

MINUTES OF: REGULAR CITY COUNCIL MEETING  
 DATE OF MEETING: MAY 8, 2018  
 TIME OF MEETING: 5:30 P.M.  
 PLACE OF MEETING: CITY HALL COUNCIL CHAMBER

MOVED  
 SECONDED  
 VOTED AYE  
 VOTED NAY

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:

RUBEN FALCON, JAMES WARNOCK, MIKE URETA, JR. &  
 DINO RAMIREZ  
 ABSENT: BILLY JACKSON

MAYOR: JOE CHRIS ALEXANDER  
 CITY MANAGER: FRANK RODRIGUEZ III  
 CITY SECRETARY: DELMA A. GONZALEZ  
 CITY ATTORNEY: JESSE GONZALES, JR.

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

Council Member Ureta 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."

Mayor Alexander recessed from the Regular Meeting @ 5:32 p.m. to convene into the:

#### FIRST ORDER OF BUSINESS:

1. 1ST PUBLIC HEARING: Regarding the Voluntary Annexation of a 5.38 Acre Tract of Land Out of Four Tracts of Land described in Warranty Deed Recorded in Volume 766, Page 456, Deed Records, Located in Section 27, Block 146, T. & ST. L. RWY. CO. SURVEY, Pecos County, Texas, to the City of Fort Stockton, Pecos County, Texas; Which Shall be Zoned as a "Commercial" District" for the Establishment of "West Texas Steel And Services;" as Requested by Property Owners Rafael G. & Margarita Hernandez.

Mayor Alexander asked for comments from the public. There being none, the 1<sup>st</sup> Public Hearing was closed @ 5:33 p.m. to convene into the:

#### SECOND ORDER OF BUSINESS:

2. PUBLIC HEARING: Application Request from Property Owners Onedimo and Hilda Marquez for Consideration of a Specific-Use Permit in a Single Family-4 (SF-4) Residential Dwelling District for the Placement of a Manufactured-Mobile Home on Lot Five (5), Block Two Hundred Thirty-Two (232), ORIENT ADDITION, Fort Stockton, Pecos County, Texas, In Accordance with Section 7(1), 7(2) & 7(16) of the Zoning Ordinance.

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Mayor Alexander asked for comments from the public. There being none, the Public Hearing was closed @ 5:34 p.m. to reconvene into the Regular Meeting.

### THIRD ORDER OF BUSINESS:

#### 3. Public Testimony on Agenda Items Only.

Public comments regarding agenda items were not received by those in attendance.

### FOURTH ORDER OF BUSINESS:

#### 4. Consent Agenda -

##### Minutes:

- Regular Meeting Minutes of Fort Stockton City Council, 04/24/2018
- Regular Meeting Minutes of Planning & Zoning Commission, 04/25/2018
- Regular Meeting Minutes of Keep Historic Fort Stockton Beautiful Board, 04/04/2018
- Special Meeting Minutes of Keep Historic Fort Stockton Beautiful Board, 04/20/2018
- Special Meeting Minutes of Keep Historic Fort Stockton Beautiful Board, 04/20/2018
- Regular Meeting Minutes of Fort Stockton Housing Authority Board, 03/21/2018
- Regular Meeting Minutes of Building Standard Commission, 12/11/2017
- Regular Meeting Minutes of Building Standard Commission, 03/01/2018
- Regular Meeting Minutes of Cemetery Board, 08/23/2017

Accounts Payable Total: \$ 382,252.71

Account Recap Report Total: \$18,033,421.05

Motion was made, seconded and carried unanimously to approve the Consent Agenda, as presented.

### FIFTH ORDER OF BUSINESS:

Chief of Police Skelton ---

↓ Fort Stockton Police Department Statistics for April 2018

VOTED NAY  
 VOTED AYE  
 SECONDED  
 MOVED

FALCON  
 WARNOCK  
 URETA  
 RAMIREZ

X X  
 X X  
 X X  
 X X

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 VOTED NAY

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Chief Skelton presented April's statistics for the Police Department:

