

CITY OF FORT STOCKTON, TEXAS
MINUTES OF: REGULAR CITY COUNCIL MEETING
DATE OF MEETING: MARCH 23, 2021
TIME OF MEETING: 5:30 P.M.
PLACE OF MEETING: CITY COUNCIL CHAMBER

VOITED NAY
VOITED AYE
SECONDED
MOVED

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

PRESENT VIA VIDEOCONFERENCE: DARREN HODGES

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 5:30 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.”

FIRST ORDER OF BUSINESS:

1. Proclamation: Endorsing April as Safe Digging Month.

Mayor Alexander presented Public Works Director Aaron Ramos and Gas Superintendent Marcos Tovar with the proclamation endorsing April as Safe Digging Month.

SECOND ORDER OF BUSINESS:

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

⚡ City of Fort Stockton’s Final Audit for Fiscal Year Ending September 30, 2020.

Rocky Rives of Smith & Rives, PC is an independent auditor for the City of Fort Stockton. Mr. Rives gave a financial report that is unmodified, which is the best opinion that can be rendered.

FY 2019-2020 Financial Highlights:

- The City’s Net Position increased by \$2,188,000.00.
- The City’s Total Fund Balances is \$10,376,000.00.

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- The City’s Total Net Position for Utility Systems is \$22,300,000.00.
- A GAO Letter is issued to any entity that receives federal revenues and is subject to Yellow Book Standards. Those additional items have to deal with Internal Control & Compliance. The testing was completed and there were no findings.

Management Report:

- These proposed adjustments have been approved by management and have been posted and included in the auditor’s report.

Management Letter:

- Noted that there was money for an EDC 4B Project that was expended without proper announcement or advertisement to the public either through a posted notice at City Hall or advertised in the newspaper. The independent auditor recommended that the proper notifications be done in the future, prior to any monies being expended.

Management Representative Letter:

- Stated that standard guidance was followed, information requested was given, and will be used for peer review at a later date.

SEVENTH ORDER OF BUSINESS:

7. Discuss/Act upon City of Fort Stockton’s Final Audit for Fiscal Year Ending September 30, 2020, as presented by Rocky Rives of Smith & Rives, PC.

City Manager Rodriguez requested that City Council accept the audit from Smith & Rives, PC for 2019-2020, as presented.

Rocky Rives of Smith & Rives, PC explained there was a Letter of Transmittal that needed signatures.

HODGES

X

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Fort Stockton's Final Audit for Fiscal Year Ending September 30, 2020, as presented by Rocky Rives of Smith & Rives, PC.

THIRD ORDER OF BUSINESS:

3. City Manager Frank Rodriguez III----
 👉 City Manager's Report

City Manager Rodriguez recognized Director to Finance Maria Rodriguez for her hard work & dedication in overseeing the city's finances.

He commended Public Works Director Aaron Ramos for his ability to multitask and noted his countless hours spent working during the February Ice Storm to ensure the City Services were not interrupted.

He acknowledged Assistant City Manager Jesse Gonzales, Jr. for an outstanding job in offering guidance to other departments.

FOURTH ORDER OF BUSINESS:

4. All matters listed are considered to be routine by the City Council and will be enacted by one motion. If discussion is desired, that item will be removed from the Consent Agenda and considered separately."

Minutes:

- **Regular Meeting Minutes of Fort Stockton City Council, 03/09/2021**
- **Special Meeting Minutes of Fort Stockton Economic Development 4-A Corporation, 02/18/2021**
- **Regular Meeting Minutes of Fort Stockton Economic Development 4-A Corporation, 02/18/2021**
- **Special Meeting Minutes of Fort Stockton Economic Development 4-B Corporation, 02/18/2021**
- **Regular Meeting Minutes of Fort Stockton Economic**

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

WARNOCK
 FALCON
 PALILEO
 CASIAS

VOTED NAY
 VOTED AYE
 SECONDED
 MOVED

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Development 4-B Corporation, 02/18/2021

