

JAMES WARNOCK, MIKE URETA, JR.,
PAM PALILEO & DINO RAMIREZ
RUBEN FALCON ARRIVED @ 5:40 P.M.

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

Mayor Alexander called the Regular Meeting to order at 5:30 p.m. after declaring a quorum present.

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

"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."

FIRST ORDER OF BUSINESS:

1. CONSENT AGENDA:

- Regular Meeting Minutes of Fort Stockton City Council, 12/11/2018
- Regular Meeting Minutes of Fort Stockton 4-A Economic Development Corp., 10/18/2018
- Regular Meeting Minutes of Fort Stockton 4-B Economic Development Corp., 10/18/2018
- Regular Meeting Minutes of Fort Stockton 4-A Economic Development Corp., 11/27/2018

Accounts Recap Total: \$19,943,133.11

**WARNOCK
URETA
PALILEO
RAMIREZ**

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

SECOND ORDER OF BUSINESS:

2. Discuss/Act upon Resolution No. 19-100R, Completing the Annual Review of the Current City of Fort Stockton Investment Policy Manual.

CITY OF FORT STOCKTON, TEXAS
 MINUTES OF: REGULAR CITY COUNCIL MEETING
 DATE OF MEETING: JANUARY 8, 2019
 TIME OF MEETING: 5:30 P.M.
 PLACE OF MEETING: CITY HALL COUNCIL CHAMBER

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:
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Director of Finance Rodriguez reported that the Investment Policy Manual remained the same as last year's. It states that the City can invest in Pecos County State Bank and LOGIC where the majority of funds are at.

Motion was made, seconded and carried unanimously to approve Resolution No. 19-100R, Completing the Annual Review of the Current City of Fort Stockton Investment Policy Manual.

THIRD ORDER OF BUSINESS:

3. Discuss/Act upon Resolution No. 19-101R & Letters to State Dignitaries, Opposing Any Increases in Truck Size and Weight, which would Create a Strain on Our Infrastructure, Ultimately causing Serious Safety and Funding Issues.

City Manager Rodriguez conveyed that the intent of the resolution and letters to dignitaries indicates a concern for the welfare and safety of residents and families that travel on our roadways. Any increase in the weights and lengths of tractor-trailer trucks accelerated the deterioration of highways, roads and bridges and placed further pressure on local taxpayers to repair/replace the infrastructure.

Mayor Alexander remarked that in conversing with the new state senator and state representative in last week's meeting at the Courthouse, they discussed the possibility of relieving some of the highway traffic on Interstate 10 and Highway 285 where the oilfield is thriving by granting an increase in payloads.

TX DOT does not believe that the highway traffic will lessen any but will instead deteriorate roads faster. The proposed letter opposes an increase from the current 80,000 pound limit to an allowable 100,000 pound limit that tractor trucks can carry.

Motion was made, seconded and carried unanimously to approve Resolution No. 19-101R & Letters to State Dignitaries, Opposing Any Increases in Truck Size and Weight, which would Create a Strain on Our Infrastructure, Ultimately causing Serious Safety and Funding Issues.

WARNOCK
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VOTED NAY
 VOTED AYE
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FOURTH ORDER OF BUSINESS:

4. Discuss/Act upon Resolution No. 19-102R, Authorizing the City of Fort Stockton to File a Grant Application for the Operation Stonegarden Solicitation for Fiscal-Year 2018-2019.

Chief of Police Skelton remarked that approval was needed for the submission of a Stonegarden Grant application. Terrell County Sherriff Hughes offered some of his grant funds to the City of Fort Stockton for Police Officers to utilize on border-type related activities. Upon approval and receipt of resolution, the City will secure \$77,000 that has been identified from this non-matching grant.

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Motion was made, seconded & carried unanimously to approve Resolution No. 19-102R, Authorizing the City of Fort Stockton to File a Grant Application for the Operation Stonegarden Solicitation for Fiscal-Year 2018-2019.

FIFTH ORDER OF BUSINESS:

5. Discuss/Act upon Resolution No. 19-103R & Lease Documents for the Pipe Hunter 3-Yard Combo Sewer Cleaner w/2019 Freightliner Chassis, Authorizing and Approving Execution of an Agreement with BankcorpSouth Equipment Finance and Designating the Agreement as a Qualified Tax-Exempt Obligation.

