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ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:
RUBEN FALCON, BILLY JACKSON, ALLAN CHILDS,
FRANK RODRIGUEZ & DINO RAMIREZ

MAYOR: JOE CHRIS ALEXANDER
CITY MANAGER: RAUL B. RODRIGUEZ
CITY SECRETARY: DELMA A. GONZALEZ
CITY ATTORNEY: BARBARA QUIRK
MINUTES OF LAST MEETING:

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

Mayor Alexander gave the Invocation

Council Member Rodriguez 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."

Mayor Alexander recessed from the Regular Meeting @ 6:32 p.m. to convene into the:

2ND Public Hearing on Proposed 2015-2016 Budget: The Proposed Budget Will Raise More Total Property Taxes than Last Year's Budget by \$98,141.00 (7.74%) and of that Amount \$33,438.00 is Tax Revenue to be Raised from New Property Added to the Tax Roll this Year.

Interim Director of Finance reported that during the September 2, 2015, the Intergovernmental Recreation Board unanimously motioned to revise its unbalanced budget totaling \$15,730.00 in expenditures; which produced a balanced Recreation Department Proposed Budget for Fiscal-Year 2015-2016.

A minimum of four (4) Council Members would be needed for the September 17th Special City Council Meeting to adopt the budget and tax rate.

Mayor Alexander asked for comments from the public. There being none, the Public Hearing was closed @ 6:33 p.m. to convene into the:

2ND Public Hearing on Proposed 2015-2016 Tax Revenues & Tax Rate: Proposal to Increase the Total Tax Revenues of the City of Fort Stockton from Properties on the Tax Roll in the Preceding Year by 7.74 Percent & Include Hearing on Tax Rate.

Mayor Alexander asked for comments from the public. There being none, the public hearing was closed @ 6:34 p.m. to convene into the:

CITY OF FORT STOCKTON, TEXAS
MINUTES OF: REGULAR CITY COUNCIL MEETING
DATE OF MEETING: SEPTEMBER 14, 2015
TIME OF MEETING: 6:30 P.M.
PLACE OF MEETING: CITY COUNCIL CHAMBER

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

2nd Public Hearing on Voluntary Annexation & Re-Plat of Said Property: As Petitioned by Property Owner Simranjit S. Dhillon to include the following described Territory To-Wit; The Surface Estate Only of an Approximate 1.89 Acre Tract of Land of the East One Hundred Sixty-Five Feet of Block Three (E/165' Of 3), Sunset Addition to the City of Fort Stockton, Pecos County, Texas, according to the Map or Plat of said Addition in the Office of the County Clerk of Pecos County, Texas; & Zone Property "Commercial" for the Construction of a Hotel.

Mayor Alexander asked for comments from the public. There being none, the public hearing was closed @ 6:36 p.m. to reconvene into the Regular Meeting.

FIRST ORDER OF BUSINESS:

1. Public Testimony on Agenda Items Only.

Mr. Gerald Lyda provided a Public Testimony Form but opted not to state any comments on agenda items during the open session.

SECOND ORDER OF BUSINESS:

2. Consent Agenda

Minutes:

- Regular Meeting Minutes of Fort Stockton City Council, 08/24/2015
- Regular Meeting Minutes of Keep Historic Fort Stockton Beautiful Board, 08/05/2015

Accounts Payable Total: \$ 331,387.72

Account Recap Report Total: \$8,099,929.99

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

Mayor Alexander recessed from the Regular Meeting @ 6:37 p.m. to convene as the Board of Adjustment

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THIRD ORDER OF BUSINESS:

- 3. Discuss/Act upon Request for a 6' Variance to Possibly a Zero (0) Lot Line Variance from the Required 7' Side Yard Property Line for the Extension of the Eastern Side of the Residence for the Renovation of an Existing Bathroom in a Single-Family One (SF-1) Residential Dwelling District; as Requested by Property Owners Larry C. Boyd & Sharon W. Boyd, 2013 W. 7th Street, Fort Stockton, Texas. (City of Fort Stockton Code Of Ordinances, Section 8. Area Regulations. (5) Side Yard.

