Alpine for news story in response to request by Emergency Coordinator Stephanie Elmore

- **Big Bend Sentinel** - short interview and share presentation slides re: economic projections, phone interview re: emergency mask ordinance
- **Marfa Public Radio** - share information on tiered response matrix, Governor's orders, hotel re-openings and travel industry projections, phone interview re: reopening, send requested info on business closures due to COVID cases
- **Marie Kondo "Tidy My Town"** - zoom meeting for Parks Board proposal re: call for locations from proposed TV show, review and give input on draft application, produce application video with Bobby Greeson including local personality interviews
- **San Antonio Express News** - phone interview re: reopening
- **Texas Country Reporter** - assist with Visitor Center creating welcome packets
- **KVLF Alpine Radio** - phone interview re: Music Friendly Community program
- **Visit USA Awards** - Claire Dodd (UK journalist we hosted in 2019) won Best Online Feature award for her article on Alpine, Marfa, Marathon

Design and produce tourism web presence:

- Several updates to COVID alerts informing visitors of hotels/services status
- Create Visitor Information Request form with checklist of subjects of interest to support postcard mailings
- Create mock-ups of new design for site typography and navigation at different device screen sizes
- Coding for redesign of site navigation
- Launch completed new design for site typography and navigation
- Send update requests for STR listings to Book > Direct system
- Add Hancock Hill Trails with custom Google Map to Attractions page
- Add Davis Mountains State Park info
- Work on new "Safe Travel" web page

Coordinate with event organizers to assist with their planning, promotional programs and any HOT-funded activities:

- Contact all HOT grant recipients to determine changes in plans/budgets in response to COVID-19
- check with Fall events on planning status for listing with Texas Highways
- **Big Bend Film Commission** - consult on Austin Film Festival promo materials, consider attendance/sponsorship of tentative 2020 Austin Film Festival
- **Alpine Cowboys Baseball** - receive word confirming cancellation of 2020 Season
- **Viva Big Bend** - extensive planning discussions for 2020 event, assist with concepts and technical considerations for pivot to streaming event
- **Artwalk** - discussions on 2020 event planning and HOT funding
- Assist Alpine Cowboys and Baseball and Alpine Christian School with dates for event scheduling
- **Ultimate Fandango** - assist with contacting Rangra Theatres to arrange special movie screening during event, then assist in communicating event cancellation to partners
- **Lone Star Cowboy Poetry Gathering** - advise re: Transportation grant budget and consultation re: promotions and execution of 2021 event
- **Center for Big Bend Studies** - receive notice of 2020 annual conference cancellation
- **Big Bend Comic Con** - consult on execution of online event for October 2020

Review and authorize HOT promotional expenditures:

- Invoicing for Open Sky email newsletters True West magazine
- Contract and invoicing with tourtexas.com for Road Trip email promotion
- Invoicing for Kerry Laird article on Ultimate Fandango
- Invoicing for Printco, first printing & reprinting of info request postcards
- Contract and invoicing for Ride Texas advertorial, invoicing for Austin Monthly social media & email newsletter
- Invoicing for Brenda Kissko article on Trappings of Texas online sale

Oversee all HOT-funded advertising by third parties:

- **Museum of the Big Bend** - contract and invoicing tourtexas.com Road Trip email promotion, invoicing for Lubbock, Texas Highways and True West magazines
- **Lone Star Cowboy Poetry Gathering** - invoicing for Lubbock newspaper, KACT radio ads and Midland Reporter-Telegram
- **Big Bend Film Commission** - invoicing for Austin Monthly digital campaign
- **Artwalk** - Finalize invoicing for radio ads

Recruitment of workshops, seminars and/or conferences:

- No activity this quarter

Plan, organize, supervise and participate in trade shows, sales missions, and tours for journalists, agents and event planners:

- **Odessa ABC "Big 2"** - create interview itinerary of downtown businesses and host news crew for travel feature

Maintain and strengthen industry knowledge by attending industry conferences and training and perform ongoing research on promotional best practices and market conditions:

- Research pandemic response for hotels and restaurants (5+ articles)
- Research pandemic impact on US employment for Council report
- Watch webinar from Texas Travel Alliance re: updates on CARES Act
- Read *10 things DMOs need to consider in their destination marketing recovery strategy* (<https://www.smgonline.net/post/10-things-dmos-need-to-consider-in-their-destination-marketing-recovery-strategy>)
- Review weekly COVID-19 reports from U.S. Travel Association
- Read *The coronavirus will create a new kind of tourist:* https://www.theeagle.com/opinion/columnists/the-coronavirus-will-create-a-new-kind-of-tourist/article_d8101e39-692f-5cb1-a1fb-0ed0a5f04b26.html
- Read Matador Network's COVID-19 *Traveler Sentiment Insight Report*
- View Host Compliance Webinar (*What 350 Communities Can Teach You About Short Term Rental Compliance*), send notes on enforcement program to David Hale
- Research *future of offices* (<https://www.vox.com/recode/2020/4/14/21211789/coronavirus-office-space-work-from-home-design-architecture-real-estate>)
- View live Washington Post presentation on hotel recovery with Hilton CEO
- Research Texas re-opening data and increasing trends in RV vacations

- Read *How Marketers Should Prepare for Recovery*
(<https://www.phocuswire.com/travel-marketing-tips-coronavirus-pinterest>)
- Read TripAdvisor COVID travel trends and traveler sentiment report
- Read *COVID-19 Marketing Response Planning* report by Madden Media
- Read Coronavirus Travel Sentiment Index report by Destination Analysts
- View Tempest Interactive Media Webinar, *COVID-19: Preparing for Recovery*
- Read Bloomberg article, *Airbnb sees surge in summer rentals, with Texas' Port Aransas among top U.S. destinations*
- View webinar: *Google and Madden Marketing Recovery Insights*
(<https://www.youtube.com/watch?v=JXOTHj2ctkg>)
- Watch MindEcology presentation, *Marketing During COVID-19*
- Read *11 Ways the Pandemic Will Change Travel*
(<https://www.washingtonpost.com/travel/2020/06/15/11-ways-pandemic-will-change-travel/>)
- View *The Future of Tourism: A Community-Focused Approach to Destination Marketing*
- Review slide deck from *It's A New World in Social Media* webinar by the Atkins Group
- View webinar: *Crisis Marketing and Survival Strategies for Texas Travel Marketers*
- Read AAA Summer Travel Forecast

Develop and maintain relationships with hotels, restaurants and attractions:

- Receive and answer questions from hotels and short-term rentals re: HOT collections, essential operations, emergency occupancy requirements, other hotels in apparent violation of emergency ordinance, Council responses to Governor's orders
- Manage long and intensive exchanges with hoteliers re: desire to reopen and resistance (from some) to continuing restrictions, work back with Erik and Police Chief to answer questions and address ongoing concerns
- Two Zoom meetings with THLA re: state and federal laws, emergency orders and local ordinances, best practices and legal liability concerns, collect notes from calls and distribute to all hotels
- Respond to concerns from local businesses re: economic recovery from COVID
- Forward THLA newsletter information, COVID policy best practices, etc to hoteliers
- Email with Holland Hotel re: HOT Grants Committee and general occupancy levels in town
- Email hoteliers re: Judge's mask order
- Provide Visit Alpine logo to Murphy Street Mercado for tourist products (artwork approval required)

Develop and maintain relationships with local and regional partners:

- **Texas Hotel & Lodging Association** - forward hotel HOT questions that I can't answer for response, request and receive hotel occupancy data from state sources, assist with invitations and facilitate zoom calls with THLA Lead Counsel Justin Bragiel, receive 2020 Q1 hotel occupancy factbook report
- **Big Bend Conservation Alliance** - discussion of 2019-2020 HOT grant, Dark Sky Preserve project, proposed updates to Alpine lighting ordinance, possible Dark Skies HOT category
- **City of Alpine Parks Advisory Board** - zoom meeting re: proposed application to Marie Kondo "Tidy My Town" TV show; distribute draft of custom Google Map of Hancock Hill trails system
- **Sunshine House, Alpine Food Pantry** - assist in coordinating distribution of COVID-19 safety & support handout

- **Alpine Downtown Association** - discuss Governor's orders and Council response, attend regular monthly meetings via zoom, distribute "Travel in the New Normal" guidelines for travel businesses from US Travel Association, share current sidewalk sign policies, give information on working with freelance photographers for Texas Downtown Association, provide Economic Development update
- **Big Bend Arts Council** - refer short-term rental owner to BBAC to find artists for their art display/sales space
- **Texas Association of Convention and Visitors Bureaus** - participate in ongoing crisis survey of DMO leaders, review results as released
- **Brewster County Tourism Council** - share information upon request re: short-term rentals in City database, share Hancock Hill Trails google map for visiting photographer, consult with Robert Alvarez re: status of hotel recovery
- **Alpine Public Library** - discuss re-opening policies, consult on technical considerations for possible live stream fundraiser
- **Sul Ross State University** - collaborate with News & Information on PR campaign for Trappings of Texas, investigate possible enrollment campaign to assist with SRSU state funding
- **Alpine Kiwanis** - consult on cancellation of July 4 events
- **Big Bend Arts Council** - assist with registration of sidewalk signs for galleries
- **Rio Grande Council of Governments** - contact re: request for event information related to Homeland Security funding

Represent the City of Alpine in regional co-operative promotional partnerships:

- **Marfa, Fort Davis** - consider when to resume co-op print advertorials, commission and edit new article on outdoor activities, create layout for summer Ride Texas issue for summer *Ride Texas* issue
- **Marfa, Fort Davis, Fort Stockton, Odessa, Midland** - Coordinate and produce full page co-op ad for August issue of *Texas Highways*

Other tasks as they arise:

- **1 on 1 on 1 LiveStream Music Festival** - Create and execute online music festival as relief fundraiser and PR for Alpine: invite musicians, create logo and poster artwork, develop Facebook page/event and web page with artist lineup and schedule, research technical requirements and run tests, coordinate with relief fund nonprofit, collect artist info and promote extensively on social media, PR campaign of press releases to local/regional/state media, recruit/train/manage volunteers, process/upload pre-recorded performances, acquire photography and create interlude slide show videos, execute and manage event (13 hours of music over 2 days), distribute post-event press releases
- Add hotels, restaurants and retailers onto tiered response matrix; distribute proposed response levels to sample groups of affected businesses and incorporate feedback, complete development of tiered response matrix with Marci Tuck, Ekta Escovar and Erik Zimmer
- Attend virtual Economic Development workshop by State Comptroller's Office, call meeting of ad hoc committee to deliver report, help determine next steps and distribute action plan to group; Discussion with business leaders re: assistance resources for new business opportunities
- Work with Marci Tuck re: sharing information on state/federal programs that might be helpful to Alpine

- Encourage local artists to post home studio videos for social media
- Share new City job openings on social media
- Share City Manager blog posts, City Council mtg information and recordings on social media
- Work with Erik, Heather Yadon, Geo Calderon, Marci Tuck and BBRMC on potential (and eventually cancelled) program of printed, social media, and video PSAs promoting the use of face masks; commission but then cancel music for video PSA
- Develop and produce information sheet with artwork on best health practices backed with support resources, arrange for printing and distribution to Sunshine House, Food Pantry, retailers, etc
- Handle many, many responses and information requests re: tiered response plan on social media, email, phone
- Host COVID-19 retailer summit zoom meeting re: tiered response matrix and mask requirement
- View Governor's press conferences, acquire/read/distribute all of the Governor's Executive Orders related to COVID-19 as well as the Open Texas plan
- Work with Erik, Marci Tuck and Dr. Escovar in adapting City response to Governor's executive orders
- **Texas Music Friendly Community program** - send recap of music festival to TX Music Office, begin scheduling virtual workshop with advisory board, schedule and facilitate virtual workshop with advisory board and Texas Music Office representatives, follow-up contacts with musicians, send zoom recording and TMO slide presentation to all workshop invitees, receive draft Alpine music database, arrange for signing of Memorandum of Understanding and coordinate "virtual" certification ceremony during Viva Big Bend
- Add color to census promotional artwork and help to distribute
- Develop spreadsheet collecting comments/complaints about proposed short-term rental ordinance to ensure all are properly addressed
- Assist Human Resources in proofreading Employee Manual
- Work with Erik, Heather Yadon, and Marci Tuck on planning for Economic Development initiatives (remote work, office space, EDA grants through CARES Act, needs assessment for Alpine business)
- Assist Geo in acquiring Governor's Executive Orders, PPP Forgiveness Application and CDC Community & Restaurant/Bar Guidelines for posting to cityofalpine.com
- Contacts with hoteliers and others re: COVID cases in Alpine
- Update COVID safety poster for reprint
- Create Masks Required and Masks Recommended signs for Alpine businesses to comply with emergency ordinance
- Create new COVID safety poster on risk management with face masks in English and Spanish
- Work with Erik, Cynthia Salas and Heather Yadon on outdoor dining assistance, safety pledge, HVAC recommendations for Alpine restaurants
- Assist with restarting work on Kokernot Lodge project with SRSU and scheduling next meeting
- Lay out Restaurant Safety pledge document
- Research and write up HVAC guidelines
- Research Austin's COVID regulations and report back to Erik re: Viva Big Bend
- Arrange for Cristina Noriega to repair sun-damaged Fire Department mural at no cost; communicate with Erik about City maintenance going forward (heavy-duty clear coat)
- **#AlpineTXPhoto Contest** - launch 2020 contest on website with local press releases, newspaper ads and social media promotion

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.)

- A. Approval of minutes from City Council meeting on July 21, 2020. (E. Zimmer, City Manager)
- B. Approval of acceptance of \$600.00 donation to the Alpine Police Department. (E. Zimmer, City Manager)
- C. Approval of Sarah Davison for the HOT Committee for Ward 1. (M. Curry, City Council)
- D. Approval of Jerry Johnson for the HOT Committee for Ward 2. (R. Olivas, City Council)
- E. Approval of Karen Sulewski for the HOT Committee for Ward 3. (B. Fitzgerald, City Council)

A. Approval of minutes from City Council meeting on July 21, 2020. (E. Zimmer, City Manager)

City of Alpine
Workshop Meeting and
Regular City Council Meeting
Tuesday, July 21, 2020
3:30 P.M.
Minutes

Workshop Meeting

1. Call to Order, and Pledge of allegiance to the flag –
2. Determination of a quorum and proof of notice of the meeting –
3. Workshop
 1. Capital and Expense Proposed Budget for FY 2020-2021. (E. Zimmer, City Manager)
4. Adjourn

City Council Meeting

1. Call to Order, and Pledge of allegiance to the flags – Mayor Ramos called the meeting to order. The meeting was held via Zoom Conference in the City of Alpine, Texas. Mayor Ramos led the pledge of allegiance to the flags.
2. Determination of a quorum and proof of notice of the meeting – Councilor Curry, Councilor Olivas, Councilor Betty Fitzgerald, Councilor Escovedo, Councilor Stephens, and Mayor Ramos were present via zoom. City Secretary, Cynthia Salas reported that the agenda was posted at 1:00 P.M. on July 17, 2020. City Manager Erik Zimmer, City Secretary, Cynthia Salas, and City Attorney Rod Ponton also attended via zoom.
3. Public Comments (limited to 3 minutes per person) –
4. Presentations, Recognitions and Proclamations – (A. Ramos, Mayor) – None
5. Reports – Copies of the charts presented during the meeting are posted on the City website at <https://www.cityofalpine.com/Alpine%20City%20Council%20-%20CM%20Report%203-17-2020.pdf>

City Mayor's Report – (A. Ramos, Mayor) –

- COVID-19

City Attorney's Report –

- State and area COVID restrictions update
- Tax rate authority under Governor Emergency Order
- CARES Act funding opportunities

City Manager Report –

- Coronavirus Update
- Restaurant and HVAC initiatives

- Ordinance Revisions

City Staff Updates –

- Quarterly Report – Animal Control Officer Jennifer Stewart.

6. Public Hearings – None

7. Consent Agenda – (Minutes, Financial reports, Department written reports, board appointments, etc.) –

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

1. Approval of minutes from City Council meeting on July 7, 2020. (E. Zimmer, City Manager)

2. Approval of Laura Gold for the HOT Committee for Ward 4. (L. Escovedo, City Council)

Motion was made by Councilor Stephens, by Resolution 2020-07-10 to approve the consent agenda as presented. Motion was seconded by Councilor Escovedo. Motion unanimously carried.

8. Information or Discussion items –

1. EMS Quarterly Update by Mike Scudder. (E. Zimmer, City Manager)
2. Discuss GA-28 and GA-29, differences in the Governor's Executive Orders and the impact on restaurants, bars, and the wearing of masks. (E. Zimmer, City Manager)
3. Discuss, changing the advisory board membership to include up to two (2) alternate members who would only be voting members in the event there is not a sufficient number of members to conduct business. (R. Stephens, City Council)

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

1. Discuss, consider, amending Ordinance 2020-06-01, an Emergency Ordinance of the City of Alpine that was approved by Council on June 30, 2020 or additional action as determined by Council. (E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 2020-07-11, TO TAKE NO ACTION relative to changing the Emergency Ordinance 2020-06-01. Motion was seconded by Councilor Betty Fitzgerald. Motion unanimously carried.
2. Discuss, consider, and take appropriate action to approving Resolution 2020-07-09, a Resolution of the City of Alpine, Texas supporting outdoor dining expansions as a protective measure to combat the spread of COVID-19. (E. Zimmer, City Manager)- Motion was made by Councilor Stephens, by Resolution 2020-07-09, a Resolution of the City of Alpine, Texas supporting outdoor dining expansions as a protective measure to combat the spread of COVID-19. Motion was seconded by Councilor Curry. Motion unanimously carried

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

11. Executive Session - Pursuant to Texas Government Code 551.071 Consultation with Attorney on a matter for which it is the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct conflict with this Chapter and requires discussion of the item in closed session), and 551.071(consultation with attorney regarding potential or contemplated claims against the City) Pursuant to Texas Government Code 551.074 – to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. – None

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

12. Action – Executive Session – None

I certify that this notice was posted at 1:00 P.M. on July 17, 2020, pursuant to Texas Open Meetings Act. (Texas Vernon's Annotated Civil statutes, section 551.043 Texas Government Code.) This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the city secretary's office at (432) 837-3301 or fax (432) 837-2044 for further information.

Andres "Andy" Ramos, Mayor

Attest:

Cynthia Salas, City Secretary

I, Cynthia Salas, City Secretary, do certify that this notice was posted at 1:00 P.M. on July 17, 2020, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Cynthia Salas, City Secretary

B. Approval of acceptance of \$600.00 donation to the Alpine Police Department. (E. Zimmer, City Manager)



309 West Sul Ross Avenue
Alpine, Texas 79830

Chief Robert Martin
Telephone (432) 837-3486

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

To: Eric Zimmer
City Manager

Alpine City Council

From: Robert Martin
Chief of Police

Re: Donation to the Alpine Police Department

The Alpine Police Department has received a donation from Kurt and Margaret Mannchen in the amount of \$600.00 dollars. I am asking the Alpine City Council to accept the donation in behalf of the Police Department.

Sincerely,

Robert Martin
Chief of Police
Alpine, Texas

C. Approval of Sarah Davison for the HOT Committee for Ward 1. (M. Curry, City Council)

RECEIVED

JUL 22 2020

[Signature]



CITY OF ALPINE
ADVISORY BOARDS & COMMISSIONS QUESTIONNAIRE

* First Name

Sarah

* Last Name

Davison

* Street Address

1100 W Eagle Pass St

* City

Alpine

* State

TX

* Zip

79830

* Email Address

sarah@thehollandhoteltexas.com

* Phone

2546404908

* Occupation

General Manager

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

5 years

* Are you a qualified voter of the City of Alpine?

☒ Yes

☐ No

* Board or Commission you have interest in serving on:

HOT Grants Committee

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

I moved to Alpine 5 years ago to finish my bachelors in Kinesiology with a minor in Biology. I graduated in 2017 and since then have been working on my Masters in Health and Human performance. The first week I moved out here I was hired to work the front desk at the Maverick Inn. Over the next few years I worked my way up through the company to become the property manager of the Maverick Inn, then the events coordinator at the Holland Hotel, the assistant General Manager and now the General Manager. I have been in this position for a little over a year and a half now. I have every intention of staying in Alpine for the next few years to come and have fallen in love with this little community. I over see 2 hotels here in Alpine and 1 restaurant. Over the years I have come to appreciate and really enjoy the community we live in. I want Alpine to be the perfect destination/tourist town for both our guests and locals. Working with the two hotels I am also familiar with what kind of events work for the local businesses, what our slow seasons are, and what might help bring in some more revenue. I would love to be apart of the HOT Grant Committee if chosen.

Please state why you wish to service the City of Alpine as a member of a board or commission:

* Do you receive any compensation from the City of Alpine or are there any potential conflicts of interest if you serve the City of Alpine?

☐ Yes

☒ No

* Do you currently, or have you in the past served the City of Alpine?

☐ Yes

☒ No

If yes, in what capacity?

How long?

If yes, please explain:

* * *

I, the applicant for this *Boards & Commissions Application*, certify that the information contained in this application is true, correct, and complete. I understand that, if selected, false statements reported on this applications may be considered sufficient cause for dismissal.

* Electronic Signature

* Date

Sarah Davison

07/22/2020

Format: MM/DD/YYYY

* I understand that checking this box constitutes a legal signature confirming that I acknowledge and agree to the above Terms of Acceptance.

☒ Option 1

D. Approval of Jerry Johnson for the HOT Committee for Ward 2. (R. Olivas, City Council)

RECEIVED

JUL 29 2020

BY:



**CITY OF ALPINE
ADVISORY BOARDS & COMMISSIONS QUESTIONNAIRE**

Name: JERRY JOHNSON

Street Address: 1100 N BIRD

City, State & Zip: ALPINE TX 79830

Phone Number: 432-837-5139

E-Mail: fourjr@sbcglobal.net

Occupation: SELF EMPLOYED

How long have you been a resident of or involved with Alpine?: 32 YEARS

Are you a qualified voter of the City of Alpine?: YES

Board or Commission you have interest in servicing on: HOT BOARD

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

WHILE MAYOR I DEVELOPED, IMPLEMENTED
AND WAS INVOLVED WITH THE HOTEL
OCCUPANCY TAX BOTH ON A STATE LEVEL
AND LOCAL LEVEL. I KNOW THIS EXPERIENCE

WOULD BE ~~BE~~ AN ASSET TO SERVING ON
THIS BOARD

Please state why you wish to service the City of Alpine as a member of a board or commission:

I KNOW I CAN MAKE SIGNIFICANT POSITIVE
CONTRIBUTIONS TO THIS BOARD AND THE CITY

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

If yes, in what capacity? MAYOR

How long? 4 YEARS

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

If yes, please explain: _____

Signature: Denny Johnson

Date: 28 JUL 20

E. Approval of Karen Sulewski for the HOT Committee for Ward 3. (B. Fitzgerald, City Council)



RECEIVED
5/29/20

CITY OF ALPINE
ADVISORY BOARDS & COMMISSIONS QUESTIONNAIRE

* First Name

Karen

* Last Name

Sulewski

* Street Address

505 S 5th st

* City

Alpine

* State

TX

* Zip

79830

* Email Address

kasulewski@gmail.com

* Phone

(423) 294-4026

* Occupation

Hotel General Manager

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

6 years

* Are you a qualified voter of the City of Alpine?

☒ Yes

☐ No

* Board or Commission you have interest in serving on:

Hotel/Travel Tourism

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

I have been in the hotel/restaurant management field for over 25 years. I have a degree in travel and tourism from the Texas Travel Industry Association and have a continuing credit program with TTIA.

Please state why you wish to service the City of Alpine as a member of a board or commission:

I have a very strong commitment to promote Alpines travel and tourism opportunities. I am knowledgeable about a vast number of things having worked at Davis Mountains State Park for many years and excited to share this with visitors.

* Do you receive any compensation from the City of Alpine or are there any potential conflicts of interest if you serve the City of Alpine?

☐ Yes

☒ No

* Do you currently, or have you in the past served the City of Alpine?

☐ Yes

☒ No

If yes, in what capacity?

How long?

If yes, please explain:

* * *

I, the applicant for this *Boards & Commissions Application*, certify that the information contained in this application is true, correct, and complete. I understand that, if selected, false statements reported on this applications may be considered sufficient cause for dismissal.

* Electronic Signature

* Date

Karen Sulewski

05/29/2020

Format: MM/DD/YYYY

* I understand that checking this box constitutes a legal signature confirming that I acknowledge and agree to the above Terms of Acceptance.

☒ Option 1

8. Information or Discussion items –

1. Family Crisis Center Readout – by Executive Director Sara Stropoli. (E. Zimmer, City Manager)
2. Discussion on Section 54 Code of Ordinances. (E. Zimmer, City Manager)
3. Discussion of Fire Fee's for the City of Alpine. (E. Zimmer, City Manager)

1. Family Crisis Center Readout – by Executive Director Sara Stropoli. (E. Zimmer, City Manager)

Family Crisis Center of the Big Bend, Inc.
General Fund Profit & Loss
April 2020 to June 2020

	<u>Apr 2020</u>	<u>May 2020</u>	<u>June 2020</u>
Ordinary Income/Expense			
Income			
4100 · CITY/COUNTY REVENUE	2,156.25	0.00	0.00
Total Income	<u>2,156.25</u>	<u>0.00</u>	<u>0.00</u>
Gross Profit	2,156.25	0.00	0.00
Expense			
8050 · INSURANCE	274.76	0.00	173.24
8100 · OFFICE EXPENSE	0.00	0.00	0.00
8200 · TELEPHONE EXPENSE	84.30	83.25	85.45
8450 · OFFICE UTILITIES	194.00	194.00	194.00
8460 · SHELTER UTILITIES	22.53	31.80	48.67
8500 · COMPUTER REPAIRS & MAINTENANCE	0.00	92.91	88.09
8700 · TRAVEL EXPENSE	40.57	93.99	115.44
8501 · OFFICE REPAIR & MAINTENANCE	0.00	339.25	0.00
Total Expense	<u>616.16</u>	<u>577.93</u>	<u>704.89</u>

Family Crisis Center of the Big Bend, Inc.
General Fund Profit & Loss
April 2020 to June 2020

	<u>Apr. 20 - June 20</u>
Ordinary Income/Expense	
Income	
4100 · CITY/COUNTY REVENUE	2156.25
Total Income	<u>2156.25</u>
Gross Profit	2156.25
Expense	
8050 · INSURANCE	448.00
8100 · OFFICE EXPENSE	0.00
8200 · TELEPHONE EXPENSE	253.00
8450 · OFFICE UTILITIES	582.00
8460 · SHELTER UTILITIES	103.00
8500 · COMPUTER REPAIRS & MAINTENANCE	181.00
8700 · TRAVEL EXPENSE	250.00
8501 - OFFICE REPAIR & MAINTENANCE	339.25
Total Expense	<u>2156.25</u>

2. Discussion on Section 54 Code of Ordinances. (E. Zimmer, City Manager)



Cynthia Salas <city.secretary@ci.alpine.tx.us>

Code Enforcement Follow-Up

3 messages

Erik Zimmer <erik.zimmer@ci.alpine.tx.us>

Fri, Jul 10, 2020 at 3:47 PM

To: Andy Ramos <mayor.ramos@ci.alpine.tx.us>, Maria Curry <ward1.curry@ci.alpine.tx.us>, Ramon Olivas <ward2.olivas@ci.alpine.tx.us>, Betty Fitzgerald <ward3.fitzgerald@ci.alpine.tx.us>, Lucy Escovedo <ward4.escovedo@ci.alpine.tx.us>, Rick Stephens <ward5.stephens@ci.alpine.tx.us>
Cc: David Hale <building.official@ci.alpine.tx.us>, Cynthia Salas <city.secretary@ci.alpine.tx.us>, pontonrod <pontonrod@gmail.com>, Sandy Stewart <city.judge@ci.alpine.tx.us>, Court Clerk <court.clerk@ci.alpine.tx.us>

Honorable Mayor and City Council,

Thanks for the conversation on this topic Tuesday. We also appreciate Lucy's willingness to engage with staff on the review of the Ordinances and suggestions for updates/changes. I've also attached the section of Chapter 54 of our Code of Ordinances that outlines the expectations the City has in place currently.

