

**City of Alpine
Regular City Council Meeting
April 16th, 2013
6:00 P.M.
Minutes**

- 1. Call to Order, Invocation and Pledge of allegiance to the flag – Councilor Angie Bermudez gave the invocation and Mayor Rangra led the pledge of allegiance to the flag.**
- 2. Determination of a quorum and proof of notice of the meeting – Mayor Rangra and Councilmembers Bermudez, Davidson, Gonzales and Asgeirsson were present. Councilor Lujan was absent. No excuse was received for his absence. Meeting notice had been posted at Noon on April 12, 2013.**
- 3. Presentations, recognitions and proclamations – Mayor Rangra presented a proclamation recognizing the week of April 14th through April 20th, 2013 as Disability Awareness Week in Alpine. He presented the proclamation to Randell Resneder, M. Ed. and Executive Director, who started Disability Awareness Week. Mr. Rasner made a presentation to the City Council and had pamphlets available for the Council and public. (A. Rangra, Mayor)**
- 4. Reports –**

City Mayor's Report - Mayor Rangra said last week we had 40 planes and many people who came to Alpine and stayed there for 2 or 3 days. He said he gave them a key to the City of Alpine and asked them to spend all of their money here.

City Attorney Report – The City Attorney said he did not have much to report. He said the City Manager is working him to death.

City Manager Report – Mayor Rangra introduced Charles “Chuck” Harrington to the City of Alpine, our new City Manager. Mayor Rangra said the City manager has been working very hard. He said on Wednesday he was here early in the morning and met the staff. He said he had to stand in line to talk to him and get him to sign the contract. He said today he thinks the City Manager has a short report. Interim City Manager Harrington said he had two items to report on.

- A. Certificate of Obligation – He said on our Certificate of Obligation that we had going and thought we were going to be funded this month, has been pushed back to May.**

B. Defund EDAP – He said apparently the state is running out of Money. He said they will be refunding and we have a new closing date set in May. He said those two items will be postponed for a short time. He said they will definitely be coming back forward to the Council.

He said also at the Council's places today, he left a memo. He said it was an update on Saturday's event. He said from what we perceive from our perception of staff level, is some things we want to look into in the future. He said it was a good opportunity because of the fact that there was not a lot of damage that really forced our hand. He said we were able to take a look at things and evaluate where we were as far as emergency operations go. He said at a staff meeting yesterday, we did a whole work up and we will be coming back to the Council soon with some changes on how we operate during emergency situations so that we get the information out to the public and City Council Members better. He said we are looking forward to getting that addressed in the next 30 days.

He said the Council also has a report from the Municipal Judge on their desk. He asked Judge Schlosser if she wanted to say anything, and told the Council the report was there for their review.

He said in the next 30 days there will be a lot of changes happening. He said it takes a while and we are trying to sort through everything. He said we are moving forward and hopefully we will be bringing fun things for the Council to look at, including new ideas and concepts the Council might want to do for the City.

City Staff Updates –

Martha Latta said she had good news and some not so good news. She said several Council meetings ago, the Council unanimously agreed to have a city wide clean up and that was to coincide with the Texas Trash Off. She said that was held on April 6th and that was the Official Trash Off day. She said then it slid into another weekend. She said the good news is that 200 people over 2 weekends, picked up 6,120 pounds of litter and trash in Alpine. She said our community is that much cleaner. She said however, that is also the bad news. She said the bad news is that there is 6,120 pounds of trash and litter out there that needed to be picked up. She said we

did not get it all. She said she would also like to recognize Councilors Angie Bermudez and Julian Gonzales for coming to the trash off with their vehicles and trailers and pitching in and getting our city cleaned out.

7. The City manager said that would like to make a comment on this item.

5. Citizens Comments (on agenda items) –

Shane Connor – said Walt Pyle should be left on the Airport Board because there have been some longstanding financial issues with the Airport and Walt Pyle is right. She thanked the Council for cleaning our financial house.