Building Official Oakley reported that Dr. & Mrs. Boyd were requesting a variance to enlarge a bathroom on the east side of their residence. The Property Agreement between Larry & Sharon Boyd and Paul & Glenda Pasqua indicated that if any of the contemplated improvements encroached upon the real property owned by the Pasqua's, that they would convey the portion of real property upon which such encroachment existed to the Boyd's for reasonable consideration. The agreement would be in effect for 3 years from the date of execution.

For the exterior addition, their plan included a one-hour exterior wall with non-combustible materials and brick veneer to match the residence.

Council Member Falcon asserted that he continued to be opposed to approval of variance restrictions because the City was "opening itself up to a can of worms." The City's responsibility was to ensure safety and security. There needed to be sufficient area to ensure that a "runaway" situation never occurred and the reason for the 7' side yard setback requirement.

Throughout the years, as a Council Member & Mayor, requests were denied to several individuals because their proposed plans were prohibited by the City's Code of Ordinances. There were reasons for these regulations.

He could possibly understand a 6' variance but not a zero lot line variance or any additional area that the Pasqua's would be willing to sell because it could be detrimental.

Council Member Jackson declared that the government overstepped its boundaries at times. During the August 10th meeting, they asked that Building Official Oakley obtain an agreement from Mr. & Mrs. Pasqua regarding the

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construction extension and that Dr. & Mrs. Boyd understood what material was required for the proposed addition. They complied with City Council's request.

Council Member Ramirez remarked that his only concern was the purchase of additional property by Dr. & Mrs. Boyd to enlarge their house on the side.

Mayor Alexander expressed concern with what could transpire in the future with this situation. Currently, Mr. & Mrs. Pasqua consented to this expansion but if they sold their house, the new property owners could opt to also expand their side of the residence and hence two homes would virtually abut each other.

He recalled his prior discussion with Council Members regarding exemptions. There was a reason for adopting the City's ordinances.

Council Member Jackson emphasized then that the variance should have initially been disapproved instead of consuming the time of Building Official Oakley, Dr. & Mrs. Boyd and Mr. & Mrs. Pasqua by requesting additional information.

Mayor Pro-Tem Childs replied that they merely asked Building Official Oakley to enlighten Dr. & Mrs. Boyd regarding the required barriers which would determine whether their project plans would continue. He concurred with Mayor Alexander and Council Member Falcon regarding their approval of variances; they needed to stand firm with the City's ordinances.

Building Official Oakley stated that this was not a code but a setback issue. The International Building Code allowed for the development of buildings to the property line or zero lot line. This was seen with townhouses and duplexes where the property line was split between two domiciles. For these situations, a 4-hour independent firewall 3' above the parapet of the highest roof and Class A Shingles/Roof were required.

Council Member Falcon expressed that townhouses and duplexes transformed a neighborhood with its aesthetics and understood if the regulations differed. Also, he was not opposed if the ordinance stated that the entire community could build to the property line. His concern was that he did not want the City to become the "people's court" when someone else wanted to exceed the 7' side yard setback and the adjacent property owner objected to this; and the City being reminded that a variance was previously approved for a situation, as this.

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Also, regarding the *official* construction plans, others could also state that they could complete their own drawings/sketch because the City previously approved Dr. Boyd's unofficial drawing for his addition.

Building Official Oakley responded "that is exactly why they have this issue today and why they have zoning in place."

Council Member Rodriguez inquired if the proposed location was the only allowable area for the addition? Was there any additional space toward the rear to avoid the new construction from being adjacent to the other house?

Dr. Boyd responded that the bathroom faced the front of the house and would need to be where requested.

Council Member Jackson emphasized that he did not have an issue complying with the City's Code but refused to give a false impression by asking Building Official Oakley to obtain additional documentation that was requested by them, received, and then unexpectedly they decide to abide with the Codes.