In our Citation booklet that is used to write the citations, the header reads 'Notice to Appear'. That nomenclature has appeared for years, but David, Tony and I discussed today changing that to read 'Notice of Citation' instead. I do think these citation books pre-date Robert Polanco, but now is a good time to update. David and Tony had been working on a new format previous to the discussion. Ultimately, the header on them works against the human psyche and puts up an immediate barrier.

As Tony fills out the citation, he always gives the owner 10 days to abate. If they abate, the citation is cleared and the court is notified. The owner gets a note from Lorena in the Courts that they do not have to appear..

On Tuesday evening the question came up on whether people were given time to clear the citation: ***all citations up to this point have been given the 10 day opportunity to abate which is written on the ticket.*** Those that have appeared in Court with Judge Stewart and our CA Rod Ponton had not abated in the 10 days. Tony has also given people more time than the 10 days if they have a plan of action and communicate with him.

The next question came up surrounding the repetition of tickets. Our Ordinance calls for a citation each day after the 10th day an offense has not been abated, and each subsequent day thereafter. That is also what is taught and recommended at the state level classes. With that said, David, Tony and I agreed to not utilize that method in the interim and only write a subsequent ticket if the individual fails to appear in Court. As Council works through amending the language of the existing Ordinance, we will want to ensure a new expectation is mapped out over the current language.

We also need to tighten language on repeat offenses and abatement capabilities if the item is deemed of significant health importance.

David, Tony and I also discussed a communication plan relative to common nuisances. The first one that Tony will write about (we'll put up on our City website and do some PSA's) is around old tires. Not only are they prohibited in our City Ordinance, they are prohibited in State code. We will make sure we communicate about the common hazards in the community and the City's approach and expectations.

As you review Chapter 54 of the current Ordinances, please send any comments of suggested changes to David and myself (to avoid any TOMA conflicts). We will work back with Lucy to construct a draft of changes to present to the rest of Council (hopefully by the second meeting in August).

Thanks again, please let me know if you have any questions,
Erik

PS - On a lighter side, Tony has seen some real interesting things in his Enforcement journey....pigs in the yard, 800 tires at a residence....just to name a few.

--

Erik M. Zimmer
City Manager
Alpine, TX 79830
432.837.3301

Attention Elected Officials - A 'Reply to All' on this email could lead to unintentional violations of the Texas Open Meetings Act. Please reply only to the sender.



ARTICLE_IV.____OFFENSIVE_CONDITIONS_ON_PROPERTY.doc
68K

Cynthia Salas <city.secretary@ci.alpine.tx.us>
To: David Hale <building.official@ci.alpine.tx.us>

Tue, Jul 28, 2020 at 3:12 PM

David,

I believe this is all i need.This is under "Info & Discussion" for next week's Council meeting. I will attach the email sent to Council and print the Article as supporting documents and I think we should be ok. This email is just FYI for you.

Cynthia Salas

City of Alpine – City Secretary

100 North 13th St.

Alpine, Texas 79830

O. 432-837-3301

F. 432-837-2044

city.secretary@ci.alpine.tx.us



"Don't find fault, find a remedy"Henry Ford

****Attention Elected Officials** - A 'Reply to All' on this email could lead

[Quoted text hidden]

ARTICLE IV. - OFFENSIVE CONDITIONS ON PROPERTY⁽²⁾

Footnotes:

--- (2) ---

Editor's note— Ord. No. 2009-07-01, adopted Aug. 4, 2009, deleted the former Art. IV, §§ 54-201—54-207 and enacted a new Art. IV as set out herein. The former Art. IV pertained to offensive conditions on property and derived from Code 1978, §§ 18-21—18-27; Ord. No. 2005-4-12, adopted Apr. 19, 2005.

State Law reference— Authority to prohibit conditions described in this article, V.T.C.A., Health and Safety Code ch. 342.

DIVISION 1. - HIGH WEEDS AND GRASS

Sec. 54-202. - Prohibited generally.

It shall be unlawful for any owner of real property within the corporate limits of the city to fail to keep such real property free of any unsightly, unwholesome, unsanitary or dangerous condition, including, but not limited to, the failure of such owner to remove, or cause to be removed from such property, all debris, brush, weeds, garbage not in regulation containers, carrion, rubbish, filth or any other impure, unwholesome, unsightly or unsanitary matter of any nature.

(Ord. No. 2009-07-01, Exh. A, 8-4-09)

Sec. 54-203. - High weeds and grass prohibited.

- (a) Any property upon which weeds or grass exceed an average of 12 inches in height, is hereby declared to be a nuisance.
- (b) A person commits an offense if the person owns, occupies, or controls any real property upon which weeds or grass exceed an average of 12 inches in height.
- (c) A person commits an offense if the person owns, occupies, or controls any real property and fails to maintain the parkway adjacent to the property free of weeds and grass that exceed an average of 12 inches in height.
- (d) In a prosecution or other enforcement action of subsections (a) or (b) above, it is an exception that the real property was a lot, tract, or parcel of land of two or more acres under common ownership and the high grass or weeds was no closer than 100 feet to:
 - (1) Any adjacent street; or
 - (2) Any structure or other improvement on any adjacent property owned by another person.
- (e) The provisions of this section apply to real property located within the city.

(Ord. No. 2009-07-01, Exh. A, 8-4-09)

Sec. 54-204. - Abatement of high weeds or grass.

- (a) The building official or the code enforcement officer, or their designee, is hereby authorized to give notice to the owner of any property upon which high grass and weeds exist to abate the nuisance.
- (b) If the owner of the property does not comply with an abatement notice issued by the city within ten days after the date the notice is received, the city may:
 - (1) Enter the property and do or cause to be done the work required to abate the nuisance; and

- (2) Pay for the work done and charge the expenses to the owner of the property.
- (c) The notice must be given:
 - (1) Personally to the owner in writing;
 - (2) By letter addressed the owner at the owner's post office address; or
 - (3) If personal service cannot be obtained or the owner's post office address is unknown:
 - a. By publication at least twice within ten consecutive days;
 - b. By posting the notice on or near the front door of each building on the property to which the violation relates; or
 - c. By posting the notice on a placard attached to a stake driven into the ground on the property to which the violation relates, if the property contains no buildings.
- (d) Notice will be deemed to have been received:
 - (1) For personal service, as of the date the notice was given personally to the owner;
 - (2) For mailed notice, three days after it was mailed;
 - (3) For notice by publication, on the date that the last notice was published in the official newspaper; or
 - (4) For notice by posting, ten days after notice was posted.
- (e) The city in the notice of a violation may inform the owner by certified mail, return receipt requested, that if the owner commits another violation of the same kind or nature that poses a danger to the public health and safety on or before the first anniversary of the date of the notice, the city without further notice may correct the violation at the owner's expense and assess the expense against the property.
- (f) If a violation covered by a notice under subsection (e) occurs within the one-year period, and the city has not been informed in writing by the owner of an ownership change, then the city without notice may take any action permitted by subsections (a)(1) and (2) and assess its expenses as provided by section 54-205.

(Ord. No. 2009-07-01, Exh. A, 8-4-09; Ord. No. 2019-02-03, § 1, 3-5-19)

Cross reference— Notice requiring correction, V.T.C.A., Health and Safety Code § 342.006.

Sec. 54-205. - Abatement of weeds or grass in excess of 48 inches.

- (a) The city may abate, without notice, weeds or grass that:
 - (1) Have grown higher than 24 inches; and
 - (2) Are an immediate danger to the health, life, or safety of any person.
- (b) Not later than the tenth day after the date the director abates weeds or grass under this section, the director shall give notice to the property owner in the manner required by section 54-204.
- (c) This notice shall contain:
 - (1) An identification, which is not required to be a legal description, of the property;
 - (2) A description of the violations that occurred on the property;
 - (3) A statement that the city abated the weeds or grass; and
 - (4) An explanation of the property owner's right to request an administrative hearing about the city's abatement of weeds or grass.

- (d) The city shall conduct an administrative hearing on the abatement of weeds or grass under this section if, not later than the 30th day after the date of the abatement of the weeds, the property owner files with the city a written request for a hearing.
- (e) A hearing conducted under this section shall be conducted not later than the 20th day after the date a request for a hearing is filed. The owner may testify or present any witnesses or written information relating to the city's abatement of the weeds.
- (f) The city may assess expenses and create liens under this section against the property on which the city does the abatement.

(Ord. No. 2009-07-01, Exh. A, 8-4-09; Ord. No. 2017-08-01, 9-5-17)

Sec. 54-206. - Hazards to health, safety and welfare.

It shall be unlawful for any owner of real property within the city to fail to keep such property free of sink holes, stagnant water, any unauthorized outdoor privies, dilapidated buildings, wrecked automobiles or free from any other dangerous, unsightly, unsanitary or unwholesome condition, matter or instrumentality, or to fail to keep such property clear of any condition liable to produce or communicate disease or likely to constitute a hazard to the health, safety or welfare of the inhabitants of the city.

(Ord. No. 2009-07-01, Exh. A, 8-4-09)

Sec. 54-207. - Lien for expenses.

On filing with the county clerk a statement by the mayor or duly authorized agent, of the amount of such expenses. The city shall then have a privileged lien on such lot or real estate upon which the work was done or improvements made to secure the expenditures so made in accordance with the provisions of the Revised Civil Statutes of Texas, article 4436, which lien shall be second only to tax liens and liens for street improvements, to secure the expenditure so made; and from the date of such filing by the mayor or authorized agent, the expenditure so made by the city shall draw interest at the rate of ten percent per annum from the date of payment by the city until paid.

(Ord. No. 2009-07-01, Exh. A, 8-4-09)

State Law reference— Lien for expenses, V.T.C.A. Health and Safety Code § 342.007.

Sec. 54-208. - Prosecution for violations.

In addition to all other penalties for violation of this chapter, such owner so violating this article, may be punished as provided by section 1-11 for each day such violation continues after such owner has received personal written notice or citation as described in this article that such condition exists and such owner fails to remedy, correct or abate such condition on such property within such ten-day period thereafter.

(Ord. No. 2009-07-01, Exh. A, 8-4-09)

State Law reference— Authority to punish for violations, V.T.C.A., Health and Safety Code § 342.005.

DIVISION 2. - NUISANCES

Sec. 54-209. - Purpose.

The purpose of this subdivision is to define as nuisances within the City of Alpine, certain conditions which are detrimental to the health and safety of persons or property or which are detrimental to the senses. The conditions made unlawful by this subdivision are hereby declared to be nuisances.

(Ord. No. 2009-07-01, Exh. A, 8-4-09)

Sec. 54-210. - Miscellaneous sanitation nuisances.

- (a) A person commits an offense if the person owns or is in control of property that contains a pond, pool, or container holding unwholesome, impure, or offensive water that creates an unreasonable and noxious odor in a public place or that is detrimental to the health of humans.
- (b) A person commits an offense if the person owns or is in control of property which contains any drain, ditch, tank or gutter that is maintained in such a manner that creates an unreasonable and noxious odor in a public place or that is detrimental to the health of humans.
- (c) A person commits an offense if the person owns or is in control of property which has an overflowing septic tank or has sewage leaking from any pipes onto the premises.
- (d) A person commits an offense if the person owns or is in control of property that contains a condition or place that is a breeding ground for rats.
- (e) A person commits an offense if the person owns or is in control of property that contains a collection of water that is a breeding place for mosquitoes.
- (f) A person commits an offense if the person owns or is in control of property that contains a condition or place that is a breeding ground for flies or cockroaches.
- (g) A person commits an offense if the person owns or is in control of a place where sleeping accommodations are offered to the public where ectoparasites suspected to be disease carriers are present.
- (h) A person commits an offense if the person operates or causes the operation of a vehicle or container used to transport garbage, human excreta, or other organic material, when such vehicle or container allows the leaking or spillage of its contents.
- (i) A person commits an offense if the person owns or is in control of property and accumulates or allows the accumulation of garbage on the property in a manner that creates an unreasonable and noxious odor in a public place, that provides a breeding ground or harborage for vectors, or that is detrimental to the health of humans.
- (j) A person commits an offense if the person owns or is in control of property and accumulates or allows the accumulation of any solid waste or recyclables upon the property except in solid waste containers of a type approved by the director of department of environmental management.
- (k) A person commits an offense if the person owns or is in control of property and accumulates or allows the accumulation of solid waste or recyclables upon the property in any leaking or unsecured solid waste containers.
- (l) A person commits an offense if the person owns or is in control of property and accumulates or allows the accumulation of solid waste or recyclables upon the property, even in approved containers, for a period in excess of one week.
- (m) A person commits an offense if the person owns or is in control of property and accumulates or allows the accumulation of materials in a composting pile or bin on such property in a manner that:
 - (1) Breeds or allows the harborage of vectors; or
 - (2) Creates an unreasonable and noxious odor in a public place.

- (n) A person commits an offense if the person owns or is in control of property and accumulates or allows the accumulation of recyclables on such property in a manner that:
 - (1) Breeds or allows the harborage of vectors; or
 - (2) Creates an unreasonable and noxious odor in a public place.
- (o) In a prosecution of subsections (j), (k), or (l), it is an exception that the property was a solid waste facility regulated by the state natural resource conservation commission or was a recycling facility.

(Ord. No. 2009-07-01, Exh. A, 8-4-09)

Sec. 54-211. - Storage of discarded, used, and broken items.

- (a) A person commits an offense if the person accumulates or allows the accumulation on any property of any:
 - (1) Broken, inoperable, or discarded household furnishings, appliances, machines, tools, boxes and cartons, lawn maintenance equipment, play equipment, toys, and similar items;
 - (2) Used or discarded building materials;
 - (3) Materials or items stored on rooftops or porches of buildings when visible from the public right-of-way or neighboring property;
 - (4) Factory or mill wastes;
 - (5) Damaged merchandise;
 - (6) Wet, broken, or leaking barrels, casks, or boxes;
 - (7) Used, discarded, or broken automotive parts or equipment; or
 - (8) Any other materials which tend by decay to become putrid or to provide harborage for rodents and other vectors.
- (b) It is defense to prosecution of subsection (a) that the person was engaged in the business of dealing in junk, and was in compliance with the comprehensive zoning ordinance and all other applicable provisions of this Code relating to junk dealers.

(Ord. No. 2009-07-01, Exh. A, 8-4-09)

Sec. 54-212. - Accumulation of carrion, filth, trash, rubbish or other unwholesome matter.

- (a) It shall be unlawful for any person who shall own or occupy any house, buildings, establishment, lot or yard in the city, to permit or allow any carrion, filth, trash, rubbish or other impure or unwholesome matter to accumulate or remain thereon.
- (b) The term "rubbish" as that term is used in this article, shall include, but not be limited to, the debris left upon properties after any building or other structure on such properties have been:
 - (1) Destroyed by fire or other calamity and the same not restored to its original or better condition or removed from the property within 90 days from the date of such destruction;
 - (2) Intentionally wrecked or demolished by the owner;
 - (3) Moved from such property to another location; and/or
 - (4) Vacated by prior owner or tenant.

(Ord. No. 2009-07-01, Exh. A, 8-4-09)

Sec. 54-213. - Duty to maintain property free from litter.

- (a) An owner, occupant, or person in control of private property commits an offense if he or she fails to maintain the property free of litter, unless the litter has been deposited in a trash receptacle that securely contains the litter.
- (b) Construction sites within the city and sidewalks, streets, alleys and public or private properties in the vicinity of the construction sites shall be maintained free of construction trash, litter, and debris that is not securely contained.
 - (1) Any applicant for a permit for new residential construction issued by the city shall identify the owner, occupant, or person in control of the property on the permit, by name, driver's license number, and date of birth, who is responsible for maintaining the construction site in a manner that securely contains all construction trash, litter, and debris until a final inspection is delivered or the permit expires.
 - (2) A person or owner commits an offense under this section when the individual identified on a permit under subsection (b)(1) fails to maintain the construction site in such a manner as described in this section.

(Ord. No. 2009-07-01, Exh. A, 8-4-09)

Sec. 54-214. - Nuisance abatement order.

The city is hereby authorized to give notice to the owner of any property upon which a nuisance under this division exists to abate the nuisance in accordance to the process described in sections 54-204 through 54-206.

(Ord. No. 2009-07-01, Exh. A, 8-4-09)

Secs. 54-215—54-240. - Reserved.

ARTICLE V. - HERBICIDES; PESTICIDES

Sec. 54-241. - V.T.C.A., Agriculture Code ch. 76 adopted.

- (a) The city council does hereby adopt V.T.C.A., Agriculture Code ch. 76, to the extent that it may, as a governmental entity, be of such assistance to the state department of agriculture in the receiving and transmission of complaints, investigating, under the state department of agriculture's supervision and/or at its request, such matters within the city that the state department of agriculture may deem helpful and/or necessary in its investigation and enforcement of possible violations of these regulations that may occur within the city limits of the City of Alpine, Brewster County, Texas.
- (b) By adopting V.T.C.A., Agriculture Code ch. 76, the city does hereby, as a political subdivision of the state, being a Texas Municipal Corporation chartered under the General Laws of the State of Texas and thereby being a governmental entity of the State of Texas, accept the role as local auxiliary investigative, complaint receiving and transmitting governmental entity, under the direction and supervision of the state department of agriculture, and at its request, or at the request of any of its duly authorized investigative agents who may make such requests for any aid or assistance of the city that are within the scope of the city's authority to give, grant or accomplish, in full cooperation with the state department of agriculture in its enforcement efforts of the regulatory laws concerning the use, sale, storage, transportation and application of herbicides and/or pesticides within the city limits, all as set out in V.T.C.A., Agriculture Code ch. 76, that are here adopted to the full extent of their applicability to the city.

(Code 1978, § 14-51)

SENDER: COMPLETE THIS SECTION

- ☐ Complete items 1, 2, and 3.
- ☐ Print your name and address on the reverse so that we can return the card to you.
- ☐ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

LUAN TUNITHA
1100 West Ave I
Alpine, TX 79830



017 0530 0000 8488 8780

2. Article Number (Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☒ Signature

☐ Agent

☐ Addressee

B. Received by (Printed Name)

John Doe

C. Date of Delivery

6-6-2020

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

- | | |
|------------------------------------------------------------------------|---------------------------------------------------------------------|
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ |
| <input checked="" type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail | |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) | |

USPS TRACKING#



9590 9402 2707 6351 2407 35



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

**United States
Postal Service**

• Sender: Please print your name, address, and ZIP+4® in this box•

**CODE COMPLIANCE
CITY OF ALPINE BUILDING DEPT.
309 W SUL ROSS AVE
ALPINE, TX 79830**



CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

LUJAN JUANITA

**CITY OF ALPIN
BREWSTER COUNTY, TEXAS**

In the name and by the authority of the State of Texas:

I, the undersigned affiant, do solemnly swear that I have good reason to believe and do believe that **LUJAN JUANITA**, hereinafter called the Defendant, heretofore, on or about the **4TH day of the month of June 2020**, and before the making and filing of this complaint, in the territorial limits of the City of Alpine in the County of Brewster, and the State of Texas, the Defendant did then and there, at the location of **1100 W Ave I Alpine, Texas 79830** ,legal deception of Said address: **GILLIS 3RD,BLK 22,LOT1** own, occupy, or control real property, the Defendant did then and there allow **dangerous and fire conditions** to be present on grounds of said address, which is a violation of City of Alpine **Ordinance sec-43-87** based upon inspection of said property on the **4th day of the month of June 2020**

Sec. 46-87. - Correction of dangerous conditions.

Whenever the fire marshal shall find any building or other structure which, for want of repair, or by reason of age or dilapidated condition, or for any cause, is especially liable to fire, and which is so occupied that fire would endanger persons or property in such building or other structure; and whenever he shall find an improper or dangerous arrangement of stoves, ranges, furnaces or other heating appliances of any kind, including chimneys, flues and pipes with which the stoves, ranges, furnaces or other heating appliances may be connected, or a dangerous arrangement of lighting devices or systems, or a dangerous or unlawful storage of explosives, compounds, petroleum, gasoline, kerosene, dangerous chemicals, vegetable products, ashes, combustible, inflammable and refuse materials, or other conditions which may be dangerous in character or liable to cause or promote fire or create conditions dangerous to the firefighters or occupants, he shall order the conditions to be removed or remedied, and such order shall be complied with by the owner or occupant of such building or premises; provided, however, that if the owner or occupant deems himself aggrieved by such order, he may, within five days, appeal to

the mayor, who shall investigate the cause of the complaint; and unless by his authority the order is revoked, such order shall remain in force and be complied with by the owner or occupant. Any owner or occupant who fails to comply with such order within a ten-day period from the date of such notice shall be deemed guilty of a misdemeanor.

Contrary to said ordinance, and

Against the peace and dignity of the State.

Affiant: _____
Code Compliance Inspector
City of Alpine, Texas

Sworn and Subscribed before me by _____, a credible person,
this _____ day of _____, _____.

(Judge)(Clerk)(Deputy Clerk)(Peace Officer)
(Notary Public in and for the State of Texas)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

LUJAN JUANITA

CITY OF ALPINE

BREWSTER COUNTY, TEXAS

In the name and by the authority of the State of Texas:

I, the undersigned affiant, do solemnly swear that I have good reason to believe and do believe that **LUJAN JUANITA**, hereinafter called the Defendant, heretofore, on or about the **4TH day of the month of June 2020**, and before the making and filing of this complaint, in the territorial limits of the City of Alpine in the County of Brewster, and the State of Texas, the Defendant did then and there, at the location of **1100 W Ave I Alpine Texas -79830**, legal description: **GILLIS 3RD, BLK 22, LOT 1** own, occupy, or control real property, the Defendant did then and there did and allowed **weeds** to grow more than **12 inches**, which is a violation of the City of Alpine Ordinance based upon inspection of said property on the **4TH day of the month of June 2020**

Sec. 54-203. - High weeds and grass prohibited.

(a)

Any property upon which **weeds** or grass exceed an average of 12 inches in height, is hereby declared to be a nuisance.

(b)

A person commits an offense if the person owns, occupies, or controls any real property upon which **weeds** or grass exceed an average of 12 inches in height.

(c)

A person commits an offense if the person owns, occupies, or controls any real property and fails to maintain the parkway adjacent to the property free of **weeds** and grass that exceed an average of 12 inches in height.

(d)

In a prosecution or other enforcement action of subsections (a) or (b) above, it is an exception that the real property was a lot, tract, or parcel of land of two or more acres under common ownership and the **high** grass or **weeds** was no closer than 100 feet to:

(1)

Any adjacent street; or

(2)

Any structure or other improvement on any adjacent property owned by another person.

(e)

The provisions of this section apply to real property located within the city.

Contrary to said ordinance, and

Against the peace and dignity of the State.

Affiant: _____
Code Compliance Inspector
City of Alpine, Texas

Sworn and Subscribed before me by _____, a credible person,
this _____ day of _____, _____.

(Judge)(Clerk)(Deputy Clerk)(Peace Officer)
(Notary Public in and for the State of Texas)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

LUJAN JUANITA

CITY OF ALPIN
BREWSTER COUNTY, TEXAS

In the name and by the authority of the State of Texas:

I, the undersigned affiant, do solemnly swear that I have good reason to believe and do believe that **LUJAN JUANITA**, hereinafter called the Defendant, heretofore, on or about the 4TH day of the month of June 2020, and before the making and filing of this complaint, in the territorial limits of the City of Alpine in the County of Brewster, and the State of Texas, the Defendant did then and there, at the location of **1100 W Ave I Alpine, Texas-79830**, legal deception of Said address :**GILLIS 3RD,BLK 22,LOT 1** own, occupy, or control real property, the Defendant did then and there of said address committed illegal and improper disposal of bulky waste namely **tires** by placing them on roof of said address, which is a violation of City of Alpine **Ordinance sec- 82-56** based upon inspection of said property on the 4th day of the month of June 2020

Sec. 82-56. - Littering on public or private property.

It shall be unlawful for any person to throw, place or deposit, or cause to be thrown, placed or deposited, or suffer or permit his servant or any other person in his family to throw or deposit in any street, alley, gutter, ditch, lot or other place in this city, the carcass of any dead animal or fowl or any meat, fish, hides, skins, bones, offal, manure, fruit, vegetables, litter, debris, melon rinds, fruit peelings, slop, trash or other unsound or offensive matter or matter liable to become offensive or injurious to the health of those who reside in the vicinity or owned or controlled by him, or to throw, place or deposit, or cause to be thrown, place or deposit in any street, alley, gutter, ditch or other public place, or upon any lot or other premises not owned or controlled by him, **tires**, bottles, cans, loose paper, rags, scraps of leather, shavings, dishwater, chips, debris, litter or trash.

Any individual group of individuals, business, or corporation who illegally disposes of litter, solid waste, **tires**, hazardous materials, bulky wastes, or other such materials can be charged with the following offenses and penalties:

(1)

Class C misdemeanor: 5lbs/5gals or less: Fine up to \$500.00

(2)

Class B misdemeanor: 6lbs—499lbs/6gals—99c.f.: Fine up to \$2,000.00 and/or not more than 180 days in county jail.

(3)

Class A misdemeanor: 500—999lbs./100c.f.—199c.f.: Fine up to \$4,000.00 and/or not more than one year in county jail.

(4)

State jail felony: Over 1,000 lbs./200c.f., any amount of waste in a closed drum or barrel: Fine up to \$10,000.00 and/or 180 days to two years in a state jail.

Contrary to said ordinance, and

Against the peace and dignity of the State.

Affiant: _____
Code Compliance Inspector
City of Alpine, Texas

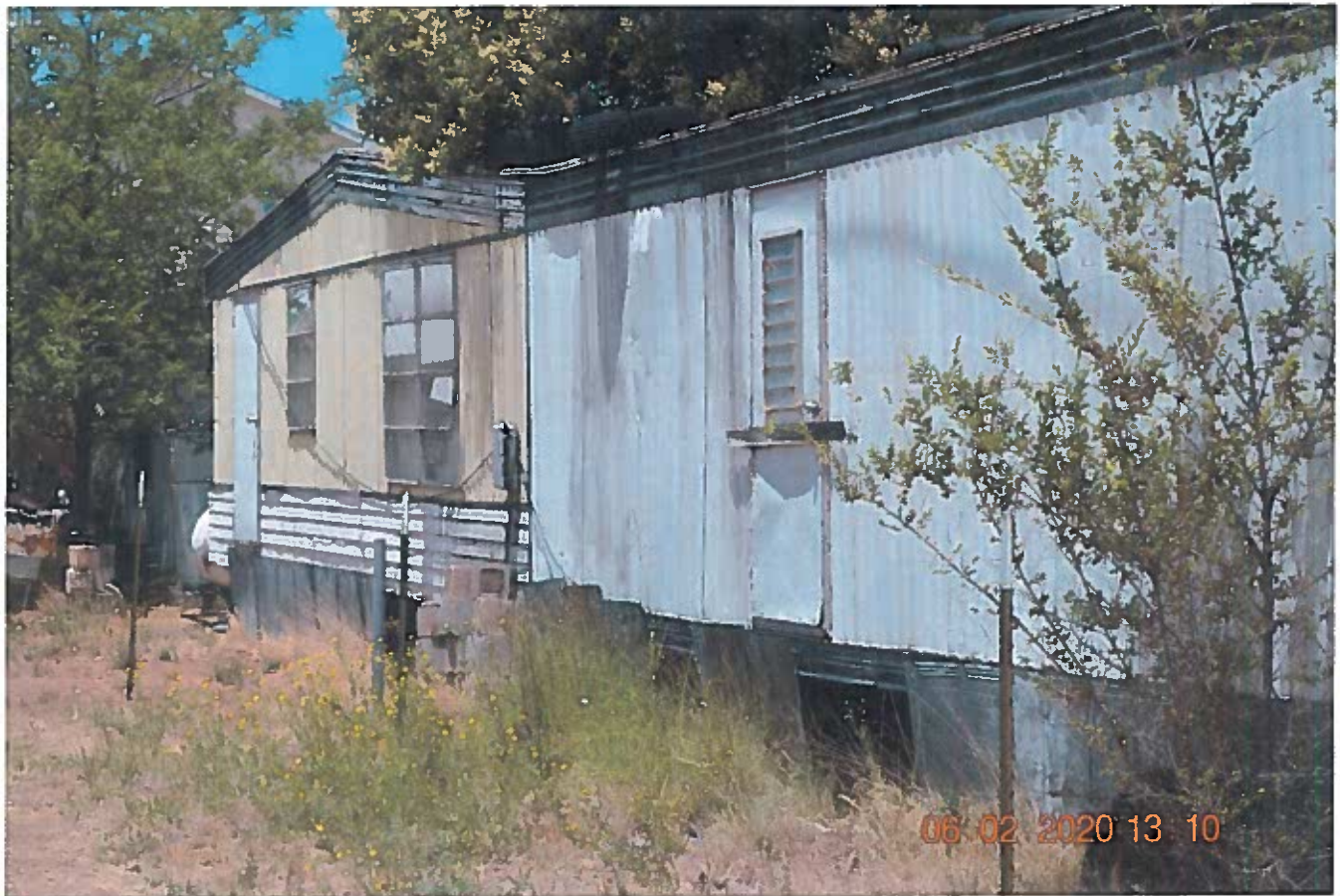
Sworn and Subscribed before me by _____, a credible person,
this _____ day of _____, _____.

