

# ***City of Alpine***

## ***Regular City Council Meeting***

### **Tuesday, April 7, 2020**

Notice is hereby given that the City Council of the City of Alpine, Texas will hold **a Regular Meeting at 5:30 P. M. on Tuesday, April 7, 2020 via Zoom Conference, in the City of Alpine, Texas. Meeting login details may be found at [www.cityofalpine.com](http://www.cityofalpine.com)** for the purpose of considering the attached agenda. This notice is posted pursuant to the Texas Open Meetings Act. (Section 551.043, Texas Government Code).

#### **PUBLIC NOTICE – THE USE OF CELLULAR PHONES ARE PROHIBITED IN THE CITY COUNCIL CHAMBERS DURING MEETINGS OF THE CITY COUNCIL.**

Members of the audience will be provided an opportunity to address the Council on any agenda item after determination of quorum and proof of notice of the meeting. Remarks will be limited to a total of 3 minutes per person. Please write your name on the list so we may call you in order. Please speak into the microphone located at the podium and state your name and address. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. **State law generally prohibits the Council from discussing or taking any action on any issue not included on the agenda**, but, if appropriate, the Council may schedule the topic for future discussion or refer the matter to staff. **NO PERSONAL ATTACKS ON COUNCIL MEMBERS OR CITY STAFF WILL BE ALLOWED.** The Mayor and/or City Council Members may call a Point of Order to stop Personal Attacks. If an individual continues to personally attack an elected official or staff member in a meeting, they may be barred.

#### **Agenda**

1. Call to Order, and Pledge of Allegiance.
2. Determination of a Quorum and Proof of Notice of City Council Meeting.
3. Public Comments – (limited to 3 minutes per person)
4. Presentation, Recognitions and Proclamations – (A. Ramos, ,Mayor) – None
5. Reports -

City Mayor's Report – (A. Ramos, Mayor) – Coronavirus

City Attorney's Report –

### City Manager Report

- Coronavirus 2019 Updates: Hours of Operation, Budget, FEMA, Work from home.

City Staff Updates – All staff updates related to implications of work surrounding the Coronavirus pandemic.

- Readout report by Animal Control Supervisor Jennifer Stewart
- Readout report by Director of Utilities Scott Perry
- Readout report by Tourism Director Chris Ruggia
- Readout report by Chief of Police Robert Martin

### 6. Public Hearings –

- Public Hearing to obtain citizen's views and comments on Ordinance 2020-03-01, amending the Code of Ordinance, Chapter 26, Article II – Civic Center; providing repealing and severability clauses; providing a Texas Open Meetings Act Clause; and providing an effective date.
- Public Hearing to obtain citizen's views and comments on Ordinance 2020-03-04, an Ordinance for the placement of a No Parking signs inside the Old Town Square parking lot that is currently designated No Parking.

### 7. 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.)

- A. Approval of minutes from City Council meeting on March 17, 2020. (E. Zimmer, City Manager)
- B. Approval of minutes from Emergency City Council meeting on March 20, 2020. (E. Zimmer, City Council)
- C. Approval of minutes from Special City Council meeting on March 25, 2020. (E. Zimmer, City Manager)

8. Information or Discussion items –

1. Dialogue on Pan Handling in the City of Alpine. (R. Stephens, City Council)
2. Discussion on emergency/fire lanes on 5<sup>th</sup> and Gallego Ave. in front of Our Lady of Peace Catholic Church. (L. Escovedo, City Council)

9. 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.) after being called upon by the 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 appropriate action on the second and final reading of Ordinance 2020-03-01, amending the Code of Ordinance, Chapter 26, Article II – Civic Center; providing repealing and severability clauses; providing a Texas Open Meetings Act Clause; and providing an effective date. (E. Zimmer, City Manager)
2. Discuss, consider, and take appropriate action on second and final Ordinance 2020-03-04, an Ordinance for the placement of a No Parking signs inside the Old Town Square parking lot that is currently designated No Parking. (R. Stephens, City Council)
3. Discuss, consider, and take appropriate action on the first reading of Ordinance 2020-04-01, an Ordinance of the City of Alpine, Texas, amending the Alpine Code of Ordinances, Chapter 18 Building and Building Regulations; repealing conflicting Ordinances; providing a severability clause; providing a penalty not to exceed five hundred dollars (\$500.00); providing an effective date. (E. Zimmer, City Manager)
4. Discuss, consider, and take appropriate action approving the Joint Election Service Contract between the City of Alpine and Brewster County for the November 3, 2020 election. (E. Zimmer, City Manager)
5. Discuss, consider, and take appropriate action on the first reading of Ordinance 2020-04-03, an Ordinance establishing the Transportation Committee. (E. Zimmer, City Manager)
6. Discuss, consider, and take appropriate action if needed amending Ordinance 2020-03-06, an Emergency Ordinance instituting Emergency measures due to a Public Health Emergency for the City of Alpine. (E. Zimmer, City Manager)

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

11. Executive Session - Pursuant to Texas Government Code 551.071 (consultation with an attorney), and 551.074 – to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. –


1. Discuss the purchase of property for the City of Alpine. (E. Zimmer, City Manager)

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, Sections 551.071 (consultation with an attorney), 551.074 (personnel matters).

12. Action – Executive Session –

1. Discuss, consider, and take appropriate action if any, on the purchase of property for the City of Alpine. (E. Zimmer, City Manager)

I certify that this notice was posted at 11:00 A. M. on April 3, 2020, Pursuant to the Texas Open Meetings Act (Texas Government Code Section 51.043). 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 email [city.secretary@ci.alpine.tx.us](mailto:city.secretary@ci.alpine.tx.us) for further information.

  
Cynthia Salas, City Secretary  
City of Alpine

## 5. Reports -

City Mayor's Report – (A. Ramos, Mayor) – Coronavirus

City Attorney's Report –

City Manager Report

- Coronavirus 2019 Updates: Hours of Operation, Budget, FEMA, Work from home.

City Staff Updates – All staff updates related to implications of work surrounding the Coronavirus pandemic.

- Readout report by Animal Control Supervisor Jennifer Stewart
- Readout report by Director of Utilities Scott Perry
- Readout report by Tourism Director Chris Ruggia
- Readout report by Chief of Police Robert Martin

6. Public Hearings –

- Public Hearing to obtain citizen's views and comments on Ordinance 2020-03-01, amending the Code of Ordinance, Chapter 26, Article II – Civic Center; providing repealing and severability clauses; providing a Texas Open Meetings Act Clause; and providing an effective date.
- Public Hearing to obtain citizen's views and comments on Ordinance 2020-03-04, an Ordinance for the placement of a No Parking signs inside the Old Town Square parking lot that is currently designated No Parking.

- Public Hearing to obtain citizen's views and comments on Ordinance 2020-03-01, amending the Code of Ordinance, Chapter 26, Article II – Civic Center; providing repealing and severability clauses; providing a Texas Open Meetings Act Clause; and providing an effective date.

**STATE OF TEXAS  
CITY OF ALPINE**

**COUNTY OF BREWSTER**

**ORDINANCE 2020-03-01**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 26, ARTICLE II – CIVIC CENTER; PROVIDING REPEALING AND SEVERABILITY CLAUSES; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Alpine owns and operates the Alpine Civic Center for the benefit of the City and its residents in order to attract conventions, conferences, trade shows, meetings, exhibits, gatherings and other public cultural and entertainment events; and

**WHEREAS**, the City Council of the City of Alpine has cause in pursuit of their legislative duties on behalf of citizens of Alpine to be flexible in their ability to modify agreements, rates, and fees of the Civic Center reservation and use policy; and

**WHEREAS**, it is deemed to be in the best interest of the City to repeal all previous ordinances regarding rates, fees, or agreements for the Civic Center and replace the existing section in its entirety.

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

**SECTION I  
FINDINGS OF FACT**

All of the premises attached in the form hereto described as Exhibit “A” are hereby found to be true and correct legislative and factual findings of the City Council of the City of Alpine and are hereby approved and incorporated herein as findings of fact.

**SECTION II  
CUMULATIVE CLAUSE**

This ordinance shall be cumulative of all provisions of the City of Alpine, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

**SECTION III  
SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council of the City of Alpine that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences paragraphs or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, clause, sentence, paragraph or section.



**SECTION IV  
PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**SECTION V  
EFFECTIVE DATE**

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

**PASSED AND ADOPTED THIS 7<sup>th</sup> DAY OF APRIL 2020 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.**

**INTRODUCTION AND FIRST READING**

**March 17, 2020**

**SECOND AND FINAL READING**

**April 7, 2020**

**ATTEST:**

\_\_\_\_\_  
**Andres "Andy" Ramos, Mayor  
City of Alpine**

\_\_\_\_\_  
**Cynthia Salas, City Secretary  
City of Alpine**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Rod Ponton, City Attorney  
City of Alpine**

## EXHIBIT "A"

### ARTICLE II. - CIVIC CENTER

#### Sec. 26-31. - Uses.

- (a) *Permitted functions.* The Alpine Civic Center shall be limited to a capacity of 507 persons and shall be used for the following function:

Public and private functions. Persons, entities, organization, and clubs for events such as weddings, parties, receptions, dances, etc. Rental fees shall be charged as set out in section 26-32.

- (b) *Sexually oriented activity.* The city will not rent the civic center for the use of any activity of a sexually oriented nature which will be nude or seminude male or female dancers, tee-shirt contests or wet tee-shirt contests. Any requests of the use of the civic center which the city manager considers questionable shall be brought before the city council for approval.

(Code 1978, § 19-71; Ord. No. 2002-2-4, 3-11-02; Ord. No. 2002-9-8, 9-16-02)

#### Sec. 26-32. - Fee schedule.

All fees related to renting the Civic Center shall be set by City Council resolution.

~~The following fee schedule shall be applied to rental of the civic center:~~

- ~~(1) *Deposit.* A \$200.00 deposit shall be given to the city at the time of rental for cleanup after the rental and potential damages to the civic center from the function.~~

- ~~(2) *Rental rates.* Rental rates are set to reflect three categories. The three categories are standard (general public/commercial), non-profit (any organization that can provide an IRS 501(C)3 form), and government agencies (Alpine ISD, SRSU, TxDOT, county). Citizens or agencies will be prorated in accordance to the designated categories. However, they will still be responsible for submitting the \$200.00 deposit fee. If security is needed the city will charge \$30.00 an hour to provide a police officer. Keys will be available one day before the event and maybe picked up at City Hall during business hours.~~

Civic Center	Commercial General Public	Non-Profit	Government Agencies
Full Day Rental for One Event (8hrs.)	\$500.00	\$250.00	No Charge
Evening Recital/Meeting (4 hrs. between 6:00 p.m. — 12:00 a.m.)	\$250.00	\$125.00	No Charge
Additional time per hour	-\$65.00	-\$30.00	No Charge

(Code 1978, § 19-72; Ord. No. 2002-9-8, 9-16-02; Ord. No. 2014-10-03, 11-4-2014)

Sec. 26-33. - Alcohol.

No beer, wine, setups or ice chests shall be brought into the civic center. If alcoholic beverages are to be sold, arrangements must be made with the city's civic center concessionaire.