City Manager Rodriguez reported that the Vactor Truck was delivered and the City needed to ensure that lease documents were executed. The total cost of the truck was \$258,654.00 with 60 monthly payments of \$4,756.51 ending 12/13/2023.

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Motion was made, seconded & carried unanimously to approve Resolution No. 19-103R & Lease Documents for the Pipe Hunter 3-Yard Combo Sewer Cleaner w/2019 Freightliner Chassis, Authorizing and Approving Execution of an Agreement with BankcorpSouth Equipment Finance and Designating the Agreement as a Qualified Tax-Exempt Obligation.

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SIXTH ORDER OF BUSINESS:

6. Discuss/Act upon Letter from Mark A. Harral, JD to the Middle Pecos Groundwater Conservation District regarding Rule Changes to Management Zone 1.

City Water Attorney Harral conveyed that he was at Bienvenidos when Jeff Williams ("Jeff") asked him to attend a closed door meeting that was planned at the MPGCD Office after their regular meeting. He believed he was asked to attend this meeting, apart from being a production permit holder in the area, because some rules were being proposed that would directly impact the City &/or could be a violation of the City's settlement agreement with Fort Stockton Holdings (FSH). In attendance at the meeting were the Cockrells and FSH who did not object to his presence.

He recapped that the prior City Council approved an agreement with Jeff Williams before the MPGCD reached their settlement agreement with him. The City's settlement agreement held that any new rules that were being proposed would not impact the City's production permit(s), Secondary R.O. Plant, Belding R.O. Plant, etc. This was a big aspect due to the City's Historic & AG Permits in Belding plus the City Yard had regular production permits and was in Management Zone 1. Jeff wanted to ensure that there was not an appearance that the agreement was being violated.

Dating back to the 1970-1980's due to some oil/gas deals, a contention has remained between the Cockrells and Williams. Approximately one year ago, the MPGCD was sued by Cockrell Investments who owns the Pecan Orchards in Belding. Cockrell asked that a special permit condition be added to FSH; basically to limit their capability of pumping during certain summer thresholds, etc. This was solely focused on FSH and not everybody in Management Zone 1 with production permits or that planned to obtain a production product in the future. FSH expressed that they objected to any new special permit conditions but the Cockrells have maintained that this new rule be implemented across Management Zone 1.

In conversing last week with the Cockrell attorney, he recognizes that this is a new rule that is being proposed for Management Zone 1 and believes that the City of Fort Stockton should have a "seat at the table" because the City is a production permit holder and one of the largest water users in the area.

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After the specified meeting, he contacted County Attorney Lacy and informed him of what was being proposed. He was unaware that a special permit condition was not going to be allocated to FSH but would instead be a general rule change. At some point, this will have implications for the County who will be asking for production permits, etc. which suggests that this new rule will also apply to them.

The new rule will require a cutoff of production permits or what Cockrell wants is a curtailment of production permits based on a summer threshold. This is not a good idea plus the data that their expert is using does not make sense especially when compared to data from other experts.

His letter's main focus is that the City has a seat at the table. To put everybody on notice regarding general rule changes across the board especially for production permit holders. The City, County Attorney, and P.C.W.I.D. #1 want to be involved to further understand what is occurring.

The letter, if approved, will be drafted to MPGCD Attorney Lloyd Gosselink in Austin. Being where the City procedurally is in this, it cannot enter into a lawsuit due to what is about to transpire between FSH, MPGCD & the Cockrells.

Council Member Falcon asked who the largest production user was in the summer.

City Water Attorney Harral replied that Jeff Williams was the largest and the City was the second largest due to H&E Permits; usage-wise the farmers. The concern was that the lowest part of the water table was during the summer months although it customarily recovered during the winter months.

The current special permit condition/rules previously agreed to by FSH provides that the curtailment is based on the winter threshold after the aquifer is recharged. Above everything else that everyone has already agreed to, the Cockrells are additionally requesting a summer threshold. If approved, it will be undesirable news for every production permit holder.

