

VOTED NAY
VOTED AYE
SECONDED
MOVED

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:
RUBEN FALCON, BILLY JACKSON, MIKE URETA, JR., &
DINO RAMIREZ

MAYOR: JOE CHRIS ALEXANDER
CITY MANAGER: FRANK RODRIGUEZ III
CITY SECRETARY: DELMA A. GONZALEZ
CITY ATTORNEY: JESSE GONZALES, JR.
MINUTES OF LAST MEETING:

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

Mayor Pro-Tem Jackson gave the Invocation.

Council Member Falcon led the Pledge of Allegiance.

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."

FIRST ORDER OF BUSINESS:

1. Public Testimony on Agenda Items Only.

Asst. Fire Chief Dominguez referenced Agenda Item #14 and expressed concern on behalf of the Fort Stockton Fire Department regarding the proposed 4-Way Stop Signs at the Intersection of Fifth Street & Nelson Street. With vehicles paused on Nelson Street, this would hinder the department's response time to their destination.

SECOND ORDER OF BUSINESS:

2. Consent Agenda:

Minutes:

- Regular Meeting Minutes of Fort Stockton City Council, 05/23/2017
- Special Meeting Minutes of Fort Stockton City Council, 05/30/2017
- Special Meeting Minutes of Fort Stockton City Council, 06/05/2017
- Regular Meeting Minutes of Keep Historic F.S. Beautiful, 06/07/2017

CITY OF FORT STOCKTON, TEXAS
 MINUTES OF: REGULAR CITY COUNCIL MEETING
 DATE OF MEETING: JUNE 13, 2017
 TIME OF MEETING: 5:30 P.M.
 PLACE OF MEETING: CITY COUNCIL CHAMBER

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:
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 MINUTES OF LAST MEETING:

- Regular Meeting Minutes of Planning & Zoning Commission, 05/17/2017
- Regular Meeting Minutes of Planning & Zoning Commission, 05/31/2017
- Special Meeting Minutes of Housing Authority Board, 05/31/2017

Accounts Payable Total: \$ 375,574.85
 Account Recap Report Total: \$9,577,493.38

FALCON
 JACKSON
 URETA
 RAMIREZ

X X
 X X
 X X
 X X

Motion was made, seconded and carried unanimously to approve the Consent Agenda, as presented.

THIRD ORDER OF BUSINESS:

3. Project Manager/Geoscientist Scot E. Collins of Hanson Professional Services, Inc. ---
 ↓ New Landfill Project

Project Manager Collins was in attendance to provide an update regarding the lengthy process for a new Arid Exempt Municipal Solid Waste Landfill (MSWLF) on a proposed 140 acre tract of land out of a 180 acre tract associated with the Fort Stockton Irrigation Lands.

Naismith Engineering was retained to conduct a Constraints Analysis on this property which was completed on October 13, 2014 to determine if it was suitable for proceeding with the permitting process for a new landfill. Part of the property was in the Wastewater Treatment Plant's irrigation lands. They renewed and amended the Wastewater Treatment Plant's permit which increased the effluent application rate and reduced the available irrigation land to accommodate the proposed landfill facility.

TCEQ forbid landfills to be developed within a floodway or a floodplain and FEMA lacked maps of Comanche Creek, so a Flood Plain Study was completed in 2015 to ensure that the floodplain did not extend into the potential landfill's property. The results of the study indicated that no

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portions of the proposed landfill site were identified as being impacted by the 100-year flood hazard area of Comanche Creek.

An additional process for the landfill's development was coordination with various federal and state agencies to ensure that there were not any issues with the property. The United States Army Corp of Engineers, Texas Parks & Wildlife, United States Fish and Wildlife Service, & Federal Aviation Administration needed to know if threatened or endangered species existed on the property. A few were observed but insignificant to halt the development of the proposed landfill.

They also contacted the MPGCD but no issues or requests were presented by the District. Finally, the Texas Historical Commission requested an archeological survey of the property which required the employment of an archeologist to perform that survey which resulted in a no-findings report.

Following the survey, several soil borings were completed to establish the suitability of the subsurface for this development. Beneficial data was received and cross sections were developed which will be included in the permit to be submitted indicating that all aspects were investigated.

