

CITY OF FORT STOCKTON, TEXAS
 MINUTES OF: REGULAR CITY COUNCIL MEETING
 DATE OF MEETING: APRIL 9, 2019
 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
 MIKE URETA, JR., 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.

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."

PROCLAMATION: Endorsing April 7 – 13, 2019 as "National Crime Victims' Rights Week."

Mayor Alexander read the proclamation and presented it to Mayor Pro-Tem Ureta.

Mayor Pro-Tem Ureta accepted the proclamation on behalf of Fort Stockton and responders that deal with victims. While a National Crime Victims' Rights Week, it was important to proclaim this event locally because everyone needed to realize that unfortunately crime and victims existed in every community; and our community was not any different.

In working where he had worked for the past 30 years and being involved with law enforcement, it was important that everyone realize that the people that respond to victims need not be thought of as a victim but they sense the same emotions and pain that the victim is experiencing because they are truly immersed in the incident.

Fort Stockton had tremendous first responders and he wanted victims to know that the City was committed to providing those services and doing everything that it could to get them through that time.

FIRST ORDER OF BUSINESS:

1. CONSENT AGENDA:

Minutes:

- Regular Meeting Minutes of Fort Stockton City Council, 03/26/2019

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- Regular Meeting Minutes of Fort Stockton Keep Historic FS Beautiful Board, 03/06/2019
- Special Meeting Minutes of Fort Stockton Keep Historic FS Beautiful Board, 03/21/2019
- Regular Meeting Minutes of Substandard Building Committee, 03/07/2019

Accounts Payable Total: \$270,909.54

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

SECOND ORDER OF BUSINESS:

2. Senior Civil Engineer Steve Synovitz with Hanson Professional Services Inc.

- ↳ Update on the 30-Inch Water Transmission Line Project.

Engineer Synovitz reported that only 10' of the water transmission line remained to be installed.

To Date Summary:

- **Pipe Installation Progress through 04/09/19:** Installed a total of 45,490/ L.F./45,500 L.F. = 99.98% of Total Pipe in the ground. Five (5') remained on each end to complete the hook up;
- **Cost Progression through 03/01/19:** \$2,361,337.41/\$3,155,508.00 = 75 % of Contract Price. Due to change orders and allowances that were not used or needed, a credit of approximately \$150,000 - \$180,000 remained and roughly \$400,000 in ancillary items needed to be completed; &
- **Schedule Progression through 04/09/19** was 353/405 Total Contract Days = 87% of Contract Time.

Testing Progress & Results:

- From the Highway Crossing to the R.O. Treatment Plant – 83% of this line was previously tested/passed. Earlier that day, the remaining 17% was tested/passed. They started to flush the line due to high chlorine content.

Looking Ahead:

- 5' Remained @ Each End of the Project for Tie-Ins;
- Line Flushing was being completed;

FALCON
 WARNOCK
 PALILEO
 RAMIREZ

MOVED	SECOND	VOTED AYE	VOTED NAY
		X	
		X	
		XX	
		X	
X			

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- **Line Flushing was being completed;**
- **Bacteriological Testing for the 18" Well Field Lines –**
 - 04/17-04/19- Survey will be completed;
 - 04/19 – 04/26 – Design of Project will be completed;
 - 05/03 – A change order proposal will be obtained from the contractor;
&
 - 05/06-05/17 - Construction timeframe.
- **Next Construction Observation Visits – May 28th or June 11th; if project is completed by June 1st will complete a final inspection and a City Council presentation.**
 - On May 1st – The project should substantially be complete. He will visit the site and prepare a punch list of everything that was missed, etc. The contractor will have 30 days to complete.
 - On May 14th - He will observe the work on the 18" water line and finish the 30" water transmission line.

Major Items Remaining:

- **Access Gate for University Lands: \$7,500**
- **Seeding: \$56,000**
- **Ductile Iron Pipe: \$38,600**
- **Flushing & Testing: \$9,000 (Being completed)**
- **Gate Valves: \$76,000 (2 more to install)**
- **Fittings: \$10,000**
- **Air Release Valve: \$5,500**
- **Flush Hydrants: \$12,000**
- **Pipe Markers: \$19,800 (for locating line)**
- **Automatic Pressure Release Valves: \$112,000 (3 mostly already installed)**
- **Connect to Each End: \$90,000**
- **Vaults, Blocks, Pedestals: \$91,000 (Completing)**

He understood that 3 years ago the City commenced work on an 18" PVC wellfield line where 3 wells connect together in one 12" line that runs to the tanks. Since that project was never completed, he was asked by the City to design, survey, and obtain a cost proposal from the contractor to install the pipe, etc. for the proposed project.