- (1) *Sponsors.* At functions where alcohol is to be sold, sponsors shall arrange with a business holding an on-premises alcohol beverage license to serve as concessionaire for the functions. Sponsors may give away alcoholic beverages at functions. A concessionaire is not needed when alcohol is given away.

- ~~(2) *Concessionaires.* Businesses which are required as concessionaires must pay a use and cleanup fee of \$75.00 for the bar. Concessionaires must also obtain a picnic permit from the alcoholic beverage commission and execute a contract with the city prior to any alcoholic beverage sales at the civic center. A copy of the picnic permit must be presented to the city at the time of contract execution, and the original permit must be posted at the civic center during the function.~~

(Code 1978, § 19-73; Ord. No. 2002-9-8, 9-16-02)

~~Sec. 26-34. Security.~~

~~The person, entity, organization or club renting the civic center shall be responsible for providing security.~~

~~(Code 1978, § 19-74; Ord. No. 2002-9-8, 9-16-02)~~

Sec. 26-35. - Reservations and deposits.

- (a) The civic center may be reserved at City of Alpine Administration Offices by:
  - (1) Executing the rental agreement, and
  - (2) Paying the rental fee and deposit.
- (b) The individual that fills out and signs the agreement is the only person that will be allowed to pick up the civic center key.
- (c) The key will be available for pick up one day before the event and may be picked up at City Hall during normal business hours.
- (b) The ~~\$200.00~~ deposit shall be returned after the function if the city does not perform cleanup or repairs from damage to the civic center from the function. Cleanup includes the perimeter of the civic center and adjacent parking areas. The sponsor of the function is responsible for repairing all damages which exceed the amount of deposit.
- (e) The key must be returned the following business day or a late fee per day will be deducted from the deposit.

(Code 1978, § 19-75; Ord. No. 2002-9-8, 9-16-02)

Sec. 26-36. - Cancellations.

A function may be cancelled and the full deposit returned if the sponsor notifies the city ten **working** days prior to the function.

(Code 1978, § 19-76; Ord. No. 2002-9-8, 9-16-02)

Sec. 26-37. - Decorating and setup.

If the previous two days are not rented, the sponsor may decorate and arrange the civic center no earlier than two days prior to the function and shall be coordinated in advance with the city.

(Code 1978, § 19-77; Ord. No. 2002-9-8, 9-16-02)

- Public Hearing to obtain citizen's views and comments on Ordinance 2020-03-04, an Ordinance for the placement of a No Parking signs inside the Old Town Square parking lot that is currently designated No Parking.

**STATE OF TEXAS  
CITY OF ALPINE**

**COUNTY OF BREWSTER**

**ORDINANCE 2020-03-04**

**AN ORDINANCE FOR THE PLACEMENT OF NO PARKING SIGNS INSIDE THE OLD TOWN SQUARE PARKING LOT THAT IS CURRENTLY DESIGNATED NO PARKING.**

**WHEREAS**, there are areas inside the City owned Old Town Square parking lot that are designated as no parking in order to prevent vehicular accidents and keep pedestrians safe; and

**WHEREAS**, the designated no parking areas are marked with the curb painted yellow; and

**WHEREAS**, there is confusion about the meaning of the yellow curb as meaning no parking; and

**WHEREAS**, the City Council has determined that signage is necessary to ensure clarity about area being designated as no parking is the best interests of the City and the citizens.

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

**SECTION 1.** The placement of necessary signage and markings for these changes shall be implemented as provided in the Texas Transportation Code.

**SECTION 2.** The Alpine Police Department shall take appropriate action to ensure the enforcement of the no parking areas.

**PASSED AND ADOPTED THIS 7<sup>TH</sup> DAY OF APRIL, 2020 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.**

**INTRODUCTION AND FIRST READING  
MARCH 17, 2020**

**SECOND AND FINAL READING  
APRIL 7, 2020**

---

**Andres "Andy" Ramos, Mayor  
City of Alpine**

**ATTEST:**

**APPROVED AS TO FORM:**

---

**Cynthia Salas, City Secretary  
City of Alpine**

---

**Rod Ponton, City Attorney  
City of Alpine**

7. 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.)

- A. Approval of minutes from City Council meeting on March 17, 2020. (E. Zimmer, City Manager)
- B. Approval of minutes from Emergency City Council meeting on March 20, 2020. (E. Zimmer, City Council)
- C. Approval of minutes from Special City Council meeting on March 25, 2020. (E. Zimmer, City Manager)

A. Approval of minutes from City Council meeting on March 17, 2020. (E. Zimmer, City Manager)



City of Alpine  
Regular City Council Meeting  
Tuesday, March 17, 2020  
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. Fr. Fred Janecek 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, Councilor Stephens, and Mayor Ramos were present. City Secretary, Cynthia Salas reported that the agenda was posted at 10:00 A.M. on March 13, 2020. City Manager, Erik Zimmer, City Attorney Rod Ponton, and Abel Hinojos were also present
3. Public Comments (limited to 3 minutes per person) –
4. Presentations, Recognitions and Proclamations – (A. Ramos, Mayor) – None
5. Reports – Copies of the charts presented during the meeting are posted on the City website at <https://www.cityofalpine.com/Alpine%20City%20Council%20-%20CM%20Report%203-17-2020.pdf>

City Mayor's Report – (A. Ramos, Mayor) – None

City Attorney's Report –

- Update on waterline issues
- Update on municipal court
- Update on TPIA responses
- Update on proposed Animal Control Ordinances

City Manager Report –

- COVID19
- Review TxDot Freight Study Meetings, on March 6,7 2020

City Staff Updates –

- Readout report by Director of Utilities Scott Perry
- Readout report by Director of Public Works Eddie Molinar
- Readout report by Chief of Police Robert Martin

6. Public Hearings – None
7. 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.)

**Council minutes: 03-17-2020**

**Approved: 04-07-2020**

1. Approval of minutes from City Council meeting on March 3, 2020. (E. Zimmer, City Manager)

Motion was made by Councilor Stephens, by Resolution 2020-03-09 to approve consent agenda as written. Motion was seconded by Councilor Escovedo. Motion unanimously carried.

8. Information or Discussion items –

1. Discuss Lighting Ordinance for a Dark Skies Community by Bill Wren and Jim Newsom. (Erik Zimmer, City Manager) – Item was tabled.

9. 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.) after being called upon by Mayor or Mayor Pro Term. 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 appropriate action on rescinding Resolution 2019-08-22, effective August 20, 2019. This resolution related to City of Alpine personnel policy. (E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 2020-03-10 that City Council continue as was approved by City Council on 8-20-2019 to authorize the City Manager to utilize appropriate part of the 2016 handbook and the 2018 handbook. Further that the City Manager come back not later than June 2020 with an update for Council with an updated employee handbook for review and approval. Motion was seconded by Councilor Escovedo. Motion unanimously carried.
2. Discuss, consider, and take appropriate action on the first reading on Ordinance 2020-03-01, amending the Code of Ordinance, Chapter 26, Article II – Civic Center; providing repealing and severability clauses; providing a Texas Open Meetings Act Clause; and providing an effective date. (E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 2020-03-11, to approve the first reading on Ordinance 2020-03-01, amending the Code of Ordinance, Chapter 26, Article II – Civic Center; providing repealing and severability clauses; providing a Texas Open Meetings Act Clause; and providing an effective date so that the resolution approved by Council to adopt new fees for the use of the Civic Center appropriately approved by Ordinance and providing for future changes to be allowed to be approved by resolution. Motion was seconded by Councilor Escovedo. Motion unanimously carried.
3. Discuss, consider, and take appropriate action on approving the youth softball tournament entry fees of \$150.00 and for adult slow-pitch \$300.00.(E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 2020-03-12 on approving the youth softball tournament entry fees of \$150.00 and for adult slow-pitch \$300.00. Motion was seconded by Councilor Escovedo. Motion unanimously carried.
4. Discuss, consider, and take appropriate action on the first reading of Ordinance 2020-03-05, an Ordinance of the City Council of the City of Alpine, Texas, amending the amended FY 2019-2020 budget for the City of Alpine. (E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 2020-03-13, on the first reading of Ordinance 2020-03-05, an Ordinance of the City Council of the City of Alpine, Texas amending FY 2019-2020 budget for the City of Alpine in accordance in what is called out as attachment “A”, that Ordinance covers 7 items. 1) Dedicate interest earned in the reserved account to remain in the reserved account. 2) Allocate \$50,000 for a park splash pad to come out of the creek trail reserve. 3) Reallocate funds to be able to support the airport modifications that Council previously approved. 4) Allocate hotel occupancy tax funds to be able to support paving particularly of the visitor center parking lot. 5) Allocate reserve funds as follows: \$50,000 to be able to support the TCEQ SEP enforcement, \$282,000 the CIP for the VAHC truck, another \$68,500 for well maintenance. 6) Allocate \$400,000, \$4,000 to water sewer sanitation checking account. 7) Allocate up to \$898,510.00 to support road repair. Motion was seconded by Councilor Escovedo. Motion unanimously carried.

5. Discuss, consider, and take appropriate action on the first reading of Ordinance 2020-03-03, establishing limit parking to 30 minutes between the hours of 8:00am to 5:00pm on weekends in the 100 block of West Avenue E, located between 5<sup>th</sup> street and 6<sup>th</sup> street on both the North and South sides of the roadway. (R. Stephens, City Council) – Motion was made by Councilor Stephens, by Resolution 2020-03-14 on the first reading of Ordinance 2020-03-03, establishing limit parking to 30 minutes between the hours of 8:00am to 12:00pm and to 1:30pm to 5:00pm on weekends in the 100 block of West Avenue E, located between 5<sup>th</sup> street and 6<sup>th</sup> street on both the North and South sides of the roadway. Motion was seconded by Councilor Escovedo. Motion unanimously carried.
6. Discuss, consider, and take appropriate action on the first reading of Ordinance 2020-03-04, an Ordinance for the placement of a No Parking signs inside the Old Town Square parking lot that is currently designated No Parking. (R. Stephens, City Council) – Motion was made by Councilor Stephens, by Resolution 2020-03-15 on the first reading of Ordinance 2020—03-04, an Ordinance for the placement of a No Parking signs inside the Old Town Square parking lot that is currenting designated No Parking. Motion was seconded by Councilor Escovedo. Motion unanimously carried.
10. City Councilmember Comments and Answers – No discussion or action may take place.
11. Executive Session - Pursuant to Texas Government Code 551.071 (consultation with the City Attorney), and 551.704 - to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee – None

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, Sections 551.071 (consultation with attorney), 551.074 (personnel matters).

