

City of Alpine

Regular City Council Meeting

Tuesday, January 5, 2021

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, January 5, 2021 in Council Chambers at 803 West Holland (in person attendance will be limited to 15 people total including elected officials, staff, and public) and 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) - None
4. Presentation, Recognitions and Proclamations – (A. Ramos, ,Mayor) - None
5. Reports -

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

City Attorney's Report - None

City Manager Report

- Coronavirus Update
- Ordinance Update
- Key City Priorities
- Board / Commission Appointments

City Staff Update

- Utilities Update by Scott Perry

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 December 1, 2020. (E. Zimmer, City Manager)

8. Information or Discussion items –

1. Discussion on Speed Limits in the community. (E. Zimmer, City Manager)
2. Discussion on Short-Term Ordinance 2021-01-01 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 on the appointment of City Attorney for the City of Alpine. (E. Zimmer, City Manager)
2. Discuss, consider, and take appropriate action approving the Municipal Judge Contract. (E. Zimmer, City Manager)
3. Discuss, consider, and take appropriate action on approval of the final bill from Rod Ponton. (E. Zimmer, City Manager)
4. Discuss, consider, and take appropriate action on approving Resolution 2021-01-04, Notice of General Election for the City of Alpine May 1, 2021 election. (E. Zimmer, City Manager)
5. Discuss, consider, and take appropriate action on HOT Fund Recommendation and Budget Amendment. (E. Zimmer, City Manager)
6. Discuss, consider, and take appropriate action on Resolution 2021-01-06, a Resolution on Tipping Fee for AISD Project. (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. Discuss update on Union Pacific Railroad. (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 Union Pacific Railroad. (E. Zimmer, City Manager)

I certify that this notice was posted at 4:00 P. M. on December 18, 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

5. Reports -

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

City Attorney's Report - None

City Manager Report

- Coronavirus Update
- Ordinance Update
- Key City Properties
- Board / Commission Appointments

City Staff Update

- Utilities Update by Scott Perry

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 December 1, 2020. (E. Zimmer, City Manager)

City of Alpine
Regular City Council Meeting
Tuesday, December 1, 2020
5:30 P.M.
Minutes

1. Call to Order, and Pledge of allegiance to the flags – Mayor Ramos called the meeting to order. The meeting was held at the Civic Center and via Zoom Conference in the City of Alpine, Texas. Mayor Ramos led the pledge of allegiance to the flags.
2. Determination of a quorum and proof of notice of the meeting – Councilor Curry, Councilor Rodriguez, , Councilor Sandate, and Councilor Stephens attended at the Civic Center. Mayor Ramos and Councilor Betty Fitzgerald attended via zoom. City Secretary, Cynthia Salas reported that the agenda was posted at 5:00 P.M. on November 24, 2020. City Manager Erik Zimmer attended at the Civic Center. City Secretary Cynthia Salas attended via zoom.
3. Public Comments (limited to 3 minutes per person) – Alan Vonnay, and Mike Green.
4. Presentation, Recognitions, and Proclamations – (A. Ramos, Mayor)
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) –

- Voter turnout and thanking the Community for a large participation in voting this year.

City Attorney's Report – None

City Manager Report –

- Coronavirus Update
- Availability of Affordable Housing
- Lighting Ordinance

City Staff Updates –

- Finance by Megan Antrim
- Grants by Marci Tuck
- Public Works by Eddie Molinar

6. Public Hearing - 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 November 17, 2020. (E. Zimmer, City Manager) – Consent agenda item was moved to #9 action items.

8. Information or Discussion items –

1. Discussion on Short-Term Rentals. (E. Zimmer, City Manager)
2. Discussion on Coin Operated Machine Ordinance. (E. Zimmer, City Manager)
3. Discussion on Utility Ordinance. (E. Zimmer, City Manager)
4. Discussion of City Attorney Appointment. (E. Zimmer, City Manager)
5. Provide an information update regarding the Brewster County Central Appraisal District Board. (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. Approval of minutes from City Council meeting on November 17, 2020. (E. Zimmer, City Manager) - Motion was made by Councilor Stephens, by Resolution 2020-12-01 to approve the consent agenda with the correction that Councilor Escovedo was absent. Motion was seconded by Councilor Curry. Motion unanimously carried.

1. Discuss, consider, and take appropriate action on the first reading on recommendations from Chief Martin to change the speed limit to 20 mph on City streets within the City of Alpine. (C. Rodriguez, City Council) – Motion was made by Councilor Rodriguez, by Resolution 2020-12-02 on the first reading on recommendations from Chief Martin to change the speed limit to 20 mph on City streets within the City of Alpine. Motion was seconded by Councilor Curry. Motion was amended by Councilor Rodriguez to table. Motion was seconded by Councilor Curry. Motion unanimously carried.

2. Discuss, consider, and take appropriate action on the recommendation of Municipal Judge by Mayor Ramos. (E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 2020-12-03 on the recommendation of Jodi Cole as Municipal Judge by Mayor Ramos. Motion was seconded by Councilor Curry. Motion unanimously carried.

3. Discuss, consider, and take appropriate action to rezone the property with a primary location address of 102 E Nations in the Walton addition from C1 to R2. The specific lots being rezoned are: Lot 4, Lot 5, Lot 6, N half of Lot 3, E 1/3 of Lot 7, and E 1/3 of N half of Lot 8. (E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 2020-12-04 to rezone the property with a primary location address of 102 E. Nations in the Walton addition from C-1 to R-2. The specific lots being rezoned are: Lot 4, Lot 5, Lot 6, N half of Lot 3, E 1/3 of Lot 7, and E 1/3 of N half of Lot 8. Motion was seconded by Councilor Curry. Motion unanimously carried.

4. Discuss, consider, and take appropriate action relative to the Brewster County Attestation regarding the State of Texas Governor Executive Order GA-32 minimizing occupancy for said businesses from 75% to 50%. (E. Zimmer, City Manager) – Erik Zimmer, City Manager tabled the action item.

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 5:00 P.M. on November 24, 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 5:00 P.M. on November 24, 2020, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Cynthia Salas, City Secretary

8. Information or Discussion items –

1. Discussion on Speed Limits in the community. (E. Zimmer, City Manager)
2. Discussion on Short-Term Ordinance 2021-01-01 for the City of Alpine. (E. Zimmer, City Manager)

8. Information or Discussion items –

1. Discussion on Speed Limits in the community. (E. Zimmer, City Manager)



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

Fwd: Speed Limits

1 message

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

Wed, Dec 9, 2020 at 2:54 PM

To: Cynthia Salas <city.secretary@ci.alpine.tx.us>, Geo Calderon <g.calderon@ci.alpine.tx.us>

Here's a third one for the packet..

Thanks much,

Erik

----- Forwarded message -----

From: **Jim Street** <jimstreet970@gmail.com>

Date: Wed, Dec 9, 2020 at 9:56 AM

Subject: Speed Limits

To: Rick Stephens <rickstephens@me.com>, Erik Zimmer <erik.zimmer@ci.alpine.tx.us>

Two more observations on the speed limit issue: Coming south on 5th yesterday, I was behind a truck going 25 in the 35 all the way from about the High School to Holland Avenue.

Then going east on Holland, I got behind two cars going 20 in the 35, one in each lane. One hung just close enough behind me, I was unable to change back into the left lane to turn at Cockrell, though he finally got back a bit so I gunned it and got around.

Rick, you said you observe speeders on the major roads and Andy complains about it just about every time a mic is around. My experience is that far more drivers go too slow than too fast. I have observed speeders rarely but when I do, no cop is in sight. I don't fault the police. They only have about eight officers and they can't be everywhere.

I would love to see MINIMUM speed limits on the major roads.

Reducing speed limits on residential streets will greatly exacerbate the issue. How can these few officers patrol every street looking for violators? They can't. Hopefully, this will be a dead issue soon. I certainly hope so.

Thanks,

Jim

--

Erik M. Zimmer
City Manager
Alpine, TX 79830
432.294.2118

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.



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

Fwd: Traffic enforcement and speed limits

1 message

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

Wed, Dec 9, 2020 at 2:54 PM

To: Geo Calderon <g.calderon@ci.alpine.tx.us>, Cynthia Salas <city.secretary@ci.alpine.tx.us>

Cynthia and Geo,
Another one for the packet..
Thanks much,
Erik

----- Forwarded message -----

From: **W. Ned Allen** <no1rvrman@yahoo.com>

Date: Tue, Dec 8, 2020 at 9:51 PM

Subject: Traffic enforcement and speed limits

To: ward3.fitzgerald@ci.alpine.tx.us <ward3.fitzgerald@ci.alpine.tx.us>, mayor.ramos@ci.alpine.tx.us <mayor.ramos@ci.alpine.tx.us>, erik.zimmer@ci.alpine.tx.us <erik.zimmer@ci.alpine.tx.us>

I enjoyed meeting with Mr Zimmer and Chief Martin this morning. I would like to reiterate my support for the lowering of the residential speed limits to a safer 20 MPH. I would also like to reaffirm my support of more enforcement of existing traffic safety laws using more ticket writing.

We chose to reside in a lovely small town. There is really no valid excuse for speeding or running stop signs in a town as small as Alpine. The scofflaws who chose to regularly run stop signs and speed down residential streets put pedestrians, cyclists and property at risk for no valid reason.

—

Erik M. Zimmer
City Manager
Alpine, TX 79830
432.294.2118

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.



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

Fwd: Speeding in Alpine

1 message

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

Wed, Dec 9, 2020 at 2:53 PM

To: Cynthia Salas <city.secretary@ci.alpine.tx.us>, Geo Calderon <g.calderon@ci.alpine.tx.us>

Cynthia and Geo,
For the next packet.
Thanks much,
Erik

----- Forwarded message -----

From: **George Pitlik** <alpine_george@sbcglobal.net>

Date: Wed, Dec 9, 2020 at 11:47 AM

Subject: Speeding in Alpine

To: fitzgerald@ci.alpine.tx.us <fitzgerald@ci.alpine.tx.us>, mayor.ramos@ci.alpine.tx.us <mayor.ramos@ci.alpine.tx.us>, erik.zimmer@ci.alpine.tx.us <erik.zimmer@ci.alpine.tx.us>

Greetings Gentlemen,

I live at 310 N. Third in Alpine. You may not know me, but likely have seen me around town either on bicycle or walking. I almost always am wearing bright color clothing to make body recovery easier for the authorities.

I have lived in Alpine for 14 years and it gets more dangerous each year to get around on foot or bike. With all due respect, I rarely notice a vehicle stopped for speeding. Alpine has a unique issue due to remoteness and low population. The chances are good that when an officer stops someone for speeding it is difficult to give an expensive citation to someone they know. Human nature.

Some thoughts:

Do stop signs reduce speed?

Studies have shown that **stop signs** are not effective at controlling drivers' **speeds** between intersections. In fact, motorists sometimes drive even faster between **stop signs** to make up for time "lost" while stopped—actually increasing peak **speeds** and potentially making neighborhoods more dangerous.

Speed humps are intended to **reduce** driver speeds down to 10–15 miles per hour over the **hump**, and 25–30 miles per hour between **humps** in a series. ... Several studies from the Iowa Department of Transportation have shown a 40 percent **speed reduction** for most vehicles. Excessive speeders are also deterred.

Driver education?

More enforcement surely will work . Lots of revenue as well used to upgrade enforcement.
(Officer overtime pay?)

Gents, it's really a problem. I've noticed an increase of pedestrian traffic especially parents walking with kids and or dog walkers. Sidewalks are spotty at best so many folks walk in the streets.

Good luck,

Respectfully

George Pitlik

==
Erik M. Zimmer
City Manager
Alpine, TX 79830
432.294.2118

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City of Alpine

Speeding Citations

2019 & 2020

Data

2019		
Citations	Warnings	Location
51	165	Citywide
44	128	Hwy 90
5	16	Hwy 118
2	2	Loop Rd
0	19	City Streets

2020 (through Dec 2-2020)		
Citations	Warnings	Location
49	198	Citywide
37	141	Hwy 90
4	12	Hwy 118
2	5	Loop Rd
6	40	City Streets

Annualized - Estimate		
Citations	Warnings	Location
53.2	215.1	Citywide
40.2	153.2	Hwy 90
4.3	13.0	Hwy 118
2.2	5.4	Loop Rd
6.5	43.5	City Streets

Year-Over-Year Difference		
Citations	Warnings	Location
2.2	50.1	Citywide
-3.8	25.2	Hwy 90
-0.7	-3.0	Hwy 118
0.2	3.4	Loop Rd
6.5	24.5	City Streets

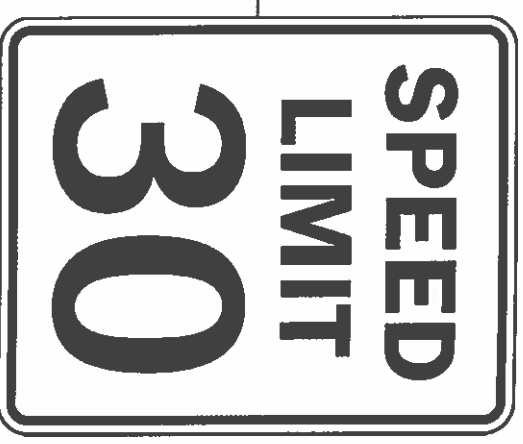
Observations

Data is only for Speeding Citations and Warnings

- Other traffic violations are not included in the data
- Other work items of Police officers not included in the data

Citations and Warnings have increased in 2020 over 2019

- Visitor traffic count and truck traffic count were less through the City during early parts of pandemic
- City street citations and warnings showed increase
- Highways have received the most attention and are where we get the most complaints regarding speeding



Next Steps

01

Police Chief having team continue to write citations (or warnings) as part of traffic control program

02

Receiving feedback from community members through a variety of forums: Chat with the Chief, Coffee with City Manager, Email, Phone Calls, Web responses

03

Monitoring 'Hot-Spots' in community: City streets that have elevated volumes of traffic (Gallego, Fighting Buck, Sul Ross, Del Rio, 10th Street, Ft. Davis, Brown, etc...)

