

**City of Alpine
Regular City Council Meeting
February 5th, 2013
6:00 P.M.
Minutes**

- 1. Call to Order, Invocation and Pledge of allegiance to the flag – Invocation was given by John Armstrong, City Attorney. Pledge of Allegiance was led by Mayor Rangra.**
- 2. Determination of a quorum and proof of notice of the meeting – Mayor Rangra, Councilors Bermudez, Davidson, Lujan, Gonzales and Asgeirsson were present. Meeting notice was posted at Noon on February 1st, 2013.**
- 3. Presentations, recognitions and proclamations –**

A. Presentation by Rio Grande Mining Company of \$5,000 for swimming pool restoration. (C. Garcia, CM) – The City Manager said Rio Grande Mining Company would not be able to come in and make this presentation until the next meeting due to a board of directors meeting.

B. Alpine (Texas) Public Library has been named one of the top three small libraries in America for 2013. (J. Gonzales). Councilor Gonzales said the City of Alpine and its citizens would like to acknowledge Paige Delaney for her hard work and diligence in making the City of Alpine Library a top three small library. He said he would also like to thank all the citizens who volunteered to make this a wonderful library for all. He said he would like to invite everyone to an open house February 13th from 4 to 6 to celebrate this small library. Mayor Rangra said we would also like to thank Councilor Gonzales who is a Library Board member and who has represented the Council very well. He said he thought everyone had done a good job and it is a wonderful library. He presented Paige Delaney with a plaque. Paige said they very much appreciated the city's support and they could not have done this without the resources that the city provides and all the community support that they receive.

C. Letter from Dr. Ricardo Maestas, President of Sul Ross State University concerning addition of "Home of Sul Ross State University" to the official City of Alpine seal. (C. Garcia, CM) – The City Manager said we just received a letter acknowledging that the City had decided to change their logo to include "Home of Sul Ross State University" and Dr. Maestas recognized us by sending us a letter. Mayor Rangra said the City of Alpine is going to add "Home of Sul Ross State University" to the bottom of our City logo. He said this is to show our appreciation for this great institution

that we have here in Alpine, Texas. He asked if Dr. Maestas would like to say something. Dr. Maestas said thank you for recognizing Sul Ross. He said they are very delighted to have “the Home of Sul Ross State University” as part of the City logo or seal. He said they are clearly a part of this community for many years and they really appreciate the city’s support. He said he wanted to come and personally thank the Council and the Mayor besides just sending a letter. He said he looked forward to continuing to work with all of the Council, the Mayor, the City Manager and the staff of the City.

A special presentation was made to Ellen Elizabeth Perron-Jackson by Mayor Rangra. Mayor Rangra said the resume of this young lady is two pages and is single spaced. He said this young lady, a few weeks ago, got the top award that the Chamber of Commerce gives. It was the Jim Francois Student of the Year Award for 2013. He said if you look at her resume, it is amazing. He said he did not know how she had time to spend with her family and do all of those things. He said she volunteers from the Museum of the Big Bend to the Brewster County Sheriff’s Department as well as Alpine Food Pantry, Assisted Living and the Public Library. He said almost every year she has received awards in high school. He said at the same time she spent time working too at local businesses. He said she is in the National Honor Society and Student Council and maintain her GPA of 96.875. He said she has been admitted to both Texas A&M and Texas Tech. He said with great pleasure he presented Ellen with a plaque.

4. Reports –

City Mayor’s Report - Mayor Rangra said between the last meeting and today he attended quite a few meetings. He said he just finished one with the Texas Municipal League. He said there were quite a few things that were discussed in three days. He said they also met with the State Representative Pancho Nevarez, State Senator Eureste and Senator Rodriguez. He said they talked about issues that concerned us including health issues, education, water and others. He said he felt Councilors Bermudez and Gonzales would agree with him, that they all were pretty excited. He said he was going to ask Councilors Bermudez and Gonzales to report about the TML meeting itself. Councilor Gonzales said it was a pleasure meeting these people at the capitol. He said it is an amazing place and he thinks it is a first step in being able to communicate with them and tell them our concerns and share problems that we are having to see if there is some way they can give us a hand. Councilor Bermudez said they also learned at TML about how the existing bills have progressed and are up for grabs at the capitol. She said there are a lot of different ones but there are not as many as they had two years ago at this time. She said they thought they would start coming in at the very end. She said that is something that is very good to know in case there is something we are

interested in we can always call our congressman or our representative to help us out. She said it was a very good conference. Mayor Rangra said Pancho Nevarez, our State Representative will be here on Friday at our TML Regional Meeting at 6 P.M. He said he would like to talk to the press if available. He said he also attended the Big Bend Regional Hospital District Board Meeting. He said Councilor Gonzales was with him. He said it was also a good meeting. He said he also attended a Council Of Governments meeting. He said the meeting was in Marfa. He said each County has a district and Presidio is trying to get some funding to acquire a consultant to look into the possibility of bringing back a track that goes from Presidio to San Angelo. He said San Angelo, two or three years ago, got about \$25 or \$30 million dollars from the feds. He said he thinks if Presidio can get money from the feds and the state it will be a big boost to us all for new jobs and industry.

City Attorney Report – City Attorney Armstrong said he was still getting in the loop after two months. He said we had our first Municipal Court last week and he is maintaining a 100% conviction rate although his job is to see that justice is done. He said during the legislative meeting, there was one thing he might add. He said he certainly enjoyed meeting with Senator Eureste’s Chief of Staff. He said if anyone has any concerns about upcoming legislation, he learned that a lot of stuff can sneak through. He said if anyone learns of anything sneaking through, if you will talk to your council person, they can talk to the representative. He said we have a good pipeline.

City Manager Report – The City Manager said he gave the Council a written report. Councilor Gonzales said he had a question about item number 8 concerning the library project. He said they were having a problem getting bids on this project. He asked if it was necessary for them to have so many bids or could they have just one bid. The City Manager said if you have a proposal that is under \$50,000, you could probably do it with a proposal. He said if you keep records that you have asked for proposals and received at least one that you needed. Councilor Gonzales said he understands that the library has sent out twice for proposals. The City Manager said if they have proof of that and it can be documented, that is fine. Councilor Davidson asked if he could get some more details on the water well improvements. The City Manager said Tom Brown would give a briefing on that later in the meeting. Councilor Davidson said there is probably not a stronger well in the whole area. He said the City of Alpine once leased it for \$30,000 a year for all the water we wanted to get out of there. He said this well has a history of pumping 250 to 400 gallons a minute. He said he hoped the city had a comprehensive plan and a chance to look at various options. The City Manager said this was a grant that was initially submitted for proposal. Councilor Lujan asked what the depot project swap was. The City Manager said this is where we had dedicated a portion of the land that