- Regular Meeting Minutes of Fort Stockton Housing Authority Board, 02/18/2021
- Regular Meeting Minutes of Intergovernmental Recreation Board, 02/17/2021
- Special Meeting Minutes of Intergovernmental Recreation Board, 02/22/2021
- Regular Meeting Minutes of Fort Stockton Downtown Association, 01/25/2021
- Regular Meeting Minutes of Fort Stockton Substandard Building Committee, 12/07/2020

Accounts Payable Grand Total: \$297,583.48

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

FIFTH ORDER OF BUSINESS:

5. Discuss/Act upon Ordinance No. 21-106, Adopting Budget Amendment No. 2 to the Original Budget of the City of Fort Stockton, Texas, for the Fiscal Year 2020-2021; Providing for Supplemental Appropriation and/or Transfer of Certain Funds; Providing for Severability; and Providing for Other Matters Related to the Subject.

Director of Finance Rodriguez explained the CVB Department has requested permission to expend additional funds in the amount of \$1,675,000.00 for the purchase of the Event Center and Chamber of Commerce roof repairs.

She further explained these expenses were approved by City Council last fiscal year; however, the sale was not finalized until this fiscal year.

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HODGES
 WARNOCK
 FALCON
 PALILEO
 CASIAS

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

Motion was made, seconded and carried unanimously to Approve Ordinance No. 21-106, Adopting Budget Amendment No. 2 to the Original Budget of the City of Fort Stockton, Texas, for the Fiscal Year 2020-2021; Providing for Supplemental Appropriation and/or Transfer of Certain Funds; Providing for Severability; and Providing for Other Matters Related to the Subject.

SIXTH ORDER OF BUSINESS:

6. Discuss/Act upon Resolution No. 21-102R, Appointing and Setting the Rate of Pay for Election Officials, Setting the Minimum Number of Election Clerks and Designating the Early Voting Ballot Board for the May 1, 2021 City General Election.

City Secretary Cantu advised everyone that Ken Hatfield would be the Presiding Judge of the City’s General Election. Tammy Huckaby would be the Alternate Judge & the Early Voting Ballot Board Judge. The Alternate Early Voting Ballot Board Judge would be Rebecca Dyess. There would be a minimum of three (3) clerks at the polling location so there will be enough workers to assist with curbside voting.

The Early Voting Ballot Board shall consist of Early Voting Ballot Board Judge and two (2) clerks on Election Day to verify signatures and confirm the count of Early Voted Ballots received.

Judges and clerks shall be paid \$12.00 per hour.

Mayor Alexander reminded the community that the City’s General Election would take place at the Pecos County Courthouse, Election Room. (Annex Building)

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		X	
		X	
X	X	X	
		X	
		X	

Motion was made, seconded and carried unanimously to Approve Resolution No. 21-102R, Appointing and Setting the Rate of Pay for Election Officials, Setting the Minimum Number of Election Clerks and Designating the Early Voting Ballot Board for the May 1, 2021 City General Election.

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HODGES			X	
WARNOCK	X		X	
FALCON			X	
PALILEO			XX	
CASIAS			X	
HODGES			X	
WARNOCK			X	
FALCON			X	
PALILEO	X		XX	
CASIAS			X	

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EIGHTH ORDER OF BUSINESS:

8. Discuss/Act upon Change Order No. 1 for West Texas Roofing, Authorizing an additional \$6,380.00 for Decking Repair, Valley Repair and Soffit Structural Members.

Convention and Visitor's Bureau (CVB) Director Lopez explained West Texas Roofing requested Change Order No. 1 for existing decking repair due to rot. They had to install new 2" x 8" sub fascia around the entire building to lift and lower the roof line. There was a 2 part 10" fascia that needed to be straightened out. These were necessary repairs that were needed that were not seen until the fascia was removed. The Change Order is for \$6,380.00 bringing the total of this project to \$173,335.00.

Motion was made, seconded and carried unanimously to Approve Change Order No. 1 for West Texas Roofing, Authorizing an additional \$6,380.00 for Decking Repair, Valley Repair and Soffit Structural Members.