04

Work back with Council on determination of any changes that may be needed



2. Discussion on Short-Term Ordinance 2021-01-01for the City of Alpine. (E. Zimmer, City Manager)

CITY OF ALPINE

ORDINANCE NO. 2021-01-01

AN ORDINANCE ADDING ARTICLE V TO CHAPTER 90 OF THE ALPINE MUNICIPAL CODE

SECTION 120. A NEW ARTICLE IS ADDED TO CHAPTER 90 OF THE ALPINE MUNICIPAL CODE TO READ AS FOLLOWS:

ARTICLE V

AN ORDINANCE OF THE CITY OF ALPINE, TEXAS; PROVIDING FOR THE REGULATION OF SHORT-TERM RENTALS. ESTABLISHING AUTHORITY TO ENFORCE; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

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

That the "Short-term Rental" Article of the Code of the City of Alpine, Texas is hereby established and shall read as follows:

SEC. 90 – 121 GENERALS

This ordinance as herein established has been written for the purpose to control, manage and limit short term rentals commonly referred to as vacation rentals within allowable districts described in the zoning ordinance. The intent of this chapter is to safeguard the life, health, safety, welfare and property of the occupants of residential dwelling units, the neighbors of said occupants, the general public and to minimize adverse impacts to the housing supply caused by the conversion of residential units to tourist or transient use.

DEFINITIONS

SEC. 90 – 122 Definitions

Administrator means the Director of the department designated by the City Manager to enforce and administer this Chapter, including the Director's designees.

Advertise means the act of drawing the public's attention to a short-term rental in order to promote the availability of the residence for use as a short-term rental. Said advertising may be found in any medium, including but not limited to, newspaper, magazine, brochure, website, or mobile application.

Bedroom means the living area(s) of the dwelling unit that is designed and furnished for sleeping and which has proper egress as required by the International Residential Code.

Booking Service means any reservation / and or payment service provided by a person or entity that facilitates a short-term rental transaction between an Owner and a prospective Occupant, and for which the person or entity collects or receives, directly or indirectly through an agent or intermediary, a fee in connection with the reservation and /or payment services provided for the short-term rental transaction.

Hosting Platform means a person or entity that participates in the short-term rental business by providing, and collecting or receiving a fee for, Booking Services through which an Owner may offer premises for an occupant on a short-term basis. Hosting Platforms usually, though not necessarily, provide Booking Service through an online platform that allows an Owner to advertise the premises through a website provided by the Hosting Platform and the Hosting Platform conducts a transaction by which potential occupants arrange their use and their payment, whether the would-be-occupant pays rent directly to the Owner or to the Hosting Platform.

Occupant means any individual person living, sleeping or possessing a building, or portion thereof. A person is not required to be paying rent, providing in-kind services, or named in any lease, contract or other legal document to be considered an occupant.

Owner means any person, agent, operator, firm, trust, corporation, partnership, or any other legal entity who has a legal or equitable interest in the property; or who is recorded in the official records of the county as holding title to the property; or who otherwise has control of the property, including the guardian of the estate of any such person, and the executor of the estate of such person if ordered to take possession of real property by a court.

Premises means property, a lot, plot or parcel of land, including any structures or portions of structures thereon.

Short-term rental (STR) means a residential premise, or portion thereof, used for lodging accommodations to occupants for a period of less than thirty (30) consecutive days. The definition of short-term rental does not include a Bed and Breakfast as defined in the code.

REGULATIONS

SEC.90-123 Unpermitted short-term rentals prohibited

- A. It shall be unlawful for any owner or person to rent, lease, advertise, or otherwise permit or allow any residential premises to be operated or used as an unpermitted Short-term Rental.

- B. All Hosting Platforms shall provide the following information in a notice to any owner listing a Short-term Rental located within the City of Alpine through the Hosting Platform's service. The notice shall be provided prior to the owner listing the premises and shall include the following information: THE "SHORT-TERM RENTAL" ARTICLE OF THE ALPINE CITY CODE PROHIBITS THE SHORT-TERM RENTAL OF RESIDENTIAL PREMISES WITHIN THE CITY OF ALPINE WITHOUT AN ACTIVE SHORT-TERM RENTAL PERMIT.

- C. Notwithstanding any other provision of this article, nothing shall relieve any owner, person, occupant, or Housing Platform of the obligations imposed by the applicable provisions of state law and the Alpine City Code, including but not limited to, those obligations imposed by the Tax Code. Further, nothing in this article shall be construed to limit any remedies available under the applicable provisions of state law and the Alpine City Code.

SEC. 90- 124 Short-term rental permit required

An owner who desires to use its premises as a short-term rental must have a valid, active short-term rental permit from the city prior to using, allowing the use of, or advertising the use of said premises as a short-term rental. Each rentable unit must be permitted. Upon application to the City, a short-term rental permit shall be approved by the Administrator, or designee, if the application satisfies all the conditions of this Chapter, the "Taxation Chapter", and the zoning ordinance. The administrator may place reasonable conditions on short-term rental permits to ensure compliance with the provisions of this article.

SEC. 90- 125 Permit Limitations

- A. Short -term rental permits are transferable only by inheritance to a natural person as directed in a will or trust. The permit is not transferable upon the sale of the property.
- B. If the subject dwelling is on property that has a Homeowners Association (HOA) at the time of permitting, the owner of the dwelling shall provide the City with an affidavit of proof that the HOA allows for vacation rental of their dwelling, if not allowed, then the application will be denied.
- C. A short -term rental permit shall expire on the last day of the month one year after the date of issuance. No short-term rental permit may be renewed without a completed renewal application submitted by the owner and payment of the renewal fee. If the renewal application satisfies all the conditions of this Chapter and zoning ordinance, an application for the renewal of a short-term rental permit shall be approved by the Administrator, or designee.

SEC. 90-126 Requirements of application.

- A. Except as provided in this Section, every complete application for a short-term rental permit shall include the following information with such detail and in form approved by the Administrator:
 - 1. The name, address, contact information and authenticated signature for the owner of the premises;
 - 2. The name, address and contact information of the operator, agent if any, and designated local responsible party.
 - 3. The City registration number for Hotel Occupancy Tax;
 - 4. A plot plan of the premises identifying the location of parking spaces to be used in conjunction with the short-term rental;
 - 5. A dimensioned floor plan of the proposed short-term rental identifying bedrooms, other living spaces and emergency evacuation routes;
 - 6. Release of Liability
 - 7. The name and contact information of the property owner's association, if any, of which the premises are covered by dedicatory instruments;
 - 8. A copy of the proposed host rules for the short-term rental.
- B. An application for short-term renewal permit may be filed beginning thirty (30) days prior to expiration of a current permit. Every complete application for a short-term rental renewal permit shall include updates, if any, to the information contained in the original permit application or any subsequent renewals. The permit holder shall sign a statement affirming that there is either no change to such information, or that any updated information is accurate and complete.
- C. An application for a short-term rental renewal permit submitted after the expiration of the most immediate permit for the premises shall be treated as an application for a new permit as described in subsection A of this Section.
- D. If a complete application for a short-term renewal permit is submitted less than thirty (30) days prior to expiration of the current permit, the Administrator in his sole discretion may grant a one-time extension of the current permit not to exceed ten (10) days.

SEC. 90-127 Designation of local responsible party required

An owner must designate the name and contact information of a local responsible party who can be contacted regarding immediate concerns and complaints from the public. Said individual must be available to be reached in person or by phone at all times while occupants are on the premises of a short-term rental. If called, a local

responsible party must be able to and shall be present at the premises within one hour of the call from the Administrator, or his designee. A local responsible party must be authorized to make decisions regarding the premises and its occupants and shall not act to release the owner of any liability under this chapter.

SEC. 90-128 Release of Liability required

It shall be unlawful for the owner of premises operating as a short-term rental to operate without either proof of insurance or a Release of Liability indemnifying and holding the City harmless from any and all claims that should arise out of the operation of the short term rental.

SEC. 90 – 129 Inspection required

No permit or renewal permit shall be approved for a short-term rental until the City has inspected the premises and found the premises to be in compliance with minimum health and safety requirements for use and occupancy and also all City building codes on file. If a premise fails to pass an inspection, a reinspection fee may be charged for each subsequent inspection in accordance with the fee established by resolution.

SEC. 90 – 130 Permit fees

An initial permit fee of \$350 (nonrefundable) will include the preliminary building inspection and fire inspection fees. Upon completion of all required forms, approval of each dwelling unit by the Administrator or his designee, and payment of the initial permit fee, the Administrator may recommend a special use permit (short term rental permit) to be considered by the City Council. Once approved by the City Council, A special use permit (short term rental permit) shall be issued.

The annual permit renewal fee shall be \$100.00.

An annual fire inspection is required, the fee of which shall be established by City ordinance.

City Short-Term Rental taxes must be paid quarterly for the permit to remain valid, as verified by the City Short-Term Rental Tax form.

SEC. 90 -131 Hotel occupancy tax; Request for occupancy history

It shall be unlawful for any owner of premises used for a short-term rental to fail to pay hotel occupancy taxes under State Law and this Chapter. Upon the request of the Administrator or the Finance Department of the City of Alpine, the owner of a premises used as a short-term rental shall remit, within 30 days, an accounting of all occupants who rented the premises and the hotel occupancy taxes paid therefor. It shall be unlawful for a person to fail to provide said information requested in a timely manner.

SEC. 90- 132 Short -term rental permit non transferable

A short -term rental permit is non-transferable and shall not be assigned nor transferred to another person or entity. Only by inheritance is a short-term rental transferable.

SEC. 90- 133 Parking restrictions

Parking is established by the International Building Codes (IBC) and will differ based on the zoning districts.

SEC. 90 – 134 Neighbor Notice

The City shall provide a mailing, email or otherwise distribute by hand a flier to neighbors within 200 – foot radius of the vacation rental property address. The notice shall contain the owner and representative contact information, a parking plan, and city website address where the information is also posted. the neighbors and the city shall be informed whenever there is a change in contact information.

SEC. 90-135 Zones

Vacation rentals are permitted in zones R-1, R-2, R-3, R-4, M-1, C-2a, C-2, C-1, C-1a, C-O by conditional use permit. All permits must meet general zoning regulations as defined in Appendix C, City of Alpines Zoning ordinance.

SEC. 90-136 Penalties

A. Any person, firm or corporation 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 two thousand dollars (\$2,000.00) and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

SEC. 90-137 Enforcement

A. The owner of a short-term rental use that was not registered with the City of Alpine for hotel occupancy tax prior to April 1, 2021 and who is unable to obtain a permit for said use or fails or refuses to obtain a permit for the use following the effective date of this ordinance, shall discontinue the short-term rental use no later than April 30, 2021.

B. If the permit of a short- term rental use is not renewed, the owner shall discontinue the use no later than the date on which the existing permit or any extension thereof expires.

C. This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Alpine; and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinances are hereby repealed.

D. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

E. All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Alpine in the discharge of his duties, shall not thereby render himself personally liable; and he is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of said duties.

SEC. 90 -138 -140 Reserved.

**PASSED AND ADOPTED THIS 2nd DAY OF FEBRUARY 2021 BY THE CITY COUNCIL OF THE
CITY OF ALPINE, TEXAS.**

INTRODUCTION AND FIRST READING

JANUARY 19, 2021

SECOND AND FINAL READING

FEBRUARY 21, 2020

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

ATTEST

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

APPROVED AS TO FORM:

**XX, City Attorney
City of Alpine**

STATE OF TEXAS

COUNTY OF BREWSTER

CITY OF ALPINE

RESOLUTION 2021-XX-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS ALLOWING SHORT TERM RENTAL OPERATORS REGISTERED PRIOR TO JANUARY 1, 2021 TO ENUMERATE THE THREE-HUNDRED AND FIFTY DOLLAR (\$350) SPECIAL USE PERMIT FEE OVER THE FIRST TWO QUARTERS AFTER ISSUANCE.

WHEREAS, the City Council of the City of Alpine have determined changes to the short term rental process benefits the city and its citizens; and

WHEREAS, the guidelines, regulations, and enforcement regarding short term rentals have been established by City Council Ordinance 2021-01-01; and

WHEREAS, the City Council of the City of Alpine has deemed it to be in the public interest to allow short term rental operators registered prior to January 1, 2021 to enumerate the three-hundred and fifty dollar (\$350) fee over the first two quarters after issuance.

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

The City resolves to allow short term rental operators registered prior to January 1, 2021 to enumerate the three-hundred and fifty dollar (\$350) special use permit fee over the first two quarters after issuance.

PASSED AND APPROVED THIS THE 2ND DAY OF FEBRUARY 2021 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.

ATTEST:

Andres "Andy" Ramos, Mayor
City of Alpine

Cynthia Salas, City Secretary
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 on the appointment of City Attorney for the City of Alpine. (E. Zimmer, City Manager)



CITY COUNCIL

AGENDA REQUEST

AGENDA FOR COUNCIL MEETING: INITIATED BY:	JANUARY 5, 2021 ERIK ZIMMER	AGENDA REQUEST NO:	ACTION
PRESENTED BY:	ERIK ZIMMER	RESPONSIBLE DEPARTMENT:	ADMINISTRATION
		FINANCE DIRECTOR:	MEGAN ANTRIM
		ADDITIONAL DIRECTOR (S):	

SUBJECT / PROCEEDING:	DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION ON THE APPOINTMENT OF CITY ATTORNEY FOR THE CITY OF ALPINE.
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EXHIBITS:	
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CLEARANCES		APPROVAL	
LEGAL:	CITY ATTORNEY	:	
FINANCE:	FINANCE DIRECTOR	MEGAN ANTRIM:	
APPROVAL:	CITY MANAGER	ERIK ZIMMER:	

BUDGET	
EXPENDITURE REQUIRED:	\$ 0
SAVINGS ANTICIPATION:	\$
CURRENT BUDGET FY2020-2021:	\$ 0
ADDITIONAL FUNDING:	\$

RECOMMENDED ACTION

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EXECUTIVE SUMMARY

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GREGORY L. WORTHAM

311 East Avenue C • Sweetwater, Texas 79556
Telephone/text: 325-280-5800

Education

- **J.D. (with honors) – The University of Texas School of Law** (1990)
- **Master of Public Affairs – The Lyndon B. Johnson School of Public Affairs at The University of Texas** (1990) Masters thesis advisor – Ray Marshall (Secretary of Labor under President Jimmy Carter). Other professors & advisors included Barbara Jordan (Ethics) and Terrell Blodgett (Municipal government).
- **Bachelor of Arts, magna cum laude – Rice University** (1983). Double major in political science (honors) and policy studies (Concentration in energy & environmental policy). Phi Beta Kappa.
- Sweetwater (Texas) High School (1979). Class rank: 3 of 186.

