

The Town Council of the Town of Pecos City met in Regular City Council Meeting in the City Council Chambers on May 23, 2019 at 5:30 P.M. with the following present:

|                 |                         |
|-----------------|-------------------------|
| Venetta Seals   | Mayor                   |
| Veronica Baca   | Councilwoman            |
| Oscar Ornelas   | Councilman              |
| Arthur Orona    | Councilman              |
| Wally Moon      | Councilman              |
|                 |                         |
| Seth Sorensen   | City Manager            |
| Rod Ponton      | City Attorney           |
| Howdy Lisenbee  | Assistant City Manager  |
| Syra Nichols    | City Secretary          |
| Melanie Purcell | Finance Director        |
| Donnie McKinney | Chief Building Official |
| Wayne McKethan  | Accountant              |
| Gary Rumbaugh   | Public Works Director   |
| Holly Jarocki   | Projects Director       |
| Jesus Gomez     | IT Director             |
| Kelly Davis     | Police Department       |

Item A. Mayor Venetta Seals called the May 23, 2019 meeting to order at 5:30 pm. *Councilmember Tellez was not present.*

Item B. Invocation by Councilwoman Baca

Item C. Pledge of Allegiance by Councilman Ornelas

Item D. Public Comments

Howdy Lisenbee, Assistant City Manager, stated that there is a temporary water conservation effort in the city due to electrical outages that occurred at the city water wells recently and with the cooperation of the community and limitation of bulk water sales, the water level should be back it needs to be within the week.

Rod Ponton, City Attorney, stated the MMD Bill (West Pecos) had been passed and an additional bill regarding rebates for oil producing counties to receive state funding to support TXDOT road projects was passed as well.

Item E. Consent Agenda

On motion by Councilmember Ornelas and seconded by Councilmember Orona, the Council voted unanimously to approve the Consent Agenda consisting of:

1. Minutes of the May 9, 2019 Regular City Council Meeting
2. Minutes of the May 16, 2019 Special City Council Meeting
3. Expenditure Report

## 4. PAC Expenses Closeout

## Item F. Non-Consent

1. **DISCUSS/CONSIDER**– Seth Sorensen, City Manager, presented the Council with amendments to the surface rights waiver agreement with Newsome Development. On motion by Councilmember Orona, and seconded by Councilmember Ornelas, the Council voted unanimously to approve the amendments to the surface rights waiver agreement, as presented.
2. **DISCUSS/CONSIDER**- Seth Sorensen, City Manager, asked that the Council consider granting specific surface rights and easements to Noble Energy in association with the Newsome Development Apartment Complex. On motion by Councilmember Ornelas, and seconded by Councilmember Orona, the Council voted unanimously to approve the specific surface rights and easements to Noble Energy in association with the Newsome Development apartment complex, as presented.
3. **UPDATE**– Donnie McKinney, Chief Building Official, updated the Council on the progress at dilapidated structure 602 N. Cedar Street. Mr. McKinney mentioned that not much progress had been done on the building, but feels the property owner is not at fault it is due to the lack of available contractors in the area. No action taken.
4. **UPDATE** – Howdy Lisenbee, Assistant City Manager, updated the Council on the progress on the Orange Street Park project. No action taken.
5. **UPDATE**– Howdy Lisenbee, Assistant City Manager, updated the Council on the progress of the Baseball Complex project and stated that he anticipated that there will be plans for approval at the upcoming June 13<sup>th</sup> Council meeting. No action taken.
6. **UPDATE** – Howdy Lisenbee, Assistant City Manager, updated the Council on the fencing and turf being installed at the Splash Park. Mr. Lisenbee stated that the materials are expected to be in right after Memorial Day and the project is expected to wrap up within a couple of weeks and if all goes as planned the Splash Park will be open to the public mid-June. No action taken
7. **UPDATE** (item was moved ahead of item #2) – Seth Sorensen, City Manager, introduced Mr. Rod Ponton, City Attorney, to share the history of the official Town of Pecos City name and what procedure needs to take place in order to change the name. Mr. Ponton stated that he researched the history of the official name of the city and it was a typo that resulted in the official city name. The letter “t” in town was capitalized in the proposed city charter and when it was voted on by the community “Town of Pecos City” was adopted as the official name. Mr. Ponton went on to mention if the name were to be changed it would need to be done so as a charter amendment which would need to pass through an official election. Joe Tollett, Pecos Resident, stated that he felt there are more pressing matters that need to be dealt with and this is something that is not one of them and the name is the history of the city. Stacey Roberts, Balmorhea Resident, asked if the name changed had anything to do with the new West Pecos, Mr. Sorensen stated it did not and that “West” Pecos is Pecos, it only refers to the area in which the property is located. Emily Fernandez, Pecos Resident, stated that the way she saw it as long as you get the zip code right it does not matter, Pecos has

been called many names for many years. Nancy McAnally, Pecos Resident, stated that she was born and raised in Pecos and feels that if there is to be a name change she feels it should be up to the city residents to decide. LaDonna Olivier, Pecos Resident, asked if it had been discussed what the cost would be to change the Town of Pecos City signs around town. Mr. Sorensen stated it had not been discussed, but for the most part a majority of the signs say Pecos, TX. Audra Hinojos, Pecos Resident, stated she did not care what anyone decided to call the city, she calls it home and that is all that matters. No action taken.

