

**City of Alpine  
Regular City Council Meeting  
Tuesday, September 15th, 2015  
5:30 P.M.  
Minutes**

- 1. Call to Order, Invocation and Pledge of allegiance to the flags – Mayor Rangra called the meeting to order. Virginia Knabb gave the invocation. Mayor Rangra led the pledge of allegiance to the flags.**
  
- 2. Determination of a quorum and proof of notice of the meeting – Mayor Rangra, Councilors Antrim, Salas, Gonzales and Stephens were present. Councilor Fitzgerald had an excused absence. The meeting notice had been posted at 11:30 A.M. on September 11th, 2015. City Manager Zimmer and City Secretary Taylor were also present.**
  
- 3. Presentations, recognitions and proclamations –  
**A. Proclamation – National Night Out 2015 (A. Rangra, Mayor) – The public was invited to attend on October 6<sup>th</sup> at 6 P.M. at Kokernot Park. The Mayor made the presentation to Police Officer Leticia Carrillo.****
  
- 4. Reports –  
**City Mayor’s Report - (A. Rangra, Mayor) – Mayor Rangra talked about the changes to the Rules and Procedures. He asked the public to focus on the item. He said if there is something someone does not like, let us know. He said do not get emotional. He said we do not want to get personal. He said he has not used the gavel and does not intend to use it during his tenure as a Mayor. Mayor Rangra thanked Rick Stephens for presiding over the last meeting. He said on September 12<sup>th</sup>, he attended an adult spelling bee contest at the library. He said our restroom project is a little delayed. He said we had a little problem with the newspaper ads being published. He said we should be able to still get the long awaited restrooms at Centennial Park. He will serve as a moderator on a panel on the 24<sup>th</sup> at TML. He said the train traffic may be impacted by the end of the year. He said the law was passed in 2008 concerning positive train control. He said all trains have to be equipped with software to prevent accidents from happening. He said the deadline is the end of this year. He said they are halfway through fixing the problem. He said they are asking the federal government to give them a three year extension. He said the trains carry a lot of stuff. He said if they do not get the extension we will have no Amtrak, no freight trains. He said the trains carry chemicals and chlorine gas is used in a lot of ways, including water purification. He said ammonia gas is used for fertilizer.  
**City Manager Report – (E. Zimmer, CM) – City Manager Zimmer gave the following report:******

- **TCEQ Permit Approval WWTP – TCEQ Permit for our WWTP Administratively Complete**
  - **WQ00114349001 – EPA ID No TX0022985**
  - **Mayor placed copy in all elected officials boxes**
  - **Published notice in paper on September 3, 2015 and have a copy available at City Hall for perusal**
  - **Does not impact our ability to push effluent to tank at Kokernot Park for re-use on Golf Course**
  - **Next step is Technical Review by Regional TCEQ representative.**
- **Paving Update -**
  - **Targeting on Paving last 5 blocks over this week and next (Phelps, Garnett, 10<sup>th</sup>, 13<sup>th</sup>)**
  - **Have 2 team members focusing majority of their time on Pothole repair (picture next page). With decrease in rain, we've made quicker progress**
    - **Testing new material (Type D – Hot Mix/Cold Mix) as well as RAP material from TxDot/County**
  - **Closing in on completing Paving for new taxiway at the airport**
  - **Spent 32.9% more on Street Materials this year than budgeted (through 11 months). Constricted spend in other line items on Public Works budget.**
  - **Keith Jarrett will provide some cost estimates to City this fall for us to review if we outsourced the building of roads to his company and focused on patch and sealcoat with our existing team**
- **Police Department Update –**
  - **Call volume in August was typical of monthly trends. Continue to work with School District and UPD on creating safe environment in City.**
  - **Training this week: Fire-arm, Terrorism Awareness and K-9 Encounters**
  - **Asset Forfeiture Equitable Sharing Fund (PD-FED) is where City receives dollars via Federal Cases to be used on local Law Enforcement. We typically use this fund to off-set Vehicle Costs from our General Fund**
  - **Also utilizing \$6K received back from insurance company to continue upgrading technology and capabilities in the Police vehicles**
  - **Homeland Security Dollars received this year have been focused on our P25 initiatives tied to radio conversions from Analog to Digital for P25 Compliance needs.**
  - **Utilizing Mobile Camera on Fuel Farm at Airport**
- **Keep Alpine Beautiful Update –**
  - **New Glass Crusher here in Alpine**

