

City of Alpine
Regular City Council Meeting
Tuesday, July 2, 2019
5:30 P.M.
Minutes

1. Call to Order, Invocation and Pledge of allegiance to the flags – Mayor Ramos called the meeting to order. The meeting was held in the Council Chambers at 803 West Holland in the City of Alpine, Texas. Virginia Knab gave the invocation. Mayor Ramos led the pledge of allegiance to the flags.

2. Determination of a quorum and proof of notice of the meeting – Councilor Curry, Councilor Olivas, Councilor Betty Fitzgerald, Councilor Escovedo, and Councilor Stephens and Mayor Ramos were present. City Secretary, Cynthia Salas reported that the agenda was posted at 2:00 P.M. on June 28, 2019. City Manager, Jessica Garza, Megan Antrim, Abel Hinojos were also present.

3. Presentations, recognitions and proclamations – (A. Ramos, Mayor) – None

4. Reports –

City Mayor's Report – (A. Ramos, Mayor) - None
City Manager Report – None
City Staff Updates –

 - A. Quarterly Report – Code Enforcement by Code Compliance Officer Scott Lacina.
 - B. Quarterly Report – Building Services by Building Official Victor Meraz.

5. Public Hearing - None

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

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being discussed separately unless requested by a Council Member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

1. Approval of minutes from City Council meeting on June 18, 2019. (J. Garza, City Manager)
2. Approval of minutes from Special City Council meeting on June 25, 2019. (J. Garza, City Manager)

Motion was made by Councilor Olivas, by Resolution 2019-07-01 to approve the consent agenda as written. Motion was seconded by Betty Fitzgerald. Motion unanimously carried.

7. Information or Discussion items –

- A. Quarterly Report – Visitor Center by Ellen Melvin. (J. Garza, City Manager)
- B. Presentation from the United States Census Bureau by Roque Aguon. (J. Garza, City Manager)
- C. Center for Big Bend Studies, Sam Cason, Cultural Resources Management Coordinator to present on services available and the Texas Antiquities Code. (J. Garza, City Manager)
- D. Recent and ongoing issues with water and wastewater system. (J. Garza, City Manager)
- E. Discuss status of evaluations and pay increases. (J. Garza, City Manager)
- F. Discuss the updated budget calendar for the adoption of the Fiscal Year 2019-2020. (J. Garza, City Manager)
- G. Update on the status of the bicycles that the City of Alpine purchased. (B. Fitzgerald, City Council)
- H. City Manager provide a by name list when the 2018/2019 employee evaluations were due, when completed, and the reason for any delays, along with the pay changes that were made in 2018/2019. (L. Escovedo, City Council)
- I. City Manager provide the list of City contracts that will expire with the next 18 months that require approval by City Council (carry over from the June 18 Council meeting). (R. Stephens, City Council)
- J. City Manager review the organization chart with City Council and the plan for filling vacancies including Public Works and Public Utilities Director position (carry over from June 18 Council meeting). (R. Stephens, City Council)
- K. City Manager provide an update on the contract status for the PHSC water and wastewater contract approved by Council in February 2019, and the status of the contract with KSA for the road assessment including the schedule of milestones for the scope of work (carry over from June 18 Council meeting). (R. Stephens, City Council)
- L. Update on the status or actions for Resolution 2019-06-03 regarding the disannexation of property requested by property owners on Old Marathon Road. (R. Stephens, City Council)

8. Action Items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. (Action items limited to (up to) 10 per meeting.) (Citizens are allowed to comment–limited to 3 minutes – after being called upon by Mayor or Mayor Pro Tem) Citizens are required to state their name and the Ward in which they reside. Priority will be given to citizens of Alpine and those who own businesses or property in the City. Individuals who do not live in, or own businesses or property in the City limits of Alpine, will be allowed to speak if there is time available.) –

- 1. Discuss, consider, and take action allowing the City Manager to represent the City of Alpine in newspaper interviews, radio talk shows, town hall meetings, press conferences, special city events, etc. (R. Olivas, City Council) – Motion was made by Councilor Olivas, by Resolution 2019-07-02 to table this item. Motion was seconded by Councilor Betty Fitzgerald. Motion unanimously carried.
- 2. Discuss, consider, and take action to rescind or repeal any and all Ordinances or Resolutions restricting the Mayor from full participation and action as the Chief Elected Official of the City according to the City Charter and Texas Government Code. (R. Olivas, City Council) – Motion was made by Councilor Olivas, by Resolution 2019-07-03 to rescind or repeal any and all Ordinances or Resolutions restricting the Mayor from full participation and action as the Chief Elected Official of the City according to the City Charter and Texas Government Code. Motion did not have a second. Motion failed.
- 3. Discuss, consider, and take action regarding the employee grievance policy that the City Attorney drafted. (R. Stephens, City Council) – Motion was made by Councilor Stephens, by Resolution 2019-07-04 to take action regarding the employee grievance policy that the City Attorney drafted. Motion was seconded by Councilor Curry. Motion unanimously carried.