12. Action – Executive Session – None

I certify that this notice was posted at 10:00 A.M. on March 13, 2020, 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 10:00 A.M. on March 13, 2020, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

---

Cynthia Salas, City Secretary

- B. Approval of minutes from Emergency City Council meeting on March 20,2020. (E. Zimmer, City Council)

City of Alpine  
Emergency City Council Meeting  
Friday, March 20, 2020  
4:00 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. 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, Councilor Stephens, and Mayor Ramos were present. City Secretary, Cynthia Salas reported that the agenda was posted at 10:30 A.M. on March 20, 2020. City Manager, Erik Zimmer, City Attorney Rod Ponton, and Geo Calderon were also present
3. Discuss, consider, and take appropriate action on Ordinance 2020-03-06, an Emergency Ordinance instituting emergency measures due to a Public Health Emergency for the City of Alpine. (E. Zimmer, City Manager) - Motion was made by Councilor Stephens, by Resolution 2020-03-17, to approve Ordinance 2020-03-06, Ordinance instituting emergency measures due to a Public Health Emergency for the City of Alpine. Motion was seconded by Councilor Escovedo. Motion unanimously carried.
4. Adjourn

I certify that this notice was posted at 10:30 A.M. on March 20, 2020, 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 10:30 A.M. on March 20, 2020, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

---

Cynthia Salas, City Secretary

- C. Approval of minutes from Special City Council meeting on March 25, 2020. (E. Zimmer, City Manager)

City of Alpine  
City Council Meeting  
Wednesday, March 25, 2020  
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. 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, Councilor Stephens, and Mayor Ramos were present. City Secretary, Cynthia Salas reported that the agenda was posted at 2:00 P.M. on March 20, 2020. City Manager, Erik Zimmer, City Attorney Rod Ponton, were also present
3. Public Comments – (limited to 3 minutes per person)
4. Presentation, Recognition, and Proclamations – (A. Ramos, Mayor) – None
5. Reports –
  - City Mayor's Report – None
  - City Attorney's Report – None
  - City Manager's Report - None
  - City Staff Updates – None
6. Public Hearings –
  - Public Hearing to obtain citizen's views and comments on Ordinance 2020-03-05, an Ordinance of the City of Alpine, Texas amending the amended FY 2019-2020 budget for the City of Alpine, Texas.
7. 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.) – None
8. Information or Discussion items – None
9. 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.) after being called upon by Mayor or Mayor Pro Term. 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 appropriate action on Resolution 2020-03-16 accepting the FY 2018-2019 (year ending September 30, 2019) audit from Gibson, Ruddock, and Patterson, LLC, City of Alpine Auditors. (E. Zimmer, City Manager) - Motion was made by Councilor Olivas, by Resolution 2020-03-16, approving Resolution 2020-03-16 accepting the FY 2018-2019 (year ending September 30, 2019) audit from Gibson, Ruddock, and Patterson, LLC, City of Alpine Auditors. Motion was seconded by Councilor Betty Fitzgerald. Councilor Curry, Councilor Betty Fitzgerald, Councilor Escovedo and Councilor Stephens voted for. Councilor Olivas voted against. Motion was 4 to 1.
2. Discuss, consider, and take appropriate action on the second and final reading of Ordinance 2020-03-05, an Ordinance of the City Council of the City of Alpine, Texas amending the amended FY 2019-2020 budget for the City of Alpine. (E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 2020-03-18 on the second and final reading of Ordinance 2020-03-05, an Ordinance of the City Council of the City of Alpine, Texas amending the amended FY 2019-2020 budget for the City of Alpine. Motion was seconded by Councilor Escovedo. Motion was 5 to 1. Motion unanimously carried.
3. Discuss, consider, and take appropriate action on the proclamation issued by Governor Greg Abbott on March 18, 2020 giving all political subdivisions holding general or special elections on May 2, 2020 the ability to postpone that election to November 3, 2020. (E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 2020-03-19 that City Council delay the special election from May 2, 2020 to November 3, 2020 for the positions of the City of Alpine of Ward 2, Ward 4 and Mayor. Motion was seconded by Councilor Escovedo.

10. City Councilmember Comments and Answers – No Discussion or action may take place.

11. Executive Session – Pursuant to Texas Government Code Section 551.071 (consultation with an attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.086 (economic development)

Motion was made by Councilor Stephens, by Resolution 2020-03-20 that City Council go into executive session. Motion was seconded by Councilor Olivas. Motion unanimously carried. (6:13 pm)

1. Discuss the purchase of property for the City of Alpine. (E. Zimmer, City Manager)

Motion was made by Councilor Stephens, by Resolution 2020-03-21 to come back into open session. Motion was seconded by Councilor Escovedo. Motion unanimously carried. (6:28pm)

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 an attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.086 (economic development)

## 12. Action – Executive Session –

1. Discuss, consider, and take appropriate action if any, on the purchase of property for the City of Alpine. (E. Zimmer, City Council)

Motion was made by Councilor Stephens, by Resolution 2020-03-22 to authorize the City Manager to negotiate the purchase of the property that was discussed and that the City Manager come back to City Council with that negotiating price and recommendation for City Council for approval. Motion was seconded by Councilor Olivas. Motion unanimously carried.



I certify that this notice was posted at 2:00 P.M. on March 20, 2020, 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 March 20, 2020, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

---

Cynthia Salas, City Secretary

8. Information or Discussion items –

1. Dialogue on Pan Handling in the City of Alpine. (R. Stephens, City Council)
2. Discussion on emergency/fire lanes on 5<sup>th</sup> and Gallego Ave. in front of Our Lady of Peace Catholic Church. (L. Escovedo, City Council)

1. Dialogue on Pan Handling in the City of Alpine. (R. Stephens, City Council)

2. Discussion on emergency/fire lanes on 5<sup>th</sup> and Gallego Ave. in front of Our Lady of Peace Catholic Church. (L. Escovedo, City Council)



309 West Sul Ross Avenue  
Alpine, Texas 79830

---

Chief Robert Martin  
Telephone (432) 837-3486

rmartin.police@ci.alpine.tx.us  
Fax (432) 837-2616

To: Eric Zimmer  
City Manager

From: Robert Martin  
Chief of Police

Re: Fire Lane and Handicap Parking  
Our Lady of Peace Catholic Church  
100 W. Gallego, Alpine Tx

I am asking the Alpine City Council to consider passing an Ordinance that will control parking in the 100 block of West Gallego Avenue and 400 block of South 5<sup>th</sup> Street. This ordinance would provide designated parking for handicap parking and provide a fire lane for emergency personnel.

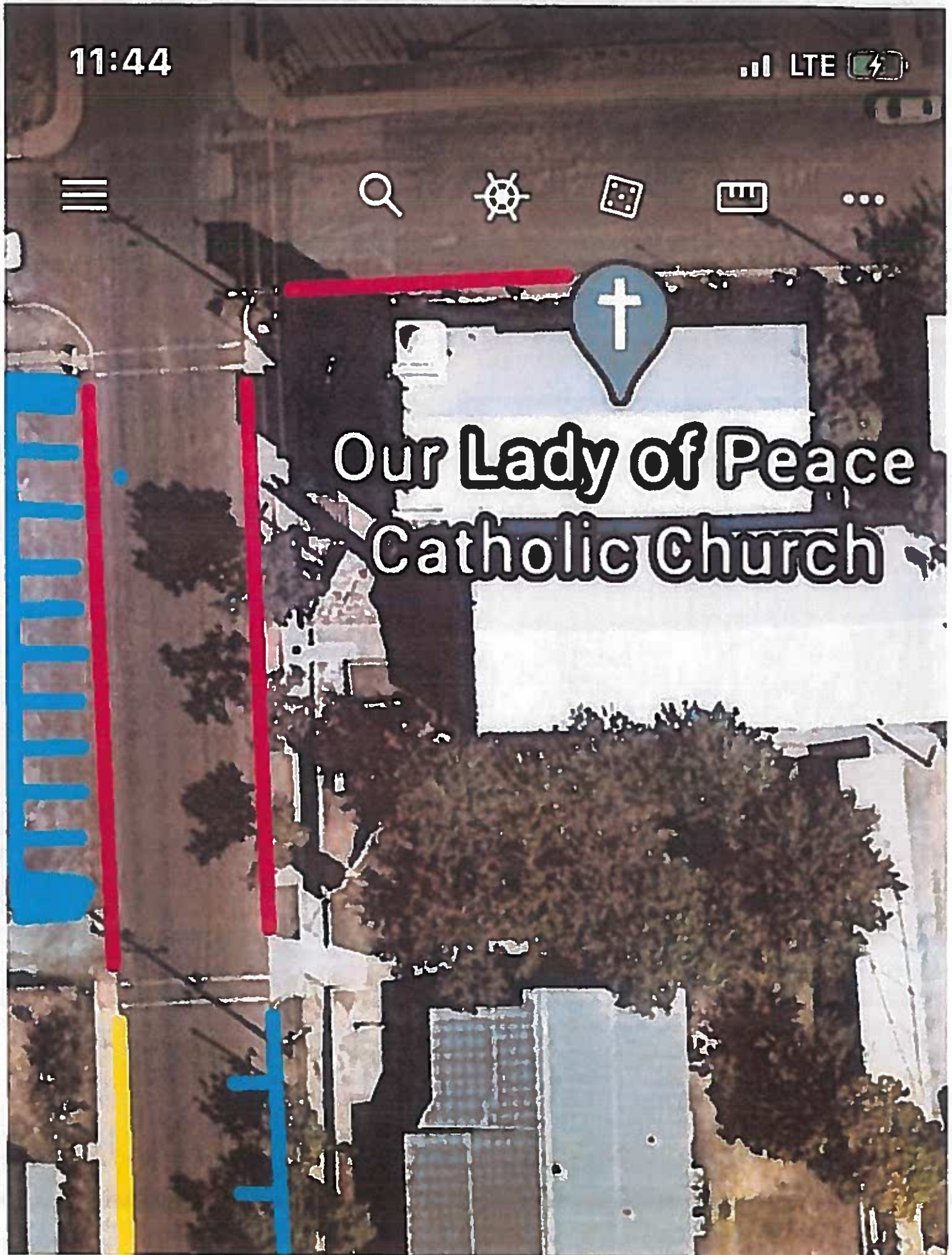
The ordinance will designate a total of ten (10) handicap parking spaces in the 100 block of West Gallego on the north side of the roadway with signs. There will also be four (4) Handicap parking spaces on the South side of Gallego Avenue marked with a blue curb and signs, west of the fire lane.

A fire lane will be marked with signs and red a curb on the south side of Gallego Avenue, from Fifth Street for fifty (50) feet to the west. On the north side of Gallego Avenue there will be a red line south of the Handicap parking, parallel to the to the red curb to the South (on the roadway sholder).

The curb on Fifth Street on the West side of the roadway will be marked a Fire Lane from Gallego, thirty (30) feet to the south.