(Judge)(Clerk)(Deputy Clerk)(Peace Officer)
(Notary Public in and for the State of Texas)









CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

VALENZUELA RAYMUNDO R

CITY OF ALPIN
BREWSTER COUNTY, TEXAS

In the name and by the authority of the State of Texas:

I, the undersigned affiant, do solemnly swear that I have good reason to believe and do believe that **VALENZUELA RAYMUNDO R**, hereinafter called the Defendant, heretofore, on or about the **12TH day of the month of June 2020**, and before the making and filing of this complaint, in the territorial limits of the City of Alpine in the County of Brewster, and the State of Texas, the Defendant did then and there, at the location of **407 S BEKELEY Alpine, Texas 79830**, legal deception of Said address: **BERKELEY,BLOCK 6,LOT** own, occupy, or control real property, the Defendant did then and there allow disposal of construction and demolition waste to be present on grounds of said address, which is a violation of City of Alpine **Ordinance Sec 82-45** based upon inspection of said property on the **12th day of the month of June 2020**

Sec. 82-45. - Disposal of construction and demolition wastes.

It is unlawful to place wastes resulting from construction and demolition activity in the collection containers, and shall be disposed of directly by the contractor, or by the person in control of the premises wherein such debris is accumulated. Contractors are required to have a roll-off container onsite for all construction debris, or shall be inspected for holding valid landfill receipts. All such wastes shall be removed promptly and shall not be stored in any location where it may be blown, or otherwise dispersed, beyond the construction or demolition site. Wastes may be disposed of at the city landfill. Rock, dirt, concrete, brick, tile, plaster, waste, scrap building materials, or other trash resulting from construction or major remodeling; resulting from a general cleanup of vacant or improved property just prior to its occupancy; or resulting from sizable amounts of trees, brush and debris, cleared from the property in preparation for construction, will not be removed by the city as regular service. The owner will have such debris removed at his expense. All contractors shall obtain a container for disposal of building debris. Proof of such contract shall be a requirement for obtaining a building permit. Any materials including, but not limited to, rocks, large metal bolts,

castings or machining, which the collector determines to be damaging to his trash and garbage collection equipment, may be excluded from collection by the collector.

Wastes from tree trimming operations. It shall be the duty of any person employing, engaging or otherwise paying a contractor, student, professional tree trimmer, or any other person to trim and prune his trees or shrubs, to have the trimmings and debris removed at the owner's expense. The city will not remove trimmings and debris created by such persons as regular service.

Contrary to said ordinance, and

Against the peace and dignity of the State.

Affiant: _____
Code Compliance Inspector
City of Alpine, Texas

Sworn and Subscribed before me by _____, a credible person,
this _____ day of _____, _____.

(Judge)(Clerk)(Deputy Clerk)(Peace Officer)
(Notary Public in and for the State of Texas)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

VALENZUELA RAYMUNDO R

CITY OF ALPIN
BREWSTER COUNTY, TEXAS

In the name and by the authority of the State of Texas:

I, the undersigned affiant, do solemnly swear that I have good reason to believe and do believe that **VALENZUELA RAYMUNDO R**, hereinafter called the Defendant, heretofore, on or about the **12TH day of the month of June 2020**, and before the making and filing of this complaint, in the territorial limits of the City of Alpine in the County of Brewster, and the State of Texas, the Defendant did then and there, at the location of **407 S BEKELEY Alpine, Texas 79830** ,legal deception of Said address: **BERKELEY,BLOCK 6,LOT** own, occupy, or control real property, the Defendant did then and there allow fire hazard conditions to be present on grounds of said address, which is a violation of City of Alpine **Ordinance Sec 46-87** based upon inspection of said property on the **12th day of the month of June 2020**

Sec. 46-87. - Correction of dangerous conditions.

Whenever the fire marshal shall find any building or other structure which, for want of repair, or by reason of age or dilapidated condition, or for any cause, is especially liable to fire, and which is so occupied that fire would endanger persons or property in such building or other structure; and whenever he shall find an improper or dangerous arrangement of stoves, ranges, furnaces or other heating appliances of any kind, including chimneys, flues and pipes with which the stoves, ranges, furnaces or other heating appliances may be connected, or a dangerous arrangement of lighting devices or systems, or a dangerous or unlawful storage of explosives, compounds, petroleum, gasoline, kerosene, dangerous chemicals, vegetable products, ashes, combustible, inflammable and refuse materials, or other conditions which may be dangerous in character or liable to cause or promote fire or create conditions dangerous to the firefighters or occupants, he shall order the conditions to be removed or remedied, and such order shall be complied with by the owner or occupant of such building or premises; provided, however, that if the owner or occupant deems himself aggrieved by such order, he may, within five days, appeal to the mayor, who shall investigate the cause of the complaint; and unless by his authority the order is revoked, such order shall remain in force and be complied with

by the owner or occupant. Any owner or occupant who fails to comply with such order within a ten-day period from the date of such notice shall be deemed guilty of a misdemeanor.

Contrary to said ordinance, and

Against the peace and dignity of the State.

Affiant: _____
Code Compliance Inspector
City of Alpine, Texas

Sworn and Subscribed before me by _____, a credible person,
this _____ day of _____, _____.

(Judge)(Clerk)(Deputy Clerk)(Peace Officer)
(Notary Public in and for the State of Texas)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

VALENZUELA RAYMUNDO R

CITY OF ALPIN
BREWSTER COUNTY, TEXAS

In the name and by the authority of the State of Texas:

I, the undersigned affiant, do solemnly swear that I have good reason to believe and do believe that **VALENZUELA RAYMUNDO R**, hereinafter called the Defendant, heretofore, on or about the **12th day of the month of June 2020**, and before the making and filing of this complaint, in the territorial limits of the City of Alpine in the County of Brewster, and the State of Texas, the Defendant did then and there, at the location of **407 S BEKELEY Alpine, Texas 79830** ,legal deception of Said address: **BERKELEY,BLOCK 6,LOT** own, occupy, or control real property, the Defendant did then and there allow hazardous conditions to be present on grounds of said address, which is a violation of City of Alpine Ordinance Sec 54-206 based upon inspection of said property on the **12th day of the month of June 2020**

• **Sec. 54-206. - Hazards to health, safety and welfare.**

It shall be unlawful for any owner of real property within the city to fail to keep such property free of sink holes, stagnant water, any unauthorized outdoor privies, dilapidated buildings, wrecked automobiles or free from any other dangerous, unsightly, unsanitary or unwholesome condition, matter or instrumentality, or to fail to keep such property clear of any condition liable to produce or communicate disease or likely to constitute a hazard to the health, safety or welfare of the inhabitants of the city.

(Ord. No. 2009-07-01, Exh. A, 8-4-09)

• **Sec. 54-207. - Lien for expenses.**

On filing with the county clerk, a statement by the mayor or duly authorized agent, of the amount of such expenses. The city shall then have a privileged lien on such lot or real estate upon which the work was done or improvements made to secure the expenditures so made in accordance with the provisions of the Revised Civil Statutes of Texas, article 4436, which lien shall be second only to tax liens and liens for street improvements, to secure the expenditure so made; and from the date of such filing by the mayor or authorized agent, the expenditure so made by the city shall draw interest at the rate of ten percent per annum from the date of payment by the city until paid.

Contrary to said ordinance, and

Against the peace and dignity of the State.

Affiant: _____
Code Compliance Inspector
City of Alpine, Texas

Sworn and Subscribed before me by _____, a credible person,
this _____ day of _____, _____.

(Judge)(Clerk)(Deputy Clerk)(Peace Officer)
(Notary Public in and for the State of Texas)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

VALENZUELA RAYMUNDO R

**CITY OF ALPIN
BREWSTER COUNTY, TEXAS**

In the name and by the authority of the State of Texas:

I, the undersigned affiant, do solemnly swear that I have good reason to believe and do believe that **VALENZUELA RAYMUNDO R**, hereinafter called the Defendant, heretofore, on or about the **12TH day of the month of June 2020**, and before the making and filing of this complaint, in the territorial limits of the City of Alpine in the County of Brewster, and the State of Texas, the Defendant did then and there, at the location of **407 S BEKELEY Alpine, Texas 79830** ,legal deception of Said address: **BERKELEY,BLOCK 6,LOT** own, occupy, or control real property, the Defendant did then and there allow littering on public or private property to be present on grounds of said address, which is a violation of City of Alpine **Ordinance Sec 82-56** based upon inspection of said property on the **12th day of the month of June 2020**

Sec. 82-56. - Littering on public or private property.

It shall be unlawful for any person to throw, place or deposit, or cause to be thrown, placed or deposited, or suffer or permit his servant or any other person in his family to throw or deposit in any street, alley, gutter, ditch, lot or other place in this city, the carcass of any dead animal or fowl or any meat, fish, hides, skins, bones, offal, manure, fruit, vegetables, litter, debris, melon rinds, fruit peelings, slop, trash or other unsound or offensive matter or matter liable to become offensive or injurious to the health of those who reside in the vicinity or owned or controlled by him, or to throw, place or deposit, or cause to be thrown, place or deposit in any street, alley, gutter, ditch or other public place, or upon any lot or other premises not owned or controlled by him, tires, bottles, cans, loose paper, rags, scraps of leather, shavings, dishwater, chips, debris, litter or trash.

Any individual group of individuals, business, or corporation who illegally disposes of litter, solid waste, tires, hazardous materials, bulky wastes, or other such materials can be charged with the following offenses and penalties:

Class C misdemeanor: 5lbs/5gals or less: Fine up to \$500.00

(2)

Class B misdemeanor: 6lbs—499lbs/6gals—99c.f.: Fine up to \$2,000.00 and/or not more than 180 days in county jail.

(3)

Class A misdemeanor: 500—999lbs./100c.f.—199c.f.: Fine up to \$4,000.00 and/or not more than one year in county jail.

(4)

State jail felony: Over 1,000 lbs./200c.f., any amount of waste in a closed drum or barrel: Fine up to \$10,000.00 and/or 180 days to two years in a state jail.

Contrary to said ordinance, and

Against the peace and dignity of the State.

Affiant: _____
Code Compliance Inspector
City of Alpine, Texas

Sworn and Subscribed before me by _____, a credible person,
this _____ day of _____, _____.

(Judge)(Clerk)(Deputy Clerk)(Peace Officer)
(Notary Public in and for the State of Texas)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

VALENZUELA RAYMUNDO R

CITY OF ALPIN
BREWSTER COUNTY, TEXAS

In the name and by the authority of the State of Texas:

I, the undersigned affiant, do solemnly swear that I have good reason to believe and do believe that **VALENZUELA RAYMUNDO R**, hereinafter called the Defendant, heretofore, on or about the **12TH day of the month of June 2020**, and before the making and filing of this complaint, in the territorial limits of the City of Alpine in the County of Brewster, and the State of Texas, the Defendant did then and there, at the location of **407 S BEKELEY Alpine, Texas 79830** ,legal deception of Said address: **BERKELEY,BLOCK 6,LOT** own, occupy, or control real property, the Defendant did then and there allow grass to grow and exceed 12 inches in hight to be present on grounds of said address, which is a violation of City of Alpine **Ordinance SEC-54-203** based upon inspection of said property on the **12th day of the month of June 2020**

• **Sec. 54-203. - High weeds and grass prohibited.**

(a)

Any property upon which weeds or grass exceed an average of 12 inches in height, is hereby declared to be a nuisance.

(b)

A person commits an offense if the person owns, occupies, or controls any real property upon which weeds or grass exceed an average of 12 inches in height.

(c)

A person commits an offense if the person owns, occupies, or controls any real property and fails to maintain the parkway adjacent to the property free of weeds and grass that exceed an average of 12 inches in height.

(d)

In a prosecution or other enforcement action of subsections (a) or (b) above, it is an exception that the real property was a lot, tract, or parcel of land of two or more acres under common ownership and the high grass or weeds was no closer than 100 feet to:

(1)

Any adjacent street; or

(2)

Any structure or other improvement on any adjacent property owned by another person.

(e)

The provisions of this section apply to real property located within the city.

(Ord. No. 2009-07-01, Exh. A, 8-4-09)

• **Sec. 54-204. - Abatement of high weeds or grass.**

(a)

The building official or the code enforcement officer, or their designee, is hereby authorized to give notice to the owner of any property upon which high grass and weeds exist to abate the nuisance.

(b)

If the owner of the property does not comply with an abatement notice issued by the city within ten days after the date the notice is received, the city may:

(1)

Enter the property and do or cause to be done the work required to abate the nuisance; and

(2)

Pay for the work done and charge the expenses to the owner of the property.

(c)

The notice must be given:

(1)

Personally to the owner in writing;

(2)

By letter addressed the owner at the owner's post office address; or

(3)

If personal service cannot be obtained or the owner's post office address is unknown:

a.
By publication at least twice within ten consecutive days;

b.
By posting the notice on or near the front door of each building on the property to which the violation relates; or

c.
By posting the notice on a placard attached to a stake driven into the ground on the property to which the violation relates, if the property contains no buildings.

(d)
Notice will be deemed to have been received:

(1)
For personal service, as of the date the notice was given personally to the owner;

(2)
For mailed notice, three days after it was mailed;

(3)
For notice by publication, on the date that the last notice was published in the official newspaper; or

(4)
For notice by posting, ten days after notice was posted.

(e)
The city in the notice of a violation may inform the owner by certified mail, return receipt requested, that if the owner commits another violation of the same kind or nature that poses a danger to the public health and safety on or before the first anniversary of the date of the notice, the city without further notice may correct the violation at the owner's expense and assess the expense against the property.

(f)
If a violation covered by a notice under subsection (e) occurs within the one-year period, and the city has not been informed in writing by the owner of an ownership change, then the city without notice may take any action permitted by subsections (a)(1) and (2) and assess its expenses as provided by [section 54-205](#).

(Ord. No. 2009-07-01, Exh. A, 8-4-09; Ord. No. 2019-02-03, § 1, 3-5-19)

Cross reference— Notice requiring correction, V.T.C.A., Health and Safety Code § 342.006.

- **Sec. 54-205. - Abatement of weeds or grass in excess of 48 inches.**

- (a)
The city may abate, without notice, weeds or grass that:
- (1)
Have grown higher than 24 inches; and
- (2)
Are an immediate danger to the health, life, or safety of any person.
- (b)
Not later than the tenth day after the date the director abates weeds or grass under this section, the director shall give notice to the property owner in the manner required by [section 54-204](#).
- (c)
This notice shall contain:
- (1)
An identification, which is not required to be a legal description, of the property;
- (2)
A description of the violations that occurred on the property;
- (3)
A statement that the city abated the weeds or grass; and
- (4)
An explanation of the property owner's right to request an administrative hearing about the city's abatement of weeds or grass.
- (d)
The city shall conduct an administrative hearing on the abatement of weeds or grass under this section if, not later than the 30th day after the date of the abatement of the weeds, the property owner files with the city a written request for a hearing.
- (e)
A hearing conducted under this section shall be conducted not later than the 20th day after the date a request for a hearing is filed. The owner may testify or present any witnesses or written information relating to the city's abatement of the weeds.
- (f)
The city may assess expenses and create liens under this section against the property on which the city does the abatement.

Contrary to said ordinance, and

Against the peace and dignity of the State.

Affiant: _____
Code Compliance Inspector
City of Alpine, Texas

Sworn and Subscribed before me by _____, a credible person,
this _____ day of _____, _____.

(Judge)(Clerk)(Deputy Clerk)(Peace Officer)
(Notary Public in and for the State of Texas)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

VALENZUELA RAYMUNDO R

CITY OF ALPINE

BREWSTER COUNTY, TEXAS

In the name and by the authority of the State of Texas:

I, the undersigned affiant, do solemnly swear that I have good reason to believe and do believe that ,**VALENZUELA RAYMUNDO R** hereinafter called the Defendant, heretofore, on or about the **12th day of the month of June 2020**, and before the making and filing of this complaint, in the territorial limits of the City of Alpine in the County of Brewster, and the State of Texas, the Defendant did then and there, at the location of **407 South Berkeley Avenue, Alpine Texas -79830**, legal description :**Berkeley ,block 6,lot** own, occupy, or control real property, the Defendant did then and there did not place skirting around owned manufactured home as per described by city ordinance . which is a violation of the City of Alpine Ordinance based upon inspection of said property on the **12th day of the month of June 2020**

Section IV-A. - "R-4"—Mobile home district.

A.

This **zone** is intended to provide **homes** manufactured in one or more modules at a site other than the **home** site. Additional uses necessary and incidental to the operation of a residential dwelling are also permitted. This **zone** is typically associated with the low and medium density residential land use category and is not permitted in other land use categories.

Principal permitted uses. Buildings, structures and lands shall be used and structures shall hereinafter be erected, altered, or enlarged only for the following uses:

HUD Code manufactured **homes****

Local utility service

R-1 Single-family residential

R-2 Duplex

R-2 Group Residential*

R-2 Townhouses

*Same as stated in R-2.

**HUD Code manufactured home compliance: Certificate of occupancy shall not be issued until compliance with the Texas Department of Housing and Community Affairs/Manufactured housing Division: Administrative Rules of the Texas Department of Housing and Community Affairs 10 Texas Administrative Code, Chapter 80.

B.

Uses permitted subject to conditional use permit. The following uses may be permitted subject to a conditional use permit as provided in [Section 20](#).

Bed and Breakfast, VRBO

Day care services

Home occupations subject to approval of home occupation application provisions***

New concept housing****

Religious assembly

***Same as stated in R-1.

****housing built with non-standard building practices such as: connex containers, rammed earth, papercrete, hay bale, and those not specifically addressed in the building code.

Each lot in the R-4 district shall be subject to the following site development regulations:

Feature	Regulation
Lot size	6,000 square feet
Lot width	50 feet
Height	1 story

Front yard	20 feet*
Street side yard	12 feet 6 inches*
Interior side yard	5 feet*
Rear yard	18% or \leq 25 feet
Residential density	1 mobile home per lot
Minimum dwelling area	850 square feet
Maximum impervious area	56% all structures
Nonconforming uses	Section 4
Special yard regulations	Section VIII
Fences, walls and visibility	Section 6
Parking	Off street, 1 per unit minimum
Home occupations	Section 20
Manufactured home skirting	Required within 90 days of occupancy**

EXPAND

*No window sills, belt courses, cornices, and other architectural features will project within the setbacks stated above.

**All mobile homes and prefabricated units shall be skirted on all four sides with a material that is compatible in strength and decor with the main structure.

Contrary to said ordinance, and

Against the peace and dignity of the State.

Affiant: _____
Code Compliance Inspector
City of Alpine, Texas

Sworn and Subscribed before me by _____, a credible person,
this _____ day of _____, _____.

(Judge)(Clerk)(Deputy Clerk)(Peace Officer)
(Notary Public in and for the State of Texas)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

VALENZUELA RAYMUNDO R

CITY OF ALPIN
BREWSTER COUNTY, TEXAS

In the name and by the authority of the State of Texas:

I, the undersigned affiant, do solemnly swear that I have good reason to believe and do believe that **VALENZUELA RAYMUNDO R**, hereinafter called the Defendant, heretofore, on or about the **12th day of the month of June 2020**, and before the making and filing of this complaint, in the territorial limits of the City of Alpine in the County of Brewster, and the State of Texas, the Defendant did then and there, at the location of **407 S BEKELEY Alpine, Texas 79830**, legal deception of Said address: **BERKELEY,BLOCK 6,LOT** own, occupy, or control real property, the Defendant did then and there allow sanitation nuisances conditions to be present on grounds of said address, which is a violation of City of Alpine **Ordinance Sec 54-210/211/212/213** based upon inspection of said property on the **12th day of the month of June 2020**

• **Sec. 54-210. - Miscellaneous sanitation nuisances.**

A person commits an offense if the person owns or is in control of property that contains a pond, pool, or container holding unwholesome, impure, or offensive water that creates an unreasonable and noxious odor in a public place or that is detrimental to the health of humans.

A person commits an offense if the person owns or is in control of property which contains any drain, ditch, tank or gutter that is maintained in such a manner that creates an unreasonable and noxious odor in a public place or that is detrimental to the health of humans.

A person commits an offense if the person owns or is in control of property which has an overflowing septic tank or has sewage leaking from any pipes onto the premises.

A person commits an offense if the person owns or is in control of property that contains a condition or place that is a breeding ground for rats.

A person commits an offense if the person owns or is in control of property that contains a collection of water that is a breeding place for mosquitoes.

A person commits an offense if the person owns or is in control of property that contains a condition or place that is a breeding ground for flies or cockroaches.

A person commits an offense if the person owns or is in control of a place where sleeping accommodations are offered to the public where ectoparasites suspected to be disease carriers are present.

A person commits an offense if the person operates or causes the operation of a vehicle or container used to transport garbage, human excreta, or other organic material, when such vehicle or container allows the leaking or spillage of its contents.

A person commits an offense if the person owns or is in control of property and accumulates or allows the accumulation of garbage on the property in a manner that creates an unreasonable and noxious odor in a public place, that provides a breeding ground or harborage for vectors, or that is detrimental to the health of humans.

A person commits an offense if the person owns or is in control of property and accumulates or allows the accumulation of any solid waste or recyclables upon the property except in solid waste containers of a type approved by the director of department of environmental management.

A person commits an offense if the person owns or is in control of property and accumulates or allows the accumulation of solid waste or recyclables upon the property in any leaking or unsecured solid waste containers.

A person commits an offense if the person owns or is in control of property and accumulates or allows the accumulation of solid waste or recyclables upon the property, even in approved containers, for a period in excess of one week.

A person commits an offense if the person owns or is in control of property and accumulates or allows the accumulation of materials in a composting pile or bin on such property in a manner that:

Breeds or allows the harborage of vectors; or

Creates an unreasonable and noxious odor in a public place.

A person commits an offense if the person owns or is in control of property and accumulates or allows the accumulation of recyclables on such property in a manner that:

Breeds or allows the harborage of vectors; or

Creates an unreasonable and noxious odor in a public place.

In a prosecution of subsections (j), (k), or (l), it is an exception that the property was a solid waste facility regulated by the state natural resource conservation commission or was a recycling facility.

(Ord. No. 2009-07-01, Exh. A, 8-4-09)

- **Sec. 54-211. - Storage of discarded, used, and broken items.**

A person commits an offense if the person accumulates or allows the accumulation on any property of any:

Broken, inoperable, or discarded household furnishings, appliances, machines, tools, boxes and cartons, lawn maintenance equipment, play equipment, toys, and similar items;

Used or discarded building materials;

Materials or items stored on rooftops or porches of buildings when visible from the public right-of-way or neighboring property;

Factory or mill wastes;

Damaged merchandise;

Wet, broken, or leaking barrels, casks, or boxes;

Used, discarded, or broken automotive parts or equipment; or

Any other materials which tend by decay to become putrid or to provide harborage for rodents and other vectors.

It is defense to prosecution of subsection (a) that the person was engaged in the business of dealing in junk, and was in compliance with the comprehensive zoning ordinance and all other applicable provisions of this Code relating to junk dealers.

(Ord. No. 2009-07-01, Exh. A, 8-4-09)

- **Sec. 54-212. - Accumulation of carrion, filth, trash, rubbish or other unwholesome matter.**

It shall be unlawful for any person who shall own or occupy any house, buildings, establishment, lot or yard in the city, to permit or allow any carrion, filth, trash, rubbish or other impure or unwholesome matter to accumulate or remain thereon.

The term "rubbish" as that term is used in this article, shall include, but not be limited to, the debris left upon properties after any building or other structure on such properties have been:

Destroyed by fire or other calamity and the same not restored to its original or better condition or removed from the property within 90 days from the date of such destruction;

Intentionally wrecked or demolished by the owner;

Moved from such property to another location; and/or

Vacated by prior owner or tenant.

(Ord. No. 2009-07-01, Exh. A, 8-4-09)

• **Sec. 54-213. - Duty to maintain property free from litter.**

An owner, occupant, or person in control of private property commits an offense if he or she fails to maintain the property free of litter, unless the litter has been deposited in a trash receptacle that securely contains the litter.

Construction sites within the city and sidewalks, streets, alleys and public or private properties in the vicinity of the construction sites shall be maintained free of construction trash, litter, and debris that is not securely contained.

Any applicant for a permit for new residential construction issued by the city shall identify the owner, occupant, or person in control of the property on the permit, by name, driver's license number, and date of birth, who is responsible for maintaining the construction site in a manner that securely contains all construction trash, litter, and debris until a final inspection is delivered or the permit expires.

A person or owner commits an offense under this section when the individual identified on a permit under subsection (b)(1) fails to maintain the construction site in such a manner as described in this section.

Contrary to said ordinance, and

Against the peace and dignity of the State.

Affiant: _____
Code Compliance Inspector
City of Alpine, Texas

Sworn and Subscribed before me by _____, a credible person,
this _____ day of _____, _____.

(Judge)(Clerk)(Deputy Clerk)(Peace Officer)
(Notary Public in and for the State of Texas)







CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

BELL ROBERT H

CITY OF ALPINE

BREWSTER COUNTY, TEXAS

In the name and by the authority of the State of Texas:

I, the undersigned affiant, do solemnly swear that I have good reason to believe and do believe that **BELL ROBERT H**, hereinafter called the Defendant, heretofore, on or about the **15TH day of the month of May 2020**, and before the making and filing of this complaint, in the territorial limits of the City of Alpine in the County of Brewster, and the State of Texas, the Defendant did then and there, at the location of **610 N 3RD Avenue, Alpine Texas -79830**, legal description: **WALTON,BLK W 1,LOT 6-7** own, occupy, or control real property, the Defendant did then and there did commit illegal dumping of construction material and placed it on city property and on the right of way which is a violation of the City of Alpine Ordinance based upon inspection of said property on the **15TH day of the month of May 2020**

Sec. 82-45. - Disposal of construction and demolition wastes.

(a)

It is unlawful to place wastes resulting from construction and demolition activity in the collection containers, and shall be disposed of directly by the contractor, or by the person in control of the premises wherein such debris is accumulated. Contractors are required to have a roll-off container onsite for all construction debris, or shall be inspected for holding valid landfill receipts. All such wastes shall be removed promptly and shall not be stored in any location where it may be blown, or otherwise dispersed, beyond the construction or demolition site. Wastes may be disposed of at the city landfill. Rock, dirt, concrete, brick, tile, plaster, waste, scrap building materials, or other trash resulting from construction or major remodeling; resulting from a general cleanup of vacant or improved property just prior to its occupancy; or resulting from sizable amounts of trees, brush and debris, cleared from the property in preparation for construction, will not be removed by the city as regular service. The owner will have such debris removed at his expense. All contractors shall obtain a container for disposal of building debris. Proof of such contract shall be a requirement for obtaining a building permit. Any materials including, but not limited to, rocks, large metal bolts,

castings or machining, which the collector determines to be damaging to his trash and garbage collection equipment, may be excluded from collection by the collector.