The 3 wells cannot operate simultaneously because a larger line is needed. A consideration is to lay an 18" line under the highway to the tank in order to bring in 2 of the wells while the other well will operate independently with an existing line

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that travels to the tanks. This process will ensure maximum simultaneous capacity from the 3 wells. A TX Dot permit will also need to be renewed.

Fortunately, the highway was previously bored underneath and installed was PVC which was full of mud that needed to be cleaned out. The alignment was 800' plus the pipeline was being stored by the City. A trench was previously dug which will need to be re-dug, cleaned out, and new pipe will need to be laid.

THIRD ORDER OF BUSINESS:

3. Chief of Police Ryan Skelton with Fort Stockton Police Department --- ↓ Statistics for March 2019

Chief of Police Skelton introduced several of the new officers:

- * Daniel Carreon – Previously a Reserve but now an Investigator. He has extensive experience;
- * Timothy Murphy – A Patrol Officer with quite a bit of experience;
- * Chris Orona – Promoted from Patrol Sergeant to Lieutenant;
- * Rick Irigoyen – Promoted from Patrol Officer to Patrol Sergeant;
- * Also commended were several Dispatchers and Records Department personnel in attendance that support the Department.

Lieutenant Orona presented March's statistics for the Police Department:

	SEPT.
Total Arrests	68
Assault Family Violence	1
Burglary	0
Criminal Mischief	0
Criminal Trespass	0
Possession of Controlled Subst.	5
Possession of Marijuana	6
Public Intoxication	4
Resisting Arrest	0
Thefts	1
Warrants	4
Accidents:	12
Traffic Stops/Violations:	294
Traffic Citations Issued:	32

Investigations Initiated:	61
83 rd DA Filed Cases:	8

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112 th DA Filed Cases:	16
County Attorney Filed Cases:	49
Juvenile Probation Filed Cases:	4
Calls for Service Dispatched:	1473
FS Police Department Calls:	1083
FS Fire Department Calls:	10
PC EMS Calls:	146
PC Sheriff's Office Calls:	234

Directed Traffic Program –

- Complaint Forms – 2 were received for March. Over 13 hours were worked on: Dickinson, Fifth, Hornbeck, Colpitts, Ryan, Greasewood, Front, & Everts & 17th Streets. This has “fallen short” due to an increase in calls, etc.
- Traffic Stops: 22;
- Public Relations Contacts: 21;
- Walk-Throughs Conducted: 132 in School Campuses, Hospital & Vulnerable Areas in Community

FOURTH ORDER OF BUSINESS:

4. Discuss and Act upon Ordinance No. 19-104, Revising Only The Surcharge Fees in Chapter 24 of the Code of Ordinances of the City of Fort Stockton Titled Utilities*, Article III. Service Rates and Charges, Division 2. Service Rates, Section 24-51. Rates for Water, Wastewater, Gas Services and Tap Charges Within the Corporate Limits; Section 24-52. Additional Surcharges for Temporary Lodging/Accommodations; and Repealing Chapter 21, Section 22.51 a Replication of Chapter 24, & Repealing All Other Ordinances or Portions Thereof in Conflict, A Severability Clause and Providing for an Effective Date.

City Manager Rodriguez reported that the Surcharge Fee adjustments included in the proposed ordinance were discussed during the 03/26/19 meeting. If approved, the ordinance will become effective June 1st to grant the Billing Department ample time for system modifications and notification to customers.

The Surcharge Fees will decrease as follows:

- Residential customers - \$5 to \$2.50 per meter
- Commercial customers - \$10 to \$7.50 per meter
- Hotels - \$20 to \$15 per room
- Apartment - \$20 to \$15 per unit
- R.V. Parks - \$15 to \$10 per space

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Mayor Alexander remarked that this surcharge was adopted approximately 2 years earlier to assist with the cost of the 30" water transmission line project. They indicated at the time that it would occasionally be reviewed to determine the amount that was being generated. Due to revenues received from additional source(s), a reduction will be made to customers.

Mayor Pro-Tem Ureta confirmed that they did what they initially stated that they would do.

Motion was made, seconded & carried unanimously to approve Ordinance No. 19-104, Revising Only The Surcharge Fees in Chapter 24 of the Code of Ordinances of the City of Fort Stockton Titled Utilities*, Article III. Service Rates and Charges, Division 2. Service Rates, Section 24-51. Rates for Water, Wastewater, Gas Services and Tap Charges Within the Corporate Limits; Section 24-52. Additional Surcharges for Temporary Lodging/Accommodations; and Repealing Chapter 21, Section 22.51 a Replication of Chapter 24, & Repealing All Other Ordinances or Portions Thereof in Conflict, A Severability Clause and Providing for an Effective Date.

