

CITY OF FORT STOCKTON, TEXAS

MINUTES OF: REGULAR CITY COUNCIL MEETING

DATE OF MEETING: MAY 11, 2021

TIME OF MEETING: 5:30 PM

PLACE OF MEETING: 121 WEST SECOND STREET FORT STOCKTON, TX 79735

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:

PRESENT: JAMES WARNOCK, JOE CHRIS ALEXANDER, PAM PALILEO, PAUL CASIAS, RUBEN FALCON, DARREN HODGES

Mayor Alexander called the Regular Meeting to order a 5:30 p.m. after declaring a quorum present.**Council Member Hodges** gave the Invocation.**Council Member Warnock** led the Pledge of Allegiance & Pledge to the Texas Flag.**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.”

PRESENTATIONS:

1. **Chief of Police Robert Lujan with Fort Stockton Police Department----**

- Statistics for April 2021

Service Calls Dispatched:	952
FSPD	568
FSFD	21
PCEMS	144
PCSO	214

Investigations Initiated:	54
83 rd District Attorney	25
112 th District Attorney	13
County Attorney	16
Juvenile Probation	0

Accidents Worked:	37
Accidents (PD)	22

Traffic Stops/Violations	165
Traffic Citations Issued	28
Traffic Stops (PD)	101

Misdemeanors	38
Felonies	2

Total Arrests:	43
Assault – Family Violence	4
Burglary	1
Criminal Mischief	0
Criminal Trespass:	25
Disorderly Conduct	1
Driving While Intoxicated	0
Evading Arrest	0
Illegal Aliens	0
Murder	0
Possession of a Controlled Substance	2
Possession of Marijuana	1
Public Intoxication	0
Resisting Arrest	0
Theft	2
Warrants	3

The Rabies Clinic will be held at the Old Fire Station on Nelson on May 15, 2021 from 9:00 a.m. - 2:00 p.m.

2. **City Manager Frank Rodriguez III----**

- City Manager's Report

City Manager Rodriguez advised everyone that the City of Fort Stockton's Wastewater Treatment Facility's License was renewed for 5 years from the issuance date of March 29, 2021.

There is a lot that goes into the renewal of this license in terms of the staff that provides oversight of monitoring and documenting necessary records.

The Permit for the Lynaugh Unit Wastewater Treatment Facility was also renewed. This Permit was renewed for ten years from the issuance date of April 26, 2021.

He commended Public Works Director Aaron Ramos, Assistant Public Works Director Carlos Lopez and Wastewater Supervisor Federico Valenzuela for the part they played in the renewal of the License of the Wastewater Treatment Facility and the Permit for the Lynaugh Unit Wastewater Treatment Facility.

CONSENT AGENDA:

3. All matters listed are considered to be routine by the City Council and will be enacted by one motion. If discussion is desired, that item will be removed from the Consent Agenda and considered separately.

Minutes: (Mayor)

- Regular Meeting Minutes of Fort Stockton City Council, 04/27/2021
- Regular Meeting Minutes of Keep Historic Fort Stockton Beautiful, 04/07/2021
- Regular Meeting Minutes of Substandard Building Committee Meeting, 03/04/2021
- Regular Meeting Minutes of Substandard Building Committee Meeting, 04/01/2021
- Regular Meeting Minutes of Animal Control Advisory Board, 03/19/2020

Accounts Payable Grand Total: \$227,859.56

Motion was made by James Warnock, seconded by Pam Palileo, and carried unanimously to approve the Consent Agenda as presented. James Warnock, Pam Palileo, Paul Casias, Ruben Falcon, Darren Hodges voted aye.

RESOLUTION:

4. 2nd Reading of Resolution No. 21-104R, A Resolution of the Fort Stockton Economic Development 4-B Corporation Approving the Distribution of Funds to Springhirst LLC

for Rehabilitation of the Historic Property known as the Springhirst Hotel in an amount not to exceed \$750,000.00. (City Mgr./EDC Dir.)

Economic Development Corporation Director Ramos conducted the 2nd Reading of Resolution No. 21-104R.

5. Discuss/Act upon Resolution No. 21-104R, A Resolution of the Fort Stockton Economic Development 4-B Corporation Approving the Distribution of Funds to Springhirst LLC for Rehabilitation of the Historic Property known as the Springhirst Hotel in an amount not to exceed \$750,000.00. (City Mgr./EDC Dir.)

