

CITY OF FORT STOCKTON, TEXAS

MINUTES OF: REGULAR CITY COUNCIL MEETING  
DATE OF MEETING: NOVEMBER 8, 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

CITY MANAGER: FRANK RODRIGUEZ III  
CITY SECRETARY: MARINA CANTU  
CITY ATTORNEY: PUJA BOINPALLY

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

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."**

Council Member Hodges gave the Invocation.

Council Member Warnock led the Pledge of Allegiance to the United States of America Flag & the Pledge of Allegiance to the Texas Flag.

**PROCLAMATIONS:**

1. **PROCLAMATION:** Endorsing November 1-5, 2021 as "Municipal Court Week." (Mayor)

Mayor Alexander presented Municipal Court Judge Maribel Perkins with the proclamation endorsing November 1-5, 2021 as "Municipal Court Week" after reading it aloud.

2. **PROCLAMATION:** Endorsing Thursday, November 11, 2021 as "Veterans Day." (Mayor)

Mayor Alexander presented Former Veterans Service Officer Joni McGee with the proclamation endorsing Thursday, November 11, 2021 as "Veterans Day" after reading it aloud.

Mayor Alexander recommended everyone attend the Veterans Day Breakfast @ 7:00 a.m. at the Large Community Hall.

Former Veterans Service Officer Joni McGee listed the festivities that would be held on Veterans Day honoring all who have served.

### PRESENTATIONS:

#### 3. Chief of Police Robert Lujan with Fort Stockton Police Department----

- Statistics for October 2021

<b>Service Calls Dispatched:</b>	<b>1265</b>
FSPD	861
FSFD	15
PCEMS	160
PCSO	205

<b>Investigations Initiated:</b>	<b>5</b>
83 <sup>rd</sup> District Attorney	0
112 <sup>th</sup> District Attorney	0
County Attorney	0
Juvenile Probation	0

<b>Accidents Worked:</b>	<b>55</b>
Accidents (PD)	38

<b>Total Arrests:</b>	<b>10</b>
Assault – Family Violence	6
Burglary	0
Criminal Mischief	5
Criminal Trespass:	18
Disorderly Conduct	0
Driving While Intoxicated	3
Evading Arrest	1
Illegal Aliens	0
Murder	0
Possession of a Controlled Substance	0
Possession of Marijuana	0
Public Intoxication	0
Resisting Arrest	1
Theft	5
Warrants	6

<b>Traffic Stops/Violations</b>	<b>266</b>
<b>Traffic Citations Issued</b>	<b>165</b>
<b>Traffic Stops (PD)</b>	<b>200</b>

<b>Misdemeanors</b>	<b>39</b>
<b>Felonies</b>	<b>8</b>

Chief of Police Lujan acknowledged Torrie Beecher of the Fort Stockton Police Department as a veteran and advised everyone that she had to leave the meeting early due to a domestic call.

### POLICE DEPARTMENT UPDATE:

- There are currently 14 dogs and 3 cats in the Animal Shelter.
- The incinerator is operable.
- There is a vacancy in Patrol.
- There is a vacancy in Animal Control.

- There is a vacancy in Dispatch vacancy.

**Council Member Falcon** inquired about the moratorium

**Chief of Police Lujan** explained that there is a new process that requires him to review each case and complete a form attesting that all necessary documentation is attached, prior to submitting the case to the District Attorney's Office.

**Mayor Alexander** recessed from the Regular City Council Meeting to Convene into the Public Hearing at 5:48 p.m.

#### **PUBLIC HEARINGS:**

4. **PUBLIC HEARING:** Application request to consider a Replat from the City of Fort Stockton that abandons and closes a 0.7661 acre tract of land being a portion of Alamo Street and Park Street as well as the alleys in Block 1 & 2 between Seventeenth Street and Eighteenth Street, RULE ADDITION, in Fort Stockton, Pecos County, Texas; the entire 4.4040 acre tract of land will be enclosed and Zoned as Commercial for the purpose of a Commercial Yard to be utilized by Texas New Mexico Power; in Accordance with Section 7(1) and 7(11) of the Zoning Ordinance.