Respectfully Submitted,

Robert Martin  
Chief of Police  
Alpine, Texas







9. 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.) after being called upon by the 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 appropriate action on the second and final reading of Ordinance 2020-03-01, amending the Code of Ordinance, Chapter 26, Article II – Civic Center; providing repealing and severability clauses; providing a Texas Open Meetings Act Clause; and providing an effective date. (E. Zimmer, City Manager)





# CITY COUNCIL

## AGENDA REQUEST

<b>AGENDA FOR COUNCIL MEETING: INITIATED BY:</b>	<b>APRIL 7, 2020</b>	<b>AGENDA REQUEST NO:</b>	<b>ACTION</b>
	<b>ERIK ZIMMER</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>ADMINISTRATION</b>
<b>PRESENTED BY:</b>	<b>ERIK ZIMMER</b>	<b>FINANCE DIRECTOR:</b>	<b>MEGAN ANTRIM</b>
		<b>ADDITIONAL DIRECTOR (S):</b>	

<b>SUBJECT / PROCEEDING:</b>	DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION ON THE SECOND AND FINAL READING OF ORDINANCE 2020-03-01, AMENDING THE CODE OF ORDINANCE, CHAPTER 26, ARTICLE II – CIVIC CENTER; PROVIDING REPEALING AND SEVERABILITY CLAUSES; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE.
------------------------------	---

<b>EXHIBITS:</b>	
------------------	--

CLEARANCES	APPROVAL
------------	----------

<b>LEGAL:</b>	<b>CITY ATTORNEY</b>	<b>ROD PONTON:</b>	_____
<b>FINANCE:</b>	<b>FINANCE DIRECTOR</b>	<b>MEGAN ANTRIM:</b>	_____
<b>APPROVAL:</b>	<b>CITY MANAGER</b>	<b>ERIK ZIMMER:</b>	_____

BUDGET
--------

<b>EXPENDITURE REQUIRED: \$</b>	<b>0</b>
<b>SAVINGS ANTICIPATION: \$</b>	
<b>CURRENT BUDGET FY2018-2019: \$</b>	<b>0</b>
<b>ADDITIONAL FUNDING: \$</b>	

RECOMMENDED ACTION
--------------------

--

EXECUTIVE SUMMARY
-------------------

--

**STATE OF TEXAS**  
**CITY OF ALPINE**

**COUNTY OF BREWSTER**

**ORDINANCE 2020-03-01**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 26, ARTICLE II – CIVIC CENTER; PROVIDING REPEALING AND SEVERABILITY CLAUSES; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Alpine owns and operates the Alpine Civic Center for the benefit of the City and its residents in order to attract conventions, conferences, trade shows, meetings, exhibits, gatherings and other public cultural and entertainment events; and

**WHEREAS**, the City Council of the City of Alpine has cause in pursuit of their legislative duties on behalf of citizens of Alpine to be flexible in their ability to modify agreements, rates, and fees of the Civic Center reservation and use policy; and

**WHEREAS**, it is deemed to be in the best interest of the City to repeal all previous ordinances regarding rates, fees, or agreements for the Civic Center and replace the existing section in its entirety.

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

**SECTION I**  
**FINDINGS OF FACT**

All of the premises attached in the form hereto described as Exhibit “A” are hereby found to be true and correct legislative and factual findings of the City Council of the City of Alpine and are hereby approved and incorporated herein as findings of fact.

**SECTION II**  
**CUMULATIVE CLAUSE**

This ordinance shall be cumulative of all provisions of the City of Alpine, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

**SECTION III**  
**SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council of the City of Alpine that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences paragraphs or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, clause, sentence, paragraph or section.

**SECTION IV  
PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**SECTION V  
EFFECTIVE DATE**

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

**PASSED AND ADOPTED THIS 7<sup>th</sup> DAY OF APRIL 2020 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.**

**INTRODUCTION AND FIRST READING**

**March 17, 2020**

**SECOND AND FINAL READING**

**April 7, 2020**

**ATTEST:**

---

**Andres “Andy” Ramos, Mayor  
City of Alpine**

---

**Cynthia Salas, City Secretary  
City of Alpine**

**APPROVED AS TO FORM:**

---

**Rod Ponton, City Attorney  
City of Alpine**

## EXHIBIT "A"

### ARTICLE II. - CIVIC CENTER

#### Sec. 26-31. - Uses.

- (a) *Permitted functions.* The Alpine Civic Center shall be limited to a capacity of 507 persons and shall be used for the following function:

Public and private functions. Persons, entities, organization, and clubs for events such as weddings, parties, receptions, dances, etc. Rental fees shall be charged as set out in section 26-32.

- (b) *Sexually oriented activity.* The city will not rent the civic center for the use of any activity of a sexually oriented nature which will be nude or seminude male or female dancers, tee-shirt contests or wet tee-shirt contests. Any requests of the use of the civic center which the city manager considers questionable shall be brought before the city council for approval.

(Code 1978, § 19-71; Ord. No. 2002-2-4, 3-11-02; Ord. No. 2002-9-8, 9-16-02)

#### Sec. 26-32. - Fee schedule.

All fees related to renting the Civic Center shall be set by City Council resolution.

~~The following fee schedule shall be applied to rental of the civic center:~~

- ~~(1) *Deposit.* A \$200.00 deposit shall be given to the city at the time of rental for cleanup after the rental and potential damages to the civic center from the function.~~

- ~~(2) *Rental rates.* Rental rates are set to reflect three categories. The three categories are standard (general public/commercial), non-profit (any organization that can provide an IRS 501(C)3 form), and government agencies (Alpine ISD, SRSU, TxDOT, county). Citizens or agencies will be prorated in accordance to the designated categories. However, they will still be responsible for submitting the \$200.00 deposit fee. If security is needed the city will charge \$30.00 an hour to provide a police officer. Keys will be available one day before the event and maybe picked up at City Hall during business hours.~~

Civic Center	Commercial General Public	Non-Profit	Government Agencies
Full Day Rental for One Event (8hrs.)	\$500.00	\$250.00	No Charge
Evening Recital/Meeting (4 hrs. between 6:00 p.m. — 12:00 a.m.)	\$250.00	\$125.00	No Charge
Additional time per hour	—\$65.00	—\$30.00	No Charge

(Code 1978, § 19-72; Ord. No. 2002-9-8, 9-16-02; Ord. No. 2014-10-03, 11-4-2014)

Sec. 26-33. - Alcohol.

No beer, wine, setups or ice chests shall be brought into the civic center. If alcoholic beverages are to be sold, arrangements must be made with the city's civic center concessionaire.

- (1) *Sponsors.* At functions where alcohol is to be sold, sponsors shall arrange with a business holding an on-premises alcohol beverage license to serve as concessionaire for the functions. Sponsors may give away alcoholic beverages at functions. A concessionaire is not needed when alcohol is given away.

- ~~(2) *Concessionaires.* Businesses which are required as concessionaires must pay a use and cleanup fee of \$75.00 for the bar. Concessionaires must also obtain a picnic permit from the alcoholic beverage commission and execute a contract with the city prior to any alcoholic beverage sales at the civic center. A copy of the picnic permit must be presented to the city at the time of contract execution, and the original permit must be posted at the civic center during the function.~~

(Code 1978, § 19-73; Ord. No. 2002-9-8, 9-16-02)

~~Sec. 26-34. - Security.~~

~~The person, entity, organization or club renting the civic center shall be responsible for providing security.~~

~~(Code 1978, § 19-74; Ord. No. 2002-9-8, 9-16-02)~~

Sec. 26-35. - Reservations and deposits.

- (a) The civic center may be reserved at City of Alpine Administration Offices by:
  - (1) Executing the rental agreement, and
  - (2) Paying the rental fee and deposit.
- (b) The individual that fills out and signs the agreement is the only person that will be allowed to pick up the civic center key.
- (c) The key will be available for pick up one day before the event and may be picked up at City Hall during normal business hours.
- (b) The ~~\$200.00~~ deposit shall be returned after the function if the city does not perform cleanup or repairs from damage to the civic center from the function. Cleanup includes the perimeter of the civic center and adjacent parking areas. The sponsor of the function is responsible for repairing all damages which exceed the amount of deposit.
- (e) The key must be returned the following business day or a late fee per day will be deducted from the deposit.

(Code 1978, § 19-75; Ord. No. 2002-9-8, 9-16-02)

Sec. 26-36. - Cancellations.

A function may be cancelled and the full deposit returned if the sponsor notifies the city ten **working** days prior to the function.

(Code 1978, § 19-76; Ord. No. 2002-9-8, 9-16-02)

Sec. 26-37. - Decorating and setup.

If the previous two days are not rented, the sponsor may decorate and arrange the civic center no earlier than two days prior to the function and shall be coordinated in advance with the city.

(Code 1978, § 19-77; Ord. No. 2002-9-8, 9-16-02)

2. Discuss, consider, and take appropriate action on second and final Ordinance 2020-03-04, an Ordinance for the placement of a No Parking signs inside the Old Town Square parking lot that is currently designated No Parking. (R. Stephens, City Council)





# CITY COUNCIL

## AGENDA REQUEST

<b>AGENDA FOR COUNCIL MEETING: INITIATED BY:</b>	<b>APRIL 7, 2020</b>	<b>AGENDA REQUEST NO:</b>	<b>ACTION</b>
	<b>ERIK ZIMMER</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>ADMINISTRATION</b>
<b>PRESENTED BY:</b>	<b>ERIK ZIMMER</b>	<b>FINANCE DIRECTOR:</b>	<b>MEGAN ANTRIM</b>
		<b>ADDITIONAL DIRECTOR (S):</b>	

<b>SUBJECT / PROCEEDING:</b>	<b>DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION ON THE SECOND AND FINAL READING OF ORDINANCE 2020-03-04, AN ORDINANCE FOR THE PLACEMENT OF A NO PARKING SIGNS INSIDE THE OLD TOWN SQUARE PARKING LOT THAT IS CURRENTLY DESIGNATED NO PARKING.</b>
------------------------------	---

<b>EXHIBITS:</b>	
------------------	--

CLEARANCES		APPROVAL	
<b>LEGAL:</b>	<b>CITY ATTORNEY</b>	<b>ROD PONTON:</b>	_____
<b>FINANCE:</b>	<b>FINANCE DIRECTOR</b>	<b>MEGAN ANTRIM:</b>	_____
<b>APPROVAL:</b>	<b>CITY MANAGER</b>	<b>ERIK ZIMMER:</b>	_____

BUDGET	
<b>EXPENDITURE REQUIRED: \$</b>	<b>0</b>
<b>SAVINGS ANTICIPATION: \$</b>	
<b>CURRENT BUDGET FY2018-2019: \$</b>	<b>0</b>
<b>ADDITIONAL FUNDING: \$</b>	

RECOMMENDED ACTION
--------------------

--

EXECUTIVE SUMMARY
-------------------

--



**STATE OF TEXAS  
CITY OF ALPINE**

**COUNTY OF BREWSTER**

**ORDINANCE 2020-03-04**

**AN ORDINANCE FOR THE PLACEMENT OF NO PARKING SIGNS INSIDE THE OLD TOWN SQUARE PARKING LOT THAT IS CURRENTLY DESIGNATED NO PARKING.**

**WHEREAS**, there are areas inside the City owned Old Town Square parking lot that are designated as no parking in order to prevent vehicular accidents and keep pedestrians safe; and

**WHEREAS**, the designated no parking areas are marked with the curb painted yellow; and

**WHEREAS**, there is confusion about the meaning of the yellow curb as meaning no parking; and

**WHEREAS**, the City Council has determined that signage is necessary to ensure clarity about area being designated as no parking is the best interests of the City and the citizens.

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

**SECTION 1.** The placement of necessary signage and markings for these changes shall be implemented as provided in the Texas Transportation Code.

**SECTION 2.** The Alpine Police Department shall take appropriate action to ensure the enforcement of the no parking areas.