8. **DISCUSSION**– Seth Sorensen, City Manager, asked that the Council ponder the idea of locating a food court at Maxey Park. No action taken.
9. **PRESENTATION and DISCUSSION**– Melanie Purcell, Finance Director, presented the Council with a council purchasing approval procedure for the discussion of putting it into effect to ease and simplify the city purchasing process. No action taken.
10. **DISCUSS/CONSIDER**– Seth Sorensen, City Manager, asked that the Council consider entering into a reimbursement agreement with the Pecos Economic Development Corporation for engineering and construction services for the design of 6<sup>th</sup> Street from Peach Street to Sycamore Street. On motion by Councilmember Ornelas, and seconded by Councilmember Baca, the Council voted unanimously to approve entering into a reimbursement agreement with the Pecos Economic Development Corporation, as presented.
11. **DISCUSS/CONSIDER RESOLUTION 19-05-04R**– Seth Sorensen, City Manager, asked that the Council consider the closure of Roberson Road from Highway 285 to F Street and abandonment of right-of-way for the development of commercial property. On motion by Councilmember Moon, and seconded by Councilmember Ornelas, the Council voted unanimously to approve Resolution 19-05-04R, with the understanding that the developer would be responsible for the cost of extending and relocating utility lines and getting the property surveyed and filed.
12. **DISCUSS/CONSIDER**– Rod Ponton, City Attorney, asked that the Council consider approving a drilling permit application submitted by Noble Energy. On motion by Councilmember Orona, and seconded by Councilmember Ornelas, the Council voted unanimously to approve the drilling permit application as presented.
13. **DISCUSS/CONSIDER**– Venetta Seals, Mayor, stated that the easement request by Waterbridge Midstream would be pulled from the agenda for further information. No action taken.
14. **DISCUSS/CONSIDER** - Gary Rumbaugh, Public Works Director, asked that the Council consider the purchase of a tractor and batwing mower for the Parks Department for the from John Deere Tractor for the amount of as appropriated in the FY2019 Budget (\$45,000.00). On motion by Councilmember Orona, and seconded by Councilmember Ornelas, the Council voted unanimously to approve the purchase of the John Deere tractor and batwing mower in the amount of \$88,734.68, as presented.

- 15. **DISCUSS/CONSIDER** - Gary Rumbaugh, Public Works Director, asked that the Council consider the purchase of a trash vacuum for the Landfill Department from Innovative Equipment Solutions Inc. as Appropriated in the FY2019 Budget (\$99,500.00). On motion by Councilmember Orona, and seconded by Councilmember Ornelas, the Council voted unanimously to approve the purchase of the trash vacuum in the amount of \$99,500.00, as presented.
  
- 16. **DISCUSS/CONSIDER**- Gary Rumbaugh, Public Works Director, asked that the Council consider the purchase of a diesel semi-truck from Bruckner's Truck Sales, Inc. in the amount of \$164,924.00. On motion by Councilmember Moon, and seconded by Councilmember Ornelas, the Council voted unanimously to approve the purchase of a diesel semi-truck in the amount of \$164,924.00, as presented.
  
- 17. **DISCUSS/CONSIDER** - Gary Rumbaugh, Public Works Director, asked that the Council consider the purchase of a 2019 Eager Beaver Lowboy Gooseneck Trailer with 4<sup>th</sup> flip axle from American Equipment & Trailer in the amount of \$85,000.00. On motion by Councilmember Orona, and seconded by Councilmember Baca, the Council voted unanimously to approve the purchase of the 2019 Eager Beaver Lowboy Gooseneck Trailer in the amount of \$85,000.00, as presented.

*Break: 7:02 PM*

*Break Over: 7:12 PM*

*Entered Executive Session: 7:13 PM*

**Executive Session under Tex. Gov't Code § 551.071, 551.072**

- 1. Consultation With Attorney
- 2. Deliberation regarding real property

*Exited Executive Session: 7:23 PM*

**Open Executive Session under Tex. Gov't Code § 551.071, 551.072**

- 1. Deliberation regarding real property. No action taken.

**G. Discuss Items for Next City Council Agenda – City Council**

- 1. Waterbridge Midstream Easement request
- 2. Bulk water sales conservation compliance contract
- 3. Reschedule June 27, 2019 regular City Council meeting

**H. Adjournment: 7:34 PM**

  
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Venetta Seals, Mayor

Attest:

  
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Syra Nichols, City Secretary