

CITY OF FORT STOCKTON, TEXAS  
MINUTES OF: REGULAR CITY COUNCIL MEETING  
DATE OF MEETING: FEBRUARY 21, 2019  
TIME OF MEETING: 5:30 P.M.  
PLACE OF MEETING: CITY HALL COUNCIL CHAMBER

MOVED  
SECONDED  
VOTED AYE  
VOTED NAY

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

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 5:50 p.m. after declaring a quorum present.

Mayor Alexander gave the Invocation.

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

Mayor Alexander 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."

**FIRST ORDER OF BUSINESS:**

**1. CONSENT AGENDA:**

Minutes:

- Regular Meeting Minutes of Fort Stockton City Council, 02/12/2019

Accounts Payable Total: \$180,337.72

FALCON  
WARNOCK  
PALILEO

X X  
X X  
X X

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

**SECOND ORDER OF BUSINESS:**

**2. Rocky Rives of Smith & Rives, PC ---**

- ↳ City of Fort Stockton Final Audit for Fiscal Year Ending September 30, 2018.

CPA Rives reported that according to the Independent Auditor's Report, the financial statements referred to presented fairly in all material respects. The City of Fort Stockton received an "unmodified" opinion which was the best opinion that could be rendered.

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**FY 2017-2018 Financial Highlights:**

- The City's net position increased by \$5,891,435 as a result of that year's operations. Net position of business-type activities increased by \$1,741,742 or about 8.45%, and net position of the governmental activities increased by \$4,149,693 or about 583.33%.
- During the year, the City incurred expenditures that were \$323,269 less than the \$9,832,436 generated in taxes and other revenues for the governmental programs. This compared to last year when expenditures exceeded revenues by \$1,585,737.
- In the City's business-type activities, operating revenues decreased by \$101,038, or about 0.88%, while operating expenses increased by \$164,810, or about 2.62%.
- Total cost of the City's programs was \$8,757,945, while last year's cost was \$8,521,950.
- **The General Fund ended the year with a fund balance of \$6,677,006, which is an increase of 61.34% compared to last year's fund balance of \$4,138,413. On October 1, 2017 the fund balance was @ \$4,138,413 and increased that fiscal-year (2017-2018) by \$2,538,593 totaling \$6,677,006 on September 30, 2018.**
- The resources available for appropriation were \$823,558 or about 15.49% more than budgeted for the General Fund.
- Actual expenditures were \$2,668,695 less than budgeted for the General Fund due primarily to health insurance revenues being netted against medical claims.
- Statement of Net Position & Changes in Net Position for Governmental Activities & Business-Type Activities in 2017 & 2018 – Every entry was on a full accrual basis. Principal payments on a debt altered the balance sheet to reduce principal payments, interest was applied to income and expense, & all fixed assets were depreciated over their useful life. Depreciation exceeded \$2 million for the entire City &/or Governmental and Business-Type activities.
- Report on Internal Control Over Financial Reporting and On Compliance and Other Matters Related to Federal Awards – Based on an audit of financial statements performed there were “No Findings.”

**THIRD ORDER OF BUSINESS:**

3. City Manager Rodriguez ---
  - ↳ Infrastructure Investment Plan for Fiscal Year 2018-2019.

VOTED NAY  
 VOTED AYE  
 SECONDED  
 MOVED

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**City Manager Rodriguez** supported and urged the continued development of a strong infrastructure for the community.

He reported that this winter the Public Works Department assumed a major undertaking and diligently worked countless hours repairing water lines to ensure that citizens and businesses could meet their needs. Public Works Director Ramos maintained the Replace & Recovery Plan and utilized the GIS Mapping System to identify the old/aged pipes in the community that were diminishing in their integrity to maintain water.

The current City Council possessed the vision of the City and felt the pulse regarding the community's infrastructure needs. Great cities with notable infrastructures invested in and continued to maintain their program. The result in delaying this process, would ultimately lead to considerable costs.

The City had taken years of planning and negotiations to finalize the 30" water line for public-use from Belding to the Reverse-Osmosis Treatment Plant. The cost of this project which included materials and labor exceeded \$2 million but nevertheless the City benefitted from its contractual business models along with revenue generated by the Enterprise Fund which produced &/or transferred approximately \$2.5 million into the Fund Balance which now totaled more than \$6.3 million.

The City now had the ability to accomplish its required projects without requesting a loan &/or acquiring unnecessary costs to citizens. The prior research included an assessment of the utilities, streets and alleyways that needed to be repaired. These were being scheduled this year and the strategy was to ensure that the City worked judiciously and concentrated on the quality of work. The plan will first: identify the streets that need to be repaired, second: fix the existing infrastructure and third: return to repair the condition of the streets/alleys with quality work. This will avoid the advanced purchase of materials followed by the repair/construction of a street; to return afterward to tear it up to replace a water line. He asked that the community be patient so that the City could capitalize on the improvements to the infrastructure as it should be.