Reverend Barry Abraham Zavah – Talked about the council should not hastily vote on the water issue and the vote should be delayed. He also talked about Dual Incompatibility and Conflict of interest. He said he was a career prosecutor and had a profound fondness for the process of law, rules of law and a deep and profound belief that a public office is a public trust. He said he was concerned about Alpine relinquishing its water rights to the County. He said he provided an outline to those who wished one. He asked if the City Manager knew of any reason why the vote concerning water could not be delayed. He asked if there was any benefit to be gained by voting this evening. He asked if the Council was familiar with the document of incompatibility prohibiting a Councilmember serving on two governmental agencies from potential conflicts of interest. He asked why rush to judgment? He said for several years waste has been running into people's homes and businesses and yet there was a vote of 3-2. He said if Alpine relinquishes its rights to its water and the water supply. He said that would not be in the best interest of the City of Alpine. He said there are a number of instances of government looking within. He said there are violations of conflicts of interest and violations of conflict of incompatibility. He said somebody ought to ask the City Attorney. He said the Council accepts that a member of the water board is permitted to be a City Councilman. He asked if the City Attorney's opinion conflicts. He said with over 100 years of Texas legal authority and over 20 years of Attorney General Opinions on the matter. He said it is a conflict of interest when members of the Council, residing in the home of their employer and vote not to allow the Council to investigate whether the employer may have been appropriating property from the City of Alpine. Mayor Rangra asked Reverend Zavah to stick to the topic, please. Reverend Zavah asked what is the remedy? He said he did have a list of the conflicts and questions but here is the topic for future investigation discussion. He asked if the violation of documents of Conflict of Interest had been forwarded to the Rangers or appropriate prosecutors to investigate for offices of

Investigation. Mayor Rangra asked if he was talking about item 10. Reverend Zavah said he was talking about the water issue. He said he was concerned about public service, not only here. He asked if the Council knew the message, Avoiding any hint of impropriety.” He said objective people would have to wonder at this. He said if there were so many things wrong and if so why were they engaged in them. He said that is what avoiding any hint of impropriety is. He said that is also why avoiding the conflicts of interest in the document of incompatibility should be as easy as passing a first grade reading lesson. He said the Council needs to police itself before it considers a measure relinquishing control over water assets. He said what is appropriate when a council member violates the confidentiality of Executive Session. He said what is appropriate when the City Attorney provides legal opinions contradicting state law. Katie Elms called for a point of order and said that the speaker was limited to 3 Minutes and he overstated it. Mayor Rangra reminded the citizens that they must stick to the topic and their talk must not be over 3 minutes long.

Joseph Goldman – asked the Mayor and Council to delay the vote on items 10 and 11 until we can determine the eligibility of Councilor Davidson. He said the Council should delay the vote until they obtain an AG opinion and the AG will not respond with an opinion to our City Attorney. He said the packet of Attorney General Opinions that was hastily gathered by our City Attorney and Eve Trook addresses the breach of incompatibility. He said the questions that they remove concern the eligibility of the Council. He said because of the importance of the water issues, he encouraged the Mayor and the City Council to delay this vote until we can obtain an Attorney General’s opinion on our particular case of incompatibility. He said with the understanding that the AG office will not respond to our City Attorney. He said he requests the Mayor and members of the City Council to seek other means to obtain an opinion or for Court Judgment. He also passed out packets for the Council to review.

Katie Elms-Lawrence – said she is talking about items 10 and 11. She said there is a new membership coming to the Council and the most important thing is water and Midland wants it. She asked the council to postpone these items for 2 weeks until the Council is duly elected. She said the Council hastily put these items on the agenda since election day is next week. She said two new members are coming to the Council. She said they know nothing about it and they are going to live with it. She said if we have to live with it the most important thing we have here is water and Midland wants it. She said she is asking with the Council’s permission to consider these items, for two weeks after the council was reelected. She said in your best interests Mr. Davidswon, what house bill 1866 had a whole page and and no one knows what is going on. She said we took out a whole page ad. She said no more smoke and mirrors and the Citizens are tired of it. Mayor Rangra said one other caution is for the citizens not to applaud after a

person speaks.

6. Public Hearings – None

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

A. Approve Council Minutes of March 19, 2013 and March 28, 2013. (C. Harrington, CM)

B. Approve Accounts Payable. (C. Harrington, CM)

Interim City Manager Harrington said under item B, accounts payable, they are there for you to look at. He said we changed processes a little bit. He said what we presented for you to look at now on the spread sheet will all be signed off. He said he reviewed them all personally and put his initials on them and signed them as approved. He said just to give the Council a little assistance as to what is being brought to them, they are being reviewed thoroughly. Councilor Davidson said we did have something in the box that listed all the payees and the amounts and then it also had a kind of budgetary break down. He said so we did get something to review. The City Manager said we are working on our processes to be better. Motion was made by Councilor Gonzales, by Resolution 2013-04-11, to approve 7A and 7B of the consent agenda. Motion was seconded by Councilor Davidson. Motion unanimously carried.

