

The Town Council of the Town of Pecos City met in Regular City Council Meeting in the City Council Chambers on June 11, 2015 5:30 P.M. with the following present:

Venetta Seals	Mayor
Gerald Tellez	Mayor Pro-Tem
Chuck Knudsen	Councilman
Alfredo Saldana	Councilman
Rudy Villegas	Councilman
Wally Moon	Councilman
Eric Honeyfield	City Manager
Heather Ramirez	City Secretary
Trent Graham	City Attorney
Jonathan Fuentes	Finance Director
Juan Vasquez	Captain
Conchita Hernandez	Community Development
Gary Rumbaugh	Public Works Director
Jack Brookshire	Building Official/Fire Marshal
Isabelle de Brouwer	Airport Manager
Jesus Silva	Public Works Director Assistant

Item A. Mayor Venetta Seals called the June 11, 2015 meeting to order at 5:30 pm.

Item B. Invocation by Councilman Alfredo Saldana

Item C. Pledge of Allegiance by Councilman Wally Moon

Item D. Public Comments.

Public Works Director Assistant Jesus Silva gave an update on the Lift Station and Tank project. Public Works Director Gary Rumbaugh presented concerns regarding the Commercial Trucks on 14<sup>th</sup> Street in between Pody's BBQ and the Rodeo Grounds where the trucks park on City Right of Way against Pody's BBQ. Councilman Alfredo Saldana gave an update on the recently approved HB 3772. Mayor Venetta Seals invited everyone to the Relay for Life Event on Saturday from 6pm -12am. Kleinman Consultants President Ramon Carrasco gave an update on the bids for the Water and Sewer Project for the City and will probably extend the bids received for another 2 weeks.

Item E. Consent Agenda. On motion by Councilman Knudsen and seconded by Councilman Villegas, the Council voted unanimously to approve the Consent Agenda as presented; Minutes of Regular City Council Meeting for May 28, 2015, Monthly Municipal Airport Report for May 2015, Monthly Juvenile Report for May 2015, and the Overtime Report.

Item F. Non Consent Items.

1. OATH OF OFFICE City Secretary Heather Ramirez performed the Oath of Office for Councilman Gerald Tellez, Councilman Chuck Knudsen, and Councilman Rudy Villegas.
2. MAYOR PRO TEM On motion by Councilman Villegas and seconded by Councilman Knudsen, the Council voted unanimously to appoint Gerald Tellez as Mayor Pro Tem for another year.
3. TEXAS GAS SERVICE Mr. Sam Villarreal/Denise Dembowski, TGS Managers and Rafael Rivera with TGS were present to discuss the Texas Gas Service "TGS" Cost of Service Adjustment "COSA" for 2015. TGS is proposing an increase to the rates. A proposed increase to rates is primarily driven by calendar year 2014 investments made by the company in the Permian Service Area to modernize infrastructure and upgrade the system, as well as maintain quality service and comply with regulatory safety standards. TGS is requesting an adjustment that would result in an increase to the volumetric rate of \$0.0384 per Ccf for all general service rate schedules currently in effect in the Company's Permian Service Area "PSA". A PSA residential customer using an average of 42 Ccf of gas per month would experience an increase of \$1.61 per month. Several Councilors questioned the justification of work (infrastructure) actually done in the Pecos Area and the amounts of increases that the City has seen every single year. In 2010, TGS asked for an increase of \$0.23, 2011 an increase of \$2.81, 2012 an increase of \$1.47, and in 2014 an increase of \$4.08. On motion by Councilman Villegas and seconded by Councilman Saldana, the Council voted unanimously to postpone the 2015 Filing pursuant to the COSA submitted by TGS, a division of ONE Gas Inc. pending further information.
4. HANGAR RENTAL RATES Airport President Greg Mitchell was present to discuss the proposed Municipal Airport Hangar Rental Rates. The rates include; T-hangar annual rent to be set at \$750/year, Long Term Tie-down \$30/month, Overnight/Daily T-hangar \$25.00/day, North end T-Hangar \$100.00/month, South end T-hangar \$150/month, Lean to office \$100/month + electric + water/sewer/garbage, Big South Hangar \$1000/month + electric, New Small Box Hangar \$1250/month + electric, New Large Box Hangar \$1500/month + electric. On motion by Councilman Knudsen and seconded by Councilman Villegas, the Council voted unanimously to approve the recommendation from the Airport Advisory Board regarding the Municipal Airport Hangar Rental Rates as presented.
5. BUDGET PRESENTATION Finance Director Jonathan Fuentes presented the year to date budget financials to the Council. Mr. Fuentes stated that the financials are looking great and actual expenditures are averaging around 60%. This Budget year the City has already collected approximately 90% of the revenue.
6. SPLASH PARK PRESENTATION Councilman Alfredo Saldana gave an update on their tour of the Midland City Splash Park.

