

**City of Alpine  
Regular City Council Meeting  
December 10th, 2013  
6:00 P.M.  
Minutes**

**1. Call to Order, Invocation and Pledge of allegiance to the flag – Mayor Rangra called the meeting to order. Invocation was led by JoBeth McLeod. Mayor Rangra led the pledge of allegiance to the flags.**

**2. Determination of a quorum and proof of notice of the meeting – Mayor Rangra and Councilors Bermudez, Davidson, Fitzgerald, Gonzales and Castelli were present. Meeting notice had been posted at 5:30 P.M. on December 6th, 2013.**

**3. Presentations, recognitions and proclamations –  
A. Proclamation for AEP. (Mayor Rangra) – Mayor Rangra said since no one was present from AEP, we should postpone this item. He said this will be a long agenda so we should postpone this until the next meeting.**

**4. Reports –**

**City Mayor's Report - No Report.**

**City Attorney Report – No city attorney.**

**City Manager Report – City Manager Zimmer said he was going to defer most of what he wanted to talk about until the Information and Discussion items today. He said he did want to note that this past week, with our recycle team, Martha Latta and Hector, our Director of Public Works, we have made a decision to do an off cycle pick up of limbs and branches around town. He said he thought that what Hector Ramirez and his team did as far as helping a lot of the residents post this major ice storm was a very important thing to do in Alpine. He said so as you are driving around town and you see the branches pulled up to the street, that was purposeful. He said they had announced that through the local radio station and Hector and his team are driving through the community this week picking up the branches and taking them to be recycled. He said we have also moved an employee over there to help with the shredding. He said it is just something we wanted to do for the residents and we thought it was important. He said the other piece that he wanted to note when he brought it up today is that it was an off cycle pickup. He said we will do our normal bulk pickup in January. He said Martha is working now on the language for that so that we get it out to all the residents**

so that they are aware of our normal bulk cycle. He said from time to time as acts of God or acts of nature come up in our City, as a City, we will try to do these things. The City Manager also thanked Virgil Clark, the Utilities Director, from the City and from all the residents, for all the hard work through Art Walk, over the holiday weekend. He said Alpine somewhat dodged a bullet. He said we had major power outages across the region and Virgil in his report will detail out some of the challenges that his team went through, but hats off to him and his folks and as Virgil comes up and gives his report, one thing he wants to note, that is very important, we did get, from the Texas Commission on Environmental Quality (TCEQ), a note, basically stating that they had done an investigation based on a complaint that they had received on our wastewater treatment plant and everything came back that we were within permit and hats off to Virgil Clark again. He told Virgil thank you for the hard work.

### City Staff Updates –

Virgil Clark, Utilities Director – Virgil said if you were out of town, you might not know we had an ice storm. He said he believed most everyone here knew that we did. He said we sustained a little damage and had power outages and we had some issues that we had to deal with. He said we have four or five really long days and nights and we have a lot of people who were involved in making this a successful “adventure”. He said it was an adventure that he would not like to have again. He said he hopes we do not have an ice storm like that again. He said he is ready for summer. He said there were a lot of heroes and one of them that he would like to bring up is Ray Hendryx. He said he called Ray at the radio station and we declared an emergency on Sunday. He said Ray, eloquently, in his own way, took the information that he gave him and disseminated it to the public, in a very understandable way, more so than he probably could have done himself. He said he wanted to thank Ray for that. He said we had a lot of other heroes. He said AEP had a lot of people out working in some very difficult situations. He said quite frankly, he works in water, and it can get wet and cold. He said if they make a mistake it could be their last mistake and they work through some tough situations. He said we have a lot of heroes in our own work place. He said he wanted to mention their names because a lot of the time they do not get mentioned. He said a lot of the time, what they do, is kind of a thankless job. He said you expect the water to run when you turn it on and when it does not come on you are kind of mad and we have to come out and fix it. He said the same thing with wastewater, when you flush it, you want it to go and when it doesn't, you are not really happy with us. He said it is their job to go out and take care of it. Virgil said Johnny Marquez is his number one. He said he is the guy out in the field that directs the people and makes sure the work gets done. He said his people, John Cordoba, Tony Ybarra, Charles Michaelis, Adan, Fuentes and Ramon Fuentes (he said both of these are long term

employees who have been here at the City of Alpine for 30 plus years). He said if it had not been for Ramon, who found a leak that was a really difficult one to find, and he just accidently found it, but found it. He said it was a leak on a twelve inch line leading to the pump header at the Sunny Glen Pump Station. He said this particular leak, if it had blown off, the tank on the mountain probably would have emptied in about thirty minutes and we did not have power at Sunny Glen at the pump station for quite some time. He said we did have it at the Sunny Glen wells for four days. He said through the efforts of Ray, getting the information out to the citizens and the citizens of Alpine are his heroes too, believe it or not. He said the citizens did not use water. He said normally the half-million gallon tank will cycle that every day because it is a 500,000 gallon tank but we had half a tank of water left in that tank after four days. He said that is excellent and wonderful and we dodged a bullet. He said we saw some vulnerabilities and we are going to work on fixing those vulnerabilities. He said again, we suffered some damage. He said this is damage that we are going to have to repair. He said they are going to work on it and try not to cost the city too much money but be prepared. He said they have made headway at the wastewater treatment plant. He said there are also a couple of good guys at the wastewater treatment plant, Mike Macias and Brian Llanez. He said Sunday morning he got a call about 6:30 that the power was out. He said he was in Terlingua and the roads were icy between Terlingua and here. He said it took him about two and one half hours to get to Alpine. He said before he got to the wastewater treatment plant, his goal was to get out and get the generator running so we did not have sewage running down the creek, and get in trouble with the TCEQ, before he got there, Mike Macias and his helper Brian Llanez were there at the plant. He said they were working to mitigate the issues. He said nobody called them. He said he did not call them. He said they went out on their own and he wanted everyone to know that. He said they are doing an excellent job and all of the people are. He said he wanted to mention a few people but that is his entire crew. He said they perform and they work wonderfully. He said he would be glad to accept all the kudos for it but quite frankly he was just there helping them, directing them and giving them what they needed, to do the job. The Council thanked Virgil. Virgil said he thought it was great that we got that nice letter from the TCEQ. He said that is a departure from what has been happening and that was a surprise inspection that he told the city about last council meeting and he did not know about it until this morning. He said he was very happy to get that letter. He said he will treasure it and frame it.

Randy Guzman – City Manager Zimmer said Randy does not have a report but we would continue to like to encourage everyone to call 811 to call before you dig. He said this is important not only for our gas lines but for all of our utilities.

Martha Latta – said two important recycling events are coming up. She said the first will be to recycle your Christmas tree. She said just bring it down to

the recycling center and they will put it through the big chipper shredder and turn it into mulch. She said she is also giving advance notice of the annual electronics recycling event. She said it is scheduled for January 13<sup>th</sup> through the 17<sup>th</sup> and it will be at the old fire station once again. She said this year again they will be able to take televisions and all things electronic and computer related.

Deborah Pattison – said the council had a written report in their packet and an update as of 4:30 this afternoon, we are on target for making the debt service payments this Thursday. Mayor Rangra asked about the correction about the due dates for the loans. He said it should be 2014 instead of 2013. City Manager Zimmer said that was correct and that was a typo.

Robert Polanco – City Manager said weekly Robert does give the City Manager a report indicating the amount of Code Violation investigations that he goes out on. He said he had 43 this past week which resulted in 4 investigations. He said we do have 13 court cases pending. He said year to date we have had 930 violations that have been brought up to code. He said this is something that, at least as a City Manager, he looks at every week and he appreciates Robert for responding to the code violations as they are brought to him. He said we are continuing to issue permits. He said Robert issued 2 building permits and one moving permit this past week, one plumbing permit, 2 electrical permits and one planning and zoning permit. He said we are continuing to get feedback that the website, that he built, that was presented a month or so ago has been a positive thing for the residents in the community. He said he has made a request that the City Manager will address on our website technology update regarding permitting software and how we can move into that venue in the future.

Hector Ramirez – The City Manager said we spoke about the limb and branch cleanup earlier.

Judge Schlosser – The City Manager said we have nothing to report.

Chief Scown – The City Manager said we have nothing to report.

