

MINUTES OF: **REGULAR CITY COUNCIL MEETING**DATE OF MEETING: **JULY 23, 2019**TIME OF MEETING: **5:30 P.M.**PLACE OF MEETING: **CITY COUNCIL CHAMBER**

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:

**RUBEN FALCON, JAMES WARNOCK, MIKE URETA, JR.,
PAM PALILEO & PAUL CASIAS**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 Pro-Tem Ureta gave the Invocation.

10U & 18U Softball All-Stars Teams 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."

RECOGNITION: Commend the 10U Softball All-Stars Team for a 1st Place Win at the West Texas All-Star Tournament in Midland:

- Gabby Madrid, Yareli Palacios, Jocelyn Carrillo, Thiara Wislar, Victoria Maldonado, Alex Ramirez, Ayla Valenzuela, Lauren Gonzalez, Aeralynn Orona, Alyssa Bernal, Diem Hinostrroza, Marlayna Salmon, & Melanie Salmon
- Coaches: MJ Salmon, Tulon Murphy, & Ismael Madrid

Mayor Alexander conveyed that the City was extremely honored, proud, and pleased that both championship teams were in attendance. He commended them for their achievement and also praised parents for their contribution.

Recreation Admin. Assistant Kayla Muñiz commented that each player arduously battled to secure a first-place win.

RECOGNITION: Commend the 18U Softball All-Stars Team for a 1st Place Win at the West Texas All-Star Tournament in Midland:

- Shelby Murphy, Ninelly Gonzalez, Ashleigh Ramirez, Kayla Prieto, Adree Bueno, Yanet Rodriguez, Savannah Rodriguez, Mariah Bueno, Zabrina Blanco, Heliana Bueno, Anahi Renteria, & Annika Melendez
- Coaches: Abby Murphy, Monica Murphy, & Tulon Murphy

Recreation Administrative Assistant Muñiz commented that this team secured first place in pool games and regular games. They reigned throughout the entire tournament.

VOTED NAY
VOTED AYE
SECONDDED
MOVED

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1. CONSENT AGENDA:

Minutes:

- **Regular Meeting Minutes of Fort Stockton City Council, 07/09/2019**
- **Regular Meeting Minutes of Convention & Visitor's Bureau, 06/18/2019**
- **Joint Meeting Minutes of Convention & Visitor's Bureau & Fort Stockton City Council, 06/26/2019**
- **Regular Meeting Minutes of Fort Stockton Downtown Association, 06/18/2019**
- **Regular Meeting Minutes of Keep Historic Fort Stockton Beautiful Board, 06/09/2019**

Accounts Payable Total: \$788,810.24

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

SECOND ORDER OF BUSINESS:

2. Discuss/Act upon the Construction of New City Pool by May 2020

- (A) Location: City-Owned Property on East Dickinson Boulevard & Urias Street
(B) Funding: General Fund
(C) Construction: Requests for Qualifications (RFQ) from Interested Designers

Council Member Falcon reported that the former city pool was closed 10 years ago because it was leaking approximately 33,000 gallons of water daily. A crew was hired to determine what was occurring. They drilled approximately 60' and hit a cavern but after an additional attempt the City was required to discontinue this process because the City was experiencing financial issues at the time and the only option was to close the pool.

He believed that the community needed a new pool but smaller than the former pool; perhaps 2/3 the original size, a toddler section, 8' depth, water slide, etc. After considering this project for 2 years, this was the opportune time being that the Comanche Springs pool was customarily used on a yearly basis for the Water Carnival and will possibly continue to require additional improvements, etc. His

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PALILEO
CASIAS

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

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MOVED**MAYOR: JOE CHRIS ALEXANDER
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goal was that the City construct this pool by May 2020 which was only 10 months away.

Although the land being considered for this new pool was city-owned, he was contacted regarding a different location. It was either the land or the pool. The objective was to fund this project through the General Fund which was "tippy toeing" at \$9 million because the City did not want to obtain any additional debt.

It was the responsibility of City leadership to ensure that the community was balanced in growth/development. In the past 15-20 years, the city expanded to the west side which greatly increased the sewer system's pressure. Development on the east side of the community was encouraged by the City but nevertheless anyone desiring the best return on an investment opted for the west side of town where the growth was.

