

City of Alpine

Regular City Council Meeting, Tuesday, August 6th, 2013, 6:00 P.M.

Notice is hereby given that the City Council of the City of Alpine, Texas will hold a Regular meeting at **6:00 P.M. on Tuesday, August 6th, 2013 in the City Council Chambers, at 803 West Holland, in the City of Alpine, Texas** for the purpose of considering the attached agenda. This notice is posted pursuant to the Texas Open Meetings Act. (Section 551.043, Texas Government Code).

PUBLIC NOTICE – THE USE OF CELLULAR PHONES AND SOUND ACTIVATED PAGERS ARE PROHIBITED IN THE CITY COUNCIL CHAMBERS DURING MEETINGS OF THE CITY COUNCIL.

Members of the audience will be provided an opportunity to address the Council before agenda items are discussed. The audience is also allowed to comment during the discussion of the agenda items with the Council. Please speak into the microphone located at the podium and state your name and address. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. State law generally prohibits the Council from discussing or taking any action on any issue not included on the agenda, but, if appropriate, the Council may schedule the topic for future discussion or refer the matter to staff. **NO PERSONAL ATTACKS ON COUNCIL MEMBERS OR CITY STAFF WILL BE ALLOWED.**

Agenda

1. Call to Order, Invocation and pledge of allegiance to the flag — Mayor Rangra called the meeting to order, Lana Covington gave the invocation and Mayor Rangra led the pledge of allegiance to the flags.
2. Determination of a quorum and proof of notice of the meeting – Mayor Rangra, Councilors Bermudez, Davidson, Fitzgerald, Gonzales and Castelli were present. The meeting notice was posted on August 2nd, 2013 at 5:00 P.M.
3. Presentations, recognitions and proclamations –
 - A) Proclamation – Alpine Middle School chosen for Middle School Matters Program. (A. Rangra, Mayor) – Mayor Rangra presented a proclamation to Alpine Middle School chosen for the Middle School Matters Program. Mrs. Scown was present to accept the proclamation, representing the school.
4. Reports –

City Mayor's Report – Mayor Rangra said the past weekend was very active. He said there were a lot of people in Alpine from all over Texas. He said there were Viva Big Bend activities and the dedication of a mural on Sunday. He said there were a lot of happy people in town. He said he wanted to congratulate Stewart Ramser for Viva Big Bend and Keri Blackman for the mural. He said they are having a West Texas Summit meeting in San Angelo on Thursday. He said we have a small cities advisory meeting on Friday in Alpine. We have 23 people attending.

City Attorney Report – No Report.

City Manager Report –

- A. Landfill Inspection – City Manager Harrington said the City of Alpine had a landfill inspection by TCEQ on July 18th and they came out and evaluated all of our bookkeeping and paperwork and evaluated the site. He said the report came back no deficiencies and we came out with a perfect score. Councilor Bermudez asked where we were with the applicants for auditor. The City Manager said he had not received any applications. Councilor Fitzgerald asked if there was anything further on the Texas Ranger investigation. The City Manager said not at this point. He said we are looking at some other issues but do not have anything to report.

City Staff Updates –

- A) Finance Department Update – Deborah Pattison - The Finance Director, Deborah, said the Council had a written report that shows our current cash position and when we start with budget workshops, first thing, we will talk over philosophy and creating a balanced budget. She said she appreciates the Council's cooperation. She said she just wanted to say thank you to the City Manager for the software conversion. She said launching the software July 1st was the first start but now actually working in it we are seeing a lot of items that we need to work on. She said we really appreciate the fact that the software is in. She said we have a long way to go but we are really going to focus on true fund accounting, segregating things out so we can see each fund and making sure that payroll and overhead costs are distributed among funds so you have a good clear cash position of where you are, not just overall but by department and by area. She said she appreciates everyone and looks forward to working with everyone next week during the workshop. Councilor Fitzgerald asked if there was anything that Deborah could report on. Deborah said anything the Texas Ranger asked for additional information we do supply that and we are working closely with auditors who have been a tremendous resource to us because when we pulled the data over, all history did not pull. She said we only have information starting October 1, 2012 and if it were not for the auditors taking our calls and pulling work papers and really providing the detail we are needing, we would really have a hard time. Councilor Davidson said he will comment that he really likes the format that the new software puts out for our accounts payable. He said it is really easy to review and you can see where everything is going. He said he eagerly anticipates that the budget process will kind of follow along. Councilor Fitzgerald asked about a chart of accounts and the finance director said we would have that with the budget paperwork. Councilor Gonzales asked about the budget amendment. The Finance Director said that actually is the same numbers that we had for the same originally adopted budget. She said we will need to make some amendments. Councilor Gonzales asked if the amendments would go to the Justice Department. The Finance Director said no, this is an accounting issue. She said one of the things that is in our system, and you will see the system print out, tourism was basically not adopted and was an in and out account from which revenue was spent. He said it was not listed on the summary on the adopted budget but it is in the accounting program and that's is the amount that the actual budget in the system is different from the budget that was adopted. He said there are things like that, that we will make very crystal clear in those types of budget recommendation is to document something that already is but was just not in the original budget.

5. Citizens Comments (on agenda items) –

John Waters - said he would address this question to everyone, the City Attorney and the City Manager. He said he was the Publisher of the Big Bend Gazette. He said his questions are in reference to Agenda item 8A – Discussion of the gas company. He thanked the Mayor for returning his call today although he did not get a chance to speak to him. He thanked Mr. Harrington for sending him an email. He said as long as everyone was here, he wanted them to hear his concerns. He said his concern is that \$870,000 has been transferred into the Alpine General Fund since October 31st of 2012. He said on February 28th of this year, \$600,000 was transferred from the Gas Fund to the General Fund. He said on October 31st, an additional \$100,000 was transferred to the General Fund, also from Gas. He said aside from those transfers, another \$170,000 was transferred into the General Fund, however, there is no reconciliation as to the other side of that balance. He said there is no explanation as to where that money came from. He said his primary concern is the \$700,000 transferred into the General Fund from the Gas Fund. He said the question in the email is how the gas customers are subsidizing the general operations of the City.