8. Information or Discussion items –

A. Kenneth Roberts, and another representative, representing RH Administrators, to address the City Council concerning our health insurance. (J. Gonzales) – Kenneth Roberts, Stephanie Kelly and Rick Holder talked about our health insurance policy. Kenneth Roberts said he was present to address inaccurate statements made by Mr. Skinner, during the last meeting, as well in his audit report. He said he did feel that Mr. Skinner's attack, and it was an attack, was a personal attack against his team. He said RH Administrators, Inc. does not make money off of the health claims they process, but an administrative fee that is based on covered employees each month. He said he collects a broker fee that is also based on covered employees each month. He said Mr. Skinner has been the auditor for several years for the city and should have been aware of these fees and how they are calculated and collected. He said in addition to Mr. Skinner's discussion on the cost of the City of Alpine's medical plan, there was mention of several Air Ambulance Claims. He said the average fee associated with each of these three Air Ambulance claims was \$40,000.00 each, not combined. He said Mr. Skinner stated that these should be negotiated by RHA, and

his response to Mr. Skinner, is that, these claims “ARE” being negotiated by RHA. He said both Mr. Skinner, as well as RHA’s contact with the City of Alpine, Abel Hinojos, are well aware of the status on these air ambulance claims and that RHA is working on the authorized negotiations. He also said that Mr. Skinner is definitely right about the insurance plan being underfunded. He said it is being underfunded by at least \$200,000. He said while it is significantly underfunded, as an independent insurance agent, he brought in a Blue Cross Blue Shield and TML quote two years ago. He said a partially self-funded insurance plan, with RHA, was the least expensive. He said last year he brought in another Blue Cross Blue Shield quote for the City of Alpine. He said he did not bring in a TML quote because of the additional information they were asking for. He said the cost charge of partially self-funding decreased. He said Councilor Carlos Lujan actually saw the quote after the renewal. He said even though it was past the contractual year, he told him we could reopen it if he so desired. He said he did not understand why Mr. Skinner would have a personal agenda against his team, but it is obvious that he does. He said it also makes him wonder if his personal agenda is against his team or a group of people with the city. He said he can document everything that he has just said, about his role, and RHA’s role with the City of Alpine. He said he had a representative here with him, Stephanie Kelley, from RHA who will be able to explain in further detail the information and documentation regarding the monthly consolidated invoices to the City of Alpine, as well as the information and documentation regarding the three Air Ambulance claims. He said frankly, since Mr. Skinner has chosen to put out misinformation that he knew was incorrect, it makes him wonder what other misinformation there might be in his audit report. Stephanie Kelley, Executive Director of RHA, Inc. said she was here to explain in further detail, the monthly checks that are issued to RHA, as well as the Air Ambulance claims that RHA has received on participants covered by the City of Alpine’s group employee benefit plan. She said each month, RHA sends to the City of Alpine, Abel Hinojos, a copy of the monthly consolidated invoice for the group employee medical plan. She said the invoice gives a complete breakdown of the fees due by the City of Alpine for the group employee medical plan. She said in Mr. Skinner’s Report there is a statement about how much has been paid to RHA for the plan year 10/1/2011 through 9/30/2012. She said Mr. Skinner’s statement is misleading. She said in regards to the Air Ambulance claims, RHA received a total of three air ambulance claims, on three separate participants of the City of Alpine. She said of the three claims received, RHA sent all three to an outside physician’s auditing firm to review for medical necessity. She said of the three claims reviewed, only 1 claim met the medical necessity for the service to be covered by the group employee medical plan on the participant’s account. She said on the air ambulance claim that was found to meet the medical necessity

requirements she was authorized to contact the providers directly to discuss a large negotiated settlement on both claims, with the providers agreeing to “not” balance bill any portion of the claim not paid by insurance to the patient. She said she also informed Mahala, with Mr. Skinner’s office, that the City of Alpine makes “ALL” final decisions regarding the processing of health insurance claims on their account, as the question had been asked in their email regarding the additional questions on the air ambulance claims. Rick Holder, owner of the company, also made comments about the health insurance and also said that Mr. Skinner had misrepresented the facts about RHA to the Council, and the public in his audit.

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

9. **Discuss and Consider removing Airport Representative from Ward 3, from the Airport Board, and appointing a replacement. (C. Lujan)** – Motion was made by Councilor Davidson, by Resolution 2013-04-12, to postpone this item until the next meeting. Motion was seconded by Councilor Bermudez. Motion carried unanimously.

