

CITY OF FORT STOCKTON, TEXAS
 MINUTES OF: REGULAR CITY COUNCIL MEETING
 DATE OF MEETING: JULY 28, 2020
 TIME OF MEETING: 5:30 P.M.
 PLACE OF MEETING: CITY COUNCIL CHAMBER

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

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:
 PRESENT: RUBEN FALCON, JAMES WARNOCK & PAUL CASIAS

PRESENT VIA VIDEO CONFERENCE: PAM PALILEO

ABSENT: MIKE URETA JR.

MAYOR: JOE CHRIS ALEXANDER
 CITY MANAGER: FRANK RODRIGUEZ III
 CITY SECRETARY: MARINA A. CANTU
 CITY ATTORNEY: PUJA BOINPALLY

Mayor Alexander called the Regular Meeting to order at 5:40 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:

- ⚡ Special Meeting Minutes of Fort Stockton City Council, 07/13/2020
- ⚡ Regular Meeting Minutes of Fort Stockton City Council, 07/14/2020

Accounts Payable Grand Total: \$335,370.63

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

SECOND ORDER OF BUSINESS:

2. Discuss/Act upon Awarding the Proposal for Emergency Repairs of Paddlewheel Aerator Unit at City Wastewater Plant Oxidation Ditch. Proposals Submitted: Construction Product Marketing, Dowtech Specialty Contractors, Paso-Tex & Seville Industries

City Manager Rodriguez asked that this item be tabled to allow additional time to review the proposals.

Motion was made, seconded and carried unanimously to table the item for additional time to review the proposals submitted for Emergency Repairs of Paddlewheel Aerator Unit at City Wastewater Plant Oxidation Ditch.

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THIRD ORDER OF BUSINESS:

3. Discuss/Act upon Re-Solicitation of Request for Proposals for a 2-Year Service Agreement for Bulk Fuel, Diesel Exhaust Fluid (DEF), Coolant/Anti-Freeze, Engine Oil, & Hydraulic Oil that shall be delivered to the City's Maintenance Yard and Current/New Landfill.

Public Works Director Aaron Ramos explained that no proposals were received; therefore, he was requesting the re-solicitation of proposals for Bulk Fuel.

Motion was made, seconded and carried to Authorize the Re-Solicitation of Request for Proposals for a 2-Year Service Agreement for Bulk Fuel, Diesel Exhaust Fluid (DEF), Coolant/Anti-Freeze, Engine Oil, & Hydraulic Oil that shall be delivered to the City's Maintenance Yard and Current/New Landfill, extending the radius 150 miles to include the Odessa/Midland area.

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X X

FOURTH ORDER OF BUSINESS:

4. Discuss/Act upon Approval to Purchase Alternate RO Plant Membranes.

Public Works Director Ramos explained that 2 quotes were obtained from Paso-Tex out of El Paso, Texas.

The 1st quote was for \$104,856.94 and the 2nd was for \$110,000.00.

The 2nd quote includes labor, lodging and travel for a company representative to be available to assist to ensure there are no issues & for warranty purposes. He explained that the company representative is certified in installation which would validate the warranty.

Public Works Director Ramos recommended the 2nd quote and stated it is expected to be a 3-4-day job.

City Manager Rodriguez explained that Paso-Tex is the company that holds the Agreement for the Scada System for the RO Plant. Therefore, bids were not required for this project.

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Motion was made to Approve the Purchase of Alternate RO Plant Membranes.

Council Member Falcon inquired if Paso-Tex already holds the Agreement, why is there an additional fee to have a representative present.

City Manager Rodriguez explained that the company representative is certified to install the membranes while the City staff are not.

Council Member Falcon stated he thought the fee for installation was all inclusive.

City Manager Rodriguez reiterated that Paso-Tex would charge a fee to have someone install the membranes.

Mayor Alexander explained Paso-Tex was selected as the vendor for this project; however, they charge a fee every time they have to come down to work on the RO Plant.

Motion was seconded and carried unanimously to Approve the Purchase of Alternate RO Plant Membranes in the amount of \$110,000.00.

FIFTH ORDER OF BUSINESS:

5. Discuss/Act upon Interlocal Agreement with the City of Grandfalls for Emergency Gas System Services.

City Manager Rodriguez advised City Council that the Agreement was previously reviewed by City Attorney Boinpally.

Public Works Director Ramos explained the City of Fort Stockton assisted the City of Grandfalls with leaks twice this year.