On July 2016, an application was submitted to TCEQ to apprise the agency that an arid exempt landfill was being considered. Following the meeting, the waste rate increased closer to the arid exemption limits which posed a significant problem for the application itself. According to TCEQ, the four criteria to claim an arid exemption for a landfill was that the facility: (1) Accept less than 20 tons daily on Type I municipal solid waste intake and 20 tons daily on Type IV construction/demolition debris intake. (*This was already a concern*); (2) No evidence of groundwater contamination. (*This was a new site and therefore there were not any issues*); (3) Served a community that lacked a practical alternative for waste management; & (4) Was in an area that received less than 25" of annual average precipitation/rainfall per year.

The first criteria caused concern and decelerated submission of application because the waste intake needed to be below the 40 ton limit. In conversing with Former City Manager Rodriguez, several options to consider were:

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(1) Utilization of a Citizens Collection Station. This was a temporary holding facility where residents took their household waste for storage until it could be transported to an MSW disposal facility. This could prevent illegal dumping and waste such as metals or recyclable items could be diverted and would not be included in the 40 tons per day. (2) Implement an aggressive recycling program to limit the waste intake rate, (3) Transport 1-2 truckloads to another facility to limit that waste intake; (4) Install and operate a transfer station and haul solid waste from collection vehicles to long-haul vehicles (one transportation unit to another transportation unit) to other permitted facilities. This would require closure of the existing facility. (5) Or obtain a Type I Landfill Permit without the arid exemption which would not limit waste intake but necessitated numerous requirements i.e. liner systems, groundwater monitoring, etc.; a significant expense to develop this type of facility.

Approximately 35-40% of the permit application for a new Type I Arid Exempt Landfill had been completed but in recognizing that the waste intake was close to the limit, proceeding with the application was useless because it would be declined by TCEQ upon submission.

They were now requesting the City's guidance on potential waste minimization or management alternatives. The remainder of the permit application for an Arid Exempt permit would take 6-8 months to complete assuming that no additional issues arose during the permitting process.

Mayor Pro-Tem Jackson inquired if the City could have a transfer station and a landfill?

Project Manager Colins replied that typically it was one or the other. To obtain an arid exemption, a municipality could not have an alternative method/means to manage its waste. If a transfer station was here or available, the City would be required to close its landfill. Also, it was forbidden to have two arid-exempt landfills; a Type I landfill and an arid-exempt landfill exemption.

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A study was completed to determine the cost to haul trash to Charter Waste in Odessa. The decision was made years earlier that this was the effective route to take.

Mayor Pro-Tem Jackson inquired how much money the City had invested thus far with this proposed project?

Manager Colins replied approximately \$60,000 which included the Wastewater Treatment Plant permit. That permit needed to be approved before commencing any further.

Mayor Pro-Tem Jackson asked what would happen to the Wastewater Treatment Plant if the proposed landfill was discontinued?

Manager Colins responded that the Wastewater Treatment Plant could operate satisfactorily. The permit was approved, the application rates were fine and there would not be any issues at that plant. The Water Balance Study was completed to verify that the treatment plant could apply at a higher rate than what it was before.

Council Member Falcon asked if a cost analysis was completed solely for the completion of a transfer station?

Manager Colins answered that an analysis was completed years earlier but he did not have the current figures. If there was not a practicable means to manage waste and if the City could transport elsewhere without the cost being too excessive then TCEQ recommended this.

Council Member Falcon remarked that TCEQ disliked arid-exempt landfills. State Representative Pete Gallego intensely negotiated that the City be allowed to maintain its permit due to the lack of rain in West Texas when compared to East Texas; it was unfair. A Type I facility would be ideal but would financially be detrimental because approximately 80-100 tons daily would be needed from other areas to help offset the cost.

Manager Colins concurred but TCEQ nevertheless allowed for arid-exempt landfills which were in the regulations.

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Mayor Alexander inquired how long it would take to obtain a permit for a transfer station?

Manager Colins replied that a transfer station permit would take about the same amount of time as for a new landfill. The City would be required to shut its existing facility which would necessitate immediate funding for closure costs.

Council Member Falcon believed that the prior amount provided to close the landfill was \$2 - \$3 million with long-term monitoring.

Former City Manager Rodriguez conveyed that an alternative for minimizing the local tonnage was to register a transfer station and haul some of the trash to Odessa.

