

CITY OF FORT STOCKTON, TEXAS

MINUTES OF: REGULAR CITY COUNCIL MEETING
DATE OF MEETING: JUNE 13, 2022
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, JAMES WARNOCK, PAUL CASIAS, RUBEN J BERNAL, RUBEN FALCON

MAYOR: JOE CHRIS ALEXANDER
CITY MANAGER: FRANK RODRIGUEZ III
CITY SECRETARY: MARINA CANTU
CITY ATTORNEY: PUJA BOINPALLY

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

Mayor Pro-Tem 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 James Warnock led the Pledge of Allegiance to the United States of America Flag & the Pledge of Allegiance to the Texas Flag.

PRESENTATIONS:

1. **Chief Executive Officer Sharlene Leurig of Texas Water Trade---**
 - Restoration of Comanche Springs

Chief Executive Officer Sharlene Leurig explained she runs Texas Water Trade. This company works statewide as a non-profit to enable market based solutions to provide water for

people and for nature. The past three (3) years they have been working in Fort Stockton, with stakeholders in Pecos County and primarily in the Belding area. They are looking for opportunities on how they might enable a voluntary water market. This could allow Comanche Springs to restore some portion of its flow. The Comanche Springs have flowed for the past decade for approximately a quarter of every year.

Shared Water Resources

- Pecos Alluvium-shallowest aquifer
- **Edwards-Trinity**
- Dockum
- Rustler
- **Capitan Reef Complex**-much deeper, harder to access, important resource

She presented a screen shot of their data resources that are available to all interested in water.

Management Zones can be created by the Groundwater Conservation District. It allows them to create rules and targets as to how water is produced and managed within an area where the water is all related to each other.

Middle Pecos Groundwater Conservation District (MPGCD) manages the groundwater across Pecos County.

MPGCD designated three (3) Management Zones. There are several water resources that are all related located within Management Zone 1.

Historic Demand Estimates are Wide Range

- Historic Demand for water in Management Zone 1 is not a really well understood variable.
- There was a study completed thanks to the City of Fort Stockton. It provides matching funds to a \$100,000.00 grant that the Texas Water Trade received from National Fish & Wildlife Foundation.
- They took all the models and estimates of historic production in Management Zone 1 and placed them on a single graph to see how well they agreed with one another. There is a
- tremendous divergence in what some say was produced in Management Zone 1 historically. If you go back to the 1940's, 1950's, 1970's, and 1980's, they were the peak decades of demand in that area.
- Some estimate that the total production was over 100,000 acre-feet while others estimated as little as half that production.

- 1 acre foot is the equivalent to submerging an acre of land with a foot of water. (equivalent to several 100,000's gallons of water.)
- This matters because any decisions made are based on the production numbers. There
- were no meters on these wells back in the 50's-70's, estimates were used for these calculations.

Drivers of Increasing Water Demand

- Economic Growth in Fort Stockton
 - Housing Development
 - New Industrial Demands
- Projected Additional Municipal Demands
 - Contract for municipal supply for Region F cities.
- Changing Agricultural Patterns
 - Shift in crops changes irrigation timing and total demand
 - Hotter, drier weather expands irrigation season and elevates demand

Future Additional Water Demand

- Demand in Management Zone 1 (MZ1) in the Edwards-Trinity Aquifer in 2020 was 46,485 acre-feet (AF)
- Additional permitted municipal demand in MZ1 could add another 15,000-17,000 acre-feet/year.
- For reference, City of Fort Stockton used 2,645 acre-feet in Management Zone 1 in 2019.
- Data Centers demand additional water whether it is potable or regular water.
- Agriculture season plays a huge role in the demand of water
- The younger pecan orchard with juvenile trees may exhibit an additional need for water.

Benefits of Preserving Shared Water Resources

- Water reliability for all users
- Water quality for all users
- Potential Spring-Related Tourism

Tourism & Water Resilience-Mutually Reinforcing Objectives

- Promote Regional Heritage Tourism-Diversify the local economy by leveraging Fort Stockton's unique location, history and culture.
- Enhance Water Resources for Locals & Visitors-Invest in enhanced water supply resilience and recreational amenities.

