

CITY OF FORT STOCKTON, TEXAS  
 MINUTES OF: REGULAR CITY COUNCIL MEETING  
 DATE OF MEETING: OCTOBER 23, 2018  
 TIME OF MEETING: 5:30 P.M.  
 PLACE OF MEETING: CITY HALL COUNCIL CHAMBER

VOTED NAY  
 VOTED AYE  
 SECONDED  
 MOVED

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:  
 RUBEN FALCON, JAMES WARNOCK, PAM PALILEO &  
 DINO RAMIREZ  
 ABSENT: JOE CHRIS ALEXANDER & MIKE URETA, JR.

MAYOR: JOE CHRIS ALEXANDER  
 CITY MANAGER: FRANK RODRIGUEZ III  
 CITY SECRETARY: DELMA A. GONZALEZ  
 CITY ATTORNEY: JESSE GONZALES, JR.

**Council Member Falcon** called the Regular Meeting to order at 5:30 p.m. after declaring a quorum present.

**City Manager Rodriguez** gave the Invocation.

**Council Member Warnock** led the Pledge of Allegiance & Pledge to the Texas Flag.

**Council Member Palileo** read the Mission Statement: **"The Mission of the City of Fort Stockton Municipal Government is to Promote & Value Public Confidence and Trust by the Accountable and Responsible Use of Community Resources; to Ensure Public Safety; Improve Public Services; Promote Local Recreation and Entertainment; and Generate Economic Development."**

**PROCLAMATION:** Endorsing November 9, 2018 as "Veterans Day."

**Council Member Falcon** read the proclamation endorsing November 9, 2018 as "Veterans Day."

**FIRST ORDER OF BUSINESS:**

**1. Consent Agenda:**

**Minutes:**

- Regular Meeting Minutes of Fort Stockton City Council, 10/09/2018
- Regular Meeting Minutes of Convention & Visitor's Bureau, 09/18/2018
- Regular Meeting Minutes of Housing Authority Board, 09/19/2018
- Regular Meeting Minutes of Fort Stockton Intergovernmental Recreation Board; 09/19/2018
- Regular Meeting Minutes of Fort Stockton 4A Economic Development Corp., 09/20/2018
- Special Meeting Minutes of Fort Stockton 4B Economic Development Corp., 09/20/2018

Accounts Payable Total: \$ 566,990.42

Accounts Recap Total: \$19,234,872.12

Motion was made, seconded and carried unanimously to approve the Consent Agenda, as presented.

FALCON  
 WARNOCK  
 PALILEO  
 RAMIREZ

X

X

X  
 X  
 X  
 X

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**SECOND ORDER OF BUSINESS:**

**2. Senior Civil Engineer Steve Synovitz with Hanson Professional Services Inc. —  
 30-Inch Water Transmission Line Project Update**

Engineer Steve Synovitz with Hanson Professional Services Inc. introduced the Mr. Hank Lewis, proprietor of Nelson-Lewis, who traveled from Marble Falls.

He reported that:

- 7 miles of the project's 8.5 total miles had been completed;
- Approximately 210' of rock remained at the Water Treatment Plant. This will be an extremely challenging environment to install the pipe in;
- 7-Year Old Fault Line – Some flexible fittings were designed by them that will allow the pipe to move in this 1,000' gap in the event that it should open up again. These fittings which took 6 months to manufacture should be arriving the following week;
- County Right-of-Way - A small 300' gap remained where this area will be crossed with an open-cut casing;
- TX DOT State Highway - Due to a conflicting fiber optic telephone line, the amended permit from TX DOT was received/approved to realign the piping by 18 linear feet on the other side of the State Highway portion. The contractor previously installed bored casing under this highway and they were now ready to proceed; &
- Comal Energy Group – Due to a scheduling conflict with the railroad regarding the transporting of and off-loading of another piping project, there will be a slight delay to the City's schedule. The next shipment is October 29<sup>th</sup> which lacks ample time to install the pipework before this occurs. His plans are to meet with a representative from Comal Energy Group.

Even though all of the pipe was installed going up the hill toward the Water Treatment Plant, there was a low point along that alignment. In observing the profile, the Water Treatment Plant was roughly 80' lower than the Belding Pump Station so therefore the pumps would not necessarily need to be turned on. There will be enough gravity to force that water to the plant without pumping.