6. Public Hearings – None

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

- A. Approve Council Minutes of July 2nd, 2013. (A. Rangra, Mayor)
- B. Approve Accounts Payable. (C. Harrington, CM)

Motion was made by Councilor Bermudez, by Resolution 2013-08-01, to approve the Council Minutes of July 2nd, 2013 and approve the accounts payable. Motion was seconded by Councilor Davidson. Motion unanimously carried.

8. Information or Discussion items –

- A. **Discussion, presentation and review of gas department. (M. Castelli) –** Councilor Castelli said he asked for a review of the gas department. He said it has been a year and one half since we started a department in Alpine from ground zero and we have never gotten an accounting of the function and how well it is doing. He said a small issue is that my neighbor and my meters are read at different times of the month. He said it seems like a small issue but he has come to understand that the entire city is read twice a month. He said it seems like it would save a significant amount of money if we could read all the meters at the same time. He said as of yesterday that has still not been done because they came out and read my next door neighbors meter and did not read mine. He said that is a small issue but there are larger issues. He said for two months this summer the gas bill went up both times and he has not been able to get a direction on how the city is buying gas. He said the city is guaranteed \$8 flat rate per 1,000 cubic feet to cover their costs and then the customer pays the addition that is bought. He said so you can buy gas, walk up to the pump anytime and buy it and pay what price it is or you can contract but he sees the rate going up and he does not see any thought process or commitment to that. He said those are just a couple of issues and he has asked for a presentation on the gas company. He said what he would like to say is that on this presentation, he thinks it actually raises more questions than it answers. He said the first 10 to 15 slides that talk about the history of

natural gas in America, he thinks we could probably omit that part, because everyone knows where natural gas comes from and call it if you get a leak. He said he would like the presentation to be on how the gas company or department is functioning. Councilor Castelli said he thought if we moved all the way down to recognizing a gas leak, marking a pipeline, etc. City Manager Harrington said the gas department operations is a part of the budget process, in all fairness. He said they tried to bring as much information to the Council tonight as possible. He said there are a lot of things and a lot of work being done in all the departments and gas is just one of the departments. He said we are going to try to address those. He said one of the main issues that comes up quite often is called gas distribution internal management program or DIMP. He said it is written and maintained by us with the assistance of consultants. He said their specialty is Texas Small Sized Gas Utility Operations. He said the purpose of the DIMP is to enhance the safety and reliability of our distribution system all the way from the mains to the service lines. He said this is all required by Federal law and by identifying these things that we are able to report to reduce those and reduce potential threats to not only the system but also to the citizens. He said basically what DIMP requires us to do is replace 5% of our pipeline segments for a facility that pose the greatest risk that has been identified in previous processed and set those up for replacement for a year. He said there is formula that takes into account all the systems leaks and gives us percentages of segments and other risk areas that we need to be doping. He said the overall progress we made in 2012, we abandoned almost 2 miles of main and we have come back and installed more than 9,728 feet. He said in services and service lines we have abandoned 5,800 feet, over a mile of service lines and reinstalled about 1,817 feet. He said the total footage we removed was 15,381 feet and we installed to date, 11,545. He said right now the City of Alpine has 39 miles of main and of that we still need to replace about a little over 2,000 feet. He said we need to replace on the other segments. He said there is 40 required by law and we are looking at 3,400 feet and we have been pretty active in doing that. He said in 2012 we installed 8,725 feet out of the 3,432 required but part of this is because of the TxDOT project and when it offers us an opportunity to do a large amount of replacement that is what we did. He said overall progress which is part of our system, the mains we abandoned were 550 feet and we put in 578 feet. He said the city service lines we have 971 feet and we have installed 235 feet. He said Fort Davis has about nine miles of main that need to be replaced and 792 feet need to be replaced using pipeline segments that are posing the greatest risk. He said in 2012 we did install and replace 703 feet and fell about 89 feet short but we are doing a good progress in terms of meeting what is required. TRCC determines how it is calculated. He said there are 48 miles of steel main that had to be replaced. He said we have now reduced that down to 36.023 miles over the last two years. He said we are really on top of that in terms of replacement. He said we always have a lot of other issues that affect us. He said we may have leaks or something and that will take us off of that. He said we have put in 20 miles of poly in 2011 and the last two years we put in over 12 miles of poly. He said they have reduced down the amount of poly steel services. He said from 2,200 to 1,600 and every year we are working on this more and more to get it reduced. The City manager said the number of poly services. He said in 2011 it was 1,200. He said there is another 666 in 2012. He said they still need 690 to be run this year. He said concerning poly installation by the year, we put in 42 feet in 2011 and then we came back again and did quite a bit in 2012. He said this year we are at 3,600 again. He said a lot of that was affected by TxDot's project