5. Citizens Comments (on agenda items) - None

6. Public Hearings - None

7. Consent Agenda - (Minutes, Financial reports, Department written reports, Board appointments, etc.) -

A. Approve the minutes of October 15th and October 22nd, 2013 (A. Rangra, Mayor)

**B. Approve Accounts Payable (E. Zimmer, CM)**

**C. Accept resignation of Bob Steele, City Attorney, effective November 25, 2013. (E. Zimmer)**

**D. Approve appointment of Ms. Leslie Hopper to the Airport Advisory Board to represent Ward Five. (M. Castelli) –**

Accounts payable was moved to Action items. Motion was made by Councilor Fitzgerald, by Resolution 2013-12-02, to approve items 7A, 7C and 7D. Motion was seconded by Councilor Gonzales. Motion unanimously carried.

**8. Information or Discussion items –**

**A. Review the roles as defined by the City Charter of the Mayor and the Mayor Pro Tem. (M. Davidson) –** Councilor Davidson said this is a long agenda so he will not belabor this issue and maybe some of the circumstances have changed. He said he just wanted to review what the charter says about the Mayor and the Mayor Pro Tem. He said the Mayor runs the meeting in a ceremonial function and it has probably been a couple of years since we had a pretty firm lecture about elected officials getting involved in people's daily work other than the four employees that they are authorized to see, that they directly supervise. He said they have actually learned that one of those, the Municipal Judge, has very special circumstances. He said basically he just wants to emphasize that he thinks it would be wise for them all to follow the charter very closely when it comes to expressing their opinion or getting involved with people who work for us. He said now we have a permanent city manager that he thinks will clear up some of this. He said also while we are here, we did authorize as a group and he does not think we ever asked for an opinion whether it was reasonable under the charter but when they had a realization of all of our financial problems and found out that there were numerous people with the power of the checkbook, which did authorize the Mayor and the Mayor Pro Tem to also be signatories on the account. He said he personally considers that was an emergency and even though by every definition of the word would be administrative duty to sign checks. He said he thinks that if we want to have a literal interpretation of our city charter, we should move to a situation where neither the Mayor Pro Tem or the Mayor are in that position. He said this is not because he thinks there are any kind of ethical issues there at all but it is kind of prohibited in the charter but it was necessary at the time. He said he bets the Mayor will agree with him on that. Mayor Rangra said 100%. He said he thinks there are some agenda items coming up that actually deal with this. Mayor Rangra said he had to add something. He said there are quite a few things that we learn about signing checks, where the money is going and how it is being spent. He said he thinks it helps us so that when the items come before us and the council has to

vote, we can better understand them. He said he thinks what we should do is have each councilmember sign these checks. He said then you get to see what is involved. He said when he was signing payroll checks, in the system there was no way to tell about the overtime. He said overtime and the regular pay was all put together and that is the way the system was set up. He said he suggested to Jim to separate it and there were quite a few of the items like that. He said a suggestion for the council, after finding out what is involved in it, for council members to get involved. He said that is his suggestion. He said it was quite an experience. He said at the same time we have to keep in mind that we do not get back into the same problems we have been in. Councilor Davidson said he agreed with the Mayor. He said it was probably the best education that he had on the council was following the cash. He said when we get an attorney we could ask TML if we could take turns. Councilor Gonzales said maybe we could add on our charter, if it is an emergency, we could give the powers that are needed to function. Councilor Bermudez asked if that would have to go through the voters. Mayor Rangra and Councilor Davidson said yes. He said we could vote on it and see if they want us to do that. Councilor Fitzgerald said that is the power of the Mayor and the Mayor Pro Tem and not the council signing checks.

**B. Discuss possibility of 1/4 percent of sales tax for use on streets. (J. Fitzgerald)** – Councilor Fitzgerald said that is  $\frac{1}{4}$  of 1%. He said we are maxed out on what we get and what he is proposing is to allow up to  $\frac{1}{4}$  of one percent of the existing sales tax and designate it for street repairs. He said that will not increase taxes. He said all that does is take  $\frac{1}{4}$  of one percent of the taxes that we do get and put it in a separate fund to be accumulated so that we can address the road issues. He said he further suggest that we should for the first year, go at it for  $\frac{1}{8}$  of a percent and not a quarter of the entire amount of money. He said we have 1 and  $\frac{1}{2}$  percent of the sales tax we get. He said the way this is phrased looks like a quarter of the one and one half percent, but he is not saying that. He said he is saying  $\frac{1}{4}$  or .0028. He said at least for this year we could go down to  $\frac{1}{8}$  of a percent and that would provide Hector with an additional \$100,000 at the end of the next budget cycle. He said further if we were to take \$25,000 of that \$100,000 and buy Director Ramirez a hot box, he would be able to put asphalt in pot holes and avoid the issue of every time filling the potholes with cold mix that is tapped down and the first time it rains they have to go out and do it again. He said this would put hot asphalt in the hole, melt the ground around the asphalt and probably go away. He said a hot box costs about \$25,000 and Director Ramirez said he believes it would last about 20 years. He said we could mitigate the pothole problem for two decades by doing this and that would also free up some of his people for other tasks and save us money in all the asphalt that gets wasted every time it rains. He said they have to go out and do it again. He said this is just a suggestion that he has brought up before and he just wanted to throw it

out and see if we can do that. He said currently the one and one-half percent goes into the General Fund and he considers the General Fund to be kind of a black hole at times. He said he likes to have designated amounts of money to be spent on designated things. He said it is a heck of a lot easier to track it that way and he thinks 1/8 of one percent is reasonable. He said not to put it all in at one time but to accumulate it and add it to the normal amount that he usually gets and maybe we can start addressing some of these problems. He said if you start asking people around town what they think are some of our biggest issues, everybody complains about the roads. He said this is a way to do it without raising taxes. He said it is a win-win scenario. Councilor Bermudez said she agreed with Councilor Fitzgerald. She said she belongs to the Tall Cities Advisory Council and almost all the cities there have discussed that and are getting ready to do that if they have not done it already. She said she thinks it is a good idea. Councilor Fitzgerald said if we were to increase the tax that would necessitate a vote. He said if we reallocate the existing tax, that is not necessarily something that would have to be on a ballot. He said we are not adding to it. Councilor Davidson said we cannot increase our sales tax. He said all we can do is repurpose it. He said as long as we have the will of the people at budget time. He said the duty of taking it to the people is that it is dedicated for four years. Councilor Fitzgerald said he bounced this off the city manager and he seems to think that this is a logical point. Councilor Davidson said Arlington, Texas did this with great success. He said they were one of the first people to jump on the legislation when it passed. Councilor Fitzgerald said this seems like a win-win scenario all the way around without raising taxes. Ray Hendryx asked how much this would raise, roughly. Councilor Fitzgerald said the 1/8 would be \$100,000 over a twelve month period.

**C. Discuss status of grants and Certificates of Obligation. (E. Zimmer, CM) –** City Manager Zimmer said one of the big items walking into the role is to look at basically, how much money we owed and what we were obligated to do as part of specifically CO 2011 and our Park Grant. He said we also have other obligations out there of importance to the city but he had to start somewhere. He said what he thought was important was to provide the information to the Council this evening and also talk about what our go forward plan is. He said the CO 2011 has come up in some of the past meetings. He said what we have done as a team, the finance group, is they have really gone back to the project scope for the 2011 proceeds and lined out what it was that we originally stated on March 15, 2011 what we were going to do. He said from that point we are now working through what money has been spent and what obligations have been met and what still do we need to do as part of that obligation from 2011. He said he wished he could tell the council that we had everything created right now but it does take some time to go through all of the records. He said what we are seeing is that currently right now we have some off budget journal entry items,

