

CITY OF FORT STOCKTON, TEXAS

MINUTES OF: REGULAR CITY COUNCIL MEETING
DATE OF MEETING: APRIL 22, 2024
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: DARREN HODGES, PAUL JEROME CHAVEZ, PAUL CASIAS, JAMES WARNOCK, RUBEN FALCON

ABSENT: RUBEN J BERNAL

Mayor Paul Casias called the Regular Meeting to Order at 5:30 p.m. after declaring a quorum present.

Mayor Paul Casias 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.

Council Member Darren Hodges gave the Invocation.

Council Member Paul Jerome Chavez led the Pledge of Allegiance to the United States of America Flag & the Pledge of Allegiance to the Texas Flag.

PUBLIC TESTIMONY:

1. Public Testimony.

There was no Public Testimony.

PROCLAMATIONS:

2. Proclamation endorsing April 14, 2024 - April 20, 2024 as "National Animal Control Officer Appreciation Week." (**Mayor**)

Mayor Paul Casias presented Animal Control Officer Dennis Gross and Animal Control Officer Stormie Gordon with a Proclamation endorsing April 14, 2024 - April 20, 2024 as "National Animal Control Officer Appreciation Week."

3. Proclamation endorsing April 14, 2024 - April 20, 2024 as "National Public Safety Telecommunicators Week." **(Mayor)**

Mayor Paul Casias presented the Fort Stockton Police Department Dispatch Team with a Proclamation endorsing April 14, 2024 - April 20, 2024 as "National Public Safety Telecommunicators Week."

4. Proclamation endorsing April 18, 2024 as "National Lineman Appreciation Day." **(Mayor)**

Mayor Paul Casias presented Texas New Mexico Power Company and Rio Grande Electric Co-op with a Proclamation each endorsing April 18, 2024 as "National Lineman Appreciation Day."

5. Proclamation endorsing the month of May as "Community Action Month." **(Mayor)**

Mayor Paul Casias presented the Pecos County Community Action Team with a Proclamation endorsing the month of May as "Community Action Month."

PRESENTATIONS:

6. **Chief of Police Ernesto Velasquez with Fort Stockton Police Department----**
 - Statistics Report for March 2024

March Calls for Service

Total Calls for Service: 2,872

FSPD Calls: 1,913

FSFD Calls: 19

City: 6

County: 13

PCEMS Calls: 263

PCSO Calls: 656

March Traffic Statistics

Traffic Stops: 769
City: 549
Other Agency: 220
Traffic Citations Issued: 102
Motor Vehicle Accidents: 100
City: 60
Other Agency: 40

March Cases Filed for Prosecution:

Juvenile Probation: 0
County Attorney: 107
83rd District Attorney: 47
112th District Attorney: 0

March Arrest Statistics:

Total Arrests: 56
Charges:
Arson: 0
Assault: 6
Burglary: 0
Criminal Mischief: 1
Criminal Trespass: 2
Disorderly Conduct: 7
Duty on Striking: 0
Driving While Intoxicated: 7
Driving While License Invalid: 0
Evading Arrest: 0
Failure to ID: 0
Family Violence: 0
Murder: 0
Outstanding Warrant: 21
Possession of Controlled Substance: 9
Possession of Marijuana: 8
Public Intoxication: 6
Racing: 1
Resisting Arrest: 3
Sexual Assault: 0
Smuggling of Persons: 0
Terroristic Threat: 1
Theft: 1

Undocumented Migrants: 0
Unlawful Carry: 3
Injury to Child/Elderly: 0
Reckless Driving: 0
Deadly Conduct: 0
Forgery: 0
Harboring a Runaway: 1
Unauthorized Use of a Motor Vehicle: 1
Interference with Child Custody: 1

- Statistics Report for Year to Date:

Year To Date Calls for Service

Total Calls for Service: 4,254
FSPD Calls: 2,753
FSFD Calls: 33
City: 15
County: 18
PCEMS Calls: 437
PCSO Calls: 1,003

Year To Date Traffic Statistics

Traffic Stops: 1,210
City: 841
Other Agency: 369
Traffic Citations Issued: 145
Motor Vehicle Accidents: 140
City: 81
Other Agency: 59

Year To Date Cases Filed for Prosecution:

Juvenile Probation: 0
County Attorney: 158
83rd District Attorney: 69
112th District Attorney: 0

Year To Date Arrest Statistics:

