

**City of Alpine
Regular City Council Meeting
September 17th, 2013
6:00 P.M.
Minutes**

1. **Call to Order, Invocation and Pledge of allegiance to the flag** – Invocation was given by Councilor Fitzgerald. Mayor Rangra led the pledge of allegiance to the flags.

2. **Determination of a quorum and proof of notice of the meeting** – Mayor Rangra and Councilmen Bermudez, Davidson, Fitzgerald, Gonzales and Castelli were present. Meeting notice was posted at 7:15 P. M. on September 12th, 2013.

3. **Presentations, recognitions and proclamations** – None

4. **Reports** –

City Mayor's Report - Mayor Rangra said he talked with Jim Stateczney with HCSS and he asked him about the \$30,000,000. He said Jim said the \$30,000,000 was in capital assets and was not cash. Mayor Rangra said Jim will be in town on Thursday if anyone wants to ask him any questions.

City Attorney Report – The City Attorney, John Armstrong said we are not being sued and are not suing anybody.

City Manager Report – Mayor Rangra said Molly Taylor was the appointed acting city manager. He said she was not the “limited” city manager as some people were saying. Molly Taylor said she did not have much of a report since she was so new at this. She said she was very busy but so far so good.

City Staff Updates – None

4. **Citizens Comments (on agenda items)** –

Dale Christopherson - said his comments are directed to item 16C. He said he would like to suggest that it makes no sense to him to fill the Finance Director position on a full time basis when you have applications for the City Manager position and that should wait until you have a City Manager in place.

Manfred Fritsche – said he wanted to comment on 8C,10 and 13. He said

update on the current fiscal situation that the city is apparently experiencing. He said what brings him out here specifically is the 30 million dollar figure which if even half accurate would be a devastating fact of impact on the City of Alpine. He said he was very anxious to hear that report. He said with regard to item 13, we will adopt a budget today. He said it is getting close to the time when the tax appraisal district will have to come out with their notice but if there is any truth to being anywhere close to a 30 million dollar deficit, he thinks the council should defer action on adopting a budget and the tax rate pending accurate information because you may have to cut spending and/or raise the tax rate. He said with regard to items 16A and C and items on the agenda to retain Ms. Pattison as a full time position for the finance manager. He said he has a little problem about what he has read in the papers about that lady because she apparently fired Linda Heitman and as far as he is aware, no city finance manager has the authority to either hire or fire anybody. He said that is strictly reserved for the City Manager. He said he has a problem with hiring her on a permanent basis. He said he does not even know what she looks like and has never met her. He said with regard to item number 23, applying for a line of credit. He said when Bill Lewis was the City Manager, he had a line of credit and he thinks it was just be a confession of bankruptcy if we applied for a line of credit. He said either the budget is in order or it isn't and the tax rate is there to support the current budget, but if we have a thirty million or a ten million dollar deficit you have got to do something and should not adopt the current tax rate. He said in executive session you are taking up the possible termination of the city attorney. He said his recollection, when we studied the charter, that the City Attorney is hired by the City Council to strictly advise City Council in their deliberations. He said he is not even supposed to advise the City Manager and that is his understanding. He said the stuff that he read that he is involved in, writing memos to city employees, you will be fired if you do a, b or c, and getting rid of Linda Heitman, that is not his job. He said the City Council ought to take that into consideration when they determine whether to retain him or not.

Carl Fleming – said he is commenting on item 11, the website. He said he has been told that the website has been down. He said some things have started to get updated since Michael Castelli is now on the list of City Councilmen. He said the minutes seem fairly up to date but there has not been a building permit added since March. He said one of the reasons he started coming to the council meetings was because of building permits and now they are no longer available to him.

6. Public Hearings –

A. Public Hearing to obtain citizens questions and comments regarding approval of large animal permit for one horse. This request is from

Barbara Roberts, to be located at 1906 West Sul Ross, Alpine, Texas. (M. Taylor, ICM) – Molly Taylor said she believed Mrs. Roberts was present. She said we are just asking for comments. She said the Animal Advisory Board met and held a public hearing on this and they approved her request for a large animal permit. She said this location is on the West side of town and part of it is bordering the city limits and they have been found to meet all the requirements. She said if anyone in the public has a comment we would be happy to hear it. Mrs. Roberts said she is requesting a permit for a horse on her property. She said this has already been approved by the Animal Advisory Board and Animal Control has said they have met the criteria. She said they are asking that their application be approved by the City Council.

- B. Public Hearing to obtain citizens questions and comments regarding rezoning request from C-1 to C-1A by owner Stella Geeslin. Agent, Joe Valenzuela proposes to replace the mobile home that he sold in June, 2013. He wants to replace it with a newer mobile home which is 16' x 86'. Property identification/street address is 908 E. Gallego. Legal description is Hancock Addition, Block 39, Lots 4 & 5. (M. Taylor, ICM)** – Molly Taylor said the Planning and Zoning Commission heard this and also had a public hearing last night and she provided the Council with the minutes regarding that. She said we have gone around twice on this one. She said they had requested another zone from R-4 to C-1 at one point in time. She said there were some errors on the zoning that was requested. She said this is the second time around and Mr. Valenzuela has been very patient with us. She said she does not believe any of the neighbors have any problem with this. She said it is still a commercial area. She said it is only for two lots but there has been a mobile or manufactured home in that location previously. She said Robert Polanco may have some information on it and we are welcoming public comments as well. She said the Planning and Zoning Commission did vote to approve it. Robert Polanco said this is a request from C-1 to C-1A. He said we think it is the best fit for these two pieces of property. He said if you look at the zone, there is not really another good use for that piece of property. He said there was a mobile home on there before and when he moved it off he lost the legal non-performing status of that property which is why he was not allowed to put the new one back on the property. He said that is why he has to go through the zoning change. He said C-1A would most benefit and is the best fit because he falls between C-1 and R-4 and C-1A is just a blending of the two. He said the setbacks are the same and the uses are the same except they disallow manufactured homes. Carl Fleming said he was a member of the Planning and Zoning Commission. He said this individual who is asking permission to put a manufactured home back on the lot tried to do this back in July. He said he has been put off several times. He said this has been kind of confusing. He said there is a tale of two maps. He

said when he was first put on the planning and zoning commission he was given a map that said the 2010/2011 Zoning Map. He said he thought for all good purposes that this was a good map. He said at the next to the last Planning and Zoning Commission meeting they were presented a map that said Alpine Zoning Map 2013. He said he asked the City Manager if this had been certified because our ordinance called for a certified signed and dated zoning map. He said this was the first one that the city has ever had other than when they first started. He said when he looked at this one and compared it to the one that he had, that he was working on in good faith, he found nine differences. He said he is sure some of them are just fine, but he does not know that since he was given such short notice to work from this map, when he had been working on the other one. He said he was caught flat footed. He said he was just wondering if the City Council knew that this map was certified and signed as of May 21st when the ordinance was put into effect and no map existed but this is the map and you need to see it. He said if you have not seen it you may need to have a public meeting on the difference of these maps. The Interim City Manager said we have certified the map and showed the map to the council, with the signatures on it. She said at the time that we certified the map, we did not actually have the map. She said we did not have anyone to create the map at that time. She said it was created later and we did sign it on the date it was adopted because it states "adopted on" by the certification. She said this is the new certified map. She said if anyone would like to see it they are very welcome to. She said she believes some of the council have seen it and it is in her office. Mayor Rangra said maybe we could hang it somewhere in the Council Chambers so everyone could see it.

7. Consent Agenda- (Minutes, Financial reports, Department written reports, board appointments, etc.) -
 - A. Approve Council Minutes of August 14th, and August 20th, 2013. (A. Rangra, Mayor) -
 - B. Approve Accounts Payable. (M. Taylor, ICM)
 - C. Consider allowing AHS Juniorettes use of the Civic Center on November 23rd and 24th, 2013 and waive fees other than utilities. (M. Taylor, ICM)
 - D. Consider sponsoring Twin Peaks 4-H 5K in the amount of \$1,000. (M. Taylor, ICM)
 - E. Consider appointing Jovannie Gonzales as Municipal Court Clerk for a two year term as referenced in Ordinance 2011-10-02, creating a Municipal Court of Record. (M. Taylor, ICM)

F. Consider approving the lease with Union Pacific Railroad. (Mayor Rangra)

Mayor Rangra said we are not ready for item F. He said our attorney said there are some problems with the liability. He said under the circumstances he has not talked to Union Pacific as he thinks he should but he wants to make sure that the negotiations continue and we are not ready to move forward on this item. The Interim City Manager said we need to remove item E also. Councilor Davidson said he would like to move item D to Action items for more discussion and action.

Motion was made by Councilor Gonzales, by Resolution 2013-09-09, to approve items 7 A, B and C of the Consent Agenda. Motion was seconded by Councilor Davidson. Motion unanimously carried.

