

CITY OF FORT STOCKTON, TEXAS

MINUTES OF: REGULAR CITY COUNCIL MEETING
DATE OF MEETING: SEPTEMBER 26, 2022
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, PAUL CASIAS, RUBEN J BERNAL, RUBEN FALCON,

JAMES WARNOCK ARRIVED AT 5:43 P.M.

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

Mayor Joe Chris Alexander called the Regular Meeting to Order at 5:32 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.

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

PRESENTATION:

1. **Chief of Police Robert Lujan with Fort Stockton Police Department---**
 - School Resource Officer (SRO) Activity Report for August 2022

Fort Stockton High School:

Officer Assigned: Javier Soto & K-9 (Faus)

Calls For Service: 3

Traffic Contacts: 9

Investigations: 1 Theft, 2 K-9 Searches

Fort Stockton Middle School:

Officer Assigned: John Aguilera

Calls For Service: 1

Traffic Contacts: 2

Investigations: 1 Sexual Assault

Fort Stockton Intermediate School:

Officer Assigned: Rosalie Acosta

Calls For Service: 3

Traffic Contacts: 22

Investigations: 0

Fort Stockton Alamo Elementary School:

Officer Assigned: Leilani Bernal

Calls For Service: 1

Traffic Contacts: 0

Investigations: 1 Incident Report

Fort Stockton Apache Elementary School:

Officer Assigned: Javier Ybarra

Calls For Service: 0

Traffic Contacts: 4

Investigations: 0

Officers have been working diligently with school and report problems with doors. SRO's conduct traffic control and we flex staff from patrol to schools to assist SRO's during peak traffic times.

The School is also provided with a work schedule for the School Resource Officers.

There are currently 3 dedicated School Resource Officers: Javier Soto, John Aguilera and Rosalie Acosta.

He introduced Derrick Calderon and Ricardo Trejo, two Newly Hired Police Officers.

Mayor Joe Chris Alexander recessed from the Regular City Council Meeting to Convene into Executive Session 5:40 p.m.

EXECUTIVE SESSION:

18. **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 Joe Chris Alexander closed the Executive Session to Reconvene into the Regular City Council Meeting at 6:13 p.m.

REGULAR BUSINESS CONTINUED:

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

17a. Discuss/Act upon Annual Evaluation & Retainer Contract for City Attorney Puja Boinpally.

Motion was made by Council Member Darren Hodges, seconded by Council Member Ruben J. Bernal, and carried unanimously to Approve a Positive Annual Evaluation & Approve the Retainer Contract for City Attorney Puja Boinpally. Council Member Darren Hodges, Council Member James Warnock, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

ORDINANCES:

2. Discuss/Act upon Ordinance No. 22-126, Adopting Budget Amendment No. 3 to the Original Budget of the City of Fort Stockton, Texas for the Fiscal Year 2021-2022; Providing for Supplemental Appropriation and/or Transfer of Certain funds; Providing for Severability; and Providing for Other Matters Related to the Subject. **(Dir. of Fin.)**

City Manager Frank Rodriguez explained HB 445 has requested permission to expend additional funds in the amount of \$150,000 for street repair material.

The Recreation Department has requested permission to extend additional funds in the amount of \$45,000 for sports equipment.

The Convention Visitor's Bureau has requested permission to expend additional funds in the amount of \$450,000 for construction materials at Fort Stockton Convention Center.

The HB 445 Fund Balance as of the end of FY 20-21 was \$620,332.

The Recreation Fund Balance as of the end of FY 20-21 was \$98,383.