is by the Animal Shelter for them to relocate the stop and then we were supposed to provide a building equal to what the depot has so they would do the train stop farther out on the east end. He said in that way they would not have to hold up and stop traffic when they do the change. Councilor Lujan asked if we were still considering that. The City Manager said we were. He said we just need some money for the building right now. Councilor Lujan asked about the fire hydrants. The City Manager said we are still waiting on the report from Mike Scudder. He said we need the report so we can fix the ones that are not working. He said some of them will have to be completely redone. He said they have done the testing but we are waiting for the report. Councilor Lujan asked if we knew how many we have to fix. The City Manager said he had been told a number but was still waiting on the report. Councilor Lujan asked how long ago the Council asked for this information. The City Manager said it was about a year and a half ago but the fire department had just finished its report early in the fall but we still do not have a written report from them. Councilor Lujan asked about the repairs to the taxiway at the Airport. The City Manager said we submitted that to TXDOT because they wanted to put this under the RAMP grant but they are taking a long time to get that resolved. Councilor Lujan said the cost was supposed to be about \$80,000. The City Manager said we estimated that it would be \$80,000. He said we had \$40,000 left in the RAMP grant and the Council appropriated 50% of the \$80,000. He said when TXDOT looked at it and they reviewed the proposal they said \$80,000 was too much for that repair. He said they were going to look at it and do it themselves. Councilor Lujan asked about the yearly audit. The City Manager said we usually get it at the end of January and thought we would get it in February but Shaw Skinner has been out so he has not been able to complete it. Councilor Lujan asked about the sewer planning program. The City Manager said the plans have been completed. He said they are sending the plans for us to review once more before we start the bidding process. Mayor Rangra asked about the Quiet Zone Project. The City Manager said the engineers have done the calculating for the criteria. He said that information was sent to both the Union Pacific and the Federal Railroad Administration for review so they could give us a final okay to Proceed with it. He said the local office is in Austin, so this is probably in Austin. Mayor Rangra said after we hear from Austin, could we start the bidding process. The City Manager said if we get approval we will start the bidding process. Councilor Lujan asked what is going on with Pueblo Nuevo and American Legion Parks. The City Manager said Pueblo Nuevo is on hold until they get the plans accepted by the board. He said they are still reviewing them. He said they wanted to finish American Legion first. He said they are working on the bathrooms. He said American Legion is the one on 15th Street. Councilor Lujan asked who was doing the work for us in the Park. The City Manager said they are volunteers. He said Herman Acosta is doing the bathrooms for us. He said we are just paying for the materials. Councilor Lujan said he mentioned to the City Manager the other

day that some of his constituents had complaints. The City Manager said Reilly said he had cleared that up. He said he asked Hector and he said they had sent a man over there to clean it up. Councilor Lujan asked about getting health insurance bids. He said they had asked about that several months ago. The City Manager said we had already signed a contract in August for that so we have to wait until this year to go out for bids. He said it is better for us to wait until this year to get bids because they will have to have at least a three month advance notice to do a complete analysis on the loss ratio on your insurance

City Staff Updates – Martha Latta said she had two pieces of good news to share with the Council. She said they had overwhelming success with the electronics recycling. She said the second 18 wheeler came in today and was loaded. She said they collected 53 tons of materials. She said they loaded two tractor trailers and there is still some left over. She said yesterday she got in the mail an envelope from Union Pacific. She said the good news is that they have awarded “Keep Alpine Beautiful” a \$5,000 grant to implement a community garden. Mayor Rangra asked how many tons was the 7% of recycling that she talked about at the last meeting. Martha said it was on the sheet that she handed the council but she guessed about 526 tons. She said our annual tonnage that we can put in the landfill is 7,200. She thought last time she said 72,000. She said we need to do a better job.

5. Citizens Comments (on agenda items) –

Chris Ruggia – said he wanted to speak about item #18, the Alpine Gallery Night Mural Project. He said the murals in town, specifically the one on the side of Kiowa Gallery, get a lot of attention with the visitors. He said a lot of photography is taktheren there. He said the cost is reasonable to develop another mural for our town. He said he thinks this is worth supporting.

6. Public Hearings – None

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

A. Approve Council minutes of January 15th and January 22nd, 2013. (C. Garcia, CM) –

B. Approve Civic Center waiver of fees for Cinco De Mayo on May 4, 2013 for a fundraising dance. (C. Garcia, CM)

C. Approve Annual Racial Profiling Report for 2012 – Chief Russell Scown. (C. Garcia, CM) –

Motion was made by Councilor Davidson, by Resolution 2013-02-03, to approve the Consent Agenda in its entirety. Motion was seconded by Councilor Bermudez. Motion unanimously carried.

8. Information or Discussion items –

A, Vast Graphics to address the Council concerning ads and update on other Tourism Promotion activities. (C. Garcia, CM) – Chris Ruggia spoke to the Council concerning upcoming events and highlighted upcoming ads and recognition through magazines. He gave statistics concerning social media and other activities. He said at the start of the fiscal year they had 2,500 hits and now they are at about over 7,000. He said they have had an increase of about 185% during that time. He said they do advertise on Face Book. He said they are happy with the advertising results. He said they are reaching an average 10,000 to 30,000 people each day with face book. He said they had a second photo contest this fall and it was a big success compared to the previous year. He said they were very happy with last year's results and this year they had an 87% increase in the number of photos. He said traffic on the website is looking good. He said they have showed a 73% increase in traffic in the last four months. He said they are planning another photo contest for the fall and they are going to start promoting it soon and they will be adding a video component. He said if we get some good videos that will give us another social media channel that we can share with people. Stewart Ramser said Chris has some amazing ads that really represent the city well. He said he has really enjoyed working with him. He said he wanted to update the council. He said he has been representing the City of Alpine outside the region, networking in Alpine, in the region, future events which are in their preliminary phases and a new opportunity. He said so far this year he went to a travel association conference in Bastrop. He said he worked at the Big Bend Booth at the State Fair representing Alpine. He said concerning coming events, there is a community dinner which is hosted by the Texas travel industry association in Austin next week with a lot of political and tourism people from across the state who will be there. He said he will be in Austin next week and will be able to attend that. He said there is also a Texas Association of Visitor Bureau's Conference in El Paso this year and he will attend that. He said it is good to be there and have the networking opportunity to meet with other city representatives to see what is working across the state. He said within the region we have a lot of meetings with motel and hoteliers to get their feedback and input. He said he has been reaching out to festival organizers in this town to see what he can do to help raise the profile of the events here. He said sometimes it is just to help events with band bookings and help with advertising. He said he is meeting a lot with the regional travel organizations. He said he is now the publisher of the Big Bend Texas Mountain Travel Guide. He said he will be working closely with them and that is really getting him out there to figure out the

