



CITY OF ALPINE
REGULAR CITY COUNCIL MEETING
November 5, 2024 – 4:00 PM

City Council Chambers, 803 W. Holland Avenue, Alpine, Texas 79830

1. WORKSHOP MEETING - 4:00 P.M.

City workshops are open to the public for comments throughout the workshop meeting.

A. Comprehensive Plan Discussion. (M. Antrim, City Manager)

2. CALL TO ORDER - REGULAR MEETING - 5:30 P.M.

A. Pledge of Allegiance to the United States Flag.

B. Pledge of Allegiance to the Texas Flag.

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

3. PUBLIC COMMENTS.

Each person in attendance who desires to speak to the City Council on an item on the agenda shall speak during this section. A Public Comment Card must be filled out and turned in to the City Secretary at least 5 minutes prior to the start time of the meeting. The Public Comment Card may be filled out at www.cityofalpine.com/councilcomments. Public comments may be made regarding agenda items only. Attendees must be physically present in order to address the City Council. Comments by proxy are not allowed. Public Comments are limited to 3 minutes per person. Unused time may not be yielded to other attendees. Please note that the City Council may only take action on items posted on the agenda. The Texas Open Meetings Act prohibits the Council from deliberating or taking action on an item not listed on the agenda. City Staff may ask commenters clarifying questions, respond with facts, and explain policy.

4. PUBLIC HEARINGS.

At this time, the Mayor will invite members of the public to address each item listed in this section. Comments made during this section are limited to the topic of each public hearing. Attendees must be physically present in order to address the City Council. Comments by proxy are not allowed. Public Comments are limited to 3 minutes per person. Unused time may not be yielded to other attendees. If more than one public hearing is being held, each person will be allowed to speak during each topic.

A. Public Hearing to obtain citizen views and comments regarding Replat 2024-11-01, an application for replat which would allow the applicant, Family Crisis Center of the Big Bend, to reflect the updated ownership of a recently purchased unimproved alleyway on the subject property. The subject property is located at 402 E. Gallego Avenue and is legally described as Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and the alley, Block 71 of the Original Town of Alpine. The property owner of record is Family Crisis Center of the Big Bend, inc. The parcel ID of the subject property is 12236. The current zoning classification of the property is R-2 Two Family District. If the replat is approved the zoning classification of the subject property will be R-2 Two Family District.

B. Public Hearing to obtain citizen views and comments regarding Special Use Permit 2024-11-01, an application for special use permit to allow the applicant, Benjamin Garcia as a tenant through an existing license or permit (Brews & Hues - (BG) Wine and Malt Beverage

Retailer's Permit), to provide beer and wine sales at the subject property for a newly established business, Viva Cow Dog & Cafe. The subject property is located at 215 E. Holland Avenue. The property owner of record is Jason Sullivan. The parcel ID of the subject property is 11798.

- C. Public Hearing to obtain citizen views and comments regarding Variance 2024-11-01, an application for a variance which would allow the applicant, Ni Feng Li and Xiudan Lin c/o Carol Morrow, to establish a variance to the setback requirements of the subject property. The acceptable setback is typically 12.5 feet from a structure to the property line. This variance would allow the subject property 0 feet of setback from the structure to the property line, which typically does not meet the requirements for a residential corner under the city's code. The subject property is located at 513 N. 16th Street and is legally described as Lots 7 and 8, Block 8, Hamilton Addition to Alpine as shown on subdivision plat files in Envelopes B6 and B7, Plat Records of Brewster County, Texas. The property owner of record is Ni Li Feng and Xiudan Lin. The parcel ID of the subject property is 10625. The current zoning classification of the property is R-2 Two Family District. If the variance is approved the zoning classification of the subject property will be R-2 Two Family District.

5. **PUBLIC PRESENTATIONS.**

- A. Presentations & Recognitions
- B. Proclamations
 - i) Proclamation of Municipal Courts Week November 4-8, 2024
- C. Community Interest Items
 - i) Mayor Announcements
 - ii) City Manager Announcements
 - iii) Council Member Announcements

6. **CHANGES TO POSTED AGENDA.**

NOTICE: *The City Council reserves the right to change the order of business at any time during the meeting. To change the order of business a motion, a second, and a majority vote is required.*

- A. **Items to be continued or withdrawn.** Items may be continued to the next City Council meeting or withdrawn from consideration during this agenda. Items to be continued or withdrawn require a motion, a second, and a majority vote.
- B. **Items to be removed from the Consent Agenda for separate discussion.** Items may be withdrawn from the consent agenda by a simple request by the Mayor or any City Council member. Items removed from the consent agenda will be considered in the *Items Removed from the Consent Agenda* portion of the meeting directly after approval of the items not requiring separate discussion.
- C. **Action items to be added to the consent agenda.** Adding action items to the consent agenda must be requested by the Mayor or any City Council member and requires a motion, a second, and a majority vote.
- D. **Time-Sensitive Items.** The Mayor, any City Council Member, or a member of City Staff may,

by simple request, ask that time-sensitive items be considered during that section.

7. **TIME SENSITIVE ITEMS.**

8. **CONSENT AGENDA.**

- A. Approval of the October 15, 2024 Regular Meeting Minutes. (G. Calderon, City Secretary)
- B. Approval of the appointment of Mateo Mares to the Place 4 position on the Music Advisory Board. (R. Stone, City Council)
- C. Approval of Resolution 2024-11-01, a resolution approving the City of Alpine credit card policy. (M. Antrim, City Manager)
- D. Approval of Resolution 2024-11-02, a resolution adopting a policy prohibiting the installation or use of Tiktok on City devices or for use of that application for official related business pursuant to Texas Senate Bill 1893. (M. Antrim, City Manager)

9. **ITEMS REMOVED FROM THE CONSENT AGENDA.**

10. **REPORTS & PRESENTATIONS.**

Presentations are limited to 6 minutes each. A bell will ring when the 6-minute timeframe has been reached. If further time is needed the presentation may be extended an additional 4 minutes at the discretion of the presiding officer. After the initial period and extension have passed, the presentation may be extended further by a motion, a second, and a majority vote of the City Council.

11. **INFORMATION OR DISCUSSION ITEMS.**

- A. Discuss the use of Edlink18 as a Managed Service Provider (MSP) for IT Services for the City of Alpine. (D. Nance, City Council)
- B. Discuss making possible updates to the political sign ordinance, up to and including requirements under state law and applicable regulations that can be made regarding the placement of political signs within City limits. (R. Stone, City Council)
- C. Discussion regarding a possible error that needs to be corrected in Ordinance 2024-08-01, an ordinance implementing restrictions regarding non-contiguous zoning, or spot zoning. (C. Eaves, Mayor)
- D. Discuss the Office of the City Manager Administrative Directives and Department Standard Operating Procedures. (M. Antrim, City Manager)
- E. Presentation on Employee Compensation Study by Evergreen. (M. Antrim, City Manager)

12. **ACTION ITEMS.**

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

- A. Approve Replat 2024-11-01, an application for replat which would allow the applicant, Family Crisis Center of the Big Bend, to reflect the updated ownership of a recently purchased unimproved alleyway on the subject property. The subject property is located at 402 E. Gallego Avenue and is legally described as Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and the alley, Block 71 of the Original Town of Alpine. The property owner of record is Family Crisis Center of

the Big Bend, inc. The parcel ID of the subject property is 12236. The current zoning classification of the property is R-2 Two Family District. If the replat is approved the zoning classification of the subject property will be R-2 Two Family District. (M. Antrim, City Manager)

- B. Approve Special Use Permit 2024-11-01, an application for special use permit to allow the applicant, Benjamin Garcia as a tenant through an existing license or permit (Brews & Hues - (BG) Wine and Malt Beverage Retailer's Permit), to provide beer and wine sales at the subject property for a newly established business, Viva Cow Dog & Cafe. The subject property is located at 215 E. Holland Avenue. The property owner of record is Jason Sullivan. The parcel ID of the subject property is 11798. (M. Antrim, City Manager)
- C. Approve Variance 2024-11-01, an application for a variance which would allow the applicant, Ni Feng Li and Xiudan Lin c/o Carol Morrow, to establish a variance to the setback requirements of the subject property. The acceptable setback is typically 12.5 feet from a structure to the property line. This variance would allow the subject property 0 feet of setback from the structure to the property line, which typically does not meet the requirements for a residential corner under the city's code. The subject property is located at 513 N. 16th Street and is legally described as Lots 7 and 8, Block 8, Hamilton Addition to Alpine as shown on subdivision plat files in Envelopes B6 and B7, Plat Records of Brewster County, Texas. The property owner of record is Ni Li Feng and Xiudan Lin. The parcel ID of the subject property is 10625. The current zoning classification of the property is R-2 Two Family District. If the variance is approved the zoning classification of the subject property will be R-2 Two Family District. (M. Antrim, City Manager)
- D. Approve moving forward with a Bike Lane on Avenue B from N Harrison St to N Hancock Dr. (D. Nance, City Council)
- E. Approve transferring \$10,000 from the Texas Class Reserve Account - Fire account to be provided to the Alpine Emergency Services Board for a total of \$50,000 for FY 2024-2025. (M. Antrim, City Manager)

13. **EXECUTIVE REPORTS.**

Executive reports are limited to 10 minutes each. The City Council may hold a discussion during this section regarding any item listed on the agenda. No action may take place regarding report items, unless specified on the agenda.

City Mayor Report

City Manager Report

14. **CITY COUNCIL MEMBER COMMENTS.**

15. **EXECUTIVE SESSION.**

NOTICE: *The City Council reserves the right to reconvene, recess, realign, change the order of business, or adjourn into Executive Session at any time during the course of the meeting prior to adjournment, to discuss any item listed above, as authorized by 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 551.087 (development).*

- A. Personnel Matters § 551.074, Texas Government Code

1. Update on filling Director of Finance and Director of Utilities positions including actions, timeline and hiring strategies to get key positions filled. (R. Stephens, City Council)

16. **ACTION AFTER EXECUTIVE SESSION.**

- A. Action, if any, concerning any of the items listed in executive session. (M. Antrim, City Manager)

17. **ADJOURN.**

CERTIFICATION

I, Geoffrey R. Calderon, do hereby certify that this notice was posted at City Hall, in a convenient and readily accessible place to the general public, and on the City website at www.cityofalpine.com pursuant to Section 551.043, Texas Government Code. The said notice was posted by 2:00 P.M. on November 1, 2024, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting.

WITNESS MY HAND AND SEAL
this 1st day of November, 2024.



Geoffrey R. Calderon, TRMC
City Secretary & Chief Governance Officer



Planning for Alpine's Future

Tools & Approaches

AJ Fawver, AICP, CNU-A, CPM

Community Consulting Leader, Verdunity

What We'll Cover

- Background information on Verdunity
- An educational foundation about two tools for city governance:
 - Strategic Plans
 - Comprehensive Plans
- A comparison/contrast of these tools
- Discuss your questions so that you can decide next steps as you look ahead

At Verdunity, We:

- Work with towns & cities of all sizes in different states. The projects are tailored to the client, but the lessons are often similar.
- Help community leaders achieve meaningful improvements with the resources they have.
- Provide fiscally-based analysis, planning, engineering, & community engagement services.

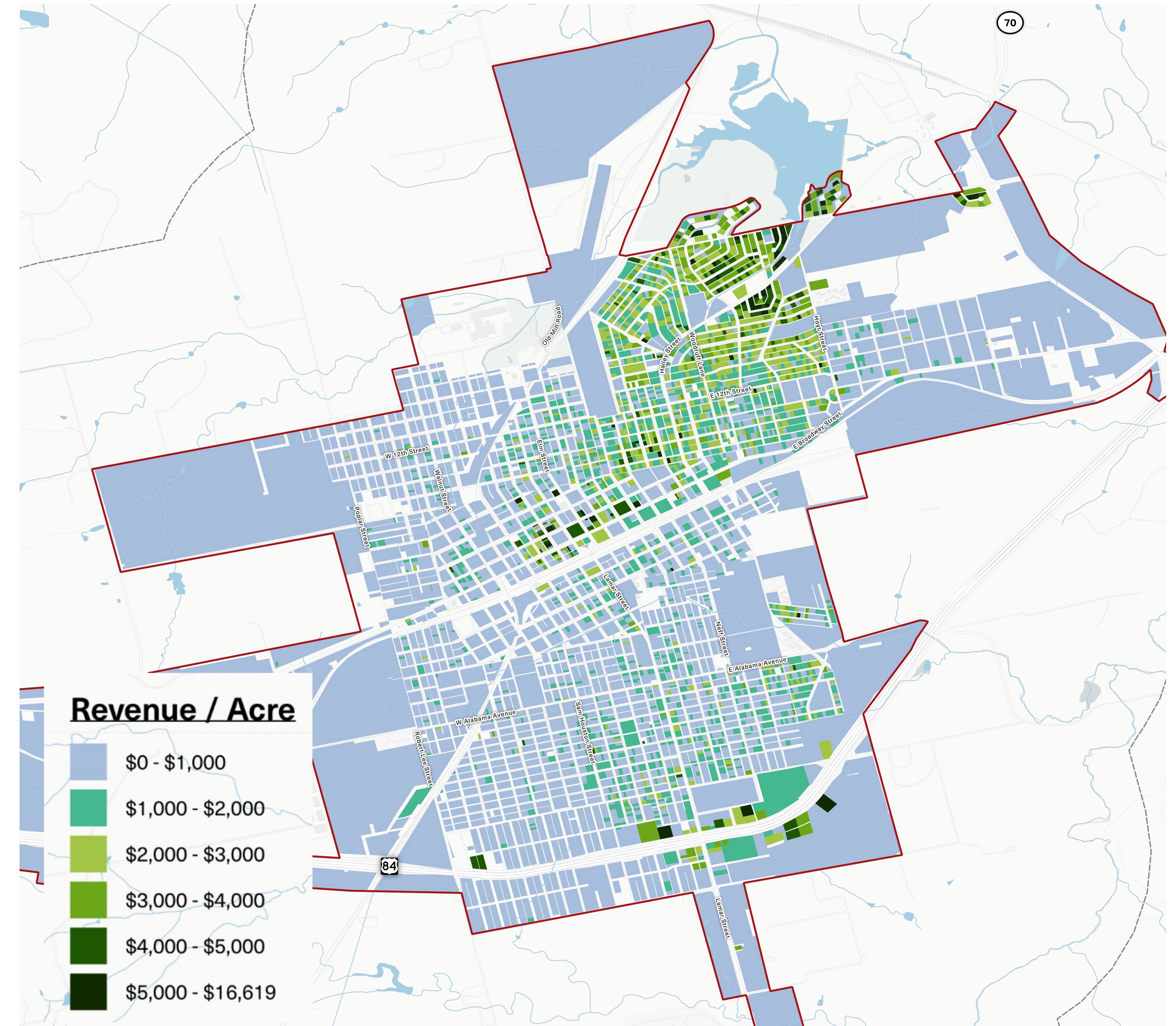


How Do We Do This?

- Create a baseline analysis to see how your city is performing & which development patterns are most fiscally productive
- Develop a fiscally-based land use plan for the future
- Provide suggestions for implementing policy and tools to leverage more property tax revenue for funding the community's needs
- Identify incremental, low-cost ways to leverage the resources you have today

Revenue Per Acre

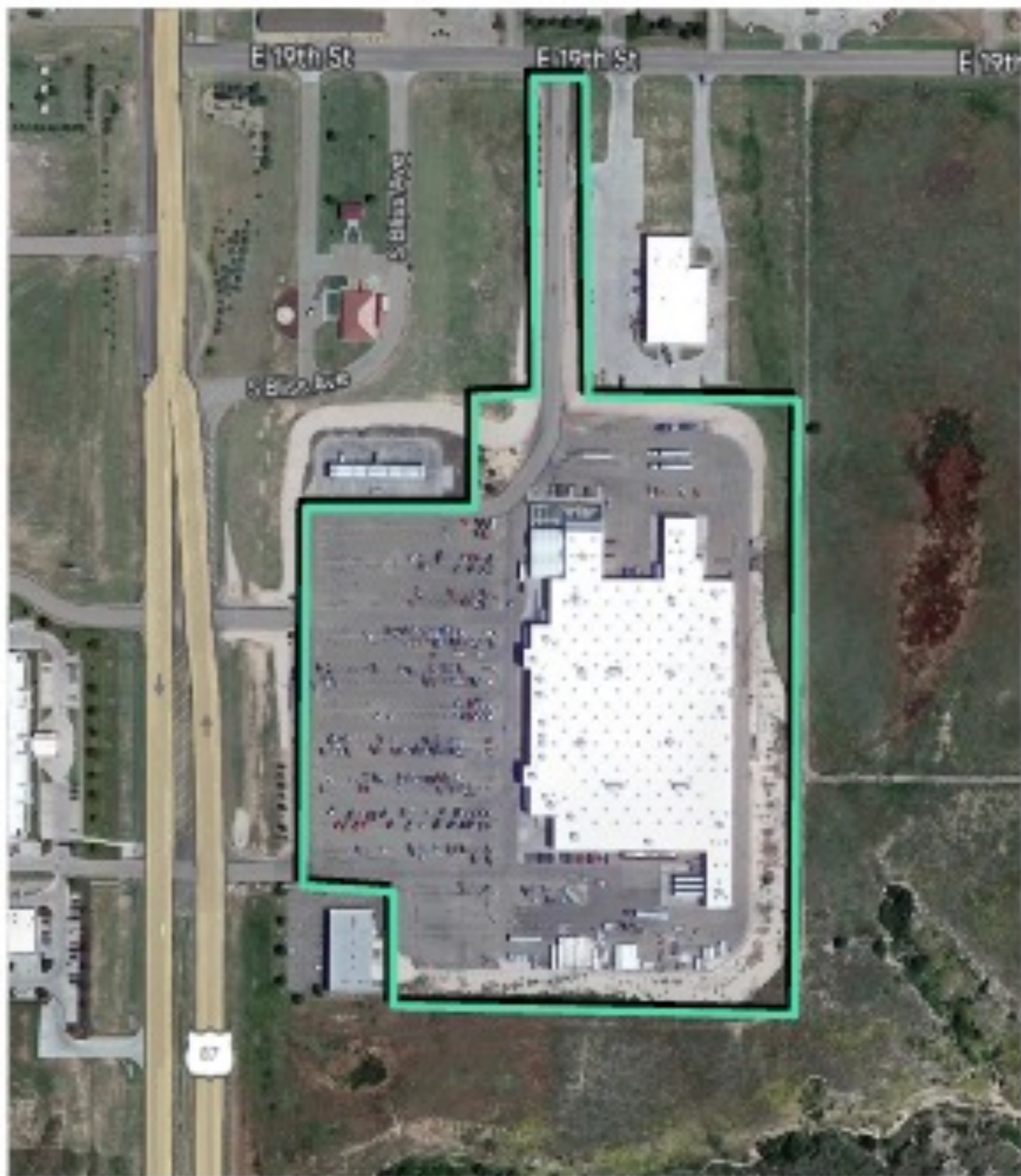
- Allows examination of profitability
- Helps explain the presence of a resource gap
- Demonstrates how smaller properties can be powerful contributors to the overall fiscal picture
- Removes exempt parcels from the equation



City of Sweetwater, 2021

Comparing the Value of Development Patterns

Big Box - Walmart*



Improvement Value	\$ 7,445,280
Assessed Value	\$ 7,800,000
Area	18.93 Acres
Assessed Value/Acre	\$ 411,974

Conventional Strip Mall



Improvement Value	\$ 3,012,289
Assessed Value	\$ 3,162,590
Area	4.79 Acres
Assessed Value/Acre	\$ 660,248

Downtown Mixed Use



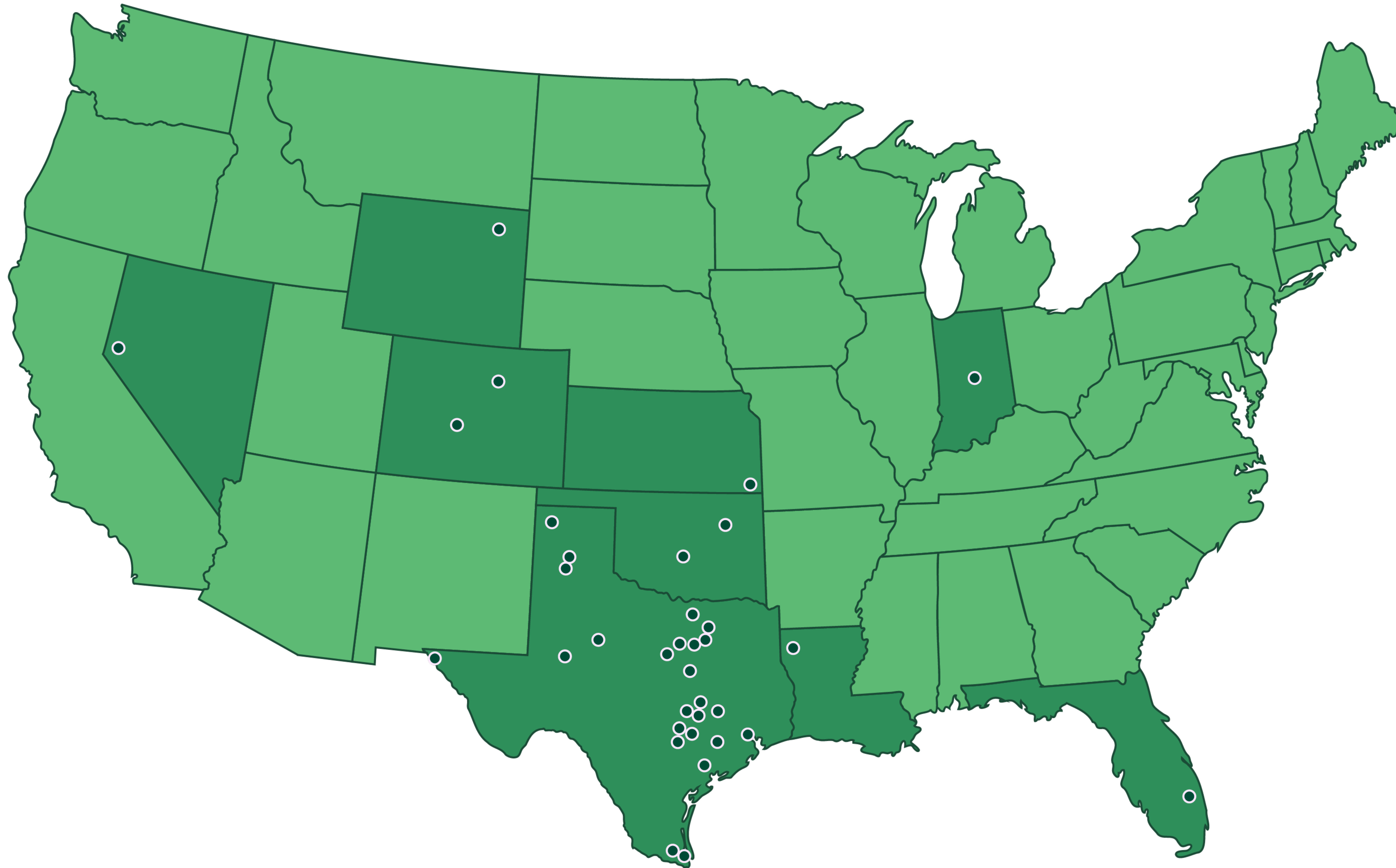
Improvement Value	\$ 1,069,890
Assessed Value	\$ 1,159,890
Area	1.16 Acres
Assessed Value/Acre	<u>\$ 999,905</u>

**Big Box is located in the City of Dumas, data sourced from Moore CAD*

City of Dalhart, 2023

Some of the Small Towns We've Worked With:

- Ablemarle, NC
- Bastrop, TX
- Burkburnett, TX
- Canyon, TX
- Dalhart, TX
- El Campo, TX
- Josephine, TX
- Liberty Hill, TX
- Morgan City, LA
- Parsons, KS
- Pilot Point, TX
- Rancho Viejo, TX
- Sweetwater, TX
- Taylor, TX

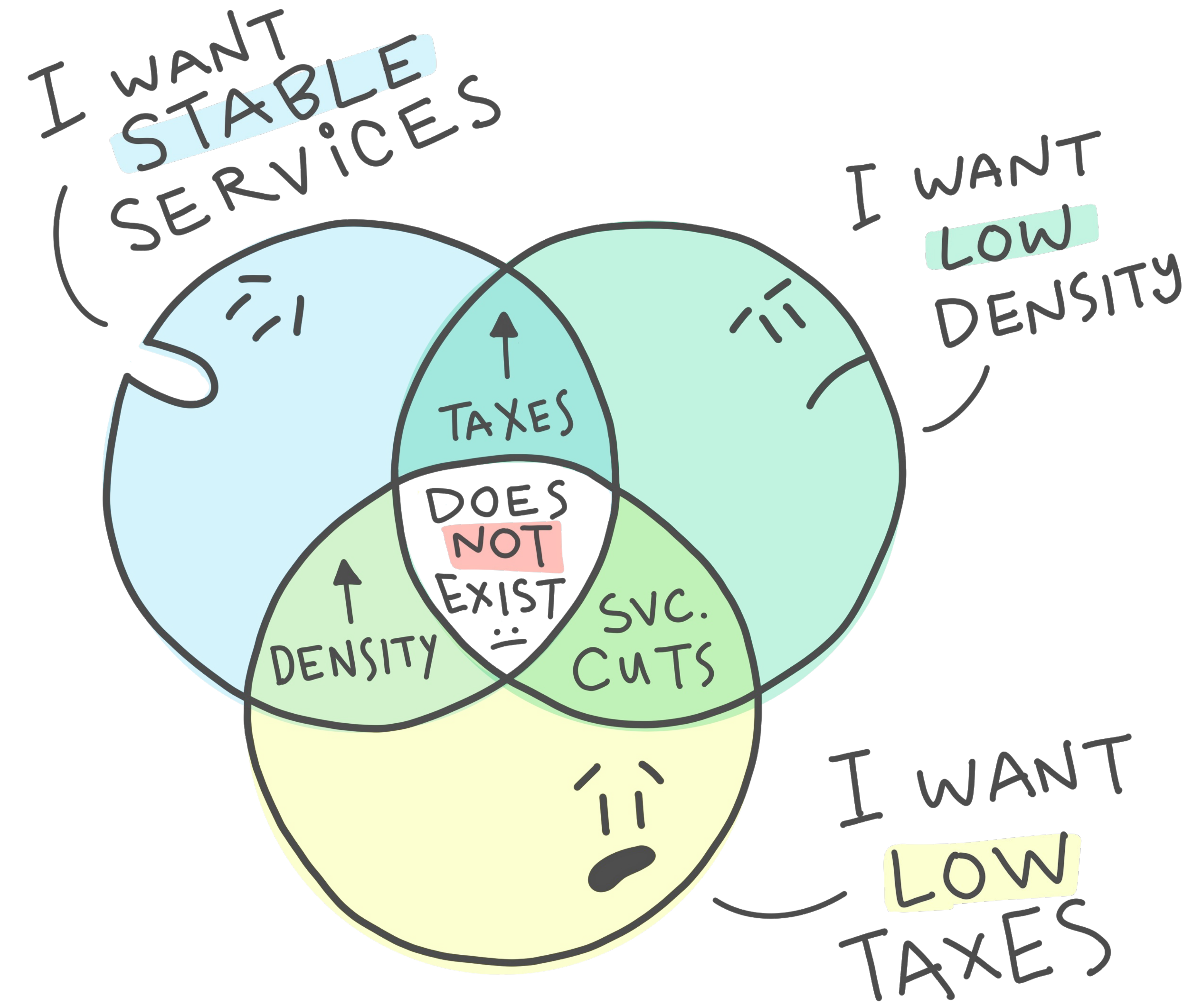


Why Must Cities Plan?

- To ensure they are well-equipped for the challenges, both those anticipated and those unanticipated
- To focus their efforts so that tangible forward progress can be made
- To influence & ensure health, safety, and quality of life for their residents
- To create predictable conditions
- To make their cities more efficient, accessible, equitable, & profitable
- To address issues for their residents
- To secure their longevity and resources

Tradeoffs Are Necessary

- Help your residents understand why
- Ground the conversation in fiscal realities
- Emphasize the importance of long-term costs and impacts
- Keep in mind the impact on future generations



Bottom Line

Having it all *without limitation* is a fallacy.

Strategic Plans

What is It?

- Can cover multiple years (2-5) or a single year
- Roadmap for an organization to reach its goals

Who's Involved?

- Key staff and officials develop the plan (often with facilitation and assistance)
- Also used by other types of organizations:
 - Chambers of commerce
 - Main Street offices
 - Non-profits
 - Regional groups, i.e., COGs
 - Eco Dev Corporations

What are Its Parts?

- Metrics and/or benchmarks
- Priorities for a short timeframe
- A sorting and prioritizing of ideas shared by city leadership
- Organizational vision, mission, goals & actions

What is It Meant to Do?

- Align resources, goals & activities
- Achieve goals quickly & effectively
- Reference & incorporate adopted documents by the governing body
- Be an organization-wide statement of the City of Alpine's future



How is It Used by City Leaders?

- Guides the plan of work for the next few years (typically, 1-5)
- To maintain accountability and transparency about the city's path
- To document accomplishments and setbacks

Comprehensive Plans

What is It?

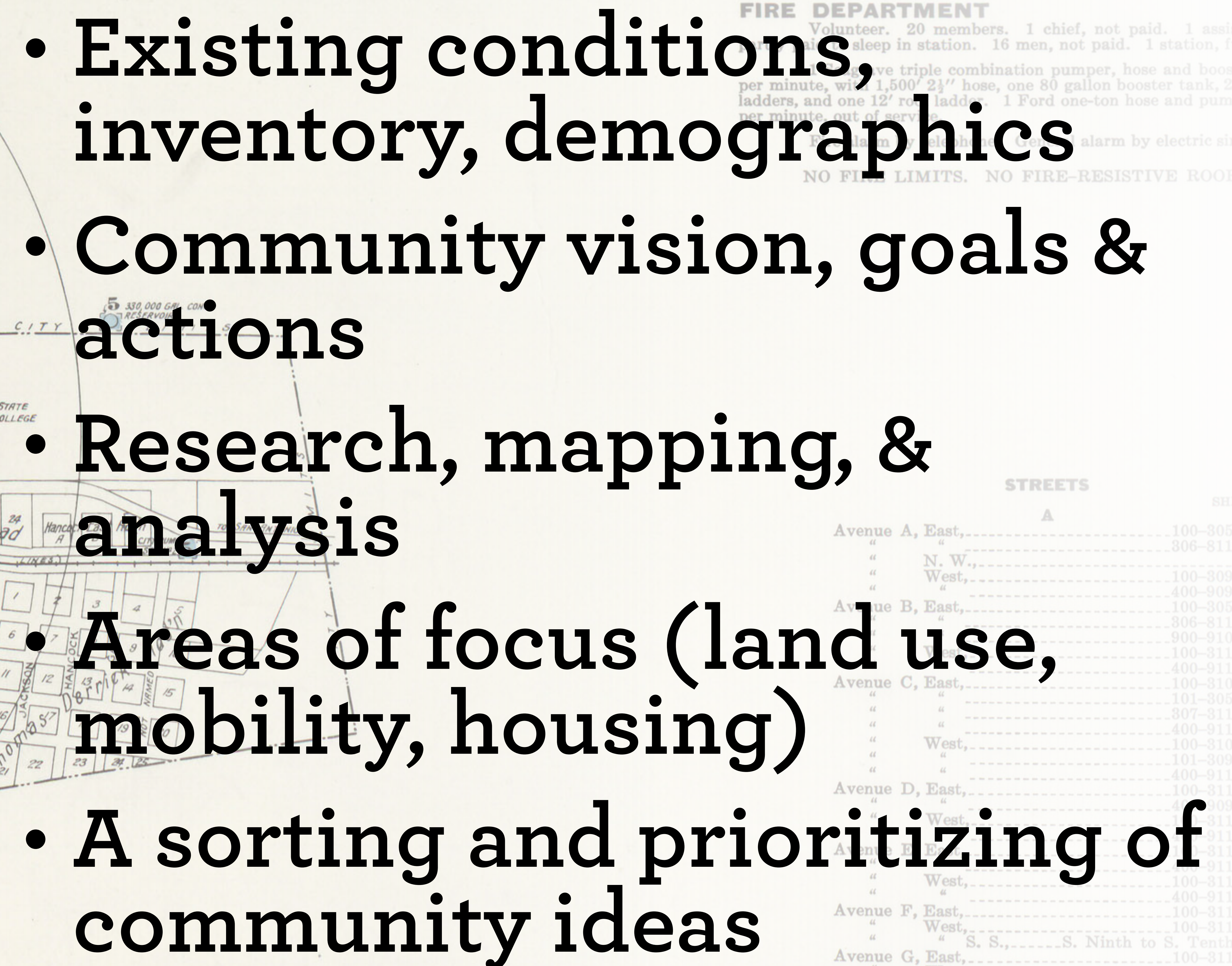
- Looks into the future (15–20 years, though we recommend less)
- Satisfies the statutory requirements of Texas Local Government Code Chapter 213
- Determines the need and sets the direction for regulatory tools & policies that support a community vision



Who's Involved?

- Consultants report to the governing body, & develop the plan based upon the input of:
 - Citizens
 - City staff
 - Governing body
 - Boards & commissions
 - Community partners

CORRECTION RECORD			
REV'N NO.	DATE OF CORRECTION	ATTACHED BY	DATE ATTACHED
What are			

- 
- FIRE DEPARTMENT**
Volunteer. 20 members. 1 chief, not paid. 1 assistant chief, not paid. 16 men, not paid. 1 station, fire engine, 1 hose, 1 triple combination pumper, hose and boom per minute, with 1,500' 2 1/2" hose, one 80 gallon booster tank, 2 ladders, and one 12' roll ladder. 1 Ford one-ton hose and pump per minute, out of service. 1 alarm by electric siren. NO FIRE LIMITS. NO FIRE-RESISTIVE ROOFING.
- STREETS**
Avenue A, East, 100-305
" " " 306-311
" N. W. " 100-309
" West, " 400-909
Avenue B, East, 100-305
" " " 306-311
" " " 900-910
Avenue C, East, 100-310
" " " 101-305
" " " 307-311
" " " 400-911
" West, " 100-310
" " " 101-309
" " " 400-911
Avenue D, East, 100-311
" " " 400-909
" West, " 100-311
" " " 400-911
Avenue E, East, 100-311
" " " 100-311
" West, " 400-911
Avenue F, East, 100-311
" " " 100-311
" West, " 100-311
" S. S., " S. Ninth to S. Tenth
Avenue G, East, 100-311
- Existing conditions, inventory, demographics
 - Community vision, goals & actions
 - Research, mapping, & analysis
 - Areas of focus (land use, mobility, housing)
 - A sorting and prioritizing of community ideas

What is It Meant to Do?

- Guide community growth & development/redevelopment
- Cast a long-term vision for the future
- Line out a framework for decision making and a strategy for how to achieve the community's vision
- Be a citywide statement of Alpine's future

How is It Used by City Leaders?