The CVB Fund Balance as of the end of FY 20-21 was \$1,082,692.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Ordinance No. 22-126, Adopting Budget Amendment No. 3 to the Original Budget of the City of Fort Stockton, Texas for the Fiscal Year 2021-2022; Providing for Supplemental Appropriation and/or Transfer of Certain funds; Providing for Severability; and Providing for Other Matters Related to the Subject. Council

Member Darren Hodges, Council Member James Warnock, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

3. Discuss/Act upon Ordinance No. 22-127, An Ordinance Amending the City of Fort Stockton, Texas, Personnel Policies & Procedures Manual by Incorporating Revised Job Descriptions for Police Sergeant-Detective, Pay Grade 28; Police Sergeant-Patrol, Pay Grade 28 to the Job Classification Table & Compensation Plan; Repealing Job Descriptions for Lieutenant, Pay Grade 28, CID Lieutenant, Pay Grade 28 to the Job Classification Table & Compensation Plan; Repealing the Prior Job Descriptions of the City Pertaining to this Ordinance; Containing a Savings Clause; and Providing for the Publication and Effective Date Thereof.
(City Mgr./ H.R. Dir.)

City Manager Frank Rodriguez explained due to the reclassifications the Sergeant-Detective and the Sergeant-Patrol Positions were moved from a Pay Grade 26 to a Pay Grade 28. In addition, he requested permission to remove the Lieutenant and CID Lieutenant Job Descriptions as no one has held those positions for the last 3 years.

Motion was made by Council Member James Warnock, seconded by Council Member Darren Hodges, and carried unanimously to approve Ordinance No. 22-127, An Ordinance Amending the City of Fort Stockton, Texas, Personnel Policies & Procedures Manual by Incorporating Revised Job Descriptions for Police Sergeant-Detective, Pay Grade 28; Police Sergeant-Patrol, Pay Grade 28 to the Job Classification Table & Compensation Plan; Repealing Job Descriptions for Lieutenant, Pay Grade 28, CID Lieutenant, Pay Grade 28 to the Job Classification Table & Compensation Plan; Repealing the Prior Job Descriptions of the City Pertaining to this Ordinance; Containing a Savings Clause; and Providing for the Publication and Effective Date Thereof. Council Member Darren Hodges, Council Member James Warnock, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

4. Discuss/Act upon Ordinance No. 22-128, An Ordinance 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 Frank Rodriguez advised City Council the changes were highlighted in yellow. He explained the Assistant Chief Position absorbed the funding for the Lieutenant Position.

Motion was made by Council Member Ruben Falcon, seconded by Council Member James Warnock, and carried unanimously to approve Ordinance No. 22-128, An Ordinance

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 Darren Hodges, Council Member James Warnock, 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, 09/12/2022
- Special Workshop Meeting Minutes of Tourism Advisory Board, 08/18/2022
- Regular Meeting Minutes of Tourism Advisory Board, 08/17/2022
- Regular Meeting Minutes of Intergovernmental Recreation Board, 08/17/2022
- Regular Meeting Minutes of Substandard Building Committee, 08/11/2022

Accounts Payable Grand Total: \$324,830.43

Motion was made by Council Member James Warnock, 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 Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

REGULAR BUSINESS:

6. Discuss/Act upon Convention Center Theater Management Agreement between the City of Fort Stockton and Lino and Collette Barragan. **(City Mgr./CVB Dir.)**

Collette and Tristian Barragan presented numbers reflecting the operations of the Convention Center Theater this past year.

Collette Barragan explained they have had a successful year. Customers range from locals to visitors staying at the local hotels. She added that they have put everything back into running the Theater.

Council Member Ruben Falcon inquired what they were paying for rent.

City Manager Frank Rodriguez responded that Lino and Collette Barragan are currently paying \$200 per month.

They forecast upcoming events to ensure they have the supplies needed for their planned events.

Council Member Ruben Falcon added that these moves and events that the Barragans have held have kept people in Fort Stockton rather than traveling to neighboring locations.

Motion was made by Council Member Ruben Falcon, seconded by Mayor Pro-Tem Paul Casias, and carried unanimously to approve Convention Center Theater Management Agreement between the City of Fort Stockton and Lino and Collette Barragan for \$200 per month for a term of 36 months. Council Member Darren Hodges, Council Member James Warnock, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

7. 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 for Fiscal Year 2022-2023. (City Mgr./Dir. of CVB)

Mayor Joe Chris Alexander explained this is the same agreement the City Fort Stockton had with the Fort Stockton Chamber of Commerce last year. Last year the agreement was lowered to \$50,600 to reflect the number of events they were hosting. This amount is utilized for operational expenses.