- Next step is to remove old crusher, then install new one
- Will build awning/covering over the Crusher after it is up and functional
- Electronics Recycling starts tomorrow at old Firehouse
- Volunteers from NJHS and KAB – still need more
- City Website has full information on the Electronics event
- Will close brush-drop off point for remainder of week and redirect staff members to recycling event
- Income Statement, Budget Variance, Specified Activity Report -
  - Finance Director, Department Heads and City Manager continue to track expenditures daily/weekly through close of fiscal year
  - Cash Position in Fund 04 and Fund 08 – very good position
  - Public Works – tracking at 32.9% over the annual projection for Material spend for Paving and Street Repair
  - Good Sales Tax Month in August - \$1900 over projection
  - City Manager Zimmer talked about the charts and the section on Charter Language Section 5.06.
  - City Manager Zimmer talked about the four month trend in General Fund, Water-Sewer-Sanitation, Airport, HOT and Gas and the results year to date.
- Section 5.06 Budget Amendments after adoption –
  - D) At any time during the fiscal year, the Manager may transfer part or all of any unencumbered appropriation balance among programs within a department, office or agency, up to a limit set by the City Council. The Manager may make written request to the Council to transfer balances in excess of said limit with Council approval. No funds may be transferred to increase a salary appropriation without the approval of the Council. Upon written request by the Manager, the Council may by ordinance, transfer part or all of any unencumbered appropriation balance from one department, office or agency to another. The City Manager said he is targeting the second meeting in October to present transfer requests. He said if we need to pass an Ordinance, making that declaration, so be it.

The City Manager said he wanted to have some dialogue on the last item. He said it is important, especially since we work with the auditors and we think about the declarations and ordinances that were passed in September of 2014 and how we ended up at the end of the fiscal year. He asked what is Council's preference on that and the idea that Megan and he, and Molly has been involved with this too, since she has more history with the City. He said we certainly believe it is good to declare how we finish the year on October 20<sup>th</sup>. He said he does not have specific numbers because we still have a few days to go. Mayor Rangra spoke about interfering. He said we are very proud of the Council and Erik and the City staff. He said the City Manager has his own boundaries and the Council needs to give instruction

to the City Manager and let him do his job. Councilor Gonzales said on the City Manager report the City Manager is asking to draw money from the Sewer and Sanitation fund and that is an Enterprise fund. He said he did not think we were allowed to dip into the Enterprise fund other than the money percentage that we are allowed for services rendered, like writing checks. The City Manager said this would not be a fund four or fund one. He said they all reside in the same fund. He said when you look at that particular fund, we are looking at if it is over performing and if that could be used on the water side. Councilor Gonzales said he would like to ask the lawyer to look into that and see if we can tap into the Enterprise fund, whether we pass that or not. Councilor Gonzales said water, sewer and sanitation all sit in fund four. He said he understands that the money in Enterprise fund is to be used for that purpose only. He asked what would be the City Manager's alternative. The City Manager said in the Charter, 5.06-a it allows for petitioning if you have extra revenues. He said he would petition through the 5.06-a. Councilor Gonzales said 5.06-a does not address Enterprise funds and that is why he would like to ask the lawyer. The City Manager said the Charter is looking at the funds through a budget perspective and looks at all divisions. Councilor Gonzales said in some of the income statements and budget variances, we are already showing money being transferred. The City Manager said where are we showing money being transferred. Councilor Gonzales began looking through his paperwork. Mayor Rangra asked if the City Manager would come before Council before the money was transferred. The City Manager said absolutely, that is why we are having the dialogue today. The City Manager said we do pay our payroll out of our payroll fund. He said each department does have to transfer for payroll, but that has been the course of action for years. Councilor Gonzales said he thought we limited it to \$5,000. Mayor Rangra said no, that is different. He said you can transfer any amount of money if you have Council's approval and you have an Ordinance. Councilor Gonzales said he was unable to find it but would bring it to the City Manager when he found it. He said he was just trying to get a better understanding of what is going on here as far as money transfers are concerned. The City Manager said he and Megan make this offer to Council and they give it to the community all the time. He said they are happy to sit down with an Elected Official or a citizen at any juncture. He said we do ask people to make appointments. He said one thing that happens with an open door policy is that sometimes you get 6 people who show up at once and we certainly try to schedule appointments. He said we are more than glad to sit down and talk. Councilor Stephens said the only comment he has to make is that if we have excess money where we have debt, we can pay off the debt faster. The City Manager said that is why we formed an investment board to make that recommendation to council. Mayor Rangra said state law requires that we do that. He said we need to make investments in such a way that we will not lose money. Councilor Gonzales said in any case it has to be brought back to the Council. He asked Barbara to give a written opinion for this. Barbara said she would follow up

with Councilor Gonzales tomorrow.