7. LEASE EXTENSION City Manager Eric Honeyfield presented a lease extension the City received from Rosetta Resources for two years. The lease extension is to suspend drilling operations N/2 & SW/4, Section 16, Section 9, Block 5, H & G N RR Survey. The total payment would be for \$816, 500 (\$766,500 bonus + \$50,000). On motion by Councilman Knudsen and seconded by Councilman Saldana, the Council voted unanimously to approve Rosetta Resources request for two year extension to suspend drilling operations N/2 & SW/4, Section 16, Section 9, Block 5m H & GN RR Survey.

8. SIGN REPLACEMENT REQUEST City Manager Eric Honeyfield discussed a sign replacement on City Right of Way at the corner of 12<sup>th</sup> and Ash St (Abundant Life Church). Mr. Honeyfield mentioned that the City currently does not have an effective Sign Ordinance and the Church sign is currently on City Right of Way and not clear if permitted or not. He also mentioned some conditions if the sign was going to be allowed on City Right of Way. The conditions include being dimmed at night, sign be equipped with breakaway bases, 8' minimum height. Message control (since City is landowner), easement renewable/reviewable, and the Church should agree to hold harmless the City if accident occurs. Mr. Honeyfield also discussed future purposes of the City right of way which could include widening of the street. Pastor Sergio Zubeldia with Abundant Life Church stated that the sign would display uplifting messages and would be tied into the National Weather Forecast. Mr. Zubeldia also explained how the Car Wash on Cedar St (behind church) would block the sign if moved out of the City Right of Way. On motion by Councilman Saldana and seconded by Councilman Knudsen, the Council voted unanimously to postpone the request for placement of an electronic sign on City Right of Way at the SW corner of 12<sup>th</sup>/Ash (1201 S Ash).

9. D.A.R.E INTERLOCAL AGREEMENT Captain Juan Vasquez presented the D.A.R.E Interlocal Agreement between PBTISD and the City. The agreement states that PBTISD shall appropriate from current revenues and pay to the City the sum of \$60k to defray the expense of the school resource officer's salary, benefits and TOPC stipend (not to exceed \$3600/yr) for the term of this agreement. The compensation shall be paid to the City by PBTISD as agreed to by both parties. This agreement may be reviewed annually. On motion by Councilman Knudsen and seconded by Councilman Villegas, the Council voted unanimously to approve the 2015/2016 Interlocal Agreement for Drug Abuse Resistance Education (D.A.R.E) Police Services between Pecos-Barstow-Toyah Independent School District and the Town of Pecos City.

10. ANNEXATION Community Development Director Conchita Hernandez presented a petition for voluntarily annexation for the property legally described as a 5.00 acres tract of land Block 8, Industrial Subdivision and 1.83 acres within (Reeves County Road 20) Industrial Boulevard that was submitted by Blythe Evans. The Council then discussed the availability to City utilities and whether or not it is contiguous to the City limits. On motion by Councilman Villegas and seconded by Councilman Knudsen, the Council voted unanimously to postpone the petition for annexation for the property legally described as a 5.00 acre tract of land Block 8, Industrial Subdivision and 1.83 acres within (Reeves County Road 201) Industrial Boulevard submitted by Blythe Evans.