A blow-off valve will be installed for debris that could get trapped in this low spot if there is not ample velocity in the pipe. This valve can be opened to allow the high velocity to escape and clear out the line.

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For future issues, gate valves will also be installed throughout the line to shut it. This will prevent the draining of approximately 10 million gallons of water from the entire 8.5 mile long line.

To prevent damage to the pipe due to a high-pressure surge/event, automatic pressure relief valves will be installed at two (2) locations. The Water Treatment Plant location is the most likely area where this could occur because it is the lowest point with the highest pressure differential from the water that is coming in from up the hill. The other one will be *near* the treatment plant and not along the line but will replace the one that was previously there. Both devices will be set to a certain pressure to automatically open to let the water escape instead of rupturing the pipe.

**To Date Summary Through 10/22/18:**

- **Pipe Installation:** Approximately 38,390 linear feet of 45,500 linear feet = 84.00% of Total Pipe;
- **Cost Progression Through 09/30/18:** \$1,605,765.92 39.03% of the \$3.155 million = 51% of Contract Price; &
- **Schedule Progression:** 182 Days of the 405 Day Contract = 45% of the Contract Time.

**Looking Ahead:**

- 210 Linear Feet remains at the Water Treatment Plant;
- 1,000 Linear Feet remains Along the County Right-of-Way;
- 300 Linear Feet remains at County Highway Crossing; &
- 5,600 Linear Feet remains Along State Hwy.

**Today:**

- There were 2 lines that are extremely close to each other. He wanted to ensure that the 20" concrete steel cylinder pipe was not damaged because it was the main artery for water into the community and the 10" blue PVC water line provided treated water to the prison. He was very impressed with how Nelson-Lewis surgically removed the surrounding rock utilizing a smaller backhoe and jackhammer to make a trench corridor for the new 30" PVC water transmission line that will need to be installed beneath both lines.
- A directive from the City during the design phase was to tie-in the old line but to valve it off for future emergency use. A discussion to protect the old line will be needed with the City in the immediate future because it will become unusable after one year. Once the new line is finished, the old line will be drained and it will need to be cut open to slip line it with fused poly or PVC in

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2500' segments to prevent its deterioration. This option will cost approximately \$2 million.

**Council Member Ramirez** inquired "How much clearance will there be between the old and new line?"

**Contractor/Owner Lewis** replied "2 ½' - 3' under the 10" - 20" pipe."

**Engineer Synovitz** replied that the 20" pipe will be cut and tied at the trench.

### **THIRD ORDER OF BUSINESS:**

#### **3. Discuss/Act upon Agreement with Synetra/Computex for Cloud and Managed Services; an IT & Email Support Provider.**

**Synetra/Computex Account Manager Tara Williams** conveyed that she wanted to help the City streamline its technology, usage and management. It was vital that the City's productivity tools be managed and up-to-date i.e. Microsoft Office, Excel, email program, etc.

If the 3-year proposal was approved, they would host Office 365 which included all of the Microsoft productivity tools. In maintaining the City's email program, the City would no longer have to maintain a server for its emails because this would be their responsibility. Also built into the proposal was spam and email protection to prevent undesired material. They were prepared to deliver these services at any time.

**City Manager Rodriguez** reported that this expense was a budgeted item. The City's current IT person was out of the country plus he wanted to explore additional avenues. Synetra previously completed a program at the Police Department and the VoIP System and rewiring at City Hall.

He recommended that this item be tabled until the November 13<sup>th</sup> Regular City Council Meeting for further review by City Council being that the 36-month agreement was received on Monday afternoon. The agreement included a minimum 90-day opt out clause prior to the expiration of the term. The City needed to ensure that this option would be available, if need be. He asked that City Council review the information to determine if there was anything else that was needed.

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FALCON  
 WARNOCK  
 PALILEO  
 RAMIREZ

VOTED NAY  
 VOTED AYE  
 SECONDED  
 MOVED

X

X  
 X  
 X  
 X

Motion was made, seconded and carried unanimously to table Agreement with Synetra/Computex for Cloud and Managed Services; an IT & Email Support Provider until the November 13, 2018 Regular City Council Meeting.