Manager Colins commented that truck loads could be diverted to another facility and the expense would be a lot less when compared to sending all of the waste. By diverting a few loads of trash to a landfill 1-2 hours away, the City could eventually have the funds to construct a Type I Landfill. A permit would not be required for this process but the new Arid-Exempt Landfill permit would stipulate that the transfer was a waste minimizer or disposal measure that was retained to ensure that the landfill maintained its tonnage below the limit.

Mayor Alexander reported that a large truck was previously ordered for only this purpose.

FOURTH ORDER OF BUSINESS:

- 4. Senior Project Manager Willie Rivera, Jr. of Hanson Professional Services, Inc. ---**
 - ↳ 9-Mile Infrastructure Pipeline Project**

Senior Project Manager Willie Rivera, Jr. reported that he had been working on the 9-Mile Infrastructure Pipeline Project with Engineer Grant Jackson since inception. Completed was an initial study that recommended line sizes. Initially, a consideration was to seek State funding but

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consequently it could have been 3 years before the monies would have been available.

The City opted to bid this project to obtain materials with the intent that City crews would complete the work. This was an excellent decision because the price of PVC pipe increased substantially shortly thereafter.

Plans were to deliver some of the pipe to the Belding Pump Station. Being that the contractor is going to use the City's material that is stored at one location, he will be required to go and pick it up and deliver it to his own construction site unless the supplier is willing to postpone delivery until construction begins. If so, in not having to deliver or unload it himself at the site, the City could ask the contractor for a rebate.

The design phase will contain a full set of detailed construction plans and specifications for the contractor and for approval by TCEQ. Plans were to complete these plans toward the latter part of July which would ultimately contain 70 sheets with plenty of detail that included the plan of profile for this line, all conflicts with the existing pipelines/roadways, bores that needed to be completed and detailed connections at the Belding Pump Station & Treatment Plant. Tomorrow, plans were to review additional items and water wells with Supervisor Dominguez. These needed to be accurate for future improvements at Belding.

A contractor was hired to complete the sub-surface utility engineering to excavate the existing conflicts/lines to ensure that when the design was completed that there were not any conflicts. This would begin within the next two weeks. Once that information was received, the waterline would be designed to adjust for those conflicts to avoid issues during the construction.

Geotechnical investigations will also be prepared collectively with the alignment of the waterline because the contractor will need to know the type of material that is out there. With this 9-10 mile project, the material at the beginning of the project will not necessarily be the same at the end of the project. Some bores will be completed along that alignment by the contractor to establish accurate data.

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Toward the latter part of July, the final documents will be submitted to TCEQ for review and approval which could take 60-90 days. The bidding process could begin even though TCEQ could comment about tweaking the plans slightly. If bid in August – September, a contractor could be awarded the contract to begin construction in October.

When the pipe was sized for 30” they based it on a gravity feed system. In the future if the City wanted to pump more water, it could add additional pumping capacity and push more water through that same line that was not gravity fed.

City Water Attorney Harral inquired of Senior Project Manager Rivera if they were retained to perform a population projection for the City?

Senior Project Manager Rivera said “No.”

City Water Attorney Harral asked that he confirm that the data that he cited in the report was from the Texas Water Development Board from previous.

Senior Project Manager Rivera said “Yes, when they did the study last year it was based on the information available from the Texas Water Development Board; it was probably subsequent information.”

City Water Attorney Harral asked “So you did not receive the updated information that the City submitted to the Water Board which they accepted then?”

Senior Project Manager Rivera responded “No, that was based on whatever it was at the time.”

FIFTH ORDER OF BUSINESS:

5. Utilities Administrator Sara Mata ---

- **Status of the Advanced Metering Infrastructure (AMI)**

VOTED NAY
 VOTED AYE
 SECONDED
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Utilities Administrator Mata stated that since her prior presentation on April 11th, three additional routes were completed and 774 more meters were inspected. Routes 2-5 & 16 of 13 routes were concluded and a total of 1,322 meters were inspected. Meters were extremely efficient and accurate. There were 148 meters that were not Neptune and therefore incompatible.

The one crew of two men in the field remained; one employee at the R.O. Plant cutting holes on lids for the antennas. When meter readers were finished with their assigned duty mid-month/third week of the month, they also assisted in the field.

Inspections commenced on February 24th, each crew inspected 20-25 meters daily and thus far had completed 1/3 of required inspections.