Total Arrests: 78
Charges:
Arson: 0

Assault: 9
 Burglary: 0
 Criminal Mischief: 4
 Criminal Trespass: 5
 Disorderly Conduct: 7
 Duty on Striking: 0
 Driving While Intoxicated: 7
 Driving While License Invalid: 1
 Evading Arrest: 0
 Failure to ID: 0
 Family Violence: 0
 Murder: 0
 Outstanding Warrant: 31
 Possession of Controlled Substance: 15
 Possession of Marijuana: 10
 Public Intoxication: 9
 Racing: 1
 Resisting Arrest: 4
 Sexual Assault: 0
 Smuggling of Persons: 0
 Terroristic Threat: 1
 Theft: 1
 Undocumented Migrants: 0
 Unlawful Carry: 4
 Injury to Child/Elderly: 0
 Reckless Driving: 0
 Deadly Conduct: 2
 Forgery: 0
 Harboring a Runaway: 1
 Unauthorized Use of Motor Vehicle: 1
 Interference with Child Custody: 1

CONSENT AGENDA:

7. 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, 04/08/2024
- Special Meeting Minutes of Fort Stockton City Council, 04/16/2024
- Special Meeting Minutes of Fort Stockton Economic Development 4-A Corporation, 03/25/2024

- Special Meeting Minutes of Fort Stockton Economic Development 4-B Corporation, 03/25/2024
- Special Meeting Minutes of Fort Stockton Tourism Advisory Board, 03/25/2024
- Regular Meeting Minutes of Intergovernmental Recreation Board, 03/20/2024
- Regular Meeting Minutes of Building & Standards Commission, 03/07/2024
- Regular Meeting Minutes of Fort Stockton Housing Authority Board, 02/15/2024

Accounts Payable Grand Total: \$464,254.99

Motion was made by Council Member Ruben Falcon, seconded by Mayor Pro-Tem James Warnock, and carried unanimously to approve Consent Agenda, as presented. Council Member Darren Hodges, Council Member Paul Jerome Chavez, Mayor Paul Casias, Mayor Pro-Tem James Warnock, Council Member Ruben Falcon voted aye.

ANNEXATION REQUEST:

8. Discuss/Act upon Municipal Services Agreement between the City of Fort Stockton and Property Owner Duff Real Estate, LLC. (City Atty.)

City Attorney Puja Boinpally advised City Council this Municipal Services Agreement was for the Voluntary Annexation of Property owned by Duff Real Estate, LLC. She further explained this Agreement states upon Annexation into the City of Fort Stockton the Property Owner will be allowed to connect to City Services at their expense. The Property Owner has requested to annex their 5.72 Acres for the purpose of bringing a Tire Mart to the Community.

Council Member Darren Hodges inquired who the authorized signatory for Duff Real Estate, LLC. is.

City Attorney Puja Boinpally responded Perry Phillips was the Authorized Signatory in this case.

Motion was made by Mayor Pro-Tem James Warnock, seconded by Council Member Paul Jerome Chavez, and carried unanimously to approve Municipal Services Agreement between the City of Fort Stockton and Property Owner Duff Real Estate, LLC. Council Member Darren Hodges, Council Member Paul Jerome Chavez, Mayor Paul Casias, Mayor Pro-Tem James Warnock, Council Member Ruben Falcon voted aye.

RESOLUTION:

9. Discuss/Act upon Resolution No. 24-109R, a Resolution setting a date, time and place for the Public Hearing on the Proposed Annexation of Certain Property by the City of Fort Stockton, Texas, more particularly described as 5.72 acre tract of land being out of Section Twenty-Three (23), Block One Hundred Forty-Six (146), T. & ST. L. RY. CO. SURVEY, and also being out of and part of those same certain tracts called Tract One and Tract Two described in conveyance document to Ray House Jr. and Ellie M. House, recorded in Volume 765, Page 23 of the Deed Records of Pecos County, Texas, to the City of Fort Stockton, According to the Map or Plat of Said Addition, Plat Records of Pecos County, Texas, which shall be zoned as a "Commercial District (C)" for the Procurement of Utility Services as requested by Property Owner Duff Real Estate, LLC and Authorizing and Directing the Mayor to Publish Notice of Such Public Hearing. **(City Sec./Bldg. Offl.)**

City Secretary Marina Cantu explained this is the Resolution Scheduling the Public Hearing for the Annexation of the Property located next to Flying J, belonging to Duff Real Estate, LLC, to be held May 13, 2024 at 5:30 p.m. in the City Hall-Council Chambers.