For the past 20-30 years, it had been troubling for property owners and business owners to witness that the east part of the community had been abandoned or seen very little growth. If the City placed a pool on that side of town, investors will see that there is movement in that area. Being that this property was huge, another consideration was the construction of a new Recreation Department.

As previously stated, the pool will be subsidized by the General Fund unlike the School and County that use tax dollars for their projects. The majority of the City's funds are generated from water, gas, sewer, sanitation, & collection of sales and property taxes. Therefore, events that generate visitors are encouraged in the community because they spend money locally which yields 2% of the sales tax.

His preference was that the pool be overseen by the City Manager's Office. This will provide three summer months of solid employment opportunities for the youth; lifeguards, maintenance, concession stand, etc.

The agenda item was structured in the manner that it was to hopefully prevent it from "dying" if an agreement was not reached regarding the location, funding or the Request for Qualifications; which will take some time. They could then consider the additional options. He preferred that this discussion be held during the budget process but did not believe there would be ample time due to the RFQ process.

Mayor Alexander commented that this was one of the properties earmarked 2 years earlier to spur growth on the east part of the community. He did not believe

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 SECONDED
 MOVED

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that this was the best location because extensive drilling will be required to determine if caverns exist to avoid what happened to the former City pool. Two additional locations were a possibility but further deliberation was needed. The funding will be discussed during the budget workshops to determine if feasible.

Al Haney, 101 S. Sage Street, Fort Stockton, Texas 79735, conveyed that he had been swimming for years in mostly the school pools under a city program dating back to the Joe Struss days. The FSISD recently built a tremendous and expensive first-class pool and cautioned the City before it extended itself financially for a pool that would only be used 3 months out of the year; unless an indoor pool. A large municipal pool will be capital intensive plus he did not believe that the community had enough interest from people to swim year-round.

He asked that the City intently pursue an agreement with the FSISD for the possible use of that pool. Some of the funds required to operate a new city pool could be used as an incentive for the School District to work with the City to make this happen. He knew the county pool had some limitations but believed this was something the community could live with versus the high capital expense of an operation that would be used for only a quarter of the year.

Valerie Bueno, 682 W. 42nd Lane, Fort Stockton, Texas 79735, expressed that the pool at the High School was customarily used by the swim team beginning in August. Also, it was a heated pool and an important factor was the number of citizens that would want to use it in the summer time.

Council Member Falcon reported that he was on the bond committee that agreed that the new pool would be open to the public because \$10 million for one swim team was too expensive. This never transpired and every volunteer that served on that committee was disappointed.

He inquired about leasing the pool 3 months per year with the City hiring the lifeguards while School Resource Officers patrolled it. Initially, an option was to not construct a new pool because it was the most expensive feature of the bond that was budgeted at \$4.5 million that ultimately doubled in cost.

Council Member Casias did not believe that the proposed site was reasonable because the Comanche Springs Pool was already on the east side of town. In conversing with the pool's manager, he did not believe that building a new pool would be a wise decision due to a lack of swimmers &/or roughly 100 swimmers

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daily. Needed were activities that could be relished year-round rather than a few months per year.

Mayor Pro-Tem Ureta commented that from a business and City perspective, the location was feasible because the land was already owned by the City. Second, in constructing a pool, he wanted the City to make a commitment that it would not use tax dollars or increase fees for services.

Council Member Warnock emphasized that a consideration could be a water park. He favored using the Comanche Springs Pool due to the number of people that frequented it daily but personally preferred a complex.

Mayor Alexander remarked that most communities were now building splash parks or waterparks instead of pools because people willingly traveled to other cities for that type of facility. If the City planned to pursue a similar project, either Monahans, Andrews, San Angelo, or Odessa needed to be visited to view their facilities and inquire if a successful operation. He recommended that City Manager Rodriguez assemble a study group to determine the type of facility desired and if financially feasible. He recommended that no action be taken on this item.

Council Member Falcon emphasized that he wanted to solicit RFQ from interested designers because the entire process and review will take a minimum of 60 days. He recommended that the solicitation of RFQ be considered.

Mayor Pro-Tem Ureta cautioned City Council that the agenda item was worded for a pool instead of a water park. He recommended as the Mayor did that no action be taken at this item. They could return with the proper language after the City Manager was instructed by the Mayor to assemble a group to review the sites and required information. They could fast track the process to determine exactly what was wanted.

