

CITY OF FORT STOCKTON, TEXAS

MINUTES OF: REGULAR CITY COUNCIL MEETING
DATE OF MEETING: APRIL 24, 2023
TIME OF MEETING: 5:30 PM
PLACE OF MEETING: 121 WEST SECOND STREET FORT STOCKTON, TX 79735

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:

PRESENT: DARREN HODGES, JOE CHRIS ALEXANDER, PAUL CASIAS, RUBEN J BERNAL, RUBEN FALCON

ABSENT: JAMES WARNOCK

CITY MANAGER: FRANK RODRIGUEZ III
CITY SECRETARY: MARINA CANTU
CITY ATTORNEY: PUJA BOINPALLY

Mayor Joe Chris Alexander called the Regular Meeting to Order at 5:31 p.m. after declaring a quorum present.

Mayor Joe Chris 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.

Council Member Darren Hodges gave the Invocation.

Mayor Pro-Tem Paul Casias led the Pledge of Allegiance to the United States of America Flag & the Pledge of Allegiance to the Texas Flag.

PROCLAMATION:

1. Proclamation endorsing the month of May as "Community Action Month."
(Mayor)

Item was postponed until the May 8, 2023 Regular City Council Meeting.

RESOLUTION:

2. Discuss/Act upon Resolution No. 23-111R, A Resolution to Adopt and Allocate Funds for an Outdoor Fitness Court® as a part of the 2023 National Fitness Campaign. **(Mayor/City Mgr.)**

City Manager Frank Rodriguez explained the City of Fort Stockton received a grant to build an Outdoor Fitness Court to be located by the Water Park at the Gene Cummings Park. He further explained the Economic Development Corporation approved matching funds for the project, which was needed prior to the approval of this resolution designating funds for the Outdoor Fitness Court. After the 60-day notice period the funds would be released to begin on the project.

Motion was made by Mayor Pro-Tem Paul Casias, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Resolution No. 23-111R, A Resolution to Adopt and Allocate Funds for an Outdoor Fitness Court® as a part of the 2023 National Fitness Campaign. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

3. Discuss/Act upon Resolution No. 23-112R, A Resolution of the City of Fort Stockton, Texas finding that Texas-New Mexico Power Company's Application for Approval to Amend its Distribution Cost Recovery Factor to Increase Distribution Rates within the City should be Denied; Authorizing participation with TNMP Cities; Authorizing the hiring of Legal Counsel and Consulting Services; Finding that the City's Reasonable Rate Case Expenses shall be reimbursed by the Company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel. **(Mayor/City Mgr.)**

City Attorney Puja Boinpally explained Texas New Mexico Power (TNMP) is looking to increase their distribution rate. Approval of this Resolution would allow the City of Fort Stockton to hire the attorneys to get involved and represent us.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Darren Hodges, and carried unanimously to approve Resolution No. 23-112R, A Resolution of the City of Fort Stockton, Texas finding that Texas-New Mexico Power Company's Application for Approval to Amend its Distribution Cost Recovery Factor to Increase Distribution Rates within the City should be Denied; Authorizing participation with TNMP Cities; Authorizing the hiring of Legal Counsel and Consulting Services; Finding that the City's Reasonable Rate Case Expenses shall be

reimbursed by the Company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

ORDINANCES:

4. Discuss/Act upon Ordinance No. 23-107, An Ordinance Amending 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 City Limits and Repealing all Other Ordinances or Portions Thereof in Conflict, a Severability Clause and Providing for an Effective Date. (City Mgr.)

Assistant City Manager Jesse Gonzales, Jr. explained this Ordinance would allow the city to adjust the rates for the wastewater fee from \$300 to \$600. Plumbers have expressed that they are not comfortable tapping into our line due to liability issues. This increase in the fee will cover the cost of the material, which is less expensive than a plumber doing it.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Darren Hodges, and carried unanimously to approve Ordinance No. 23-107, An Ordinance Amending 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 City Limits and Repealing all Other Ordinances or Portions Thereof in Conflict, a Severability Clause and Providing for an Effective Date. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

CONSENT AGENDA:

5. 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: (Mayor)

- Regular Meeting Minutes of Fort Stockton City Council, 04/10/2023
- Special (Workshop) Meeting Minutes of Fort Stockton City Council, 04/18/2023
- Regular Meeting Minutes of Fort Stockton Tourism Board, 03/21/2023
- Regular Meeting Minutes of Fort Stockton Housing Authority Board, 03/16/2023

- Regular Meeting Minutes of Substandard Building Committee, 03/02/2023
- Regular Meeting Minutes of Intergovernmental Recreation Board, 01/18/2023

Accounts Payable Grand Total: \$317,793.66

Motion was made by Council Member Ruben Falcon, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Consent Agenda, as presented. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

REGULAR BUSINESS:

6. Discuss/Act upon Accepting a Donation from Nancy King to Historic Fort Stockton, a Buffalo Soldier Hand Sculpted Doll estimated to be worth \$2,000. **(Dir. of Annie Riggs Museum & Historic Fort Stockton)**

Director of Annie Riggs Museum & Historic Fort Stockton Ross Harper explained in the 1980's Ms. King made handcrafted dolls that won awards throughout the years. She approached him with an opportunity to have a Buffalo Soldier Hand Sculpted Doll donated to Historic Fort Stockton for display purposes. This doll would be displayed at Barracks 2.

