

CITY OF FORT STOCKTON, TEXAS

MINUTES OF: REGULAR CITY COUNCIL MEETING

DATE OF MEETING: MAY 25, 2021

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: JAMES WARNOCK, JOE CHRIS ALEXANDER, PAM PALILEO, PAUL CASIAS, RUBEN FALCON

ABSENT: DARREN HODGES

CITY MANAGER: FRANK RODRIGUEZ III

CITY SECRETARY: MARINA CANTU CITY

ATTORNEY: PUJA BOINPALLY

Mayor Alexander called the Regular Meeting to order a 5:31 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:

1. Proclamation Endorsing Monday, May 31, 2021 as "Memorial Day." (**Mayor**)

Mayor Alexander presented Former Veterans Service Officer Joni McGee the Proclamation Endorsing Monday, May 31, 2021 as "Memorial Day," after reading it aloud

CONSENT AGENDA:

2. 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, 05/11/2021
- Special Meeting Minutes of Fort Stockton City Council, 05/12/2021

- Special Workshop Meeting Minutes of Fort Stockton City Council, 05/19/2021
- Regular Meeting Minutes of Fort Stockton Economic Development 4-A Corporation, 04/15/2021
- Special Meeting Minutes of Fort Stockton Economic Development 4-A Corporation, 04/15/2021
- Special Joint Meeting/Workshop Minutes of Fort Stockton Economic Development 4-A & 4-B Corporations and City Council, 04/20/2021
- Special Meeting Minutes of Fort Stockton Economic Development 4-A Corporation, 04/26/2021
- Regular Meeting Minutes of Fort Stockton Economic Development 4-B Corporation, 04/15/2021
- Special Meeting Minutes of Fort Stockton Economic Development 4-B Corporation, 04/15/2021
- Special Joint Meeting/Workshop Minutes of Fort Stockton Economic Development 4-B & 4-A Corporations and City Council, 04/20/2021
- Special Meeting Minutes of Fort Stockton Economic Development 4-B Corporation, 04/26/2021
- Special Meeting Minutes of Fort Stockton Economic Development 4-B Corporation, 05/10/2021

Accounts Payable Grand Total: \$351,818.28

Motion was made by Council Member James Warnock, seconded by Council Member Pam Palileo, and carried unanimously to approve the Consent Agenda, as presented. Council Member James Warnock, Council Member Pam Palileo, Council Member Paul Casias, and Mayor Pro-Tem Ruben Falcon voted aye.

ORDINANCES:

3. Discuss/Act upon Ordinance No. 21-107, An Ordinance of the City of Fort Stockton Amending the Personnel Policies & Procedures Manual of the City of Fort Stockton, Texas; by Incorporating the Title & Duties of the Director of Tourism Position; Providing Revision to the Organizational Chart, Incorporating the Revised Job Description & Pay Grade 23 to the Job Classification Table & Compensation Plan; Containing a Savings Clause; and Providing for the Publication and Effective Date Thereof. **(Mayor/City Mgr.)**

City Manager Rodriguez explained one of the main goals the City of Fort Stockton has is to promote tourism. Our leadership has envisioned promoting all of Fort Stockton. It is believed that our community has a lot to offer. The promotion of City attractions and entertainment venues for tourists have many options. We would like to expand and promote all the great things Fort Stockton has to offer. This consideration for the Director of Tourism is considered an investment. The idea is to help identify what the needs of the community are and positively impact tourism in Fort Stockton.

Council Member Palileo clarified that there has been some misunderstanding. She explained the City chose not to partake in the Request for Proposals for the hotel. Had the City partnered with the Convention, there would have been a position for a Director of Marketing. That position would be responsible for filling that space. Since the City chose not to partner with the Convention, the City needs a position of that caliber, which would be the Director of Tourism.

She stated Tourism is long term. This position in its self creates a whole new source of revenue for the City of Fort Stockton.

CVB Director Crystal Lopez explained historically the CVB Director and the Director of Tourism have been considered the same position. She explained the position used to be named the Director of Tourism and was renamed to the Director of CVB.

When the renovations to the Visitor's Center began several of the shows were put on hold as the vision for Fort Stockton had changed. Once the construction was completed those shows were supposed to resume.

She explained the Convention and Visitor's Bureau has tried to rebrand Fort Stockton as a whole. She concurred with Council Member Palileo that there is a lot that Fort Stockton has to offer. Therefore, she suggested creating a marketing position that would be under the direction of the CVB Director. She recommended keeping the Administrative Assistant Position that already exists.