pulse that is happening in the region. He said based on his background he has had a lot of people come to him to talk about business ideas that they have, whether they want to buy a business or start a business or find investors. He said there has been a lot of that going on and he is very passionate about small businesses. He said he wants to do what he can to support them. He said he thinks there are a lot of great people out here. He said he had an idea of having a video series about business owners out here and talking about why they ended up out here and what they do and why this is a great place to run a business and live. He said he talked to Dave Dumas about this earlier. He said there is no cost to doing this video. He said a volunteer will do the video for us. He said the video could be on the Visit Alpine website as well as the Chamber of Commerce website. He said there are a lot of different potential events coming up. He said the West Texas Food Bank wanted to do a clay shoot or a concert benefit. He said they talked to someone about a Big Bend film festival. He said Marfa has one but they want to do one more about Alpine but also incorporate other cities. He said that is still in the very preliminary phases. He said he heard some ideas at the Chamber of Commerce banquet. He said a car festival was mentioned as well as a fitness festival in the future. He said he would like to do a free outdoor concert series. He said the other thing he had been talking about with to Marfa about their events and also promoting Alpine. He said Viva Big Bend will be April 4th through the 6th. He said April 4th will be opening night part at the Granada Theatre on April 4th and all the area restaurants are invited to attend and give out some samples to promote their restaurant. He said on Friday and Saturday it is all about getting people out to the restaurants in the region. He said all four cities are involved in this. He said there will be happy hours and concerts. He said 10% of the gross proceeds are going to benefit the West Texas Food Bank. He said they are helping us a lot with the Midland/Odessa Market. He said they are helping us with TV, print and radio. He said the opportunity he was talking about was a Viva Big Bend Express 15 passenger van, starting in Austin. He said there is a potential for expansion to Houston and Dallas. He said he is driving out here a lot, pretty much every other week, and he would like to acquire a shuttle and start bringing people out here. He said while the shuttle is out here it could also service local events, like between here and Marfa. He said that would be a nice thing to offer on the weekends and maybe make people think about staying here instead of Marfa. He said it is a 15 passenger van which runs about \$30,000 used. He said it is not an easy or cheap thing to do. He said he wanted to see if the City was interested in providing hotel motel money in the amount of \$3,500 a year for three years. He said with that kind of investment, he would feel a little better about putting up the rest to do that. He said there would be not liability on the part of the city. Councilor Gonzales said he had a suggestion for the express. He said he understands that the boy scouts come out here but do not have the transportation from here to the boy scout camp. Stewart said there are many uses. He said it can also be used as a safe ride for people

who are drinking. Councilor Davidson said there are specific regulations in the provisions for hotel/motel tax to allow us to bring people from hotels to activities. Stewart said he would be driving this a lot. Mayor Rangra asked about advertising Sul Ross in pictures. He said it was one of the main facilities in our town. He said we also need to let people know we have a fine university. He said he would like to see that. Chris Ruggia said there is one central photograph in each ad. He said he would make sure that we emphasize Sul Ross whenever they can. Mayor Rangra said we need to do that. Councilor Davidson said gradually the City has been putting together a little more comprehensive plan on how to do the hotel/motel tax. He said a few years ago people showed up and they just received money and did their own thing. He said these guys represent early in the stages with a responsible and comprehensive way to look at advertising. He said he thinks we need to listen to what the Mayor says. He said in the future we can expand our advertising out to some stuff that is more school oriented. He said maybe next year we can set aside some very specific money and decide what would be the best way to advertise the school. He said probably targeting parents would be the best way to advertise the school. Mayor Rangra said in 1967 when he came to Alpine from Baton Rouge, as he was leaving town, he stopped at a service station. He said the attendant asked him where he was heading and he said he was going to Alpine, Texas. He said the attendant said "that is where Sul Ross State University is". Mayor Rangra said he also said "that is where Hoss Cartwright went to school." Chris Ruggia said Mayor Rangra's point is well taken and he thinks he can find a lot of places to advertise it. Councilor Gonzales asked if we were advertising in the Texas Monthly. Chris and Stewart said yes we were advertising there. Chris said they have a lot of value incentive now.

B. Presentation and request by David Keller regarding operations at the city yard behind Centennial School. (M. Davidson) – Councilor Davidson said the Centennial School is in his ward and Mr. Keller contacted him about a situation that causes him problems. He said the road crew gets over to the yard behind Centennial School and cranks up their diesel tractors. He said the central heat and air picks this up and pushes it into the Centennial building. He said he thought this was something that the City Council should at least be aware of. David Keller said he lives at 304 S. 6th Street in Ward 4. He said he also owns a house on 7th and Gallego in Ward 2. He said he is an Archeologist and Historian at the Center of Big Bend Studies at Sul Ross and he also has an office at the Centennial Building at 9th and Gallego. He said he has lived in Alpine for over a decade and in that time he has written two books about the area. He said most recently he wrote "A Controlled History of Alpine". He said he only points this out to show that he has a deep and abiding interest in Alpine. He said he wanted to speak today about a serious health concern that affects all residents on Gallego Avenue and specifically the area around Centennial regarding diesel exhaust from city trucks idling in and driving to and from the city yard

behind the Centennial Building. He said this is a problem that has been ongoing but it has reached the boiling point with him in respect to health issues. He said these issues are made more poignant by recent statements made by the World Health Organization. He said there are mornings when he leaves his house at 6th and Gallego, walks out the door, mounts his bike and rides three blocks to work, and is not able to get a single breath of clean air due to the fumes of the exhaust of these city trucks. He said on many days he has opened the door to his office at Centennial Building to find it also full of exhaust fumes. He said the reason for this is that the intake is at the back of the building. He said on still days this becomes a real issue. He said he has been doing this for about 3 years or so but has found it to be increasingly intolerable. He said there are studies that show extreme toxicity of diesel exhaust especially for older vehicles such as those used in the city yard. He said last year the World Health Organization issued a press release stating that diesel engine exhaust causes lung cancer in humans and that exposure to this mixture of chemicals should be reduced worldwide. He said there are other chronic ailments that this could cause, most of which affect the lungs. He said people exposed to this are likely to have chronic respiratory symptoms. He said lungs are not the only concern however, there can be irritation to the eyes, nose, throat and lungs, coughing, light headedness and nausea. He said diesel exhaust is considered 100 times more toxic than gasoline exhaust. He said there are concerns about exposure to children which has caused the FDA to initiate a clean school bus initiative. He said the problem is that the people who live on his street, South Gallego, who work on Gallego Avenue or who work in the Centennial Building do not have a choice in the matter. He said they are exposed to diesel exhaust every day of the work week. He said his girlfriend of many years suffers from chemical sensitivity and a lot of diesel exhaust often makes her a prisoner in her own home. He said if you care about your health, which naturally everyone does, this is absolutely unacceptable. He said people come to Alpine for clean air and water and this is a tourist destination. He said this is a strong case for vigilance in regard to air quality and talked about diesel exhaust litigation. He said he will do whatever it takes and will not let this issue rest.

