

CITY OF FORT STOCKTON, TEXAS

MINUTES OF: REGULAR CITY COUNCIL MEETING
DATE OF MEETING: OCTOBER 26, 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, RUBEN FALCON, DARREN HODGES

ABSENT: PAUL CASIAS

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

Mayor Alexander called the Regular Meeting to Order at 5:32 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. **City Manager Frank Rodriguez III----**
 - City Manager's Report

City Manager Frank Rodriguez recognized the Water Department, Sewer Department and the Pecos County Water Control Improvement District No.1 (PCWID No.1) for their work repairing the Water Leak in Precinct 2. They spent 17 hours fixing the 8-inch water leak.

Although the situation was dangerous the crews didn't stop working until the leak was fixed.

He addressed comments that had been made concerning local citizen's water bill being increased to account for the water loss during the leak. There was a total of 1.9 million gallons of water lost during this leak. City Manager Rodriguez assured everyone that a fee would not be billed to citizens as that water did not pass through anyone's meter.

He advised everyone that CVB Director Crystal Lopez, Director of Tourism Melba Montoya, Director of Finance Maria Rodriguez and CVB Administrative Assistant Cindy Melendez had the idea to host 4 Showings of the Addams Family Movie during Halloween Weekend. The movie will be shown at 10:00 a.m., 12:00 p.m., 2:00 p.m. & 4:00 p.m. at the Fort Stockton Convention Center.

City Crews have been working diligently on the Movie Theater located within the Fort Stockton Convention Center in order to give something back to the community.

The City Wide Clean-up will be held November 1-6, 2021. Public Works Director Aaron Ramos has created a list of acceptable items for the Clean-up. A copy will be given to the Fort Stockton Pioneer so the community will be aware of what is and is not acceptable.

He commended the Fort Stockton Police Department for the hard work they do.

He asked City Secretary Cantu to explain the recognition Administrative Assistant Sheila Lehnert was to receive.

City Secretary Marina Cantu explained that Administrative Assistant Sheila Lehnert was scheduled to receive a 2021 TMCA Major Scholarship. She would be awarded her Scholarship Thursday Afternoon during the TMCCP Seminar in Galveston, Texas. Sheila is in the process of obtaining her TMCA Certification and this scholarship would be utilized in furthering her education process.

Mayor Alexander echoed their sentiments.

He inquired how many pumps were utilized during the recent water leak.

City Manager Rodriguez responded 6 pumps were used to remove water from the hole which assisted staff in fixing the leak.

Mayor Alexander advised everyone that the water leak was not completely fixed until 5:30 a.m.

Mayor Alexander explained the proposition on the City of Fort Stockton's Special Election is to allow the City of Fort Stockton to charge an additional 2% Hotel Tax to the Travelling Public staying in local hotels. This tax will be utilized for the planning, acquisition, establishment, development, construction, renovation and financing of new and existing convention center facilities and any related infrastructure at the location of the existing Event Center within the city limits (the "venue project") and the related maintenance and operation thereof in accordance with applicable law.

ORDINANCES:

2. Discuss/Act upon Ordinance No. 21-129, An Ordinance Amending Chapter 2 of the Code of Ordinances of the City of Fort Stockton, Titled Administration *, Article II. City Council*, Sec. 2-16. City Council Meetings; and Repealing all other Ordinances or Portions Thereof in Conflict, a Severability Clause and Providing an Effective Date (**City Mgr.**)

City Manager Rodriguez explained due to their schedule a few Council Members asked that the Regular City Council Meetings be changed to every 2nd and 4th Monday of the Month at 5:30 p.m.

Council Member Hodges explained that his son would be playing basketball and he would like to attend his games; therefore, he asked City Council to change their meetings from Tuesday to Monday.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Pam Palileo, and carried unanimously to approve Ordinance No. 21-129, An Ordinance Amending Chapter 2 of the Code of Ordinances of the City of Fort Stockton, Titled Administration *, Article II. City Council*, Sec. 2-16. City Council Meetings; and Repealing all other Ordinances or Portions Thereof in Conflict, a Severability Clause and Providing an Effective Date. Council Member James Warnock, Council Member Pam Palileo, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

CONSENT AGENDA:

3. 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, 10/12/2021
- Regular Meeting Minutes of the Fort Stockton Convention and Visitors Bureau, 09/21/2021
- Special Meeting Minutes of the Fort Stockton Convention and Visitors Bureau, 09/27/2021

- Regular Meeting Minutes of the Intergovernmental Recreation Board, 09/22/2021
- Regular Meeting Minutes of the Fort Stockton Economic Development 4-A Corporation, 09/16/2021
- Regular Meeting Minutes of the Fort Stockton Economic Development 4-B Corporation, 08/19/2021
- Regular Meeting Minutes of Fort Stockton Substandard Building Committee, 09/02/2021

Accounts Payable 2020-2021 Fiscal Total: \$ 20,520.22

Accounts Payable 2021-2022 Fiscal Total: \$ 235,226.37

Accounts Payable Grand Total: **\$255,746.59**

Director of Finance Maria Rodriguez explained a Department Head cancelled their travel; therefore, the Accounts Payable Grand Total should be \$255,319.87.

