

***City of Alpine***  
***Regular City Council Meeting***  
**Tuesday, February 04, 2020**

Notice is hereby given that the City Council of the City of Alpine, Texas will hold **a Regular Meeting at 5:30 P. M. on Tuesday, February 04, 2020 in the Council Chambers, at 803 West Holland, in the City of Alpine, Texas** for the purpose of considering the attached agenda. This notice is posted pursuant to the Texas Open Meetings Act. (Section 551.043, Texas Government Code).

**PUBLIC NOTICE – THE USE OF CELLULAR PHONES ARE PROHIBITED IN THE CITY COUNCIL CHAMBERS DURING MEETINGS OF THE CITY COUNCIL.**

Members of the audience will be provided an opportunity to address the Council on any agenda item after determination of quorum and proof of notice of the meeting. Remarks will be limited to a total of 3 minutes per person. Please write your name on the list so we may call you in order. Please speak into the microphone located at the podium and state your name and address. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. **State law generally prohibits the Council from discussing or taking any action on any issue not included on the agenda**, but, if appropriate, the Council may schedule the topic for future discussion or refer the matter to staff. **NO PERSONAL ATTACKS ON COUNCIL MEMBERS OR CITY STAFF WILL BE ALLOWED.** The Mayor and/or City Council Members may call a Point of Order to stop Personal Attacks. If an individual continues to personally attack an elected official or staff member in a meeting, they may be barred.

Agenda

1. Call to Order, Invocation, and Pledge of Allegiance.
2. Determination of a Quorum and Proof of Notice of City Council Meeting.
3. Public Comments – (limited to 3 minutes per person)
4. Presentation, Recognitions and Proclamations – (A. Ramos, Mayor) – None
5. Reports -

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

City Attorney's Report – None

City Manager Report

- Department Initiative / Goals Update

- Leadership Update
- City Policy / Procedures – updates and changes
- City Property / Real Estate / Space Usage Update

City Staff Updates –

- Finance Update by Director of Finance Megan Antrim.
- Building Official / Code Enforcement update by Director David Hale.

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.)

- A. Approval of minutes from City Council meeting on January 21, 2019. (E. Zimmer, City Manager)

8. Information or Discussion items –

1. Update on the Art Walk event from November 2019 by Keri Blackman. (E. Zimmer, City Manager)
2. Texas Rail Conference Readout. (R. Stephens, City Council, 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 to approve Resolution 2020-02-01 to accept the donation to the Alpine Police Dept. for fifteen tactical vest, plus one entry shield from the Katy's Police Dept. (E. Zimmer, City Manager)

2. Discuss, consider, and take appropriate action to on the first reading of Ordinance 2020-02-03, establishing a Music Advisory Board for the City of Alpine. (E. Zimmer, City Manager)
3. Discuss, consider, and take appropriate action on the first reading of Ordinance 2020-02-02, establishing a Hotel Occupancy Tax Advisory Committee, providing repealing and severability clauses; providing a Texas Open meetings act clause. (E. Zimmer, City Manager)
4. Discuss, consider, and take appropriate action on the first reading of Ordinance 2020-02-01, establishing a process for the issuance of a citation and a fine to Union Pacific for blocking the 5<sup>th</sup> street intersection. (R. Stephens, City Council)

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

11. Executive Session - Pursuant to Texas Open Meetings Act (Texas Government Code Section 551.071 (consultation with attorney) and 551.074 (personnel matters) –

1. Discuss, consider, and take appropriate action in regards to personnel matters of the City Attorney. (M. Curry, City Council)

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 an attorney), 551.074 (personnel matters).

12. Action – Executive Session –

1. Discuss, consider, and take appropriate action, if any, in regards to the personnel matters of the City Attorney. (M. Curry, City Council)

I certify that this notice was posted at 12:00 P. M. on January 31, 2020, Pursuant to the Texas Open Meetings Act (Texas Government Code Section 51.043). This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (432)837-3301 or email [city.secretary@ci.alpine.tx.us](mailto: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

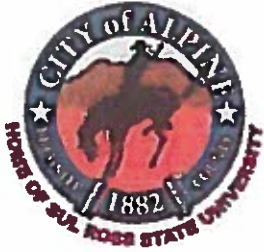
City Manager Report

- Department Initiative / Goals Update
- City Property / Real Estate / Space Usage Update
- City Policy / Procedures – updates and changes
- Leadership Update

City Staff Updates –

- Finance Update by Director of Finance Megan Antrim.
- Building Official / Code Enforcement update by Director David Hale.

- Finance Update by Director of Finance Megan Antrim.



## November 2019 Revenue/Expense Report

January 22, 2020

### Overview

The monthly revenue/expense report is directed at providing a snapshot of the General Fund revenues and expenditures as well as other important financial information for the month of November 2019 of **Fiscal Year 2019-2020**. Attached to this report are summaries that indicate financial activity for the period as well as fiscal year to date.

In the revenue/expense summaries, the General Fund revenues are reported by department. General Fund Expenditures are also shown by department. The revenue and expense summary for the remaining City funds are broken down by total revenues and total expenditures.

As indicated, this revenue/expense report and accompanying summaries are focused on monthly and year to date activity. Additional detailed financial information can be found within the City's FY 2019-20 Budget. In addition, several financial documents, such as audits, check registers, and notices, can also be found online at the City's website: [www.cityofalpine.com](http://www.cityofalpine.com)



For more information contact:

Megan Antrim  
Director of Finance  
[Director.finance@ci.alpine.tx.us](mailto:Director.finance@ci.alpine.tx.us)

## General Fund Revenues

As of November 30, 2019 General Fund revenues total \$543,317 or 11% of total budgeted revenues. The City received sales tax in the amount of \$152,042. The property tax collections totaled \$74,181 or 4% of the budget. Sales tax and property tax are by far the two largest sources of revenue for the General Fund totaling 68.5% of all budgeted revenues.

## General Fund Expenditures

As of November 30<sup>th</sup>, General Fund expenditures totaled \$627,846 or 16% of the total budget. At the end of November 4 out of 26 payrolls have been posted, which represent 16% of the total payrolls for the fiscal year. The attached financial summary includes total General Fund expenditures by department. The table below is broken down by total General Fund expenditures, as of November 30<sup>th</sup> for employee expenses and operating expenses. Employee expenses include salaries, overtime, FICA, retirement, unemployment, health insurance, and workman's comp. All other expenses are classified as operating expenses.

Expenditure Category	Current Budget Total	Period Activity November FY 2019-2020	Fiscal YTD Expenditures and Encumbrances	Fiscal YTD % of Budget
Employee Expenses	\$3,123,151	\$232,110	\$436,665	14%
Operating Expenses	\$2,014,681	\$106,002	\$384,064	19%
TOTAL	\$5,137,832	\$998,112	\$817,454	16%



## Enterprise Funds

**Water/ Waste Water/Sanitation Fund**-Water revenues in the month of November 2019 total \$87,202 or 5% of total budgeted revenues. Water expenditures total \$51,776 or 3% of total budget. Waste Water revenues for November total \$47,756 or 5.5% of the total budgeted revenue. Waste Water expenses total \$26,084 or 4%. Sanitation revenues total \$158,319 or 8% of total budgeted revenues. Sanitation expenses total \$151,005 or 7.5%. Utility Billing expenditures totaled \$16,550 for November 2019.