on Holland. He said that could be a little skewed. He said we abandoned quite a bit in 2012 but by the end of this year we will probably be close to 2,800 pipe of service line. He said concerning leaks reported and repaired year by year you will notice in 2011 we had more leaks that were reported and repaired. He said 112 and in 2012 we had 49 and this year we have reduced that to 14. He said we are making quite a bit of progress on leaks. He said in 2011 the biggest portion of it was incorrect operations, and this could be a lot of things ranging from improperly installed lines and hook ups to meters that were not sealed properly or something of that nature. He said that just shows you the idea of our equipment and incorrect operations costs you quite a bit. He said in 2012 we have reduced those numbers considerably in terms of leak repair and in 2013 we have 0 incorrect operations. He said we have reduced it that much. He said we have better trained people and better pipes in the ground has helped us tremendously. He said the next slide ties us back to 811 and gives you an idea of how much line location we do per year. He said we have not quite as many and it has been on a steady reduction. He said a lot of that can be accounted for because we do a better job of marketing and in that type of thing we still have to locate. He said the next slide shows the infrastructure in Alpine and there are different sizes of lines that show the steel lines and the poly lines and we still have a long way to go but we are making progress. He said it is not as easy as you might think to go in there and replace all of these. He said this is the infrastructure of Fort Davis and the only difference here is that main red line that you see running from top to bottom is actually being replaced and relocated to further east. He said that is another project. He said talking numbers a little bit. He said there are two types of rates for buying gas, the spot rate and the contract rate. He said we are doing the spot rate. He said we changed our rate to \$12.42. He said every month we get a spot rate. He said the rate changes every month. He said the probable savings to our customers rates higher or lower depending on the spot market. Councilor Castelli questioned abandoning the lines and replacing the service lines and replacing them with poly main. He asked if the lines were abandoned and replaced to meet the 5% criteria. He said it should be actually 10% instead of the 5%. It was discussed that the customer base in 2011 included Marfa. Randy Guzman said there is more steel, and if we are there in that general area and if they have not used gas in the last two or three years we go in there and ask them if they would still like their service lines to be there. He said a lot of them will tell them no. He said that is why it is a bigger amount of abandonment than replacement but any main will be there for the future so we can tie in to the poly main to provide a poly service for anybody else that might move away and decide they want gas, we have access for it. He said that is why you will see a lot of steel main that we are getting rid of and that will be higher than what the replacement rate is. He said we have to abandon it since we can never use that steel line again. He said we have to change all the steel infrastructure to poly. Councilor Castelli said it just seems that we are using the abandonment to meet the 5% criteria. He said he called the Railroad Commission and they say it is 10% criteria. Randy said whatever percentage the DIMP recommends that we replace, we have to meet that 5%, regardless if we are abandoning more than what we are replacing. Councilor Castelli asked how we lost 7% of our customer base in a year and one half. Randy said 2011 still involves Marfa. Councilor Castelli said he is talking about where it went from 2,110 to 1,963 so we lost 147 customers. Randy said 100 of those are on vacation and will come back in the wintertime. He said they have the option to turn off their meters and be on vacation status. He said a lot of people do that. He said those 100

people will come back on and it will always fluctuate. He said that is why we lost some, and they are not actually lost, they are on vacation. Councilor Castelli asked about the repairs that were required and asked if we needed a reserve fund to cover the minimum required repairs. He said he did not see any numbers that talked about sales, expenses, gross profits or anything. He asked if this required a reserve fund. Randy said we budget in on how much we believe we will need in order to do our projects. Councilor Castelli asked where we stood on that budget, since we are near to year end for 2013. Randy said the gas department went over budget a little bit but we went over budget because we had to replace some meters and the cheapest meters that we have been able to get hold of are about \$3,500 to \$5,000 a piece due to leaks. He said the actual meters that have been there for so long they started leaking so we had to purchase new meters to bring them up to date for our infrastructure. He said we ended up spending \$30,000 this past year just on meters alone. Councilor Castelli asked if it was \$3,500 for a residential meter. Randy said no, this happened for the schools and he thought one of them was a hotel where the meter starting leaking. Councilor Castelli asked about the actual reserve or allotment for replacement of lines to meet the 5% DIMP requirement. Randy said that was all underground. Councilor Castelli said he brought up the meters and he asked about the replacement charges for underground. The City Manager said we would certainly bring that up in the upcoming budget. He said we will make some adjustments on how we do meter replacement. He said it will be lot clearer in the future. He said we have made some significant changes. Councilor Castelli said they read his neighbors meter differently from his because she pays her bill differently. Randy said that is right. He said we do not read twice a month. He said they read from the 1st to the 15th. He said the reason is that they fall in different routes. He said they read the South Side first and then they read the North Side second, ACH's (on a route of their own – 200 meters) and Fort Davis 4th. He said he has one reader that does it in 15 days. The City Manager said they are sitting down and evaluating gas and water to figure out a way to reroute this. Randy said we are trying to implement the ACH's in within the actual North and South Side. Councilor Castelli said we are talking about two pieces of paper. He said he was told six weeks ago that it would change and now it seems to him that it has gotten more difficult in six weeks than it was originally. Randy said it has not gotten more difficult, it is just that we need to sit down and gather those accounts from the ACH's and implement them in the actual two big routes. He said sometimes you will see that we might be reading the South Side and you'll see that we will be on the South Side and we will have to go to the North Side because the numbers do not match. He said it is in its own account number. He said every name has its own account number. He said for example, Fort Davis has two different account numbers. He said there is not a North or South side because it is all in one but your account number may start with a 01 to do that side and a 02 to do the other side, North and South. He said but here you have a North and a South side and an ACH. He said SWTMGC broke it down like that because ACH's at first were read first. He said in that way you would have time to go back and make sure that the reads were correct if we had to do a reread so that we would not have people's money drafted with a wrong read and then try to put that money back. He said that is what happened. He said we got with the new city manager and we are going to try to implement those together. He said it should not take a whole lot. He said he is going to get his meter reader to get on to the routes and try to implement them in, because he knows it well, and try to get it done. He said that should not be an issue, we will get it done. He said