about 40 of them, that they are working through. He said our goal, on the city administration team, is to provide in January to the Council, a very clean list of what we have committed to doing, what we have accomplished, what else we still need to do and the dollar amounts associated with those remaining projects. He said some of that CO 2011 dollar allocation does tie in to the Parks grant as well. He said he will address that in action item 9. He said the other piece that he would share with the council is that we are really getting back to basics on what he would call bond and grant administration. He said what did we commit to do, what have we done, what else do we still need to do and how much money it will cost. He said part of that is looking specifically at CO 2011, looking at the Park grant that we took out back in that same time frame and working then with all of our department heads that are tied to that and understand what they have completed and what still needs to be done. He said what he anticipates is by the end of January to be able to provide the council with a very specific list. He said we are also insuring that appropriate accounts are set up so that we are moving money from the General Fund into the specific accounts so that he personally will have a very strong accounting of the money and the spend. He said we are committing to the community to do certain specific things and we need to be able to articulate that through proper account management. He said this becomes somewhat a very high priority first order of business with our finances right now. He said because we did a conversion from an old software to a new software and some of our records have been hard to recreate, it is taking us a little bit longer than he would like. He said he can be impatient. He said but with this one it is most important that we get it right and understand the obligation. He said some of the CO2011 money is the Quiet Zone which we are going to address here in item F. He said he wanted to ensure that we have a proper knowledge and understanding of the money, how much we need to do the project and what is available to us in our accounts today. He said he can share with the council that as a new city manager in the role, for him, it is very hard to create and revisit a budget until we understand what obligations are in front of us. He said this is a real cornerstone of what has had to be done from the city perspective. He said look forward in January and it will probably be our second meeting that we will have the detailed account breakdown for all of these accounts up to and including CO 2011. Councilor Fitzgerald said that has always been a real hot button for him, tracking all the CO's and the grant money and it is great to find out that this is finally being addressed in this area. He said Congratulations. City Manager Zimmer said thank you, it has to be done.

**D. Discuss status of budget. (E. Zimmer, CM)** – City Manager Zimmer said walking into the role, the 2014 budget was already set and approved prior to him coming into the City Manager role. He said during the interview, one of the things we had discussed was revisiting the 2014 budget and assuring the allocations could be met. He said he thinks this also ties into Councilor

Fitzgerald's request with the  $\frac{1}{4}$  or  $\frac{1}{8}$  sales tax. He said how do we re shift some of that money to ensure that we are focused on spending it on with Hector Ramirez's department on the roads. He said the first thing that we are looking at is each department is working with him on what he would deem a budget variance meeting. He said once a month they are looking at the quantity of dollars they have spent down to each line item and anything that is a variance, they then have to discuss and ensure that we can make the budget for the year. He said you might be a little over budget, for example, Virgil Clark is going to be a little over budget in overtime in November. He said he thinks we all have to accept that. He said but he is going to have a plan to get that so that he meets his budget for the fiscal year. He said by the end of January our target is to have the full revisit of each department level budget which rolls up to the City Manager budget so going through these budget variance exercises with each department allows us to come back and present to the Council a revisited budget for 2014. He said our goal is to have that complete by the end of January. He said this will allow us not only to reallocate dollars within the departments but also inter departmentally. He said also looking at specifically our high line items, things like salaries and what was the methodology. He said for him, coming into this role, understanding what we pay people, city employees, is a huge line item. He said he needs to understand the methodology and how we came up with that. He asked if we included some sort of merit increase. He said all of the other different elements. He said those are important things in creating the budget and revisiting what we need in 2014. He said he thinks it is pretty aggressive to have that done by the end of January but personally we do not have an option. He said we really need to really get this presented back to the council by then.

E. Discuss status of EDAP grant and loan for sewer interceptor. (E. Zimmer, CM) – City Manager Zimmer said the EDAP Grant right now is what we discussed in some previous Council meetings and is for 1.9 million dollars. He said half of that, we end up paying back and that is roughly \$950,000. He said we have nine projects out there. He said eight of them qualify in a small dollar amount, about 3 % of the spend and that does not qualify under the EDAP but we are roughly about \$950,000 that we would pay and \$950,000 that we don't. He said we are finishing the application. He said Virgil Clark and Deborah Pattison and the billing team are finishing the application. He said it is important that we get it in quickly because on the EDAP Grants it is first come, first serve. He said you have to get in there and get at the front of the line. He said otherwise all the money goes away and we are not eligible. He said the second piece of that is the loan for the sewer interceptor. He said we are talking about a \$4 million dollar plus loan. He said he would tell the council as we are revisiting our budget and looking at our current debt obligations, we have paid, over the last couple of years, about 7% of our annual budget and expense on debt obligations. He said this year we are going to spend about 8%. He said if you take out

another \$4 million dollars in loans on top of a million you will have to pay back on an EDAP, at what point do we push that threshold. He asked if we started getting above 10 or 11 percent, that as a city we are comfortable managing debt payments on. He said what he is looking at is as we revisit the budget for 2014, we have to look at beyond 2014 into 2015. He said if we take out another \$4 million dollars, what will that do to us from a cash flow perspective? He said in talking to Virgil Clark, he continues to emphasize that we can always do the sewer interceptor project. He said we have to find a way to do that but we also have to have fiduciary responsibility to understand how much debt, can we as a city, take on. He said he cannot offer the city an opinion, absolutely, on that today, but what he can share is that we have to make decisions based on how much debt can we afford as a city and continue to do things, like reallocate money, to do road projects and some of the other elements out there. He said he is just being frank. He said he thinks it is important from a fiduciary position that we understand this and make a good decision. He said it is easy to get in the moment and say yes, yes, yes to projects, but it is his job as City Manager to make sure that we can pay our obligations. Councilor Gonzales said it all depends on whether we get the budget aligned to where we are functioning like we are supposed to, so the City Manager can make that decision. City Manager said right now what he is talking to the team about is getting to that point by the end of January. Councilor Davidson said he did not know if this was the appropriate time to ask this question about the sewer interceptor. He said it is his experience dealing with engineering firms, especially those who make their living with public money, that they are going to suggest gold plated options, because that is how they are going to make their money and get paid a straight percentage. He said we have had a discussion before about how it is a good idea to change engineers from time to time and he personally does not have a great deal of confidence in our engineers. He said having seen Mr. Clark come up with a solution to a problem that was not gold plated and it saved us lots of money. He said he knows that when you come on the council and this is already a plan and we have needed this for years and years and all of a sudden we are faced with \$4 million dollars. He asked if there were other alternatives that would solve our problems, deliver the sewage, solve the problems for the people out there in the annexed zone. He asked if there was a mechanism for looking at that, or were we locked in. The City Manager said no we were not locked in. He said he appreciated Councilor Davidson bringing that up because a couple of things crossed his mind. He said number one, he asked the finance team to pull the dollar amounts that we have paid Naismith over the past two years. He said he wants to understand where Naismith is, as a percent of the budget. He said in the telecommunications field we used to manage to what was called stranded engineering expense, so if you go out and engineer a project and you do not do the project, you have to expense those dollars and you cannot capitalize them. He said from the City of Alpine perspective, it is a big no-no to have stranded engineering expenses.

He said we are pulling those numbers right now. He said the second element of it is exactly Councilor Davidsons point. He said we have this thought process that we had to do a belt press and Naismith is telling us we have to do a belt press. He said Mr. Clark comes forward with a \$16,000 solution that was 1/20<sup>th</sup> of what the cost of the belt was. He said it is good to bid vendors out and look at other people's credentials. He said he has already found one that wants to do business in West Texas that we can bid out and we will certainly be bidding out multiple vendors to look at what they provide. He said anyone here who is friends of Naismith, you can go back out and say that we are bidding out. He said he would tell us that every vendor out there knows that they better be doing good work, otherwise they are going to get bid out. He said he does appreciate the suggestion and it is time that we really look at, do they really have the best interests of the City of Alpine and are they looking for creative solutions that drive our costs down but still maintain a great product moving forward. He said he is definitely committed to doing that. He said the other piece on the sewer interceptor is that we have a couple of small parts of that. He said number one we have the Kokernot Heights that was annexed and part of that sewer interceptor project was going to provide them sewage out there. He said we absolutely need to separate this project and put a date on it.