The City of Fort Stockton is the closest city able to provide Emergency Gas System Service Assistance to the City of Grandfalls.

The City of Grandfalls will compensate the City of Fort Stockton for their assistance to include travel, weekend pay, holiday pay, materials & equipment.

City Manager Rodriguez explained that the question was posed as to why they

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

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 VOTED AYE
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couldn't contract the job out to a plumber. The response was the individual would have to be a certified gas operator to work on the systems.

Mayor Alexander explained this is for the assistance would be for their Gas System itself.

Motion was made, seconded and carried unanimously to Approve the Interlocal Agreement between the City of Fort Stockton and the City of Grandfalls for Emergency Gas System Services.

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SIXTH ORDER OF BUSINESS:

6. Discus/Act upon the 3rd Quarter Revenue & Expense Report for Fiscal-Year 2019-2020.

Director of Finance Rodriguez reported that this was the 3rd Quarter FY 2019-2020 Revenue & Expense Report ending June 30, 2020 wherein 75% of the Fiscal-Year budget was completed.

Year-To-Date Actuals are as follows:

FUND	REVENUES	BUDGET-%	EXPENDITURES	BUDGET %	OVER/UNDER
GENERAL	\$ 7,298,822.73	73.80%	\$ 6,582,943.52	72.88%	\$ 715,879.21
HB 445	\$ 487,245.65	81.21%	\$ 392,473.83	58.89%	\$ 94,771.82
RECREATION	\$ 266,704.48	73.18%	\$ 206,755.37	57.36%	\$ 59,949.11
HOUSING	\$ 322,286.32	67.49%	\$ 330,013.26	69.69%	\$ (7,726.94)
ENTERPRISE	\$ 7,154,089.52	70.01%	\$ 7,121,378.39	74.39%	\$ 32,711.13
EDC 4A	\$ 593,600.20	75.71%	\$ 568,396.63	75.32%	\$ 25,203.57
EDC 4B	\$ 503,735.33	81.25%	\$ 567,005.20	82.03%	\$ (63,269.87)
CVB	\$ 903,732.14	49.59%	\$ 960,642.52	62.21%	\$ (56,910.38)
DEBT SERVICE	\$ 1,256,031.13	71.18%	\$ 690,317.71	100.10%	\$ 565,713.42
SPECIAL ASSESSMENT	\$ 652,009.77	79.51%	\$ 601,940.68	73.41%	\$ 50,069.09

- **General Fund:** The Enterprise Fund, which includes Water, Sewer & Gas have not been able to fulfill their 75% of Revenues to the General Fund due to the Relief granted to the Citizens.
- **HB 445:** This is ¼ % Sales Tax is designated only for roadwork and repairs.

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Most of their expenses occur during the summer months therefore it will eventually even out with their revenues.

- **Recreation:** Due to the pandemic the Recreation Sports were cancelled; therefore, there have not been as many expenditures as anticipated.
- **Housing:** They carry a Fund Balance that HUD has asked them to utilize.
- **Enterprise:** They have not been able to fulfill their 75% of Revenues to the General Fund due to the Relief granted to the Citizens of Fort Stockton.
- **EDC 4A:** They have been doing the grant relief for the local businesses.
- **EDC 4B:** They requested the Budget Amendment to finish the Rio Street Project.
- **CVB:** They don't have the occupancy tax we have seen in previous years due to the pandemic. However, they have a fund balance they can utilize.
- **Debt Service:** Everything is in encumbrance, which is approximately \$1,000,000.00. This payment will be going out in September.
- **Special Assessment:** They have already fulfilled their payment this year for our seal.

Motion was made, seconded & carried unanimously to Accept the 3rd Quarter Revenue & Expense Report for Fiscal-Year 2019-2020.

SEVENTH ORDER OF BUSINESS:

7. Discuss/Act upon the 3rd Quarter Investment Report for Fiscal-Year 2019-2020.

At the end of June, TexPool's average interest rate was 0.22%; LOGIC's average interest rate was 0.63%; 90-day T-Bills were 0.14% and the one-year T-Bills were 0.16%. Our local bank, Pecos County State Bank, is currently at 0.35%.