**City Secretary Cantu** explained that Texas New Mexico Power purchased the portions of Alamo and Park Street as well as the alleys in Block 1 & 2 between Seventeenth Street and Eighteenth Street of the RULE ADDITION for the fair market value. Therefore, they are requesting the property be abandoned and closed as there are no utilities running through these areas. The property is already enclosed and is being utilized as a Commercial Yard to store equipment.

**Mayor Alexander** closed this Public Hearing to convene into the next Public Hearing at 5:51 p.m.

5. **PUBLIC HEARING:** Application request to consider Rezoning Lots S/2-2, 3, Block 161, ORIENT ADDITION, which is adjacent to Colpitts St. & Ninth St., more particularly described as 900 N. Colpitts Blvd., Fort Stockton, Pecos County, Texas, from Retail District (R) to a One-Family Dwelling District 1 (SF-1), as requested by Property Owners Wan Tong Lin & Ming Juan Lin, to reflect its current use; in accordance with Section 7(1) & 7(2) of the Zoning Ordinance.

**Mayor Alexander** explained this property was previously mentioned, as it needed to be rezoned to its current use, prior to being sold. There was an issue with the house being sold

as the possible purchaser was unable secure the proper funding due to the current zoning of the property.

**Mayor Alexander** closed this Public Hearing to Reconvene into the Regular City Council Meeting at 5:53 p.m.

**RESOLUTION:**

6. Discuss/Act upon Resolution No. 21-110R, A Resolution Approving the Official Canvass for the November 2, 2021 City Special Election. **(Mayor)**

**City Secretary Marina Cantu** explained the City of Fort Stockton's Special Election was recently held in conjunction with the Constitutional Amendments. The election was for a Proposition to Authorize the City of Fort Stockton to provide for the planning, acquisition, establishment, development, construction, renovation, and financing of new and existing convention center facilities and any related infrastructure at the location of the existing Event Center within the city limits (the "venue project") and the related maintenance and operation thereof in accordance with applicable law, and to impose a new hotel occupancy tax on the occupancy of a room in a hotel located within the City at a rate not to exceed two percent (2%) of the price paid for such a room for the purpose of financing the venue project. If approved, the maximum hotel occupancy tax rate imposed from all sources in the City of Fort Stockton would be fifteen percent (15%) of the price paid for a room in a hotel.

She advised everyone that Resolution No. 21-110R was to Canvass the votes of the election. This election yielded 206 for the proposition and 143 votes against the proposition. Therefore, the proposition passed which means that a 2% hotel occupancy tax will be imposed and will be utilized for the completion, maintenance and operations of the Fort Stockton Convention Center.

**Council Member Falcon** explained that there was a bit of confusion due to the required wording of the proposition.

**Mayor Alexander** clarified that this tax would come from the travelling public, it would not affect our local citizens unless they are staying at a hotel.

**Motion was made by Council Member Ruben Falcon, seconded by Council Member Darren Hodges, and carried unanimously to approve Resolution No. 21-110R, A Resolution Approving the Official Canvass for the November 2, 2021 City Special Election. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-**

**Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

#### **ORDINANCES:**

7. Discuss/Act upon Ordinance No. 21-130, An Ordinance of the City Council of Fort Stockton, Pecos County, Texas, Approving Application Requests from Property Owner Texas New Mexico Power to Consider a Re-plat from the City of Fort Stockton that abandons and closes a 0.7661 acre tract of land being a portion of Alamo Street and Park Street as well as the alleys in Block 1 & 2 between Seventeenth Street and Eighteenth Street, RULE ADDITION, in Fort Stockton, Pecos County, Texas; the entire 4.4040 acre tract of land will be enclosed and zoned as Commercial for the purpose of a Commercial Yard to be utilized by Texas New Mexico Power; in Accordance with Section 7(1) and 7(11) of the Zoning Ordinance. **(City Mgr./City Sec.)**

**Mayor Alexander** explained this item was what the Public Hearing was for.

**Motion was made by Council Member Darren Hodges, seconded by Council Member Pam Palileo, and carried unanimously to approve Ordinance No. 21-130, An Ordinance of the City Council of Fort Stockton, Pecos County, Texas, Approving Application Requests from Property Owner Texas New Mexico Power to Consider a Re-plat from the City of Fort Stockton that abandons and closes a 0.7661 acre tract of land being a portion of Alamo Street and Park Street as well as the alleys in Block 1 & 2 between Seventeenth Street and Eighteenth Street, RULE ADDITION, in Fort Stockton, Pecos County, Texas; the entire 4.4040 acre tract of land will be enclosed and zoned as Commercial for the purpose of a Commercial Yard to be utilized by Texas New Mexico Power; in Accordance with Section 7(1) and 7(11) of the Zoning Ordinance. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