Heritage Springs Tourism can be a powerful economic diversifier for Fort Stockton

The National Trust for Historic Preservation defines Heritage Tourism as "Traveling to experience the places, artifacts, and activities that authentically represent the stories and people of the past"

The Springs have the ability to attract tourism, which would in turn produce more spending, jobs, and increase local taxes.

Heritage Tourism by the numbers

- 12.5% of all travel spending in Texas
- \$2.8 billion in total visitor spending per year.
- 54,0000 jobs in retail, services, transportation, construction, etc.

Every 10,000 Heritage Tourism Visitor Days Generates:

- \$551,250 in Visitor Spending
- 13 Full-Time Jobs
- \$486,298 in Labor Income
- \$31,258 in Local Taxes

Fort Stockton's Unique Assets

- Location - over 8,000 cars pass through Fort Stockton every day, but few stop for more than refueling.
- History - Fort Stockton's walkable historic district connects visitors from the Old Fort to businesses and civic infrastructure in the historic downtown.
- Water - Flowing or not, Comanche Springs draws tourists for its place in Texas history. Comanche Springs Pool is one of two functioning, historic bath houses in the Big Bend.

Local Civic Group Identified Key Investments at each stage of the Visitor Recruitment Cycle

- Getting Passerby to stop in Fort Stockton
 - Branding & Advertising-Destinations can convince passerby to spend time in the historic downtown.
- Once stopped, visitors know where to go
 - Improved Signage-When visitors stop in Fort Stockton, many have trouble finding the historic or natural landmarks they're looking for. Improving signage could better direct the flow of visitors to key areas.
- Creating Memorable Visits

- Pool Renovations & Staffing-The pool is often closed due to lack of staffing and the current design doesn't capitalize on natural spring flow. Future renovations and improved staffing can make the poolhouse and park a memorable destination.
- Opportunities to Return
 - Events: Heritage/Springs-Events are a big draw for tourists to Fort Stockton. Adding more events to the calendar, especially focused on local history, downtown, or the springs, can help establish Fort Stockton as a destination while at the same time, building civic pride.

What Actions can the City take to Advance Water Resilience & Heritage Tourism?

- Support On-Farm Water Conservation
 - Goal: Maintain or enhance agricultural production in Management Zone 1 with lower total water demand.
 - Texas Water Trade advancing \$2.6 million, 5-year NRCS partnership to reduce agricultural water demand
 - \$1.1 million federal commitment
 - \$1.6 million non-federal match (Texas Water Development Board, philanthropy, corporate, municipal)
 - Focused on irrigation efficiency upgrades (e.g. flood to sprinkler) and crop switches
 - Just signed first 15-year forbearance agreement committing 100% of conserved water to aquifer storage. (1st time done outside of the San Antonio Area)
- Explore Supply Alternatives
 - Analysis commissioned by Texas Water Trade-\$20,000 study funded by philanthropy.
 - Conducted by Aqua Strategies, a planning and engineering firm
 - Data on RO operating costs and pipeline construction costs provided by City of Fort Stockton
- Supply Alternatives Evaluated
 - They received a \$20,000 grant from a foundation that they invested in an engineering and hydrogeology study for the City of Fort Stockton.
 - They looked into different supply options if the city chose to shift away from their Edwards Trinity well field.
 - This would allow the City to dedicate its current demand from the aquifer to the restoration of the Comanche Springs.
 - It would make the City potentially more resilient to any future drawdown that could happen to Edwards Trinity as a result to any future additional demands.

- Water Rate Effect of Alternative Well Options
 - They also looked at how they might be able to offset the cost of the new well field by finding improvements at the Reverse Osmosis Plant.
 - It is very costly to remove the amount of salt in our water.
 - They looked at 4 different options; unfortunately, they did not find a cost effective option.
 - They looked at investing in a well field in Coyanosa; however, the cost of a pipeline from there to Fort Stockton was not cost effective.

How can we help?

- Track state funding opportunities to advance water resilience Develop
- conceptual structure of Drinking Water Protection Fund
- Match with funds raised from corporate, government and philanthropic resources
- Define and track metrics to quantify tourist visitation in historic downtown Other?

Council Member Ruben Falcon we would benefit from the Restoration of the Comanche Springs.

Council Member Darren Hodges farming irrigation plays a large role on water usage.

