

**City of Alpine
Regular City Council Meeting
Tuesday, July 1st, 2014
6:00 P.M.
Minutes**

- 1. Call to Order, Invocation and Pledge of allegiance to the flag – Mayor Rangra called the City Council meeting to order. Invocation was said by Jo Beth McLeod. Pledge of allegiance to the flags was led by Mayor Rangra.**

- 2. Determination of a quorum and proof of notice of the meeting – There was a quorum present. Mayor Rangra, Councilors Bermudez, Salas, Fitzgerald, and Gonzales were present. The City Secretary said the notice had been posted at 4:30 P.M. on June 27, 2014. City Manager Zimmer, City Attorney McKamie (remotely) and City Secretary Molly Taylor were present.**

- 3. Presentations, recognitions and proclamations –**
 - A. Playground Equipment. (A. Rangra, Mayor) – Mayor Rangra said two weeks ago at the last meeting we had a presentation from Dr. Escovar talking about the playground facilities. He said the question was that we are in the middle of the year and do not have any money and this project will cost more than \$130,000 and it could be a quarter of a million before we are through. He said the next morning he was talking with John Waters on other issues, but this issue came up. He said his family is going to contribute money with the provision that the check be held at the City of Alpine until the matching funds have been collected by the people who are organizing this activity, from local people and business people. He asked Dr. Escovar and the City Manager to come up. He gave the check to Dr. Escovar in the amount of \$10,000. He said the provision is that they have to collect \$50,000 to match it. There was a round of applause by the audience.**

 - B. Governor’s Community Achievement Award. (A. Rangra, Mayor) – The City Manager said we have a proclamation for this award. Mayor Rangra read the proclamation that the City of Alpine had been recognized by receiving a Governor’s Community Achievement Award. The City Manager said Alpine received \$130,000 in landscaping. He said that will occur on the Texas Department of Transportation right of way. He said the nice thing is that we will be involved and have already started working with TxDot. He said our Keep Alpine Beautiful Coordinator, Patsy McWilliams received the award in Austin. He said Martha Latta was also present for the award.**

4. Reports –

City Mayor’s Report - None

City Attorney Report – None

City Manager Report –

The City Manager said he wanted to welcome Molly back. He said she was sorely missed. He said he was showing a toolbox on the screen because Molly really has a lot of different tools that we rely upon. He said we are very glad to have Molly back. He said the Finance Director is out this week but we are continuing to chug along. He said he appreciated Molly being back.

Road Paving Update – He said TxDot still is underway on Avenue E and 118 North. He said he met with Tommy, who is the lead person, late last week. He said the real target right now is to get the roads fully open for this weekend. He said we will still have to come back through and do some touch up work but we anticipate a very busy 4th of July. He said we did have a leak on our water main on Avenue E this morning. He said some of you may have seen it. He said Johnny and his team were out repairing that. He said we do continue to provide assistance to TxDot and Kiewitt as we can. He said one of the keys is that we have some side streets that need some maintenance. He said right out here outside of City Hall and outside of Stripes, so we are working that through the project as well. He said our local departments continue to progress. He said we were going to pave 14th Street this week but from an efficiency standpoint we thought if we could get Peach Street and Hamlin prepped and then start paving next week, we could cut a little bit of our labor dollars. He said we have twelve blocks of work that we are targeting to start paving Thursday or Friday of next week. He said he has had some questions about the excess gravel that we had on Brown Street. Hector and Eddie and team should be pulling that off this week. He said we think we have everything settled there. He said he had a question at a council meeting a couple of months ago about the low spot when you come down Hancock Hill on Brown Street. He said we are assessing that. He said he thinks we are going to have to do a couple of improvements on the side to make sure the water drains in the creek properly. He said he just wanted to follow up with a couple of residents and answer them that. He said once we finish with our paving with 14th, Peach and Hamlin, TxDot will be done with Avenue E and will migrate over to Sul Ross Avenue from 13th Street up through Tom’s Triangle. He showed a couple of photos from the work they were doing on Peach Street.

He said we are very much looking forward to a busy three day weekend for the 4th of July. He said Rhonda Cole from the Kiwanis feels very comfortable about the planning and execution for these events. He said

our full staff has been working on some fun activities for the fourth of July. He said we will have the pool open on that day as well. He said we have implemented the arm band process this year where we put arm bands on kids and that allows them to come in and out. He said it should be an exciting day. He said we encourage people to come out and support the festivities, our community and our country.