Council Member Falcon asked if the proposed letter was needed because meeting(s) would be required to address this request.

City Water Attorney Harral responded that they would definitely have additional meetings. His recommendation in the letter was that their meetings be held in open session and recorded because some of the comments from Cockrell's

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experts were outrageous and failed to make sense. If litigation was contemplated, statements would need to be recorded due to their bad science.

Council Member Falcon stated that they were entitled to have meetings with whomever and why the City needed to have a seat at the table. If voted by the Board, Attorney Harral would get the opportunity to represent the City and would have access to all documents and facts stated at the time.

City Water Attorney Harral agreed with Council Member Falcon. The only issue was if the City needed to retain its own outside experts, ample time would be required to hire an expert; for the expert to access and review all documents for the preparation of an opinion at the rule hearings. If the City failed to obtain expert testimony supporting its reasons/cause then it would be in a real disadvantage when everyone else discussed these issues in the following years.

Mayor Alexander asked how many permit holders were in Management Zone 1.

City Water Attorney Harral answered that he did not know how many were in Zone 1 but knew that the City was. Cockrell's attorney was unaware that the City had production permits within that zone and he, as well as FSH, did not mind the City having a seat at the table during their discussion.

Council Member Falcon stated that he could be asked to be in their meetings but the MPGCD could refuse to allow him as long as they did not violate the Open Meetings Act.

City Water Attorney Harral did not disagree with Council Member Falcon but both of the large parties favored him being a part of the discussion.

Mayor Pro-Tem Ureta concurred with Council Member Falcon and stated "Yes we can ask but as long as they are not violating the Open Meetings Act. I would hope that we could ask to attend but doing letters"

City Water Attorney Harral commented that the main intent was to request to be a party to it. If a letter was not desired then he could tell them verbally.

Council Member Warnock asked if he had attended any other meetings prior to the one he attended.

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City Water Attorney Harral replied that as far as he knew and from what FSH and the Cockrells had told him, another meeting was not held.

MPGCD General Manager Ty Edwards asked to clarify what City Water Attorney Harral had reported to them:

- The City, Pecos County, & PCWID #1 all reached settlement agreements months after the MPGCD did and not before. Why would the City reach a settlement with FSH on a lawsuit before they did? MPGCD reached its settlement with Williams and installed 11 monitor wells in Belding directly tied to his permit. This allowed the MPGCD to "cut his wells" if aquifer levels decreased below a certain level which protected everyone.
- Rule Changes - Attorney Harral failed to report that the MPGCD was attempting to "shrink" Management Zone 1 to collect data on how the pumping in Belding was being affected. They did not want these triggers to affect pumping for the Balmorhea Water District being that it was 20 miles away. Currently, both were in the same management zone but the MPGCD knew they were separate. Belding's pumping did not affect Balmorhea's pumping and vice-versa. This was one change they wanted to achieve and contemplated in their settlement agreement with FSH. They planned to shrink this management zone and bind the thresholds in their rules for current special permit conditions.
- Cockrell sued the MPGCD for not granting them party status which had been a 10-year process. The Cockrell Investments General Manager for the Pecan Orchard was the MPGCD's Board President when those permits were denied in 2009. Ten years later they were being remanded to the MPGCD and the Cockrells asked for party status which was denied. Their intent was to reach a settlement with the Cockrells to halt all the money that was constantly being disbursed on their attorneys feuding with multi-billionaires.
- Seat at the Table - A letter was not needed for the City to attend these meetings. The City owned wells and he would notify the City the next time a meeting was scheduled.
- If Attorney Harral had remained for the meeting that he left early to and that he has talked about, he would have known that at the end of that meeting they agreed to the preparation of a one page document by the Cockrells. They wanted a summer threshold that will protect the City's wells in the summer from going dry. "In tying this to other permit holders, they have not said this will happen. If it does happen it will be to permit holders from here on out and not for anything prior." The City already had its permits. The reason they did the threshold to Williams was because

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they will be pumping to other communities in the winter which will directly affect the water levels. "This was the reason for their tie down and nobody else."