NINTH ORDER OF BUSINESS:

9. Discuss/Act upon Pay Application No. 2 totaling \$132,500.00 for Work Performed by Redneck Metal Buildings through 03/23/2021 regarding the Construction of New City Recycling Center Facility Project.

Public Works Director Ramos advised City Council that Pay Application No. 2 totaling \$132,500.00 was for work performed by Redneck Metal Buildings through 03/23/2021 regarding construction of the New City Recycling Center Facility Project. He reported the status of the project was near completion.

Motion was made, seconded and carried unanimously to approve Pay Application No. 2 totaling \$132,500.00 for Work Performed by Redneck Metal Buildings through 03/23/2021 regarding the Construction of New City Recycling Center Facility Project.

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TENTH ORDER OF BUSINESS:

10. Discuss/Act upon Lease Agreement with Xerox for new copier for Special Event Center.

Convention and Visitor's Bureau (CVB) Director Lopez explained this expense would be to facilitate the move of CVB to their new location. The agreement is for \$288 a month, for 60 months.

Mayor Alexander explained this is \$94.00 cheaper than what they are currently paying.

Motion was made, seconded and carried unanimously to approve the Lease Agreement with Xerox for new copier for Special Event Center located at 2181 W. I-10.

ELEVENTH ORDER OF BUSINESS:

11. Discuss/Act upon Solicitation of Bids for Replacement of Cast Iron Gas Line Project.

Public Works Director Ramos explained a portion of the City's Gas Line is still Cast Iron. However, the city is working on replacing it. The City's Gas Department is required by the Railroad Commission to replace 1.5 miles of the cast iron. The City is requesting sealed bids from contractors to replace the remaining 3.7 miles of cast iron.

He explained once the City Personnel completed their 1.5 miles, they would work with the contractors to finish the remaining 3.7 miles.

Gas Superintendent Tovar advised City Council the Gas Department would begin working on replacing the 1.5 miles sometime between late April and early May.

He explained the Gas Department would be responsible for ensuring there are not any leaks in the newly replaced gas line.

VOTED NAY
VOTED AYE
SECONDED
MOVED

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The Gas Department will be working 7-days a week to complete this project.

Motion was made, seconded and carried unanimously to Approve the Solicitation of Bids for the Replacement of Cast Iron Gas Line Project.

TWELFTH ORDER OF BUSINESS:

12. Discuss/Act upon 2021 Consumer Price Index Adjustment to Municipal Telecommunications Right-of-Way Access Line Rates from the Public Utility Commission of Texas.

City Manager Rodriguez explained pursuant to Chapter 283 of the Local Government Code, House Bill 1777. This letter from the Public Utility Commission of Texas is to notify the City of Fort Stockton that the City's 2021 maximum access line rates have increased by 0.4820% due to inflammation, as measured by the CPI.

Based on the choice made by your City in April 2020, your city's 2021 rate will either be adjusted for inflation or will remain the same as your 2020 rate. According to our records, when similar CPI adjustments were made in April 2020, you opted NOT to adjust your rates for inflation. Therefore, your 2021 rates will REMAIN at your 2020 level and your rates will NOT increase.

Mayor Pro-Tem Falcon inquired what entities were paying the Municipal Telecommunications Right-of-Way Access Line Project.

Director of Finance Rodriguez responded that any entities that are in our Right-of-Way.

Motion was made, seconded and carried unanimously to Accept the 2021 Consumer Price Index Adjustment to Municipal Telecommunications Right-of-Way Access Line Rates from the Public Utility Commission of Texas.

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MOVED	SECONDDED	VOTED AYE	VOTED NAY
		X	X
X	X	X	X
		X	X
		X	X
		X	X
		X	X
		X	X
		X	X
		X	X
X	XX	X	X

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THIRTEENTH ORDER OF BUSINESS:

13. Discuss/Act upon Approval of Fort Stockton Economic Development 4-B Corporation Community Development Project for Improvements to Lannom Park Irrigation System.