C. Naismith Report on ongoing projects – Tom Brown. (C. Garcia, CM) –
Tom Brown with Naismith Engineering said he would like to start by giving a review the different programs that we have been using through the water development board because these are programs that have been financing the improvement programs in Alpine for water and wastewater. He said the water development board has three major programs. He said one is the state revolving fund which is used for both wastewater and water. He said there is also the Development Fund too which can be used for water, wastewater and gray. He said the third is the Economically Distressed Area program which is a grant program established by the legislature in 1989 and this program can provide the city who is eligible with 50% grants under

this program. He said in December of 2012, the City of Alpine was awarded an EDAP Grant for doing a design of wastewater improvements within the city limits. He said the City has a contract with the Water Development Board and they have initiated surveying which is well underway and they anticipate having those projects designed by this spring. He said the next step on this is if the legislature appropriates funding under the EDAP program to file a grant application to the board in June to take advantage of the funds that will become available on September 1st. He said the interest rate on these loans is 2.88%. He said the second major project on the wastewater side which was recently improved last Thursday is the East side interceptor which would relieve the wastewater flow from central, south and east Alpine. He said the other part of this project to extend sewer service to areas that have been recently annexed and this program is under the development fund and you have another item on the agenda to set a closing date to actually access funding. He said under water system improvements they are currently finishing an update to water models to bring them up to speed as to changes within Alpine. He said this model will be calibrated by the end of this month and we will get that to the city so that the city will have access to it. He said once the model is finished and incorporated into the city's operating system they will be able to look at what the effect of different changes to the system is. He said the City of Alpine has been ranked under the Drinking Water State Revolving Fund for funding to do well rehabilitation and for potentially looking at your water wells. He said this dates back to the original water improvements of 2006 or 2007 and it was declared eligible at that time and we just ran out of money. He said there was a specific study done by L.G. Guyton looking at the wells and making recommendations on what should be done to upgrade those wells and as well as the need for additional water supply. He said we already addressed the quiet zones and on the parks project construction is on hold pending the delivery of the new diving board. He said once that comes in, construction will be completed and the pool should be ready to be opened by May. He said the Parks and Wildlife grant of \$402,000 was for improvements for Kokernot and Medina Parks. He said part of this was to help fund the rehabilitation of the swimming pool. He said the City should be receiving their first check in reimbursement of \$86,122 on February 14th. He said he would also like to take a moment to talk about some of the pending legislation that could have a grant impact on Alpine. He said Representative Ritter, Chairman of the Natural Resources Committee has introduced HB 4 which is a huge undertaking on the water bill. He said in his bill he recommended an appropriation of \$2 billion dollars for implementing the Texas Water plan. He said key considerations for accessing this money are projects that are part of the water plan, the community shows a conservation ethic and the potential that a continued drought will affect your future ability to deliver water to your customers. He said a corresponding measure is SB 4 submitted by Senator Frasier, Chairman of Natural Resources in the Senate. He said that bill basically

does the same thing. He said they have not decided if this is going to be a grant or loan program or if they are going to have a sliding scale. He said at this point we do not know. He said Senator Frasier's bill is a major overhaul of the water development board, basically doing away with the existing board and replacing it with a 3 member board, one member being appointed by the Speaker of the House, Lieutenant Governor and Governor. He said this would be a very significant change from what it was before. He said this board has been basically the same since 1956 when it was formed. He said he thought it would behoove the City at this point to become very active with our regional planning group and make sure your projects are protected and included so when funds become available we can access those funds . Councilor Lujan asked if there were any Federal funds involved in this project (3.5 million dollar project). Tom said it is all state money. Councilor Lujan said he read that we needed to get three bidders for each stage of the project. Tom Brown said as far as procurement goes, the City procured Naismith Engineering and they have an ongoing contract with the city for their engineering services. He said if the project goes over \$50,000, you have to competitively bid that project. If it is under \$50,000 you can go out and request proposals from three qualified contractors and you make your decision based on the response from those proposals. Tom said in this project you already have your engineer, bond counsel and financial advisor. Councilor Lujan asked for a list of the three engineers who applied for this project. Tom Brown said it had been several years ago and he did not remember who the other engineers were who applied. Councilor Lujan said in the managers report, he said they have approved \$690,000 for the development of a new well and renovation of existing wells. He said he had a document where we had applied in the past. Tom said the \$690,000 is not a good number. He said he looked it up and it was \$346,000. He said that was for design of new water wells. He said instead of being the \$690,000 it should be the \$346,000. Mayor Rangra said this was something that was approved last year. Tom Brown said it was approved in September but there were some changes to the rankings and they came out with new rankings on January 30th. Councilor Lujan said in September of last year he was informed about the \$204,000 we got for sewer plant improvements. Tom Brown said the \$204,000 was for the design of the EDAP to design and replace lines inside the city limits. Councilor Lujan asked what had been done with that money. The City Manager said we had not received it yet. He said we just got it approved last month. He said that is the issuance the Council made. He said we had to issue half of it. He said that is the money the Council applied for, for the planning phase of the EDAP program. Councilor Lujan asked if it was approved in September why we did not have it yet. The City Manager said they followed up with a notice this past month. Councilor Lujan said we will check it out but the amount that he is talking about was done in September of last year. Tom Brown said we have not spent any of that money. Councilor Lujan asked about the pump he said was not working at the well at the warehouse. Tom Brown said the booster