There are several things that have been put on the back burner. They have a wish-list; however, their budget is strained. Right now they have a dilemma. Do they utilize their funds to complete the Special Event Center then promote the location or do they travel and try to promote the unfinished location?

She explained City Council requested an event every quarter. They have the Livestock Show and Sheepdog Trial the 1st Quarter. They have the Road Race the 2nd Quarter. They have the Reunion Festival and Main Street Dance the 3rd Quarter. They have another Road Race, Fall Festival and Water School the 4th Quarter. They have fulfilled the previous request for more events.

Should City Council approve the position for Marketing it would allow this Department to do much more. That position could focus on the marketing while she could concentrate on hosting events. All three positions would work together to promote Fort Stockton.

Fort Stockton Resident Revis Daggett of 692 W. 44th Lane, Fort Stockton, Texas 79735 inquired who is on the Convention Center Committee.

Council Member Palileo responded that she herself along with Council Member Darren Hodges, Mayor Joe Chris Alexander, EDC Director Remie Ramos, CVB Director Crystal Lopez and City Manager Frank Rodriguez III.

Fort Stockton Resident Revis Daggett has lived outside of Fort Stockton which has opened her eyes to the possibilities the community may have. She explained her reason for asking is she was curious to see how much thought and in-depth texture and complexity has been put into the direction of the Convention Center.

Mayor Alexander explained the committee worked for several months to create a RFQ which would be for a Convention/Hotel and someone to run the event center. There were several meetings held in which local hotel owners participated. They recently came up with the idea that they would like the City to run the Event Center themselves. The local hotel owners stated they would be willing to allow a 2% increase in the Hotel/Motel Tax, which would only affect the visitors to the hotels to help this idea come to fruition.

Mayor Alexander explained that City Council does not hold meetings outside those posted. Therefore, if someone has an idea it is brought before the entire Council for discussion.

Mayor Pro-Tem Falcon explained there are several things that Odessa/Midland has taken from Fort Stockton. They took a portion of the Water School and have taken over Special Olympics. They took these events because Fort Stockton did not have the means to Support those events. This Convention Center would allow Fort Stockton the opportunity to host large events that they were unable to host in the past. We need a place wired for technology that has a big ballroom and breakout rooms.

He was approached about marketing. Pecos has nice billboards as they have a professional company that handles that. He works closely with CVB Director.

He has been on the Reunion Festival Committee for 10 years. They are constantly asked what events are being done. He recommended changing out the banners on a quarterly basis. He was against the Convention Center being given to anyone else. He added that Crystal does a great job; however, a professional is needed for Marketing.

He mentioned that the job description contradicts the Organizational Chart.

The Director of Tourism is higher than the CVB Director.

He stated they could address the Organizational Chart at another time.

City Manager Rodriguez recommended approving the position as presented. He explained it could be changed later if needed. He advised City Council that this position is under the direction of the City Manager. He stated the job description of the Director of Tourism is

much more elaborate than the CVB Director. Based on the information presented the Director of Tourism is on a higher level than the CVB Director.

Council Member Pam Palileo recommended following City Manager Rodriguez' recommendation.

Motion was made by Mayor Pro-Tem Ruben Falcon and seconded by Council Member Pam Palileo to Approve Ordinance No. 21-107, An Ordinance of the City of Fort Stockton Amending the Personnel Policies & Procedures Manual of the City of Fort Stockton, Texas; by Incorporating the Title & Duties of the Director of Tourism Position; Providing Revision to the Organizational Chart, Incorporating the Revised Job Description & Pay Grade 23 to the Job Classification Table & Compensation Plan; Containing a Savings Clause; and Providing for the Publication and Effective Date Thereof. Revision of the Organizational Chart could be done at the next meeting if need be.

Mayor Alexander recommended City Council and the CVB Board hold a joint meeting to discuss the logistics of the Director of Tourism Position as well as the CVB Director Position.

Council Member Warnock explained that the Director of Tourism would be responsible for tying in all the businesses within Fort Stockton as where the CVB Director is occupied with events downtown.

Council Member Casias recommended that CVB Director Lopez look at the job description of the Director of Tourism if she hadn't already. He inquired what connection the CVB board would have with the Director of Tourism.

City Manager Rodriguez explained that the funding for this position should come out of the Convention and Visitor's Bureau.