He said concerning the Parks update, some of you know the name Felix Howland Memorial Park and some call it Nopalitos (which means prickly pear) Park. He said it is located right behind the funeral home behind 7th and where the creek bends around. He said it is a really neat opportunity there. He said we have water adjacent to the property. He said in talking to a couple of residents who live around it, we saw there was heavy usage around the park. He said we went ahead and plowed up grounds there and put some top soil down and added water to the park. He said we utilized the materials we had from the city to go ahead and reestablish that park. He said we cleaned out all of the dead prickly pears and some of those elements. He said hopefully people will get to enjoy that park again and it will be clean and functional. He said we have also finished the park inspection. He said we appreciate the feedback from Dr. Escovar and team. He said we are replacing the boards on the stagecoach right now with some more friendly type material. He said also we are working on the train. He said we are working heavily with TML Insurance Risk Pool to ensure that we are meeting safety standards out at the park. He said also we did get word from Dr. Escovar and Jennifer Rey that we have a pending donation on some existing playground equipment that will help to provide a Segway through till we are able to purchase some additional equipment. He said he thinks we have seen a tremendous rally from folks in the community.

He said concerning the Dog Park, it looks like we are targeting to get the work done this week and next week. He said we need more volunteers. He said we need to get the dog park permanently open at Kokernot Park. He said as folks call in to City Hall, he has asked the staff to get them in contact with Nancy or Molly. He said in that way, for those of you who want to use it, we encourage you to volunteer and help us get this finished.

Reilly, one of our key Parks people has been helping us to get caught up at the recycling center. He said we are running out of bins to put glass in. He said this is a good news, bad news story. He said we get more people recycling but our glass crusher continues to break down so we continue to fall behind. He said we are working diligently to get caught back up. He said our Parks staff this time of year also helps with our street paving. He said he put the stats on the screen for the Code Enforcement report. He said we continue to try to stay out and look at code violations. He said our permits are stepping up this time of year as well. He said he always will take an opportunity to ask the citizens in the community to help us keep an eye on the illegal dumping. He said if you do have a neighbor that is

dumping stuff beside the dumpster, please give them the reminder to put it in the dumpster. He said if they have more material than can fit in there, they need to run that out to the landfill. He said he probably gets no less than one call a day from people who have neighbors who are putting trash next to the dumpsters. He said we do the best we can but we do need the citizens to help us with that.

He said concerning law enforcement and the stats for June, they show a fairly consistent month for us. He said we are obviously gearing up for a Fourth of July weekend. He said with Fourth of July happens more drinking and we really try to keep the roads safe. He said we have a lot of kids in town for the weekend and we certainly do not want anyone to get hurt. He said some of you probably notice a vehicle on Avenue E across from stripes. He said that actually was a hit and run and it was not involved in the street paving and the Sheriff's Department is handling that one.

He said concerning the water and sewer update our water usage is actually pared down a little bit in the last couple of weeks. He said we have used 1.3 million gallons a day over the last week. He said two weeks ago we were at 1.8 million gallons a day. He said the rain we have had has slowed down some of that usage. He said we are also seeing a "slow down" in the gallons we are receiving at the wastewater treatment plant. He said we believe there is an obvious correlation between Sul Ross being out of school. He said we continue to work on remediating our old race track here. He said we send about 10 tons of sludge to the landfill weekly. He said we also had a solar panel go out. He said it is still under warranty. He said we had the folks come out and it looks like the inverter was down. He said the key with this is we offset about \$1,400 or \$1,500 a month in electricity costs by having the solar panels up and functioning. He said so getting them back on line is critical for us. He said we think the parts will be in this next week. He said we do have our sewer workshop, a special meeting set up for next Tuesday. He said he encourages everyone to come out and participate. He said he thinks by devoting a special meeting to that we will have good dialogue and it will be healthy.