FIFTH ORDER OF BUSINESS:

5. Discuss and Act upon Ordinance No. 19-105, Amending the City of Fort Stockton's Code of Ordinances, Chapter 24, Utilities*, Article 1. In General, Section 24-1. Drought Contingency Plan and Incorporating Section 24-2. Water Conservation Plan for the City of Fort Stockton to Promote the Responsible Use of Water and to Establish Criteria for the Initiation and Termination of Response Stages Including Restrictions and Providing for Penalties and/or Severability and an Effective Date.

Public Works Director Ramos reported that the City was mandated by the State to review, update and adopt its Drought Contingency Plan and Water Conservation Plan every 5 years. As required, both plans were reviewed, minimally updated, and will be submitted before May 1st to TCEQ, TWDB which includes Region F, & the MPGCD. Both plans are compliant with the State's directives for this region.

He expressed his gratitude to City Water Attorney Harral for his assistance with the statistics needed for the Population Progression, etc.

Motion was made, seconded & carried unanimously to approve Ordinance No. 19-105, Amending the City of Fort Stockton's Code of Ordinances, Chapter

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VOTED AYE	X X X X X
SECONDED	X
MOVED	X

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FALCON
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 RAMIREZ

VOTED NAY
 VOTED AYE
 SECONDED
 MOVED

24, Utilities*, Article 1. In General, Section 24-1. Drought Contingency Plan and Incorporating Section 24-2. Water Conservation Plan for the City of Fort Stockton to Promote the Responsible Use of Water and to Establish Criteria for the Initiation and Termination of Response Stages Including Restrictions and Providing for Penalties and/or Severability and an Effective Date.

SIXTH ORDER OF BUSINESS:

6. Discuss and Act upon Utilities Easement Between the City of Fort Stockton and Donohue Investments, LLC, for a Twenty (20) Feet in Width Utility Easement Containing 0.170 Acres More or Less, Out of the G.C. Thurman Survey No. 160, Abstract No. 777, Pecos County Texas, Being a Portion of a called 25.87 Acre Tract of Land, All of Block S, Fort Stockton Irrigated Lands.

Asst. City Manager Davis reported that City Attorney Gonzales prepared this Utility Easement which is for an existing sewer line on the northeast side of the community on Donahue Investments' property &/or where the R.V. Park is located. This line runs on the south side of the property. A cost to the City is not associated for this easement.

FALCON
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VOTED NAY
 VOTED AYE
 SECONDED
 MOVED

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SEVENTH ORDER OF BUSINESS:

7. Discuss and Act upon Termination of Financial Advisory Services Contract with Estrada Hinojosa & Company, Inc.

Director of Finance Rodriguez conveyed that the current 5-year contract with Estrada Hinojosa & Company was obtained in 2016 wherein Financial Advisor Robert Tijerina assisted the City with its bond process.

Due to circumstances, he was no longer associated with Estrada Hinojosa & Company but was proprietor of a new company. A recommendation was that the City terminate its existing contract and switch to Financial Advisor Tijerina's company. The current contract provided that the agreement could be terminated

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with or without cause by the Issuer upon a 30 days' written notice. She supposed that Advisor Tijerina had assisted the City since 2009 and everyone was extremely pleased with his services.

Council Member Falcon inquired if the City needed to solicit Request for Proposals for this service.

Advisor Tijerina replied that the procurement process for financial advisory services was not required by any issuer whether a city, county, school or community college. This same question was asked by other issuers.

Motion was made, seconded & carried unanimously to approve Termination of Financial Advisory Services Contract with Estrada Hinojosa & Company, Inc.

EIGHTH ORDER OF BUSINESS:

8. Discuss and Act upon Financial Advisory Services Agreement with Lawrence Financial Consulting LLC (to be renamed Tijerina Galvan Lawrence LLC) as the City's Financial Advisor.

Motion was made, seconded & carried unanimously to approve the Financial Advisory Services Agreement with Lawrence Financial Consulting LLC (to be renamed Tijerina Galvan Lawrence LLC) as the City's Financial Advisor.

Financial Advisor Tijerina thanked the City for the opportunity to continue to represent the City of Fort Stockton which started in 2007. He enjoyed seeing the community and its growth and stated, "These are the fruits of labor on the 30" line from a couple of years ago on the financing."

At the moment, the City was not considering any financing but this did not matter because he just wanted to continue the relationship to represent the City as financial advisor.