10. **Discuss and Consider passage of SB 1866 regarding Brewster County Groundwater Conservation District. (M. Davidson)** – Councilor Davidson asked to be given a little bit of latitude here at the beginning. He said he is going to end with a motion. He said first he would like to point out that the water issue and the water law are very important and very complicated. He said his background - he started out in the water game in 1994 as a Director of a non-profit water supply corporation of which he became President and put together a couple of grant packages finishing up the first Well and public delivery system. He said during that time Brewster County Groundwater District was formed and he thinks it was 2001 or 2002 and he was on that Board until 2008. He said he has been active and a voting member of the Regional Water Planning Group that discusses water funding for all the major population areas of the southern county region out here in West Texas. He said he has done some homework and has heard some statements that are a little bit misleading tonight but he certainly can’t expect people, that he has never seen at any meetings or actually doing homework and studying this stuff, to really know. He said the City cannot give up its water rights. He said it’s got historic use for decades. He said the groundwater district owns no water rights. He said it makes no determination of who owns water rights or what they do with it. He said he has been working with a group of people, off and on, for a number of years, who are dedicated, from all over the county, including Alpine, Marathon, Terlingua and Study Butte. He said they do not get to claim expenses for driving all over the county for these meetings. He said

they are very careful with their actions. He said they have no agenda. He said their goal is to as much preserve groundwater for the city as anybody else. He said people who do not understand groundwater districts have an exalted idea of actually how much power they have and how much protection they can give. He said the State Legislature has stated time and time again that it prefers local groundwater districts to make decisions about local groundwater. He said in many cases where local groundwater districts are not in effect and are not there to make those decisions, the state is very happy to step in and make those decisions possible. He said he does not take any insult to the demagoguery. He said he knows it is an important issue and it gets people heated up. He said water always brings out a crowd and he can understand that and appreciate it. He said it is very clear to him, with his background and his work that without the groundwater district, the City of Alpine's water is not as adequately protected as it would be under a district. He said if there is some threat to the City of Alpine's groundwater from the outside, the district can limit that additional pumping by an outside entity and take them to court if that is what it takes to do it. He said without the groundwater district Alpine is kind of on its own in that respect. He said before he makes his motion, he also wants to point out that everyone assumes that he is on the groundwater district but by Section 36.055, Sworn Statement, Bond and Oath of office, as soon as practical after a director is elected or appointed, that director shall make the sworn statement described by the Constitution for public office and skipping to d, the sworn statement shall be filed as prescribed by the constitution with the Texas Secretary of State. He said he has been attending and he was invited to come back and attend groundwater meetings beginning last fall. He said he thought the first one he made was in November. He said he has been to about three. He said his interest is in seeing how it affects the City of Alpine and all the county numbers. He said the groundwater district is making rules for the entire county and nobody attends the meetings. He said the city has no conservation program going and has little vision for the future of what to do with its water. He said its only plan is to keep the evil groundwater district from getting our water. He said he has never signed a statement on the groundwater district so you can take him to court or do whatever you want to do, but he has no conflict of interest and he is not sworn member of the groundwater district. He said that being said, he is going to make a motion that in light of our new City Manager and City Attorney's newness to the game that they would go back...speaking to Mr. Harrington extensively lately, they really relish that their job is to do staff work and bring stuff in with recommendations and really do their homework for the City Council that sometimes they don't have the time to do. He made a Motion was made by Resolution 2013-04-13, that we have our city staff review this matter and bring us back recommendations at the May 7th, 2013 Regular Meeting. He said a staff report would be received from them as well. Motion was seconded by Councilor Asgeirsson. Bob Litton said he