Income Statement /Budget Variance/Cash Position will be addressed in the City Manager Report – He said he wanted to go ahead and pull up our Income Statement and Budget Variance Reports into the City Manager Report this month. He said where we are looking through is October 1, 2013 through May 31st of this year. He said basically 2/3 of the year. He said one of the components that he would put on this is these are non-audited financial results but we continue to perform very strongly at the city. He said the government fund is positive almost \$130,000. He said water, sewer and sanitation \$381,000, Airport \$34,000 and our Gas Company is at \$691,000. He said we are about \$1.237 million positive on our net income this year. He said we did not approve the ordinance to address and administer the administration fees and the franchise fees until June 3rd so when we get the June results we will see that reflected. He said our income

out of funds 04, 05 and 08 will actually decrease but it will increase on the government side. He said one of his concerns and one of the things that came out of the audit was on the water side of the equation, we felt like we were not doing a good job managing and monitoring customer accounts so we have started our customer audits. He said in ensuring that we are metering everything that is out there, and we are realizing payment for those. He said our director of utilities is leading the charge on that. He said a couple of things that he wanted to share in relation to income statements was last year our audited financial report out of the government fund side, we operated at a deficiency at \$839,000. He said on the enterprise proprietary funds we were a positive \$723,000. He said so when we go back to the previous statement and he sees us at \$1.2 million to the positive for the first 2/3 of the year that gives him confidence that we are doing the right things to establish reserve funds for the future. He said we can't keep our foot off the pedal though. He said we are targeting revenues related to water billing and then we will go right in to the gas right after that. He said concerning budget variance, departments continue to monitor expenses and we remain on track. He said only two major departments that he is looking at with any level of concern right now is our fire department and our Municipal Court. He said we had some changes in our municipal court, both our court clerk and now our judge. He said we do have to provide some additional training to help them and make sure they get up to speed. He said in some of our departments like our gas we had some earlier additional expenses although we are not getting much gas revenue from now until the end of this fiscal year. He said the majority of our Parks and Streets expenses will increase the last quarter of this fiscal year. He said we have an increase in maintenance for the pool and we have also added concessions to the pool. He said these are some little things that make a big difference with the citizens using them. He said concerning cash position we are really targeting what each of the funds will look like as we posted the 8% administration fee and the 5% franchise fee for the respective enterprise units. He said it is really requiring a great bit of thought on our administrative side. He said he likes to touch on this point because in the past what we walked into was a situation where we had one fund accounting, where we put everything in the general fund and made payments from there. He said now we are thinking about each different fund and they have their own separate checking accounts and they are having to operate on their own so we have to be very thoughtful in how we process the expenses to ensure that we don't write a bad check. Staff's goal continues to be the preservation of cash, so we can build the reserves for things like our partially self-funded health care account. He said we will also build our reserves so we can make some strategic purchases for when there is park equipment or whatever comes together from the five year capital plan. He said concerning the finance department, we are scheduling presentations for our electricity RFP finalists for the next council meeting. He said we have narrowed that down to three and we have our expense

planning worksheets starting with the department heads. He said this week we are targeting early August for our workshops with the Council. He said this is a short week for us, payroll week, so we have a lot of folks who are working real hard.

Mayor Rangra had a question about legal expenses. He said for legal expenses it indicated \$32,594.96. He asked if this was to protect City Council members or what was the expense for. He asked if we had a lawsuit against the Council. The City Manager said not against the city council, but against the city, we do. The City Manager said we do put it under the city account, city council department of expenses.

City Staff Updates – None

5. Citizens Comments (on agenda items) –

Lela Battista – said this is regarding item 18. She said their neighbors starting selling water to drillers and for fracking and in late 2012 their well went dry. She said eventually their neighbors well went dry too. She talked about the smell of a gas well and how your lungs would shut down. She asked the Council to do whatever they could to prevent fracking from coming to our community.

John Waters – said he was here to comment on item 8A, concerning travel and training expenses for the City Council and Mayor. He said three or four of the Council Members and Mayor travel to Austin or San Antonio in their own vehicles to go to training. He said each person spends about \$500 for mileage. He said the City of Alpine spends \$2,000 on four people, to go to the same meeting, at the same hotel, and spending the entire time together at the same place is wasting thousands of dollars annually. He said he would like to thank the Mayor for taking so much time to talk to him the last time, for about three hours. He said he would also like to thank Mr. Zimmer, Molly and the City Staff for helping him with his requests. He said he asked the Mayor why they did not carpool and he said it appears to be a violation of the open meetings act. He said he was perplexed by that because yesterday the Mayor was having lunch with Councilor Bermudez at the Bread and Breakfast, where several times a week he has breakfast with Mrs. Bermudez and Mr. Gonzales. He said if you have breakfast together, you can carpool together. He said as an alternative to carpooling, take the train to San Antonio. He said it is only \$122 round trip. He said his recommendation would be to cut the travel and training budget down to \$10,000. He said this is having an impact on the morale of your employees.