March 2018			
Total Arrests	27	Animals Impounded	
Accidents:	32	Dogs Euthanized	
		Dogs Rescued	
Traffic Stops/Violations:	270	Dog Returned to Owners	
Traffic Citations Issued:	28	Dog Currently Held	
		Raccoon Impounded	
Investigations Initiated:	59	Goat (Deceased)	
83 <sup>rd</sup> DA Filed Cases:	17	Skunk (Deceased)	
112 <sup>th</sup> DA Filed Cases:	21	Cat (Adopted)	
County Attorney Filed Cases:	33	Cats (Deceased)	
Juvenile Probation Filed Cases:	6		
March 2018			
Calls for Service Dispatched:	1569	PC EMS Calls:	160
FS Police Department Calls:	1064	PC Sheriff's Office Calls:	322
FS Fire Department Calls:	23		

He reported regarding:

- Directed Traffic Program – This is a program on the City's website, Police Department's website & Facebook Account that was previously implemented for citizens to submit traffic concerns in neighborhoods. Being that only two (2) forms were received from citizens, Officers focused on: Parkview Road, South Everts, E. Dickinson, South Young, Fifth Street, Hornbeck Boulevard, & Colpitts Street. Officers are required to work 1 hour per shift on traffic in the residential areas if calls permit. Over 40 hours were completed in neighborhoods wherein 101 traffic stops, 71 warnings, 2 citations and 85 public relation contacts with neighborhood citizens were completed.
- Departmental Training Hours Received & Completed in either Pecos, Brewster, Reeves or Midland Counties -
  - Drug Interdiction by BPU: 7 Officers completed 16 hours;
  - Firearm Instructor PBLEA: 1 Officer completed 40 hours;
  - Rolling Stoned – DWI: 8 Officers completed 8 hours;
  - Court Security: 2 Officers completed 8 hours.
- Walk-Through Completed @ School Campuses, Hospital, Businesses, & Bars @ night: 107.
- Public Relations Contact Officer Demetrio Rubio's duties:
  - House Watch - When contacted, will ensure that a house is observed when an occupant leaves the community. Homes will be placed on a list and a report will be generated for that occupant upon his/her return.
  - Liaison between the Police Department, Community & Civic Organizations - He is to communicate with businesses on a regular basis

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to receive their emergency contact(s) and suggestions regarding the Department.

- Coffee with the Cop – He is responsible for arranging this informal public discussion with Officers.
- CRASE (Civilian Response to Active Shooter Events) – He is to provide training for citizens on how best to survive an active shooter situation.
- HIDTA Task Force – This is associated with the DEA and also networks with other federal agencies. It grants the Police Department federal prosecution options for narcotics enforcement in this area.
- Narcotics Investigator – This individual conducts investigations and enforcement activities handled by the 83<sup>rd</sup> District Attorney's Office, and works with the Texas DPS, CID Narcotics and networks with other state and local agencies. The entire area communicates with this officer through the Police Department. Earlier today, he worked 3-4 hours and made 4 arrests and 2 seizures are pending. He will return to City Council for approval of a Memorandum of Understanding with DPS which provides tremendous funding opportunities.
- Williams Ranch – Is planning to purchase new radios for the entire department.

**SIXTH ORDER OF BUSINESS:**

**6 Discuss/Act upon Ordinance No. 18-110, Annexing a 25.73-Acre Tract of Land Out of G.C. Thurman Survey No. 160, Abstract 777, Being All of Fort Stockton Irrigated Lands Company, Block S, As Shown on Plat of Survey Described and Recorded in Volume 40, Page 454, Deed Records of Pecos County, Texas, and Described and Recorded as Tract VII, FORT STOCKTON IRRIGATED LANDS COMPANY, Volume 716, Page 124, Deed Records, Pecos County, Texas; & Which Shall be Zoned "Commercial" for the Construction of the "Fort Stockton Resort & R.V. Park;" As Petitioned by Property Owner Donohue Investments, LLC.**

City Secretary Gonzalez conveyed that as mandated by the statute... for this annexation and the next two agenda items, 2 public hearings were held for each request as well as a meeting with the Planning & Zoning Commission. An appropriate recommendation to City Council was made by the Commission.

FALCON  
 WARNOCK  
 URETA  
 RAMIREZ

X

X

X

XX

X

X

Motion was made, seconded and carried unanimously to approve Ordinance No. 18-110, Annexing a 25.73-Acre Tract of Land Out of G.C. Thurman Survey No. 160, Abstract 777, Being All of Fort Stockton Irrigated Lands

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Company, Block S, As Shown on Plat of Survey Described and Recorded in Volume 40, Page 454, Deed Records of Pecos County, Texas, and Described and Recorded as Tract VII, FORT STOCKTON IRRIGATED LANDS COMPANY, Volume 716, Page 124, Deed Records, Pecos County, Texas; & Which Shall be Zoned "Commercial" for the Construction of the "Fort Stockton Resort & R.V. Park;" As Petitioned by Property Owner Donohue Investments, LLC.