Fort Stockton Resident Steven Walker of 207 W. 1st Street feels there is much needed work on the position prior to moving forward. What qualifications will this individual have to possess? This is an exciting time in Fort Stockton as there is so much going on. There are nice places. Bed & Breakfasts are popping up. There are several Food Trucks coming in. Portland Oregon has an entire city block of nothing but food trucks, which has become a tourist destination. Fort Stockton has to opportunity to become tourist destination as well.

Council Member Palileo explained people are traveling differently because of COVID and this is the time to capitalize on that.

Fort Stockton Resident Steven Walker applauded everyone for their efforts. Thank you for being proactive instead of

playing defense.

Council Member Falcon explained that a lot of thought has gone into the Director of Tourism position. There are nine pages worth of a job description for this position.

Fort Stockton Resident Ms. Daggett voiced that the direct line supervisor would affect who applies for this position. She encouraged CVB Director Lopez to review the job description of the Director of Tourism.

Downtown Association Chairman Sabrina Ruiz of 1600 N. Rio advised everyone that CVB Director Crystal Lopez is also the Director of the Downtown Association which requires a lot of dedication.

City Manager Rodriguez explained that CVB Director Lopez is the Ex-Officio Member of the Downtown Association, the Chairman of the Downtown Association is the lead. CVB Director Lopez' responsibility is to assist and help funnel projects.

Downtown Association Chairman Sabrina Ruiz elaborated that the Director of the Downtown Association was an acting Directors position, until funding was available to create a position.

Mayor Alexander explained the Downtown Association is a Volunteer Advisory Board and is not a paid position.

Motion was made by Mayor Pro-Tem Ruben Falcon, seconded by Council Member Pam Palileo, and carried unanimously to approve Ordinance No. 21-107, An Ordinance of the City of Fort Stockton Amending the Personnel Policies & Procedures Manual of the City of Fort Stockton, Texas; by Incorporating the Title & Duties of the Director of Tourism Position; Providing Revision to the Organizational Chart, Incorporating the Revised Job Description & Pay Grade 23 to the Job Classification Table & Compensation Plan; Containing a Savings Clause; and Providing for the Publication and Effective Date Thereof, as dictated by the Job description. Council Member James Warnock, Council Member Pam Palileo, Council Member Paul Casias, and Mayor Pro-Tem Ruben Falcon voted aye.

4. Discuss/Act upon Ordinance No. 21-108, An Ordinance of the City of Fort Stockton Adopting the Amendment to the Personnel Classification, Compensation and Incentive Plan of the City of Fort Stockton, Texas; Wherein the Job Description of the Director of Convention and Visitors Bureau is Revised; Containing a Savings Clause; and Providing for the Publication and Effective Date Thereof. **(Mayor/City Mgr.)**

City Manager Rodriguez explained the job description was amended to remove the verbiage concerning tourism as those job duties were previously phased out.

Mayor Alexander recommended tabling this item for further review of the amended job description.

Motion was made by Mayor Pro-Tem Ruben Falcon, seconded by Council Member James Warnock and carried unanimously to Table Ordinance No. 21.108, An Ordinance of the City of Fort Stockton Adopting the Amendment to the Personnel Classification, Compensation and Incentive Plan of the City of Fort Stockton, Texas; Wherein the Job Description of the Director of Convention and Visitors Bureau is revised; Containing a Savings Clause; and Providing for the Publication and Effective Date Thereof. Council Member James Warnock, Council Member Pam Palileo, Council Member Paul Casias, and Mayor Pro-Tem Ruben Falcon voted aye.

RESOLUTION:

5. Discuss/Act upon Resolution No. 21-106R, 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 the City of Fort Stockton denied a similar request last year. Every April TNMP is eligible to request an amendment to the Distribution Cost Recovery Factor to Increase Distribution Rates within the City of Fort Stockton. She spoke to the attorneys last week and was told they were discussing a settlement in hopes of resolving the issue. That morning she received notice that they were able to reach an agreement; however, the City of Fort Stockton still needs to go through the process of denying this request.

Motion was made by Council Member James Warnock, seconded by Mayor Pro-Tem Falcon to Approve Resolution No. 21-106R, 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 is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel. Council Member James Warnock,

Council Member Pam Palileo, Council Member Paul Casias, Mayor Pro-Tem Ruben Falcon voted aye.