Chris Jackson – said he was interested in item 8B. He said he was happy that the Sierra Club would do a presentation on fracking in this area. He said what we have here is a jewel. He said this is a beautiful place. He said we have clean air, beautiful scenery and clean water. He asked if anyone

would want to go on a vacation where there is fracking? He said probably not. He said the Council has a real opportunity to do something good with this.

Bernie Zelazney – said he wanted to address item 8B. He said there was some talk of putting in a crushing plant East of town. He said we cannot afford to have something 1,000 times worse.

Manfred Fritsche – said he was referring to the playground deficiencies. He said we have no money. He said he heard that the total positive income of the city was 1.2 million dollars. He asked if that was a contradiction between what was said and the City Manager report.

Theresa Zelazney – said she wanted to comment on item 8B. She said this is not just aesthetics. She said this will affect every living thing. She said it puts more carbon dioxide in the environment. She said fracking is an interim technology and it will soon be obsolete. She said we need to be forward thinking about this.

James Jones – said he does not know anything about fracking. He said he would caution the City Council because he doubts if they will do any fracking in the City of Alpine. He said there are new enterprises needed in this county.

Kevin O’Cuilinn – said last month he went to the coast. He said he came up Highway 83 this time. He said he spent the night in that area. He said all night and all day he could hear the equipment and the working. He said there were rock trucks, tanker trucks, rock haulers, and pickup trucks. He said the trucks will come right through this town.

Howdy Fowler – said he wanted to play devil’s advocate. He said he would start with the loss of private property.

Kay Plavidal – said speaking of fracking, over 400 cities in the United States have passed a fracking ordinance. She said she does not know of any county that is touting how quiet life is now that fracking has come. She said towns have lost water supplies. She said it takes one million gallons per frack. She said from 10 to 90 percent of the water returns to the surface after fracking is completed. She said the water is then contaminated. She said it cannot be used again. She said it is necessary to safely dispose of the toxic water. She said she is concerned about the health and ability to live out here. She said fracking could change the fabric of life in the Big Bend. She said she urged some positive conversation about an ordinance on fracking.

One citizen, lady (did not get name) - talked about the quality of life, clean

air, desert skies and keeping Alpine beautiful. She said fracking would have an economic impact on our area.

Oscar Cobos – said Alpine has people who strongly believe in protest. He said we are not willing to compromise our values.

6. Public Hearings – None

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

A. Approve accounts payable. (E. Zimmer, CM)

B. Request for approval of Reserve Police Officers. (E. Zimmer, CM)

Motion was made by Councilor Bermudez, by Resolution 2014-07-01, to approve the Consent Agenda in its entirety. Motion was seconded by Councilor Fitzgerald. Motion carried unanimously.

8. Information or Discussion items –

A. Discuss the City Councilperson's, including the Mayor's attendance at the Texas Municipal League (TML), Rio Grande Council of Governments (RGCOG) and other City matters/affairs related organizations, and its impact on their performance and responsibilities as delineated in Article III. (A. Rangra, Mayor) – Mayor Rangra said we have 5 Council members who make decisions for 6,000 people. He said with a 10 or 11 million dollar budget, we need council members who are fully prepared. He said TML is an organization consisting of about 95% of the cities in Texas. He said at various meetings different topics and issues are discussed. He said this is not a fun thing. He said he was elected in 2003 as a Council Member. He said we have money in investment funds. He said there are other issues, including sewer and water. He said sometimes our council members and/or mayor are asked to chair the meetings. He said at these meetings they talk to you about TOMA. He said in Alpine there are 3 or 4 places to go for coffee. He said these council members are volunteers who give their time. He said they make \$100 per month minus social security. He said they do a lot of work. Councilor Fitzgerald said he finds most TML meetings beneficial. He said they sit in classes all day long. He said here in Alpine, we are in the middle of nowhere. He said all the classes are in San Antonio or Austin. He said maybe we need to be careful about which area we need to go to. He said he finds the training to be quite good. Councilor Gonzales said he learns from other people who are having similar problems like we are. He said they go to class to learn. He said he agreed with Councilor Fitzgerald. He said it is 400 miles to San Antonio and 600 to Austin. He said \$30,000 is a very small amount when you consider all 6 of the council members. Councilor Bermudez said she is interested in what happens to Alpine. She said she used to be afraid to speak in public. She