SIXTH ORDER OF BUSINESS:

6. Discuss/Act upon Ordinance No. 17-110 & Municipal Annexation Service Plan, Annexing the Surface Estate Only of a Tract of Land Out of Section 17, Block 146, T&STL Ry. Co. Survey, Described by Warranty Deed in Volume 557, Page 226, Deed Records of Pecos County, Texas; Tract II called 5.78 Acres and found to Contain 5.75 Acres More Particularly Described by Metes/Bounds which shall contain a La Quinta Inn & Suites, Known as the Sanchi Plaza Addition, & Zoned Commercial; as requested by Property Owner Vimalkumar Bhakta.

Motion was made, seconded and carried unanimously to approve Ordinance No. 17-110 & Municipal Annexation Service Plan, Annexing the Surface Estate Only of a Tract of Land Out of Section 17, Block 146, T&STL Ry. Co. Survey, Described by Warranty Deed in Volume 557, Page 226, Deed Records of Pecos County, Texas; Tract II called 5.78 Acres and found to Contain 5.75 Acres More Particularly Described by Metes/Bounds which shall contain a La Quinta Inn & Suites, Known as the Sanchi Plaza Addition, & Zoned Commercial; as requested by Property Owner Vimalkumar Bhakta.

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MINUTES OF LAST MEETING:

SEVENTH ORDER OF BUSINESS:

7. Discuss/Act upon Electric Line Easements and Right-of-Way Agreements Between the City of Fort Stockton and Crimson Exploration for Section 14, 23, & 26, Block 50, Township 9, Pecos County, Texas.

City Manager Rodriguez reported that Crimson Exploration submitted for consideration three (3) 30' Electric Line Easements and Right-of-Way Agreements for Sec. 14, 23 & 26, Block 50, Township 9 for a total of 536.42 rods @ \$20/rod = \$10,728.40 to the City.

Motion was made, seconded and carried unanimously to approve Three 30' Electric Line Easements and Right-of-Way Agreements Between the City of Fort Stockton and Crimson Exploration for Sections 14, 23, & 26, Block 50, Township 9, Pecos County, Texas with a total payment of \$10,728.40 to the City.

EIGHTH ORDER OF BUSINESS:

8. Discuss/Act upon Second Amendment to Solar Lease Agreement and Second Amendment to Memorandum of Solar Lease Agreement at Riley Farms between the City of Fort Stockton and FAS 1 LLC aka FAS 1, LLC, a Delaware Limited Liability Company.

EDC Director May reported that the Solar Lease and Development Lease at Riley Farms with FAS 1 LLC would expire at the end of this month and wanted to extend the lease through December 31, 2022. Exhibit "B" to the amendment indicated that if the Lease terminates after January 1, 2020 and prior to December 31, 2020, the Tenant will make a termination payment to the City of \$10,000. If the lease terminates after January 1, 2021 and prior to December 31, 2021, a \$15,000 termination payment will be made to the City. If either of the following occurs, the tenant will pay the City \$20,000: (a) the lease terminates after January 1, 2022 and prior to December 31, 2022, or (b) the Lease expires after January 1, 2022 and before December 31, 2022.

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VOTED AYE
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RAMIREZ

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ERCOT planned to construct two lines; one to Gorilla Station and the other to Bakersfield. Two solar companies were in Fort Stockton this week completing reinvestment zones and preparing for these new lines. FAS 1 LLC wanted to maintain their lease and eventually wanted this property to become a solar farm which would be long-term revenue for the City. Pecos County had half section and the City had 2 sections.

City Water Attorney Harral reported that there were 4 water wells at that location which were registered with the MPGCD and not in use currently. This could be an alternative well field for the City, if needed.

Mayor Pro-Tem Jackson inquired if this project would interfere with the wells?

EDC Director May responded that FAS 1, LLC would design around the wells. These wells were north of I-10 and did not produce like those south of I-10. The City would continue to retain its water rights and a surface waiver would be required when they commenced the process.

Mayor Pro-Tem Jackson asserted "I am good with that, as long as that happens."

EDC Director May replied "I will double check and if it doesn't then another amendment will be presented to them."

Motion was made, seconded and carried unanimously to approve Second Amendment to Solar Lease Agreement and Second Amendment to Memorandum of Solar Lease Agreement at Riley Farms between the City of Fort Stockton and FAS 1 LLC aka FAS 1, LLC, a Delaware Limited Liability Company.

Council Member Ureta requested for the future and before meetings are held, that City Water Attorney Harral thoroughly review lease agreements/contracts for properties relating to &/or containing water and that City Attorney Gonzales review every lease that is to be considered.