Mayor Pro-Tem Paul Casias recessed from the Regular City Council Meeting to Convene into the following Public Hearing at 6:15 p.m.

PUBLIC HEARINGS:

2. Application request from Property Owner A&B Prestige Investments, LLC to consider Annexing Approximately 20.1 acres of land, described as All of Lots 2 through 13 (inclusive) and All of Lots 27 through 42 (inclusive), and All of Lots 44 through 58 (inclusive), TRIPLE CROWN ESTATES, being a replat of the North Half (N/2) of SUNNY SLOPE ADDITION, according to the map or plat of said Addition described and recorded in File Number 2020-17136, Official Public Records, Pecos County, Texas; which will be Zoned "Multiple-Family Dwelling District.

Attorney Adrian Valadez of Valadez Law Offices represented A&B Prestige Investments, LLC in their Annexation and Zoning Petition for their New Residential Subdivision in Fort Stockton.

He presented visual evidence to correct previously misinformed issues that are relevant to the review of the zoning of this land.

One of the issues presented to the Planning & Zoning Commission is that the property proposed to be annexed is located in a Flood Zone. This allegation is blatantly false. The City Engineer Raul Rodriguez reviewed the proposed land for flooding issues and has approved the drainage plan and approved it with his stamp and signature.

The other concern voiced was that there would be an apartment complex or apartment housing on this land. A&B Prestige Investments, LLC does not have any plans or intentions of building a Apartment Complex or Apartment housing in this area. The reason the Multiple-Family Dwelling District Zoning Designation was necessary was to allow the Fort Stockton Independent School District (FSISD) to build teacher housing in the form of duplexes.

Lots 15, 16, 17, 18 & 19 were donated to the FSISD. These lots will have duplexes. The rest of the property is partitioned for Single-Family Dwellings. The entire property has deed restrictions which include that all the lots will have at least 2,000 sq. ft. of living area with the exception of the duplexes which will have at least 1,000 sq. ft. of living area per side. All residences must have at least 90% of their exterior walls made of stone, brick, or stucco. All backyard fences must be constructed as privacy fences of at least 6 ft. tall with opaque materials such as metal, wood or cinder block. Chain link fences and any other see-through fencing materials are strictly prohibited for use in the backyard. Each Owner must keep the Lot, all Landscaping, the Residence, and all Structures in a neat, well-maintained, and attractive condition. These restrictive covenants would affect all of these properties.

He reiterated that A&B Prestige Investments, LLC would like to assure everyone that the only multi-family dwellings would be those belonging to the school district which are reserved for teacher housing duplexes. The rest of the lots will be comprised of newly built, large homes, with larger than average lot sizes. The lots will have the deed restrictions which will hold them to higher standards of construction. In addition, it will be well-maintained and in attractive condition.

A&B Prestige Investments, LLC requested that City Council approve the residential zoning petition to allow this new subdivision to benefit the citizens of Fort Stockton by providing new residential lots for development and a new neighborhood for home builders to enjoy.

Property Owner Andy Rivera stated he was approached about getting this housing development project started, as it is needed for the community to grow. The Triple Crown Estates consists of 43 lots, which will contain single-family homes. The lots are larger than average so congestion should not be an issue. City Engineer Raul Rodriguez created the plans for the infrastructure to work accordingly. The property is a Flood free zone, confirmed by FEMA. This

property is a livestock free, absolutely no livestock will be allowed. The property has deed restrictions, which will ensure that these will be upper-class homes. This development is much needed for the community of Fort Stockton. The development of this project will bring more jobs such as plumbers, electricians, and carpenters. It will also increase revenue to many local businesses and local realtors. The City will benefit from the added taxes and utilities. A&B Prestige Investments, LLC will make a one time profit on this project; however, the community of the City of Fort Stockton will benefit from this project for the lifetime of Fort Stockton. They have been working on this project for the past 4 years. They asked City Council to approve the Annexation and Zoning of their property.

Tom Ingram of 101 Greasewood

He has lived in that area for approximately 24 years. He along with others who live in the area are opposed to the petition to zone the area as Multi-Family for the following reasons:

- Increased traffic would cause congestion in the area, which would cause excessive wear on the streets.
- Renters are not permanent, and little is known about them creating a safety issue to the community as well as the school located adjacent to the property. Housing is available
- without the proposed annexation.