Mayor Pro-Tem Falcon inquired what Economic Development Corporation is doing to bring jobs to Fort Stockton.

EDC Executive Director Ramos responded that the Economic Development Corporation would like to support the Williams Regional Technical Training Center (WRTTC) in some type of hospitality training.

He stated Springhirst has an operations company that is recruiting outside this area to bring individuals who specialize in the Hospitality Industry to service this facility. This would also entail Springhirst LLC investing in housing within our community.

Mayor Pro-Tem Falcon voiced concern about the unskilled labor. He suggested focusing on a staffing company to assist in staffing the Springhirst.

Local Resident Ross Harper recalled the Judd Foundation training High School students in the Hospitality Industry.

He advised everyone that the Settles trained their own staff and he felt Fort Stockton could establish staff suitable to run the Springhirst.

Council Member Casias asserted that the Management would be key in keeping staff.

EDC Executive Director Ramos responded that the Springhirst hires within. Therefore, the Manager of the Springhirst would already be experienced in the Hospitality Industry.

Mayor Alexander explained the Gaylord has its own University that trains its employees and would like to see something similar in our community.

Mayor Pro-Tem Falcon reiterated the need for a staffing company.

Council Member Palileo inquired what safeguards are being taken to protect the City's Interest in this Investment.

EDC Executive Director Ramos listed the following safeguards:

- The Funding Bank was added as a Party to the Agreement, so they are aware of the Terms and Conditions as well as the Stipulations for Funding.
- The Term is restricted to 120 months.
- The City will not fund the developer directly, the City will transfer funds to the bank.
- Prior to releasing any money to the bank, a third-party inspection will be conducted.
- The City is listed as the final Creditor.
- The Springhirst project expenditures must exceed \$4,600,000.00 prior to the release of any funds from the Economic Development Corporation.
- The Default Section protects the City against any judgements against the business. This means the City would need to be notified of any default in the contract.
- Springhirst will at no time act as an agent of EDC. This means that any contractors they may hire will not try to collect funds from the EDC. All contractors will be paid through the Springhirst.

Council Member Hodges clarified that the City would not expend funds if they exceed the 24 month deadline.

Motion was made by Ruben Falcon, seconded by Pam Palileo, and carried unanimously to approve Resolution No. 21-104R, A Resolution of the Fort Stockton Economic Development 4-B Corporation Approving the Distribution of Funds to Springhirst LLC for Rehabilitation of the Historic Property known as the Springhirst Hotel in an amount not to exceed \$750,000.00. James Warnock, Pam Palileo, Paul Casias, Ruben Falcon, Darren Hodges voted aye.

REGULAR BUSINESS:

6. Discuss the Possibility of Changing Main Street from a Two-Way Street to a One-Way Street. **(Mayor)**

Mayor Pro-Tem Falcon explained traffic down Main Street has recently increased. The traffic has already increased due to attractions such as the Classic Man, Grey Mule, the Old 76. The Springhirst is expected to add additional traffic which could possibly create a safety hazard as vehicles in general are larger than they used to be. The unique flow of traffic would push business downtown.

He suggested making Main Street a One-Way Street from Dickinson Blvd. to Gonzales Loop. Thirty-five (35) One-Way Signs would be needed for the intersections. Nelson would be the backflow street. This change would not only help Main Street, but Nelson Street as well.

Mayor Alexander voiced concern that traffic coming off of Gonzales Loop to downtown would have trouble as Main Street is the only street that reaches all the way across.

Local Resident Ross Harper voiced enlisting the assistance of a professional would be best approach to take. He advised Council that Austin is currently having to spend an excess amount of money to undo their One-Way Streets.

EDC Executive Director Ramos stated Alice Durkeson of the Community Theatre had inquired what would need to be done in order to have a cross walk installed near the theatre.

Mayor Alexander suggested having an Engineer involved in this process.

EDC Executive Director Ramos stated EDC could hire an Engineer to conduct a Traffic Study.

7. Discuss/Act upon Amendment to Landfill Weigh Scale Performance Agreement between the City of Fort Stockton and Rusty's Weigh Scale and Service, Inc. **(City Mgr./P.W. Dir.) City**

Attorney Puja Boinpally explained this item was being discussed in order to clarify which conversion kit would be ordered.

Assistant City Manager Jesse Gonzales, Jr. recommended ordering the PDX Conversion Kit as it offers a 10-year warranty vs. the 5-year warranty the GDD Conversion Kit offers.

