

CITY OF FORT STOCKTON, TEXAS

MINUTES OF: REGULAR CITY COUNCIL MEETING
DATE OF MEETING: NOVEMBER 22, 2021
TIME OF MEETING: 5:30 PM
PLACE OF MEETING: FORT STOCKTON CONVENTION CENTER 2181 W. I-10 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

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

Mayor Alexander called the Regular Meeting to Order at 5:31 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.

CONSENT AGENDA:

1. 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, 11/08/2021
- Special Meeting Minutes of Economic Development 4-A Corporation, 10/13/2021
- Correction to Regular Meeting Minutes of Economic Development 4-B Corporation, 09/16/2021
- Special Meeting Minutes of Economic Development 4-B Corporation, 10/13/2021
- Regular Meeting Minutes of Housing Authority Board. 09/16/2021

Accounts Payable Grand Total: \$368,454.20

Motion was made by Council Member James Warnock, seconded by Council Member Pam Palileo, 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.

REGULAR BUSINESS:

2. Discuss/Act upon Application Request from Pecos County on behalf of the Middle Pecos Groundwater Conservation District to drill a water well for monitoring purposes at 405 N. Spring Drive. (City Mgr.)

City Manager Rodriguez introduced Middle Pecos Groundwater Conservation District (MPGCD) General Manager Ty Edwards.

MPGCD General Manager Edwards explained the Groundwater District is interested in placing a monitor well in front of the MPGCD Office, as it is located close to the spring. The well will be utilized for monitoring and educational purposes. He explained a windmill was donated to the Groundwater District, which would be placed over the monitor well. Monitoring equipment would be installed.

Council Member Darren Hodges inquired how deep the well would be drilled.

MPGCD General Manager Edwards responded the well would be drilled to a depth of approximately 375 feet.

He further explained water would not be pumped from the well for use, the well would be utilized to monitor the water quality and depth.

He advised City Council there is Realtime data of the water levels of the spring available on the MPGCD website.

Council Member Palileo added that this is educational information that should be available to the public, especially classrooms.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Pam Palileo, and carried unanimously to approve Application Request from Pecos County on behalf of the Middle Pecos Groundwater Conservation District to drill a water well for monitoring purposes at 405 N. Spring Drive. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

3. Discuss/Act upon Final Pay Application No. 4 totaling \$67,500.00 for Work Performed by AG Oilfield Services, Inc., which entailed the Completion of Phase III for Landfill Roadway located at 256 Moody Road, Fort Stockton, Texas 79735. (City Mgr./P.W. Dir.)

City Manager Rodriguez explained the City Engineer inspected this project and approved the Final Payment for AG Oilfield Services, Inc.

Motion was made by Council Member James Warnock, seconded by Council Member Ruben Falcon, and carried unanimously to approve Final Pay Application No. 4 totaling \$67,500.00 for Work Performed by AG Oilfield Services, Inc., which entailed the Completion of Phase III for Landfill Roadway located at 256 Moody Road, Fort Stockton, Texas 79735. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon and Council Member Darren Hodges voted aye.

4. Discuss/Act upon Pay Application No. 4 totaling \$91,015.04 for work performed by Fletco Construction, LP for the Construction of the New Landfill Shop Building located at 256 Moody Road, Fort Stockton, Texas 79735. (City Mgr./P.W. Dir.)

City Manager Rodriguez explained the Landfill Shop Building has been inspected. They have completed phase 4 of this project; therefore, he is requesting permission to approve Pay Application No. 4.

Motion was made by Mayor Pro-Tem Paul Casias, seconded by Council Member James Warnock, and carried unanimously to approve Pay Application No. 4 totaling \$91,015.04 for work performed by Fletco Construction, LP for the Construction of the New Landfill Shop Building located at 256 Moody Road, Fort Stockton, Texas 79735. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

5. Discuss/Act upon Report on the Memorial Golf Tournament for funding. (City Mgr./CVB Dir.)

Convention and Visitor's Bureau Director Crystal Lopez explained this request was presented to the Convention and Visitor's Bureau (CVB); however, three (3) CVB Board

members are members of the Fort Stockton Golf Association. Therefore, it was recommended that this item be approved by City Council to avoid any conflict of interest.

The Memorial Golf Tournament was approved for \$15,000.00 funding; \$4,500.00 was paid in advance, as it was 30% of the total approved; \$3,000.00 of that amount was allocated towards advertisement. The remaining balance was \$25.00 per participant with a cap of \$15,000.00.

Mayor Pro-Tem Casias clarified that the three (3) CVB Board Members do not sit on the Fort Stockton Golf Association Board of Directors, therefore they do not have a vote. However, they are members of the Fort Stockton Golf Association.

Mayor Alexander explained that this recommendation was made for audit purposes.

Mayor Pro-Tem Casias recommended adding language in the contract to clarify that Board Members serving on another board requesting monies, would not be allowed to vote on such a request.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Pam Palileo, and carried to approve Report on the Memorial Golf Tournament for funding. Council Member James Warnock, Council Member Pam Palileo, Council Member Ruben Falcon, Council Member Darren Hodges voted aye. Mayor Pro-Tem abstained from the vote.

6. Discuss/Act upon Pecos County - City of Fort Stockton 2022 Interlocal Service Agreement-Labor and Equipment. **(Mayor/City Mgr.)**

City Manager Rodriguez explained this is the Annual Agreement with Pecos County for Labor and Equipment. The only change made was the dates.

