

CITY OF FORT STOCKTON, TEXAS

MINUTES OF: REGULAR CITY COUNCIL MEETING
 DATE OF MEETING: SEPTEMBER 14, 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, DARREN HODGES

Mayor Alexander called the Regular Meeting to Order at 5:30 p.m. after declaring a quorum present.

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."

Council Member Hodges gave the Invocation.

Council Member Warnock led the Pledge of Allegiance to the United States of America Flag & the Pledge of Allegiance to the Texas Flag.

PRESENTATIONS:

1. Chief of Police Robert Lujan with Fort Stockton Police Department---

- Statistics for August 2021
- Introduction of New Patrol Officers
- Introduction of Patrol Officer Javier Soto and K-9 Officer Fauce

Service Calls Dispatched:	1129	Investigations Initiated:	25
FSPD	758	83 rd District Attorney	9
FSFD	11	112 th District Attorney	6
PCEMS	161	County Attorney	10
PCSO	190	Juvenile Probation	0
Accidents Worked:	34	Total Arrests:	21
Accidents (PD)	20	Assault – Family Violence	3
		Burglary	
Traffic Stops/Violations	230	Criminal Mischief	

Traffic Citations Issued	76
Traffic Stops (PD)	182

Misdemeanors	16
Felonies	3

Criminal Trespass:	10
Disorderly Conduct	1
Driving While Intoxicated	1
Evading Arrest	
Illegal Aliens	
Murder	
Possession of a Controlled Substance	1
Possession of Marijuana	
Public Intoxication	
Resisting Arrest	2
Theft	1
Warrants	2

Chief of Police Robert Lujan introduced New Patrol Officers:

ANIMAL CONTROL OFFICERS (ACO):

- Dennis Gross and Jorge Pineda are the current Animal Control Officers.
- The Fort Stockton Shelter Capacity is 20.
- This week alone Fort Stockton has 12 dogs, of which 2 dogs are in quarantine
- Adoptions and Rescue are going well.

SCHOOL RESOURCE OFFICERS (SRO):

- Fort Stockton currently has 3 School Resource Officers.
- Patrol Officers are utilized to assist the SRO with traffic flow around the school zones in the mornings.
- The School Resource Officers work the football games.
- The School Resource Officers contract is working well.

PATROL OFFICERS:

- There are 3 New Patrol Officers that are in the 3rd week of the Field Training Officer (FTO) Program.
- Jessica Surell, FTO Jordan Falcon
- Estevan Tamez, FTO Derrik Straton
- Adriana Rodriguez, FTO Alexis Olivarez

VACANCIES:

- There is still 1 vacancy to fill.
- The Police Department is in need of dispatchers.

K-9 & K-9 HANDLER:

- Officer Javier Soto is the New K-9 Handler
- K-9 Officer Fauce

- Officer Soto advised City Council that he just returned from a 1 month school.
- They learned to search for dope.
- They practiced tracking.
- They were able to bond.
- Officer Soto advised City Council that Officer Fauce loves the job.
- Officer Fauce has had 2 finds on school property. (One at the High School and the other in the Teacher's Lounge at the Middle School)

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, 08/24/2021
- Special Meeting Minutes of Fort Stockton City Council, 08/31/2021
- Special Meeting Minutes of Fort Stockton City Council, 09/07/2021
- Regular Meeting Minutes of Fort Stockton Substandard Building Committee, 08/05/2021
- Regular Meeting Minutes of Keep Historic Fort Stockton Beautiful Board, 08/04/2021
- Regular Meeting Minutes of Fort Stockton Planning & Zoning Commission, 04/21/2021

Accounts Payable Grand Total: \$398,279.81

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

ORDINANCES:

3. Discuss/Act upon Ordinance No. 21-117, An Ordinance Amending Chapter 12 of the Code of Ordinance of the City of Fort Stockton Titled GARBAGE AND TRASH*, Article III. Charges and Repealing all Other Ordinances or portions thereof in Conflict, a Severability Clause and Providing for its Publication and Effective Date. **(City Mgr./Dir. of Fin.)**

City Manager Rodriguez explained that these changes were recommended based off of the Budget Workshop. This would be to approve a five dollar (\$5.00) Increase for Type I and Type IV Waste. Rates per load will be by scale measurement at the rate of eighty dollars

(\$80.00) per ton for Type I and one hundred and five dollars (\$105.00) for Type IV Waste. Requesting permission to approve this suggested increase.