**F. Discuss Quiet Zone (E. Zimmer, CM)** – The City Manager said the Quiet Zone was a project that we allocated funding for in CO 2011. He said the City received a letter back in late July indicating that the original proposal did not meet all of the criteria that the railroad and TxDot was looking for. He said we came back with a follow up proposal dated in early November. He said he had the letter but has not received a formal response on that proposal from early November. He said he anticipates that we will receive that here before the end of the year. He said with that, this is a project that Naismith has engineered. He said we can then take the specs and go out and either redesign it to meet what is approved or we can just bid what has already been designed. He said at that point we will have an absolute of the dollar amounts necessary to complete the quiet zone project. He said in CO 2011, we did request \$225,000 for that project. He said now many times when you go out you are always kind of over inflating what you need. He said you definitely have to go through the process of bidding that so that we understand the absolute dollar amount and then as we kind of recreate that fund with CO 2011 dollars. He said this is one of the projects that is very important to the residents of the city. Mayor Rangra said in July, the City Manager brought this item before the council asking for bids. He said the council unanimously approved it. He asked if money was available in July for this purpose. The City Manager said because he did not look at the books in July, it is hard for him to tell them what specifically we had allocated in accounts and how we spent money from July to November. He said what he would tell the council is that requesting to go to bid without approval from the Railroad is premature. He said if the Railroad comes back

and says that you have to do these two things or you have some alleyways that are very close to the railroad. He said you have to close off those alleyways and to go to bid in July would have been premature without having full authorization, so the letter that we submitted on November 1<sup>st</sup>, 2013 basically requesting the approval and the proposed improvements. He said we gave very specific requests back to them and that was “no comment – we approve this”, or “no, we don’t approve it, we expect these types of modifications”. He said without getting that feedback, in his opinion, there is just no way to bid this thing out. Mayor Rangra said his suggestion is that next time where we have items like these, where we have to spend money, we should have, the council should have a monthly financial statement so that we know where the money is coming from. He said for this item the council was told that the money was there. The City Manager said what we are building is just that. He said it is an account balance that would, whether it’s CO 2011 or whatever those obligations that we have committed to, the Council sees the absolute dollar amount in there. He said we also have an understanding of what is remaining to be spent. Councilor Fitzgerald asked if we still had the money from CO 2011 that was originally supposed to go for the Quiet Zone. He asked if we still had those funds available. He wanted to know if they were in a separate account or were they just mixed up with everything else. He asked if they were gone or are they here and asked if the manager knew yet. The City Manager said he is not comfortable that it is all there. He said getting through these remaining forty entries and then he will have a very clear picture of what we have specifically in that account and it is not all for the Quiet Zone. He said we still have a little bit of other items to do too. He said the Quiet Zone is the big dollar item.

**G. Discuss Cell Phone Tower. (E. Zimmer, CM)** – The City Manager said this was an item that Bob Steele was working on for us. He said he is very versant in cell phone tower leases. He said he has been on the opposite side of them from where he is right now. He said what he can tell the council is that as we move forward with the new attorney, we still have to provide red lines back to Verizon stating what we feel comfortable doing within their agreement. He said they provided us with a boilerplate lease which is really used more in commercial and not municipal and one of the things Bob Steele did was request a lease that they had done with another Municipal Government. He said he has been in contact with Steve Ellis at Verizon and feel comfortable. He said he made a request of him to provide a Municipal type document to him as well as all of the specifics – what land they are looking at, the type of tower they are looking to build and the construction elements. He said in the package he was given, it was simply just a lease with no visual representation of what they were wanting to do and so we certainly cannot charge forward unless we understand visually what they are doing. He said the other piece that he is concerned about, what he shared with Mr. Ellis, is that we see and hear a lot of complaints in

the community about Verizon's capacity. He said you will hear a lot from constituents out here that maybe they can't get a good data connection or they are having dropped calls. He said part of putting this tower and this land lease together was for them to come in and do an optimization study on how we can improve our Verizon services in Alpine. He said he thinks we can use this vehicle to get their engineers here and maybe do some things to help the residents and travelers through Alpine. He said we cannot guarantee anything but if we don't ask, we don't get. He said truly what we are experiencing in Alpine is a capacity issue with Verizon and they have got to pump more bandwidth in here. He said as we hire an attorney we should be able to get this thing red lined and out. He said it will probably take 60 to 90 days to complete.

**H. Discuss website/technology update. (E. Zimmer, CM)** – The City Manager said our website currently today is functional and we posted our agenda. He said as we approve meeting minutes we are starting to get those updated. He said it was written in an older language and to try to reconstruct that is really a waste of time. He said so what we are going to do is go ahead and build a new site and use something more functional like a word press that is more plug and play that we can ultimately manage locally here, in house and then we can have the new website built. He said our target is to get that built by the middle of January. He said once we get that built he does want to get that approved by the council, and let the council all get comfortable because it is the image for the city. He said then we will redirect our domain name to that site. He said long term, that is the best way to handle our website. He said he visited with Chris Ruggia as well and he is in agreement. He said ultimately we could either provide an RFP or we could try to build it in house. He said he has built websites himself and he has to look at what we need to do to construct the back end tables that house our data related to ordinances and things that a lot of constituents in the community are going to want access to. He said ultimately we need to get a new site built. He said one of the things that we have done historically is through these photo contests and other contests. He said we always get people that submit to get us a release so we have thousands of visual images out there to use that can really express Alpine and then tie in to not only the administrative side for what we do for the city, but then how do we tie in to the tourism and why people come to Alpine. He said look for that in the middle of January. He said the second half of this is a technology update. He said he wanted to speak about that. He said there are some requirements, from having firewall protection for Municipal Government entities that we have to shore up. He said and then overall, looking at our entire monthly technology spend, what do we spend for phone lines, what do we spend for internet connections and what makes sense moving forward for the City of Alpine? He said how do we interconnect our different offices? He said on top of that, how do we propagate wifi out of our community buildings at no additional cost to what

we are spending today. He said we have a couple of other groups in town that are trying to build some wifi pieces as well. He said we have Mark Hannan from Nectar Computers that is working along Holland Street and then the new CIO at Sul Ross is working on deployment on their campus too. He said all these things, if we think about them from a city perspective, how we tie into the other technology opportunities and broadband usage opportunities in town is part of our overall technology plan. He said our goal from the City Administration side is to stay within the dollar amount we are spending today, without having to request for additional monthly dollars. He said analyzing the telephone spend and the network spend is part of that process. He said he thinks we are probably going to be into February before we come to some real conclusions and before the plan completes. Councilor Castelli said it is all good information and long overdue. He told the City Manager thank you. Councilor Davidson said one of the things that we learn when we are signing all of these checks is how many telephones the city is paying for and we have two or three different providers and intuitively you can look at that and somebody can go through there and save 25% just off the top. He said there have to be some ways that we can have some savings.

**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.)**

**7B – Approve Accounts Payable – Councilor Castelli said he had emailed about two different items and from the City Manager’s response and Deborah’s response, he thanked them for getting back to him. He said it seems like we still have some questions on those two issues. He said that is what he read from their response. The City Manager said Thompson Reuters was requested by Bob Steele. Deborah said this was the final payment for that account and the account is now closed. Councilor Castelli said he also read where back in August it was requested by our City Attorney, in writing, to be closed. He said if we were being charged for four more months after we instructed in writing, that was not good. Deborah said the response they gave her was that we were locked into a contract and they were not going to honor that request. Councilor Castelli said so there was a final response in that? Deborah said yes, she had been working for them for the last couple of months. Councilor Castelli said there was also an issue about social media administrative facebook and hours that is tied to our allocation that we have already made. The City Manager said that is tied to our allocation. Councilor Castelli said so that falls within the allocation that was made when we did the hotel/motel. The City Manager said that was correct and he did review the entire budget with Chris Ruggia this last week. Councilor Castelli said so this is not in addition to that. The City Manager said no. Councilor Castelli said okay. He said this was just so unclear reading this and there were things he knew nothing about and did not recall hearing anything about when we did**

the allocation. Motion was made by Councilor Castelli, by Resolution 2013-12-04, to approve accounts payable. Motion was seconded by Councilor Gonzales. Mayor Rangra asked what kind of services were we getting from Skinner and Lara for \$1,000. The City Manager said that was for the post transition to the new audit firm. He said there were certain questions that we had to go back to Skinner and Lara on. He said he believes that had been discussed 2 or 3 council meetings ago. He said it was said that we would have residual expenses that would come in because Skinner and Lara will not give the feedback to the new firm without charging us. Motion unanimously carried.