(b)

Wastes from tree trimming operations. It shall be the duty of any person employing, engaging or otherwise paying a contractor, student, professional tree trimmer, or any other person to trim and prune his trees or shrubs, to have the trimmings and debris removed at the owner's expense. The city will not remove trimmings and debris created by such persons as regular service.

Contrary to said ordinance, and

Against the peace and dignity of the State.

Affiant: _____
Code Compliance Inspector
City of Alpine, Texas

Sworn and Subscribed before me by _____, a credible person,
this _____ day of _____, _____.

(Judge)(Clerk)(Deputy Clerk)(Peace Officer)
(Notary Public in and for the State of Texas)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

BELL ROBERT H

CITY OF ALPINE

BREWSTER COUNTY, TEXAS

In the name and by the authority of the State of Texas:

I, the undersigned affiant, do solemnly swear that I have good reason to believe and do believe that **BELL ROBERT H**, hereinafter called the Defendant, heretofore, on or about the **15TH day of the month of May 2020**, and before the making and filing of this complaint, in the territorial limits of the City of Alpine in the County of Brewster, and the State of Texas, the Defendant did then and there, at the location of **610 N 3RD Avenue, Alpine Texas -79830**, legal description: **WALTON,BLK W1,LOT 6-7** own, occupy, or control real property, the Defendant did then and there did and had possession and stored items that can cause a fire and allowed for dangerous conditions to be present on said property, which is a violation of the City of Alpine Ordinance based upon inspection of said property on the **15TH day of the month of May 2020**

Sec. 46-87. - Correction of dangerous conditions.

Whenever the fire marshal shall find any building or other structure which, for want of repair, or by reason of age or dilapidated condition, or for any cause, is especially liable to fire, and which is so occupied that fire would endanger persons or property in such building or other structure; and whenever he shall find an improper or dangerous arrangement of stoves, ranges, furnaces or other heating appliances of any kind, including chimneys, flues and pipes with which the stoves, ranges, furnaces or other heating appliances may be connected, or a dangerous arrangement of lighting devices or systems, or a dangerous or unlawful storage of explosives, compounds, petroleum, gasoline, kerosene, dangerous chemicals, vegetable products, ashes, combustible, inflammable and refuse materials, or other conditions which may be dangerous in character or liable to cause or promote fire or create conditions dangerous to the firefighters or occupants, he shall order the conditions to be removed or remedied, and such order shall be complied with by the owner or occupant of such building or premises; provided, however, that if the owner or occupant deems himself aggrieved by such order, he may, within five days, appeal to the mayor, who shall investigate the cause of the complaint; and unless by his

authority the order is revoked, such order shall remain in force and be complied with by the owner or occupant. Any owner or occupant who fails to comply with such order within a ten-day period from the date of such notice shall be deemed guilty of a misdemeanor.

Contrary to said ordinance, and

Against the peace and dignity of the State.

Affiant: _____
Code Compliance Inspector
City of Alpine, Texas

Sworn and Subscribed before me by _____, a credible person,
this _____ day of _____, _____.

(Judge)(Clerk)(Deputy Clerk)(Peace Officer)
(Notary Public in and for the State of Texas)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

BELL ROBERT H

CITY OF ALPINE

BREWSTER COUNTY, TEXAS

In the name and by the authority of the State of Texas:

I, the undersigned affiant, do solemnly swear that I have good reason to believe and do believe that **BELL ROBERT H** , hereinafter called the Defendant, heretofore, on or about the **15TH day of the month of May 2020**, and before the making and filing of this complaint, in the territorial limits of the City of Alpine in the County of Brewster, and the State of Texas, the Defendant did then and there, at the location of **610 N 3RD Avenue, Alpine Texas -79830**, legal description: **WALTON,BLK W1,LOT 6-7** own, occupy, or control real property, the Defendant did then and there did and had possession and stored items that can cause a fire , which is a violation of the City of Alpine Ordinance based upon inspection of said property on the **15TH day of the month of May 2020**

Sec. 86-42. - Permitting dangerous conditions on sidewalk declared a nuisance.

Whoever shall keep or leave open, or shall allow or suffer to be left open, any cellar door or trap door on the grating of any vault, in or upon any sidewalk, street, thoroughfare or passageway; or whoever shall make, keep or maintain any uncovered opening in any sidewalk or footway; or shall allow any sidewalk or footway, which it is his duty to maintain or repair, to be broken or to continue to be broken, uneven or out of repair, as to endanger any person's safety; or shall allow any sidewalk or footway, which it is his duty to maintain, to collect oils, greases, ice or water; or shall allow other obstacles or obstructions, natural or artificial, which overlap, impinge upon or appropriate any part of the sidewalk area, or the space eight feet above it, so as to endanger any person's safety or impede the use of such sidewalk, shall be deemed guilty of maintaining a nuisance.

Sec. 86-46. - Duty to maintain sidewalks free of hazardous substances, obstructions.

It shall be the duty of the owner of any property abutting upon any sidewalk, at their own cost and expense, to maintain and keep the sidewalks (and paving laid on such sidewalks), bordering their property, free of collection of oils, greases, ice or water, and free of obstacles, obstructions or encroachments, natural or artificial, above or below ground, or which overlap, impinge upon or appropriate any part of the sidewalk area, or the space eight feet above the sidewalk area.

Sec. 86-47. - Liability of property owner for damages due to hazardous substances on, obstruction of sidewalk.

The abutting property owner or person, firm or corporation enjoying the use of any property abutting on a sidewalk, who has allowed such abutting sidewalk to become obstructed, or in a dangerous condition in violation of section 86-46, and such violation has resulted in damage or injury, shall be primarily liable in damages for any loss or damage sustained as a result of such condition.

Contrary to said ordinance, and

Against the peace and dignity of the State.

Affiant: _____
Code Compliance Inspector
City of Alpine, Texas

Sworn and Subscribed before me by _____, a credible person,
this _____ day of _____, _____.

(Judge)(Clerk)(Deputy Clerk)(Peace Officer)
(Notary Public in and for the State of Texas)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

BELL ROBERT H

CITY OF ALPINE

BREWSTER COUNTY, TEXAS

In the name and by the authority of the State of Texas:

I, the undersigned affiant, do solemnly swear that I have good reason to believe and do believe that **BELL ROBERT H**, hereinafter called the Defendant, heretofore, on or about the **15th day of the month of May 2020**, and before the making and filing of this complaint, in the territorial limits of the City of Alpine in the County of Brewster, and the State of Texas, the Defendant did then and there, at the location of **610 N 3RD Avenue, Alpine Texas -79830**, legal description: **WALTON,BLK W1,LOT 6-7** own, occupy, or control real property, the Defendant did then and there did commit illegal dumping on public or private property, which is a violation of the City of Alpine Ordinance based upon inspection of said property on the **15th day of the month of May 2020**

illegal dumping means the disposal or allowing disposal of litter or other solid waste at a place that is not approved solid waste site, including places on or within 300 feet of a public highway, a right-of-way, public or private property, or into inland or coastal water of the state.

Landfill means the area provided by the city under Texas Commission for Environmental Quality Arid Exemption Permit No. 2197 for a Type I landfill in which garbage and other debris shall be accumulated or disposed of. The area shall include such area known as the landfill access road bounded on two sides by a fence.

Medical refuse means refuse from residences, hospitals, doctors' offices, clinics and nursing homes, such as facial tissue, bandages, pathological wastes and other contaminated material.

Nonresident means persons who do not permanently reside within the corporate limits of the city.

Premises means business houses, boardinghouses, offices, theaters, hotels, motels, restaurants, cafes, eating houses, hospitals, tourist courts, churches, trailer parks, schools, private residences, vacant lots, grocery stores, butcher shops, restaurants, drugstores, hotels and other places within the city where garbage or rubbish accumulates.

Recycling center means the area provided by the city and overseen by city employee(s) to receive recyclable materials being diverted from the landfill. The collected recyclables may be sold by the city or by the contracted waste hauler to help fund recycling activities.

Recyclables means any of a number of materials that can be diverted from the landfill to be reused or repurposed, such as glass, aluminum, tin, scrap metal, plastics #1 and #2, paper, corrugated cardboard, magazines, newsprint, used motor oil, and others.

Rubbish means combustible and noncombustible solid waste material from households, institutions and commercial concerns. Combustible rubbish consists of paper, rags, cartons, boxes, wood, excelsior, bedding, rubber, leather, grass, leaves, yard trimmings and plastics. Noncombustible rubbish consists of metals, tin cans, metal foils, dirt, stones, bricks, glass, bottles and ceramics. Whenever the term "rubbish" is used alone, it shall mean a combination of such wastes.

Tourist means a nonresident of Brewster, Jeff Davis and Presidio Counties, who is in the city for the purpose of pleasure, amusement or educational purposes or civic meetings.

Sec. 82-56. - Littering on public or private property.

It shall be unlawful for any person to throw, place or deposit, or cause to be thrown, placed or deposited, or suffer or permit his servant or any other person in his family to throw or deposit in any street, alley, gutter, ditch, lot or other place in this city, the carcass of any dead animal or fowl or any meat, fish, hides, skins, bones, offal, manure, fruit, vegetables, litter, debris, melon rinds, fruit peelings, slop, trash or other unsound or offensive matter or matter liable to become offensive or injurious to the health of those who reside in the vicinity or owned or controlled by him, or to throw, place or deposit, or cause to be thrown, place or deposit in any street, alley, gutter, ditch or other public place, or upon any lot or other premises not owned or controlled by him, tires, bottles, cans, loose paper, rags, scraps of leather, shavings, dishwater, chips, debris, litter or trash.

Any individual group of individuals, business, or corporation who **illegally** disposes of litter, solid waste, tires, hazardous materials, bulky wastes, or other such materials can be charged with the following offenses and penalties:

(1)

Class C misdemeanor: 5lbs/5gals or less: Fine up to \$500.00

(2)

Class B misdemeanor: 6lbs—499lbs/6gals—99c.f.: Fine up to \$2,000.00 and/or not more than 180 days in county jail.

(3)

Class A misdemeanor: 500—999lbs./100c.f.—199c.f.: Fine up to \$4,000.00 and/or not more than one year in county jail.

(4)

State jail felony: Over 1,000 lbs./200c.f., any amount of waste in a closed drum or barrel: Fine up to \$10,000.00 and/or 180 days to two years in a state jail.

Contrary to said ordinance, and

Against the peace and dignity of the State.

Affiant: _____
Code Compliance Inspector
City of Alpine, Texas

Sworn and Subscribed before me by _____, a credible person,
this _____ day of _____, _____.

(Judge)(Clerk)(Deputy Clerk)(Peace Officer)
(Notary Public in and for the State of Texas)







3. Discussion of Fire Fee's for the City of Alpine. (E. Zimmer, City Manager)

City of Alpine, Texas

Fire System / Hazardous Operation Fee Schedule

The following fees are hereby established for obtaining permits from the City of Alpine Texas . All payments will be made by money order, or check made out to the **City of Alpine Texas** and will be paid prior to the start of a particular plan review process for which the fee is charged and/or before a permit is issued.

Fees shall be paid at the City of Alpine Texas office that provides the permit application.

Fire Protection System Construction Permits Fee

1. Automatic Fire Extinguishing System:

A. New Sprinkler System

1-10 heads	\$125.00
11-25 heads	\$150.00
26-200 heads	\$200.00
201 +	\$200.00 + 0.75 cents. per head
<i>\$2,000.00 maximum sprinkler head charge</i>	

Additional Floor Charge: \$40.00 for each floor above and below the first floor.

This fee covers reviewing plans, rough-in inspections, and witnessing the 2-hour hydrostatic testing for fire sprinkler systems.

B. Sprinkler Modification With Heads

1-9 heads	\$12.50 per head.
10-25 heads,	\$125.00
26-200 heads,	\$150.00
201+,	\$150 + 0.75 per head
<i>\$2,000.00 maximum sprinkler head charge</i>	

Additional Floor Charge: \$40.00 for each floor above and below the first floor.

This fee covers reviewing plans, rough-in inspections, and witnessing the 2-hour hydrostatic testing for fire sprinkler systems.

C. Sprinkler Modification Without Heads: \$100.00

This fee covers reviewing plans, rough-in inspections, and witnessing the 2-hour hydrostatic testing for fire sprinkler systems.

D. Paint/Spray Booth: \$250.00

This fee covers the reviewing of plans, witnessing the testing, and inspection of commercial paint/spray booth fire suppression systems.

E. Vent/Hood Suppression System: \$150.00

This fee covers reviewing plans, witnessing the testing, and inspection of fire extinguishing system in kitchen vent hoods and exhaust ducts.

F. Alternative Fire Protection System: \$250.00

This fee covers reviewing plans, rough-in inspections, and witnessing the acceptance testing of alternative fire protection and fire suppression systems.

2. Compressed Gases: \$100.00

When the compressed gases in use or storage exceed the amounts listed in the table below, a construction permit is required to install, repair damage to, abandon, remove, place temporarily out of service, or close or substantially modify a compressed gas system.

This fee covers the reviewing of plans, witnessing any required testing, and inspection of any compressed gas use facility.

PERMIT AMOUNTS FOR COMPRESSED GASES

Type of Gas	Amount (Cubic feet at NTP)
Corrosive	200
Flammable (Except cryogenic fluids and liquefied petroleum gases)	200
Highly Toxic	Any Amount
Inert and simple asphyxiant	6,000
Oxidizing (including oxygen)	504
Toxic	Any Amount

3. Fire Alarm and Detection System and Related Equipment:

A. New Fire Alarm System

1-10 devices	\$125.00
11-25 devices	\$150.00
26-200 devices	\$200.00
201 +	\$200.00 + 0.75 cts. per device
<i>\$2,000.00 maximum device charge</i>	

Additional Floor Charge: \$40.00 for each floor above and below the first floor.

This fee covers reviewing plans, rough-in inspections, and witnessing the fire alarm acceptance testing.

B. Fire Alarm modification

1-9 devices	\$12.50 per device
10-25 devices	\$125.00
26-200 devices	\$150.00
201 +	\$200.00+.75 cts. per device
<i>\$2,000.00 maximum device charge</i>	

Additional Floor Charge: \$40.00 for each floor above and below the first floor.

This fee covers reviewing plans, rough-in inspections, and witnessing the fire alarm acceptance testing.

C. Smoke Control Systems: \$175.00

This fee covers witnessing the testing of building smoke control systems (including fire dampers, smoke dampers, and fire/smoke dampers) required by the building or fire code.

4. Fire Pumps and Related Equipment: \$200.00

A construction permit is required for installation of or modification to fire pumps and related fuel tanks, jockey pumps, controllers, and generators. This fee covers reviewing plans, rough-in inspections, and witnessing any required acceptance testing.

5. Flammable and Combustible Liquids: \$200.00

A construction permit is required to repair or modify a pipeline for the transportation of flammable or combustible liquids.

To install, construct or alter tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used.

To install, alter, remove, abandon or otherwise dispose of a flammable or combustible liquid tank.

This fee covers reviewing plans, rough-in inspections, and witnessing any required acceptance testing.

6. Hazardous Materials: \$200.00

A construction permit is required to install, repair damage to, abandon, remove, place temporarily out of service, or close or substantially modify a storage facility or other area regulated by Chapter 50 of the International Fire Code (current edition) when the hazardous materials in use or stored exceed the amounts listed in the current Fire Code.

7. Industrial Ovens: \$200.00

A construction permit is required for installation of industrial ovens covered by Chapter 30 of the International Fire Code (2015 edition).

This fee covers reviewing plans, rough-in inspections, and witnessing any required acceptance testing.

8. LP- Gas: \$200.00

A construction permit is required for installation of or modification to an LP-gas system. This fee covers reviewing plans, rough-in inspections, and witnessing any required acceptance testing.

9. Private Fire Hydrants: \$100.00

A construction permit is required for the installation or modification of private fire hydrants. This fee covers reviewing plans, rough-in inspections, and witnessing any required acceptance testing, including 2-hour hydrostatic test.

10. Spraying or Dipping: \$200.00

A construction permit is required to install or modify a spray room, dip tank or booth. This fee covers reviewing plans, rough-in inspections, and witnessing any required acceptance testing.

11. Standpipe Systems: \$200.00 for the first,
\$125.00 for each additional system

A construction permit is required for the installation, modification, or removal from service any standpipe system. This fee covers reviewing plans, rough-in inspections, and witnessing any required acceptance testing.

12. Underground Fire System: \$200.00

This fee covers reviewing of plans, witnessing the 2 hour hydrostatic testing on underground fire protection systems, fire protection standpipes, and fire hydrants installed on both public and private water systems.

Operational Permits Required

The Fire Code of the City of Alpine authorizes the fire code official to issue certain operational permits for the operations listed below.

Operational permits include plan review, on site inspections, and any required or necessary consultation. These permits shall be one-time only per applicant and per address, unless specifically addressed by the Fire Marshall.

1. Aerosol Products: \$ 200.00

An operational permit is required to manufacture, store or handle an aggregate quantity of Level 2 or Level 3 (Chapter 51 IFC, 2015) aerosol products in excess of 500 pounds (227 kg) net weight.

2. Battery Systems: \$150.00

A permit is required to install stationary lead-acid battery systems having a liquid capacity of more than 50 gallons (189 L).

3. Cellulose Nitrate Film: \$200.00

An operational permit is required to store, handle or use cellulose nitrate film in a Group A occupancy.

4. Combustible Dust-Producing Operations: \$200.00

An operational permit is required to operate a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, or other operations producing combustible dusts.

5. Combustible Fibers: \$150.00

An operational permit is required for the storage and handling of combustible fibers in quantities greater than 100 cubic feet (2.8 m³).

6. Compressed Gases: \$200.00

An operational permit is required for the storage, use or handling at normal temperature and pressure (NTP) of compressed gases in excess of the amounts listed in the table below.

Exception: Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle.

PERMIT AMOUNTS FOR COMPRESSED GASES

Type of Gas	Amount (Cubic feet at NTP)
Corrosive	200
Flammable (Except cryogenic fluids and liquefied petroleum gases)	200
Highly Toxic	Any Amount
Inert and simple asphyxiant	6,000
Oxidizing (including oxygen)	504
Toxic	Any Amount

7. Cryogenic Fluids: \$200.00

An operational permit is required to produce, store, transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed in the table below.

- **Exception:** not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading.

PERMIT AMOUNTS FOR COMPRESSED GASES

Type of Cryogenic Fluid	Inside Building (gallons)	Outside Building (gallons)
Flammable	More than 1	60
Inert	60	500
Oxidizing (including oxygen)	10	50
Physical or health hazard not indicated above	Any Amount	Any Amount

8. Dry Cleaning Plants: \$150.00

An operational permit is required to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment.

9. Flammable and Combustible Liquids:

\$200.00

An operational permit is required:

1. To use or operate a pipeline for the transportation within facilities of flammable or combustible liquids. This requirement shall not apply to the off-site transportation in pipelines regulated by the Texas Department of Transportation (TXDOT) nor does it apply to piping systems.
2. To store, handle or use Class I liquids in excess of 5 gallons (19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following:
 - 2.1 The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the code official, would cause an unsafe condition.
 - 2.2. The storage or use of paints, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.
3. To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in connection with oil-burning equipment.
4. To remove Class I or Class II liquids from an under-ground storage tank used for fueling motor vehicles by any means other than the approved, stationary on-site pumps normally used for dispensing purposes.
5. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used.
6. To place temporarily out of service (for more than 90 days) an underground, protected aboveground or aboveground flammable or combustible liquid tank.
7. To change the type of contents stored in a flammable or combustible liquid tank to a material which poses a greater hazard than that for which the tank was designed and constructed.
8. To manufacture, process, blend or refine flammable or combustible liquids.
9. To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments.
10. To utilize a site for the dispensing of liquid fuels from tank vehicles into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments.

10. Fumigation and Thermal Insecticide Fogging: \$150.00

An operational permit is required to operate a business of fumigation or thermal insecticidal fogging and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used or stored.

11. Hazardous Materials: \$300.00

An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in the current edition of the International Fire Code.

12. HPM Facilities: \$300.00

An operational permit is required to store, handle or use hazardous production materials.

13. High-piled Storage: \$100.00

An operational permit is required to use a building or portion thereof as a high-piled storage area exceeding 500 square feet (46 m²).

14. Hot Work Operation: \$100.00

An operational permit is required for hot work including, but not limited to:

1. Public exhibitions and demonstrations where hot work is conducted.
2. Use of portable hot work equipment inside a structure.
Exception: Work that is conducted under a construction permit.
3. Fixed-site hot work equipment such as welding booths.
4. Hot work conducted within a hazardous fire area.
5. Application of roof coverings with the use of an open-flame device.
6. When approved, the fire code official shall issue a permit to carry out a Hot Work Program. This program allows approved personnel to regulate their facility's hot work operations.

15. Industrial Ovens: \$100.00

An operational permit is required for operation of industrial ovens regulated by the International Fire Code (Chapter 50 IFC, current edition).

16. Liquid or Gas Fueled Vehicles in Group A Occupancies: \$100.00

An operational permit is required to display, operate or demonstrate liquid- or gas-fueled vehicles or equipment in assembly buildings.

17. Magnesium: \$200.00

An operational permit is required to melt, cast, heat treat or grind more than 10 pounds (4.54 kg) of magnesium.

18. Open Flames and Torches: \$100.00

An operational permit is required to remove paint with a torch; or to use a torch or open-flame device in a hazardous fire area.

19. Open Flames and Candles: \$50.00

An operational permit is required to use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments.

20. Organic Coating: \$200.00

An operational permit is required for any organic-coating manufacturing operation producing more than 1 gallon (4 L) of an organic coating in one day.

21. Motor Fuel Dispensing Facilities: \$150.00

An operational permit is required for operation of repair garages and automotive, marine and fleet motor fuel-dispensing facilities.

22. Spraying or Dipping: \$200.00

An operational permit is required to conduct a spraying or dipping operation utilizing flammable or combustible liquids or the application of combustible powders regulated by Chapter 24 of the IFC (current edition).

Miscellaneous Fees

1. System Retesting Fee: \$75.00

This fee is for witnessing a retest of any fire protection system or portion of a fire protection system, which becomes necessary due to previous system test failure.

2. Rescheduling Fee: \$30.00

If a fire system acceptance inspection is canceled within four hours of the scheduled time and date, or upon arrival by the Inspector the system to be tested is not ready and as inspection has not been performed, a rescheduling fee shall apply.

3. Working Without a Permit Fee: \$ Double Permit Fee

This fee is to be assessed when it is discovered by a City of Alpine Code Official that work is being performed without the proper permit(s).

4. Reinspection Fee: \$ 30.00

This fee will be assessed for each reinspection required to bring a fire hazard related problem into compliance. The Fire Inspector shall follow the departments established Standard Operating Procedures regarding issuance of this fee.

5. After Hours Fee: \$50.00 per hour, 2-hour minimum

If circumstances warrant, and with prior approval, the Fire Chief may have the Fire Inspector review a plan, conduct an inspection, or witness a test after normal working hours of 8AM-5PM (Monday through Friday) when a written request is made by the contractor or the owner's representative. The cost of this service is \$50.00 per hour or fraction of an hour, with a minimum 2-hour charge. The fee for this service shall be paid immediately after the conclusion of the special service in addition to any other required fees.

6. False Alarm Fee: 1-5 activations within 365 day period, No Charge
Each activation more than five in 365 day period, \$50.00

This fee shall be assessed at the discretion of the Fire Marshall and after an attempt has been made to notify the occupant regarding false alarm activations. False alarms occur when an alarm system is activated for some reason other than to intentionally summon the fire department in an emergency.

Fire alarm activations that are due to the malicious activities of others will not be assessed.

ORDINANCE 2020-07-02

AN ORDINANCE OF THE CITY OF ALPINE, TEXAS, AMENDING THE ALPINE CODE OF ORDINANCES CHAPTER 46 FIRE PREVENTION AND PRESERVATION; REPEALING CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED FIVE HUNDRED DOLLARS (\$ 500.00); RROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Alpine, Texas makes certain services, documents, publications, and facilities available to the public; and

WHEREAS, the City of Alpine wishes to establish fire permit and inspection fees; and

WHEREAS, the primary purpose of this ordinance is for regulation in support of the City of Alpine's fire permit and inspection program; and

WHEREAS, these fees established herein are no more than reasonably necessary to cover the City of Alpine's cost of regulation through its fire permit and inspection program; and

WHEREAS, ALL CONSTITUTIONAL, STATUTORY AND LEGAL PREREQUISITES FOR THE PASSAGE OF THIS ORDINANCE HAVE BEEN MET, INCLUDING BUT NOT LIMITED TO THE Open Meetings Act; and

WHEREAS, the City Council has determined that it is in the best interest of the health, safety and welfare of the public to adopt this ordinance

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

Section 1. That all matters stated herein above are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

Section 2. That Chapter 46, Fire Prevention and Protection Article II, Fire Prevention Code, section 46-43 is hereby amended to read as follows;

Section 46-43 VIOLATIONS.

(a) Any person who shall violate any of the provisions of the codes adopted by this article, or fail to comply with the provisions of the codes, or who shall violate or fail to comply with any order made by the provisions of the codes, or who shall build in violation of any detailed statement of specifications or plans submitted and approved by the provisions of the codes, or any certificate or permit issued by the provisions of the codes, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the council or by a court of competent jurisdiction, within the time fixed in this article, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor.

(b) The application of the penalty in subsection (a) of this section shall not be held to prevent the enforced removal of prohibited conditions.

That any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed five hundred dollars (\$500.00) for each offense and a separate offense shall be deemed committed each day during or on which a violation occurs or continues. A culpable mental state is not required for a violation of this chapter, and need not be proved.

Section 3. That Chapter 46, Fire Prevention and Protection Article II, Fire Prevention Code, 46-44 Fire Permits and Inspection Fees required, is hereby added to read as follows;

“Section 46-44 Schedule of permit fees. For any work requiring a permit under the International Fire Code, a fee for each permit shall be paid as required, in accordance with Table 1-A, Fire Permit Fees, attached hereto as Exhibit “A”. All fees will cover new construction, alterations or work requiring a permit, a fee for each permit shall be paid as required, in accordance with Table 1-A, Permit fees for work covered by other adopted codes and ordinances are described elsewhere in this chapter and City of Alpine ordinances”.

“ Sections 46-45-75. – Reserved.

Section 4. That all ordinances or any parts thereof in conflict with the terms of this ordinance shall be and hereby are deemed repealed and of no force or effect.

Section 5. This ordinance shall become effective from and after the date of its passage, and it is accordingly so ordained.

PASSED AND ADOPTED THIS (____)DAY OF(____)2020 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.

**INTRODUCTION AND FIRST READING
AUGUST 18, 2020**

**SECOND AND FINAL READING
SEPTEMBER 1, 2020**

**Andres “Andy” Ramos, Mayor
City of Alpine**

ATTEST:

APPROVED AS TO FORM:

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

**Rod Ponton, City Attorney
City of Alpine**

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

1. Discuss, consider, and take appropriate action setting a date for the Emergency Services and Law Enforcement Workshop. (E. Zimmer, City Manager)



CITY COUNCIL

AGENDA REQUEST

AGENDA FOR COUNCIL MEETING: INITIATED BY:	AUGUST 4, 2020	AGENDA REQUEST NO:	ACTION
	ERIK ZIMMER	RESPONSIBLE DEPARTMENT:	ADMINISTRATION
PRESENTED BY:	ERIK ZIMMER	FINANCE DIRECTOR:	MEGAN ANTRIM
		ADDITIONAL DIRECTOR (S):	
SUBJECT / PROCEEDING:	DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION SETTING A DATE FOR THE EMERGENCY SERVICES AND LAW ENFORCEMENT WORKSHOP.		
EXHIBITS:			

CLEARANCES		APPROVAL	
LEGAL:	CITY ATTORNEY	ROD PONTON:	_____
FINANCE:	FINANCE DIRECTOR	MEGAN ANTRIM:	_____
APPROVAL:	CITY MANAGER	ERIK ZIMMER:	_____

BUDGET	
EXPENDITURE REQUIRED: \$	0
SAVINGS ANTICIPATION: \$	
CURRENT BUDGET FY2018-2019: \$	0
ADDITIONAL FUNDING: \$	

RECOMMENDED ACTION

--

EXECUTIVE SUMMARY

--



Cynthia Salas <city.secretary@ci.alpine.tx.us>

City - County Workshop - Emergency Services / Law Enforcement

1 message

Erik Zimmer <erik.zimmer@ci.alpine.tx.us>

Fri, Jul 17, 2020 at 2:10 PM

To: Brewster County Judge <Eleazar.Cano@co.brewster.tx.us>, Betse Esparza <betse.esparza@yahoo.com>, Sara Colando <colando@co.brewster.tx.us>, Ruben Ortega <ruben1096@yahoo.com>, mikepallanez@yahoo.com, Andy Ramos <mayor.ramos@ci.alpine.tx.us>, Maria Curry <ward1.curry@ci.alpine.tx.us>, Ramon Olivas <ward2.olivas@ci.alpine.tx.us>, Betty Fitzgerald <ward3.fitzgerald@ci.alpine.tx.us>, Lucy Escovedo <ward4.escovedo@ci.alpine.tx.us>, Rick Stephens <ward5.stephens@ci.alpine.tx.us>

Cc: Brewster County Sheriff's Office <801dodson@sbcglobal.net>, Stephanie Elmore <bcoemassist@co.brewster.tx.us>, Police Chief <chief.police@ci.alpine.tx.us>, Cynthia Salas <city.secretary@ci.alpine.tx.us>, pontonrod <pontonrod@gmail.com>

Judge, Mayor, Commissioners Court and City Council,

A good suggestion was made recently to host a Workshop to review the local/regional needs of the Emergency Services (Fire, EMS, FRO, EMC) along with our Law Enforcement (large groupings of agencies supporting this Region).