**Airport Fund** - Revenues in November 2019 total \$56,222 or 10% of total budgeted revenues. Total expenditures total \$62,176 or 11%.

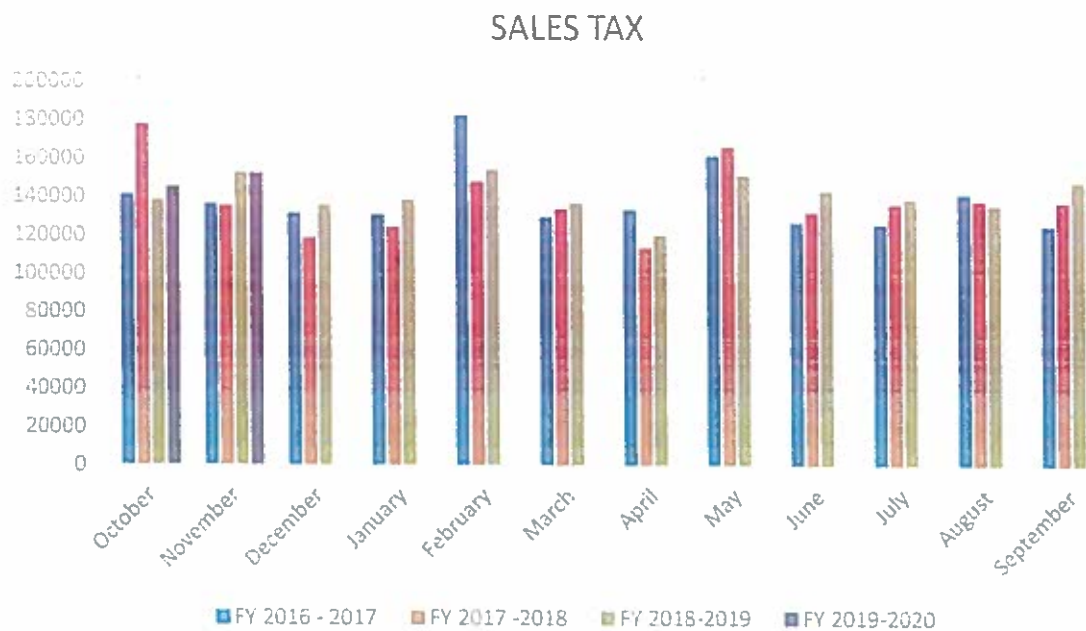
**Gas Department** - Revenues for the month of November 2019 total \$132,277 or 7% of total budgeted revenues. Department expenditures total \$91,106 or 5% of total budgeted expenses for the month.

**Interest & Sinking** -The Interest and Sinking Fund's revenue comes from property tax and the Water and Sewer Fund. Revenues for the month of November 2019 total \$6,137. The City's debt payments are due in March 2020 and September 2020. A portion of the payment is made from the interest and sinking fund and the remainder from the water/sewer enterprise fund.

Sales Tax Collection

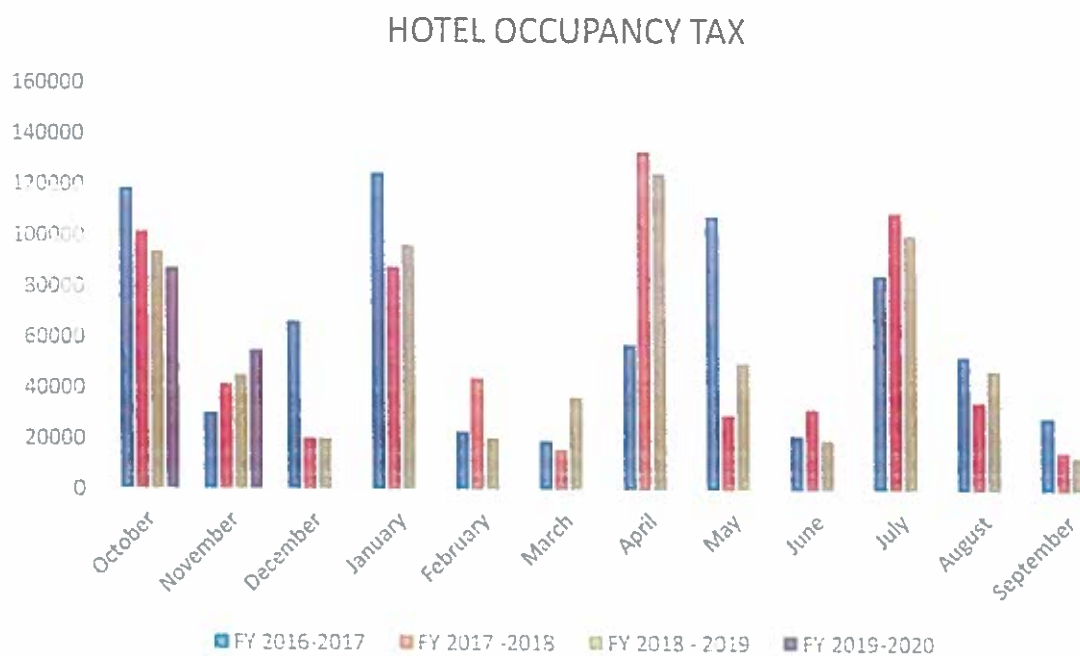
As mentioned earlier, sales tax is received approximately six weeks after the month has ended. Sales Tax paid to the City in November 2019 totaled \$152,042 a decrease of less than 1% from the payment received in November 2018.

The graph below shows sales tax payments in an effort to provide the most up to date information regarding sales tax collections. The growth is a positive trend to start the year as it relates to sales tax collections. Sales tax is one of the largest revenue sources for the City's General Fund.



## Hotel/Motel Tax Collection

Hotel Motel tax collections are another revenue source that is typically received 30-45 days after a month has ended. Therefore, the month of November 2019 financial summary does not include all hotel activity for the month. However, the graph below does include hotel/motel collections for the months of November to provide the latest information. November shows an increase of 21% from the prior year's collections. Occupancy tax is paid based on the State's recommendation of monthly or quarterly, depending on the hotel's collections.