9. Discuss and Consider approving \$15,000 to be paid to Atlantis Aquatic Group from expense account 24.621.0500 for filtration and chlorination system to finish swimming pool. (E. Zimmer, CM) – City Manager Zimmer said this was part of the Parks Grant that we have been working through for the last four years. He said last summer we opened the pool by simply putting silicone in our seams to basically stop the leakage out of the pool. He said it was a temporary fix, knowing that we had to come back through and do some final restoration on the filtration which includes a tile job in the pool which is the \$15,000 expense. He said half of that will come back to us after we pay for it. He said as we talked with the grant people they did mention to us that the pool was the number one item for us on that grant. He said they want to see us get the conclusion on this grant. He said we are going to open the pool on time this year. He said he had asked that we put this on the agenda because even though we are going through this whole budget revisit, this is \$15,000, but we have to do this work in order to open the pool and finish the pool work there. Councilor Fitzgerald asked if there was a time limit to get this done or could we end up paying for the whole thing? City Manager Zimmer said June 1<sup>st</sup>. Councilor Gonzales asked what Account 24.621.0500 was and was it CO 2011? Deborah said she did not have the information with her. Mayor Rangra said we need to have a very clear idea of where the money is coming from. He said otherwise the Council will be saying yes or no without knowing that. He asked if we could postpone this item. The City Manager said we could postpone this one. Mayor Rangra said it would be good to have the monthly statement in front of us so we could see for ourselves on this. City Manager Zimmer said we could absolutely postpone it but this is one that we will absolutely have to do. He said the target date to do it is about the March time. He said you want to get beyond your freeze and ice time. He said we have drained the pool. Mayor Rangra asked if we are in a position to be able to receive monthly statements now? The City Manager said not yet. He said that will be in the January time frame, next year. Councilor Davidson said he had a quick question about this, since we are talking about the Parks and Wildlife grant. He said he had a whole list of stuff here and he does not know how much money is left on this grant but asked if we were obligated to do all the stuff on the list. He said there is a bunch of stuff that is not done. Councilor Davidson asked if there had been contract changes along the way. He said

none of this stuff exists at Medina Park at all. City Manager Zimmer said going back to 2011, which is where the money was allocated, for us to do this work, it is creating that idea of what we have done and what we still need to do. He said one of the first things we had asked for in this particular grant was if we don't complete every task that we outlined, will we be penalized and asked to give the money back. He said their communication to us, and we do not have it in writing, because they lost their director over administration over this grant, but their verbal communication to us, was as long as you complete the pool project, we will not consider you in default. He said that is the priority about completing the pool project. He said if the council is asking if he would love to complete all the rest of them, absolutely, he would love to. He said the other piece in going back to them on the grant, is that we get 50% back so we do have to look at what are some of the little, the singles and the doubles that we can hit with this and still fit into our 2014 budget. He said it does expire in June of 2014. He said we are going to propose those as we exit our review in January with the budget and basically state what we are committing to doing. He said we do have to have the money to do it. Councilor Castelli asked who would audit this project to see what has been completed and what has yet to be completed. The City Manager said right now he has asked Megan Antrim who has been brought on a few weeks prior to him, from the county. He said she has a lot of experience in grant administration from Brewster County. He said he has asked her to be his point person in digging into this. He said she is very skilled at that. He said long term, the plan is to have a grant administrator, or someone part time at a minimum on staff that is administrating those obligations. Councilor Castelli said his question is, if you look at this, it talks about three new picnic tables and a new playground thing. He said with the way we have kept records, there are no records obviously. He asked if someone would be responsible for physically going out there to the park to determine what is there and what is not there, since we probably do not have any documentation. The City Manager said some of it we actually have documentation on. He said one of the thoughts is to go out there and actually take pictures of what we have done. He said we should as a process, take pictures, because it serves two purposes. He said one, you put it in the file and the second, as you do some of the significant things, such as upgrading equipment at Medina park, you send a blast to our partners in the media and say this is what we have done, and hopefully they will find space to run that so that the constituents in the community can see it. He said that is how we are going to have to validate it, piece by piece. Councilor Castelli said going back to what Councilor Davidson said, about Medina Park, he looked at it and at other things in the city and did not recognize any of that stuff. He said, and this is a long list of things. Councilor Davidson said some of those things were put at Medina park when automobiles still had fins. Motion was made by Councilor Fitzgerald, by Resolution 2013-12-05, to table this item for the time being until we get more information. Motion was seconded by Councilor Bermudez. Motion unanimously carried.

**10. Discuss and Consider approving longevity pay for city employees. (J. Gonzales)** – Councilor Gonzales said he brought this item up because it was included in the budget and we have been doing this for quite a while. He asked the City Manager if he could help him with the details. The City Manager said absolutely. He said in the employee policy manual there are three ways that an employee can get what is basically deemed a pay increase. He said it is either merit, a promotion or what was called a longevity pay increase. He said the way the personnel policy states it right now is that every year, on an employee's anniversary date, they will receive, basically \$4 per month raise for every year of service, which equates to about 2 ½ cents per hour. He said if you had 30 years of service, through a longevity pay increase, you would get about 75 cents an hour. He said that is not how it has been administered. He said how the longevity pay has been administered is every December, employees receive \$4 per month of service. He said if you worked for 30 years, that would be 360 months times 4 which would be \$1,440 and that has been paid every December to employees. He said some people may deem it a bonus but we have to be real careful, it is not a bonus. He said these are salaried, non exempt employees. He said some of them are salaried and some of them are hourly. He said what it is an award that has been given. He said historically that has been paid so if you look at how the budget was approved for the 2014 budget, that money was in there, in order to pay this amount out in December. He said Councilor Gonzales noted that it was not specifically addressed in the budget meeting, as to whether or not we were going to pay the longevity award again this year. He said that is the question at hand. He said we are asking for the Council's preference on paying that out this year to the employees. He asked Deborah if she had the dollar amount and she said she did not. City Manager Zimmer said he believed it was between \$23,000 and \$26,000. He apologized for not having the exact dollar amount. Mayor Rangra asked if there was a reason it had not been previously included in the budget. City Manager Zimmer said it had been included in the salary line items. He said it was not itemized out. Councilor Gonzales said he would like to go ahead and approve it. He said since we do have it on the budget. Mayor Rangra said the budget was approved. Councilor Gonzales said if we are not approving it, what we need to do is administer the longevity pay. Councilor Gonzales made a motion, by Resolution 2013-12-06, to administer the longevity pay for the city employees. Councilor Bermudez asked if that was being done already. The City Manager said the question that he brought back was just from a visibility perspective because it was not called out in the budget conversations as he could see. He said he was not in the budget conversations. He said the money was allocated to do it but specifically, the question never came up, as to whether or not we were going to pay the longevity pay this year as well. City Manager said he felt comfortable with the Council approving it and he did want to make sure there was absolute certainty. Motion was seconded by Councilor Bermudez. Councilor Fitzgerald said these people are used to getting this for years and

it would be hard to take it away from them. Motion carried unanimously. Bryon from the Big Bend Sentinel asked if this had been administered incorrectly or was it administered in a certain way. He asked if it needed to be reworded to be administered the way they wanted it to be. City Manager Zimmer said the dollar amount was being administered correctly. He said the language in the employee policy was not as clear as we would like. He said as we update the employee policy, we will come back and add some language so that it is not stated as an increase but an award paid out in December. He said once we make the changes on the written policy it will be administered clearly.

**11. Discuss and Consider taking action on adopting a City of Alpine Investment policy in accordance with the Public Funds Investment Act ("PFIA, "Texas Government Code, Section 2256.005) (E. Zimmer, CM) –** The City Manager asked Deborah to speak to the Public Fund Investment Act and our requirements from the city perspective. Deborah said the council had before them a policy draft and we needed to adopt a policy in order to be in compliance with the Public Funds Investment Act. She said by adopting this tonight we will meet the state law requirements and one of the requirements is that the policy be renewed annually thereafter by the council and we make any changes. She said we will be revisiting this again next December. She said one of the things we gain by adopting this is that one of the audit findings was that we were in non-compliance with the public funds lateral act. She said by this, there was \$362,000 in unsecured investments and involving collateral that was not maintained in the name of the City of Alpine and this triggered some issues with the Texas Water Development Board. She said this policy clearly explains the safekeeping and custody and the collateralization of our investments. She said one of the questions that was asked was if cities could invest in zero coupon bonds and the answer yes, that is allowable through this policy but the investment has to be recognized by a national firm that is not less than AA or equivalent and it has to mature in less than 2 years. She said that was confirmed by the TML legal staff. She read a section from the Public Funds Investment Act. She said we might have a little more cost for our auditors because the zero coupon bond would need to be reviewed by an outside auditor. Councilor Fitzgerald said he originally looked at the zero coupons as a long term solution to closing up the dump site because we could buy a 50 year zero coupon bond for a nickel on the dollar and it would cost us next to nothing and when it matured in 50 years we would be able to pay to keep TCEQ happy in closing up the dump site, but if there is a two year limitation, there is no point in it. Deborah said we have taken a very conservative approach. She said there are a few items that the law does allow but if we thought they were too risky we eliminated them from our possibilities of investments options. She said this is a very safe and conservative investment policy. Councilor Fitzgerald said he read the resolution in great detail and he thinks it is an outstanding document. He said it covers everything that we learned in a day and a half at the investment

seminar. Motion was made by Councilor Fitzgerald, to approve Resolution 2013-12-01. Motion was seconded by Councilor Davidson. Motion unanimously carried.