- Guides the plan of work for the community
- To track and report progress to the community
- Influences physical investments, budget decisions, policy, projects, and partnerships



The Comprehensive Plan Life Cycle



Elements of *Traditional* Comp Plans



Compare & Contrast Plan Types

Strategic Plans	Comprehensive Plans
Micro (small) in scale	Macro (large) in scale
Shorter term outcomes	Longer term outcomes
Specific, narrow scope	General, all-encompassing scope
Inward-focused or topic-focused (i.e., an organization or one area, like Eco Dev)	Outward and inward-focused (i.e., big elements of a community & how organization affects it)
Governance centered	Assessment and policy centered
Developed by governing body with assistance of facilitator/expert	Developed by facilitator/expert with input and engagement of governing body, officials & citizens
Not addressed in state law	Addressed in state law

Question:

**What Elements Should
Go in *Your* Plan?**

Answer:

**Whatever is most helpful
to your situation.**

Our approach is a hybrid between a strategic plan, a comprehensive plan, and an incremental action plan.

It leverages land use fiscal analysis to align vision, policies, budget and actions with what can reasonably be paid for now and in the future.

What best describes your community?

Population Decline

GROWTH LEVEL

Rapid Growth

Rural

TYPE OF ENVIRONMENT

Regional Hub

Economic Singularity

ECONOMIC DRIVERS

Economic Diversity

Long Established

COMMUNITY AGE

Fairly New

Newly-Minted

EXPERIENCE OF LEADERSHIP

Experienced

1

Parsons, Kansas

9,477

Population In Decline

2022 VERNON DEINES AWARD FOR
COMPREHENSIVE PLAN
Merit Award

2

Sweetwater, Texas

10,622

Near Stagnant

2023 VERNON DEINES AWARD FOR
COMPREHENSIVE PLAN
Honor Award

3

Liberty Hill, Texas

6,801

High Growth

Options for Council to Consider

- **Option 1: Combine elements of a strategic plan and a comprehensive plan together.**
 - Pros & Cons?
- **Option 2: Pursue a strategic plan, then a comprehensive plan.**
 - Pros & Cons?
- **Option 3: Pursue a comprehensive plan, then a strategic plan.**
 - Pros & Cons?

Questions?

Proclamation

In Recognition of Municipal Court Week

WHEREAS, municipal courts play a significant role in preserving public safety and promoting quality of life in Texas; and

WHEREAS, more people come in contact with municipal courts than all other Texas courts combined and public impression of the Texas judicial system is largely dependent upon the public's experience in municipal court; and

WHEREAS, state law authorizes a municipality to either appoint or elect a municipal judge for a term of office, the Alpine Municipal Court is a state court and its judges are members of the state judiciary; and

WHEREAS, the procedures for the Alpine Municipal Court operations are set forth in the Texas Code of Criminal Procedure and other laws of the State of Texas; and

WHEREAS, the City of Alpine is committed to the notion that our legal system is based on the principle that an independent, fair, and competent judiciary will interpret and apply the laws that govern us and that judges and court personnel should comply with the law and act in a manner that promotes public confidence in the integrity and impartiality of the judiciary; and

WHEREAS, Alpine Municipal Judges are not policy makers for the City of Alpine but are bound by the law and the Canons of Judicial Conduct and are required to make decisions independent of the governing body of the City Council, city officials, and employees; and

WHEREAS, the City Council recognizes that the Constitution and laws of the State of Texas contain procedural safeguards in criminal cases for all defendants, including indigent defendants, and supports the Alpine Municipal Court in complying with such legal requirements.

NOW, THEREFORE, BE IT PROCLAIMED, that the week of November 4th to 8th, 2024 be designated

Municipal Court Week

In Alpine, Texas, in recognition of the fair and impartial justice offered to our citizens by the Alpine Municipal Court.

IN WITNESS WHEREOF, I have hereunto set my hand this 5th day of November in the Year 2024.

Catherine Eaves, Mayor

CITY COUNCIL AGENDA ITEM REPORT

November 5, 2024

Agenda Item No. 8A

Department: Office of the City Secretary

Sponsor: Geoffrey R. Calderon, City Secretary

Memo Prepared By: Geoffrey R. Calderon, City Secretary



Staff Recommendation: Approve

AGENDA ITEM

Approval of the October 15, 2024 Regular Meeting Minutes. (G. Calderon, City Secretary)

EXECUTIVE SUMMARY

None

SUPPORTING MATERIALS

1. 10-15-24 City Council Minutes

BUDGET CONSIDERATIONS

Expenditure Required: N/A

Savings Anticipation: N/A

Current Budget FY 2024-2025: N/A

Additional Funding: N/A

APPROVERS

Alex Tackett, Records Clerk
Geoffrey R. Calderon, City Secretary
Megan Antrim, City Manager

Approved - 10/25/2024
Approved - 10/25/2024
Final Approval - 10/27/2024

City of Alpine
REGULAR CITY COUNCIL MEETING
Tuesday, October 15, 2024 – 4:00 PM
Minutes

1. WORKSHOP MEETING - 4:00 PM

City workshops are open to the public for comments throughout the workshop meeting.

Mayor Catherine Eaves called the Workshop meeting to order at 4:00 P.M. with the following attendees present:

City Council Members Present:

Mayor Catherine Eaves
Councilor Reagan Stone *Virtually*
Councilor Darin Nance
Councilor Rick Stephens
Councilor Eva Martinez

City Staff and Stakeholders Present:

Megan Antrim, City Manager
Geoffrey R. Calderon, City Secretary *Virtually*
Johnny Marquez, Interim Utilities Director

Not Present: Councilor Lucy Escovedo

Others Present: None.

A. Water Infrastructure Discussion. (M. Antrim, City Manager)

Kirt Harle, P.E. of the City's Engineering Firm, Jacob | Martin, presented a status update to the City Council regarding improvements to the Water and Wastewater systems of the City.

2. CALL TO ORDER.

Mayor Catherine Eaves called the meeting to order at 5:30 P.M.

A. Pledge of Allegiance to the United States Flag.

B. Pledge of Allegiance to the Texas Flag.

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

City Council Members Present:

Councilor Reagan Stone
Councilor Darin Nance
Councilor Lucy Escovedo
Councilor Rick Stephens
Mayor Catherine Eaves
Councilor Eva Martinez

City Staff and Stakeholders Present:

Megan Antrim, City Manager
Geoffrey R. Calderon, City Secretary
Alessandra Gad, City Attorney
Darrell Losoya, Chief of Police
Robert Rückes, Building Official
Abel Hinojos, Airport Supervisor

Not Present:

Others Present: Approximately 14 others

Mayor Eaves announced that a quorum of the City Council was present at the City Council Chambers and City Secretary, Geoffrey Calderon, reported that the meeting agenda was posted by 2:00 P.M. on October 11, 2024.

3. **PUBLIC COMMENTS.**

Each person in attendance who desires to speak to the City Council on an item on the agenda shall speak during this section. A Public Comment Card must be filled out and turned in to the City Secretary at least 5 minutes prior to the start time of the meeting. The Public Comment Card may be filled out at www.cityofalpine.com/councilcomments. Public comments may be made regarding agenda items only. Attendees must be physically present in order to address the City Council. Comments by proxy are not allowed. Public Comments are limited to 3 minutes per person. Unused time may not be yielded to other attendees. Please note that the City Council may only take action on items posted on the agenda. The Texas Open Meetings Act prohibits the Council from deliberating or taking action on an item not listed on the agenda. City Staff may ask commenters clarifying questions, respond with facts, and explain policy.

- Melinda Aguilar Vega, Ward 4, spoke regarding item number 11-C.
- Paula Wilson, Ward 4, spoke on item number 11-B.
- Kay Tscheyka, Brewster County resident, spoke regarding item 8-E.
- Maggie Bootman, Ward 5, spoke regarding item 8-E.
- Don Wetterauer, Ward 1, spoke regarding item 8-E.

4. **PUBLIC HEARINGS.**

At this time, the Mayor will invite members of the public to address each item listed in this section. Comments made during this section are limited to the topic of each public hearing. Attendees must be physically present in order to address the City Council. Comments by proxy are not allowed. Public Comments are limited to 3 minutes per person. Unused time may not be yielded to other attendees. If more than one public hearing is being held, each person will be allowed to speak during each topic.

Open (5:40 P.M.)

- A. Public Hearing to obtain citizen views and comments regarding the second and final reading of Ordinance 2024-10-01, an ordinance authorizing the vacation, abandonment, and sale of .025 acres of city-owned property, being a 2 foot-wide strip out of W. Brown Ave Right-of-Way, adjacent and parallel to the Northwest line of Lot 8, Block 8, Hamilton Addition to the City of Alpine; Authorizing the City Manager to execute a deed without warranty to the applicant Li Feng Ni; Directing that funds from the sale of the city's interest be deposited in the general fund for the purpose of street improvements; Providing for terms and conditions of such thereof; Providing for a severability clause; Providing for an effective date. Further, authorize the City Building Inspector to issue a permanent variance to the City setback requirements regarding the property line to the W Brown Ave right-of-way.

Public Comments: None.

- B. Public Hearing to obtain Special Use Permit 2024-10-04, a short term rental special use permit allowing a short term rental to be established at 904 W. Ft Davis Avenue. The applicant is HITM Investment LLC. The property owners of record are Dustin & Jeannie Farahnak. The Parcel ID of the subject property is 34559.

Public Comments: None.

- C. Public Hearing to obtain Special Use Permit 2024-10-05, a short term rental special use permit allowing a short term rental to be established at 900 E. Avenue J. The property owner of record is Andrew Daniels. The Parcel ID of the subject property is 10900.

Public Comments: None.

Close (5:42 P.M.)

5. **PUBLIC PRESENTATIONS.**

- A. Presentations & Recognitions
- B. Proclamations
- C. Community Interest Items
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- A. **Items to be continued or withdrawn.** Items may be continued to the next City Council meeting or withdrawn from consideration during this agenda. Items to be continued or withdrawn require a motion, a second, and a majority vote.

No items were continued or withdrawn.

- B. **Items to be removed from the Consent Agenda for separate discussion.** Items may be withdrawn from the consent agenda by a simple request by the Mayor or any City Council member. Items removed from the consent agenda will be considered in the *Items Removed from the Consent Agenda* portion of the meeting directly after approval of the items not requiring separate discussion.

No items were removed from the consent agenda for separate discussion.

- C. **Action items to be added to the consent agenda.** Adding action items to the consent agenda must be requested by the Mayor or any City Council member and requires a motion, a second, and a majority vote.

No action items were added to the consent agenda.

- D. **Time-Sensitive Items.** The Mayor, any City Council Member, or a member of City Staff may, by simple request, ask that time-sensitive items be considered during that section.

No items were added to the Time Sensitive Items portion of the meeting.

7. **TIME SENSITIVE ITEMS.**

8. **CONSENT AGENDA.**

- A. Approval of October 1, 2024 Regular Meeting Minutes. (G. Calderon, City Secretary)
- B. Approval of Special Use Permit 2024-10-04, a short term rental special use permit allowing a short term rental to be established at 904 W. Ft Davis Avenue. The applicant is HITM Investment LLC. The property owners of record are Dustin & Jeannie Farahnak. The Parcel ID of the subject property is 34559. (G. Calderon, City Secretary)
- C. Approval of Special Use Permit 2024-10-05, a short term rental special use permit allowing a short term rental to be established at 900 E. Avenue J. The property owner of record is Andrew Daniels. The Parcel ID of the subject property is 10900. (G. Calderon, City Secretary)
- D. Approval of Fiscal Year 2023 - 2024 4th Quarter Investment Report (M. Antrim, City Manager)
- E. Approval of the Alpine Public Library funding contract for Fiscal Year 2024-2025. (M. Antrim, City Manager)
- F. Approval of the Family Crisis Center of the Big Bend funding contract for Fiscal Year 2024-2025. (M. Antrim, City Manager)
- G. Approval of the Children's Advocacy Center funding contract for Fiscal Year 2024-2025. (M. Antrim, City Manager)
- H. Approve payment of September 2024 monthly billing summary for Bojorquez Law Firm services. (M. Antrim, City Manager)

RESOLUTION 2024-10-22: On a motion by Councilor Reagan Stone and seconded by Councilor Eva Martinez to approve as is, the City Council unanimously adopted the motion.

9. **ITEMS REMOVED FROM THE CONSENT AGENDA.**

10. **REPORTS & PRESENTATIONS.**

Presentations are limited to 6 minutes each. A bell will ring when the 6-minute timeframe has been reached. If further time is needed the presentation may be extended an additional 4 minutes at the discretion of the presiding officer. After the initial period and extension have passed, the presentation may be extended further by a motion, a second, and a majority vote of the City Council.

- A. September 2024 Office of the City Secretary (OCS) Report including Legislative Services, City Council Activities, Board & Commissions Activities, Public Information, Current Election Information, and Departmental Statistics and Updates. (G. Calderon, City Secretary)
- B. 4th Quarter Fiscal Year 2023-2024 Office of the City Secretary (OCS) Report including Legislative Services, City Council Activities, Board & Commissions Activities, Public Information, Current Election Information, and Departmental Statistics and Updates. (G. Calderon, City Secretary)

- C. Update from the Alpine Country Club. (M. Antrim, City Manager)

Amy White and Tony Molinar, Alpine Country Club Board Members, presented an update to the City Council.

- D. Alpine Volunteer Fire Department Update from Chief James Etchison. (M. Antrim, City Manager)

James Etchison, Fire Chief, provided an update to the City Council.

- E. Alpine Emergency Services Board Update. (M. Antrim, City Manager)

Aaron Rodriguez, Acting Chairman of the Emergency Services Board, and James Etchison, Emergency Services Coordinator, provided an update to the City Council. Brewster County Judge, Greg Henington addressed the City Council regarding the Emergency Services District in South Brewster County and funding for the Emergency Services Board.

11. INFORMATION OR DISCUSSION ITEMS.

- A. Discuss the suggested boundaries for the historic district study being conducted by Post Oak for the downtown area of Alpine. (M. Antrim, City Manager)

Ellis-Mumford Russell, Post Oak Preservation Solutions, presented an update to the City Council regarding the Historic District boundaries.

- B. Discussion regarding outcomes with the current noise ordinance, successes, complaints, and processes for investigation. (C. Eaves, Mayor)

Chief of Police, Darrell Losoya, and Director of Tourism, Chris Ruggia, provided updates to the City Council regarding the noise ordinance.

- C. Discussion regarding the zoning designation and possible zoning changes for the property located at 601 South Walker Street and legally described as Lots No. Three (3), Four (4), and Five (5), Block Forty-Nine (49), Hancock Addition (South of the Railroad) to the City of Alpine, Brewster County, Texas; Discussion regarding the possible rezoning the subject property from R-4 Mobile Home District to C-1 Neighborhood Commercial District. The property ID of the subject property is 10842. The record property owner is Melinda Vega. (L. Escovedo, City Council)

RESOLUTION 2024-10-23: On a motion by Councilor Lucy Escovedo and seconded by Councilor Rick Stephens to move this item to the next City Council meeting, the City Council unanimously voted to adopt the motion.

- D. Discussion regarding improvements to the Alpine Casparis Municipal Airport to make it more Dark Sky Friendly. (C. Eaves, Mayor)

Airport Supervisor, Abel Hinojos, addressed the City Council regarding lighting at the Alpine-Casparis Municipal Airport.

E. Finance - September Revenue and Expense Report (M. Antrim, City Manager)

12. **ACTION ITEMS.**

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

- A. Approve the second and final reading of Ordinance 2024-10-01, an ordinance authorizing the vacation, abandonment, and sale of a 205 square foot-wide strip out of W. Brown Ave Right-of-Way, adjacent and parallel to the Northwest line of Lot 8, Block 8, Hamilton Addition to the City of Alpine; Authorizing the City Manager to execute a deed without warranty to the applicant Li Feng Ni; Directing that funds from the sale of the city's interest be deposited in the general fund for the purpose of street improvements; Providing for terms and conditions of such thereof; Providing for a severability clause; Providing for an effective date. Further, authorize the City Building Inspector to issue a permanent variance to the City setback requirements regarding the property line to the W Brown Ave right-of-way. (R. Stephens, City Council)

RESOLUTION 2024-10-24: Councilor Rick Stephens moved to approve Ordinance 2024-10-01, an ordinance authorizing the vacation, abandonment, and sale of a 205 square foot-wide strip out of W. Brown Ave Right-of-Way, adjacent and parallel to the Northwest line of Lot 8, Block 8, Hamilton Addition to the City of Alpine; Authorizing the City Manager to execute a deed without warranty to the applicant Li Feng Ni; Directing that funds from the sale of the city's interest be deposited in the general fund for the purpose of street improvements; Providing for terms and conditions of such thereof; Providing for a severability clause; Providing for an effective date. Further, authorize the City Building Inspector to issue a permanent variance to the City setback requirements regarding the property line to the W Brown Ave right-of-way. Councilor Lucy Escovedo seconded the motion. The City Council unanimously adopted the motion.

- B. Approve Resolution 2024-10-19, a resolution authorizing the City to participate in an agreement with the State of Texas through the Department of Transportation to request the closure of North Highway 118 (Between Holland and Avenue E) on November 22 through November 24, 2024 for Artwalk. (M. Antrim, City Manager)

RESOLUTION 2024-10-25: On a motion by Councilor Rick Stephens and seconded by Councilor Eva Martinez to approve as presented, with all members voting in favor excluding Councilor Darin Nance who abstained.

- C. Approve Resolution 2024-10-20, a resolution authorizing the City to participate in the Texas Department of Transportation Aviation Routine Airport Maintenance program (RAMP) Grant Program for financial assistance used solely and exclusively for airport maintenance at the Alpine Casparis Municipal Airport. (M. Antrim, City Manager)

RESOLUTION 2024-10-26: On a motion by Councilor Reagan Stone and seconded by Councilor Rick Stephens to approve Item C - Resolution 2024-10-20, the City Council unanimously adopted the motion.

- D. Approve Resolution 2024-10-21, a resolution authorizing the transfer of designated fire vehicles to Brewster County, Texas as outlined under the interlocal agreement regarding firefighting and fire protection services, and Alpine Emergency Services Board. (M. Antrim, City Manager)

RESOLUTION 2024-10-27: On a motion by Councilor Rick Stephens and seconded by Councilor Eva Martinez to approve, the City Council unanimously adopted the motion.

13. **EXECUTIVE REPORTS.**

Executive reports are limited to 10 minutes each. City Council may hold a discussion during this section regarding any item listed on the agenda. No action may take place regarding report items, unless specified on the agenda.

City Mayor Report

City Manager Report

- i) Water, Wastewater, Streets, Employee Compensation

14. **CITY COUNCIL MEMBER COMMENTS.**

RESOLUTION 2024-10-28: On a motion by Councilor Rick Stephens and seconded by Councilor Lucy Escovedo to recess into executive session, the City Council unanimously adopted the motion. (7:54 P.M.)

15. **EXECUTIVE SESSION.**

NOTICE: The City Council reserves the right to reconvene, recess, realign, change the order of business, or adjourn into Executive Session at any time during the course of the meeting prior to adjournment, to discuss any item listed above, as authorized by 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 551.087 (development).

- A. Consultation with Attorney § 551.071, Texas Government Code

1. Discuss Customs and Border Protection Hangar Lease Renewal.
2. Discuss the possible sale and/or acquisition of property for long-term overall city goals and planning, including city-owned structures. (M. Antrim, City Manager)

16. **ACTION AFTER EXECUTIVE SESSION.**

RESOLUTION 2024-10-29: On a motion by Councilor Rick Stephens and seconded by Councilor Eva Martinez to move into open session, the City Council unanimously adopted the motion. **(8:33 P.M.)**

- A. Action, if any, concerning any of the items listed in executive session. (M. Antrim, City Manager)

RESOLUTION 2024-10-30: On a motion by Councilor Rick Stephens and seconded by Councilor Eva Martinez to take no action, the City Council unanimously adopted the motion.

17. **ADJOURN.**

There being no further business, the meeting was adjourned. (8:34 P.M.)

APPROVED:

ATTEST:

Catherine Eaves, *Mayor*

Geoffrey R. Calderon, TRMC
City Secretary & Chief Governance Officer

CERTIFICATION

I, Geoffrey R. Calderon, do hereby certify that this notice was posted at City Hall, in a convenient and readily accessible place to the general public, and on the City website at www.cityofalpine.com pursuant to Section 551.043, Texas Government Code. The said notice was posted by 2:00 P.M. on October 11, 2024, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting.

WITNESS MY HAND AND SEAL
this 11th day of October, 2024



Geoffrey R. Calderon, TRMC
City Secretary & Chief Governance Officer



CITY COUNCIL AGENDA ITEM REPORT

November 5, 2024

Agenda Item No. 8B

Department: City Council

Sponsor: Reagan Stone, Councilor

Memo Prepared By: Geoffrey R. Calderon, City Secretary



Staff Recommendation: Approve

AGENDA ITEM

Approval of the appointment of Mateo Mares to the Place 4 position on the Music Advisory Board.
(R. Stone, City Council)

EXECUTIVE SUMMARY

None

SUPPORTING MATERIALS

1. 5-24-24 MATE0 MARES MAB_Redacted

BUDGET CONSIDERATIONS

Expenditure Required: N/A

Savings Anticipation: N/A

Current Budget FY 2024-2025: N/A

Additional Funding: N/A

APPROVERS

Alex Tackett, Records Clerk
Geoffrey R. Calderon, City Secretary
Megan Antrim, City Manager

Approved - 10/25/2024
Approved - 10/25/2024
Final Approval - 10/27/2024

ADMINISTRATION: BOARDS & COMMISSION APPLICATION

Print

Submitted by: Mateo Mares

Submitted On: 2024-05-24 15:28:07

Submission IP: (24.75.195.84)
proxy-IP (raw-IP)

Status: Acknowledged

Priority: Normal

Assigned To: Geo Calderon

Due Date: Open

RECEIVED
City of Alpine, Texas

MAY 24 2024

OFFICE OF THE CITY SECRETARY

BY:



CITY OF ALPINE ADVISORY BOARDS & COMMISSIONS QUESTIONNAIRE

Qualities that make a great board member:

- A genuine interest in improving life for Alpine residents
- Knowledge of or a willingness to learn about the subject area
- Knowledge of or a willingness to learn local governance rules and norms
- Openness to new ideas
- Considers volunteer service important and worthy of a reasonable time commitment

What the City should provide to board members:

- Clear guidance about expectations for attendance and time contribution
- Clear guidance about rules governing public boards (open meetings and open records requirements)
- Designated staff liaison who regularly reports on meetings to supervisor

Board Chairperson:

- Understands board structure, ordinances, and rules
- Works with the City staff liaison person to coordinate meeting agendas
- Engages board members with calls or follow-up to make sure they can attend the meetings (i.e. quorum)
- Follows up with the City Manager, the City Secretary, and to members of City Council to ask questions and get support as needed.

* First Name

Mateo

* Last Name

Mares

* Street Address

[REDACTED]

* City

Alpine

* State

Texas

* Zip code

79830

* Email Address

[REDACTED]

* Phone

[REDACTED]

* Occupation

business owner

* Are you a resident of Alpine, Texas?

☒ Yes

☐ No

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

2019

* Are you a qualified (registered) voter of Brewster County?

☒ Yes

☐ No

* Are you a qualified (registered) voter of the City of Alpine?

☒ Yes

☐ No

* Board, Commission, or Committee ("Board") that you have interest in serving on:

Music Advisory Board

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

i graduated highschool but never went to college. i've worked in service all my life with 21 years in the coffee world and a number of years bartending. i lived in austin for 14 years before moving to alpine and during that time was in a number of local and touring bands. i've kept up with all my musical connections and have put them towards my efforts at The Ritchey. i would love to share my experience and knowledge with Alpine and really put us on the map musically.

Please state why you wish to serve the City of Alpine as a member of a Board:

i want to be proud of where i live and excited when friends and family come to visit and can have a number of things for them to do.

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

☒ Yes

☐ No

If yes, in what capacity?

i've been caffeinating this town everyday since taking over cedar coffee in 2020 and then reopened the ritchey providing a space for EVERYONE to feel safe in a fun and unique environment.

How long?

2019

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

☐ Yes

☒ No

If yes, please explain:

Upload a File (Optional)

No file chosen

Upload a File (Optional)

No file chosen

Upload a File (Optional)

No file chosen

Upload a File (Optional)

No file chosen

• • •

As evidenced by my signature below, I certify that the statements contained in this document are true and correct to the best of my knowledge.

* **Electronic signature**

Mateo Mares

Please type full name

* **Date**

05/24/2024

Format: MM/DD/YYYY

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

☒ **Option 1**

CITY COUNCIL AGENDA ITEM REPORT

November 5, 2024

Agenda Item No. 8C

Department: Administration

Sponsor: Megan Antrim, City Manager

Memo Prepared By: Megan Antrim, City Manager

Staff Recommendation: Approve



AGENDA ITEM

Approval of Resolution 2024-11-01, a resolution approving the City of Alpine credit card policy.
(M. Antrim, City Manager)

EXECUTIVE SUMMARY

The City of Alpine's Credit Card Policies from August 2021 and November 2024 outline the guidelines for credit card usage among employees, with a focus on maintaining proper financial controls and ensuring appropriate use of City resources. This summary highlights the key differences between the two policies:

1. Purpose and Scope

- 2021 Policy: Emphasizes credit card use as a means to facilitate City business purchases and outlines procedures for the issuance and use of credit cards for official purposes only.
- 2024 Policy: Maintains the same intent but highlights efficiency, emphasizing the Credit Card Program's role in reducing paperwork and benefiting from rebate programs offered by card providers.

2. Eligibility and Card Issuance

- 2021: Credit cards are issued to specific roles (City Manager, City Secretary, Finance Director, department heads) with specific limits based on the employee's position. Total credit exposure is capped at \$50,000 across all cards.
- 2024: Introduces a department-based issuance approach, requiring the City Manager's approval for issuing cards. Emphasis is placed on criteria such as enhancing productivity and reducing paperwork.

3. Transaction and Monthly Limits

- 2021: Detailed limits by position:
 - \$5,000 for top management (e.g., City Manager, Director of Finance)
 - \$2,500 for directors (Public Works, Utilities)
 - \$1,000 for mid-level management
 - \$500 for other employees
- 2024: Card limits are determined by the City Manager, with no explicit breakdown by position but a clear maximum limit of \$5,000 per card.

4. Roles and Responsibilities

- 2021: Clear designation of card custodians, requiring receipts and secure management of

cards. Emphasis on the Finance Department's oversight.

- 2024: Introduces the role of a "Program Administrator" (Chief Financial Officer) to manage credit card issuance and ensure compliance. Departments have greater autonomy, with responsibility falling on department directors for reconciliation and oversight.

5. Allowable and Unallowable Expenses

- 2021: Outlines acceptable expenses related to travel, supplies, and equipment. Unallowable expenses are listed in detail, including cash advances, alcohol, snacks, and personal items.

- 2024: Similar restrictions but with more explicit prohibitions, such as banning parking fines, personal vehicle repairs, babysitting, and laundry. Provides guidance on handling disputed charges and mandates itemized receipts for all purchases.

6. Sales Tax Handling

- 2021: Emphasizes the need for tax exemption and vendor notification.

- 2024: Requires cardholders to ensure sales tax is not charged and mandates a memorandum if tax refunds cannot be obtained.

7. Reconciliation and Documentation

- 2021: Requires itemized receipts within five business days after a purchase, and detailed logging of transactions by department custodians.

- 2024: Enhances documentation requirements, including maintaining a purchasing log for each department, which must be submitted for review.

8. Penalties for Improper Use

- 2021: Provides penalties for misuse, including payroll deductions, suspension, and potential termination. Unauthorized charges can result in disciplinary action.

- 2024: Retains similar penalties but specifies the possibility of criminal prosecution for fund misappropriation. Card revocation is immediate upon discovery of misuse.

9. Credit Card Revocation

- 2021: Cards can be suspended or revoked for policy violations.

- 2024: Adds the authority for electronic suspension and immediate revocation by the Program Administrator or Chief Financial Officer in case of unauthorized use.

While both policies aim to ensure the proper use of City-issued credit cards, the 2024 policy provides a more structured and centralized oversight with the introduction of the Program Administrator role, a clearer definition of responsibilities, and stricter documentation and reconciliation requirements. The new policy also expands the list of prohibited expenses, emphasizing fiscal discipline and accountability.

SUPPORTING MATERIALS

1. Resolution 2024-11-01 Credit Card Policy
2. COA - Credit Card Policy 2024
3. 2024 Credit Card Acknowledgment Form
4. Current COA Credit Card Policy - 2021

BUDGET CONSIDERATIONS

Expenditure Required: N/A
Savings Anticipation: N/A
Current Budget FY 2024-2025: N/A
Additional Funding: N/A

APPROVERS

Alex Tackett, Records Clerk
Geoffrey R. Calderon, City Secretary
Megan Antrim, City Manager

Approved - 10/28/2024
Approved - 10/28/2024
Final Approval - 10/28/2024

THE STATE OF TEXAS

COUNTY OF BREWSTER

CITY OF ALPINE

RESOLUTION 2024-11-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS AUTHORIZING A CHARGE ACCOUNT TO BE OPENED WITH CITIBANK; ESTABLISHING A CREDIT CARD USE POLICY; AND ESTABLISHING A PROCEDURE FOR CREDIT CARD USE BY DESIGNATED EMPLOYEES OF THE CITY OF ALPINE TEXAS.

WHEREAS, the City Council deems it necessary to create an efficient method of procurement for the City of Alpine; and

WHEREAS, the City Council deems it necessary and prudent to establish guidelines, procedures, and penalties in order to ensure the security and integrity of City finances; and

WHEREAS, the issuance of a credit card is designed to allow employees to purchase items needed for City business and is considered an enhancement to the purchasing process.

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

SECTION 1. The City Council authorizes that a charge account shall be opened in an amount not to exceed \$50,000.00.

SECTION 2. The City of Alpine will issue City credit cards to designated employees for use in their official employment capacities.

SECTION 3. The documents hereto attached as **Exhibit A and Exhibit B** reflect the adopted credit card policy and user agreement. The aforementioned exhibits establish the acceptable and unacceptable uses of such credit cards.

SECTION 4. Use of a City credit card is a privilege, which the City may withdraw in the event of serious or repeated abuse and any credit card the City issues to an employee must be used for official city business purposes only.

SECTION 5. This policy takes effect immediately upon approval.

PASSED, APPROVED, AND ADOPTED ON THIS THE 5th DAY OF NOVEMBER 2024 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.

ATTEST:

Catherine Eaves, Mayor

Geoffrey R. Calderon, City Secretary

“EXHIBIT A”



City of Alpine

Credit Card Policy

November 5, 2024

CITY OF ALPINE CREDIT CARD POLICY

Table of Contents

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I. Purpose

The purpose of the Credit Card Program is to provide the City with an efficient and controllable method of making small dollar commodities, service, and travel purchases. This program is to be used to procure low-value maintenance, repair, and operational expense items. By using the credit card, it will simplify the payment process and take advantage of the rebate program the card provider offers. The City will issue cards via the provider of its choice. This card policy is not intended to replace, but rather supplement existing purchasing, travel, and other City policies. The same restrictions that apply to other methods of purchasing also apply to Credit Cards.

II. Eligibility

If requested and approved by the City Manager, Department cards will be issued to each department and be the responsibility of the department head or his/her designee. Criteria for determining which departments should be issued a department card:

- Will the use of a Credit card enhance productivity?
- Will the use of a Credit card reduce paperwork?
- Will the Credit card be utilized regularly for the purchasing of authorized (budgeted) goods, supplies and services?

III. Usage

Each card will have a monthly limit. The limit on the Department Head cards are set by the City Manager. In no case will the limit exceed \$5,000. Limits can be changed on a temporary or permanent basis when warranted and a written request is received by the Director of Finance or the department head.

Credit cards may be used for small dollar purchases which conform to the purchasing policy and that do not exceed the card's maximum limit.

Acceptable purchases are:

- Maintenance and repair of equipment
- Operational expense items
- Registration Fees
- Travel expenses (must adhere to the Travel Policy)
- Other items that fit the purpose of the program

Purchases made on the card will be for City business only. The card is not a personal line of credit and must never be used for personal or private purchases of any nature. When in doubt as to whether a purchase is allowable under the City policy, the cardholder should either contact the Program Administrator before

making the purchase or make payment personally and seek reimbursement from the City afterwards. Please remember that reimbursement for any out-of-pocket purchase made without authorization is subject to the City Manager's approval.

Unauthorized purchases or use of the card in violation of this or other City policies are prohibited, and purchaser will be subject to disciplinary action.

The credit card is used solely to pay vendors that require credit card payments, when timing does not allow the normal Accounts Payable check issuing process, or when getting a purchase order either isn't required or cannot be obtained prior to the purchase.

IV. Penalties for Improper Use of the Card

The card is to be used only by the department/cardholder to pay for authorized, work-related expenses. The card should not be used to pay for personal transactions. Improper use of the card can be considered misappropriation of City funds and may result in disciplinary action up to and including termination of employment. Improper use will result in revoking the card. In addition, the cardholder is personally liable for payment of improper purchases, including those in excess of dollar amounts appropriated or authorized by the City and subject to criminal prosecution under the Brewster County judicial system.

V. Duties and Responsibilities

A. Cardholder

1. The employee who is issued a card is called a "Cardholder" whether it is issued in their name or just in their custody (i.e., department card).
2. Every transaction made using the Credit card must have corresponding backup in accordance with the accounts payable policies and all other City of Alpine policies accounting system.
3. Each Cardholder shall use the card only for authorized purchases. A hardcopy itemized receipt must be obtained from the vendor each time the card is used and be signed by the Cardholder. Online and telephone charges must also be documented by a receipt, so the Cardholder shall request the vendor send them a receipt.
4. The Cardholder is responsible for immediately notifying the Credit card provider, their supervisor, and the Program Administrator if the card is lost or stolen.
5. Each Cardholder must acknowledge receipt of the Credit card, understand the rules of usage, and sign the user agreement. Failure to abide by this Credit Card Policy may result in disciplinary action, up

to and including termination of employee. The Cardholder will be required to reimburse the City for any unauthorized transaction.

6. Upon resignation or termination of employment of a Cardholder, the Department Director shall notify the Program Administrator or City Manager immediately, and the card shall be turned in to the Finance Department.

B. Program Administrator

The Program Administrator is the Chief Financial Officer or their designee. The Program Administrator manages the Credit Card Program and has the following responsibilities:

1. Establishing credit card accounts and limits as set by the City Manager
2. Acting as the point of contact for any Credit Card Program questions
3. Ensuring compliance with the Credit Card Policy and the Purchasing Policy
4. Reviewing all credit card transactions monthly
5. Terminating cards as needed

C. Departmental Responsibility

The City Manager determines who will be issued a card and the monthly limits assigned. The Department Director will also ensure that purchases are authorized and adhere to City policies. Departments may implement more stringent internal authorization procedures that must be followed in order to make purchases with the card. Directors are responsible for approving receipts and making sure the statements for each card are reconciled and turned in to the Finance Department within 5 days of the statement date to facilitate timely payments.