**SEVENTH ORDER OF BUSINESS:**

7. Discuss/Act upon Ordinance No. 18-111, Annexing 1.185 Acres of Land Comprised of Lots 91 Thru 100, Block 8, PECOS HIGHLAND ADDITION, As Per Plat of Record in Volume 2, Page 87, Plat Records of Pecos County, Texas, And that Portion of Ninth Street (60' R.O.W.) Adjoining the North Side of Said Lot 100; & Which Shall be Zoned "Commercial" for the Construction of the "Honey Badger R.V. Park;" As Petitioned by Property Owner Noemi Salamanca.

FALCON  
 WARNOCK  
 URETA  
 RAMIREZ

X  
 X  
 X  
 X

Motion was made, seconded and carried unanimously to approve Ordinance No. 18-111, Annexing 1.185 Acres of Land Comprised of Lots 91 Thru 100, Block 8, PECOS HIGHLAND ADDITION, As Per Plat of Record in Volume 2, Page 87, Plat Records of Pecos County, Texas, And that Portion of Ninth Street (60' R.O.W.) Adjoining the North Side of Said Lot 100; & Which Shall be Zoned "Commercial" for the Construction of the "Honey Badger R.V. Park;" As Petitioned by Property Owner Noemi Salamanca.

**EIGHTH ORDER OF BUSINESS:**

8. Discuss/Act upon Ordinance No. 18-112, Annexing All of Lots One and Two (1 & 2), Block Two (2), EAST PARK ADDITION to the City of Fort Stockton, Pecos County, Texas, As More Particularly Described in an Instrument Recorded at Volume 429, Page 258 of the Deed Records of Pecos County, Texas; & Which Shall be Zoned as a "Single Family-4 (SF-4) Residential District" for the Procurement of "Utility Services;" As Petitioned by April R. Arredondo.

FALCON  
 WARNOCK  
 URETA  
 RAMIREZ

X  
 X  
 X  
 X

Motion was made, seconded and carried unanimously to approve Ordinance No. 18-112, Annexing All of Lots One and Two (1 & 2), Block Two (2), EAST PARK ADDITION to the City of Fort Stockton, Pecos County, Texas, As More Particularly Described in an Instrument Recorded at Volume 429, Page 258 of the Deed Records of Pecos County, Texas; & Which Shall be Zoned as



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a "Single Family-4 (SF-4) Residential District" for the Procurement of  
 "Utility Services;" As Petitioned by April R. Arredondo.

**NINTH ORDER OF BUSINESS:**

9. Discuss/Act upon Ordinance No. 18-113, Amending the Zoning Chapter of the Municipal Code of the City of Fort Stockton, Texas, Allowing for the Placement of a Manufactured-Mobile Home by Specific-Use Permit in a Single Family-4 (SF-4) Residential Dwelling District; Being Lot Five (5), Block Two Hundred Thirty-Two (232), ORIENT ADDITION, Fort Stockton, Pecos County, Texas, In Accordance With Section 7(1), 7(2) & 7(16) of the Zoning Ordinance; With the Stipulation that Repairs & Maintenance to Exterior Defects, As Recommended by the Building Official, Must be Completed Prior to the Issuance of a Certificate of Occupancy.

Building Official Maldonado commented that Mr. & Mrs. Marquez' manufactured mobile home was currently at the Roadrunner R.V. Park but their intent was to relocate it to 702 N. Orient. His recommendation was that repairs to exterior defects be completed prior to issuance of a Certificate of Occupancy.

Motion was made, seconded and carried unanimously to approve Ordinance No. 18-113, Amending the Zoning Chapter of the Municipal Code of the City of Fort Stockton, Texas, Allowing for the Placement of a Manufactured-Mobile Home by Specific-Use Permit in a Single Family-4 (SF-4) Residential Dwelling District; Being Lot Five (5), Block Two Hundred Thirty-Two (232), ORIENT ADDITION, Fort Stockton, Pecos County, Texas, In Accordance With Section 7(1), 7(2) & 7(16) of the Zoning Ordinance; With the Stipulation that Repairs & Maintenance to Exterior Defects, As Recommended by the Building Official, Must be Completed Prior to the Issuance of a Certificate of Occupancy.