FUND	BEGINNING OF QTR.	END OF QTR.	INTEREST EARNED
GENERAL OPERATIONS	\$ 12,661,105.95	\$ 12,351,703.09	\$ 23,681.92
GVB	\$ 3,001,642.35	\$ 3,092,478.20	\$ 6,127.77
EDC 4A	\$ 2,367,702.08	\$ 2,196,561.55	\$ 4,558.59
EDC 4B	\$ 1,483,283.04	\$ 1,525,101.36	\$ 3,048.98
SPECIAL ASSESSMENT	\$ 1,426,329.44	\$ 1,443,853.35	\$ 2,745.72

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- **General Fund:** In accordance with Resolution No. 11-110R, the City continues to maintain 7% of its total budgeted expenses which is \$1,407,561.40.
- **CVB:** They have the majority of their funds invested in LOGIC as they have the best interest rate.

Motion was made, seconded and carried unanimously to approve the 3rd Quarter Investment Report for Fiscal-Year 2019-2020.

EIGHTH ORDER OF BUSINESS:

8. Discuss/Act upon Awarding the Proposal from Licensed &/or Registered Public Accounting Firms to Conduct the 2020 Fiscal Year Audit. Proposals Submitted: Armstrong Vaughan & Associates P.C., Beasley, Mitchell & Co., Garza/ Gonzalez & Associates, Pattillo, Brown & Hill, L.L.P., Smith & Rives, PC.

Director of Finance Rodriguez requested additional time to review the submitted proposals.

Motion was made, seconded and carried unanimously to table the item to allow additional time to review the submitted proposals from Licensed &/or Registered Public Accounting Firms to Conduct the 2020 Fiscal Year Audit.

NINTH ORDER OF BUSINESS:

9. Discuss/Act upon 18-Wheeler Truck Route inside the City Limits.

City Manager Rodriguez explained that Councilman Falcon requested this issue be addressed.

Council Member Falcon explained over the last 6 years this has been an issue. Within the last 2 years TxDOT has recognized there is an issue with the 18-Wheeler Truck Route.

This would allow City Council to initiate the request through TxDOT to Route 18-Wheelers around town unless they are doing business in Fort Stockton. The entire process may take up to 2 years.

Mayor Alexander advised City Council that EDC Director Ramos and himself have been working on this issue. The accident that recently occurred had the

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

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X	X	X	
X	X	X	
		X	
		X	

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WARNOCK		X	X	
PALILEO			X	
CASIAS			X	
FALCON	X			
WARNOCK		X		
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TxDOT permit that routed them through town. The pilot care hit the line and the truck continued, pulling down 3 telephone poles.

Motion was made, seconded and carried unanimously to Authorize the Request for TxDOT to conduct a study that would produce an 18-Wheeler Truck Route, routing truckers around the City of Fort Stockton.

Mayor Alexander recessed from the Regular Meeting @ 6:15 p.m. to convene into:

TENTH ORDER OF BUSINESS:

10. 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) Contemplated Litigation.

(b) Annual Evaluation & Retainer Contract for City Attorney Puja Boinpally.

Mayor Alexander closed Executive Session @ 7:01 p.m. to:

ELEVENTH ORDER OF BUSINESS:

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

(10a) Discuss/Act upon Contemplated Litigation.

NO ACTION TAKEN

(10b) Discuss/Act upon Annual Evaluation & Retainer Contract for City Attorney Puja Boinpally.

Motion was made, seconded to Continue to Retain Puja Boinpally as City Attorney for the City of Fort Stockton.

Mayor Alexander advised everyone that City Attorney Puja Boinpally received a very favorable evaluation.

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WARNOCK			X	
PALILEO	X		X	
CASIAS			X	

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Motion carried unanimously to Continue to Retain Puja Boinpally as City Attorney for the City of Fort Stockton.

TWELFTH ORDER OF BUSINESS:

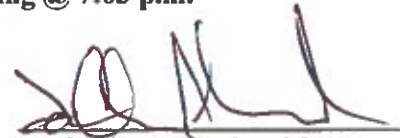
12. Questions from the Media.

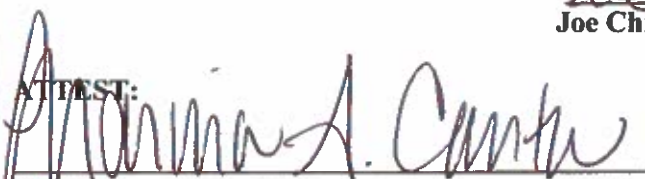
There were no questions from the Media.

THIRTEENTH ORDER OF BUSINESS:

13. Adjourn.

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


Joe Chris Alexander, Mayor

ATTEST:

Marina A. Cantu, City Secretary