Department Director's can request a copy of their credit card statement from the Program Administrator or access their account online to obtain a copy of their statement.

VI. Credit Card Provider

The Credit Card Provider will send the Cardholder and the City's Finance Department a billing statement once each month for all transactions that have taken place in the previous month's statement cycle. This statement can also be obtained online. The Cardholder is responsible for reconciling their respective statements, matching each transaction with a receipt as soon as it is received. If a

transaction is listed which is not known to the Cardholder, the Cardholder is responsible for immediately notifying the Credit Card Provider and the Program Administrator of the disputed charge. It is imperative that each Cardholder promptly processes the transactions and forward receipts to their supervisor.

VII. Transaction/Card Limits

Each individual credit card will have transaction and/or spending limits. The Chief Financial Officer in coordination with the Department Director has the authority to limit types of purchases, places of purchases, and hours of day purchases can be made on individual cards. The total purchase price as printed on the individual credit card receipt is known as the "transaction amount". The credit card may be limited by the merchant type, transaction amount, and monthly transaction limit. Each Cardholder will be set up with limits for each of these categories and will be made aware of the limits. A card transaction will be denied when swiped if the transaction exceeds any of the limits. The card transaction limits may not exceed those set in the policy guidelines.

VIII. Sales Tax

As a tax-exempt government agency, the City of Alpine does not pay sales tax. Cardholders are provided with a copy of the City's tax exemption certificate each year. Cardholders are responsible for ensuring that the merchant does not include sales tax in the transaction if possible. In the event sales tax is charged, the cardholder is required to go back to the vendor/merchant to request a refund of the sales tax paid. If a refund is not possible, the cardholder is required to submit a memorandum monthly to the finance department that includes an explanation as to why the sales tax paid cannot be credited along with a copy of the receipts showing the sales tax paid.

IX. Late Fees or Finance Charges

No late fees or finance charges shall be paid by the City under terms of procurement card program. If late fees or finance fees are incurred, the department head/cardholder will be responsible for paying those fees.

X. Returns

Each Cardholder is responsible for coordinating returns with the vendor and making sure a proper credit slip is obtained. Credit shall be issued to the Cardholder's account. **Cash refunds are not allowed.**

XI. Restrictions and Exemptions

A. Employees may NOT use the card for the following:

1. Any purchases of items for personal use.
2. Cash refunds or advances.
3. Any purchase of goods/services or from a merchant type not considered prudent or of good judgment.
4. Any purchases set up as reoccurring.
5. No purchases are to be processed through the employee's personal account online. You must establish a City account to process the purchase.
6. Any transaction amount greater than the Cardholders transaction limit.
7. Items under contract unless an emergency exception is granted.
8. Alcohol or liquor of any kind. Patronization of bars, drinking places, and package stores must not be paid for with the credit card.
9. In town-meals without a proven business such as a City hosted event.
10. Gifts to friends or relatives in lieu of meals and lodging.
11. Life travel accident insurance premiums.
12. Parking fines and traffic tickets.
13. Clothing and clothing rental.
14. Laundry, valet, or dry-cleaning charges.
15. Repairs or towing of personal vehicles.
16. Babysitting/pet sitting
17. Expense for travel companions
18. Mini-bar refreshments or other snacks in addition to the meal reimbursement
19. Separate, sequential, and component purchases or any transaction made with intent to circumvent the City Purchasing Policy or state law.
20. Any transaction that may cause or be perceived to cause damage to the City of Alpine's reputation and goodwill, and/or reflect poorly on the ethical and moral decision-making of the Cardholder, staff, and elected officials.
21. Any other purchase specifically excluded in the City Purchasing Policy.

B. Documentation

Each cardholder/department will maintain a purchasing log. The log records the transaction date, vendor name, the merchandise purchased, dollar value of sale, how the order was placed (via Internet, phone, fax, mail, or in person), citywide or individual contract number (if applicable), and purpose of purchase. A separate line is required for each purchase.

An itemized receipt for each purchase should be stapled to the log to expedite reconciliation with the billing statement. The log must be reviewed and signed by the department head/cardholder and submitted to finance for review.

C. Personal Use Restrictions

The card may not be used to pay spouse/family expenses incurred while traveling. Only City business expenses are allowable, and the Cardholder must pay personal expenses separately.

XII. Obtaining a Credit Card

Steps:

1. The Department Director submits a request in writing to the City Manager for a credit card who determines the appropriate monthly transaction limits.
2. The Program Administrator will request the Credit Card Provider to issue credit cards.
3. Upon receipt of the card, the Program Administrator will have the Cardholder sign the Credit Cardholder Agreement.
4. The new Cardholder receives copies of:
 - a. Credit Cardholder Agreement
 - b. Credit Card Policy
 - c. Purchasing Policy
 - d. Travel Policy

XIII. Revocation of the Credit Card

The credit card is subject to revocation at any time at the discretion of the City Manager or Chief Financial Officer. When a card is revoked, changes are made online and take effect immediately. The Program Administrator is further authorized to temporarily suspend use of the card via electronic methods if unauthorized use is discovered and such use poses a threat to internal financial controls.

“EXHIBIT B”

CITY OF ALPINE CREDIT CARD USER AGREEMENT

I, _____, as an Employee of the City of Alpine, hereby certify that I understand and agree to abide by the City of Alpine's policy regarding the use of a city issued credit card and accept personal responsibility for the safeguard and proper use of the City credit card number (#) _____, which has been assigned to me, in accordance with the terms outlined below.

I have read, understand, and will comply with the City of Alpine's adopted Credit Card, Procurement Policy, and Travel Policy.

I acknowledge that I am responsible for and will provide the Finance Department with the monthly reconciled statement and all necessary documentation; including all receipts and memorandum of sales tax charge for each purchase where sale tax was charged.

1. Itemized receipts matching the credit card statement no later than ten (10) business days after the availability of statement.
2. Copy of monthly purchase log.

I understand that violation or misuse of the City credit card in accordance with this policy or the travel policy shall result in revocation of the card and/or other disciplinary action, including termination.

I understand that if interest or late fees are incurred as a result of my failure to submit necessary documentation in a timely manner that I will be personally responsible for payment of those fees, and costs of any such fees incurred as a result of my failure are hereby authorized to be withheld from my paycheck.

I understand that I will be personally liable for all unauthorized charges and other charges that are inconsistent with the City's Credit Card Policy, Purchasing Policy, and Travel Policy I incur to the City credit card. I hereby consent to the City deducting all such penalties/fees from my paycheck.

Employee Signature

Date _____

Witness

Date _____

THE STATE OF TEXAS

COUNTY OF BREWSTER

CITY OF ALPINE

RESOLUTION 2021-08-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS AUTHORIZING A CHARGE ACCOUNT TO BE OPENED WITH CITIBANK; ESTABLISHING A CREDIT CARD USE POLICY; AND ESTABLISHING A PROCEDURE FOR CREDIT CARD USE BY DESIGNATED EMPLOYEES OF THE CITY OF ALPINE TEXAS.

WHEREAS, the City Council deems it necessary to create an efficient method of procurement for the City of Alpine; and

WHEREAS, the City Council deems it necessary and prudent to establish guidelines, procedures, and penalties in order to ensure the security and integrity of City finances; and

WHEREAS, the issuance of a credit card is designed to allow employees to purchase items needed for City business and is considered an enhancement to the purchasing process.

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

SECTION 1. The City Council authorizes that a charge account shall be opened in an amount not to exceed \$50,000.00.

SECTION 2. The City of Alpine will issue City credit cards to designated employees for use in their official employment capacities.

SECTION 3. The documents hereto attached as **Exhibit A and Exhibit B** reflect the adopted credit card policy and user agreement. The aforementioned exhibits establish the acceptable and unacceptable uses of such credit cards.

SECTION 4. Use of a City credit card is a privilege, which the City may withdraw in the event of serious or repeated abuse and any credit card the City issues to an employee must be used for official city business purposes only.

SECTION 5. This policy takes effect immediately upon approval.

PASSED, APPROVED, AND ADOPTED ON THIS THE 31st DAY OF AUGUST 2021 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.

A handwritten signature in black ink, appearing to read 'Andy Ramos', is written over a horizontal line.

Andres "Andy" Ramos, Mayor

ATTEST:


Geoffrey R. Calderon, City Secretary



APPROVED AS TO FORM:

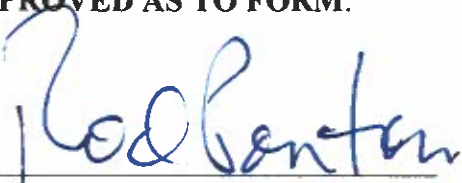

Rod Ponton, City Attorney

EXHIBIT A

City of Alpine Credit Card Policy

Purpose

The purpose of this policy is to establish procedures for the use of Credit Cards by eligible individuals.

Establishment

The City of Alpine will issue City credit cards to employees for use in their jobs; this policy sets out the acceptable and unacceptable uses of such credit cards. The issuance of credit cards is designed to allow employees to purchase items needed for City business and is considered an enhancement to the purchasing process. Use of City credit cards is a privilege which the City may withdraw in the event of serious or repeated abuse. **Any credit card the City issues to an employee must be used for official city business purposes only.**

Participants and Responsibilities

1. City credit cards will be issued to the City Manager, City Secretary, Director of Finance, Public Works Director, Director of Utilities, Gas Department Director and employees authorized by Directors.
2. Credit cards issued to the City Manager, City Secretary and Director of Finance will have a monthly authorized limit of \$5,000.
3. Credit cards issued to Public Works Director, Director of Utilities, and Gas Department Director will have a monthly authorized limit of \$2,500.
4. Credit cards issued to Managers, Foremen, and Department Supervisors will have a monthly authorized limit of \$1,000.
5. Credit cards issued to all other employees will have a monthly authorized limit of \$500.
6. Total combined issued City credit cards will not exceed \$50,000.
7. Authorized limits may be adjusted to accommodate employee training and travel expenses, but will be reduced upon completion of training and/or travel.
8. All authorized employees must sign an agreement acknowledging that he / she has read and understands the policies and procedures governing the use of a City credit card or charge account. (See Exhibit B)
9. Authorized Directors must maintain their cards in a secure location, are responsible for any costs associated with replacement if lost or damaged, and must be able to produce the card upon request.
10. All other authorized employee credit cards will be maintained by a designated custodian.
11. All authorized card holders are responsible for immediately reporting any fraudulent use or misapplication of the card to the Finance Director or **designated Finance Clerk** so that appropriate steps can be taken.
12. All authorized card holders are responsible for ensuring that standard purchasing procedures are followed and documentation is complete for every transaction.
13. All authorized card holders are responsible for notifying vendors that the City of Alpine should be exempt from sales tax if used for the purchases of goods and services. Tax exempt certificates are available through the Finance Department.

14. Employees are responsible for the delivery arrangements and receipt of merchandise they have ordered and working with the vendor to correct any problems, exchanges, or credits.

Credit Card Custodian

1. Each Director will designate a person within their department to be the designated credit card custodian to oversee the department credit cards.
2. When an authorized employee needs a city credit card, the designated person will release the card to the authorized user and have them sign out the card. A sign out sheet will be maintained by the designated person and will include the name of the employee, the date the card was given to the employee, and the date the card was returned.
3. When the card is not in use, it is to be under control of the designated custodian.
4. The employee using a city issued credit card is responsible for returning the card to the designated custodian the next workday after returning to work.
5. The card shall be returned personally to the custodian along with **ALL actual, itemized receipts for charges on the card.**
6. The designated credit card custodian will provide the Finance Department copies of the sign in log of authorized employees by the 15th of each month.

Allowable and Unallowable Expenses

1. Allowable
 - a. Travel and training. City credit cards may be used when traveling for official city business in accordance with the city's travel policy. This includes:
 - i. Registration Fees and materials
 - ii. Meals not provided by conferences/ training facilities
 - iii. Vehicle rental Fees/ Taxi Fees
 - iv. Flights
 - v. Hotels
 - vi. Fuel
 - b. Supplies and equipment used only for City purposes and as a needed for an emergency or urgent basis. **Purchases over \$2,500 are not to be charged without proper authorization.**
2. Unallowable Expenses
 - a. City Credit Cards **SHALL NOT** be used to circumvent the standard purchasing policy.
 - b. City credit cards **SHALL NOT** be used for personal purchases.
 - c. City credit cards **SHALL NOT** be used for cash advances or cash-type transactions (cash, cash in addition to purchase, cash in lieu of credit to the account, traveler's checks, money orders, gambling, ATM transactions, etc).
 - d. City credit cards **SHALL NOT** be used by anyone other than the cardholder to make purchases.
 - e. City credit cards **SHALL NOT** be used to purchase alcohol or tobacco products.
 - f. City credit cards **SHALL NOT** be used for room service, entertainment, in room pay-per view, and telephone purchase of any type.
 - g. City credit cards **SHALL NOT** be used to purchase clothing and shoes.
 - h. City credit cards **SHALL NOT** be used to purchase snacks.

Reconciliation Process

1. Employees authorized to use city credit cards are responsible for providing all necessary documentation required by the Finance Department to process payment on a timely basis.
2. Employees will submit itemized receipts as soon as possible, but no later than five business days after the purchase date.
3. Employees will submit delivery receipts no later than two days after the date merchandise is received.
4. Employees will document internet purchases by printing out the purchase confirmation page from the vendor's website.
5. Purchase Orders are required for purchases over \$250. All purchases under \$250 do not require a purchase order, receipts must be **signed** off by department Director acknowledging the purchase and expense account information included.

Penalties

1. Employees shall be personally responsible for any unauthorized expenditures and will be required to repay expenditures that are considered in violation of these policies.
 - a. Repayment shall be made either through direct payment or by payroll deduction.
 - b. Payroll deduction will be based on the amount of the unauthorized expenditure. Repayment may only be divided between several pay periods if the deduction would take the employee minimum wage for the pay period.
 - c. Unauthorized charges which exceed a payroll period may result in suspension without pay or immediate termination.
2. If interest or late fees are incurred as a result of an employee failure to submit necessary documentation in a timely manner, the employee will be responsible for payment of those card penalty fees, and payment shall be withheld from the employee pay/compensation.
3. Employees using a city issued credit card for purchases that are subsequently deemed to an inappropriate use of department funds will be responsible for payment of said charges and will be disciplined, including possible termination.
4. Violation or misuse of the City credit card by an employee in accordance with this policy constitutes theft and shall result in revocation of the card and/or other disciplinary action, including termination or prosecution.
 - a. 1st offense – card suspended for 1 month
 - b. 2nd offense – card revoked and possible termination

EXHIBIT B**CITY OF ALPINE CREDIT CARD USER AGREEMENT**

I, _____, as an Employee of the City of Alpine, hereby certify that I understand and agree to abide by the City of Alpine's policy regarding the use of a city issued credit card and accept personal responsibility for the safeguard and proper use of the City credit card number (#) _____, which has been assigned to me, in accordance with the terms outlined below.

I have read, understand, and will comply with the City of Alpine's adopted Credit Card and Travel Policy.

I acknowledge that I am responsible for and will provide all necessary documentation to the Finance Department or designated credit card custodian within the time specified:

1. Itemized receipts no later than five (5) business days after the purchase date, or within five (5) days of return from travel status.
2. Delivery receipts no later than two (2) days after the received date.
3. Proof of internet purchase with a copy of the purchase confirmation page from the vendor's website.

I understand that violation or misuse of the City credit card in accordance with this policy or the travel policy shall result in revocation of the card and/or other disciplinary action, including termination.

I understand that if interest or late fees are incurred as a result of my failure to submit necessary documentation in a timely manner that I will be personally responsible for payment of those fees, and costs of any such fees incurred as a result of my failure are hereby authorized to be withheld from my paycheck.

I understand that I will be personally liable for all unauthorized charges and other charges that are inconsistent with the City's Credit Card Policy and Travel Policy I incur to the City credit card. I hereby consent to the City deducting all such penalties/fees from my paycheck.

Employee Signature

Date

Witness

Date

CITY COUNCIL AGENDA ITEM REPORT

November 5, 2024

Agenda Item No. 8D

Department: Administration

Sponsor: Megan Antrim, City Manager

Memo Prepared By: Megan Antrim, City Manager

Staff Recommendation: Approve



AGENDA ITEM

Approval of Resolution 2024-11-02, a resolution adopting a policy prohibiting the installation or use of TikTok on City devices or for use of that application for official related business pursuant to Texas Senate Bill 1893. (M. Antrim, City Manager)

EXECUTIVE SUMMARY

Background

In compliance with Texas Senate Bill 1893, effective September 1, 2023, and the Governor's directive, the City of Alpine has implemented a Prohibited Technologies Policy to enhance security measures against potential surveillance risks associated with specific applications, including TikTok. The policy is designed to restrict the use of these technologies on government devices and networks, safeguarding sensitive information.

Key Provisions

1. Scope and Definitions:

- This policy applies to all city-owned or leased devices and includes all employees, contractors, and users accessing the City network. "Covered applications" primarily refer to TikTok and any other applications identified by the Texas Department of Information Resources (DIR) and the Department of Public Safety (DPS).

2. Restrictions on Covered Applications:

- The installation or use of prohibited applications is banned on all government-owned devices, including desktops, laptops, mobile devices, and network systems.
- The City must manage and monitor these devices to prevent unauthorized application installations and maintain secure configurations.

3. Network and Device Controls:

- Network-based restrictions include firewall configurations that prevent access to prohibited applications.
- Personal devices with prohibited applications cannot connect to the City's secure network. Separate networks may be provided for controlled access with City Manager approval.

4. Exception Guidelines:

- Limited exceptions are allowed strictly for law enforcement purposes or for developing information security measures.
- Exceptions require documented risk mitigation measures and DIR approval, particularly for

applications aiding in emergencies or critical public communication.

5. Sensitive Locations and Bring Your Own Device (BYOD) Policy:

- Sensitive areas require compliance, meaning personal devices with prohibited applications cannot be used within these locations.
- The City's BYOD policy considers prohibiting covered applications on personal devices used for City business to minimize risks.

6. Policy Compliance and Review:

- Employees must sign an annual acknowledgment of this policy, which will be enforced with disciplinary measures for non-compliance.
- The policy undergoes an annual review, with updates aligned with state guidelines and emerging technology threats.

SUPPORTING MATERIALS

1. Resolution 2024-11-02 - Prohibited Technologies Security Policy
2. Exhibit "A" - Policy for Preventing Use of Prohibited Technology and Covered Applications v1.1

BUDGET CONSIDERATIONS

Expenditure Required: N/A
Savings Anticipation: N/A
Current Budget FY 2024-2025: N/A
Additional Funding: N/A

APPROVERS

Alex Tackett, Records Clerk
Geoffrey R. Calderon, City Secretary
Megan Antrim, City Manager

Approved - 10/28/2024
Approved - 10/28/2024
Final Approval - 10/28/2024

THE STATE OF TEXAS

COUNTY OF BREWSTER

CITY OF ALPINE

RESOLUTION 2024-11-02

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS
ADOPTING A POLICY PROHIBITING THE INSTALLATION OR USE OF TIKTOK ON
CITY DEVICES OR FOR USE OF THAT APPLICATION FOR OFFICIAL CITY
RELATED BUSINESS PURSUANT TO TEXAS SENATE BILL 1893.**

WHEREAS, Pursuant to Texas S.B. 1893 which goes into effect September 1, 2023, the City hereby adopts a policy prohibiting the installation or use of TikTok or any application covered by Chapter 620 of the Texas Government Code on any device owned or leased by the City and requiring removal of the application from those devices if already installed; and

WHEREAS, The City shall also adopt a policy prohibiting the employee use of those applications for City-related business; and

WHEREAS, TikTok may be installed and used to the extent necessary for providing law enforcement or developing or implementing information security measures, and used in compliance and documented measures to mitigate risks to the security of governmental entity information; and

WHEREAS, The City of Alpine initially adopted Resolution 2023-09-02, adopting a policy prohibiting the installation or use of TIKTOK on City devices or for use of that application for official City related Business on September 12, 2023; and

WHEREAS, The Department of Information Resources (DIR) and the Department of Public Safety (DPS) have jointly developed a model policy for governmental entities to use in developing their own local policy; and

WHEREAS, the City has updated the Prohibited Technologies Security Policy to include the recommended language provided by the Department of Information Resources and the Department of Public Safety, and

WHEREAS, The City of Alpine has until November 20, 2024 to adopt a local policy as required by Senate Bill 1893; and

WHEREAS, The City Council authorizes the City Manager to execute all documents necessary to complete this transaction; and

WHEREAS, All resolutions and agreements and parts of resolutions and agreements in conflict herewith are hereby repealed to the extent of conflict only.

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

SECTION 1. That the Council adopts the Prohibited Technologies Security Policy as listed in Exhibit “A.”

PASSED AND APPROVED THIS THE 5th DAY OF NOVEMBER 2024 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.

Catherine Eaves, Mayor

ATTEST:

Geoffrey R. Calderon, City Secretary

EXHIBIT “A”



CITY OF ALPINE

Covered Applications and Prohibited Technology Policy

Date: November 5, 2024

Version: 1.1

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1.0 INTRODUCTION

1.1 PURPOSE

On December 7, 2022, Governor Greg Abbott required all state agencies to ban the video-sharing application TikTok from all state-owned and state-issued devices and networks over the Chinese Communist Party's ability to use the application for surveilling Texans. Governor Abbott also directed the Texas Department of Public Safety (DPS) and the Texas Department of Information Resources (DIR) to develop a plan providing state agencies guidance on managing personal devices used to conduct state business. Following the issuance of the Governor's directive, the 88th Texas Legislature passed [Senate Bill 1893](#), which prohibits the use of covered applications on governmental entity devices.

Effective September 1, 2023, Texas S.B. 1893 prohibits the use of certain social media applications and services on devices owned or leased by governmental entities, including state, municipal, or special purpose districts.

In addition to TikTok, the City of Alpine may add other software and hardware products with security concerns to this policy and will be required to remove prohibited technologies which are on the Department of Information Resources (DIR) prohibited technology list. Throughout this Policy, "Prohibited Technologies" shall refer to TikTok and any additional hardware or software products added to this policy.

1.2 SCOPE

This policy applies to all city of Alpine full and part-time employees including contractors, paid or unpaid interns, and users of City networks. All City of Alpine employees are responsible for complying with the terms and conditions of this policy.

2.0 POLICY FOR GOVERNMENTAL ENTITIES

2.1 SCOPE AND DEFINITIONS

Pursuant to Senate Bill 1893, governmental entities, as defined below, must establish a covered applications policy:

- A department, commission, board, office, or other agency that is in the executive or legislative branch of state government and that was created by the constitution or a statute, including an institution of higher education as defined by Education Code Section 61.003.
- The supreme court, the court of criminal appeals, a court of appeals, a district court, or the Texas Judicial Council or another agency in the judicial branch of state government.
- A political subdivision of this state, including a municipality, county, or special purpose district.

A covered application is:

- The social media service TikTok or any successor application or service developed or provided by ByteDance Limited, or an entity owned by ByteDance Limited.
- A social media application or service specified by proclamation of the governor under Government Code Section 620.005.

2.2 COVERED APPLICATIONS ON GOVERNMENT-OWNED OR LEASED DEVICES

Except where approved exceptions apply, the use or installation of covered applications is prohibited on all government-owned or -leased devices, including cell phones, tablets, desktop and laptop computers, and other internet-capable devices.

The City of Alpine will identify, track, and manage all government-owned or -leased devices including mobile phones, tablets, laptops, desktop computers, or any other internet-capable devices to:

- a. Prohibit the installation of a covered application.
- b. Prohibit the use of a covered application.
- c. Remove a covered application from a government-owned or -leased device that was on the device prior to the passage of S.B. 1893 (88th Leg, R.S.).
- d. Remove an application from a government-owned or -leased device if the Governor issues a proclamation identifying it as a covered application.

The City of Alpine will manage all government-owned or leased mobile devices by implementing the security measures listed below:

- a. Restrict access to “app stores” or non-authorized software repositories to prevent the install of unauthorized applications.
- b. Maintain the ability to remotely wipe non-compliant or compromised mobile devices.

2.3 ONGOING AND EMERGING TECHNOLOGY THREATS

To provide protection against ongoing and emerging technological threats to the government’s sensitive information and critical infrastructure, DPS and DIR will regularly monitor and evaluate additional social media applications or services that pose a risk to this state.

DIR will annually submit to the Governor a list of social media applications and services identified as posing a risk to Texas. The Governor may proclaim items on this list as covered applications that are subject to this policy.

If the Governor identifies an item on the DIR-posted list described by this section, then the City of Alpine will remove and prohibit the covered application.

The City of Alpine may also prohibit social media applications or services in addition to those specified by proclamation of the Governor.

2.4 BRING YOUR OWN DEVICE POLICY

If the City of Alpine implements a “Bring Your Own Device” (BYOD) program, then the City of Alpine may consider prohibiting the installation or operation of covered applications on employee-owned devices that are used to conduct government business.

2.5 COVERED APPLICATION EXCEPTIONS

The City of Alpine may permit exceptions authorizing the installation and use of a covered application on government-owned or -leased devices consistent with the authority provided by Government Code Chapter 620.

Government Code Section 620.004 only allows the City of Alpine to install and use a covered application on an applicable device to the extent necessary for:

- (1) Providing law enforcement; or
- (2) Developing or implementing information security measures.

If the City of Alpine authorizes an exception allowing for the installation and use of a covered application, the City of Alpine will use measures to mitigate the risks posed to the state during the application's use including:

- Monitor the City's network for potential threats; and
- Any additional measures that the City of Alpine deems appropriate.

The City of Alpine will document the measures it took to mitigate the risks posed to the state during the use of the covered application.

3.0 PROHIBITED TECHNOLOGY POLICY

3.1 SENSITIVE LOCATIONS

The State of Texas has identified, catalogue, and labeled all sensitive locations. A sensitive location is any location, physical or logical (such as video conferencing, or electronic meeting rooms), that is used to discuss confidential or sensitive information including information technology configurations, criminal justice information, financial data, personally identifiable data, sensitive personal information, or any data protected by federal or state law.

An employee whose personal device, including their personal cell phone, tablet, or laptop, is not compliant with this prohibited technology policy may not bring their personal device into sensitive locations. This includes using their unauthorized personal device to access any electronic meeting labeled as a sensitive location.

Visitors granted access to sensitive locations are subject to the same limitations as employees and contractors. If a visitor is granted access to a sensitive location and their personal device has a prohibited application installed on it, then the visitor must leave their unauthorized personal device at an appropriate location that is not identified as sensitive.

3.2 NETWORK RESTRICTIONS

The City of Alpine has blocked access to prohibited technologies on the city's network. To ensure multiple layers of protection, the City of Alpine has also implemented additional network-based restrictions, which include:

- a. Configuring agency firewalls to block access to statewide prohibited services on all agency technology infrastructures, including local networks, WAN, and VPN connections.
- b. Prohibiting personal devices with prohibited technologies installed from connecting to the city's secure technology infrastructure.
- c. Providing a separate network that allows access to prohibited technologies with the approval of the City Manager.

3.3 PROHIBITED TECHNOLOGIES EXCEPTIONS

The City of Alpine adheres to the exceptions authorized by the State of Texas. All approved exceptions to applications, software, or hardware included on the prohibited technology list are reported and approved by DIR.

The City of Alpine may consider additional exceptions only when:

- the use of prohibited technologies is required for a specific business need, such as enabling criminal or civil investigations; or
- for sharing of information to the public during an emergency.

Any additional exceptions to applications, software, or hardware included in the prohibited technology list will be reported to the Department of Information Resources.

For personal devices used for city business, exceptions should be limited to extenuating circumstances and only granted for a predefined period of time. To the extent practicable or possible, exception-based use should only be performed on devices that are not used for other city business and on non-city secure networks, and the user should disable cameras and microphones on devices authorized for exception-based use.

3.4 ONGOING AND EMERGING TECHNOLOGY THREATS PURSUANT TO THE GOVERNOR'S DIRECTIVE

To provide protection against ongoing and emerging technological threats to the state's sensitive information and critical infrastructure, DPS and DIR will regularly monitor and evaluate additional technologies posing concerns for inclusion in this policy.

DIR posts the list of all prohibited technologies, including applications, software, hardware, or technology providers, to its website. If, after consultation between DIR and

DPS, a new technology must be added to this list, DIR will update the prohibited technology list posted on its website.

The City of Alpine will adhere to the State of Texas implementation of removal and prohibition of any listed technology on all applicable devices. The State of Texas may prohibit other technology threats in addition to those on the posted list should the State of Texas determine that such prohibition is appropriate.

4.0 POLICY COMPLIANCE

All City of Alpine employees shall sign a document annually confirming their understanding of the agency's covered applications and prohibited technology policies.

The City of Alpine will verify compliance with this policy through various methods, including but not limited to, IT/security system reports and feedback from Senior Leadership.

An employee found to have violated this policy may be subject to disciplinary action, including termination of employment.

5.0 POLICY REVIEW

This policy will be reviewed annually and updated as necessary to reflect changes in state law, additions to applications identified under Government Code Section 620.006, updates to the prohibited technology list posted to DIR's website, or to suit the needs of the City of Alpine.

6.0 VERSION HISTORY

This table summarizes the major edits, i.e., edits affecting transition points, process changes, system changes, and/or role changes.

Version	Date	Responsible	Revision Summary
1.0	September 12, 2023	City Manager	Document Creation
1.1	November 5, 2024	City Manager	Updated to reflect recommended DIR/DPS Policy Model Annual Review

CITY COUNCIL AGENDA ITEM REPORT

November 5, 2024

Agenda Item No. 11A

Department: Administration

Sponsor: Darin Nance, Councilor

Memo Prepared By: Geoffrey R. Calderon, City Secretary

Staff Recommendation: None



AGENDA ITEM

Discuss the use of Edlink18 as a Managed Service Provider (MSP) for IT Services for the City of Alpine. (D. Nance, City Council)

EXECUTIVE SUMMARY

None

SUPPORTING MATERIALS

None

BUDGET CONSIDERATIONS

Expenditure Required: N/A

Savings Anticipation: N/A

Current Budget FY 2024-2025: N/A

Additional Funding: N/A

APPROVERS

Alex Tackett, Records Clerk

Geoffrey R. Calderon, City Secretary

Megan Antrim, City Manager

Approved - 10/25/2024

Approved - 10/28/2024

Final Approval - 10/28/2024

CITY COUNCIL AGENDA ITEM REPORT

November 5, 2024

Agenda Item No. 11B

Department: City Council

Sponsor: Reagan Stone, Councilor

Memo Prepared By: Geoffrey R. Calderon, City Secretary

Staff Recommendation: None



AGENDA ITEM

Discuss making possible updates to the political sign ordinance, up to and including requirements under state law and applicable regulations that can be made regarding the placement of political signs within City limits. (R. Stone, City Council)

EXECUTIVE SUMMARY

Councilor Stone has recommended discussion regarding political signs in the City. The City is limited as far as what regulations can be implemented around political signs. Cities are unable to prohibit a candidate from placing a sign on public property, however, cities may regulate the time, place, and manner of sign placements on public property (Texas Election Code, Sec. 61.003(a-1)). Only a court of law can determine what is reasonable in terms of time, place, and manner. Attached is an example of regulations from Dallas, Texas. City Administration does recommend that we follow a similar structure and implement a requirement that political signs may only be placed outside of the 100-foot distance markers up to 2 days prior to early voting and must be removed at least 2 days after election day. This provides a mechanism for us to regulate the time, place, and manner - and would provide us the ability to remove signs from any other city property that does not serve as a polling place. We have received complaints in the past, but technically cannot remove the signs unless an ordinance is passed regulating the time, place, and manner.

SUPPORTING MATERIALS

1. Dallas Temporary Political Sign Regulations

BUDGET CONSIDERATIONS

Expenditure Required: N/A
Savings Anticipation: N/A
Current Budget FY 2024-2025: N/A
Additional Funding: N/A

APPROVERS

Alex Tackett, Records Clerk
Geoffrey R. Calderon, City Secretary
Megan Antrim, City Manager

Approved - 10/25/2024
Approved - 10/28/2024
Final Approval - 10/28/2024



NOTICE

POLITICAL CAMPAIGN SIGNS ON PUBLIC PROPERTY

CHAPTER 15-A OF THE DALLAS CITY CODE

TEMPORARY POLITICAL CAMPAIGN SIGNS ALLOWED ON PUBLIC PROPERTY; REQUIREMENTS AND RESTRICTIONS

Section 15A-15(a) states a temporary political campaign sign may be placed in accordance with this article on public property that serves as an early voting location or election day voting location for an election that has been ordered by a governmental entity. Only signs that refer to a candidate or issue that is on the ballot at a particular voting location may be placed at that voting location.

Section 15A-15(b) states a temporary political sign placed on public property under this article may not: have an effective area greater than 20 square feet; be more than eight feet high; be illuminated; have any moving elements; be placed in or over any public right-of-way; or project more than 18 inches from a wall, roof, parapet, or eaves.

Section 15A-15(c) states nothing in this article authorizes a person to place a temporary political campaign sign: on public property owned or operated by a governmental entity, other than the city, if such placement is not allowed by the governmental entity; or in a form, manner, or location prohibited by another city ordinance or state or federal law.

PLACEMENT AND REMOVAL OF TEMPORARY POLITICAL CAMPAIGN SIGNS

Section 15A-16(a) states a person commits an offense if the person places, or causes the placement of, a temporary political campaign sign on public property in violation of any provision of Section 15A-15; places, or causes the placement of, a temporary political sign on public property earlier than: two calendar days before commencement of early voting if the sign is being placed at an early voting location; or two calendar days before election day, if the sign is being placed at an election day voting location; fails to remove all temporary political campaign signs that the person placed, or caused to be placed, from the public property no later than: two calendar days after the last day of early voting, if the sign is at an early voting location; or two calendar days after election day, if the sign is placed at an election day voting location; or fails to remove any temporary political campaign sign that the person placed, or caused to be placed, from the public property within 24 hours after notification from the city that the sign is in violation of this article.

Section 15A-16(b) states the city may without notice, confiscate and dispose of any sign that is: placed in violation of this article; or not removed as required by this article.

QUESTIONS REGARDING ENFORCEMENT:

CODE COMPLIANCE SERVICES - 214.670.5708

o After Hours/Weekends - Dial 311

OFFICE OF THE CITY SECRETARY, ELECTIONS-214.670.5657



Bilierae Johnson City Secretary

OFFICE OF THE CITY SECRETARY

City of Dallas
Department of Code Compliance
Municipal Regulation of Political Sign

Definitions:

"Political sign" is a sign that contains primarily a political message.

"Public property" means any property owned or operated by a governmental entity that is open to the public and used for a public purpose. "Public property" includes, but is not limited to, a library, park, school, government building, public right-of-way or easement.

"Temporary political campaign sign" means a sign that refers only to the issues or candidates involved in an election.

