

CITY OF FORT STOCKTON, TEXAS
MINUTES OF: REGULAR CITY COUNCIL MEETING
DATE OF MEETING: OCTOBER 14, 2014
TIME OF MEETING: 6:30 P.M.
PLACE OF MEETING: CITY COUNCIL CHAMBER

VOTED NAY
VOTED AYE
SECONDED
MOVED

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:
BILLY JACKSON, DARREN HODGES & DINO RAMIREZ

ABSENT: ALLAN CHILDS & CHRIS ALEXANDER

MAYOR: WILLIAM C. LANNOM
CITY MANAGER: RAUL B. RODRIGUEZ
CITY SECRETARY: DELMA A. GONZALEZ
CITY ATTORNEY: VACANT
MINUTES OF LAST MEETING:

Mayor Lannom called the Regular Meeting to order at 6:30 p.m. after declaring a quorum present.

Mayor Pro-Tem Hodges gave the Invocation.

Mayor Lannom led the Pledge of Allegiance and read the City of Fort Stockton's 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.

Public Testimony Forms were not received from those in attendance.

SECOND ORDER OF BUSINESS:

2. CONSENT AGENDA:

Minutes:

- Regular Meeting Minutes of Fort Stockton City Council, 09/22/2014
- Regular Meeting Minutes of Keep Historic Fort Stockton Beautiful Board, 09/03/2014

Accounts Payable Total (Year-End):	\$ 422,599.50
Accounts Payable Total (Current):	\$ 68,919.50
Account Recap Report Total:	\$ 5,789,647.21

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

THIRD ORDER OF BUSINESS:

- 3. Board Director/ Principal Engineer Grant A. Jackson, P.E. & Environmental Lead/Project Scientist Scot Collins, P.G.**
- ⚡ Naismith Engineering preliminary findings of Landfill Study.

Board Director/Principal Engineer Grant A. Jackson, P.E. distributed the Constraints Analysis Report to City Council for their review.

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HODGES
RAMIREZ

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X X

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Board Director/Principal Engineer Grant A. Jackson, P.E. advised City Council that the proposed location met all the criteria set by the Texas Commission for Environmental Quality (TCEQ) permitting as a landfill. However, there were certain issues that needed to be addressed prior to submitting the permit application for the location in question. There were 140 acres out of the 587 acre tract that were permitted for application for the City's effluent from the Wastewater Treatment Plant. That property is included under the Wastewater Treatment Permit, which means that property can't be used for the landfill unless it is first removed from the Wastewater Treatment Plant permit. A preliminary evaluation was done on the application rates that were approved by TCEQ, which led Naismith Engineering to believe that the 140 acres could be removed without adversely affecting the Wastewater Treatment Plant and its corresponding permit. However, a ruling would be required from TCEQ prior to formally proceeding with permitting that location as a landfill. Board Director/Principal Engineer Jackson, P.E. reiterated that that issue would need to be addressed in order for that property to be considered as the site for the new landfill.

Mayor Lannom advised Board Director/Principal Engineer Jackson that the City of Fort Stockton had two potential buyers of their effluent. Mayor Lannom also expressed the City's intention of keeping the evaporation ponds. Board/Principal Engineer Jackson, P.E. stated that those were important elements to the process.

Board Director/Principal Engineer Jackson, P.E. advised City Council that reuse permitting could be authorized through two methods. The TCEQ could either allow reuse through the Wastewater Treatment Plant Permit or the City of Fort Stockton could get a Reclaimed Water Authorization in Chapter 210 of their rules. Either provision would require the City to maintain a place to manage the effluent as a backup should the reuse process need to be stopped at any time.

Board Director/Principal Engineer Jackson, P.E. stated that there were several ways to approach the obstacle at hand. One method he did not recommend was cutting back on the rated capacity of the Wastewater Treatment Plant. Another option was to obtain additional land. Director Grant recommended having the TCEQ reevaluate the effluent application rate which would limit the amount of wastewater that could be placed on an acre of land. Previous evaluations were reviewed and preliminary discussions with the Soil Scientist led Naismith Engineering to believe that the 140 acres could be removed from the Wastewater Treatment Plant Permit and the remaining 440 would remain sufficient to support the 1.85 million gallons per day (mg/d.)