Motion was made by Council Member Ruben J Bernal, seconded by Council Member James Warnock, and carried unanimously to approve Agreement between the City of Fort Stockton via the Fort Stockton Convention & Visitor's Bureau and the Fort Stockton Chamber of Commerce for Fiscal Year 2022-2023. Council Member Darren Hodges, Council Member James Warnock, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

8. Discuss/Act upon Agreement between the City of Fort Stockton via the Fort Stockton Convention & Visitor's Bureau and the Fort Stockton Community Theatre for Fiscal Year 2022-2023. (City Mgr./CVB Dir.)

Mayor Joe Chris Alexander explained the Fort Stockton Community Theatre receives \$300 per performance not to exceed \$10,000.

Motion was made by Council Member James Warnock, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Agreement between the City of Fort Stockton via the Fort Stockton Convention & Visitor's Bureau and the Fort Stockton Community Theatre for Fiscal Year 2022-2023. Council Member Darren Hodges, Council Member James Warnock, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

9. Discuss/Act Agreement between the City of Fort Stockton via Fort Stockton Convention & Visitor's Bureau and the Fort Stockton Historical Society for Fiscal Year 2022-2023. (City Mgr./CVB Dir.)

Mayor Joe Chris Alexander explained this is the same agreement as last year. The only change is the dates.

Council Member Ruben J. Bernal inquired what the funding is utilized for.

Mayor Joe Chris Alexander responded that the funding is used for the maintenance and operations of the Annie Riggs Museum as well as the Historic Fort.

Council Member Ruben Falcon inquired if the Council was aware of any major maintenance or repairs that might need to be done to any of the buildings.

City Manager Frank Rodriguez explained he was advised by Museum Director Ross Harper that a company might create a replica of the oldest house in Fort Stockton.

Motion was made by Council Member James Warnock, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Agreement between the City of Fort Stockton via Fort Stockton Convention & Visitor's Bureau and the Fort Stockton Historical Society for Fiscal Year 2022-2023. Council Member Darren Hodges, Council Member James Warnock, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

10. Discuss/Act upon Engineer Agreement for Project Engineering and Consulting Services for Various Projects with West of the Pecos Consulting Engineers. (City Mgr.)

City Manager Frank Rodriguez explained that the City Engineer has done a great job at working on projects being done in house. He recommended renewing the contract for \$49,500.

Motion was made by Council Member Ruben Falcon, seconded by Council Member James Warnock, and carried unanimously to approve Agreement for Project Engineering and Consulting Services for Various Projects with West of the Pecos Consulting Engineers. Council Member Darren Hodges, Council Member James Warnock, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

11. Discuss/Act upon Awarding Proposal for Replacement of Wastewater Plant Aeration Pond Control Panel and Aeration Motors. **Proposals Received: *Alpha Water Resources, Construction Product Marketing, Electric Supply Source (City Mgr./Sewer Sup.)***

Assistant City Manager Jesse Gonzales, Jr. explained there after a careful review of the proposals submitted it was determined that Construction Product Marketing was significantly lower than the rest. Therefore, they were contacted and have since withdrawn their bid.

The proposal submitted by Alpha Water Resources did not include freight charges. There is a provision in their proposal that any heavy duty equipment would be provided by the City of Fort Stockton. The concern with this would be their ability to void any warranties.

There is a \$15,365.80 difference between the two proposals. The price difference is well worth it when you consider the Freight Charges and validity of the warranties.

Wastewater Treatment Supervisor Federico Valenzuela recommended awarding the proposal to Electric Supply Source for \$233,785.80.