Motion was made by Council Member Pam Palileo, seconded by Council Member James Warnock, and carried unanimously to approve Ordinance No. 21-117, An Ordinance Amending Chapter 12 of the Code of Ordinance of the City of Fort Stockton Titled GARBAGE AND TRASH*, Article III. Charges and Repealing all Other Ordinances or portions thereof in Conflict, a Severability Clause and Providing for its Publication and Effective Date. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

4. Discuss/Act upon Ordinance 21-118, Adopting a Revised Personnel Policies & Procedures Manual for the City of Fort Stockton, Texas; Repealing the Prior Personnel Policies & Procedures Manual; Containing a Savings Clause; And Providing for the Publication and Effective Date Thereof. (City Mgr./H.R. Dir.)

City Manager Rodriguez explained the Personnel Policy was previously sent out to City Council.

There were very few changes made.

Motion was made by Mayor Pro-Tem Paul Casias, seconded by Council Member Pam Palileo, and carried unanimously to approve Ordinance No. 21-118, Adopting a Revised Personnel Policies & Procedures Manual for the City of Fort Stockton, Texas; Repealing the Prior Personnel Policies & Procedures Manual; Containing a Savings Clause; And Providing for the Publication and Effective Date Thereof. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

REGULAR BUSINESS:

5. Discuss/Act Upon Solicitation of Bids for Replacement of HVAC in City of Fort Stockton CVB Event Center. (City Mgr./CVB Dir.)

City Manager Rodriguez explained the funding for the Replacement of HVAC for the Event Center was previously approved.

The City Engineer wrote the Request for Bid.

He requested permission to approve the Solicitation of Bids for the Replacement of HVAC for the Event Center.

Motion was made by Council Member Pam Palileo, seconded by Council Member James Warnock, and carried unanimously to approve Solicitation of Bids for Replacement of HVAC in the City of Fort Stockton CVB Event Center. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

6. Discuss/Act upon Solicitation of Bids for Contractual Janitorial Services for City Hall, City Hall Annex, & Police Department Buildings. (City Mgr.)

City Manager Rodriguez explained this is our annual bid for janitorial services.

Motion was made by Mayor Pro-Tem Paul Casias, seconded by Council Member Pam Palileo, and carried unanimously to approve Solicitation of Bids for Contractual Janitorial Services for City Hall, City Hall Annex, & Police Department Buildings. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

7. Discuss/Act upon Re-Solicitation of Bids for New Insulated Heated 6,500 Gallon Emulsion Storage Tank. (City Mgr./P.W. Dir.)

City Manager Rodriguez explained the City of Fort Stockton only received one bid; therefore, he requested permission to re-solicit bids for this item.

Motion was made by Council Member Pam Palileo, seconded by Council Member James Warnock, and carried unanimously to approve Re-Solicitation of Bids for New Insulated Heated 6,500 Gallon Emulsion Storage Tank. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

8. Discuss/Act upon Solicitation of Bids for Replacement of Cast Iron Gas Line Project. (City Mgr./P.W. Dir.)

City Manager Rodriguez explained the City of Fort Stockton has a remaining 4.1 miles of Cast Iron Gas Line that needs to be replaced. He requested permission to solicit bids to complete 2 miles. The City will work on replacing the other 2.1 miles.

Motion was made by Mayor Pro-Tem Paul Casias, seconded by Council Member James Warnock, and carried unanimously to approve Solicitation of Bids for Replacement of Cast Iron Gas Line Project. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

9. Discuss/Act upon Awarding Bid for Purchasing of Materials for Replacement of Cast Iron Gas Line. **Bids Submitted:** *Cooper Supply Inc.-FW, EGW Utilities, Inc. (City Mgr./P.W. Dir.)*

City Manager Rodriguez explained after careful review of the bids submitted. Gas Superintendent Marcos Tovar recommended awarding the Bid to Cooper Supply Inc.-FW.

Motion was made by Council Member Pam Palileo, seconded by Mayor Pro-Tem Paul Casias, and carried unanimously to award Bid for Purchasing of Materials for Replacement of Cast Iron Gas Line to Cooper Supply Inc.-FW in the amount of \$88,744.90. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

10. Discuss/Act upon Awarding Proposal for Repairs of Paddlewheel Aerator Unit at City Wastewater Plant Oxidation Ditch. **Bids Submitted:** *Construction Product Marketing, Paso-Tex Industries (City Mgr./P.W. Dir.)*

City Manager Rodriguez explained that the individual that worked on the last Paddlewheel Aerator now works for Construction Product Marketing (CPM); therefore, Wastewater Treatment Plant Operator Federico Valenzuela recommended awarding the bid to CPM.

Motion was made by Council Member Pam Palileo, seconded by Council Member Ruben Falcon, and carried unanimously to award Proposal for Repairs of Paddlewheel Aerator Unit at City Wastewater Plant Oxidation Ditch to Construction Product Marketing (CPM) in the amount of \$131,716.00. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

11. Discuss/Act upon Facilities Solutions Agreement between the City of Fort Stockton and Cintas. **(City Mgr./P.W. Dir.)**

Director of Finance explained the City of Fort Stockton was able to negotiate a better price for a 3-year agreement with Cintas.