CITY OF ALPINE - FINANCE DEPARTMENT  
November 2019  
FINANCIAL SUMMARY

GENERAL FUND REVENUE

	CURRENT TOTAL BUDGET	PERIOD ACTIVITY November FY 2020	TOTAL FISCAL YTD	FISCAL YTD % OF BUDGET
<b>REVENUES</b>				
Non-Departmental	65,000	3,400	3,400	5%
Interest Reserve Accounts	5,500	691	1,459	27%
Administrative	770,493	553	2,152	0%
Municipal Court	50,350	2,411	6,052	12%
Police	19,800	325	475	2%
Fire Department	75,000	0	0	0%
Ad Valorem Tax	1,821,026	74,181	194,020	11%
Building Services	46,050	3,582	13,067	28%
Animal Control	42,920	2,620	5,215	12%
Parks & Pool	22,600	26	1,128	5%
Street Department	95,200	318	939	1%
City Sales/Franchise Tax	1,832,000	159,870	315,410	17%
Transfers	291,891	0	0	0%
<b>TOTAL GENERAL FUND REVENUES</b>	<b>5,137,830</b>	<b>247,977</b>	<b>543,317</b>	<b>11%</b>



CITY OF ALPINE - FINANCE DEPARTMENT  
November 2019  
FINANCIAL SUMMARY

GENERAL FUND EXPENSES

	CURRENT TOTAL BUDGET	PERIOD ACTIVITY November FY 2020	TOTAL FISCAL YTD EXPENDITURES	TOTAL FISCAL YTD COMMITTED AS % OF BUDGET
<b>EXPENDITURES</b>				
Non Departmental	649,386	48,815	99,091	37%
City Council	114,574	10,067	15,634	14%
City Administration	464,007	36,703	67,308	15%
Municipal Court	42,787	5,871	9,792	24%
Police	1,204,923	88,159	167,501	14%
Fire	148,112	1,630	2,947	2%
Building Services	261,543	10,082	17,967	7%
Human Resources	44,989	542	1,449	3%
Finance	329,533	38,495	58,657	18%
Animal Control	287,614	16,002	36,623	13%
Building Maintenance	130,587	3,515	4,363	4%
Parks & Pool	343,721	24,406	45,039	19%
Streets	1,116,055	53,825	101,475	11%
Transfers	0	0	0	0%
<b>TOTAL GENERAL FUND EXPENDITURES</b>	<b>5,137,831</b>	<b>338,112</b>	<b>627,846</b>	<b>16%</b>



CITY OF ALPINE - FINANCE DEPARTMENT  
November 2019  
FINANCIAL SUMMARY

**WATER/SOLID WASTE/ SANITATION FUND**

	CURRENT TOTAL BUDGET	PERIOD ACTIVITY November FY 2020	TOTAL FISCAL YTD EXPENDITURES	FISCAL YTD % OF BUDGET
<b>REVENUES</b>				
Charges for Services – Water	1,819,000	87,203	194,093	11%
Charges for Services – Sewer	855,000	47,756	115,563	14%
Charges for Services – Sanitation	1,960,375	158,319	326,577	17%
Miscellaneous / Interest	34,128	3,888	8,341	24%
<b>TOTAL WATER/SOLID WASTE/SANITATION FUND REVENUES</b>	<b>4,668,503</b>	<b>297,165</b>	<b>644,574</b>	<b>14%</b>
<b>EXPENDITURES</b>				
Employee Expenses	905,964	61,657	118,856	13%
Water Operations	1,196,119	15,833	20,856	2%
Solid Waste Operations	390,533	11,770	111,241	28%
Sanitation Operations	1,885,939	145,573	164,193	8%
Utility Billing Operations	289,948	10,581	15,928	5%
<b>TOTAL WATER/SOLID WASTE/SANITATION FUND EXPENSES</b>	<b>4,668,503</b>	<b>245,414</b>	<b>431,074</b>	<b>13%</b>

**AIRPORT FUND**

	CURRENT TOTAL BUDGET	PERIOD ACTIVITY November FY 2020	TOTAL FISCAL YTD EXPENDITURES	FISCAL YTD % OF BUDGET
<b>REVENUES</b>				
Fuel Sales	550,000	55,928	126,543	23%
Lease Payments	14,000	83	166	1%
Auction / Misc	100	210	423	100%
Transfers	0	0	0	0%
<b>TOTAL AIRPORT REVENUES</b>	<b>564,100</b>	<b>56,221</b>	<b>127,132</b>	<b>23%</b>
<b>EXPENDITURES</b>				
Employee Expenses	106,855	8,984	18,206	17%
Operation Expenses	457,245	53,192	74,897	16%
<b>TOTAL AIRPORT FUND EXPENITURES</b>	<b>564,100</b>	<b>62,176</b>	<b>93,103</b>	<b>17%</b>



CITY OF ALPINE - FINANCE DEPARTMENT  
November 2019  
FINANCIAL SUMMARY

**HOTEL/ MOTEL FUNDS**

	CURRENT TOTAL BUDGET	PERIOD ACTIVITY November FY 2020	TOTAL FISCAL YTD EXPENDITURES	FISCAL YTD % OF BUDGET
<b>REVENUES</b>				
Hotel Occupancy Tax	625,000	50,124	137,402	22%
Miscellaneous		0	0	
<b>TOTAL HOTEL/MOTEL FUND REVENUES</b>	<b>625,000</b>	<b>87,278</b>	<b>87,278</b>	<b>14%</b>
<b>EXPENDITURES</b>				
Employee Expenses	85,655	6,464	12,987	15%
Event Expenses	539,345	48,452	72,011	4%
<b>TOTAL HOTEL/MOTEL FUND EXPENDITURES</b>	<b>625,000</b>	<b>54,916</b>	<b>84,998</b>	<b>25%</b>

**GAS DEPARTMENT**

	CURRENT TOTAL BUDGET	PERIOD ACTIVITY November FY 2020	TOTAL FISCAL YTD EXPENDITURES	FISCAL YTD % OF BUDGET
<b>REVENUES</b>				
Charges for Services - Alpine	1,468,000	108,792	169,811	12%
Charges for Services – Ft. Davis	254,000	17,484	27,349	11%
Sales Tax		4,206	7,522	
Adjustments				
Miscellaneous	9,500	1,794	3,963	42%
<b>TOTAL GAS DEPT. REVENUES</b>	<b>1,731,500</b>	<b>132,276</b>	<b>208,645</b>	<b>12%</b>
<b>EXPENDITURES</b>				
Employee Expenses	525,589	42,882	81,600	16%
Operation Expenses	1,205,911	48,224	76,712	6%
Transfers	0	0	0	
<b>TOTAL GAS DEPT. EXPENDITURES</b>	<b>1,731,500</b>	<b>91,106</b>	<b>158,312</b>	<b>25%</b>



CITY OF ALPINE - FINANCE DEPARTMENT  
November 2019  
FINANCIAL SUMMARY

Interest and  
Sinking

	CURRENT TOTAL BUDGET	PERIOD ACTIVITY November FY 2020	TOTAL FISCAL YTD EXPENDITURES	FISCAL YTD % OF BUDGET
<b>REVENUES</b>				
General Fund -- Property Taxes	146,918	6,137	19,114	13%
<b>TOTAL I&amp;S REVENUES</b>	<b>146,918</b>	<b>6,137</b>	<b>19,114</b>	<b>13%</b>
<b>EXPENDITURES</b>				
General Fund Debt	146,918	0	0	0%
<b>TOTAL I&amp;S EXPENDITURES</b>	<b>146,918</b>	<b>0</b>	<b>0</b>	<b>0%</b>



- Building Official / Code Enforcement update by Director David Hale.

# JANUARY 2020

BUILDING SERVICES DEPARTMENT



# **NEW MISSION STATEMENT**

- THE MISSION OF THE BUILDING SERVICES DEPARTMENT IS TO PROVIDE PROFESSIONAL SERVICES TO ALL CITIZENS OF ALPINE TEXAS IN THE AREAS OF PLANNING, DEVELOPMENT, BUILDING INSPECTIONS, PLAN REVIEW AND CODE ENFORCEMENT.
- THE DEPARTMENT SEEKS TO MEET THE RECOGNIZED STANDARD FOR OVERALL QUALITY OF LIFE AND BUILDING SAFETY THROUGH A COOPERATIVE EFFORT WITH CITIZENS OF ALPINE.