had a question. He asked if the groundwater district issued permits for drilling wells and sets the prices for those permits. Councilor Davidson said yes it does. He said the price is \$25.00. Bob Litton asked if the price could be raised by the water board. Councilor Davidson said he presumes that is so but the water code is pretty specific about it. He said you cannot be arbitrary about anything actually. Bob Litton asked who determines if you are arbitrary or not. Councilor Davidson said he did not know. He said he guessed if a citizen complains that they do not want to pay that much, they can contest it. Joseph Goldman said he wanted to ask the Mayor and the City Council to take whatever protection Alpine has for its most precious resource, its water. He said our present protection, under Section 36.121 prohibits the transport of our water to larger communities, over about 100,000 population, outside of our county. He said the present legislation has been sufficient to keep our water secure since 1995 and changing it to come under the jurisdiction of the Brewster County Groundwater Conservation Board, with no such assurance, does not make sense. He said the Council that urges this change offers verbal assurance but nothing in official documentation with which to compare 36.121. He said the council that urges this change is affiliated with the BCGCD which is that long name, while serving as a voting member of our city council, a question of incompatibility that the Texas Attorney General's Office has offered opinions and the courts have ruled on. He said the packet that he mentioned before is available there contains some almost exact situations that we have in our present problem of incompatibility. He said he suggests that we obtain another AG opinion specifically on our case before any further vote has taken place. Councilor Davidson said "Mr. Mayor, since this is a debate and not citizens comment, he would just point out that he sincerely believe, and he can get many opinions, that 36.121 does not prevent someone from drilling a well next to ours and pumping that water anywhere they want to. He said we can go to court as a city and try to block it but we would have to prove damages and we would have to pay for that ourselves." Mayor Rangra said the citizens would have another opportunity later on to give citizens comments and instead of delaying the meeting now. He said if we can delay this until May 7th, the issues will come back. He said instead of talking about this during this long agenda, we can discuss this at a later time. Councilors Davidson and Asgeirsson voted in favor. Councilor Gonzales voted no. Councilor Bermudez asked if she could ask a question before she took her vote. Mayor Rangra asked the City Attorney if Councilor Bermudez could do that. The City Attorney said we have already called for the question but it is up to the Mayor. Mayor Rangra told Councilor Bermudez to go ahead. Councilor Bermudez said her understanding was that at the next meeting, the City Manager and City Attorney were going to bring the council their information. She asked if they would be voting at that time or are they going to wait for a new council to come in and vote? Mayor Rangra said that would be decided by the Council at that time. Councilor Bermudez said she votes against.

Councilors Gonzales and Bermudez voted against. The vote was tied. Mayor Rangra asked if the motion died, since it was tied. The City Attorney Said the motion dies. Mayor Rangra said he did not think he would vote and would let the motion die. He asked the City Attorney what this meant. The City Attorney said the Mayor could ask for a new motion. Mayor Rangra asked for a new motion. Councilor Gonzales said “we can ask for a new motion when this has been closed?” The City Attorney said the motion was to delay pending receiving a staff report until May 7th. He said that motion failed on a 2-2 vote. He said the item is not concluded and he guessed Mr. Davidson could withdraw his item with permission or ask for a new motion or move on. Mayor Rangra asked what the City Attorney meant by move on. The City Attorney said move on to item 11. Mayor Rangra said “so this item is unsettled.” The City Attorney said “unsettled, yes sir.” He said “motion fails.” Mayor Rangra said “motion fails”. Mayor Rangra asked the City Attorney if this item could be brought back at a later meeting. The City Attorney said it could only be brought back at the next meeting by a member who voted against the motion. Mayor Rangra said they could bring it back if they voted against the motion. The City Attorney said, “yes, against the motion, if they voted against the motion, yes, sir”. Councilor Bermudez or Councilor Gonzales could bring it back. Motion died.

11. Discuss and Consider State of Texas Water Code, Chapter 36, Section 36.051: Board of Directors that applies to counties of population under 50,000 addressing the issue of Dual Office Holder Incompatibility. (A. Rangra) – Mayor Rangra said he felt we had discussed this long enough and withdrew this item.

12. Citizens Comments (limit 3 minutes) –

Reverend Barry Zavah said he wanted to speak specifically to items 10 and 11. He said his concern was if having anything to do with the water district, one of the members of the council is appointed, elected or voluntarily on another board, the county water district. He said on a sitting member of the council, Texas law, and Attorney General’s opinions are pretty clear. He said if a motion passes to allow the city to relinquish its water and contracts with other agencies and it is determined that the vote is illegal, what is the consequence. He said what is the consequence when the council in the past has exercised poor judgment and has wound up being sued. He asked if that litigation costs the city more than if they had done what was appropriate under state law, Attorney General Opinion, avoiding conflicts of interest and hints of impropriety. He said it is your money, your government, our government.