- The only reason that they did not invite Attorney Harral or anybody else to their meetings was because they did not want to complicate settlement negotiations any further than what they already were.

Mayor Alexander inquired how many meetings were held on this.

Manager Edwards replied that these rule changes and settlement negotiations had transpired for over 1.5 years with Cockrell. Their pending lawsuit had been abated since they filed their request i.e. discuss rules, management zoning, etc.

Mayor Alexander asserted "So Cockrell is trying to get in on the lawsuit after the fact; after the settlement when they had the chance to do it when we did it, Pecos County did it, MPGCD did it and when we were against FSH at that point before the settlement and they didn't jump in at that point, correct?"

Manager Edwards responded "They did not." There were timely issues in Texas Water Law when one could ask for party status and it was 10 years after it was submitted. This was MPGCD's position and they were ready for court on those issues unless they reached settlement.

Furthermore, for changes to their rules, they were required to provide a 20-day notice to the public. Then they were required to accept public comments and after every comment was considered was when changes occurred. They were not going to make any changes in the summer that would affect permit holders in Management Zone 1.

Mayor Alexander understood but Attorney Harral's concern was if the City needed to obtain experts, 20 days was not sufficient time.

Motion was made, seconded & carried unanimously to table Letter from Mark A. Harral, JD, to the Middle Pecos Groundwater Conservation District regarding Rule Changes to Management Zone 1.

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VOTED NAY
VOTED AYE
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SEVENTH ORDER OF BUSINESS:

7. Discuss/Act upon Letter from the City to the Middle Pecos Groundwater Conservation District requesting Advance Notification from MPGCD Staff/Representatives to Enter City Property.

City Water Attorney Harral reported that there were numerous people going in and out of the City's Blue Ridge Property. The City needed to keep track of who was entering and leaving this property.

In Mid-September, he emailed the MPGCD General Manager and Attorney asking their staff/representatives to notify him or the City Manager prior entering City property. On September 20th, the MPGCD contacted Public Works Director Ramos inquiring who they needed to contact in regards to scheduling a time at Blue Ridge and he advised them that it was Attorney Harral. It wasn't until roughly four months later that he was contacted by the MPGCD to schedule a visit at Blue Ridge.

The proposed letter was solely drafted by him for housekeeping purposes; if anyone planned to be on City property that the he or the City Manager needed to be notified in advance either in writing, person or by telephone.

MPGCD General Manager Ty Edwards replied that they had 118 water wells throughout the county; 2 on Blue Ridge, 1 on Stockton Farms, 1 at City Yard, 1 at City Cemetery, the Capitan Reef Well in Belding, etc. He was okay with notifying whomever he needed to but he visited 6 different areas in the county. Also, it was extremely important that the District continue to check water levels at Blue Ridge due to its decrease in 2012 -2018.

Mayor Alexander emphasized that the City was not denying him access to obtain his information but merely wanted to be notified prior to the MPGCD entering City property. This was just like any other landowner.

Council Member Falcon asserted that Attorney Harral's concern was that Blue Ridge was in two counties and the wells that the City owned were in Reeves County.

General Manager Edwards conveyed that the 2 monitor wells that the District checked were in Pecos County. It took 1½ hours for this route which traveled through Reeves County on a county road to Blue Ridge.

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Mayor Pro-Tem Ureta stated that the City Manager needed to be notified; manager to manager.

Mayor Alexander conveyed that there were individuals at Blue Ridge that verified activities for the City.

City Water Attorney Harral remarked that an individual was chartered to do that until the City Council or City Manager determined who would take care of this. The incremental cost for this was minimal compared to the employment of a full-time City employee that would basically just drive to Blue Ridge.

Former Mayor Pro-Tem Jackson inquired who was watching Blue Ridge. Was it someone with his firm or the City?

City Water Attorney Harral replied that it was someone from his firm; his father-in-law Brent McGuire. He traveled to Blue Ridge 2-3 times weekly to ensure that all of the meters were properly measured & calibrated when pumping occurred. He customarily checked on several of his clients and then checked Blue Ridge for one hour. To schedule him ahead of time was what was being attempted until the City decided differently.