that was the reason. Councilor Castelli said that is the whole reason for his asking for this presentation. He said SWTMGC ceased to exist 18 months ago and we are still doing a lot of the same practices without questioning what we are doing and not evaluating our procedures. Mayor Rangra asked if we could have one meter reader for both water and gas. City Manager Harrington said we would have to look at it because there may be a whole lot more volume. He said there are a lot of ways to save. Pete Smyke said you were speaking about buying gas and referred to one million cubic feet. He said it is either a million BTU's based on units or a thousand cubic feet. He said the reason it is measured in BTU's is because the potency of the gas varies. He said the DIMP has always been 10%. He said he was heavily involved with SWTMGC when they were operational. He said you need to check that because if you are not doing your correct percentage every year the railroad commission will come down on you like a ton of bricks. He said it has always been 10%. He said that was for the small towns that could not pay to replace their entire system at once. He said the Railroad Commission came back and said you can do 10% a year if you hold it at 10% a year steadfastly. He said if we are not doing that, we are in a heap of trouble. He said there is a lot to be done here and given the history of SWTMGC, he is not sure that this group is the one who is making the decisions. Joseph Goldman said he would like to know how much of the product that we are getting in, that we receive from West Texas Gas, is being sold. City Manager Harrington asked if Mr. Goldman was asking if we held a reserve. Mr. Goldman said no, the flow. Randy said how much per month, not right off hand. He said it varies per month. City Manager Harrington asked what the high and low was. Randy said if he can remember the numbers correctly, back in the last month, it was 58,000 and the month before that was 64,000 and the month before that was in the 70,000's per month. Mr. Goldman said so 58% is what was being sold? The City Manager said no, we sell 100% of what we get. He said we do not store it. Mr. Goldman said so there is no percentage of leaks. Randy said there is a 4%, per year for leaks. Mr. Goldman said in both Alpine and Fort Davis. Randy said yes, both together. He said it is 4% total for the year, for both. He said if we start going over 10% we will start having a federal audit. He said they will come in and audit us and ask us why we are losing so much. He said as long as we keep it under 10% it should be okay. He said there is never going to be a fool proof system because you are going to have above ground leaks and leaks on swivels and fittings. He said it is a constant fixing of leaks above ground. He said it is just general maintenance of it. He said once we go total poly we might knock that down to 1% or 2% but while we have all this steel in the ground you are still going to have some percentage as long as we don't go over 10%. Pete Smyke said we were talking about roughly \$700,000 of transfers from gas to the General Fund. He asked if there was a breakdown on how that was used because if you are not a gas customer and you are all electric or propane, you pay your property tax for the city where you pay for your services. He said gas customers are paying their property taxes and the gas money is being taken not to support the system, to replace the system and make it whole, but rather take that money to support the city and gas customers are being double taxed. City Manager Harrington said he disagreed with Mr. Smyke. He said every enterprise fund is set up where you have overhead costs. He said it costs so much for the city to operate an enterprise fund. He said in the past it never was set up correctly. He said the normal process would be that you have a percentage of overhead costs that you pay and what you have done in the past was to take the gas department salaries and gas department costs that were being paid out of

general fund so some of the transfers Mr. Smyke was talking about was actually money coming in to pay out for gas department operations. Pete Smyke said so we are pulling money out of the gas department to pay for these things but you are not sure how much we are paying for it. He said he knows Mr. Harrington looks at the figures and say how much we need to write the check for. He said the part he is getting at is that in the Texas Gas Regulatory Act it is very specific that utilities are supposed to charge for the cost of the utilities and not over that. He said so if you guys are pulling extra money out of the gas department to put in the city budget, are you charging more for the utilities? City Manager Harrington said he did not know what was done in the past but all he could tell Mr. Smyke was that right now in the budget process we are going through it properly and looking at it and doing it properly. He said we are not going to pay gas salaries out of the general fund. Pete asked if the \$600,000 taken in February was all gone to the gas department to pay gas department expenses. The City Manager said he had not had time to evaluate it. He said he told Mr. Waters that he would get back to him on that issue and give him an answer. Pete said he thought it would be good for the customers to know. Brian Garrison with the Big Bend Sentinel asked if it was 5% or 10% that needs to be replaced Randy said we have someone who does our DIMP for us and they are the ones who give us our numbers of what we need to replace. He said it is 5% of the leak area. He said each town is broken down into pies, so wherever we have damage and we find leaks via leak survey, we submit all those numbers to them plus the railroad commission. He said the railroad commission is coming down later this month. He said they were down last year and it is the 5%. He said they are aware of it and they are aware of who we have taking care of our DIMP. He said they gather up all of that information and they tell us where we need to work at. He said whether it be one, two or three. Brian said so you are getting direction from the people who are in charge of that. Randy said correct. Brian asked if that was 5% over an average or a solid 5%. Randy said it was a 5% over an average depending on the general area of the leaks, per year. Ray Hendryx said on the steel that they are replacing, is that all original infrastructure, going back 50 years or so. Randy said it was all from his gathering from the information looking at everything when it was SWTMG, all of this infrastructure was probably put in, in 1964. He said it may have been before then, like the system in Marfa, which we no longer control. He said he thinks they had at one time, a propane system. He said they had tanks that were run to the customers but then they did away with that system but use that infrastructure for natural gas. Carl Fleming said he has been in Alpine for about 15 years and about the time that we were going through this transition of buying out the gas company, he remembered paying \$7 or \$8 for gas. He said now all of a sudden for about a three year period, we got up to about \$13 a cubic foot. He said and then when the stock market started dropping it did drop down. He said there was no reimbursement and it just kept going. He said one of the things a lot of people had questions about was why Alpine and Marfa wanted the gas company because they had so much money coming in to use as a slush fund. He said sooner or later that needs to be ironed out and brought to the public, what happened and where we are now, because people still have questions. Councilor Castelli said he would like to summarize. He said this is just a very significant issue for the city. He said it is a matter of health and safety because we are talking about replacing lines and if we are using all our allowance for replacing lines to abandoning lines, then the lines that need to be replaced are not being replaced. He said we are just abandoning them to meet the 5% quota. He said he was told Friday by the