said she started going to TML and now she is not afraid to speak in public. She said she has gone to some extra meetings. She said she is on the legislative committee for TML. She said she attends these meetings to help small cities like Alpine. She said there is a big meeting in August. She said you can get in so much trouble if you do not go to those meetings. She said she is sorry that some people think that she has wasted the city's money. She described attending a typical meeting. Councilor Salas said she has looked at the TML stuff and it is available for her to use. She said she had not taken any classes yet.

John Waters – said it was his understanding that Councilor Bermudez' term is up in May. And that she is term limited at this point. He talked about money the Council received for lunch and breakfast and dinner. He said almost all the workshops that they attend have working breakfasts and working lunches. He said he wanted the City Attorney to look into that because he believed there may be fraud in these situations. He asked why the Councilmembers did not use the train to go to these places and he also mentioned that the council could ask for a scholarship to attend these meetings and go for free. He said the city has never applied for a scholarship.

Jan Woodward – said she is a resident of Brewster County. She said they elected the Council to be their voice. She said she would love the City Council to be experts on fracking.

Manfred Fritsche – said the lady that just spoke made a whole lot of sense. He said we do not have to go for every meeting. He said you should not have to travel when you have been there for 8 years in office. He said our city budget is only 10 to 11 million dollars.

Dr. Escovar – said she also has to go to continuing education. She said the hospital gives her \$1,500 every year. She said every council member should have a certain amount designated to them.

Mayor Rangra – said it is not every workshop or every meeting we go to. He said we pick and choose. He said TML is an organization of cities. He said they present concerns that we have to the state legislature and they become laws. He said we have to know what the laws are.

- B. Brief Presentation by the Big Bend Sierra Club on FRACKING around Alpine and its impact on the water quality, health, economy and our environment. Mark Glover will provide the presentation. (A. Rangra, Mayor)** – Mark Glover brought a handout of “Sierra Club - Fracking facts” which stated that today's energy industry relies heavily on fracking to produce gas from shale. As fracking expands rapidly across the U.S. so do documented cases of drinking water contamination, air pollution and

illness. It states that fracking is a highly polluting, water-intensive process that combines horizontal drilling and hydraulic fracturing. Operators drill horizontally for thousands of feet through deep shale layers, then pump in large volumes of frac fluid (water, sand and harmful chemicals) at high pressure, creating fractures that release trapped gas. Up to 90 percent of this toxic frac fluid returns to the surface. It states that in 2012, 60 percent of all U.S. fracking wells were in Texas. Over 33,700 wells have been fracked in Texas since 2005. The Delaware and Marfa basins that underlie the Big Bend contain known “shale gas” plays. For Example – Alpine – South of I-10 along Hwy 67 are signs for Torch Petroleum, Concho Resources, and Chevron. According to their website, Concho Resources, Inc. has identified 10,600 drilling locations between Alpine and Carlsbad, NM. The report states that fracking puts human health at risk by threatening drinking water supplies and producing toxic wastewater that pollutes water and air. Each fracked well typically uses over one million gallons of water. Fracking uses a variety of toxic cancer-causing chemicals and produces enormous volumes of toxic wastewater, which can enter drinking water supplies via leaks, spills and well blowouts, and during storage and disposal. In 2012, fracking related activities in the U.S. released 450,000 tons of air pollutants linked to serious health effects, from asthma to cancer. The report stated that we need better laws and that over 400 US Cities have passed a wide range of fracking related ordinances. Mr. Glover said we are the only space left. He said some of the Texas Cities who have passed an ordinance are Dallas, Flower Mound, Bartlesville and Dish.