Last Wednesday the Planning & Zoning Commission unanimously voted to deny this request for Multi-Family Zoning. He asked City Council to protect the community's safety, infrastructure and property values.

Mayor Pro-Tem Paul Casias advised everyone that they had a petition signed by interested parties, and assured them it would be taken into consideration.

George Hansard of 447 Sycamore

- He has violated deed restrictions that apply to his property; therefore, how do you know that he will keep his word of not building an apartment complex.

Al Haney of 111 S. Sage St.

- If the property is zoned Multi-family what would keep Mr. Rivera from building Multi-family buildings.
- Traffic will increase due to Multi-family dwellings.
- Water run-off will increase
- The water berm was removed and there has been a great deal of dirt, rocks, debris etc. in city streets.

- It is not in the citizens best interest to dilute the housing market with new construction infrastructure.
- There are homes for sale and apartments for rent in Fort Stockton.
- It would not benefit the City to invest in the infrastructure cost related to serving new customers,, the increase in new streets to maintain, and these costs would be off-set by any tax revenue that the City would gain.
- He is in breach of a covenant pertaining to livestock, which brings question if you don't honor a past agreement, would you honor a present agreement.

Tom Ezell of 109 E. Colpitts

- There are plenty of other undeveloped areas that the school owns such as the former Comanche School or the Driving Range that could be developed.

Bob Ingram of 102 Sage

- The property in the area is residential and should remain so.

Bobby Blanchard of 100 S. Sage

- He purchased his property with the understanding that the surrounding properties would not be available for development.
- There is plenty of housing available for teachers within Fort Stockton
- Little is known about renters.
- Property value decreasing
- Traffic increasing, causing a safety issue.

There being no further public comment, **Mayor Pro-Tem Paul Casias** closed the Public Hearing to convene into the Next Public Hearing at 6:38 p.m.

3. Application request from Property Owner Fort Stockton Independent School District to consider Annexing Approximately 1.63 acres of land, described as All of Lots Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18) and Nineteen (19), TRIPLE CROWN ESTATES, being a replat of the North (N/2) of SUNNY SLOPE ADDITION, according to the map or replat of said Addition described and recorded in File Number 2020-171366, Official Public Records, Pecos County, Texas; which will be Zoned "Multiple-Family Dwelling District.

Al Haney of 111 Sage Street

Attorney Adrian Valadez stated the property North of the Triple Crown Estates was donated to the school; however, he understood there was a check of \$132,000 involved.

- There may be legal issues that would cause issues with this property being annexed. The
- city should not lend any further services to such annexation or infrastructure at this time.

George Hansard of 447 Sycamore

- Open Meetings Act was violated
- Mr. Rivera should not have been allowed in Executive Session.
- An illegal meeting may void a contract.
- On May 24, 2021 according to the School Board Minutes Mr. Andy Rivera was in attendance when he convened in Executive Session where the board deliberated purchasing property from him.
- When the school board is interested in purchasing property from a board member they are required to file financial affidavits. One has to be filed with the School Board and the other with the County Clerk. Failure to file these disclosures is a criminal offense. These disclosures should be filed on their website.
- Fort Stockton Independent School District Disclosure. This property was sold for \$132,000, which is more than \$2,500. Failure to disclose is a criminal offense. There
- were other minutes that approved the Resolution authorizing the purchase of 6 lots for \$132,000. However, there were only 4 lots purchased. During the meeting, it was stated if there was any inconsistency it would be brought back to the Board for their review. This is considered a misappropriation of funds.
- \$130,649.26 check was made to EWA Title company to purchase the Triple Crown Estates. He voted on the consent agenda that approved this payment. \$100,000 an acre
- for property for raw land with no improvements.