**PASSED AND ADOPTED THIS 7<sup>TH</sup> DAY OF APRIL, 2020 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.**

**INTRODUCTION AND FIRST READING  
MARCH 17, 2020**

**SECOND AND FINAL READING  
APRIL 7, 2020**

---

**Andres "Andy" Ramos, Mayor  
City of Alpine**

**ATTEST:**

**APPROVED AS TO FORM:**

---

**Cynthia Salas, City Secretary  
City of Alpine**

---

**Rod Ponton, City Attorney  
City of Alpine**

3. Discuss, consider, and take appropriate action on the first reading of Ordinance 2020-04-01, an Ordinance of the City of Alpine, Texas, amending the Alpine Code of Ordinances, Chapter 18 Building and Building Regulations; repealing conflicting Ordinances; providing a severability clause; providing a penalty not to exceed five hundred dollars (\$500.00); providing an effective date. (E. Zimmer, City Manager)



# CITY COUNCIL

## AGENDA REQUEST

<b>AGENDA FOR COUNCIL MEETING: INITIATED BY:</b>	<b>APRIL 7, 2020</b>	<b>AGENDA REQUEST NO:</b>	<b>ACTION</b>
	<b>ERIK ZIMMER</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>ADMINISTRATION</b>
<b>PRESENTED BY:</b>	<b>ERIK ZIMMER</b>	<b>FINANCE DIRECTOR:</b>	<b>MEGAN ANTRIM</b>
		<b>ADDITIONAL DIRECTOR (S):</b>	

<b>SUBJECT / PROCEEDING:</b>	<b>DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION ON THE FIRST READING OF ORDINANCE 2020-04-01, AN ORDINANCE OF THE CITY OF ALPINE, TEXAS AMENDING THE ALPINE CODE OF ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED FIVE HUNDRED (\$500.00); PROVIDING AN EFFECTIVE DATE.</b>
------------------------------	--

<b>EXHIBITS:</b>	
------------------	--

<b>CLEARANCES</b>	<b>APPROVAL</b>
-------------------	-----------------

<b>LEGAL:</b>	<b>CITY ATTORNEY</b>	<b>ROD PONTON:</b>	_____
<b>FINANCE:</b>	<b>FINANCE DIRECTOR</b>	<b>MEGAN ANTRIM:</b>	_____
<b>APPROVAL:</b>	<b>CITY MANAGER</b>	<b>ERIK ZIMMER:</b>	_____

<b>BUDGET</b>
---------------

<b>EXPENDITURE REQUIRED: \$</b>	<b>0</b>
<b>SAVINGS ANTICIPATION: \$</b>	
<b>CURRENT BUDGET FY2018-2019: \$</b>	<b>0</b>
<b>ADDITIONAL FUNDING: \$</b>	

<b>RECOMMENDED ACTION</b>
---------------------------

--

<b>EXECUTIVE SUMMARY</b>
--------------------------

--

**STATE OF TEXAS**

**COUNTY OF BREWSTER**

**CITY OF ALPINE**

**ORDINANCE 2020-04-01**

**AN ORDINANCE OF THE CITY OF ALPINE, TEXAS, AMENDING THE ALPINE CODE OF ORDINANCES CHAPTER 18 BUILDINGS AND BUILDING REGULATIONS; REPEALING CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED FIVE HUNDRED DOLLARS (\$ 500.00); PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Alpine, Texas makes certain services, documents, publications, and facilities available to the public; and

**WHEREAS**, the City of Alpine wishes to make changes to certain building permit and inspection fees; and

**WHEREAS**, these changes are in response to and in conformance with the recently amended Section 214.907, Local Government Code, as added by House Bill 852 and signed into effect immediately on May 21, 2019; and

**WHEREAS**; the primary purpose of this ordinance is for regulation in support of the City of Alpine's building permit and inspection program; and

**WHEREAS**, these fees established herein are no more than reasonably necessary to cover the City of Alpine's cost of regulation through its building permit and inspection program; and

**WHEREAS**, ALL CONSTITUTIONAL, STATUTORY AND LEGAL PREREQUISITES FOR THE PASSAGE OF THIS ORDINANCE HAVE BEEN MET, INCLUDING BUT NOT LIMITED TO THE Open Meetings Act; and

**WHEREAS**, the City Council has determined that it is in the best interest of the health, safety and welfare of the public to adopt this ordinance

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS;**

Section 1. That all matters stated herein above are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

Section 2. That Chapter 18, Buildings and Building Regulations, Article I, In General, 18-3 Construction and Demolition fees required, is hereby amended to read as follows;

"Section 18-3 Schedule of permit fees. For any work requiring a permit under the International Building Code, a fee for each permit shall be paid as required, in accordance with Table 1A , Building Permit Fees, attached hereto as Exhibit "A", On buildings, structures, electrical, gas, mechanical ,plumbing systems, irrigation and fuel gas or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with Table 1-A, and Table 18-3A , Mechanical, Electrical, Plumbing, Irrigation and

Fuel Gas permit Fees attached hereto as Exhibit "C". Permit fees for work covered by other adopted codes and ordinances are described elsewhere in this chapter.

For new buildings and additions, with the exception of residential dwellings, the building valuations shall be determined by the Building Valuation Data Table, attached hereto as Exhibit "B" or the contract valuation, whichever is greater.

For interior alterations and remodels, with the exception of residential dwellings, the building valuation shall be determined by the contract valuation.

In all cases with the exception of residential dwellings, it shall be the responsibility of the permit applicant to provide a copy of the construction contract including the total project cost to the Building Official upon request".

Section 3. That Chapter 18, Buildings and Building Regulations, Article III – Plumbing Code, Section 18-72 – Inspections, subsection (b) New construction and remodeling. (1) Permit required. subsection a., b., c., d. is hereby deleted in its entirety.

Section 4. That Chapter 18, Building and Building Regulations, Article IV. – Gas Code, Section 18-107. – Fees. Subsection (b) is hereby deleted in its entirety.

Section 5. That Chapter 18, Buildings and Building Regulations, Article V.-Housing Code Division 2.- Permit Section 18-206. Fees required, is hereby amended as follows:

"Minimum permit fee: \$25.00 plus \$ 0.20 per square foot of the building to be moved".

Section 6. That Chapter 18, Building and Building Regulations, Article VIII.- Electrical Code. Section 18-252.- Permitting, subsection (d.) Electrical permit and inspection fee schedule is hereby deleted in its entirety.

Section 7. That any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed five hundred dollars (\$500.00) for each offense and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

Section 8. That all ordinances or any parts thereof in conflict with the terms of this ordinance shall be and hereby are deemed repealed and of no force or effect.

Section 9. This ordinance shall become effective from and after the date of its passage, and it is accordingly so ordained.

**PASSED AND ADOPTED THIS 21<sup>ST</sup> DAY OF APRIL 2020 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.**

**INTRODUCTION AND FIRST READING**  
**April 7, 2020**

**SECOND AND FINAL READING**  
**April 21, 2020**

\_\_\_\_\_  
**Andres “Andy” Ramos, Mayor**  
**City of Alpine**

**ATTEST:**

\_\_\_\_\_  
**Cynthia Salas, City Secretary**  
**City of Alpine**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Rod Ponton, City Attorney**  
**City of Alpine**

**Exhibit "A"**

**TABLE NO. 1-A**

**BUILDING PERMIT FEES**

**PERMIT FEES OR ALL BUILDING PERMITS EXCEPT FOR RESIDENTIAL DWELLINGS**

<b>TOTAL VALUATION</b>	<b>FEE</b>
<b>\$ 1.00 TO \$ 500.00</b>	<b>\$ 21.00</b>
<b>\$ 501.00 TO \$ 2,000</b>	<b>\$ 21.00 for the first \$ 500.00 plus \$ 2.75 for each additional \$ 100.00, or fraction thereof, to and including \$ 2000.00</b>
<b>\$ 2,001.00 TO \$ 25,000</b>	<b>\$ 62.25 for the first \$ 2,000.00 plus \$ 12.50 for each additional \$ 1,000.00, or fraction thereof, to and including \$ 25,000.00</b>
<b>\$ 25,000 TO \$ 50,000.00</b>	<b>\$ 349.75 for the first \$ 25,000.00 plus \$ 9.00 for each additional \$ 1,000.00, or fraction thereof, to and including \$1,000,000.00</b>
<b>\$ 50,000.00 TO \$ 100,000.00</b>	<b>\$ 574.75 for the first \$ 50,000.00 plus \$6.25 for each additional \$1,000.00 or fraction thereof to and including \$100,000.00</b>
<b>\$ 100,000.00 TO \$ 500,000.00</b>	<b>\$ 887.25 for the first \$100,000.00 plus \$ 5.00 for each additional \$1,000.00 or fraction thereof, to and including \$500,00.00</b>
<b>\$ 500,000.00 TO \$ 1,000,000.00</b>	<b>\$2,887.25 for the first \$1,000,000.00 plus \$ 4.25 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00</b>
<b>\$ 1,000,000.00 AND UP</b>	<b>\$ 5,012.25 for the first \$1,000,000.00 plus \$2.75 for each additional \$1,000.00 or fraction thereof</b>

**BUILDING PERMIT FEES FOR RESIDENTIAL DWELLINGS**

	<b>NEW CONSTRUCTION</b>	<b>ADDITIONS</b>	<b>ALTERATIONS</b>
<b><u>R-1 &amp; R-2 RESIDENTIAL DWELLINGS</u></b> (Detached one- and two-family dwellings, townhomes not more than 2 stories in height)	<b>\$ .55 / Square Foot TOTAL AREA UNDER ROOF</b>	<b>\$ 1.00 / Square Foot TOTAL AREA UNDER ROOF</b>	<b>\$ 1.00 /Square Foot TOTAL AREA UNDER ROOF</b>
<b><u>R-3 RESIDENTIAL DWELLINGS</u></b> (Apartments, condominiums, three and four family dwellings)	<b>\$ .30 / Square Foot TOTAL AREA UNDER ROOF</b>	<b>\$ 1.00 / Square Foot TOTAL AREA UNDER ROOF</b>	<b>\$ 1.00 / Square Foot TOTAL AREA UNDER ROOF</b>
<b>Standalone permits or Permits not stated. (siding, foundation repair) \$ 75.00</b>	<b>Residential Pools \$ 150.00 Flat Fee</b>	<b>Residential Irrigations \$ 150.00 Includes Plan Review Fee.</b>	<b>Residential Fence \$ 1.00 per linear foot</b>
			<b>Residential Roof \$.05 / Square Foot = \$ 25.00</b>

**OTHER INSPECTIONS AND FEES**

1. Certificate of Occupancy..... \$ 50.00
2. Inspections outside of normal business hours..... \$ 42.00
3. Additional plan review required by changes, additions or revisions to plans.....\$ 42.00 per hour
4. Use of outside consultants for plan checking / inspections ..... actual cost
5. Foundation permits or any partial permit.....10% of building permit fee in addition to building permit fee

6. Plan review fee ..... 45% of building permit fee in addition to building permit fee
7. Building permit fees for Alpine Independent School District.....25% of the fees established in Table No. 1-A
8. Project valuation to be determined by the contract valuation or regional construction valuation whichever is greater. Permit valuations shall include all work required for a completed project, including profit, but need not include the value or cost of the land. Other methods for determining the project valuations for unique or unusual projects may be approved by the Building Official.
9. Lot drainage fee..... \$ 50.00