#### FOURTH ORDER OF BUSINESS:

4. Discuss/Act upon Pay Application No. 5 for Work Performed through 09/30/18 for \$345,282.25 by Nelson-Lewis, Inc. regarding the 30-Inch Water Transmission Line Project.

FALCON  
 WARNOCK  
 PALILEO  
 RAMIREZ

X

X  
 X  
 X  
 X

Motion was made, seconded and carried unanimously to approve Pay Application No. 5 for Work Performed through 09/30/18 for \$345,282.25 by Nelson-Lewis, Inc. regarding the 30-Inch Water Transmission Line Project.

#### FIFTH ORDER OF BUSINESS:

5. Discuss/Act upon Fort Stockton Economic Development Corporation Vehicle Operation and Assignment Policy.

City Manager Rodriguez reported that this was the first time that the EDC had purchased a vehicle for its department and as a result approved its own vehicle policy. The City already had an extensive policy that identified areas of operation, assignment, use of vehicle, operating & driving, safety, etc. The Police Department and CVB adhered to the City's policy and in being objective any additional/outside entity that failed to abide with that policy needed to be disapproved. He recommended that the EDC also follow that policy.

Council Member Ramirez emphasized that the City's policy should be the only policy. It was observed by all City vehicles, P.D., & CVB and EDC needn't be different.

City Attorney Gonzales asked "It's a City vehicle and insured under the City's policy, right? This conflicts with City policy. They need to re-word it because the City policy already covers this vehicle. No action should be taken."

City Manager Rodriguez replied "Yes."

Council Member Ramirez remarked that the proposed policy indicated that the EDC vehicle would not be issued "exempt" license plates.



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**City Manager Rodriguez** replied that in the second paragraph it indicated "EDC vehicles will be registered as general Texas automobiles and will not be issued Exempt license plates." He confirmed with H.R. Assistant Martinez, who processes vehicle registrations, and he was informed that a request for exempt tags had not been received for the EDC vehicle.

**EDC Director Ramos** replied that his recommendation was to purchase it standard since EDC was based on sales tax/to pay sales tax into our community and buy it locally. He was unsure how it was done.

**City Manager Rodriguez** asked "So you all did not request...."

**EDC Director Ramos** replied "No, not that I know of. We can verify that."

**City Manager Rodriguez** remarked that since H.R. Assistant Martinez had not processed the required forms and neither had EDC; then they had not been ordered yet. He would ensure that the tags would be "exempt" tags.

**Council Member Ramirez** asked "Decals? Will those be ordered?"

**EDC Director Ramos** replied "They have been."

**City Manager Rodriguez** answered "State law requires that an exempt vehicle must have 2" lettering or a decal identifying the entity represented."

**Council Member Falcon** suggested that the EDC Vehicle Operation and Assignment Policy be placed on the EDC agenda to rescind it.

No action taken.

#### **SIXTH ORDER OF BUSINESS:**

#### **6. Discuss/Act upon Agreement with Accurint for Law Enforcement Services ("LN Services") for the Fort Stockton Police Department.**

**Chief of Police Skelton** reported that this service was a tremendous investigative tool for identifying property, vehicles, and individuals. The monthly minimum commitment for this budgeted service was \$50 which was the most inexpensive option. He failed to understand how the Department had functioned in the past without a similar program as this.

**Motion was made, seconded and carried unanimously to approve the 30' Telecommunications Utility Easement located @ the Interstate 10 Industrial Park along the South Boundary from Brittany Street and Commencing to the West Boundary i.e. Lots 8,7,5,4,2, & as requested by Big Bend Telecom.**

FALCON  
WARNOCK  
PALILEO  
RAMIREZ

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### EIGHTH ORDER OF BUSINESS:

#### **8. Discuss/Act upon Custodial Service Agreement between the City of Fort Stockton and Elfida Morales for City Hall and City Hall Annex Building.**

City Manager Rodriguez reported that during the October 9<sup>th</sup> Regular City Council Meeting, this bid was awarded to Elfida Morales. The proposed agreement was for 1 year from 10/01/18 – 09/30/19 for \$1,700 monthly. Included in the contract was a 30-day termination clause that could be executed, if needed.