8. Information or Discussion items –

A. Discuss Stipulation, Agreed Settlement and Consent Order for Railroad Commission of Texas Damage Prevention Section Docket No. 025209 concerning enforcement action against City of Alpine Gas Department for violation of underground pipeline damage prevention section Commission Rule 16 TAC 18.8 (a) at 17 Hwy (1st St.) Fort Davis, Jeff Davis County. The amount of lesser penalty is \$1,250.00 (M. Taylor, ICM)
The City Manager said she does not know much about this but does know the check is in the process of being prepared so that it can be mailed. She said we are hoping that this will be worked out. Mayor Rangra asked what kind of violation was this. Randy Guzman said he does not know why this is on the agenda. He said this was already taken care of. He said this was brought to his attention when Mr. Harrington was still Interim City Manager. He said there was a letter that was written to the Railroad Commission on this docket number. He said we have just been waiting for their response. He said he got on the phone today and spoke with Patrick Houston who is in charge of this docket. He said he said he was sorry that he had not had time to look over it but there will be no fine. Randy said he barely found out today that this was on the agenda. He said we were waiting on them to respond and he did say that a letter of no response and no payment and no fine is in the mail today. The Interim City Manager said she had inherited the letter and it did not look like anything had been done on it. Randy said they had written a letter back on July 11th of 2013. Randy said the violation was for a contractor. He said Barmore Plumbing had hit one of our lines and upon going over there and checking it out the line had already been abandoned. He said one of the employees decided to go ahead and file a TDRF with the Railroad Commission which is third party damage. He said upon the reviewing the submission they were going to go ahead

and try to find the escalator for hitting that line but wanted a request from us to assure them that it was an abandoned line. He said we submitted a letter in behalf to that contractor. He said he got his cleared and then we received a few days later that same fine but they wanted a request from us saying that was an abandoned line so that they would all be on the same page. He said we just had not received anything from them. He said that it why it was still sitting on the backburner, he guessed. He said we do have all the documentation and everything is here and as soon as that letter comes it will be attached to our filings so everything is good.

B. Update on the Landfill by Texas Disposal System. (A. Rangra) –Mayor
Rangra said he believes all the councilmen have this information which we will talk about later on. Jim Gregory said he was the owner and operator of Texas Disposal Systems. He said we operate the City Contract and the operation of the landfill for the City of Alpine. He said they have been doing that for about seven years and they are extremely proud to have the opportunity to do that for the City of Alpine. He said they really value our business. He said the reason they are here today is back in 2009 as they were doing some construction, at the landfill. He said you are required to excavate your cells down to a certain depth, submit an evaluation report to TCEQ. He said back when they were doing some excavation in 2009 they noticed an area that for some reason had some debris buried in it, that was in an area that had not been approved yet. He said at the time they came to see Chuy Garcia and told him about it. He said Chuy said he would look into it and that he would take care of it. He said they left that alone at that time, because it was in an area where we would not be for many years. He said if you look at the map you have you can see the yellow area and that is the area where Municipal solid waste was done. He said the area where the green is located is where the construction and demolition debris is to be done. He said we are required by permit and we are only allowed twenty tons per day of Municipal solid waste and 20 tons per day of construction and demolition debris. He said we were way back at that bottom red line because as we were excavating a cell we found that area. He said Mr. Garcia informed them that he would check into it and once we got in that area if it was a problem we would do something about it. He said this last February 1st, we started a new cell and when we started in that area we started finding more of these places and trenches in the landfill. He said the reason they are here today is because we came and met with Mr. Harrington after Mr. Garcia left because they wanted to make sure that they informed the city. He said this was last February. He said first they went back to Chuy and told him that there were a number of cells. He said they told him there were a lot. He said they excavated that. He said one of the cells was dug to an approximate depth of about 9 feet deep. He said that cell is about 8 and one half to nine feet wide. He said they

were told by some older employees of Duncan that whenever the prior company that was here would run out of space they would just dig a trench and start putting materials in it and they found that to be hard to believe and highly irregular that that would happen but the more they dug the more they found materials. He said they were told the reason they did not put the stuff in the cell was because they did not have room in the cell. He said when you fill up a cell and excavate down and in our case for the City of Alpine, we go down 18 feet and then we are allowed 18 feet above grade of trash. He said when we run out of an area that is slurred you have to put that trash somewhere until you get a new area. He said he can only speculate that they ran out of room and dug one of those trenches. Mayor Rangra asked if they had more than twenty tons a day. Mr. Gregory said he could only speculate. He said he did not know why they did not legally put it in the landfill. He said to choose an area outside of a certified area is a pretty significant concern. He said that could be a direct violation with TCEQ which could jeopardize the permit that the City holds. He said they could only speculate as to why they would do that. He said where the one trench goes on, you can now see it, he said you can see the indentions in the ground, where they have settled. He said when we first took over the permit, seven years ago, you did not see any of that. He said now, over a period of years, it has started to biodegrade some and it is starting to subside. He said you can see the weeds and grass where it is starting to settle. He showed the Council where the trenches were located. He said fortunately it appears that it was all construction and demolition debris. He said that would certainly make a difference to TCEQ. He said if it had been Municipal solid waste then we would have a much greater concern. He said it just being as it appears now, construction and demolition debris. He said there was a lot of plastic and a lot of it came from the tomato farms out here because there was a lot of their material in that. He said that has nothing to do with the tomato farm. He said the company was hauling the waste for them. He showed more of the debris. He said there was only one area that led them to believe that it was some type of household waste, was a big of flip top containers. He said they did look for dated material. He said they did not find any of that in this. He said they feel pretty certain that they will find some as they continue to dig. He said when they got into the trenches in February, that is when they came back to Chuy and told him that they really had a situation out there that we need to deal with. He said Mr. Garcia said we should not have to worry about that and that would decompose. He said they decided since they were excavating their material, that they needed to move three of those trenches. He said they took it upon themselves because they needed that next cell. He said they had to excavate two different areas. He said that is the Municipal Solid Waste one and down on the end is the construction and demolition one. He said they needed a new area because they were almost out of "air" space and when you are out of "air" space that is

what you do. You excavate a new cell. He said when they started digging the new cell, they had plans to go double that width. He said when they got into the trenches they decided to stop the construction and come to the city because something will have to be done about those. He said those will have to be removed and taken back to whatever area they need to go in. He said so far it looks like they would all go into construction and demolition. He said normal protocol would be for them as an operator or the City as a permit holder to notify the TCEQ of what is going on. He said they allow for mistakes and things like this, as long as you put together a plan to fix it. He said the problem is that we do not want to hide it. He said we cannot hide it and no one is trying to hide it, but we need to do something about it. He said on July 18th, we had the third TCEQ inspection since they have been out there. He said that is really unusual. He said they run a 750 acre site in Austin and they have had two but the City has had three. He said it was great for them because they turned out to have no violations and were clear. He said on that day that happened to be the day that they met Mr. Harrington. He said their manager who is Ron Poor was here and had known Chuck. He said he had not known Chuck before. He said he met Chuck that day. He said he informed him after the inspection that day of this. He said he told him that this was something that we needed to look into. He said Chuck said to get him information and put him together a packet. He said they did that and tried to find out what was there. He said they met with Mr. Harrington on August 22nd, four days before he resigned. He said he was certain that Mr. Harrington had good intentions to come before this council with this information but did not have time before he decided to leave. He said Chuck made it very clear that if they did their inspections and find that there was a problem, he had the right to call the city's engineer who is Naismith Engineering. He said they could call Grant Jackson and get them informed. Mr. Gregory said they are here to assist the City in any way they can. He said when Mr. Harrington resigned, they felt it was necessary to bring this to the council. He said they did not want to wait for another city manager. He said they are not in any real trouble as long as we report what we found. He said it is going to have to be remediated and moved. He said they moved a portion of those three trenches to get that one cell dug and that was on their nickel. He said they did it because they had their equipment there and they wanted to get the job done. He said in the future they are going to have to do something by way of moving that material. He said moving the material could be done in two fashions. He said they could just literally go out there and dig it up and move it right to that green area. He said if they do happen to get into Municipal Waste, then they would have to haul it to the Municipal site. He said they are only speculating that these numbers were probably not included on the tonnages that came into the landfill. He said so when they put it in the landfill now, that has to go and apply against the 20/20 tons. He said if we for any reason go over the 20/20

tons, the 20 tons of municipal and the 20 tons of C & D, we could get a direct violation again. He said they as TDS end up hauling material away from here. He said last year they hauled 60 loads to Presidio. He said they were glad to have the volume and that was their nickel. He said they do it to keep us from going over the tonnage. He said they would feel much safer applying that to that tonnage. He said they do not need to be surveying their land fill and find out ten years from now that we have used up too much "air" space and we cannot make the numbers right. He said they will be happy to do that. He said that is one way to do it, just excavate it and move it to another location. He said another way to do it is to excavate it and screen it. He said he would take the soil out. He said there is no sense in counting the soil against the 20 tons. He said he would screen the soil and just bury the waste. He said the soil can be used as a cover product. He said that would be the pleasure of the Council or City Manager to tell them what to do. He said they just wanted to come in and inform them of the situation and make them aware that we need to notify TCEQ and make them aware of this. He said we need to protect the integrity of this permit. Councilor Castelli asked if they had identified all the trenches. Jim said there is a big pile of topsoil and when the other company and TDS excavated it down, they brought a lot of soil down. He said those trenches go right up against that pile of soil. He said they could go underneath that pile of soil because most of that pile was there when we started. He said everything in the yellow was excavated when they started. He said the yellow to the right of that is what TDS excavated when they started. He said the prior company had excavated that large area and when they took over the company they had a large amount of "air" space area that they were able to use. He said there absolutely could be more. He said he cannot imagine why they are out there, period. He said they should not have been out there. Councilor Bermudez asked if he thought there could be some more in a certain area. Jim said no, he did not, because the area did not look like it had been disturbed. He said he did not think there was anything out there and if there was it had been out there for a long, long time. He said when they took over the contract they did not think anything was there. He said the only way they found it was when their scraper fell in the hole. Councilor Fitzgerald said if this happened under Duncan's watch, could we get them to fix it. Jim said if it was under his watch, the City would absolutely come after him and he expected them to. He said they violated our permit. He said the cells are numbered and they tell us how we will fill our landfill. He said you have to come one direction and this will all turn green. He said the City has about 50 to 60 years of life remaining in the landfill. Jim said it states how you will fill it and the way you fill it. He said it clearly states the depth of your excavation and the height of your fill. He said when you permit a landfill, you submit a proposal to the state. He said the state looks over it and deems it administratively complete. He said that means it meets the letter of the