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

Individual Council member comments are available by request.

Councilor Stephens – No comment

Councilor Escovedo – No comment

Councilor Betty Fitzgerald – No comment

Councilor Olivas – No comment

Councilor Curry – No comment

Mayor Ramos – No comment

10. Executive Session – Pursuant to Texas Government Code 551.071 Consultation with Attorney on a matter for which it is the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct conflict with this Chapter and requires discussion of the item in closed session), and 551.071(consultation with attorney regarding potential or contemplated claims against the City) Pursuant to Texas Government Code 551.074 – to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

Motion was made by Councilor Stephens, by Resolution 2019-07-05 to forgo executive session and go directly into action items. Motion was seconded by Councilor Escovedo. Councilor Curry, Councilor Betty Fitzgerald, Councilor Escovedo, and Councilor Stephens voted for. Councilor Olivas voted against Motion was 4 to 1,

Motion was made by Councilor Stephens, by Resolution 2019-07-06 that City Council extend its meeting beyond the 9:00pm time-limited set by Ordinance. Motion was seconded by Councilor Escovedo. Motion unanimously carried. (8:47pm)

- A. Deliberate and discuss the resignation letter from the Director of Finance. (R. Stephens, City Council)
- B. Deliberate and discuss the performance assessment and performance improvement plan of the City Manager (R. Stephens, City Council)
- C. Deliberate and discuss the employment contract of the City Manager. (R. Stephens, City Council)

NOTICE: The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code, Section 551.071 (consultation with attorney), 551.074 (personnel matters)

11. Action – Executive Session –

- A. Discuss, consider, and take appropriate actions regarding the resignation letter from the Director of Finance. (R. Stephens, City Council) – Motion was made by Councilor Stephens, by Resolution 2019-07-07 regarding the resignation letter from the Director of Finance. Council to not accept the resignation as submitted and consider that a resignation has not been provided. Motion unanimously carried.
- B. Discuss, consider, and take appropriate actions regarding the personnel review and discuss the annual performance, assessment and evaluation of the City Manager. (R. Stephens, City Council) – Motion was made by Councilor Stephens, by Resolution 2019-07-08 to approve the Performance Improvement Plan for the City Manager and the date to reflect July 2, 2019 and all of the dates in item 4 which are reviewing and improving goals and plans of each City Council meeting be amending to reflect starting August and go through December of 2019. Motion was seconded by Councilor Curry. Councilor Curry, Councilor Escovedo, and Councilor Stephens voted for. Councilor Olivas and Councilor Betty Fitzgerald voted against. Motion was 3 to 2.
- C. Discuss, consider, and take appropriate actions relative to the employment contract of the City Manager, Jessica Garza, including possible reassignment, adjustment of

Council minutes: 07-02-2019

Approved: 07-16-2019

duties, discipline or dismissal. (R. Stephens, City Council) – Motion was made by Councilor Stephens, by Resolution 2019-07-09 that City Council take action to terminate the contract of the City Manager Jessica Garza consistent with the contract terms. Motion was seconded by Councilor Escovedo. Councilor Curry, Councilor Escovedo, and Councilor Stephens voted yes. Councilor Olivas, Councilor Betty Fitzgerald and Mayor Andres Ramos voted against. Motion failed.

I certify that this notice was posted at 2:00 P.M. on June 28, 2019, pursuant to Texas Open Meetings Act. (Texas Vernon's Annotated Civil statutes, section 551.043 Texas Government Code.) This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the city secretary's office at (432) 837-3301 or fax (432) 837-2044 for further information.

Andres "Andy" Ramos, Mayor

Attest:

Cynthia Salas, City Secretary

I, Cynthia Salas, City Secretary, do certify that this notice was posted at 2:00 P.M. on June 28, 2019, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Cynthia Salas, City Secretary