Regulations:

- A permit is not required for political signs on private property with consent of the property owner unless the sign:
[Texas Local Government Code §216.903(d), §51A-7.209(c), and §51A-7.602]
 1. has an effective area greater than 36 feet;
 2. is more than eight feet high;
 3. is illuminated;
 4. has any moving elements;
 5. is on public property or an easement that allows the city to use the property for public purposes;
 6. is on a structure that is available for rent or purchase, such as billboards;
- Signs may not be placed in the public right-of-way.
[§51A-7.203(b)]
- Signs that require permits may not be placed on roofs.
[§51A-7.203(a)]
- A temporary political sign may be placed on public property that serves as an early voting location or election day voting location for an election. Only signs that refer to a candidate or issue that is on the ballot at a particular voting location may be placed at that voting location.
[§15A-15(a)]

- A temporary political sign placed on public property may not:
[§15A-15(b)]
 1. have an effective area greater than 20 square feet;
 2. be more than eight feet high;
 3. be illuminated;
 4. have any moving elements;
 5. be placed in or over any public right-of-way;
 6. project more than 18 inches from a wall, roof, parapet, or eaves.
- Nothing authorizes a person to place a temporary political campaign sign:
[§15A-15(c)]
 1. on public property owned or operated by a governmental entity, other than the city, if such placement is not allowed by the governmental entity;
 2. in a form, manner, or location prohibited by another city ordinance or state or federal law.
- A person commits an offense if:
[§15A-16(a)]
 1. places or causes the placement of, a temporary political campaign sign on public property in violation of any provision of city ordinance;
 2. places, or causes the placement of, a temporary political campaign sign on public property earlier than:
 - (A) two calendar days before commencement of early voting, if the sign is being placed at an early voting location;
 - (B) two calendar days before election day, if the sign is being placed at an election day voting location;

3. fails to remove all temporary political campaign signs that the person placed, or caused to be placed, from the public property not later than:
 - (A) two calendar days after the last day of early voting, if the sign is placed at an early voting location;
 - (B) two calendar days after election day, if the sign is placed at an election day voting location;
 4. fails to remove any temporary political campaign sign from the public property within 24 hours after notification from the city that the sign is in violation.
- The city may, without notice, confiscate and dispose of any sign that is placed in violation or not removed as required.
[§15A-16(b)(1)(2)]

Contact:

Carl Simpson, Director
Code Compliance
City of Dallas
3112 Canton Street, Room 100
Dallas TX 75226
Ph: 214-670-3118

Sources: The Dallas City Code, Chapters 15A, 51A; Texas Local Government Code, Chapter 216; American Legal Publishing Corporation- Online Library

CITY COUNCIL AGENDA ITEM REPORT

November 5, 2024

Agenda Item No. 11C

Department: City Council

Sponsor: Catherine Eaves, Mayor

Memo Prepared By: Geoffrey R. Calderon, City Secretary

Staff Recommendation: None



AGENDA ITEM

Discussion regarding a possible error that needs to be corrected in Ordinance 2024-08-01, an ordinance implementing restrictions regarding non-contiguous zoning, or spot zoning. (C. Eaves, Mayor)

EXECUTIVE SUMMARY

Mayor Eaves is adding this item to discuss the City Council's Intent regarding Ordinance 2024-08-01. The Building Official provided the attached documents responsive to the item at the request of the Mayor

SUPPORTING MATERIALS

1. City Council Meeting Agenda 05-21-24
2. P&Z Commission Meeting 06-24-24
3. City Council Meeting Minutes 05-21-24
4. Council Meeting 08-20-24
5. Council Meeting 08-06-24

BUDGET CONSIDERATIONS

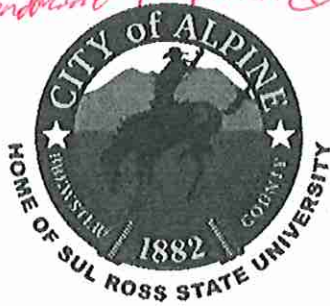
Expenditure Required: N/A
Savings Anticipation: N/A
Current Budget FY 2024-2025: N/A
Additional Funding: N/A

APPROVERS

Alex Tackett, Records Clerk
Geoffrey R. Calderon, City Secretary
Megan Antrim, City Manager

Approved - 10/25/2024
Approved - 10/28/2024
Final Approval - 10/28/2024

See recording starting @ 58:02
Building Services @ 1:14:47
Amendment Proposed @ 1:32:00 + 1:33:15



CITY COUNCIL

MEETING AGENDA ITEM COVER MEMO

MAY 21, 2024

To: Honorable Mayor and City Council
Agenda Item: Action Item C – Ordinance 2024-05-05
Agenda Sponsor: M. Antrim, City Manager
Memo Prepared By: G. Calderon, City Secretary

Specific
removing
Don't
ability
to
have
to make
change
may or
not.

SYNOPSIS

Approve the first reading of Ordinance 2024-05-05, an ordinance amending Appendix C – Zoning to the Alpine Code of Ordinances; Removing the provision that provides the ability for the city council or the planning & zoning commission to initiate a spot zoning, or non-contiguous, zoning designation; Amending the application fee from \$250 to \$350. (M. Antrim, City Manager)

BACKGROUND

- The Planning & Zoning Commission met on April 22, 2024 to discuss updates to the requirements for non-contiguous zoning, also known as spot zoning. Spot zoning is typically illegal in Texas.
- In 2016, the Council updated Appendix C – Zoning, Sections 20-21, were updated by Ordinance 2016-08-02 and included the ability for a member of the Planning & Zoning Commission or the City Council to initiate a non-contiguous zoning request.
- The Planning & Zoning Commission unanimously recommended an ordinance change that would remove the ability for a spot zone to be initiated by the Planning & Zoning Commission or the City Council. The proposed ordinance is scheduled for consideration by the City Council on 5/21/24.

EXCERPTS FROM THE TEXAS LAW AND PROCEDURE MANUAL

- The Texas Supreme Court has defined “spot zoning” as “an unacceptable amendatory ordinance that singles out a small tract for treatment that differs from that accorded similar surrounding land without proof of changes in conditions.” *Pharr v. Tippitt*, 616 S.W.2d 173, 177 (Tex. 1981). The Court also describes spot zoning as “preferential treatment which defeats a pre-established comprehensive plan,” and “piecemeal zoning.”
- To spot zone is to rezone a lot or parcel to benefit an owner for a use incompatible with surrounding land uses and that does not further the comprehensive zoning plan (i.e., an arbitrary departure from the comprehensive plan). The power to amend cannot be arbitrarily exercised. It cannot be exercised merely because someone wants it done. Zoning amendments can be exercised when the public good requires such action. When the adjoining landowners buy their land, they (to an extent) should be able to rely upon the classification which existed at the time the purchase was made.

- The Texas Supreme Court established 4 guidelines to be applied in a balancing test to determine whether a rezoning constitutes spot zoning:
 - The law demands that an approved zoning plan should be respected and not altered for the special benefit of a landowner when the change will cause substantial detriment to the surrounding lands or serve no substantial public purpose.
 - "The nature and degree of an adverse impact upon neighboring lands is important. Lots that are rezoned in a way that is substantially inconsistent with the zoning of the surrounding area, whether more or less restrictive, are likely to be invalid."
 - Another factor to consider is the suitability or unsuitability of the tract's use as it is presently zoned. "The size, shape, and location of a lot may render a tract unusable or even confiscatory as zoned."
 - The amendment "must bear a substantial relationship to the public health, safety, morals, or general welfare." However, the rezoning ordinance may be justified "if the substantial public need exists," even though it results in the landowner's windfall.
- Be prepared to expressly justify a rezoning based on the Comprehensive Plan or consider first modifying the Comprehensive Plan. To a large extent, the legal validity of rezoning a small tract may depend on: (a) documentation of changes in area conditions, and (b) whether the rezoning corroborates or carries on the principles of the city's comprehensive plan. Many municipal zoning codes follow what is commonly referred to as the Maryland Rule (aka, "Change or Mistake Rule") pursuant to which rezoning a particular tract can only be justified if there has been a documented change in conditions or circumstances for the area, or the municipality determines it was a mistake to assign the current zoning designation to that piece of property.

SUPPORTING MATERIALS

1. Ordinance 2024-05-05.

STAFF RECOMMENDATION

TX state law -
 NONE. 4 guidelines. Name: Against removing
 from council. removes flexibility.
 Escobar - against. Stevens: Questions
 rezoning - Spot Zone.
 Megan - request Guidelines - in addition.
 Steven as presented needs to include TX
 law. & comprehensive plan.
 Megan - turn it down - and send pack.
 purpose amendment - return to margin
 Stevens p. 2 add TX & include comprehensive
 motion. plan
 Eva. illegal. spot zoning. agree to be more
 specific.
 Stone - asked for chair.

mat/watter Bubble - makes no sense
taking the power away -
Add rules. Still have power.

• Megan. Past problems not followed.

Rob clarifies.

- Stevens
- Follow TX law
- Follow fee

Add 4 items of comprehensive plan
- 2nd stone. removed.

- That's what happened w/ the other
ones.

Megan - amend ordinance

4 tx /

1:32:20 - Rezone -

1:32 -

Stephens amendment -

2nd stone.

Stone going forward.

Nance against

Escobedo

Nance > against
Escobedo

Stone - for v

Alvarez

Stephens

to add 4 tx /

Stephens Comprehensive
plan.

ORDINANCE 2024-05-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS AMENDING APPENDIX C – ZONING TO THE ALPINE CODE OF ORDINANCES; AMENDING APPENDIX C – ZONING TO REMOVE THE PROVISION THAT PROVIDES THE ABILITY FOR THE CITY COUNCIL OR THE PLANNING & ZONING COMMISSION TO INITIATE A SPOT ZONING, OR NON-CONTIGUOUS, ZONING DESIGNATION; AMENDING THE APPLICATION FEE FROM \$250 TO \$350; PROVIDING FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING CLAUSES.

WHEREAS, the Planning & Zoning Commission (“Commission”) is composed of community members who advise the City Council on policy decisions that affect zoning issues of the city; and

WHEREAS, the Building Services Department identified areas of concern involving the ability for individual members of the Commission or the City Council to initiate non-contiguous zoning (“spot zoning”) requests; and

WHEREAS, the Texas Supreme Court has defined spot zoning as an unacceptable amendatory ordinance that singles out a small tract for treatment that differs from that accorded similar surrounding land without proof of changes in conditions; and

WHEREAS, the Texas Supreme Court established 4 guidelines to be applied in a balancing test to determine whether a rezoning constitutes spot zoning; and

WHEREAS, the Building Services Department presented proposed updates to the Commission during the Commission meeting on March 25 and on April 22, 2024; and

WHEREAS, the Commission voted unanimously to recommend approval of the updates proposed by the department; and

WHEREAS, the City Council deems it to be in the public interest to remove the provision in the municipal code that allows a spot zoning to occur; and

WHEREAS, application requirements for a zoning change and amendment need to be clearly defined, consistent, and compliant with Chapter 211 of the Local Government Code.

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

**SECTION I
FINDINGS OF FACT**

The Alpine Code of Ordinances is hereby amended to reflect the updates attached hereto as Exhibit “A.” The premises attached as Exhibit “A” are hereby found to be true and correct legislative and factual findings of the City Council of the City of Alpine and are hereby approved and incorporated herein as findings of fact.

SECTION II
INCLUSION IN THE CODE OF ORDINANCES

The provisions of this ordinance shall become and be made a part of the Code of Ordinances of Alpine, Texas. The sections of the ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word. The codifier of the city is empowered to make amendments to match the style of the existing code.

SECTION III
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 IV
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 judgment 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 V
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 VI
PUBLIC HEARING

A public hearing was held on June 4, 2024, where interested parties had the opportunity to make public comments on this ordinance prior to approval. Notice of the date and time of the hearing and notice of how to obtain copies of the proposed ordinance was published in the Alpine Avalanche, the official newspaper of the City of Alpine on May 30, 2024.

SECTION VII
EFFECTIVE DATE

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

PASSED AND ADOPTED THIS 4th DAY OF JUNE 2024 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.

INTRODUCTION AND FIRST READING

MAY 21, 2024

SECOND AND FINAL READING

JUNE 4, 2024

APPROVED:

ATTEST:

Catherine Eaves, Mayor

Geoffrey R. Calderon, City Secretary

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"

EDITOR'S NOTE:

Additions are Underlined.

~~Omissions appear in Red Strikethrough Text.~~

APPENDIX C - ZONING

ARTICLE I – BASIC ORDINANCE

GENERAL ZONING REGULATIONS

Section 21.02. Proposed district boundaries must be contiguous.

~~Except as provided in section 21.01, T~~the boundaries of the districts proposed in a zoning or rezoning application must be contiguous.

The boundaries of the districts proposed in a zoning application may be noncontiguous if the zoning is C0 as a buffer zone only between residential and commercial used as its intended purpose. ~~initiated by the council or the planning and zoning commission.~~

(Ord. No. 2016-08-02, 9-20-16; Ord. No. 2016-10-03, 11-1-16)

Section 21.03 Jurisdiction.

The city council shall have jurisdiction with respect to all rezone requests. The planning and zoning commission shall review and submit a recommendation to the city council on all applications for rezoning.

(Ord. No. 2016-08-02, 9-20-16; Ord. No. 2016-10-03, 11-1-16)

Section 21.04. Application and fee.

1. Application for a rezone request shall be filed with the administrative official. The application shall include the following:
 - a. Name and address of the owner and applicant.
 - b. Address and legal description of the property.
2. If the applicant is not the legal owner of the property, a signed statement by the owner that the applicant is the authorized agent of the owner of the property.
3. An application for a conditional use permit shall be accompanied by a fee set forth by the city council in the amount of ~~\$250.00~~ \$350.00.

(Ord. No. 2016-08-02, 9-20-16; Ord. No. 2016-10-03, 11-1-16)

**CITY OF ALPINE
PLANNING & ZONING COMMISSION MEETING
MONDAY, JUNE 24, 2024 - 5:30 P.M.**

NOTICE IS HEREBY GIVEN THAT THE PLANNING & ZONING COMMISSION OF THE CITY OF ALPINE, TEXAS, WILL HOLD A MEETING AT 5:30 P.M. ON MONDAY, JUNE 24, 2024, AT THE CITY COUNCIL CHAMBERS LOCATED AT 803 WEST HOLLAND AVENUE AND VIA ZOOM FOR THE PURPOSE OF CONSIDERING THE ATTACHED AGENDA. THIS NOTICE IS POSTED PURSUANT TO THE TEXAS OPEN MEETINGS ACT. ACTION ITEMS APPROVED AT THIS MEETING WILL BE CONSIDERED BY THE CITY COUNCIL FOR FINAL ACTION.

1. Call to Order.

2. Public Comments.

3. Public Hearings –

- a) Public Hearing to obtain citizen views and comments regarding Replat 2024-06-01, a replat application allowing the applicant, Penelope V. Avery, to amend the setback requirements of the subject property. The subject property is located at 1308 N. 4th Street and is legally described as Lot Seven (7), Block Forty-Seven (47), North Addition, located in the City of Alpine, Brewster County, Texas, according to the Plat of said subdivision recorded in Plat Envelope No. 108 in the Office of the County Clerk of Brewster County, Texas. The record property owner is Penelope V. Avery. The Property ID of the subject property is 11666. The current zoning classification of the property is R-1 One Family District. If the replat is approved the zoning classification will remain R-1 One Family District.
- b) Public Hearing to obtain citizen views and comments regarding Rezone 2024-06-01, a rezone application allowing the applicant, Sean Hopper, to establish a laundromat at the subject property. The subject property is located at 1003 E. Gallego Dr. and is legally described as 0.5 acres, more or less, lying in Brewster County, Texas, Lot Ten (10), the W 1/2 of Lot Nine (9), Two (2) and the W 1/2 of Lot Three (3), EXCEPT the North 20 varas of Lots One (1), Two (2) and the W 1/3 of Three (3), in Block Thirty-Three (33) Hancock Addition South of the Railroad, according to the map/plat on of said addition filed in Plat Envelope No. 112, Brewster County Plat Records. The property owner of record is Sean A. Hopper. The property identification numbers of the subject property are 10746 and 10749. The current zoning classification of the subject property is R-4 Mobile Home District. The zoning classification if the rezoning application is approved will be C-1 Neighborhood Commercial District.

4. Approval of minutes of previous Board Meeting –

- a) April 22, 2024 Regular Meeting Minutes. (M. Walter, Chair)

5. Discussion Items –

- a) Discuss Fiscal Year 2024-2025 Meeting Schedule. (G. Calderon, City Secretary)
- b) Review the current status of the zoning map with the Commissioners and the Rio Grande Council of Governments. (T. Griffith, Commissioner)
- c) Discuss spot zoning on the current zoning map and backup documentation for each spot zone. (T. Griffith, Commissioner)

- d) Discuss alignment of zoning boundaries in the City and whether these boundaries are appropriate to move forward with. (T. Griffith, Commissioner)
- e) Discuss the issue with C-2A zoning requirements being passed in 1996, but never codified. Review the C-2 A zoning requirements and discuss the plan moving forward. (J. Laxton, Commissioner)
- f) Discuss making a proposed ordinance recommendation to the City Council regarding an update to Ordinance 2011-01-01 (Historic District) overlay, and recommending that a Core Historic District be established: the North boundary being Sul Ross Avenue, the West boundary being South 7th Street, the South Boundary being Murphy Street, and the East boundary being South 4th Street. In addition to the establishment of a Historic District, recommend that the ordinance require that any exterior building facade construction, modification or renovation, along with any exterior landscaping, architectural lighting, along with signing display and sidewalk modification, must receive prior review by the Planning & Zoning Commission and require additional approval by the City Council. (M. Walter, Chair)
- g) Discuss the proposed Post Oak Historical Survey, a survey and proposal from Post Oak Preservation Solutions and recommended by the Alpine Historical Association. (M. Antrim, City Manager)
- h) Discuss the Planning and Zoning Commission issuing a letter supporting the Alpine Historical Association's request for Hotel Occupancy Tax money to fund a Downtown Alpine Historic District Survey & National Register of Historic Places Nomination by Post Oak Preservation Solutions. (M. Walter, Chair)

6. Action Items –

- a) Approve an updated recommendation to City Council to approve an ordinance amending Appendix C – Zoning to the Alpine Code of Ordinances; Removing the provision that provides the ability for the city council or the planning & zoning commission to initiate a spot zoning, or non-contiguous, zoning designation; Amending the application fee from \$250 to \$350. (M. Antrim, City Manager)
- b) Approve Replat 2024-06-01, a replat application allowing the applicant, Penelope V. Avery, to amend the setback requirements of the subject property. The subject property is located at 1308 N. 4th Street and is legally described as Lot Seven (7), Block Forty-Seven (47), North Addition, located in the City of Alpine, Brewster County, Texas, according to the Plat of said subdivision recorded in Plat Envelope No. 108 in the Office of the County Clerk of Brewster County, Texas. The record property owner is Penelope V. Avery. The Property ID of the subject property is 11666. The current zoning classification of the property is R-1 One Family District. If the replat is approved the zoning classification will remain R-1 One Family District. (G. Calderon, City Secretary)
- c) Approve Rezone 2024-06-01, a rezone application allowing the applicant, Sean Hopper, to establish a laundromat at the subject property. The subject property is located at 1003 E. Gallego Dr. and is legally described as 0.5 acres, more or less, lying in Brewster County, Texas, Lot Ten (10), the W 1/2 of Lot Nine (9), Two (2) and the W 1/2 of Lot Three (3), EXCEPT the North 20 varas of Lots One (1), Two (2) and the W 1/3 of Three (3), in Block Thirty-Three (33) Hancock Addition South of the Railroad, according to the map/plat on of said addition filed in Plat Envelope No. 112, Brewster County Plat Records. The property owner of record is Sean A. Hopper. The property identification numbers of the subject property are 10746 and 10749. The current zoning classification of the subject property is R-4 Mobile Home District. The zoning classification if the rezoning application is approved will be C-1 Neighborhood Commercial District. (G. Calderon, City Secretary)

7. Board Member Comments.

8. Adjourn.

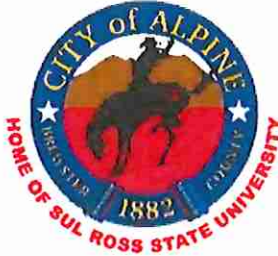
NOTICE: This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the Office of the City Secretary at (432) 837-3301, option 1, or email city.secretary@cityofalpine.com for further information.

CERTIFICATION

I, Geoffrey R. Calderon, hereby certify that this notice was posted at City Hall, a convenient and readily accessible place to the general public, and to the City website at www.cityofalpine.com pursuant to Section 551.043, Texas Government Code. The said notice was posted at 5:00 P.M. on June 20, 2024, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting.


Geoffrey R. Calderon, TRMC
City Secretary & Chief Governance Officer





PLANNING & ZONING COMMISSION MEETING AGENDA ITEM COVER MEMO

JUNE 24, 2024

PUBLIC HEARINGS

- a) Public Hearing to obtain citizen views and comments regarding Replat 2024-06-01, a replat application allowing the applicant, Penelope V. Avery, to amend the setback requirements of the subject property. The subject property is located at 1308 N. 4th Street and is legally described as Lot Seven (7), Block Forty-Seven (47), North Addition, located in the City of Alpine, Brewster County, Texas, according to the Plat of said subdivision recorded in Plat Envelope No. 108 in the Office of the County Clerk of Brewster County, Texas. The record property owner is Penelope V. Avery. The Property ID of the subject property is 11666. The current zoning classification of the property is R-1 One Family District. If the replat is approved the zoning classification will remain R-1 One Family District.
- b) Public Hearing to obtain citizen views and comments regarding Rezone 2024-06-01, a rezone application allowing the applicant, Sean Hopper, to establish a laundromat at the subject property. The subject property is located at 1003 E. Gallego Dr. and is legally described as 0.5 acres, more or less, lying in Brewster County, Texas, Lot Ten (10), the W 1/2 of Lot Nine (9), Two (2) and the W 1/2 of Lot Three (3), EXCEPT the North 20 varas of Lots One (1), Two (2) and the W 1/3 of Three (3), in Block Thirty-Three (33) Hancock Addition South of the Railroad, according to the map/plat on of said addition filed in Plat Envelope No. 112, Brewster County Plat Records. The property owner of record is Sean A. Hopper. The property identification numbers of the subject property are 10746 and 10749. The current zoning classification of the subject property is R-4 Mobile Home District. The zoning classification if the rezoning application is approved will be C-1 Neighborhood Commercial District

BACKGROUND

NONE.

SUPPORTING MATERIALS

NONE.

STAFF RECOMMENDATION

NONE.



PLANNING & ZONING COMMISSION MEETING AGENDA ITEM COVER MEMO

JUNE 24, 2024

ACTION ITEMS

- a) Approve an updated recommendation to City Council to approve an ordinance amending Appendix C – Zoning to the Alpine Code of Ordinances; Removing the provision that provides the ability for the city council or the planning & zoning commission to initiate a spot zoning, or non-contiguous, zoning designation; Amending the application fee from \$250 to \$350. (M. Antrim, City Manager)

BACKGROUND

- The Planning & Zoning Commission met on March 25, 2024 and discussed making a proposed recommendation to the City Council to update to Appendix C - Zoning to the Alpine Code of Ordinances, particularly removing the requirement that City Council and the Planning & Zoning Commission may initiate a spot zoning request.
- After reaching a general consensus on the topic, the Commission agreed to pursue the recommendation.
- On April 25, 2024, the Commission considered a draft ordinance that would remove the ability for the Planning & Zoning Commission and the City Council to spot zone. The Commission approved draft ordinance and recommended approval to City Council.
- On May 21, 2024, the City Council considered Ordinance 2024-05-04. The City Council decided to return the ordinance to the City Manager and to the Planning & Zoning Commission to add the four exceptions set by the Texas Supreme Court and to add a provision that would allow a spot zone if it was in alignment with the comprehensive plan.
- The Office of the City Manager amended the ordinance as requested, for consideration by the Planning & Zoning Commission.

SUPPORTING MATERIALS

- a) Updated Ordinance recommendation regarding spot zoning.

STAFF RECOMMENDATION

APPROVE.

EXHIBIT "A"

EDITOR'S NOTE:

Additions are Underlined.

~~Omissions appear in Red Strikethrough Text.~~

APPENDIX C - ZONING

ARTICLE I – BASIC ORDINANCE

GENERAL ZONING REGULATIONS

Section 21.02. Proposed district boundaries must be contiguous.

~~Except as provided in section 21.01,~~ The boundaries of the districts proposed in a zoning or rezoning application must be contiguous.

The boundaries of the districts proposed in a zoning application may be noncontiguous if the zoning is

- A. C0 as a buffer zone only between residential and commercial used as its intended purpose.
- B. initiated by the council or the planning and zoning commission in alignment with the Texas Supreme Court established guidelines.
- C. as outlined in the City's Comprehensive Plan.

(Ord. No. 2016-08-02, 9-20-16; Ord. No. 2016-10-03, 11-1-16)

Section 21.03 Jurisdiction.

The city council shall have jurisdiction with respect to all rezone requests. The planning and zoning commission shall review and submit a recommendation to the city council on all applications for rezoning.

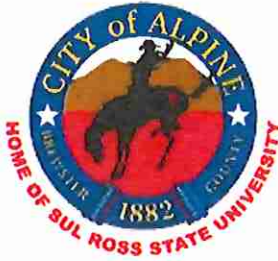
(Ord. No. 2016-08-02, 9-20-16; Ord. No. 2016-10-03, 11-1-16)

Section 21.04. Application and fee.

1. Application for a rezone request shall be filed with the administrative official. The application shall include the following:
 - a. Name and address of the owner and applicant.
 - b. Address and legal description of the property.
2. If the applicant is not the legal owner of the property, a signed statement by the owner that the applicant is the authorized agent of the owner of the property.

3. An application for a conditional use permit shall be accompanied by a fee set forth by the city council in the amount of ~~\$250.00~~ \$350.00.

(Ord. No. 2016-08-02, 9-20-16; Ord. No. 2016-10-03, 11-1-16)



PLANNING & ZONING COMMISSION MEETING AGENDA ITEM COVER MEMO

JUNE 24, 2024

ACTION ITEMS

- b) Approve Replat 2024-06-01, a replat application allowing the applicant, Penelope V. Avery, to amend the setback requirements of the subject property. The subject property is located at 1308 N. 4th Street and is legally described as Lot Seven (7), Block Forty-Seven (47), North Addition, located in the City of Alpine, Brewster County, Texas, according to the Plat of said subdivision recorded in Plat Envelope No. 108 in the Office of the County Clerk of Brewster County, Texas. The record property owner is Penelope V. Avery. The Property ID of the subject property is 11666. The current zoning classification of the property is R-1 One Family District. If the replat is approved the zoning classification will remain R-1 One Family District. (G. Calderon, City Secretary)

BACKGROUND

- 17 letters were sent to surrounding property owners, as required by law. 1 letter was returned as undeliverable.

SUPPORTING MATERIALS

- a) Replat documents.

STAFF RECOMMENDATION

APPROVE.

City of Alpine
Regular City Council Meeting
Tuesday, May 21, 2024
Minutes

1. **CALL TO ORDER** – Mayor Catherine Eaves called the meeting to order at 5:30 P.M. The meeting was held at City Council Chambers located at 803 West Holland Avenue and via Zoom Videoconference in the City of Alpine, Texas. Mayor Eaves led the pledge of allegiance to the flags.

- A. Pledge of Allegiance to the United States Flag.
- B. Pledge of Allegiance to the Texas Flag.
- C. Determination of a Quorum and Proof of Notice of the Meeting.

City Council Members Present:

Catherine Eaves, *Mayor*
Councilor Reagan Stone, *Ward 1*
Councilor Eva Olivas, *Ward 2*
Councilor Darin Nance, *Ward 3*
Councilor Lucy Escovedo, *Ward 4*
Councilor Rick Stephens, *Ward 5*

City Staff and Stakeholders Present:

Megan Antrim, *City Manager*
Geoffrey R. Calderon, *City Secretary*
Alessandra Gad, *City Attorney*
Darrell Losoya, *Chief of Police*
Robert Rückes, *Building Official*
Jessica Isley, *Code Enforcement Officer*
Elizabeth Lewis, *Municipal Court Judge*

City Council Members Not Present: None.

Others Present:

Approximately 11 other attendees.

Mayor Eaves announced that a quorum of the City Council was present at the City Council Chambers and City Secretary, Geoffrey Calderon, reported that the meeting agenda was posted by 2:00 P.M. on Friday, May 17, 2024.

2. **PUBLIC COMMENTS.** –

Each person in attendance who desires to speak to the City Council on an item on the agenda shall speak during this section. A Public Comment Card must be filled out and turned in to the City Secretary at least 5 minutes prior to the start time of the meeting. The Public Comment Card may be filled out at www.cityofalpine.com/councilcomments. Public comments may be made regarding agenda items only. Attendees must be physically present in order to address the City Council. Comments by proxy are not allowed. Public Comments are limited to 3 minutes per person. Unused time may not be yielded to other attendees.

Please note that the City Council may only take action on items posted on the agenda. The Texas Open Meetings Act prohibits the Council from deliberating or taking action on an item not listed on the agenda. City Staff may ask commenters clarifying questions, respond with facts, and explain policy.

- A. Beatriz A. Greasing, Ward 4, addressed the City Council regarding Action Item No. 11-C.

3. **PUBLIC HEARINGS** – None.

At this time, the Mayor will invite members of the public to address each item listed in this section. Comments made during this section are limited to the topic of each public hearing. Attendees must

Minutes: 05-21-2024

Approved: 06-04-2024

be physically present in order to address the City Council. Comments by proxy are not allowed. Public Comments are limited to 3 minutes per person. Unused time may not be yielded to other attendees. If more than one public hearing is being held, each person will be allowed to speak during each topic.

4. PUBLIC PRESENTATIONS.

A. Presentations & Recognitions.

B. Proclamations.

I. Proclamation of May as Community Action Month. (C. Eaves, Mayor)

C. Community Interest Items.

With respect to items not listed elsewhere on this agenda, city council members and staff may report on items of community interest, including announcing community events, announcing employee or community recognitions, requesting specific, factual, information or a recitation of existing policy from staff, or requesting placement of items on the agenda for discussion or action at a following meeting.

I. Mayor Announcements.

II. City Manager Announcements.

III. Council Member Announcements.

5. CHANGES TO POSTED AGENDA.

NOTICE: The City Council reserves the right to change the order of business at any time during the meeting. To change the order of business a motion, a second, and a majority vote is required.

- A. Items to be continued or withdrawn.** Items may be continued to the next City Council meeting or withdrawn from consideration during this agenda. Items to be continued or withdrawn require a motion, a second, and a majority vote.

No items were continued or withdrawn.

- B. Items to be removed from the Consent Agenda for separate discussion.** Items may be removed from the consent agenda by a simple request by the Mayor or any City Council member. Items removed from the consent agenda will be considered in the *Items Removed from the consent agenda* section directly after approval of the items not requiring separate discussion.

No items were removed from the consent agenda for separate discussion.

- C. Action items to be added to the consent agenda.** Adding action items to the consent agenda must be requested by the Mayor or any City Council member and requires a motion, a second, and a majority vote.

No items were added to the consent agenda.

- D. **Time-Sensitive Items.** The Mayor, any City Council Member, or a member of City Staff may request that time-sensitive items be considered during that section.

No items were added to the Time-Sensitive Items section of the agenda.

6. **TIME-SENSITIVE ITEMS.**

7. **CONSENT AGENDA.**

- A. Approval of May 7, 2024 Regular Meeting Minutes. (G. Calderon, City Secretary)
- B. Approve Resolution 2024-05-08, a resolution approving the Budget Policy. (M. Antrim, City Manager)
- C. Approve Resolution 2024-05-09, a resolution approving the Finance Policy. (M. Antrim, City Manager)
- D. Approve Resolution 2024-05-10, a resolution approving the Investment Policy. (M. Antrim, City Manager)
- E. Approve payment of the April 2024 monthly billing summary for Bojorquez Law Firm services. (M. Antrim, City Manager)
- F. Approve transfer of \$25,000 from TxClass Airport Reserves to the Airport Operating Checking Account for the City's matching portion of the Airport Layout Plan Grant (24ALAPINE) through Texas Department of Transportation Aviation Division. (M. Antrim, City Manager)

RESOLUTION 2024-05-09: On a motion by Councilor Stephens and seconded by Councilor Olivas to approve the consent agenda as presented, the City Council adopted the motion with all members present voting in favor.

8. **ITEMS REMOVED FROM THE CONSENT AGENDA.** – None.

9. **REPORTS & PRESENTATIONS.** – None.

Presentations are limited to 6 minutes each. A bell will ring when the 6-minute timeframe has been reached. If further time is needed the presentation may be extended an additional 4 minutes at the discretion of the presiding officer. After the initial period and extension have passed, the presentation may be extended further by a motion, a second, and a majority vote of the City Council.

10. **INFORMATION OR DISCUSSION ITEMS.**

- A. Discuss upcoming confirmation process for all City boards, commissions, and committees. (M. Antrim, City Manager)
- B. Discuss City Council Representation on each of the City Boards and Commissions. (M. Antrim, City Manager)
- C. Overview of the Social Media Do's and Dont's for Public Officials Webinar held by City Hall Essentials on April 25th. (R. Stephens, City Council)
- D. Discuss Fiscal Year 2024-2025 Budget Calendar timeline including budget workshops. (M. Antrim, City Manager)

11. **ACTION ITEMS.** *(Limited to 10 per meeting).*

Minutes: 05-21-2024

Approved: 06-04-2024

- A. Approve the first reading of Ordinance 2024-05-03, An ordinance amending Chapter 10 – Animals to the Alpine Code of Ordinances; Providing for updated definitions within the chapter including definitions of adequate shelter, definition of euthanasia, and definition of current vaccination requirements; Amending the processes, procedures, and timelines for the impoundment and destruction, or euthanasia, of animals impounded by the city; Providing the establishment of up to a \$500 penalty per occurrence for violations of the ordinance. (M. Antrim, City Manager)

RESOLUTION 2024-05-10: Councilor Olivas moved to approve, with Councilor Escovedo seconding the motion. Discussion ensued.

RESOLUTION 2024-05-11: On a motion by Councilor Nance and seconded by Councilor Stone to table the item, the City Council unanimously adopted the motion.

- B. Approve the first reading of Ordinance 2024-05-04, an ordinance amending annexation and zoning processes and procedures to the Alpine Code of Ordinances; Amending Chapter 9 – Annexation to provide additional requirements upon annexation of a subject property; Amending Appendix C – Zoning to remove the requirement that properties be designated R-1 upon annexation and providing that the City Council may establish the zoning designation upon annexation of a subject property. (M. Antrim, City Manager)

RESOLUTION 2024-05-12: On a motion by Councilor Stephens and seconded by Councilor Nance to approve as presented, the City Council adopted the motion with all members present voting in favor.

Mayor Eaves called a 5-minute break (6:23 P.M)

The meeting resumed (6:28 P.M.)