- INCORRECT CODE ENFORCEMENT PROCEDURES AND ACTIVITIES.
- INCORRECT CODE ENFORCEMENT MANAGEMENT AND KEEPING OF RECORDS
- NO CITATIONS WRITTEN; ALL CODE ENFORCEMENT VIOLATIONS RECORDED AS VERBAL WARNINGS
- OVERALL INEFFECTIVE AND IMPROPER MANAGEMENT OF BUILDING SERVICES DEPARTMENT
- NO CITIZEN PORTAL OR DEPARTMENT TRANSPARENCY
- PERMIT APPLICATION FORMS INCORRECTLY DESIGNED, MISSING PERTINENT INFORMATION
- PERMIT FEE SCHEDULES DO NOT REFLECT THE TRUE COST OF DEPARTMENTAL OPERATIONS
- “TOOLS FOR THE JOB” NOT IN PLACE FOR SUCCESS.

**2019**

**A DYSFUNCTIONAL YEAR FOR THE  
DEPARTMENT**



## TOP PRIORITIES FOR THE BUILDING SERVICES DEPARTMENT

- WORK WITH CITY MANAGER TO DETERMINE CITIES MOST IMPORTANT NEEDS IN REGARDS TO DEVELOPMENT AND CODE ENFORCEMENT ACTIVITIES
- DEPARTMENT COMPLIANCY WITH TECQ, TEXAS ADMINISTRATIVE CODES AND TEXAS ARCHIVE COMMISSION
- DETERMINE INADEQUATE ORDINANCES, POLICIES AND PROCEDURES WITHIN THE DEPARTMENT
- PROCURE "TOOLS FOR THE JOB"
- SUBMIT NEW ORDINANCES THAT ARE NEEDED WITHIN THE CITY AND AMEND CURRENT ORDINANCES THAT ARE IN CONFLICT WITH THE MASTER PLAN AND ZONING REGULATIONS. REVIEW AND AMEND CRITICAL ORDINANCES THAT ARE NO LONGER VALID OR DO NOT MEET STATE REQUIREMENTS. AMEND SCHEDULE OF FEES TO INCLUDE A MASTER FEE SCHEDULE FOR ALL PERMITTING
- WORK WITH TXDOT ENGINEER CHRIS WEBER TO DESIGN A NEW CONSTRUCTION STANDARDS MANUAL FOR PUBLIC SIDEWALKS, FLATWORK, APPROACHES, STREETS, CURBS AND GUTTERS. SUBMIT TO COUNCIL FOR APPROVAL
- REVISE BUILDING SERVICES POLICY AND PROCEDURES FOR THE FUTURE SUCCESS OF THE DEPARTMENT
- AMEND THE CROSS CONNECTION CONTROL ORDINANCE SO THAT THE BUILDING SERVICES DEPARTMENT WILL BE ABLE TO MANAGE THE PROGRAM AND STAY IN COMPLIANCE WITH TECQ; SPECIFICALLY FOR THE CROSS CONNECTION CONTROL AT HOMES, IRRIGATION SYSTEMS AND COMMERCIAL BUILDINGS
- CROSS -TRAIN ALL EMPLOYEES OF THE DEPARTMENT TO BE ABLE TO PROVIDE A MUCH NEEDED PROFESSIONAL SERVICE TO THE CITIZENS OF ALPINE AND FOR THE HEALTH OF THE DEPARTMENT. TO INCLUDE ON-GOING TRAINING AND CONTINUING EDUCATION EACH YEAR