Council Member Falcon declared that the reason for Attorney Harral's request was because the City & citizens were losing a lot of money and resources because Blue Ridge was an open gate. Apart from the land lease that was allegedly abused.

He could not find fault in Attorney Harral's aggressiveness and commended him for his efforts in monitoring Blue Ridge. He was hired to protect the City's property which had converted into an excellent financial resource. This revenue source helped the City from raising its taxes this past year plus gave citizens a homestead exemption.

He confirmed with Former Council Member Jackson whether a focus of his previously had been to obtain the appropriate meters for the wells at Blue Ridge.

Former Council Member Jackson confirmed that he was right.

Mayor Pro-Tem Ureta agreed with Council Member Falcon and Mayor Alexander but believed that in this circumstance it was the Water District. They were not customers wanting to place infrastructure or purchase caliche but wanted to manage the functions of their office. The City needed to do what was easier for

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both so that each could accomplish their goals. He definitely agreed that Attorney Harral was doing a great job but a lot could just be discussed and taken care of.

Mayor Alexander agreed but at the same time needed to do what was in the best interest of the City. This property was owned by the City and they were the stewards of it and could not allow just anyone to roam about daily. Furthermore, for safety purposes being that there was numerous oilfield activity.

No action taken.

EIGHTH ORDER OF BUSINESS:

8. Discuss/Act upon Awarding of Qualifications (RFQ) for Architectural/Engineering Services for Improvements to the Public Safety Building. *Qualifications Submitted:* Tim Rice McClarty, AIA

City Manager Rodriguez commented that this process was being completed in accordance with the Procurement Manual. He recommended that Tim Rice McClarty, AIA, be awarded the Architectural/Engineering Services for the 911 Center at the Public Safety Building. These professionals were required to monitor and manage the current Construction Manager who was previously awarded the job for the Public Safety Building due to his qualifications.

Motion was made, seconded & carried unanimously to Award Qualifications for Architectural/Engineering Services for Improvements to the Public Safety Building to Tim Rice McClarty, AIA.

NINTH ORDER OF BUSINESS:

9. Discuss/Act upon Awarding of Proposal for Reverse-Osmosis Plant Maintenance Services. *Proposals Submitted:* Alpha Water Resources, Bob Johnson & Associates

Item Tabled for further review of submitted proposals. This agenda item will be considered during the January 22, 2019 Regular City Council Meeting.

TENTH ORDER OF BUSINESS:

10. Discuss/Act upon Option and Easement Offer Package from AEP Texas Inc. for an Estimated 17.56 acre Electric Transmission Line Across 600

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Acres, T. & P. RR Co. Survey, Block 48, Township 10, Section 16, A-5366, Pecos County, Texas.

Item Tabled to obtain a clarification on prices/rates.

ELEVENTH ORDER OF BUSINESS:

11. Discuss/Act upon Pecos County – City of Fort Stockton 2019 Interlocal Services Agreement regarding Equipment, Labor & Costs.

City Manager Rodriguez commented that this interlocal agreement was renewed on a yearly basis. It was a beneficial arrangement for both entities wherein the City borrowed some heavy equipment from the County and the County was assisted by the City with road related issues. With this support, the City completed 32.6 miles of streets through December 2018.

Motion was made, seconded & carried unanimously to approve Pecos County – City of Fort Stockton 2019 Interlocal Services Agreement regarding Equipment, Labor & Costs.

TWELFTH ORDER OF BUSINESS:

12. Discuss/Act upon Pecos County – City of Fort Stockton 2019 Interlocal Services Agreement regarding Emergency Management Coordinator.

City Manager Rodriguez commented that funds were identified in the budget for this expense. He was recently informed that Public Works Director Ramos also partook in the function/tasks of the Emergency Management Coordinator as did Fire Chief Jessie Dominguez. After reviewing information provided by Chief Dominguez on what he can provide the City and comparing duties that Director Ramos already completes, his recommendation was that the funding be split @ \$2,500 yearly for each.

Council Member Falcon remarked that the initial letter indicated 15-20 duties for this position. Director Ramos &/or another City employee completed 8-10 of the 15-20 tasks. All of the physical activities were completed by Director Ramos which resulted in Chief Dominguez basically being a coordinator. He preferred that Director Ramos' compensation be \$3,000 and Chief Dominguez' \$2,000 due to the labor-intensive duties completed by Director Ramos.