NINTH ORDER OF BUSINESS:

9. Discuss and Act upon Solicitation of Bids for a Mobile Hydraulic Concert Stage.

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FALCON
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 RAMIREZ

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X

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Director of Tourism Lopez commented that 3 quotes for stages were received. The Stageline and Wenger, require a 1 ton+ truck to move and place the stage while Apex Stages only requires a ¾ ton truck, is aluminum and lighter in weight. Apex Stages is top of the line and similar to Odessa's but is less money. A 32' x 24' hydraulic stage is being considered.

Mayor Alexander commented that the stage would be paid with hotel/motel tax monies. The CVB was tasked to hold a concert whether it be quarterly or more often. Unfortunately, the most recent concert held at the coliseum required 2 old flatbeds to keep band members from falling on the ground. The Apex Stage can be assembled by two individuals and folded into a large enclosed box.

Motion was made, seconded & carried unanimously to authorize the Solicitation of Bids for a Mobile Hydraulic Concert Stage.

TENTH ORDER OF BUSINESS:

10. Discuss and Act upon Fort Stockton Downtown Association By-Laws.

FS Downtown Chairman Sabrina Ruiz expressed that several revisions were made to the initial by-laws.

Motion was made, seconded & carried unanimously to approve the Fort Stockton Downtown Association By-Laws.

ELEVENTH ORDER OF BUSINESS:

11. Discuss and Act upon Revised Contract & Payment to Reflect Name Change from St. Joseph's Catholic Church to Our Lady of Guadalupe Parish.

Director of Tourism Lopez commented that a letter agreement was recently approved by the CVB Board to financially assist the St. Joseph's Catholic Church for an event that it is hosting.

The names for the St. Agnes Catholic Church and St. Joseph's Catholic Church were recently changed to "Our Lady of Guadalupe" and therefore the letter agreement as well as the payment needed to be revised to reflect the correct name.

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FALCON
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	MOVED	SECOND	VOTED AYE	VOTED NAY
FALCON	X		X	
WARNOCK			X	
URETA		X	X	
PALILEO			X	
RAMIREZ			X	

Motion was made, seconded & carried unanimously to approve the Revised Contract & Payment to Reflect Name Change from St. Joseph's Catholic Church to Our Lady of Guadalupe Parish.

TWELFTH ORDER OF BUSINESS:

12. Discuss and Act upon Deed Without Warranty to the Fort Stockton 4-A EDC for All of Lot 10, Block 13, Old Fort Addition (Former Police Department Building).

EDC Director Ramos reported that this item was approved during the 03/26/19 City Council Meeting although the deed granting the former Police Department Building to the Fort Stockton 4-A Economic Development Corporation was not included in the packet and unprepared.

Council Member Falcon expressed that he received several calls regarding this item and asked EDC Director Ramos to provide additional details regarding EDC's plans for this building.

EDC Director Ramos conveyed that EDC realizes that there is interest for additional businesses in the downtown area. As with the Springhirst, their intent is to solidify a development agreement with specific restrictions on what can occur with the property i.e. restrictions on the type of office buildings, space, business, etc. Their goal is to recruit/encourage businesses that bring people to the downtown area.

Council Member Falcon inquired what the timeframe will be before the building reverts to the City if nothing happens with it.

EDC Director Ramos responded that the EDC prefers a 1-year term after they obtain a contract with an interested party; to provide 1-year to rehab or improve the building. They will consider various options to determine who can utilize the space in the best way and occupy it with the most employees.

Council Member Ramirez asked if the timeline will be included in the contract that will be provided to the builder.

EDC Director Ramos replied that the Springhirst contract contained a timeline and a penalty clause. The final termination will revert the building to EDC. This same clause will also be in the contract for the P.D. Building.

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FALCON
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MOVED
 X
 SECONDED
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 VOTED AYE
 X
 VOTED NAY
 X

Motion was made, seconded & carried unanimously to approve the Deed Without Warranty to the Fort Stockton 4-A EDC for All of Lot 10, Block 13, Old Fort Addition (Former Police Department Building).

THIRTEENTH ORDER OF BUSINESS:

13. Discuss and Act upon Correspondence Confirming that Core and Main is the Authorized Sole Distributor for Neptune Technology Group Products for Fort Stockton &/or Texas.

Director of Public Works Ramos remarked that Core & Main in Texas was the sole authorized distributor and seller of the AMI Neptune Water Meters that measure and record accurate water usage. Furthermore, these meters are the only meters that are compatible with the City's AMI water metering system that was brought online earlier this year.

This letter will confirm to auditors why the City will exceed its \$50,000 yearly procurement threshold with Core & Main for its water meter change-out project.