	MOVED	SECONDED	VOTED AYE	VOTED NAY
FALCON	X		X	
JACKSON	X		X	
URETA			X	
RAMIREZ			X	

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MINUTES OF LAST MEETING:

NINTH ORDER OF BUSINESS:

9. Discuss/Act upon 2017 Interlocal Services Agreement between the City of Fort Stockton and Pecos County for Trash Collection.

City Manager Rodriguez reported that this proposed Interlocal Services Agreement was for the collection of County trash in Imperial and Coyanosa.

Mayor Alexander stated that the City would submit a monthly invoice to Pecos County for this service and Pecos County would be responsible for billing its customers. The dumpsters which will be paid in advance will be situated in one central location for each community. These routes will be rapid because sanitation trucks will not be required to drive through alleys.

Assistant City Manager Davis conveyed that this agreement was previously executed by Pecos County but Director of Finance Rodriguez just now recounted that the dumpster bill was \$1,140 above the agreement.

Mayor Pro-Tem Alexander felt confident that the excess amount would be made.

Council Member Falcon inquired if Pecos County paid for its arrears? They agreed to pay \$20,000 for the dumpsters but the amount had increased to \$21,140 for dumpsters?

Director of Finance Rodriguez acknowledged that the freight of the dumpsters generated the increase.

Council Member Falcon inquired on the length of time that the County would have to pay the City before services were discontinued and asked if this information was included in the proposed agreement?

City Manager Rodriguez responded that the County would be treated as utility customers were with the City. If the County failed to pay by the due date, then services would cease.

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Director of Finance Rodriguez stated that utility payments were due no later than the 20th of each month. If a customer's payment was not received by approximately the 26th, then services were discontinued for that customer.

Council Member Falcon emphasized that the County was currently in arrears from prior services that were completed by the City. It was \$40,000 per year. Overall, how much was the County in arrears?

Director of Finance Rodriguez affirmed that 2014 was the last time that the City was paid and still owed for 2015 & 2016. They purchased a \$156,000 sanitation truck for the City which was intermingled with different agreements.

Director of Finance Rodriguez replied that all County agreements were related to water, sanitation, landfill, etc. Originally, trash collection was to have commenced in 2014 for Coyanosa and Imperial.

Mayor Alexander responded that the truck that the County purchased was designed for those two communities but they postponed the process several times. At the time, the City only had 3 trucks and could hardly maintain its own routes.

Council Member Falcon declared that he merely wanted to know how long the trash collection service would continue before being discontinued for non-payment because he refused to go three years. Citizens understood that if payment was not made by a specified date that their services would be discontinued; he wanted the contract to specifically indicate the number of days that the County would have to make a payment before this service was suspended. "Why should the City treat county people different than its own citizens?"

Council Member Ureta conveyed that the City would be treating the County like citizens that failed to pay. It was included in the agreement.

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City Attorney Gonzales affirmed that a term in the contract was that the contract itself could be terminated at any time without prior notice. The City was holding the County to a stricter standard.

City Manager Rodriguez stated that the City wanted to be a good steward and help the County. Council Member Falcon was correct; he was not disagreeing with him but the City was a business that needed to be paid. The outcome would not be known unless this agreement was authorized. In being good stewards/businessmen, if the County failed to pay then the City could invoke...

Council Member Ureta believed that the City was protected with the proposed agreement. The City was fulfilling a part of its mission which was to improve public services by generating new customers to help offset costs being charged to citizens. This demonstrated that the City cared about helping the County; by alleviating a problematic concern in two other communities.

X Motion was made, seconded and carried to approve the 2017 Interlocal Services Agreement between the City of Fort Stockton and Pecos County for Trash Collection.

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MOVED
SECONDED
VOTED AYE
VOTED NAY
XX
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X

TENTH ORDER OF BUSINESS:

10. Discuss/Act upon Abandonment/Closure of a Portion of Utah Street between the North Right-of-Way Line of Interstate 10 and the North Line of Lot 1, Block 4, HILLSIDE ADDITION, Pecos County, Texas, i.e. Plat showing Survey of Lots 1,2, Hillside Addn. to Fort Stockton , Pecos County, Texas. 01/25/1979

City Secretary Gonzalez reported that she had contacted the Texas Municipal League to ensure that City Council made the appropriate decision/action regarding this item. The attorney's response based on the information provided to him was that there was not much that the City could do for this property since it was outside the city limits or in Pecos County Precinct #1.