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X **Motion was made, seconded and carried to approve the Request for a 6' Variance to Possibly a Zero (0) Lot Line Variance from the Required 7' Side Yard Property Line for the Extension of the Eastern Side of the Residence for the Renovation of an Existing Bathroom in a Single-Family One (SF-1) Residential Dwelling District; as Requested by Property Owners Larry C. Boyd & Sharon W. Boyd, 2013 W. 7th Street, Fort Stockton, Texas. (City of Fort Stockton Code Of Ordinances, Section 8. Area Regulations. (5) Side Yard.**

Mayor Alexander closed the Board of Adjustment Meeting @ 6:51 p.m. to reconvene into the Regular Meeting

FOURTH ORDER OF BUSINESS:

- 4. Discuss/Act upon Ordinance No. 15-106, amending Chapter 17 of the Code of Ordinances of the City of Fort Stockton titled Peddlers and Itinerant Merchants and Vendors*, and Repealing All Other Ordinances or Portions thereof in Conflict, a Severability Clause, and Providing for its Publication and Effective Date.

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Building Official Oakley reported that an itinerant merchant, itinerant vendor, solicitor or peddler was defined as any person that went from house to house, from town to town, or from place to place in the city soliciting, selling or taking orders for or offering to sell or take orders for any goods, wares, merchandise or services. The proposed ordinance would affect individuals that wanted to sell items in our community that did not retain a permanent building for its business.

Any person desiring a permit was required to complete a written application to the City **ten (10) days prior to the first day of business**. Upon filing of the application, the City was obligated to conduct a background & criminal record check. If a favorable review was received by the City of all requirements that the statements contained in the application were true and that the applicant had the right, under the Constitution and laws of this state and under the ordinances of the city, to engage in business and that the applicant had not been convicted of a felony or a misdemeanor involving moral turpitude, the City would issue a permit to the applicant.

Attachments required with the application included:

- Two recent photographic likenesses of the applicant's face which could not exceed 1" square in size;
- A certificate or letter from the president, vice president, general manager, sales manager, assistant sales manager or district or area manager of the company for which the applicant works, sells or solicits stating that the applicant was an employee and/or agent of such company;
- Letters of recommendation from two (2) citizens of the applicant's permanent residence needed to be submitted;
- A copy of the Texas State Sales Tax Certificate;
- A **bond from a surety company** registered and licensed in the state for ten thousand dollars (**\$10,000.00**). This bond would be upon the condition that the applicant or some person in his/her behalf would deliver the goods, wares, merchandise photographs and services free from all defects in material and workmanship and within the time as set forth in the application **or a Concessionaire Insurance Policy** with a minimum value of ten thousand dollars (**\$10,000.00**); &
- A copy of the current signed lease from the property owner to utilize the property.

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MINUTES OF LAST MEETING:

Each applicant would be required to pay a **quarterly fee of three hundred fifty dollars (\$350.00)** and permits would be valid for a period of three (3) months from the date of issuance unless revoked as provided in the ordinance.

Vendors would not be permitted to operate within **three hundred feet (300')** of other permitted concessions or vendors.

For a **72-Hour Special Event Permit**, any organization that desired to sponsor a special event in the community and host vendors for the benefit/entertainment of the community would need to petition the City **thirty (30) days in advance of the event.**

- The sponsoring organization would need to provide a bond for the event from a surety company registered and licensed in the state for **ten thousand dollars (\$10,000.00)** or a **Concessionaire Insurance Policy with a minimum value of ten thousand dollars (\$10,000.00)**;
- Each participating vendor would need to register with the City and complete the application/attachments process;
- The registration fee would be **ten dollars (\$10.00) per vendor** which would be collected from the event organizer and the permit would only be valid for that event; &
- Food vendors would be subject to the applicable articles/sections of the City's Code, Chapter 11 titled "Food and Food Service Establishments."