FALCON
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X
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Motion was made, seconded & carried unanimously to approve the Correspondence Confirming that Core and Main is the Authorized Sole Distributor for Neptune Technology Group Products for Fort Stockton &/or Texas.

FOURTEENTH ORDER OF BUSINESS:

14. Discuss and Act upon Contract for Pest Control Service Between the City of Fort Stockton & James Ponder, Contractor.

Council Member Falcon asked if the new Police Department Building on Seventeenth Street would be included in Contractor Ponder's service because the address was not included in the agreement.

City Manager Rodriguez responded that his service would switch once the Police Department relocated to the new location. This will be ensured.

FALCON
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Motion was made, seconded & carried unanimously to approve the Contract for Pest Control Service Between the City of Fort Stockton & James Ponder, Contractor.

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DINO RAMIREZ
MIKE URETA, JR. ARRIVED @ 5:40 P.M.

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15. Discuss/Act upon a Retention Stipend Not to Exceed 3% Yearly Base Income for Full-Time Employees Who were Employed on October 1, 2018 & Actively Employed on April 12, 2019; Paid Separately.

City Manager Rodriguez asked City Council to consider a 3% Retention Stipend as a one-time payout for every fulltime employee that has been employed with the City for the past 6 months. The basis for this request is to retain personnel and to remain in direct competition with companies who are offering improved wages in this area. In the last quarter, 6 employees have opted to terminate their employment with the City for increased earnings with the competition.

The City's sales tax revenue, appropriated funds, budgeted funds &/or available funds generated from enhanced revenue sources during the specified budget year will be utilized for this Retention Stipend. Most recently, the City's sales tax return increased 12% and anticipated for March is a minimum increase of 10%. Additionally, Blue Ridge, a major revenue source, exceeded its budgeted revenue income by \$140,000 that day.

Currently, the City is thriving and the implementation of a Retention Stipend Program will potentially encourage personnel to remain with the City. "The City is beyond its mark and we would like to give back to our employees!"

Motion was made, seconded & carried unanimously to approve the Retention Stipend Not to Exceed 3% Yearly Base Income for Full-Time Employees Who were Employed on October 1, 2018 & Actively Employed on April 12, 2019; Paid Separately.

16. Discuss/Act upon 2019 Consumer Price Index Adjustment to Municipal Telecommunications Right-of-Way Access Line Rates from the Public Utility Commission of Texas.

Motion was made, seconded & carried unanimously to Decline the 2019 Consumer Price Index Adjustment to Municipal Telecommunications Right-of-Way Access Line Rates from the Public Utility Commission of Texas.

**FALCON
WARNOCK
URETA
PALILEO
RAMIREZ**

[illegible]

FALCON
WARNOCK
URETA
PALILEO
RAMIREZ

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

Director of Finance Rodriguez commented that the proposed budget calendar could be revised and was tentatively scheduled due to summer vacations, etc. An attempt was made to maintain dates similar to last year's budget calendar. The dates indicated below the bold line needed to remain to be in compliance with the State's and Pecos County Tax Assessor/Collector Acosta's deadline.

Mayor Alexander recessed from the Regular Meeting @ 6:41 p.m. to reconvene into the:

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: Annual Evaluation & Revision to Contract for City Manager Frank Rodriguez III.

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

Motion was made, seconded and carried unanimously to Approve a Positive Annual Evaluation for City Manager Frank Rodriguez III and Revision to his

X		X
		X
	X	X
		X
		X

		X
	X	X
X		X
		X
		X

CITY OF FORT STOCKTON, TEXAS
 MINUTES OF: REGULAR CITY COUNCIL MEETING
 DATE OF MEETING: APRIL 9, 2019
 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
 MIKE URETA, JR. ARRIVED @ 5:40 P.M.

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

Employment Contract to Include a 36-Month Extension beginning April 9, 2019.

TWENTIETH ORDER OF BUSINESS:

20. Questions from the Media on Agenda Items.

Inquiries were not made by the Media.

Fort Stockton Publisher Steve Fountain introduced Reporter Aurora Sain who relocated from Sacramento, California. Her employment with the local newspaper commenced 1 week earlier.

TWENTY-FIRST ORDER OF BUSINESS:

21. Adjourn.

There being no further business, motion was made, seconded and carried unanimously to adjourn the Regular City Council Meeting @ 7:03 p.m.

ATTEST:


 Delma A. Gonzalez, City Secretary


 Joe Chris Alexander, Mayor

FALCON
 WARNOCK
 URETA
 PALILEO
 RAMIREZ

X

X
 X
 X
 XX
 X

VOTED NAY
 VOTED AYE
 SECONDED
 MOVED