City Staff Updates – None

5. Public Hearings –

A. Public Hearing to obtain citizens views and comments concerning Ordinance 2015-09-01, an Ordinance amending the City of Alpine Code of Ordinances, Chapter 2, Administration current section 2-91. Ordinance 2015-09-01 – The City Manager shall receive such compensation as the City Council establishes as part of an employment contract between the City and the City Manager. The City Council will approve the initial contract by Resolution. Any changes in the actual amount of compensation will be approved by the City Council by Resolution. (R. Stephens) – Councilor Stephens said this was brought up a couple of weeks ago. He said a city ordinance is required to approve the City Manager’s salary. He said the Ordinance was put into effect 37 years ago and we have never followed that resolution in 37 years. He said it has always been done by Resolution. He said it also requires a surety bond which has not been done. He said the surety bond is supposed to be paid for by the City but the City Manager is supposed to go out and pursue that. He said in essence what the proposed ordinance does is to revise the language of the Ordinance in regards to the practice that the City Council has been doing for the past 37 years. He said one important aspect is whether or not this provides opportunity for the Resolution and for input from the audience and from members of the City. He said all Resolutions require discussion because they are part of our action items. He said this is consistent with the contract that the council adopted for the City Manager and it is consistent with the 37 years that no Ordinance has been passed and that is why he is bringing this ordinance forward. Manfred Fritsche said Mr. Stephens said the Resolution required notice to the public. He said he is very sure that this Ordinance will pass but he would like to put his views on the record in opposition to that ordinance. He said the reason is that it is basically a choice between an Ordinance or a Resolution. He said on June 16<sup>th</sup> the Council retired into Executive Session to evaluate the performance of the City Manager. He said that was all that was listed on the agenda. He said everyone was ushered out and when the Council reconvened, the Council passed by Resolution, a car allowance. He said he learned of that by accident. He said he filed a TPIA request and that was a part of it. Mr. Fritsche read from a portion of the City Manager’s contract. He said he could not understand why that action was taken with the public not having been given any notice that the car allowance was about to be enacted. He said he suggested two alternatives, put it back on the agenda, rescind that action and put a new action item on a future agenda for the Council to consider the car allowance. He said he was told that it was up to the Council whether to pursue this with a new

action item. He said the public has a right to know what is coming up before the Council for action purposes. He said he knows the Mayor is a stickler for TOMA and he read it again and he came to a little footnote which concerns case law. He said it said the Council has a great deal of leeway in this. He said he believes the citizens should be informed about things like this. Mr. Fritsche continued to deviate from how the item was listed. Mayor Rangra stopped him and reminded him of what the item was. He said this item concerns an Ordinance and a Resolution. He said in either case the public would be informed. He said what has happened in the past has happened in the past, but from now on, it will be done by resolution and the public will know about it. He said that is what this item is about. Mr. Fritsche said he was going to suggest amending the current Ordinance to state mandatory notice to the public. Mayor Rangra said when you make a mistake and you realize it you have the opportunity to fix it. Mayor Rangra said he would talk to the lawyer about the car allowance. There were no other public comments on this item.

**B. Public Hearing to obtain citizens views and comments concerning Ordinance 2015-09-02, an Ordinance closing and abandoning a partial part of the street, the West 26.56 feet of Garnett Street which adjoins Lot 4, Block 62 of the Hancock Addition.) (E. Zimmer, CM) – The City Manager said the first reading was at the last meeting. There were no citizens comments.**

**C. Public Hearing, to obtain citizens views and comments concerning Ordinance 2015-09-03 (An Ordinance closing and abandoning 14.4 feet x 60.46 feet x 14.4 feet x 60.51 feet (871.38 feet), Block 62, Hancock Addition B (505 E. Sul Ross Avenue) (E. Zimmer, CM) – The City Manager said the first reading of the Ordinance was at the last meeting. There were no citizens comments.**

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

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

**B. Approve Minutes of August 4<sup>th</sup> Special and Regular Meetings (A. Rangra, Mayor) –**

**C. Discuss and Consider approving Board and Commission Appointments – (E. Zimmer, CM)**

1. Gerri Davis, Ward 4, Bldg. and Standards Commission. (J. Gonzales)
2. Joseph Goldman, Ward 4, Environmental Board. (J. Gonzales)
3. Angela Bermudez, Mayor Appt. Environmental Board (Mayor Rangra)

Councilor Gonzales asked that item C-2 be moved to action items so that it may be further discussed and a name changed.