Motion was made, seconded and carried unanimously to approve the 1-Year Custodial Service Agreement between the City of Fort Stockton and Elfida Morales for City Hall and City Hall Annex Building beginning 10/01/18 – 09/30/19 for \$1,700 monthly.

### NINTH ORDER OF BUSINESS:

#### **9. Discuss/Act upon Solicitation of Request for Proposals (RFP) for a 2-Year Service Agreement for Bulk Fuel, Diesel Exhaust Fluid, Coolant/Anti-Freeze, Engine Oil & Hydraulic Oil.**

City Manager Rodriguez reported that the City currently obtained its fuel from West Texas Gas but being that the City utilizes numerous heavy equipment that requires DEF; it had become very costly to purchase the single containers.

Motion was made, seconded and carried unanimously to approve the Solicitation of Request for Proposals (RFP) for a 2-Year Service Agreement for Bulk Fuel, Diesel Exhaust Fluid, Coolant/Anti-Freeze, Engine Oil & Hydraulic Oil.

### TENTH ORDER OF BUSINESS:

#### **10. Discuss/Act upon the 4<sup>th</sup> Quarter Fiscal-Year 2017-2018 Revenue & Expense Report ending September 30, 2018.**

Director of Finance Rodriguez reported that this was the unofficial and unaudited 4<sup>th</sup> Quarter FY 2017-2018 Revenue & Expense Report ending September 30, 2018 wherein 100% of the Fiscal Year budget had been completed.

Year-To-Date Actuals were as follows:

FALCON  
 WARNOCK  
 PALILEO  
 RAMIREZ

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FALCON  
 WARNOCK  
 PALILEO  
 RAMIREZ

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	REVENUES	%	EXPENSES	%
<b>General</b>	\$9,469,348.97	113.11	\$7,581,874.19	92.46
<b>Revenues Over Expenditures: \$1,887,474.78</b>				
<b>Total Other Financing Sources – Budgeted \$880,150.00:</b> This does not include the \$878,000 that the Enterprise Fund budgeted to transfer to the General Fund. <b>Reason:</b> The heavy equipment that was purchased at year end. Plus, the dozer for the landfill has yet to be paid by the Enterprise Fund. Any remaining funds will transfer to the General Fund during the audit process.				
<b>BR – Surface Lease Damages - \$1,182,255.13 (Y-T-D Actual):</b> The majority of funds received from the Enterprise Fund generated from this line item.				
<b>HB 445</b>	\$543,936.90	118.25	\$474,448.09	90.63
<b>Revenues Over Expenditures: \$69,488.81</b>				
This Fund contains a \$63,500.00 Budget Amendment for the purchase of a 4,000 gallon Water Truck that was not purchased. Funds will transfer to the Fund Balance.				
<b>Recreation</b>	\$334,770.25	90.11	\$349,680.62	87.09
<b>Expenditures Over Revenues: &lt;\$14,910.37&gt;</b>				
A \$30,000 Budget Amendment was approved from this Fund Balance to pay for a Consultant Agreement & Benefits to Former Director Casias but the entire amount was not depleted. Therefore, \$16,000 will transfer to the Fund Balance.				
<b>Enterprise</b>	\$11,308,487.48	107.56	\$10,406,532.11	102.70
<b>Revenues Over Expenditures: \$901,955.37</b>				
The encumbrance for \$708,558.57 is part of the \$878,000 that was budgeted by the Enterprise Fund for the General Fund. For audit purposes, those expenses will be completed before the books are closed for the year.				
<b>Industrial Water Sales - \$476,197.04:</b> Received from Blue Ridge.				
<b>EDC 4A</b>	\$681,742.42	109.53	\$680,082.62	93.22
<b>Revenues Over Expenditures: \$1,659.80</b>				
A budget amendment from the Fund Balance was approved for \$109,895.00. This Fund Balance will likely decrease this year.				
<b>Sales Tax - \$460,000.00 (Budgeted):</b> Received \$543,936.90				
<b>EDC 4B</b>	\$561,952.68	121.37	\$299,147.89	65.12
<b>Revenues Over Expenditures: \$262,804.79</b>				
Some funds will be transferred to the Fund Balance. Few expenses were incurred this fiscal-year.				
<b>CVB</b>	\$2,488,245.73	190.82	\$1,046,838.55	80.16
<b>Revenues Over Expenditures: \$1,441,407.18</b>				

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The Occupancy Tax will likely increase by \$100,000 when September's Tax is received in October. Those additional funds will transfer into this fiscal year's Fund Balance.