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RUBEN FALCON ARRIVED @ 5:40 P.M.

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

City Manager Rodriguez agreed with Council Member Falcon but the main reason being that duties/responsibilities were shared by both. In coordinating incidents for inside city limits and outside city limits, this was nevertheless a dual function. Both individuals were equally important at this time.

Council Member Falcon declared that Director Ramos was required to complete extra duties from inside the city limits list plus citizens already paid \$6 million in ad valorem taxes to the County.

According to the first email, 20 tasks were listed and Director Ramos completed 17 of them with the exception of coordinating this/that and phone calls. He asserted once again that Director Ramos handled more work and therefore should be paid accordingly.

City Manager Rodriguez remarked in defending the position, that Chief Dominguez already attended the Emergency Management Meetings, was familiar with the paperwork, and knew the ins/outs, etc. while Director Ramos had yet to attend any meetings.

In the event of a major catastrophe with FEMA's involvement, Director Ramos could complete those tasks but was not well-versed as Chief Dominguez who had prior experience and another reason why he was requesting the split. There were functions that Chief Dominguez managed that continued to benefit the city.

Council Member Falcon emphasized once again that all of the labor-intensive duties for the City were completed by Director Ramos or a City employee and all of the administrative tasks i.e. attend meetings, phone calls, complete paperwork, etc. were already covered in Chief Dominguez' salary. He wanted the person performing the physical work to be compensated \$3,000 yearly.

Motion was made by Council Member Falcon but failed due to lack of a second to pay Public Works Director Ramos \$3,000 and Fire Chief Dominguez \$2,000.

Council Member Ramirez inquired what had happened to the Emergency Management Coordinator that the Chief of Police planned to obtain from his department.

City Manager Rodriguez responded that the employees from the Police Department completed the norm such as traffic accidents, etc.

CITY OF FORT STOCKTON, TEXAS
 MINUTES OF: REGULAR CITY COUNCIL MEETING
 DATE OF MEETING: JANUARY 8, 2019
 TIME OF MEETING: 5:30 P.M.
 PLACE OF MEETING: CITY HALL COUNCIL CHAMBER

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:
 JAMES WARNOCK, MIKE URETA, JR., PAM PALILEO &
 DINO RAMIREZ
 RUBEN FALCON ARRIVED @ 5:40 P.M

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

Director Ramos had gone above and beyond when it came to planning and preparing. The City was where it was because of his initiative. Regardless, both individuals were extremely beneficial to the position and needed to be valued for their duties/tasks completed. Once Director Ramos obtained all of the vital information.... possibly next year he will report that he is well-versed and prepared to fulfill the position and then the City can consider assigning it entirely to him.

Mayor Pro-Tem Ureta expressed that it was important that Chief Dominguez remain a part of this because Director Ramos still needed training. It was vital that the City have a full-fledged Emergency Management Coordinator that included planning & preparing. Two individuals were currently being utilized and he understood what was being expressed but if the City believed that Director Ramos was worth more money, then the City needed to take care of that at its level. For now, the City needed to move forward with this agreement to have what is needed in the Emergency Management Coordinator position. There was no need for the City to nickel & dime at this point.

Mayor Alexander stated that technically Chief Dominguez was the overall coordinator for the entire county which included the city.

After further deliberation ----

FALCON
 WARNOCK
 URETA
 PALILEO
 RAMIREZ

X
 X
 X
 X
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Motion was made, seconded & carried unanimously to approve Pecos County – City of Fort Stockton 2019 Interlocal Services Agreement regarding the Emergency Management Coordinator Wherein Director Ramos shall be paid by the City \$2,500 yearly & Contingent on Revision by City Attorney Gonzales to Article I, Purpose (a.) “City shall pay Pecos County, Texas the sum of \$2,500 per year for Management Services.”

As per Attorney Gonzales, this deletes any reference to a salary and/or employee deductions that are the sole responsibility of the employer (Pecos County).