law. He said once we are granted that permit, you have to go by the way you said you would do it. He said you have to fill in that order. He said if we were to change that, we would have to go back to the state and have another public hearing and ask for an amendment to change that. He said there is no reason to change it. He said it does look like a good plan. He said the City started out by permitting a type I landfill. He said we changed it to an arid exempt site after it was permitted. He said there was a lot of engineering and study that went into this that would not have been required for a type 4 site. He said that is what this is considered to be, a type 4 site. Councilor Gonzales asked about filtering the dirt out and asked if it was expensive. Jim said it is more expensive but is not real expensive. He said he would bring back a proposal to the council before they decided to do that. He said it is cheaper to go ahead and haul it. He said on the three trenches they found they spent 34 hours on doing those short trenches. He said we are probably looking at about 400 hours. He said if we just dig it up and move it. He said most people look at the landfill and say we have to have it. He said it is one of the most valuable assets that the City owns. Councilor Davidson said if we do not do something we could find ourselves at the end of the year having to haul our stuff to Presidio and that would be an extra cost. Jim said soil is what is heavy and the debris in it has decomposed. Councilor Fitzgerald asked what 400 hours equated to in price. Jim said it is about \$85 to \$100 per hour. He said that would be two pieces of equipment. Councilor Fitzgerald asked the City Attorney if Duncan would be liable for this scenario. The City Attorney said yes. Councilor Gonzales asked if TCEQ would be after them and Jim said no, they would be after the permit holder. Jim said they do an annual report every year that they send the Council copies of. He said the Council needs to follow that report. He said the day they took over the contract they had the entire landfill surveyed themselves so they can prove to the City exactly how much air space they have used in their time period. Mayor Rangra asked if we had informed TCEQ about this. Jim said we had not and Mr. Harrington told them to get in touch with Naismith about this. He said they were going to put together a plan and Mr. Harrington was going to make a decision about whether he went or we went to TCEQ and that is when they decided to come before the council. Mayor Rangra said the green portion should be 20 feet deep and it was only 10 feet deep. Jim said they have only been told that that area, when they were excavating the cells, they only went down 10 feet deep and the piece of equipment broke down. He said they took the piece of equipment out of the landfill and they did not bring it back. He said they started dumping on top of ten feet of air space. He said now you are talking money. Mayor Rangra asked what that meant to the taxpayers in terms of loss. Jim said that is an unbelievable loss to the taxpayers. He said he would be speculating. Mayor Rangra said our monthly bill with TDS is for about \$100,000. Jim said most of that is for collection. Jim said it would be in the many

thousands of dollars. He said it could easily be \$100,000. Joseph Goldman asked about the contours. Jim said they were five feet contours. Mr. Goldman asked if the whole thing was slanted. Jim said the bottom was slanted by less than 2%. Jim said they would put a proposal together for what it would take to move it. Mayor Rangra said we need to talk to TCEQ. He said the sooner the better. Jim said if we want TDS to talk to them, they do that on a regular basis. He said they would be happy to do that. He said it would probably be better for the City to do it since they are the permit holder. He said Mr. Harrington said we needed to get Naismith involved as well. Mayor Rangra said we have an obligation to do this and we cannot just cover it up. He said we are in violation. He said the City Manager will get in touch with them. Manfred Fritsche asked if the City could just approach Duncan Disposal and tell them to straighten this out, rather than going the lawsuit routine. Mayor Rangra said that is what we need to talk about to see what we can do.

- C. Update from the Interim Finance Director, Deborah Pattison, on the reconciliation of accounting books. (A. Rangra, Mayor) – Mayor Rangra said Ms. Pattison was not feeling well. Councilor Davidson said she is present. Mayor Rangra said he was told that Ms. Pattison was not feeling well. Ms. Pattison said that was true but she was here. She said she wanted to start out with a sincere apology to the Mayor and Council and to the press. She said if you listen to the tapes from the last meeting she had made the statement that in the city's trial balance the debits did not equal credits by 30.2 million. She said part of the conversion process is that we are looking at irregularities between the debits and the credits and they are being worked through. She said and yes, Mayor, a good portion of it is capital assets. She said her job is to tell the truth and not sugar coat it. She said not everything is capital assets. She said there are many line items that are discrepant that we need to work our way through and before we spend a lot of time taking financial advice from a software vendor, she does not want to get into an argument with the software vendor either, but this is the same software vendor that had the Municipal Court running off of Justice of the Peace software for over 14 months, which means that we have had incorrect fees and incorrect details because it never was Municipal Court software. It was Justice of the Peace software. She said before we start taking financial advice from our software vendors, she promises you that it is not quite as simple as Capital Assets. She said that is part of the picture but there are many, many pieces to this picture and we will keep working our way through it until the 30.2 million dollars is reduced. She said it is already reduced to 25 million and it is not money that is lost and it is not deficit. She said it is just the trial balance and the debits are 30 million dollars higher than the credits at this moment. She said we are working through this line item by line item. She said it is a 62 page report and it will take us a little time. She said she will just hit the highlights. She said you have a page

on utility deposits. She said concerning the overall financial condition, yes, one of the items for discussion is a line of credit. She said when that was put on the agenda it was considered for possibly no more than \$200,000 only to get us through the end of the fiscal year for the next two weeks and the first 20 days of October before our property tax revenues really become stable and reliable. She said we are in a tight cash position and it is not a panic situation but it is a tight situation. She said after the bills that were approved tonight are paid, total unrestricted funds will be approximately \$20,000. She said we do have additional revenues coming in and we know what our next payroll will be and we should be fine to make it through September 30th and make it through the first two weeks of October. She said what she does not want to do, since we are proposing a balanced budget, that is 4% less than last year's budget, is to take any invoices and any bills that we owe now and push them into the next fiscal year. She said this year needs to stand on its own two feet and next years balanced budget does not need some of our bills moved into it after October 1. She said this line of credit, if needed would pay for everything that has been accrued as of September 30th and paying it in fiscal year 2013. She said that is why that agenda item is there. She said it was going to be on an as needed basis, if needed. She said it may not be needed. She said normally if you go back for the last three years of September revenues, you are normally going to make at least \$570,000 during the month of September and that was calculated in and she thinks we will be fine. She said we have had a history for this past six months with some older bills and things coming through. She said she just wants to be on the safe side, especially since she is not going to be here. She said she has not had a vacation since 2006 and has non-refundable tickets bought three months ago. She said she would be in Canada. She said she wanted everything to be secure if she was not here. She said concerning the Linda Heitman issue, that was consulted with legal. She asked if that was a mistake on her part, now we have a City Manager and we can bring it back before the City Manager to hire her back into that position. She said if she mis-stepped, she apologized. She said the first piece of paper in their packets was utility deposits. She said she just wanted to put it on paper so that they knew how it is on their financial records. She said customer deposits are held by the utility but they are still owned by the customer. She said to the city it is a liability account. She said we take the gas deposits and the water and sewer utility deposits and we are to hold those in safekeeping and when the customer moves out we are to pay that deposit and we always have that money available. She said she likes to have it in a separate bank account if possible but just to let the council know how it has historically been done in the gas department is that it goes into the gas operating account. She said when you look at your gas balance you have to subtract out that we have deposit liability money in that account that we really need to have and rebuild and put it in a distinct account

and hold it there. She said that is one of our goals next year to rebuild that account and put it in a distinct account and not an operating account. She said the same thing for the water and sewer utility deposits. She said those are deposited into the general fund and that has been a catch all fund to hold the water, sewer and sanitation enterprise fund. Deborah said as of a week ago, she had mentioned the figure of 30.2 million dollars and as of this date, September 13th at 3 P.M. it was 31.2 million but that is just a discrepancy between debits and credits. She said all of the funds that the city has are listed out and the difference between debits and credits and they are working on ways to do that. She said we will resolve this in time for the audit and as the Mayor said part of that is capital assets. She said another item is all of the grants and funded revenue accounts and she said if you notice we have over 20 of those accounts. She said we are working through that very closely with the auditor because there are several things going on there. She said you have income accounts and expense accounts summing to negative values, technically in the software that should not happen if our entries are appropriate. She said what we have are some journal entries from fiscal year 2011 and fiscal year 2012 that are not hitting these new set of books properly. She said we have fund balances that are currently present as expense accounts so we will be correcting that and you have some budgeted amounts for fiscal year 2012 and some fiscal year 2012 beginning balances but the way the software conversion worked, they rolled into and are looking like FY 2013 actual amounts. She said you have a lot of trash on this page and we just have to work our way through it and we are pulling all the paper records. She said the auditors are working with us. She said we have two work days set up for the latter part of the first week in October. She said the auditor will be here for two days and the software vendor will be here for two days and we will continue to work our way through this. She said the Council has one final page and we did enter some of the fund balance adjustments that came from the auditor and this was done with the software vendor on this past Saturday and then you have an up to date reconciliation and as of that date the discrepancy of debits and credits was 24.4 million and you can see exactly which fund and what the discrepancies are. She said we are working our way through it. She said some of that is capital assets. She said this year will be tough. She said the auditor met with the Mayor and had a few discussions and they pulled their bid. She said they are not going to be a part of this big process of the audit this year. She said it is going to make it tougher this year because they have all our work papers. She said they have the details and journal entries that have been made in prior years. She said we are going to get a large audit report and she can just promise that. She said this will be your bad one and next year everything will be a lot more in order. She said we are working as quickly as we can to get this resolved so that it is ready. Councilor Fitzgerald said he would just like