11. STREET LIGHTS City Manager Eric Honeyfield discussed the maintenance of Street Lights. Rene Kettler, TNMP Regional Community Liaison Central and West Texas was also present to discuss the maintenance of the Street Lights. Mrs. Kettler also stated that many of the Street Lights are billed on a circuit. If a light is out, the City is not being billed for it. No action taken.

12. TX DOT ROADWAYS Councilman Alfredo Saldana discussed the responsibility of maintaining the right of way. Public Works Director Gary Rumbaugh stated that TxDot is responsible for the controlled access (ex: Interstate) and the City is responsible for the non-controlled access (ex: Hwy 285, Business 20). Greg Mitchell encouraged business owners to clean up their right of ways on their property and not wait or blame someone else to come clean it. Chamber of Commerce President Lupe Davis stated that she will be trying to get the Community to participate in Keep Texas Beautiful. Mrs. Davis also asked the people in the community to do their part. The City will just need to take the initiative and clean up the right of ways.

13. PEDC ASSISTANT Councilman Rudy Villegas was requesting information regarding the PEDC Director Assistant. Mr. Oglesby was out of town and not present for an update.

14. RECREATION PROGRAM Councilman Knudsen discussed the Interlocal Cooperation Contract for the Recreation Program with Reeves County and who can and cannot use the fields at the City Park. Community Development Director Conchita Hernandez discussed the Contract and mentioned some of the conditions in the agreement including the City providing a proportionate share of all funding in the amount of \$20k. Finance Director Jonathan Fuentes stated that the City has not issued the check to the County yet. The old gym/racquet room is not in use right now. On motion by Councilman Knudsen and seconded by Councilman Tellez, the Council voted unanimously to have the City Attorney send Reeves County a letter regarding the Interlocal Cooperation Contract for Community Sports and Recreation Program between Reeves County, Town of Pecos City and PBTISD.

23. HOOKAH LOUNGE ORDINANCE (item moved up) On motion by Councilman Knudsen and seconded by Councilman Saldana, the Council voted unanimously to approve Ordinance No 15-05-03, an Ordinance including the location of Hookah/Smoking Lounges, 2<sup>nd</sup> reading.

Break at 8:07pm

Return from Break at 8:27pm

15. PUBLIC HEARING Council held a Public Hearing for a Zone Change from Residential R-1 to Commercial C-1 for the property legally described as All Block 1, Guy A Porter, Town of Pecos City, Reeves County, Texas submitted by Valentina Muro. Community Development Director Conchita Hernandez gave an update on the approval of the Planning and Zoning Commission and pointed out the location of the property. No public comments.

16. ZONE CHANGE On motion by Councilman Knudsen and seconded by Councilman Saldana, the Council voted unanimously to approve the Zone Change from Residential R-1 to Commercial C-1 for the property legally described as All Block 1, Guy A Porter, Town of Pecos City, Reeves County, Texas submitted by Valentina Muro.

17. PUBLIC HEARING Council held a Public Hearing for a Zone Change from Residential R-1 Zone to Residential R-2 for the property legally described as Lots 7-12, Block 11, Palo Verde, Town of Pecos City, Reeves County, Texas submitted for Eriberto Moreno. Community Development Director Conchita Hernandez gave an update on the approval of the Planning and Zoning Commission and also pointed out the location of the property. She also mentioned that Block 12 was changed to R-2 so it will be adjoined to R-2. No public comments.

18. ZONE CHANGE On motion by Councilman Knudsen and seconded by Councilman Tellez, the Council voted unanimously to approve the Zone Change from Residential R-1 Zone to Residential R-2 for the property legally described as Lots 7-12, Block 11, Palo Verde, Town of Pecos City, Reeves County, Texas submitted for Eriberto Moreno.