He identified the City's forecasted projects regarding the:

**Infrastructure Investment Plan Summary**

CATEGORY OF INVESTMENT	ESTIMATED TOTAL COST	ESTIMATED PROJECT YEAR
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Landfill	\$2,000,000.00	2019/2020
RO Plant	\$400,000.00	2018/2019-2019/2020
18 inch water line	\$200,000.00	2018/2019
Sewer Plant (City Property)	\$200,000.00	2019/2020
Sewer Plant (Pond Lynaugh Unit)	\$500,000.00	2018/2019-2019/2020
<b>TOTAL:</b>	<b>\$3,300,000.00</b>	

Funds for the Infrastructure Investment Plan, as presented, will be requested during the 2019/2020 Budget Workshop.

- New Landfill (2019-2020) – Project consists of: A new weight station, office, new road to, from & around the landfill, fencing, and closure of the former landfill. Projected Cost: \$2,000,000.00;
  
- For the past three years in the progression of the new landfill, the City had been paying for the new landfill. Hanson Engineering was hired to compile the required documentation needed by TCEQ so that they could review and approve a new permit. Pecos County agreed to assist the City in clearing the land with manpower and equipment.
  
- R.O. Plant (2018/2019-2019/2020) – Project consists of: Replace &/or rebuild the existing SCADA System to the R.O. Plant & Wellfield, restore Trains A, B, & C, R.O. Booster Station and evaporative cooler. (Trains B & C scheduled for 2020-2021). Projected Cost: \$400,000.00;
  
- 18” Water Line – (2018-2019) – Project consists of: The completion of a change order with Hanson Engineering who will identify the cost. Projected Cost: \$200,000.00;
  
- Sewer Plant on City Property – (2019-2020) – Project consists of: A clarifier. Projected Cost: \$200,000.00;
  
- Sewer Plant Pond @ Lynaugh Unit – (2018/2019-2019/2020) - Project consists of: A re-payment plan that is currently being negotiated with TDCJ to ensure that if the City pays “up front” for expenses related to the Sewer Plant Pond that it will be reimbursed by the system. Projected Cost: \$500,000.00;

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**Projected Expenses:**

\$650,000.00 (2018-2019) - To finalize the current projects;  
\$1,650,000.00 (2019-2020) – These are projects that the City is encouraged to invest in &/or in an attempt to eliminate risks for the lifespan of our community. To ensure that we have the quality of life, water, sewer, gas, roads, etc. needed for our citizens and visitors, as well.

**Council Member Falcon** clarified that the City budgeted yearly for the regular maintenance of the landfill, sewer, water, and gas services in its regular budget. The proposed project expenses will be paid from the General Fund Balance which contains \$6.7 million and not from the 2018-2019 Budget. He recalled that in 2011 the Fund Balance was merely \$250,000 and gradually increased year after year without any additional taxes or fees.

**City Manager Rodriguez** emphasized that the revenues generated from the City's properties with regard to surface-use damages & leases also helped tremendously.

**Mayor Alexander** declared that for 4 years the City attempted it's hardest to avoid bankruptcy. Since then, projects were identified, prioritized and several commenced. The #1 priority was to abandon the 20" Belding waterline that was 60+ years-old and replace it with a new 30" waterline with a projected 100-year lifespan. Initially, the City was informed that the cost for this project would be \$12 - \$25 million but instead was \$6-\$7 million. The project is scheduled to be completed in approximately 2 months.

The next item on the list is the landfill which has a 5-year life expectancy. The estimated cost to open a new landfill is \$5 million i.e. permits, planning, construction, closure of the old landfill, etc. According to TCEQ, the City's application was being fast tracked due to the landfill's timeline &/or it will have reached it capacity by the end of the calendar year. The new landfill needed to be available to avoid the hauling of trash to Odessa which would be extremely costly.

The City was mandated to replace a percentage of galvanized & PVC gas lines and water lines in the city and was attempting to concurrently proceed with these projects. As a result, streets will not be repaired until the water lines, etc. are replaced because it will be a loss of funds. He recalled City crews working during Christmas Eve for numerous hours on a water line.

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Last year, the Street Department completed 32 miles of streets with seal coating, etc. Thus far 5 additional miles were prepped this year. Unless the temperature is appropriate, asphalt or oil cannot be placed on streets or it will be a waste of money.

**FOURTH ORDER OF BUSINESS:**

4. Discuss and Act upon Ordinance No. 19-102, Adopting Budget Amendment No.1 to the Original Budget of the City of Fort Stockton, Texas, for Fiscal Year 2018-2019; Providing for Supplemental Appropriation &/or Transfer of Certain Funds; Providing for Severability; & Providing for Other Matters Related to the Subject.