THIRTEENTH ORDER OF BUSINESS:

13. Discuss/Act upon Solicitation of Bids for Routine Maintenance & Repairs Service for City Air Conditioning & Heating.

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

Motion was made, seconded & carried unanimously to approve the Solicitation of Bids for Routine Maintenance & Repairs Service for City Air Conditioning & Heating.

FOURTEENTH ORDER OF BUSINESS:

14. Discuss/Act upon Solicitation of Bids to Recycle &/or Remove Type IV Material i.e. Shingles/Pallets/ Wood/Tree Limbs from the City's Landfill.

City Manager Rodriguez expressed that last year TCEQ identified two areas. Both of these areas were remedied but due to the influx of people and trash from oil field companies, the shingles/pallets/wood/tree limbs were being stacked instead of buried. An estimate for the City to free itself of this type of material and to be in compliance with TCEQ mandates was \$85,000-\$90,000. This will rid the congestion which will allow the landfill to accept more of this material from the community and businesses.

An option for the shingles is to grind and utilize them on top of the road to the new landfill to prevent it from getting muddy and freezing. Instead of burying the wood, it will be mulched for citizens to use.

Council Member Ramirez inquired if the company that is awarded the bid will be required to provide their own equipment?

City Manager Rodriguez responded “Yes, they will be required to provide the equipment.” A company can complete the removal of this congestion in a 2-week period and thus the bid notice will specify this.

Motion was made, seconded & carried unanimously to approve the Solicitation of Bids to Recycle &/or Remove Type IV Material i.e. Shingles/Pallets/ Wood/Tree Limbs from the City's Landfill.

FIFTEENTH ORDER OF BUSINESS:

15. Discuss/Act upon Pay Application No. 6 for Work Performed through 11/30/18 for \$430,817.67 by Nelson-Lewis, Inc. regarding the 30-Inch Water Transmission Line Project.

Motion was made, seconded & carried unanimously to approve Pay Application No. 6 for Work Performed through 11/30/18 for \$430,817.67 by Nelson-Lewis, Inc. regarding the 30-Inch Water Transmission Line Project.

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RAMIREZ**

**JAMES WARNOCK, MIKE URETA, JR., PAM PALILEO &
DINO RAMIREZ**

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

16. Discuss/Act upon Appointment of New Member to the Fort Stockton Downtown Association replacing Carlos Vazquez. Applicants: Gary Bryant, Guadalupe Fierro, Steve Fountain, Joe Ben Gallegos, Jr., Ross Harper, Rosie Holland, Sandra Saucedo

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17. Discuss/Act upon Election Notice of May 4, 2019 City of Fort Stockton General Election to Elect One (1) Mayor & Two (2) Council Members.

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PALILEO
RAMIREZ**

EIGHTEENTH ORDER OF BUSINESS:

18. 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) Annual Evaluation of Municipal Court Judge Jose Muñoz
(b) Annual Evaluation & Retainer Contract for City Attorney Jesse Gonzales, Jr.**

Mayor Alexander closed the Executive Sessions @ 7:16 to:

**JAMES WARNOCK, MIKE URETA, JR.,
PAM PALILEO & DINO RAMIREZ
RUBEN FALCON ARRIVED @ 5:40 P.M.**

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

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

(18a) Discuss/Act upon Annual Evaluation of Municipal Court Judge Jose Muñoz.

(18b) Discuss/Act upon Annual Evaluation & Retainer Contract for City Attorney Jesse Gonzales, Jr.

(18a) Motion was made, seconded & carried unanimously to approve a favorable annual evaluation with a 3% merit increase for Municipal Court Judge Jose Muñoz.

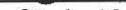
(18b) Motion was made, seconded & carried unanimously to approve a favorable annual evaluation and renewal of Retainer Contract for City Attorney Jesse Gonzales, Jr., with a 3% contractual increase & a 5% cost of living increase.

20. Questions from the Media on Agenda Items.

The Media was not present.

21. Adjourn.

Motion was made, seconded and carried unanimously to adjourn the Regular Meeting @ 7:18 p.m.


Joe Chris Alexander, Mayor

ATTEST:

Delma A. Gonzalez, City Secretary

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