Motion was made by Councilor Stephens, by Resolution 2015-09-12, to approve items A, B and C-1 and C-3 of the Consent Agenda, which includes the accounts payable, the minutes and board appointments. Motion was seconded by Councilor Salas. Motion passed 4-0.

**7. Information or Discussion items – (Citizens are allowed to comment – limited to 3 minutes – after being called upon by Mayor.) –**

**Action Items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. (Action items limited to (up to) 10 per meeting.) (Citizens are allowed to comment–limited to 3 minutes – after being called upon by Mayor)**

- 6. C-2 – Discuss and Consider approving Board and Commission Appointments. (E. Zimmer, CM) #2. Joseph Goldman, Ward 4, Environmental Board. – Councilor Gonzales said he wanted to nominate Gerri Davis for Ward 4 of the Environmental Board. Motion was made by Councilor Gonzales by Resolution 2015-09-13 to approve the appointment of Gerri Davis to represent Ward 4 for the Environmental Board. Motion was seconded by Councilor Stephens. Motion carried 4-0.**
- 8. Discuss and Consider approving second and final reading of Ordinance 2015-09-01, an Ordinance amending the City of Alpine Code of Ordinances, Chapter 2, Administration, current section 2-91, Ordinance 2015-09-01 – The City Manager shall receive such compensation as the City Council establishes as part of an employment contract between the City and the City Manager. The City Council will approve the initial contract by Resolution. Any changes in the actual amount of compensation will be approved by the City Council by Resolution. (R. Stephens) - Councilor Stephens explained the proposed new Ordinance. Councilor Gonzales said he would like to ask a question about the resolution and the ordinance. He said he does not see that the Ordinance was removed. Barbara said the Ordinance is still in place. Councilor Stephens said Section 2-91 would be**

replaced. Councilor Gonzales asked if the Resolution that was made before was valid or was not valid. Barbara said she believed that since this procedure was done for as long as it had been done, the Council effectively ratified this new procedure. She said it is technically more correct to go ahead and make this change and then the Council can go back later and ratify the action that took place and make it retroactive so that it is effective as of the date that you originally took the action. She said that is the easiest way to do it. Councilor Gonzales said he would like to point out that in the Resolution we did not review the City Manager at all. He said we went straight from that to the compensation for the auto. He said we should do that now, is that correct? Barbara said her understanding was that was a review of the City Manager and it is up to the Council what they say when they are reviewing the City Manager. She said that is a management decision that the Council made when they did a review of the City Manager. Councilor Gonzales said we are City Council, we are not management. Barbara said you are making a decision about how you are reviewing the City Manager and it is her understanding that the Council was reviewing the City Manager at that time. Councilor Gonzales said they were not reviewing the City Manager and they gave the City Manager what he had already signed a contract for, whatever dollar amount was put on that. Barbara said she does not know for sure, herself, the technical terms of the Manager's contract, as far as an automobile, for full use at this time. She said she has not looked at that for this meeting. She said that is not what is being discussed here today. She said she will look into that for Councilor Gonzales. She said she also feels that we should not discuss the terms of the contract because that is not what is on the agenda today. Councilor Gonzales said okay. Mayor Rangra asked if he heard Barbara correctly about Section 2-91 and that it should be deleted from the Ordinance. Councilor Stephens said the Ordinance proposes a Revision for Section 2-91, the current Ordinance states "The City Manager shall receive such compensation as the City Council shall affix from time to time by Ordinance and shall furnish such surety bond as they require by the City Council by Ordinance, the premium to be paid by the City". Councilor Stephens said the Ordinance would be replaced by the following Ordinance. "The City Manager shall receive such compensation as the City Council establishes as part of an employment contract between the City and the City Manager. The City Council will approve the initial contract by Resolution. Any changes to the actual amount of compensation will be approved by the City Council by Resolution". Mayor Rangra said so the current wording will be replaced by that. Councilor Stephens said that is correct. Councilor Gonzales asked Barbara if she thought we should go ahead and do this again and then apply it to the new rules, is that correct? Barbara said when you say do this again are you talking about ratifying the previous vote? Councilor Gonzales said yes. Barbara said the previous decision about the City Manager's car allowance, is that what you are talking about? Councilor Gonzales said yes ma'am. He said he was talking