**12. Discuss and Consider taking action on an electrical services proposal from Priority Power Management LLC. PPM will provide a current market pricing analysis and cost-savings potential for City of Alpine budgets. This discussion will cover the Texas electric energy market and illustrate how PPM manages client risk, energy, spend, and provides all levels of customer care for large power clients with large numbers of metering locations. PPM is a leading energy management consulting services firm serving over 1,300 clients with emphasis in Governmental Entities, Oil and Gas, Real Estate, Industrial and Healthcare. (J. Fitzgerald)** – Councilor Fitzgerald said this was brought up because it is a good idea for us to review our electric usage and expenses periodically. He said he does that in his own home every two or three years and if it is valid for a home, why isn't it valid for a city. He said this particular item however, at this particular point in time, the City Manager has requested that we table it because of other responsibilities that he has. He has not had a chance to get through this in any detail and he would like to have this tabled. He said the main purpose to bring this up was to get this back on the table. He said we need to address this. He said this is the only quote that we had and we certainly do not base decisions on one bid. He said it is something to bring up again and we can table this. He said he does not have any heartburn with that. Motion was made by Councilor Fitzgerald, by Resolution 2013-12-07, to table this item. Motion was seconded by Councilor Gonzales. Councilor Castelli said he would like to say that this to him is no brainer. He said if you had 50 credit cards and you wanted to pay 50 bills per month and you would not have any negotiating ability vs. if you had one bill for electric for all our needs, this could be an easy priority for this council and the city to handle and create some cost savings. He said he would encourage that we make this a priority. City Manager Zimmer said he agreed and the reason that he asked this to be tabled was that there is a state pool that we are eligible to buy out of and he thinks we need to do our diligence and look at that as well and see if that plus another quote, and what gives us the best rate, because these folks are asking for either a one, two, three or four year commitment. He said obviously if we went with the four years it would give us their best rate but it is also going to lock us in for four years. He said he would like another month to look at this. Ray Hendryx asked if we knew when the current contract expires. The City Manager said we do not have a current contract. He said we pay all of our own bills. He said we do have to lock in when you buy to realize the best savings. Councilor Castelli said his understanding is that there is hardly a provider of electric that we do not have. He said we are not getting the best advantage and we are spending a lot of money paying all those different bills to keep track of this. Councilor Gonzales said he changed electric companies thinking he was going to get a cheaper rate. He said he did get a cheaper rate

but what they did not tell him was that they were going to pay more money to the people who do have the ability to read the meters. He said he wound up paying an extra amount which negated his savings. He said he is actually paying the same or a little more. He said we need to be careful and look at those things before we commit to several years. He said he is stuck basically paying the same amount with a different company. He said he is saving on the rate but not the payment. Motion unanimously carried.

**13. Discuss and Consider, in conjunction with new City Manager Erik Zimmer, developing a set of defined and measurable goals to guide his Performance during his first 180 days in his position. These goals of the City Council will be used to measure his performance and guide his actions during this critical period. (M. Castelli)** – Councilor Castelli said our new City Manager is already going in a thousand directions and six months will come up and even before six months will come up and he may step on somebody's toes. He said it is important that he has some goals for the Council so that when he does his job he is just following those goals. He said that protects him and that helps the city move forward by actually sitting down and deciding what we want him to spend his time on. He said he thought it was important enough for us to have a public discussion and just identify some goals and also, more importantly, is that, since he has been sitting at his desk for three weeks, he can help us say these are the things that he would like to work on and ask us if we agree. He said tonight we will see how many things on his own that he has tackled already and are these things that we even want him to do. He said this just helps to let a new employee know what our expectations are and something we can use to measure his performance. Councilor Fitzgerald said why doesn't the council try to put together some kind of a list with Mr. Zimmer's input and combine them. It was discussed that a reasonable set of goals should be put together. This should include the sewer, swimming pool, quiet zone, web sites, EDAP, revisit the 2014 budget by January and possibly other goals. A performance contract was also discussed and Councilor Fitzgerald said it was a great idea and we should have a performance contract. Councilor Fitzgerald said he would like a list to talk from. Councilor Castelli said his goal was to resolve this tonight because the next time the Council meets the City Manager will have already been on his job for 45 days. He said we would postpone it again and before you know it he would be 3 months on his job and someone would be criticizing his performance. Councilor Bermudez said how about if we start with the most important things. City Manager Zimmer presented suggested 180 day goals. Councilor Castelli said those were goals to be accomplished over the next 60 days. He said he did not mention anything for 180 days, further out. He said in terms of that he needs to put together a management team. He said it was reasonable that he would have people who were not interim but actual regular full time employees on his management team by then. Mayor Rangra said City Manager Zimmer had a list of things he would like to accomplish and wanted the City Manager to list those items. City Manager Zimmer said

we talk about what are some of the longer period items. He said 1) the sewer which he calls "Virgil's Project Cleanup" where we are taking that residual sludge and getting that moved out from the landfill. He said in his opinion that is a goal to have accomplished by the middle of May. 2) The Landfill – which becomes more of a 60 to 90 day to make a decision as a City Council. He said he has a meeting with TDS and Jimmy Gregory tomorrow reviewing the landfill and some of the mis-burying that Duncan went through and what are the absolute costs to remediate. He said short term we have to make a decision on that in 60 days and within 180 days based on the decision that are we going to do for those next four months. He said he does not think we can note that out until we come to a conclusion. He said another item that he put down there was 3) Training. He said he thinks every employee has to have a training program. He said there are two schools of thought with a City Manager. He said you can go through the CPM course offered by the Texas University Systems or do you go through TML and use conferences. He said he thinks that is important to have in any employees expectation, to accomplish 2 or 3 training courses on an annual basis. He said he likes that to know that the council is supporting him as he goes to all of these different conferences and not saying where is Zimmer and why is he not here in the building. He said the training element is whether he goes down the CPM path or using the TML website or conferences. He said 4) the policy handbook, which we did not talk about in too much detail today. He said absolutely in 180 days and that is dependent upon us having an attorney on staff that we can work with. He said within 180 days we would want to make sure that our policy handbook and our grievance procedure is reviewed and presented back to the council with any updates or changes that are needed. He said another 180 day goal that he has is 5) updating all vendors contracts for services. He said some of the council may or may not know this but we do have vendors out there that are getting paid based on a handshake. He said he is not used to doing business that way. He said he is used to having a vendor with a scope of work depending on how large a contract is or how much we are paying them, having an absolute contract. He said using a pest exterminator as an example, does the person spray once a month or how often. He said we need to go through all of our vendors and make sure that we have active contracts. He said that is an 180 day goal that he set for himself. He said the power piece 6) that we talked about with PPM is probably a 90 day goal to get bids in and analyzing the pricing and making a decision. He said that is a culmination. Mayor Rangra asked if the City manager could make a list of that and give it to the Council Members. Councilor Castelli said he was comfortable with what the City Manager stated and he made a motion by Resolution 2013-12-08, per the City Manager's discussion, that we accept the list as the City Manager's guidance to go forward and that he will confirm that in writing to the council so they can vote to formalize it. Motion was seconded by Councilor Bermudez. Councilor Castelli thanked City Manager Zimmer for taking the time to put that together. Councilor Davidson asked if the City Manager would be bringing the list to the next meeting and having