pump is working. He said what they were doing with the modeling was determining what valves had to be closed to equalize pressure throughout the city. He said we did a booster pump test in the fall and met all the specifications. He said it is ready to use now. Councilor Lujan asked what the pump was doing now, just sitting there or doing some of the functions that it was designed for. Tom Brown said the booster pump was meant to be used during an emergency or low water periods. He said it is not meant to be used on a daily basis. Councilor Lujan said if we had an emergency right now we would not be able to use it. Tom Brown said "yes you can use it". He said what we are doing with modeling is to optimize the use of that pump so that we can equalize pressure throughout the system. He said that is something the Council asked us to start looking at in October or November and they have been out here twice working on the model. He said they will end up calibrating it by the end of March. Councilor Lujan said it has been about a year since the pump has been idling. The City Manager said we have not turned it on. Councilor Lujan said the taxpayers are paying top money for projects and we do not have completion of this project. Tom Brown said that project is complete. He said it was completed when we did the flow test and the pressure test. He said the purpose of that pump is to be an emergency pump and not to be used on a daily basis. Councilor Lujan asked if it would work in case of an emergency. Tom Brown said it would work in case of an emergency. Councilor Lujan asked what the percentage was that we were paying them for a project. He said he heard it was about 7%. Tom Brown said it was about 7%. Councilor Lujan said on a 10 million dollar project we would pay them \$700,000. Tom Brown said that was not just for engineering. He said that also included surveying, technical work, field inspection and construction inspection. He said engineering fees have a wide range and they are at the low end of the fee schedule. He said engineering fees are calculated on a curve and typically they run anywhere from 8 to 10% of the project costs. Councilor Lujan asked if we got refunds from anywhere for this. The City Manager said this is part of the issuance and part of the whole package. Councilor Gonzales said the pump that Councilor Lujan was talking about does not have anything to do with the sewer, right? Tom Brown said that was correct. Councilor Lujan said it was on the water well. Tom Brown said it was not on the water well, he said it is in the pump house located between your two overhead tanks on the mountain. He said what it is designed to do is to be able to take water from one tank and put it in the other tank and put it in the system to maintain the pressures. He said this was put in as a backup measure to make sure that you will have water pressure when the tanks are either empty or under repair. Councilor Davidson said the 7% is for inspection costs and that is for product supervision. He said design costs is another can of worms. He said he was under the impression that one of the biggest problems we were looking at was low water pressure on the south side. He said he always assumed, maybe mistakenly, that the booster pump was to help alleviate this problem with chronic low water pressure on

the south side. He said now he is hearing that it is just for emergency purposes. He said he lives in the pressure plan immediately closest to that pump. He said when you turn the shower on the washing machine does not work. He wanted to know if that project actually relieved anything. Tom Brown said we looped the system from Pierce tank around with a 12 inch line and that was to assist in getting water to the tanks and also to assist bringing additional water into the smaller lines into the neighborhood. He said the original plan was to put pressure reducers on every house and it ended up being too expensive and there was a problem with balancing those pressure zones. He said what they ended up doing was instead of the original plan which had a line going from Pierce tank to the Musquiz tank and then putting pressure reducers on each individual house. The total cost of that was estimated at over \$10 million dollars. He said what they were able to do by coming in with a line sizing, we were able to save about \$6 million dollars. Councilor Davidson said even though it did not solve all the pressure problems. Councilor Davidson asked about the water model that was supposed to give us operational guidelines. Tom Brown said yes it was. Councilor Davidson said it told us how to operate that pump which we yet have used. Tom Brown said the pump works. Councilor Davidson said he understands it will work but he has a Cadillac and it is in the garage and he walks to the grocery store. He said we are not using the pump. He said this is something that Naismith signed off on ages ago and we almost got in a lawsuit. He said money piles up and he has worked with other engineers on other projects in other locales in the county and this is just mind boggling. He said his opinion is that it is never to the engineers advantage to find the most economical and efficient solution to the problem. He said he does not know what to say about the big stuff that is coming up where we are going to discuss three and one-half million dollars. He said if it is over \$50,000 we get three bids out for it. He said we have been working together for the last six or eight years and there is never a competitive bid on it. He said he does not know if since he has been here we have ever had another engineering firm come in and say this is the way they believe they could solve the problem. He said this is not the fault of the city council or the manager or Naismith. He said this is inherent with the system. He said it is not fair to the taxpayers. Tom Brown asked if he could point out something. He said under state law, engineers are not allowed to bid competitively. He said they can submit qualification statements, plus references and then a price is negotiated. Councilor Davidson said he understood that, but that is why he is skeptical about every step of the way. Councilor Gonzales said he wanted to know about Senate Bill 4. He said that Tom Brown said they were trying to do a major overhaul on the water board. He said they were going to have three members and they were going to be appointed by the governor. Tom said one by the governor, one by the lieutenant governor and one by the speaker of the house. Councilor Gonzales asked Tom if he saw an advantage in doing that. Tom said that is the legislature's prerogative. Councilor Gonzales asked Tom if it would

benefit us. Tom said if this were passed, it would depend on how it is going to work. Councilor Gonzales also asked about HB 4 and conservation. He asked if that was when the city was running out of water and they did not have a plan to try to conserve water. He asked if we would be in trouble if we did not do that. Tom said what they are looking at is long term conservation savings. He said they are particularly looking at leak protection and unaccountable water. He said those are the two biggest criteria. Councilor Gonzales asked if we should have a water plan. Tom said we have a conservation plan and we have submitted it to the water development board. Councilor Lujan asked why the City of Alpine did not qualify for disadvantaged status. He said he understood that we could get lower rates and loans with a disadvantaged status. Tom said this was a status that was set out in the rules of the state revolving fund. He said one of the key parts of the disadvantaged is that the water and sewer rates are 2% of the median household income. He said we are under that threshold. Councilor Lujan said this has nothing to do with how they are rating us. Councilor Lujan asked if this project would implement the requirements of the EPA when it comes to construction firms, percentages of small minorities and things like that. Tom Brown said it would. Councilor Lujan said every single project we have drags and drags and drags. He said “come on, we are paying you good money here to supervise and make sure the job is done”. He said he thinks it is time we got better results here.

D. Discuss sections 3.10 and 3.11 of our City Charter. (A. Bermudez) –
Councilor Bermudez said this is just about what we have discussed at our last meeting. He said it is a reminder that our Charter, Section 3.10 Interference with Administration, does state that neither the council or any of its members shall instruct or request the City Manager or any of the City Managers subordinates to appoint or to remove from office or employment any person except in respect for the offices which are to be filled by appointment by the Council and the provision of the charter. She said those are the City Manager, City Attorney, City Secretary and Municipal Judge. She said this is a reminder that we all need to remember that. She said the other one is Section 3.11, Investigation by the City Council. She said again we had someone mention that they were going to go off on their own and investigate or do investigations. She said this part right here says the City Council (as a whole) shall have power to inquire into the official conduct of any office, department, agency, officer or employee of the city and to make investigations, subpoena witness, administer oaths and compile evidence. Councilor Bermudez asked the City Attorney to provide her with a list on how to go about it, if the Council as a whole wanted to start an investigation. She asked that it be brought to her by the next meeting. Councilor Lujan asked the City Attorney not to change the essence of what the charter says because the charter cannot be changed unless the voters approve the changes.

E. Discuss implications of executive sessions in relation to copying information provided to Council by City Manager, City Attorney or any other individual or entity. (A. Bermudez) – Councilor Bermudez said she talked to Scott Houston when she was in Austin about executive session. She said when we are in executive session (members of the Council) and copying material that is handed to us by the City Manager or City Attorney or any other entity, are we not allowed to copy. She said Scott said there is nothing against copying the materials but that we need to be very aware that if something were to happen or went wrong, the city would be liable and he stated that it is not a very good habit to get into.