**Occupancy Tax Income -\$1,300,000.00 (Budgeted): Received \$2,437,929.93**

<b>Debt Service</b>	<b>\$1,823,204.71</b>	<b>103.26</b>	<b>\$1,771,756.69</b>	<b>100.35</b>
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**Revenues Over Expenditures: \$51,448.02**

Certificate of Obligations payments were completed. Remaining funds will transfer to the Fund Balance.

FALCON  
 WARNOCK  
 PALILEO  
 RAMIREZ

X  
 X  
 X  
 X

Motion was made, seconded and carried unanimously to approve the 4th Quarter Fiscal-Year 2017-2018 Revenue & Expense Report ending September 30, 2018

**ELEVENTH ORDER OF BUSINESS:**

**11. Discuss/Act upon the 4<sup>th</sup> Quarter FY 2017-2018 Investment Report; ending September 30, 2018.**

Director of Finance Rodriguez reported that in accordance with the City of Fort Stockton Investment Policy and the Public Funds Investment Act, she was submitting the 4<sup>th</sup> Quarter Investment Report ending September 30, 2018.

At the end of September, TexPool's average interest rate was 2.11%, LOGIC's average interest rate was 2.21%, 90-Day T-Bills were 2.23% and 1-Year T-Bills were 2.62%. Currently, PCSB was @ 2.34%.

In accordance with Resolution No. 11-110R, the City exceeded the required 7% of General Fund's and Enterprise Fund's budgeted expenses totaling \$18,884,975.00 by maintaining \$1,321,948.25 this quarter.

<b>GENERAL</b>	<b>Beginning of Quarter</b>	<b>End of Quarter</b>	<b>Quarterly Interest Earned</b>
LOGIC	\$5,591,368.24	\$ 7,622,785.68	\$31,417.44
PCSB	\$4,147,439.99	\$ 3,086,505.14	\$25,188.10
<b>TOTAL</b>	<b>\$9,738,808.23</b>	<b>\$ 10,709,290.82</b>	<b>\$56,605.54</b>
<b>CVB</b>	<b>Beginning of Quarter</b>	<b>End of Quarter</b>	<b>Quarterly Interest Earned</b>
LOGIC	\$1,272,259.70	\$ 2,279,544.30	\$ 7,284.60
PCSB	\$1,085,634.41	\$ 489,176.44	\$ 7,074.20

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<b>TOTAL</b>	<b>\$2,357,894.11</b>	<b>\$2,768,720.74</b>	<b>\$14,358.80</b>
<b>EDC 4A</b>	<b>Beginning of Quarter</b>	<b>End of Quarter</b>	<b>Quarterly Interest Earned</b>
LOGIC	\$1,528,198.49	\$1,636,673.94	\$ 8,475.45
PCSB	\$ 446,267.21	\$ 179,986.18	\$ 2,246.54
<b>TOTAL</b>	<b>\$1,974,465.70</b>	<b>\$ 1,816,660.12</b>	<b>\$10,721.99</b>
<b>EDC 4B</b>	<b>Beginning of Quarter</b>	<b>End of Quarter</b>	<b>Quarterly Interest Earned</b>
LOGIC	\$ 504,339.30	\$ 757,190.46	\$ 2,851.16
PCSB	\$ 436,617.30	\$ 316,292.70	\$ 2,804.29
<b>TOTAL</b>	<b>\$ 940,956.60</b>	<b>\$1,073,483.16</b>	<b>\$ 5,655.45</b>
<b>2017 SERIES CO</b>	<b>Beginning of Quarter</b>	<b>End of Quarter</b>	<b>Quarterly Interest Earned</b>
LOGIC	\$2,157,197.64	\$ 961,885.56	\$10,467.78
PCSB	\$ 10,524.96	\$ 10,583.99	\$ 59.03
<b>TOTAL</b>	<b>\$2,167,722.60</b>	<b>\$ 972,469.55</b>	<b>\$10,526.81</b>

Motion was made, seconded and carried unanimously to approve the 4th Quarter Fiscal-Year 2017-2018 Revenue & Expense Report ending September 30, 2018

**TWELFTH ORDER OF BUSINESS:**

**12. Discuss/Act upon Closing City Hall & Departments from 11:30 a.m. – 1:00 p.m. on November 9, 2018 for the City's Thanksgiving Luncheon.**

City Manager Rodriguez reported that Friday, November 9<sup>th</sup> was being observed by Pecos County as "Veteran's Day" but in accordance with the City's Personnel Policy, the City will observe this holiday on Monday, November 12<sup>th</sup>, and therefore will be open on Friday.