that to start off with, they would ratify that. Councilor Castelli said that would work. He said we have already heard the list. Councilor Davidson said we are all for that. Councilor Castelli said nothing more and nothing less, that is the list. He said we will have it in writing. He said the City Manager has already heard us say that we liked what he said. He said to the City Manager to keep going, we appreciate what he is doing and he is headed in the right direction according to the Council's wishes, for the most part. Councilor Davidson said one thing that he would bring up and maybe this is "pie in the sky" but he did not know if the City had any kind of a master or strategic plan. He said it is not that we can do one of those in 180 days with just our City Manager but maybe we can work together and find a process by which we could engage city council, citizens and everything for the big vision thing, the five year or the ten year. Mayor Rangra said there is a plan but it is an old one and we need to bring that up to date. Councilor Davidson said that is just one of the things that he would like to have. He said it is not the Master Plan for 180 days but a plan for how to do the vision thing. He said right now we have a lot of day to day stuff that we are reacting to. He said at some point we need to start looking further and that would be something with the citizens and everybody. Mayor Rangra said we need to start looking at the future. Councilor Gonzales said he would like to mention that maybe we could also look at the City Charter but he does not want to put a time limit on it because it does have to go to a vote but he would suggest that we would do that so that we could come up to speed with what is going on now. Councilor Bermudez said we would have to have an attorney first. Joseph Goldman said there is a long range plan which has been published by the City of Alpine and the Planning and Zoning Commission has addressed looking at that and trying to update it. He said he thinks that is a project that is ongoing and could certainly use the City Manager's expertise. Dale Christopherson said he wanted to compliment the council and the manager on a very effective meeting. He said as the council works out and determines what Mr. Zimmer is going to put together for the council in terms of aspirations to him the wording gives him a little flexibility. He said some things will come along that no one has noticed yet. He said in other words, don't make the list the only things that he can address. He said to give him a little leeway for new things. Motion unanimously carried.

**14. Discuss and Consider approving hotel motel funding, in the amount of \$5,000, for Mark Spring, General Manager for the Historic Holland Hotel and the Maverick Inn in Alpine. This funding will be used concerning expenses incurred with a booth at the Midessa Boat, RV, Sport and Gun Show held on February 6th through 9th, 2014 to advertise the Big Bend. (J. Fitzgerald) –**

Councilor Fitzgerald said this was a project that these guys started last year and last year they funded the whole thing. He said what they do is sort of like what they do at the state fair. He said they put out the tables and the tables highlight all the events that occur in Alpine throughout the year. He said last year the Mallory organization funded the whole thing and it was quite

successful. He said they did some quantitative study on the results of that to see if it verified that there were heads in beds and it increased the tourism out here. He said we have been trying to go the direction to try to sponsor new businesses and keep things going like we approved the kite festival and jazz festival and he thinks that is a good direction to go in. He said he thinks this is better than giving more and more money to organizations which have been doing these things and asking us for money for decades. He said that is another opportunity. He said he is not asking for much and it is a new event. He asked Mark Spring to say a few words. Mark said the reason he requested this is because they spent about \$7,000 on this last year. He said as you can see they are sponsoring all of Alpine and all the events. He said they received many compliments on their booth last year. He said they took in around \$50,000 in hotel stays from that event and directly from Midland/Odessa. He said about 40% of Midland/Odessans do not think about travelling south, they think of travelling North. He said they induced some thought about coming south to us. He said also with the influx of the oil field there is a whole new stretch of dollars. He said they had good results and they are not asking for the full amount that they spent, just in advertising and press they spent about \$5,500 last year. He said they would just like to be subsidized this year. He thanked the council for their consideration. Councilor Castelli said he thanked Mr. Spring for coming to the meeting. He said in the past, the council has done a lot of things without any direction or thought. He said what they have done for our hotel, they are eternally grateful. He asked if Mr. Spring approached our tourism director about this because he thinks that this would be funneled through our tourism director who would then approach the council on their behalf. Mr. Spring said he did not. He said he wanted to approach the Council because he thought it was for Alpine in general. He said they had some South County people who attended their function and promoted their agenda. He said he was hoping to open this up to other vendors in Alpine. Councilor Castelli said he was specifically referring to the Alpine tourism director. He said he had no problems with what he is doing and supporting it but he thinks in the future something like this should be funneled to someone that we are paying to run our tourism program. Mr. Spring said he appreciated the advice, he did not know and he would be more than happy to do that. Councilor Davidson said he had a question. He said he worked with the Visit Big Bend group and he is a marketing consultant. He said over the last 30 years he has probably attended 100 consumer shows and he is just interested in the breakdown of cash. He said a county group attended this and had a booth last year and had volunteers and their total cost for mileage at 55 cents per diem and \$60 per day, paying actual prices for a hotel for two couples and the booth fee was just south of \$4,000 with everything combined. He said he was assuming that they were paying staff to go. Mr. Spring said no, he said most of that was incurred in advertising. He said they paid \$700 for a banner to display behind the table. Councilor Davidson said that would be paid for in this trip. Mr. Spring said that is but they also had to pay for all the handouts. Councilor Davidson said all the

hotels contribute to this tax and asked if all the hotels provided them with brochures so that they could advertise all the hotels. Mr. Spring said they are more than welcome to and he has already solicited that. Councilor Davidson said just for information, the city and county have worked together on a state fair booth for a couple of years and there is some display material that is available including a nice banner stand and some display materials that might be able to be made available for them. He said he did not see their booth but if they want to get in touch with him later on, they will see if there is anything they can use. He said that being said, he attended this show once about 9 years ago when it was in the doldrums. He said we are in a different day now. He said he gave away 100 brochures. Motion was made by Councilor Fitzgerald, by Resolution 2013-12-09, to approve the request of \$5,000 for the Midessa show. Motion was seconded by Councilor Bermudez. Gilbert Valenzuela said this item caught his eye. He said he met Mr. Spring a while back and things must have gotten kind of expensive. He said he admired what he was doing. He said he has been over there on a volunteer basis to try to raise money for Alpine organizations. He said it did not cost him that much and he helped raise \$9,000 above what it cost to do the project. He said talking about gas and the booth, he did not see the booth. He said we need to consider what this will really cost because we do have a Chamber of Commerce. He said it would take a couple of volunteers to go up there for three days. He said he would walk with a sandwich board for \$1,000 a day for two or three days. He said for how much effort they are putting into this, they are getting a lot of return. He said that is about \$200 per person in this room. He said that is a lot of money. Councilor Davidson said he agreed that it was inflated but he does not know where all that money goes but obviously they are buying other stuff. He said one of the things that Councilor Castelli said was that we are doing this willy-nilly and we do not have anything written and do not have a budget and this was another give me \$5,000. He said he is not saying it is a bad project but we can't keep doing it this way. He said we need a strategy and we need to have a plan. He said it is easy to spend hotel/motel tax when nobody in town pays it, unless their power goes out and they have to go and stay in a hotel. He said he wants to make this statement now because we have a new city manager and he hopes that when we start planning for the next fiscal year, we can demand some more due diligence on this. He said a hotel in Midland costs \$250 a night and if you are having volunteers you want them to eat well. He said he will vote for this but he would certainly like for us to establish another practice. Councilor Castelli said that same accountability we should hold our director of tourism to, who we spend \$2,000 a month for, for what we have seen. He asked what this man did for his \$2,000. He said that same accountability we need to have as a city. He said this man has a good idea and his question is why aren't we doing it, instead of him. He said maybe next year they can support us as we do it. Councilor Gonzales asked about the heads in beds and said we do not have any proof that is really happening. He said it is a great idea. Councilor Bermudez said this is a new project. She said let's let

him go ahead and give him the money and see what he does and next year when he reapplies for it, that is when he will bring us the proof and results. Councilor Davidson said it is very difficult to account for unless he gives people a special coupon and they bring it back in. He said the county group has a methodology but it is hard to trace your advertising directly to an expenditure in town but what you can do is find some type of metric by which you can quantify your experience and what some people do is count contacts or strictly count the brochures that they hand out. He said the visit Big Bend booth last year gave out about 415 brochures and spent somewhat less than \$4,000 so it came out to about \$8 or \$9 per contact and when you have a strategic plan and you have a certain amount of accountability for your projects, that is one way to account for them is cost per contact. He said when you can do all on line stuff and get 75 cents cost per contact, or you go to another brochure and give away 1,200 brochures in 3 days and it is \$2 per contact, comparing that to \$9 per contact. He said it could have been those 400 people came to town and spent \$2,000 apiece and you would not know it. He said marketing is sometimes like throwing darts at a board sometimes before you know what the numbers are. He said you throw the dart before you know what the score is. Motion unanimously carried.