Council Member Falcon endorsed the furnishing of a copy of the Texas State Sales Tax Certificate because it was mandatory to conduct business. Due to the sales tax collected locally which assisted in maintaining the streets, vendors could sale products on nice clean streets. Furthermore, the Concessionary Insurance Policy protected our citizens from faulty merchandise or if received later than indicated.

Motion was made, seconded and carried unanimously to approve Ordinance No. 15-106, amending Chapter 17 of the Code of Ordinances of the City of Fort Stockton titled Peddlers and Itinerant Merchants and Vendors*, and Repealing All Other Ordinances or Portions thereof in Conflict, a Severability Clause, and Providing for its Publication and Effective Date.

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MINUTES OF LAST MEETING:

FIFTH ORDER OF BUSINESS:

5. Discuss/Act upon Ordinance No. 15-107, amending Chapter 11 of the Code of Ordinances of the City of Fort Stockton titled Food and Food Establishments*, Article III. Mobile Food Vendors and Repealing All Other Ordinances or Portions thereof in Conflict, a Severability Clause, and Providing for its Publication and Effective Date.

Building Official Oakley conveyed that the proposed ordinance was strictly for mobile food vendors that prepared food in a unit. The City previously adopted the current rules or rules as amended by the Texas Board of Health found in the 25 Texas Administrative Code, Chapter 229, Section 169 regarding the regulation of mobile food vendors.

Before a Mobile Food Vendor could obtain a Permit, the following items needed to be presented at **least 10 working days prior to the first day of business:**

- (1) Texas Sales Tax Certificate;
- (2) Local Health Permit Certificate;
- (3) Copy of the current signed lease from the property owner to utilize the property;
- (4) Proof of Mobile Food Vendor Insurance; &
- (5) An authorization letter from the 501c3 organization if operating as a charitable or fundraising vendor.

A quarterly fee of \$350 would be paid to the City upon the application for a permit to operate as a mobile food vendor. An additional \$50.00 for each vehicle or conveyance or for each individual person hand-carrying the food to be distributed would also be required. The permit would need to be displayed where clearly visible to the public. Permit fees would be refunded if a permit was not issued.

For charitable events, a permit fee would not be charged to individuals that obtained a charitable solicitation permit from the City; provided that the permit was obtained from the Health Officer. This permit needed to be displayed where clearly visible to the public.

Mobile food vendors could not go into or on any public park for the purpose of selling, offering for sale or displaying any food item, unless:

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- (1) The mobile food vendor was on park property rented from the City for an event and was conducting the specific activities for which the park property was rented; a **ten dollar (\$10) fee** would be collected from the event organizer for each food vendor. The Health Inspector would inspect each food vendor site and issue a permit for the event dates only if all health and safety requirements were met. No other fees would be due.
- (2) The mobile food vendor had obtained prior written permission or authorization from the Director of Parks and Recreation or his authorized representative for the specific activities being performed.

Any person, firm or corporation who violated or failed to comply with the City's requirements and upon conviction would pay a fine not to exceed five hundred dollars (\$500.00).

Council Member Falcon understood that on weekends, after hours and holidays, the Police Department would be responsible for verifying permits, etc.

Chief of Police Fuentes responded that for holidays, Code Enforcement personnel would need to assist the Police Department. Enforcement was not an issue for them but the application process would need to be completed by the Code Enforcement Department. He inquired if Pecos County was aware of this proposed ordinance in regards to Rooney Park.

Mayor Alexander responded that the City normally conducted food vendor inspections for every event.

Council Member Jackson declared that Rooney Park was City owned.

Motion was made, seconded and carried unanimously to approve Ordinance No. 15-107, amending Chapter 11 of the Code of Ordinances of the City of Fort Stockton titled Food and Food Establishments*, Article III. Mobile Food Vendors and Repealing All Other Ordinances or Portions thereof in Conflict, a Severability Clause, and Providing for its Publication and Effective Date.