REGULAR BUSINESS:

6. Discuss/Act upon Appointment or Re-Appointment of Mayor Pro-Tem for 2021-2022. **(Mayor)**

Mayor Pro-Tem Falcon explained he felt it was time that someone else to serve as Mayor Pro-Tem.

Mayor Alexander thanked Mayor Pro-Tem Falcon for his invaluable experience and his service as Mayor Pro-Tem. He then recommended appointing Council Member Paul Casias as Mayor Pro-Tem for 2021-2022.

Motion was made by Council Member Pam Palileo, seconded by Council Member James Warnock, and carried unanimously to Appoint Paul Casias as Mayor Pro-Tem for 2021-2022. Council Member James Warnock, Council Member Pam Palileo, Council Member Paul Casias, and Mayor Pro-Tem Ruben Falcon voted aye.

7. Discuss/Act upon Auction Items with Lone Star Auctioneers (LSO) i.e. 22 Vehicles, 1 Compact Tractor with Loader, 1 Tractor, 1 Compactor & Rollers, 1 Skid-Steer Loader, etc. **(City Mgr.)**

City Manager Rodriguez stated the Public Works Mechanic as well as Public Works Director Ramos and Assistant Public Works Director Lopez have reviewed the auction items listed and are requesting permission to place them on the Lone Star Auctioneers Website to be auctioned off.

He explained this website has historically been utilized by the City to auction off vehicles and equipment, the last time being 3 years ago.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Pam Palileo, and carried unanimously to Approve the Auction Items with Lone Star Auctioneers (LSO) i.e. 22 Vehicles, 1 Compact Tractor with Loader, 1 Tractor, 1 Compactor & Rollers, 1 Skid-Steer Loader, etc. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon voted aye.

8. Discuss/Act upon Appointing a Home Rule Charter Commission. **(Mayor)**

Mayor Alexander explained each Council Member nominated individuals to be appointed to the Home Rule Charter Commission.

Council Member Falcon voiced concern with members of the Commission being from the same household.

After amending the list to rectify this concern, Motion was made by Council Member Ruben Falcon, seconded by Council Member Pam Palileo and carried unanimously to Appoint the individuals provided on the list to the Home Rule Charter Commission, pending their acceptance. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, and Council Member Ruben Falcon voted aye.

9. Discuss/Act upon Solicitation of Sealed Bids for Belding Water Well #1 Repair Services. (City Mgr./P.W. Dir.)

Public Works Director Aaron Ramos explained this item was to request permission to Solicit Sealed Bids for Repair Services for Belding Water Well #1.

He advised everyone that Water Well #1 is the most productive water well, yielding on average 2,200 gallons per minute.

Mayor Alexander inquired how long this well has been down.

Public Works Director Ramos responded it has been down for approximately 2 months.

To his knowledge there are 3 things that need to be addressed. The shaft broke somewhere in the well, the motor hasn't been repaired and/or rebuilt since 2016 and the Variable Frequency Drive that shows the speed of the motor needs to be looked at.

Mayor Alexander inquired if Well #1 has a back-up generator.

Public Works Director Ramos confirmed Well #1 has a back-up generator.

City Manager Rodriguez clarified that the City has other wells that will provide water; however, the main goal and objective was to repair well #1 as it does have the back-up generator.

Motion was made by Mayor Pro-Tem Paul Casias, seconded by Council Member James Warnock, and carried unanimously to approve Solicitation of Sealed Bids for Belding Water Well #1 Repair Services. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, and Council Member Ruben Falcon voted aye.

10. Discuss/Act upon Solicitation of Sealed Bids for Purchasing of Materials for Street Construction and Repairs. (City Mgr./P.W. Dir.)

Public Works Director Ramos explained this item was to request permission to Solicit Sealed Bids for the Purchasing of Materials for Street Construction and Repairs to include the aggregate, the emulsion oil and the limestone crushed base.

City Manager Rodriguez explained due to the large amount of materials needed for the landfill roadways it would be in the City's best interest to obtain pricing for the necessary materials.

Motion was made by Ruben Falcon, and seconded by Pam Palileo to approve Solicitation of Sealed Bids for Purchasing of Materials for Street Construction and Repairs.

Mayor Pro-Tem Casias commended the team repairing the leak on Oklahoma. He explained the leak began as a pen hole leak which quickly grew to a geyser. He reiterated how proud he was and appreciative of what they do.

Mayor Alexander and Council Member Falcon echoed Mayor Pro-Tem Casias' sentiments.