TYPE OF OCCUPANCY	BUILDING AREA SQ FT	PERMIT FEES	AMOUNT DUE
R-1, R-2 SINGLE FAMILY, DUPLEX TOWNHOUSE NEW CONSTRUCTION ADDITIONS (PER UNIT)  TOTAL SQ FOOT UNDER ROOF _____	1 – 749 750 – 1,199 1,200 – 1,500 1,501 – 1,750 1,751 – 2,000 2,001 – 2,250 2,251 – 3,000 3,001 – 3,500 3,501 – 4,000 4,001 +	EACH TRADE  \$ 50.00 \$ 63.18 \$ 76.48 \$ 83.18 \$ 90.13 \$ 96.43 \$ 103.08 \$ 115.20 \$ 120.00 \$ 137.18	\$25.00 Application  \$ _____
A, E, I, R-3  HOTELS, APARTMENTS, DRINKING / DINNING, EDUCATIONAL, ASSEMBLY, INSTITUTIONAL	1 – 500 501 – 100,000 100,001-500,000 500,001 +	EACH TRADE PER SQ FOOT  \$ 50.00 \$ 50.00 + .035 \$ 3,500 + .03 \$ 15,000 + .02	\$ 50.00 Application  \$ _____
B, F, H, M, S, U OFFICE RETAIL, WHOLESALE, GARAGES, FACTORIES, WORKSHOPS, SERVICE STATIONS, WAREHOUSE	1- 500 501- 50,000 50,001- 100,000 100,001+	EACH TRADE PER SQ FOOT  \$ 50.00 \$ 50.00+.01 \$ 182.00+.007 \$ 582.00+ .003	\$50.00 Application  \$ _____
ANY OCCUPANCY GROUP  FINISH-OUTS, SHELL COMPLETIONS, ALTERATIONS, STAND ALONE PERMITS  CONTRACT VALUATION OF WORK  \$ _____	<u>CONTRACT</u> <u>VALUATION OF</u> <u>WORK</u>  0 - 500 501- 1,500 1,501- 3,000 3,001 -5,000 5,001 – 50,000 50,001-100,000 100,001 – 500,000 500,001 +	EACH TRADE PER DOLLAR VALUATION  \$ 50.00 \$ 59.00 \$ 68.00 \$ 80.00 \$ 50.00+ .009 \$ 127.00 + .007 \$ 327.00 +.005 \$ 1,327.00 + .003	          \$ _____

TABLE 18-3a

Exhibit "C"

4. Discuss, consider, and take appropriate action approving the Joint Election Service Contract between the City of Alpine and Brewster County for the November 3, 2020 election. (E. Zimmer, City Manager)



# CITY COUNCIL

## AGENDA REQUEST

<b>AGENDA FOR COUNCIL MEETING: INITIATED BY:</b>	<b>APRIL 7, 2020</b>	<b>AGENDA REQUEST NO:</b>	<b>ACTION</b>
	<b>ERIK ZIMMER</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>ADMINISTRATION</b>
<b>PRESENTED BY:</b>	<b>ERIK ZIMMER</b>	<b>FINANCE DIRECTOR:</b>	<b>MEGAN ANTRIM</b>
		<b>ADDITIONAL DIRECTOR (S):</b>	

<b>SUBJECT / PROCEEDING:</b>	<b>DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION ON APPROVING THE JOINT ELECTION SERVICE CONTRACT BETWEEN THE CITY OF ALPINE AND BREWSTER COUNTY FOR THE NOVEMBER 3, 2020 ELECTION</b>
------------------------------	---

<b>EXHIBITS:</b>	
------------------	--

CLEARANCES	APPROVAL
------------	----------

<b>LEGAL:</b>	<b>CITY ATTORNEY</b>	<b>ROD PONTON:</b>	_____
<b>FINANCE:</b>	<b>FINANCE DIRECTOR</b>	<b>MEGAN ANTRIM:</b>	_____
<b>APPROVAL:</b>	<b>CITY MANAGER</b>	<b>ERIK ZIMMER:</b>	_____

BUDGET
--------

<b>EXPENDITURE REQUIRED: \$</b>	<b>0</b>
<b>SAVINGS ANTICIPATION: \$</b>	
<b>CURRENT BUDGET FY2018-2019: \$</b>	<b>0</b>
<b>ADDITIONAL FUNDING: \$</b>	

RECOMMENDED ACTION
--------------------

--

EXECUTIVE SUMMARY
-------------------

--

**ELECTION AGREEMENT BETWEEN THE CITY OF ALPINE AND  
BREWSTER COUNTY ELECTIONS ADMINISTRATOR FOR  
ELECTION EQUIPMENT AND ELECTION SERVICES**

WHEREAS, City of Alpine, is holding a Regular Election on May 2, 2020.

WHEREAS, the City of Alpine desires to enter into an election agreement for the purpose of leasing election equipment, and to obtain the services of Lora Nussbaum, Brewster County Election's Administrator, to assist the City of Alpine, City Secretary, in her designated capacity as Elections Officer, in holding the 2020 Regular Election for the City of Alpine.

NOW, THEREFORE, the CITY OF ALPINE AND BREWSTER COUNTY ELECTIONS ADMINISTRATOR enter into this Election Agreement under the terms that follow:

**I. Scope of the Election Agreement**

City of Alpine and Brewster County Elections Administrator enter into this Election Agreement ("Agreement") for election services and assistance (as set forth herein) in connection with the City of Alpine Regular Election to be held on May 2, 2020.

**II. Election Officer**

The City of Alpine appoints the City Secretary, as the Election Officer to perform or supervise the performance of the duties and responsibilities involved in conducting the Election covered by this agreement. County Elections Administrator, Lora Nussbaum, is also asked to assist the elections officer in the performance of the duties and responsibilities involved in conducting the Election covered by this Agreement.

**Early Voting and Election Day**

Early Voting and Election Day voting shall be held at times and dates and location designated by the City of Alpine.

**1. County Responsibilities**

1. Brewster County Elections Administrator shall provide two Express Vote Ballot Writer machines. One Express Vote Ballot Writer machine will be used for conducting Early Voting at the Early Voting polling place and one will be used for Election Day at the same location. Brewster County Elections Administrator shall also provide two Poll Pads, used for voter check-in, one will be used for conducting early voting and one will be used for Election Day. Brewster County Election Administrator is also asked to provide one four sided voting booth and two cardboard voting booths from Brewster County as well as 1 metal "vote here" sign for the Election.

2. The Brewster County Elections Administrator will post all notices for the testing of the Express Vote Ballot Writer machines, and will conduct the appropriate tests.
3. Brewster County Elections Administrator will also provide voter registration lists, obtained from the Brewster County Voter Registrar (as provided by law) to the election judges and clerks.
4. Brewster County Elections Administrator will conduct training for the election officials.

## **2. Responsibility of City of Alpine**

City of Alpine appoints the City Secretary to serve as Early Voting Clerk.

1. The Early Voting Clerk shall receive requests for applications for Early Voting to be voted by mail. The Early Voting Clerk is responsible for all procedures to conduct the City of Alpine's Early Voting by mail. The City Secretary for the City of Alpine, with the assistance of the Brewster County Elections Administrator, is also responsible for all procedures in conducting the Election during Early Voting by Personal Appearance and on Election Day. The City Secretary is also responsible for posting and publishing all notices for the Election in English and Spanish.
2. The City Secretary is the Custodian of Records for the City of Alpine and will act as the Custodian of Records for the City of Alpine for the duties imposed by the Election Code.
3. The City of Alpine will be responsible for ordering election kits, ballots, and other supplies needed for election.

## **III. Election Day**

### **A. County Responsibilities**

1. The Brewster County Elections Administrator shall lease two Express Vote Ballot Writer machines and two Poll Pads, used for voter check-in, to the City of Alpine; to be used for Early Voting and for Election Day. Brewster County Elections Administrator is asked to also provide, one four sided standing voting booth and two cardboard voting booths, as well as 1 metal "vote here" sign for the Election. County Elections Administrator Lora Nussbaum shall assist during Early Voting by Personal Appearance and on Election Day. County Elections Administrator will also assist the City of Alpine in the ordering of programming for the Express Vote Ballot Writer machines and provide all testing necessary for the Express Vote Ballot Writer.

2. Brewster County Elections Administrator shall assist the City Secretary for Alpine in coordinating election judges and clerks to serve as election officials for the Election. Brewster County Elections Administrator will also assist the City Secretary in coordinating the Early Voting Ballot Board and help in tabulating the election results along with the City Secretary.

The Brewster County Elections Administrator will file a copy of this agreement with the Brewster County Auditor and the Brewster County Treasurer per 31.099 of the Election Code.

#### **B. Election Night**

1. The City of Alpine Secretary, will assist the Brewster County Elections Administrator with all duties on Election Night, receiving totals from the Early Voting Ballot Board and finalizing the count from Election Day Voters.

#### **IV. Election Cost; Payment**

- The City of Alpine will be responsible for the costs incurred with the election, pertaining to printing of ballots, rental of voting equipment and necessary supplies, cost for workers, and any other incidental costs.
- Brewster County will submit an itemized bill to the City of Alpine immediately following completion of the election for payment.
- In the event of a recount, the expense of the recount shall be borne by the City of Alpine.
- In the event the City of Alpine cancels the Election under Subchapter C of Title 1 of the Texas Election Code, the City of Alpine shall be responsible for expenses incurred through the date that the Election is canceled based on the formula reflected by the Cost Estimate adjusted for the actual expense incurred by the Brewster County on the date of the cancellation.

#### **V. General Provisions**

##### **A. Legal Notices**

The City of Alpine will be responsible for the preparation of the election orders, resolutions, notices and other pertinent documents for adoption or execution by its governing board and all expenses related thereto. The City of Alpine will be responsible for obtaining appropriate preclearance, if necessary, from the United States Department of Justice. The City of Alpine shall be responsible for posting or publication of election notices and all expenses related thereto.

**B. Communication**

Throughout the term of this Agreement, the City of Alpine will engage in ongoing communication concerning the conduct of the Election; and when necessary, the County Elections Administrator shall meet with the designated representative of the City of Alpine to discuss and resolve any problems which might arise regarding the Election.

**C. Custodian**

Robert Martin, Chief of Alpine Police Department, shall serve as the custodian of the keys to the ballot boxes for voted ballots in the Election.

**D. Effective Date**

This Agreement takes effect upon the approval and execution of this Agreement by the parties named below. This Agreement shall continue until the Election has been held and the City of Alpine pays Brewster County the total costs it has incurred in connection with providing assistance and equipment and materials for the Election. The obligation of the City of Alpine to the County under this Agreement shall not end until such sums are paid.

**E. Miscellaneous Provisions**

Except as otherwise provided, this Agreement may not be amended, modified, or changed in any respect, whatsoever, except by a further Agreement in writing, duly executed by the parties hereto.

**IN TESTIMONY HEREOF**, this Agreement has been executed on behalf of the Parties hereto as follows, to-wit:

(1) It has on the \_\_\_\_ day of \_\_\_\_\_, 2020 been executed by Brewster County pursuant to the Texas Elections code so authorizing;

(2) It has on the \_\_\_\_ day of \_\_\_\_\_, 2020 been executed on behalf of the City of Alpine, Texas pursuant to an action of the City of Alpine City Council.