That process would need to be formally initiated with the TCEQ prior to the City proceeding forward with plans of permitting a landfill on that location.

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Board Member Jackson asked when the last evaluation was completed. Board Director/Principal Engineer Jackson, P.E. responded that he believed the last evaluation was completed sometime between 2010 and 2011.

The City of Fort Stockton's Wastewater Treatment Plant is permitted for 1.85 mg/d. The City is currently using an average of 0.8 mg/d, which is well below the flow limitations. City Manager Rodriguez stated that the City of Fort Stockton's Wastewater Plant Permit would need to be renewed in March of 2015. Board Director/Principal Engineer Jackson, P.E. recommend including an amendment reflecting the implementation of some of the solutions to the issue along with the renewal, which could expedite the process in giving the City a preliminary decision within 6-8 months.

Another potential obstacle to take into consideration is the Flood Plain Modeling. The City currently participates with the FEMA Flood Insurance Program; however, Pecos County does not. This means that areas located outside city limits are not mapped for flood plains. Unfortunately, in accordance with TCEQ requirements for permitting a landfill, as of 2006 the City would be required to determine a specific flood plain location. The preliminary review of the location is believed to be outside of the flood plain. However, the City of Fort Stockton would still be required to conduct a Flood Plain Modeling Study to define where the flood plain was located in relation to the proposed landfill location as it has not been mapped out.

The Comanche Creek will have to be modeled from the highway down 1-2 miles past the proposed landfill location. The estimated cost of flood plain modeling is expected to range from \$25,000-\$40,000 depending on what is required by TCEQ. TCEQ requires that the modeling be done in accordance with FEMA criteria. The modeling is not required to be adopted by FEMA; however, it is in the City's best interest to follow the FEMA criteria to avoid any issues that could have been prevented.

The City of Fort Stockton would need confirmation from the Federal Aviation Administration (FAA) that the proposed landfill is located outside the required bird hazard notification areas for the airport. Based on the information available to us, we are believed to be outside this area. Preliminary coordination letters have been submitted to the FAA for confirmation; however, we have yet to receive a response from them.

The City would also need to put together a soil boring plan, which would require the TCEQ's approval. This would need to be done prior to obtaining a permit application. This plan would require approximately 20-30 soil borings be drilled to a depth of 60-80 feet. This expenditure is expected to range from \$50,000-\$100,000.

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Once everything is completed a pre-application meeting will need to be done with TCEQ.

To our knowledge there haven't been any soil borings done on the property in question.

The City of Fort Stockton would need to update the cost feasibility of the other solid waste options for a new permit. We already know that other means of disposal of solid waste by far outweigh the cost of building a new landfill.

The next task at hand would be to conduct the Flood Plain Study. The soil boring and finalization of the coordination of pre-application meeting with TCEQ would follow.

Mayor Lannom asked Board Director/Principal Engineer Jackson, P.E. if Naismith Engineering maintained their own technical staff or if they generally contracted the work out. Board Director/Principal Engineer Jackson, P.E. responded that the drilling is typically contracted out; however, Naismith Engineering has their own geologist. The technical staff would be responsible for logging the holes, evaluating the laboratory tests and preparing the required TCEQ report.

Mayor Lannom inquired if Naismith Engineering was equipped to conduct the Flood Plain Study. Board Director/Principal Engineer Jackson, P.E. assured Mayor Lannom that Naismith Engineering was capable of conducting the study and went on to say that they were open to working with others should the City decide to go that route. Mayor Lannom voiced that it would be nice to work with a single source of emanation.

Mayor Lannom requested that Naismith Engineering submit a proposal.

Council Member Jackson asked if there was an estimated time frame for this project. Board Director/Principal Engineer Jackson, P.E. responded that it would take approximately 6-8 weeks for the soil boring and 2 months for the flood plain modeling. He clarified that the TCEQ approval is a little more complicated. Board Director/Principal Engineer Jackson, P.E. stated that TCEQ has 30 days to review the soil boring plan. If comments are returned to the City of Fort Stockton, the TCEQ would have an additional 30 days for review, once the plan is resubmitted. The permit application process should take approximately 6 months plus time for review.