Energy sector work experience

- **President of New Amsterdam Global Solutions LLC** – 2006 to present. Consulting firm and networking portal for evaluation and development of energy and rural development opportunities. Direct and third-party coordinated services include energy resource assessment, transmission capacity analysis, airspace clearance, terrain evaluation, legal counsel, regulatory counsel, turbine selection, project management, community development and more. Based in Sweetwater, Texas. USA and international clients, including component manufacturers, developers, communities, landowners, industrial hosts, and others. Sample clients have included T. Boone Pickens, Johnson & Johnson, Georgia-Pacific, energy project development companies, landowners, as well as international trade institutions and businesses in USA, Germany, Canada, Quebec, Kenya, Spain, and India.
- **Executive Director & founder at Cline Shale Alliance** – beginning October 2012 to present (volunteer position). Initiated effort and worked with regional leaders to create a network of stakeholders throughout West Texas oil producing region with focus on emerging Eastern Shelf of the Permian Basin. Members from throughout USA shale regions with predominant membership from Permian Basin, Eagle Ford, Barnett Shale, Houston, etc., from oil industry, regional leadership, small business, and related sectors. Responsible for strategic direction and daily operations, including: development and implementation of multiple annual conferences and trade shows, quarterly meetings, tailored workshops, and other outreach; interaction with other sectors of the oil energy industry and other energy sectors; identification and resolution of oil and shale industry issues affecting Texas and West Texas; international media relations;
- **Executive Director & founder of Texas Wind Energy Clearinghouse** (originally the West Texas Wind Energy Consortium) (volunteer position) – beginning December 2004 to present. Initiated effort and worked with regional leaders to create a network of stakeholders throughout Western Hemisphere's most intensive wind energy development region. Responsible for strategic direction and daily operations, including: development and implementation of multiple annual conferences, monthly meetings, and tailored seminars for elected officials, landowners, etc.; preparing periodic newsletters; interaction with other sectors of the wind energy industry; identification and resolution of wind industry issues affecting Texas; international media relations; high school and college internship program. The Texas-wide effort includes West Texas wind region,

South Texas wind region, metropolitan municipal initiatives, heavy industry, harbors, counties, schools, cities, economic development institutions, ranchers, farmers, small business, large industry, utilities, wind developers, educational institutions, and general public representing stakeholders across Texas. TWEC is a networking and educational forum based in Sweetwater.

- **General Manager, COO of 1st Rochdale Cooperative Group, Ltd. (New York City)**, the Nation's first urban electric cooperative, from 1998 to 2004. Responsible for all daily business operations and (with Chairman/CEO) strategic evolution of metropolitan electric cooperative in emerging competitive retail marketplace. Duties included active participation in market regulatory development, wholesale markets analysis & purchasing strategies, renewable energy marketing, natural gas power plant development, evaluation & implementation of strategic alliances, petroleum marketing, intergovernmental relations (City of New York, State of New York, Federal executive & legislative branches). 1st Rochdale Co-op supplied electricity in 250 zip codes within New York City. 1st Rochdale provided fuel oil services to Camp David, Baltimore emergency services, Philadelphia transit system, New York City residential communities, and Norfolk ocean-bound shipping, and operated an oil terminal in the Bronx (AOC Congressional District location). 1st Rochdale received state and federal earmarks and funding for New York City deployment of fuel cells and solar photovoltaics. 1st Rochdale was also active in New York City recovery and international cooperative development and national energy policy development in Tanzania, Senegal, Uganda, and The Netherlands, in cooperation with NRECA International and host nation contacts. Supervised company staff in Manhattan, the Bronx, and Pennsylvania, as well as contract staff in North Carolina, Indiana, Virginia, and the District of Columbia.
- **Senior Corporate Counsel for National Rural Electric Cooperative Association (www.nreca.coop)** (Arlington, Virginia) from 1995-1998 in 10-attorney Energy Policy department. Reported directly to General Counsel Wallace Tillman, at the time Chairman of the American Bar Association's Section on Public Utility, Communications & Transportation Law. Duties included legal analysis of Congressional proposals, federal regulations, emerging wholesale and retail competitive markets, and strategic business opportunities for cooperatives. Active in analysis of wholesale power contracts, G&T-member relationships, and NRECA resolutions process. Served as in-house legal adviser to Touchstone Energy (www.TouchstoneEnergy.coop), the evolving national co-branding alliance of electric cooperatives. Provided regular written and seminar training to thousands of local co-op Board members, senior staff, and local and regional attorneys representing electric co-ops nationwide. Supervised two corporate counsel and in-house development of Legal Reporting Service.
- **Rural development specialist for Midwest Electric Cooperative (now Big Country Electric Cooperative) in Roby, Texas (1989).**

Law firm work experience

- Los Angeles-based **Paul Hastings Janofsky & Walker** (1991-1992). Based in Washington, DC, office with focus on energy, environmental, and corporate legal representation. Represented clients before Congress during consideration of the Energy Policy Act of 1992. Represented large and medium-sized electric power supply cooperatives (including Oglethorpe Power Corporation), independent power producers, and registered utility holding companies in administrative and transactional matters. Active in analysis of wholesale power contracts, off-system sales contracts, and power

supply co-op member relationships. Primary responsibility for regulatory monitoring & advisory services for electric cooperatives. Reported to Beth Emery (future General Counsel to CPS Energy and California Independent System Operator) and to Charles Patrizia (former State Department staff member during Camp David Mideast peace negotiations).

- Atlanta-based **Sutherland Asbill & Brennan** (1993-1995). Moved from Paul Hastings Janofsky & Walker with national energy practice group headed by Beth Emery (future General Counsel to California Independent System Operator, CPS Energy & Gridliance). Based in firm's Washington, DC, and Austin, Texas, offices. Represented electric power supply cooperatives, distribution cooperatives, and leading power marketers. Active in analysis of wholesale power contracts and power supply co-op member relationships. Participated in groundbreaking filings for complex power marketers in first phase of Federal Energy Regulatory Commission implementation of Energy Policy Act of 1992 (marketers affiliated with Morgan Stanley, South African diamond interests, Goldman Sachs, etc.). Administrative & transactional representation.

Other work experience

- **Mayor – Sweetwater, Texas** (May 2007-July 8, 2014-Resigned to be candidate for 2014 Texas Senate special election). Sweetwater is a community of 12,000 people that provides a variety of water, industrial, health care, educational, and market services to a multi-county regional area. City owns parks and water supply (lakes & groundwater) in two counties and provides water supply through City-owned infrastructure to four counties. Major industries are railroads (since 1881 with major expansions scheduled for 2013), highway transportation (midway point on Interstate 20 between Atlantic & Pacific, energy (nuclear, wind, oil, natural gas, coal), manufacturing (radiation detection, electric substations, aluminum ingots manufacturing, gypsum wallboard, Portland cement), education (Texas State Technical College), health care. Municipal priorities include water supply, public safety facilities expansion, transportation network enhancements, energy & industrial infrastructure intensification. Sweetwater is center of world's largest concentration of wind energy, starting point and hub of Texas electricity transmission expansion projects (2011-2013), and center of Cline Shale oil development region (2013-2030).
- **Parks project director** for **Texas Rural Communities, Inc.** (1993). Assigned to lead experimental project for Texas state historical parks subject to state budget elimination. Worked with Texas Parks & Wildlife Department to develop budget survival strategies for Eisenhower Birthplace, Fort McKavett, Fort Lancaster, Caddoan Mounds, and Starr Home – parks from Louisiana border to Oklahoma border to Pecos River (cultures of Deep South to western frontier and historical resources from pre-Columbian to World War II era). Tasks included tourism development, public-private budget strategies, intergovernmental relations, retail sales concepts, interpretive expansion, and other creative solutions.
- **Legislative director** for Texas State Senator **Steven A. Carriker** in Capitol office and throughout district. Worked for Sen. Carriker in Texas Senate 1988-1991 and for Rep. Carriker in Texas House of Representatives 1986-1988. Developed national model for rural community development ("Rural Resource Teams") in Carriker's district, and the model continues to be used by electric cooperatives and other institutions across the U.S. Served as primary Senate negotiator for Governor Ann Richards' highest priority environmental legislation (re hazardous waste facility siting issues).

- **Rural development specialist** for Texas State Senator Temple Dickson in Capitol office (1989). Participated in drafting of hazardous waste permitting legislation that was included in Gov. Richards' priority environmental legislation.
- **Agribusiness development specialist** for Texas State Technical College (1989). Worked with businesses throughout the region to evaluate necessary labor force skills needed for such rural enterprises as winemaking, greenhouse operations, exotic livestock, and textile (cotton & wool) value-added development.
- **Main Street Project Manager** – Sweetwater, Texas (1983-1986). Coordinated community economic development program for City of Sweetwater in cooperation with property owners, businesses, community leaders, volunteers.
- **National Football League (1979-1982)**. Worked interchangeably for Houston Oilers and New Orleans Saints. Training camp, regular season, playoffs, game-day television production staff, off-season roles. **Public relations aide** for both teams and **Assistant Editor** of *Oiler Report*, the official publication of the Houston Oilers.
- **LBJ Congressional Intern** (1980) to freshman Congressman Charles Stenholm (Ranking Member of U.S. House Agriculture Committee 1996-2004). Washington, DC, Capitol office. Active participation in development of Congressman's weekly newspaper columns, radio programs. Monitoring of water rights legislation and evolution of synfuels program.
- **Sports editor** of daily newspaper *Sweetwater Reporter* (Summer 1978 between junior & senior years of high school).

Bar memberships

- State Bar of Texas (1991-present) (College of the State Bar of Texas 1996-1998)
- Bar of the District of Columbia (1994-present)
- Admitted to practice before Supreme Court of the United States (2003-present)
- American Bar Association (1991-2004)
- ABA Section on Public Utility, Communications & Transportation Law (1991-2004)

Utility law, policy, and business writing and teaching

- **American Bar Association – Section on Public Utility, Communications & Transportation Law**. **Member of Section's Council Group** (approximately 75 attorneys nationwide) (1997-2000) and **author of "Overview" in Section's Annual Report (1996-2002)**. **Editor of Section's Annual Report (1995-1998)**.
- **National Rural Electric Cooperative Association – regular instructor** to thousands of attorneys, local co-op Board members, and senior staff of electric co-ops nationwide through Generation & Transmission Lawyers Association, NRECA Annual Meeting, NRECA Legal Seminars, and various other elements of NRECA's comprehensive professional training programs throughout USA. **1995-2004**.
- **Energy law, policy, and business presentations** – Testified before U.S. Congress (1999) & created and coordinated multiple conferences in Texas and beyond relating to landowner issues, community development, industrial supply chain, policy, and energy law. Guest speaker at major energy events in Germany (Husum & Berlin), Canada (Montreal & Saskatchewan), Mexico (Ciudad Chihuahua), Alaska, Nebraska, New Mexico, New York, and at Mount Rushmore Institute, in addition to dozens of events across Texas. Organizer of energy law continuing legal education (CLE) 2004-present. Organizer of multiple energy alliances and annual conferences in oil, natural gas, nuclear, coal, wind, solar, all-energy logistics in U.S. Southwest.