Motion was made by Council Member Darren Hodges, seconded by Council Member Ruben J Bernal, and carried unanimously to Accept a Donation from Nancy King to Historic Fort Stockton, a Buffalo Soldier Hand Sculpted Doll estimated to be worth \$2,000. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

7. Discuss/Act upon Accepting a Donation from Teresa Pool McGrew to Historic Fort Stockton, a 4 Piece Furniture Set estimated to be worth \$2,000. **(Dir. of Annie Riggs Museum & Historic Fort Stockton)**

Director of Annie Riggs Museum & Historic Fort Stockton Ross Harper explained Ms. Teresa Pool McGrew approached him concerning the donation of furniture that was bought on a dock in 1881 in Sweden and brought to Texas. She is the 5th generation descendent of the individuals who purchased the furniture. The furniture would be displayed in Officers' Quarters 7.

Motion was made by Council Member Darren Hodges, seconded by Council Member Ruben J Bernal, and carried unanimously to Accept a Donation from Teresa Pool McGrew to Historic Fort Stockton, a 4 Piece Furniture Set estimated to be worth \$2,000. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

8. Discuss/Act upon Final Payment Application No. 2 totaling \$140,271.48 for Work Performed by Electric Supply Source (ESS) on the Replacement of Wastewater Plant Aeration Pond Control Panel Project. (City Mgr./P.W. Dir.)

City Manager Frank Rodriguez explained he was requesting permission to approve the final payment for Electric Supply Source for the removal of the existing control panel and installation of the new one.

Motion was made by Council Member Darren Hodges, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Final Payment Application No. 2 totaling \$140,271.48 for Work Performed by Electric Supply Source (ESS) on the Replacement of Wastewater Plant Aeration Pond Control Panel Project. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

9. Discuss/Act upon Payment Application No. 1 totaling \$29,530.00 for Solar Lighting for the Gene Cummings Park as Approved by Economic Development 4-B Corporation on March 16, 2023 for the Park Upgrade Project. (City Mgr./EDC Dir.)

Economic Development Corporation Executive Director Remie Ramos requested permission to approve the first payment of \$29,530.00 for 16 new self-contained solar lights with the battery pack and solar panel that will be placed around the existing and new areas of the Gene Cummings Park and the balance due once the lights are received.

Mayor Joe Chris Alexander inquired an estimated time of arrival.

Economic Development Corporation Executive Director Remie Ramos responded the solar lights should ship within the next 3-4 weeks.

He explained the lights are adjustable and can be programmed to indicate when the park is open or closed.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Payment Application No. 1 totaling

\$29,530.00 and balance due once the Solar Lights are received for the Gene Cummings Park as Approved by Economic Development 4-B Corporation on March 16, 2023 for the Park Upgrade Project. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

10. Discuss/Act upon Pay Application No. 2 totaling \$102,000.00 for Work Performed by L.T. Construction, LLC on additions and buildout of the Hodges Pavilion. **(City Mgr./Dir. of Fin.)**

City Manager Frank Rodriguez III requested permission to approve Pay Application No. 2 for the Retaining Wall Draw for \$42,000, Dirt Work Draw for \$50,000 and the Electrical Draw for \$10,000 for a total of \$102,000.

Motion was made by Council Member Ruben J Bernal, seconded by Council Member Ruben Falcon, and carried unanimously to approve Pay Application No. 2 totaling \$102,000.00 for Work Performed by L.T. Construction, LLC on additions and buildout of the Hodges Pavilion. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

11. Discuss/Act upon Purchase of a Stewart Amos Street Sweeper Truck from Closner with BuyBoard Governmental Purchasing Cooperative for approximately \$347,396.00, Contract No. 685-22. **(Asst. City Mgr./P.W. Dir.)**

Assistant City Manager Jesse Gonzales, Jr. explained this Hopper is larger than the one currently in use. The current one lags. Purchasing a new one would allow us to sale the current one on consignment or utilize it for smaller projects.

General Fund monies would be utilized to purchase the Sweeper Truck.

He advised City Council the new sweeper would be similar to what Texas Department of Transportation (TxDOT) utilizes. It is bigger than the current one.