This item was placed on the agenda to obtain permission to close City Hall from 11:30 a.m. – 1:00 p.m. for employees to gather at the Civic Center for a Thanksgiving Luncheon. There were two employees that regularly worked the front window at City Hall during the lunch period and he wanted them to also partake with the others as one unit.

In conversing with City Secretary Gonzalez, who has been with the City for 29 years, this will be the first time that employees will unite for this special holiday meal.

VOTED NAY  
 VOTED AYE  
 SECONDED  
 MOVED

X  
 X  
 X  
 X  
 X

FALCON  
 WARNOCK  
 PALILEO  
 RAMIREZ

CITY OF FORT STOCKTON, TEXAS  
 MINUTES OF: REGULAR CITY COUNCIL MEETING  
 DATE OF MEETING: OCTOBER 23, 2018  
 TIME OF MEETING: 5:30 P.M.  
 PLACE OF MEETING: CITY HALL COUNCIL CHAMBER

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:  
 RUBEN FALCON, JAMES WARNOCK, PAM PALILEO &  
 DINO RAMIREZ  
 ABSENT: JOE CHRIS ALEXANDER & MIKE URETA, JR.

MAYOR: JOE CHRIS ALEXANDER  
 CITY MANAGER: FRANK RODRIGUEZ III  
 CITY SECRETARY: DELMA A. GONZALEZ  
 CITY ATTORNEY: JESSE GONZALES, JR.

Motion was made, seconded and carried unanimously to approve closing City Hall & Departments from 11:30 a.m. – 1:00 p.m. on November 9, 2018 for the City's Thanksgiving Luncheon.

Council Member Falcon recessed from the Regular Meeting @ 6:26 p.m. to convene into the:

**THIRTEENTH ORDER OF BUSINESS:**

13. City Council May Convene in Closed Session in Accordance with the Texas Open Meetings Act, Texas Government Code, Concerning Attorney-Client Matters (§551.071); Deliberation regarding Real Property (§551.072); Deliberation regarding Prospective Gifts (§551.073); Personnel Matters (§551.074); and/or Deliberation regarding Security Devices (§551.076):

- Ref: (a) Stockton's Entertainment & Adjacent Property  
 (b) City-Owned Building on the Corner of Second Street & Main Street

Council Member Falcon closed the Executive Sessions @ 6:50 p.m.

**FOURTEENTH ORDER OF BUSINESS:**

14. Reconvene into Open Session Pursuant to Texas Government Code Section §551.102 & Take Action, if any, on Matters Deliberated in Executive Session:

- (a) Discuss/Act upon Stockton's Entertainment & Adjacent Property.

No action taken.

- (b) Discuss/Act upon City-Owned Building on the Corner of Second Street & Main Street.

No action taken.

**FIFTEENTH ORDER OF BUSINESS:**

15. Questions from the Media on Agenda Items.

Inquiries were not made by the Media.

FALCON  
 WARNOCK  
 PALILEO  
 RAMIREZ

MOVED	SECOND	VOTED AYE	VOTED NAY
		X	
		X	
		X	
		X	
X			

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MOVED  
 SECONDED  
 VOTED AYE  
 VOTED NAY

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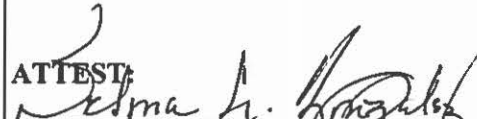
MAYOR: JOE CHRIS ALEXANDER  
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**SIXTEENTH ORDER OF BUSINESS:**

**16. Adjourn.**

There being no further business, the Regular City Council Meeting was adjourned @ 6:53 p.m.

  
 Joe Chris Alexander, Mayor

ATTEST:  
  
 Delma A. Gonzalez, City Secretary