As the City and County originally partnered to build the County Jail, Fire Stations, EOC, etc..., it would be good to have both these entities come together (in a workshop format open to the Public) to begin the discussion and dialogue on the goals/objectives of both entities for the next 3, 5 and 10 years. We are also highly interdependent on each other relative to these services.

With new leadership at SRSU, along with facility changes in the works at AISD that can help pave the way for additional training for our youth and young adults. We have the opportunity to work back with SRSU and AISD on programs that would make sense in these vocations.

We could target the week of August 10th or August 17th. Depending on what the Governor's Executive Orders look like at that time we could either use the Civic Center or Zoom.

Please communicate back with Cynthia and myself on which week works best for you and additional suggestions you may have. The direct communication will help us avoid any TOMA implications.

Thank you,
Erik

--

Erik M. Zimmer
City Manager
Alpine, TX 79830
432.837.3301

Attention Elected Officials - A 'Reply to All' on this email could lead to unintentional violations of the Texas Open Meetings Act. Please reply only to the sender.

4 August 2020
City Council Meeting

Honorable Mayor and City Council,

The following is a targeted list of goals and topics to cover at the Workshop. I have not heard back from the County relative to the email I sent, but believe we can still put on a workshop and invite all the entities. We do have many members of the community that have expressed interest in attending as well.

It would be optimal to use the Civic Center and have ample spacing for those that attend in person. We would also stream through Zoom. Alternatively, we could host the entire workshop on Zoom.

Thank you,
Erik

Emergency Services and Law Enforcement Workshop

Target Date: Week of August 17, 2020

Goals

1. Documented Understanding of Each Entities Roles/Responsibilities as they relate to Emergency Services and Law Enforcement in our Community
2. Reshape Interlocal Agreements to match needs based on Goal One to better provide financial and mutual assistance across the organizations.
3. Roadmap of new Programs to implement in order to better serve the citizens in the Community

Emergency Services

- A. Emergency Medical Services (EMS)
- B. Alpine Volunteer Fire Department
 - a. Outcomes of 2017 Audit
- C. First Responders Organization
- D. CERT - Implementation of Program
- E. Emergency Operations Center

Law Enforcement

- A. Brewster County Sheriff's Office
- B. Alpine Police Department
- C. County Jail
- D. Border Patrol

- E. HIDTA
- F. ICE
- G. Other State and Federal Agencies

Interlocal Agreements

- A. Fire Services (City/County)
- B. Interlocal with SRSU for Emergency Services
- C. EMS Interlocal (City/County/Hospital District) for purchasing purposes
- D. Capital Items and Purchasing

Mutual Aid Agreements

Fire Inspections

2. Discuss, consider, and take appropriate action on Resolution 2020-07-02, a Resolution authorizing the City of Alpine to participate in the Texas CDBG for the downtown revitalization in the amount of \$216,000.



CITY COUNCIL

AGENDA REQUEST

AGENDA FOR COUNCIL MEETING: INITIATED BY:	AUGUST 4, 2020	AGENDA REQUEST NO:	ACTION
	ERIK ZIMMER	RESPONSIBLE DEPARTMENT:	ADMINISTRATION
PRESENTED BY:	ERIK ZIMMER	FINANCE DIRECTOR:	MEGAN ANTRIM
		ADDITIONAL DIRECTOR (S):	
SUBJECT / PROCEEDING:	DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION ON RESOLUTION 2020-07-02, A RESOLUTION AUTHORIZING THE CITY OF ALPINE TO PARTICIPATE IN THE TEXAS CDBG FOR THE DOWNTOWN REVITALIZATION IN THE AMOUNT OF \$216,000.		

EXHIBITS:	
------------------	--

CLEARANCES	APPROVAL
-------------------	-----------------

LEGAL:	CITY ATTORNEY	ROD PONTON:	_____
FINANCE:	FINANCE DIRECTOR	MEGAN ANTRIM:	_____
APPROVAL:	CITY MANAGER	ERIK ZIMMER:	_____

BUDGET

EXPENDITURE REQUIRED: \$	0
SAVINGS ANTICIPATION: \$	
CURRENT BUDGET FY2018-2019: \$	0
ADDITIONAL FUNDING: \$	

RECOMMENDED ACTION

--

EXECUTIVE SUMMARY

--

RESOLUTION 2020-07-02

RESOLUTION AUTHORIZING THE CITY OF ALPINE TO PARTICIPATE IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT- DOWNTOWN REVITILIZATION PROGRAM.

WHEREAS, the City of Alpine finds it in the best interest of the citizens of Alpine, that the City participate in the Texas Community Development Block Grant (TX-CDBG)- Downtown Revitalization Program for FY2021; and

WHEREAS, The City of Alpine agrees to provide matching funds as required by the TX-CDBG- Downtown Revitalization Program; and

WHEREAS, The City of Alpine agrees that in the event of loss or misuse of the TX-CDBG- Downtown Revitalization Program funds, the City of Alpine assures that the funds will be returned to the TX-CDBG in full.

WHEREAS, The City of Alpine designates Erik Zimmer, City Manager, as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

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

Approves submission of the grant application for the Texas Community Development Block Grant- Downtown Revitalization Program to provide funds to improve sidewalks and related infrastructure in the downtown area.

PASSED AND APPROVED THIS THE 4TH OF AUGUST 2020 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.

Rick Stephens, Mayor Pro Tem
City of Alpine

ATTEST:

Cynthia Salas, City Secretary
City of Alpine

Prepared for: City of Alpine, City Council Meeting

Agenda Item:

Discuss, consider and take action regarding RESOLUTION 2020- regarding the TX-CDBG-Downtown Revitalization program.

Prepared by: Marci Tuck, Grant Writer

Meeting Date: August 4, 2020

PROJECT DESCRIPTION:

Sidewalks, curb/gutter, driveways, and ADA accessibility improvements in downtown.

Applying for \$216,000 from the TX Community Development Block Grant - Downtown Revitalization (TX-CDBG-DR) program would *provide the City 1,423(+/-) linear feet of ADA accessible, 6-foot wide sidewalk plus 6-inch curbs, driveway ingress/egress, strategic striping, engineering costs and related improvements specifically from 2nd Street to 8th Street, in-between Holland and Avenue E* (see map) – our downtown area.

The TX-CDBG-DR program requires only a 3.5% match of City funds. The City has \$78,000 earmarked in the FY21 Budget towards improving sidewalks, curb and related infrastructure throughout the City limits, a portion of which can be used as our matching funds for this application. The *City's match of \$9,000 (about 4%)* plus \$216,000 in TX-CDBG-DR funds would total \$225,000 towards sidewalk and curb improvements in the downtown area, allowing the remainder of our allocated sidewalks funds to be utilized elsewhere in the City.

STAFF COMMENTS:

Applying for and entering into a grant agreement with the TX-CDBG-DR program will *almost triple the linear footage* of sidewalks the City had expected to improve in FY21. The 3.5% match requirement is one of the lowest matching grants available, offering a substantial return on investment for the City. The City of Alpine is in good standing with the TX-CDBG funding programs from past projects. City Staff has spoken with TX-CDBG program staff and the sidewalk improvements described herein are in line with the program's intended purpose.

PUBLIC PARTICIPATION & NEXT STEPS:

- Monday, July 27, 2020- Presented to Planning & Zoning Commission for discussion and feedback
- Tuesday, August 4, 2020 - Public Hearing & Resolution presented at regular Council meeting
- Thursday, August 6, 2020 – Presentation to Alpine Downtown Association for expected endorsement
- Tuesday, September 1, 2020 – Grant application due to TX-CDBG-DR offices in Austin

STAFF RECOMMENDATION:

City staff recommends that the Council approve Resolution 2020- *“authorizing the City of Alpine to participate in the Texas Community Development Block Grant- Downtown Revitalization program.”*

Blue lines represent the sidewalk sections to be renovated using TX-CDBG-DR funds.



3. Discuss, consider, and take appropriate action on the first reading of the City of Alpine Personnel Policy. (E. Zimmer, City Manager)



CITY COUNCIL

AGENDA REQUEST

AGENDA FOR COUNCIL MEETING:	AUGUST 4, 2020	AGENDA REQUEST NO:	ACTION
INITIATED BY:	ERIK ZIMMER	RESPONSIBLE DEPARTMENT:	ADMINISTRATION
PRESENTED BY:	ERIK ZIMMER	FINANCE DIRECTOR:	MEGAN ANTRIM
		ADDITIONAL DIRECTOR (S):	

SUBJECT / PROCEEDING:	DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION ON THE FIRST READING OF THE CITY OF ALPINE PERSONNEL POLICY.
------------------------------	--------------------------------------------------------------------------------------------------------------------

EXHIBITS:	
------------------	--

CLEARANCES

LEGAL:	CITY ATTORNEY	ROD PONTON:	_____
FINANCE:	FINANCE DIRECTOR	MEGAN ANTRIM:	_____
APPROVAL:	CITY MANAGER	ERIK ZIMMER:	_____

BUDGET

EXPENDITURE REQUIRED: \$	0
SAVINGS ANTICIPATION: \$	
CURRENT BUDGET FY2018-2019: \$	0
ADDITIONAL FUNDING: \$	

RECOMMENDED ACTION

--

EXECUTIVE SUMMARY

--

City of Alpine Personnel Policy
City Council Meeting
August 4, 2020

Honorable Mayor & City Council ,

The City of Alpine Personnel Policy was presented to Council on June 16, 2020 under Information & Discussion. Council requested that the Personnel Policy be shared with all of our City Employees to get any feedback.

A few employees did make comments, but no changes were made. Please let Erik, Cynthia, or Lorena know if you have any questions.

Kind Regards

Erik Zimmer



City of Alpine Personnel Policies and Guidelines

Approved by Alpine City Council

0/00/2020

(As amended and noted on each page herein)

City of Alpine Personnel Policies and Guidelines

This page intentionally left blank

City of Alpine Personnel Policies and Guidelines

Table of Contents

I. INTRODUCTION	7
WELCOME	7
MISSION STATEMENT	7
AT WILL	7
II. EMPLOYEE RIGHTS & LABOR LAWS	8
A. EQUAL EMPLOYMENT OPPORTUNITY POLICY (EEOC)	8
B. SEXUAL HARASSMENT	8
C. HARASSMENT	9
D. DISCRIMINATION	10
E. WORKPLACE VIOLENCE	10
F. RETALIATION	12
G. INVESTIGATION & DISCIPLINARY ACTION	12
H. NEPOTISM	14
III. EMPLOYMENT STATUS	14
A. PROBATION PERIOD	15
B. CLASSIFICATION	16
C. WAGE & SALARY	17
D. PERSONNEL FILES	17
E. PROMOTIONS	18
F. DEMOTIONS	18
G. COMPLAINTS	19
H. GRIEVANCE PROCEDURE	19

City of Alpine

Personnel Policies and Guidelines

I. RESIGNATION	22
J. INVOLUNTARY TERMINATION	24
K. ADMINISTRATIVE LEAVE	24
L. SEVERANCE PAY	24
IV. COMPENSATION AND BENEFITS	25
A. PAY PERIODS	25
B. OVERTIME POLICY	26
C. FLEXIBLE WORK TIME	26
D. CERTIFICATION INCENTIVE PROGRAM	27
E. INSURANCE COVERAGE	30
F. RETIREMENT	30
G. OVERTIME	30
H. LONGEVITY BENEFIT PAY	31
I. EMPLOYEE LEAVE TIME	31
J. SEPARATION OF SERVICE	33
K. OFFICIAL HOLIDAYS	34
L. FAMILY AND MEDICAL LEAVE	34
M. FUNERAL LEAVE	38
N. MATERNITY LEAVES	38
O. EXTENDED LEAVE	38
P. MEDICAL CONDITION	39
Q. MEDICAL INSURANCE	40
R. LIFE INSURANCE	40

City of Alpine

Personnel Policies and Guidelines

S. RETIREMENT	40
V. CITY OF ALPINE POLICIES & PROCEDURES	41
A. TRAVEL POLICY	41
B. DRUG AND ALCOHOL POLICY	46
C. ATTENDANCE POLICY	52
D. SAFETY	53
E. PERSONAL BEHAVIOR	54
F. MISUSE OF CITY PROPERTY ELECTRONIC EQUIPMENT	56
G. ELECTRONIC POLICY	58
H. OTHER CITY PROPERTIES	66
I. POLITICAL ACTIVITY RESTRICTED.....	67
J. MAINTENANCE OF PERSONAL DRIVING RECORD	67
K. CELL PHONE POLICY	68
L. USE OF CITY PROPERTY OR EQUIPMENT	71
M. NURSING MOTHERS	71
VI. RECEIPT OF PERSONNEL POLICIES & GUIDELINES	72

City of Alpine Personnel Policies and Guidelines

This page intentionally left blank

City of Alpine Personnel Policies and Guidelines

I. INTRODUCTION

WELCOME

The City of Alpine is happy to have you as its employee. You are now a public servant, which is different from working for a private business. This manual will help you understand the part that you will play in the City's services to our community. You are urged to read it carefully because it was written especially for you; to help you better understand the services the City provides to the public. If you have any questions regarding your particular job, speak to your immediate Supervisor or Department Head.

MISSION STATEMENT

"TO PROVIDE QUALITY SERVICE TO THE CITIZENS OF ALPINE."

AT WILL

ALL EMPLOYMENT BY CITY OF ALPINE IS "AT WILL"

The policies and procedures set forth in this handbook are not a binding employment contract. This handbook provides general guidelines. Employment with the City of Alpine is "At Will", meaning that employment may be terminated at any time, with or without notice, for any reason or no reason, by either the City of Alpine or the employee.

City of Alpine

Personnel Policies and Guidelines

II. EMPLOYEE RIGHTS & LABOR LAWS

A. EQUAL EMPLOYMENT OPPORTUNITY POLICY (EEOC)

The City of Alpine recognizes that Equal Employment Opportunity is not only the law but also the morally right way to conduct business and leads to a stronger workforce.

The City provides Equal Opportunity without regard to race, color, religion, sex, national origin, age, disability or political affiliation. The City of Alpine conforms to all applicable Federal and State Laws, Rules, Guidelines and Regulations and provides Equal Employment Opportunity in all employment and employee relations. The City of Alpine abides by Title VII of the Civil Rights Act of 1964, as amended, as well as all other state and federal employment laws.

The City of Alpine assures that all applicants for employment and all City of Alpine employees are given equal consideration based solely on job-related factors, such as qualifications, performance, and availability. Such equal consideration applies to all personnel actions, including but not limited to recruitment, selection, appointment, job assignment, training, transfer, promotion, merit increases, demotion, termination, pay rates and fringe benefits. The City of Alpine reviews, evaluates and monitors all personnel matters to ensure that they are in accordance with the policy

B. SEXUAL HARASSMENT

Sexual harassment will not be tolerated by any City of Alpine employee. Sexual Harassment at work is a form of sex discrimination that violates Title VII of the 1964 Civil Rights Act.

Sexual harassment is not necessarily a gender-based form of harassment,

City of Alpine

Personnel Policies and Guidelines

meaning that either men or women may commit offenses that are considered sexual harassment.

Sexual Harassment falls into two categories: quid pro quo or hostile environment. It includes, but is not limited to:

1. Hostile Environment

- Unwelcome sexual advance such as verbal or nonverbal sexual suggestions.
- Posting or displaying sexual or pornographic pictures, obscene gestures, jokes or other conduct that unreasonably interferes with your work performance or creates an intimidating, hostile, or offensive working environment.
- An employer becomes liable for a hostile workplace environment if they knew or should have known about the harassment and failed to take any step to correct it.

2. Quid Pro Quo

- When an individual of authority makes unwelcomed requests or demands a subservient employee to engage in sexually-based behavior in exchange for advancement, benefits, protection, etc., in the workplace or to prevent an adverse employment action, i.e., termination, demotion, onerous job duties, from taking place.

C. HARASSMENT

The City of Alpine is committed to providing a work environment that is free of unlawful harassment and intimidation. City policy prohibits harassment because of sex (including sexual harassment, harassment due to pregnancy, childbirth or related medical conditions and gender harassment) and harassment

City of Alpine

Personnel Policies and Guidelines

because of race, religion, color, national origin, physical or mental disability, age or any other basis protected by federal, state or local law, regulation or ordinance.

Harassment of employees by officers, supervisors, co-workers, independent contractors, customers or vendors is prohibited. To the extent of the law non-employee violators of this policy are subject to expulsion from the City of Alpine's facilities when harassment occurs on City premises. The City of Alpine may report violators to the appropriate authorities for civil or criminal action.

D. DISCRIMINATION

The City of Alpine is committed to providing a work environment that is free from unlawful discrimination. Discrimination against any person in recruitment, examination, selection, appointment, rate of pay, promotion, transfer, retention, daily working conditions, testing and training, awards, compensation and benefits, disciplinary measures, or any other aspect of employment or personnel management because of race, color, age sex, national origin, disability or another unlawful basis is prohibited.

E. WORKPLACE VIOLENCE

The City of Alpine has zero tolerance policy for violence in the workplace. "Workplace Violence" is defined to include:

- Physically aggressive, violent or threatening behavior, such as attempts to instill fear in others or intimidation.
- Threats of any nature.
- Any other behavior that suggests a tendency toward violent behavior. Such behavior includes, but is not limited to, excessive arguing, profanity, threats of

City of Alpine

Personnel Policies and Guidelines

sabotage of the City of Alpine property, belligerent speech or demonstrated pattern of insubordination and refusal to follow City of Alpine policies and procedures.

- Causing physical damage to City of Alpine's facilities or defacing City property.
- With the exception of Law Enforcement personnel, bringing firearms or weapons of any type or any kind onto the City of Alpine premises, in City of Alpine parking lots, or while conducting City of Alpine business. Notwithstanding the foregoing, an employee licensed by the State of Texas to carry a concealed handgun may carry a weapon in the employee's private vehicle while not on City business or when the City is not paying a car allowance or mileage reimbursement. Further, nothing herein will prohibit an employee from storing an unloaded and appropriately secured weapon in the employee's vehicle parked on City property.

1. Reporting Violations

Any employee who has a complaint of discrimination or harassment, as defined above, by anyone at work, including supervisors, co-workers or visitors, should first clearly inform the individual engaged in offensive behavior that his/her behavior is offensive or unwelcome and request that the behavior stop. If the behavior continues, or if the employee does not feel comfortable addressing the individual engaging in offensive behavior, the employee must immediately bring the matter to the attention of his/her supervisor or the Human Resources Department. If your supervisor is the source of the alleged behavior, report the problem to the City Manager or the HR department. All complaints should be made in writing and will be investigated thoroughly, confidentially, and without bias.

City of Alpine

Personnel Policies and Guidelines

Any employee, who becomes aware or observes any of the above-referenced behavior or actions by a co- worker, consultant, customer, third party vendor, visitor, or anyone else, must notify a Supervisor or the Human Resources Department immediately and submit a written statement detailing the behavior.

Employees should notify the Human Resources Department if they are aware of any restraining orders that are in effect, or of the existence of any other non-work-related situations with the potential to erupt into workplace violence.

F. RETALIATION

The City of Alpine prohibits retaliation of any kind against employees who, in good faith, bring harassment or workplace violence complaints or assist in investigating such complaints.

To the extent possible, and within the limits of the Texas Public Information Act, the City of Alpine keeps the identity of the reporting employee confidential. However, under certain circumstances, the City of Alpine may need to disclose the reporting employee's identity.

Any City of Alpine employee who violates this policy is subject to disciplinary action up to and including termination.

G. INVESTIGATION & DISCIPLINARY ACTION

All discrimination, harassment, and/or retaliation complaints will be forwarded to Human Resources. All complaints will be promptly and thoroughly investigated to determine whether the alleged misconduct occurred.

Supervisors must treat all complaints seriously and confidentially. All reports or

City of Alpine Personnel Policies and Guidelines

suspicious of discrimination, harassment, sexual or otherwise, and/or workplace violence which come to a supervisor's attention must be referred immediately to Human Resources for investigation.

The individual alleged to have discriminated or harassed another may be suspended with or without pay. During such suspension, an investigation will be conducted by the City of Alpine.

If, after a thorough investigation of any complaint, the City of Alpine determines that harassment, discrimination, or work place violence has occurred, appropriate corrective action will be taken, and discipline will be imposed on the offending employee(s).

The level of appropriate discipline will depend on the facts in each case, but may include oral or written warnings, reassignment or responsibilities, probation, suspension, or termination. If a non- employee is responsible for the behavior the City of Alpine will take corrective action.

If the investigation reveals that the charges were brought falsely and with malicious intent, the charging party may be subject to disciplinary action, up to and including termination.

Any employee who has a complaint of sexual harassment at work by anyone, including supervisors, co- workers or visitors, should first clearly inform the harasser that his/her behavior is offensive or unwelcome and request that the behavior stop. If the behavior continues, the employee must immediately bring the matter to the attention of his/her supervisor. If the immediate supervisor is involved in the harassing activity, the violation should be reported to that supervisor's immediate supervisor.

City of Alpine

Personnel Policies and Guidelines

If a supervisor or a personnel officer knows of an incident of sexual harassment, they shall take appropriate remedial action immediately. If the alleged harassment involves any types of threats of physical harm to the victim, the alleged harasser may be suspended with pay. During such suspension, an investigation will be conducted by the City of Alpine. If the investigation supports suspension, an investigation will be conducted by the City of Alpine. If the investigation supports charges of sexual harassment, disciplinary action against the alleged harasser will take place and may include termination. If the investigation reveals that the charges were brought falsely and with malicious intent, the charging party may be subject to disciplinary action, including termination.

H. NEPOTISM

The City of Alpine will comply with the nepotism policy set forth by State Law. No individual may hire, supervise the work of, audit the work of, or have control over the compensation, assignments, working conditions, or hours of the work of any person related to the individual within the third degree of consanguinity (related by blood) or the second degree of affinity (related by marriage). All employees and prospective employees shall be required to disclose any and all degrees of relationship to other employees. The City of Alpine considers falsification of personnel records to be a serious offense, and upon discovery of the purposeful falsification, may initiate disciplinary action up to and including termination.

III. EMPLOYMENT STATUS

Applicants shall complete an "application for employment." The application is also encouraged to submit other supporting information such as Resumes, Letters of Recommendation, etc. Applications for employment will not be returned to the applicant. A verification of employment history and a background check will be completed when

City of Alpine

Personnel Policies and Guidelines

applicable.

1. Educational Qualifications

For qualifications required for a position, see the City of Alpine Personnel and Policies Guidelines Job Descriptions section.

2. Employment & Orientation

All recruitment and selection procedures are in accordance with the City of Alpine policy of Equal Employment Opportunity. Selection of an employee from among the applications for a position will be based on individual merit and the ability to perform the duties required of the position. Selection will be made without regard to race, color, sex, age, religion, national origin, political affiliation or physical handicap. Final decision to employ an application rests with the City Manager. When a decision is reached, the City will formally notify the applicant of selection for the position.

A. PROBATION PERIOD

The probation period is a time of adjustment to a new job and to a new environment. Every New employee must go through a satisfactory training period determined by the department head with a minimum of ninety (90) days. Your supervisor will assist you and guide you during this time and will keep your progress records to appraise your performance and adaptation to your new job. Two weeks before Training Period ends, Performance Appraisal will be turned over to the City Manager or his designee with a recommendation of retention or termination. A new employee must earn a satisfactory rating to become a regular employee of the City. An employee in training is not entitled to take vacation but may accumulate Paid Time Off. Accumulated sick leave or vacation time may be taken during the training period, upon the department head approval.

City of Alpine

Personnel Policies and Guidelines

B. CLASSIFICATION

1. Full-Time Employees

All employees shall be paid either a salary or hourly wage for their position as determined by the approved position wage range. The salary or wage may be based upon an hourly or monthly basis as appropriate. Full time employees accumulate sick leave and vacation time, enrolled in the City's retirement plan, and health insurance plan. Full -time employees are paid for city holidays and may accrue comp time.

3. Part-Time Employees

Part-time employees work no more than thirty (30) hours per work week. Part time employees do not accumulate sick leave or vacation time. They also do not receive health insurance benefits. They are not paid for city holidays and do not accrue comp time or time off.

4. Temporary Employees

Temporary employees work no more than twenty (20) hours per work week and for no longer than six (6) months. Temporary employees do not accumulate sick leave or vacation time. They also do not receive health insurance or retirement benefits. They are not paid for city holidays and do not accrue comp time or time off.

5. Seasonal Employees

Hours based on need for no longer than three (3) months. Seasonal employees do not accumulate sick leave or vacation time. They do not receive health insurance or retirement benefits. They are also not paid for city holidays and do not accrue comp time or time off.

City of Alpine

Personnel Policies and Guidelines

6. Intern

Interns work ten (10) to twenty (20) hours per work week for no longer than six (6) months. Intern employees do not accumulate sick leave or vacation time. They do not receive health insurance or retirement benefits. They are also not paid for city holidays and do not accrue comp time or time off.

C. WAGE & SALARY

1. Origin of Pay Increases

Any increase in pay for employees shall originate with the Department Head and shall be submitted to the City Manager for final approval. All pay increases shall fall within the approved budget. Pay changes will only be made once documentation from the department head submits proper documentation to Human Resource.

2. Types of Pay Adjustments

The following types of adjustments apply.

- Merit Increases shall be granted on a standard based upon an employee's excellence in job performance. The standards shall be set for each job class based upon the employee's performance evaluation review. Merit range of the pay grade or to the maximum range granted to certain designated job classes.
- COLA – or cost of living increase – Employers are not required to give out raises based on the cost of living. COLA will take place at the discretion of the Council.

D. PERSONNEL FILES

The City of Alpine maintains personnel files for every employee. It is

City of Alpine

Personnel Policies and Guidelines

important that accurate, current records be maintained for benefits and employment purposes. All employees are required to notify the Human Resource Office immediately if there is any change in relevant personnel or employment information such as; changes in address, phone numbers, emergency contact, and insurance beneficiary, number of dependents or legal name.

E. PROMOTIONS

Promotions are given on a competitive basis and an effort is made through Supervisors and Department Directors to promote qualified employees who want to take on more responsibility. When the City has vacancies, the Department Heads and Supervisors look for qualified employees in other City's departments to fill these vacancies. The City advertises on the following websites: cityofalpine.com; visitalpine.com and tml.careerwebsite.com. However, if there are no qualified employees, normal methods of recruitment are then used to fill the vacancies. In addition to the availability of a higher position, promotions also depend on your tenure, satisfactory performance rating, satisfying the job requirements, recommendation of your Supervisor and your willingness to take on a more responsible job.