Railroad Commission that it is 10%. He said the Pipeline Safety Division told him that it was 10% so he thinks we really need to get a handle on whether it is 5% or 10% because like Pete said it does make a significant difference. He said going back to the \$870,000 transfer, we have \$72,000 in the general fund. He said if we had not pumped that up with \$870,000, we are in a serious financial position. He said where would we be had we not transferred that money. He said he knows that the city is entitled to a certain amount of it to do payroll and the old accounting system, etc. but we really need to recognize the financial position the city is in. He said we have \$72,000 in the general fund as of June 30th and that is after we have pumped in \$870,000 from the gas company. He said he thinks the public needs to understand that and that was the whole point of having this and seeing where we are. He said there is an issue of what our rates are going to be and there is an issue of when our meters are being read, there is a health and safety issue and there is an issue of whether we are meeting the state requirements. He said he appreciates the fact that we have this out and that you took the time to do a presentation. Randy said our quota is the replacement, the poly, the footage of poly. He said not the abandonment of steel. He said we cannot use those numbers. He said it is the actual replacement of poly itself. Councilor Castelli said for Randy to go back to the presentation when you are using the abandoned pipeline to meet the 5% quota. He said that was a part of the presentation. Randy said we are meeting the 5% quota by installing poly. Mayor Rangra said we would talk about this again when the budget time comes. Mayor Rangra said he had a suggestion, perhaps. He asked if they had ever thought about looking for another supplier other than West Texas Gas. He said he thought we needed to look at that. He said these have been legitimate questions which he thinks we will address at budget time. He said he hopes all of the audience comes in for the meetings. He said another question he had is he knows when it was SWTMGC, we used to get a report from the manager and we could give a similar report to the council which would tell us how much gas we have purchased every month and how much is being billed so we can see the loss. He said if the manager could provide that information to the council it would help. Randy asked if they wanted this report once a month. Mayor Rangra said once a month would be good.

- B. Discussion and presentation concerning EMS Providers. (M. Castelli) - Councilor Castelli said small communities rarely have a chance to get choices. He said this is a rare opportunity where we have a choice in EMS providers. He said we have competition available to the city. He said the new folks in town have had a hell of a time getting an audience for people to listen to what they have to say. He said this is his way of providing the citizens of Alpine the information they need to know what our choices are as a community. He said we have a choice and that is not often the case. He said we have someone in town that wants our business and he thinks that they deserve a voice. Mark Shyree, Co-owner with Big Bend Ambulance said that this is a very important subject. He said it is very complicated. He said they are a PLLC which stands for professional liability corporation. He said he has brought packets and they picked Alpine, the city, mainly for the college, the atmosphere and came here to work for the 911 system. He said his background is that they started in EMS over 20 years ago. He said they have worked at several different types of 911 services, from rural to city to private services, for non-profits. He said they do have a depth of experience. He said the handouts should help. He said these are laws that are produced, with definitions given out by the

state. He said he would like to see a medical person help to advise the Council because it gets very complicated. He said in the past there have been things said which have not been true. He said they started BBA because there was no ground transport to definitive air care. He said if you needed to leave our hospital and go somewhere else, you had to fly. He said they do not fly a lot. He said anytime there is bad weather they cannot fly. He said they saw that and thought it was a desperate need that had to be done. He said he handed out information about the state minimum. He said they felt an ethical obligation to improve the standard of care here. He said they owned multiple businesses in the past and they have never wanted to own an ambulance before. He said it takes a lot of money, with not much profit. He talked about the standard of care which was not being done. He said Marfa, Fort Davis, Presidio, Terlingua, Terrell County and Pecos County all provide a much higher level of care. He said he would like to make sure that we are meeting this. He said he does not need this contract. He said where he makes his money is in the transports like most ambulance companies do. He said most small town EMS's do transports to help subsidize 911. He said all EMS services have to operate under a physician's license. He said their medical director is Dr. Peter Buffa. He said he is board certified and is active in their hiring process. He said they don't want to hire just any paramedic. He said paramedics can kill people. He said they have to be careful that they are trained and that they have experience. He said the Doctor wants to make sure that all the paramedics are well trained. He said protocols are what they go by. He said it tells them how they can treat people. He said they cannot do anything that is not in the protocols. He said that is where they get into the standard of care. He said in their protocols by the state, they have to have a list of what minimal medications they have. He said for example they have to have what it takes for you to take care of a patient. He said they have already updated their protocol since they opened in December. He said there is a minimum standard of care that other EMS's in a 17 county area have agreed to. He said as far as he knows, every EMS in the area except for one is a part of that. He said that is called JRAC. He said JRAC also gives them money by turning in trauma assessment and statistics to them. Councilor Davidson asked that they actually gave the words instead of the acronyms. Mark said JRAC stands for a regional advisory council. He said it is set up by the state to make sure that the citizens get the best care, most of the time, geared toward trauma. He said the people that are in good standing receive funding. He said Alpine was not a part of that and that is a lot of money to throw away. He gave a copy of his protocols to give the council. He said this is how they take care of people. He described cardiac life support. He said they carry an extensive amount of medications. He said they carry life pack 12's. He said capnography is really important and makes sure that people are breathing properly. He said it actually samples what you breathe out. He talked about surgical airways, chest decompression to reinflate a lung, CPAP which pushes the fluid back into your veins, ventilators to help people breathe, EZIO which is a gun which will drill into your bone if they cannot get an IV, fetal dopplers which allows them to count the baby's heartbeat, and alternative airway device which are backups to help secure an airway. He said these are all things they provide and they are very advanced equipment. He said they also provide mutual aid. He said they have mutual aid agreements with all EMS's in the area. He said if they have a major accident, they do not just have two ambulances to take care of it. He said they can call other services and have this prearranged agreement. He said what they would like to offer for the 911 services is they would like to have one truck in the city limits that is not