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 approving Resolution Establishing Order of General Election for Alpine, Texas and Order of Election for May 11, 2013. (C. Garcia, CM) – Motion was made by Councilor Davidson, by Resolution 2013-02-01 to approve the Resolution Establishing Order of General Election for Alpine, Texas and Order of Election for May 11, 2013. Motion was seconded by Councilor Gonzales. Motion unanimously carried.

10. Discuss and Consider setting date(s) and establish procedures for Employee evaluations. (M. Davidson) – Councilor Davidson said the last evaluation for employees was 2011. He suggested that we should come up with a form for evaluations and come up with a date when we should start. He said the evaluations would be for the City Manager, City Attorney, City Secretary and City Judge. He said July would be in competition with the budget. It was discussed that a self evaluation process had already been established. Councilor Davidson said a self evaluation is of limited use. City Manager Garcia said the City Attorney will have only worked for 2 months if we evaluate this March. The City Manager said he did not mind an evaluation if it was a true evaluation and not a witch hunt. He said he understood that the City Attorney and Councilor Davidson had been discussing him at the Chamber of Commerce Banquet. He said he also heard that Councilor Davidson, after the last meeting in January said the City Manager would be the next to go. Councilor Davidson said he did not recall saying that. Motion was made by Councilor Davidson, by Resolution 2013-02-04 to task the City Attorney to evaluate and come up with recommendations and bring them to the meeting on the 26th of February, our next meeting. Motion was seconded by Councilor Bermudez. Councilors Bermudez, Davidson, Gonzales and Asgeirsson voted in favor. Councilor Lujan abstained from voting. Motion carried.

11. Discuss and Consider possible action regarding operations at City yard in Ward 2. (M. Davidson) – Councilor Davidson said he appreciated Mr. Keller coming in and sharing his very serious concerns in a very enlightening

delivery about this very real health problem. He said he lives about two blocks from that location, himself. He said he is personally reluctant to jump at any big conclusions about this because he is not familiar where there would be another place to park. He said if it were simply a matter of moving it somewhere, where it wouldn't bother anybody, these vehicles work inside the city and they are going to be driving down somebody's streets anyway. He said this might be something where we might need to discuss what options exist in the short term, moving them where they would be less of a health hazard to the neighbors. He said if we move them to someone else's neighborhood it would be the same problem, just someone else's neighborhood. He said longer term for the city is to figure out how to operate these vehicles with a long range plan having our vehicles more compliant with current best practices. He said he would like to ask, in light of Mr. Keller's request, for the City Manager to work with the Road Department and see what the options might be and determine what the cost to the City might be. He asked the City Manager if he felt that was feasible. The City Manager said we could probably move the vehicles to another location further out of town but we do not have the protection for those vehicles at that location so we would probably have to modify some parking area or canopy to preserve the equipment. He said we can look at it to see what our best alternatives are. He said especially with the older equipment, like the back hoes, the maintainer and 2 dump trucks that are older. He said we could leave the light equipment at the warehouse. Councilor Davidson made a motion, by Resolution 2013-02-05 to ask the City Manager to take a look at the options and that way we can weigh what costs it might be and what kind of operational changes it might affect. Motion was seconded by Councilor Bermudez. Councilor Gonzales said he wanted to point out that there is a trucking firm on the North side of the city. He said it is in a residential area over there. He asked if we were setting a precedent by doing that. Councilor Davidson said we have control over the city stuff and that location is zoned for our use. He said that is a private business and we cannot tell him not to do that. He said once we get into diesel, we get into diesel pickups running when they stop at a convenience store and things like that. He said there is a slippery slope and a potential cost to this. The City Attorney said even though the idea of trucks and diesel fumes are related, the idea of the city taking steps to try to correct a nuisance and taking steps to amortize a private business is not related. He said they are two separate questions. He said we are going to be looking very carefully at our zoning and he said he believes we are going to have a workshop and that might be one of the topics to be discussed. Councilor Asgeirsson said maybe the workers are leaving their trucks idling for a while and maybe they need to get in and out of the truck. The City Manager said he would look at everything and see what we can do. Mayor Rangra said we are doing this because in this case, a neighbor complained. He said the City owns the property. He said what if a neighbor complains about the outfit on the North side. He asked how we were going to handle that. The City Attorney said it is a matter of power as to how to

address the problem. He said we have the power to address our own operations. He said it would be a private matter between the complainor and the trucking company on the other side. He said it would be a question about the zoning laws. He said the city does have the ability to impose zoning controls under the law. He said he does not frankly know what trucking company they are talking about. He said it would have to do with our zoning ordinance. Motion unanimously carried.

12. Discuss and Consider Resolution authorizing Publication of Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation. (C. Garcia, CM) – The City Manager said this is the publication for the start of the issuance of \$3.5 million dollars for improvement in the sewer which is the interceptor project. He said Mr. Ben Rosenberg and Mr. Gilly are here with Coastal Securities if you have any questions. He said they will come up and brief the council on this quickly. Mr. Gilly said the Water Development Board, as Tom Brown mentioned, has approved the extension of the loan commitment last Thursday to the City of Alpine and this initiates the process for borrowing that money. He said the anticipation is that if this is approved by the Council, the city would publish the notification for two consecutive weeks and then on March 19th the Council would be asked to authorize an Ordinance. He said if that is done and all goes well, the TWDB will allow us to deliver the bonds and certificates to you around mid-April. He said on the document it says April 12th. He said that is what this is all about. Councilor Asgeirsson said this is a very important project for our city and it is something that we really need. She said Mr. Gilly was here a few months back and advised us about not going into debt for a certain project. She said is what we are going to do with \$3.5 million dollars, going in the right direction. Mr. Gilly said based on the information in the city's last audit, the city should have an adequate cash flow to meet the debt obligations and have remaining funds to use for other purposes. He said the city generates a surplus. He said if those numbers change adjustments will need to be made either in costs or revenues. He said the interest rate is estimated at 4.01% right now. He said if the ordinance is to be adopted on March 19th, the state provides those rates the week before. He said the rates that we receive will be based on an actual market scale that they use as part of their pricing. He said the rates would average about 4%. Councilor Gonzales said we are talking about something we need to do and asked the City Manager how he felt about the CO. The City Manager said we were not able to qualify for EDAP under this program. He said the State came back with an offer to do this through the State Revolving Fund. He said that is close to what we did except we do not have to jump through so many hoops since this is state money and this is a much cleaner and faster process than the other process. Mr. Gilly said earlier we talked about the EDAP money and that was approved in September and because of the regulations of the state it was not closed until December 20th. He said that \$204,000 has been divided into two pieces. He said the City borrowed half of it and we received the funds but then the state provides the other half as a