SIXTH ORDER OF BUSINESS:

6. Discuss/Act upon Resolution No. 15-103R, Authorizing Designated Signators for Contractual Documents for Requesting Funds pertaining to

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 MINUTES OF LAST MEETING:

the Texas Community Development Block Grant Program Contract No. 7214169.

City Manager Rodriguez reported that this grant was to refurbish the 800,000 gallon water storage tank at the City's yard.

The Texas Department of Agriculture determined that a conflict of interest existed with him serving as the City Manager and Engineer for this project. The prior Signators Resolution approved on December 15, 2014 authorized the Mayor and City Manager to endorse contractual documents and also authorized him to sign Request for Payment Forms.

TDA recommended that the City adopt a revised Signatory Resolution to remove the City Manager from any functions relating to signing contractual and payment requests. City Manager Rodriguez could act as the engineer for preparing plans, recommending bid awards, review construction work etc., but could not act as the authorizing official for the City on any documents including construction change orders, and contract modifications/amendments.

Mayor Alexander was the only authorized signatory for contractual documents. In addition to Mayor Alexander, authorized signatories for the State of Texas Purchase Voucher and the Request for Payment Form documents were Council Member Childs and City Secretary Gonzalez.

Motion was made, seconded and carried unanimously to approve Resolution No. 15-103R, Authorizing Designated Signators for Contractual Documents for Requesting Funds pertaining to the Texas Community Development Block Grant Program Contract No. 7214169.

SEVENTH ORDER OF BUSINESS:

7. Discuss/Act upon Appointment of a City Representative as an Ex-Officio Member to the Fort Stockton Chamber of Commerce Board.

Motion was made, seconded and carried unanimously to Appoint Council Member Billy Jackson as the City's Ex-Officio Member to the Fort Stockton Chamber of Commerce Board.

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EIGHTH ORDER OF BUSINESS:

8. Discuss/Act upon Agreement between the City of Fort Stockton via the Fort Stockton Convention & Visitor's Bureau and the Fort Stockton Chamber of Commerce.

Director of Tourism Lopez commented that the purpose of this annual contract was to ensure that the Chamber of Commerce served as the Visitor Center Agent for the City; operating a Visitor Center, maintaining its associated grounds and providing services as agreed upon between the Chamber and the City.

For Fiscal-Year 2015-2016, the City would pay the Chamber of Commerce, via Hotel/Motel Taxes, \$78,600 yearly in 12 monthly payments of \$6,550.

Motion was made, seconded and carried unanimously to approve Agreement between the City of Fort Stockton via the Fort Stockton Convention & Visitor's Bureau and the Fort Stockton Chamber of Commerce.

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NINTH ORDER OF BUSINESS:

9. Discuss/Act upon Agreement between the City of Fort Stockton via the Fort Stockton Convention & Visitor's Bureau and the Fort Stockton Historical Society.

Director of Tourism Lopez reported that the Historical Society served as the Agent for the City; managing and operating Historic Fort and its associated grounds, and providing services as agreed upon between the Society and the City.

For Fiscal-Year 2015-2016, the City would pay the Society, via Hotel/Motel Taxes, \$165,000 yearly in 12 monthly payments of \$13,750.

Motion was made, seconded and carried unanimously to approve the Agreement between the City of Fort Stockton via the Fort Stockton Convention & Visitor's Bureau and the Fort Stockton Historical Society.

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TENTH ORDER OF BUSINESS:

10. Discuss/Act upon Consent and Crossing Agreement between the City of Fort Stockton and Buckthorn Westex, LLC for a Transmission Line.

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City Manager Rodriguez expressed that Buckthorn Westex, LLC planned to place overhead 345kv transmission power lines across the City's easements/right-of-ways north of town. They were not requesting an easement but wanted authorization from the City to cross over.

Council Member Ramirez remarked that the location being considered was across from the City's West Gate. He did not anticipate any issues with the request.

Council Member Jackson expressed interest in determining if whether revenue could be generated for the City from this project.