Adrian Valadez

Provided a letter issued by Beverly Olsen dated June 13, 2022 explaining a discrepancy of the June 21, 2021 Meeting Minutes. Mr. Andy Rivera was not present at the June 21, 2021 Special Budget Workshop Meeting though the minutes reflect such. She stated the meeting was called to order at 6:05 p.m. Andy Rivera did not respond during roll-call. Board Member Sandra Rivera raised concern as to land ownership. Board President Espino commented that Andy Rivera would be there later to clarify. The Board voted to approve the Resolution authorizing the New Superintendent to negotiate a contract for the purchase of the property. Motion carried 5-0. Freddie Martinez and Andy Rivera were absent. He presented another document issued by EWA Title pertaining to the property donation. The school chose to have a title search completed by EWA Title to determine if the property was free from debt and a deed was ordered. EWA suggested the conveyance be a Warranty Deed to be issued even though it was a gift. Gift deeds do not

hold up in title for future title insurance as insurable. All properties accepted the

- Warranty Deed. He clarified that the SUNNY SLOPES ADDITION is where Mr. & Mrs. Rivera reside, and the TRIPLE CROWN ESTATES are the addition they are seeking to annex and zone into the City of Fort Stockton.
- He presented another letter issued from EWA Title stating they researched SUNNY SLOPES ADDITION and no deed restrictions were issued for this property.

There being no further comments from the public, **Mayor Pro-Tem Paul Casias** closed the Public Hearing to Convene into the Next Public Hearing at 7:02 p.m.

4. Application request from Property Owners Brent Siegmund and Lisa Siegmund on behalf of Ledesma Properties, LLC to consider Rezoning all of Block Seven (7), ELLYSON FIRST ADDITION, Fort Stockton, Pecos County, Texas from a Commercial District (C) to a Multi-Family Dwelling District (MF), for the purpose of Constructing Multiple Duplexes; this being in accordance with Sections 7(1) & 7(2) of the Zoning Ordinance.

Raphael Rodriguez of 205 S. Nelson

- The lack of public comment leads one to believe that the previous objections to the proposed annexation are personal.
- Proposed Multi-Family Zoning for this property would pose the same issues as the previous property, if they were legitimate concerns in terms of congestion and safety.
- The Multi-Family Zoning would add value.
- You can not assume you know who is going to move into these places. Do what is right for the community, lets grow it.

George Hansard of 447 Sycamore

- This is commercial property, it is different.

Donna Measday Bryant of 605 Arnett

- Your not thinking about the students.
- The school district does not need to be in the real estate business

There being no further public comments, **Mayor Pro-Tem Paul Casias** closed the Public Hearing to Convene into the next Public Hearing at 7:07 p.m.

5. Application request from Property Owner Lisa Siegmund on behalf of Ledesma Properties, LLC to consider the Rezoning of the E/2 of Block Twenty-Five (25), ELLYSON FIRST ADDITION, Fort Stockton, Pecos County, Texas from a Commercial District (C) to a Multi-

Family Dwelling District (MF), for the purpose of Constructing Multiple Duplexes; this being in accordance with Sections 7(1) & 7(2) of the Zoning Ordinance.

Raphael Rodriguez of 205 S. Nelson

- This is about improving our city and adding value to it.
- Everyone wants to preserve value to the things they have built with their own hands.
- The Council should approve all of these things.

Robert Blanchard of 101 S. Sage

- He is opposed to this request as there is an abundance of housing already available to the community.

Sonya Vick 405 Cottonwood Circle

- There is plenty of housing available, we do not need new ones.

George Hansard of 447 Sycamore

- In January of this year, there were 30 houses available. We currently have 51 houses available. There are several homes on the market.

There being no further public comments, **Mayor Pro-Tem Paul Casias** closed the Public Hearing to convene into the Next Public Hearing at 7:11 p.m.

6. Application request from Property Owners Wayne & Rebecca Dyess on behalf of Ledesma Properties, LLC to consider Rezoning the W/2 of Block Twenty-Five (25), ELLYSON FIRST ADDITION, Fort Stockton, Pecos County, Texas, from a Commercial District (C) to a Multi-Family Dwelling District (MF), for the purpose of Constructing Multiple Duplexes; this being in accordance with Sections 7(1) & 7(2) of the Zoning Ordinance.

There being no further public comment, **Mayor Pro-Tem Paul Casias** closed the Public Hearing to Reconvene into the Regular City Council Meeting at 7:12 p.m.