# 2020

A YEAR OF BALANCE AND CHANGE  
PROVIDING A HEALTHY FUTURE  
FOR THE DEPARTMENT



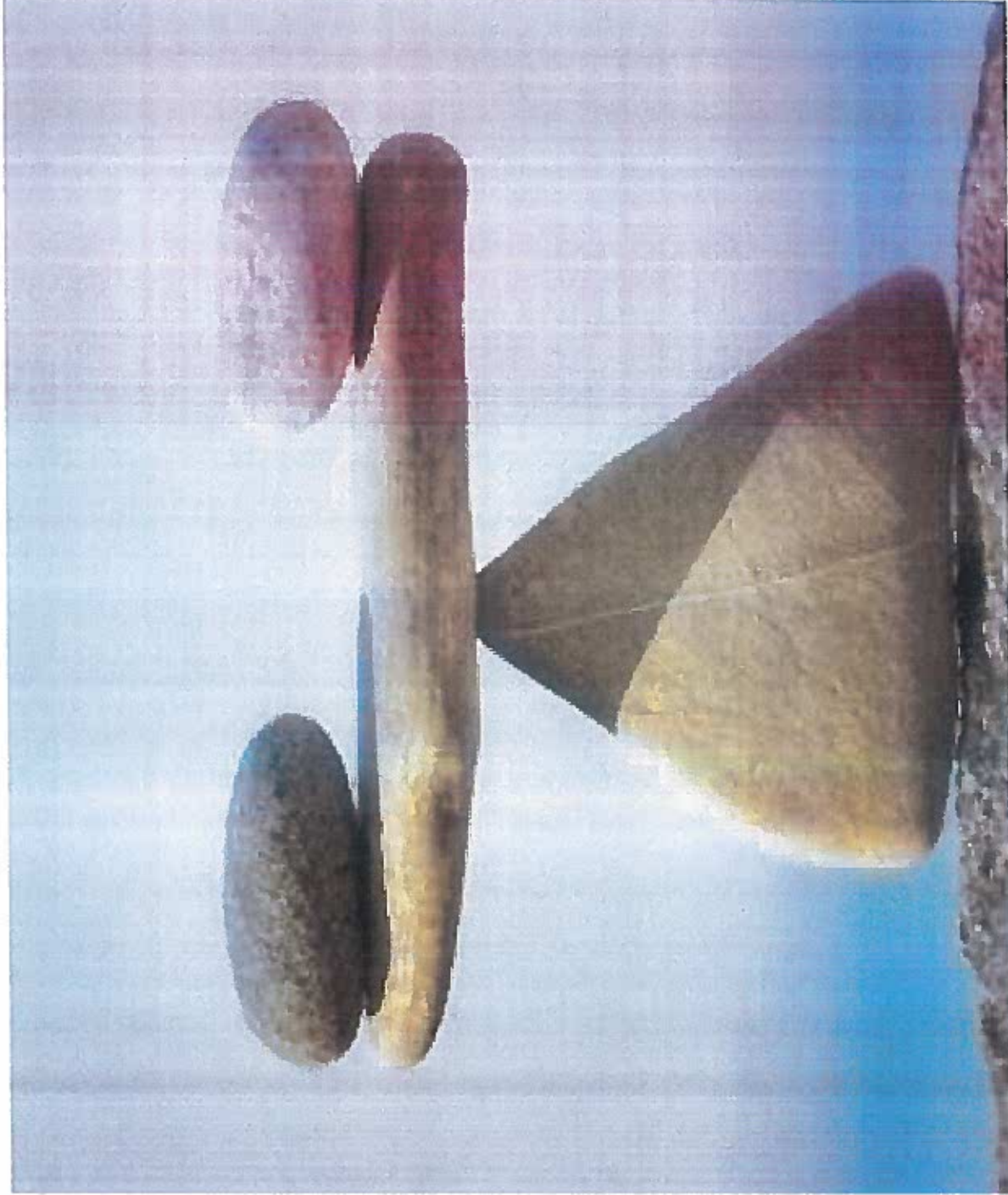


- ✓ RECORDS HAVE BEEN ARCHIVED FOR YEARS 2013-2019
- ✓ 10 PERMITS HAVE BEEN REVISED AND NOW ARE VALID PERMIT APPLICATIONS. MEETING CITY OF ALPINE ORDINANCES AND STATE REQUIREMENTS
- ✓ NEW SCHEDULE OF FEES COMPLETED AND READY TO BE SUBMITTED FOR COUNCIL APPROVAL. A TRUE REFLECTION OF OPERATIONAL COST AND FAIRNESS TO CONTRACTORS AND CITIZENS ARE REPRESENTED IN REVISED FEES
- ✓ NEW COIN – OPERATED MACHINE ORDINANCE WRITTEN AND READY TO BE SUBMITTED FOR COUNCILS FIRST READING IN FEBUARY
- ✓ CROSS-CONNECTION ORDINANCE AMENDED AND READY FOR COUNCIL APPROVAL IN FEBUARY
- ✓ AEP'S COMPLIANCE WITH BUILDING SERVICES ELECTRICAL RELEASE PROGRAM IS ENSURING THE SAFETY OF ALL OUR CITIZENS AND BUSINESS OWNERS IN ALPINE
- ✓ PLAN REVIEW IMPLEMENTED IN PERMITTING PROCESS

**JANUARY 2020**

**JANUARY COMPLETED TASK**





# FEBRUARY-MARCH

PATHWAY TO ACHIEVING  
BALANCE

- SOFTWARE
- CODE ENFORCEMENT  
TRAINING AND CERTIFICATION
- COMPLETION OF ALL NEW /  
REVISED PERMIT APPLICATIONS
- SHORT TERM RENTAL  
ORDINANCE
- CITIZEN PORTAL/ WEB SITE FOR  
BUILDING SERVICES  
DEPARTMENT
- ZONING ORDINANCE  
ADMENDMENTS



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

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

- A. Approval of minutes from City Council meeting on January 21, 2019. (E. Zimmer, City Manager)



City of Alpine  
Regular City Council Meeting  
Tuesday, January 21, 2020  
5:30 P.M.  
Minutes

1. Call to Order, Invocation and Pledge of allegiance to the flags – Mayor Ramos called the meeting to order. The meeting was held in the Council Chambers at 803 West Holland in the City of Alpine, Texas. Michael Wallens gave the invocation. Mayor Ramos led the pledge of allegiance to the flags.
2. Determination of a quorum and proof of notice of the meeting – Councilor Curry, Councilor Olivas, Councilor Betty Fitzgerald, Councilor Escovedo, Councilor Stephens, and Mayor Ramos were present. City Secretary, Cynthia Salas reported that the agenda was posted at 12:00 P.M. on January 17, 2020. City Manager, Erik Zimmer, City Attorney Rod Ponton, and Abel Hinojos were also present
3. Public Comments (limited to 3 minutes per person).
4. Presentations, Recognitions and Proclamations – (A. Ramos, Mayor) - None
5. Reports -

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

City Attorney's Report –

- Update on landfill
- Update on municipal court

City Manager Report –

- RIOCOW SWAC meeting update
- City / County 911 dispatch update
- TxDot Aviation Lighting Project update

City Staff Updates –

- Report from Environmental Services by Adelina Beall

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.)

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

B. Approve the Advisory Board & Commissions application/questionnaire. (E. Zimmer, City Manager)

Motion was made by Councilor Stephens, by Resolution 2020-01-05 to approve consent agenda as written and presented. Motion was seconded by Councilor Betty Fitzgerald. Motion unanimously carried.

8. Information or Discussion items – None
9. Action items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. (Action items limited to (up to 10 per meeting.) after being called upon by Mayor or Mayor Pro Term. Citizens are required to state their name and the Ward in which they reside. Priority will be given to citizens of Alpine and those who own businesses or property in the City. Individuals who do not live in, or own businesses or property in the City limits of Alpine, will be allowed to speak if there is time available.) –
  1. Discuss, consider, and take appropriate action on Resolution 2020-01-04 on updating check signatories for all City of Alpine checking accounts. (E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 20-01-06, on updating checking signatories for all City of Alpine checking accounts. Motion was seconded by Councilor Curry. Motion unanimously carried.
  2. Discuss, consider, and take appropriate action on amending Resolution 2019-06-02, for the city of alpine to enter into an agreement with the Big Bend Parks and Recreation for Kids non-profit organization to accept and install equipment at the City of Alpine parks that the Big Bend Parks and Recreation for Kids donates to the City. (E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 2020-01-07 to take action amending Resolution 2019-06-02, Motion was seconded by Councilor Curry. Motion unanimously carried.
  3. Discuss, consider and take appropriate action on approving the Notice of General Election for the City of Alpine, May 2, 2020 election. (E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 2020-01-08 to appropriate action on approving the Notice of General Election for the City of Alpine, May 2, 2020 election. Motion was seconded by Councilor Betty Fitzgerald. Motion unanimously carried.
10. City Councilmember Comments and Answers – No discussion or action may take place.
11. Executive Session - Pursuant to Texas Government Code 551.071 (consultation with the City Attorney), and 551.704 - 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 Code, Sections 551.071 (consultation with attorney), 551.074 (personnel matters).

12. Action – Executive Session – None

I certify that this notice was posted at 12:00 P.M. on January 17, 2020, pursuant to Texas Open Meetings Act. (Texas Vernon's Annotated Civil statutes, section 551.043 Texas Government Code.) This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the city secretary's office at (432) 837-3301 or fax (432) 837-2044 for further information.

\_\_\_\_\_  
Andres "Andy" Ramos, Mayor

Attest:

\_\_\_\_\_  
Cynthia Salas, City Secretary

I, Cynthia Salas, City Secretary, do certify that this notice was posted at 12:00 P.M. on January 17, 2020, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

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Cynthia Salas, City Secretary

8. Information or Discussion items –

1. Update on the Art Walk event from November 2019 by Keri Blackman. (E. Zimmer, City Manager)
2. Texas Rail Conference Readout. (R . Stephens, City Council, 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 to approve Resolution 2020-02-01 to accept the donation to the Alpine Police Dept. for fifteen tactical vest, plus one entry shield from the Katy's Police Dept. (E. Zimmer, City Manager)



# CITY COUNCIL

## AGENDA REQUEST

<b>AGENDA FOR COUNCIL MEETING: INITIATED BY:</b>	<b>FEBRUARY 4, 2020</b>	<b>AGENDA REQUEST NO:</b>	<b>ACTION</b>
	<b>ERIK ZIMMER</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>ADMIN</b>
<b>PRESENTED BY:</b>	<b>ERIK ZIMMER</b>	<b>FINANCE DIRECTOR:</b>	<b>MEGAN ANTRIM</b>
		<b>ADDITIONAL DIRECTOR (S):</b>	