about that and the fact that the City Council would approve the initial contract by Resolution. He said he does not think the contract has been approved by Resolution either. Barbara said she did not know the answer to that because again the contract itself is not on the agenda. She said generally when you pass a contract you are taking an action as a Council that is a Resolution. She said she believes it has been passed by Resolution. She said she has not researched that issue but she can research that for him. Councilor Gonzales asked that Barbara return something to him in writing, please. Barbara said yes sir. City Manager Zimmer told Barbara that Mick has that information and that he was there at that meeting. Councilor Salas said she thought everything was finished because we voted on it. Councilor Gonzales said it was not part of the Ordinance. Councilor Salas said we have not used that Ordinance in 37 years. Councilor Gonzales said two wrongs do not make a right. Councilor Salas said we have already voted on it so whatever we fix at the next Meeting, we can go from there forward. She said right, Barbara? Barbara said we are just dotting our i's and crossing our t's and it will still be effective on the date that we originally took the action. Mayor Rangra told Barbara that Councilor Gonzales has asked her to give him an opinion in writing. He asked if that needed to be a part of the motion. Barbara said no, there does not need to be any motion for that. Councilor Stephens made a motion by Resolution 2015-09-14, to approve the second and final reading of Ordinance 2015-09-01, amending the City of Alpine's Code of Ordinances, Chapter 2, Administration, current section 2-91 to replace the wording that currently exists with the proposed section as listed in our book. Motion was seconded by Councilor Salas. Mayor Rangra said that was a good motion. Manfred Fritsche said the City Charter in Section 3.14 talks about any ordinance which repeals or amends any existing ordinance shall set out all sections to be repealed or amended. He said he assumed that was in this ordinance. Councilor Stephens said it was. He also said the City Manager's employment contract in Section 3. He said it has the following sentence in there. He said it states the city further agrees to increase the base salary and other benefits of the manager annually in such amounts and to such extent as the Council deems desirable and absent any action by the Council the base salary of the manager shall be increased annually by a percentage equal to the average percentage wage increase budgeted for the department heads. He said he wondered if there was a linkage between that and the new ordinance. Councilor Stephens said the City Manager's contract does comply with the Charter for the City Manager's salary. He said that was part of the discussion in June and no one was here to listen. Mr. Fritsche said he thought we should leave the Ordinance alone and not bother with this. Mayor Rangra said we will wait for a response from Barbara and see what we can do. Carl Fleming said a lot of this has stemmed from a car allowance. He said the contract says the City Manager will be furnished a car at the expense of the city. He said he has never seen the City Manager drive a car at the expense of the city. He

said the City Council has been elected by the City of Alpine. He said if you have a question on the compensation factor you need to contact your councilman. He said he believes Mr. Zimmer is being fairly compensated. Angie Bermudez said she disagreed with what Councilor Salas said about dotting our i's and crossing our t's. She said she does agree with what the Council is doing about going back so that we can make sure that Erik gets his car allowance. Councilors Antrim, Salas and Stephens voted in favor. Councilor Gonzales voted against. Motion carried 3-1.