- C. Approve the first reading of Ordinance 2024-05-05, an ordinance amending Appendix C – Zoning to the Alpine Code of Ordinances; Removing the provision that provides the ability for the city council or the planning & zoning commission to initiate a spot zoning, or non-contiguous, zoning designation; Amending the application fee from \$250 to \$350. (M. Antrim, City Manager)

RESOLUTION 2024-05-13: On a motion by Councilor Stephens and seconded by Councilor Olivas to approve the ordinance as presented, the City Council adopted the motion with all members present voting in favor.

RESOLUTION 2024-05-14: On a motion by Councilor Stephens and seconded by Councilor Stone to amend the original motion to return this item to the City Manager and Planning & Zoning for action to add the Texas Supreme Court four requirements and to include the comprehensive zoning plan activity, the City Council adopted the motion 3 to 2 with members voting in the following manner:

AYE: Councilor Stone, Councilor Olivas, Councilor Stephens.

NAY: Councilor Nance, Councilor Escovedo.

- D. Appointment of a Brewster County Liaison. (M. Antrim, City Manager)

RESOLUTION 2024-05-15: On a motion by Councilor Nance and seconded by Councilor Escovedo to discuss, discussion ensued.

RESOLUTION 2024-05-16: On a motion by Councilor Stone and seconded by Councilor Escovedo to amend the original motion to appoint Rick Stephens as the Liaison to Brewster County, the City Council unanimously voted to adopt the motion. The City Council then unanimously voted to adopt the original motion as amended.

E. Appointment of a Family Crisis Center Board Member. (M. Antrim, City Manager)

RESOLUTION 2024-05-17: On a motion by Councilor Olivas and seconded by Councilor Escovedo to discuss, discussion ensued.

RESOLUTION 2024-05-18: On a motion by Councilor Stone and seconded by Councilor Escovedo to amend the original motion to appoint Eva Olivas as the Family Crisis Center Board Member, the City Council adopted the motion with all members present voting in favor. The City Council subsequently voted to approve the original motion as amended.

F. Appointment of Alpine Public Library Board Member. (M. Antrim, City Manager)

RESOLUTION 2024-05-19: On a motion by Councilor Nance and seconded by Councilor Olivas to make an appointment of the Alpine Public Library Board Member, the City Council adopted the motion with all members present voting in favor.

RESOLUTION 2024-05-20: On a motion by Councilor Nance and seconded by Councilor Olivas to amend the original motion to approve Council Member Reagan Stone as the recommendation for the Alpine Public Library Board, the City Council adopted the motion with all members present voting in favor. The City Council subsequently voted to approve the original motion as amended.

G. Approve the recommendation by Mayor Eaves for the appointment of a Municipal Court Judge and administer the oath of office. (C. Eaves, Mayor)

RESOLUTION 2024-05-21: On a motion by Councilor Nance and seconded by Councilor Olivas to approve the recommendation of Mayor Eaves, Elizabeth Lewis, to the appointment Municipal Court Judge, the City Council adopted the motion with all members present voting in favor.

Elizabeth Lewis subscribed to the *Statement of Officer* as required by Article XVI, section 1 of the Texas Constitution. City Secretary, Geoffrey R. Calderon, proceeded to administer the *Oath of Office* to the newly appointed Municipal Court Judge, Elizabeth Lewis.

Mayor Eaves called a 5-minute break (7:23 P.M)

The meeting resumed (7:28 P.M.)

12. EXECUTIVE REPORTS.

Executive reports are limited to 6 minutes each. A bell will ring when the 6-minute timeframe has been reached. If further time is needed the presentation may be extended an additional 4 minutes at the discretion of the presiding officer. After the initial period and extension have passed, the

Minutes: 05-21-2024

Approved: 06-04-2024

presentation may be extended further by a motion, a second, and a majority vote of the City Council. Executive reports do not require individual items to be listed for presentation, but no discussion may take place during this section unless the items are listed on the agenda.

A. **City Mayor Report.**

B. **City Manager Report.**

13. **CITY COUNCIL MEMBER COMMENTS.** (No discussion or action may take place)

NOTICE: The City Council reserves the right to reconvene, recess, realign, change the order of business, or adjourn into Executive Session at any time during the course of the meeting prior to adjournment, to discuss any item listed above, as authorized by 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 551.087 (development).

RESOLUTION 2024-05-22: On a motion by Councilor Stephens and seconded by Councilor Olivas to recess into executive session, the City Council unanimously adopted the motion. (7:35 P.M.)

14. **EXECUTIVE SESSION.**

A. **Consultation with Attorney § 551.071, Texas Government Code**

- I. Discuss Customs and Border Protection Hangar Lease Renewal.
- II. Discuss pending Public Information Requests and Attorney General Opinions.
(M. Antrim, City Manager)

B. **Personnel Matters § 551.074, Texas Government Code**

- I. Discuss goals and objectives for the upcoming year and salary for the City Secretary. (C. Eaves, Mayor)
- II. Discuss goals and objectives for the upcoming year and salary for the City Manager. (C. Eaves, Mayor)

15. **ACTION AFTER EXECUTIVE SESSION.**

RESOLUTION 2024-05-23: On a motion by Councilor Stephens and seconded by Councilor Stone to move into open session, the City Council adopted the motion with all members present voting in favor. (8:47 P.M.)

RESOLUTION 2024-05-24: On a motion by Councilor Stephens and seconded by Councilor Stone to extend the meeting past 9:00 P.M. to finish conducting business, the City Council adopted the motion with all members present voting in favor.

RESOLUTION 2024-05-25: On a motion by Councilor Stephens and seconded by Councilor Stone to move into Executive session pursuant to 551.074, the City Council adopted the motion with all members present voting in favor. (8:48 P.M.)

RESOLUTION 2024-05-26: On a motion by Councilor Stephens and seconded by Councilor Stone to move into open session, the City Council adopted the motion with all members present voting in favor. (9:44 P.M.)

A. Action, if any, concerning the goals and objectives for the upcoming year and salary for the City Secretary. (C. Eaves, Mayor)

RESOLUTION 2024-05-27: On a motion by Councilor Nance and seconded by Councilor Olivas to accept the one-year short term goals for Geo Calderon, City Secretary, offering a 5 percent raise effective for May 19, 2024 with the goals being listed:

1. Establish a records management policy.
2. Establish Standard Operating Procedures for his office.
3. Additional Reporting Requirements to Council.
4. Training with inclusion of attending the Texas Municipal League Conference in Houston.
5. Continue to support the City Manager.

The City Council unanimously adopted the motion, with all members present voting in favor.

B. Action, if any, concerning the goals and objectives for the upcoming year and salary for the City Manager. (C. Eaves, Mayor)

RESOLUTION 2024-05-28: On a motion by Councilor Stephens and seconded by Councilor Nance to accept the City Manager's goals and objectives for this next year to include:

1. Initiation of an Economic Development Strategy Plan.
2. Initiate a city-wide Comprehensive Plan.
3. Continue to improve Employee Retention
4. Continue to improve the I.T. Infrastructure of the City.
5. Restructure the Budgeting Process.
6. Continue City Manager Training and Provide Legislative Updates.
7. Continue with Water Infrastructure Improvements.
8. Improve Wastewater Infrastructure Improvements.
9. Continue with the Streets Maintenance and Street Rehabilitation Plan.
10. Hire a Utilities Director as soon as reasonably possible.

And that the City Manager retain the current salary of \$157,500 per year.

There being no further business, the meeting was adjourned by Mayor Eaves.

16. Adjourn. (9:46 P.M.)

APPROVED:

ATTEST:

Catherine Eaves, Mayor

Geoffrey R. Calderon, TRMC
City Secretary & Chief Governance Officer

Minutes: 05-21-2024
Approved: 06-04-2024

CERTIFICATION

I, Geoffrey R. Calderon, do hereby certify that notice of this meeting was posted at City Hall, in a convenient and readily accessible place to the general public, and to the City website at www.cityofalpine.com/agenda pursuant to Section 551.043, Texas Government Code. The said notice was posted by 2:00 P.M. on Friday, May 17, 2024, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting.

WITNESS MY HAND AND SEAL OF OFFICE,
this _____ day of _____ 2024.

Geoffrey R. Calderon, TRMC
City Secretary & Chief Governance Officer

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

**PASSED AND ADOPTED THIS 20th DAY OF AUGUST 2024 BY THE CITY COUNCIL
OF THE CITY OF ALPINE, TEXAS.**

INTRODUCTION AND FIRST READING

AUGUST 6, 2024

SECOND AND FINAL READING

AUGUST 20, 2024

APPROVED:

ATTEST:

Catherine Eaves, Mayor

Geoffrey R. Calderon, City Secretary

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"

EDITOR'S NOTE:

Additions are Underlined.

~~Omissions appear in Red-Strikethrough-Text.~~

APPENDIX C - ZONING

ARTICLE I – BASIC ORDINANCE

GENERAL ZONING REGULATIONS

Section 21.02. Proposed district boundaries must be contiguous.

~~Except as provided in section 21.01, t~~The boundaries of the districts proposed in a zoning or rezoning application must be contiguous.

The boundaries of the districts proposed in a zoning application may be noncontiguous if the zoning is

- A. C0 as a buffer zone only between residential and commercial used as its intended purpose.
- B. initiated by the council or the planning and zoning commission in alignment with the Texas Supreme Court established guidelines.
- C. as outlined in the City's Comprehensive Plan.

(Ord. No. 2016-08-02, 9-20-16; Ord. No. 2016-10-03, 11-1-16)

Section 21.03 Jurisdiction.

The city council shall have jurisdiction with respect to all rezone requests. The planning and zoning commission shall review and submit a recommendation to the city council on all applications for rezoning.

(Ord. No. 2016-08-02, 9-20-16; Ord. No. 2016-10-03, 11-1-16)

Section 21.04. Application and fee.

1. Application for a rezone request shall be filed with the administrative official. The application shall include the following:
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3. An application for a conditional use permit shall be accompanied by a fee set forth by the city council in the amount of ~~\$250.00~~ \$350.00.

(Ord. No. 2016-08-02, 9-20-16; Ord. No. 2016-10-03, 11-1-16)

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

PASSED AND ADOPTED THIS 6th DAY OF AUGUST 2024 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.

INTRODUCTION AND FIRST READING

AUGUST 6, 2024

SECOND AND FINAL READING

AUGUST 20, 2024

APPROVED:

Catherine Eaves, Mayor

ATTEST:

Geoffrey R. Calderon, City Secretary

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"

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(Ord. No. 2016-08-02, 9-20-16; Ord. No. 2016-10-03, 11-1-16)

CITY COUNCIL AGENDA ITEM REPORT

November 5, 2024

Agenda Item No. 11D

Department: Office of the City Manager

Sponsor: Megan Antrim, City Manager

Memo Prepared By: Megan Antrim, City Manager

Staff Recommendation: None



AGENDA ITEM

Discuss the Office of the City Manager Administrative Directives and Department Standard Operating Procedures. (M.Antrim, City Manager)

EXECUTIVE SUMMARY

The Office of the City Manager is actively collaborating with all City departments to establish comprehensive Standard Operating Procedures (SOPs) tailored to each department's functions. The goal of this initiative is to ensure clarity, consistency, and efficiency in daily operations across the City.

Additionally, we are developing a series of administrative policies to provide clear procedural guidelines on specific operational aspects. These policies will cover crucial areas such as vehicle authorization and use, as well as fuel card authorization and use. The aim is to enhance accountability, streamline processes, and ensure the proper use of City resources.

The Office of the City Manager will keep the Council updated on the progress of this project, including the expected timeline for completion and implementation of these new guidelines.

Included in Council packets are copies of the following:

Office of the City Secretary - Resolution SOP

Office of The City Secretary - Ordinance SOP

Office of the City Manager Administrative Policy - Vehicle Use and Authorization (DRAFT)

SUPPORTING MATERIALS

1. OCS - Standard Operating Procedures - Resolutions
2. OCS - Standard Operating Procedures - Ordinances
3. ORDINANCE TEMPLATE
4. OCM - A.P. 2024-01 City of Alpine Vehicle Policy - DRAFT
5. Vehicle Authorization and Acknowledgment - DRAFT

BUDGET CONSIDERATIONS

Expenditure Required: N/A

Savings Anticipation: N/A

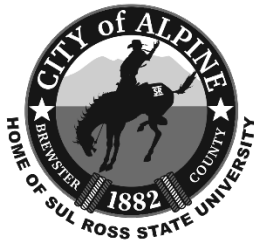
Current Budget FY 2024-2025: N/A

Additional Funding: N/A

APPROVERS

Alex Tackett, Records Clerk
Geoffrey R. Calderon, City Secretary
Megan Antrim, City Manager

Approved - 10/28/2024
Approved - 10/28/2024
Final Approval - 10/28/2024



STANDAR OPERATING PROCEDURES
RESOLUTIONS
OFFICE OF THE CITY SECRETARY

WHAT IS A RESOLUTION?

Resolutions and Ordinances often confused. Ordinances typically regulate people or property and are considered the local laws of the City. Resolutions do not have the force of law and are typically used to express an opinion or policy of the city.

Examples of Resolutions are:

- Establishing or amending an existing City policy or procedure.
- Declaring the City's support for some action.
- Authorizing the City to apply for a grant or enter into an agreement.
- Appointing members to City Boards, Commissions, or Committees.
- Setting the Date, Time, and Place for a legally required Public Hearing.
- The City of Alpine has approved a Resolution policy whereby each official council action is assigned a resolution number correlating with the action.
 - In the absence of a formal, written or typed, and signed document, the resolution and associated action is verifiable in the minutes of the meeting at which the action was approved by the council. Resolutions are maintained by the Office of the City Secretary.

If you are unsure whether the document you want to create should be a Resolution or an Ordinance, contact the Office of the City Secretary for guidance. Some laws specify whether they must be adopted by Resolution or Ordinance. Resolutions typically do not involve public hearing requirements like Ordinances, but you should always verify the specific legal requirements surrounding the task you are trying to accomplish prior to bringing it to the City Council for approval.

WHO MAY PROPOSE RESOLUTIONS?

Any member of the City Council may propose a resolution. They must do so in writing by the agenda and packet deadline. Employees may only propose resolutions through the Director of their Department, and the Director must propose resolutions through the City Manager. The City Secretary may propose resolutions that impact the Office of the City Secretary.

DRAFTING RESOLUTIONS.

The content of a Resolution will depend upon its purpose and subject matter. At a minimum, a Resolution should include the following sections:

1. City Name, County Name, State

2. Resolution Number
3. Caption (Long Title)
4. Preamble (Whereas Clauses)
5. Enacting Clause
6. Statements of Action
7. Statement of Adoption/Passage
8. Signature Blocks

The typical formatting of the text in a City of Alpine resolution is 12-point font size, Times New Roman font style. The document should include page number in the footer that shows Page “X of X.”

1. **City Name, County Name, State:** The name of the City, County, and State will be added at the top of the first page.

Formatting: The name should be composed of regular (unbolded) text and in all caps, as may be seen in the example below:

STATE OF TEXAS

COUNTY OF BREWSTER

CITY OF ALPINE

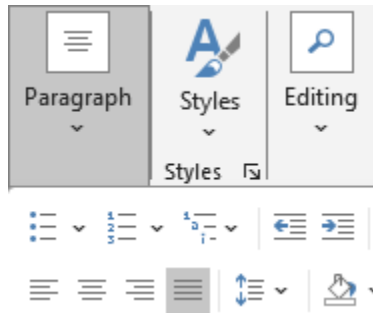
2. **Resolution Number:** this is a number that will be assigned by the Office of the City Secretary once the Resolution has been added to a City Council meeting agenda for consideration. This number is centered directly under the name sections.

Formatting: This number should be bold, in “centered” alignment, and in all caps.

RESOLUTION 2024-10-01

3. **Caption (Long Title):** The caption, or long title, should be a detailed description of the purpose of the Resolution. It should begin with the words “A Resolution of the City Council of the City of Alpine, Texas.....followed by a description of what the Resolution will accomplish. To ensure transparency in government, it is imperative that an effective and descriptive caption is used. Any citizen should be able to read the caption and reasonably know what the subject of what the City Council will be deliberating by considering the resolution. Acronyms should be avoided in captions including FY for Fiscal Year.

Formatting: The caption should be bold, in “justified” alignment (example seen below), and in all caps.



A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS DESIGNATING THE ALPINE AVALANCHE AS THE OFFICIAL NEWSPAPER OF THE CITY OF ALPINE FOR FISCAL YEAR 2024-2025.

4. **Preamble (Whereas Clauses):** Following the Caption, the Resolution should include detailed information about the background and purpose of the Resolution. The number of Whereas Clauses is less important than their content. The clauses should answer these questions:
- a. What is the Resolution about?
 - b. Who does it affect?
 - c. Why is the Resolution needed?
 - d. What is the city hoping to accomplish with the Resolution?
 - e. Where/When will the Resolution be effective?
 - f. What action will be taken?
 - g. Are there any laws that authorize the city to pass this Resolution (cite sources)?

Formatting: Each Whereas Clause should be separated by a 10-point spacing in the “after” portion of the text settings. Type the first WHEREAS, in all caps, with a comma right afterward (in bold). Continue to type the clause in regular (unbolded) font. All clauses should end with a semicolon and the word “and” (; and), except for the last clause which should end with a period. The preamble should with include indentation of at least 0.5” on both sides.

The following illustrates an entire preamble for an example resolution.

WHEREAS, the City Council of the City of Alpine is charged with addressing interests to enhance the transparency of official city business to residents; and

WHEREAS, the City desires to designate the official newspaper of the City by annual City Council resolution in accordance with Sec. 52.004 Texas Local Government Code; and

WHEREAS, the Alpine Avalanche is the local newspaper within the corporate city limits of Alpine and has served as the official newspaper of the City for a number of years; and

WHEREAS, the City Council of the City of Alpine has determined it to be in the public interest to designate the Alpine Avalanche as the official newspaper of the City.

5. **Enacting Clause**: The Enacting Clause immediately follows the Preamble. The language used in the Enacting Clause of a Resolution is shown below.

Formatting:

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

6. **Statements of Action**: This section of the Resolution should include statements that represent what the City Council is Resolving to do. It should include any action the City is taking and/or any action the City Council is encouraging outside parties (such as citizens or legislators) to follow. This section may also include a statement about when the resolution is effective.

Formatting: The statements listed in this section should be separated by designating each action that the council is taking. Each action shall start with the word “SECTION” in bold, be set in all caps, and end with a period. They should be numbered chronologically (1., 2. 3., etc.) and use “justified” alignment with indention of at least 0.5” on both sides.

SECTION I. The Alpine Avalanche is hereby designated as the official newspaper of the City of Alpine, Texas for the Fiscal Year 2023-2024.

SECTION II. All official publications of the City shall be publicized primarily in the Alpine Avalanche in accordance with local and state law.

SECTION III. This resolution is effective immediately upon its passage.

7. **Statement of Adoption/Passage**: The final piece of a resolution is the Statement of Adoption/Passage and signatures from the Mayor and City Secretary. The statement should include the passage date of the resolution and immediately precede the signatures authenticating the document.

Formatting:

PASSED, APPROVED, AND ADOPTED BY A MAJORITY VOTE OF THE CITY COUNCIL ON THIS THE 1st DAY OF OCTOBER 2024 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.

8. **Signature Blocks**: Section 3.17 of the City Charter requires that the Mayor and the City Secretary shall authenticate by signature and have recorded in full in a properly indexed book kept for the purpose all ordinances and resolutions adopted by the Council.

Formatting: There are two ways to format the signature block: 1) vertically and 2) horizontally. Resolutions should be one page if possible, and should include enough space for the city seal. Either method is acceptable.

The vertical method is shown below:

APPROVED:

Catherine Eaves, Mayor

ATTEST:

Geoffrey R. Calderon, City Secretary

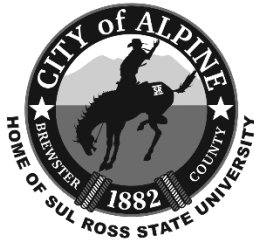
The horizontal method is shown below:

APPROVED:

Catherine Eaves, Mayor

ATTEST:

Geoffrey R. Calderon, City Secretary



OFFICE OF THE CITY SECRETARY STANDARD OPERATING PROCEDURES

#OCS 102: ORDINANCES

WHAT IS AN ORDINANCE?

Technically, an Ordinance is defined as “a law set forth by a governmental authority.” More simply, an Ordinance is a local law established by City Council which only applies to the City it governs. Ordinances typically regulate people and/or property and may include penalties for violations. A few notes about Ordinances:

- Can only be approved by a majority vote of City Council.
- Can only be amended or repealed by another Ordinance (“Equal Dignities Rule”).
- Remains in effect and enforceable until it is officially amended or repealed by a vote of the City Council (via another Ordinance).
- Must include the language and citation of the “enabling legislation,” which is the section of state or federal law that specifically states the City is allowed to do what the Ordinance says it will be doing.
- Is not the same as a Resolution (Resolutions are not laws, but are used to express opinions of the City, establish/amend policies or procedures, affirm contracts, take action, etc.).
- May be required by state or federal law.
- Are permanent records of the City, maintained by the Office of the City Secretary.
- Must be written in a manner that can be understood by an average citizen (required by Due Process laws).
- Are codified into the “Code of Ordinances” for the City, which is available on the City’s website, and which contains a record of every ordinance since the incorporation of the City (arranged by subject matter).
- Are not effective until the Ordinance caption has been published in the City’s designated official newspaper if the Ordinance imposes fines or penalties.
- No fine or penalty for violation of an ordinance or rule may exceed \$500, except the final fine or penalty for violation of an Ordinance that governs fire, safety, zoning, or public health and sanitation, other than the dumping of refuse, may not exceed \$2,000. A fine or penalty for the violation of an Ordinance that governs the dumping of refuse may not exceed \$4,000.
- Copies of any required public notices related to the Ordinance, and the publisher’s affidavit for each notice, must be kept permanently with the adopted Ordinance.

NOTE: If you are unsure whether the document you want to create should be a Resolution or an Ordinance, contact the Office of the City Secretary for guidance. Some laws specify whether they must be adopted by Resolution or Ordinance.

Once an Ordinance is approved by a vote of the City Council, the Office of the City Secretary performs a series of actions to enable the enforcement of the new legislation. The Ordinance is:

- Signed by the Mayor and City Secretary and authenticated with the City Seal.
- Codified into the City's Code of Ordinances.
- Provided to Brewster County, Texas Secretary of State's office, etc. (if required).
- Published as a caption in a public notice in the City's designated official newspaper.
- Enrolled into the City's permanent records.

NOTE: Before an Ordinance is officially effective, departments should carefully review their policies and procedures in relation to the subject of the Ordinance to determine if revisions need to be made to those documents as well. Review any forms, applications, websites, etc. that may contain information that needs to be updated.

TYPES OF ORDINANCES.

Although there are many types of ordinances. Ordinances can generally be categorized into one of two types documents. Ordinances of a general and permanent nature, which directly affect citizens of Alpine through rules and regulations, and Not In Code (NIC) ordinances.

Type 1: General & Permanent Ordinances.

Ordinances that are of a General & Permanent nature are ordinances that have the force and effect of law. These ordinances are legislated by the City Council and implement rules, regulations, and usually establish fines for violations of the ordinance. Once approved, the Office of the City Secretary sends this type of legislation to the City's codifier to be included in the unified City of Alpine Code of Ordinances.

Type 2: Not In Code (NIC) Ordinances.

None In Code (NIC) ordinances are ordinances that are not of a general and permanent nature. These types of procedural ordinances that include budget approvals, setting of tax rate, elections ordinances, and zoning change ordinances. These types of ordinances are not codified in the City of Alpine Code of Ordinances due to their temporary, non-permanent nature. Copies of these ordinances are still available in the "Browse Additional Documents" portion of the online Code of Ordinances.

CITY OF ALPINE CODE OF ORDINANCES.

The City's Code of Ordinances contains a record of every ordinance approved/amended/repealed by the City Council. Only the current, active version is detailed in the Code of Ordinances; however, a record of all previous versions of the Code is provided in the "Code Comparative Table" for reference/research purposes. Each section of the Code, as of the approval of this document is outlined below.

Chapter 1	GENERAL PROVISIONS
Chapter 2	ADMINISTRATION
Chapter 6	AMUSEMENTS AND ENTERTAINMENTS
Chapter 9	ANNEXATION
Chapter 10	ANIMALS
Chapter 14	AVIATION
Chapter 16	BOARDS, COMMISSIONS, AND COMMITTEES
Chapter 18	BUILDINGS AND BUILDING REGULATIONS
Chapter 22	BUSINESSES
Chapter 23	CITY COUNCIL
Chapter 26	CIVIC AND CULTURAL AFFAIRS AND FACILITIES
Chapter 30	CIVIL EMERGENCIES
Chapter 34	CONSUMER PROTECTION
Chapter 38	COURTS
Chapter 42	ELECTIONS
Chapter 46	FIRE PREVENTION AND PROTECTION
Chapter 50	FLOODS
Chapter 54	HEALTH AND SANITATION
Chapter 58	HUMAN RELATIONS
Chapter 62	LAW ENFORCEMENT
Chapter 66	NATURAL RESOURCES
Chapter 70	OFFENSES AND MISCELLANEOUS PROVISIONS
Chapter 74	PARKS AND RECREATION
Chapter 78	SIGNS
Chapter 82	SOLID WASTE
Chapter 86	STREETS, SIDEWALKS AND OTHER PUBLIC PLACES
Chapter 90	TAXATION
Chapter 94	TRAFFIC AND VEHICLES
Chapter 98	UTILITIES
APPENDIX A	FRANCHISES
APPENDIX B	SUBDIVISIONS
APPENDIX C	ZONING
APPENDIX D	ANNEXATIONS

WHO MAY PROPOSE ORDINANCES?

Any City Council Member may propose an ordinance. They must do so in writing by the agenda and packet deadline. Employees may only propose ordinances through the Director of their Department, and the Director must propose ordinances through the City Manager. The City Secretary may propose ordinances that impact the Office of the City Secretary. All ordinances are subject to the ordinance policies and procedures (Sec. 23-5, City Code).

ORDINANCE POLICY.

Ordinance policy. In addition to the requirements set forth in the city Charter, section 3.13 and section 3.14, it is the policy of the city to hold two readings for each ordinance:

1. At a city council meeting prior to publication of the draft ordinance for official public hearing, the city council will take action to review, amend (as necessary), and vote on the draft ordinance. The agenda action item for the preliminary reading of the ordinance will be designated the "first reading" of the ordinance.
2. If the draft ordinance is approved by city council at the first reading, then the ordinance, with or without amendment, will proceed as delineated in the city Charter to a public hearing and presentation to the city council for official adoption. The presentation to the city council for official adoption after the public hearing will be designated the "second and final reading" of the ordinance.
3. A proposed ordinance may be amended during the first reading, but any ordinance amended in substance at a second and final reading (and public hearing), must be again reconsidered at the next regular meeting. If the ordinance is amended as to any matter of substance at the second and final reading, the council may not adopt it until the ordinance or its amended sections have been subjected to all the procedures required in the case of a newly introduced ordinance in accordance with section 3.14 of the city Charter.
4. The exceptions to the two-reading ordinance policy are ordinances authorizing the issue of bonds or other obligations, budget amendments, and ordinances calling or canvassing an election. These ordinances may be adopted at a "first and final reading" so long as the publication requirements with section 3.14 of the city Charter are met. Emergency ordinances may be considered and adopted in accordance with applicable state law and are not subject to the two-reading ordinance policy.

ORDINANCE PROCEDURES.

Ordinance procedures. Being that ordinances have the force and effect of law, the city implements the following ordinance procedures to ensure the most efficient use of time and resources, to ensure adequate legal and stakeholder review and input, and to ensure transparency in government:

1. To maximize review by members of the community during the ordinance process, all ordinances shall be recommended by the relevant board, commission, or committee, when the subject of matter of the ordinance would clearly benefit from input from a specific board, commission, or committee.
2. An ordinance change may be requested by the mayor, by any member of the city council, by city administration ("the city manager and/or the city secretary"), or by official action of a board, commission, or committee. The initial request to amend, or establish an ordinance must be made to city administration.
3. Upon receiving a request to amend or establish an ordinance, city administration must research and provide initial feedback, including a timeline to organize, request staff input, and write the proposed ordinance. The more complex the changes, the longer the time it

will take for research and preparation. The initial feedback and tentative schedule for the proposed ordinance will be provided to the requestor within seven days of receiving the request. Ordinances proposed to be considered by boards, commissions, and committees are subject to the same scheduling steps and timelines outlined in this section to provide city staff with necessary time to review the proposed ordinances, consult with the appropriate departments, and to prepare official recommendations at the board meeting which the proposed ordinance will be considered.

4. Before official presentation at a city council meeting, a copy of the draft ordinance should be submitted to the city council and to the city attorney for review. A minimum of two weeks will be provided to the city council and city attorney to review proposed ordinances.
5. Once the two-week deadline has been met, the ordinance may be scheduled for a first reading, may be referred to a board, commission, or committee, or may be scheduled for further discussion.
6. Once the ordinance is approved at a first reading, a second and final reading may be scheduled for city council consideration. Publication requirements must be followed in accordance with section 3.14 of the city Charter.
7. Upon approval of the second and final reading of an ordinance, city administration shall notify the city codifier of the passed ordinance and provide notice of the passed ordinance to the public in accordance with section 3.14 of the city Charter.

DRAFTING ORDINANCES.

Drafting ordinances requires thought, planning, thorough research, and careful word choice. Before you start drafting an ordinance, you should be able to answer the following questions:

1. What exactly will this ordinance/amendment accomplish? Why is the ordinance/amendment necessary?
2. What specific section of the law (state or federal) authorizes the city to enact or amend this ordinance?
3. Who will be affected by the ordinance?
4. Is this a Type 1 (general & permanent) ordinance or a Type 2 (NIC) ordinance?
5. What exemptions may be warranted?
6. How will violations be punished?
7. Who will be responsible for administering the program? What costs are involved?
8. How will the ordinance impact any other existing ordinances, policies, or procedures currently in place?
9. Are any public notices or hearings required?
10. When will the new ordinance be effective?
11. How will the public be informed of the changes?

NOTE: There are many cities, municipal leagues, and publications that have model ordinances available online. Check with the Office of the City Secretary who may also have ordinances for you to work from, and who often have a collection of resources to draw from when drafting new legislation. Be careful when using ordinances from other cities as a template. In Texas, we see potential changes in the law every two years when the State Legislature goes into session. Some cities have ordinances that are outdated or no longer in compliance with the law. Always research the current laws related to the subject matter of the ordinance prior to bringing it to City Council. The Office of the City Secretary and City Attorney can help but be sure to give them adequate time for research prior to a Council meeting deadline, and take note of the ordinance procedures described above for a general timeline of events that must take place for the City Council to approve an ordinance.

When drafting the ordinance, remember:

- Avoid using vague language or leaving anything open to interpretation. Remember the goal is to gain compliance with the regulations, so make it easy for people to know how to comply.
- Use simple language; do not use legalese or overly academic language.
- Define all acronyms and abbreviations at least once.
- Use “shall” if something is required and “may” if it is discretionary.
- Avoid opinions or subjective words. Do not say “property shall have adequate landscaping” . . . specifically define what constitutes “adequate landscaping.” Write objective standards.

ORDINANCE STRUCTURE.

The basic contents of an ordinance should include:

1. City Name, County Name, State.
2. Ordinance Number.
3. Caption (Long Title).
4. Preamble (“Whereas” clauses).
5. Ordaining Clause.
6. Legal clauses.
 - a. Statement of Action & Findings of Fact Clause.
 - b. Inclusion in the Code of Ordinances (for Type 1 ordinances only)
 - c. Cumulative (Repealer) Clause.
 - d. Penalty Clause (for Type 1 ordinances only).
 - e. Savings Clause (for Type 1 ordinances only).
 - f. Severability Clause.
 - g. Proper Notice and Meeting.
 - h. Effective Date.
7. Statement of Adoption/Passage and Signature Blocks.
8. First and Second Reading Dates.

9. Exhibits (at a minimum this should include a “red-lined” version of any changes to the code)

1. **City Name, County Name, State:** The name of the City, County, and State will be added at the top of the first page.

Formatting: The name should be composed of regular (unbolded) text and in all caps, as may be seen in the example below:

STATE OF TEXAS

COUNTY OF BREWSTER

CITY OF ALPINE

2. **Ordinance Number:** this is a number that will be assigned by the Office of the City Secretary once the Ordinance has been scheduled to for City Council consideration. This number is centered directly under the name sections.

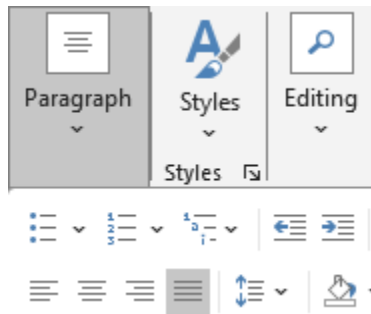
Formatting: This number should be bold, in “centered” alignment, and in all caps.

ORDINANCE YEAR-MONTH-NO.

(ORDINANCE 2024-10-01)

3. **Caption (Long Title):** The caption of an ordinance should contain in summary form the purpose of the ordinance and, if applicable, the penalty for violation thereof, as well as a listing of the appropriate legal clauses. The caption is published in the city’s official newspaper in accordance with Section 52.004 and Sections 52.011-52.013 of the Texas Local Government Code (when required), so it is important that it be conveyed in a clear, concise, and accurate manner. The general public must be able to determine what the ordinance is conveying (Law of Due Process). The following information should be contained in the caption:
 - a. Citations to the sections, articles, and/or chapters of the City’s Code of Ordinances to be amended and/or repealed, if any.
 - b. Summary of the contents of the ordinance, briefly expressed.
 - c. Listing of the legal clauses included in the ordinance.
 - d. Listing of any penalties imposed by passage of the ordinance.

Formatting: Captions should begin with the words “An Ordinance of the City Council of the City of Alpine, Texas,” be typed in all caps, bolded, and use the “justified” alignment setting in the “paragraph” box on the formatting ruler so the text is distributed evenly between the margins. The caption should be bold, in “justified” alignment (example seen below), and in all caps.



Examples of Captions (Long Titles):

Example A: Type 1 Ordinance (General & Permanent): Chapter 10 – Animals.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS AMENDING CHAPTER 10 – ANIMALS TO THE ALPINE CODE OF ORDINANCES; PROVIDING FOR UPDATED DEFINITIONS WITHIN THE CHAPTER INCLUDING DEFINITIONS OF ADEQUATE SHELTER, DEFINITION OF EUTHANASIA, AND DEFINITION OF CURRENT VACCINATION REQUIREMENTS; AMENDING THE PROCESSES, PROCEDURES, AND TIMELINES FOR THE IMPOUNDMENT AND DESTRUCTION, OR EUTHANASIA, OF ANIMALS IMPOUNDED BY THE CITY; PROVIDING THE ESTABLISHMENT OF UP TO A \$500 PENALTY PER OCCURRENCE FOR VIOLATIONS OF THE ORDINANCE; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, ENACTMENT, REPEALER, SEVERABILITY, PENALTY, AND EFFECTIVE DATE.