Community activities

- ***Interviewed for dozens of USA and international energy related television, radio, and newspaper reports, including NBC, CBS, ABC, HBO, CNN, PBS, Discovery Network, The Weather Channel, U.S. State Department, and multiple international networks from United Kingdom (BBC), France, Germany, The Netherlands, Australia, Denmark, Slovenia, Kyrgyzstan, and others. Extensive print media interviews including the Wall Street Journal, New York Times, Washington Post, Boston Globe, The Economist, London Guardian, and many more.***
- ***Candidate – Texas Senate, District 28 – July 2014 to Sept 2014 Special Election – District encompassed energy, agricultural & educational leadership region of West Texas in area larger than New York State. Campaign to be elected as one of 31 members of the Texas Senate.***
- ***Mayor – Sweetwater, Texas (“Wind Energy Capital of the Americas” and “America’s Energy Solutions Center”) – elected 2007 through July 2014 (resignation to seek Texas Senate, as required by Texas law): Oil, natural gas, wind energy, nuclear energy logistics, electric transmission hub, oil & gas pipeline hub***
- ***Coordinator – Jim Wortham Memorial Fund Concert Series at Sweetwater Municipal Auditorium (coordination between New York and Canadian musicians and Sweetwater businesses and logistics). Concerts have included sold-out performance by Grammy nominee Lisa Loeb (4-1-06).***
- ***Texas Municipal League – Certified Municipal Official (2012) through Texas Municipal League Institute. TML Board of Directors (2012-present). President of Region 6 (West Central Texas) (2009-2012). Member, Small Cities Advisory Council – 2007-2014. Member – Resolutions Committee (2010-2014). Member – General Government Committee (2012). Member – Member – TML Policy Committee of Utilities & Transportation (2012-2014). Chairman – TML Policy Subcommittee on Utilities & Transportation Strategies (2012). Sole TML representative on Texas Task Force on Energy Sector Roadway Needs (2012) (TxDOT, Texas Railroad Commission, Texas Department of Public Safety, etc.). Speaker at TML annual conference (2010 – energy; 2012 – youth initiatives). Speaker at TML Energy Conference (2012).***
- ***Active fundraiser for September 11 recovery initiatives in New York City – Helped to coordinate donation of approximately \$1 million from U.S. electric cooperatives to NYC police, fire, and related funds (2001-2002).***
- ***Member – North Texas Council for International Visitors – auxiliary entity to U.S. State Department – frequently hosting international delegations in West Texas from nations such as France, Pakistan, Germany, Australia, Japan, and others for energy and infrastructure fact-finding trade missions. Hosted similar international delegations for urban energy initiatives in New York City from 1998-2004.***

Travel experience

- ***50 states & District of Columbia, including conducting business in all states & DC***
- ***7 Canadian provinces – rural & urban – Pacific to Atlantic – British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Quebec, New Brunswick***
- ***Mexico (Rio Grande to Pacific), Israel, East Germany, western & eastern Germany, United Kingdom, France, Switzerland, The Netherlands, Belgium, Ireland, Italy***
- ***Participated in U.S. trade missions to Israel (1989 – rural development & security), Germany (2008 – wind energy), and Scotland/UK (2011 – offshore wind energy).***

Sandra Wilson
504 N.E. 7th Street
Marathon, Texas 79842
(432) 249-2321

Professional Qualifications: Thirty-three years of management and “hands on” experience in Nursing and over twelve years of “hands on” experience in the legal field including:

- District Attorney for the 83rd Judicial District of Texas
- Successful management of busy Solo Law Practice
- Assistant District Attorney for the 83rd Judicial District
- Appointments as Special Prosecutor when District Attorneys have case conflicts
- Director of Nursing
- Operating Room Supervisor
- Charge Nurse
- Clinical Instructor for LVN Program
- School Nurse
- High Risk Labor and Delivery Nursing
- Emergency Room Nursing
- Critical Care Nursing
- Operating Room Nursing including First Assistant Scrub and Circulating
- Recovery Room Nursing
- Medical-Surgical Nursing
- Ventilator/tracheotomy care of pediatric patients

Experience:

- Interview and counseling of clients regarding legal issues
- Family law hearings dealing with divorce, child custody proceedings, modification and enforcement hearings and attorney general hearings
- Criminal proceedings including bond reduction hearings, motion to suppress hearings, revocation hearings and plea hearings for both felony and misdemeanor cases
- Experience in jury trials from Class C misdemeanors to First Degree felony trials
- Participated in over seven murder trials from pretrial to sentencing
- Responsible for obtaining and reviewing discovery for civil and criminal clients
- Entering into plea negotiations on behalf of family, civil and criminal clients
- Preparing trial notebooks and assisting in civil and criminal trial proceedings
- Appellate research and brief writing for state and federal criminal cases
- Preparation and in court experience with pretrial hearings, bench and jury trials
- Managing personnel and two offices for four counties
- Assimilating case files for discovery and trial notebooks for both criminal and civil proceedings
- Assisting clients in deposition hearings

- Preparing documents for family, civil and criminal proceedings
- Preparing and writing motion to suppress briefs for both state and federal criminal cases
- Assisting in preparing and writing briefs for federal appeal criminal cases for the Western District of Texas
- Assisting in and participating in civil and criminal jury and bench trial proceedings
- Appointment to indigent felony and misdemeanor criminal clients in Brewster, Jeff Davis, Ector, Presidio, Pecos and Terrell Counties
- Appointment to indigent Federal felony and misdemeanor criminal clients in the Federal Western District
- Preparation and tried federal and state criminal trials; including but not limited to Murder, Aggravated Assault, Sexual Assault of a Child.
- Preparation and tried jury trials dealing with custody and termination of parental rights for family and Child Protective Services.
- Employee interviews and evaluations
- Staffing Schedules
- Maintenance of employee records and continuing education
- Budgeting, ordering and inventory for a Peri-operative and Post-Operative Unit
- Infection Control
- Quality Assurance
- Management of staff and ancillary departments while implementing safe patient care
- Teach various law topics to police recruits in Alpine and Fort Stockton, Texas.

Employment:

District Attorney for the 83rd Judicial District in Texas, 01/01/17 to present.

Solo law firm for criminal defense, family, tax and child protective services cases, 11/15/12 to 12/31/16.

Assistant District Attorney for the 83rd and 394th Judicial Districts for Brewster, Jeff Davis, Pecos and Presidio Counties in Texas, 06/15/10 to present.

Staff Attorney, GALLIVAN LAW FIRM, Odessa, Texas 09/06 to 06-10.

Staff nurse, MIDLAND MEMORIAL HOSPITAL, Midland, Texas 05/06 to 12/07.

Staff/Charge Nurse, HEALTHBRIDGE CHILDREN'S HOSPITAL, Houston, Texas 04/05 to 04/06.

Staff, Emergency Room, NORTHEAST MEDICAL CENTER, Humble, Texas 07/03 to 04/05.

Staff/Charge Nurse, Emergency Department and Labor and Delivery Unit
MIDLAND MEMORIAL HOSPITAL AND MEDICAL CENTER, Midland, Texas

07/96 to 07/03

Case Supervisor, OUTREACH HEALTH SERVICES, Alpine, Texas 8/95 to 7/96

Emergency Room/ Labor and Delivery Nurse, REEVES COUNTY HOSPITAL, Pecos, Texas 4/95 to 9/95

Director of Nursing, APLINE VALLEY CARE CENTER, Alpine, Texas 2/95 to 12/95

Labor and Delivery Staff/Charge Nurse, ODESSA REGIONAL HOSPITAL, Odessa, Texas 6/94 to 1/01

Operating Room Supervisor, BIG BEND REGIONAL MEDICAL CENTER, Alpine, Texas 5/93 to 7/94

School Nurse, Grades Pre-K –12, KERMIT INDEPENDENT SCHOOL DISTRICT, Kermit, Texas 8/90 to 5/93

Staff/Charge Nurse, Labor and Delivery, MEDICAL CENTER HOSPITAL, Odessa, Texas 8/88 to 5/93.

Night Nursing Supervisor, MEMORIAL HOSPITAL, Kermit, Texas 5/89 to 8/90

Staff Relief Nurse, UPJOHN NURSING SERVICE, Midland, Texas 2/87 to 8/88

Staff and Charge Nurse, PECOS COUNTY HOSPITAL, Ft. Stockton, Texas 5/82 to 12/86

Office Nurse, DRS. ARMAND and LELANI WILTZ, Crane, Texas 10/80 to 4/82

Operating Room Supervisor, DR. SYLVAN BARTLETT, Odessa, Texas 9/79 to 9/80

Charge Nurse, BIG BEND REGIONAL HOSPITAL, Alpine, Texas 9/75 to 9/79

Licenses and Certifications and Continuing Education:

Licensed as a Licensed Vocational Nurse by the Texas Board of Nurse Examiners in October 1975.

Licensed as a Professional Boxing Judge by the State of Texas, March 1984.

Licensed as a Registered Nurse by the Texas Board of Nurse Examiners on August 25, 1989. License Number 556075.

Certified Provisional School Nurse by the Texas Board of Education, August 1991.

Certified in Electronic Fetal Monitoring, February 26 1997.

Neonatal Resuscitation Program Provider (NRP), November 19, 1998.

National Trauma Nursing Core Course Provider (TNCC), May 3, 2000.

Advanced Cardiac Life Support Program Provider (ACLS), April 2003.

Pediatric Advanced Life Support Program Provider (PALS), June 2005.

Seminar of Criminal Practice in Federal Court, Alpine, Texas October 2006

Basic Life Support Program Provider (BLS), February 2007

Licensed to practice law in the State of Texas November 2007. SBN 24039988

Advanced Criminal Law Seminar, Lubbock, Texas January 2008

Certificate of Completion in A Guide to the Basics of Law Practice August 2008

Advanced Criminal Law Seminar, San Antonio, Texas June 2010

DWI Regional Training, Odessa, Texas July 2010

Juvenile Law Conference, San Antonio, Texas September 2010

2010 Annual Criminal and Civil Law Update, South Padre, Texas September 2010

Border Prosecution Prison 101 Training Seminar, San Antonio, Texas, October 2010

Prosecutor Trial Seminar, Austin, Texas January 2011

2011 5th and 6th Amendment Regional Trainings, Austin, Texas October 2011

2012 Annual Criminal & Civil Law Update, South Padre, Texas September 2012

Federal Court Practice, Midland, Texas October 2012

A Primer on Criminal Practice in Federal Court, online, November 2012

Guardianship Law 2012 (For Attorney Ad Litem Certification), online, February 2013

Advanced Family Law Course, San Antonio, Texas August 2013

Trans Pecos Bar Association Practice Seminar, Alpine, Texas October 2013

Defending Those Accused of Sexual Offenses, Austin December 2014

Guardianship Law 2014, online March 2015

Keeping Families Safe: A coordinated Response to Domestic Assault, Alpine, February 2016

Upholding Justine One Client at A Time, Online, April 2016

The Attorney/Judge Relationship: What's Okay and What's Not, Online April 2016

2016 Newly Elected Prosecutors Boot Camp, Austin, Texas November 2016

2016 TDCAA Elected Conference, Austin, Texas December 2016

Getting to the Bottom of Our Ethical Ills; Legal ethics, online February 2017

Newly Elected Follow-up, Austin, Texas February 2017

Online Mandatory Brady Training 2016-2017, online March 2017

President's Update, online March 2017

2017 Border Prosecution Unit Region 1 Meeting, San Antonio, Texas April 2017

2017 July Prosecutor Trial Skills Course, Austin, Texas July 2017

2017 Legislative Update, San Antonio, Texas September 2017

2017 Annual Criminal & Civil Law Update, San Antonio, Texas September 2017

2017 Elected Prosecutor Course, Austin Texas December 2017

2018 Rolling Stoned; Investigating and Prosecuting Drugged Drivers, April 2018

2018 Border Prosecution Annual Conference, June 2018

2018 Annual Criminal & Civil Law Update, September 2018

2019 Border Prosecutor Region 1 training, April 2019

2019 Border Prosecutor Annual Training, June 2019

2019 Annual Criminal & Civil Law Update, September 2019

Education and Awards:

Thurgood Marshall School of Law, August 2003 to May 2006. Graduated with a Juris Doctorate degree on May 12, 2006.

Dean's List, Fall 2005. CALI Award Fall 2005 for Texas Property Law. CALI Award Spring 2006 for Medical/Legal Liability.

University of Texas at The Permian Basin, January 2001 to May 10, 2003. Graduated Summa Cum Laude with a Bachelor of Art degree; major in Political Science, minor in English.

President's Honor Roll, Spring Semesters 2001, 2002, 2003 UTPB.

Dean's Honor Roll, Fall Semester 2001, UTPB.

Associate in Applied Science Degree as Legal Assistant, with Honors, Midland College, Midland, Texas, May 2000. GPA 3.89.

President's Honor Roll, Midland College, Fall Semester, 1998, and Spring Semesters 1999 and 2000.

Dean's Honor Roll, Midland College, Fall 1999.

Associate in Applied Science Degree, Nursing Technology, Odessa College, Odessa, Texas, May 1989. GPA 3.50.

Sul Ross State University, Major Science, minor Math, Alpine, Texas 1977-1979, no degree.

Graduate, Fort Stockton School of Vocational Nursing, Ft. Stockton, Texas, September 1975.

Application - Vitra Frederick

Applicant's Name: Vitra Frederick

Applied for Position:City Attorney (ID #: 55333948)

Date of Application: Dec 08, 2020 09:57 PM EST

Date of Job Posting: Dec 08, 2020

Contact Information

Email: denise4925@gmail.com

Phone: 2105633498

Address: New Braunfels, Texas
United States

Cover Letter

No cover letter available.

Resume

Vitra Frederick

New Braunfels, Texas , United States 78130

2105633498 denise4925@gmail.com

Details

Most Recent Pay \$93214 US \$ Per Year

Highest Education Level Completed Doctorate

Most Recent Career Level Executive (VP, SVP, Department Head, etc.)

Most Recent Industry Legal

Most Recent Job Function Legal/Court

Languages Spoken English

Military Experience None

Government Security Clearance None

Preferences

Desired Employment Type Full-Time, Contract, Temporary-to-Hire

Desired Pay \$90000 US \$ per year

Relocation

Relocation I will relocate anywhere

VITRA DENISE FREDERICK

2725 Brogan Creek, New Braunfels, Texas 78130

MOBILE (210) 563-3498

HIGHLIGHTS OF QUALIFICATIONS

- Superior legal knowledge and skills.
- Demonstrated skill in legal writing, research, analysis and verbal communication.
- Competent, reliable, and committed professional, with a proven record of success in assuming increasing levels of responsibility.
- Works well under pressure and thrives on challenging projects.
- Equally effective working independently or collaboratively.
- Committed to high ethical standards in the legal profession.

PROFESSIONAL EXPERIENCE

CITY ATTORNEY

City of Leon Valley, a Texas municipal corporation - 2016 to 2019

- Performed and oversaw all legal work for the City of Leon Valley, including the supervision of outside legal counsel.
- Department head with supervision over all legal staff, interns and support staff.
- Provided legal advice to the Mayor, City Council, boards and commissions, City management and all City departments.
- Performed a wide variety of legal services including prosecuting misdemeanor offenses and drafting all legal agreements, documents, ordinances and resolutions necessary in the City's day-to-day operations and transactions.
- Responsible for training on various regulations, such as Open Government, Campaign finance, Elections, and providing Ethics advisory opinions for City officials and employees.

ASSISTANT CITY ATTORNEY III

CDBG Senior Attorney

City of San Antonio, a Texas municipal corporation – 2000 to 2015 (retired)

- Performed all legal work in connection with the Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), Housing Opportunities For Persons With AIDS (HOPWA), Emergency Solutions Entitlement Grant (ESG), Neighborhood Stabilization Program (NSP) and Community Development Block Grant Recovery Act (CDBG-R) Programs, including negotiating and drafting transactional documents, such as loans, grants and all related contracts, memorandums, leases, ordinances and resolutions.