grant. He said he thinks the loan money is spent first in the program and then the grant money is spent. He said the \$204,000 is for the PAD, which is planning , acquisition and design. He said the design is going forth right now and as Mr. Brown mentioned. He said the closing may be in April if all goes well. He said sometimes the closing takes longer. He said the plan is to finish this about the same time the design is completed. Councilor Lujan said Mr. Gilly advised us with the water meters not to go forward but now they are advising us to go forward with this loan. He asked if they are saying we have the money for this now. Mr. Gilly said the other program was supposed to save the city money. He said what it would do was increase the efficiency to the meter reading and generate more money for the City. He said what he was trying to say was that the additional money coming in would be an additional expense to the rate payers. He said so this was like an increase in your rates. He said at the same time, this program was in and application before the state. He said some of these programs would be pretty costly to the city. He said if you were going to do that program you probably could not afford to do this program and vice-versa. Mr. Rosenberg said the interceptor project is on our list of capital improvements since 2012/13 – 17. He said we knew this was coming. Councilor Davidson said he thought the meter program was a highly misunderstood program. He asked if Mr. Gilly thought we had the cash flow for this project at existing service rates and tax rates. He said we did get a spread sheet from our engineer that said we might have to raise service rates or tax rates. Mr. Gilly said with our existing rates and taxes and cash flow the city should be able to do this with our existing revenues. Councilor Gonzales said if we don't do that we might wind up losing a whole lot more. Councilor Davidson said there is no way to do this without raising the service rates or taxes. He asked the City Manager if this was correct and the City Manager said he believed that was correct. Councilor Davidson said he thought we needed this and he was going to vote for it but he said he also understands the consequences. Motion was made by Councilor Davidson by Resolution 2013 -02-02, to move forward with the Resolution authorizing Publication of Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation. Motion was seconded by Councilor Gonzales. Motion unanimously carried. Ray Hendryx said he had been around these discussions since the mid-70's. He said he cannot believe it is going to happen. Motion unanimously carried.

13. Discuss and Consider approving a letter to TXDOT Aviation to add reconstruction of taxiway and add an apron to the Airport. (C. Garcia, CM) –

The City Manager said the Council has minutes of the Airport Board meeting. He said he thinks they want us to pursue this and send a letter. He said we Did talk to TXDOT last week on the taxiway and the reconstruction and recently they have done a study through Texas A & M and they are ready to move on it within the next 6 months so maybe we would have the reconstruction instead of the repairs on the taxiway. He said that is what the board wanted us to do. He said with your permission, the board would like us to send a letter with those two items on it for 2013. Councilor Gonzales said

he was at that meeting and said he heard if we do patchwork there is a possibility that we will wind up losing it with the rain. He said the reason they want us to do this is so that we will get a permanent fix, so that it is not a patch job and we do not waste our money. The City Manager said after talking to TXDOT the day after the meeting, they assured us that we had accumulated \$450,000 that could be used for this project. Councilor Davidson asked if this was grant money. The City Manager said it was 90/10 grant money. Motion was made by Councilor Gonzales, by Resolution 2013-02-06, to approve a letter to TXDOT Aviation to add reconstruction of taxiway and add an apron to the Airport. Motion was seconded by Councilor Bermudez. Motion unanimously carried.

14. Discuss and Consider Gas Department fees for connects and disconnects, tap fees and relocation fees. (C. Garcia, CM) – The City Manager said the gas department does not have any fees for taps or relocations or non-payments. He said on the non-payments they want to use the same criteria that the general city uses. He said they are recommending that we go with this general schedule of fees. Councilor Davidson asked Randy if this was pretty much in line with other municipal service. Randy said when we were with SWTMGC someone changed the tap fees to bring in more customers. He said now with all these new rules and regulations and things that could possibly go wrong, like us going and checking an appliance, we could be liable. He said this is kind of going in that same direction. He said also the reason for trying to get tap fees and relocation fees is that right now we are in the process of having to change 2.1 miles between us and Fort Davis. He said if we are still trying to do all this for free it is taking us away from doing that. He said if someone needs a tap we can schedule them in and start a list but it is going to cost something. He said maybe with this increase in fees we can afford to hire another crew to just do taps. He said the cost of the infrastructure will cost about \$300,000 to \$400,000 a year. Councilor Gonzales said we are talking about taps and relocating services and asked about deposits. Randy said the deposits are there. He said the deposit right now for residential is \$100 and for commercial is \$200 or determined by the number of rooms they have – for example a hotel. He said they are burning up a lot of time by going out and doing the free taps. Schedule of fees would include New Service Construction Tap - \$500 (if an extension of the main is required than \$5.00 per foot extra), Retire and Relocate Service - \$750.00, and Disconnects for Non-Payment - \$50.00. Motion was made by Councilor Gonzales by Resolution 2013-02-07, to approve the Gas Department fees for connects and disconnects, tap fees and relocation fees. Motion was seconded by Councilor Davidson. Motion unanimously carried.

15. Discuss and Consider advertising fees in Texas Journal in the amount of \$5,450.00. (C. Garcia, CM) – The City Manager said this is a journal that the State of Texas has put together. He said there is a spot in the magazine that is available. He said for a four page ad it is \$5,450. He said they take this to

the different trade shows. He said this is put out by the Governor's office. Councilor Davidson asked if this came out monthly or quarterly. The City Manager believed that this was a one-time publication yearly. Councilor Davidson asked how many they printed. The City Manager said he did not know the answer to that but knew they took them to all trade shows. Councilor Gonzales said this magazine is not really going out to the public but is going out to businesses and trade shows. Councilor Asgeirsson asked if we were going to gear more for tourism or economic development on the ads. The City Manager said we could design anything we wanted. Councilor Asgeirsson said she thought we needed more information and maybe they could make a presentation. Councilor Lujan made a motion to table this item. Motion was seconded by Councilor Davidson. Councilor Gonzales asked why this isn't something that Christ would bring to us. The City Manager said because it is more economic development than it is tourism. Motion unanimously carried.

16. Discuss and Consider soliciting proposals for new software for cities General ledger, accounting package and utilities package. (C. Garcia, CM) –

The City Manager said this is an issue that we have been wrestling with regarding the software in our city. He said our auditor has recommended that we look at other packages to see if we can address his audit report. He said we can start looking at proposals and get some quotes to see what it would take to change our existing system. Councilor Gonzales said we were talking about using the software that the gas company had at one time. The City Manager said we looked at it and we had the auditor look at it and he did not like the program. He said we were going to try to merge it with the utility package but the auditor has not made a favorable recommendation on that. Motion was made by Councilor Asgeirsson, by Resolution 2013-02-08, to approve soliciting proposals for new software for cities General Ledger, accounting package and utilities package. Motion was seconded by Councilor Bermudez. Motion unanimously carried.