	MOVED	SECONDED	VOTED AYE	VOTED NAY
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ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:
 RUBEN FALCON, BILLY JACKSON, MIKE URETA, JR., &
 DINO RAMIREZ

MAYOR: JOE CHRIS ALEXANDER
 CITY MANAGER: FRANK RODRIGUEZ III
 CITY SECRETARY: DELMA A. GONZALEZ
 CITY ATTORNEY: JESSE GONZALES, JR.
 MINUTES OF LAST MEETING:

No Action Taken.

ELEVENTH ORDER OF BUSINESS:

11. Discuss/Act Upon Awarding of Small Purchase Procurement Equipment Rental for TxCDBG Contract# 7215169. *Backhoe:* United Rentals, West Texas Contractors, Hernandez Construction; *8-CY Dump Truck:* Hinostroza's Dump Trucking, West Texas Contractors, Ortiz Trucking

FALCON
 JACKSON
 URETA
 RAMIREZ

X	X	X	X
X	X	X	X

Motion was made, seconded and carried unanimously to Award the Small Purchase Procurement Equipment Rental for TxCDBG Contract# 7215169 to: West Texas Contractors for \$3,000 per month for the Backhoe and \$3,000 per month for the 8-CY Dump Truck

TWELFTH ORDER OF BUSINESS:

12. Discuss/Act upon the Construction of a Carport in a Single Family-1 (SF-1) Residential District in Accordance with Ordinance No. 16-115, as requested by Property Owner(s):
 (a) Juan Antonio Gonzalez etux Ercilia Gonzalez, 409 W. Texas Street, Fort Stockton, Texas 79735
 (b) Joe Edward Prorise, 1102 N. Oklahoma Street, Fort Stockton, Texas 79735

FALCON
 JACKSON
 URETA
 RAMIREZ

X	X	X	X
X	X	X	X

Motion was made, seconded and carried unanimously to approve the construction of both carports, as recommended by the Planning & Zoning Commission.

THIRTEENTH ORDER OF BUSINESS:

13. Discuss/Act upon the Solicitation of Bids for Cathodic Protection on Approximately 200' of the Southern Section of the 49th Lane & Highway 18 Intersection.

CITY OF FORT STOCKTON, TEXAS
MINUTES OF: REGULAR CITY COUNCIL MEETING
DATE OF MEETING: JUNE 13, 2017
TIME OF MEETING: 5:30 P.M.
PLACE OF MEETING: CITY COUNCIL CHAMBER

VOITED NAY
VOITED AYE
SECONDED
MOVED

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:
RUBEN FALCON, BILLY JACKSON, MIKE URETA, JR., &
DINO RAMIREZ

MAYOR: JOE CHRIS ALEXANDER
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CITY ATTORNEY: JESSE GONZALES, JR.
MINUTES OF LAST MEETING:

Public Works Supervisor Ramos stated that the Railroad Commission Audit cited an issue with the cathodic protection for the City's gas line on the Hwy.18 & 49th Lane intersection.

Gas Supervisor Almendarez reported that at the Former Warnock Dairy location, there were two 24" Energy Transfer and Enterprise 500# - 1,000# high-pressure pipelines that crossed/traveled under the City's 4" gas line. Approximately 3 years earlier, both companies discovered low readings in that area and proceeded to shut down their pipelines to replace them. This increased their CP Reading to their normal level.

Due to these pipeline repairs, this "robbed" the City's cathodic protection from the 4" high pressure pipeline that traveled from the North Gate. The path with the least resistance was where the majority of the CP Reading progressed to which were the two 24" pipelines. Since then the City's CP Reading had declined.

On February 2015, CP Masters provided a complete audit of the City's system and discovered that 200' south of Warnock's cattle guard was vulnerable due to the two steel pipelines that traveled through town and that crossed the City's 4" line. The extent of what needed to be done would not be known until the 4" pipeline was excavated to determine the corrosion damage.

In March, the Railroad Commission completed another audit but opted instead to test a different area than the Hwy.18 & 49th Lane intersection. The City was fortunate but nevertheless the issue was still there.