Example B: Type 1 Ordinance (General & Permanent): Chapter 9 – Annexation.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS AMENDING ANNEXATION AND ZONING PROCESSES AND PROCEDURES TO THE ALPINE CODE OF ORDINANCES; AMENDING CHAPTER 9 – ANNEXATION TO PROVIDE ADDITIONAL REQUIREMENTS UPON ANNEXATION OF A SUBJECT PROPERTY; AMENDING APPENDIX C – ZONING TO REMOVE THE REQUIREMENT THAT PROPERTIES BE DESIGNATED R-1 UPON ANNEXATION AND PROVIDING THAT THE CITY COUNCIL MAY ESTABLISH THE ZONING DESIGNATION UPON ANNEXATION OF A SUBJECT PROPERTY; PROVIDING FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING CLAUSES.

Example C: Type 2 Not In Code (NIC) Ordinance: Budget Amendment.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS AMENDING THE CITY OF ALPINE FY 2022-2023 BUDGET; PROVIDING REPEALING AND SEVERABILITY CLAUSES; A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Example D: Type 2 Not In Code (NIC) Ordinance: Rezone.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS APPROVING REZONE APPLICATION 2024-06-01; AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY REZONING THE PROPERTY LOCATED AT 1003 E. GALLEGOS AND LEGALLY DESCRIBED AS 0.5 ACRES, MORE OR LESS, LYING IN BREWSTER COUNTY, TEXAS, LOT TEN (10), THE W ½ OF LOT NINE (9), TWO (2) AND THE W ½ OF LOT THREE (3), EXCEPT THE NORTH 20 VARAS OF LOTS ONE (1), TWO (2) AND THE W 1/3 OF THREE (3), IN BLOCK THIRTY-THREE (33) HANCOCK ADDITION SOUTH OF THE RAILROAD, ACCORDING TO THE MAP/PLAT ON OF SAID ADDITION FILED IN PLAT ENVELOPE NO. 112, BREWSTER COUNTY PLAT RECORDS; REZONING THE SUBJECT PROPERTY FROM R-4 MOBILE HOME DISTRICT TO C-1 NEIGHBORHOOD COMMERCIAL DISTRICT; PROVIDING FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING CLAUSES.

4. **Preamble (Whereas Clauses):** Following the Caption, the ordinance should include detailed information about the background and purpose of the ordinance. The section of an Ordinance that has the “Whereas” clauses is known as the “Preamble.” The number of Whereas clauses is less important than the content. The clauses should include:
- a. an explanation of the purpose of the ordinance.
 - b. any action the city has taken in the past related to this subject matter (including a reference to a previous Ordinance number and date approved, if applicable)
 - c. the enabling legislation with specific citations.
 - d. information on any required public hearings
 - e. and any other information that may be helpful to the public in understanding the intent of the Ordinance.

Formatting: It is recommended that the word “**WHEREAS**” be typed in all caps and bolded, with a comma right afterward. All clauses should end with a semicolon and the word “and” (; and), except for the last clause which should end with a period. Example of the format:

WHEREAS, this part of the text will use the alignment type of “Justified.” The preamble should with include indentation of at least 0.5” on both sides; and

The following page illustrates an entire Preamble for an example Ordinance.

Example Preamble

WHEREAS #1: establishes the City's authority in general.

WHEREAS #2: describes previous action taken by the city in relation to this subject matter.

WHEREAS #3: describes previous a City Board that was involved in the updates to the ordinance.

WHEREAS #4: further describes the City Board has recommended updates to the Chapter.

WHEREAS #5: further describes the benefit of the Board's recommendations.

WHEREAS #6: establishes the city's authority in relation to this specific action.

WHEREAS #8: Further establishes the city's authority in relation to this specific action.

WHEREAS #7: Memorializes that the City Council approves of the recommendations by the Board and provides context to the benefits it provides to the public.

WHEREAS, the City of Alpine, Texas, is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution, and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the City Council of the City of Alpine ("City") adopted Ordinance No. 2008-11-01, Ordinance No. 2015-11-01, Ordinance No. 2019-12-05, and Ordinance No. 2022-02-01, implementing regulations relating to the keeping of animals and for animal control services in the City; and

WHEREAS, the Animal Advisory Board is composed of community members who advise the City Council on policy decisions that affect the health and safety of animals within the City; and

WHEREAS, the Animal Advisory Board has recommended amendments to the City Council that would implement and update the general definitions of the chapter and update processes, procedures, and timelines for the impoundment and destruction of animals impounded by the City; and

WHEREAS, the amendments recommended by the Animal Advisory Board will allow the Animal Services Department to provide a more effective and efficient service to the community and to ensure adequate animal welfare within the City; and

WHEREAS, Title 10, Chapters 821 through 829, et. Seq. of the Texas Health and Safety Code, as amended ("Code") provide for the disposition and regulation of animals and authorizes the enforcement of these statutory regulations; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace, or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, it is deemed by the City Council to be in the best interest of the City to amend the current animal ordinances as recommended by the Animal Advisory Board and that such amendments will serve to protect the health, safety, and welfare of the citizens of the City and are in the best interest of the public.

5. **Ordaining Clause:** The ordaining clause immediately follows the Preamble. The ordaining clause must be inserted before the body of any ordinance that is intended to have the force of law (Texas Local Government Code Section 52.002). The language used in this section must exactly match the required language stated in the City’s Charter (Sec. 3.14) as stated below:

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

Formatting: The ordaining clause should be typed in all caps and bolded, with Justified alignment.

6. **Legal Clauses:** Legal clauses in an ordinance protect the City in a variety of ways.
- a. **Statement of Action & Findings of Fact Clause:** The Statement of Action details the parts of the Code of Ordinances that are being addressed. This statement will provide the specific action that the city is taking. The Findings of Fact clause simply states the ordinance being passed is correct, factual, and in accordance with current law. City of Alpine combines the two the in one section after the ordaining clause in a section called Statement of Action & Findings of Fact. This document highlights the **Statement of Action** in Yellow and the **Findings of Fact** in green to indicate the different parts of this section in the examples below. In the actual ordinance, the text will not be highlighted.

If the ordinance is a Type 2 NIC ordinance (not in code) such as a budget amendment, tax rate ordinance, or election ordinance, etc. then the Statement of Action will specifically state the purpose of the Ordinance in this section with the Findings of Fact Clause.

NOTE: If the ordinance is amending or adding to the Code of Ordinances, the Statement of Action will describe an Exhibit to the ordinance that details the sections being amended with additions being written in underlined text and omissions being written in ~~strike through text~~. This style of amendment is required by Section 3.14(4) of the City Charter. The Findings of Fact clause will follow the Statement of Action.

Formatting: The title for this section should be bolded, centered, in “justified” alignment, and be written in ALL CAPS. The remaining text should be unbolded, and in “justified” alignment.

The following page provides examples for the Statement of Action & Findings of Fact.

Example A for Type 1 (General & Permanent) Ordinances: Chapter 10 – Animals.

SECTION I
STATEMENT OF ACTION & FINDINGS OF FACT

Chapter 10 – Animals to the Alpine Code of Ordinances is hereby amended to reflect the changes hereto attached as Exhibit “A” and incorporated herein for all purposes. The premises attached as Exhibit “A” are 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.

Example B for Type 1 (General & Permanent) Ordinances: Chapter 9 – Annexation.

SECTION I
STATEMENT OF ACTION & FINDINGS OF FACT

The Alpine Code of Ordinances is hereby amended to reflect the updates attached hereto as Exhibit “A.” The premises attached as Exhibit “A” are hereby found to be true and correct legislative and factual findings of the City Council of the City of Alpine and are hereby approved and incorporated herein as findings of fact.

Example C for Type 2 Not In Code (NIC) Ordinances: Budget Amendment.

SECTION I
STATEMENT OF ACTION & FINDINGS OF FACT

All of the premises attached in the form hereto described as Exhibit “A” are hereby approved as an amendment to the Fiscal Year 2022-2023 budget and is incorporated herein for all purposes. The premises attached as Exhibit “A” are hereby found to be true and correct legislative and factual findings of the City Council of the City of Alpine and are hereby approved and incorporated herein as findings of fact.

Examples D for Type 2 Not In Code (NIC) Ordinances: Rezone

SECTION I
STATEMENT OF ACTION & FINDINGS OF FACT

The zoning designation of C-1 Neighborhood Commercial District is hereby approved for the property located at 1003 E. Gallego and legally described as 0.5 acres, more or less, lying in Brewster County, Texas, Lot ten (10), the W 1/2 of Lot Nine (9), Two (2) and the W 1/2 of Lot Three (3), Except the North 20 varas of Lots One (1), Two (2) and the W 1/3 of three (3), in Block Thirty-Three (33) Hancock Addition South of the Railroad, according to the map/plat on of said addition filed in Plat Envelope No. 112, Brewster County Plat Records. The official zoning map of the City is hereby amended to reflect the updated zoning. Each and every one of the recitals, findings, and determinations contained in the preamble of this ordinance are found to be true and correct legislative and factual findings of the City Council of the City of Alpine and are hereby repeated and incorporated herein as if copied in their entirety.

NOTE: City of Alpine typically combines the Statement of Action & Findings of Fact clause for simplicity and readability. If the end result is lengthy, the two can be separated. Please contact the City Secretary if you need additional guidance when drafting these items.

- b. **Inclusion in the Code of Ordinances (for Type 1 ordinances only):** This clause specifically directs the codifier of the city's intent for the ordinance to amend the City of Alpine's Code of Ordinances. It also reiterates the empowerment that the city provides the codifier (Sec. 1-10, City Code) to make updates to the code that match the existing style of the city's code. This section is only included in Type 1 (General & Permanent) ordinances.

SECTION II INCLUSION IN THE CODE OF ORDINANCES

The provisions of this ordinance shall become and be made a part of the Code of Ordinances of Alpine, Texas. The sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word. The codifier of the City is empowered to make amendments to match the style of the existing code.

- c. **Cumulative Clause (Repealer Clause):** This clause serves to effectively repeal any ordinances that conflict with the current ordinance being approved. This clause serves to protect the city and should not be used to "generally" repeal any section of the code of ordinances that the city knowingly intends to repeal. If the city is aware of a section of the code that needs to be repealed, it should be formally repealed with an ordinance that names the sections exactly.

Formatting: The title for this section should be bolded, centered, in "justified" alignment, and be written in ALL CAPS. The remaining text should be unbolded, and in "justified" alignment.

SECTION III 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.

- d. **Penalty Clause:** If the violation of the ordinance is to be punished with a penalty, it must be specifically stated in the ordinance. This clause (in addition to the detailed description in the Statement of Action Exhibit of the circumstances under which a violation will occur) uses language authorized by the Texas Local Government Code 54.001, granting cities the power to enact penalties. No fine or penalty for violation of an ordinance or rule may exceed \$500, except that the final fine or penalty for violation of an Ordinance that governs fire, safety, zoning, or public health and sanitation, other than the dumping of refuse, may not exceed

\$2,000. A fine or penalty for the violation of an Ordinance that governs the dumping of refuse may not exceed \$4,000.

SECTION IV PENALTY CLAUSE

Any person, corporation, or entity who intentionally, knowingly, recklessly, or with criminal negligence violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$500.00. Each day in which any violation occurs, or each occurrence of any violation, shall constitute a separate offense.

NOTE: Any ordinance that imposes a fine or penalty is not effective until the caption is published in the City's designated official newspaper, in accordance with the City's Charter and state law. Keep this in mind when planning the effective date and rolling out a campaign to inform the public.

- e. **Savings Clause:** If the ordinance being considered includes the replacement of a previous penalty, the savings clause keeps the current penalties in place until the effective date of the new penalties, in order to avoid a gap in regulation. It also maintains the effectiveness of the old penalties on violations that took place prior to the effective date of the new penalties but unaddressed prior to its adoption.

SECTION V SAVINGS CLAUSE

The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinances at the time of passage of this ordinance.

- f. **Severability Clause:** This clause protects the city in cases where part of the Ordinance is found to be unconstitutional or invalid and the city wants to keep the remainder of the Ordinance that is valid in effect.

SECTION VI 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 judgment 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.

- g. **Proper Notice & Meeting:** This clause simply confirms that the ordinance was passed in accordance with the Open Meetings Act.

**SECTION VII
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. A public hearing was held on June 18, 2024, where interested parties had the opportunity to make public comments on this ordinance prior to approval. Notice of the date and time of the hearing and notice of how to obtain copies of the proposed ordinance was published in the Alpine Avalanche, the official newspaper of the City of Alpine on June 13, 2024.

- h. Effective Date:** The effective date of an ordinance may not always be the day it is adopted. This clause should include language that defines the effective date of the Ordinance, including a statement regarding the publication of its caption if required by law or Charter.

**SECTION VII
EFFECTIVE DATE**

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

7. **Statement of Adoption/Passage:** The final piece of a resolution is the Statement of Adoption/Passage and signatures from the Mayor and City Secretary. The statement should include the passage date of the ordinance and immediately precede the signatures authenticating the document.

Formatting:

PASSED, APPROVED, AND ADOPTED BY A MAJORITY VOTE OF THE CITY COUNCIL OF THE CITY OF ALPINE, EXAS ON THIS THE 1st DAY OF OCTOBER 2024.

8. **First and Second Reading Dates:** The dates of the introduction and first reading and the second and final reading are listed in the ordinance directly under the statement of adoption/passage.

INTRODUCTION AND FIRST READING

SEPTEMBER 17, 2024

SECOND AND FINAL READING

OCTOBER 1, 2024

9. **Signature Blocks:** Section 3.17 of the City Charter requires that the Mayor and the City Secretary shall authenticate by signature and have recorded in full in a properly indexed book kept for the purpose all ordinances and resolutions adopted by the Council.

Formatting: There are two ways to format the signature block: 1) vertically and 2) horizontally. Ordinance must also include enough space for the city seal. Either method is acceptable.

The vertical method is shown below:

APPROVED:

Catherine Eaves, Mayor

ATTEST:

Geoffrey R. Calderon, City Secretary

The horizontal method is shown below:

APPROVED:

ATTEST:

Catherine Eaves, Mayor

Geoffrey R. Calderon, City Secretary

10. **Exhibits:** Exhibits can be an important part of an ordinance. At a minimum, Ordinances that will amend or add to the Code should include an exhibit that details a “red-lined” version of the changes being proposed. The red-lined version will detail the sections being amended with additions being written in underlined text and omissions being written in ~~strike through text~~. This style of amendment is required by Section 3.14(4) of the City Charter. Other potential exhibits include:

- a. A map of the property or geographical area being impacted by the ordinance.
- b. Financial reports that detail amendments being made to the budget.
- c. Another document that is deemed to be necessary to provide as backup documentation to the subject ordinance.

An example of how to prepare that exhibit is on the following page.

EXAMPLE RED-LINED VERSION EXHIBIT

EXHIBIT “A”

EDITOR’S NOTE:

Additions are Underlined.

~~Omissions appear in Red Strikethrough Text.~~

Sec. 9-4. Ward Designation.

The ordinance annexing property into the corporate city limits shall designate the city ward that the subject property will belong to upon annexation.

Sec. 9-5. Post Annexation Procedures.

1. Upon annexation of the subject property, city administration shall arrange for the official annexation map of to be updated (Texas Local Government Code, Sec. 41.001). Updates to the annexation map shall make a reference to the ordinance number. The updated map shall be available in the office of the city secretary and posted on the city website.
2. Upon annexation City administration shall submit official notification to the Texas Comptroller (Tax Code Sec. 321.102) and the Brewster County Appraisal District (Tax Code Sec. 6.07).
3. All territory which may hereafter be annexed to the city shall be ~~considered to be zoned R-1 until otherwise~~ classified by the city council ~~in accordance with recommendations of the planning and zoning commission in accordance with Chapter 211 of the Texas Local Government Code~~ upon annexation. Existing legal uses on the annexed property may be registered as non-conforming uses in accordance with the provisions of this ordinance.

QUICK CHART OF REQUIREMENTS.

REQUIREMENT	TYPE 1	TYPE 2
Penalty listed in the caption of the ordinance	YES	NO
Red-lined Exhibit	YES	NO
Statement of Action & Findings of Fact Clause.	YES	YES
Inclusion in the Code of Ordinances.	YES	NO
Cumulative Clause	YES	YES
Penalty Clause.	YES	NO
Savings Clause.	YES	NO
Severability Clause.	YES	YES
Proper Notice & Meeting	YES	YES
Effective Date	YES	YES

ORDINANCE TEMPLATE.

The ordinance template is made by the Office of the City Secretary to help provide a sample whereby an employee can fill change and update the highlighted portions of the document. The red italicized text contains notes that may be deleted. The digital template is available from the Office of the City Secretary.

The ordinance template may be found on the following page.

STATE OF TEXAS

CITY OF ALPINE

COUNTY OF BREWSTER

ORDINANCE 2024-XX-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS {INSERT LONG CAPTION} (this must include a reference to every Chapter, Article, Division, and Section number and text title in the Code of Ordinances that is being revised or added); PROVIDING THE ESTABLISHMENT OF UP TO A \$500 PENALTY PER OCCURRENCE FOR VIOLATIONS OF THE ORDINANCE {PRECEDING FINE IN CAPTION IS FOR TYPE 1 ORDINANCES ONLY}; PROVIDING FOR FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE CLAUSES {DOUBLE CHECK CLAUSES ONCE ORDINANCE IS COMPLETE} (the legal clauses required in an Ordinance may vary – check with the Office of the City Secretary to ensure all required clauses are included).

WHEREAS, the City of Alpine, Texas, is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution, and Chapter 9 of the Texas Local Government Code; and

WHEREAS, insert historical context (previous ordinances & resolutions); and

WHEREAS, insert historical context (provides insight to the reasoning behind why the ordinances is necessary); and

WHEREAS, insert specific legal precedence or citation authorizing the city to pass this ordinance such as the section of the Local Government Code, etc.); and

WHEREAS, the City Council deems it to be in the best interest of the citizens of Alpine to {insert general benefit of this ordinance to citizens and the City}.

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

SECTION I

STATEMENT OF ACTION & FINDINGS OF FACT

The Alpine Code of Ordinances is hereby amended to reflect the updates attached hereto as Exhibit “A.” {Update Statement of Action to reflect the action taken} The premises attached as Exhibit “A” are hereby found to be true and correct legislative and factual findings of the City Council of the City of Alpine and are hereby approved and incorporated herein as findings of fact.

Attach a red-lined version of the section being amended so the Council can see how the current version reads vs. the changes being proposed (Also required by Section 3.14(4) of the City Charter). The Chapter, Article, Division, and Section numbers and titles should be included.

SECTION II

INCLUSION IN THE CODE OF ORDINANCES *(Type 1 Ordinances Only)*

The provisions of this ordinance shall become and be made a part of the Code of Ordinances of Alpine, Texas. The sections of the ordinance may be renumbered or re-lettered to accomplish such, and the word “ordinance” may be changed to “section,” “article,” or any other appropriate word. The codifier of the city is empowered to make amendments to match the style of the existing code.

SECTION III 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 IV PENALTY CLAUSE *(Type 1 Ordinances Only)*

Any person, corporation, or entity who intentionally, knowingly, recklessly, or with criminal negligence violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed **\$500.00 {\$500, \$2,000 or \$4,000 depending on the nature of the Ordinance}**. Each day in which any violation occurs, or each occurrence of any violation, shall constitute a separate offense.

SECTION V SAVINGS CLAUSE

(Type 1 Ordinances Only)(To be used in conjunction with a penalty clause)

The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinances at the time of passage of this ordinance.

SECTION VI 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 judgment 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 VII 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. A public

hearing was held on June 18, 2024, where interested parties had the opportunity to make public comments on this ordinance prior to approval. Notice of the date and time of the hearing and notice of how to obtain copies of the proposed ordinance was published in the Alpine Avalanche, the official newspaper of the City of Alpine on June 13, 2024 {Update Hearing & Publication Dates}.

**SECTION VIII
EFFECTIVE DATE**

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

**PASSED AND ADOPTED THIS 1st DAY OF OCTOBER 2024 BY THE CITY COUNCIL
OF THE CITY OF ALPINE, TEXAS.**

**INTRODUCTION AND FIRST READING
SEPTEMBER 17, 2024**

**SECOND AND FINAL READING
OCTOBER 1, 2024**

APPROVED:

ATTEST:

Catherine Eaves, Mayor

Geoffrey R. Calderon, City Secretary

APPROVED AS TO FORM:

City Attorney

EXHIBIT “A” *{Required if Type 1 Ordinance}*

EDITOR’S NOTE:

Additions are Underlined.

~~Omissions appear in Red Strikethrough Text.~~

(REPLACE ALL OF THE FOLLOWING TEXT WITH THE RELEVANT CHANGES)

Chapter 9 ANNEXATION

Sec. 9-1. In general.

In accordance with the city Charter, all annexations by the city, whether by action of the city council or by petition, shall be undertaken in strict compliance with state law, including V.T.C.A., Local Government Code ch. 43.

(Ord. No. 2023-02-01 , § I(Exh. A), 2-21-23)

Sec. 9-2. Disannexation.

Disannexation procedures shall be followed in compliance with the city Charter and state law, including V.T.C.A., Local Government Code ch. 43.

(Ord. No. 2023-02-01 , § I(Exh. A), 2-21-23)

Sec. 9-3. Neighbor notice.

In addition to the requirements prescribed in V.T.C.A., Local Government Code ch. 43, the city shall send notice by United States Postal Service regular mail to property owners within 200 feet of a property that will be considered for annexation by the city council. Said notices must be sent to property owners within 200 feet at least ten days prior to the second and final public hearing.

(Ord. No. 2023-02-01 , § I(Exh. A), 2-21-23)

Sec. 9-4. Ward Designation.

The ordinance annexing property into the corporate city limits shall designate the city ward that the subject property will belong to upon annexation.

Sec. 9-5. Post Annexation Procedures.

1. Upon annexation of the subject property, city administration shall arrange for the official annexation map of to be updated (Texas Local Government Code, Sec. 41.001). Updates to the annexation map shall make a reference to the ordinance number. The updated map shall be available in the office of the city secretary and posted on the city website.
2. Upon annexation City administration shall submit official notification to the Texas Comptroller (Tax Code Sec. 321.102) and the Brewster County Appraisal District (Tax Code Sec. 6.07).

APPENDIX C - ZONING

ARTICLE I – BASIC ORDINANCE

GENERAL ZONING REGULATIONS

Section 3. Application of district regulations.

The regulations set by this ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, and particularly, except as hereinafter provided.

1. No building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.

2. No building or other structure shall hereafter be erected or altered.
 - (a) To exceed the height or bulk
 - (b) To accommodate or house a greater number of families;
 - (c) To occupy a greater percentage of lot area;
 - (d) To have narrower or smaller rear yards, front yards, side yards or other open spaces than herein required; or in any other manner contrary to the provisions of this ordinance.
3. No part of a yard, or other open space, or off-street parking or loading space required (for the purpose of complying with this ordinance) shall be included as part of a yard, open space, or off-street parking or loading space, required for any other building.
4. No yard or lot existing at the time of passage of this ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this ordinance shall meet at least the minimum requirements established by this ordinance.
5. All territory which may hereafter be annexed to the city shall be ~~considered to be zoned R-1 until otherwise~~ classified by the city council ~~in accordance with recommendations of the planning and zoning commission in accordance with Chapter 211 of the Texas Local Government Code~~ upon annexation. Existing legal uses on the annexed property may be registered as non-conforming uses in accordance with the provisions of this ordinance.

ORDINANCE 2024-XX-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS
{INSERT LONG CAPTION} *(this must include a reference to every Chapter, Article, Division, and Section number and text title in the Code of Ordinances that is being revised or added)*; PROVIDING THE ESTABLISHMENT OF UP TO A \$500 PENALTY PER OCCURRENCE FOR VIOLATIONS OF THE ORDINANCE **{PRECEDING FINE IN CAPTION IS FOR TYPE 1 ORDINANCES ONLY}**; PROVIDING FOR FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE CLAUSES **{DOUBLE CHECK CLAUSES ONCE ORDINANCE IS COMPLETE}** *(the legal clauses required in an Ordinance may vary – check with the Office of the City Secretary to ensure all required clauses are included).*

WHEREAS, the City of Alpine, Texas, is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution, and Chapter 9 of the Texas Local Government Code; and

WHEREAS, insert historical context (previous ordinances & resolutions); and

WHEREAS, insert historical context (provides insight to the reasoning behind why the ordinances is necessary); and

WHEREAS, insert specific legal precedence or citation authorizing the city to pass this ordinance such as the section of the Local Government Code, etc.); and

WHEREAS, the City Council deems it to be in the best interest of the citizens of Alpine to {insert general benefit of this ordinance to citizens and the City}.

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

SECTION I

STATEMENT OF ACTION & FINDINGS OF FACT

The Alpine Code of Ordinances is hereby amended to reflect the updates attached hereto as Exhibit “A.” {Update Statement of Action to reflect the action taken} The premises attached as Exhibit “A” are hereby found to be true and correct legislative and factual findings of the City Council of the City of Alpine and are hereby approved and incorporated herein as findings of fact.

Attach a red-lined version of the section being amended so the Council can see how the current version reads vs. the changes being proposed (Also required by Section 3.14(4) of the City Charter). The Chapter, Article, Division, and Section numbers and titles should be included.

SECTION II

INCLUSION IN THE CODE OF ORDINANCES (Type 1 Ordinances Only)

The provisions of this ordinance shall become and be made a part of the Code of Ordinances of Alpine, Texas. The sections of the ordinance may be renumbered or re-lettered to accomplish such, and the word “ordinance” may be changed to “section,” “article,” or any other appropriate word. The codifier of the city is empowered to make amendments to match the style of the existing code.

SECTION III

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 IV

PENALTY CLAUSE *(Type 1 Ordinances Only)*

Any person, corporation, or entity who intentionally, knowingly, recklessly, or with criminal negligence violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed **\$500.00**. Each day in which any violation occurs, or each occurrence of any violation, shall constitute a separate offense. **{No fine or penalty for violation of an ordinance or rule may exceed \$500, except the final fine or penalty for violation of an Ordinance that governs fire, safety, zoning, or public health and sanitation, other than the dumping of refuse, may not exceed \$2,000. A fine or penalty for the violation of an Ordinance that governs the dumping of refuse may not exceed \$4,000.}**

SECTION V

SAVINGS CLAUSE *(Type 1 Ordinances Only)*

The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinances at the time of passage of this ordinance.

SECTION VI

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 judgment 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 VII

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. A public hearing was held on **June 18, 2024**, where interested parties had the opportunity to make public comments on this ordinance prior to approval. Notice of the date and time of the hearing and notice of how to obtain copies of the proposed ordinance was published in the Alpine Avalanche, the official newspaper of the City of Alpine on **June 13, 2024** **{Update Hearing & Publication Dates}**.

**SECTION VIII
EFFECTIVE DATE**

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

PASSED AND ADOPTED THIS 18TH DAY OF JUNE 2024 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.

**INTRODUCTION AND FIRST READING
MAY 21, 2024**

**SECOND AND FINAL READING
JUNE 18, 2024**

APPROVED:

ATTEST:

Catherine Eaves, Mayor

Geoffrey R. Calderon, City Secretary

APPROVED AS TO FORM:

City Attorney

EXHIBIT “A” *(Required if Type 1 Ordinance)*

EDITOR’S NOTE:

Additions are Underlined.

~~Omissions appear in Red Strikethrough Text.~~

(REPLACE ALL OF THE FOLLOWING TEXT WITH THE RELEVANT CHANGES)

Chapter 9 ANNEXATION

Sec. 9-1. In general.

In accordance with the city Charter, all annexations by the city, whether by action of the city council or by petition, shall be undertaken in strict compliance with state law, including V.T.C.A., Local Government Code ch. 43.

(Ord. No. 2023-02-01 , § I(Exh. A), 2-21-23)

Sec. 9-2. Disannexation.

Disannexation procedures shall be followed in compliance with the city Charter and state law, including V.T.C.A., Local Government Code ch. 43.

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Sec. 9-3. Neighbor notice.

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The ordinance annexing property into the corporate city limits shall designate the city ward that the subject property will belong to upon annexation.

Sec. 9-5. Post Annexation Procedures.

1. Upon annexation of the subject property, city administration shall arrange for the official annexation map of to be updated (Texas Local Government Code, Sec. 41.001). Updates to the annexation map shall make a reference to the ordinance number. The updated map shall be available in the office of the city secretary and posted on the city website.
2. Upon annexation City administration shall submit official notification to the Texas Comptroller (Tax Code Sec. 321.102) and the Brewster County Appraisal District (Tax Code Sec. 6.07).

APPENDIX C - ZONING

ARTICLE I – BASIC ORDINANCE

GENERAL ZONING REGULATIONS

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The regulations set by this ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, and particularly, except as hereinafter provided.

1. No building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.

2. No building or other structure shall hereafter be erected or altered.
 - (a) To exceed the height or bulk;
 - (b) To accommodate or house a greater number of families;
 - (c) To occupy a greater percentage of lot area;
 - (d) To have narrower or smaller rear yards, front yards, side yards or other open spaces than herein required; or in any other manner contrary to the provisions of this ordinance.
3. No part of a yard, or other open space, or off-street parking or loading space required (for the purpose of complying with this ordinance) shall be included as part of a yard, open space, or off-street parking or loading space, required for any other building.
4. No yard or lot existing at the time of passage of this ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this ordinance shall meet at least the minimum requirements established by this ordinance.
5. All territory which may hereafter be annexed to the city shall be ~~considered to be zoned R-1 until otherwise~~ classified by the city council ~~in accordance with recommendations of the planning and zoning commission in accordance with Chapter 211 of the Texas Local Government Code~~ upon annexation. Existing legal uses on the annexed property may be registered as non-conforming uses in accordance with the provisions of this ordinance.



OFFICE OF THE CITY MANAGER
ADMINISTRATIVE POLICY (A.P.)

MOTOR VEHICLE USE

A.P. 2024-1

EFFEFFECTIVE – 01/01/2025

1. Policy Statement

The purpose of this policy is to provide uniform operating rules, compliance guidelines, and procedures in motor vehicle assignments and use to help ensure driver and passenger safety, protection of the public and property, disciplinary equity, and efficient use and maintenance of vehicles.

2. Policy Details

The purpose of this policy is to outline responsibilities and establish procedures regarding the use of the City of Alpine owned and/or leased vehicles and equipment.

3. Scope

This Administrative Policy (A.P) applies to all employees whose job duties require or involve use of City owned or leased vehicles or privately-owned vehicles while on City business and to all employees whose job duties require them to operate motor-driven equipment. The City reserves the right to deny any employee the use of a city owned or leased vehicle and may choose not to indemnify any employee who fails to adhere to the policies and procedures outlined in this policy. All employees shall follow these procedures in this policy when operating and using a city vehicle; riding in a city vehicle or a privately-owned vehicle while on city business; requesting and approving vehicle assignment and/or take-home vehicles use.

4. Definitions

- 4.1 Authorized Passenger-Passenger(s) who are in the course and scope of official City business.
- 4.2 Unauthorized Passenger-Any person(s) whom the operator would not have reason to carry as a passenger in the course and scope of the operator's normally assigned work responsibilities.
- 4.3 City Vehicle-Any motor-driven vehicle that is owned or leased by the City of Alpine. A trailer, or other attached component, is considered part of a City vehicle when the trailer or component is attached or connected to the vehicle. This includes, but not limited to golf carts, backhoes, bulldozers, lawn mowers, tractors, loaders, graders, and similar equipment.

- 4.4 Driver-An employee who operates a city owned or leased vehicle or a privately-owned vehicle being used on City business.
- 4.5 Employee-For purposes of this policy, all individuals engaged in the performance of duties for or on behalf of the City whether hired, appointed, elected, full or part time, temporary, interns or contractors.
- 4.6 Off-Duty-Any time when an employee is not expected to be on duty, but can be expected to act as if he were if he is directed to do so by an authorized person.
- 4.7 On-Duty-Any time when an employee is expected to be on duty performing his assigned work and responsibilities.

5 Procedures and Responsibilities

5.1 Employee must have a valid Texas Operator's License. If notification is received from Texas Department of Public Safety that a Employee has a suspended or revoked license, the Supervisor must notify the employee of the information received. The employee has 30 days to rectify the situation. If the employee is unable to rectify the situation immediately, then the Department Director shall remove the employee from driving duties, until driver status is restored. If at the end of the 30 days, the Employee who has not been able to correct the licensure revocation or suspension may be released from employment for failure to meet the minimum requirements of his/her employment.

5.2 Employee must have a driving record of no more than 3 moving violations and/or chargeable accidents within a 24-month period. The HR Department, as part of the post-offer evaluation process, will conduct a driver's license check on all new employees whose essential job functions include the operation of City owned or leased vehicles and equipment and his/her personal vehicle to conduct City business.

5.3 Employee must have no record of DWI or DUI convictions in the preceding 24-month period. If an employee is issued and convicted of a DWI or DUI during that time period, they must provide adequate documentation to show they are allowed to drive their occupation. Failure to provide the necessary documentation can result in termination.

5.4 Employee must be at least 18 years old.

5.5 Employee will not use alcohol, illegal drugs, prescription drugs or any other controlled substances that may affect the employee's ability to drive safely. Smoking and smokeless tobacco products are prohibited in City owned or leased vehicles. No

Employee will carry a weapon in any City owned or leased vehicle unless authorized as part of their normal course of employment, such as a police officer.

5.6 Employee will not use a cell phone or other hand-held device unless it is equipped with a hands-free accessory that permits safe and lawful operation of the vehicle. At no time will the employee engage in text messaging, emailing or internet browsing while operating a city owned and/or leased vehicle. Fire and law enforcement officers are allowed to utilize electronic devices while driving when usage is within course and scope of an official emergency response or communication.

5.7 An Employee using a personal vehicle on City business shall be required to maintain auto liability insurance, registration, inspection and driver's license in accordance with Texas law.

The City will not assume responsibility for any deductible amounts necessitated by claims, and the employee shall bear responsibility of pursuing claims against either their carrier or the other driver in the event of a collision and other loss. If the Employee does not receive full compensation (i.e an uninsured driver), a claim for the unpaid expense may be filed with the City Manager's Office along with any documentation of payments and expenses.

5.8 Employee will ensure that no aggressive driving will occur which includes speeding, tailgating, failure to signal a lane change, running red lights and stop signs, weaving in and out of traffic, yelling, making obscene gestures and excessive use of the horn.

5.9 During scheduled work shifts, an employee operating a city owned or leased vehicle is authorized to stop for reasonable, limited time periods for meals or to obtain refreshments. No personal use of City owned or leased vehicle is allowed.

5.10 Employee will not allow any hazardous substance, chemicals or dangerous goods from being carried in a city owned or leased vehicle, unless it is part of my assigned job duties. Employee shall ensure that cargo, tools and equipment are properly secured and that the height of the cargo is such that it shall safely pass under obstructions such as under/over passes along the intended route before placing the city vehicle in motion.

5.11 Employee will not ride or allow other employees to ride in the back of a city owned or leased truck traveling in excess of 30 mph.