Motion was made by Council Member Darren Hodges, seconded by Council Member Pam Palileo, and carried unanimously to approve Consent Agenda, as amended. Council Member James Warnock, Council Member Pam Palileo, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

REGULAR BUSINESS:

4. Discuss/Act upon Awarding Bid for Replacement of HVAC in City of Fort Stockton CVB Event Center. **Bids Submitted:** *Artic Air Plumbing Heating& Air Conditioning, The Bosworth Company, TDIndustries (City Mgr./CVB Dir.)*

City Manager Rodriguez explained there were 3 bids received for this project.

He explained the Bosworth Company submitted the lowest bid. He introduced Jr. Carrasco of the Bosworth Company and asked what timeframe the City was looking at for the completion of this project.

Jr. Carrasco of the Bosworth Company explained it would take approximately 15 weeks to build the HVAC Units for the City of Fort Stockton CVB Event Center.

City Manager Rodriguez inquired once the HVAC system is installed what the response time would be to repair the Unit.

Jr. Carrasco of the Bosworth Company responded it would take approximately 1-2 days.

City Manager Rodriguez inquired about the warranties the Bosworth Company offered .

Mr. Carrasco of the Bosworth Company responded there is a 5-year warranty on parts and 1-year warranty on labor on all equipment.

City Manager Rodriguez recommended Awarding the Bid for Replacement of HVAC in City of Fort Stockton CVB Event Center to The Bosworth Company for \$174,846.00.

Mayor Alexander stated after a careful review of the bid he noticed it was for the replacement of parts. He understood that there was some duct work needed and he inquired if that was included in their submittal.

Jr. Carrasco of the Bosworth Company confirmed their bid included the addition 12 grills and minimal duct work to the existing system.

Motion was made by Council Member Darren Hodges, seconded by Council Member Ruben Falcon, and carried unanimously to award Bid for Replacement of HVAC in City of Fort Stockton CVB Event Center to The Bosworth Company for \$174,846.00. Council Member James Warnock, Council Member Pam Palileo, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

5. Discuss/Act upon Awarding Proposal for Audio System in City of Fort Stockton CVB Event Center. **Bid Submitted: Just Macs LLC, dba Absolute AVL (City Mgr./CVB Dir.)**

City Manager Rodriguez recommended rejecting the Proposal submitted and Re-Soliciting the Project for the movie theater area only.

Mayor Alexander explained the proposal listed every room; however, it only included the total amount for the entire project. He recommended rejecting the Proposal and Re-Soliciting the Project, requesting a separate cost breakdown for each room.

Motion was made by Council Member Darren Hodges, seconded by Council Member James Warnock, and carried unanimously to Reject the Proposal for Audio System in City of Fort Stockton CVB Event Center and Approving the Re-solicitation of the Request for Proposals, requesting a separate cost breakdown for each room. Council Member James Warnock, Council Member Pam Palileo, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

6. Discuss/Act upon Awarding Bid for Replacement of Cast Iron Gas Line Project. **Bids Submitted: Colt I&E, LLC, Driver Pipeline Co., Inc.(City Mgr./P.W. Dir.)**

Public Works Director Aaron Ramos explained there were two bids received for this project. There was a bid received from Colt I&E, LLC for \$438,842.00 and another bid received from Driver Pipeline Co. for \$2,400,000.00.

He recommended Awarding the Bid for Replacement of Cast Iron Gas Line Project to Colt I&E, LLC.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Pam Palileo, and carried unanimously to award the Bid for Replacement of Cast Iron Gas Line Project to Colt I&E, LLC. for \$438,842.00. Council Member James Warnock, Council Member Palileo, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

7. Discuss/Act upon Awarding of Bid for Contractual Janitorial Services for City Hall & City Hall Annex &/or Police Department & Dispatch Area. **Bids Submitted:** *Elfida Morales, Abiud Olivares, Edith Tercero (City Mgr./C.O.P.)*

City Manager Rodriguez recommended Awarding Elfida Morales the Bid for Contractual Janitorial Services for City Hall & City Hall Annex. He recommended Awarding Abiud Olivares the Bid for Contractual Janitorial Services for the Police Department & Dispatch Area.