Wastewater Treatment Supervisor Federico Valenzuela explained the importance of the Aeration Pond. He advised City Council that the Aeration Pond controls the lift station for the Wastewater Treatment Plant at the Lynaugh Unit. It is over 25 years old and needs to be redone.

Motion was made by Council Member James Warnock, seconded by Mayor Pro-Tem Paul Casias, and carried unanimously to approve Awarding Proposal for Replacement of Wastewater Plant Aeration Pond Control Panel and Aeration Motors to Electric Supply Source in the amount of \$233,785.80. Council Member Darren Hodges, Council Member

James Warnock, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

12. Discuss/Act upon Re-Solicitation of Bids for Addition of Restrooms in the Fort Stockton Convention Center. (City Mgr./CVB Dir.)

City Manager Frank Rodriguez explained the Original Bids Submitted were Rejected and the square footage for the outside restrooms was amended. Therefore, he asked to Re-Solicit bids for the Addition of Restrooms in the Fort Stockton Convention Center.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Re-Solicitation of Bids for Addition of Restrooms in the Fort Stockton Convention Center. Council Member Darren Hodges, Council Member James Warnock, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

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

City Manager Frank Rodriguez explained it was that time of year again to go out for bids for Contractual Janitorial Services.

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

14. Discuss/Act upon Designating October 11, 2022 as the First Regular City Council Meeting for the Month of October. (City Mgr.)

Mayor Joe Chris Alexander explained October 10, 2022 is a holiday; Therefore the first Regular City Council Meeting for the Month of October should be moved to October 11, 2022.

Motion was made by Council Member James Warnock, seconded by Council Member Ruben Falcon, and carried unanimously to Designate October 11, 2022 as the First Regular City Council Meeting for the Month of October. Council Member Darren

Hodges, Council Member James Warnock, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

15. Discuss/Act upon Holidays Observed by the City of Fort Stockton Personnel. (City Mgr./H.R. Dir.)

Council Member Ruben Falcon recommended adding July 3, 2023 to the Holiday Schedule.

Motion was made by Council Member Ruben Falcon, seconded by Council Member James Warnock, and carried unanimously to approve July 3, 2023 as well as the list presented as Holidays Observed by the City of Fort Stockton Personnel. Council Member Darren Hodges, Council Member James Warnock, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

16. Discuss/Act upon Declaring Saturday, October 29, 2022, as "Halloween". (Mayor/City Mgr.)

Mayor Joe Chris Alexander explained "Halloween" falls during the week this year. Therefore, we would like to declare Saturday, October 29, 2022, as "Halloween" as it is the Saturday closest to the actual Holiday.

Motion was made by Mayor Pro-Tem Paul Casias, seconded by Council Member Ruben J Bernal, and carried to Declare Saturday, October 29, 2022, as "Halloween". Council Member James Warnock, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye and Council Member Darren Hodges voted nay.

17. Discuss/Act upon Appointment, Re-Appointment, Removal of Board Members or Amendment to Board Bylaws, as needed for Fiscal Year 2022-2023. (Mayor/City Mgr.)

City Manager Frank Rodriguez recommended postponing this item.

Motion was made by Council Member Darren Hodges, seconded by Council Member James Warnock, and carried unanimously to Postpone this item. Council Member Darren Hodges, Council Member James Warnock, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

20. Questions from Media

Fort Stockton Pioneer Editor Nathan Heuer inquired what the dollar amount difference was in pay for the paygrade change for the two sergeant positions.

City Manager Frank Rodriguez explained the pay scale varies dependent on experience.

Fort Stockton Pioneer Editor Nathan Heuer inquired how long Puja Boinpally has served as the City Attorney.

City Attorney Puja Boinpally responded this was her third year going on her fourth year serving as the City Attorney.


21. Adjourn

Motion was made by Mayor Pro-Tem Paul Casias, seconded by Council Member James Warnock, and carried unanimously to adjourn the Regular City Council Meeting at 6:54 p.m. Council Member Darren Hodges, Council Member James Warnock, 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