<b>SUBJECT / PROCEEDING:</b>	DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION TO APPROVE RESOLUTION 2020-02-01 TO ACCEPT THE DONATION TO THE ALPINE POLICE DEPARTMENT FOR FIFTEEN (15) TACTICAL VEST, PLUS ONE (1) ENTRY SHIELD FROM THE KATY'S POLICE DEPARTMENT.
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<b>EXHIBITS:</b>	
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CLEARANCES	APPROVAL
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<b>LEGAL:</b>	<b>CITY ATTORNEY</b>	<b>ROD PONTON:</b>	_____
<b>FINANCE:</b>	<b>FINANCE DIRECTOR</b>	<b>MEGAN ANTRIM:</b>	_____
<b>APPROVAL:</b>	<b>CITY MANAGER</b>	<b>ERIK ZIMMER:</b>	_____

BUDGET
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<b>EXPENDITURE REQUIRED:</b>	<b>\$ 0</b>
<b>SAVINGS ANTICIPATION:</b>	<b>\$</b>
<b>CURRENT BUDGET FY2018-2019:</b>	<b>\$ 0</b>
<b>ADDITIONAL FUNDING:</b>	<b>\$</b>

RECOMMENDED ACTION
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EXECUTIVE SUMMARY
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**RESOLUTION 2020-02-01**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS ACCEPTING THE DONATION TO THE ALPINE POLICE DEPARTMENT OF FIFTEEN TACTICAL VESTS AND ONE ENTRY SHIELD FROM THE KATY POLICE DEPARTMENT**

**WHEREAS,** the Katy Police Department has offered to donate fifteen tactical vests and one entry shield to the Alpine Police Department; and

**WHEREAS,** the proposed donation of equipment will aid the Alpine Police Department in enhancing public safety and performing the department's duty to protect our residents; and

**WHEREAS,** the City Council of the City of Alpine, Texas, having taken into consideration the benefits of the donation to the public good, deem the acceptance of the donation from the Katy Police Department to be appropriate and reasonable.

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

The City of Alpine hereby accepts the donation of fifteen tactical vests and one entry shield from the Katy Police Department.

**PASSED AND APPROVED BY A MAJORITY VOTE OF THE CITY COUNCIL OF THE CITY OF ALPINE TEXAS ON FEBRUARY 4, 2020.**

\_\_\_\_\_  
Andres Ramos, Mayor

ATTEST:

\_\_\_\_\_  
Cynthia Salas, City Secretary



309 West Sul Ross Avenue  
Alpine, Texas 79830

Chief Robert Martin  
Telephone (432) 837-3486

[martin.police@ci.alpine.tx.us](mailto:martin.police@ci.alpine.tx.us)  
Fax (432) 837-2616

To: Eric Zimmer  
City Manager

From: Robert Martin  
Chief of Police

Ref: Donation to the Police Department

The Alpine Police Department has received a donation from Robert Hughes, who is a fulltime police officer with the Katy Police Department in Katy Texas. Mr. Hughes works off duty for Veteran MFG, 5446 1<sup>st</sup> Street, Katy Texas as a distributor of tactical equipment. Mr. Hughes has donated fifteen (15) level 3A entry vest priced at \$785.00 each and a tactical entry shield level 3A+ priced at \$1200.00. The total value of this donation is \$12,975.00.

I am asking for the donation from Mr. Hughes to be excepted by city council as this equipment would better protect the City of Alpine Police Officers while conducting their duties.

Sincerely,

Robert Martin  
Chief of Police  
Alpine, Texas

Cc: File/ HR



2. Discuss, consider, and take appropriate action to on the first reading of Ordinance 2020-02-03, establishing a Music Advisory Board for the City of Alpine. (E. Zimmer, City Manager)



# CITY COUNCIL

## AGENDA REQUEST

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

FEBRUARY 4, 2020

ERIK ZIMMER

**PRESENTED BY:**

ERIK ZIMMER

**AGENDA  
REQUEST NO:**

ACTION

**RESPONSIBLE  
DEPARTMENT:**

ADMIN

**FINANCE  
DIRECTOR:**

MEGAN ANTRIM

**ADDITIONAL  
DIRECTOR (S):**

**SUBJECT /  
PROCEEDING:**

DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION ON THE FIRST READING OF ORDINANCE 2020-02-03,  
ESTABLISHING A MUSIC ADVISORY BOARD FOR THE CITY OF ALPINE.

**EXHIBITS:**

ORDINANCE 2020-02-03

### CLEARANCES

### APPROVAL

**LEGAL:**

CITY ATTORNEY

**ROD PONTON:**

**FINANCE:**

FINANCE DIRECTOR

**MEGAN  
ANTRIM:**

**APPROVAL:**

CITY MANAGER

**ERIK ZIMMER:**

### BUDGET

EXPENDITURE REQUIRED: \$ 0

SAVINGS ANTICIPATION: \$

CURRENT BUDGET FY2018-2019: \$ 0

ADDITIONAL FUNDING: \$

### RECOMMENDED ACTION

### EXECUTIVE SUMMARY

## **ORDINANCE 2020-02-03**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS CREATING AND ESTABLISHING A MUSIC ADVISORY BOARD; PROVIDING REPEALING AND SEVERABILITY CLAUSES; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Alpine seeks to promote tourism and development throughout the corporate limits of the City through the efficient use of tools to promote a culture of arts and entertainment; and

**WHEREAS**, the City Council has cause in pursuit of their legislative duties on behalf of citizens of Alpine to promote the participation of those citizens and to receive formal input from them on a variety of issues; and

**WHEREAS**, maintaining a vibrant music industry is an avenue that the City wishes to pursue for the promotion and growth of the tourism industry which will enhance the City; and

**WHEREAS**, it is deemed to be in the best interest of the City to establish a Music Advisory Board to aid the City Council in effective management of the City's musical endeavors.

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

### **SECTION I FINDINGS OF FACT**

All of the premises attached in the form hereto described as Exhibit "A" are hereby found to be true and correct legislative and factual findings of the City Council of the City of Alpine and are hereby approved and incorporated herein as findings of fact.

### **SECTION II CUMULATIVE CLAUSE**

This ordinance shall be cumulative of all provisions of the City of Alpine, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

### **SECTION III SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council of the City of Alpine that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences paragraphs or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, clause, sentence, paragraph or section.

**SECTION IV  
PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**SECTION V  
EFFECTIVE DATE**

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

**PASSED AND ADOPTED THIS \_\_\_\_ DAY OF FEBRUARY 2020 BY THE CITY COUNCIL OF  
THE CITY OF ALPINE, TEXAS.**

**INTRODUCTION AND FIRST READING**

**February 4, 2020**

**SECOND AND FINAL READING**

**February 18, 2020**

\_\_\_\_\_  
**Andres "Andy" Ramos, Mayor  
City of Alpine**

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## **Exhibit "A"**

### **MUSIC ADVISORY BOARD**

#### **Board established; appointment, terms.**

There is created and established for the city, being a home rule municipality, a music advisory board which shall be composed of seven members representing the music industry of the city: two musicians, two representatives of music venues, two representatives of music-focused events, and one music education representative. The members shall be resident citizens, taxpayers and qualified voters of the city. The members shall be recommended by the music liaison (tourism director) and city manager and shall be appointed by the city secretary subject to confirmation by the city council. The members shall serve terms of two years. All vacancies shall be filled for the unexpired term in the same manner as provided for in the original appointments. All expired terms shall be filled as provided for in the original appointments and in the same manner. Members of the board may be removed by the city secretary, with the consent of the city council, after being absent from three consecutive meetings without being excused by the city secretary. The reason for an absence shall be reported to the city secretary before the meeting occurs and recorded in the minutes of the scheduled meeting together with the city secretary's decision on the absence. The members of the board shall serve without compensation.