VITRA DENISE FREDERICK

Page two

- Provided legal counsel and advice on business negotiations in connection with the City's CDBG Program, including interpretation of CDBG, HOME, HOPWA, ESG, NSP and CDBG-R federal regulations and statutes.
- Performed complex legal work in municipal transactions involving the negotiation and drafting of documents for real estate financing, acquisitions, sales, leases and licensing.
- Prepared ordinances and resolutions for proposed City Council legislation.
- Provided legal analysis, counseling, legal advice, correspondence and memoranda on federal, state and local laws to all City of San Antonio departments, officers and officials as they relate to CDBG transactions.
- Created and managed an annual budget in excess of \$400,000 in CDBG funds.
- Exercised supervision over junior attorneys and support staff.

ASSISTANT CITY ATTORNEY II

City of San Antonio, a Texas municipal corporation – 1997 to 2000

- Performed legal work in connection with the Community Development Block Grant (CDBG) Home Investment Partnerships (HOME), Housing Opportunities for Persons with AIDS (HOPWA) and Emergency Solutions Entitlement Grant (ESG) Programs, including negotiating and drafting transactional documents, such as loans, grants and all related contracts.

- Prepared all ordinances and resolutions for proposed City Council legislation on CDBG, HOME, HOPWA and ESG funded projects, programs and activities.
- Performed legal research and analysis, and provided counseling and legal advice, correspondence and memoranda on all CDBG, HOME, HOPWA and ESG matters, as assigned.

ASSISTANT CITY ATTORNEY I

Municipal Prosecutor

City of San Antonio, a Texas municipal corporation - 1995-1997

- Prosecuted Class C misdemeanors, including traffic tickets, simple assault cases and code enforcement cases.
- Revised Class C misdemeanor complaint forms to ensure legal accuracy.
- Performed Class C simple assault complaint intake.

SOLE PRACTITIONER

San Antonio, Texas - 1993-1995

- Represented clients in personal injury, bankruptcy, employment, real estate transactions, family and criminal law cases.
- Successfully conducted trials in personal injury, family and criminal law cases.
- Negotiated numerous personal injury and divorce settlements with notable results.

VITRA DENISE FREDERICK

Page three

TEACHER

Texas School of Business, Houston, Texas - 1991-1992

- Instructed paralegal courses in tort, basic federal income tax and family law.

EDUCATION

Thurgood Marshall School of Law JD May, 1991

Texas Southern University

Houston, Texas

Incarnate Word College BA December 1983

San Antonio, Texas

MEMBERSHIPS/CERTIFICATIONS

State Bar of Texas

United States District Court for the Western District of Texas

United States Bankruptcy Court

Texas Municipal League

REFERENCES AVAILABLE UPON REQUEST

2. Discuss, consider, and take appropriate action approving the Municipal Judge Contract.
(E. Zimmer, City Manager)



CITY COUNCIL

AGENDA REQUEST

AGENDA FOR COUNCIL MEETING: INITIATED BY:	JANUARY 5, 2021	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 APPROVING THE MUNICIPAL JUDGE CONTRACT.		
EXHIBITS:			

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

BUDGET	
EXPENDITURE REQUIRED:	\$ 0
SAVINGS ANTICIPATION:	\$
CURRENT BUDGET FY2020-2021:	\$ 0
ADDITIONAL FUNDING:	\$

RECOMMENDED ACTION

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EXECUTIVE SUMMARY

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PRESIDING MUNICIPAL COURT JUDGE AGREEMENT

This Presiding Municipal Court Judge Agreement ("Agreement") is made by and between the City of Alpine, Texas ("City") and Jodi Cole, ("Presiding Judge"), for the purpose of documenting the terms and conditions under which Presiding Judge will serve as the presiding municipal court judge of the Municipal Court in the City of Alpine ("Court"). City and Presiding Judge may sometimes hereafter be referred to collectively as the "parties" or individually as a "party".

Section 1. Term and Termination

The term of this Agreement shall be effective on the date of mutual execution hereof and shall run parallel with the Mayor's term of office.

The Presiding Judge shall serve at the pleasure of the City Council. This Agreement and the Presiding Judge's services may be terminated at any time by the City Council, in compliance with State law and the City's Home Rule Charter ("City Charter"). Upon termination, neither party shall have any further obligation to the other under this Agreement or for the termination thereof; provided, however, that Presiding Judge will be entitled to payment for services rendered up to the date of Termination which shall be a prorated. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the City to terminate the services of the Presiding Judge at any time in accordance with law.

Duties

Section 2. The Presiding Judge shall preside over the Court and perform all duties set forth below.

The Presiding Judge shall perform the functions and duties specified in the applicable sections of the City Charter and City ordinances, and shall perform such other legally permissible and proper duties and functions as the City shall assign from time to time. Such duties may include creation and implementation of mental health/substance abuse and juvenile community service programs with the City Attorney.

The Presiding Judge shall perform all services and duties customarily performed by a judge of a municipal court in the State of Texas, during normal business hours.

The Presiding Judge is required to keep abreast of state law and local ordinances, including state-mandate fees for the Court. Although a recognized function of judicial discretion, the Presiding Judge shall endeavor to enforce the laws consistently and within suggested state guidelines and shall be uniform and consistent in the implementation of the judicial policy in accordance with state law and local ordinances. The Presiding Judge shall apply the law and enter judgments in accordance with state law and local ordinances, shall abide by all

mandatory provisions of the law, and shall not create or apply exceptions where none exist under the law. Judicial discretion shall only be applied where allowed and/or required under the law, including but not limited to, findings of indigence and fee waivers.

Section 3. Standing Orders

The City Council desires uniformity and consistency in the implementation of judicial policy in accordance with state law and local ordinances. Therefore, the Presiding Judge shall utilize the “Bench Book” produced by the Texas Municipal Courts Education Center.

The Presiding Judge shall promulgate and maintain judicial policies and procedures for insertion into “Standing Order” which addresses the daily administration of the Court and trial procedures for matters such as dismissals, installment payments deferred disposition, and continuances. The Standing Orders shall be signed by the Presiding Judge and any changes to the Standing Orders must be in writing and acknowledged by the Associate Judge(s) of the Court. Court clerks will not enforce oral policies. The Presiding Judge shall adhere to the Standing Orders.

Section 4. Municipal Court

Court shall convene as necessary for the functions of the Court to be performed, with the Court Administrator and the Court Prosecutor present, no less than two held days per month after March 2021, or longer for Covid 19 safety precautions.

Court shall commence promptly for scheduled docket times on designated court dates. The Presiding Judge shall make every effort to take the bench and convene court dockets at the designated docket time.

Section 5. Arraignments

The Presiding Judge will be “on call” during business hours to conduct arraignments as requested or required, during normal business hours, for no additional compensation. If called “after hours”, (7 P.M. – 8 A.M.) see section 6 below. When “on call”, the Presiding Judge must use best efforts to return calls within thirty (30) minutes.

Section 6. Compensation

The City agrees to pay to the Presiding Judge, for \$1,600 for two half days of court a month and \$400 for two half days of in office administrative duties per week, therefore \$3,200 per month. Two additional half days of in office administrative work may substitute court days until March, 2021. Magistrations or search warrant reviews and/or signing, will be performed for an additional \$150 if required between the hours of 7 P.M. and 8 A.M. Alpine Police Department shall not contact magistrate until all paperwork required for magistration is fully

prepared and the accused is placed in the correct location for magistration. If not ready, another \$100.00 will be charged. The Presiding Judge shall send an invoice no later than the fifth day of each month. The City shall pay invoice once per month within twenty-one (21) days from the date the invoice is received. The City understands and agrees that certain judicial training is mandated by the State of Texas for the Presiding Judge. The City is willing to pay for such training and associated expenses, provided that the Court Director and City Manager, in their sole discretion, have approved such costs orally or in writing in advance of any such training. The City however must pay for yearly required training and will approve of this training.

Section 7. General Provisions

This Agreement shall constitute the entire agreement between the parties. This Agreement may not be amended unless in writing and approved by Presiding Judge and the City Council. This Agreement shall be governed by the laws of the State of Texas and exclusive venue for any proceeding related to this Agreement shall be in Brewster County, Texas.

If any provisions, or any portion thereof, contained in this Agreement is held to be unconstitutional, invalid, unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect. The Presiding judge shall be, at all times and for all purposes, an independent contractor of the City, as that term is defined by Texas legal authority. The Presiding Judge agrees that no property right shall be created by the execution of this Agreement. This Agreement may be reviewed after July 1, 2021 and adjusted as necessary, upon agreement by both parties.

ACKNOWLEDGED AND ACCEPTED:

Jodi Cole, Presiding Judge

Date:

Andy Ramos, Mayor City of Alpine, Texas

Date:

3. Discuss, consider, and take appropriate action on approval of the final bill from Rod Ponton. (E. Zimmer, City Manager)



CITY COUNCIL

AGENDA REQUEST

**AGENDA FOR
COUNCIL
MEETING:
INITIATED BY:**

JANUARY 5, 2021

ERIK ZIMMER

**AGENDA
REQUEST NO:**

ACTION

**RESPONSIBLE
DEPARTMENT:**

ADMINISTRATION

**FINANCE
DIRECTOR:**

MEGAN ANTRIM

**ADDITIONAL
DIRECTOR (S):**

PRESENTED BY:

ERIK ZIMMER

**SUBJECT /
PROCEEDING:**

DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION ON APPROVAL OF THE FINAL BILL FROM ROD PONTON.

EXHIBITS:

CLEARANCES

APPROVAL

LEGAL: CITY ATTORNEY

:

FINANCE: FINANCE DIRECTOR

**MEGAN
ANTRIM:**

APPROVAL: CITY MANAGER

ERIK ZIMMER:

BUDGET

EXPENDITURE REQUIRED: \$ 0

SAVINGS ANTICIPATION: \$

CURRENT BUDGET FY2020-2021: \$ 0

ADDITIONAL FUNDING: \$

RECOMMENDED ACTION

EXECUTIVE SUMMARY

Bill to:**City of Alpine**
100 N 13 Street
Alpine, TX 79830**INVOICE**

To November 30, 2020

Invoice Date November 30, 2020

Invoice Number 190

Due Date Due Upon Receipt

City Attorney 0247

Account Summary

e Current Invoice \$5,980.00

Total Due \$5,980.00**Fee Detail**

Date		Description	Hours	Rate	Total
11/2/2020	RP	David Hale case research, Tarrant County certified contact	0.60	\$200.00/hr	\$120.00
11/3/2020	RP	Review attachments for city council meeting, prepare	1.00	\$200.00/hr	\$200.00
11/3/2020	RP	Attend city council meeting	2.50	\$200.00/hr	\$500.00
11/4/2020	RP	Interview with public defender, APD cases- research at Councilor Stephens request	1.00	\$200.00/hr	\$200.00
11/4/2020	RP	Review APD cases, at Brewster County Attorney office research	2.00	\$200.00/hr	\$400.00
11/4/2020	RP	Telephone conference with Kent Ritter, Haynes & Boone, Attorney for UPRR	0.40	\$200.00/hr	\$80.00

Date		Description	Hours	Rate	Total
11/5/2020	RP	Council eligibility review research at Mayor's request	0.50	\$200.00/hr	\$100.00
11/6/2020	RP	Review police department files research at Councilor Stephens request	1.50	\$200.00/hr	\$300.00
11/9/2020	RP	Review, draft approval of paving contract with Jarrett	1.50	\$200.00/hr	\$300.00
11/9/2020	RP	Review, draft approval of use of CARES Act funds for old schoolhouse renovation	0.80	\$200.00/hr	\$160.00
11/9/2020	RP	Jarratt Paving modification agreement drafting	1.80	\$200.00/hr	\$360.00
11/10/2020	RP	APD v BCSO, DPS open cases report data-gathering/input, as requested by Councilor Stephens	1.80	\$200.00/hr	\$360.00
11/10/2020	RP	Municipal Court dismissed cases report data-gathering/input as requested by Councilor Stephens	1.80	\$200.00/hr	\$360.00
11/10/2020	RP	Council/election eligibility research requested by Mayor	0.60	\$200.00/hr	\$120.00
11/11/2020	RP	Municipal Court dismissed cases report graph/chart drafting for Stephens, council	0.80	\$200.00/hr	\$160.00
11/11/2020	RP	APD v. BCSO, DPS open cases report graph/chart drafting for Stephens, council	1.00	\$200.00/hr	\$200.00
11/16/2020	RP	APD reports breakdown for talking points for Stephens, council	0.80	\$200.00/hr	\$160.00
11/16/2020	RP	Candidate ineligibility additional research, memo drafting requested by Mayor	3.20	\$200.00/hr	\$640.00
11/16/2020	RP	Telephone conference with Kent Ritter, Haynes & Boone, Attorney for UPRR	0.40	\$200.00/hr	\$80.00
11/17/2020	RP	APD reports/Municipal Court report cover page written analysis for Stephens, council	1.30	\$200.00/hr	\$260.00
11/17/2020	RP	Revisions to candidate ineligibility memo, statute attachments requested by Mayor	0.80	\$200.00/hr	\$160.00
11/17/2020	RP	Attend city council meeting	1.50	\$200.00/hr	\$300.00

Date		Description	Hours	Rate	Total
11/30/2020	RP	Draft and file Motion to Withdraw and Motion to Dismiss- UPRR	2.30	\$200.00/hr	\$460.00
			Hours Total	29.90	Fee Total
					\$5,980.00

Expense Detail

Date		Description	Quantity	Rate	Total
<i>No expenses have been charged for this invoice.</i>					
					Expenses Total
					\$0.00

Fees	\$5,980.00
Expense	\$0.00
Current Due	\$5,980.00
Total Due	\$5,980.00

4. Discuss, consider, and take appropriate action on approving Resolution 2021-01-04, Notice of General Election for the City of Alpine May 1, 2021 election.(E. Zimmer, City Manager)



CITY COUNCIL

AGENDA REQUEST

AGENDA FOR COUNCIL MEETING:	JANUARY 5, 2021	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 APPROVING RESOLUTION 2021-01-04, NOTICE OF GENERAL ELECTION FOR THE CITY OF ALPINE. MAY 1, 2021 ELECTION		
EXHIBITS:	RESOLUTION 2021-01-04		

CLEARANCES

APPROVAL

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

BUDGET

EXPENDITURE REQUIRED:	\$ 0
SAVINGS ANTICIPATION:	\$
CURRENT BUDGET FY2020-2021:	\$ 0
ADDITIONAL FUNDING:	\$

RECOMMENDED ACTION

EXECUTIVE SUMMARY

NOTICE OF GENERAL ELECTION (AVISO DE
ELECCION GENERAL)

To the registered voters of the County of Brewster, City of Alpine, Texas:

(A los votantes registrados del Condado de Brewster, Ciudad de Alpine, Texas)

Notice is hereby given that the polling places listed below will be open from 7:00 a.m. to 7:00 p.m., May 1, 2021, for voting in a general election to elect City of Alpine, Councilmember Ward 1, Councilmember Ward 3, and Councilmember Ward 5.