Once the permit application is submitted the engineering documentation for the landfill application would need to be compiled. That process could take another 6 months as it entails 23 engineering reports to be submitted to TCEQ. Board Director/Principal Engineer Jackson, P.E. stated that in his experience the time frame for building a landfill has varied from 2-7 years.

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The TCEQ requires the renewal application be submitted 6 months prior the permit expiring. Board Director/Principal Engineer Jackson, P.E. reiterated that the City of Fort Stockton's Renewal Application needed to be completed and submitted by March of 2015.

Mayor Lannom questioned what could be done with the waste water from the Reverse Osmosis Plant. Board Director/Principal Engineer Jackson, P.E. responded that some amount of effluent going to this location was needed; otherwise, there would be a salting problem. This is something that would reviewed in the effluent application. TCEQ would require some laboratory analysis of all the waste streams that go into the effluent.

Mayor Lannom commented that hopefully by this time the City of Fort Stockton would have the results from the tests run on the new well into the Capitan Reef.

FOURTH ORDER OF BUSINESS:

4. Vice President Andrew T. Friedman

- ✦ Southwest Securities, Inc. presentation of City of Fort Stockton, Texas General Obligation Refunding Bonds, Series 2014.

Previously there was a portion of the Series 2008 that was refinanced. This was an effort to refinance the remainder of the 2008 Certificates of Obligation. The 2008 bonds that remain outstanding are at an interest rate of 4.85%. Southwest Securities, Inc. was able to lock in a 15 year rate of 3.04% with BB&T the regional bank out of North Carolina. The difference between the 4.85% and 3.04% is what generates the savings of that refunding opportunity. The effect of the refunding opportunity generates a gross savings net of cost to the City of \$524,308 over the course of 15 years, which is roughly \$35,000 per year. The 3.04% rate has been locked in for the past month and a half, as they were able to obtain a 60 day lock on the interest rate. The refinancing would close on October 27, 2014 when the funds would be delivered to the escrow agent should the City Council approve the refinancing. The escrow agent would then take out those bonds and replace them with the new bonds.

Southwest Securities, Inc. is looking at adopting and finalizing the 3.04% at these exact savings dollar for dollar over the life of the bonds. The original maturity of the bonds for 2008 was 2028. There are 6 maturities left beginning at 2023 and 2028. The bonds from before 2023 were refunded a few years ago. The maturity schedule would be matched so the new bonds would mature at the same rate. The bonds would be replaced, bond for bond at a lower interest rate. The paying agent registrar will track down the owner of the bonds. The bonds in question are held by TIB which is another bank.

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In Refinancing the Certificates of Obligations from 2008 we would roughly save \$1.1 million in interest. In 2012 refinancing we saved \$579,500 and would be saving an additional \$524,308.

Mayor Lannom stated that according to the Municipal Code, Certificates of Obligations are not subject to referendum unless 5% of voters submit a petition. Mayor Lannom went on to ask Vice President Andrew F. Friedman if that applied to this case.

Vice President Friedman responded that the bonds in question were not Certificates of Obligations. In this case the Certificates of Obligations are being refunded; which makes these General Obligation Refunding Bonds, not Certificates of Obligations. When you issue Certificates of Obligations you first have to post a notice of intention resolution. In 2008, that process was followed by notice of intention resolution which was adopted by the City Council and was run in the newspaper for 30 days. Without a petition brought before the City Council, the City was able to move forward with the Issuance of the Certificates of Obligations. The same rules do not apply to the General Obligations Refunding Bonds. The original debt was not petitioned, therefore these specific bonds are not subject to petition as it is refinancing.

FIFTH ORDER OF BUSINESS:

5. Discuss/Act upon Ordinance No. 14-109, Authorizing the Issuance, Sale and Delivery of "City of Fort Stockton, Texas, General Obligation Refunding Bonds, Series 2014"; Approving the Form and Authorizing the Execution of All Instruments and Procedures Related Thereto Including a Paying Agent/Registrar Agreement and an Investment Letter; and Calling Certain of the City's Outstanding Obligations for Redemption.

Motion was made, seconded and carried unanimously to approve Ordinance No. 14-109, Authorizing the Issuance, Sale, and Delivery of "City of Fort Stockton, Texas, General Obligation Refunding Bonds, Series 2014"; Approving the Form and Authorizing the Execution of All Instruments and Procedures Related Thereto Including a Paying Agent/Registrar Agreement and an Investment Letter; and Calling Certain of the City's Outstanding Obligations for Redemption.