---

Eleazar Cano  
Brewster County Judge

---

Lora Nussbaum  
Brewster County Elections Administrator

Seal

**ACCEPTED AND AGREED TO BY POLITICAL SUBDIVISION:**

---

Andres "Andy" Ramos, Mayor – City of Alpine



**Brewster County**

107 West Ave E #3  
Phone: 432.837.6230  
Fax: 432.837.4430

**INVOICE**

INVOICE #107  
DATE: 3/19/2020

**TO:**  
City of Alpine  
100 North 13<sup>th</sup> Street  
Alpine, TX 79830  
Phone: 432-837-3301

City of Alpine Regular Election  
Early Voting – April 20 - 28, 2020  
Election Day – May 2, 2020

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
	<b>COST ESTIMATE ONLY!!!</b>		
1	Public Notice of Testing in Alpine Avalanche	200.00	200.00
2	Rental of Express Vote Ballot Writer Machines (Early Voting & Election Day)	100.00	200.00
2	Rental of Poll Pad Voter Check-in Machines (Early Voting & Election Day)	200.00	400.00
1	Standing Booth – Early Voting & Election Day	25.00	25.00
2	Cardboard Voting Booths	10.00	20.00
1	Metal "Vote Here" Sign	10.00	10.00
HOURS	Payroll for County Elections Administrator Early Voting & Election Day	\$28.00 p/h	
		SUBTOTAL	
		TOTAL DUE	

Make all checks payable to Brewster County  
If you have any questions concerning this invoice, contact:  
Lora Nussbaum, (432)837-6230, [election.admin@co.brewster.tx.us](mailto:election.admin@co.brewster.tx.us)

5. Discuss, consider, and take appropriate action on the first reading of Ordinance 2020-04-03, an Ordinance establishing the Transportation Committee. (E. Zimmer, City Manager)



# CITY COUNCIL

## AGENDA REQUEST

<b>AGENDA FOR COUNCIL MEETING:</b>	<b>APRIL 7, 2020</b>	<b>AGENDA REQUEST NO:</b>	<b>ACTION</b>
<b>INITIATED BY:</b>	<b>ERIK ZIMMER</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>ADMINISTRATION</b>
<b>PRESENTED BY:</b>	<b>ERIK ZIMMER</b>	<b>FINANCE DIRECTOR:</b>	<b>MEGAN ANTRIM</b>
		<b>ADDITIONAL DIRECTOR (S):</b>	

<b>SUBJECT / PROCEEDING:</b>	<b>DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION ON THE FIRST READING OF ORDINANCE 2020-04-03, AN ORDINANCE ESTABLISHING THE TRANSPORTATION COMMITTEE.</b>
------------------------------	---

<b>EXHIBITS:</b>	
------------------	--

<b>CLEARANCES</b>	<b>APPROVAL</b>
-------------------	-----------------

<b>LEGAL:</b>	<b>CITY ATTORNEY</b>	<b>ROD PONTON:</b>	<hr/>
<b>FINANCE:</b>	<b>FINANCE DIRECTOR</b>	<b>MEGAN ANTRIM:</b>	<hr/>
<b>APPROVAL:</b>	<b>CITY MANAGER</b>	<b>ERIK ZIMMER:</b>	<hr/>

<b>BUDGET</b>
---------------

<b>EXPENDITURE REQUIRED: \$</b>	<b>0</b>
<b>SAVINGS ANTICIPATION: \$</b>	
<b>CURRENT BUDGET FY2018-2019: \$</b>	<b>0</b>
<b>ADDITIONAL FUNDING: \$</b>	

<b>RECOMMENDED ACTION</b>
---------------------------

--

<b>EXECUTIVE SUMMARY</b>
--------------------------

--

**STATE OF TEXAS  
CITY OF ALPINE**

**COUNTY OF BREWSTER**

**ORDINANCE 2020 – 04 - 03**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS CREATING AND ESTABLISHING TRANSPORTATION VISION PLAN COMMITTEE; PROVIDING REPEALING AND SEVERABILITY CLAUSES; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council seeks to establish a transportation vision plan committee to promote the safety of persons and property in the City limits; and

**WHEREAS**, the City Council has cause in pursuit of their legislative duties on behalf of citizens of Alpine to promote the participation of those citizens and to receive formal input from them on a variety of issues; and

**WHEREAS**, it is deemed to be in the best interest of the City to establish a Transportation Vision Plan Committee to aid the City Council in effective management of Transportation Vision Plan matters.

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

**SECTION I  
FINDINGS OF FACT**

All of the premises attached in the form hereto described as Exhibit “A” are hereby found to be true and correct legislative and factual findings of the City Council of the City of Alpine and are hereby approved and incorporated herein as findings of fact.

**SECTION II  
CUMULATIVE CLAUSE**

This ordinance shall be cumulative of all provisions of the City of Alpine, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

**SECTION III  
SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council of the City of Alpine that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences paragraphs or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, clause, sentence, paragraph or section.

**SECTION IV  
PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**SECTION V  
EFFECTIVE DATE**

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

**PASSED AND APPROVED THIS THE 21<sup>st</sup> DAY OF APRIL 2020 BY THE CITY COUNCIL OF  
THE CITY OF ALPINE, TEXAS.**

**INTRODUCTION AND FIRST READING**

**APRIL 7, 2020**

**SECOND AND FINAL READING**

**APRIL 21, 2020**

---

**Andres “Andy” Ramos, Mayor  
City of Alpine**

**ATTEST:**

---

**Cynthia Salas, City Secretary  
City of Alpine**

**APPROVED AS TO FORM:**

---

**Rod Ponton, City Attorney  
City of Alpine**

## **Exhibit "A"**

### **TRANSPORTATION VISION PLAN COMMITTEE**

#### **Board established, appointment, terms.**

There is created and established for the city, being a home rule municipality, a transportation vision plan committee which shall be composed of seven members; Five of the members will come from each ward and two will be at large. The members shall serve terms of two years, and each member's term shall align and coincide with that of the recommending councilmember. All vacancies shall be filled for the unexpired term in the same manner as provided for in the original appointments. All expired terms shall be filled as provided for in the original appointments and in the same manner. Members may be dismissed after being absent from three consecutive meetings without being excused by the city secretary. The reason for an absence shall be reported to the city secretary before the meeting occurs and recorded in the minutes of the scheduled meeting together with the city secretary's decision on the absence. The members of the board shall serve without compensation.

#### **General purposes.**

The general purposes of the transportation vision plan committee shall be to represent various citizen groups and their interests as part of the city council's greater discussion of transportation, its planning, and its improvements. This includes.

- (a) The presentation and adaptive reuse of historic buildings,
- (b) Enhancements of sidewalks and street crossings for pedestrians to improve connectivity,
- (c) Develop a special events center that can serve as a catalyst for public and private events,
- (d) Improved connection of Murphy Street to the Downtown District,
- (e) Promotion of economic growth via small business development and local entrepreneurship.

#### **Quorum.**

All seven members of the transportation vision plan committee shall have a vote. A majority of four members shall be necessary to constitute a quorum, hold a meeting and transact business.

#### **Appointment, duties of chairperson.**

A chairperson of the transportation vision plan committee shall be appointed annually by the city council from among the members of such board, and such chairperson's duties shall be to call and preside at the meetings of such board, make such reports and suggestions to the city manager and city council as such board may vote to be submitted; resolve by his vote any tie votes of such board and generally act as liaison between such board and the city manager and city council. The board may appoint an acting chairperson for any regular meeting that such appointed chairperson is unable to attend and, such acting chairperson shall have a vote in all matters before the board requiring a vote.

#### **Regular meetings.**

Regular meetings of the transportation vision plan committee shall be held at least quarterly at such times and places as the chairman may, from time to time, establish.

**Meetings to be public.**

All meetings of the Transportation Vision Plan Committee shall be open to the public

**Suggestions and recommendations; action thereon.**

The transportation vision plan committee, upon placing its request upon the city council's agenda, may make such suggestions and recommendations to the city council, from time to time, as such board may deem advisable and in the best interest of the transportation in the city. Each suggestion and recommendation must first be approved by a majority of those members present and voting, and no such suggestions or recommendations shall be made by the transportation vision plan committee, as such, unless a quorum is present at the meeting where such is made. Nothing in this section shall be construed to prevent any individual from bringing any matter before the council or to prevent the making of the minority report by the members of such board so desiring. The council may act, or not, upon any matter brought before it by the board, upon any minority report, or any suggestion or recommendation of any individual or group.

6. Discuss, consider, and take appropriate action if needed amending Ordinance 2020-03-06, an Emergency Ordinance instituting Emergency measures due to a Public Health Emergency for the City of Alpine. (E. Zimmer, City Manager)





# CITY COUNCIL

## AGENDA REQUEST

<b>AGENDA FOR COUNCIL MEETING: INITIATED BY:</b>	<b>APRIL 7, 2020</b>	<b>AGENDA REQUEST NO:</b>	<b>ACTION</b>
	<b>ERIK ZIMMER</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>ADMINISTRATION</b>
<b>PRESENTED BY:</b>	<b>ERIK ZIMMER</b>	<b>FINANCE DIRECTOR:</b>	<b>MEGAN ANTRIM</b>
		<b>ADDITIONAL DIRECTOR (S):</b>	
<b>SUBJECT / PROCEEDING:</b>	<b>DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION IF NEEDED AMENDING ORDINANCE 2020-03-06, AN EMERGENCY ORDINANCE INSTITUTING EMERGENCY MEASURES DUE TO A PUBLIC HEALTH EMERGENCY FOR THE CITY OF ALPINE.</b>		

<b>EXHIBITS:</b>	
------------------	--

CLEARANCES	APPROVAL
------------	----------

<b>LEGAL:</b>	<b>CITY ATTORNEY</b>	<b>ROD PONTON:</b>	_____
<b>FINANCE:</b>	<b>FINANCE DIRECTOR</b>	<b>MEGAN ANTRIM:</b>	_____
<b>APPROVAL:</b>	<b>CITY MANAGER</b>	<b>ERIK ZIMMER:</b>	_____

BUDGET
--------

<b>EXPENDITURE REQUIRED: \$</b>	<b>0</b>
<b>SAVINGS ANTICIPATION: \$</b>	
<b>CURRENT BUDGET FY2018-2019: \$</b>	<b>0</b>
<b>ADDITIONAL FUNDING: \$</b>	

RECOMMENDED ACTION
--------------------

--

EXECUTIVE SUMMARY
-------------------

--

STATE OF TEXAS

COUNTY OF BREWSTER

CITY OF ALPINE

**ORDINANCE 2020-03-06**

**EMERGENCY ORDINANCE INSTITUTING EMERGENCY MEASURES DUE TO A PUBLIC HEALTH EMERGENCY; PENALTY AS PROVIDED HEREIN**

**WHEREAS**, on March 13, 2020, the Governor of the State of Texas declared a state of disaster and the President of the United States declared a national emergency in relation to COVID-19; and

**WHEREAS**, said state of disaster requires that certain emergency measures be taken pursuant to the Executive Order of the Governor Relating to Emergency Management; therefore, the following regulations shall take effect immediately upon issuance, and shall remain in effect until the state of disaster is terminated; and

**WHEREAS**, Brewster County has also adopted certain emergency measures on March 31, 2019 regarding COVID-19;

**WHEREAS**, the City of Alpine previously adopted Ordinance 2020-03-06, an emergency ordinance, which this ordinance extends and supplants.