19. PUBLIC HEARING Council held a Public Hearing for a Survey Plat of the “Amended Plat” of the replat of Tract (Block) 20, Lots 35, 36, and 37 out of a 0.38 acres tract and lots 38, 39, and 40 out of a 0.32 acres tract, out of the replat of tract (Block) 20, Veterans Subdivision to the Town of Pecos City, out of Section 9, Block 5, H & G N RR, Survey Reeves County, Texas by Jaime Salgado. Community Development Director Conchita Hernandez gave an update on the approval of the Planning and Zoning Commission.

20. SURVEY PLAT On motion by Councilman Knudsen and seconded by Councilman Saldana, the Council voted unanimously to approve the a Survey Plat of the “Amended Plat” of the replat of Tract (Block) 20, Lots 35, 36, and 37 out of a 0.38 acres tract and lots 38, 39, and 40 out of a 0.32 acres tract, out of the replat of tract (Block) 20, Veterans Subdivision to the Town of Pecos City, out of Section 9, Block 5, H & G N RR, Survey Reeves County, Texas by Jaime Salgado.

21. PLASTIC BAG ORDINANCE Council discussed the Plastic Bag Ordinance with City Manager Eric Honeyfield. Mr. Honeyfield pointed out that this was brought to Council once before and never made it to a second reading. On motion by Councilman Knudsen and seconded by Councilman Saldana, the Council voted unanimously to approve Ordinance No 15-06-01, an Ordinance banning the use of plastic bags, 1<sup>st</sup> reading.

22. GAME ROOM ORDINANCE City Manager Eric Honeyfield presented the Game Room Ordinance to Council and pointed out the allowed locations a Gaming Room business can be located. The Ordinance states they can only be in Commercial “C-2” Park St. to City Limits west & Industrial “I-1” Elm St. to City Limits west between Union Pacific Railroad & Second (2<sup>nd</sup>) St. and curves onto Third (3<sup>rd</sup>) St. & “C-1” Alley between Cedar St. & Oak St. to Cypress

St. from Railroad Track to Fourth (4<sup>th</sup>) St. and along the north side of Third (3<sup>rd</sup>) St. & south side of Second (2<sup>nd</sup>) St. from Cypress St. to Park St. Also, the fees have increased from \$250 to \$450 per machine. Council then discussed including no one under the age of 18 allowed. On motion by Councilman Knudsen and seconded by Councilman Tellez, the Council voted unanimously to approve Ordinance No 15-06-02, an Ordinance for the Repeal of the Old Game Room Ordinance (14-10-02) and Adoption of the New Game Room Ordinance and to include the no one under 18 years allowed.

24. CODE ORDINANCES On motion by Councilman Knudsen and seconded by Councilman Saldana, the Council voted unanimously to approve the second readings to the following Ordinances as presented;

- a. Ordinance No 15-05-04, an Ordinance adopting the 2015 International Residential Code
- b. Ordinance No 15-05-05, an Ordinance adopting the 2015 International Plumbing Code
- c. Ordinance No 15-05-06, an Ordinance adopting the 2015 International Mechanical Code
- d. Ordinance No 15-05-07, an Ordinance adopting the 2015 International Fire Code
- e. Ordinance No 15-05-08, an Ordinance adopting the 2014 International Electrical Code
- f. Ordinance No 15-05-09, an Ordinance adopting the 2015 International Swimming Pool and Spa Code
- g. Ordinance No 15-05-10, an Ordinance adopting the 2015 Energy Conservation Code
- h. Ordinance No 15-05-11, an Ordinance adopting the 2015 ICC Performance Code for Buildings and Facilities
- i. Ordinance No 15-05-12, an Ordinance adopting the 2015 International Existing Building Code

Item G. The Council discussed items for the next City Council meeting including the TGS COSA, the Sign Replacement on City Right of Way, Blythe Evans Annexation, and the PEDC Assistant Position.

Item H. On motion by Councilman Knudsen and seconded by Councilman Saldana, the Council voted unanimously to adjourn at 8:55pm.

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Mayor

Attest:

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City Secretary