SIXTH ORDER OF BUSINESS:

6. Discuss/Act upon Accepting a \$20,000 Grant from the Abell-Hanger Foundation, which will be utilized to purchase handheld radios for the Fort Stockton Police Department.

VOTED NAY
 VOTED AYE
 SECONDED
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The U.S. Government graciously allowed the Fort Stockton Police Department to utilize their portable radios for several years. In 2014, the Police Department's hand-held radios went digital as did their dispatch. When the radios were taken to be programmed digitally, the U.S. Government decided to keep the radios. This was an unforeseen expense for 2014, which was initially expected to be \$21,000 to replace eight radios. Since then, the radios have been upgraded and are now estimated to cost \$23,000. The Fort Stockton Police Department looked for other sources of income, when they found the grant from the Abell-Hanger Foundation. The Fort Stockton Police Department applied for the grant in August of 2014 and received a response from the Abell -Hanger Foundation along with a check for \$20,000 on September 26, 2014. The Police Department believes they will be able to cover the difference of \$3,000 using their seizure funds.

The radios are considered a necessity as it is a safety concern for Officers on Duty. It is paramount that the Officers on Duty are able to communicate with the dispatch. The \$23,000 will replace eight portable radios; however, it does not include the fee for the radios being programed with Petro Resources. The radios will have Bluetooth accessibility. The Police Department will eventually need to replace additional radios; however, these expenses can be budgeted for in the future. Once the older radios become obsolete, they will be replaced with newer radios and so forth. Utilizing this method, the Police Department will maintain sufficient equipment at all times.

Lieutenant Lisa Tarango stated that she appreciates the continued support of the Abell-Hanger Foundation. They have been very generous every time the Police Department has applied. Mayor Pro-tem Hodges agreed that the Abell- Hanger Foundation has been very generous when it comes to Fort Stockton.

Board Member Jackson commended Lieutenant Tarango on applying for the Grant.

Motion was made, seconded and carried unanimously to accept a \$20,000 Grant from the Abell-Hanger Foundation, which will be utilized to purchase eight handheld radios for the Fort Stockton Police Department.

SEVENTH ORDER OF BUSINESS:

7. Discuss/Act upon Revision of the Keep Historic Fort Stockton Beautiful Logo.

Chairman Michael Corkrum stated that the Keep Historic Fort Stockton Beautiful Board would like to request permission to adopt the revised logo to create brand awareness. The logo would be displayed on the Adopt-A-Spot locations as well as large vinyl stickers that would be given to the adopting entities to show their affiliation with the group.

	VOTED NAY	
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JACKSON
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Motion was made, seconded and carried unanimously to approve the Revision of the Keep Historic Fort Stockton Beautiful Logo.

EIGHTH ORDER OF BUSINESS:

8. Discuss/Act upon Approving Initial Adopt-A-Spot List.

KHFSB Chairman Corkrum stated that the Keep Historic Fort Stockton Beautiful Board originally had 6 Adopt-A-Spot locations and would like to divide the canal down Rio Street into 16 sections, which would also be available for adoption. That scenic street experiences a lot of traffic. The existing trees would be replaced with Chinese Pistache, which is a large fast growing shade tree that provides beautiful fall colors. The board would also like to have a larger sign on either ends of Rio where they can easily be seen.

Once the Adopt-A-Spot locations are approved the Parks Department would put irrigation systems in place, where feasible. Water would be provided via water truck for the locations lacking irrigation systems.

Mayor Lannom inquired who would furnish the trees. Chairman Corkrum stated that the Keep Historic Fort Stockton Beautiful Board would provide some of the trees. The KHFSB Board was optimistic that individuals and/or entities affiliated with the program would donate trees as well.

Chairman Corkrum asked Administrative Assistant to the City Secretary Cantu what entities had requested an application thus far. Administrative Assistant to City Secretary Cantu replied that God's Feeding Word and Triple R Welding had submitted their applications for the program earlier that day. Chairman Corkrum stated that there had been a significant amount of interest in the program.

Chairman Corkrum met with the Regional and District Supervisors of TxDot, who agreed to allow the KHFSB Board to improve their right-of-ways as long as it does not create a traffic hazard.