#### **General purposes.**

The general purposes of the music advisory board shall be to receive suggestions, study situations, plans, projects and generally to act in an advisory capacity to such extent as the city council may desire to be advised, relative to the music industry of the city and, when requested by the city council, to make such reports as the council may request regarding such, to the end that the council may have the benefit of the opinions of interested citizens and groups who have time, and are willing to make more in-depth study of, and reports on, music industry matters than time will permit the council to engage in, considering the variety of other city business to be dealt with.

#### **Quorum.**

All seven members of the music advisory board shall have a vote. A majority of four members shall be necessary to constitute a quorum, hold a meeting and transact business.

#### **Duties of music liaison**

The tourism director of the city shall serve as music liaison, and among the music liaison's duties shall be to call and preside at the meetings of such board, make such reports and suggestions to the city manager and city council as such board may vote to be submitted; resolve by his vote any tie votes of such board and generally act as liaison between such board and the city manager and city council. The board may appoint an acting chairperson for any regular meeting that the music liaison is unable to attend and, such acting chairperson shall have a vote in all matters before the board requiring a vote.

#### **Regular meetings.**

Regular meetings of the music advisory board shall be held at least quarterly at such times and places as the music liaison may, from time to time, establish.

#### **Meetings to be public.**

All meetings of the Music Advisory Board shall be open to the public

**Suggestions and recommendations; action thereon.**

The music advisory board, upon placing its request upon the city council's agenda, may make such suggestions and recommendations to the city council, from time to time, as such board may deem advisable and in the best interest of the music industry of the city. Each suggestion and recommendation must first be approved by a majority of those members present and voting, and no such suggestions or recommendations shall be made by the music advisory board, as such, unless a quorum is present at the meeting where such is made. Nothing in this section shall be construed to prevent any individual from bringing any matter before the council or to prevent the making of the minority report by the members of such board so desiring. The council may act, or not, upon any matter brought before it by the board, upon any minority report, or any suggestion or recommendation of any individual or group.

3. Discuss, consider, and take appropriate action on the first reading of Ordinance 2020-02-02, establishing a Hotel Occupancy Tax Advisory Committee, providing repealing and severability clauses; providing a Texas Open meetings act clause. (E. Zimmer, City Manager)



# CITY COUNCIL

## AGENDA REQUEST

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

**FEBRUARY 4, 2020**

**ERIK ZIMMER**

**AGENDA  
REQUEST NO:**

**ACTION**

**RESPONSIBLE  
DEPARTMENT:**

**ADMIN**

**PRESENTED BY:**

**ERIK ZIMMER**

**FINANCE  
DIRECTOR:**

**MEGAN ANTRIM**

**ADDITIONAL  
DIRECTOR (S):**

**SUBJECT /  
PROCEEDING:**

**DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION ON THE FIRST READING OF ORDINANCE 2020-02-02,  
ESTABLISHING A HOTEL OCCUPANCY TAX ADVISORY COMMITTEE, PROVIDING REPEALING AND  
SEVERABILITY CLAUSES; PROVIDING A TEXAS OPEN MEETING ACT CLAUSE**

**EXHIBITS:**

**ORDINANCE 2020-02-02**

### CLEARANCES

### APPROVAL

**LEGAL: CITY ATTORNEY**

**ROD PONTON:**

**FINANCE: FINANCE DIRECTOR**

**MEGAN  
ANTRIM:**

**APPROVAL: CITY MANAGER**

**ERIK ZIMMER:**

### BUDGET

**EXPENDITURE REQUIRED: \$ 0**

**SAVINGS ANTICIPATION: \$**

**CURRENT BUDGET FY2018-2019: \$ 0**

**ADDITIONAL FUNDING: \$**

### RECOMMENDED ACTION

### EXECUTIVE SUMMARY



## **ORDINANCE 2020-02-02**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS CREATING AND ESTABLISHING A HOTEL OCCUPANCY TAX COMMITTEE; PROVIDING REPEALING AND SEVERABILITY CLAUSES; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Alpine seeks to promote tourism and development throughout the corporate limits of the City through the efficient use of Hotel Occupancy Tax funds; and

**WHEREAS**, the City Council has cause in pursuit of their legislative duties on behalf of citizens of Alpine to promote the participation of those citizens and to receive formal input from them on a variety of issues; and

**WHEREAS**, the efficient use of Hotel Occupancy Tax funds is imperative to the promotion and growth of the tourism industry which will enhance the City; and

**WHEREAS**, it is deemed to be in the best interest of the City to establish a Hotel Occupancy Tax Advisory Committee to aid the City Council in effective management of Hotel Occupancy Tax matters.

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

### **SECTION I FINDINGS OF FACT**

All of the premises attached in the form hereto described as Exhibit "A" are hereby found to be true and correct legislative and factual findings of the City Council of the City of Alpine and are hereby approved and incorporated herein as findings of fact.

### **SECTION II CUMULATIVE CLAUSE**

This ordinance shall be cumulative of all provisions of the City of Alpine, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

### **SECTION III SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council of the City of Alpine that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences paragraphs or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, clause, sentence, paragraph or section.

**SECTION IV  
PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**SECTION V  
EFFECTIVE DATE**

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

**PASSED AND ADOPTED THIS \_\_\_\_ DAY OF FEBRUARY 2020 BY THE CITY COUNCIL OF  
THE CITY OF ALPINE, TEXAS.**

**INTRODUCTION AND FIRST READING**

**February 4, 2020**

**SECOND AND FINAL READING**

**February 18, 2020**

\_\_\_\_\_  
**Andres "Andy" Ramos, Mayor  
City of Alpine**

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## **Exhibit "A"**

### **HOTEL OCCUPANCY TAX ADVISORY COMMITTEE**

#### **Board established; appointment, terms.**

There is created and established for the city, being a home rule municipality, a hotel occupancy tax advisory committee which shall be composed of seven members; two members shall come from hotels, three members shall come from arts or historic preservation, two members shall be any citizen 18 years of age or older. The city manager and the director of tourism shall serve as the ex-officio members. The members shall be resident citizens, taxpayers and qualified voters of the city. The members shall be recommended by a councilmember representing each ward and shall be appointed by the city secretary subject to confirmation by the city council. The members shall serve terms of two years, and each member's term shall align and coincide with that of the recommending councilmember. All vacancies shall be filled for the unexpired term in the same manner as provided for in the original appointments. All expired terms shall be filled as provided for in the original appointments and in the same manner. Members may be dismissed after being absent from three consecutive meetings without being excused by the city secretary. The reason for an absence shall be reported to the city secretary before the meeting occurs and recorded in the minutes of the scheduled meeting together with the city secretary's decision on the absence. The members of the board shall serve without compensation.