F. DEMOTIONS

Demotions may be necessary from time to time. A demotion is a transfer of an employee from one position to another for which the maximum rate of pay is lower. There are several reasons for demotions: a reduction of workforce, failure to meet the minimum requirements for the position, and disciplinary reasons. If the City or a department is forced to reduce its staff, you may be asked to take a lower position. (An employee may also be reassigned to a lower and less demanding job if unable to continue handling the original duties of the position hired). If you have been promoted to a higher position and you fail to meet the

City of Alpine

Personnel Policies and Guidelines

minimum requirements of the new position, you may be placed back in your original position or a similar position with less pay than you had been promoted to. Your Supervisor may also recommend a demotion as a disciplinary measure, if you have violated any of the Personnel Policies and Guidelines.

G. COMPLAINTS

Complaints about your work assignments, safety concerns or treatment by your Supervisor should follow the appropriate steps:

- a) Talk with your immediate Supervisor.
- b) Make your complaint in writing and send it to your Department Head. The Department Head will review your complaint, comment on it, try to resolve and/or forward it to the City Manager.
- c) The City Manager will review your complaint and try to resolve.
- d) If the City Manager is unable to resolve, he/she will forward the charges to a Grievance Committee.
- e) Grievance Committee will review, investigate and handle via the Grievance Procedure.

This section provides employees of the City of Alpine with a formal grievance process for resolving workplace issues. The employee who feels that they have been improperly or unfairly treated in their job or in their relationship with the City shall have the right to file a grievance. Work assignments that are valid City responsibilities and tasks cannot be grieved.

H. GRIEVANCE PROCEDURE

Grievances may include such things as discipline, transfer, job posting selection, raises, unfair assignment of vacation or holiday time, a personal request that was denied, etc. The procedure cannot be used to appeal decisions related to

City of Alpine

Personnel Policies and Guidelines

the City's responsibility to determine the number and assignment of employees, to establish rules of conduct, to determine the hours and days of work, starting and quitting times, wages and benefits, etc.

Any employee regardless of status may submit a grievance when he/she believes they have been wronged by a supervisor or co-worker(s). However, before using this process, employees are encouraged to talk over the problem with their supervisor or co-worker(s). (**Refer to the Complaint Process**). The grievance process is not a substitute for an appeal of a disciplinary action. When an employee believes that he or she has been harassed or discriminated against, he/she should reference that section of this policy manual.

Failure to act within the allotted time detailed below may result in a forfeiture of grievance opportunities. Former employees and employees on suspension are ineligible to participate in the grievance process.

The Grievance Committee will consist of a City Employee, a Council Member and a Citizen of Alpine. Committee members will serve for an indefinite period of time. City Council will approve, by Resolution, if there is any vacancy based on recommendation from the City Manager.

Step One

Submit your grievance in writing to your supervisor. The grievance must document the circumstances and include the following information:

- a) The exact law, policy, directive, etc., the employee believes has been violated.
- b) How and why the employee believes they have been wronged, or why the employee believes their evaluation does not accurately reflect their

City of Alpine

Personnel Policies and Guidelines

performance.

- c) All grievances must be signed and dated.
- d) Written grievances must be submitted to their Department Director and/or Human Resources Director within 5 business days of the Department of Human Resources Director decision.
- e) The City Manager will make a decision within 5 business days.

Step Two

If your grievance is not settled in five (5) business (working) days in Step One, submit your written grievance to the City Secretary and it will be given to the Grievance Committee with all pertinent data within one (1) working day by the City Secretary. The data will then be brought to the Grievance Committee, which shall be made up of one City Councilor, one City Employee and one City Taxpayer named by the City Council. The committee will have three (3) working days to resolve the grievance.

Step Three

The Grievance Committee shall submit their recommendations to the City Attorney for review before a final solution is rendered.

Step Four

If the grievance is not satisfactorily resolved from the results of the hearing the employee shall within three (3) business days inform the City Secretary of his desire to meet with the City Council in Executive or Open Session. The City Manager will schedule such a hearing on the agenda of the next scheduled City Council meeting and the employee will be notified of the time and date of such meeting. Discussion of the grievance must be limited to those persons with grievance solution responsibilities, and at no time will be notified of the time and date of such meeting. Discussion of the grievance must be limited to those persons

City of Alpine

Personnel Policies and Guidelines

with grievance solution responsibilities, and at no time will the individual members of the City Council be contacted outside of an official City Council meeting.

Step Five

After the employee has his meeting before the City Council, its decision will be given at that time. This decision is, in all cases, final and binding. The employee will be provided with a written copy of the decision within two (2) working days from the City Secretary.

Stopping the Grievance Procedure

Only the employee who has filed the grievance shall be able to stop this procedure either by action or inaction.

The grievance procedure shall be stopped if:

- a) The employee indicates he is satisfied with the action to resolve the grievance at any level of the procedure.
- b) The employee, for any reason, indicates that he no longer wishes to continue the grievance procedure.
- c) The employee fails to take action to continue with the next step of the procedure within three (3) working days of completion of the prior steps.

Adverse Action

No adverse action shall be taken against any employee for reason of his exercise of the right to file a grievance either by Administration nor Supervisory Staff.

I. RESIGNATION

Resignations of employees will be accepted by the Department Heads and City Manager. Procedures to be followed to ensure favorable recommendations

City of Alpine

Personnel Policies and Guidelines

from the City for future prospective employers (other than performance of duties while employed) will be:

1. Proper notice of two (2) weeks when possible and when circumstances will allow after discussion with the Department Head and City Manager. Return to the City all material and equipment assigned for the employee use in good condition.
2. Report on present assigned duties as to degree of completion.
3. Resignation submitted by any employee and accepted by Department Head and City
4. Manager becomes final with no further recourse or consideration by the City of Alpine.
5. Resignation must be in writing. Once an employee turns in their two weeks' resignation, that employee can NOT take sick time, vacation etc... If that employee does not show up for work in that two-week period, they are immediately terminated.
6. If an employee is absent for 3 days, without calling, showing up for work, or providing a written resignation, it will be determined that they have "resigned" or quit their job.

Employees who don't leave in good standing are considered not eligible for rehire.

Rehire Eligibility

The following conditions must be met:

- Must give at least two weeks (ten working days or fourteen calendar days) notice of terminating their employment.
- Cannot have a disciplinary termination pending at the time of resignation.

City of Alpine

Personnel Policies and Guidelines

- Cannot be on a performance improvement plan at the time of resignation.
- Must return all records and/or property of the City in good working condition per the Separation from Employment Form.

The final decision to designate an employee as eligible for rehire rests with the City Manager.

J. INVOLUNTARY TERMINATION

All employees are employed at will. An employee may be discharged at any time for any reason not prohibited by law. Discharged employees will receive their final pay on the next scheduled regular payroll date following termination provided a completed and signed Separation from Employment Form, has been submitted to Human Resources. Severance pay will not be granted to any city employee without the majority approval of the City Council.

K. ADMINISTRATIVE LEAVE

An employee can be placed on administrative leave with or without pay for a suspected violation of state, Federal or local law, City ordinance, a rule, regulation, or any policies set in this employee handbook.

The City Manager must approve any administrative leave with pay pending the outcome of the investigation that may lead to disciplinary action up to and including termination.

L. SEVERANCE PAY

Severance Pay to employees will not be authorized unless by the majority vote of the City Council.

City of Alpine

Personnel Policies and Guidelines

IV. COMPENSATION AND BENEFITS

A. PAY PERIODS

Pay Periods will commence on a **Sunday** and run for ten (10) working days, including official holidays, and end on the second **Saturday** following the beginning of the pay period. Payday will be on the **Friday following** the close of the pay period. Employees will be paid every two weeks.

Employees who do not work a complete pay period will be paid their hourly rate, equal to the hourly amount of time worked for the period, unless their absence is covered under a provision regulating absence with pay. There shall be NO payroll advances at any time, for any purpose. All non-salaried employees and salaried employees must submit universal time sheets in a form prescribed by the City of Alpine for each pay period. Time sheets must be submitted to the appropriate Supervisor at the end of the pay period, for approval and signature. The Supervisor will submit all timesheets to **Payroll**.

WORK WEEK DEFINED

Regular Work Hours are from 8 a.m. to 5 p.m. commencing on **Sunday** morning and ending the following **Saturday** evening for a total of forty (40) hours per week. Alternative 40-hour work schedules may be established to meet departmental needs.

A non-salaried employee is not allowed to work more than forty (40) hours per week, unless authorized in advance by the Department Head who must have all overtime hours approved by the City Manager or designated representative.

City of Alpine

Personnel Policies and Guidelines

All non-salaried employees will be compensated for all hours actually worked in excess of the 40 hours per work week. The employee will specify whether the overtime earned will be paid in cash or in compensatory time off.

B. OVERTIME POLICY

Overtime is that time an employee actually works in excess of forty (40) hours within a work week. Each work week stands alone in the calculation of overtime. Hours from one work week cannot be offset by time off in any other work week. For an employee to be entitled to receive overtime, the actual hours of work in the work week must exceed forty hours, except during holiday weeks as specified below.

Work in excess of eight (8) hours during the regular work day is not overtime. Overtime is computed on all hours actually worked in excess of 40 for the entire work week. An employee who is on paid or unpaid leave status (i.e. Sick Leave, Vacation Leave, Holiday Time, Catastrophic Sick Leave, Emergency Leave, Maternity Leave, Extended Leave, Suspension, leave without pay, jury duty, etc.) during the work week is not working and those leave hours are not considered as hours worked in computing overtime hours and are not eligible for overtime payment. Department Heads may adjust work schedules for employees who have been required to work hours in excess of a standard work week as defined above (including scheduled days off).

C. FLEXIBLE WORK TIME

The operating days and hours of the City of Alpine are Monday through Friday, 8:00 a.m. to 5:00 p.m., with the exception of the Police Department. All employees are expected to be at work during these hours unless approval is granted for a flexible work schedule (flextime).

City of Alpine

Personnel Policies and Guidelines

Flextime at the City is a work schedule with time of arrival and departure that differs from the standard operating hours. Supervisors will approve flextime on a case-by-case basis. Full-time employees who have completed at least ninety (90) days of employment are eligible for flextime. The employee must first discuss possible flextime arrangements with his/her supervisor and then submit a written request using the Time Off Request Form. The supervisor will approve or deny the flextime request based on staffing needs, the employee's job duties, the employee's work record and the employee's ability to temporarily or permanently return to a standard work schedule when needed.

A flextime arrangement may be suspended or cancelled at any time. Exempt employees must depart from any flextime schedule to perform their jobs. Non-exempt employees may be asked to work overtime regardless of a flextime schedule.

D. CERTIFICATION INCENTIVE PROGRAM

The City of Alpine, in order to operate at its most efficient level, believes that employees should continue learning through experience and formal schooling. The rewards for this type of training will pay dividends to the City in making it a safer, healthier and more desirable place to live. To the employee, the benefits are of course self-improvement, more efficiency, gained expertise, and monetary rewards. The City has set up an incentive program for City employees who want to better prepare themselves for their jobs through schooling in their respected job fields. Employees who hold approved certifications that prove they are knowledgeable and highly qualified for jobs will receive additional pay up to and above base salary. The pay increases are based on the degree of difficulty of obtaining these certificates. An employee with approved certification becomes

City of Alpine

Personnel Policies and Guidelines

more valuable to the City. The City of Alpine will recognize the following certificates for pay increases as listed.

Texas Commission on Law Enforcement Officer Standards and Education

Certification pays

Intermediate \$1000.00 a year = .48 per hour

Advanced \$2000.00 a year = .96 per hour

Master \$3000.00 a year = \$1.44 per hour

The certification pay is added to the officers pay every two weeks. Example: a master police officer will make \$3000.00 a year on top of his hourly pay. \$3000.00 divided by 26 pay periods is \$115.38 per pay check.

Extra certification pays

Field Training Officer (FTO) \$1000.00 per year = .48 per hour

Evidence Custodian \$1000.00 per year = .48 per hour

Firearms instructor \$1000.00 per year = .48 per hour

TCOLE instructor \$1000.00 per year = .48 per hour

Crime Scene Technician \$1000.00 per year = .48 per hour

K-9 Certification \$1,500 per year = .72 per hour

Dispatchers

Basic \$1000.00 per year = .48 per hour

Intermediate \$500.00 per year = .24 per hour

Advanced \$500.00 per year = .24 per hour

Master \$1000.00 per year = .48 per hour

City of Alpine Personnel Policies and Guidelines

Texas Department of Health

Intermediate Animal Control Officer	\$40.00 per Month
-------------------------------------	-------------------

Advanced Animal Control Officer	\$50.00 per Month
---------------------------------	-------------------

Code Enforcement Certificate	\$50.00 per Month
------------------------------	-------------------

Texas Commission on Environmental Quality (TCEQ) “Raise at Time of Licensing”

Ground Water or Wastewater Operator Certificate of Competency

Grade “D”	\$1.00 per Hour
-----------	-----------------

Grade “C”	\$1.00 per Hour
-----------	-----------------

Grade “B”	\$1.00 per Hour
-----------	-----------------

Grade “A”	\$1.00 per Hour
-----------	-----------------

Hourly Employees Only on Water Licensing “Raise at Time of Licensing”

Public Works Department	CDL	\$1.00 per Hour
-------------------------	-----	-----------------

Any employee receiving payments for the certifications in one employment category as listed that is then demoted or transferred to another category will lose their Certification Incentive Pay at the time of demotion or transfer. Failure to retain a current certificate through additional education or training as specified by the applicable issuing agency will cause Incentive Program benefits to be canceled at the time of certificate expiration. Employees must present their certificates and supporting documentation to the **Human Resource** or his designee for recognition by the City of Alpine.

City of Alpine

Personnel Policies and Guidelines

E. INSURANCE COVERAGE

The Insurance Coverage available to every full-time regular employee within 60 days of being employed. Insurance coverage includes medical (including Mental Health and Substance Abuse Treatments), life dental and prescription drug coverage. A brochure will be provided to each employee at the time of enrollment. Insurance Coverage will be provided at little cost to the employee. Each employee will have the option to purchase additional dependent health insurance which will be deducted through payroll twenty-four times per year. The City of Alpine provides a \$25,000 (twenty-five thousand dollar) life insurance policy, and a Long-Term Disability policy on each employee enrolled for coverage. The employee has the option to purchase additional life insurance coverage for themselves and each dependent named on the policy in \$10,000 (ten thousand dollar) increments.

All City employees are covered through Texas Municipal League for Worker's Compensation Insurance. Any employee who is injured while performing a work assignment must notify their supervisor immediately. All Workers' Compensation claims will be properly administered through the office of the **Human Resource**.

F. RETIREMENT[1]

All full time and part time City of Alpine employees will be enrolled in the City's Retirement Plan administered through Texas Municipal Retirement System. Retirement will be deducted through payroll at the rate of 5% of the employee's gross salary. Retirement refunds may be requested at the time of separation.

G. OVERTIME

Employees asked to work Overtime will be compensated as outlined in Section - Pay Periods.

City of Alpine

Personnel Policies and Guidelines

H. LONGEVITY BENEFIT PAY

Regular full-time employees shall be entitled to additional compensation at a rate for \$4.00 dollars a month for each full year with the City. The longevity pay benefit will be paid out on the first paycheck in December for all employees who have completed at least 90 days of service with the City as of November 30.

I. EMPLOYEE LEAVE TIME

a) Sick Leave

Full-time employees start accruing sick time at a rate of 3.33 hours per paycheck from their first day of employment.

i. Practices & Procedures:

- New employee's accrued time will not be applied until they are out of the Ninety (90) days probationary period.
- Employees on any unpaid status (Leave Without Pay, Unpaid FMLA, Military Leave) will not accrue sick time while they are in unpaid leave status.
- If any employee is on sick leave for more than 2 consecutive work days they **MUST** provide medical documentation verifying the leave is necessary. Such documentation can be requested at the discretion of the Supervisor for any use of sick time.
- Supervisory approval is not required for the use of sick time because illness cannot be planned. However, employees must call and speak with their supervisor when they use sick time.
- A **Time off Request Form**, must be completed upon the employees return and submitted with their timesheet.
- This form can be submitted and approved in advance when sick

City of Alpine

Personnel Policies and Guidelines

time is used for scheduled medical appointments.

- Employees can use sick time for their own illness or for illness of any member of their immediate household. In this context, immediate households are considered to be persons with whom the employee lives on a regular basis.
- If an employee calls in sick and is seen eating out, shopping etc... That employee is subject to discipline and/or terminated.
- There is no limit on sick time accrual. Employees may carry over all unused sick time from the end of one fiscal year to the beginning of the next fiscal year.

b) Vacation Leave

The City of Alpine encourages employees to make regular use of annual vacation time as this is a benefit you have earned. Employees begin earning vacation time upon their first day of employment but are NOT eligible to use the accrued time during their first 90 days while in the probationary period, unless authorized by the Department Head.

Vacation will be earned according to years of service with the City as outlined in the schedule below.

- 0-5 years & 11 months of service: 4 hours per biweekly pay period
- 6-10 years & 11 months of service: 5 hours per biweekly pay period
- 11 plus years of service: 6 hours per biweekly pay period

i. Practices & Procedures:

- Requests for vacation time (if requesting five (5) or more consecutive days) must be submitted, in writing, to your supervisor

City of Alpine

Personnel Policies and Guidelines

for approval three (3) weeks in advance of the requested dates. Time off Request Form has to be completed.

- Every effort will be made to grant your requests to take vacation however requests are subject to the needs of the city.
- If more than one employee requests the same day or days off seniority will be used as the deciding factor in granting the request.
- If vacation time cannot be granted and an employee is absent on the day(s) requested they will not be paid for the time off.
- If the employee takes sick time after being denied vacation the employee will be required to furnish medical evidence supporting the absence. If medical evidence is not furnished the employee will not be paid for the absence.
- Employees who are in an unpaid leave of absence status will not accrue vacation until they return to work on a regular basis. The City does not advance vacation time.

c) Carry Over Provision

Employees may carry over a maximum of three weeks' vacation time (120 hours) from the end of one fiscal year to the beginning of the next fiscal year. Any vacation time accrued but not taken in excess of 120 hours will be forfeited at the end of the fiscal year. Employees may carry over all unused sick time from the end of one fiscal year to the beginning of the next fiscal year. There is no limit on sick time accrual.

J. SEPARATION OF SERVICE

Upon separation of employment by resignation, termination, retirement or death, the employee or designated survivor will receive monetary compensation for any unused vacation time. No compensation will be paid for unused sick time.

City of Alpine

Personnel Policies and Guidelines

K. OFFICIAL HOLIDAYS

The City of Alpine will observe all required Official State and Federal Holidays, as determined by Council. Each full-time employee will receive 8 hours pay for each day of holiday designated by the Council. An employee may be required to work on a designated holiday. Employees who must work on designated holidays either by special assignment or by regular shifts will be compensated for the holidays worked by being paid 8 hours for the holiday as well as full pay for the amount of time actually worked on the holiday. This policy will also apply to situations in which the employee is taking regular time off after 40 hours in the week when the holiday occurs.

Holidays must be taken as they occur each year as provided herein and cannot be carried over from one year to the next as earned but unused vacation time, or as a form of compensatory time which must be used in the year it is accrued and cannot be carried over from year to year.

L. FAMILY AND MEDICAL LEAVE

1. Catastrophic Sick Leave Pool Statement of Purpose

The Catastrophic Sick Leave pool is created to benefit certain employees who suffer catastrophic injury or illness. A catastrophic injury or illness is defined as a severe condition or combination of conditions affecting the mental or physical health of the employee or the employee's immediate family that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all Paid Time Off earned by that employee.

a) Definitions

City of Alpine

Personnel Policies and Guidelines

Licensed practitioner means a practitioner, as defined in the Texas Insurance Code, who is practicing within the scope of an issued license.

Immediate family is defined as those individuals related by kinship: adoption, marriage or foster children who are so certified by the Texas Department of Human Services who are living in the same household or if not in the same household are totally dependent upon the employee for personal care or services on a continuing basis.

b) General Provisions

Employees of the City of Alpine who are eligible to accrue and use Paid Time Off may participate in the pool. Employees must exhaust all earned leave with pay entitlement before they may use leave from the pool.

Employees who use pool leave are not required to pay back pool leave. Any unused balance of pool leave granted to an employee returns to the pool. The estate of a deceased employee is not entitled to payment for unused pool leave. Sick leave days from the pool will not be granted for a period of disability when monies are paid to the member under the Worker's Compensation Act. All unused sick leave days in the pool at the end of the fiscal year will be carried over to the next fiscal year.

c) Administration of the Pool

The City Council of the City of Alpine shall form a Sick Leave Pool Committee which shall be composed of the following members:

City Manager

City Secretary

Supervisor of the department from which the employee is making the

City of Alpine

Personnel Policies and Guidelines

request.

The Finance Director will become the pool administrator who will be responsible for developing mechanisms to transfer accrued sick leave into and out of the pool and designing forms for contributing leave to, or using leave from the pool.

d) Eligibility for Membership

For employees to be eligible to use sick leave from this pool, they must sign the appropriate forms and contribute a minimum of eight hours per fiscal year. This does not exclude those employees who wish to participate in the sick leave pool but do not have the accrued eight hours of sick leave. The commitment to donate to the pool will reflect a contribution by the employee, even if the employee has not been able to accrue and donate the minimum eight hours. Those employees not wishing to participate in the sick leave pool will not be eligible to use sick leave from this pool.

e) Contributions to the Pool

Contributions to the pool are strictly voluntary. To contribute time to the pool, an employee must submit a written application in the form prescribed by the pool administrator. Active employees may contribute not less than eight hours of sick leave to the pool each fiscal year in order to participate in the pool. Employees may contribute as many accumulated hours as they wish to the pool.

f) Requests to use Leave from the Pool

Requests for pool leave will be in writing with such documentation deemed necessary by the pool administrator and forwarded to the pool

City of Alpine Personnel Policies and Guidelines

committee. Requests will be considered by the pool committee on a first come, first served basis. The pool committee will have ten working days from the date the committee receives the request in which to approve all or part of the request, or deny the request. The amount of pool leave for each catastrophic illness or injury will be determined by the pool committee. An application must be submitted to the pool administrator before leave is granted containing the following information:

1. Completion of the attending physician's statement which includes:
 - a. Identification of the nature of the illness.
 - b. Date of initial onset of this particular condition.
 - c. Anticipated date eligible to return to work on a full-time basis.
 - d. Statement from the physician that the condition requires immediate attention.
2. Dates of absences from work for the illness or injury.
3. Anticipated days, if any, for follow-up examinations.
4. If a member is critically ill and unable to file an application for sick leave days from the pool, the Department Supervisor may initiate the application form at the request of the member or someone in the member's family.

g) Final Decision

Any question concerning contributions, regulations or application for sick leave days that may arise after the adoption of this plan and not specifically covered herein, shall be submitted to the pool committee who will make a recommendation to the city council for a final decision.

Catastrophic Sick Leave Pool Agreement form available at the Human

City of Alpine Personnel Policies and Guidelines

Resource Office.

M. FUNERAL LEAVE

Funeral leave will be granted when a member of the employee's immediate family dies. Immediate family includes: Husband, Wife, Mother, Father, Sister, Brother, Mother-In-Law, Father-In-Law, Sister-In-Law, Brother-In-Law, Son, Daughter, Son-In-Law, Daughter-In-Law, Grandchild, Grandmother, Grandfather. In addition, if a deceased person acted in the capacity of one of the listed relationships, (e.g. a person who raised the employee instead of a parent) funeral leave may be granted. Funeral leave will be granted at the discretion of the supervisor for the purpose of attending funeral, traveling to the funeral, and making any necessary arrangements. The supervisor will consider the travel distance required, the closeness of the relationship between the employee and the deceased, and any other pertinent factor. Typically, funeral leave will be 1-3 days, but exceptional cases can be handled on a case by case basis

N. MATERNITY LEAVES

Maternity Leave may be granted to expectant parents without pay for a maximum period of ninety (90) days, upon the approval of the City Manager. Expectant parents are allowed to work as long as work is adequately performed and the work does not endanger the health of the employee. At the time the expectant parent leaves the job, the employee may elect to resign or may request maternity leave without pay. Employees on maternity leave may elect to use accumulated Vacation or Sick Leave to cover the maternity leave time off. Employees will retain all benefits accumulated before taking maternity leave.

O. EXTENDED LEAVE

Employees eligible for Family and Medical Leave may take up to twelve

City of Alpine

Personnel Policies and Guidelines

work weeks of leave from work during any twelve (12) month period. All employees required to be absent from work will be designated as inactive employees of the City. The inactive employee will be notified of their rights under the Family and Medical Leave Act and the continued coverage policy of the City's insurance providers.

P. MEDICAL CONDITION

The inactive employee who is absent due to a medical condition may be compensated through accrued vacation or sick leave or the City's Catastrophic Sick Leave Pool, but will not accrue additional Paid Time Off, and will not receive insurance benefits paid by the City. Insurance coverage may be purchased by the employee through the City's policy (Example COBRA).

Work Related Injury

The City Worker's Compensation coverage will issue checks directly to the inactive employee. For the first twelve weeks, the inactive employee is required to endorse the Worker's Compensation check and return it to the City of Alpine IMMEDIATELY for reimbursement of one-hundred percent compensation paid by the City of Alpine.

After twelve weeks, the City of Alpine will no longer compensate the inactive employee one-hundred percent. The City's Workers' Compensation coverage will issue checks directly to the inactive employee at the rate of seventy to seventy-five percent. The inactive employee will retain this check as compensation. The City of Alpine will compensate the inactive employee for the difference being twenty-five percent to thirty percent. The City of Alpine will continue to provide health insurance for the inactive employee. This process will continue until the inactive

City of Alpine

Personnel Policies and Guidelines

employee is released to full duty.

Q. MEDICAL INSURANCE

One of the greatest benefits the City of Alpine provides to all full-time employees is insurance coverage at no cost to the employee. The plan includes medical (including Mental Health and Substance Abuse Treatments), vision, dental and prescription drug coverage. Employees may waive coverage.

Employees can choose coverage for their spouse and dependents at their own expense. The premiums to cover insurance for an employee's family are paid through payroll deduction 24 times per year. Contact the Human Resources office for the premiums.

R. LIFE INSURANCE

The City of Alpine also provides basic life and accidental death and dismemberment (AD&D) coverage to all full-time employees at no cost to you. The policy pays your beneficiary a benefit if you die while you are covered.

Your beneficiary is the person (or persons) who receive the benefit payment if you die while you are covered by the policy. You must select your beneficiary when you complete your enrollment application. Employees must work 90 days before being eligible.

S. RETIREMENT

The City of Alpine has chosen the Texas Municipal Retirement System (TMRS) to administer its retirement plan for all full-time and part-time employees. All employees must participate in the city's retirement plan and participation starts on an employee's first day of employment.

City of Alpine

Personnel Policies and Guidelines

The employee contributes 5% of their gross income each pay period through payroll deduction. The deduction is before income taxes are withheld and you do not pay taxes on those deposits until you refund or retire.

Retirement refunds may be requested at the time of separation.

All employees will be given detailed information about the retirement plan and how to contact TMRS during new hire orientation.

V. CITY OF ALPINE POLICIES & PROCEDURES

A. TRAVEL POLICY

1. Employee Responsibilities:

a) Authorization to Travel

Supervisors can authorize, within their budget, local travel for all employees in their department. Overnight business trips will be authorized by the Department Head and the City Manager and subject to the provisions of the travel policy.

b) Official Travel

Official travel is travel that is reasonable and necessary for the conduct of official City business. Mileage rates are based on the IRS mileage guide.

c) Travel To and From Business Locations

Travel should occur so as to minimize travel expenses. If travel can be accomplished the same day as the start of a school, conference,

City of Alpine

Personnel Policies and Guidelines

seminar, etc., the City's costs will be reduced. Day prior travel is permitted if necessary, to be in place for an early start time for City business the next day. Similarly, if the reason for travel does not end until after a full day's business, the traveler is authorized to stay overnight before returning to the City. Day prior travel just to be in position for a golf tournament or other athletic or social events is not authorized for reimbursement.

d) Per Diem

Employees will receive per diem funding for meals while travelling on overnight City business. The City follows Federal per diem guidelines located at: www.gsa.gov. This will be at the federal guidelines rate. Non-overnight work-related City Business meals will be reimbursed by receipts only.