9. Discuss and Consider approving the second and final reading of Ordinance 2015-09-02, an Ordinance closing and abandoning a partial part of the Street, the West 26.56 feet of Garnett Street which adjoins Lot 4, Block 62, of the Hancock Addition. Wayne and Mary Sheehan have agreed to pay the City of Alpine the appraised value of \$3,689.00 in order to obtain this property from the City of Alpine. (E. Zimmer, CM) – The City Manager said prior to this meeting, Molly has drafted the warranty deed for this proposed transaction. He said the Council also has a copy of the check provided to us by Wayne and Mary Sheehan. He said from a city perspective this makes sense to sell this piece of property. He said it is really of no specific use to the city. He said we do not have any utility issues in selling a portion of this lot to the Sheehan's. He said the city staff does recommend approving this Ordinance. Motion was made by Councilor Stephens, by Resolution 2015 - 09-15, to approve the second and final reading of Ordinance 2015-09-02, an Ordinance closing and abandoning a partial part of the Street, the West 26.56 feet of Garnett Street which adjoins Lot 4, Block 62, of the Hancock Addition. Motion was seconded by Councilor Salas. Motion carried 4-0.
10. Discuss and Consider approving the second and final reading of Ordinance 2015-09-03, an Ordinance closing and abandoning 14.4 feet x 60.46 feet x 14.4 feet x 60.51 feet (871.38 feet), Block 62, Hancock Addition B (505 E. Sul Ross Avenue). The value of this property is \$871.00. Owners of the adjoining property are Hatem and Mindy Merhi who will purchase the property. (E. Zimmer, CM) – The City Manager said the Merhi's have already given us a letter of their intention to buy this property. Councilor Gonzales made a motion, by Resolution 2015-09-16, to approve the second and final reading of Ordinance 2015-09-03, an Ordinance closing and abandoning 14.4 feet x 60.46 feet x 14.4 feet x 60.51 feet (871.38 feet), Block 62, Hancock Addition B (505 E. Sul Ross Avenue). Motion was seconded by Councilor Salas. Finance Director Megan Antrim said Hatem would bring in the check tomorrow. Motion carried 4-0.
11. Discuss and Consider approval of RAMP Grant for Alpine Casparis Municipal Airport for FY 2015/2016. (E. Zimmer, CM) – The City Manager said the RAMP grant acceptance occurs in September of every year. He said we have been allocated \$20,000 in our RAMP grant. He said that

means that the city will pay \$10,000 and the RAMP grant will pay \$10,000. He said Megan administrates the grant for us. Councilor Antrim asked if this grant had anything to do with the grant that we are looking at from TxDot to do the repairs at the Airport. The City Manager said no ma'am. He said this does not. Councilor Antrim said this would take care of different types of repair. The City Manager said the RAMP grant takes care of basic routine things that we do at the Airport. He said we could theoretically do some of the cracks with the RAMP grant. Mayor Rangra said this is more for maintenance. The City Manager said during the Aviation Conference he attended, he did sit in on a session on RAMP grants. He said they are becoming more particular, looking at what is being submitted for reimbursement. He said we are sending Megan out for training in October. He said at that training they will talk about what things are eligible for the RAMP grant. Mayor Rangra said this is routine and we get it every year. The City Manager said that was right. Motion was made by Councilor Salas, by Resolution 2015-09-16, to approve the RAMP grant for Alpine Casparis Municipal Airport for FY 2015/2016. Motion was seconded by Councilor Gonzales. Motion carried 4-0.

**12. Discuss and Consider approving the appointment of Pete Peterson to the Investment Advisory Committee. (E. Zimmer, CM)** – City Manager Zimmer said we need to have an outside person on our Investment Advisory Committee. He said he works with WTNB and they have said this would not be a conflict of interest. He would not vote but would advise the committee, which consists of the Finance Director, the City Secretary and the City Manager. He said he thinks Pete Peterson will be good to dialogue with. Motion was made by Councilor Stephens, by Resolution 2015-09-17 to approve the appointment of Pete Peterson to the Investment Advisory Committee. Motion was seconded by Councilor Salas. Motion carried 4-0.

**13. Discuss and Consider approving the Official City Holiday List for FY 2015/2016. (E. Zimmer, CM)** – Mayor Rangra said the Council has had the opportunity to see the list. The City Manager said we have not increased or decreased the list from last year. He said we view this as part of our employee benefit package to recruit and keep employees. Motion was made by Councilor Stephens, by Resolution 2015-09-18, to approve and adopt the Official City Holiday List for FY 2015/2016. Motion was seconded by Councilor Gonzales. Councilor Antrim asked why the city did not get Texas Independence Day. The City Manager said we have not had any employees bring that up. Councilor Stephens said if we add more holidays we have not budgeted for it. Councilor Antrim said the citizens of Texas have a very strong pride in their state and she thinks we should recognize this date. Mayor Rangra said we could still do this. Councilor Salas asked about the Thanksgiving holidays. The City Manager said if we dropped another day to put in Texas Independence Day it might conflict with some days off. Motion carried 4-0.