shared with the County but is guaranteed to the citizens of Alpine. He said the other thing they think is important, is that the crew stays with the ambulance at all times. He said they are not at home and you do not have that long delay of them getting to the ambulance and then getting to you. He said when you pick up the phone and call 911 time slows down drastically. He said it feels like an eternity. He said it is very important that they meet the threshold of getting to someone within a few minutes. He said a minute can make a difference. He said they would provide all the equipment they talked about in their ambulances, He said he knew they were close to the hospital but time matters. He said they can offer one ambulance at all times and the other ambulance, when they are not on a transfer call, would be available for 911 calls. He said they will guarantee that their employees are in route within two minutes of being called during the day and four minutes at night. He said they need a little longer at night. He said he feels like these are all very important things that Alpine deserves to have. He said the staff 911 must be paid by the hour and they have to be paid overtime. He said they must be paid minimum wage. He said the salaries will cost about \$170,000. He said they have to have a refrigerator on the ambulance to carry expensive medications. He said as you can see it becomes very expensive to operate an EMS system. He said he did not do this with the intention to make money, but does it because it is his duty to service. He said they are working with the hospital to do cryotherapy. a study in conjunction with Pecos EMS on CPR, getting neo natal certified, advanced trauma life support, training EMT's to start IV's, food drives and cub scouts and working with homeland security. Mayor Rangra said we will talk about this at budget time. Councilor Davidson said basically they are offering a 24 hour full time paramedic level coverage. He said Terlingua does not meet the standards. He asked where Dr. Buffa was located. Mark said he works for a company that sends him to different ER's. Councilor Davidson said he is a full time ER doctor. Mark said that was true. Councilor Fitzgerald said if they did a transport from here to Odessa would it be by overland. Mark said sometimes it is appropriate to fly but for broken hips and stuff like that, they have already been doing that. He said they have been doing that since December. He said there is some misnomer that they cannot afford to stay in business if they do not get the county contract but that is not true. He said they do not need the county contract to have the city contract and they do not have to have the city contract to stay in business. He said his business plan is not to make money off the 911 service. Councilor Gonzales said if the doctor that is taking care of you decides that you are going to go to Odessa, he is the one who decides which way you will go. He asked if that was correct. Mark said that is correct. He said the patient does have rights, however. He said you need to make that decision with your doctor, have a conversation and talk to him. He said he does not recommend saying that you will not go by the plane. Councilor Gonzales said if he was the patient and did not want to go by plane because it costs so much, he can refuse? Mark said you can refuse. He said he is not a lawyer but his understanding is that you can refuse anything you want. He said they may want you to sign a piece of paper saying "against medical advice" if it comes down to it but they cannot force you to do anything. He said they are present when they are not flying. He said currently they have two trucks and have purchased a third and it should be here next week. He said they are adding to their fleet. Councilor Davidson said he understands that you can get personal insurance that covers your air evacuation for about \$65 a year. Mark said that was a great service and he highly recommends that. He said that is with native air. He said the one thing you need to be aware of is that it is for

native air only. He said he does recommend that for everyone. He said that would save you about \$40,000.

Mark Scudder said they have been providing the service for 28 years. He said they are randomly selected every six months to have a surprise inspection and they always pass with flying colors. He said their designation is basic life support with mobile intensive care capabilities. He said a lot of this is based on your medical director. He said you can compare, if you want to, the small apples to oranges from a small town to Dallas. He said recently we have also compared the medications. He said there are hundreds or thousands of medications that they carry. He said what is important is what is going to benefit a patient when you are 5 minutes from a hospital or 30 minutes from a hospital, what makes sense to carry and what doesn't make sense. He said they in 28 years experience, leave that up to their medical director. He said a lot of the refrigerated drugs also come in a type of medication that you can rehydrate so that you do not have to refrigerate it. He said one other item that they have done is enter the EZIO drills and they have three. He said they also have the life pack 12's. He said they have three trucks that are in service and they have two trucks that are reserve trucks. He said they are licensed through the department of health to have three mobile intensive care unit trucks. He said they inspect all of those every time they come down. He said they carry all the supplies. He said the minimum standard of care he does not agree with. He said the Department of Health sets the standard for what you must carry and your medical director tells you what he wants you to carry. He said they have that listed and it has been approved by the state and approved by their medical director.

John Carpenter said he is 66 and getting ready to turn 67. He said as he gets older, medical care and emergency medical care becomes more and more important to him. He said he is in the Real Estate business and he can tell the Council that a large percent of the people coming here are either retired or they are families with children. He said one of their first questions is, what kind of EMS service do we have? He said he has heard conversations among the medical community that our EMS service is inferior to surrounding areas also. He said it gravely concerns him. He said he would like to suggest to the Council that they go to these locations where the EMS services are and tour their facilities, look at their trucks and ambulances, their equipment, their medications and how they are maintained and kept and make sure they are meeting state laws, both payroll and Health Department. He said he would also suggest that the Council solicit the medical staff's help at Big Bend Regional Hospital to look through the credentials of both of these and what they have to offer. He said he understands and believes that Big Bend Ambulance service may provide us with a much greater service. He said when it comes to his wife or his children's lives or anyone else's or his own, he wants the best service, and money does not matter. He said he does not care, even if he has to go in debt with everything he has, he wants the best medical service. He said the council as his elected representatives, have the responsibility to select the best service for our protection and he thinks if the Council does not, they are potentially liable.