(Notifíquese por la presente, que las casillas electorales citadas abajo se abrirán desde las 7:00 a.m. hasta las 7:00 p.m. el 1 de Mayo de 2021 para votar en la Elección General para elegir Concejal Del Distrito 1, Concejal Del Distrito 3, Concejal Del Distrito 5.

On Election Day, voters must vote in their precinct where registered to vote.
(El Día de Elección, los votantes deberán votar en su precinto donde están inscritos para votar.)

Location of Election Day Polling Places Include Name of Building and Address (Ubicación de las casillas electorales el Día de Elección) (Incluir Nombre del Edificio y Dirección)	Precinct Number(s) (Número de precinto)
Alpine City Council Chambers – 803 W. Holland, Alpine, TX 79830	Ward 1
Alpine City Council Chambers – 803 W. Holland, Alpine, TX 79830	Ward 3
Alpine City Council Chambers – 803 W. Holland, Alpine, TX 79830	Ward 5

For early voting, a voter may vote at any of the locations listed below:
(Para Votación Adelantada, los votantes podrán votar en cualquiera de las ubicaciones nombradas abajo.)

Locations for Early Voting Polling Places Include Name of Building and Address (Ubicación de las casillas electorales de votación adelantada) (Incluir Nombre del Edificio y Dirección)	Days and Hours of Operation (Días y Horas Hábiles)
Alpine City Council Chambers – 803 W. Holland, Alpine, TX 79830	April 19, 2021 and April 27, 2021 7:00am to 7:00pm
Alpine City Council Chambers – 803 W. Holland, Alpine, TX 79830	April 20, 21, 22, 23, 26 8:00am to 5:00pm

Applications for ballot by mail shall be mailed to:
(Las solicitudes para boletas de votación adelantada por correo deberán enviarse a:)

Cynthia Salas
(Name of Early Voting Clerk)
(Nombre del Secretario de la Votación Adelantada)

100 N. 13th St.
(Address) (Dirección)

Alpine, TX 79830
(City) (Ciudad) (Zip Code) (Código Postal)

Applications for ballots by mail must be received no later than the close of business on: February 12, 2021
(Las solicitudes para boletas de votación adelantada por correo deberán recibirse para el fin de las horas de negocio el: 12 de Febrero de 2021)

Issued this the 5th day of January, 2021.
(Emitida este día 1ro de Enero 20 21.)

Signature of Mayor (Firma del Mayor de la Cuidad)

**RESOLUTION NO. 2021-01-04
ORDER OF GENERAL ELECTION
FOR MUNICIPALITIES**

An election is hereby ordered to be held on May 1, 2021 for the purpose of:

A General Election electing three (3) citizens to fill three (3) council member positions and expiring terms of Ward 1 Councilmember, Ward 3 Councilmember, and Ward 5 Councilmember.

Early voting by personal appearance will be conducted each weekday at

Alpine City Council Chambers, 803 West Holland, Alpine, Texas
(location)

Between the hours of 8:00 a.m. and 5:00 p.m. beginning on April 19, 2021 and
ending on April 27, 2021.

Applications for ballot by mail shall be mailed to:

Cynthia Salas
(Early Voting Clerk)

100 North 13th Street
(Address)

Alpine, Texas 79830
(City)

Applications for ballots by mail must be received no later than the close of business on February 12, 2021.
Additional early voting will be held as follows:

<u>Location</u>	<u>Date</u>	<u>Hours</u>
<u>100 N. 13th St.</u>	<u>April 19, 2021</u>	<u>7:00 am to 7:00 pm</u>
<u>100 N. 13th St.</u>	<u>April 27, 2021</u>	<u>7:00 am to 7:00 pm</u>

Issued this the 5th day of January, 2021.

Signature of Mayor

Signature of Councilperson

Signature of Councilperson

Signature of Councilperson

Signature of Councilperson

Signature of Councilperson

Instruction Note: A copy of this election order must be delivered to the County Clerk/Elections Administrator and Voter Registrar not later than 60 days before election day.

RESOLUCIÓN 2021-01-04
ORDEN DE ELECCION GENERAL
PARA MUNICIPIOS

Por la presente se ordena que se llevará a cabo una elección el 1 de Mayo de 2021 con el propósito de:
(fecha)

Una elección General para elegir tres (3) ciudadanos que ocupen las posiciones de tres (3) miembros de consejo y para ocupar los terminos que se vencen de los miembros del sala 1 Consejo, sala 3 Consejo, y sala 5 Consejo.

La votación adelantada en persona se llevará a cabo de lunes a viernes en

Alpine City Council Chambers, 803 W. Holland, Alpine, Texas
(sitio)

Entre las 8:00 de la mañana y las 5:00 de la tarde empezando el 19 de Abril, 2021
y terminando el 27 de April 2021.

Las solicitudes para boletas que se votarán en ausencia por correo deberán enviarse a:

Cynthia Salas
(Nombre del Secretario(a) de la Votación Adelantada)

100 N. 13th Street
(Dirección)

Alpine, Texas 79830
(Ciudad) (Zona Postal)

Las solicitudes para boletas que se votarán en ausencia por correo deberán recibirse para el fin de las horas de negocio el 12 de Febero, 2021

La votación adelantada además se llevará a cabo de tal manera:

<u>Sitio</u>	<u>Fecha</u>	<u>Horas</u>
<u>100 N. 13th St.</u>	<u>19 de Abril, 2021</u>	<u>7:00 a.m. to 7:00 p.m.</u>
<u>100 N. 13th St.</u>	<u>27 de Abril, 2021</u>	<u>7:00 a.m. to 7:00 p.m.</u>

Emitida este día 5 de Enero, 2021.

Firma del Alcalde

Firma de la Persona del Concilio

Firma de la Persona del Concilio

Firma de la Persona del Concilio

Firma de la Persona del Concilio

Firma de la Persona del Concilio

Nota de instrucción: Se deberá entregar una copia de esta orden de elección al/a la Secretario(a) del Condado/Administrador(a) de Elecciones y el/la Registrador(a) de Votantes a más tardar 60 días antes del día de elección.

5. Discuss, consider, and take appropriate action on HOT Fund Recommendation and Budget Amendment. (E. Zimmer, City Manager)



CITY COUNCIL

AGENDA REQUEST

**AGENDA FOR
COUNCIL
MEETING:
INITIATED BY:**

JANUARY 5, 2021

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 ON HOT FUND RECOMMENDATION AND BUDGET AMENDMENT

EXHIBITS:**CLEARANCES****APPROVAL****LEGAL:** CITY ATTORNEY**FINANCE:** FINANCE DIRECTOR**APPROVAL:** CITY MANAGER

:

**MEGAN
ANTRIM:****ERIK ZIMMER:****BUDGET****EXPENDITURE REQUIRED: \$ 0****SAVINGS ANTICIPATION: \$****CURRENT BUDGET FY2020-2021: \$ 0****ADDITIONAL FUNDING: \$****RECOMMENDED ACTION****EXECUTIVE SUMMARY**

**CITY OF ALPINE
HOTEL OCCUPANCY TAX COMMITTEE MINUTES
MONDAY, DECEMBER 7, 2020
3:30 P.M.**

Members Present: Sara Hyers, Jerry Johnson, Laura Gold, Karen Sulewski
Also Present: Erik Zimmer, Chris Ruggia
Members Absent: John Green

- 1. Call to Order**
- 2. Determination of Quorum and Proof of Notice of Meeting**
- 3. Introduction of Board Members and Guests**
- 4. Information and Discussion – None**
- 5. Action**
 - a. Review, Score and Discuss HOT Funding Applications & Proposals and Make Recommendations to Council**

The Committee discussed and scored the attached proposals and recommends that the Alpine City Council fund them at these levels:

 - i. Railroad Park Sculpture: \$600**
 - ii. Film Production Lodging Incentive: up to \$2,500**
 - iii. Podcasts & Audio Walking Tour App: \$4,000**
 - iv. Video Production & Promotion: \$25,000**
 - v. Visitor Center Capital Improvement Project: up to \$175,000**
- 6. Suggested Next Meeting**

A possible Spring 2021 meeting was discussed.
- 7. Adjournment**

HOTEL OCCUPANCY TAX GRANT APPLICATION

Date: Dec 4. 2020

Name of Organization: RAILROAD PARK GARDENS

Address: HOLLAD AVE: N 5th St

City, State, Zip: Apex

Contact Name: DALLAS BARTER

Contact Email Address: BIGREDWOMAN@SEIGLOBAL.NET

Contact Phone Number: 432-384-0110

Web Site Address for Event or Sponsoring Entity: ---

Is your organization: Non-Profit: --- Private/For Profit: ---

Tax ID#: 84-3945615 Entity's Creation Date: 12-11-19

Name of Event or Project: RAILROAD PARK GARDENS LOCOMOTIVE SCULPTURE

Date of Event or Project: ---

Primary Location of Event or Project: RR PARK GARDENS

Amount Requested: \$ 600

How will the funds be used: final payment to artist

Brief Description of Funded Activity/Facility: see attached narrative

Percentage of Hotel Tax Support of Related Costs:

12 Percentage of Total ~~Event~~ Costs covered by Hotel Occupancy Tax

The following categories will be funded through this process. Check which categories apply to your funding request and the amount requested under each category:

☐ 1. Civic Center Rental: use of civic center facility; \$ _____

☐ 3. Advertising, Solicitations and Promotions: \$ _____

☒ 4. Promotion of the Arts: encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion picture, radio, television, tape and sound recording, and other arts related to presentation, performance, execution, and exhibition of these major art forms; \$ 600 ✓

☐ 5. Historical Restoration and Preservation Activities: historical restoration and preservation projects or activities or advertising and conducting solicitations and promotional program to encourage tourists and convention delegates to visit preserved historic sites and museums; \$ _____

☐ 6. Sporting Event Expenses: expenses, including promotion expenses, directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels and motels within the municipality or its vicinity: \$ _____

How many individuals are expected to participate? _____

How many of the participants are expected to be from another city or county? _____

How many of the participants are expected to use Alpine hotels, motels or bed & breakfasts? _____

☐ 7. Transportation: cost of providing free transportation services that start or end at hotel or convention center or attraction offered to hotel guest at no charge: \$ _____

Questions for All Funding Requests:

How many years have you held this Event or Project: _____

Expected Attendance: _____

How many people attending the Event or Project will use Alpine hotels, motels or bed & breakfasts: _____

From: Dallas Baxter, for the Railroad Park Gardens (432)386-0110/ bigbendwoman@sbcglobal.net

To: The HOT Committee:

The Railroad Park Gardens is requesting \$600 in the Promotion of the Arts category for part of the final payment on a movable concrete sculpture of a locomotive which is currently in the northeast corner of the park.

We have received monies in the past from HOT toward another original artwork in the park – the sculpture by Tom Curry of the crossing signal which is on the city sidewalk in front of the park along Holland Avenue.

The locomotive was designed and built by local concrete artist Thomas Lancaster. His original price for the sculpture was \$6,000, but he agreed on a final price of \$5,000 because of our limited funds. The locomotive is in memory of Gwynne Jamieson who was the ramrod behind the revival of the Railroad Park Gardens and the park revival was part of her campaign to keep Amtrak running through Alpine.

We have solicited funds from community members and have been able to raise \$4,400, but the final \$600 eludes us.

We are encouraging original art in the gardens not only to beautify the space and make it more interesting, but also to showcase local artists for tourists and community members alike.

We hope to receive a favorable reply and thank you for your time. A photo of the locomotive is below:



December 7, 2020



100 North 13th Street Phone 432-837-3301 Fax 432-837-2044

"To provide quality service to the citizens of Alpine"

FILM PRODUCTION LODGING PROPOSAL

The Tourism Director proposes this addition to the 2020-2021 General Promotions budget: funding for a partial rebate of lodging expenses to qualifying film productions.

Since film productions drive hotel room nights in bulk as well as significant investment across multiple segments of the local economy (food, supplies, etc), a modest rebate off their stays in Alpine hotels can encourage productions in the area to choose Alpine as their home base for lodging.

A handwritten signature in black ink, appearing to read "Chris Ruggia".

Chris Ruggia
Director of Tourism, City of Alpine

November 30, 2020



100 North 13th Street Phone 432-837-3301 Fax 432-837-2044

"To provide quality service to the citizens of Alpine"

PODCAST & WALKING TOUR AUDIO PROPOSAL

The Tourism Director and City Manager propose this addition to the 2020-2021 General Promotions budget: funding for two audio content marketing programs, a series of podcasts and an audio tour mobile application.