Bob Litton – Said what if some ranchers on the board give permits to each other for pumping water but do not want to give a permit to the city. Councilor Davidson said “let’s put it this way. He said the Supreme Court

and all the appellate courts of Texas have upheld the right of capture ever since 100 years which means that the water that is underneath the ground for us to use. He said people have production permits and a production permit is required, if your well will produce over 25,000 gallons a day. He said there has never been any limitations on production permits or fees on production permits. He said he understands that that stuff can change. He said in Sunny Glen is where we get a lot of our water from, the wells that would be under the jurisdiction of the groundwater district. He said much of our water comes from Musquiz field and it is all under the jurisdiction of the Jeff Davis County Groundwater District and they are, in his opinion, more interventionist and more heavy handed about their management practices, going on people's property, and monitoring the wells. He said they have those tomato farms and they are already managing the drinking water that we drink. He said he just wants to point that out, but that would be an issue. He said if you think your well is being impacted by some new pumping, the way the rules read right now is that four neighbors have to get together and all have to have historical use records, static levels and pumping levels to come up to the groundwater district for an appeal. He said they can appeal to the groundwater district if the groundwater district decides that the data shows that the preexisting wells are being impacted. He said if that happens, the way it is right now, it could happen to the city because the city is exempted from being under the groundwater district and the city would have to fight someone's team of lawyers in district court and not the groundwater district. He said realistically, he believed that the ability to protect water, from its tendency to run uphill towards money is very difficult and will only happen if everyone in the community has trust in each other and works together. He said as long as Alpine and the community is divided...he said he has not heard of any other water district that has the controversy and they are all over the state of Texas. He said he has only known of one case. He said there may be more but he is not familiar with them. He said it was a landmark case between a city and a groundwater district and the groundwater district wanted to limit the city's ability to pump as much water as they wanted and the city took them to court and won." Bob Litton said the City only owns 2 wells and leases the other ones. He said the city provides pumping reports to the groundwater district. He asked what the point was in pressuring the city about the lease wells. He said the city cannot do anything about those wells since they are not their property. Councilor Davidson said all of that information is public and what the groundwater district intended is to understand how the groundwater works and to have the data. He said there was a scheme by a company called Rio Nuevo. He said these guys would come and lease land and drill wells that pump water into the Rio Grande and sent it on down the river and sold it to the highest bidder. He said it was looked on kind of favorably for a while but was such a stupid idea. He said it was the Texas Land Office that was involved in that and they sent a guy up here to kind of explain the deal that they were obligated to work with the school funds and

get more money. He said there were 400 people at that public meeting about our water issue and he can guarantee that none of them were in favor of someone drilling our water and taking it out of here and it was in that environment that Brewster County Groundwater District was proposed and passed by legislature and then we had enabling election in Brewster County that won by an 11 to 1 majority. He said nobody looked at the legislation back in 1995 since it was not intended to affect Brewster County. He said it happened 7 years before we even had a water district. He said it is obvious that this is probably dead this year but he can tell us this, that he sincerely hopes that someday he does not have to come back and tell people he told him so but we have Midland and Odessa and every other water hunter use that is right on our doorstep and we have some of the sweetest and cheapest drinking water in the whole state.

Katie Elms-Lawrence – said we should have SB 1866 published in the paper for the citizens of Alpine with a brief synopsis explaining what it does.

13. Council Member's Comments and Answers –

Motion was made by Councilor Gonzales, by Resolution 2013-04-14, to enter into executive session. Motion was seconded by Councilor Davidson. Motion unanimously carried.

14. Executive Session – Pursuant to Texas Government Code, Subsection 551.074, Personnel Matters

- A. Employee Review: City Attorney John Armstrong and Municipal Judge Rebecca Schlosser. (C. Lujan)
- B. Possible action resulting from review. (C. Lujan)

15. Action – Executive Session – Pursuant to Texas Government Code, Subsection 551.074, Personnel Matters

- A. Action on evaluations: City Attorney and Municipal Judge. (C. Lujan)
- B. Possible action resulting from review. (C. Lujan)

15A. Motion was made by Councilor Asgeirsson, by Resolution 2013-04-15, to postpone these evaluations until there is a full council. Motion was seconded by Councilor Davidsson. Motion unanimously carried.

15B. Motion was made by Councilor Asgeirsson, by Resolution 2013-04-16, to take no action on this item. Motion was seconded by Councilor Gonzales. Motion unanimously carried.

16. Adjournment – Meeting was adjourned at 7:30 P.M.

I certify that this notice was posted at Noon on April 12th, 2013, pursuant to Texas Open Meetings Act. (Texas Vernon's Annotated Civil statutes, section 551.043 Texas Government Code.) This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please Contact the city secretary's office at (432) 837-3301 or fax (432) 837-2044 for further information.

Dr. Avinash Rangra, Mayor

Attest:

Margaret "Molly" Taylor, City Secretary

I, Margaret "Molly" Taylor, City Secretary, do certify that this notice was posted at Noon on April 12th, 2013, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Margaret "Molly" Taylor, City Secretary