Mayor Joe Chris Alexander inquired how the Sweeper Truck would dump.

Assistant City Manager Jesse Gonzales, Jr. responded the Sweeper Truck has a side dumper hopper, which would increase efficiency.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Purchase of a Stewart Amos Street Sweeper Truck from Closner with BuyBoard Governmental Purchasing Cooperative for approximately \$347,396.00, Contract No. 685-22. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

12. Discuss/Act upon 2nd Quarterly Revenue & Expense Report ending March 31, 2023. (Dir. of Fin.)

Director of Finance Maria Rodriguez provided the following report:

	REVENUES	EXPENSES	REVENUES OVER/(UNDER) EXPENDITURES
GENERAL	\$ 6,623,961.75	\$ 5,098,525.32	\$ 1,525,436.43
	<i>This includes the donation from Mr. Hodges.</i>		
HB 445	\$ 310,185.62	\$ 198,039.30	\$ 112,146.32
	<i>We are only at 37%; however, the summer months are when we spend most of the money on our streets.</i>		
RECREATION	\$ 210,609.04	\$ 197,244.42	\$ 13,364.62
HOUSING AUTHORITY	\$ 306,020.22	\$ 304,025.00	\$ 1,995.22
ENTERPRISE	\$ 5,492,466.34	\$ 5,299,871.42	\$ 192,594.92
EDC 4-A	\$ 454,559.90	\$ 262,366.37	\$ 192,193.53
EDC 4-B	\$ 349,644.06	\$ 177,230.46	\$ 172,413.60
CVB	\$ 564,725.12	\$ 525,769.82	\$ 38,955.30
VENUE TAX	\$ 162,040.51	\$ 149,371.18	\$ 12,669.33
	<i>Money used to remodel the inside restrooms at the Convention Center.</i>		
DEBT SERVICE	\$ 1,300,390.05	\$ 1,097,130.62	\$ 192,193.53
	<i>Our next payment won't be until September.</i>		

Motion was made by Council Member Ruben Falcon, seconded by Council Member Ruben J Bernal, and carried unanimously to approve 2nd Quarterly Revenue & Expense Report ending March 31, 2023. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

13. Discuss/Act upon the 2nd Quarterly Investment Report ending March 31, 2023. (Dir. of Fin.)

Director of Finance Maria Rodriguez provided the following report:

At the end of March, TexPool's average interest rate was 4.79%; LOGIC's average interest rate was 4.82%. Our local bank, Pecos County State Bank, is currently at 4.32%.

In accordance with Resolution No. 11-110R, the City exceeded the required 7% of General Fund's and Enterprise Fund's budgeted expenses totaling \$21,858,810.00 by maintaining \$1,530,116.70

GENERAL			
	<i>Beginning of Quarter</i>	<i>End of Quarter</i>	<i>Quarterly Interest Earned</i>
TOTAL	\$ 9,281,612.25	\$ 10,859,184.38	\$ 115,057.44
CVB			
	<i>Beginning of Quarter</i>	<i>End of Quarter</i>	<i>Quarterly Interest Earned</i>
TOTAL	\$ 728,293.80	\$ 782,840.10	\$ 8,413.52
EDC 4-A			
	<i>Beginning of Quarter</i>	<i>End of Quarter</i>	<i>Quarterly Interest Earned</i>
TOTAL	\$ 3,112,531.24	\$ 3,208,165.53	\$ 36,126.76
EDC 4-B			
	<i>Beginning of Quarter</i>	<i>End of Quarter</i>	<i>Quarterly Interest Earned</i>
TOTAL	\$ 1,912,091.05	\$ 1,959,337.48	\$ 22,287.98
SPECIAL ASSESSMENT			
	<i>Beginning of Quarter</i>	<i>End of Quarter</i>	<i>Quarterly Interest Earned</i>
TOTAL	\$ 2,876,359.88	\$ 2,684,434.48	\$ 32,319.53

Motion was made by Council Member Ruben Falcon, seconded by Council Member Darren Hodges, and carried unanimously to approve 2nd Quarterly Investment Report ending March 31, 2023. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

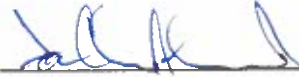
14. Questions from Media.

There were no questions from the media.

15. Adjourn.

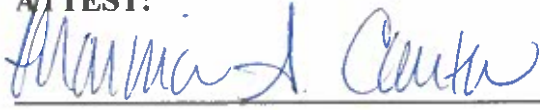
Motion was made by Mayor Pro-Tem Paul Casias, seconded by Council Member Ruben J Bernal, and carried unanimously to adjourn the Regular City Council

Meeting at 6:04 p.m. Council Member Darren Hodges, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.



Joe Chris Alexander, Mayor

ATTEST:



Marina A. Cantu, City Secretary