#### **General purposes.**

The general purposes of the hotel occupancy tax advisory committee shall be to receive suggestions, study situations, plans, projects and generally to act in an advisory capacity to such extent as the city council may desire to be advised, relative to hotel occupancy tax funds of the city and, when requested by the city council, to interview applicants for positions, discuss employee relationships and make such reports as the council may request regarding such, to the end that the council may have the benefit of the opinions of interested citizens and groups who have time, and are willing to make more in-depth study of, and reports on, hotel occupancy tax matters than time will permit the council to engage in, considering the variety of other city business to be dealt with.

#### **Quorum.**

All seven members of the hotel occupancy tax advisory committee shall have a vote. A majority of four members shall be necessary to constitute a quorum, hold a meeting and transact business.

#### **Appointment, duties of chairperson.**

A chairperson of the hotel occupancy tax advisory committee shall be appointed annually by the city council from among the members of such board, and such chairperson's duties shall be to call and preside at the meetings of such board, make such reports and suggestions to the city manager and city council as such board may vote to be submitted; resolve by his vote any tie votes of such board and generally act as liaison between such board and the city manager and city council. The board may appoint an acting chairperson for any regular meeting that such appointed chairperson is unable to attend and, such acting chairperson shall have a vote in all matters before the board requiring a vote.

#### **Regular meetings.**

Regular meetings of the hotel occupancy tax advisory committee shall be held at least quarterly at such times and places as the chairman may, from time to time, establish.

#### **Meetings to be public.**

All meetings of the Music Advisory Board shall be open to the public

**Suggestions and recommendations; action thereon.**

The hotel occupancy tax advisory committee, upon placing its request upon the city council's agenda, may make such suggestions and recommendations to the city council, from time to time, as such board may deem advisable and in the best interest of hotel occupancy tax funds of the city. Each suggestion and recommendation must first be approved by a majority of those members present and voting, and no such suggestions or recommendations shall be made by the hotel occupancy tax advisory committee, as such, unless a quorum is present at the meeting where such is made. Nothing in this section shall be construed to prevent any individual from bringing any matter before the council or to prevent the making of the minority report by the members of such board so desiring. The council may act, or not, upon any matter brought before it by the board, upon any minority report, or any suggestion or recommendation of any individual or group.

4. Discuss, consider, and take appropriate action on the first reading of Ordinance 2020-02-01, establishing a process for the issuance of a citation and a fine to Union Pacific for blocking the 5<sup>th</sup> street intersection. (R. Stephens, City Council)



# CITY COUNCIL

## AGENDA REQUEST

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

FEBRUARY 4, 2020

ERIK ZIMMER

**PRESENTED BY:**

ERIK ZIMMER

**AGENDA  
REQUEST NO:**

ACTION

**RESPONSIBLE  
DEPARTMENT:**

ADMIN

**FINANCE  
DIRECTOR:**

MEGAN ANTRIM

**ADDITIONAL  
DIRECTOR (S):****SUBJECT /  
PROCEEDING:**

DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION ON THE FIRST READING OF ORDINANCE 2020-02-01, ESTABLISHING A PROCESS FOR THE ISSUANCE OF A CITATION AND A FINE TO UNION PACIFIC FOR BLOCKING 5<sup>TH</sup> STREET INTERSECTION

**EXHIBITS:**

ORDINANCE 2020-02-01

**CLEARANCES****APPROVAL**

**LEGAL:** CITY ATTORNEY

**ROD PONTON:**

**FINANCE:** FINANCE DIRECTOR

**MEGAN  
ANTRIM:**

**APPROVAL:** CITY MANAGER

**ERIK ZIMMER:**

**BUDGET**

**EXPENDITURE REQUIRED: \$ 0**

**SAVINGS ANTICIPATION: \$**

**CURRENT BUDGET FY2018-2019: \$ 0**

**ADDITIONAL FUNDING: \$**

**RECOMMENDED ACTION****EXECUTIVE SUMMARY**

## **Ordinance 2020-02-01**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS PROHIBITING TRAINS FROM BLOCKING CERTAIN INTERSECTIONS, PROVIDING FOR AN EFFECTIVE DATE, SUPERSEDEANCE AND FOR SEVERABILITY.**

**WHEREAS**, the City Council recognizes that the safety, health and welfare of its inhabitants is the primary concern of its governing body; and

**WHEREAS**, Texas Law allows a municipality to levy fines to enforce such matters of public safety, health and welfare; and

**WHEREAS**, guaranteeing the flow of traffic along major municipal road corridors is a requirement for facilitating adequate response to police, fire and medical emergencies; and

**WHEREAS**, the City Council has identified that keeping 5<sup>th</sup> Street passable during every train crew change is required in order to ensure that said emergency response may reach Southern portions of the City; and

**WHEREAS**, Union Pacific Section 6.32.6 Blocking Public Crossings; a standing train or switching movement must avoid blocking a public crossing longer than 10 minutes; and

**WHEREAS**, Union Pacific has been non-committal in updating their operations to adhere to citizen safety concerns in the City of Alpine; and

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

**SECTION I:** That it is unlawful for the operator of any westbound railroad train to operate or to direct the operation of the same in such manner as to prevent the use of 5<sup>th</sup> Street for purposes of travel for a period of time longer than ten (10) minutes, except that this provision shall not apply to trains or cars in motion other than those involved in switching.

**SECTION II:** A violation of this Ordinance shall be punishable by a fine of \$1,000.00, with an additional fine of \$100.00 to be levied for each additional minute beyond the initial ten (10) minutes that a westbound train continues to be in violation of Section I.

**SECTION III:** This Ordinance supersedes all previously adopted ordinances and resolutions of the City Council of the City of Alpine. Any fines or violations not included in this Ordinance shall continue to be of full force and effect. All provisions of any Ordinance or Resolution of the City of Texas in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict, and all other provisions of any Ordinance or Resolution of the City of Alpine not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION IV: If any article, section, subsection, clause, paragraph, sentence or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such invalid article, section, subsection, clause, paragraph, sentence or phrase shall in no way affect the validity of the remaining portions of this Ordinance; and it is hereby declared to be the intention of the City Council to enact each section and portion thereof individually, and each such section shall stand individually if necessary, and be in force regardless of the determined invalidity or unconstitutionality of any article, section, subsection, clause, paragraph, sentence or phrase thereof.

**PASSED AND ADOPTED THIS \_\_\_\_ DAY OF FEBRUARY, 2020 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS**

**INTRODUCTION AND FIRST READING**

**SECOND AND FINAL READING**

**February 4, 2020**

**February 18, 2020**

\_\_\_\_\_  
Andres "Andy" Ramos, Mayor  
City of Alpine

**ATTEST:**

\_\_\_\_\_  
Cynthia Salas, City Secretary  
City of Alpine

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Rod Ponton, City Attorney  
City of Alpine



11. Executive Session - Pursuant to Texas Open Meetings Act (Texas Government Code Section 551.071 (consultation with attorney) and 551.074 (personnel matters) –

1. Discuss, consider, and take appropriate action in regards to personnel matters of the City Attorney. (M. Curry, City Council)

12. Action – Executive Session –

1. Discuss, consider, and take appropriate action, if any, in regards to the personnel matters of the City Attorney. (M. Curry, City Council)