- C. Update of the 180-Day action plan approved in January, 2014 and revised in April 2014. (E. Zimmer, CM) – City Manager Zimmer said we received feedback on our audit from Craig Gibson and his firm. He said we added 21 items. He said 13 of the 15 are fully completed and we are in a clear line of sight of completing the remaining two. He said we have staff of 60 people. He said we are expected to merge in the confines of the budget. He said we have worked diligently to be flexible. Councilor Fitzgerald said it was almost like the auditors were setting us up to fail with 21 audit points. He said he is extremely encouraged that the City Manager got all of this stuff done. Councilor Gonzales said he does appreciate all the work that the City Manager has done. Councilor Salas said there were some additional items that were tacked on to the 180 day plan. She asked if these were things that had to be added or could they wait until the next 180 day plan. The City Manager said as things come up his goal is to identify if we can wait until the next 180 day plan. He said there are a couple of things that will come up that we have to deal with. Mayor Rangra asked about item 4, to update the website. He said he believed that there were some minutes missing from the website. The City Manager asked if the Mayor was looking at the new website. He said we still have not taken down our old website. Mayor Rangra said he also

had a question on item 12, updating the personnel policy and the grievance procedure. The City Manager said we are adding the following items to the plan. He said the Ordinances are on the website. He said we are doing a general indexing program on information from the old website. He said concerning the personnel policy, he and Molly are doing the initial review and updating the language on that and then we will provide that as a recommendation to Mick for him to review. He said we had a couple of other staff positions were not listed. He said he appreciated the Mayor mentioning that the City Attorney and Municipal Judge did not have job descriptions in the personnel policy. He said there were a couple of other staff positions that were also not listed. Mayor Rangra said his last question was on item 5. The City Manager said that would be on the next 180 day plan. He said he would address that on item 13. The City Manager said concerning the grievance procedures, we will do an initial review and updating of the language on that. He said there are two positions that are appointed by the council and it will be determined if those two positions are entitled to grievance procedures.

- D. Submission of current known City of Alpine Capital dollar needs over the next 5 years as outlined in Section 5.08 (Capital Program) in City of Alpine Charter. (E. Zimmer, CM). The City Manager said the items are as follows: 1) Future plans to recycle water 2) Glass Crusher and Asphalt drag box 3) construct new terminal building at Airport 4) Keep Alpine Beautiful – Tire Shredding system, ½ million dollars. He said when TDS took over it was part of the understanding that they would be moving in the direction to provide this service. He said we are doing innovative things. He said we could charge \$5.00 to shred a tire. He said we can use shredded tires in our parks. He said TDS will do this without raising the rates. Mayor Rangra asked about the \$500,000 earmark that was given to the city by Congressman Ciro Rodriguez. The City Manager said the \$500,000 was spent in 2008 on the Airport. He said Emily from Congressman Gallego's office validated this along with Chris Monroe from TxDot Aviation. He said those monies were used in 2008 for other airport improvements. He said the federal earmarked dollars cannot be used to construct a new terminal building. He said we have to upgrade our communications and we have been talking to local vendors about that. He said what he would like to see happen is that we get a minimal capital investment from the City of Alpine if we move into a 3 to 5 year agreement with a vendor and allow them to carry the note and then we enter into an agreement for services. He said that is what he is thinking in the back of his head. He said we spend a lot of money on antiquated services here in the city. Mayor Rangra asked how much that would cost. The City Manager said he is generally looking at a 20% increase in annual operating expenses for an initial \$3,000 investment. He said we spend about \$120,000 per year. He said he thinks our cost savings for

the first year is going to be close to \$21,000 and that is with us providing possibly a \$3,000 input. He said we need to negotiate that first because we may be able to get that waived too. Councilor Bermudez asked if the City Manager had tried all the local people here. The City Manager said everyone will be given a chance to bid. He said the question will be who is capable of providing the type of service. Mayor Rangra asked about the tire shredding. The City Manager said we have been a trend setter in west Texas. He said we just received the Keep Texas Beautiful Award and we are doing some innovative things. He said if there are grant dollars out there that would offset 90% of it, when we look at neighboring communities and bringing people in and charging them \$5.00 to shred their tires, we could actually overcome the city's portion of the payment in a 2 or 2 ½ years and then we would be the epicenter for people bringing in their tires to shred. He said he does not want to give up on that notion. He said if not, he does agree that we could target TDS and have them oversee that. He said if we can do that on our own and get some sort of grant that would offset a significant portion of that, we could create a little bit of a profit center. Mayor Rangra said TDS is supposed to do it without raising the rates. Mayor Rangra asked about the fire hydrants. The City Manager said Virgil gets calls about the fire hydrants and he is the one who identifies this item. He said we need to structurally put it in our budget every year and implement it. He said we keep a running list of the hydrants that do not work and the areas that do not have fire hydrants. He said our goal is to get into a preventative maintenance program in the second half of this year with the fire department and testing these. He said we need to make sure that they are functional. He said Virgil does have a list.