Mariah Bueno suggested a new pool and re-opening Stockton Plaza with the theatre. Nobody enjoyed traveling 1½ hours to watch movies, etc.

Mayor Alexander declared that since closing of the Plaza, the City Council, CVB, & EDC had worked really hard to get it re-opened. He could not say much but there was light at the end of the tunnel. This could be a reality soon.

Item tabled until City Manager Rodriguez is instructed by Mayor Alexander to assemble a group to review the sites and required information.

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THIRD ORDER OF BUSINESS:

- 3. Discuss/Act upon Amendment of Easements and Right-of-Way for Two (2) 25' Wide Easements, Right-of-Way, and 0.09 Acre Surface Site Agreements with Salt Creek Midstream, LLC Being on Sections 33 & 40, Block 50, Township 9, T&P R.R. Company Survey, Pecos County, Texas.**

City Water Attorney Harral commented that Salt Creek Midstream was consistently relocating their right-of-ways, etc. and did not ask to be reimbursed for their prior payment(s) to the City from previous agreement(s).

Both of the documents which contained minor right-of-way revisions or relocations were in the same form as approved in the past by the City. Their payment which was greater than what the UT Rate Structure Schedule required was placed in the mail yesterday. The exact dollar amount will be provided by him through an email. He recommended that this item be approved.

Motion was made, seconded, and carried unanimously to approve Amendment of Easements and Right-of-Way for Two (2) 25' Wide Easements, Right-of-Way, and 0.09 Acre Surface Site Agreements with Salt Creek Midstream, LLC Being on Sections 33 & 40, Block 50, Township 9, T&P R.R. Company Survey, Pecos County, Texas.

FOURTH ORDER OF BUSINESS:

- 4. Discuss/Act upon Change Order #10 for \$224,805.00 authorizing Nelson-Lewis to Proceed with the 18-Inch Well Field Waterline.**

City Manager Rodriguez reported that approval of Change Order #10 authorized Nelson-Lewis to complete the installation of the 18-Inch Well Field Waterline Project which will be tied into the new 30-Inch Water Transmission Line. The completion of this process will provide water to the community in a much more efficient manner.

Director of Finance Rodriguez conveyed that originally the City had a credit of \$137,714.39. Approval of Change Order #10 for \$224,805.00 will require the City to provide an additional \$87,090.61 from the Infrastructure Fund to complete this 18-Inch Well Field Waterline Project. Funds for this project are available and will increase the project amount to 103%.

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City Manager Rodriguez expressed that the equipment was still at the site and the expense would be less than what it would have normally been.

Mayor Alexander reported that this project was necessary because the wellfield waterlines were too small which prevented the City to simultaneously utilize all its wells versus only two at a time.

Motion was made, seconded, and carried unanimously to approve Change Order #10 for \$224,805.00 authorizing Nelson-Lewis to Proceed with the 18-Inch Well Field Waterline and the disbursement of \$87,090.61 from the Infrastructure Fund.

FIFTH ORDER OF BUSINESS:

5. Discuss/Act upon the 3rd Quarter Revenue & Expense Report for Fiscal-Year 2018-2019.

Director of Finance Rodriguez reported that this was the 3rd Quarter FY 2018-2019 Revenue & Expense Report ending June 30, 2019 wherein 75% of the Fiscal-Year budget was completed.

Year-To-Date Actuals are as follows:

FUND	REVENUES	BUDGET %	EXPENDITURES	BUDGET %	OVER/ UNDER
GENERAL	\$8,612,213.16	89.50	\$6,398,942.89	74.96	\$2,213,270.27
HB 445	525,371.61	101.03	293,976.18	66.60	231,395.43
RECREATION	292,149.00	80.22	247,423.00	73.32	44,726.00
HOUSING	342,248.68	68.11	330,000.00	65.67	12,248.68
ENTERPRISE	8,335,068.60	76.73	7,433,829.83	77.02	901,238.77
EDC 4A	733,297.88	112.82	406,839.05	68.83	326,458.83
EDC 4B	547,180.30	102.85	143,701.44	34.96	403,478.86
CVB	1,518,491.02	76.89	1,389,655.87	79.54	128,835.15
DEBT SERVICE	1,457,593.03	82.49	1,059,084.53	99.95	398,508.50

- * **General Fund:** This account was on target with regard to expenses but the majority of the \$2 million in revenue generated from the Sales Tax & Blue Ridge.
- * **HB 445:** This ¼% sales tax is designated only for roadwork and repairs. Most of these funds are normally consumed during the summer months

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VOTED NAY
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which will eventually reach the 75% 3rd Quarter Fiscal-Year Budget benchmark. Revenues were met for the year.