Council Member Falcon inquired if Cintas was the only company being utilized for uniforms.

Director of Finance responded that Unifirst is being utilized for the Gas Department Uniforms that are Fire Resistant.

She advised City Council that Cintas is cheaper when it comes to regular uniforms.

Motion was made by Council Member James Warnock, seconded by Council Member Ruben Falcon, and carried unanimously to approve Facilities Solution Agreement between the City of Fort Stockton and Cintas. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

12. Discuss/Act upon Potable Water Supply Agreement between the City of Fort Stockton and Pecos County Water Control & Improvement District #1. **(City Mgr./P.W. Dir)**

City Manager Rodriguez explained this is an established agreement between the City of Fort Stockton and the Pecos County Water Control & Improvement District #1. It allows the City to provide 300 gallons of water per minute at a rate of \$5.43 per 1,000 gallons. He requested permission to approve this agreement.

Motion was made by Council Member Darren Hodges, seconded by Council Member Pam Palileo, and carried unanimously to approve Potable Water Supply Agreement between the City of Fort Stockton and Pecos County Water Control & Improvement District #1. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

13. Discuss/Act upon Interlocal Agreement between the City of Fort Stockton and the City of Balmorhea regarding Wastewater System Maintenance. **(City Mgr./P.W. Dir.)**

City Manager Rodriguez explained historically the City of Fort Stockton had a Memorandum of Understanding with the City of Balmorhea for the Maintenance of their Wastewater System.

He explained City Attorney Boinpally recommended creating an agreement similar to the Agreement we have with the City of Grandfalls.

This agreement would allow for a Mileage Fuel Rate for recovery for the fuel utilized. The City of Fort Stockton has assisted the City of Balmorhea once in the last 2 years.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Pam Palileo, and carried unanimously to approve Interlocal Agreement between the City of Fort Stockton and the City of Balmorhea regarding Wastewater System Maintenance. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

14. Discuss/Act upon Agreement between the City of Fort Stockton via the Fort Stockton Convention & Visitor's Bureau and the Fort Stockton Chamber of Commerce. (City Mgr./CVB Dir.)

City Manager Rodriguez explained this agreement was adjusted as a result of the discussion during the Budget Workshop.

CVB and EDC provide a total of \$108,000.00 to the Fort Stockton Chamber of Commerce.

In speaking with Chamber of Commerce Director Arna McCorkle the Chamber does not want to continue coordinating the 4th of July Event.

He explained that there are other costs associated with the operations of the Visitor Center. He reported \$30,260.78 In-Kind Services were utilized last year to operate our Visitor Center.

Council Member Hodges explained it doesn't seem right that CVB continue to contribute that amount as they have relocated. He suggested revisiting this agreement. Adjustments need to be made.

Motion was made by Council Member Darren Hodges, seconded by Council Member James Warnock, and carried unanimously to table Agreement between the City of Fort Stockton via the Fort Stockton Convention & Visitor's Bureau and the Fort Stockton Chamber of Commerce. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

15. Discuss/Act upon Agreement between City of Fort Stockton via the Fort Stockton Convention & Visitor's Bureau and the Fort Stockton Community Theatre for Fiscal Year 2021-2022. (City Mgr./CVB Dir.)

CVB Director Crystal Lopez explained this is a renewal of the Agreement for the Fort Stockton Community Theatre. She advised City Council that \$10,000.00 was budgeted for the Community Theatre for Fiscal Year 2021-2022.

She further explained that the Community Theatre receives \$300 per performance.

The submit invoices, which are reimbursed.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Pam Palileo, and carried unanimously to approve Agreement between City of Fort Stockton via the Fort Stockton Convention & Visitor's Bureau and the Fort Stockton Community Theatre for Fiscal Year 2021-2022. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

16. Discuss/Act upon Agreement between the City of Fort Stockton via the Fort Stockton Convention & Visitor's Bureau and the Fort Stockton Historical Society for Fiscal Year 2021-2022. (City Mgr./P.W. Dir.)

CVB Director Crystal Lopez explained this is a Renewal Agreement for the Historical Society for \$160,000.00 dispersed in 12 payments of \$13,333.33.

Motion was made by Council Member James Warnock, seconded by Council Member Pam Palileo, and carried unanimously to approve Agreement between the City of fort Stockton via the Fort Stockton Convention & Visitor's Bureau and the Fort Stockton Historical Society for Fiscal Year 2021-2022. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

17. Discuss/Act upon Placement of a 4-Way Stop at the Intersection of Seventh Street & Everts Street. (City Mgr./COP)

City Manager Rodriguez explained this area has become a hazard.