Motion was made by Council Member James Warnock, seconded by Pam Palileo, and carried unanimously to approve Pecos County - City of Fort Stockton 2022 Interlocal Service Agreement-Labor and Equipment. 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 Pecos County - City of Fort Stockton 2022 Interlocal Services Agreement - EMS. **(Mayor/City Mgr.)**

City Manager Rodriguez explained this is the annual agreement with Pecos County for Emergency Medical Services. The dates were changed to reflect this upcoming year.

Motion was made by Council Member James Warnock, seconded by Council Member Ruben Falcon, and carried unanimously to approve Pecos County - City of Fort Stockton 2022 Interlocal Services Agreement - EMS. 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 City of Fort Stockton - Pecos County 2022 Services Agreement - Coyanosa/Imperial Trash Collection. (Mayor/City Mgr.)

City Manager Rodriguez explained this is the annual agreement with Pecos County for Coyanosa/Imperial Trash Collection rates, which did not change. The adjusted dates of services were changed.

Motion was made by Council Member James Warnock, seconded by Mayor Pro-Tem Paul Casias, and carried unanimously to approve City of Fort Stockton - Pecos County 2022 Services Agreement - Coyanosa/Imperial Trash Collection. 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 Pecos County - City of Fort Stockton 2022 Interlocal Services Agreement - Fire Fighting Services. (Mayor/City Mgr.)

City Manager Rodriguez advised City Council this is the annual agreement with Pecos County for Fire Fighting Services, with the amended dates.

Motion was made by Mayor Pro-Tem Paul Casias, seconded by Council Member James Warnock, and carried unanimously to approve Pecos County - City of Fort Stockton 2022 Interlocal Services Agreement - Fire Fighting Services. 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 Pecos County - City of Fort Stockton 2022 Interlocal Services Agreement - Emergency Communications Network - Hyper-Reach. (Mayor/City Mgr.)

City Manager Rodriguez explained this is the annual agreement with Pecos County for Emergency Communications Network - Hyper-Reach. He explained the City and County split the cost of the notification services. Hyper-reach provides vital notification services

which allows both entities to send out notifications to those within our community affected by a specific emergency.

Mayor Alexander clarified that the City of Fort Stockton would pay half of \$4,975.00.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Pam Palileo, and carried unanimously to approve Pecos County - City of Fort Stockton 2022 Interlocal Services Agreement - Emergency Communications Network - Hyper-Reach. 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 Pecos County - City of Fort Stockton 2022 Interlocal Services Agreement - Mosquitoes. (Mayor/City Mgr.)

City Manager Rodriguez explained this is a request for renewal of the current Interlocal Agreement with Pecos County for Mosquitoes.

Mayor Pro-Tem Casias inquired who was responsible for spraying for the mosquitoes.

City Manager Rodriguez replied complaints are funneled through the County Judge's Office and Pecos County Precinct No. 1 sprays the reported area.

Motion was made by Council Member James Warnock, seconded by Mayor Pro-Tem Paul Casias, and carried unanimously to approve Pecos County - City of Fort Stockton 2022 Interlocal Services Agreement - Mosquitoes. 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 2022 Fort Stockton Police Department Provider Agreement. (Mayor/City Mgr.)

City Manager Rodriguez explained this is the agreement with EMS that allows the City to be billed for the Medicare Rate when an offender in custody is treated by EMS.

Motion was made by Mayor Pro-Tem Paul Casias, seconded by Council Member James Warnock, and carried unanimously to approve 2022 Fort Stockton Police Department Provider Agreement. 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 Authorization to conclude the workday before 5:00 p.m. on December 10, 2021 for Employees to Attend the Employee Appreciation Award Banquet. **(City Mgr.)**

City Manager Rodriguez advised City Council that this is the day the Employee Appreciation would be held, and he was requesting permission for an early release.

Motion was made by Mayor Pro-Tem Paul Casias, seconded by Council Member James Warnock, and carried unanimously to approve an Early Release of 1:00 p.m. on December 10, 2021 for Employees to Attend the Employee Appreciation Award Banquet. 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 5:57 p.m.

Council Member Hodges requested RO Plant Supervisor Robbie Dominguez be allowed in Executive Session.

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); Deliberation regarding Security Devices (Section 551.076) and/or Deliberation Regarding Economic Development Negotiations (Section 551.087):**
 - a. Consultation with City Attorney Boinpally regarding the Utility Invoice received from West Texas Gas for the month of February 2021.
 - b. Consultation with City Attorney Boinpally, regarding the Lease of Blue Ridge Farms.

Mayor Alexander closed the Executive Session to Reconvene into the Regular Meeting at 6:25 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 from West Texas Gas for the month of February 2021.

Motion was made by Council Member Darren Hodges, seconded by Council Member James Warnock, and carried unanimously to Authorize City Attorney Puja Boinpally to negotiate an agreement with West Texas Gas concerning the Utility Invoice for the month of February 2021, as soon as possible. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

14b. Discuss/Act upon Consultation with City Attorney Boinpally, regarding the Lease of Blue Ridge Farms.

NO ACTION TAKEN.

16. Questions from Media

There were no questions from the media.

17. Adjourn

Motion was made by Mayor Pro-Tem Paul Casias, seconded by Council Member Ruben Falcon, and carried unanimously to adjourn at 6:47 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