Economic Development Corporation (EDC) Executive Director Ramos explained the Economic Development 4-B Corporation approved the Improvements to the Lannom Park Irrigation System for \$11,922.23. The work will be completed by the City Parks Department.

Motion was made, seconded and carried unanimously to Approve Fort Stockton Economic Development 4-B Corporation Community Development Project for Improvements to Lannom Park Irrigation System.

FOURTEENTH ORDER OF BUSINESS:

14. Discuss/Act upon appointment of new member to the Fort Stockton Downtown Association to replace Heather Pass. Applicants: Guadalupe Fierro and Rosie Holland

Motion was made, seconded and carried unanimously to Appoint Rosie Holland as the new member of the Fort Stockton Downtown Association.

FIFTEENTH ORDER OF BUSINESS:

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

City Manager Rodriguez expressed concern about the end of life of the current landfill. He explained the City is aiming to open the new landfill towards the end of this calendar year.

He recommended creating a policy that would allow the citizens to bring their items to the landfill.

	MOVED	SECONDDED	VOTED AYE	VOTED NAY
HODGES			X	
WARNOCK		X	X	
FALCON	X		X	
PALILEO			X	
CASIAS			X	
HODGES			X	
WARNOCK		X	X	
FALCON	X		X	
PALILEO		X	X	
CASIAS			X	

MOVED
 SECONDED
 VOTED AYE
 VOTED NAY

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If a resident presents a City Utility Bill, they would be allowed to dispose of their trash free of charge during the clean-up. Diverting trash would be very costly to the city.

Council Member Hodges stated if the City is in a bind, he would be alright postponing the clean-up until October.

Mayor Pro-Tem Falcon suggested postponing the Clean-up until October; however, allowing residents to dispose of their trash free of charge at the landfill during the designated time frame.

He asked what would happen to the County trash.

City Manager Rodriguez explained the County would be asked to divert any trash they collect during this time frame to their holding areas until October.

He explained the delicacy of this matter. The City wants to help it's residents, however; the amount of trash a Clean-up yields may have some consequences. It may result in the City paying fees for exceeding our limit, paying to divert trash, or the City could end up without a location to dispose of our resident's trash.

He stated the worst-case scenario the City is looking at is it may be August before they would begin the process of closing the current landfill and opening the new landfill.

Mayor Alexander explained in accordance with TCEQ Guidelines the City cannot simultaneously operate two landfills.

Motion was made, seconded and carried unanimously to Approve the Spring City/County Clean-up for Residential Customers taking their trash to the landfill free of charge for the last week of March and first week of April upon presenting proof of service. (City Bill)

Mayor Alexander recessed the Regular Meeting to Convene into Executive

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Session at 6:28 p.m.

SIXTEENTH ORDER OF BUSINESS:

**16. 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 for City Secretary Marina Cantu.**

Mayor Alexander closed Executive Session at 6:49 p.m. to reconvene into the Regular Meeting.

SEVENTEENTH ORDER OF BUSINESS:

**17. Reconvene into Open Session Pursuant to Texas Government Code Section §551.102 & Take Action, if any, on Matters Deliberated in Executive Session:
(16a) Discuss/Act upon Annual Evaluation for City Secretary Marina Cantu.**

Motion was made, seconded and carried unanimously to Approve an Exemplary Evaluation for City Secretary Marina Cantu.

EIGHTEENTH ORDER OF BUSINESS:

18. Questions from the Media.

There were no questions from the Media.

NINETEENTH ORDER OF BUSINESS:

19. Adjourn.

VOTED NAY
VOTED AYE
SECONDED
MOVED

HODGES
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FALCON
PALILEO
CASIAS


X
X
X
X
X
X
X

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There being no further business, motion was made, seconded and carried unanimously to adjourn the Regular Meeting @ 6:51 p.m.


Joe Chris Alexander, Mayor

ATTEST:


Marina A. Cantu, City Secretary

VOITED NAY
VOITED AYE
SECONDED
MOVED

HODGES
WARNOCK
FALCON
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CASIAS

X
XX
X
X
X
X
X