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

9. **Discuss and Consider rescinding Resolution 2013-02-21 B(1) that reads “Check transactions of any amount require two signatures, City Manager and Mayor in the absence of the Mayor, Mayor Pro Tem will be the 3rd and only other signatory.” (A. Rangra, Mayor) – Mayor Rangra said last year we were having some problems and the council decided to have a monitoring system. He said we approved in December allowing the City Manager to be added to the signature card. He said the Resolution is not serving any purpose if we are not going to be following it. Motion to rescind was made by Councilor Gonzales, by Resolution 2014-07-03 and it was seconded by Councilor Fitzgerald. The City Secretary asked what the motion was. Councilor Gonzales said at one time Molly was the Interim City Manager and at that time with that rule, she had the ability to represent us as City Manager and therefore that gave her the power to sign checks. He said now that we have passed a resolution saying that Erik Zimmer is the City**

Manager and there are three people here who can sign checks, the City Manager, the Mayor and the Mayor Pro Tem. He said those are the three people who can sign. He said the City Secretary does not have that power. He asked if we needed to remove her from the signatory card at the bank. The City Manager said actually what we did in December was adding him to the check signatory. He said Molly was already on there and the Mayor was on there and Davidson was on there. He said all four of us went through probably half an hour of signing our name to different signatory cards. He said with Davidson gone it requires that we update the check signatory because he is not an active member of the council. He said what he would tell the council is that on the accounts payable, none of those checks go out until you have reviewed them in your packets. He said you get them on Friday and you review them. He said that is the lion's share of our checks. He said the other checks that go out are payroll check. He said payroll is not something that can be put as an agenda item. He said it is not practical because our pay cycle goes through different times. He said our pay cycle ends Wednesday and so for us to put it in the packet we would have to guesstimate when our employees would work or we would just have to pay them their base hourly wage anticipating that they would work the full week from Friday through Wednesday. He said that would create a tremendous amount of additional paperwork to make changes after payroll runs because we had to post it and he said we also provide the income statements and the budget variance for added visibility to the Council and the Mayor on a monthly basis, so when you think about payroll, the line items that you want to look at are the salary and the overtime. He said from a functionality standpoint that is one of the methodologies that we use. Councilor Gonzales said he was not exactly talking about the checks themselves but the signatures on the checks. He said we just rescinded item 10 which had Chuy as the City Manager and Mike Davidson as the Mayor Pro Tem because that no longer applies and because Erik Zimmer is the City Manager. He said Molly is no longer acting City Manager because we passed a resolution saying that Mr. Zimmer is the City Manager and he will be the signature person. He said we just got through saying that we would have three signatures, the City Manager, the Mayor and the Mayor Pro Tem sign the checks. He said he was asking the City Manager if we need to remove Molly from the banks signatory. The City Manager said he would answer that by saying that functionally it is easier and more efficient for the city to have him sign and then Molly sign. He said he thinks that if we look at what we are doing from a display of our accounts payable bi-weekly at our council meetings as well as what we are doing with our current financial state improvement, he would ask for a continued allowance for us to follow that methodology. Councilor Gonzales asked if that would be in the form of a Resolution. Councilor Bermudez said it is already on there. The City Manager said that is really what it looks like Councilor Fitzgerald is proposing, on his agenda item, that we have the City Manager and the City Secretary and two of the elected officials to sign.

The City Manager said back in December we voted to add the City Manager and Molly was also added on the signature cards. Councilor Bermudez said she did not believe Molly should be on the signature card once she quit being interim city manager. She called for the question. The City Secretary asked what the motion was. Councilor Fitzgerald voted in favor. Councilors Bermudez, Salas and Gonzales voted against. Mayor Rangra said this Resolution is still in effect.