He explained under Section 23-19 of the Fort Stockton Code of Ordinance the City Manager is authorized to erect and maintain stop signs, yield signs or other official traffic-control devices to designate through streets or to designate intersections or other roadway junctions at which vehicular traffic on one (1) or more of the roadways should yield or stop and yield before entering the intersection or junction.

After discussing this hazard with the Chief of Police Robert Lujan it was recommended that a 4-Way Stop be placed at the Intersection of Seventh Street and Everts Street.

Mayor Alexander inquired what the plan of action would be.

City Manager Rodriguez explained they would enlist the assistance of the Pioneer to notify the community.

Motion was made by Mayor Pro-Tem Paul Casias, seconded by Council Member Ruben Falcon, and carried unanimously to approve Placement of a 4-Way Stop at the Intersection of Seventh Street & Everts Street. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

18. Discuss/Act upon Holiday's Observed by the City of Fort Stockton Personnel. (City Mgr./H.R. Dir.)

City Manager Rodriguez explained the City would like to Observe the Christmas Holiday on Thursday, Friday and Monday.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Pam Palileo, and carried unanimously to approve Holidays Observed by the City of Fort Stockton Personnel. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

19. Discuss/Act upon 40 hours of Personal Time granted to Personnel who have received the COVID vaccine, to be exhausted by September 30, 2022. (City Mgr./Dir. of Fin.)

City Manager Rodriguez explained in an effort to mitigate the spread of COVID each employee will have the opportunity to show proof that they have been vaccinated. Fully vaccinated personnel will receive 40 hours of Personal Time, to be exhausted by September 30, 2022.

Motion was made by Council Member James Warnock, seconded by Council Member Pam Palileo, and carried unanimously to approve 40 hours of Personal Time granted to Personnel who have received the COVID vaccine, to be exhausted by September 30, 2022. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

20. Discuss/Act upon one-time \$5.00 credit incentive to each account registered for e-billing. (City Mgr./Util. Admin.)

City Manager Rodriguez explained this was another idea created to help mitigate the spread of COVID. A one-time \$5.00 credit will be applied to accounts registered for e-billing.

Motion was made by Council Member Pam Palileo, seconded by Council Member James Warnock, and carried unanimously to approve a one-time \$5.00 credit incentive to each account registered for e-billing. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

21. Discuss/Act upon Scheduling the Fall Clean-Up for the City of Fort Stockton from November 1-6, 2021. (City Mgr./P.W. Dir.)

Due to other planned projects, City Manager Rodriguez recommended scheduling the City Fall Clean-Up for November 1-6, 2021. These dates have been coordinated with the County.

Motion was made by Council Member Pam Palileo, seconded by Mayor Pro-Tem Paul Casias, and carried unanimously to Schedule the Fall Clean-Up for the City of Fort Stockton from November 1-6, 2021. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

22. Discuss/Act upon Declaring Saturday, October 30, 2021, as "Halloween." (Mayor/City Mgr.)

Motion was made by Council Member Pam Palileo, seconded by Council Member James Warnock, and carried unanimously to Delcare Saturday, October 30, 2021, as "Halloween." Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

Mayor Alexander recessed from the Regular Meeting to Convene into Executive Session at 6:24 p.m.

EXECUTIVE SESSION:

23. **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); Deliberation regarding Security Devices (Section 551.076); and/or Deliberation Regarding Economic Development Negotiations (Section 551.087):**

a. Annual Evaluation & Retainer Contract for City Attorney Puja Boinpally.

Mayor Alexander closed the Executive Session to Reconvene into the Regular Meeting at 6:38 p.m.

REGULAR BUSINESS CONTINUED:

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

23a. Discuss/Act upon Annual Evaluation & Retainer Contract for City Attorney Puja Boinpally.

Motion was made by Council Member James Warnock, seconded by Council Member Pam Palileo, and carried unanimously to approve A Favorable Evaluation and Approve the Retainer Contract for City Attorney Puja Boinpally. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

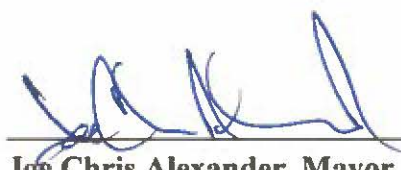
25. Questions from Media.

Reporter Megan Wehring of the Fort Stockton Pioneer inquired when the effective date of the 40 hours would be.

City Manager Rodriguez explained the time would be entered starting October 1 as that is when the new fiscal year begins. Human Resources will be the one to enter the hours.

26. Adjourn.

Motion was made by Council Member Paul Casias, seconded by Council Member Pam Palileo, and carried unanimously to adjourn the Regular Meeting at 6:41 p.m. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.



Joe Chris Alexander, Mayor

ATTEST:



Marina A. Cantu, City Secretary