- * **Recreation:** The department is operating with revenues collected from expenses incurred with tournaments in July. The City has paid for the 3rd Quarter and will pay the 4th Quarter at the end of September. Pecos County only needs to pay \$15,000 while the FSISD customarily pays its amount at the beginning of the year.
- * **Housing Authority:** The department continues to operate within its budget. The fund balance from last year assisted with the government freeze that occurred at the beginning of the year.
- * **Enterprise Fund:** Collections for water is in arrears for one month. The Water Department has not received its revenue for the summer months when the most revenue is collected. Still lacking is a Debt Service payment of \$260,000 to the Enterprise Fund.
- * **EDC 4A:** Leases with the railroad have increased and thus produced increased revenues.
- * **EDC 4B:** Expenditures expected to increase due to Silliman Park and two parking lot projects.
- * **CVB:** The commitment of \$550,000 to the Community Theatre was paid. Hotel/Motel Occupancy Tax continues to increase.
- * **Debt Service:** Lacking is the \$260,000 payment from the Enterprise Fund for the approximate \$700,000 final payment of the year &/or until next March.

Motion was made, seconded and carried unanimously to approve the 3rd Quarter Revenue & Expense Report for Fiscal-Year 2018-2019.

SIXTH ORDER OF BUSINESS:

6. Discuss/Act upon the 3rd Quarter Investment Report for Fiscal-Year 2018-2019.

Director of Finance Rodriguez reported that at the end of June, TexPool's average interest rate was 2.45%, LOGIC's average interest rate was 2.49%, PCSB's average interest rate was 1.83%, 90-day T-Bills were 2.21% and 1-Year T-Bills were 1.91%.

Most funds continued to be at LOGIC and restrictions from PCSB to maintain funds below \$6 million were being met.

**FALCON
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MOVED	SECOND	VOTED AYE	VOTED NAY
X		X	
	X	X	
		X	
		X	
		X	
		X	

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FUND	BEGINNING OF QTR.	END OF QTR.	INTEREST EARNED
GENERAL OPERATIONS	\$11,878,115.38	\$12,198,837.83	\$72,874.80
CVB	3,224,183.39	3,065,992.64	19,678.43
EDC 4A	1,927,554.67	2,115,354.19	12,126.26
EDC 4B	1,382,739.65	1,471,577.28	8,095.79
CO SERIES 2017	74.51	75.27	0.76
SPECIAL ASSESSMENT	1,325,824.21	1,527,187.16	8,958.53

- * **General Fund:** In accordance with Resolution No. 11-110R, the City continues to maintain 7% of its total budgeted expenses which is \$1,422,492.40;
- * **CVB:** Funds decreased due to the \$550,000 payment to the Community Theatre;
- * **CO Series 2017:** The \$75.27 was prorated interest earned from when funds were withdrawn. This amount will be used for Nelson-Lewis' final payment; &
- * **Special Assessment:** These funds will be disbursed for Change Order #10 to Nelson-Lewis.

FALCON
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 PALILEO
 CASIAS

X

X

X

X

X

X

Motion was made, seconded and carried unanimously to approve the 3rd Quarter Investment Report for Fiscal-Year 2018-2019.

SEVENTH ORDER OF BUSINESS:

7. Questions from the Media on Agenda Items.

Inquiries regarding agenda items were not made by the Media.

EIGHTH ORDER OF BUSINESS:

8. Adjourn.

FALCON
 WARNOCK
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 PALILEO
 CASIAS

X

X

X

X


X

X

Motion was made, seconded and carried unanimously to adjourn the Regular City Council Meeting @ 6:26 p.m.

ATTEST:


 Delma A. Gonzalez, City Secretary


 Joe Chris Alexander, Mayor