City Manager Rodriguez stated that the University Lands Rate & Surface Use Schedule could be applied for the approximate 30' easement. Currently, Buckthorn Westex was finalizing the construction paperwork.

Consensus was to determine if a fee could be assessed for the above ground crossings, utilizing the University Lands Rate & Surface Use Schedule.

Item tabled; City Manager Rodriguez to further inquire regarding this fee.

ELEVENTH ORDER OF BUSINESS:

11. Discuss/Act upon Solicitation of Bids for Water System Improvements Project, TxCDBG Contract No. 7214169 i.e. The Rehabilitation of an 800,000 Gallon Water Storage Tank and 12" Municipal Water Well.

City Manager Rodriguez stated that sealed bids needed to be solicited to entirely re-coat the City Yard storage tank located on the west corner. If there were any residual funds, one of the on-site wells would be upgraded.

Motion was made, seconded and carried unanimously to approve the Solicitation of Bids for Water System Improvements Project, TxCDBG Contract No. 7214169 i.e. The Rehabilitation of an 800,000 Gallon Water Storage Tank and 12" Municipal Water Well.

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 JACKSON
 CHILDS
 RODRIGUEZ
 RAMIREZ

X

X

X
 X
 X
 X
 X

CITY OF FORT STOCKTON, TEXAS
MINUTES OF: REGULAR CITY COUNCIL MEETING
DATE OF MEETING: SEPTEMBER 14, 2015
TIME OF MEETING: 6:30 P.M.
PLACE OF MEETING: CITY COUNCIL CHAMBER

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:
RUBEN FALCON, BILLY JACKSON, ALLAN CHILDS,
FRANK RODRIGUEZ & DINO RAMIREZ

MAYOR: JOE CHRIS ALEXANDER
CITY MANAGER: RAUL B. RODRIGUEZ
CITY SECRETARY: DELMA A. GONZALEZ
CITY ATTORNEY: BARBARA QUIRK
MINUTES OF LAST MEETING:

TWELFTH ORDER OF BUSINESS:

12. Discuss/Act upon the Purchase of a 2016 Model M2106 Freightliner Sanitation Truck from Southwestern Equipment Company through BuyBoard.

City Manager Rodriguez commented that this item was discussed during the budget workshop. If approved and ordered, payment for the truck's purchase would not be completed until the February 2016 delivery.

Motion was made, seconded and carried unanimously to approve the Purchase of a 2016 Model M2106 Freightliner Sanitation Truck from Southwestern Equipment Company with a Challenger 30 Yard Left Side Lift through BuyBoard for \$162,175.00.

THIRTEENTH ORDER OF BUSINESS:

13. Discuss/Act upon Acceptance of Grant No. 2899901 for \$10,000 from the Governor's Office to be used to Purchase a Video Download Server.

Chief of Police Fuentes conveyed that on September 5th, he and Lieutenant Tarango were officially informed by the Governor's Office that the Police Department was awarded a \$10,000 grant from their January 2015 application. Funds would be disbursed for a video download server which would manage and maintain all video footage from body cameras and in-car videos.

Motion was made, seconded and carried unanimously to approve Acceptance of Grant No. 2899901 for \$10,000 from the Governor's Office to be used to Purchase a Video Download Server.

FOURTEENTH ORDER OF BUSINESS:

14. Discuss/Act upon Solicitation of Request for Proposals (RFP) for Information Technology (I.T.) Services.

City Manager Rodriguez reported that the City's one-year contract with Synetra for the maintenance of the network totaled \$55,000. It recently expired and authorization was needed to solicit Request for Proposals (RFP) for I.T. Services for Fiscal-Year 2015-2016.

