

CITY OF FORT STOCKTON, TEXAS
MINUTES OF: **REGULAR CITY COUNCIL MEETING**
DATE OF MEETING: **APRIL 25, 2016**
TIME OF MEETING: **6:30 P.M.**
PLACE OF MEETING: **CITY COUNCIL CHAMBER**

MOVED
SECONDDED
VOTED AYE
VOTED NAY

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: **FRANK LACY**
MINUTES OF LAST MEETING:

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

Council Member Rodriguez 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.

Public Testimony Forms were not received from those in attendance.

SECOND ORDER OF BUSINESS:

2. Minutes:

- Regular Meeting Minutes of Fort Stockton City Council, 04/11/2016
- Special Meeting Minutes of Fort Stockton City Council, 04/18/2016
- Regular Meeting Minutes of Fort Stockton Housing Authority Board, 03/16/2016
- Regular Meeting Minutes of Intergovernmental Recreation Board, 03/23/2016

Accounts Payable Total: **\$ 353,632.01**
Account Recap Report Total: **\$8,249,647.74**

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

THIRD ORDER OF BUSINESS:

3. Discuss/Act upon Ordinance No. 16-106, Adopting Amendment No. 2 to the Original Budget of the City of Fort Stockton, Texas, for the Fiscal

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RODRIGUEZ
RAMIREZ**

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MAYOR: **JOE CHRIS ALEXANDER**
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Year 2015-2016; Providing for Supplemental Appropriation and/or Transfer of Certain Funds; Providing for Severability; and Providing for Other Matters Related to the Subject.

Interim Director of Finance Rodriguez reported that this ordinance officially solidified the process for the sanitation containers approved during the April 11th Regular City Council Meeting.

The containers were included in the Capital Improvement Plan and would be subsidized by the Fund Balance. The 96 - 3 Yard Containers and 12 - 1.5 Yard Containers totaling \$55,173.00 were ordered.

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Motion was made, seconded and carried unanimously to approve Ordinance No. 16-106, Adopting Amendment No. 2 to the Original Budget of the City of Fort Stockton, Texas, for the Fiscal Year 2015-2016; Providing for Supplemental Appropriation and/or Transfer of Certain Funds; Providing for Severability; and Providing for Other Matters Related to the Subject.

FOURTH ORDER OF BUSINESS:

4. Discuss/Act upon Authorizing the Mayor to Take All Necessary Action to Initiate the Process for Completing a USDA Loan/Grant Application to Repair or Replace the City's Water Infrastructure.

Mayor Alexander conveyed that he begin to review this application approximately 3 months earlier and was now in the completion stage and gathering the required data. He would be the authorized representative for the gratis loan/grant application.

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Motion was made, seconded and carried unanimously to authorize Mayor Alexander to Take All Necessary Action to Initiate the Process for Completing a USDA Loan/Grant Application to Repair or Replace the City's Water Infrastructure.

FIFTH ORDER OF BUSINESS:

5. Discuss/Act upon Authorizing City Water Attorney Harral and City Manager Rodriguez to Draft a Request for Qualifications (RFQ) seeking Preliminary Engineering Services to Repair & Replace the City's Water Infrastructure.

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

Mayor Alexander stated that this item coincided with Item #4. USDA required preliminary engineering services with the application.

Motion was made, seconded and carried unanimously to authorize City Water Attorney Herral and City Manager Rodriguez to Draft a Request for Qualifications (RFQ) seeking Preliminary Engineering Services to Repair & Replace the City's Water Infrastructure.

SIXTH ORDER OF BUSINESS:

6. Discuss/Act upon Funding the Crisis Center of Odessa for Management of a Satellite Office at the Lila Smith Safehouse.

Chief of Police Fuentes reported that several years earlier, discussion evolved regarding the construction of a safe house in our community. With the assistance of volunteers and various organizations, this facility was built and it was time to materialize this service. Unfortunately, due to the Police Department's varied responsibilities, it was not in their best interest to be advocates for this organization. They would be available for support but an individual would be needed to oversee the safe house. The establishment of a board, creation of bylaws, procurement of insurance, etc. would be required for this to prosper.

Contacted was the Crisis Center of Odessa to determine what would be needed for the safe house to become a satellite facility. Their board members provided an approximate figure to operate it for one year. For consideration of grants, an entire year of data gathering from the local operation would be required beforehand. The Odessa facility was not merely an advocate for domestic violence but for sexual abuse victims and already serviced our community in their outreach services.

City Manager Rodriguez stated that the original 1-year estimate to operate the facility was \$100,000 but was reduced to \$55,000. In deliberating with Judge Shuster, they both believed that monetary assistance needed to be requested from the non-profit organizations because funds were collected for that purpose. If additional funds were needed, then the City and County would step in.

He understood that the non-profit organizations had practically collected 100% of what would be needed to operate the facility for the first year and believed that \$50,000 would be obtained from them. Pecos County approved a \$20,000 maximum contribution for the first year. If funded by the non-profit organizations, contributions from the City and County could be made to offset the additional

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MINUTES OF LAST MEETING:

\$5,000 needed,. Data from the first year was imperative to apply for future funding.