to say that this is rather typical. He said when you have an accounting mess and it takes years to get that way and it does not get fixed right away and typically the first audit after the problem like this will not be stellar, just exactly what Director Pattison said. He said not to expect it to be all glowing for the first one. He said for the next one, expect it to glow. Councilor Davidson said he has done some studying and taken some courses about balance sheets at one time and the deal is that if they do not balance they do not mean anything but from a balance sheet you can tell how much to advance but what he does not understand is how you can get so far behind and have so many erroneous entries. He asked if all the city's bank accounts were reconciled on a monthly basis or had they been in the past. Deborah Pattison said there was a lag time in some of that. She said in some cases there were some plug numbers. She said in her ideal case if she had the manpower and the resources, she would go back to October and she would reconcile till now and reconcile the entire fiscal year before we turn it over to the auditors. Councilor Castelli said good work. Mayor Rangra said this morning when he asked Molly about obtaining the information so we could discuss it, Deborah was not available. He said what we are told is that there is a problem with the software. Deborah said the way things were set up in the old system, was garbage in and garbage out. She said but it was more complex than that. She said there was just a way that the data was not available in a typical format that you would roll forward into a new software. She said there had to be a lot of estimating and there had to be a lot of assumptions. She said you did that just to get started and then you had to deal with a lot of assumptions and prove them up with paper and if you are wrong you just change it and you put everything in the right category. She said the old software was so unique and it did not fit the normal mold of what any software vendor would be able to convert from, so this was to be anticipated. She said they hoped it would have been a lot smoother but it went as anticipated. Mayor Rangra said Saturday when Deborah was here in the Council Chambers, Jim Stateczney was sitting over there and he asked him that question. Deborah said he said "I found it". Mayor Rangra said he also said that the information was available but the person who was trained did not enter the information and that is the reason that we were 30 million dollars off. He also said that this person was trained and told Jim just to train them and nobody else, so we had only one person who was trained instead of two or three. He said he thinks what we should do from now on is have more than one person who is trained so that when one person leaves another person can handle it. He said he is not taking advice from anybody but he does talk to people to get the information. He said he then does bring the information to the person the information needs to be communicated to. He said when information comes, just like the things that we have heard before. He said the Ranger brought it to him and he said the council has the right to know. He said he is glad that

Deborah is doing this and glad that she is doing a good job but at the same time we need to let the public know that the information is available. Incomplete or not he does not know. He said that information was not entered into the system. He said there were people who were trained to do it and in the meantime the public is wondering what the \$30,000,000 is. He said the newspapers are having a hay day on this issue. They are saying the money is missing. He said we have to tell the public what the truth is but before that we need to do a lot of research and find out what the numbers are. He said again he agrees with the councilmen that she is doing a good job and he thinks she is. He said it is a lot of work. Deborah said there is a lot of work still to be done. Mayor Rangra said we are converting from one system to the other and the systems will not speak to each other. He said let's hope we can find the information as soon as possible. Councilor Davidson said he wanted to make one thing very clear. He said in every audit report, the auditor, who now does not want to handle our account has stated that our software is very inadequate and had a source code wide open and the council ignored his advice to the point where he does not want to do business with us anymore. He told Deborah that he thought she had done a wonderful job with stepping into a big mess. Councilor Fitzgerald said part of the problem could be the semantics. He said a lot of people may not know what a master control trial balance is. He said they just look at the thing as a \$30,000,000 difference and then they are upset and the press runs with it. He said that is just the master control trial balance. Councilor Gonzales said in anybody's account the money fluctuates based on how much you have. He said it was quoted that we have \$500 in our checking account to emphasize that we don't have any money or is there money coming in and it just so happens that we are at a low point at that time. Deborah said that is the Tex Star investment account and when there are lean times, if you have excess and you don't need it for the operations you put it into that account and it builds more interest than your normal checking account. He said there are times when we have had higher amounts of payables or something like that and we have pulled from it. She said a year ago there was over \$300,000 in that account and it has been steadily pulled from this year and even a few months back we had \$150,000 but yes at this time, and for the past month, we have had \$572 in that savings/investment account and we have not been able to replenish it because our operating cash is low and that will be one of the goals next year to build it back up to the \$300,000 plus level. Councilor Gonzales said considering that amount of money and Deborah said we had \$300,000 in there to begin with, did she not find as she was going through the books or the receipts, items that needed to be paid, that we tried to use that money to do that with. He asked if that was going on. Deborah said there were some old invoices that were being paid that were around six months old. She said we were going

through more cash than typical. Councilor Gonzales said what we are trying to do is get ourselves balanced and make sure that we were correct. He said not necessarily that we are down to the amount of money because we did not use it appropriately. Deborah said her point is that we don't have a line of credit and we only have that in the savings account, we have no other place to go. She said she does not want to hold bills or push them into the next fiscal year. Councilor Bermudez said the very first time we heard anything from Chuck about this, he was sitting over there and mentioned that we had 1 million dollars and everything was fine. She asked what happened to the million dollars. Deborah said we should have started from the very beginning. She said she would like the dialogue that we have now. She said she was in some ways shielded from sharing. She said that was the 1.1 million that was every account. She said but you have 12 accounts that are restricted funds. She said yes you have balances in them but they are restricted for specific purposes and there are legal limitations on what they can be used for. She said technically we probably should have never tossed out that figure because she should have only given the council operational accounts and balances in those. She said the report now has been restructured so she has all the operational accounts at the top and the subtotals, all the restricted accounts and that subtotal and then you have an overall balance. She said \$1.1 million was accurate and that included every one of our restricted accounts. Mayor Rangra asked if \$800,000 was restricted funds. Deborah said yes, about \$700,000. Mayor Rangra asked what that money was for. Deborah said there are many purposes. She said part of it is for HIDTA grants, there is hotel occupancy tax, certificates of obligation and police department restricted funds. She said if you have a grant or a special revenue it has to be earmarked for something. She said it is actually all those accounts in one page that are grants and special revenues. Those are the restricted accounts. Mayor Rangra said so we are not going to default in making payments on the money that we have borrowed. Deborah said no. She said one of the issues with the water development board is that we are now allowed to put a monthly amount forward. She said she went three months back and we paid all the way through the end of September so it was paid in advance and handled. Mayor Rangra said the operation account, income sources out, sales tax, water, sewer, sanitation and gas. He asked what we paid out of those amounts. Deborah said payroll and your wholesale gas accounts and Texas Disposal System. Mayor Rangra asked if on the average that portion is what we have been having every month. He asked if that was correct. Deborah said that was right but as far as an unrestricted cash reserve Shaw Skinner told her that last year the audit was \$8,000 at the end of the fiscal year. Deborah said this is our lean time.

D. Discuss progress on quiet zone. (A. Rangra, Mayor)- Mayor Rangra said

we needed to skip this item since we do not have any information on this. He said we could talk about it at the next meeting.

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.)

Councilor Fitzgerald said he would like to move the Executive item up to this point in the agenda. City Attorney Armstrong said he did not want to be in Executive Session but wanted open session. See item #26.

9. Discuss and Consider authorizing Chief Scown to purchase 2 or 3 used vehicles from FES Restricted Fund for the Police Department. (M. Taylor, ICM) – The Interim City Manager said the Chief of Police wanted to remove this item from the agenda.

- 7D. Consider sponsoring Twin Peaks 4-H 5K in the amount of \$1,000. (M. Taylor, ICM) - Motion was made by Councilor Davidson, by Resolution 2013-09-11, to approve sponsoring Twin Peaks 4-H 5K in the amount of \$1,000 but to delay payment until October 1st, 2013. Councilor Fitzgerald said if anyone wants any money from the city they need to be present so we can ask them questions. He said this was not a big deal but it was just the point or principle of the thing. Motion was seconded by Councilor Bermudez. Motion unanimously carried.

10. Discuss and Consider action, if necessary, on the update by the Interim Finance Director. (A. Rangra, Mayor) This item was removed from the agenda.