The City proposes to partner with Alpine Radio to produce a podcast series of twelve 15 to 20 minute episodes on visiting Alpine and the Big Bend, highlighting popular activities and upcoming events. The podcasts will be distributed in Apple Podcasts and all other common podcast networks as well as on the visitalpinetx.com website. Alpine Radio will also broadcast the shows locally at no additional cost. The production fee is \$1,800. We expect that up to half of this cost can be defrayed through an additional sponsor, but request that the full amount be appropriated in case we are unsuccessful in lining up a sponsoring partner.

The mobile app project would provide an audio guide (along with text and images) for the popular downtown Alpine Historic Walking Tour and Mural Walking Tour. An additional Hispanic Heritage Walking Tour is planned and can be added to the app at no additional cost. The app will be promoted with an ongoing campaign of Google Search Ads, suggesting app downloads to potential visitors as they research a trip to West Texas.

The software has a one-time \$995 setup fee, and a yearly hosting fee of \$1,188.

We propose an appropriation of \$4,000 (rounding up to cover taxes or additional fees) from the Hotel Occupancy Tax fund balance to the 2020-2021 General Promotions budget under Advertising for these two audio programs.

Chris Ruggia
Director of Tourism, City of Alpine

November 30, 2020



100 North 13th Street Phone 432-837-3301 Fax 432-837-2044

"To provide quality service to the citizens of Alpine"

VIDEO PRODUCTION & PROMOTION PROPOSAL

The Tourism Director and City Manager suggest the attached proposal as an addition to the 2020-2021 Hotel Occupancy Tax General Promotions budget: for a cost of \$15,000, Austin Monthly magazine would bring a video production crew to Alpine to shoot—under our direction—a 90-second mini-feature and a 30-second commercial (with content targeted to our top demographic groups as defined in our Visitor Profile Study from late 2019). This is a competitive price for this service at broadcast quality, but there are two additional features that make it a particularly compelling offer:

1. We will also receive a hard drive with ALL of the footage shot during the project that we can freely use in perpetuity for future video pieces using local editing talent (at a tiny fraction of the cost of working with an out of town vendor).
2. The media family of Austin Monthly, San Antonio magazine and Texas Music magazine will use the resulting video for a promotional campaign that I estimate would cost at least \$7,000 to \$8,000 if we were to contract it out separately.

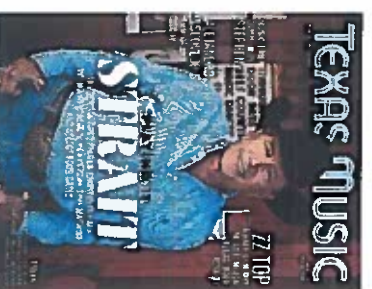
They also offer a video pre-roll campaign for 12 months that we can include in the package for an additional \$10,000. This is an effective online placement for the video, and something we would want to do anyway.

We would have input on the targeting of the pre-roll, which we would aim at our top geographic and demographic groups (again, as defined in our 2019 Visitor Profile Study). Our primary strategic locations are zip codes targeting the higher-income suburban rings around Austin, Dallas, Houston, Fort Worth and San Antonio.

All told, we may be able to get in the ballpark of 700,000-900,000 online impressions of our video for the same, or even a little lower, cost than the video production alone if we hired a different professional crew from out of town. Once we have the video, we will also use it for our own promotions, extending its value much further.

So, we propose an appropriation of \$25,000 from the Hotel Occupancy Tax fund balance to the 2020-2021 General Promotions budget under Advertising for this Open Sky Media Video Production project.

Chris Ruggia
Director of Tourism, City of Alpine



Name: Stewart Rai
Title: President
Email: sramser@o|

austin^{monthly}



E-NEWSLETTERS

64,000 Opted In Email Subscribers
20%+ Average Open Rate



WEBSITE

142,000 Average Monthly Visitors
239,000 Average Monthly Pageviews



MAGAZINE

34,659 Circulation
140,369 Readers
12 Issues Per Year



DIGITAL EDITION

Tablet, mobile and desktop flipbook—with
add-on interactive elements. Free for subscribers.



SOCI

288,000+ Total Facebook
64 95K Twitter



E

500 Average
Signature Events
Restaurants, Banc
New Events in
Brunch Ba

San Antonio

MAGAZINE



E-NEWSLETTERS

17,600 Opted In Email Subscribers
25%+ Average Open Rate



WEBSITE

58,000 Monthly Unique Visitors
85,000 Monthly Pageviews



MAGAZINE

28,311 Circulation
101,920 Readers
11 Issues Per Year



DIGITAL EDITION

Tablet, mobile and desktop flipbook—with
add-on interactive elements. Free for subscribers.



SOCI

125,000+ Total
Facebook ;
Twitter



E

500 Average
Signature Eve
Best New Restaurants, BBQ
Event Series: Secret Supp
+ Cu

Texas Music

MAGAZINE



E-NEWSLETTERS

18K+ Opted In Email Subscribers



MAGAZINE



5

Facebook 1



WEBSITE



EVENTS

10K+ Average Attendees Per Music Festivals, Front Porch Se
+ Custom Events

TEXAS MUSIC

MAGAZINE

austin^{monthly} San Antonio

Total Proposed: \$15K

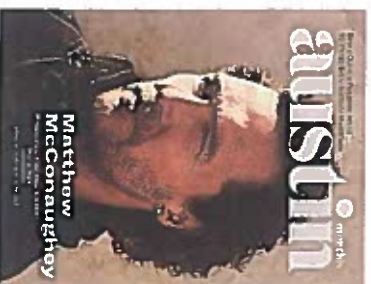
Content Creation & Video Marketing

OSM provides all video production, incurred costs, and professional execution of video content

(One 90-second, and one 30-second, 2tb hard drive with all the footage and the license to use that in perpetuity)

Execution Included:

- Central Texas Destination Email Blast 3x (40K recipients)
 - Facebook Demographic Profile Boost 1x each AM , SAM & TM
 - Texas Music Email Blast 18K
 - Instagram Post 1x each AM , SAM & TM
 - AustinMonthly.com, SanAntonioMag.com, and TxMusic.com video promotion
- + \$10K Optional Addition: Video pre-roll to target demographic 40K impressions/month for 12 months



November 30, 2020



100 North 13th Street Phone 432-837-3301 Fax 432-837-2044

"To provide quality service to the citizens of Alpine"

VISITOR CENTER CAPITAL IMPROVEMENT PROJECT DESCRIPTION

The City Manager, Tourism Director and Tourism Coordinator will be proposing a capital improvement project for the Alpine Visitor Center during the 2020-2021 fiscal year using some of the Hotel Occupancy Tax fund balance.

The project includes four aspects:

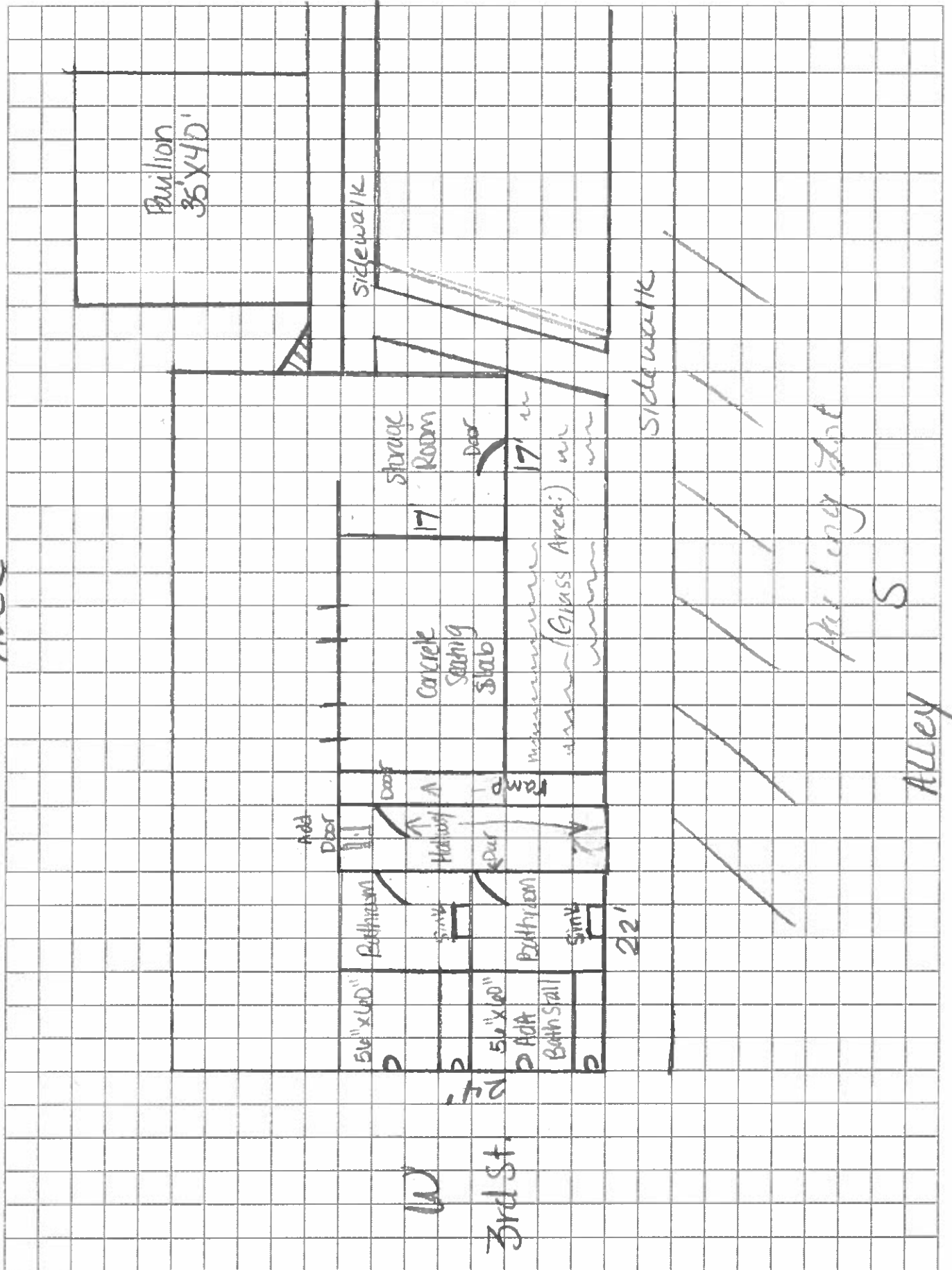
1. Public Restrooms, ADA-compliant and with both exterior and interior access, will be added to the rear of the building. The interior door will secure in order to allow the restrooms to be available to the public 24 hours a day, even when the main Visitor Center is closed.
2. Attached Storage connecting to the building and the new restrooms, below window level to preserve natural light in the building. The storage will be large enough to accommodate supplies, visitor publications, decorations and outdoor dining fixtures (see #4 below).
3. 30-foot Concrete Slab with shade roof for visitors and small outdoor dining events.
4. Outdoor Dining Fixtures, including tables, chairs and shade umbrellas. Ideally, we will procure sufficient fixtures to facilitate outdoor dining events in three different scale levels:
 - A. On the new concrete slab
 - B. In the newly refinished parking/alley area behind the Visitor Center
 - C. On 3rd Street (when closed) between Holland Avenue and Avenue A

The budget is in development, and a draft should hopefully be available for discussion at the December 7 HOT Committee meeting.

Chris Ruggia
Director of Tourism, City of Alpine

Ave N

E AVE

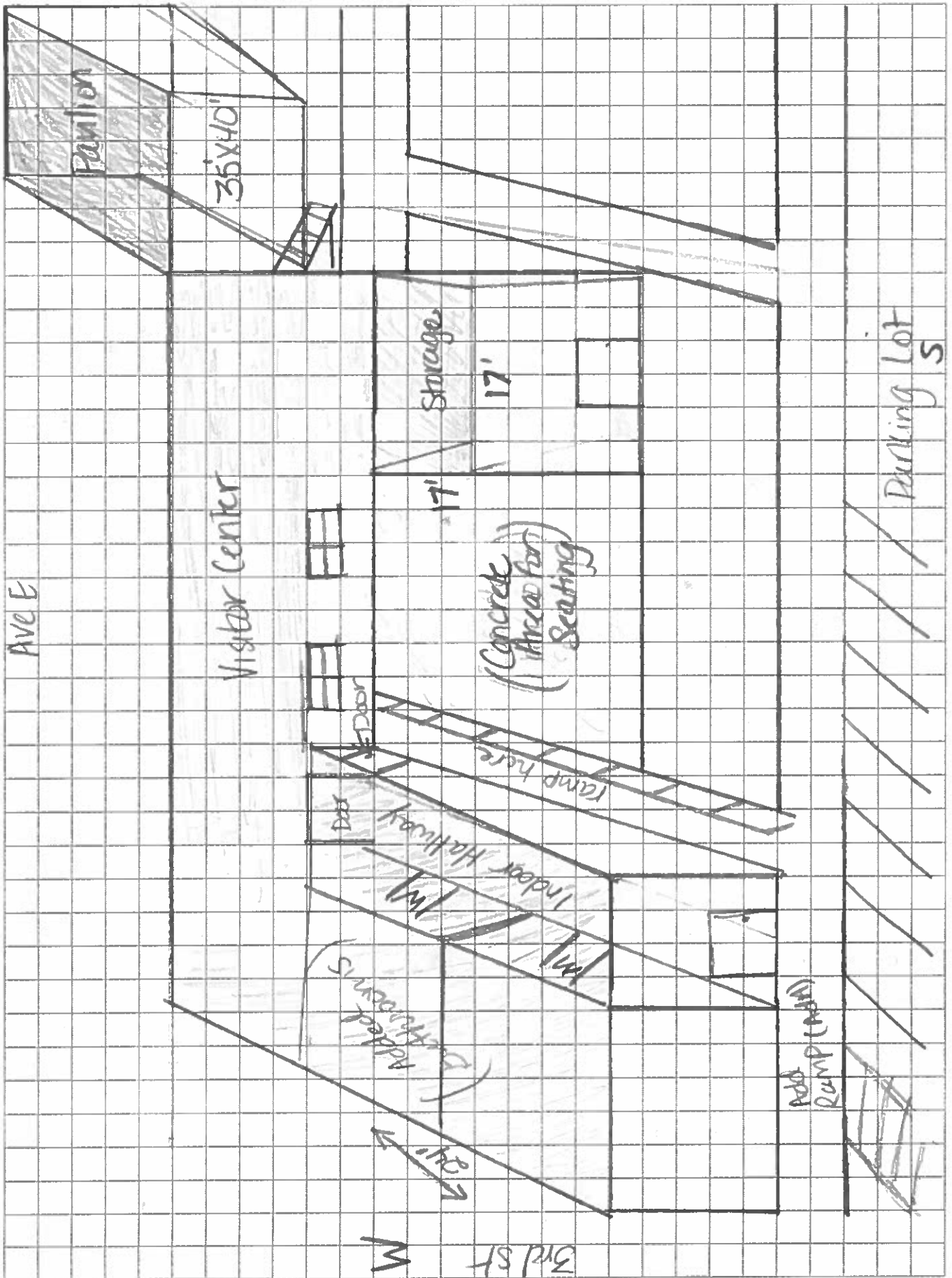


3rd St.