Public Works Director Ramos concurred with Assistant City Manager Gonzales' recommendation to go with the PDX Conversion Kit. He stated they do experience issues with lightning strikes so the additional warranty would come in handy.

Motion was made by Darren Hodges, seconded by Pam Palileo, and carried unanimously to approve Amendment to Landfill Weigh Scale Performance Agreement between the City of Fort Stockton and Rusty's Weigh Scale and Service, Inc. for the Weigh Scales and PDX Conversion Kit in the amount of \$170,525.00. James Warnock, Pam Palileo, Paul Casias, Ruben Falcon, Darren Hodges voted aye.

8. Discuss/Act upon Appointing a Home Rule Charter Commission. **(Mayor)**

Mayor Alexander recommended everyone nominate 4 individuals to be appointed to the Home Rule Charter Commission.

The Home Rule Charter Commission would have a minimum of 15 members, which would have to be citizens of the City of Fort Stockton.

He explained as a General Law Type A Municipality the City does not have as much control as a Home Rule Municipality would. Type A General Law Municipalities follow the State Laws as where a Home Rule Municipality has more control on setting their own ordinances.

Mayor Pro-Tem Falcon explained there are steps that need to be taken prior to becoming a Home Rule Municipality. There would be a Commission created that would write the Proposed Charter. The Charter would then be sent to every registered voter within the City Limits. Then there would be an election to vote on the Charter.

He elaborated that there is referendum and recall already in place. This means that if a Council Member gets out of control they can recall that individual. Referendum applies if the community does not agree with an ordinance the City Approves, it can be voted on at the City's General Election.

He recommended the City could be divided into four (4) Wards and two (2) at Large and that the Mayor can vote. There are several things that can be changed if the City becomes a Home Rule Municipality.

Council Member Hodges explained there was some confusion last time, that the reason the City wanted to change to Home Rule was to be able to Annex Property into the City Limits.

Mayor Alexander advised the community that anyone interested in becoming a Member of the Home Rule Charter Commission should contact himself or any of the City Council Members.

Motion was made by Ruben Falcon, seconded by Darren Hodges, and carried unanimously to Move Forward with Appointing a Home Rule Charter Commission.. James Warnock, Pam Palileo, Paul Casias, Ruben Falcon, Darren Hodges voted aye.

Mayor Alexander Recessed from Regular Meeting to Convene into Executive Session at 6:26 p.m.

EXECUTIVE SESSION:

9. **City Council may Convene in Closed Session in Accordance with Texas 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):**
 - a. Consultation with City Attorney Boinpally regarding the Petition filed by Candace Mehan vs. City of Fort Stockton, Texas Ryan Skelton Individually, Ryan Skelton in

his Official Capacity as Chief of Police of the Fort Stockton Police Department and Frank Rodriguez III, Individually, Frank Rodriguez III, in his official capacity as City Manager for the City of Fort Stockton, Texas.

- b. Consultation with City Attorney Boinpally regarding the Utility Invoice received for the month of February 2021.

Mayor Alexander Closed the Executive Session to Reconvene into the Regular Session at 6:49 p.m.

REGULAR BUSINESS CONTINUED:

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 Consultation with City Attorney Boinpally regarding the Petition filed by Candace Mehan vs. City of Fort Stockton, Texas Ryan Skelton Individually, Ryan Skelton in his Official Capacity as Chief of Police of the Fort Stockton Police Department and Frank Rodriguez III, Individually, Frank Rodriguez III, in his official capacity as City Manager for the City of Fort Stockton, Texas.

NO ACTION WAS TAKEN

9b. Discuss/Act upon Consultation with City Attorney Boinpally regarding the Utility Invoice received for the month of February 2021.

NO ACTION WAS TAKEN


11. Questions from the Media.

Bethany Gaylor of the Fort Stockton Pioneer inquired where she could get a copy of the petition discussed in tonight's Executive Session.

Assistant City Manager Gonzales advised her that the petition should be filed at the District Clerk's Office.

12. Adjourn.

Motion was made by Ruben Falcon, seconded by Pam Palileo, and carried unanimously to adjourn the Regular Meeting at 6:51 p.m. James Warnock, Pam Palileo, Paul Casias, Ruben Falcon, Darren Hodges voted aye.



Joe Chris Alexander, Mayor

ATTEST:


Marina A. Cantu, City Secretary