- 14. Discuss and Consider approving and adopting the 2015 Tax Year Proposed Property Tax Rate for the City of Alpine, Texas by Ordinance 2015-09-05. A tax rate of \$0.5385 per \$100 valuation has been recommended for FY 2015/2016 budget, M&O is .439453, I&S is .099047. (E. Zimmer, CM) -** Barbara Quirk said she gave some language to Councilor Antrim. She said in the motion, after the first sentence, she would add by Ordinance 2015-09-05. City Manager Zimmer said because the valuations of property in Alpine went up the effective rate is less than 1% lower than what our proposed tax rate is. He said even though .5385 is what we used last year and we are still using that number, because valuations of property rate went up, the effective rate went down. He said reading through the state required language we do need to make a motion that talks about this percentage rate increase. He said that is what Barbara gave to Dr. Antrim. Mayor Rangra said he should have a copy of this too. Barbara said she just sent this out right before the meeting and there was no time to send it out to everyone. She said she asked the Finance Director to give it to a Councilmember. She said she did not get the language to everyone. Mayor Rangra said that is great but she has his email address and could have emailed it to him. He said he should know what is going on instead of being surprised. He said he should have a copy of all the correspondence. He said it is not administrative. He said it just looks good if the chair has that information. He said he is reading this item 14 as is. He said now it is going to be different from what he just read. He said he knows some of the rules and you cannot just make changes that you feel like. He said this should have happened a long time ago. He said Barbara had a copy of the agenda last week on Friday and she approved it. Barbara said she was sorry and she was out sick on Friday. Mayor Rangra said Barbara approved it and Molly printed it and gave it to all the Councilmembers and posted it. He said when you make a change in the items then it becomes a modified agenda. Barbara said it is okay to make this change because it is required by law and we had to make this change. She said it is not something that is going to change the notice aspect of the agenda. She said the notice to the public is still good and the public has also received notice by newspaper of these tax items. She said it is a provision in the law that the motion has to be made a certain way. She said the item on the agenda is just the notice to the public of what is going to be discussed but the council members can make any motion covered by that topic. She said she did apologize that she did not bring this to the Mayor's attention last week but she felt it was too important to let that pass. She said it is required by law. Mayor Rangra asked Barbara when did she find out that we needed to have that motion. Barbara said today. Barbara said she always speaks to Erik before the meetings about the agenda and she went over the agenda with Erik, each item, and as she read that item she realized that there was an omission in that item and it is a very technical issue. She said the tax code is very complicated. She said

it is something that needs to be added in the motion but it is still covered by the agenda topic. Mayor Rangra said Barbara, as a lawyer, should have been aware of this law on Friday when this item was approved and she found it today. He said that is fine. Mayor Rangra said what we used to do when the tax rate is to be approved each council member had to vote yes or no. He asked if that was still the way it needed to be done. Barbara said that is correct. Mayor Rangra said he was going to ask each council member to say yes or no separately. Barbara said that is correct. Mayor Rangra said those instructions did not come to the Council. He said he knew about it from his experience. He said these kinds of things the Council has to be aware of, so we don't end up making mistakes and then somebody comes in and tells us that we made a mistake. Motion was made by Councilor Antrim, by Resolution 2015-09-19, to move that the property tax rate be increased by the adoption of a tax rate of 0.5385 which is effectively a 0.9561 percent increase in the tax rate by Ordinance 2015-09-05. A tax rate of 0.5385 per \$100 valuation has been recommended for FY 2015/2016 budget, M&O is 0.439453, I&S is 0.099047. Motion was seconded by Councilor Salas. Councilor Antrim voted yes. Councilor Salas voted yes. Councilor Gonzales voted yes. Councilor Stephens voted yes. Motion carried 4-0.

**15. Council Member Comments –**

**Councilor Antrim** – said she would like to thank those who stayed for the entire meeting. She said she thought we accomplished a great deal tonight.

**Councilor Salas** – said she also would like to thank everyone for coming. She thanked Erik and the staff for their hard work and said it was a good meeting.

**Councilor Gonzales** – said he thought it was a good meeting and was glad that after 37 years we are finally doing things right.

**Councilor Stephens** – said thanks and see you next meeting.

**Mayor Rangra** – said he would like to join his Councilmen in applauding all the hard work that the staff has done and to the citizens for staying through this entire meeting.

**16. Executive Session – None**

**17. Action After Executive Session – None**

**18. Adjournment – There being no further business, meeting was adjourned upon the motion of Councilor Salas and seconded by Councilor Gonzales.**

**Meeting was adjourned.**

**NOTICE: The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.086 (economic development).**

I certify that this notice was posted at 11:30 A.M. on September 11th, 2015, 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 11:30 A.M. on September 11th, 2015, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

---

Margaret "Molly" Taylor, City Secretary