Bids needed to be solicited. Worst case scenario was that the 200' of that 4" pipeline would need to be replaced. Best case scenario was that a contractor would only be needed to sandblast that 200' of pipe, re-coat it, re-wire it, and place new anodes to increase the level to a minimum 8.50 which was the standard for the Railroad Commission. This issue needed to be rectified before 2018 to be in compliance.

Council Member Ramirez reported that there were 5 pipelines under the City's pipeline and only two of them were in use. He inquired if the City

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 MINUTES OF LAST MEETING:

had talked to both companies regarding a permanent critical bond at the location?

Supervisor Almendarez replied that both companies only offered a temporary bond and why the City needed to repair this problem.

Mayor Alexander inquired if the pipeline would be replaced with steel?

Council Member Ramirez said "Yes, there was not anything else that could hold that much pressure."

City Manager Rodriguez preferred to obtain a cost analysis to determine if this project exceeded \$50,000 to suffice as a bid item.

Motion was made, seconded and carried unanimously to Table the Solicitation of Bids for Cathodic Protection on Approximately 200' of the Southern Section of the 49th Lane & Highway 18 Intersection.

FOURTEENTH ORDER OF BUSINESS:

14. Discuss/Act upon a 4-Way Stop Sign at the Intersection of Fifth Street & Nelson Street.

Mayor Alexander asked for a motion.

Motion Died due to Lack of a Motion.

FIFTEENTH ORDER OF BUSINESS:

15. Discuss/Act upon 1-Year Automated Payment Kiosk Machine Location Lease Agreement.

City Attorney Gonzales conveyed that this lease agreement was an extension. The language was updated to include "existing agreement" and revised from "will do" to "will continue."

VOTED NAY
 VOTED AYE
 SECONDED
 MOVED

XX
 X
 X
 X
 X

FALCON
 JACKSON
 URETA
 RAMIREZ

X

CITY OF FORT STOCKTON, TEXAS
MINUTES OF: REGULAR CITY COUNCIL MEETING
DATE OF MEETING: JUNE 13, 2017
TIME OF MEETING: 5:30 P.M.
PLACE OF MEETING: CITY COUNCIL CHAMBER

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:
RUBEN FALCON, BILLY JACKSON, MIKE URETA, JR., &
DINO RAMIREZ

	MOVED	SECONDED	VOTED AYE	VOTED NAY
FALCON	X		X	
JACKSON		X	X	
URETA			X	
RAMIREZ			X	

FALCON
JACKSON
URETA
RAMIREZ

MAYOR: JOE CHRIS ALEXANDER
CITY MANAGER: FRANK RODRIGUEZ III
CITY SECRETARY: DELMA A. GONZALEZ
CITY ATTORNEY: JESSE GONZALES, JR.
MINUTES OF LAST MEETING:

Motion was made, seconded and carried unanimously to approve Extension of 1-Year Automated Payment Kiosk Machine Location Lease Agreement.

Mayor Alexander recessed from the Regular Meeting @ 6:50 p.m. to convene into the:

SIXTEENTH ORDER OF BUSINESS:

16. City Council may Convene in Closed Session in Accordance with the Texas Open Meetings Act, Texas Government Code, Concerning *Attorney-Client Matters* (§551.071); Deliberation regarding Real Property (§551.072); Deliberation regarding Prospective Gifts (§551.073); *Personnel Matters* (§551.074); and/or Deliberation regarding Security Devices (§551.076):

(a) Consultation with City Water Attorney Mark Harral regarding Contemplated Litigation regarding the Surface-Use of Blue Ridge Farms:

- Ref: (A) Schuyler Wight**
- (B) Jay Cleo Thompson**
- (C) Samson Exploration, LLC**
- (D) Halcón Resources**

(b) Consultation with City Attorney Gonzales regarding Delinquent Municipal Hotel Occupancy Taxes and Lien regarding PVC Investments, LLC d/b/a Atrium West Inn.

(c) Appointment of a Municipal Court Judge.

Mayor Alexander closed the Executive Sessions @ 8:02 p.m.

SEVENTEENTH ORDER OF BUSINESS:

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

(16a) Discuss/Act upon Authorizing City Water Attorney Mark Harral to Initiate Contemplated Litigation regarding the Surface-Use of Blue Ridge Farms: Ref: (A) Schuyler Wight,

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:

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 DINO RAMIREZ

MAYOR: JOE CHRIS ALEXANDER
 CITY MANAGER: FRANK RODRIGUEZ III
 CITY SECRETARY: DELMA A. GONZALEZ
 CITY ATTORNEY: JESSE GONZALES, JR.
 MINUTES OF LAST MEETING:

(B) Jay Cleo Thompson, (C) Samson Exploration, LLC, & (D) Halcón Resources.