8. Discuss/Act upon Ordinance No. 21-131, An Ordinance of the City Council of Fort Stockton, Pecos County, Texas, Amending an Ordinance Enacted June 1, 1982, by Rezoning Lots S/2-2, 3, Block 161, ORIENT ADDITION, from a Retail District (R) to a One-Family Dwelling District 1 (SF-1), as Petitioned by Property Owners Wan Tong Lin & Ming Juan Lin, to reflect its Current Use; in Accordance with Section 7(1) & 7(2) of the Zoning Ordinance. **(City Mgr./City Sec.)**

**Motion was made by Council Member James Warnock, seconded by Council Member Pam Palileo, and carried unanimously to approve Ordinance No. 21-131, An Ordinance of the City Council of Fort Stockton, Pecos County, Texas, Amending an Ordinance**

Enacted June 1, 1982, by Rezoning Lots S/2-2, 3, Block 161, ORIENT ADDITION, from a Retail District (R) to a One-Family Dwelling District 1 (SF-1), as Petitioned by Property Owners Wan Tong Lin & Ming Juan Lin, to reflect its Current Use; in Accordance with Section 7(1) & 7(2) of the Zoning Ordinance. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

9. Discuss/Act upon Ordinance No. 21-132, An Ordinance Amending Chapter 22 of the Code of Ordinances of the City of Fort Stockton Titled Taxation\*, Article V. Hotel Occupancy Tax and Repealing all other Ordinances or Portions Thereof in Conflict, a Severability Clause and Providing for its Publication and Effective Date. (Mayor/Dir. of Fin.)

Motion was made by Mayor Pro-Tem Paul Casias, seconded by Council Member James Warnock, and carried unanimously to approve Ordinance No. 21-132, An Ordinance Amending Chapter 22 of the Code of Ordinances of the City of Fort Stockton Titled Taxation\*, Article V. Hotel Occupancy Tax and Repealing all other Ordinances or Portions Thereof in Conflict, a Severability Clause and Providing for its Publication and Effective Date. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.

#### CONSENT AGENDA:

10. 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, 10/26/2021
- Regular Meeting Minutes of Fort Stockton Planning & Zoning Commission, 10/06/2021
- Regular Meeting Minutes of Keep Historic Fort Stockton Beautiful Board, 10/06/2021

Accounts Payable 2020-2021 Fiscal Total: \$ 64,362.66

Accounts Payable 2021-2022 Fiscal Total: \$ 578,689.41

Accounts Payable Grand Total: **\$643,052.07**

Motion was made by Council Member James Warnock, seconded by Council Member Ruben Falcon, and carried unanimously to approve Consent Agenda, as presented. Council Member James Warnock, Council Member Pam Palileo,

**Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

**REGULAR BUSINESS:**

11. Discuss/Act upon Pay Application No. 2 totaling \$143,096.50 for work performed by Rusty's Weigh Scales & Service, which included the purchase and installation of a New Weigh Scale to the City's New Landfill as well as the Purchase of the Conversion Kit for the Installation and Relocation of the Existing Weigh Scale to the New Landfill. **(City Mgr./P.W. Dir.)**

**City Manager Rodriguez** explained City Engineer Raul Rodriguez inspected the work done. Therefore, he is requesting that Pay Application No. 2 be approved.