- C. Discussion of modified audit report from auditor that was presented to Council on June 24, 2013. (A. Bermudez) – Councilor Bermudez said she wanted the auditor to be presented to answer her questions. She said he mentioned that some of the council members (she was one of them) did not send back their audits to be corrected. She said she has her own notes on there and does not want anyone to read them. She asked why the auditor

could not have sent us a new one. The City Manager said he visited with Mr. Skinner the other day and told him about her concerns. He said we have gone in there and evaluated what he is talking about. He said it did not affect anything in the bottom line and was strictly a typographical error that was put into the document. He said we have Danielle Lara here, with the firm, who can try to answer some of your questions. He said she is certainly not Mr. Skinner but she would like to try to answer some of your questions. Councilor Bermudez asked why Mr. Skinner did not go ahead and send us a new one instead of trying to pick up the ones that we had. Danielle said it was because they did not want the new copies to be confused with the old copies. Councilor Bermudez said what if ten to twenty years from now, none of them are here anymore and this comes up for some reason and they find it. She asked if there will be enough evidence that shows that there was something other than the one that they had, the first copy, there. The City Manager said the City Secretary should keep both versions, the corrected version marked as corrected, as part of the overall files. The City Secretary said she gave the auditor her book, as she was directed to do, and he changed it, but he did not mark it as corrected. Councilor Bermudez said that is the part that concerns her. She said no one will know if it was edited or not. He said we can certainly take an original and mark it corrected for the files. Deborah Pattison, Finance Director, said the Council got a copy of the bound version we made but they do not have a copy of the original. Councilor Bermudez said we need to be able to see the difference between the two of them. She said she would be a lot more comfortable if we had that second one stating that it was corrected. Mayor Rangra said he believed the concern was that when it was presented to the council, there was quite a bit of discussion about the lack of supporting documents and here we have one copy and then for whatever reason it was modified. He said the question was who was that concern communicated to. He said there is no documentation. He said there should be some kind of record so we can make some changes. He said he heard that a corrected copy was available. He said he asked Deborah to make some corrected copies for the councilmembers, which is not the way it should be. He said every councilmember is elected by the public and he has to answer questions. He said in the future, whenever there is a change to be made, if it is communicated in the proper fashion, instead of getting back all the copies, from everybody, and make changes. He said an issue was made on lack of documentation and someone could not verify what expenses were and it took a long time to figure that out. Danielle said she thought when he delivered the report, he pointed out the mistake and he said he was going to send out corrected copies. She said she thinks he pointed out that there was a typo. Councilor Bermudez said not to the Council. Mayor Rangra said he just heard from the City Secretary that he wanted her to collect all the copies. Danielle said she thinks he did point it out. She said it might be in the minutes. Mayor Rangra said when a report is presented, that the city is paying for, then it should be accurate. Brian Garrison asked if we were just talking about a typographical error. Danielle said yes. Brian said that typographical error is pointed out in the original presentation. Danielle said she believed that he did point it out. Brian said that is on record anyway, so we can check. Danielle said she would get corrected copies out to everyone.

Action items to be accompanied by a brief statement of facts,4 including where funds are coming from, if applicable. (Action items limited to 15 per meeting.)

9. Discuss and Consider approving Animal permit request by Gena Howle, at 1308 North 3rd Street in Alpine, Texas for one Arabian Mare Horse as recommended by the Animal Advisory Board. (C. Harrington, CM) – The City Manager said this was brought to the Council on July 22nd of this year for a public hearing only, to be brought back as an action item at this meeting. He said since that point in time it has been through the Animal Advisory Board and they sent forward a recommendation. He said we were furnished additional information within the last day or so that we have not had time to fully evaluate. He said what we would like the Council to do is table this until we can evaluate the additional information we were given. Motion was made by Councilor Davidson to table this item for now so that the City Staff can do their due diligence. Motion was seconded by Councilor Gonzales. Motion carried unanimously.
10. Discuss and Consider authorizing the City Manager to enter into an interlocal agreement for E9-1-1 Automatic Location Information Maintenance Services. (C. Harrington, CM) – The City Manager said this was a service that has been previously done by the Rio Grande Council of Governments where they have coordinated all the mapping and addressing so that we have a central group and everybody has the same map and same information whether it be the fire department or ambulance service or even city staff sometimes. He said all this is, is a continuation of that service. He said the service is actually conducted here in Alpine. He said a local resident is the person who does this, through the Rio Grande Council of Governments. He said all we are asking for is authorization from Council to renew that interlocal agreement. Motion was made by Councilor Fitzgerald by Resolution 2013-08-02, to authorize the City Manager to enter into an interlocal agreement for E9-1-1 Automatic Location Information Maintenance Services. Motion was seconded by Councilor Gonzales. Motion carried unanimously.
11. Discuss and Consider authorizing the City Manager to refund \$7,000 to SECO. (C. Harrington, CM) – The City Manager said this was a situation that arose. He said we had some issues and were looking at old paperwork and noticed that there were two air conditioner units sitting outside the building that had not been attached to our system. He said about that time we received a letter from the State Comptroller's office asking for a final report on that grant that they had given us. He said it was for not only that but also for some other energy saving type activities. He said he went back and started investigating it. He said he found that the project had not really been completed. He said the Air Conditioning units were supposed to be installed last fall. He said the reason they were not installed is because we would have to shut down the units to the city hall to install them. He said because we had not done that, he could not sign a final report. He said we got in touch with the State Comptroller's office, discussed it at length, they did some investigation and we were furnished all the information. He said they evaluated it and part of the reason they were pushing it is because the Federal contract they have expires on September 30th. He said they were trying to close out their contract but we had not closed ours out. He said they started investigating it and it was about 45 days before they came back to him and told him what we needed to do. He said we need to return \$7,000 to the State and in October of 2013, we will be given a new contract. He said they will create another project so we can get our \$7,000 back. He said we can install the air conditioner units this fall. He said he is asking for authorization to return \$7,000 to the Comptroller's office for the SECO grant. Motion was made by Councilor Bermudez, by Resolution 2013-08-03,