- Tips, up to 20%, are allowed.
- Alcoholic beverages are not reimbursable.
- Only City employee expenses are reimbursable.

If local area travel requires you to conduct City business before and after, or during meal hours, the cost of these meals can be reimbursed.

e) Lodging

Receipts are required. Actual lodging expenses will be paid for by credit card by the City of Alpine. Reservations for lodging should be made at the lowest rate possible. In most cases, this will be the "governmental rate". However, in some instances a "corporate rate" or other rate will be lower.

City of Alpine

Personnel Policies and Guidelines

f) Transportation

Reimbursement of transportation costs will be based on the most economical and practical mode of transportation for the City, cost and other factors considered. In no case will mileage or transportation expenses be allowed when one is gratuitously transported by another person.

g) Air Transportation

Use coach-class accommodations. If there is little likelihood that travel arrangements will change, airfare should be booked as early as possible and all discounts should be pursued. Receipts are required for reimbursement.

h) Personal Vehicle

Employees may be reimbursed for the use of privately owned vehicles while on official travel at a rate set by the IRS. No other expenses or cost of operating a personally owned vehicle are allowed, other than for the cost of parking fees or toll charges.

Reimbursement shall be on the basis of the most direct route. Any substantial deviations from distances shown on the standard highway mileage guides must be explained.

Employees who receive a car allowance are not eligible for reimbursement for local area (up to 30 miles radius of the City) transportation expenses.

i) Rental Vehicle

Rental of a vehicle is authorized when it is more practical and/or

City of Alpine

Personnel Policies and Guidelines

less expensive than the use of taxicabs or other public transportation for official business. Employees must choose the optional insurance coverage. The cost of optional insurance and fuel for the rental car is reimbursable. Receipts are required for reimbursement.

j) Other Expenses Eligible for Reimbursement:

i. Gratuities

Tips for porters, bellhops, skycaps or cab drivers will be reimbursed. A receipt is not required. Taxi Hotel Shuttle Service in Other Cities. A receipt is required for fares in excess of \$10.00. Transportation to/from entertainment and restaurants is not reimbursable.

ii. Telephone

A receipt is required. Business calls charged to lodging bills or credit cards will be recognized as reasonable expenses. One personal phone call per day of reasonable but short duration (20 minutes maximum) will be allowed to call home. A business cell phone can be used to call home for the one personal phone call daily.

iii. Parking

A receipt is required. Actual costs for parking are reimbursable. The most economical parking lot available at airports must be used.

iv. Exception

A receipt is not required for parking fees less than \$10.00 when parking at a self-service lot.

k) Non-Reimbursable Expenses

Travel expenses, which are not reimbursable, include, but are not limited to, the following: Any item of a personal nature, including, but

City of Alpine

Personnel Policies and Guidelines

not limited to:

- Entertainment expenses
- Alcoholic beverages
- Movie rental expense
- Laundry, dry cleaning costs
- Flight trip insurance
- Room service charges
- Transportation (taxi fare, parking, toll fees or mileage) to and from entertainment.
- Repair costs for privately owned vehicles
- Expenses included as part of a registration fee (e.g. meals, lodging, etc.)
- Meals, groceries or gifts for people providing lodging to City employees
- Meals provided at no cost to the traveler, e.g. those provided by friends, family or seminars.
- Lodging provided by family/friends
- Personal trips made in conjunction with business trips
- Airport parking fees in excess of those charged at the airport's least expensive parking lot
- Prior day travel to be in position to participate in a golf tournament or other athletic or social events.

I) Travel Advances

Travel advances are an option available to City employees authorized to travel. City employees requesting an advance must:

- Complete a Travel Advance Request
- Receive approval by Supervisor (or City Manager if applicable).
- Submit to the Office Supervisor for processing

City of Alpine

Personnel Policies and Guidelines

m) Travel Expense Report Submission

Submit to the Office Supervisor a completed Travel Expense Report within 10 days of completion of travel. Include required receipts and any unspent travel advance funds.

- Review Travel Reports for accuracy
- Ensure required receipts are attached
- Ensure any unspent travel advance is returned
- Ensure Travel Reports are submitted to the Office Supervisor within 10 days of completion of travel.

2. Office Supervisor's Responsibilities

- a) Review Travel Expense Report for compliance with this policy
- b) Make payment for authorized travel advances and for reimbursement of authorized travel expense
- c) Report to the City Manager any travel-related problems identified
- d) Deduct travel advances not returned within 20 days of date completed travel from the employee's next paycheck

B. DRUG AND ALCOHOL POLICY

Statement of Purpose

The City of Alpine recognizes that drug and alcohol abuse in the workplace is a major health and safety concern and is committed to providing a safe and drug-free work setting for all employees. The use, abuse and/or misuse of drugs or alcohol can impair an employee's ability to perform assigned duties and may endanger the employee, co-worker and the public. This policy intended to prevent the use, abuse and misuse of drugs and alcohol

City of Alpine

Personnel Policies and Guidelines

by employees and to comply with Section 7.10 of the Texas Workers' Compensation Act and the Drug-Free Act.

General Policy Provisions

This policy applies to all City employees regardless of rank or position and includes seasonal, internship, temporary and part-time employees and all other volunteers covered under Workers Compensation. The policy covers all City premises including offices and parking lots and all City property including lockers, desks and vehicles.

Employees are required to report to work fit for duty: that is, in appropriate mental and physical condition to perform their job duties. Being under the influence of alcohol and/ or illegal drugs while on City premises or while engaged in work for the City is prohibited. The possession, use, sale, transfer or manufacture of illegal drugs and/or alcohol while on City premises or while engaged in work for the City is prohibited. The unauthorized use or possession of prescription drugs on City premises is prohibited. An employee taking any prescription drug must inform the Supervisor of the possible effects of such medication regarding their job performance and mental or physical capabilities.

Employees must not report for duty or be on City premises while under the influence or having in their possession any illegal drug, inhalant, alcoholic beverage or unauthorized prescription drug. Switching, altering or attempting to tamper with any sample submitted for a medical test or otherwise interfering or attempting to interfere with the testing process is prohibited.

Public Works, Public Utilities and Law Enforcement departments may

City of Alpine

Personnel Policies and Guidelines

have additional requirements based on Federal and State guidelines.

Violations of policy

Violations of this drug abuse will result in disciplinary action which may range from verbal or written reprimand to suspension, demotion, or termination.

The City Manager will determine the collective action based upon the seriousness of the infraction, the past record of the employee, and the circumstances surrounding the matter. Refusal by an employee to submit to any drug or alcohol screening test authorized by this policy shall be considered reason for disciplinary action up to and including termination.

Random Drug Screening

The City from time to time will randomly Drug and Alcohol Test a subset of employees.

Employee Assistance

Alcoholism and other drug addictions are recognized as diseases responsive to proper treatment. Employees needing help in dealing with substance abuse or addiction problems (including illegal drugs and alcohol) are encouraged to seek appropriate assistance. Treatment or rehabilitation costs may be covered in part by the group health insurance provided by the City for employees. Employees should consult the policy for specific details. Employees shall be eligible to use Paid Time Off as needed in seeking treatment as approved by the supervisor.

The City of Alpine does offer thru our Health Insurance to participation

City of Alpine

Personnel Policies and Guidelines

in drug and alcohol abuse education programs. However, various public and private facilities in the area offer such programs and affected employees are encouraged to seek assistance.

Drug Testing Procedures

All drug testing of employees required by the City shall be conducted by a designated medical facility. A signed testing consent form must be presented to the facility personnel. Tests will be performed on blood or urine samples. Samples will be collected under the supervision of the medical facility personnel according to established procedures. Urine samples are provided in a private restroom stall or similar enclosure so that the employee or applicant may not be viewed.

Containers may not be carried into the testing area including but not limited to clothes, bags, briefcases, and purses.

Refusal to test

Any employee refusing to submit to a required drug use screening test, including refusal to sign the testing consent form, may be subject to disciplinary action up to and including immediate discharge.

Reasons for testing

The City of Alpine requires that the following types of drug screening tests be administered for all employees: Pre-employment, Post-accident, and Reasonable Suspicion.

Pre-employment Testing

New employees will be required to undergo drug testing as part of the

City of Alpine

Personnel Policies and Guidelines

screening process. Applicants will receive written notice that employment with the City of Alpine will be contingent upon a negative drug test result. Refusal to give written consent for testing will disqualify the applicant from consideration for employment. Testing will be limited to the top applicant. The applicant will be referred to the designated medical facility for testing. Applicants will present the signed testing consent form to the facility personnel. Applicant screening tests will be performed on blood or urine samples. The Human Resource Department needs to know immediately when a new employee has been hired so that a drug test may be set up before the employee reports for work.

Post- Accident Testing

Any employee involved in a work- related accident which involves an injury to himself or to another or which involves property damage will be required to undergo testing for alcohol and illegal drugs if the accident was caused by the employee. Drug testing shall be done immediately. Employees will be transported to the test site. All reasonable steps will be taken to obtain both urine and blood samples from an employee after an accident. In the case of a conscious but hospitalized employee, the hospital or medical facility will be requested to obtain a sample. If an employee is unconscious or otherwise unable to consent to the procedure, the medical facility shall collect the sample.

If an employee who is subject to post-accident testing is conscious, able to urinate normally (in the opinion of a medical professional) and refuses to be tested, that employee will be removed from duty and subject to discipline up to and including termination.

Reasonable Suspicion

City of Alpine

Personnel Policies and Guidelines

The City may require any employee regardless of rank or position and includes all employees (temporary and part-time employees) and all other volunteers to undergo drug testing if there is “responsible suspicion” that the employee or volunteer is under the influence of drugs or alcohol during working hours. “Reasonable suspicion” means an articulate belief based on specific facts and reasonable references drawn from those facts that an employee is under the influence of drugs and/or alcohol. Circumstances which constitute a basis for determining reasonable suspicion may include, but are not limited to:

- Confusion, difficulty concentrating, pronounced mood changes, abnormal or erratic behavior Recent history of alcohol or drug use and unusual work-related accident or injury.
- Frequent absenteeism, tardiness, or leaving work early
- A medical emergency that can be attributed to alcohol and/or drug use
Admission of intoxication or being under the influence of an illegal drugs
Documented deterioration in the employee’s job performance
- Presence of physical symptoms of drug or alcohol use
- Direct observation of alcohol use, or unlawful manufacturing, distributing, dispensing, Possession or use of illegal drugs or alcohol.

Supervisors are required to detail in writing the specific facts, symptoms or observations which **form** the basis for the determination of reasonable existence to warrant the testing of an employee.

Use of Prescription Drugs by City Employees form is available at the Human Resource Office.

City of Alpine

Personnel Policies and Guidelines

1. NO SMOKING POLICY

The City is authorized and empowered to enforce ordinances necessary to protect the health and life of its inhabitants; enforce any law that is reasonably necessary to protect the public health, under the Texas Health & Safety Code. The City of Alpine prohibits the smoking of any tobacco or vaping product in all City owned properties, buildings and vehicles.

C. ATTENDANCE POLICY

Employees are expected to report to work on time. Employees who are late or absent should notify the Supervisor in advance. If advanced notice cannot be given, notification should be made as soon as possible. Unexplained absences lasting for three (3) days will result in immediate termination. Continual absences and tardiness may result in disciplinary action up to and including termination.

City Employees – Volunteer Fire Department

Any City employee who volunteers as firefighter, paramedic or in any other first responder emergency Capacity will abide to the following regarding emergency calls:

1. Any emergency calls received during normal business hours may be responded to with the following conditions:
 - a. Employees (volunteers) must advise the supervisor of an emergency call and gain permission from the supervisor to respond.
 - b. Emergency calls must be logged into the volunteer service emergency log book.
 - c. Emergency calls cannot take precedence over any city emergency task or during an “on call” status.
 - d. Hourly wage for positions held with the City will not be

City of Alpine

Personnel Policies and Guidelines

- paid by the City during time away at emergency call.
 - e. Employee (volunteer) will not be charged against vacation/sick time available.
 - f. Full-time employees must work 36 hours in each work week – or have vacation time cover up to the 36 hours.
2. Any City employee who acts in a first emergency volunteer capacity will be allowed to remain at the emergency call location for the necessary time needed to make the emergency area safe with the following conditions:
- a. Any emergency that requires a City employee (volunteer) to be away from their job for more than 8 hours of the regular work day may take time off the following day to recover from time at emergency call by using their available vacation and sick time.
 - b. Any emergency that exceeds 16 hours away from work during a regular work day or a work week will need to be discussed with the supervisor for special permission.

D. SAFETY

The City of Alpine has a responsibility to provide a safe working environment for all employees. Every work station within the City of Alpine should be free of hazards that could result in injuries or accidents. Supervisors have been assigned the task of ensuring the safety of all employees. Each department head will provide training to all Supervisors and employees, concerning safety issues and will provide the Human Resource department with the certificate of completion.

The Human Resources Safety Officer appointed by the City Manager will

City of Alpine

Personnel Policies and Guidelines

provide training to all Supervisors concerning safety issues. "For reference to risk management, safety issues, employee actions at accident scenes, emergency conditions, on the job injuries or illnesses, safety equipment, occupational injury, illness record keeping, safety orientation, accidental investigation and reporting, MSCS, written hazardous communication programs and other safety information please consult the City of Alpine Safety Manual."

E. PERSONAL BEHAVIOR

As representatives of the City of Alpine, employees must maintain the highest level of appropriateness in both public and personal life.

1. Personal use of City equipment is expressly prohibited.
2. An employee warning record will be maintained for determining the quality of the employee's work and said record will include nature of violation such as carelessness, substandard work, conduct, disobedience, tardiness, employee professionalism.
3. No employee, including employees licensed to carry a handgun, shall possess any weapon at any City worksite.
 - a) A certified peace officer does not violate this section by possession of a weapon while at a City work site as long as the peace officer's possession of the weapon is not in violation of state or federal law.
 - b) An employee does not violate this section by possession of a weapon while at a City work site as long as the weapon remains inside a vehicle that is not owned, leased or otherwise controlled by the City and the employee's possession of the weapon is not in violation of state or federal law. No guns to be carried in City vehicles, pickup trucks or other City vehicular equipment unless authorized for use such as in Law Enforcement, Animal Control and peace keeping

City of Alpine

Personnel Policies and Guidelines

operations.

- c) An employee does not violate this section by possession of a dart gun, air-powered rifle, or a bite prevention stick while at a City work site if possession of the dart gun or bite prevention stick is approved by the department director and does not otherwise violate state or federal law. A dart- gun air-powered rifle, or bite prevention stick may be used solely in the course of employment of an animal control officer employed by the City.
 - d) This policy is subject to the provisions of State and Federal Law.
4. Any and all accidents, mishaps or other occurrences involving the health and safety of a City employee, and resulting in bodily injury or harm of a serious nature, requiring immediate medical attention, and resulting in the temporary or permanent incapacitation of said employee must be orally transmitted, as soon as possible, after such accident. Any and all accidents, mishaps or other occurrences, involving any monetary damage of \$25 or more, to City property such as a vehicle, pickup truck or other vehicular equipment rendering the same temporarily or permanently inoperable, must also be orally transmitted, as soon as possible, after such accident, mishap or occurrence, to the appropriate Department Head for the mutual protection of City and its employees. A written report is to be prepared within 24 hours and turned in to the Department Head, City Manager and Human Resource for the City record.
5. Everyone is encouraged to take their two (2), fifteen (15) minute breaks. No one, however, is to leave the building to run errands on their breaks (unless approved by Supervisor). Breaks are to be taken 15 minutes in the morning and 15 minutes in the afternoon. They are not to be accumulated during the day to be added to the lunch hour nor be used to come to work late or leave work early. If a break is not taken for any particular day, that time is lost to

City of Alpine

Personnel Policies and Guidelines

the employee and cannot be accumulated.

6. Violation of this Personnel Policy, theft, insubordination, bearing of falsehoods, conduct unbecoming a City employee, knowledge of violation by another employee without reporting the same, drinking during working hours, use of narcotics without prescription and violation of City Ordinances are just reasons for immediate dismissal. Not carrying out designated assignments, violation of approved City contracts, failure to carry out instructions or orders by person in charge, fighting, spreading of continuing malicious rumors, not grading high enough on evaluation form, prejudice action against ethnic groups, untidy personal appearance, or repeated arguments with other employees or citizens are also just reasons for immediate dismissal.
7. All employees must be current on their City Utility bills or have requested budget billing.

F. MISUSE OF CITY PROPERTY ELECTRONIC EQUIPMENT

City of Alpine respects the privacy of its employees. However, a City of Alpine employee may not expect such privacy rights to extend to the use of the City owned systems, property, equipment or supplies or to work related conduct. This policy is intended to notify all City of Alpine employees that no reasonable expectation of privacy exists in connection with your use of City of Alpine's systems, property, equipment or supplies. City of Alpine employees are prohibited from withholding information maintained within company supplied containers, including but not limited to, computer files, computer databases, desks, lockers and cabinets. The following rules also apply to the use of the City of Alpine property:

1. Right to access information. While the City of Alpine employees have individual passwords to email, voicemail, and computer network systems,

City of Alpine Personnel Policies and Guidelines

these systems are at all times accessible to and by the City of Alpine and may be subject to unannounced, periodic inspections. This policy applies to all telephone, electronic, and computer network systems. Use of such equipment in an illegal or unbecoming manner is prohibited. The City of Alpine will issue passwords for such equipment. Employees may not use secret passwords or modify assigned passwords in any way. These records, as well as the usage records of City computer network systems, may be reviewed for legal business or other reasons.

2. Restricted for City business. City of Alpine's employees are expected to see company email, voice mail, and computer networks in systems only for conducting City business, not for personal reasons. Personal reasons include, but are not limited to, non- job-related communications, research or solicitations of a personal origin, soliciting political or religious information, or commercial ventures.
3. Prohibited content. Employees are prohibited from using City telephone, electronic or computer network systems in any manner that may be offensive or disruptive to others. This includes, but is not limited to, the transmission of ethnic or racial slurs, gender-specific comments, sexually explicit images or messages, any remarks that would offend someone on their basis of their age, political or religious beliefs, disability, national origin or sexual orientation, or any messages that may be interpreted to discharge or harass others. No telephone, electronic or computer network communications may be sent which represents the sender as from another company or as someone else, or which try to hide the sender's identity.

Inappropriate or personal use of City property or telephone, electronic or computer network systems will result in disciplinary action, up to and including termination.

City of Alpine

Personnel Policies and Guidelines

All telephone and electronic communications systems and all information received from, transmitted by or stored in these systems are and will remain the City of Alpine's property. These systems are to be used only for job related purposes, not for personal purposes. Employees have no personal privacy right and or expectation of privacy in connection with the use of this equipment or with the receipt, transmission, or of information in the City equipment.

Employees must agree not to access a file, use a code, or retrieve any stored communication unless authorized to do so. Disclosure of message or information from telephone or electronic communications shall be by authorized individuals only. The City of Alpine's monitoring may include printing out and reading all telephone and electronic mail leaving, entering, or stored in these systems. The City policy prohibits the use of telephone and electronic communications systems to transit offensive, lewd, racist or sexist messages.

G. ELECTRONIC POLICY

1. Purpose of this policy

The purpose of this policy is to establish guidelines for the operation of the City's computer system, including both integrated and non-integrated components, and to provide direction as to the appropriate usage of electronic mail (e-mail) and the Internet provided by the City of Alpine, Texas. This policy is intended to protect the property of the City of Alpine, Texas and to facilitate an efficient working environment.

This policy applies to all personnel utilizing City equipment, software and technology.

City of Alpine

Personnel Policies and Guidelines

2. Use of the internet and email

Only those employees who have been specifically authorized in writing by proper authority to use the closed network Internet for City of Alpine, Texas business shall be allowed to access the Internet, and the sites that are accessed by those who are authorized shall be limited to those sites that relate to the necessary business of the City of Alpine.

The closed network Internet and email system hardware is to be exclusively used for the purpose of conducting the business of the City of Alpine, Texas.

Therefore, all electronic messages completed, sent, or received on the Internet and email system are, and remain, the sole property of the City of Alpine, Texas.

3. Monitoring

The City reserves the right to access and disclose all messages created, sent, and received through its electronic mail system. All electronic messages are retrievable and may be inspected by the City Manager or any other City staff member designated by the City Manager.

The City reserves the right to utilize Internet Surveillance Programs which traces users' steps and monitors employee use of the email system or the Internet. Employees should not consider their Internet usage or email communications to be private.

4. Permitted uses of the internet

- a) The following are given as examples of permitted uses of the Internet:
- b) Research/Education related to City-related business, communication with professional associations and other governmental entities,

City of Alpine

Personnel Policies and Guidelines

universities.

- c) Filing of reports relating to various areas of City operations that are required or permitted by state and federal agencies.
- d) Distribution of information to the general public under City guidelines and policies for the release of information pursuant to the Texas Public Information Act and other applicable laws.
- e) Communication among City employees and professional colleagues, which facilitates work assignments and professional discussion in a work-related field of knowledge.
- f) Purchasing, communication with vendors and supplies, and receiving quotes, and obtaining specifications for equipment/material.
- g) Registration for conferences, schools and seminars.
- h) Making arrangements (airline, hotel, etc.) for travel on City business.
- i) Obtaining weather reports.
- j) Researching/obtaining news reports from newspapers, publications and other media sources.
- k) Receipt of newsletters, bulletins, reports, etc. from professional organizations.
- l) Announcements of personnel vacancies.
- m) Any other use that is related to the City's business that is not prohibited by copyright or any other provision of this policy, or any other City policy or state or federal law.

5. Prohibited uses of internet and email

- a) Use of the internet or email system for personal or commercial ventures, religious or political causes, outside organization, or other non-job-related matters.
- b) Use of the system to create any offensive or disruptive messages.

City of Alpine

Personnel Policies and Guidelines

Among those are messages that are unlawful, defamatory, libelous, pornographic, profane, threatening, obscene, harassing, offensive or unprofessional, or that are disrespectful of others, or those that contain sexual implications, racial slurs, gender-specific comments, or any other comment that offensively addresses someone's age, sexual orientation, race, physical attributes, religious or political beliefs, national origin disability.

- c) Accessing any site that is sexually or racially offensive or discriminatory, displaying or downloading, or distributing any sexually explicit material, or violation of the City's confidentiality policy.
- d) Buying, ordering or bidding on any item that is not properly authorized by proper authority for purchase by the City.

6. Employees Responsibilities

- a) Playing games on the City of Alpine, Texas computers is prohibited.
- b) Gaining, or attempting to gain, unauthorized access to the City's proprietary network or computer system or any other proprietary network or computer system.
- c) Any attempt to obstruct other employee's work by consuming gratuitously large amounts of system resources or by deliberately crashing any City computer system.
- d) Any attempt to damage computer equipment or software.
- e) Any attempt to alter software configurations.
- f) Any attempt to cause degradation of system performance.
- g) Any use of any City workstation for illegal or criminal purposes.
- h) Any violation of copyright laws of software licensing agreements.
- i) Downloading or installation of any unauthorized software.
- j) Participation in chat rooms.

City of Alpine

Personnel Policies and Guidelines

- k) Sending or receiving anonymous email, encrypted messages, or chain letters
- l) Messages shall not be transmitted using another person's name or under an assumed name.
- m) Unless specifically authorized to do so by proper authority, employees may not retrieve or read any Internet or email messages for which they are not the intended and appropriate recipient.

7. Software Security

All software contained on CD's or disks that are provided with computers and related equipment that is purchased by the City, or those that are directly purchased by the City, are to be kept in a secure location by the appropriate department, and are not to be used or loaned in any manner that is not consistent with the copyright provisions that apply.

8. Passwords

Personal passwords are not an assurance of confidentiality, and the internet itself is not secure. The confidentiality of any message should not be assured. Even when a message is erased, it is still possible to retrieve and read the message.

Passwords do not belong to the user, as they are the property of the City of Alpine, Texas and are utilized to protect against non-authorized persons accessing the network system. Employees must disclose all passwords to the designated authority within the City of Alpine, Texas or they are invalid and cannot be used. **Exception: Federal websites require users to secure passwords and do not distribute. Passwords are specific to the user.**

City of Alpine

Personnel Policies and Guidelines

If a user needs to access a different computer than the one that is usually used, the user shall log in using his/her own password.

Users shall not share their password with anyone else other than upon the direction of the City Manager or other City staff member designated by the City Manager.

Users shall not allow other persons to perform any activity with their password. Users are responsible for all activity performed with their password regardless of how it was obtained.

9. Public Information Requests

All requests for information contained on City computer hard drives or discs that emanate from sources external to the City shall be handled pursuant to the State of Texas Public Information Act as defined in the City's Policy for the release of public information.

10. Copyright Restrictions

The unauthorized reproduction or distribution of copyrighted materials, except as permitted by the principles of "fair use", is prohibited by U.S. copyright law (Title 17, U.S. Code). Any software or other material downloaded (received) or uploaded (sent) by the City of Alpine, Texas computers may be used only with the explicit permission of the copyright holder. Prior written authorization from the appropriate department head is required before introducing any software into the City of Alpine, Texas computer system.

Employees may not download entertainment software, games or any other software unrelated to their work. Any responsibility for any consequences of

City of Alpine

Personnel Policies and Guidelines

copyright infringement lies with the user. The City expressly disclaims any liability or responsibility arising from access to or use of information obtained through its electronic information systems, or any consequences thereof.

Unlawful activities will be dealt with in a serious and appropriate manner, and the user may be subject to prosecution by local, state or federal officials. Additionally, disciplinary action, up to and including termination, could be applied.

11. No City Representation

Only authorized employees may communicate on the internet on behalf of the City of Alpine, Texas. Employees may not express opinions or personal views that could be construed as being those of the City of Alpine, Texas. They may not give their name and their employment for the City of Alpine on their personal social media. Employees may not state their City affiliation on the Internet unless required as part of their assigned duties.

12. Equipment Maintenance / Protection

Computers are to be cleaned only with compressed air or a moist, lint free rag. Water or cleaning fluid is not to be used on the keyboard, monitor or printer.

Should any computer equipment get wet, the machine is to be turned off and disconnected from the power source. The equipment is not to be turned on again until it has been confirmed that the equipment is moisture free

In the event of a power outage, the computer and printer are to be disconnected from the power source, and are not to be reconnected until the power source returns to normal.

City of Alpine

Personnel Policies and Guidelines

All computer equipment is to be plugged into an approved surge protector, and never is to be connected directly to the power source.

Repairs and/or modification to equipment are to be performed only by qualified technicians designated by the appropriate City authority.

13. Virus Protection

All City of Alpine, Texas computers are to be equipped with up-to-date virus protection software, and all external software that is introduced into City computers is to be checked for viruses before use in the system. All City of Alpine employees will have to take a Cybersecurity training once a year.

Users shall leave the virus detection software enabled at all times. Anti-virus software is to be kept current by ensuring that updated revisions are downloaded at such intervals as are recommended by the vendor.

It should be noted that the virus detection software will detect viruses, but will not automatically eliminate them. Therefore, the user must follow the prompts from the virus protection software.

Emails that do not clearly identify the sender are not to be opened. Emails from senders that you do not recognize are not to be opened.

14. Use of Screensaver / Backgrounds

No screen savers or background are to be used on any City of Alpine, Texas computer that is deemed to be offensive or inappropriate by the responsible department head.

City of Alpine

Personnel Policies and Guidelines

15. Violation of this Policy

Any violation of this policy or use of the Internet or email for improper purposes shall subject the employee to loss of computer access and/or disciplinary action, including immediate termination.

EXIT FROM INTERNET

1. Employee Separation

Upon separation from the City's employment, the former employee's access to the City's computer System and all of its components shall be immediately revoked.

2. Execution of Forms

Exhibit "A" Employee Agreement Form. This form confirms that the user employee will read, understand, and comply with all of the provisions of this policy. All employees whose job duties require or allow use of the City's technology shall be required to sign this form after they have read the policy.