5.12 Employee will not tow any personal mobile homes or travel trailers with a city owned or leased vehicle.

5.13 Employee will not allow any unauthorized passengers to operate or ride in a city owned or leased vehicle. Prohibiting the transportation of any personal guest in a city

owned or leased vehicle, unless approved by the Department Director and if the guest is essential to municipal functions. Anyone in the care and/or custody of a law enforcement officer or an officer of a court is allowed.

5.14 Employee will not place in motion a city owned or leased vehicle until the driver and all passengers have fastened all available restraints, such as seat belts and shoulder harnesses, according to state law.

5.15 Employee will be responsible for parking and locking a city owned or leased vehicle in a safe and legal place. City owned or leased vehicles will be parked at a city facility when not in use.

5.16 Employee will notify the his/her Directory, Manager and/or Supervisor of any citations received immediately while operating a city owned or leased vehicle or privately-owned vehicles on city business and employee will be financially responsible for any parking or traffic violations.

5.17 Employee will report all accidents in a city owned or leased vehicle or privately-owned vehicle city business immediately to his/her Director, Manager and/or Supervisor.

5.18 Employee will not operate a city owned or leased vehicle where the driver's vision is obstructed by broken or cracked glass, dirt, frost, ice, dew or other condensation on windows or mirrors.

5.19 Employee will not make any modifications or add equipment (CD player, stereos, cellular phone holders, etc.) to a city owned or leased vehicle.

5.20 Employee will perform a pre-trip inspection on a city owned or leased vehicle prior to initial operation each day it is driven and report any unsafe condition or other disrepair to his/her supervisor.

5.21 Employee will be responsible for insuring that a city owned or leased vehicle is properly maintained and kept clean. This includes having the vehicle serviced at regular intervals by the city mechanic. Insurance, fire extinguisher, first aid kit and vehicle registration must be kept current and the paperwork must be kept inside the City owned or leased vehicle at all times.

5.22 An employee who drives a city owned or leased vehicle to commute to and from work may transport city employees who live within the city limits to their place of work.

5.23 Transferring a City owned or leased vehicle between departments or approving a take-home vehicle must be approved and signed off by both the Department Director and

the City employee to which the assignment has been made. Decisions on reassignment and take-home vehicle status will be handled on a case-by-case basis and involve review of the employee's work history, overall driving record, safety record as well as employee's response to emergency calls from home, is on call-back or stand by status, and/or is called back frequently to work. Each City Department shall maintain a list of those employees authorized to take home a City vehicle and shall furnish the Finance Office and Human Resources with a copy of the listing.

5.24 Only Directors can assign a city owned or leased vehicle to an employee. Employees must have written authorization from their Department Director to operate a city owned or leased vehicle of any type. In addition, they must acknowledge that they have read and understand the Vehicle Use Policy.

5.24 The City of Alpine reserves the right to install GPS systems in order to complement the City's Asset Management Program.

5.25 If a question arises regarding driving ability, an employee will need to discuss with their supervisor, Department Director, and Human Resources.

6 Penalties and Corrective Actions

6.1 Failure to adhere to these Procedures and Responsibilities may result in revocation of the employees' driving privileges to operate a city owned / leased vehicle and may be subject to disciplinary action up to and including termination.



City of Alpine

Department Authorization

I, _____ (Print Department Director's Name) authorize the aforementioned employee to operate a owned or leased city vehicle. Said employee's vehicle use is

Work – related Use: _____

Take Home Use: _____

Restricted Use: _____

X _____

Department Director Signature

X _____

City Manager Signature



City of Alpine

Employee Vehicle Use Policy Acknowledgement

I, _____ (Print Driver's Name) have read and understand the Vehicle Use Policy established by the City of Alpine. I agree to abide by the provisions of this policy. I understand that violation of this policy will result in disciplinary action, up to and including termination of employment.

I, _____ (Print Driver's Name) understand that operating privileges can be revoked if:

1. Driver does not adhere to responsibilities listed in the Vehicle Use Policy
2. Driver's license is revoked, suspended, withdrawn or denied
3. Driver refuses to undergo drug or alcohol testing in accordance with organizational policies or as required by applicable state or local jurisdiction
4. Driver operates outside the limitations of a restricted license

Date: _____

X _____

Employee Signature

X _____

Employee Printed Name

X _____

Supervisors' Signature
Name

X _____

Supervisors' Printed

CITY COUNCIL AGENDA ITEM REPORT

November 5, 2024

Agenda Item No. 11E

Department: Office of the City Manager

Sponsor:

Memo Prepared By: Megan Antrim, City Manager

Staff Recommendation: None



AGENDA ITEM

Presentation on Employee Compensation Study by Evergreen. (M. Antrim, City Manager)

EXECUTIVE SUMMARY

The City of Alpine has undertaken a comprehensive Employee Compensation Study to ensure fair, competitive, and sustainable compensation practices. This executive summary outlines the key steps completed as part of the study, including engagement with staff, market analysis, and detailed position reviews. Below is a summary of each major task completed in the study:

1. Project Initiation

- Finalized Project Plan: Completed the project plan in collaboration with stakeholders, including establishing project milestones and deliverables.
- Data Gathering: Collected all relevant data, including employee records, salary details, and position descriptions.
- Contract Negotiations: Finalized any contractual elements needed for the study.

2. Employee Engagement and Surveys

- Employee Outreach: Conducted outreach initiatives to engage employees in the study and gather insights.
- Job Analysis Tool (JAT): Administered a Job Analysis Tool to employees to assess their roles and responsibilities.
- Supervisor Review: Carried out a supervisor review to gather additional insights and feedback on position responsibilities.

3. Market Analysis

- Target Organization Identification: Identified relevant benchmark organizations for comparison.
- Benchmark Classifications: Selected key benchmark classifications that align with the City's roles for accurate comparisons.
- Salary and Benefits Survey: Conducted a comprehensive survey to collect market salary and benefits data, allowing for accurate analysis.
- First Draft Market Results: Compiled initial market data, which informed subsequent pay structure discussions.

4. Compensation Structure Review

- Review of Current Positions and Salaries: Analyzed the City's existing position

classifications, salary ranges, and ten-year trends to identify any gaps or discrepancies.

- Developed Compensation Philosophy: Defined the compensation philosophy, including thresholds, to guide fair pay practices.
- New Pay Scale Draft: Produced a revised or new pay scale for the City based on findings.

5. Recommendations and Draft Report

- First Draft Solution File: Compiled preliminary solutions for updating compensation practices.
- Draft Report Prepared: Prepared a draft report summarizing findings and recommendations. A copy of this draft was provided to the Council on October 21, 2024.
- Recommendation Development: Formulated recommendations to enable City staff to administer the proposed compensation system effectively.

6. Next Steps

- The final report and presentation will follow, with a focus on ensuring the sustainability of the recommended changes.
- Updating and creating class descriptions to reflect any adjustments in roles and responsibilities is ongoing, with final versions to be delivered in an electronic format.

This study represents a thorough effort to align the City's compensation practices with market standards while addressing the needs of current and future employees. The upcoming steps will finalize the comprehensive adjustments necessary for sustainable compensation management.

SUPPORTING MATERIALS

None

BUDGET CONSIDERATIONS

Expenditure Required: N/A
Savings Anticipation: N/A
Current Budget FY 2024-2025: N/A
Additional Funding: N/A

APPROVERS

Alex Tackett, Records Clerk
Geoffrey R. Calderon, City Secretary
Megan Antrim, City Manager

Approved - 10/28/2024
Approved - 10/28/2024
Final Approval - 10/28/2024

CITY COUNCIL AGENDA ITEM REPORT

November 5, 2024

Agenda Item No. 12A

Department: City Council

Sponsor: Megan Antrim, City Manager

Memo Prepared By: Geoffrey R. Calderon, City Secretary



Staff Recommendation: Approve

AGENDA ITEM

Approve Replat 2024-11-01, an application for replat which would allow the applicant, Family Crisis Center of the Big Bend, to reflect the updated ownership of a recently purchased unimproved alleyway on the subject property. The subject property is located at 402 E. Gallego Avenue and is legally described as Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and the alley, Block 71 of the Original Town of Alpine. The property owner of record is Family Crisis Center of the Big Bend, inc. The parcel ID of the subject property is 12236. The current zoning classification of the property is R-2 Two Family District. If the replat is approved the zoning classification of the subject property will be R-2 Two Family District. (M. Antrim, City Manager)

EXECUTIVE SUMMARY

The City Council approved Ordinance 2024-04-04 on May 7, 2024. This ordinance abandoned, vacated, and sold an unimproved alley to the Family Crisis Center of the Big Bend. The subject property was a platted alley owned in fee simple by the City, but the previous building owners constructed a building over the alley. Part of the agreement to purchase the alley was that the applicant replat the property. This replat is being submitted to update the ownership records to reflect the updated ownership of the subject property.

SUPPORTING MATERIALS

1. REPLAT 2024-11-01 Application - Family Crisis Center of the Big Bend
2. Preliminary Replat

BUDGET CONSIDERATIONS

Expenditure Required: N/A
Savings Anticipation: N/A
Current Budget FY 2024-2025: N/A
Additional Funding: N/A

APPROVERS

Alex Tackett, Records Clerk
Geoffrey R. Calderon, City Secretary
Megan Antrim, City Manager

Approved - 10/25/2024
Approved - 10/28/2024
Final Approval - 10/28/2024



APPLICATION FOR PLAT

City of Alpine Building Services Department
309 W. Sul Ross Av., Alpine Texas, 79830
432.837.3281

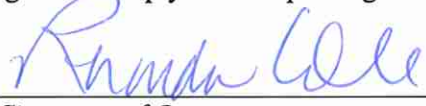
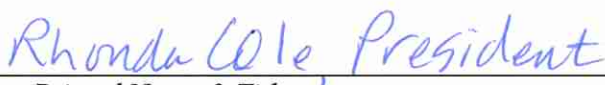
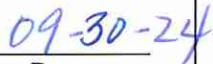
*Application must be completely filled out.

Please check one.		
☐ Master Plan	☐ Preliminary Plat	☐ Final Plat
☒ Preliminary Replat	☐ Final Replat	☐ Amended
☐ Minor		
SECTION 1		
Proposed Subdivision Name <u>NA</u>		Unit No.
Location Description/ Nearest Intersection <u>402 E Gallego Ave, Alpine Tx</u>		
Acreage <u>1.79 acres</u>	Number of existing lots <u>10</u>	Proposed <u>BLK 71</u>
Reason (s) for Platting/ Replatting <u>Required by City</u>		Parcel ID No. <u>12236</u>
SECTION 2		
Owner/Applicant <u>Family Crisis Center of the Big Bend Inc</u>		
(if applicant is person other than owner, a letter of authorization must be proved from owner)		
Address <u>Po Box 1470, Alpine Tx 79831</u>		
Primary Telephone Number	Email Address	
SECTION 3		
Licensed Engineer/ Surveyor Name <u>Smyth Surveyors Inc</u>	TDLR No. <u>6418</u>	Firm # <u>10008800</u>
Address <u>Po Box 375, Knippa Tx 78870</u>		
Primary Telephone Number	Email Address	
SECTION 4		
List any variances requested		
Reason for request (list any hardships, and please provide an in-depth description of why application is required) <u>We have purchased the Alley and a replat is required by the City of Alpine.</u>		
City Limits: Yes ☒ No ☐		
Is any part of the property in a flood plain? Yes ☐ No ☒		
Is the property subject to any liens, encumbrances, or judgments? If so, give details. (Provide separate sheet if needed.) Permission from any lien holders and/or removal of any encumbrances or judgments will be necessary prior to filing of said plat with the County Clerk's office.		

REQUIRED ITEMS FOR SUBMITTAL PACKAGE:*Completed application, including signature of owner/applicant and signed waiver.*

☒ Fee (see reverse) ☐ Traffic Impact Assessment worksheet, reviewed by City of Alpine's Building Official, and appropriate Level TIA (if required). ☒ 3 copies of the plat (accepted size: 18"x 24"), collated and folded so that the subdivision name is visible and 1 digital copy. ☐ 1 copy of preliminary plan of the water system showing the approximate location and size of onsite and offsite existing and proposed water lines and fire hydrants. 1 copy of preliminary drainage plan (if required).	☒ Tax Certificate from Brewster County showing that no delinquent taxes are due on the property (Texas Local Government Code Section 12.002). ☐ Current deed restrictions for Vacating Plats, and Townhouse and Zero Lot Line Subdivisions. ☒ Survey Showing any existing structures on the subject property. ☐ List of approved street names by the appropriate county.
---	---

I agree to comply with all platting and subdivision requirements of the City of Alpine.

Signature of Owner Printed Name & Title Date

(If applicant is person other than owner, a notarized letter of authorization must be provided from owner.)
Signature indicates authorization for plat application and acceptance of waiver statement.

TYPE OF PLAT/ACREAGE	TYPE I (Not previously platted, in R-3, C or M zoning, or Non-residential plat)	TYPE II (replat requiring public hearing in platted residential subdivision in any zone)	TYPE III (amending plat; corrections without vacating plat)	MASTER PLAN
Less than 1 acre	\$200.00 Plus \$2 per lot or \$4 per acre, whichever is greater	\$200.00 Plus \$2 per lot or \$4 per acre, whichever is greater	\$100.00	\$100.00 base fee + \$1.00 per lot or \$2.00 per acre, whichever is greater
1 to 4.99 acres	\$200.00 Plus \$2 per lot or \$4 per acre, whichever is greater	\$230.00 ^{250.00} Plus \$2 per lot or \$4 per acre, whichever is greater	\$100.00	
5 to 10 acres	\$225.00 Plus \$2 per lot or \$4 per acre, whichever is greater	\$345.00 Plus \$2 per lot or \$4 per acre, whichever is greater	\$100.00	
More than 10	\$300.00 Plus \$2 per lot or \$4 per acre, whichever is greater	\$460.00 Plus \$2 per lot or \$4 per acre, whichever is greater	\$100.00	

All filing fees for plats are payable at time of initial submittal.

All necessary signatures must be included. Signatures include: Planning & Zoning chair, City Secretary, Mayor, County Clerk. (must include blank spaces for recollection information).

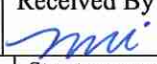
**All documents must indicate "replat", "amended" in the title if being revised.

Open space fees are due at time of final plat submittal. If public improvements are required, open space fees are due prior to construction plan approval.

IMPORTANT NOTES:

•For plats on TxDOT right-of-way, it is highly recommended that a permit be submitted to TxDOT prior to submitting the plat application.

FOR STAFF USE ONLY

Date Application Fee Received 09/30/24		Received By 		Receipt No. 24-007761		Cash/Check No. 1172	
Amount Received \$ 250.00	3 Copies ✓	Street names appr. list ✓	TxDOT approval letter N/A	Letter of authorization	Proof of ownership ✓	HOA document N/A	
Plat review meeting date				Planning Commission meeting date			
COUNTY CLERK RECORDING REQUIRED:							

IMPORTANT INFORMATION

PRELIMINARY APPLICATION CONFERENCE

1. Prior to the submission of any application, applicants must schedule a meeting with the Building Services department to discuss their project.
2. There is no charge for the initial meeting. Subsequent meetings for the same site, same development may incur a scheduling fee.
3. To schedule, please contact the Building Official at (432) 837-3281, option 2.

APPLICATION SUBMITTALS *(Refer to page 3 of this packet for the list of all deadline dates)*

1. A completed application form, associated documents, and applicable fees must be submitted on the specified submittal deadline date(s).
2. The city will not accept a plat application on a date other than a submittal deadline date.
3. An incomplete plat application will be disapproved.
4. A plat application, filed with the city, will be submitted to the Planning and Zoning Commission within 30 days following the submittal deadline date(s).

PUBLIC HEARINGS *(Refer to pages 3 of this packet for the regular meeting schedule)*

1. Public hearings are required for the consideration of all zoning changes. Public hearings are held during the Planning and Zoning (P&Z) Commission and (a) City Council meeting(s).
2. If required, plats will be considered by the Planning and Zoning Commission and the City Council through a public hearing.
3. Applicants or their agents are strongly encouraged to attend all public hearings and be available for questions. It is the applicant's responsibility to follow up with the Building Services Department regarding the status of the application(s).

EXTENSIONS AND MODIFICATIONS

1. An applicant may request an extension after an application has been filed and at least 10 days prior to the Planning and Zoning Commission Meeting.
2. Minor modifications to an application that has been filed may be made up until 10 days prior to the Planning and Zoning Commission Meeting. Major modifications will be disapproved.

P&Z COMMISSION REPORTS AND ACTIONS

1. Applicants will receive a response from the Building Services Department following the completeness check period.
2. Final recommended actions will be released by the Friday prior to the P&Z Commission meeting date.
3. The P&Z Commission will take the following actions on an initial plat application:
 - a. Approve.
 - b. Approve with conditions.
 - c. Disapprove.
4. If a application is disapproved, a new application, documents, and new plat application fees must be submitted in accordance with application submittals.



Fiscal Year 2024-2025
Planning & Zoning Commission
Application Submittal Packet

Zoning: Planned Development | Conditional/Special Use Permit | Rezone

Plats: Amending | Conceptual | Preliminary | Replat | Large Acreage Tract

Building Services Department

309 W. Sul Ross Ave

Alpine, Texas 79830

Office: (432) 837-3281, option 2

Email: building.services@cityofalpine.com

This packet is also available online at www.cityofalpine.com

Issued By:

Brewster County Tax Office
107 W Ave E #1 432-837-2214
Alpine, TX 79830

Property Information

Property ID: 12236 Geo ID: 973600710001000000
Legal Acres: 1.6581
Legal Desc: OT, BLOCK 71, LOT 1-10 (COMMUNITY CENTER)
Situs: 402 E GALLEGOS AVE ALPINE, TX
DBA:
Exemptions: EX-XV

Owner ID: 39458 100.00%
FAMILY CRISIS CENTER OF THE BIG BEND, INC.
PO BOX 1470
ALPINE, TX 79831

For Entities

Alpine ISD
Big Bend Regional Hospital District
Brewster County
City of Alpine

Value Information

Improvement HS: 0
Improvement NHS: 237,849
Land HS: 0
Land NHS: 58,338
Productivity Market: 0
Productivity Use: 0
Assessed Value 296,187

Current/Delinquent Taxes

This is to certify that, after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code §33.48, are due on the described property for the following taxing unit(s):

Year	Entity	Taxable	Tax Due	Disc./P&I	Attorney Fee	Total Due
Totals:			0.00	0.00	0.00	0.00

Effective Date: 09/10/2024

Total Due if paid by: 09/30/2024

0.00

Tax Certificate Issued for:	Taxes Paid in 2023
Brewster County	0.00
Big Bend Regional Hospital District	0.00
City of Alpine	0.00
Alpine ISD	0.00

If applicable, the above-described property has/is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate [Tax Code Section 31.08(b)].

Pursuant to Tax Code Section 31.08, if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties or interest are due a taxing unit on the property or that fails to include property because of its omission from an appraisal roll, the unit's tax lien on the property is extinguished and the purchaser of the property is absolved of liability to the unit for delinquent taxes, penalties or interest on the property or for taxes based on omitted property. The person who was liable for the tax for the year the tax was imposed or the property was omitted remains personally liable for the tax and for any penalties or interest.

A tax certificate issued through fraud or collusion is void.

This certificate does not clear abuse of granted exemptions as defined in Section 11.43 Paragraph(1) of the Texas Property Tax Code.

May Be Subject to Court Costs if Suit is Pending

Date of Issue: 09/10/2024
Requested By: FAMILY CRISIS CENTER OF
Fee Amount: 10.00
Reference #:

Page: 1

Signature of Authorized Officer of Collecting Office



Building Services Department
 309 W. Sul Ross | Alpine, Texas 79830
building.services@cityofalpine.com
 (432) 837-3281, option 2

FISCAL YEAR 2024-2025 SUBMITTAL CALENDAR

Zoning and Plat Applications are only accepted on the submittal deadlines published in the Planning & Zoning Application Submittal Packet. Zoning Applications include rezone applications, conditional use permit applications, and special use permit applications. *Plans, plats, and related application submitted on a date other than a designated date are subject to disapproval.*

Zoning & Plat Application Submittal Date (Initial Application Only) 28 days ahead of P&Z Meeting	Planning & Zoning Commission Agenda/Hearing Date	City Council Hearing Date, As Applicable (1st Reading of Ordinance)	City Council Hearing Date, As Applicable (2nd Reading of Ordinance)	Public Hearing Notice (At least 15 days in advance of hearings)	Paper Deadline
5/27/24 - 5/28/24	6/24/24	7/2/24	7/16/24	6/6/24	6/4/24
6/24/24 - 6/25/24	7/22/24	8/6/24	8/20/24	7/4/24	7/2/24
7/29/24 - 7/30/24	8/26/24	9/3/24	9/17/24	8/8/24	8/6/24
8/26/24 - 8/27/24	9/23/24	10/1/24	10/8/24	9/5/24	9/3/24
9/30/24 - 10/1/24	10/28/24	11/5/24	11/19/24	10/10/24	10/8/24
10/28/24 - 10/29/24	11/25/24	12/3/24	1/7/25	11/7/24	11/5/24
12/30/24	1/27/25	2/4/25	2/18/25	1/9/25	1/7/25
1/27/25 - 1/28/25	2/24/25	3/4/25	3/18/25	2/6/25	2/4/25
2/24/25 - 2/25/25	3/24/25	4/1/25	4/15/25	3/6/25	3/4/25
3/31/25 - 4/1/25	4/28/25	5/6/25	5/20/25	4/10/25	4/8/25
4/28/25 - 4/29/25	5/26/25	6/3/25	6/17/25	5/8/25	5/6/25
5/26/25 - 5/27/25	6/23/25	7/1/25	7/15/25	6/5/25	6/3/25
6/30/25 - 7/1/25	7/28/25	8/5/25	8/19/25	7/10/25	7/8/25
7/28/25 - 7/29/25	8/25/25	9/2/25	9/16/25	8/7/25	8/5/25
8/25/25 - 8/26/25	9/22/25	10/7/25	10/21/25	9/4/25	9/2/25
9/29/25 - 9/30/25	10/27/25	11/4/25	11/18/25	9/9/25	9/7/25

Questions may be directed to the Building Services Department at (432) 837-3281, option 2.

BEING OUT OF G. H. & S. A. R.R. CO. BLOCK 9, SURVEY 42,
ABSTRACT NO. 628

WE, FAMILY CRISIS CENTER OF THE BIG BEND, INC., DO HEREBY CERTIFY THAT WE ARE THE OWNER OF THE 1.79 ACRE TRACT DESCRIBED HEREDN, BEING ALL OF THOSE CERTAIN TRACTS DESCRIBED IN VOLUME 433, PAGE 152, AND VOLUME XXX, PAGE XXX, OFFICIAL PUBLIC RECORDS OF BREWSTER COUNTY, TEXAS, AND DO HEREBY REPLAT SAID TRACT TO BE KNOWN AS BLOCK 71 OF THE ORIGINAL TOWN OF ALPINE, TEXAS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED
KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND
ACKNOWLEDGED TO ME THAT HE OR SHE EXECUTED THE SAME AS HIS OR HER FREE ACT AND DEED AND FOR
PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

MY COMMISSION EXPIRES: _____

CHAIRMAN, PLANNING AND ZONING COMMISSION

ATTEST: _____
CITY SECRETARY

SARAH VASQUEZ
BREWSTER COUNTY CLERK

METES AND BOUNDS DESCRIPTION

Being a Boundary Survey of 1.79 acres, more or less, being all of Block 71 of the Original Town of Alpine, recorded in Plat Envelope No. 184 of the Brewster County Plat Records, and also being that same certain tract described in conveyance document to Family Crisis Center of the Big Bend, Inc., recorded in Volume 433, Page 152 of the Brewster County Official Public Records, Brewster County, Texas and being more particularly described by metes and bounds as follows: (The courses, distances, areas and any coordinates cited herein or shown on the corresponding survey plat conform to the Texas Coordinate System, North American Datum 1983, Texas South Central Zone.) (All corners called for as being set are marked on the ground with ½" rebar with plastic identification caps stamped "RPLS/6418" attached unless otherwise noted or shown.)

BEGINNING: at a found ½" diameter rebarnapped "RPLS/6418" on the southwesterly Right-of-Way of S. 1st Street (55.56' R.O.W.), at a point on the northwest line of that same certain tract called 1.63 acres described in conveyance document to Robert W. Crim and Lynne E. Crim, recorded in Volume 6, Page 385 of the Brewster County Official Public Records, marking the southeast corner of Lot 1 of said Original Town of Alpine and marking the southeast corner of the herein described tract;

THENCE: S 73° 14' 18" W, with the common line of said Lot 1, the south line of a 20' platted alley, the south line of Lot 10 of said Original Town of Alpine and said 1.63 acres tract and with the herein described tract for a distance of **280.00** feet to a found ½" diameter rebar capped "RPLS/6418" on the northeasterly Right-of-Way of S. 2st Street (55.56' R.O.W.), marking the southwest corner of said Lot 10 and marking the southwest corner of the herein described tract;

THENCE: N 17° 02' 42" W, with the northeasterly Right-of-Way of S. 2st Street, also with the west lines of Lots 6-10 of said Original Town of Alpine and the herein described tract for a distance of **277.80** feet to a drill hole in asphalt at the intersection of the northeasterly Right-of-Way of S. 2st Street and the southeasterly Right-of-Way of E. Gallego Avenue (55.56' R.O.W.), marking the northwest corner of said Lot 6 and marking the northwest corner of the herein described tract;

THENCE: N 73° 14' 18" E, with the southeasterly Right-of-Way of E. Gallego Avenue, also with the north lines of said Lot 6, said 20' platted alley and Lot 5 of said Original Town of Alpine and the herein described tract for a distance of **280.00** feet to a drill hole in asphalt at the intersection of the southeasterly Right-of-Way of E. Gallego Avenue and the southwesterly Right-of-Way of S. 1st Street, marking the northeast corner of said Lot 5 and marking the northeast corner of the herein described tract;

THENCE: S 17° 02' 42" E, with the southwesterly Right-of-Way of S. 1st Street, also with the east lines of said Lots 1-5 of said Original Town of Alpine and the herein described tract for a distance of **277.80** feet to the **Place of Beginning** and containing **1.79 acres** of land, more or less, within the herein described boundary, according to an actual on the ground survey made by Smyth Surveyors, Inc. and completed on August 23, 2024.

KNOW ALL MEN BY THESE PRESENT:

THAT I, MARK LOGRBRINK, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN HEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH SECTION

NOTES:

1. ACCORDING TO FEMA FIRM MAP PANEL 480085 0002 B DATED NOVEMBER 16, 1990, THIS TRACT APPEARS TO LIE FULLY WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN).
2. NO ROAD IMPROVEMENTS ARE PROPOSED WITH THIS PLAT.

SCALE:
1" = 50'

PRELIMINARY

SMYTH SURVEYORS, INC. FIRM #10008800

11269 US 90
PO BOX 375
KNIPPA, TEXAS 78870
PHONE 830-591-0858

THIS GRAPHIC WORK REPRESENTS THE RESULTS OF A SURVEY BEING PROVIDED BY SMYTH SURVEYORS, INC. SOLELY FOR THE EXCLUSIVE USE OF THE PARTIES SHOWN HEREON AND FOR THE PURPOSE SHOWN ABOVE. THE GRAPHIC REPRESENTATION SHOWN HEREON DEPICTS CERTAIN CONDITIONS FOUND EXISTING AS OF THE DATE OF THE ACTUAL SURVEY AND IS LIMITED TO THESE CONDITIONS FOUND AT THAT TIME. NO LICENSE HAS BEEN CREATED, EXPRESSED OR IMPLIED, TO COPY THIS GRAPHIC WORK. ALL RIGHTS RESERVED, COPYRIGHT 2024, SMYTH SURVEYORS, INC. ©

DATE: AUGUST 23, 2024

Mark E. Logrbrinck

REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 6418

CITY COUNCIL AGENDA ITEM REPORT

November 5, 2024

Agenda Item No. 12B

Department: Administration

Sponsor:

Memo Prepared By: Geoffrey R. Calderon, City Secretary



Staff Recommendation: Approve

AGENDA ITEM

Approve Special Use Permit 2024-11-01, an application for special use permit to allow the applicant, Benjamin Garcia as a tenant through an existing license or permit (Brews & Hues - (BG) Wine and Malt Beverage Retailer's Permit), to provide beer and wine sales at the subject property for a newly established business, Viva Cow Dog & Cafe. The subject property is located at 215 E. Holland Avenue. The property owner of record is Jason Sullivan. The parcel ID of the subject property is 11798. (M. Antrim, City Manager)

EXECUTIVE SUMMARY

None

SUPPORTING MATERIALS

1. Special Use Permit 2024-11-01 - Application - B. Garcia J Sullivan Cowdog_Redacted

BUDGET CONSIDERATIONS

Expenditure Required: N/A
Savings Anticipation: N/A
Current Budget FY 2024-2025: N/A
Additional Funding: N/A

APPROVERS

Alex Tackett, Records Clerk
Geoffrey R. Calderon, City Secretary
Megan Antrim, City Manager

Approved - 10/25/2024
Approved - 10/28/2024
Final Approval - 10/28/2024



CONDITIONAL/SPECIAL USE PERMIT APPLICATION

City of Alpine Building Services Department
309 W. Sul Ross Av., Alpine Texas, 79830
432.837.3281

*Please complete one application per property. Application must be completely filled out.

SECTION 1: APPLICANT INFORMATION (applicant/agent/company/contact)		
Name Benjamin Garcia		
Address 215 E. Holland Ave		City, State, Zip Alpine, TX 79830
Primary Telephone Number [REDACTED]	Email Address [REDACTED]	
SECTION 2: PROPERTY INFORMATION		
Street Address of public property		
LEGAL DESCRIPTION OF SUBJECT PROPERTY (meets and bounds must be described on 8 ½ x 11 sheet)		
Lot ALL Lot 1& E/2 of Lot 2	Block 3	Addition
Square footage of property	Acres .25	Present zoning classification commercial
Proposed use of the property Breakfast Cafe, Mercantile		
Zoning ordinance provision requiring a conditional use (in-depth description & hours of operation) Beer & Wine Sales (Brews & Hues as a tenant) 11am-6pm daily 6pm-10pm special events only		
SECTION 3: PROPERTY OWNER INFORMATION		
Name of current property owner Jason Sullivan		
Address PO Box 1579		City, State, Zip Alpine, TX 79831
Primary Telephone Number [REDACTED]	Email Address [REDACTED]	

Submit a letter describing the proposed conditional use and note the request on the site plan document in the same letter.

1. Describe or show on the site plan, and conditional requirements or conditions imposed upon the particular conditional use by applicable district regulations (example: buffer yards, distance between users).
2. Describe whether the proposed conditional use will, or will not cause substantial harm to the value, use, or enjoyment of the other property in the neighborhood.
3. Describe how the proposed conditional use will add to the value, use or enjoyment of other property in the neighborhood.

 **PAID**
CHK# 234
09/27/24
24-007762

**SIGNATURE TO AUTHORIZE CONDITIONAL USE REQUEST AND PLACE
A CONDITIONAL USE REQUEST SIGN ON THE SUBJECT PROPERTY**

Benjamin Garcia
Print Applicant Name

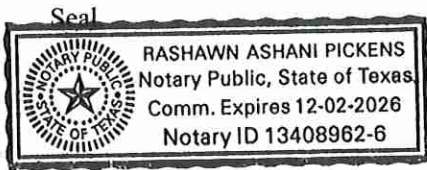
[Signature]
Applicant signature

The State Of Texas
County Of Brewster
Before Me Rashawn Pickens
Notary

on this day personally appeared Benjamin Garcia
Applicant

Known to me (or proved to me on the oath of card of other documents) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of the office this 26th day of September, A.D. 2024



[Signature]
Notary in and for the State of Texas

Jason Sullivan
Print Property Owners Name

[Signature]
Property Owners Signature

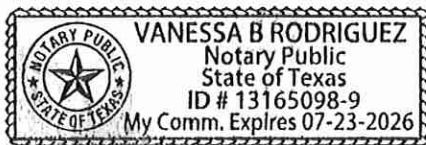
The State Of Texas
County Of Brewster
Before Me Vanessa B. Rodriguez
Notary

on this day personally appeared Jason Sullivan
Applicant

Known to me (or proved to me on the oath of card of other documents) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Seal

Given under my hand and seal of the office this 27 day of September, A.D. 2024



[Signature]
Notary in and for the State of Texas

ACKNOWLEDGEMENT

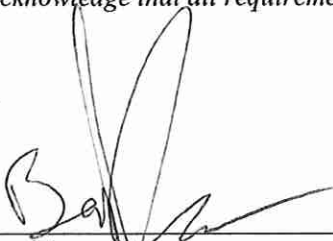
All conditional Use and Special Use Applications must be completed when filed and will be placed on the agenda.

All public hearings will be opened, and testimony given by the applicants and interested citizenry. Public hearings may be continued to the next public hearing. Public hearings will not be tabled.

After approval, changes to a conditional use or special use permit (no matter how minor or major) can only be approved by city council through the public hearing process.

APPROVAL DOES NOT AUTHORIZE ANY WORK IN CONFLICT WITH ANY CODES OR ORDINANCES

I have read and understand all of the requirements as set forth by the application for conditional use or special use permit and acknowledge that all requirements of this application have been met at the time of submittal


Owner/ Agent Signature

Benjamin Gonsal
Printed Name

9/27/24
Date

ILLUMINATION PLAN

An illumination plan to include a site photometric (including illuminated signs) and all fixture details shall be submitted as part of the site plan review process.

Applications will not be accepted without this requirement.

Chapter 18 - BUILDINGS AND BUILDING REGULATIONS | Code of Ordinances | Alpine, TX | Municode Library
"Outdoor Lighting Ordinance."

I hereby acknowledge that an illumination plan has been included as part of this submittal.


Owner/ Agent Signature

Benjamin Gonsal
Printed Name

9/27/24
Date

PLATTING VERIFICATION

This verification statement must be signed prior to the submittal of this conditional use application.

___ It has been determined that the property described below does require platting or replatting and the applicant has been instructed on this procedure.

___ It has been determined that the property described below is currently platted or does not require platting or replatting at this time.

215 E. Holland Ave, Alpine Tx 79830
Address of subject property

Lot 1 $\frac{1}{2}$ E/2 of Lot 2, Block 3, Subdivision 1109
Legal description of subject property

Verify by:

Name Building Services Department

Signature

Date



215 E. Holland
Alpine, TX 79830

- Breakfast Café
- Cow Dog Food Truck
- Mercantile

VIVA Cow Dog & Café – Offering Breakfast & Lunch Options for the Community.

Breakfast Café: Grab & Go service in the previous Poletown Pizza Café (fully licensed through Dept of Health Services) under Cow Dog, LLC. Offering Breakfast 8am-11:30pm

Cow Dog Food Truck onsite in previous beloved location offering lunch service 11:30-3pm

Hoot N Annie's Mercantile: Utilizing the existing laundromat located on the property just next to the café. The Mercantile is focused on highlighting the location resources, talents and services of our community. Artists Gallery, Retail & Grab & Go After Hour Snacks. Brews & Hues to offer Onsite Beer & Wine under their existing licensing through TABC & State Regulation. (conditional/special use permit request)

The Mercantile is focused on “for the community...by the community” Bringing Back a Local Community Gathering Place on Holland Avenue in Downtown Alpine.