Mayor Lannom inquired if the triangle located down the old Alpine Highway before the City Park, known as "Squirrel Park" belonged to the City. Mayor Pro-Tem Hodges verified that "Squirrel Park" is city owned property. Chairman Corkrum asked to amend the original list to include "Squirrel Park".

The KHFSB Board is promoting the use of native or adaptive plants. In fact, there was a copy of the Texas Superstar list of recommended plants for our area included in the application packet.

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JACKSON
 HODGES
 RAMIREZ

	MOVED	SECONDED	VOTED AYE	VOTED NAY
			X	
	X		X	
		X	X	
JACKSON			X	
HODGES			X	
RAMIREZ			X	
JACKSON			X	
HODGES	X		X	
RAMIREZ		X	X	
JACKSON			X	
HODGES	X		X	
RAMIREZ		X	X	

Motion was made, seconded and carried unanimously to approve the Initial Adopt-A-Spot Sites, as amended.

NINTH ORDER OF BUSINESS:

9. Discuss/Act upon scheduling the Fall Clean-Up for the City of Fort Stockton from October 20th-31st.

City Manager Rodriguez stated that he believed that the County approved the dates of the Fall Clean-up earlier that morning. Pick-ups would start on the outside of town and work their way in with a once over to pick up any locations that were missed. Anything needing to be picked up should either be placed next to the dumpster or as close to the curb as possible.

Mayor Lannom asked if the Fall Clean-Up would be advertised in the newspaper. City Manager Rodriguez assured Mayor Lannom that an announcement concerning the Fall Clean-up for the City of Fort Stockton would be placed in the newspaper.

JACKSON
 HODGES
 RAMIREZ

Motion was made, seconded and carried unanimously to schedule the Fall Clean-Up for the City of Fort Stockton from October 20th-31st.

TENTH ORDER OF BUSINESS:

10. Discuss/Act upon Officially Designating a Date for Halloween.

Halloween is generally designated as the Saturday prior to October 31st. However, City Manager Rodriguez suggested officially designating Friday, October 31st as Halloween. Mayor Lannom inquired if there was a football game scheduled for October 31st. Mayor Pro-tem Hodges replied that there was a game scheduled for the date in question.

JACKSON
 HODGES
 RAMIREZ

Motion was made, seconded and carried unanimously to Officially Designate Friday, October 31st as Halloween.

ELEVENTH ORDER OF BUSINESS:

11. Discuss/Act upon Request from Heart of the Pines VFD in Bastrop County for donation of Old Ambulance Truck.

City Manager Rodriguez advised City Council that there was a gentleman that was working in Fort Stockton who expressed interest in the old ambulance truck for the

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Heart of the Pines Volunteer Fire Department (VFD) in Bastrop County. The gentleman was advised to submit an actual request. Heart of the Pines VFD are aware that the vehicle needs some work and are still interested in it.

Mayor Pro-Tem Hodges asked if the City of Fort Stockton utilizes the old ambulance truck. City Manager Rodriguez responded that the City does not use the ambulance as it does not run very well.

Mayor Lannom asked if the Heart of the Pines VFD would pick the vehicle up. City Manager Rodriguez assured Mayor Lannom that the Heart of the Pines VFD would pick up the vehicle along with the title.

Motion was made, seconded and carried unanimously to approve the donation of the Old Ambulance Truck to the Heart of the Pines VFD in Bastrop County.

TWELFTH ORDER OF BUSINESS:

12. Comments/Updates from City Manager Rodriguez regarding the status of the City of Fort Stockton, etc.

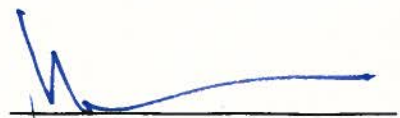
City Manager Rodriguez advised City Council that the next Regular City Council Meeting would include the End of Year Reports.

The City of Fort Stockton received their preliminary request for information from the auditors.

THIRTEENTH ORDER OF BUSINESS:

13. Questions from the Media on Agenda Items.

There being no additional business, the meeting was adjourned @ 7:30 p.m.


 William C. Lannom, Mayor

Attest:


 Marina Cantu, Administrative Assistant to the City Secretary

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