MOVED
SECONDED
VOTED AYE
VOTED NAY

FALCON
JACKSON
CHILDS
RODRIGUEZ
RAMIREZ

X
X
X
X
X
X

FALCON
JACKSON
CHILDS
RODRIGUEZ
RAMIREZ

X
X
X
X
X
X

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 RUBEN FALCON, BILLY JACKSON, ALLAN CHILDS,
 FRANK RODRIGUEZ & DINO RAMIREZ

VOTED NAY
 VOTED AYE
 SECONDED
 MOVED

MAYOR: JOE CHRIS ALEXANDER
 CITY MANAGER: RAUL B. RODRIGUEZ
 CITY SECRETARY: DELMA A. GONZALEZ
 CITY ATTORNEY: BARBARA QUIRK
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Chief of Police Fuentes asked that the Police Department's security issues be considered and incorporated into the specifications.

City Manager Rodriguez replied that due to inspections, certifications were required and would be maintained by the City.

FALCON
 JACKSON
 CHILDS
 RODRIGUEZ
 RAMIREZ

X
 X
 X
 X
 X

Motion was made, seconded and carried unanimously to approve the Solicitation of Request for Proposals (RFP) for Information Technology (I.T.) Services.

FIFTEENTH ORDER OF BUSINESS:

15. Discuss/Act upon the Appointment of One (1) New Member to the Historical Landmark Commission due to the Resignation of Board Member Keary Forbes. Applicant: Mike Stallard

FALCON
 JACKSON
 CHILDS
 RODRIGUEZ
 RAMIREZ

X
 X
 X
 X
 X

Motion was made, seconded and carried unanimously to Appoint Mike Stallard to the Historical Landmark Commission due to the Resignation of Board Member Keary Forbes.

SIXTEENTH ORDER OF BUSINESS:

16. Discuss/Act upon Awarding of Bid for the Center Pivot Irrigation System.

City Manager Rodriguez stated that bids were received from Seco Pump and Oasis Excavating. After reviewing the equipment from both companies, his recommendation was to award the bid to Oasis Excavating for \$67,103.55.

FALCON
 JACKSON
 CHILDS
 RODRIGUEZ
 RAMIREZ

X
 X
 X
 X
 X

Motion was made, seconded and carried unanimously to award the Bid for the Center Pivot Irrigation System to Oasis Excavating for \$67,103.55.

SEVENTEENTH ORDER OF BUSINESS:

17. Discuss/Act upon Awarding of Lease Proposal for Stockton Farms.

City Manager Rodriguez commented that proposals were received from Childs Corporation, Matt Garvin, and Aaron & Heather Boese. His recommendation was

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RUBEN FALCON, BILLY JACKSON, ALLAN CHILDS,
FRANK RODRIGUEZ & DINO RAMIREZ

	MOVED	SECONDED	VOTED AYE	VOTED NAY
FALCON			X	
JACKSON		X	X	
CHILDS (ABSTAINED)				
RODRIGUEZ			X	
RAMIREZ	X		X	
FALCON			X	
JACKSON			X	
CHILDS			X	
RODRIGUEZ	X		X	
RAMIREZ		X	X	

MAYOR: JOE CHRIS ALEXANDER
CITY MANAGER: RAUL B. RODRIGUEZ
CITY SECRETARY: DELMA A. GONZALEZ
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MINUTES OF LAST MEETING:

to award the lease proposal to Aaron & Heather Boese for \$10,800 yearly for 5 years with the option for an additional 5 years.

Motion was made, seconded and carried to award the Lease Proposal for Stockton Farms to Aaron & Heather Boese for \$10,800 yearly for 5 years with the option for an additional 5 years.

EIGHTEENTH ORDER OF BUSINESS:

18. Discuss/Act upon the Re-Solicitation of Bids for Repairs to the Fort Stockton Visitor Center.

Director of Tourism Lopez reported that bids were not received for this project and recommended that the re-solicitation process be initiated..

Motion was made, seconded and carried unanimously to Re-Solicit Bids for Repairs to the Fort Stockton Visitor Center to be opened 10/07/2015 and awarded 10/12/2015.