Motion carried unanimously to Approve Solicitation of Sealed Bids for Purchasing of Materials for Street Construction and Repairs. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, and Council Member Ruben Falcon voted aye.

11. Discuss/Act upon Authorization to Conclude the Workday at 12:00 p.m. on June 18, 2021 for Employees to Attend the Employee Appreciation Event. **(City Mgr.)**

City Manager Rodriguez explained historically City Council has allowed the closure of the City for personnel to partake in the Employee Appreciation Event, where they play volleyball, kickball and washers.

He stated this year they added a softball game that would include the Police Department.

Motion was made by Council Member Pam Palileo, seconded by Mayor Pro-Tem Paul Casias, and carried unanimously to Authorize the Conclusion of the Workday at 12:00 p.m. on June 18, 2021 for Employees to Attend the Employee Appreciation Event. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, and Council Member Ruben Falcon voted aye.

12. Discuss/Act upon Interlocal Agreement for E9-1-1 Public Safety Answering Point Services for September 1, 2021 - August 31, 2023 between the City of Fort Stockton and the Permian Basin Regional Planning Commission. **(City Mgr.)**

Chief of Police Robert Lujan explained this was an Interlocal Agreement between the City of Fort Stockton and the Permian Basin Regional Planning Commission.

Motion was made by Council Member Ruben Falcon, seconded by Council Member James Warnock, and carried unanimously to Approve Interlocal Agreement for E9-1-1 Public Safety Answering Point Services for September 1, 2021 – August 31, 2023 between the City of Fort Stockton and the Permian Basin Regional Planning Commission. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, and Council Member Ruben Falcon voted aye.

13. Discuss/Act upon appointment of new member to the Fort Stockton Housing Authority Board. *Applicants: Ruben James Bernal (RJ), Guadalupe Fierro (City Mgr./HUD Dir.)*

Motion was made by Council Member Ruben Falcon, seconded by Council Member James Warnock, and carried unanimously to Appoint Ruben James Bernal (RJ) as the New Member of the Fort Stockton Housing Authority. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, and Council Member Ruben Falcon voted aye.

Mayor Alexander recessed from the Regular Meeting to Convene into Executive Session at 6:49 p.m.

EXECUTIVE SESSION:

14. **City Council may Convene in Closed Session in Accordance with Texas Meetings Act, Texas Government Code, Concerning Attorney-Client Matters (Section 551.071); Deliberation regarding Real Property (Section 551.072); Deliberation regarding Prospective Gifts (Section 551.073); Personnel Matters (Section 551.074); and/or Deliberation regarding Security Devices (Section 551.076):**
 - a. Consultation with City Attorney Boinpally regarding the Utility Invoice received for the month of February 2021.

Mayor Alexander closed Executive Session to Reconvene into Regular Meeting at 7:03 p.m.

REGULAR BUSINESS CONTINUED:

15. Reconvene into Open Session Pursuant to Texas Government Code Section 551.102 & Take Action, if any, on Matters Deliberated in Executive Session:
 - 14a. Discuss/Act upon Consultation with City Attorney Boinpally regarding the Utility Invoice received for the month of February 2021.

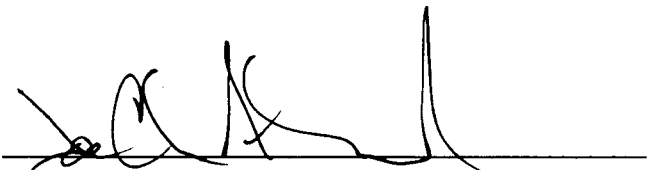
Motion was made by Mayor Pro-Tem Paul Casias, seconded by Council Member Pam Palileo to Allow City Attorney Puja Boinpally to continue to dispute the Utility Invoice received from West Texas Gas for the month of February 2021.

16. Questions from the Media.

There were not any questions from the media as they had already departed from the meeting.

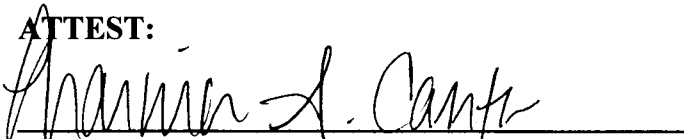
17. Adjourn.

There being no further business, the Regular Meeting was adjourned @ 7:05 p.m.

A handwritten signature in black ink, appearing to read "Joe Chris Alexander", written over a horizontal line.

Joe Chris Alexander, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Marina A. Cantu", written over a horizontal line.

Marina A. Cantu, City Secretary