11. Discuss and action to solve the city’s website problems ASAP up to and possibly including site redesign, new hosting servers, transfer of all city records required by law and/or sound practice as phase one. Phase two is to install and implement on-line payment of utility bills. Request for proposals to be reviewed at October 1, 2013 meeting. (M. Davidson) – Councilor Davidson said the comments on the street about our website which according to some it is not working and it is broken. He said Mr. Fleming commented about this and this is something we resolved long ago to put building permits on the site so that people can know what is going on in the city next to them and can develop an educated opinion. He said he had a journalist e-mail him yesterday who wanted a copy of the agenda. He said it would have been very nice to say “go on line, it is on line”. He said but no, it is not on line. He said he has listed all of these possible actions because he manages a couple of websites and he has actually built some websites just to learn the skills. He said this is something that just takes a matter of will. He said it does not take a bunch of money. He said he thinks there is concerns about access to our servers and who has all of

that user names and passwords and stuff. He said according to some there has been unauthorized access to email accounts which has been done through your website server. He said he thinks we just need to solve this. He said if this is a matter where you can go on site and change it then what we have is a problem with not getting it done and we need to make sure it gets done. He said but if it is a technical or hardware or software problem we just need to get somebody to come in and solve it. He said there are people all over town who can do this stuff and it is not a very difficult site. He said it is a fairly simple design. He said there is a lot of information that just needs to be copied and pasted on it. He said we did build a new site and go with a new server. He said phase II is something but phase I is kind of a critical phase and we really need to get this done. He said it is the very essence of transparency for a city or any kind of government at all to have an up to date website. He said he is not so sure that we are not violating laws but we are certainly violating any kind of best management practices. He said phase II is something that would help us to save money on bookkeeping and accounting. He said we would make it convenient for people who did not have to get up to go to the post office and drive over here and stuff like that. He said it is just like dragging your feet and kicking and screaming in the year 2000. Councilor Davidson made a motion, by Resolution 2013-09-12, to authorize Molly Taylor to immediately contact local providers and see what they suggest and to present proposals to the City Council. Motion was seconded by Councilor Gonzales. Councilor Gonzales said he was inclined to agree with Councilor Davidson in the sense that even the Municipal court would benefit from this so that we can get payment from people who are getting tickets from out of the state. He said they can pay pal us the money or whatever they want to do. He said he also thinks that the October 1st deadline may be too soon because someone would charge us the money to do all of that and for a lot of these items we do not know where the money is coming from. He said to tell the City Manager to do that, we may want to wait until we get some money. Councilor Davidson said if you look at proposals on October 1st. He said if you contracted it out to him he could get something very substantial on line and changed over probably hiring out for about \$1,500 to \$2,000 and in three or four days it would be done. He said and then of course we would have to institutionally make sure that all the city information is updated on a real time basis. He said he knows the weekends are tough and we have an agenda that comes out on Friday but he said he promises us that once the site was built, he could personally post the agenda. He said it takes much longer to turn a computer on than it would to post the agenda where the whole public could see it. He said that is true for minutes and that is true for any data files. He said most of that stuff should be in pdf form where someone cannot just take it and change it. Molly Taylor said we have our servers through a local provider. She said for weeks now they have promised us to fix it but they say it is very difficult to do because when it was transferred over, part of it was lost

and they say they are having a hard time fixing it. She said if the Council wants us to move on to someone else we can do that. She said this is a local provider that we are using for our daily work on our computers. She said she does not know if they just do not know how to do this but she knows that Abel has talked to them and Abel is the one who usually puts things on there. Councilor Davidson said he is mystified. He said if this were to happen to someone that was really making a living they would be out of a job. Molly Taylor said we have checked many, many times and we are aware of the problem and we get a lot of criticism for it. She said she keeps on them and they keep saying that they need a little more time but it is real difficult and we cannot get it fixed. Councilor Gonzales suggested that we tell them if they don't hurry up and do something we will get another provider. She said she hates to bring that up, but that is the truth. Councilor Davidson said he would just prefer to change to another host which costs about \$100 per year to host a website. He said they are all over the place and to not get technical you can just lift that design off and copy it over and stick it on another server. He said then you have a migration and you have to change the domain name of the server and then it has to migrate. He said it takes maybe 36 to 48 hours to change. He said there is a little bit of lag time. He said he is not saying that they are not capable of doing it but if they have been asked to do it and it has not gotten done. Molly Taylor said Abel can confirm that. Abel said yes sir. Councilor Davidson said he understands but then he goes walking down the street and it is just not that hard. Councilor Fitzgerald said it sounds like we are getting jerked around to him. Councilor Davidson said maybe. Mayor Rangra said he agrees with Councilor Davidson. He said it is like with an electrician, you keep calling. He said if the person does not show up you call another one. He said he believes it is time that this council takes some action. He said he gets calls all the time and emails about the website being unavailable. He said let's just go ahead and do it. Chris Ruggia said one thing as a web designer himself that gives him pause when he considers putting in a proposal is the legal requirements that might not be known to him. He said if there is any way that we are within that request for proposals for some of those parameters. He said one thing that he sees on the existing site that would be a challenge is there is a lot of content in that data base. He said it is not as super simple as you might think. Councilor Davidson said it is still a copy and paste. Chris said there would be a lot of copying and pasting. Chris continued to ask about legal requirements. Councilor Davidson said he thought we could take proposals and someone can be easily trained on how to do the copying and pasting. He said that is like ditch digging and somebody can get it ready to go. Molly Taylor said we can attempt to get this done by the October 1st meeting but it is possible that we may not be able to find someone by then. She said the one issue on it right now is that we have a lot of information on it at this point but we cannot add to it. She said they said something fell apart when they changed the system over and they are

having a real hard time getting it back. She said we do have a contract with the people that are working on it. She said she is not bad mouthing anyone but she does not understand the problem. Councilor Davidson said it may be a little idealistic to say October 1st but what can be done is also to have a dummy site. He described what the dummy site was. Molly Taylor said they suggested a mirror process but somehow that did not work out. She said they have been trying and she just wanted the council to know that. Councilor Gonzales said he was told that there might be a problem because one of the computers had lost a lot of its data and we only had it on one computer and it happens to be the one where we are doing the finance. Molly Taylor said she believes that it is all on her computer. Councilor Davidson said the site is on a server farm somewhere. He said we can be realistic about the date but he said he would help give names of people we could reach out to. He said maybe we should announce this some kind of way. Councilor Davidson said he would change his motion to include that the proposals be made at the earliest feasible date. The City Secretary said if we do not receive any proposals by then, we will at least report to the council. Motion carried unanimously.

12. Discuss and Consider possible action to dedicate 7% of Hotel Occupancy Tax receipts to offset City of Alpine administrative costs to go into effect FY 2014. (M. Davidson) – Councilor Davidson said he has some experience with hotel tax and its uses and it is very customary to have an administrative fee. He said it costs the city money to collect it and make sure it is collected. He said we send out statements and print out packages and just like all the other enterprise funds that have their light bills and cleaning bills this totally passes the smell test and totally flies and he thinks based on what they are estimating their hotel occupancy tax to be in 2014, this puts about \$25,000 back in the finance department or just in general to offset costs. He said this is customary everywhere. Motion was made by Councilor Davidson, by Resolution 2013-09-13, to dedicate 7% of Hotel Occupancy Tax receipts to offset City of Alpine administrative costs to go into effect FY 2014. Motion was seconded by Councilor Fitzgerald. Chris Ruggia said he just wanted to say that this seems like a very appropriate use of 7% of the funds. Motion unanimously carried.
13. Discuss and Consider adopting FY 2013/2014 City of Alpine Budget and Adopting Ordinance 2013-09-02, an Ordinance making appropriations for the support for the City of Alpine, Texas for the fiscal year beginning October 1, 2013 and ending September 30, 2014; appropriating money to a sinking fund to pay interest and Principal on the city's indebtedness; adopting the annual budget of the City of Alpine, Texas for the year 2013/2014 Fiscal Year. (M. Taylor, ICM) – Deborah Pattison said we have had 9 hours of workshops and everything has been published in the paper for all the dates that needed to be published. She said in the proposed budget there is a four percent reduction from the prior year and it is

realistic for the revenue estimates. She said it is a step in the right direction. Councilor Gonzales asked about the four percent reduction. Deborah said 3.96% actually. Councilor Davidson said in this environment of financial uncertainty it takes great discipline by the City Council to not just raise some taxes to make sure we have it covered. He said we need to be really careful and cut some expenses. Motion was made by Councilor Davidson, by Resolution 2013-09-14, to adopt the FY 2013/2014 City of Alpine Budget and Adopt Ordinance 2013-09-02, an Ordinance making appropriations for the support for the City of Alpine, Texas for the fiscal year beginning October 1, 2013 and ending September 30, 2014: appropriating money to a sinking fund to pay interest and principal on the city's indebtedness; and adopting the annual budget of the City of Alpine, Texas for the year 2013/2014 Fiscal Year. Motion was seconded by Councilor Gonzales. Councilor Fitzgerald said he believed it was a really good budget. Motion unanimously carried.