N

E

W 200 ft



HOT Committee Recommendation

5 January 2021
City Council Meeting

Mayor and City Council,

The HOT Committee met on December 7th to review four additional applications for HOT monies to be used this fiscal year.

Their recommendations are included in the packet along with the applications.

Provided Council agrees and approves the recommendation, City Staff will work on the budget amendment to utilize the dollars we currently have in reserve (over \$1.1M).

The primary project is the Visitor Center renovation to include: adding bathrooms accessible from outside (24/7 access), adding storage, adding outdoor tables and chairs and adding an outside patio/gazebo. The sketch of that addition is in your packet and the HOT Committee recommended up to \$175K be authorized to complete the work.

The other three projects are also listed in the packet and fairly self-describing.

Please feel free to reach out with any questions,

Thank you,


Erik

Visitor Center Upgrade Budgets

[illegible]

Project	Recommended Budget
Visitor Center Capital Improvement Project	\$ 175,000.00 (up to)
Podcasts & Audio Walking Tour App	\$ 4,000.00 (up to)
Video Production & Promotion	\$ 25,000.00
Railroad Park Sculpture	\$ 600.00
Film Production Lodging Incentive	\$ 2,500.00 (up to)

Visitor Center Capital Improvement Project - Jerry Johnson

Score (1 to 10)	Criteria	Weight	Weighted points	Score multiplier
2	Impact on overnight hotel stays	5	25	2.5
10	Application demonstrates professionalism, with a sound business and promotional plan	4	20	2
10	Capacity to host successful program or event	4	20	2
8	Diversity of revenues (not relying solely on HOT funds for operations)	2	10	1
0	Receipt of final report from previous year's event	1	5	0.5
10	Encouraging new events or activities	2	10	1
10	Innovative programs	2	10	1

73 Optional score from weighted criteria

Final Score (1 to 100)

NOTE Perhaps this could be done in phases

Podcasts & Audio Walking Tour App

Score (1 to 10)			Criteria	Weight	Weighted points	Score multiplier
10			Impact on overnight hotel stays	5	25	2.5
10			Application demonstrates professionalism, with a sound business and promotional plan	4	20	2
8			Capacity to host successful program or event	4	20	2
8			Diversity of revenues (not relying solely on HOT funds for operations)	2	10	1
0			Receipt of final report from previous year's event	1	5	0.5
10			Encouraging new events or activities	2	10	1
10			Innovative programs	2	10	1
89			Optional score from weighted criteria			
Final Score (1 to 100)						
NOTE			A Good Idea			

Video Production & Promotion

Score (1 to 10)		Criteria	Weight	Weighted points	Score multiplier
10		Impact on overnight hotel stays	5	25	2.5
10		Application demonstrates professionalism, with a sound business and promotional plan	4	20	2
7		Capacity to host successful program or event	4	20	2
0		Diversity of revenues (not relying solely on HOT funds for operations)	2	10	1
0		Receipt of final report from previous year's event	1	5	0.5
10		Encouraging new events or activities	2	10	1
10		Innovative programs	2	10	1
79		Optional score from weighted criteria			
Final Score (1 to 100)					

NOTE This is a good idea

Railroad Park Sculpture

Score (1 to 10)	Criteria	Weight	Weighted points	Score multiplier
6	Impact on overnight hotel stays	5	25	2.5
10	Application demonstrates professionalism, with a sound business and promotional plan	4	20	2
5	Capacity to host successful program or event	4	20	2
10	Diversity of revenues (not relying solely on HOT funds for operations)	2	10	1
0	Receipt of final report from previous year's event	1	5	0.5
5	Encouraging new events or activities	2	10	1
5	Innovative programs	2	10	1
65	Optional score from weighted criteria			
	Final Score (1 to 100)			

NOTE PASSED. This is okay and the price is good: \$600

Visitor Center Capital Improvement Project - Karen Sulewski

Score (1 to 10)	Criteria	Weight	Weighted points	Score multiplier
10	Impact on overnight hotel stays	5	25	2.5
10	Application demonstrates professionalism, with a sound business and promotional plan	4	20	2
10	Capacity to host successful program or event	4	20	2
10	Diversity of revenues (not relying solely on HOT funds for operations)	2	10	1
10	Receipt of final report from previous year's event	1	5	0.5
10	Encouraging new events or activities	2	10	1
10	Innovative programs	2	10	1
100	Optional score from weighted criteria			
100	Final Score (1 to 100)			

Podcasts & Audio Walking Tour App				
Score (1 to 10)	Criteria	Weight	Weighted points	Score multiplier
1	Impact on overnight hotel stays	5	25	2.5
10	Application demonstrates professionalism, with a sound business and promotional plan	4	20	2
0	Capacity to host successful program or event	4	20	2
10	Diversity of revenues (not relying solely on HOT funds for operations)	2	10	1
0	Receipt of final report from previous year's event	1	5	0.5
10	Encouraging new events or activities	2	10	1
10	Innovative programs	2	10	1
52.5	Optional score from weighted criteria			
	Final Score (1 to 100)			

Video Production & Promotion

Score (1 to 10)	Criteria	Weight	Weighted points	Score multiplier
10	Impact on overnight hotel stays	5	25	2.5
10	Application demonstrates professionalism, with a sound business and promotional plan	4	20	2
9	Capacity to host successful program or event	4	20	2
10	Diversity of revenues (not relying solely on HOT funds for operations)	2	10	1
0	Receipt of final report from previous year's event	1	5	0.5
10	Encouraging new events or activities	2	10	1
10	Innovative programs	2	10	1
93	Optional score from weighted criteria			
	Final Score (1 to 100)			

Railroad Park Sculpture

Score (1 to 10)	Criteria	Weight	Weighted points	Score multiplier
0	Impact on overnight hotel stays	5	25	2.5
10	Application demonstrates professionalism, with a sound business and promotional plan	4	20	2
10	Capacity to host successful program or event	4	20	2
10	Diversity of revenues (not relying solely on HOT funds for operations)	2	10	1
0	Receipt of final report from previous year's event	1	5	0.5
9	Encouraging new events or activities	2	10	1
10	Innovative programs	2	10	1
69	Optional score from weighted criteria			
	Final Score (1 to 100)			

Visitor Center Capital Improvement Project - Laura Gold

Score (1 to 10)		Criteria	Weight	Weighted points	Score multiplier
0		Impact on overnight hotel stays	5	25	2.5
0		Application demonstrates professionalism, with a sound business and promotional plan	4	20	2
0		Capacity to host successful program or event	4	20	2
0		Diversity of revenues (not relying solely on HOT funds for operations)	2	10	1
0		Receipt of final report from previous year's event	1	5	0.5
0		Encouraging new events or activities	2	10	1
0		Innovative programs	2	10	1
100		Optional score from weighted criteria			
100		Final Score (1 to 100)			

Podcasts & Audio Walking Tour App

Score (1 to 10)		Criteria	Weight	Weighted points	Score multiplier
9		Impact on overnight hotel stays	5	25	2.5
14		Application demonstrates professionalism, with a sound business and promotional plan	4	20	2
14		Capacity to host successful program or event	4	20	2
3.5		Diversity of revenues (not relying solely on HOT funds for operations)	2	10	1
0		Receipt of final report from previous year's event	1	5	0.5
9		Encouraging new events or activities	2	10	1
9		Innovative programs	2	10	1
100		Optional score from weighted criteria			
Final Score (1 to 100)					

Video Production & Promotion

Score (1 to 10)		Criteria	Weight	Weighted points	Score multiplier
9		Impact on overnight hotel stays	5	25	2.5
14		Application demonstrates professionalism, with a sound business and promotional plan	4	20	2
14		Capacity to host successful program or event	4	20	2
3.5		Diversity of revenues (not relying solely on HOT funds for operations)	2	10	1
0		Receipt of final report from previous year's event	1	5	0.5
9		Encouraging new events or activities	2	10	1
9		Innovative programs	2	10	1
100		Optional score from weighted criteria			
100		Final Score (1 to 100)			

Visitor Center Capital Improvement Project - Sarah Hyers

Score (1 to 10)		Criteria	Weight	Weighted points	Score multiplier
9		Impact on overnight hotel stays	5	25	2.5
10		Application demonstrates professionalism, with a sound business and promotional plan	4	20	2
10		Capacity to host successful program or event	4	20	2
1		Diversity of revenues (not relying solely on HOT funds for operations)	2	10	1
0		Receipt of final report from previous year's event	1	5	0.5
10		Encouraging new events or activities	2	10	1
9		Innovative programs	2	10	1
100		Optional score from weighted criteria			
Final Score (1 to 100)					

Podcasts & Audio Walking Tour App

Score (1 to 10)		Criteria	Weight	Weighted points	Score multiplier
10		Impact on overnight hotel stays	5	25	2.5
10		Application demonstrates professionalism, with a sound business and promotional plan	4	20	2
9		Capacity to host successful program or event	4	20	2
8		Diversity of revenues (not relying solely on HOT funds for operations)	2	10	1
0		Receipt of final report from previous year's event	1	5	0.5
10		Encouraging new events or activities	2	10	1
10		Innovative programs	2	10	1
91		Optional score from weighted criteria			
Final Score (1 to 100)					

Video Production & Promotion

Score (1 to 10)		Criteria	Weight	Weighted points	Score multiplier
10		Impact on overnight hotel stays	5	25	2.5
10		Application demonstrates professionalism, with a sound business and promotional plan	4	20	2
10		Capacity to host successful program or event	4	20	2
10		Diversity of revenues (not relying solely on HOT funds for operations)	2	10	1
0		Receipt of final report from previous year's event	1	5	0.5
9		Encouraging new events or activities	2	10	1
10		Innovative programs	2	10	1
100		Optional score from weighted criteria			
Final Score (1 to 100)					

Railroad Park Sculpture

Score (1 to 10)		Criteria	Weight	Weighted points	Score multiplier
0		Impact on overnight hotel stays	5	25	2.5
9		Application demonstrates professionalism, with a sound business and promotional plan	4	20	2
10		Capacity to host successful program or event	4	20	2
10		Diversity of revenues (not relying solely on HOT funds for operations)	2	10	1
0		Receipt of final report from previous year's event	1	5	0.5
0		Encouraging new events or activities	2	10	1
7		Innovative programs	2	10	1
100		Optional score from weighted criteria			
		Final Score (1 to 100)			

6. Discuss, consider, and take appropriate action on Resolution 2021-01-06, a Resolution on Tipping Fee for AISD Project. (E. Zimmer, City Manager)



CITY COUNCIL

AGENDA REQUEST

**AGENDA FOR
COUNCIL
MEETING:
INITIATED BY:**

JANUARY 5, 2021

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 ON RESOLUTION 2021-01-06, A RESOLUTION ON TIPPING FEE FOR AISD PROJECT

EXHIBITS:

RESOLUTION 2021-01-06

CLEARANCES

APPROVAL

LEGAL:

CITY ATTORNEY

:

FINANCE:

FINANCE DIRECTOR

MEGAN
ANTRIM:

APPROVAL:

CITY MANAGER

ERIK ZIMMER:

BUDGET

EXPENDITURE REQUIRED: \$ 0

SAVINGS ANTICIPATION: \$

CURRENT BUDGET FY2020-2021: \$ 0

ADDITIONAL FUNDING: \$

RECOMMENDED ACTION

EXECUTIVE SUMMARY

STATE OF TEXAS

COUNTY OF BREWSTER

CITY OF ALPINE

RESOLUTION 2021-01-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS DESIGNATING THE TRANSFER OF THE CITY'S PORTION OF TIPPING FEE FUNDS RECEIVED FROM THE AISD CONSTRUCTION AND DEMOLITION PROJECT TO A RESERVE FUND FOR USE BY THE BUILDING SERVICES DEPARTMENT.

WHEREAS, the City has authorization from TCEQ to accept the debris from AISD project, which will not be included in the City's annual tonnage calculation; and

WHEREAS, the City's Building Services Department is putting significant resources into administering the AISD build project; and

WHEREAS, the City Council of the City of Alpine has deemed it to be in the public interest to designate the transfer of the City's portion of tipping fee funds received from the AISD construction and demolition project to a reserve fund for use by the Building Services Department.

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

The City resolves to take the City's portion of the tipping fee collected for the AISD build project and put the funds in a reserve fund for use by the City's Building Service Department.

PASSED AND APPROVED THIS THE 5th DAY OF JANUARY 2021 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.

ATTEST:

Andres "Andy" Ramos, Mayor
City of Alpine

Cynthia Salas, City Secretary
City of Alpine

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. Discuss update on Union Pacific Railroad. (E. Zimmer, City Manager)

12. Action – Executive Session –

1. Discuss, consider, and take appropriate action, if any, on Union Pacific Railroad.

(E. Zimmer, City Manager)