**Motion was made by Council Member Pam Palileo, seconded by Council Member James Warnock, and carried unanimously to approve Pay Application No. 2 totaling \$143,096.50 for work performed by Rusty's Weigh Scales & Service, which included the purchase and installation of a New Weigh Scale to the City's New Landfill as well as the Purchase of the Conversion Kit for the Installation and Relocation of the Existing Weigh Scale to the New Landfill. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

12. Discuss/Act upon Agreement between Construction Product Marketing and the City of Fort Stockton for Repairs of Paddlewheel Aerator Unit at City Wastewater Plant Oxidation Ditch. **(City Mgr./P.W. Dir.)**

**Motion was made by Council Member James Warnock, seconded by Council Member Pam Palileo, and carried unanimously to approve the Agreement between Construction Product Marketing and the City of Fort Stockton for Repairs of Paddlewheel Aerator Unit at City Wastewater Plant Oxidation Ditch. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Ruben Falcon, Darren Hodges voted aye.**

13. Discuss/Act upon Agreement for Replacement of Cast Iron Gas Line Project between Colt I&E, LLC and the City of Fort Stockton. **(City Mgr./P.W. Dir.)**

**Motion was made by Pam Palileo, seconded by Ruben Falcon, and carried unanimously to approve the Agreement for Replacement of Cast Iron Gas Line Project between Colt I&E, LLC and the City of Fort Stockton. Council Member James**

**Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

14. Discuss/Act upon Agreement for Replacement of HVAC in City of Fort Stockton Convention Center between The Bosworth Company and the City of Fort Stockton. (City Mgr./CVB Dir.)

**Motion was made by Council Member Ruben Falcon, seconded by Council Member Pam Palileo, and carried unanimously to approve the Agreement for Replacement of HVAC in City of Fort Stockton Convention Center between The Bosworth Company and the City of Fort Stockton. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

15. Discuss/Act upon Contractual Janitorial Services Agreement for City Hall & City Hall Annex between Elfida Morales and the City of Fort Stockton. (City Mgr.)

**Motion was made by Council Member James Warnock, seconded by Council Member Pam Palileo, and carried unanimously to approve Contractual Janitorial Services Agreement for City Hall & City Hall Annex between Elfida Morales and the City of Fort Stockton. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

16. Discuss/Act upon Contractual Janitorial Services Agreement for the Police Department & Dispatch Area between Abiud Olivares and the City of Fort Stockton. (City Mgr./C.O.P.)

**Motion was made by Council Member James Warnock, seconded by Pam Palileo, and carried unanimously to approve Contractual Janitorial Services Agreement for the Police Department & Dispatch Area between Abiud Olivares and the City of Fort Stockton. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

17. Discuss/Act upon Re-Solicitation of Proposals for Audio System in City of Fort Stockton Convention Center. (City Mgr./CVB Dir.)

**City Manager Rodriguez explained due to the extensive price the City received on this bid, the re-solicitation requested a breakdown of each room.**



**Motion was made by Council Member James Warnock, seconded by Council Member Pam Palileo, and carried unanimously to approve Re-Solicitation of Proposals for Audio System in City of Fort Stockton Convention Center. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

18. Discuss/Act upon Solicitation of Proposals for Lease of the Theater Area and Concession Stand of the Fort Stockton Convention Center for the Purpose of Showing Movies. (City Mgr.)

**City Manager Rodriguez** explained the goal was to lease out the Movie Theater so movies could be shown to our community.

**Council Member Falcon** inquired if the Movie Theater would be accessed through the main entrance or the side entrance.

**Mayor Alexander** responded the Movie Theater would be accessed through the side entrance.

**Motion was made by Council Member Ruben Falcon, seconded by Council Member James Warnock, and carried unanimously to approve Solicitation of Proposals for Lease of the Theater Area and Concession Stand of the Fort Stockton Convention Center for the Purpose of Showing Movies. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

19. Discuss/Act upon Solicitation of Proposals for Lease of Blue Ridge Farms. (City Mgr.)

**Assistant City Manager Gonzales** explained this property was previously leased with a 5-year term, with the option to renew. The lease has already been renewed; therefore, the city's options for this lease have been exhausted. Therefore, the city would like to solicit proposals. In reviewing this lease, the city would like to explore in order to see what other opportunities are available for this area, maximizing the benefits available to the city.

**Current Lessee Schuyler Wight** explained he has farmed this land for 10 years. He explained that the City of Fort Stockton is eligible to apply for historical use permits in Reeves County, which would benefit the City. He stated both he and his workers try to buy locally, so they contribute to the city as much as possible. He also advised everyone,

there are several wells on the south portion of the property that could be utilized to sell water. He stated there are some benefits to continuing with this lease.

**Mr. Schuyler Wight** explained this Solicitation for Proposals should have been done in July as there is a supply shortage and the land should be prepared to farm for next year.