14. Discuss and Consider taking final official vote to approve effective tax rate of 0.5385 per \$100 of taxable value for FY 2013/2014 and adopt Ordinance 2013-09-03, an Ordinance levying Ad Valorem taxes for use and support of the Municipal Government of the City of Alpine, Texas for the 2013/2014 Fiscal Year; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid. (M. Taylor, ICM). - Deborah Pattison said this is a reduction in the property tax rate and we are proposing that we adopt the effective tax rate of 0.5385 and also this year through some recalculating, this puts almost \$300,000 extra into maintenance and operations compared to the interest and sinking fund. Motion was made by Councilor Fitzgerald, by Resolution 2013-09-15, to approve the final vote to approve the effective tax rate of 0.5385 per \$100 of taxable value for FY 2013/2014 and adopt Ordinance 2013-09-03, an Ordinance levying Ad Valorem taxes for use and support of the Municipal Government of the City of Alpine, Texas for the 2013/2014 Fiscal Year; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid. Motion was seconded by Councilor Bermudez. Ray Hendryx asked how much reduction this would be. Deborah Pattison said she would get that figure for him. Councilor Gonzales said not enough to go shopping. He said but it is not going up either. Mayor Rangra asked about the reduction when the valuation goes up every year. Deborah said this would be effective tax rate and it is based on the same number of properties for both tax years and it will produce the same amount of taxes. Mayor Rangra said so we are not going to see an increase in taxes. Deborah Pattison said no. Mayor Rangra said that was great, no more tax increase this year. Motion carried unanimously.
15. Discuss and Consider taking action, if necessary, to cure the problem(s) at the Landfill. (A. Rangra, Mayor) – Mayor Rangra said we heard a

presentation from Mr. Gregory and asked what the pleasure of the council. Councilor Fitzgerald said we need to pursue going after Duncan. He said it is their problem. He asked why we needed to pay for it when they should. Motion was made by Councilor Fitzgerald, by Resolution 2013-09-16, to pursue our options to try to recover the costs from Duncan Disposal (Republic) and notify TCEQ and get them in the loop. He said to also notify TML to help us draft a letter to TCEQ and Duncan (Republic). Motion was seconded by Councilor Davidson. The Interim City Manager said TDS had mentioned that Grant Jackson with Naismith was involved in this process and asked if the Council wanted to continue with that so they can assist us in contacting TCEQ. Jim Gregory with TDS said after Mr. Harrington gave him the go ahead to correspond with him, he sent Grant an email to try to set up a conference call between him and Mr. Harrington and himself and he has not responded back. Mr. Gregory said he would be glad to reach out to Mr. Jackson again. Molly Taylor said she would call Grant Jackson. Councilor Davidson said he does not have a great deal of confidence in Naismith Engineering. He said only if they are vitally involved. Mr. Gregory said Mr. Jackson is very polite and helpful when we have asked him to be but we have reached out to him this time and he has not responded. The Interim City Manager said she would try to go straight to TCEQ. Mr. Gregory said Mr. Jackson is very knowledgeable when you talk to him. Councilor Davidson said we do not have a City Attorney to direct us. He said this might be something that could be approached as an individual. He said he does not know if TML has some resources for us. Councilor Gonzales said we can also see what TCEQ says. Councilor Fitzgerald said we can see what Duncan's reaction is. Councilor Davidson said our provider has some experience. Jim Gregory said he would be happy to help. Mayor Rangra said this communication will be a legal one. He said if he was going to sign it he wanted a lawyer to draw up the papers. He said he did not want the city to have any problems. He said maybe a lawyer from TML could help us draw up the papers. Motion carried unanimously.

16. Discuss and Consider:

A. Authorizing the Acting Interim City Manager to advertise for the position of City Finance Director, locally and through TML. (J. Gonzales) –

Councilor Gonzales said he put this item on here because he thinks that we need to make the City Finance Director not interim. He said we know that it is supposed to be advertised and we can select from the resumes. He said he proposes to do this through October 15th when we actually get a City Manager so that we will have something that we can show them and say here are your choices. Councilor Davidson said by the charter the council does not actually get to review the City Finance Director position. He said it will be at the recommendation of our City Manager to A) either take that route and advertise and hire somebody or B) to go ahead and make Deborah Pattison full time. He said that is

completely the prerogative of our City Manager. Councilor Gonzales said he thinks that she does have the right but he thinks that we need to advertise it and let people know that we want their resumes. He said if you let it go the other way and just appoint you are not doing the right thing by city government. He said we are supposed to advertise this and get resumes. Councilor Bermudez said she thinks we do have a resolution or something like that which states that we need to advertise for every position, even contracted. She said she was told that we did not need to advertise when they brought in Linda Heitman as a contract worker. She said we know that it should have been advertised. She said she thinks Julian is correct in saying that if we are going to do it, do it right. She said that way they cannot come back to us and say you did not advertise it and give everybody a chance. Councilor Fitzgerald asked if this was a requirement to advertise for this particular position. He said he thought that was the prerogative of the City Manager. Councilor Gonzales said we can advertise and get the resumes so that he has a choice. He said otherwise you are going to wait until the manager gets in and then he or she will advertise. Councilor Bermudez said and meanwhile we keep paying Deborah. Councilor Gonzales said Deborah has the ability to submit her resume too. He said he believes that she does an excellent job but he thinks that we need to pass that opportunity to anyone who wants to apply. He said this is what we are doing with the City Manager. Councilor Davidson we are making recommendations to the City Manager and he thinks that is as far as we can go to be with the charter. He said he can tell us that his point has great validity and he does not deny that at all. He said we are still in a situation where we are still draining the swamp and we have someone who is really dedicated and they are not getting any benefits. He said he does think that we are making a recommendation to the City Manager and basically she has the prerogative to follow her own thoughts on this. Councilor Gonzales said we need to vote on A. Mayor Rangra asked if in the past we had ever advertised for any position below the four positions that the City Council appoints. Motion was made by Councilor Bermudez, by Resolution 2013-09-17, to authorize the Interim City Manager to advertise for the position of City Finance Director, locally and through TML with the closing date to be October 15th. Motion was seconded by Councilor Gonzales. Ray Hendryx said you are assuming that you will have a new City Manager in place by such and such time or will Molly or the new City Manager have the option of selecting someone that is not on the list. He said would they have the option to pick someone of their own choosing. Mayor Rangra said he is not speaking for the council but he would say at that time if the new City Manager said he did not like any of those candidates, he would have the right to readvertise. Molly Taylor said the Charter reads that she listens to the recommendations of the Council. She said in a way, if the Council wants her to advertise, she is listening to the recommendations of the Council. She said the council cannot reject her

choice but they can make recommendations. Councilor Gonzales said the City manager gets to choose whoever she wants, which he thinks is appropriate because everybody gets a chance, including the interim finance director. Councilor Bermudez said like Mr. Hendryx said, he might not like any of them. Manfred Fritsche said isn't it possible in light of item 16 C, nobody asked Mrs. Taylor where her attitude is with Deborah Pattison and might this all be a moot point if you ask Mrs. Taylor at this time if she wished to hire Ms. Pattison at this time then all the other items would fall by the wayside and be moot. Sheila Ness said she lived in Ward 3 and as much trouble and publicity that this council has had, she thinks we better open up everything and advertise. She or whoever still gets to pick the person they will work with but it makes the public realize that now the city is trying to open it up again. Motion carried unanimously.

- B. Authorizing the Acting Interim City Manager to advertise for the position of Project Accountant, locally and through TML. (M. Taylor, ICM) –** The Interim City Manager said the Finance Director, Deborah Pattison has indicated that she needs assistance and that any Finance Director would need assistance. She expressed the desire for this position to be created and she does think it is a good idea. She said we need a backup in case the finance director is out of town or something happens and she thinks it is a very important position and we do have a great deal of paperwork to do right now, and a great deal of numbers to go through. She said she would like to recommend that we do advertise also for the position of Project Accountant, locally and through TML. Motion was made by Councilor Davidson, by Resolution 2013-09-18, to approve authorizing the acting interim City Manager to advertise for the position of Project Accountant, locally and through TML. Motion was made by Councilor Fitzgerald. Deborah Pattison said this person would do mostly project accounting and the types of things that would get the books ready for the audit. She said there are a lot of very specific tasks that would relate to the out of balance numbers and very precise projects. She said for instance on this last audit we did something like 18 million dollars in adjustments as part of the audit adjustments. She said if we had an internal accountant who could keep us on track as we go along, those entries won't be that large. She said this person would also be doing a lot of the internal reports. Councilor Gonzales asked if the project accountant would be able to do investigations for the finance director. Deborah said any task but mostly staying on top of the daily internal journal entries and reconciliations so that we can write a report next November or next December. Councilor Gonzales said the City Manager said we needed someone to back Deborah up. Deborah said if you could see her credenza there is not enough of her to go around. She said she cannot get to all the things she needs to get to. Councilor Gonzales said he was not saying that she didn't need the help but he wanted to know if

this was someone who we would actually train to be able to do the things that need to be done when the Finance Director is not here. Deborah said one of the things she is looking for is someone who actually is already trained and who comes to us having already used Hill Country Software. Councilor Bermudez asked if we were looking for a CPA. Deborah said if we can acquire one, yes. She said we are looking for someone along the auditor level so that the books are ready for the audit a lot faster and a lot more precisely. She said the journal entries at the end of last audit were approximately 18 and one half million dollars worth of journal entries. She said it was thirteen pages worth of journal entries. She said if we have that happening internally all the time you are going to get a shorter audit report. Councilor Bermudez asked if we were budgeting for this. Deborah said the changes that we have were reduced in salaries in a lot of areas. She said she split it out among many of the funds because accounting folks serve all the other departments. Councilor Davidson said this is for a project accountant and not an assistant finance director. He said we have a backlog of work to do to get to where we are operating as a normal finance department. Deborah said this person would catch us up. Councilor Bermudez asked if this would be in the advertisement that this person might work themselves out of a job. Deborah said we would need to reevaluate after nine months and take an honest look. She said if we incorporate more functionality in the finance department, it might be an ongoing process to keep it that way. She said we need to look at our money. She said this person may be well worth it. She said she would like the finance department to be as responsive as she would like it to be. She said she wants to be ahead of the curve. She said we are not getting to everything as timely as she would like to. Councilor Gonzales said we are looking for a full sized spare tire. The City Manager said we could possibly advertise that this job would be for the period of one year and the City Manager could assist the Finance Director in doing the job description. Councilor Fitzgerald said this would be a clerical function to work under the direction of the Finance Director and provide back up and if this person proves to be valuable to the Finance Director and this organization they could probably work themselves into a full time position. He said the Finance Director has to get out of those 80 or 90 hours a week. He said every time he drives by here, her car is in the parking lot. He said that is insane. Deborah said we have to catch up. Mayor Rangra asked about the CPA status. Deborah said we might not need that much but it would be nice. She said we are looking for someone who has really good audit and governmental accounting experience. Mayor Rangra said we are going to need a professional. He said he thinks it is a good idea if the council approves it. He said we might be saving money over the long run. Molly Taylor said the deadline should be fairly early on this because we can use them as soon as possible. She said if we advertise next week, the deadline should be in about three weeks or the 8th of October. Motion carried unanimously.