17. Discuss and Consider moving the February 19th City Council meeting to February 26th. (C. Garcia, CM) –

The City Manager said he would not be here for the meeting on the 19th because he will be attending and testifying at a TCMA Committee meeting. Motion was made by Councilor Bermudez, by Resolution 2013-02-09, to approve moving the February 19th City Council meeting to February 26th since the City Manager cannot be in attendance for the February 19th meeting. Motion was seconded by Councilor Asgeirsson. Councilor Davidson said a week after the 26th, he will not be able to attend the meeting, so he would like to amend the motion to also change the March 5th meeting to March 12th. He said he would not be in town for the March 5th date. He said he would like to move it also. Motion was amended to include the March dates for Councilor Davidson who would be out of town on March 5th. Motion unanimously carried.

18. Discuss and Consider request for hotel/motel funds, through Alpine Gallery Night Incorporated, for \$5,000, for mural in weekend project, for Viva Big Bend – Keri Artz. (C. Garcia, CM) - Keri Artz now Keri Blackman from Kiowa Gallery and founder/director of Alpine's Gallery Night, Inc. was present. She said this year they are celebrating their 20th year anniversary celebrating Art Walk in Alpine. She said her board of directors has asked her for several years now to bring this project to light. She said she had a big mural on her building and she did write a grant for a mural restoration project. She said her idea is to take the idea to come to Alpine for a mural project. She said the perfect time would be at the same time as the Viva Big Bend Concert. She said there are plenty of out of town people in town then. She said what they would like to do is paint the walls at Printco that Mark Pollock owns and since it is centrally located they would get a lot of action. She said the people on Amtrak would be able to see it even if they did not get off the train. She said that is a lot of exposure and beautification to our downtown area. She said they have talked to Mark Pollock and have an easement to use his wall. She said she has written a grant to Texas Commission on the Arts for \$5,000 and it is pending. She said she is asking for \$5,000 from the hotel/motel funds. She said they are going to raise \$10,000 in private funds. She said basically what they are planning to do is find 6 big walls where they can do Mexican Calendar spots. She said this is a way to bring in the Hispanic heritage. She said there are plenty of people to sponsor these walls. She said they will be exactly like a Mexican calendar. She said they will need to resurface the wall and get it prepped for the mural. She said the mural on the big wall on her building cost \$15,000. She said she has had several letters of support for the murals. She said it would not be a bad thing to be a mural town. Councilor Bermudez said she saw a lot of tourists taking pictures by the mural on the wall at Keri's gallery. Keri said she had never had a problem with vandalism. Councilor Lujan asked about the term "Mexican Calendar". Keri said these calendars show Mexican heritage. She said you can call it Hispanic or Mexican. She said she did not know which word Councilor Lujan wanted her to use. She said it was something we could take from our community and put it on a wall. Motion was made by Councilor Bermudez, by Resolution 2013-02-10, to approve the request for hotel/motel funds, through Alpine Gallery Night Incorporated for \$5,000, for mural in a weekend project, for Viva Big Bend. Motion was seconded by Councilor Gonzales. Motion unanimously carried.

19. Discuss and Consider approving Resolution for Travel Policy – City Attorney Armstrong. (C. Garcia, CM) – City Attorney Armstrong said part of the concerns raised on an interim basis by the auditor brought this about. He said the City Manager already put together a tightening of the requirements for employees travelling. He said he wanted to take it one step further and require authorization to travel and include this in the personnel manual. He said he has been tasked with updating the manual and this will be the first of several additions. Councilor Asgeirsson asked about room service charges.

The City Attorney said those are not reimbursed. Councilor Davidson said this is better than issuing a per diem. The City Attorney said that is correct and travel advances are still authorized although he thinks a change is that if proper documentation is not provided, against the travel advance, the non-documented advances are reimbursed out of the employees next paycheck. He said this would not apply to the City Council. Motion was made by Councilor Gonzales, by Resolution 2013-02-11, to approve the Resolution for Travel Policy. Motion was seconded by Councilor Bermudez. Motion unanimously carried.

20. Citizens Comments (limit 3 minutes) –

Ray Hendryx – said he really appreciates the Council taking action on the sewer system

Walt Pyle – said he thought new software for the City would be beneficial for the Airport to update the monthly report.

21. Council Member's Comments and Answers –

Councilor Davidson – said he wanted to thank Robert Polanco with Code Enforcement who comes to every meeting and he also wanted to thank the audience for their patience with the meetings.

Councilor Gonzales – wanted to remind everyone of the Library open house on February 13th and they are celebrating the fact that they came in second and that is quite an accomplishment.

Motion was made by Councilor Asgeirsson to enter into Executive Session at 9:08 P.M. Motion was seconded by Councilor Bermudez. Motion unanimously carried.

22. Executive Session – Pursuant to Texas Government Code, Subsection 551.071, Consultation with Attorney, Subsection 551.072, Texas Government Code, Consultation with Attorney concerning Real Estate Issues, and Subsection 551.074, Texas Government Code, Personnel Matters.

A. Rey Dominguez to address Council concerning grievance. (C. Garcia, CM)

B. Consider new financial policy for city. (C. Garcia, CM)

23. Action – Executive Session – Pursuant to Texas Government Code, Subsection 551.071, Consultation with Attorney, Subsection 551.072, Texas Government Code, Consultation with Attorney concerning Real Estate Issues,

and Subsection 551.074, Texas Government Code, Personnel Matters.

A. Consider action concerning Rey Dominguez grievance. (C. Garcia, CM) –

Motion was made by Councilor Davidson to recess the grievance hearing until our next meeting when witnesses could be called. Motion was seconded by Councilor Bermudez. Councilors Bermudez, Davidson, Gonzales and Asgeirsson voted in favor. Councilor Lujan voted against. Motion carried.

B. Approve new financial policy for city. (C. Garcia, CM)

Motion was made by Councilor Davidson, not to take action on this item. Motion was seconded by Councilor Bermudez. Councilors Bermudez, Davidson, Gonzales and Asgeirsson voted in favor. Councilor Lujan voted against. Motion carried.

24. Adjournment – There being no further action, meeting was adjourned

I certify that this notice was posted at Noon on February 1st, 2013, pursuant to Texas Open Meetings Act. (Texas Vernon's Annotated Civil statutes, section 551.043 Texas Government Code.) This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please Contact the city secretary's office at (432) 837-3301 or fax (432) 837-2044 for further information.

Dr. Avinash Rangra, Mayor

Attest:

Margaret "Molly" Taylor, City Secretary

I, Margaret "Molly" Taylor, City Secretary, do certify that this notice was posted at Noon on February 1st, 2013, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Margaret "Molly" Taylor, City Secretary