Motion was made by Mayor Pro-Tem James Warnock, seconded by Council Member Paul Jerome Chavez, and carried unanimously to approve Resolution No. 24-109R, a Resolution setting a date, time and place for the Public Hearing on the Proposed Annexation of Certain Property by the City of Fort Stockton, Texas, more particularly described as 5.72 acre tract of land being out of Section Twenty-Three (23), Block One Hundred Forty-Six (146), T. & ST. L. RY. CO. SURVEY, and also being out of and part of those same certain tracts called Tract One and Tract Two described in conveyance document to Ray House Jr. and Ellie M. House, recorded in Volume 765, Page 23 of the Deed Records of Pecos County, Texas, to the City of Fort Stockton, According to the Map or Plat of Said Addition, Plat Records of Pecos County, Texas, which shall be zoned as a "Commercial District (C)" for the Procurement of Utility Services as requested by Property Owner Duff Real Estate, LLC and Authorizing and Directing the Mayor to Publish Notice of Such Public Hearing. Council Member Darren Hodges, Council Member Paul Jerome Chavez, Mayor Paul Casias, Mayor Pro-Tem James Warnock, Council Member Ruben Falcon voted aye.

REGULAR BUSINESS:

10. Discuss/Act upon Memorandum of Understanding and Infrastructure Agreement between Permian Basin Workforce Development Board and Fort Stockton Housing Authority.

(Housing Dir.)

Housing Authority Director Paula Ureste explained this Memorandum of Understanding is an Agreement between the Fort Stockton Housing Authority and the Permian Basin Workforce to comply with the Workforce Initiative and Opportunity Act Regulations. Their common goal is to help their clients to become self sufficient.

Motion was made by Council Member Darren Hodges, seconded by Council Member Paul Jerome Chavez, and carried unanimously to approve Memorandum of Understanding and Infrastructure Agreement between Permian Basin Workforce Development Board and Fort Stockton Housing Authority. Council Member Darren Hodges, Council Member Paul Jerome Chavez, Mayor Paul Casias, Mayor Pro-Tem James Warnock, Council Member Ruben Falcon voted aye.

- 11. Discuss/Act upon Gambling Proceeds totaling \$9,143.00 that were recovered from inside gambling machines prior to destruction and awarded to the Fort Stockton Police Department. **(City Mgr./C.O.P.)**

Chief of Police Ernesto Velasquez requested City Council consider accepting \$9,143.00 that was recovered from inside the gambling machines, seized from Las Maquinitas formerly located in front of Heritage Funeral Home, prior to destruction. He explained this case stented from 2019 and was finally dispositioned. This is part of the agreement between the Fort Stockton Police Department and the 83rd District Attorney's Office.

Motion was made by Mayor Pro-Tem James Warnock, seconded by Council Member Ruben Falcon, and carried unanimously to Accept Gambling Proceeds totaling \$9,143.00 that were recovered from inside gambling machines prior to destruction and awarded to the Fort Stockton Police Department. Council Member Darren Hodges, Council Member Paul Jerome Chavez, Mayor Paul Casias, Mayor Pro-Tem James Warnock, Council Member Ruben Falcon voted aye.

- 12. Discuss/Act upon 2nd Quarterly Revenue & Expense Report ending March 31, 2024. **(Dir. of Fin.)**

Director of Finance Maria Rodriguez provided the following report:

	REVENUES	EXPENSES	REVENUES OVER/(UNDER) EXPENDITURES

GENERAL	\$ 6,231,294.27	\$ 4,816,222.90	\$ 1,415,071.37
HB 445	\$ 317,864.90	\$ 409,607.97	(\$ 91,743.07)
	<i>We are at 64%; keep in mind, the summer months are when we spend most of the money on our streets.</i>		
RECREATION	\$ 215,008.00	\$ 235,192.52	(\$ 20,184.52)
	<i>They will require a budget amendment for a piece of equipment that was ordered last year and did not arrive until this fiscal.</i>		
HOUSING AUTHORITY	\$ 393,544.36	\$ 339,112.93	\$ 54,431.43
ENTERPRISE	\$ 5,664,492.93	\$ 6,196,019.75	(\$ 531,526.82)
	<i>This is due to the UT Lands Lease and Covering. There will probably be a budget amendment for this.</i>		
EDC 4-A	\$ 474,931.26	\$ 249,495.96	\$ 225,435.30
EDC 4-B	\$ 365,559.91	\$ 595,877.12	(\$ 230,317.21)
	<i>This is the fund that has paid for all the renovations to the Gene Cummings Park.</i>		
CVB	\$ 525,800.37	\$ 534,280.35	(\$ 8,479.98)
	<i>This is normal, they receive most of their revenue during the summer months.</i>		
VENUE TAX	\$ 149,541.76	\$ 191,868.68	(\$ 42,326.92)
	<i>This is normal, they receive most of their revenue during the summer months.</i>		
DEBT SERVICE	\$ 1,425,450.92	\$ 1,101,889.57	\$ 323,561.35
	<i>Our next payment won't be until September.</i>		