ORDINANCES:

7. Discuss/Act upon Ordinance No. 22-103, An Ordinance Annexing the Hereinafter Described Territory to the City of Fort Stockton, Pecos County, Texas, and Extending the Boundary Limits of Said City so as to Include said Hereinafter Described Property within said City Limits, and Granting to all the Inhabitants of Said Inhabitants by all of the Acts, Ordinances, Resolutions, and Regulations of said City; and Adopting a Service Agreement. **(City Mgr./City Sec.)**

Motion was made by Darren Hodges to approve Ordinance No. 22-103, An Ordinance Annexing the Hereinafter Described Territory to the City of Fort Stockton, Pecos County, Texas, and Extending the Boundary Limits of Said City so as to Include said Hereinafter Described Property within said City Limits and Granting to all the Inhabitants of Said Territory by all of the Acts, Ordinances, Resolutions, and Regulations of said City; and Adopting a Service Agreement.

The Motion died for a lack of a Second.

8. Discuss/Act upon Ordinance No. 22-104, An Ordinance Annexing the Hereinafter Described Territory to the City of Fort Stockton, Pecos County, Texas, and Extending the Boundary Limits of Said City so as to Include said Hereinafter Described Property within said City Limits and Granting to all the Inhabitants of Said Inhabitants by all of the Acts, Ordinances, Resolutions, and Regulations of said City; and Adopting a Service Agreement. **(City Mgr./City Sec.)**

No action taken.

9. Discuss/Act upon Ordinance No. 22-105, An Ordinance of the City Council of Fort Stockton, Pecos County, Texas, Rezoning Block 7, ELLYSON FIRST ADDITION, Fort Stockton, Pecos County, Texas, from a Commercial District (C) to a Multi-Family Dwelling District (MF), as Petitioned by Property Owners Brent and Lisa Siegmund on behalf of Ledesma Properties, LLC, for the Purpose of Constructing Multiple Duplexes; in Accordance with Section 7(1) & 7(2) of the Zoning Ordinance. **(City Mgr./ City Sec.)**

Motion was made by Darren Hodges, seconded by Ruben Falcon, and passed to approve Ordinance No. 22-105, An Ordinance of the City Council of Fort Stockton, Pecos County, Texas, Rezoning Block 7, ELLYSON FIRST ADDITION, Fort Stockton, Pecos County, Texas, from a Commercial District (C) to a Multi-Family Dwelling District (MF), as Petitioned by Property Owners Brent and Lisa Siegmund on behalf of Ledesma Properties, LLC, for the Purpose of Constructing Multiple Duplexes; in Accordance with Section 7(1) & 7(2) of the Zoning Ordinance. Council Member Darren Hodges, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon voted aye and Council Member Ruben J Bernal, Council Member James Warnock voted nay.

10. Discuss/Act upon Ordinance No. 22-106, An Ordinance of the City Council of Fort Stockton, Pecos County, Texas, Rezoning the E/2 of Block 25, ELLYSON FIRST ADDITION, Fort Stockton, Pecos County, Texas, from a Commercial District (C) to a Multi-Family Dwelling District (MF), as

Petitioned by Ledesma Properties, LLC, for the Purpose of Constructing Multiple Duplexes; in Accordance with Section 7(1) & 7(2) of the Zoning Ordinance. (City Mgr./ City Sec.)

Motion was made by Council Member Darren Hodges, seconded by Council Member Ruben Falcon, and passed to approve Ordinance No. 22-106, An Ordinance of the City Council of Fort Stockton, Pecos County, Texas, Rezoning the E/2 of Block 25, ELLYSON FIRST ADDITION, Fort Stockton, Pecos County, Texas, from a Commercial District (C) to a Multi-Family Dwelling District (MF), as Petitioned by Ledesma Properties, LLC, for the Purpose of Constructing Multiple Duplexes; in Accordance with Section 7(1) & 7(2) of the Zoning Ordinance. Council Member Darren Hodges, Council Member James Warnock, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon voted aye and Council Member Ruben J Bernal voted nay.

11. Discuss/Act upon Ordinance No. 22-107, An Ordinance of the City Council of Fort Stockton, Pecos County, Texas, Rezoning the W/2 of Block 25, ELLYSON FIRST ADDITION, Fort Stockton, Pecos County, Texas, from a Commercial District (C) to a Multi-Family Dwelling District (MF), as Petitioned by Property Owners Wayne and Rebecca Dyess on behalf of Ledesma Properties, LLC, for the Purpose of Constructing Multiple Duplexes; in Accordance with Section 7(1) & 7(2) of the Zoning Ordinance. (City Mgr./ City Sec.)