C. Offering the full-time position of Finance Director to Deborah Pattison. (M. Davidson) – Councilor Davidson said he withdrew this item from the Agenda at this time.

- 17. Discuss and Consider approving Texas Department of Transportation Grant For Routine Airport Maintenance Program (RAMP Grant) and payment in the amount of \$16,860 and the TXDOT AWOS Maintenance Contract with Vaisala, Inc. in the amount of \$3,720. (M. Taylor, ICM)** – The Interim City Manager said this is a routine grant that we get from TXDOT for the Airport and it saves us quite a lot of money. She said this is something that we do every year. She said we use it a lot and they pay for approximately 50% of everything that we purchase or have worked on. She said she would recommend that we approve it again. She said it is very beneficial to us. She said we do not have to pay the \$16,860 at this time. She said that is our portion of the funds that will be matched when we pay for services. She said the AWOS is the weather device at the airport and we also need that. She said we use that constantly. She said our part of the payment for the AWOS is \$1,860. Motion was made by Councilor Davidson, by Resolution 2013-09-19 to approve the Texas Department of Transportation Grant for Routine Airport Maintenance program (RAMP Grant) and payment for the TXDOT AWOS Maintenance Contract with Vaisala, Inc. in the amount of \$1,860.00. Motion was seconded by Councilor Bermudez. Councilor Fitzgerald said he received a phone call from Sandra Braden with TxDot Aviation and she mentioned something in her voicemail that they needed some kind of documentation from the city. He said he does not know what it is that she wants. He asked if Molly knew what she wanted. Molly said we have been trying to reach Sandra Braden and she did not call Chuck back because he tried to call her several times. Molly said she found a document on his desk and she said she was sure it was the RAMP grant. She said she was going to attempt to call her anyway because the Airport Board needs some information from her. Councilor Davidson said the Automatic Weather Operating system is critical for pilots and one of the things about not doing routine maintenance is that when you put it off it just costs more. He said he knows that we have financial difficulties and he knows that they are not asking for payment until October 31st so we can do it in the next budget year. Motion carried unanimously.
- 18. Discuss and Consider awarding hotel/motel funding to applicants. (M. Taylor, ICM)** – The Interim City Manager said this is the date that we expressed to the events and various organizations that we would award the funding to the applicants. She said she did not know if the Council was ready to do that at this point. Councilor Castelli said this was important and we needed to spend focus time discussing and maybe have a special meeting. Mayor Rangra asked the Council what they wanted to do. The Interim City manager said she felt it was important for us to get this done by

the 1st of October because of the events in October. Councilor Davidson said he will be out on business from Saturday up until the 30th of September. He said we could do it on the first of October. Councilor Bermudez said let's just do it. Councilor Davidson said 7% of these funds goes to admin. The funding was awarded as follows:

Deborah said we have \$480,000 in Hotel/Motel right now but we have also moved 1 ½ percent over to our administration.

- 1) Alpine Cowboys - \$20,000
- 2) Alpine's Gallery Night - \$20,000 plus \$5,000 for murals
- 3) Big Bend Balloon Bash - \$5,000
- 4) Big Bend Film Commission – up to \$20,000 based on 50/50 match
- 5) Big Bend Ranch Rodeo - \$15,000
- 6) Blue Sky Productions - \$3,366
- 7) Center for Big Bend Studies - \$10,000
- 8) Chamber of Commerce - \$72,000
- 9) Family Crisis Center - \$2,000
- 10) Historic Alpine - \$1,500
- 11) Museum of the Big Bend - \$35,000
- 12) Taste of Big Bend – 0
- 13) Texas Cowboy Poetry Gathering - \$15,000
- 14) Texas Mountain Trail - \$5,000
- 15) Theatre of the Big Bend - \$10,000
- 16) Vast Graphics - \$100,000
- 17) Viva Big Bend - \$7,000

Motion was made by Councilor Davidson, by Resolution 2013-09-20, to award the above events and the following amounts. Motion was seconded by Councilor Bermudez. Motion unanimously carried. The total amount for all of these is approximately \$347,000. Bilindy Weatherman said she did not like the decision about the Chamber of Commerce. She said the Council did not know the amount of information that comes out of there. She said they make packets for every function that goes through Alpine. She said if the Council wanted to cut that budget, cut it, but don't expect people to come to Alpine. Councilor Castelli said we increased the budget over last year and she was mistaken. Jennifer Rogers said she owned a business in town and this is the time that people are looking at the internet she thinks the Vast Graphics budget needs to be jumped up to \$200,000. Mayor Rangra said maybe the council can take another look later on. He said there is plenty of money and they can take another look later on. Chris Ruggia asked for a slight clarification. He said from the time that they started dealing with the general tourism promotion, there has been a misconception every time they come up to propose an amount. He said they think that is absurdly high for a single request. He said because it is the Alpine's advertising budget, he might suggest as part of this year's proposal we work with the City Manager

towards next year's budget. Councilor Davidson said Alpine is the only place he knows of that does not have a centralized focused marketing plan. He said it is not coordinated but this is an attempt to try to get some money to a place to try to coordinate our advertising for Alpine. Motion carried unanimously.

19. Discuss and Consider reviewing employee evaluation procedures including timing and paperwork required and determine precedents in the last 5 years and take action as desired to develop a consistent policy. (M. Davidson) – Motion was made by Councilor Davidson to postpone this item. Motion was seconded by Councilor Bermudez. Motion carried unanimously.
20. Discuss and Consider approving a final subdivision plat concerning the Henderson Addition, Block 3, if remainder of the requirements have been met by the petitioner Robert Hight and his agent, Carlos Lujan – Robert Polanco will speak on this item. (M. Taylor, ICM) – This item was removed from the agenda. -
21. Discuss and Consider approving large animal permit for one horse as recommended by Animal Advisory Board. Request is from Barbara Roberts and the horse is to be located at 1906 West Sul Ross, Alpine, Texas. (M. Taylor, ICM) – Interim City Manager Taylor said she recommended that the Council approve this. She said they met all the criteria that the Animal Control required and the Animal Advisory Board recommended that the permit be granted. Motion was made by Councilor Bermudez, by Resolution 2013-09-21, to approve a large animal permit for one horse as recommended by the Animal Advisory Board. Motion was seconded by Councilor Davidson. One citizen said she had a business right next door and she thought there was a smell and the horse was not being taken care of regularly. Mrs. Roberts fiancé said all the horse's needs were being met. He said they fed the horse twice a day. He said the horse also has water. He said it was a rescue horse. He said he believes that the RV that they live in is not a permanent residence. He said all the permanent neighbors have no problem with the horse. Marisol Skelton, ACO said they are doing everything they are supposed to for the horse. She said the trailer park next door is more than the required feet for the permit. She said she does not see any problem with them having the horse there. Motion unanimously carried.
22. Discuss and Consider approving rezoning request for C-1 to C-1A by Owner Stella Geeslin. Agent, Joe Valenzuela proposes to replace the mobile home that he sold in June, 2013. He wants to replace it with a newer mobile home which is 16' x 86'. Property identification/street address is 908 E. Gallego. Legal description is Hancock Addition, Block 39, Lots 4 & 5. (M. Taylor, ICM)
- Motion was made by Councilor Davidson, by Resolution 2013-09-22, to

approve the rezoning request for C-1 to C-1A by Owner Stella Geeslin, Agent Joe Valenzuela proposes to replace the mobile home that he sold in June, 2013. He wants to replace it with a newer mobile home which is 16' x 86'. Property identification/street address is 908 E. Gallego. Legal description is Hancock Addition, Block 39, Lots 4 & 5. Motion was seconded by Councilor Fitzgerald. Councilors Bermudez, Davidson, Fitzgerald and Castelli voted in favor. Councilor Gonzales voted against. Motion carried.

23. Discuss and Consider authorizing the finance director to obtain a line of credit from West Texas National Bank to be used only if necessary in emergency situation(s). (M. Taylor, ICM) – Motion was made by Councilor Davidson, by Resolution 2013-09-23, to authorize the interim city manager to obtain a line of credit from West Texas National Bank for an amount up to \$300,000 to be used only if necessary in emergency situation(s), in case we need it. Motion was seconded by Councilor Gonzales. Motion unanimously carried.

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

25. Council Member's Comments and Answers –

Councilor Fitzgerald – said it is a dark day with what we did to John Armstrong

Councilor Castelli – said it is a tough job and there is a lot of work to do.

Councilor Bermudez – said thanks to everyone for staying with us so late.

Mayor Rangra - said thanks for staying with us until 9:50 P.M. and please recycle.