Motion was made by Council Member Ruben Falcon, seconded by Council Member Paul Jerome Chavez, and carried unanimously to approve 2nd Quarterly Revenue & Expense Report ending March 31, 2024. Council Member Darren Hodges, Council Member Paul Jerome Chavez, Mayor Paul Casias, Mayor Pro-Tem James Warnock, Council Member Ruben Falcon voted aye.

13. Discuss/Act upon the 2nd Quarterly Investment Report ending March 31, 2024. (Dir. of Fin.)
At the end of March, TexPool's average interest rate was 5.32%; LOGIC's average interest rate was 5.47%. Our local bank, Pecos County State Bank, is currently at 4.85%.

In accordance with Resolution No. 11-110R, the City exceeded the required 7% of General Fund's and Enterprise Fund's budgeted expenses totaling \$22,306,330.00 by maintaining \$1,561,443.10

GENERAL			
	<i>Beginning of Quarter</i>	<i>End of Quarter</i>	<i>Quarterly Interest Earned</i>
TOTAL	\$ 10,193,881.99	\$ 11,097,507.73	\$ 144,145.19

CVB			
	<i>Beginning of Quarter</i>	<i>End of Quarter</i>	<i>Quarterly Interest Earned</i>
TOTAL	\$ 896,501.92	\$ 901,068.31	\$ 11,593.12
EDC 4-A			
	<i>Beginning of Quarter</i>	<i>End of Quarter</i>	<i>Quarterly Interest Earned</i>
TOTAL	\$ 3,383,110.18	\$ 3,529,340.18	\$ 46,034.59
EDC 4-B			
	<i>Beginning of Quarter</i>	<i>End of Quarter</i>	<i>Quarterly Interest Earned</i>
TOTAL	\$ 1,680,313.14	\$ 1,535,948.04	\$ 22,233.40
SPECIAL ASSESSMENT			
	<i>Beginning of Quarter</i>	<i>End of Quarter</i>	<i>Quarterly Interest Earned</i>
TOTAL	\$ 3,496,148.67	\$ 3,301,527.89	\$ 47,692.56

Motion was made by Council Member Paul Jerome Chavez, seconded by Council Member Darren Hodges, and carried unanimously to approve 2nd Quarterly Investment Report ending March 31, 2024. Council Member Darren Hodges, Council Member Paul Jerome Chavez, Mayor Paul Casias, Mayor Pro-Tem James Warnock, Council Member Ruben Falcon voted aye.

14. Discuss/Act upon payment to Rudis Paving LLC in the amount of \$133,567.95 for Paving of Second Street, Valentine Street and 3rd Street for the New Southside Fire Station, project approved March 25, 2024. (EDC Dir.)

Economic Development Executive Director Remie Ramos explained this project has been completed and verified with Public Works Director Luis Guerra; therefore, he requested the payment be approved.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Paul Jerome Chavez, and carried unanimously to approve payment to Rudis Paving LLC in the amount of \$133,567.95 for Paving of Second Street, Valentine Street and 3rd Street for the New Southside Fire Station, project approved March 25, 2024. Council Member Darren Hodges, Council Member Paul Jerome Chavez, Mayor Paul Casias, Mayor Pro-Tem James Warnock, Council Member Ruben Falcon voted aye.

15. Discuss/Act upon Infrastructure Extension Project to the TNMP New Facility located on Ellyson Blvd. as approved by Economic Development 4-A Corporation on March 8, 2024 not to exceed \$230,000.00. (EDC Dir.)

Economic Development Executive Director Remie Ramos explained the Economic Development 4-A Corporation previously agreed to expend an amount not to exceed \$230,000.00 to extend the water, sewer, and gas lines from the current location to the adjacent property line of the TNMP Project. This includes two water taps: one for the standard use and the other for fire hydrant line, one standard sewer tap, and one standard gas meter.