Motion was made by Council Member Pam Palileo, seconded by Council Member James Warnock, and carried unanimously to award the Bid for Contractual Janitorial Services for City Hall & City Hall Annex to Elfida Morales and the Bid for Contractual Janitorial Services for Police Department and Dispatch Area to Abiud Olivares. Council Member James Warnock, Council Member Pam Palileo, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

8. Discuss/Act upon Solicitation of Proposals for RO Plant Chemicals. **(City Mgr./P.W. Dir.)**

Public Works Director Aaron Ramos explained the City of Fort Stockton needed to solicit bids for the RO Plant Chemicals.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Pam Palileo, and carried unanimously to approve Solicitation of Proposals for RO Plant Chemicals. Council Member James Warnock, Council Member Pam Palileo, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

9. Discuss/Act upon Final Pay Application, No. 5 for \$87,466.91 for Work Performed by Onyx Contractors Operations, LP from January 1, 2021 - October 19, 2021. (City Mgr./P.W. Dir.)

City Manager Rodriguez advised City Council the punch list and an inspection were completed; therefore, he asked City Council to Approve the Final Pay Application for Onyx Contractors.

Motion was made by Council Member Pam Palileo, seconded by Council Member James Warnock, and carried unanimously to approve Final Pay Application, No. 5 for \$87,466.91 for Work Performed by Onyx Contractors Operations, LP for January 1, 2021-October 19, 2021. Council Member James Warnock, Council Member Pam Palileo, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

10. Discuss/Act upon Pay Application No. 3 for \$52,038.02 for Work Performed by Fletco Construction, LP through October 20, 2021, regarding the Fort Stockton Landfill Building. (City Mgr./P.W. Dir.)

City Manager Rodriguez explained City Engineer Raul Rodriguez confirmed the progress of the Landfill Building; therefore, he recommended approving Pay Application No. 3 for Fletco Construction, LP.

Motion was made by Council Member James Warnock, seconded by Council Member Pam Palileo, and carried unanimously to approve Pay Application No. 3 for \$52,038.02 for Work Performed by Fletco Construction, LP through October 20, 2021, regarding the Fort Stockton Landfill Building. Council Member James Warnock, Council Member Pam Palileo, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

11. Discuss/Act upon Street Material Agreement between DG Trucking and Material, LLC and the City of Fort Stockton for Crushed Limestone #1 & #2 for Street Construction and Repairs. (City Mgr./P.W. Dir.)

City Attorney Puja Boinpally explained this was the Agreement for Crushed Limestone #1 & #2 that was previously awarded to DG Trucking and Material, LLC.

Motion was made by Council Member James Warnock, seconded by Council Member Ruben Falcon, and carried unanimously to approve Street Material Agreement between DG Trucking and Material, LLC and the City of Fort Stockton for Crushed Limestone #1 & #2 for Street Construction and Repairs. Council Member James Warnock, Council Member Pam Palileo, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

12. Discuss/Act upon the 4th Quarterly Investment Report ending September 30, 2021. (City Mgr./Dir. of Fin.)

Director of Finance Maria Rodriguez explained in accordance with the City of Fort Stockton Investment Policy and the Public Funds Investment Act, she was submitting the 4th Quarterly Investment Report for Fiscal Year 2020-2021.

At the end of June, TexPool's average interest rate was 0.04%; LOGIC's average interest rate was 0.04%; 90-day T-Bills were 0.04% and the one-year T-Bills were 0.09%. Our local bank Pecos County State Bank is currently at 0.35%.

In accordance with Resolution No. 11-110R, the City exceeded the required 7% of General Fund's and Enterprise Fund's budgeted expenses totaling \$19,390,590.00 by maintaining \$1,357,341.30.

GENERAL			
	<i>Beginning of Quarter</i>	<i>End of Quarter</i>	<i>Quarterly Interest Earned</i>
TOTAL	\$11,366,526.30	\$ 11,025,703.58	\$ 3,304.84
CVB			
	<i>Beginning of Quarter</i>	<i>End of Quarter</i>	<i>Quarterly Interest Earned</i>
TOTAL	\$ 1,251,306.19	\$ 1,073,125.63	\$ 250.97
EDC 4-A			
	<i>Beginning of Quarter</i>	<i>End of Quarter</i>	<i>Quarterly Interest Earned</i>
TOTAL	\$ 2,751,309.19	\$ 2,799,901.53	\$ 605.66
EDC 4-B			
	<i>Beginning of Quarter</i>	<i>End of Quarter</i>	<i>Quarterly Interest Earned</i>
TOTAL	\$ 1,782,079.81	\$ 1,843,616.75	\$ 471.74
SPECIAL ASSESSMENT			
	<i>Beginning of Quarter</i>	<i>End of Quarter</i>	<i>Quarterly Interest Earned</i>
TOTAL	\$ 2,038,372.02	\$ 2,166,758.11	\$ 507.65
TAX NOTES			
	<i>Beginning of Quarter</i>	<i>End of Quarter</i>	<i>Quarterly Interest Earned</i>
TOTAL	\$ 123,356.92	\$ 119,896.14	\$ 12.92