**TENTH ORDER OF BUSINESS:**

10. Discuss/Act upon Ordinance No. 18-114, Amending Chapter 7 of the City of Fort Stockton Code of Ordinances, Cemeteries\*, Article II. Administration and Article III. East Hill Cemetery; & Repealing All Other Ordinances or Portions Thereof In Conflict, Providing an Effective Date and a Severability Clause.

City Manager Rodriguez remarked that revisions to the proposed ordinance included:

VOTED NAY	
VOTED AYE	
SECONDED	
MOVED	

FALCON  
 WARNOCK  
 URETA  
 RAMIREZ

X  
 X  
 X  
 X

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DINO RAMIREZ

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- ☛ Officers of the Board shall be a Chairman and a Vice-Chairman who shall be elected by Members of the Board on the first meeting of each calendar year and shall serve for a 1-year term.
- ☛ Meetings shall be held at 10:00 a.m. and as needed but not less than once quarterly.
- ☛ In the event of three (3) consecutive unexcused absences by a member of the board within a calendar year from regularly scheduled meetings, a board member shall be deemed to have resigned.
- ☛ Lots in Baby Land are 5 ft. x 5 ft. and shall be sold for one hundred ten dollars (\$110.00) each. If a request is made to bury a baby in a regular size grave, then that plot will be sold for five hundred dollars (\$500.00).
- ☛ Before an interment or burial is held in the cemetery, an Interment Permit shall first be obtained from the City.
- ☛ In no event, shall any person or persons excavate or dig a new grave, existing grave or remove an interred body from a gravesite without the authorization of the City.

Motion was made, seconded and carried unanimously to approve Ordinance No. 18-114, Amending Chapter 7 of the City of Fort Stockton Code of Ordinances, Cemeteries\*, Article II. Administration and Article III. East Hill Cemetery; & Repealing All Other Ordinances or Portions Thereof In Conflict, Providing an Effective Date and a Severability Clause.

**ELEVENTH ORDER OF BUSINESS:****11. Discuss Construction Progress/Status Report on 30-Inch Water Transmission Line from Hanson Professional Services.**

City Manager Rodriguez reported that an issue in the written report provided by Hanson Professional Services was:

**100-Foot Wide Easement Across University Lands:**

The City is working with University Lands representatives and Hanson engineers and surveyors to expand the existing 33-foot wide easement across University Lands to 100 feet. This would allow the alignment of the proposed 30-inch PVC transmission main to be revised to shift it further away from the existing 20-inch waterline. This shift will reduce the risk of potential damage to the City's water supply line during construction of the 30-inch PVC line.

Mayor Alexander commented that the location for the existing 33' easement was the rock-strewn area that veered and ascended the hill.

FALCON  
WARNOCK  
URETA  
RAMIREZ

VOTED NAY  
VOTED AYE  
SECONDDED  
MOVED

X  
X  
XX  
X

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 VOTED AYE  
 SECONDED  
 MOVED

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**TWELFTH ORDER OF BUSINESS:**

**12. Discuss/Act upon Pecos County, Texas – City of Fort Stockton, Texas,  
 2018 Interlocal Services Agreement – Record Storage at Apache Plaza.**

City Manager Rodriguez imparted that the proposed agreement was related to the City's purchase of the Apache Plaza @ 1700 & 1710 N. Front from Pecos County for \$375,278.00 @ 0.00% interest for 10 years.

Pecos County previously requested that records be stored in the south side of Apache Plaza. Earlier that day, the offenders cleaned the former Rix BBQ, a portion of the theatre and were cleaning the south side where the medical records would be placed.

Council Member Falcon suggested that the third *Whereas* in the agreement read "City is capable of providing space for storage of Medical Records and Business Records maintained by the ~~County~~ Hospital." His intent was to assist only the hospital and avoid the storage of records for all of Pecos County.

Also, he asked that the agreement be revised on "*City of Fort Stockton Agrees to: 1. Provide storage space at 1700 North Front Street for medical and business records of County*" to specify instead the south side of the theatre or the square footage that would be utilized for these records.

Council Member Ureta believed that after his review of the agreement that it was satisfactory. It was a quick pro quo; this for that. In conversing with Judge Shuster, they were aware that the City wanted these records removed as soon as possible and therefore a special building was included on their project list for this. Also, they were conferring with the legislature on the possibility of filing some bills to shorten the records retention period.