Director of Finance Rodriguez reported that due to an unforeseen increase in Revenues totaling \$165,000 to the General Fund from Blue Ridge Surface-Use Damages, permission was sought to increase the Police Department's Budget & Expenses by \$165,000 for the purchase of Four (4) Public Safety Vehicles. The proposed Budget Amendment will not have an impact on the General Fund Balance.

Motion was made, seconded & carried unanimously to approve Ordinance No. 19-102, Adopting Budget Amendment No. 1 to the Original Budget of the City of Fort Stockton, Texas, for Fiscal Year 2018-2019; Providing for Supplemental Appropriation &/or Transfer of Certain Funds; Providing for Severability; & Providing for Other Matters Related to the Subject.

**FIFTH ORDER OF BUSINESS:**

5. Discuss and Act upon City of Fort Stockton Final Audit for Fiscal Year Ending September 30, 2018.

Motion was made, seconded & carried unanimously to approve the City of Fort Stockton Final Audit for Fiscal Year Ending September 30, 2018.

**SIXTH ORDER OF BUSINESS:**

6. Discuss and Act upon Pecos County – City of Fort Stockton 2019 Interlocal Services Agreement Regarding Mosquitoes.

City Manager Rodriguez reported that this agreement was renewed on a yearly basis. Pecos County provided equipment and labor available for mosquito

VOTED NAY  
 VOTED AYE  
 SECONDED  
 MOVED

FALCON  
 WARNOCK  
 PALILEO

X X  
 XIX  
 X

FALCON  
 WARNOCK  
 PALILEO

X X  
 X  
 XIX

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abatement within the city and the City remitted to County payment for actual expenses incurred.

**Motion was made, seconded & carried unanimously to approve Pecos County – City of Fort Stockton 2019 Interlocal Services Agreement Regarding Mosquitoes.**

**SEVENTH ORDER OF BUSINESS:**

**7. Discuss and Act Upon Pecos County, Texas – City of Fort Stockton, Texas, 2019 Interlocal Services Agreement Regarding Emergency Communications Network – Code Red.**

City Manager Rodriguez conveyed that approval of this yearly agreement would authorize a payment of \$7,250 from the City to Pecos County. Code Red continued to be extremely beneficial during emergencies and weather related conditions. Emergency notifications to the community were accessed by the Police Department and the Emergency Management Coordinator.

He encouraged the public to enroll in this free service. Notification options to citizens were either through a text, email or phone call.

**Motion was made, seconded & carried unanimously to approve Pecos County, Texas – City of Fort Stockton, Texas, 2019 Interlocal Services Agreement Regarding Emergency Communications Network – Code Red for \$7,250.00 from the City’s 2018-2019 Budget.**

**EIGHTH ORDER OF BUSINESS:**

**8. Discuss and Act upon Rescinding Motion from the February 12, 2019 Regular City Council Meeting due to Budgeted Line Item Constraints; Thirteenth Order of Business; Discuss/Act upon Awarding of Bid for Routine Maintenance & Repairs Service for City Air-Conditioning & Heating.**

**Motion was made, seconded & carried unanimously to Rescind Motion from the February 12, 2019 Regular City Council Meeting due to Budgeted Line Item Constraints; Thirteenth Order of Business: Discuss/Act upon Awarding of Bid for Routine Maintenance & Repairs Service for City Air-Conditioning & Heating.**

FALCON  
 WARNOCK  
 PALILEO

MOVED  
 SECONDED  
 VOTED AYE  
 VOTED NAY

X  
 XX  
 XX  
 X

FALCON  
 WARNOCK  
 PALILEO

X  
 X  
 X  
 XX

FALCON  
 WARNOCK  
 PALILEO

X  
 XX  
 XX  
 X

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**NINTH ORDER OF BUSINESS:**

**9. Discuss/Act upon Re-Solicitation of Bids for Routine Maintenance & Repairs Service for City Air-Conditioning & Heating.**

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

**TENTH ORDER OF BUSINESS:**

**10. Discuss/Act upon Purchase of Four (4) 2019 Chevy Tahoe Police Patrol Vehicles from Cap Fleet Upfitters totaling \$165,048.00 through BuyBoard Purchasing Cooperative.**

City Manager Rodriguez stated that an inventory audit was conducted on all vehicles and several were identified with high mileage and in need of repairs; some were from 2004, 2006, & 2009. To ensure that public safety continued to be a priority in the essential function of the Police Department, he recommended the purchase of four (4) 2019 Chevy Tahoe Police Patrol Vehicles from Cap Fleet Upfitters totaling \$165,048.00 through BuyBoard Purchasing Cooperative.