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

That the following is hereby in effect:

**1. STATE AND FEDERAL GUIDANCE**

The City continues to authorize the Emergency Management Director or designee to update, restrict and promulgate regulations necessary to comply with Federal, State, Local authorities' guidance in relation to COVID-19.

**2. CITY BOARDS AND COMMISSIONS**

- a) Unless required by State Law, all City boards and commission meetings are suspended while this ordinance is in effect.
- b) Any boards and commissions that must meet pursuant to State Law, should meet pursuant to the means allowed by the Texas Attorney General and institute best practices with regards to social distancing.

**3. HOTELS, MOTELS, AND SHORT-TERM RENTALS**

- a) All hotels, motels, short-term rentals, and all short-term rental activities and

businesses may remain open, but ONLY for customers that are active military, law enforcement, national reserve, permanent residents residing in hotels and motels, emergency services personnel to support City, County, State, Federal, SRSU, school district operations, Government operations, and other providers of essential services as defined in Gov. Abbott/ State of Texas orders, during this time period.

- b) All hotels, motels, and short-term rentals must report their occupancy numbers to the Alpine Chief of Police on a daily basis.

#### 4. STAY HOME, WORK SAFE

Effective as of 11:59 p.m. on April 7, 2020 and continuing until 11:59 p.m. on April 30, 2020, all individuals currently living within the City of Alpine are required to stay at home at their place of residence. For the purposes of this ordinance, residences include hotels, motels, shared rentals, and similar facilities. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably as possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as defined below. All businesses operating within the City of Alpine, except Essential Businesses as defined in below are required to cease all activities at facilities located within the City. For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home). To the greatest extent possible, all Essential Businesses shall comply with the Social Distancing Guidelines, including maintaining six-foot social distancing for employees and the general public.

#### 5. NO PUBLIC OF PRIVATE GATHERINGS

All public or private gatherings of any number of people occurring outside a single household or living unit are prohibited, except as otherwise provided herein. Nothing in this Ordinance prohibits the gathering of members of a household or living unit.

#### 6. TRAVEL

All travel, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit is prohibited, except for purposes of Essential Activities or to perform or obtain services from an Essential Business, Essential Governmental Function, or Critical infrastructure, as defined below.

7. **ESSENTIAL ACTIVITIES** – For purposes of this Ordinance, individuals may leave their residence only to perform any of the following Essential Activities:

- a) To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (for example, obtaining medical supplies or medication, visiting a healthcare professional or obtaining supplies needed to work from home).
- b) To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for example, food, pet supplies, and any other household consumer products, and products necessary to maintain safety, sanitization, and essential operation of residences).
- c) To engage in outdoor recreational or fitness activity, provided the individuals comply with social distancing requirements of six feet (for example, walking, biking, hiking, or running).
- d) To perform work providing essential products and services at an Essential Business or Essential Governmental Functions, or to otherwise carry out activities specifically permitted in this Ordinance.
- e) To care for a family member or pet in another household.
- f) To perform or obtain services from an Essential Business, or from an Essential Government Function, as defined in this Ordinance.
- g) To return home from or to another jurisdiction.

8. **ESSENTIAL BUSINESSES** – For purposes of this ordinance, “Essential Businesses” means:

- a) **Essential Healthcare Operations.** Healthcare operations, including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered healthcare operations. Healthcare operations also includes veterinary care and all health and welfare services provided to animals. This exemption shall be viewed broadly to avoid any impacts to the delivery of healthcare. Healthcare operations do not include fitness and exercise gyms and similar facilities. Healthcare operations do not include elective medical surgical, dental, or scanning procedures.
- b) **Essential Critical Infrastructure.** Work necessary to the operations and maintenance of the critical infrastructure sectors, including public works construction, residential and commercial construction, airport operations, water, sewer, gas, electrical, oil refining,

roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), financial institutions, defense and national security-related operations, essential government functions, essential manufacturing operations provided that they carry out those services or that work in compliance with social distancing requirements of six feet, to the extent possible. Essential Businesses providing Essential Critical Infrastructure should implement precautions to protect employees and all activity shall be performed in compliance with social distancing guidelines attached hereto. Construction sites should limit site visitation to a single trade at one time in order to maintain social distancing standards.

- c) **Grocery Stores and Other Suppliers.** Grocery stores, warehouse stores, big-box stores, liquor stores, gas stations and convenience stores, and/or farmers' markets that sell food products, household staples, office supplies, hardware (e.g. electrical, plumbing, etc.), or suppliers of Essential Businesses or Essential Government Functions. Business that provide products to those businesses, including farming, fishing, and livestock. Businesses that ship or deliver groceries, food, goods or services directly to residences.
- d) **Food Services.** Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free services to students or members of the public on a pick-up and take-away basis only. Businesses that ship or deliver groceries, food, goods or services directly to residences. The restriction of delivery or carry out does not apply to cafes and restaurants located within hospital and medical facilities, except that all activity shall be performed in compliance with social distancing guidelines attached hereto.
- e) **Providers of Basic Necessities to Economically Disadvantaged Populations.** Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
- f) **Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses.** Trash and recycling collection, processing and disposal, mail and shipping services, building cleaning, lawn and property maintenance and security, warehouse distribution and fulfillment, trucking, storage for essential businesses, funeral homes, crematoriums and cemeteries. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities. Businesses that supply other essential businesses with support or supplies needed to operate, including laundromats, dry cleaners, and laundry service providers. Firearm and ammunition suppliers and retailers for purposes of safety and security.
- g) **News Media.** Newspapers, television, radio, and other media services.
- h) **Childcare Services.** Childcare facilities providing services that enable employees

exempted in this ordinance to work as permitted. Except that the following practices shall be observed: Childcare must be carried out in groups of 10 or fewer children, each within the same group each day. Children shall not change from one group to another, and groups shall not comingle. If a facility cannot prevent comingling of more than one group of children, then that facility should limit its total number of children to 10. Unless necessitated by overriding health and safety considerations, childcare providers shall remain solely with one group of children and not change groups.

- i) **Gas Stations and Businesses Needed for Transportation.** Gas stations, automobile dealerships, auto-manufacturing and assembly, auto-supply, auto repair, RV sales/repair, bicycle sales/repair, and other related facilities. To the greatest extent possible, interaction with the public should be provided outdoors or in open areas where social distancing may be maintained. Indoor activities should be limited to closing sales or other transactions.
- j) **Financial Institutions.** Banks and related financial institutions, consumer lenders, sales and finance lenders, credit unions insurance companies, appraisers, title companies and payroll and accounting services.
- k) **Critical Trades.** Plumbers, electricians, exterminators, pool cleaners, HVAC providers, sign companies, and other service providers only to the extent that services are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, Essential Businesses, Essential Government Functions, and Essential Critical Infrastructure, including but not limited to utilities such as electricity, gas, water and wastewater, and other public works. Critical Trades does not include discretionary maintenance or improvements.
- l) **Real Estate Services.** Services related to the marketing, sale, lease, or value of real estate, including but not limited to real estate brokers, title companies, surveyors, and/or appraisers, except that all activities shall be performed in compliance with social distancing of six feet per person.
- m) **Mail and Delivery Services.** Businesses providing mailing and shipping services, including post office boxes.
- n) **Certain Educational Activities.** Educational functions, including those of public and private K12 schools, colleges, and universities for purposes of distance education, temporary closure or maintenance of facilities, performing critical research, or performing essential administrative functions, provided that compliance with social distancing of six feet per person is maintained to the greatest extent possible.
- o) **Transportation.** Airlines, taxis, UPRR, AMTRAK, and other private transportation providers (such as Uber and Lyft) that provide transportation services necessary for the performance of Essential Activities, Essential Businesses, Critical Infrastructure, and/or Essential Government Functions. Alpine-Casparis Municipal Airport shall remain open.

- p) **Home-Based Care and Services.** Home-based care for seniors, adults, or children, including caregivers who may travel to provide care.
- q) **Residential Facilities and Shelters.** Residential facilities and shelters for seniors, adults, children and animals (including students who have no other option but to remain on campus at a lower or higher education institution).
- r) **Professional Services.** Professional services, such as legal services, accounting services, or insurance services, only to the extent that the activity has been ordered to continue by a state entity (such as Office of Court Administration), or to the extent that service can be provided in compliance with social distancing of six feet per person is maintained to the greatest extent possible.
- s) **Information Technology Services and Telecommunications Services.** IT and IT services and their essential services vendors, including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, web-based services, and critical manufacturing, as well as telecommunication sales and services, internet access and broadband/communications services.
- t) **Moving Services.** Businesses that provide residential and/or commercial moving services and necessary moving supplies.
- u) **Religious Services.** Religious and worship services may only be provided by video and teleconference. Religious institutions must limit in-person staff to ten (10) people or less when preparing for or conducting video or teleconference services, and all individuals must follow the Social Distancing Guidelines including the six-foot social distancing rule.
- v) **Funeral Services.** Funeral, mortuary, cremation, burial, cemetery, and related services, provided that social distancing of six feet per person is maintained to the greatest extent possible.

## 9. ESSENTIAL GOVERNMENT FUNCTIONS

All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public shall continue. Further, nothing in this ordinance shall prohibit any individual from accessing "Essential Government Functions." Each government body shall determine its Essential Government Functions and identify employees and/or contractors necessary to the performance of those functions, including but not limited to support services such as Chambers of Commerce, non-profit support services and the like. To the extent feasible, all Essential Government Functions shall be performed in compliance with the social distancing of six feet per person is maintained. This Ordinance does not apply to the Federal, State or County Government.

## 10. ADDITIONAL PROVISIONS

- a) **Quarantine.** If someone in a household has tested positive for COVID-19, the entire household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function. Any person who displays symptoms of COVID-19, including fever, shortness of breath, or dry cough should refrain from leaving home and call Big Bend Regional Medical Center, 432-837-3447.
- b) **Elder Care Facilities.** Nursing homes, retirement, and long-term care facilities are instructed by this ordinance to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.
- c) **Curfew.** Unless conducting or traveling to or from an Essential Activity, work at an Essential Business, or work at an Essential Governmental Function, members of the public shall remain at their residential properties between the hours of 10 p.m. and 5 a.m.

## 11. PENALTIES

- a) These regulations shall have effect of ordinances when duly filed with the City Secretary.
- b) A person who violates any provision of these regulations, upon conviction, is guilty of a misdemeanor punishable by fine of not more than five hundred dollars (\$500.00)

## 12. EMERGENCY

This emergency ordinance shall take effect immediately upon its adoption and publication and it is accordingly so ordained. This ordinance shall remain in effect through April 30, 2020, or until state of disaster is terminated, whichever is sooner.

## 13. SEVERABILITY CLAUSE

It is hereby declared to be intention of the City Council that the phrases, sentences, paragraphs and sections of this ordinance severable. If any part of this ordinance shall be declared unconstitutionally by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect the remaining phrases, sentences, paragraphs and sections.

**PASSED AND ADOPTED THIS 7<sup>th</sup> DAY OF APRIL 2020 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.**



---

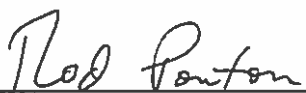
Andres "Andy" Ramos, Mayor  
City of Alpine

ATTEST:

---

Cynthia Salas, City Secretary  
City of Alpine

APPROVED AS TO FORM:



---

Rod Ponton, City Attorney  
City of Alpine