He understood that Councilman Falcon's experience with Pecos County had differed from his and was empathetic to that but there was no need to "nickel and dime" this anymore because they needed to move forward.

The City had demonstrated due diligence and good stewardship with its citizens' tax money and funds received from services. The City made the best purchase and now had the opportunity to secure a law enforcement center; to provide the Police Department the best building that the City could, best resources, and tools for the protection of our community.



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**Councilman Falcon** emphasized that the City incurred ramifications for practically every contract that it completed with Pecos County if certain particulars failed to be included in the agreement. Currently, there was one that involved a lot of money that was negatively affecting the City. "They were really good about finding what the City did not put in writing."

**Councilman Ureta** asked City Attorney Gonzales if that would happen with this particular agreement.

**City Attorney Gonzales** replied that he was not concerned with this one.

**Councilman Falcon** declared that he would support the proposed contract but needed to air his grievances.

**Motion was made, seconded and carried unanimously to approve Pecos County, Texas – City of Fort Stockton, Texas, 2018 Interlocal Services Agreement – Record Storage at Apache Plaza.**

#### THIRTEENTH ORDER OF BUSINESS:

##### **13. Discuss/Act upon Awarding of Bid for a New or Used 4,000 Gallon Water Tank Truck.**

**City Manager Rodriguez** requested that this item be tabled. The bid specs needed to be revised to indicate a used vehicle only. A sole bid was received for a new truck valued at \$115,743.00 but the Capital Improvement Fund only contained \$62,500 for the purchase of a 4,000 gallon water tank truck.

**No Action taken. Bid for a New 4,000 Gallon Water Tank Truck was Rejected.**

#### FOURTEENTH ORDER OF BUSINESS:

##### **14. Discuss/Act upon Awarding of Bid for Pest Control Service.**

**City Manager Rodriguez** reported that Brockman Pest Control was the only bid that was received. Last year's bid was awarded to Mr. Ponder for \$350 but this year's bid was for \$450 due to the addition of 4 additional buildings.

**Motion was made, seconded and carried unanimously to award bid to Brockman Pest Control for Pest Control Service for \$450 monthly.**

FALCON  
 WARNOCK  
 URETA  
 RAMIREZ

VOTED MAY  
 VOTED AYE  
 SECONDED  
 MOVED

X  
 X  
 X  
 X

FALCON  
 WARNOCK  
 URETA  
 RAMIREZ

X  
 X  
 X  
 X

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**FIFTEENTH ORDER OF BUSINESS:**

15. Discuss/Act upon Authorization to End the Workday Before 5:00 p.m. on June 15, 2018 to Allow Personnel to Attend the "Employee Appreciation Event."

FALCON  
 WARNOCK  
 URETA  
 RAMIREZ

MOVED	SECONDED	VOTED AYE	VOTED NAY
		X	
	X	X	
X		X	
		X	

Motion was made, seconded and carried unanimously to End the Workday @ 12:00 Noon on June 15, 2018 to Allow Personnel to Attend the "Employee Appreciation Event."

**SIXTEENTH ORDER OF BUSINESS:**

16. Discuss/Act upon Scheduling the Canvass for the City Special Election on May 14, 2018.

FALCON  
 WARNOCK  
 URETA  
 RAMIREZ

MOVED	SECONDED	VOTED AYE	VOTED NAY
		X	
	X	X	
X		X	
		X	

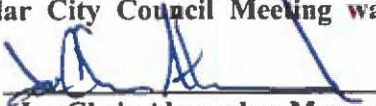
City Secretary Gonzalez conveyed that newly elected City officials for Type A General Law Municipalities could not assume duties until the fifth day after the election excluding Sundays which would be May 11<sup>th</sup>.

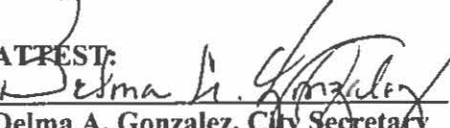
Motion was made, seconded and carried unanimously to Schedule the Canvass for the City Special Election on May 14, 2018.

**SEVENTEENTH ORDER OF BUSINESS:**

17. Questions from the Media on Agenda Items.

There being no further business, the Regular City Council Meeting was adjourned @ 6:14 p.m.

  
 Joe Chris Alexander, Mayor

ATTEST:  
  
 Delma A. Gonzalez, City Secretary