Motion was made by Mayor Pro-Tem James Warnock, seconded by Council Member Paul Jerome Chavez, and carried unanimously to approve Infrastructure Extension Project to the TNMP New Facility located on Ellyson Blvd. as approved by Economic Development 4-A Corporation on March 8, 2024 not to exceed \$230,000.00. Council Member Darren Hodges, Council Member Paul Jerome Chavez, Mayor Paul Casias, Mayor Pro-Tem James Warnock, Council Member Ruben Falcon voted aye.

16. Discuss/Act upon 1st payment to AG Oilfield Services, Inc. for Infrastructure Extension Project to the New TNMP Facility located on Ellyson Blvd. in the amount of \$50,000.00. (EDC Dir.)

Economic Development Executive Director Remie Ramos explained the \$50,000.00 is a portion of the entire \$230,000.00 project. That project is for the installation of the water, sewer, and gas line. However, upon initiating the project it was discovered that rock trenching was required since the area is located on the hill.

Motion was made by Council Member Paul Jerome Chavez, seconded by Council Member Ruben Falcon, and carried unanimously to approve 1st payment to AG Oilfield Services, Inc. for Infrastructure Extension Project to the New TNMP Facility located on Ellyson Blvd. in the amount of \$50,000.00. Council Member Darren Hodges, Council Member Paul Jerome Chavez, Mayor Paul Casias, Mayor Pro-Tem James Warnock, Council Member Ruben Falcon voted aye.

17. Discuss/Act upon Street Repair Agreement between the City of Fort Stockton and Little Regina Trucking, LLC. (City Atty./City Mgr.)

City Attorney Puja Boinpally explained this is the Street Repair Agreement for the project that was previously approved which entails Little Regina Trucking, LLC assisting with street repairs. Owner Oscar Franco will be notified by the City of Fort Stockton of any projects and will be advised of the total yardage. Little Regina Trucking, LLC will have 2 weeks to

complete each project and will be paid \$4.58 per square yard. An invoice will be submitted for each project. This agreement will terminate December 31, 2024.

Motion was made by Council Member Paul Jerome Chavez, seconded by Council Member Darren Hodges, and carried unanimously to approve Street Repair Agreement between the City of Fort Stockton and Little Regina Trucking, LLC. Council Member Darren Hodges, Council Member Paul Jerome Chavez, Mayor Paul Casias, Mayor Pro-Tem James Warnock, Council Member Ruben Falcon voted aye.

Mayor Paul Casias Recessed from the Regular Meeting to Convene into the Executive Session at 6:14 p.m.

EXECUTIVE SESSION:

18. **City Council may Convene in Closed Session in Accordance with Texas Meetings Act, Texas Government Code, Concerning Attorney-Client Matters (Section 551.071); Deliberation regarding Real Property (Section 551.072); Deliberation regarding Prospective Gifts (Section 551.073); Personnel Matters (Section 551.074); Deliberation regarding Security Devices (Section 551.076) and/or Deliberation Regarding Economic Development Negotiations (Section 551.087):**

- a. Deliberation regarding Real Property, more specifically the Blueridge Farm Lease Agreement between the City of Fort Stockton and BioCatters, LLC. **(City Mgr.)**

Mayor Paul Casias Closed Executive Session to Reconvene into the Regular Meeting at 7:27 p.m.

REGULAR BUSINESS CONTINUED:

19. Reconvene into Open Session Pursuant to Texas Government Code Section 551.102 & Take Action, if any, on Matters Deliberated in Executive Session:
 - a. Deliberation regarding Real Property, more specifically the Blueridge Farm Lease Agreement between the City of Fort Stockton and BioCatters, LLC. **(City Mgr.)**

NO ACTION TAKEN

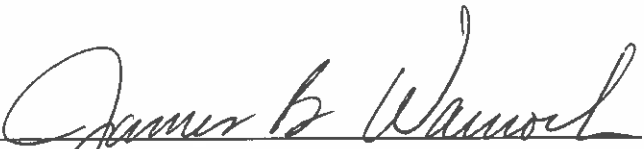
20. Questions from Media.

There were no questions from Media.

21. Adjourn.

Motion was made by Council Member Darren Hodges, seconded by Council Member Ruben Falcon, and carried unanimously to adjourn the Regular City Council Meeting at 7:34 p.m. Council Member Darren Hodges, Council Member Paul Jerome Chavez, Mayor Paul Casias, Mayor Pro-Tem James Warnock, Council Member Ruben Falcon voted aye.




Paul Casias, Mayor
JAMES B. WARNOCK, MAYOR PRO-TEM

ATTEST:


Marina A. Cantu, City Secretary