**15. Discuss and Consider renewing the depository bank contract with West Texas National Bank for a term of one year, through December 31st, 2014. (E. Zimmer, CM)** – The City Manager said earlier in November, Molly as interim city manager received a letter about our depository contract from David Rogers at West Texas National Bank. He said the expiration date of the depository contract is December 31<sup>st</sup>, 2013. He said what he is asking for this evening is a one year renewal with basically exceptions. He said the interest rate paid on deposits will be calculated as explained in our demand deposit account interest statement. He said we have an extension of credit that is also handled through West Texas National Bank. He said the extension of credit is the important element because if West Texas National Bank were to go into default, we have got to secure our assets in the bank. He said that is the real essence of this. He said with the new investment policy that the council approved this evening, it will require us to bid this out annually. He said that will occur before the end of 2014 but what we are asking for this evening is an extension for one year, otherwise we expire on December 31, 2013. He said it is really for the protection of our assets at the bank. Councilor Bermudez made a motion by Resolution 2013-12-10, to approve renewing the depository bank contract with West Texas National Bank for a term of one year, through December 31<sup>st</sup>, 2014. Motion was seconded by Councilor Fitzgerald. Mayor Rangra asked how much money was generally kept on average in the bank. City Manager Zimmer said he would love it to be 2 or 3 million right now. He said we can be from \$600,000 to a million. Councilor Gonzales said there is only a certain amount of money being guaranteed which is \$250,000 and if we have a million dollars in the bank and the bank goes down then we lose money. He said that is why we need an

extension of credit to guarantee us. Mayor Rangra said that is for 2 million dollars and the City Manager said correct. Motion unanimously carried.

16. Discuss and Consider approving first reading of Ordinance concerning approval of on-line credit card payment processing through Traffic Payment.com, LLC for the collection of Municipal Court revenues. (E. Zimmer, CM) – The City Manager said at the last meeting the council approved the use of the trafficpayment.com at the November 19<sup>th</sup> meeting. He said in further discussion with Judge Schlosser, we do need an Ordinance confirming the approval. He said that is the Ordinance that is being presented to you in the packet. He said that is following through with the vote from November 19<sup>th</sup> saying yes, let's do this and putting an Ordinance in place that firms that vote up. Councilor Fitzgerald said we are just formalizing what we have already agreed to. The City Manager said correct. Mayor Rangra asked if an attorney had reviewed this Ordinance. The City Manager said we were working with Judge Schlosser on the Ordinance. Motion was made by Councilor Davidson, by Resolution 2013-12-11, to approve the first reading of an Ordinance concerning approval of an on-line credit card payment processing through TrafficPayment.com, LLC for the collection of Municipal Court revenues. Motion was seconded by Councilor Fitzgerald. Councilor Gonzales asked about the 2% fee that they are charging and wanted to know if it was in addition to the fine. The City Manager said yes. Councilor Gonzales said in other words we are not going to lose 2% because they are collecting money for us. The City Manager said correct, we are charging a fee to allow them to pay on line. Bryon with Big Bend Sentinel asked if citizens were told that this was not the only way to pay. The City Manager said yes, but this is a benefit mostly for the out of town people who speed through Alpine and get a traffic ticket. Motion carried unanimously.

17. Discuss and Consider Authorizing the addition of Erik Zimmer, City Manager, as a signatory for all bank and investment accounts for the City of Alpine, Texas – (Erik Zimmer, CM) – The City Manager said Councilor Davidson had mentioned earlier about the administrative fees and obviously this is the next step in that. He said it authorizes him to sign checks and check investment balances and obviously it is a question of trust. Mayor Rangra said he liked what the City Manager told the newspaper, that he would check all the checks before he had the Mayor or the Mayor Pro Tem signs them, He said he liked that. The City Manager said he sometimes thinks the staff may think he is crazy but he looks at them all. Mayor Rangra said he does too. Motion was made by Councilor Davidson, by Resolution 2013-12-03 to approve authorizing the addition of Erik Zimmer, City Manager, as a signatory for all bank and investment accounts for the City of Alpine, Texas. Motion was seconded by Councilor Gonzales. Motion unanimously carried.

18. Citizen's Comments (limit 3 minutes) - None

**19. Council Member's Comments and Answers –**

**Councilor Bermudez – said she just wanted to welcome Mike Perry back to Alpine and we are glad he is back.**

**Councilor Davidson – said he agreed and also wanted to welcome all the other folks that came out to participate. He said we had a meeting with everything unanimous and that is always good and our new City Manager is doing a good job.**

**Councilor Fitzgerald – said Mike and Cindy it is good to have you back and he also agreed with Councilor Davidson that the new City Manager is doing a good job.**

**Councilor Gonzales – said he thinks the new City Manager is doing a heck of a job, too but we are going to have to check you out at 180 days.**

**Councilor Castelli – said he thinks it is a new era and a new day and it is very exciting in addition to other things to have the new City Manager aboard and he thanked him.**

**Mayor Rangra – said he is in agreement with all the councilmen that the City Manager is doing a wonderful job and he welcomed the press including Mike Perry. He said he read in the newspaper that our staff is belabored. He said he thinks they are a hard working good staff and they know what they are doing and under the leadership of our new City Manager they are going to be moving forward with the proper spirit.**

**Motion was made by Councilor Bermudez and seconded by Councilor Fitzgerald to enter into Executive Session. Motion unanimously carried.**

**20. Executive Session - Pursuant to Texas Government Code, Subsection 551.074, Personnel Matters and Subsection 551.071, Consultation with Attorney -**

- A. Consider Grievance Appeal Hearing for ViCindy Barnett. (E. Zimmer, CM)**
- B. Consider Contract and Contract provisions for City Manager. (E. Zimmer, CM)**
- C. Consider reviewing applications and hiring new City Attorney for City of Alpine. (E. Zimmer, CM)**
- D. Consider pursuing litigation with assistance from District Attorney's Office. (E. Zimmer, CM)**

- E. Discussion with Attorney concerning pending litigation. (E. Zimmer, CM)
21. **Action - Executive Session - Pursuant to Texas Government Code, Subsection 551.074, Personnel Matters and Subsection 551.071, Consultation with Attorney -**
- A. **Action concerning Grievance Appeal Hearing for ViCindy Barnett. (E. Zimmer, CM)** – Motion was made by Councilor Davidson and seconded by Councilor Gonzales for no action to be taken at this time. Motion unanimously carried.
- B. **Action, if any, concerning contract and contract provisions for City Manager. (E. Zimmer, CM)** – Motion was made by Councilor Gonzales and seconded by Councilor Bermudez for no action to be taken at this time. Motion unanimously carried.
- C. **Action, if any, concerning the hiring of a new City Attorney for the City of Alpine. (E. Zimmer, CM)** – Motion was made by Councilor Davidson, by Resolution 2013-12-12, to request that the City Manager gather more details concerning the hiring of a new City Attorney. Motion was seconded by Councilor Fitzgerald. Motion unanimously carried.
- D. **Action, if any, concerning pursuing litigation with assistance from the District Attorney's Office. (E. Zimmer, CM)** – Motion was made by Councilor Fitzgerald, by Resolution 2013-12-13, to authorize the City manager to consult with the District Attorney concerning the pursuit of litigation. Motion was seconded by Councilor Gonzales. Motion unanimously carried.
- E. **Action, if any, concerning pending litigation. (E. Zimmer, CM)** – Motion was made by Councilor Bermudez to take no action on this item. Motion was seconded by Councilor Gonzales. Motion unanimously carried.
22. **Adjournment** – Motion was made by Councilor Davidson to adjourn. Motion was seconded by Councilor Bermudez. Motion unanimously carried. Meeting was adjourned.

I certify that this notice was posted at 5:30 P.M. on December 6th, 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.

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Dr. AvinashRangra, Mayor

Attest:

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Margaret "Molly" Taylor, City Secretary

I, Margaret "Molly" Taylor, City Secretary, do certify that this notice was posted at 5:30 P.M. on December 6th, 2013, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

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Margaret "Molly" Taylor, City Secretary