to authorize the City Manager to refund \$7,000 to SECO. Motion was seconded by Councilor Davidson. Mayor Rangra said his question was the contractor has been paid and should we not ask the contractor to reimburse us. The City Manager said we could but the contractor was set to do it and never asked to do it. He would do it today if he asked him, and the City Staff could stand no air conditioning. Councilor Gonzales said if we have already paid him and we have that contract going so that he can go ahead and do it, he hates to start all over again because it seems that the price always seems to go up later on. Councilor Bermudez said what if something happens to this contractor. The City Manager said it would be a legal issue at that point and we would be in a position for suing for the return of our funds. He said that is always a risk we run. He said he does not see this happening. He said he is willing to do it whenever we call him. He said it was not a good maneuver to pay the man up front. He said but now we are just trying to clean up a bad situation and get it back where it should be. Mayor Rangra said as a taxpayer he did not like this. He asked if we had some type of document that showed that the work has not been finished on the part of the contractor and whenever it is convenient to us and him, he will come back and finish the work. The City Manager said he did not have a document but he has the object. Mayor Rangra suggested that the City Attorney look into this and draw up an agreement for proper documentation with the contractor in case something happens. He said things happen. The City Attorney said he would be happy to get with the City Manager and the contractor and draw up a memo of understanding and bring it back to the council. Councilor Fitzgerald said the procedure obviously was bad. Carl Fleming asked if he was right in assuming that the two units are sitting outside by the rock and rapidly weathering. He suggested that they be put somewhere else because if this was Chicago you would no longer have the two units. Motion carried unanimously.

12. Discuss and Consider purchase of a Kubota Tractor and Landpride rotary cutter for Alpine Casparis Municipal Airport. (C. Harrington, CM) – The City Manager said this item was inadvertently left on the agenda and we intended to pull it but we could not pull it since the agenda had already been posted. Motion was made by Councilor Fitzgerald to withdraw this item from the agenda. Motion was seconded by Councilor Bermudez. Motion unanimously carried.
13. Discuss and Consider budget items, tax rate and setting FY 2014 Budget workshops – August 12-15, 2013. (C.Harrington, CM) - The City Manager said there are a lot of processes we have to do relative to the budget, tax rolls and tax rate. He said we are getting ready for the press schedule. He said we are still working on the numbers but we would like to ask the Council to set workshop meetings for August 12th through August 15th, from 6 PM to whenever. He said hopefully we can do it in three hours each night. He said we are going to give you a good product that you can discuss. He said we have a lot of hours in this and there will be a little change in the philosophy that you have had in the past. He said we will spend some time with you so you can see where we are trying to go. He said it is going to take a while but we are still trying to meet all the deadlines. He said the budget calendar is attached and it lays out all the dates that we have to meet per charter and per state law. He said we are trying to meet all those deadlines accordingly. He said as part of the budget process, state law requires public hearings be conducted. He said in our case, August 29th, accordingly we will publish the public notice for conducting a public hearing. He said we provided you with information so

you would not be caught off guard. He said we had to get it in the paper. He said the public hearing will be August 29th. He said we have included a copy of the tax roll values. He said we did not make any changes for the effective tax rate. He said the only official action that we would like for the council to do is set the 12th through the 15th as budget workshops. Motion was made by Councilor Bermudez, by Resolution 2013-08-04 to set August 12th through August 15th at 6 P.M. as FY 2014 Budget Workshop meetings. Motion was seconded by Councilor Gonzales. Councilor Davidson asked about the hotel occupancy tax. The City Manager said it would be for the funding but we will set up a separate meeting for the events to attend and request funding. Mayor Rangra asked if the department heads would be at these meetings. The City Manager said they would be but for the most part the budget that comes to the Council will be his budget. He said the department heads will be here to answer questions. Motion carried unanimously.

14. Citizen's Comments (limit 3 minutes) – None

15. Council Member's Comments and Answers –

Councilor Castelli – said they say don't pick the hill you are going to die on. He said what that means is you can't fight every battle but he sure made a big stink tonight –so pick your battles.

Councilor Gonzales – said he thought we had a good meeting.

Councilor Fitzgerald – said on his way to Detroit, they stopped in at the welcome center in Texarkana and he said there were two things on Alpine. He said they run about 1,000 per week in there. He said the two things were the Holland Hotel and the Maverick Hotel. He said Alpine was in some of the magazines. He said he thought we needed more pamphlets.

Councilor Davidson – said he thought we needed to divert some of our money that is spent for events, that are good, for pamphlets. He said there are 11 travel information centers that the state operates. He said they probably distribute about 30,000 brochures a year. He said it would be nice to see an Alpine brochure in these. He said speaking of events. He spoke with Stewart Ramser today and all the venues all through the weekend reached capacity where they were kind of worried that the fire marshall was going to come. He said they packed the house. He said last year they had 1,500 arm bands and this year they had 2,100 arm bands. He said it was a solid increase.

16. Executive Session – None

17. Action- Executive Session – None

18. Adjournment – There being no further business, meeting was adjourned.

I certify that this notice was posted at 5:00 P.M. on August 2nd, 2013, pursuant to Texas Open Meetings Act (Texas Government Code Section 51.043). This facility is Wheel Chair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (432)837-3301 or fax (432)837-2044 for further information.

Dr. Avinash Rangra, Mayor

Attest:

Margaret "Molly" Taylor, City Secretary

I, Margaret "Molly" Taylor, City Secretary, do certify that this notice was posted at 5:00 P.M. on August 2nd, 2013, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Margaret "Molly" Taylor, City Secretary

Margaret "Molly" Taylor, City Secretary