Chief of Police Fuentes reported that 37 incidents were reported locally in 2013, 43 in 2014, 34 in 2015, and thus far 26 for 2016. This service was desperately needed for our community's victims.

Mayor Alexander indicated that when Judge Shuster informed him that Pecos County approved \$20,000, he insinuated that City Manager Rodriguez had expressed that the City was going to match what Pecos County contributed.

City Manager Rodriguez replied that the discussion involved "that they could make the same agreement; that each would fund up to a certain amount due to the funds that are already available; should not have to fund that much." He suggested that the motion be as the County's and that the non-profit organizations needed to primarily fund the project.

Council Member Jackson inquired "Up to \$20,000?"

City Manager Rodriguez replied "Yes."

Council Member Ramirez asked where the funds would be disbursed from?

City Manager Rodriguez responded from the Fund Balance.

Council Member Jackson strongly believed in and knew there was a need for this service but "they got way off track somewhere when this project started. Initially, it was agreed that the City would grant or sell the land at a reduced cost but he failed to understand how the City got involved with funding, etc. The City needed to maintain a balanced budget. Although \$20,000 was not a lot of money, it all added up. He was not opposed to funding this service to a certain amount but was opposed to this happening again."

City Manager Rodriguez stated that the \$10,000 would be disbursed from the Contingency Fund versus the Fund Balance.

Chief of Police Fuentes commended the First Response Ministries for achieving this beneficial service. Unfortunately, domestic violence was costly and dealt with in Fort Stockton. As encountered in City Government, unfortunately the

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Contingency Fund was required for a water line break as for domestic violence which regrettably occurred.

City Attorney Lacy understood from the agenda that the Crisis Center of Odessa would be a satellite office. "The safe house would basically be run by them as a satellite office using their general funding, their system, procedures, etc."

Chief of Police Fuentes replied "Their board, their system/procedures, their rules, bylaws, etc. had been very successful for them and we would want to piggyback off of those to make sure that the operation was run properly."

Motion was made, seconded and carried unanimously to approve Funding the Crisis Center of Odessa for Management of a Satellite Office at the Lila Smith Safehouse with a maximum \$20,000 from each entity for the first year.

SEVENTH ORDER OF BUSINESS:

7. Discuss/Act upon the Potable Water Supply Agreement between the City of Fort Stockton and Pecos County Water Control & Improvement District #1.

City Manager Rodriguez stated that approval of this item would authorize the City to supply emergency potable water to the District. The agreement was revised to renew every 5 years instead of yearly. As indicated in the permit, this arrangement was classified as "Municipal Supply Service." The commodity charge of \$5.43 per 1000 gallons of water was the same rate for customers residing outside of the city limits customers.

Motion was made, seconded and carried unanimously to approve the Potable Water Supply Agreement between the City of Fort Stockton and Pecos County Water Control & Improvement District #1.

EIGHTH ORDER OF BUSINESS:

8. Discuss/Act upon Closing Railroad Avenue from Rio Street to Ellyson Boulevard on May 21, 2016, from 9:00 a.m.- 11:00 a.m. in Support of "The Mayor's Run, Walk or Bike" Event

Council Member Falcon stated that this proposed event would officially be the grand opening for the new park equipment that arrived earlier that day. This

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City/Community Event planned for approximately two hours would be based at the City Park. Included for the youngsters would be a 1-mile fun bike ride from the City Park to Gonzalez Loop and back. For others, a 3-mile run will commence at the intersection of the Old Alpine Highway and FM 2037. A request was made to Pecos County to close this road plus church vans would be available to transport participants.

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Motion was made, seconded and carried unanimously to approve the Closure of Railroad Avenue from Rio Street to Ellyson Boulevard on May 21, 2016, from 9:00 a.m.- 11:00 a.m. in Support of "The Mayor's Run, Walk or Bike" Event with consent from TX DOT, if needed.

Mayor Alexander recessed from the Regular Meeting @ 6:57 p.m. to convene into the:

NINTH ORDER OF BUSINESS:

9. 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):

Ref: (a) Consultation with City Water Attorney Harral regarding the Status of Fort Stockton Holdings, LP's Case.

Mayor Alexander closed the Executive Session @ 7:39 p.m.

TENTH ORDER OF BUSINESS:

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

(9a) Discuss/Act upon Authorizing City Water Attorney Harral to Contact Attorney Drew Miller and Pecos County Attorney White to Determine the Status of Fort Stockton Holdings, LP's Case and make a recommendation to the City at a later date.

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Motion was made, seconded and carried unanimously to authorize City Water Attorney Harral to Contact Attorney Drew Miller and Pecos County

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Attorney White to Determine the Status of Fort Stockton Holdings, LP's Case and make a recommendation to the City at a later date.

ELEVENTH ORDER OF BUSINESS:

11. Questions from the Media on Agenda Items.

There being no further business, the Regular Meeting was adjourned @ 7:41 p.m.



Joe Chris Alexander, Mayor

ATTEST:


Delma A. Gonzalez, City Secretary