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

A. Consider terminating employment of City Attorney, John Armstrong, effective immediately. (M. Castelli) – This item was held in open session. All council members agreed to hold this item in open session. Motion was seconded by Councilor Gonzales. Councilor Castelli said we had an open forum last week and he thinks he said it all. Councilor Fitzgerald said to start off he thought it would be ill advised to do that at this time. He said first of all, for one purpose, several weeks ago, Councilor Castelli made a point of having personnel issues that dealt with only after we had sufficient documentation or procedures and all that. He said that was his resolution. He said and that passed. He said he did not see any of that but a committee was formed with Councilor Davidson and Councilor Castelli, to make that happen. He said he has

not seen any of those papers. He said that was Councilor Castelli's own resolution. He said he also does not think it would be advisable at this time to do that. We have first of all opinions of his expertise aside, we do not have a permanent city manager. He said we do not have a permanent finance director. He said yesterday we received the notice of resignation, or rather the notice to retire of the utility director. He said we have three major holes that we have to fill. He asked is the prudent course of action to take for the city of Alpine to open a fourth hole? He said we have a man here who has impeccable credentials and he has an AV rating which is not something that he paid \$100 bucks to a society for a certificate to put on the wall, this is something that his own peer group rated him. He said the AV stands for expertise, competency and integrity. He said it was other attorneys that gave him this. He said did he change his mind on an opinion or so, it is an opinion. Get a dictionary and look it up. He did. He said on the one issue that was brought up about the citizens comment at the end of the meeting, that is exactly the same thing that Scott Houston with TML did. He said he asked him that question in a class in Austin and after the session was over he said well, it is kind of a gray area. He said which is exactly the same thing that our attorney said. He said he realizes that he may have based his opinion and some of the people of this body disagreed with him. He said he did not jump on board on one of Councilor Castelli's pet projects. He asked if that was reason to get rid of him. He said those of us who have been here before can tell the difference between what we have now and where we came from. He said he thinks it is a vast improvement over what we had. He said he thinks it would be a wrong thing to do to terminate him because he changed his mind on a couple of issues. He said he knows there are all kinds of innuendos going around and rumors but he said he does not know about any proof of any of this. He said he will go back to the other thing too, is that the discreet thing to do right now, while we have so many holes in senior management to get rid of another key player. Councilor Davidson said he has procedural problems. He said we do not have an established review and evaluation policy. He said in the past when he first started, self review was the standard. He said everybody got to fill out their own form, rated 1 to 5, 1 was no good and 5 was excellent. He said some people just rated themselves 5 and some of them were modest and rated themselves 4. He said there was not even a procedure of when this had to happen and he thinks that is very critical. He said we do not want to have an employee review right after elections. He said it needs to be where new people have some experience working with the job. He said we have been attempting to do annual reviews where we have done one year where we actually did review, the council got to review, the employees and we have been in a process. He said we have interim people whose contracts have an automatic review. He said that is three to six months down the line. He said once again this is an egregious silly mistake to go in after it has been established in public

discourse that we do not have a process and we need to have a process and to come in a week later with a second review over a period of a very few months and then come up with this resolution. He said he has done a little floating around just informally with a second or third opinion and we are wide open if we carry this through. Kirk Meade, a local attorney, said in terms of holes you failed to mention how devastating it is to the city to lose the expertise of a guy like Shaw Skinner. He said and how did that come about. He said there are glaring holes all over the place. He said he has known this guy for years and been in court with him and numerous situations. He said he has 28 years of experience. He said he knows municipal law extremely well. He said he has been trying to set the city and this council on a good course. He said he has been doing this job for a short period of time and now of course we are going to resolve whatever problems that some of you seem to think you have with him by sweeping him out the door, to replace him with who knows what. He said as Fitz said a while ago, there are enough problems in this city that we need to address without trying to sweep the able people that we have got, out the door. He said he strongly urges the council, as a member of the public, not to take this step. Joseph Goldman said there was a term used, AV rating. He said he would like Mr. Fitzgerald to tell him what the AV stands for and he was saying that it was a high rating and he wanted to know what rating it was. Councilor Fitzgerald said he already told him that. He said the one of them was integrity.....Mr. Goldman said he was sorry but what was AV rating and what does AV mean. Mayor Rangra said he did not want any angry discussion. Mr. Goldman said he had asked a question and he is not answering the question. Mayor Rangra said he answered it the best way that he could, seriously. He said we will be here all night otherwise. Mr. Goldman said his comment was what does AV mean and if you are referring to a number he heard that there was a number and it did not say AV on it and it was an evaluation by peers. He said he wanted to know what the number was and what AV means. City Attorney Armstrong said he would be happy to answer that question. He said he was sure the lawyers in the audience can tell you that it is a rating service called Martindale Hubbell. He said it is a peer review rating service. He said lawyers are rated by their peers on three grades, A, B or C. He said A is highest legal ability, B is good legal ability and C is average to poor legal ability. He said he rated an A. He said the second initial is V. He said you have two opportunities to be graded by your peers with either V or X. He said X means that you are not an ethical person. He said V means that you are highest ethics and he rated a V. He said lawyers will choose, we receive these ratings all the time. He said if you do not know the candidate that they are asking you to review, you simply mark that you cannot review this person, that you do not know them. He said only those people which you have dealt with in court and transactional law send in the reviews. He said it is extremely hard to get an "A" review because oftentimes your

competitors will rate you to a B just to try to have a competitive advantage. He said of course he was rated in Houston and he does not think there are enough lawyers out here to make that rating but he was rated in the highly competitive environment of Houston and that rating subsists to this day. Manfred Fritsche said he has nothing against Mr. Armstrong. He said the only people who really count in making this Decision are you, the members of the council. He said you are the clients of this individual. He said as a member of the public, he really has no right to affect the council's judgment as to whether this man is effective or not. He said his only problem with Mr. Armstrong is what he read in the papers. He said he escorted Linda Heitman out of the office, he checked to make sure that she removed her personal effects and wrote a memo to other city employees warning them that if they repeated any release to the public (he said by the way Ms. Heitmans report ought to be made public so the public would have an idea of what we are talking about here). He said he thought Mr. Armstrong overstepped his authority in doing what he did and that is just a view from a member of the public but you are the clients and you are either satisfied or dissatisfied with his services and the judgment is yours. Mayor Rangra said he needed to clear up something about the firing that Mr. Fritsche was talking about. He said Monday, on Labor Day, he received a call and it was a female voice. He said he could not recognize the phone number because it was from Nebraska or some other place saying that she has been hired to do investigative work and her report is complete and it is in his office. He said the offices were closed so he thought it was one of those prank calls. He said he decided to see what was going on and he came to the city hall and there was nothing behind the outer door and he went to his office and sure enough there was a packet. He said the first thing he thought of was how did someone get inside the city hall. He said he saw a telephone number on the front page and it was addressed to Mayor Rangra. He said the phone number on the first page corresponded with the phone number on his phone. He said he called the number and the person said she was hired for investigative work. Mayor Rangra said he asked her who hired her and he did not get any good answer. He said he called Mr. Armstrong who was in Houston that day and he was on his way back to Alpine and he asked him whenever he came home to Alpine to give him a call. He said Mr. Armstrong called late. He said he asked if the next morning they could get together. He said he had a three hour session with Mr. Armstrong at Penny's the next day and the Finance Director was with them too and they talked about a lot of things. He said this issue was brought up also. He said he told Mr. Armstrong that he was going to give this package to the District Attorney which he did. He said a decision was taken, but here he is, and a decision was made that we did not have any manager and we are a councilor/manager type system. He said the manager is gone and there are 5 council members who have to make a decision. He said Mr. Armstrong and he made a

decision that it was best because the person did not follow the correct procedures and did not give the package to our advisor and then he found out that it was given to councilmen, and other people, which every person is entitled but as a mayor he has to make sure that everything is done in a proper way. He said you can sue him. He said he thinks he did it right and a decision was made jointly and that is where we stand. He said he does not want this gentleman to take the heat on that issue. Mr. Armstrong said he appreciated that and thanked the Mayor. Mayor Rangra said on that issue he wanted to make it clear.

B. Discuss possible contract for Attorney Services and consider potential providers. (M. Castelli) – Councilor Castelli withdrew this item from the agenda.

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

A. Take action on termination of employment of City Attorney, John Armstrong, effective immediately. (M. Castelli). – Motion was made by Councilor Castelli, by Resolution 2013-09-10, to terminate the employment of City Attorney, John Armstrong, effective immediately. Councilor Davidson called for the question. Mayor Rangra said we have a motion that has been made and seconded. He asked that the Council raise their hands to vote. Councilors Bermudez, Gonzales and Castelli voted in favor. Councilors Davidson and Fitzgerald voted against. Mayor Rangra said the motion passes. City Attorney Armstrong said he would take his leave of the council. He said he can't say that he enjoyed it but he would see the council soon. Mayor Rangra said it was a pleasure working with Mr. Armstrong. Mr. Armstrong said it was a pleasure working with the Mayor too. Councilor Davidson said he was going to stand as the gentleman left the room. Many of the people present stood up as Mr. Armstrong left the room.

B. Take action, if necessary, concerning possible contract for Attorney Services and consider potential providers. (M. Castelli). – Councilor Castelli withdrew this item from the agenda.

28. Adjournment – Meeting was adjourned upon a motion by Councilor Gonzales and seconded by Councilor Davidson.

I certify that this notice was posted at 7:15 P.M. on September 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 7:15 P.M. on September 12th, 2013, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Margaret "Molly" Taylor, City Secretary