FALCON
 JACKSON
 URETA
 RAMIREZ

MOVED	SECONDED	VOTED AYE	VOTED NAY
	X	X	
		X	
X		X	
		X	

Motion was made, seconded and carried unanimously to Authorize City Water Attorney Harral to Initiate Enforcement of the Surface-Use Agreements at Blue Ridge Farms with Halcón Resources and Samson Exploration, LLC and to Initiate Litigation.

(16b) Discuss/Act upon Delinquent Municipal Hotel Occupancy Taxes and Lien for PVC Investments, LLC d/b/a Atrium West Inn.

FALCON
 JACKSON
 URETA
 RAMIREZ

MOVED	SECONDED	VOTED AYE	VOTED NAY
	X	X	
		X	
X		X	
		X	
		X	

Motion was made, seconded and carried unanimously to Accept the Agreed to Payment of \$96,000 from PVC Investments, LLC d/b/a Atrium West Inn for Delinquent Municipal Hotel Occupancy Taxes and Authorize the Release of Lien on PVC Investments, LLC d/b/a Atrium West Inn.

(16c) Discuss/Act upon the Appointment of a Municipal Court Judge.

FALCON
 JACKSON
 URETA
 RAMIREZ

MOVED	SECONDED	VOTED AYE	VOTED NAY
		X	
	X	X	
X		X	
		X	
		X	

Motion was made, seconded and carried unanimously to Proceed with Advertisement of the Municipal Court Judge Position in the Local Newspaper & in the Same Format as the Council Member Appointment; to be Published June 22nd, June 29th, & Closed June 29th @ 5:00 p.m.

EIGHTEENTH ORDER OF BUSINESS:

18. Discuss/Act upon Implementation of the Following Policies at Blue Ridge Farms: (City Water Attorney Harral)

- **Require Metering for All Uses of Water for Existing Well Field;**
- **Installation of Signs at Entrance of Blue Ridge Farms indicating that "Taking of City Property is a Criminal Offense Subject to Any Person, Employee, Operator, &/or Contractor Working on Blue Ridge Property;"**

CITY OF FORT STOCKTON, TEXAS
MINUTES OF: REGULAR CITY COUNCIL MEETING
DATE OF MEETING: JUNE 13, 2017
TIME OF MEETING: 5:30 P.M.
PLACE OF MEETING: CITY COUNCIL CHAMBER

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:
RUBEN FALCON, BILLY JACKSON, MIKE URETA, JR., &
DINO RAMIREZ

VOI	ED	NAY
VOI	ED	AYE
SEC	ONDED	
MOV	ED	

MAYOR: JOE CHRIS ALEXANDER
CITY MANAGER: FRANK RODRIGUEZ III
CITY SECRETARY: DELMA A. GONZALEZ
CITY ATTORNEY: JESSE GONZALES, JR.
MINUTES OF LAST MEETING:

- **Use of Water Wells and Caliche Pits on City Property;**
 - **Require Every Operator and Contractor to Submit Detailed On-Site Reports to the City's Representative regarding the Actual Amount of City Property Used;**
 - **Require that Every Operator and Contractor must be On-Site with a City Representative when City Property is being Used &/or Purchased;**
 - **Require City Officials to Direct Bill Operators and Contractors for Use of City Property after Verification of Use by a City Representative.**

City Water Attorney Harral commented that he had prepared an initial draft but there were some questions that needed to be answered by the MPGCD to finalize the policies. Upon completion, they would be set in stone. He needed to ensure that the policies matched the rules that the MPGCD could be implementing or their interpretation of the current rules. He would not know the specifics until Tuesday's meeting.

Motion was made, seconded and carried unanimously to table item until the June 27th Regular City Council Meeting.

FALCON
JACKSON
URETA
RAMIREZ

X
X
X
X
X
X

NINETEENTH ORDER OF BUSINESS:

19. Questions from the Media on Agenda Items.

There being no further business, the Regular City Council Meeting was adjourned @ 8:09 p.m.

ATTEST:

Delma A. Gonzalez
Delma A. Gonzalez, City Secretary

Joe Chris Alexander
Joe Chris Alexander, Mayor