H. OTHER CITY PROPERTIES

1. Vehicular Equipment

This policy is intended to notify all City of Alpine employees that no reasonable expectations of privacy exists in connection with your use of City of Alpine's vehicular equipment. City of Alpine employees are prohibited from engaging any City vehicle or other vehicular equipment for personal use. Many employees will be issued a City vehicle in the completion of specific job duties; however, the vehicle is not to be used for personal business or pleasure. City employees will be allowed to take a vehicle home with them - The vehicle is to be used only when responding to City business. Unauthorized persons may only ride in City Vehicles in the line of employment. No family members are permitted to ride in City Vehicles, unless it is specifically stated in

City of Alpine Personnel Policies and Guidelines

your contract.

2. Tools and Minor Apparatus

This policy is intended to notify all City of Alpine employees that no reasonable expectation of privacy exists in connection with your use of City of Alpine's tools or minor apparatuses. City of Alpine employees are prohibited from engaging any City tools or minor apparatuses for personal use. Many employees will be issued a City vehicle that will contain tools or minor apparatuses to assist in the completion of specific job duties, however, the tools are not to be used for personal business or pleasure. The tools or minor apparatuses are to be used only when responding to City business. City Vehicles shall not be used and employee uniform clothing with the City of Alpine Seal shall not be worn if the City employee is working on a personal job, not for the City of Alpine.

I. POLITICAL ACTIVITY RESTRICTED

City employees are prohibited (during normal business hours) from taking any active part in political management or political involvement in municipal campaigns, other than to vote and express their opinions privately. It is unlawful for City employees to solicit or receive any political contributions. This restriction actually protects you, as a City employee, from political interference in your job and possible repercussions taken against you. If taking part in a political campaign, employees shall not be in a city uniform.

J. MAINTENANCE OF PERSONAL DRIVING RECORD

City employees and all volunteers authorized to operate City vehicular equipment will be expected to maintain a good driving record.

City of Alpine

Personnel Policies and Guidelines

Any employee or volunteer who no longer possesses a valid Driver's License as issued by the State of Texas will be prohibited in engaging in any and all work assignments involving the operations of City vehicular equipment.

The City will accept an Occupational Driver's License for the purpose of performing work related tasks. Failure to notify supervisors or the City Manager of any Change concerning the validity of the Driver's License will result in disciplinary action, up to and including discharge.

K. CELL PHONE POLICY

1. City of Alpine Cell Phone

The City of Alpine issues or pays for individual mobile phones for company employees who are required to be in close contact with the company at all times. We require that our employees follow the guidelines listed below:

- City-issued cell phones must remain charged and the user must remain available to receive phone calls during regular working hours.
- Individuals who are "on call" must be available to accept and make necessary calls 24/7 as is the policy.
- City-issued phones are for business use ONLY; any and all text and telephone conversations must be business related. Unless otherwise indicated, personal use of the City-issued cell phone is strictly prohibited and subject to disciplinary action as outlined.
- Employees may not use the City-issued phones for downloading data (other than attachments sent and received for business use) and/or ringtones.
- Cell phones are to remain in the "off" or "silent" position during

City of Alpine

Personnel Policies and Guidelines

meetings or during discussions with citizens and or customers.

- Do not answer your phone or text during business conversations.
- The cost to replace or repair a City cell phone (including an insurance deductible if applicable) for any reason except for normal use, as determined by senior management, will be the responsibility of the employee if the damage or loss occurs within 2 calendar years of receiving a different or new device.
- City of Alpine employees are prohibited from talking on cell phones while operating a motor vehicle unless the employees uses a hands-free device. For the safety of our employees and others it is imperative that you pull over and stop at a safe location to dial, receive or converse on the cell phone in any way.
- Employees are prohibited from texting while driving.
- Employees shall not use cell phones while operating equipment.
- Employees in possession of City equipment are expected to protect the equipment from loss, damage, or theft. On resignation or termination of employment, or at any time of request the employee may be asked to produce the phone for return or inspection. Failure to produce the phone may result in further disciplinary action.
- Personal cell phones or devices used for city business are subject to Public Information requests.

Mobile phone bills are reviewed when they arrive; any employee who exceeds their contracted allowed minutes or is found to have used the City-issued cell phone for personal use may be responsible for reimbursing the City for related expenses.

1. The reimbursement, if applicable, will be in the form of a personal

City of Alpine

Personnel Policies and Guidelines

check, cash or Money Order made payable to The City of Alpine.

2. The reimbursement will be attached to the itemized statement.

3. The employee will write the statement on the bottom of the mobile phone invoice and sign and date it: "I certify that all on this statement except those that are circled, were made for official business for the City of Alpine."

4. The invoice and the reimbursement, if applicable, should be returned to the Finance office within three business days.

2. Personal Cell Phone

During working hours, the City of Alpine employees are expected to exercise the same discretion in using personal cell phones as they use with the company phones. Excessive personal calls, texts, or other electronic forms of communication during the workday, regardless of the phone used, can interfere with employee productivity and may be distracting to others.

Therefore, it is the policy of the City of Alpine that employees' personal cell phones will remain in the "off" or "silent" status while at work; no cell phones shall remain on while meetings are being conducted.

The City of Alpine will not be liable for loss, theft, or damaged to personal cell phones brought to the workplace.

At no point shall employees be permitted to use or interact with personal cell phones while operating any vehicle and/or equipment while representing the City of Alpine.

City of Alpine

Personnel Policies and Guidelines

L. USE OF CITY PROPERTY OR EQUIPMENT

The City of Alpine facilities, equipment, supplies, and other City resources are made available to help the employees perform their job duties and are not for personal use. The City may establish separate policies governing the use of specific equipment. All employees must complete training and sign off on the use of equipment prior to the use and handling of the equipment for each department. Acknowledgement of City Property Form.

Abuse of City equipment/property will not be tolerated. Abuse includes, but is not limited to the following:

- Negligent or willful damage or destruction of City equipment or property;
- Removal of city owned equipment for personal use.
- Waste of materials or negligent loss of tools or materials;
- Improper maintenance of equipment; and
- Damage caused by the use of tools or equipment for purposes other than that for which the tool or equipment was intended.

Unauthorized removal of City property from its assigned location or its conversion to personal use will be considered cause for disciplinary action up to and including termination. City property issued to an employee must be returned to the City at the time employment with the City ends or upon request for inspection.

M. NURSING MOTHERS

The Fair Labor Standards Act (FLSA) requires that nursing and adoptive mothers be provided a reasonable break time in order to express breast milk for her nursing child for up to one (1) year after the child's birth or adoption. The City will provide a private, secure location, other than a restroom, in the employee's building for this purpose. The space provided will be one that can be made

City of Alpine Personnel Policies and Guidelines

available to the employee as needed, is shielded from view, and free from intrusion from co-workers or the public. The employee and her Supervisor will agree on the times for these breaks. In order to prepare such a designated space, the City requires advance notification so that space can be designated and prepared within a facility. Breaks taken for the purpose of expressing breast milk will run concurrently, not in addition to, other breaks taken throughout the day. Breastfeeding mothers will be given the amount of time required to express breast milk. If this exceeds the 15-minute break time the employee must designate this as an unpaid break on their timesheet.

VI. RECEIPT OF PERSONNEL POLICIES & GUIDELINES

Receipt of Personnel Policies and Guidelines

Printed Name: _____

Record of Receipt of Employee Handbook

I acknowledge receiving and reading the City of Alpine Personnel Policies and Guidelines. I clearly understand that this handbook does not create a contract for employment with the City of Alpine, and that the City of Alpine may change or modify the policies and procedures found in this handbook at any time, with or without notice.

Employee Signature: _____

Date: _____

4. Discuss, consider, and take appropriate action to approve the Holiday Schedule for the City of Alpine FY 2021/2022. (E. Zimmer, City Manager)



CITY COUNCIL

AGENDA REQUEST

**AGENDA FOR
COUNCIL
MEETING:
INITIATED BY:**

AUGUST 4, 2020

ERIK ZIMMER

PRESENTED BY:

ERIK ZIMMER

**AGENDA
REQUEST NO:**

ACTION

**RESPONSIBLE
DEPARTMENT:**

ADMINISTRATION

**FINANCE
DIRECTOR:**

MEGAN ANTRIM

**ADDITIONAL
DIRECTOR (S):**

**SUBJECT /
PROCEEDING:**

DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION TO APPROVE THE HOLIDAY SCHEDULE FOR THE CITY OF ALPINE FY 2021/2022

EXHIBITS:

CLEARANCES

APPROVAL

LEGAL: CITY ATTORNEY

ROD PONTON:

FINANCE: FINANCE DIRECTOR

**MEGAN
ANTRIM:**

APPROVAL: CITY MANAGER

ERIK ZIMMER:

BUDGET

EXPENDITURE REQUIRED: \$ 0

SAVINGS ANTICIPATION: \$

CURRENT BUDGET FY2018-2019: \$ 0

ADDITIONAL FUNDING: \$

RECOMMENDED ACTION

EXECUTIVE SUMMARY

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

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

5. Discuss, consider, and take appropriate action to approve recommendations from Planning & Zoning on Gary Neel application for a Conditional Use Permit for a non-conforming structure (storage container) placed at 201 S. Halbert Street, Alpine, Texas. Property Identification is 201 S. Halbert. Legal description is 1.21 acres of land out of the Southeast part of track 4, Section 43 to the City of Alpine, Brewster County, Texas. Record owner is Gary Neel.



CITY COUNCIL

AGENDA REQUEST

AGENDA FOR COUNCIL MEETING: INITIATED BY:	AUGUST 4, 2020	AGENDA REQUEST NO:	ACTION
	ERIK ZIMMER	RESPONSIBLE DEPARTMENT:	ADMINISTRATION
PRESENTED BY:	ERIK ZIMMER	FINANCE DIRECTOR:	MEGAN ANTRIM
		ADDITIONAL DIRECTOR (S):	
SUBJECT / PROCEEDING:	DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION TO APPROVE RECOMMENDATIONS FROM PLANNING & ZONING ON GARY NEEL APPLICATION FOR A CONDITIONAL USE PERMIT FOR A NON-CONFORMING STRUCTURE (STORAGE CONTAINER) PLACED AT 201 S. HALBERT STREET, ALPINE, TEXAS. PROPERTY IDENTIFICATION IS 201 S. HALBERT. LEGAL DESCRIPTION IS 1.21 ACRES OF LAND OUT OF THE SOUTHEAST PART OF TRACK 4, SECTION 43 TO THE CITY OF ALPINE, BREWSTER COUNTY, TEXAS. RECORD OWNER IS GARY NEEL		

EXHIBITS:	
------------------	--

CLEARANCES	APPROVAL
------------	----------

LEGAL:	CITY ATTORNEY	ROD PONTON:	_____
FINANCE:	FINANCE DIRECTOR	MEGAN ANTRIM:	_____
APPROVAL:	CITY MANAGER	ERIK ZIMMER:	_____

BUDGET

EXPENDITURE REQUIRED:	\$ 0
SAVINGS ANTICIPATION:	\$
CURRENT BUDGET FY2018-2019:	\$ 0
ADDITIONAL FUNDING:	\$

RECOMMENDED ACTION

--

EXECUTIVE SUMMARY

--

City of Alpine
Planning and Zoning Commission
Zoom Meeting
July 27, 2020
5:30 p.m.
Minutes

Board members present: Chair Dick Zimmer, Rawles Williams, Eileen Rouke, Tim Pierce, and Denis Foley

Board members absent: Joe Torres, and Tom Kennedy

City staff present: David Hale, Building Official and Cynthia Salas, City Secretary

Others present: None

1. Dick Zimmer called the meeting to order at 5:30pm
2. It was ascertained that a quorum did exist. According to article 6252-17, VTCS, the notice of the meeting had been posted at 4:00 P.M. on July 22, 2020.
3. Approval of the Minutes from the Previous Meeting – June 22, 2020. Motion was made by Denis Foley to approve minutes from June 22, 2020. Motion was seconded by Eileen Rouke. Motion unanimously carried.
4. Discussion – None
5. Public Hearings –
 - a. Public Hearing to obtain citizens views and comments concerning Gary Neel application for a Conditional Use Permit for a non-conforming structure (storage container) placed at 201 S. Halbert Street, Alpine, Texas. Property Identification is 201 S. Halbert Street. Legal Description is 1.21 acres of land out of the Southeast part of track 4, Section 43 to the City of Alpine, Brewster County, Texas. Record owner is Gary Neel.
 - b. Public Hearing to obtain citizens views and comments concerning the City of Alpine's upcoming grant application to CBDG Downtown Revitalization program to receive funds for sidewalks and related infrastructure improvements focused in the downtown area.

6. Action Items –

- a. Discuss and consider making recommendations to Council concerning Gary Neel application for a Conditional Use Permit for a non-conforming structure (storage container) placed at 201 S. Halbert Street, Alpine, Texas. Property Identification is 201 S. Halbert Street. Legal Description is 1.21 acres of land out of the Southwest part of track 4, Section 43 to the City of Alpine, Brewster County, Texas. Record owner is Gary Neel. – Motion was made Motion was made by Denis Foley to make recommendations to City Council Gary to approve Neel application for a Conditional Use Permit for a non-conforming structure(storage container) placed at 201 S. Halbert Street, Alpine, Texas. Property Identification is 201 S. Halbert Street. Legal Description is 1.21 acres of land out of the Southwest part of track 4, Section 43 to the City of Alpine, Brewster County, Texas. Record owner is Gary Neel. Motion was seconded by Rawles Williams. Motion unanimously carried.
- b. Discuss, consider, and make recommendations to City Council concerning the City of Alpine's upcoming grant application to CBDG Downtown Revitalization program to receive funds for sidewalks and related infrastructure improvements focused in the downtown area. – Motion was made by

Eileen Rouke to make recommendations to City Council endorsing the City of Alpine's upcoming grant application to CDBG Downtown Revitalization program to receive funds for sidewalks and related infrastructure improvements focused in the downtown area. Motion unanimously carried.

7. Citizens Comments – None

8. Board Member's Comments – None

9. Adjournment – Motion was made by Eileen Rouke to adjourn. Motion was seconded by Rawles Williams. Motion unanimously carried. (6:25pm)

I certify that this notice was posted at 4:00 P.M. on July 22, 2020 pursuant to Texas Open Meetings Act. (Texas Vernon's Annotated Civil Statutes, Section 551.043 Government Code. This Facility is wheelchair accessible and accessible parking space is available. Requests for Accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact The city secretary's office at (432) 837-3301 or fax (432) 837-2044 for further information.

Dick Zimmer, Chair. Planning and Zoning Commission

Date

June 15, 2020

To the City of Alpine,

I purchased the cargo ship container six years ago that is primarily used for tool storage. The container is located at my home on 201 Halbert Street. I am submitting a conditional use permit to become in compliance with city ordinance.

Mary Nell 6-15-2020

CITY OF ALPINE CONDITIONAL USE PERMIT Form A

PART 1. APPLICANT INFORMATION

Name of applicant/agent/company/contact

GARY NEEL

Street address of applicant/agent

201 S. HALBERT

City/State/Zip Code of applicant / agent

ALPINE TX 79830

Telephone number of applicant/agents

Fax number of applicant/agents

Email address of applicant/agent

Mobil phone of applicant/agent

432 294-2037

PART 2. PROPERTY INFORMATION

Street address of public property

201 S. HALBERT

Legal description of subject property (metes and bounds must be described on 8 1/2 x 11 sheet)

Lot

Block

Addition

9

Sec. 43 1.21 acres out SE 1/4 PT TR: 4

Size of subject property

Square footage

52707.60

Acres

Present zoning classification

R-2

Proposed use of the property

RESIDENTIAL

Zoning ordinance provision requiring a conditional use

SHIPPING CONTAINER USED AS STORAGE FOR PAST SEVEN YEARS

PART 3. PROPERTY OWNER INFORMATION

Name of current property owner

NEEL, GARY

Street address of property owner

201 S. HALBERT

City/State/Zip code of property owner

ALPINE TX 79830

Telephone number of property owner

432. 294. 2037

Fax number of property owner

- o Submit a letter describing the proposed conditional use and note the request on the site plan document
- o In the same letter, describe or show on the site plan, and conditional requirements or conditions imposed upon the particular conditional use by applicable district regulations (example: buffer yards, distance between users)
- o In the same letter, describe whether the proposed conditional use will, or will not cause substantial harm to the value, use, or enjoyment of the other property in the neighborhood. Also describe how the proposed conditional use will add to the value, use or enjoyment of other property in the neighborhood.
- o Application of site plan approval (Section 20, see attached Form "B")
- o The site plan submission shall meet the requirements of Section 20.04 Site Plan Requirements.
- o All conditional use and conditional use applications are assumed to be complete when filed and will be placed on the agenda for public hearing at the discretion of the staff. Based on the size of the agenda, your application may be scheduled at a later date.
- o All public hearings will be opened, and testimony given by applicants and interested citizenry. Public hearings may be continued to the next public hearing. Public hearings will not be tabled.
- o Any changes to a site plan (no matter how minor or major) approved with a conditional use permit can only be approved by city council the the public hearing process.
- o I have read and understood all requirements as set forth by the application for conditional use or conditional use permit and acknowledge that all requirements of this application have been met at the time of submittal.

PART 4. SIGNATURE TO AUTHORIZE CONDITIONAL USE REQUEST AND PLACE A CONDITIONAL USE REQUEST SIGN ON THE SUBJECT PROPERTY

Print Applicants Name

Applicant Signature

The State of TEXAS

County Of BREWSTER

Before ME Tony KETTANI on this day personally appeared GARY NEEL
(notary) (applicant)

Known to me (or proved to me on the oath of card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

(Seal) Given under my hand and seal of office this 15 day of June, A.D. 2020



Print Property Owners Name

Property Owners Signature

The State Of TEXAS

County Of BREWSTER

Before Me Tony KETTANI on this day personally appeared GARY NEEL
(notary) (applicant)

Known to me (or proved to me on the oath of card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same for the purposes and consideration therein expressed.

(Seal) Given under my hand and seal of office this 15 day of June, A.D. 2020

Notary in And for State of Texas

City of Alpine Site Application Form B

PART 1. APPLICANT INFORMATION

Name of applicant/agent/company/contact

GARY Neel

Street address of applicant/agent

201 S. Halbert StR.

City/State/Zip Code of applicant/agent

Alpine Tx 79830

Email address of applicant/agent

Mobil Phone of applicant/agent

432-294-2037

Fax number of applicant/agents

Phone number of applicant/agents

Applicants Interest in subject property

Storage Container

PART 2. PROPERTY INFORMATION

Street address of subject property

201 S. Halbert StR.

Legal description of subject property (meets and bounds must be described on 8 1/2 x 11 sheet)

Lot

Block

Addition

Size of subject property

Acres

20 x 8

Square footage

Present zoning classification

Proposed use of property

Storage

Give a general description of the proposed use or uses for the proposed development

Tools, Mowing Equipment

Zoning ordinance provision requiring a conditional use

PART 3. PROPERTY OWNER INFORMATION

Name of current property owner

GARY Neel

Street address of property owner

201 S. Halbert StR.

City/State/Zip Code of property owner

Alpine Tx 79830

- o Attach a final plat, or replat, of the approved subdivision by city council showing property boundary lines, dimensions, easements, roadways, rail lines, and public right-of-way crossing and adjacent to the tract (1 blue line copy)
- o If a master plan showing all information required by Section 20., Site Plan review requirements (see attached requirements).
- o Provide all required information demonstrating compliance with all conditions imposed on any conditional use, site plan zoning, or conditional use zoning.
- o All site plans must conform to the approved concept plan. Any changes to a site plan, approved with a conditional use can only be approved by city council through the public hearing process.

ACKNOWLEDGEMENT

All conditional Use and Special Use Applications are assumed to be complete when filed and will be placed on the agenda for public hearing at the discretion of the staff. Based on the size of the agenda, your application may be scheduled to a later date.

All public hearings will be opened, and testimony given by the applicants and interested citizenry. Public hearings may be continued to the next public hearing. Public hearings will not be tabled.

Any changes to a site plan (no matter how minor or major) approved with a conditional use or special use permit can only be approved by city council through the public hearing process.

Any application for a change in zoning or for an amendment to the zoning ordinance shall have, from the date of submittal, a period of four months to request and be scheduled on an agenda before the Planning and Zoning Commission and City Council, If after said period of four months an application has not been scheduled before the commission and city council said application, along with the required filing fee may be resubmitted any time thereafter for reconsideration, Delays in scheduling applications before the Planning and Zoning Commission and City Council created by city staff shall not be considered a part of the four month period.

I have read and understand all of the requirements as set forth by the application for conditional use or special use permit and acknowledge that all requirements of this application have been met at the time of submittal.

Signature of Applicant *Darry neel*

Date: *6-15-20*

Signature of Owner *Darry neel*

Date: *6-15-20*

PLATTING VERIFICATION

This verification statement must be signed prior to the submittal of this conditional use Application.

_____ It has been determined that the property described below does require platting or replatting and the applicant has been instructed on this procedure.

 It has been determined that the property described below is currently platted or does not require platting or replatting at this time.

Address of subject property 201 HALBERT ST. ALPINE TX

Legal description of subject property BLK 9 SEC 43.21 ACS. TR:4 /



Building Services Department

6-15-2020

Date

This form is signed by the building services department and submitted along with a completed application to the planning and zoning department of building services.

SECTION 20
SITE PLAN APPLICATION

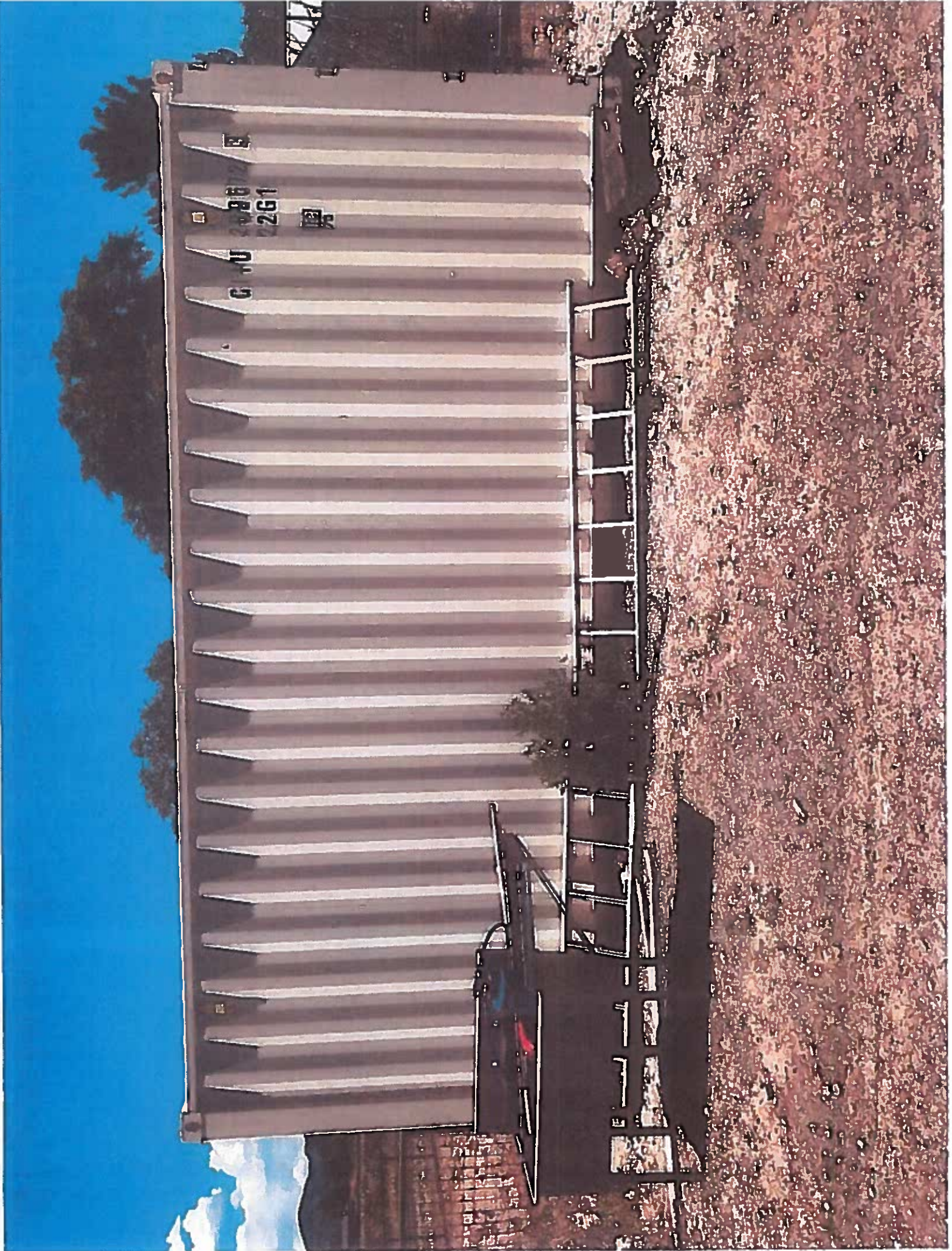
Use the following as a checklist for a complete application submittal:

Form "A" - Conditional Use Application

- ☒ 1. Applicants name, address and telephone number, legal interest in the subject property.
- ☒ 2. Owners name, address and telephone number, if different from applicant, with the owner's signed consent to filing the application.
- ☒ 3. Street address and legal description, or metes and bounds, of the property on 8 1/2x 11 sheet of paper
- ☒ 4. The zoning classification and present use of subject property.
- ☐ (5.) A letter or note on the site plan generally describing the proposed use, or uses, for the proposed development.
- ☒ (6.) A copy of the final plat, or replat, of approved subdivision by city council showing property boundary lines, dimensions, easements, roadways, rail lines, and public rights-of way crossing adjacent to the subject property.
- ☒ 7. If the property is subject to a master development plan, note in a letter the proposed use substantially confirms to the master development plan.

Form "B" Site Plan Requirements

- ☐ 1. All site plans submitted in conjunction with a Conditional Use, Section 20; shall be drawn and sealed by a registered surveyor, registered architect, or registered engineer.
- ☐ 2. The site plan shall include the name of the site plan, submittal date, case number(S) scale, north point, name of person preparing site plan (north shall be at top of the page on all drawings), consecutive sheet numbers and vicinity map. The case name, number and consecutive sheet numbers (ex. Sheet 1 of 2) should be placed in the lower right corner.









Prepared for: City of Alpine, Planning and Zoning Commission

Prepared by: Marci Tuck, Grant Writer

Meeting Date: July 27, 2020

PROJECT DESCRIPTION:

Sidewalks, curb/gutter, driveways, and ADA accessibility improvements in downtown.

Applying for \$216,000 from the TX Community Development Block Grant - Downtown Revitalization (TX-CDBG-DR) program would provide the City 1,423(+/-) linear feet of ADA accessible, 6-foot wide sidewalk plus 6-inch curbs, driveway ingress/egress, strategic striping, engineering costs and related improvements specifically from 2nd Street to 8th Street, in-between Holland and Avenue E (see map) – our downtown area.

The TX-CDBG-DR program requires only a 3.5% match of City funds. The City has \$78,000 earmarked in the FY21 Budget towards improving sidewalks, curb and related infrastructure throughout the City limits, a portion of which can be used as our matching funds for this application. The City's match of \$9,000 (about 4%) plus \$216,000 in TX-CDBG-DR funds would total \$225,000 towards sidewalk and curb improvements in the downtown area, allowing the remainder of our allocated sidewalks funds to be utilized elsewhere in the City.

STAFF COMMENTS:

Applying for and entering into a grant agreement with the TX-CDBG-DR program will almost triple the linear footage of sidewalks the City had expected to improve in FY21. The 3.5% match requirement is one of the lowest matching grants available, offering a substantial return on investment for the City. The City of Alpine is in good standing with the TX-CDBG funding programs from past projects. City Staff has spoken with TX-CDBG program staff and the sidewalk improvements described herein are in line with the program's intended purpose.

NEXT STEPS:

- Tuesday, August 4, 2020 - Public Hearing & Resolution approval at regular Council meeting
- Thursday, August 6, 2020 – Presentation to Alpine Downtown Association for expected endorsement
- Tuesday, September 1, 2020 – Grant application due to TX-CDBG-DR offices in Austin