Motion was made by Council Member Darren Hodges, seconded by Council Member Ruben Falcon, and passed to approve Ordinance No. 22-107, An Ordinance of the City Council of Fort Stockton, Pecos County, Texas, Rezoning the W/2 of Block 25, ELLYSON FIRST ADDITION, Fort Stockton, Pecos County, Texas, from a Commercial District (C) to a Multi-Family Dwelling District (MF), as Petitioned by Property Owners Wayne and Rebecca Dyess on behalf of Ledesma Properties, LLC, for the Purpose of Constructing Multiple Duplexes; in Accordance with Section 7(1) & 7(2) of the Zoning Ordinance. Council Member Darren Hodges, Council Member James Warnock, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon voted aye and Council Member Ruben J Bernal voted nay.

Mayor Pro-Tem Paul Casias recessed from the Regular City Council Meeting to convene as the Board of Adjustment at 7:21 p.m.

BOARD OF ADJUSTMENT:

12. Discuss/Act upon appointment/re-appointment of Chairman of the Board of Adjustment. (BOA Chairman)

Motion was made by Board Member Darren Hodges, seconded by Board Member James Warnock, and carried unanimously to Re-Appoint Ruben Falcon as Chairman of the Board of Adjustment. Board Member Darren Hodges, Vice-Chairman James Warnock, Board Member Paul Casias, Board Member Ruben J Bernal, Chairman Ruben Falcon voted aye.

13. Discuss/Act upon appointment/re-appointment of Vice-Chairman of the Board of Adjustment.
(Newly Appointed BOA Chairman)

Motion was made by Board Member Darren Hodges, seconded by Chairman Ruben J Bernal, and carried unanimously to Re-Appoint James Warnock as Vice-Chairman of the Board of Adjustment. Board Member Darren Hodges, Vice-Chairman James Warnock, Board Member Paul Casias, Board Member Ruben J Bernal, Chairman Ruben Falcon voted aye.

Chairman Ruben Falcon recessed from the Board of Adjustment Meeting to convene into the Public Hearing at 7:24 p.m.

14. Application Request from Property Owner Robert Guerrero to Consider a Special Exception for Placement of a Mobile Home in a One-Family Dwelling District (SF-2), on Lot 1 & 2, Block 252, ORIENT ADDITION, more particularly described as 1404 N. Valentine Street, Fort Stockton, Pecos County, Texas; this being in Accordance with Section 17(3) of the Zoning Ordinance.

City Secretary Marina Cantu advised the Board of Adjustment she heard from one property owner adjacent to the property in question that voiced a modular home would be acceptable; however, they were against a mobile home being placed in the area.

Property Owner Robert Guerrero would like to utilize the property for his grandchildren.

Building Official Roy Mendoza explained mobile homes are not allowed in this area.

Property Owner Robert Guerrero explained the mobile home would be placed on cinder blocks and it would be skirted making it a more permanent home. His fence would be extended. He will not have any chickens or goats.

Olga Gonzales inquired if the property owners were supposed to be notified of this request.

City Secretary Marina Cantu responded that property owners within 200 feet of the request were notified by letter. However, the notice is also placed in the newspaper and on the website to reach the community.

Sonya Vick inquired if this request is approved would it not set precedence for future requests.

Chairman Ruben Falcon closed the Public Hearing to Reconvene as the Board of Adjustment at 7:26 p.m.

15. Discuss/Act upon Application Request from Property Owner Robert Guerrero to Consider a Special Exception for Placement of a Mobile Home in a One-Family Dwelling District (SF-2), on Lot 1 & 2, Block 252, ORIENT ADDITION, more particularly described as 1404 N. Valentine Street, Fort Stockton, Pecos County, Texas; this being in Accordance with Section 17(3) of the Zoning Ordinance.

Vice-Chairman James Warnock inquired if Property Owner Robert Guerrero looked into a Modular Home.

Property Owner Robert Guerrero stated he looked into a Modular Home and even building a home; however, the prices are increased making it out of their range right now.