**Motion was made by Council Member Pam Palileo, seconded by Council Member James Warnock, and carried unanimously to approve Solicitation of Proposals for Lease of Blue Ridge Farms. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

20. Discuss/Act upon Deed without Warranty granting Pecos County the Surface Estate Only of 0.424-acre tract of land being Railroad Avenue and 0.438-acre tract of land being Front Street, located adjacent to Block 44, ORIENT ADDITION, Fort Stockton, Pecos County, Texas. (City Mgr.)

**City Secretary Cantu** explained the City previously deeded a tract of land to Pecos County for the purpose of building a New Fire Station. However, it was discovered that portions of Railroad Avenue and Front Street needed to be abandoned and closed in order to have enough space to build the New Fire Station.

She explained the City will continue to receive beneficial services from the Fire Department therefore, the City is able to abandon and close the above mentioned portions of these streets via a Deed without Warranty.

**Mayor Alexander** explained this is for streets that are platted, but don't exist.

**Motion was made by Council Member Ruben Falcon, seconded by Council Member James Warnock, and carried unanimously to approve Deed without Warranty granting Pecos County the Surface Estate Only of 0.424-acre tract street being Railroad Avenue and 0.438-acre tract street being Front Street, located adjacent to Block 44, ORIENT ADDITION, Fort Stockton, Pecos County, Texas. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

21. Discuss/Act upon Issuance of Longevity Pay to Full-Time Personnel who are Actively Employed on November 19, 2021. (City Mgr./Dir. of Fin.)

**Director of Finance Maria Rodriguez** requested permission to issue the Longevity Pay to Full-Time Employees to be paid November 19, 2021. The longevity pay is \$5.00 per year, per pay period, which was approved within the budget.

**Motion was made by Council Member James Warnock, seconded by Council Member Pam Palileo, and carried unanimously to approve Issuance of Longevity Pay to Full-Time Personnel who are Actively Employed on November 19, 2021. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

22. Discuss/Act upon Moving the Location of the November 22, 2021 City Council Meeting to the Fort Stockton Convention Center due to Construction inside the City Hall-Council Chambers. (City Mgr.)

**City Manager Rodriguez** explained beginning tomorrow, Construction on the City Hall-Council Chambers would commence; therefore, he requested permission to move the Regular City Council Meeting for November 22, 2021 to the Fort Stockton Convention Center.

**Motion was made by Council Member James Warnock, seconded by Mayor Pro-Tem Paul Casias, and carried unanimously to approve Moving the Location of the November 22, 2021 City Council Meeting to the Fort Stockton Convention Center due to Construction inside the City Hall-Council Chambers. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

23. Discuss/Act upon Designating December 13, 2021 as the Only City Council Meeting in December to be held at the Fort Stockton Convention Center at 5:30 p.m. due to the Construction inside the City Hall-Council Chambers. (City Mgr.)

**Mayor Alexander** explained we could attempt to hold one City Council Meeting in December.

**Motion was made by Mayor Pro-Tem Paul Casias, seconded by Council Member Pam Palileo, and carried unanimously to Designate December 13, 2021 as the Only City Council Meeting in December to be held at the Fort Stockton Convention Center at 5:30 p.m. due to the Construction inside the City Hall-Council Chambers. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

24. Questions from Media

**Fort Stockton Pioneer Editor Nathan Heuer** inquired when the New Hotel Tax would be effective.

**City Secretary Cantu** responded the New Hotel Occupancy Tax would be Effective December 1, 2021.

**Fort Stockton Pioneer Editor Nathan Heuer** asked what the New Hotel Occupancy Tax would be utilized for.

**Mayor Alexander** replied the money would be used for renovations, maintenance and operations of the Fort Stockton Convention Center.

**Fort Stockton Pioneer Editor Nathan Heuer** inquired if the monies collected could be utilized for the future Recreation Facility.

**Mayor Alexander** responded that it could not, as these funds are specifically designated for the Fort Stockton Convention Center.

25. Adjourn

**Motion was made by Council Member Pam Palileo, seconded by Council Member James Warnock, and carried unanimously to adjourn the Regular City Council Meeting at 6:20 p.m. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

  
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**Joe Chris Alexander, Mayor**

**ATTEST:**

  
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**Marina A. Cantu, City Secretary**