Mayor Alexander recessed from the Regular Meeting @ 7:24 p.m. to convene into the:

NINTEENTH ORDER OF BUSINESS:

19. EXECUTIVE SESSION: City Council may Convene in Closed Session in Accordance with the Texas Open Meetings Act, Texas Government Code, Section §551.071, Private Consultation with the City's Water Attorney Kristen O. Fancher of Smith Robertson LLP: Ref:

- (a) Revised Proposal from Republic Water Company of Texas, LLC regarding Water Resources, Technology, Finances and Infrastructure Development.
- (b) Revised Proposal from STW Resources Holding Corp. regarding Water Resources, Technology, Finances and Infrastructure Development.
- (c) Revised First Amendment to Cooperation Agreement between the City of Fort Stockton, Texas and STW Resources Holding Corp. regarding Development of Water Well(s) in the Capitan Reef Aquifer Formation.

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ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:
RUBEN FALCON, BILLY JACKSON, ALLAN CHILDS,
FRANK RODRIGUEZ & DINO RAMIREZ

VOTED NAY
VOTED AYE
SECONDED
MOVED

MAYOR: JOE CHRIS ALEXANDER
CITY MANAGER: RAUL B. RODRIGUEZ
CITY SECRETARY: DELMA A. GONZALEZ
CITY ATTORNEY: BARBARA QUIRK
MINUTES OF LAST MEETING:

TWENTIETH ORDER OF BUSINESS:

20. EXECUTIVE SESSION: City Council may Convene in Closed Session in Accordance with the Texas Open Meetings Act, Texas Government Code, Section §551.074, To Deliberate the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of a Public Officer or Employee: *Ref:* Contract City Attorney Position; Applicants: Floyd M. Akers, Bojorquez Law Firm, PC, Jesse Gonzales, Jr., Mark Harral, Connie Vasquez Harrison, Knight & Partners, Frank Lacy, The Parker Law Firm, P.L.L.C., Todd, Barron, Thomason, Hudson & Baxter, PC, & Alan C. Wayland

Mayor Alexander closed the Executive Sessions @ 11:49 p.m.

TWENTY-FIRST ORDER OF BUSINESS:

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

19(a) Discuss/Act upon Revised Proposal from Republic Water Company of Texas, LLC regarding Water Resources, Technology, Finances and Infrastructure Development.

No action taken.

19(b) Discuss/Act upon Revised Proposal from STW Resources Holding Corp. regarding Water Resources, Technology, Finances and Infrastructure Development.

No action taken.

19(c) Discuss/Act upon Revised First Amendment to Cooperation Agreement between the City of Fort Stockton, Texas and STW Resources Holding Corp. regarding Development of Water Well(s) in the Capitan Reef Aquifer Formation.

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RUBEN FALCON, BILLY JACKSON, ALLAN CHILDS,
FRANK RODRIGUEZ & DINO RAMIREZ

MOVED
SECONDED
VOTED AYE
VOTED NAY

MAYOR: JOE CHRIS ALEXANDER
CITY MANAGER: RAUL B. RODRIGUEZ
CITY SECRETARY: DELMA A. GONZALEZ
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MINUTES OF LAST MEETING:

No action taken.

20 Discuss/Act upon the Contract City Attorney Position.

Motion was made, seconded and carried unanimously that Attorney Frank Lacy and Attorney Mark Harral be contacted for the interview process during the September 28, 2015 Regular City Council Meeting.

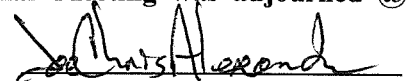
FALCON
JACKSON
CHILDS
RODRIGUEZ
RAMIREZ

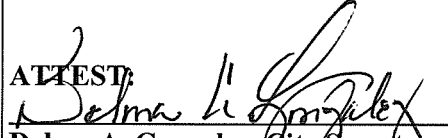
X
X
X
X
X
X
X

TWENTY-SECOND ORDER OF BUSINESS:

22. Questions from the Media on Agenda Items.

There being no further business, the Regular Meeting was adjourned @ 11:52 p.m.


Joe Chris Alexander, Mayor

ATTEST:

Delma A. Gonzalez, City Secretary