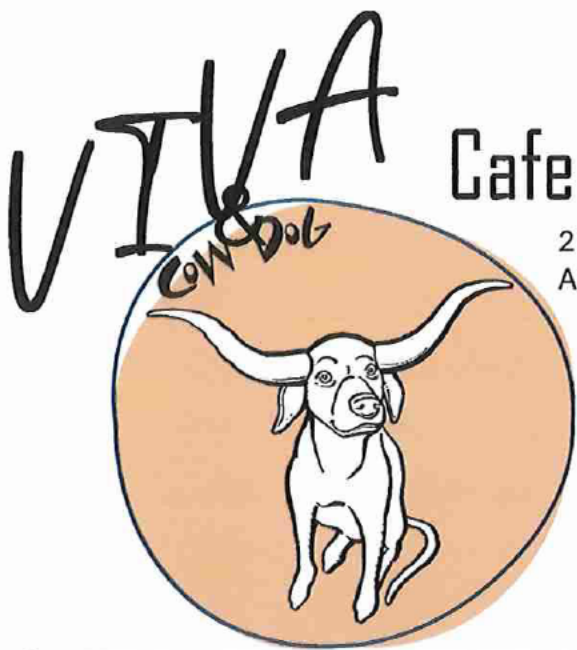
Mercantile: Conditional/Special Use Permit Application

- Existing Space of Abandoned Laundromat
 - On E2 Lot 2, Block 2, Subdivision 1109
- Retail & Extra Seating for Café
- No Build Out/ No Renovations
 - Minor Electrical
- Gallery & Community Art & Services Space
- Grab & Go Retail for After Hour Café/Food Truck Products
- Brews & Hues (tenant) to offer beer & wine utilizing their existing TABC Licensing, Insurance & State Regulatory Licensing
- Music Venue for daytime entertainment.
- Mainly Daytime Hours 11am-6pm
- Isolated Special Events offer evening hours until 10pm.
- Property is on Holland in Business District – should not impede or cause harm to neighborhood.

The Mercantile with Brews & Hues as a tenant will provide a unique Far West Texas gathering place for locals and guests of the community alike.

Highlighting our local resources, residents and talent in a way that enhances the overall downtown experience.

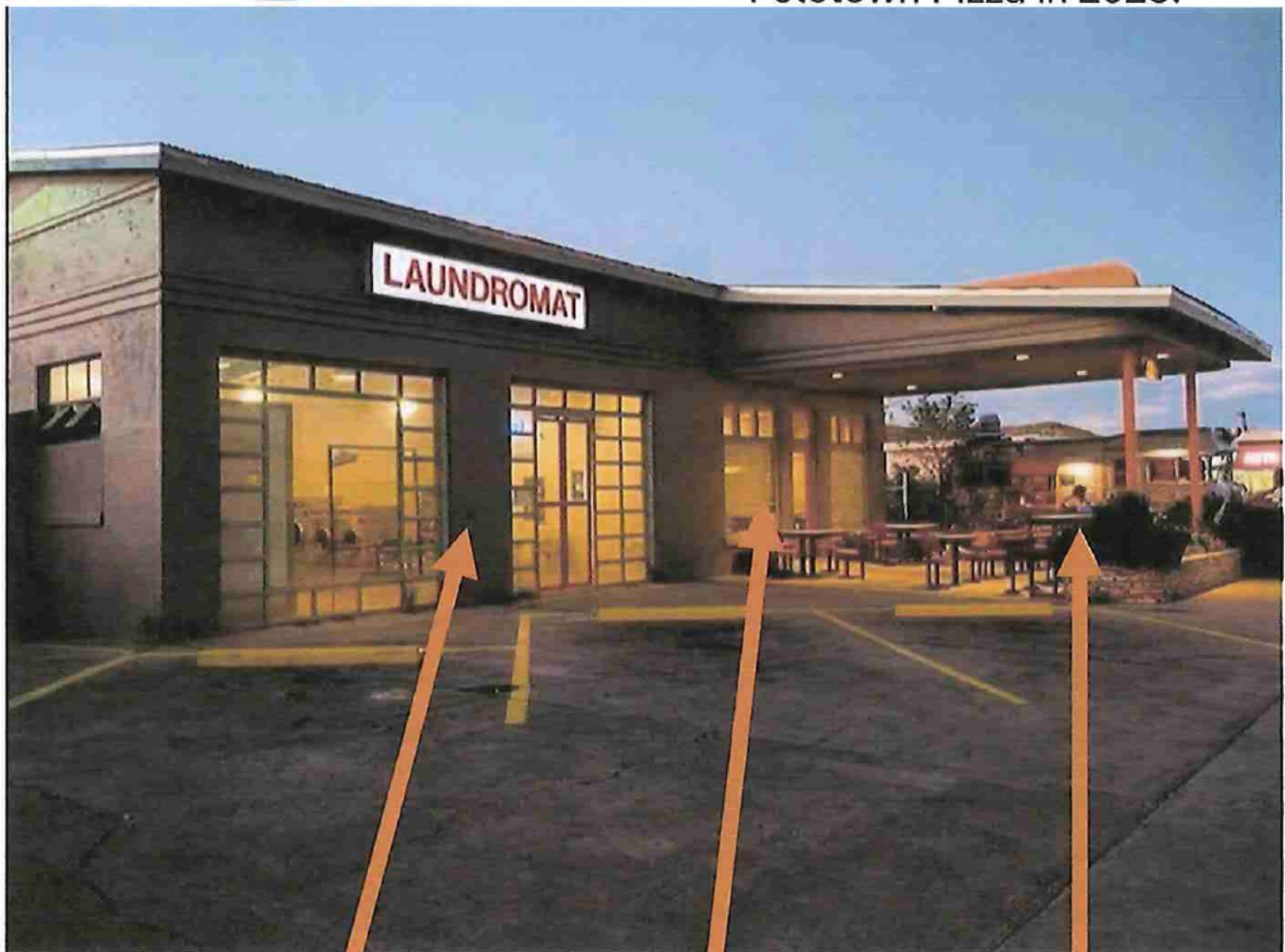
For the Community, By the Community



215 E. Holland
Alpine, TX 79830

Signage painted on front
building 6'x6'

Illumination is the existing lights
on the building – low lighting –
approved by the city as
Poletown Pizza in 2023.



Mercantile

Cafe

Food Truck

CITY COUNCIL AGENDA ITEM REPORT

November 5, 2024

Agenda Item No. 12C

Department: Administration

Sponsor: Megan Antrim, City Manager

Memo Prepared By: Geoffrey R. Calderon, City Secretary



Staff Recommendation: Approve

AGENDA ITEM

Approve Variance 2024-11-01, an application for a variance which would allow the applicant, Ni Feng Li and Xiudan Lin c/o Carol Morrow, to establish a variance to the setback requirements of the subject property. The acceptable setback is typically 12.5 feet from a structure to the property line. This variance would allow the subject property 0 feet of setback from the structure to the property line, which typically does not meet the requirements for a residential corner under the city's code. The subject property is located at 513 N. 16th Street and is legally described as Lots 7 and 8, Block 8, Hamilton Addition to Alpine as shown on subdivision plat files in Envelopes B6 and B7, Plat Records of Brewster County, Texas. The property owner of record is Ni Li Feng and Xiudan Lin. The parcel ID of the subject property is 10625. The current zoning classification of the property is R-2 Two Family District. If the variance is approved the zoning classification of the subject property will be R-2 Two Family District. (M. Antrim, City Manager)

EXECUTIVE SUMMARY

Li Feng Ni is requesting a variance from the City code regarding the setback requirements. The previous owner of the subject property built a structure on city right-of-way. The City Council approved Ordinance 2024-10-01, an ordinance authorizing sale of a portion of the right of way to the property owner. This resulted in the non-conformance of the structure because the property line directly abuts the right of way without the required setback. If approved, this application would provide the property owner with a variance to the setback requirements. Additionally, a replat is required to show the updated property information in the public records.

SUPPORTING MATERIALS

1. Variance 2024-11-01 Application

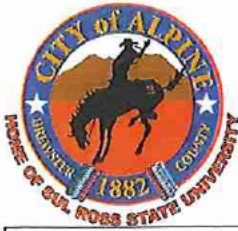
BUDGET CONSIDERATIONS

Expenditure Required: N/A
Savings Anticipation: N/A
Current Budget FY 2024-2025: N/A
Additional Funding: N/A

APPROVERS

Alex Tackett, Records Clerk
Geoffrey R. Calderon, City Secretary
Megan Antrim, City Manager

Approved - 10/25/2024
Approved - 10/28/2024
Final Approval - 10/28/2024

**BUILDING SERVICES**

309 W. SUL ROSS

ALPINE, TX 79830

432-837-3281

**PAID**
1484**APPLICATION FOR VARIANCE**

ADDRESS OF PROPERTY: <u>513 N 16th</u>		ACREAGE OF SITE: <u>.2355</u>	
LEGAL DESCRIPTION: <u>Hamilton Block 8, Lot 7, 8</u>			
PROPERTY OWNER: <u>Li Feng Ni</u>	CONTACT NAME: <u>CAROL MORROW</u>	TELEPHONE: [REDACTED]	EMAIL: [REDACTED]
MAILING ADDRESS: <u>1234 Stratford Ln.</u>		CITY: <u>San Dimas</u>	STATE & ZIP: <u>CA 91723</u>
PROJECT ENGINEER FIRM:	CONTACT NAME:	TELEPHONE:	EMAIL:
MAILING ADDRESS:		CITY:	STATE & ZIP:
PROJECT FOR WHICH VARIANCE IS SOUGHT:		APPLICABLE SECTION/SUBSECTION ORDINANCE:	
SPECIFIC USE OF THE PROPERTY:		EXISTING USES OF ADJACENT PROPERTIES:	

(CHECK ONE & INCLUDE SUPPORTING MATERIAL ON CHECKLIST)

☐ DEVELOPMENT☒ BUILDING☐ SIGN

Variance—A variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal authorized only for height, area and size of structure or size of yards and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district.

*Nearby violations. Nearby encroachments into setbacks, even if similar to the request variance, do not provide grounds for granting variance.

SUBMITTAL VERIFICATION/INSPECTION AUTHORIZATION:

I as owner of the property hereinafter referenced, do hereby execute this document, and acknowledge the above statements to be true and, accurate to the best of knowledge. I have received, read and understand the terms and conditions of this request and agree to compliance with all applicable codes and ordinances of the City. I authorize the City or their representatives to visit and inspect the property for which this application is being submitted.

OPTIONAL:

CM I authorize my duly authorized agent to coordinate with the City and its representatives and speak in my behalf for the purpose of representing me in regards to this request.

Carol Morrow

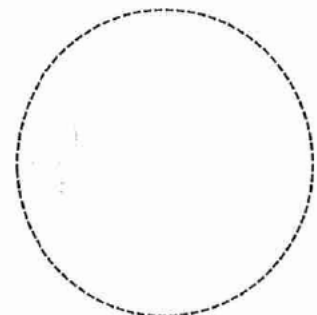
APPLICANT SIGNATURE

CAROL MORROW

PRINTED NAME

9-19-2024

DATE

FOR STAFF USE ONLYPERMIT # 24-007742TOTAL FEES 350.00DATE: 9-20-24

REASON:
Purchase City property (205 sq. ft.) to remove an
existing encroachment.

VARIANCE CHECKLIST

Variance applications that do not include all of the following information cannot be accepted for review

LETTER JUSTIFYING REQUEST:

- ☐ Provide a special individual reason that makes the strict application of the ordinance impractical.
- ☐ Prove that there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of the ordinance would deprive the applicant of the reasonable use of his land.
- ☐ Describe the specific hardships that would be incurred by the applicant should the variance not be granted.
- ☐ Show how the modification is in conformity with the intent and purpose of the ordinance.
- ☐ Demonstrate how the granting of the variance will not be detrimental to the public health, safety, convenience or welfare, or injurious to the property in the area.
- ☐ Demonstrate that the granting of the variance will not create the probability of harmful environmental consequences.
- ☐ Discuss probable effect of variance on traffic conditions.
- ☐ Demonstrate that the granting of the variance will not have the effect of preventing the orderly development of other land in the area accordance with the provisions of the ordinance.

SUPPORTIVE MATERIAL

- ☐ General location map.
- ☐ Copy of plat, lot layout, site plan, etc.
- ☐ Scaled drawing(s) of proposed changes associated with variance to plat, lot layout, site plan, etc. (Such location of encroachment in setback, location of excessive cut and fill etc.)
- ☐ Sketch of structures, site work, etc. related to variance (such as the type of fence encroaching in a setback, cross-section, of excessive cut & fill, depiction of sign not allowed by ordinance, etc.)
- ☐ Supportive letters from the approving agencies (such as Fire Dept., Municipal Utility District, Texas Department of Transportation, etc.) as necessary.

STAFF USE:	
PLANNING & ZONING MEETING DATE (PUBLIC HEARING)	
NOTES:	

9/26/24

To Whom it May Concern,

Carol Morrow is authorized by me to apply for a variance from the City of Alpine. The property is 513 N 16th Street Alpine TX 79830.

Sincerely,
Li Feng Ni



dotloop verified
09/26/24 1:54 PM PDT
PKZO-EJDO-7PPZ-ISSN

To Whom it May Concern,

We are requesting a variance to the current ordinance as the home in question, 513 N 16th St is encroaching on 205 sq feet of City Property. This home is currently under contract, we currently can not receive Lender Approval unless the encroachment is removed. If the encroachment is not removed this home can only sell to cash buyers which would devalue the property as well as devaluing the surrounding properties.

We have provided a survey showing the proposed purchase from the City. We have met with 2 Council Members, and we will be on the next two City Council Meeting agendas.

This variance is in no way detrimental to the public health, safety, convenience or welfare, or injurious to the property in the area. Granting this variance will not create any harmful environmental consequences. This variance will have absolutely no harmful effect on traffic conditions. This variance will not adversely affect any development of other land in the area.

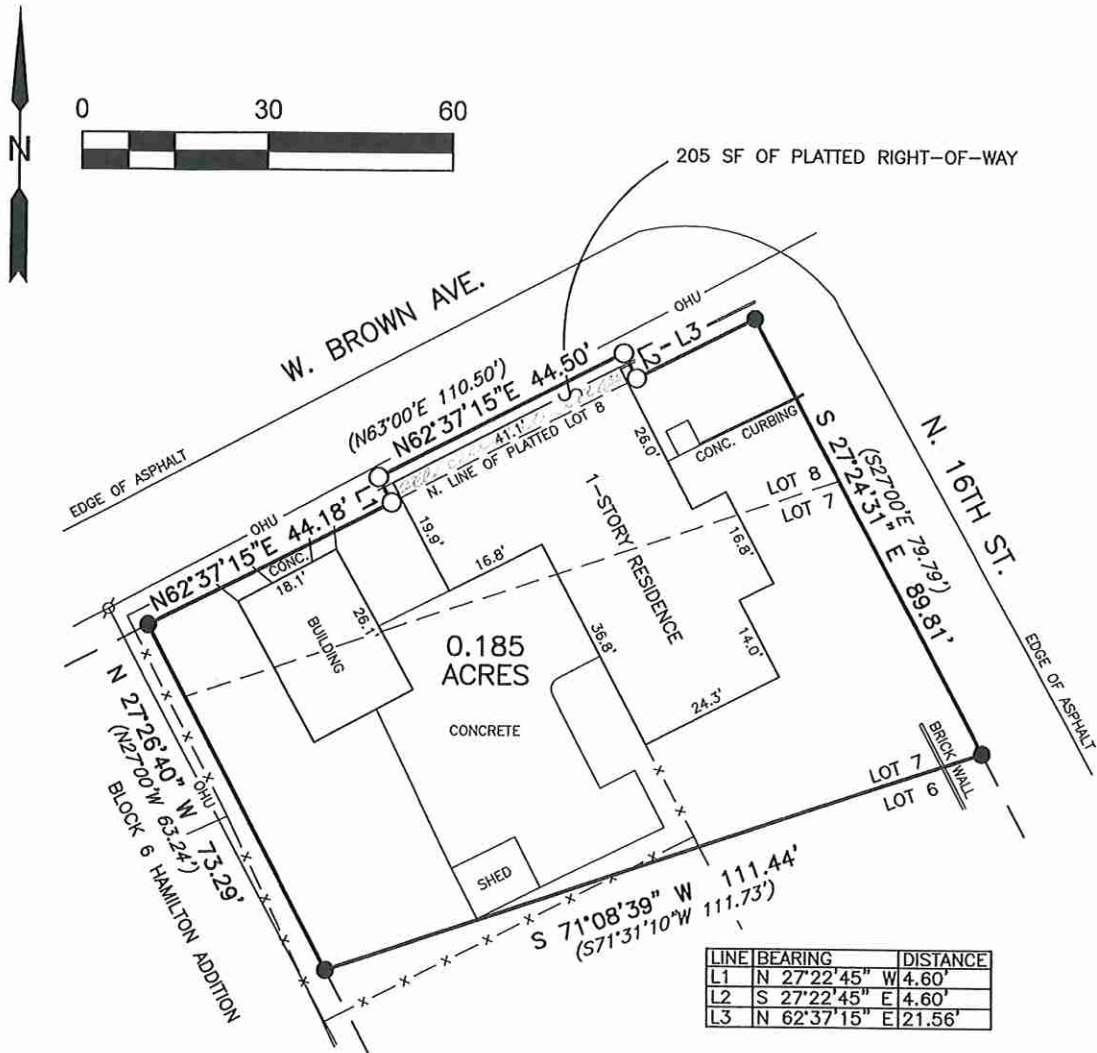
Thank you for your consideration.

Carol Morrow

SURVEY PLAT

0.185 ACRES, BEING 205 SQUARE FEET OF PLATTED W. BROWN AVE. RIGHT-OF-WAY AND ALL OF LOTS 7 AND 8, BLOCK 8, HAMILTON ADDITION TO ALPINE, AS SHOWN ON SUBDIVISION PLAT FILED IN ENVELOPES 86 AND 87, PLAT RECORDS OF BREWSTER COUNTY, TEXAS

513 N. 16TH ST. ALPINE, TEXAS



AN INDEPENDENT EXHAUSTIVE SEARCH OF THE PUBLIC RECORD HAS NOT BEEN CONDUCTED. EASEMENTS/RESTRICTIONS NOT SHOWN HEREON MAY AFFECT THIS TRACT.

LEGEND

- IRON ROD FOUND [CAPPED AS NOTED]
 - CAPPED IRON ROD SET [5911]
 - ⊕ UTILITY POLE
 - OHU — OVERHEAD UTILITY
 - x — x — FENCE
 - () RECORD INFORMATION
- BEARING BASIS: WGS 84



ACCORDING TO FEMA FIRM MAP PANEL 4800850002B, DATED 11/16/1990, THIS TRACT APPEARS TO LIE WITHIN ZONE X [AREAS OUTSIDE THE 500-YR FLOODPLAIN].

I HEREBY CERTIFY THAT THIS PLAT IS BASED ON AN ACTUAL ON THE GROUND SURVEY AND THAT THE LINES AND CORNERS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Kevin Mueller

9-14-2024

KEVIN MUELLER
105 N. COCKRELL ST.
(432) 538-2115
KEVIN.MUELLER@SAWTOOTHSSURVEY.COM

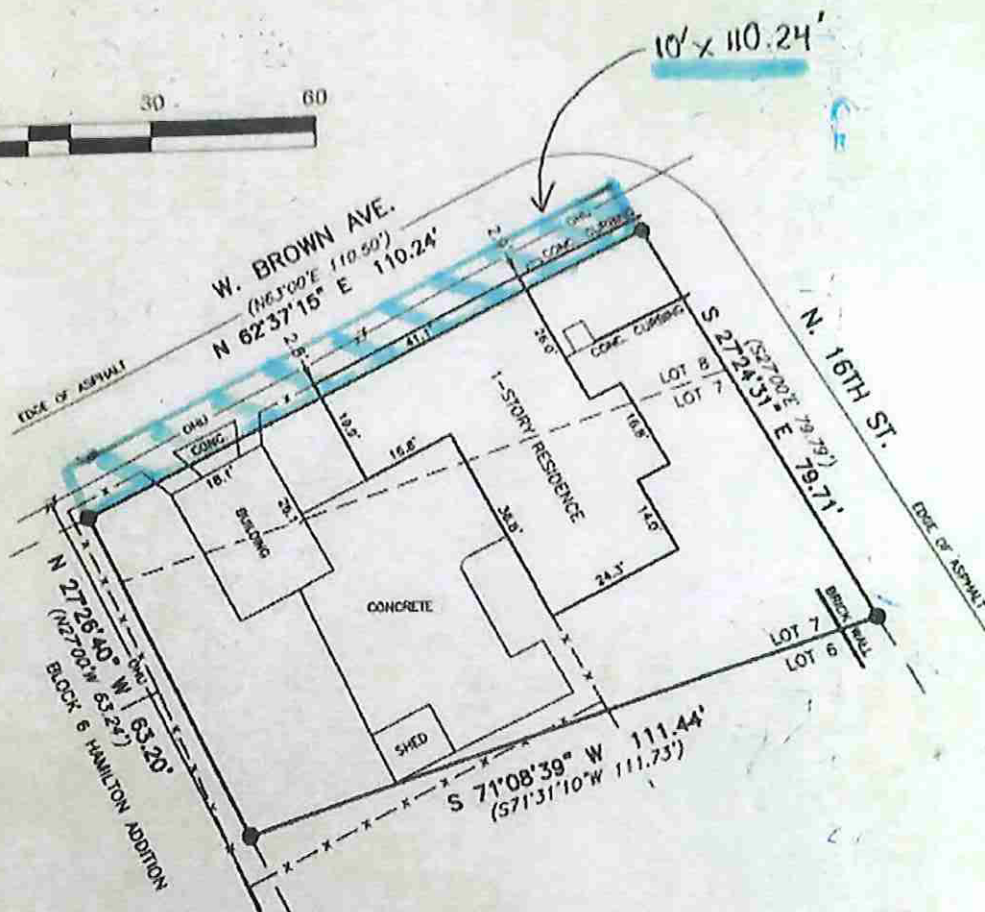
SAW TOOTH SURVEY
P.O. BOX 1751
ALPINE, TX 79831

TX SURVEY FIRM NO. 10194432

SURVEY PLAT

LOTS 7 AND 8, BLOCK 8, HAMILTON ADDITION TO ALPINE, AS SHOWN ON SUBDIVISION PLAT FILED IN
ENVELOPES 86 AND 87, PLAT RECORDS OF BREWSTER COUNTY, TEXAS

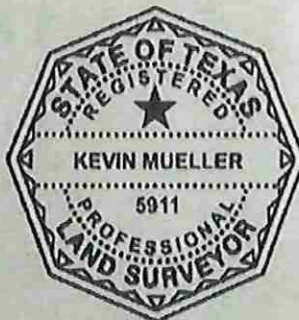
513 N. 16TH ST. ALPINE, TEXAS



AN INDEPENDENT EXHAUSTIVE SEARCH OF THE
PUBLIC RECORD HAS NOT BEEN CONDUCTED.
EASEMENTS/RESTRICTIONS NOT SHOWN HEREON
MAY AFFECT THIS TRACT.

LEGEND

- IRON ROD FOUND [CAPPED AS NOTED]
 - ⋈ UTILITY POLE
 - OH— OVERHEAD UTILITY
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- BEARING BASIS: WGS 84



ACCORDING TO FEMA FIRM MAP PANEL 4800850002B,
DATED 11/16/1990, THIS TRACT APPEARS TO LIE WITHIN
ZONE X [AREAS OUTSIDE THE 500-YR FLOODPLAIN].

I HEREBY CERTIFY THAT THIS PLAT IS BASED ON AN
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Kevin Mueller

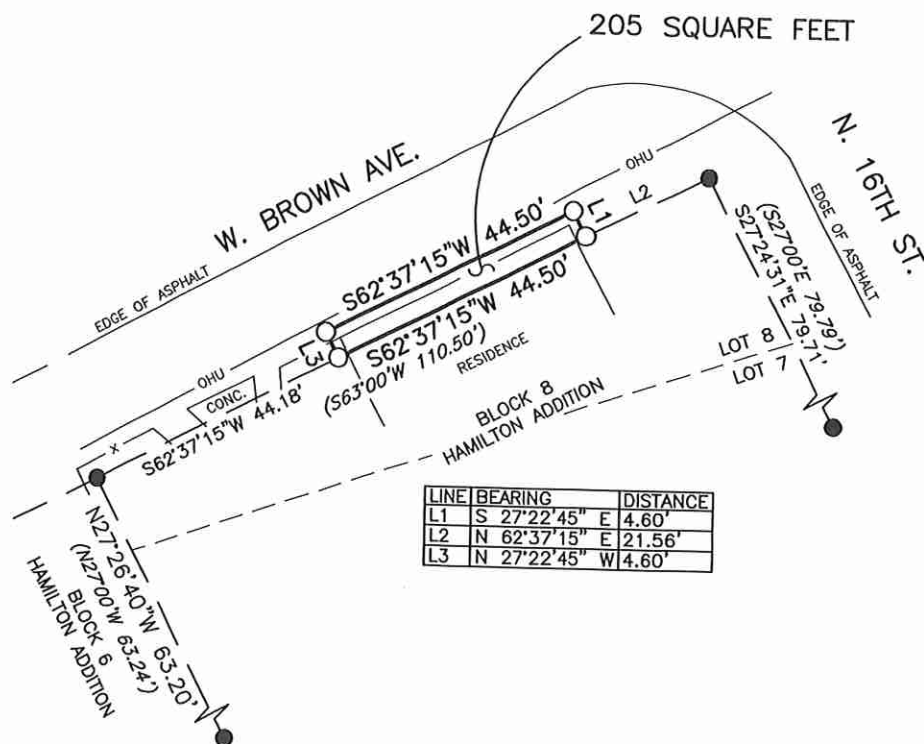
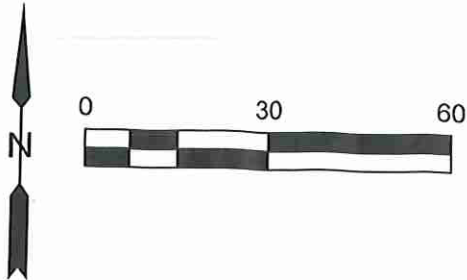
6-11-2024

KEVIN MUELLER
105 N. COCKRELL ST.
(432) 538-2115
KEVIN.MUELLER@SAWTOOTHSURVEY.COM

SAW TOOTH SURVEY
P.O. BOX 1751
ALPINE, TX 79831

SURVEY PLAT

205 SQUARE FEET OUT OF W. BROWN AVE. RIGHT-OF-WAY, ALPINE, TEXAS



AN INDEPENDENT EXHAUSTIVE SEARCH OF THE PUBLIC RECORD HAS NOT BEEN CONDUCTED. EASEMENTS/RESTRICTIONS NOT SHOWN HEREON MAY AFFECT THIS TRACT.

LEGEND

- IRON ROD FOUND [CAPPED AS NOTED]
 - CAPPED IRON ROD SET [5911]
 - ⊗ UTILITY POLE
 - OHU — OVERHEAD UTILITY
 - x - - FENCE
 - () RECORD INFORMATION
- BEARING BASIS: WGS 84



I HEREBY CERTIFY THAT THIS PLAT IS BASED ON AN ACTUAL ON THE GROUND SURVEY AND THAT THE LINES AND CORNERS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Kevin Mueller

9-14-2024

KEVIN MUELLER
105 N. COCKRELL ST.
(432) 538-2115
KEVIN.MUELLER@SAWTOOTHSURVEY.COM

SAW TOOTH SURVEY
P.O. BOX 1751
ALPINE, TX 79831

CITY COUNCIL AGENDA ITEM REPORT

November 5, 2024

Agenda Item No. 12D

Department: City Council

Sponsor: Darin Nance, Councilor

Memo Prepared By: Geoffrey R. Calderon, City Secretary



Staff Recommendation: Approve

AGENDA ITEM

Approve moving forward with a Bike Lane on Avenue B from N Harrison St to N Hancock Dr.
(D. Nance, City Council)

EXECUTIVE SUMMARY

None

SUPPORTING MATERIALS

1. Bike Lane Document

BUDGET CONSIDERATIONS

Expenditure Required: N/A

Savings Anticipation: N/A

Current Budget FY 2024-2025: N/A

Additional Funding: N/A

APPROVERS

Alex Tackett, Records Clerk
Geoffrey R. Calderon, City Secretary
Megan Antrim, City Manager

Approved - 10/25/2024
Approved - 10/28/2024
Final Approval - 10/28/2024

←

1000 E Avenue B

Alpine, Texas

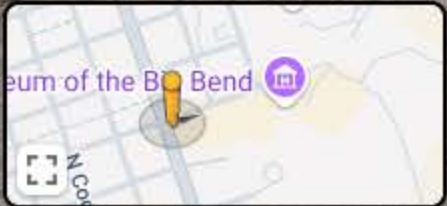
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Google Street View

Jan 2019



← 1005 E Avenue B
Alpine, Texas

Google Street View

Jan 2019 See more dates



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1101 E Avenue B
Alpine, Texas

Google Street View

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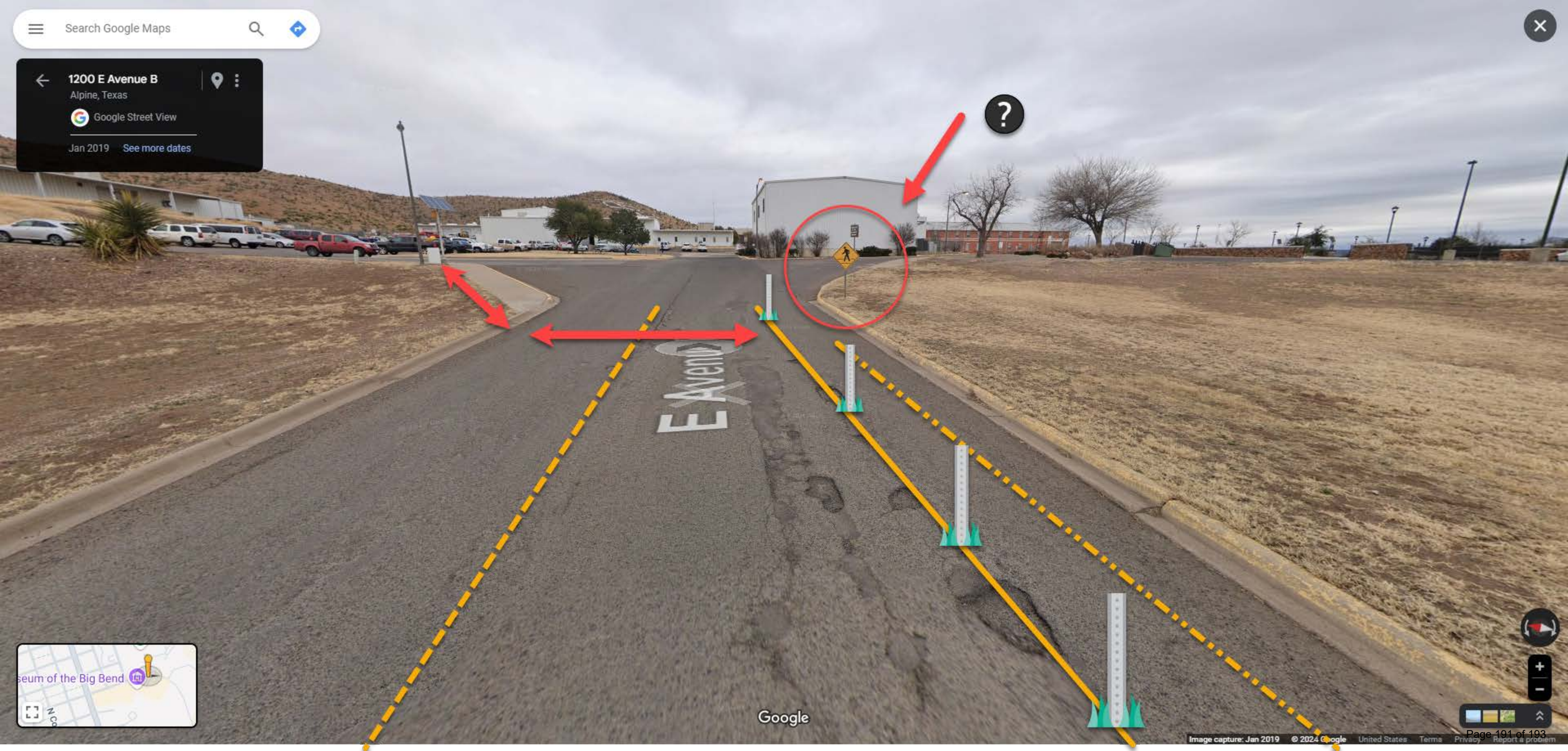
← 1101 E Avenue B
Alpine, Texas

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Alpine, Texas
Google Street View
Jan 2019 See more dates



CITY COUNCIL AGENDA ITEM REPORT

November 5, 2024

Agenda Item No. 12E

Department: Office of the City Manager

Sponsor: Megan Antrim, City Manager

Memo Prepared By: Megan Antrim, City Manager

Staff Recommendation: Approve



AGENDA ITEM

Approve transferring \$10,000 from the Texas Class Reserve Account - Fire account to be provided to the Alpine Emergency Services Board for a total of \$50,000 for FY 2024-2025. (M. Antrim, City Manager)

EXECUTIVE SUMMARY

The Alpine Emergency Services Board has requested additional funding for Fiscal Year 2024-2025 to support their critical needs in training and equipment acquisition. In response to this request, I recommend that the City Council consider reallocating \$10,000 from the Texas Class Reserve Account - Fire to the Alpine Emergency Services Board. This reallocation would supplement the \$40,000 already authorized by the Council for this fiscal year, bringing the City's total contribution to \$50,000.

Notably, Brewster County has recognized the importance of these emergency services and has increased its contribution to the board from \$40,000 to \$50,000, highlighting the value and necessity of enhanced training and upgraded equipment for emergency responders.

As outlined in the City's budget policies, any budget amendment impacting personnel services or revenue accounts requires Council approval by ordinance. Therefore, an ordinance will be necessary to officially amend the budget under Section XIII. Modifications to the Budget, Sec. 2, which specifies that changes affecting these areas must be authorized by the City Council.

This additional funding will play a crucial role in ensuring that our emergency services are adequately trained and equipped to serve the community effectively. Your consideration of this reallocation is greatly appreciated.

SUPPORTING MATERIALS

None

BUDGET CONSIDERATIONS

Expenditure Required: \$50,000

Savings Anticipation: N/A

Current Budget FY 2024-2025: \$40,000

Additional Funding: \$10,000

APPROVERS

Alex Tackett, Records Clerk
Geoffrey R. Calderon, City Secretary
Megan Antrim, City Manager

Approved - 10/28/2024
Approved - 10/28/2024
Final Approval - 10/28/2024