10. **Discuss and Consider rescinding Resolution 2013-02-30 C(9) that partially reads “to have two signatures on all checks. People allowed to sign checks are Chuy Garcia – City Manager, Mayor Avinash Rangra and Mayor Pro Tem Mike Davidson. Check transactions of any amount require two signatures, City Manager and Mayor. In the absence of the Mayor, Mayor Pro Tem will be 3rd and only other signatory...”(A. Rangra, Mayor) - Mayor Rangra said he wanted to dispose of item 10 before he went on to item 9. Mayor Rangra said Chuy Garcia is no longer with the City and Mike Davidson is not a councilmember any longer. He said he needs to have a motion for the Council to rescind Resolution 2013-02-30. Motion was made by Councilor Bermudez by Resolution 2014-07-02 to rescind Resolution 2013-02-30 that partially reads “to have two signatures on all checks. People allowed to sign checks are Chuy Garcia - City Manager, Mayor Avinash Rangra and Mayor Pro Tem Mike Davidson. Check transactions of any amount require two signatures, City Manager and Mayor. In the absence of the Mayor, Mayor Pro Tem will be 3rd and only other signatory.” Motion was seconded by Councilor Fitzgerald. Motion unanimously carried.**
11. **Discuss and Consider updating Check signing signatory names for City Accounts. (J. Fitzgerald) – Councilor Fitzgerald said the Mayor is not supposed to have administrative duties. He said the charter is very clear with no administrative duties. Councilor Bermudez said she is often at City Hall and she does not like to take the time of the people who are working there to sign checks. The question was asked “What about when the Mayor and Mayor Pro Tem are at school together?” Motion was made by Councilor Fitzgerald, by Resolution 2014-07-04 to update the check signing signatory names for City Accounts and have the City Manager, City Secretary, Mayor and Mayor Pro Tem on the signature cards. Motion was seconded by Councilor Bermudez. Councilor Fitzgerald voted in favor. Councilors Bermudez, Salas and Gonzales voted against. Motion failed.**
12. **Discuss and Consider the process to select a Councilman to represent Ward 5 at the July 15th Council meeting. (A. Rangra, Mayor)**
13. **Discuss and Consider implementing a new 180-Day action plan to cover timeframe of July 2014-December 2014. (E. Zimmer, CM)**

14. Discuss and approving)g first reading of Ordinance 2014-07-02, to change the “Alpine Municipal Court of Record” to the “Alpine Municipal Court” as reviewed in June 3, 2014 Council meeting. (E. Zimmer, CM)
15. Discuss and Consider accepting draft consulting/audit report of “Alpine Municipal Court of Record” as prepared by Hardin/Robbins firm. City Council approved the preparation of the audit at September 10, 2013 City Council meeting. (E. Zimmer, CM)
16. Discuss and Consider approving first reading of Ordinance #2014-07-01 amending Ordinance 2012-03-02 to adopt a fee for locating gas lines on private residential properties. (E. Zimmer, CM)
17. Discuss and Consider appointments and reappointments for all Board and Commission members to be finally approved at the July 15th Council Meeting. (E. Zimmer, CM)
18. Citizen’s Comments (limit 3 minutes) This is the opportunity for visitors and guests to address the City Council on any issue. City Council may not discuss any presented issue, nor may any action be taken on any issue at this time. (Texas Attorney General Opinion JC-0169) –
18. Council Member’s Comments –
 - Councilor
 - Councilor
 - Councilor
 - Councilor
 - Mayor Rangra
19. Executive Session – Pursuant to Texas Government Code, Sections 551.072 (consultation with attorney) and 551.072 (deliberations about real property).
 - A. Discussion regarding potential lease, sale or value of real property – closed landfill property. (J. Gonzales)
20. Action After Executive Session –
 - A. Discuss and Consider sale, lease or disposition of closed landfill property. (J. Gonzales)

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

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), 551.072 (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).

I certify that this notice was posted at 4:30 P.M. on June 27th, 2014, pursuant to Texas Open Meetings Act. (Texas Vernon's Annotated Civil statutes, section 551.043 Texas Government Code.) This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the city secretary's office at (432) 837-3301 or fax (432) 837-2044 for further information.

Dr. Avinash Rangra, Mayor

Attest:

Margaret "Molly" Taylor, City Secretary

I, Margaret "Molly" Taylor, City Secretary, do certify that this notice was posted at 4:30 P.M on June 27th, 2014, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Margaret "Molly" Taylor, City Secretary