Motion was made by Council Member James Warnock, seconded by Council Member Ruben Falcon, and carried unanimously to approve the 4th Quarterly Investment Report ending September 30, 2021, as presented. Council Member James Warnock, Council Member Pam Palileo, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

13. Discuss/Act upon the Amended Convention and Visitors Bureau (CVB) By-laws. (City Mgr./CVB Dir.)

City Manager Rodriguez explained that the revisions to the Convention and Visitors Bureau By-laws were previously reviewed and approved by the CVB Board. They recommended changing that amount of board members from seven (7) to eleven (11). In addition, they recommended allowing the Mayor to appoint the members of the Convention and Visitors Bureau in order to streamline the process of appointment.

After a lengthy discussion, the consensus of City Council agreed that the appointment of members should be done by City Council as a whole.

Motion was made by Council Member Darren Hodges, seconded by Council Member James Warnock, and carried unanimously to approve the Revisions to the Convention and Visitors Bureau (CVB) By-laws, as amended. Council Member James Warnock, Council Member Pam Palileo, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

14. Discuss/Act upon The Fort Stockton Convention Center Rental Policy. (City Mgr./CVB Dir.)

City Manager Rodriguez explained after conducting diligent research into prices around the area for similar rentals, CVB Director Crystal Lopez presented the following rental policy for the Fort Stockton Convention Center. After further review, it was determined that the rental prices might need to be adjusted. Therefore, City Attorney Puja Boinpally suggested giving the City Manager the Authority to make changes to the Fort Stockton Convention Center Rental Policy, as needed.

He asked for direction on a limit for events such as weddings and quinceneras to be held at the Fort Stockton Convention Center.

Council Member Hodges recommended setting the limit for events such as weddings and quinceneras to be held at the Fort Stockton Convention Center to twice a month to start with.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Pam Palileo, and carried unanimously to approve the Fort Stockton Convention Center Rental Policy, as presented and Granting the City Manager the Authority to make changes to the policy, as needed. Council Member James Warnock, Council Member Pam Palileo, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

15. Discuss/Act upon The Fort Stockton CVB Stage Rental Policy. (City Mgr./CVB Dir.)

City Manager Rodriguez explained the CVB stage was previously restricted for CVB use; however, they recently received phone calls asking to utilize the stage for a Memorial Golf Tournament. There was an opportunity to get paid for the use of the stage, which led to CVB Director Lopez proposing the rental of the stage. This option would more than pay for the cost of the stage.

Rental Fees

One day-\$2,500.00 (7:00 a.m. - 7:00 p.m.)

Two days-\$4,000.00

Any additional day is \$1,000.00

The City crews are the only ones allowed to set up and breakdown the stage.

Motion was made by Council Member James Warnock, seconded by Council Member Ruben Falcon, and carried unanimously to approve The Fort Stockton CVB Stage Rental Policy, as presented and Granting the City Manager the Authority to Make Changes, as needed. Council Member James Warnock, Council Member Pam Palileo, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

16. Questions from Media

Megan Wehring of the Fort Stockton Pioneer inquired what the Fort Stockton Convention Center capacity was.

City Manager Rodriguez responded the capacity was something Code Enforcement would have to determine based on the square footage of the building.

Megan Wehring of the Fort Stockton Pioneer asked if the proposal for the Audio System was for the entire building.

Mayor Alexander confirmed the proposal received for the Audio System was for the entire Convention Center to include the outdoor area.

Megan Wehring of the Fort Stockton Pioneer inquired if the City Council Meetings would remain on Mondays.

Mayor Alexander replied the City Council Meetings would remain on Mondays until City Council voted otherwise.

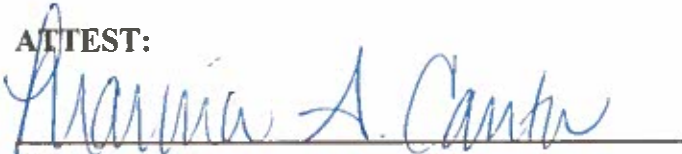
17. Adjourn

Motion was made by Council Member James Warnock, seconded by Council Member Pam Palileo, and carried unanimously to adjourn the Regular City Council Meeting at 6:35 p.m. Council Member James Warnock, Council Member Pam Palileo, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.



Joe Chris Alexander, Mayor

ATTEST:



Marina A. Cantu, City Secretary