Chief of Police Skelton remarked that current vacancies included 1 Patrol Officer and 2 CID Officers. If these positions were filled, vehicles would not be available. The purchase of four (4) vehicles would replace those with the most repairs and highest mileage i.e. 2014 Ford that has been in the shop for 6 months with extensive repairs, 2003, 2006, & 2009 Chevy(s).

In his discussion with the vendor, the 4 vehicles should be ready by the end of March. In selecting this vendor, the Department will not have to wait 9 months to receive the vehicles as with the prior vendor.

City Manager Rodriguez commented that depending on repairs, the Tahoe, Blazer, & Sedan will be used in utilities to assist with the AMI Project in the alleys which will only require employees to travel from one block to the next alley in a modest speed.

Motion was made, seconded & carried unanimously to approve the Purchase of Four (4) 2019 Chevy Tahoe Police Patrol Vehicles from Cap Fleet Upfitters totaling \$165,048.00 through BuyBoard Purchasing Cooperative.

	MOVED	SECONDED	VOTED AYE	VOTED NAY
FALCON			X	
WARNOCK	X		X	
PALILEO			XX	
FALCON			X	
WARNOCK	X		X	
PALILEO			XX	

FALCON  
 WARNOCK  
 PALILEO

FALCON  
 WARNOCK  
 PALILEO



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 ABSENT: MIKE URETA, JR. & DINO RAMIREZ

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**ELEVENTH ORDER OF BUSINESS:**

**11. Discuss and Act upon Re-Solicitation of Request for Proposals to Lease Approximately 274 Acres of Land Owned by the City of Fort Stockton located on Block 3, Section 71, T&P RR Co., which contains the City of Fort Stockton Wastewater Plant serving the Texas Department of Criminal Justice and Three (3) Registered Water Wells with 960 Acre Feet of H&E Irrigation Permits.**

Motion was made, seconded & carried unanimously to approve the Re-Solicitation of Request for Proposals to Lease Approximately 274 Acres of Land Owned by the City of Fort Stockton located on Block 3, Section 71, T&P RR Co., which contains the City of Fort Stockton Wastewater Plant serving the Texas Department of Criminal Justice and Three (3) Registered Water Wells with 960 Acre Feet of H&E Irrigation Permits.

**TWELFTH ORDER OF BUSINESS:**

**12. Discuss/Act upon City/County Clean-Up Customarily Scheduled for the Last 2 Weeks in March & First Week in April.**

City Manager Rodriguez reported that the City's landfill was reaching the end of its life expectancy. According to Director of Public Works Ramos' calculations regarding the landfill's width/depth/ratio, he identified that the landfill would not be available for trash disposal at the end of this calendar year.

He asked that the City be proactive and suspend the Spring Clean-Up in an attempt to handle some particulars and return with the Fall Clean-Up. To ease this issue, several businesses were currently being diverted elsewhere and as a result the City was not generating any revenue.

The City was attempting to prevent a cost to citizens because once the landfill reached its capacity it would be obligated to haul trash to Odessa which would generate a fee for the City and ultimately redirected to citizens.

Mayor Alexander commented that the landfill situation would be considered once again before the Fall Clean-Up. Hopefully the permit for the new landfill will be available & approved to begin the new landfill location. Regarding the clean-up, he stated "The County has agreed to also do the same."

FALCON  
 WARNOCK  
 PALILEO

MOVED	SECONDED	VOTED AYE	VOTED NAY
		X	X
X	X	X	X

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	MOVED	SECONDED	VOTED AYE	VOTED NAY
FALCON	X		X	
WARNOCK		X	X	
PALILEO			X	
FALCON	X		X	
WARNOCK		X	X	
PALILEO		X	X	

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**Council Member Falcon** emphasized that citizens were a priority and the reason that businesses were being refused at the landfill. The City was not generating revenue plus it was not a tax-supported entity either. Nevertheless, revenue needed to be generated which was a frustrating issue. Hopefully the process for the new landfill would progress faster.

Motion was made, seconded & carried unanimously to cancel the City/County Clean-Up Customarily Scheduled for the Last 2 Weeks in March & First Week in April.

**THIRTEENTH ORDER OF BUSINESS:**

13. Questions from the Media on Agenda Items.

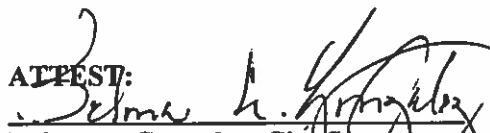
Inquiries were not made by the Media.

**FOURTEENTH ORDER OF BUSINESS:**

14. Adjourn.

There being no further business, motion was made, seconded and carried unanimously to adjourn the Regular City Council Meeting @ 6:35 p.m.

  
 Joe Chris Alexander, Mayor

ATTEST:  
  
 Delma A. Gonzalez, City Secretary