Chairman Ruben Falcon inquired what was the closest mobile home area.

Building Official Roy Mendoza replied approximately 4 sections away off of Jackson.

Property Owner Robert Guerrero explained the mobile home would be a doublewide.

Motion was made by Board Member to approve Application Request from Property Owner Robert Guerrero to Consider a Special Exception for Placement of a Mobile Home in a One-Family Dwelling District (SF-2), on Lot 1 & 2, Block 252, ORIENT ADDITION, more particularly described as 1404 N. Valentine Street, Fort Stockton, Pecos County, Texas; this being in Accordance with Section 17(3) of the Zoning Ordinance.

Motion died for a lack of a Second.

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

REGULAR BUSINESS:

18. Discuss/Act upon Increasing the Fort Stockton Economic Development 4-A Corporation Staffing Classification Plan. (City Mgr./EDC Dir.)

Economic Development Corporation Executive Director Remie Ramos explained this item is to approve the addition of a maintenance personnel to the Visitor Center Area.

City Manager Frank Rodriguez explained there is money in the budget for this position. In addition, this staff member could be utilized to assist the Convention and Visitors Bureau when needed.

Council Member Ruben Falcon inquired about the job description.

EDC Executive Director Remie Ramos explained it is the Utility Worker Job Description.

Motion was made by Council Member Ruben J Bernal, seconded by Council Member James Warnock, and passed to Authorize Increasing the Fort Stockton Economic Development 4-A Corporation Staffing Classification Plan. Council Member Darren Hodges, Council Member James Warnock, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal voted aye and Council Member Ruben Falcon voted nay.

19. Discuss/Act upon Lease or Purchase of Peacemaker Computers for the Fort Stockton Police Department. (City Mgr./Asst. COP)

Assistant Chief of Police Ernesto Velasquez explained the computers are not interchangeable.

These are mobile data terminals that are antimicrobial. They are designed to allow for cleaning as the current ones default or burn up when cleaning.

Windows 10 is almost obsolete. Everything is transitioning to Windows 11.

This will come with the modem, the printer, the tablet and the face terminal.

Mayor Pro-Tem Paul Casias inquired how many units would be purchased.

Assistant Chief of Police Ernesto Velasquez responded they were looking to purchase 13 units.

Council Member James Warnock inquired if they had looked into the lease option due to the need for constant upgrades.

Assistant Chief of Police Ernesto Velasquez responded that is the option he recommends it would cover a 3-year warranty and every 3 years you are eligible for software and terminal upgrades.

Whether you lease or purchase the computers the company will install them. It takes a matter of days.

City Manager Frank Rodriguez explained the City would utilize monies from the American Rescue Fund to lease these computers.

Motion was made by Council Member Darren Hodges, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Lease Peacemaker Computers for the Fort Stockton Police Department. Council Member Darren Hodges, Council Member James Warnock, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

20. Questions from Media

Ken Ripley of KFST Radio Station inquired the cost of the lease.

Assistant Chief of Police Ernesto Velasquez responded the total of the lease was \$29,640 a year.

Fort Stockton Pioneer Editor Nathan Heuer inquired why everyone voted or didn't vote the way they did. He also inquired what could be done differently to be reconsidered for annexation.

Council Member Darren Hodges stated the concerns voiced by the community would need to be addressed prior to being reconsidered.

Property Owner Andy Rivera clarified that there are no deed restrictions on the SUNNY SLOPE ADDITION where he resides.

Council Member Darren Hodges clarified when dealing with property the most restrictive thing will always take precedence whether it be the zoning or the deed restrictions.


Council Member Ruben Falcon stated he would like to see a new application request to zone the property as Single-Family District 1. He requested that Property Owner Andy Rivera please attend meetings when his request is being considered. He stated when city personnel have to speak your behalf, it appears as though the city is representing your project.

The consensus of City Council stated the community would like to see Single-Family homes in that area.

Mayor Pro-Tem Paul Casias responded that any new applications would be reviewed accordingly.

21. Adjourn

Mayor Pro-Tem Paul Casias adjourned the Regular City Council Meeting at 8:04 p.m.



Joe Chris Alexander, Mayor

ATTEST:



Marina A. Cantu, City Secretary