

CITY OF FORT STOCKTON, TEXAS  
 MINUTES OF: REGULAR CITY COUNCIL MEETING  
 DATE OF MEETING: JUNE 26, 2018  
 TIME OF MEETING: 5:30 P.M.  
 PLACE OF MEETING: CITY HALL COUNCIL CHAMBER

VOTED NAY  
 VOTED AYE  
 SECONDED  
 MOVED

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:  
 RUBEN FALCON, JAMES WARNOCK, MIKE URETA, JR.  
 PAM PALILEO, & DINO RAMIREZ

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

MINUTES OF LAST MEETING:  
 Mayor Alexander called the Regular Meeting to order at 5:31 p.m. after declaring a quorum present.

Mayor Pro-Tem Ureta gave the Invocation.

Council Member Falcon 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 @ 5:35 p.m. to convene into the:

**FIRST ORDER OF BUSINESS:**

1. **Public Hearing:** Application Request from Property Owners Hervey Jacquez, Jr., Joshue Jacquez & Jorge Jacquez 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 One (1), Block Twenty-Five (25), ST. GALL ADDITION, Fort Stockton, Pecos County, Texas, In Accordance with Section 7(1), 7(2) & 7(16) of the Zoning Ordinance.

Mayor Alexander asked for comments from the public. There being none, the Public Hearing was closed @ 6:36 p.m. to reconvene into the Regular Meeting.

**SECOND ORDER OF BUSINESS:**

2. **Recognition:** Commend City of Fort Stockton Gas Department Personnel for Their Exemplary Pipeline Safety Evaluation received from the Railroad Commission of Texas.

Mayor Alexander reported that a Pipeline Safety Evaluation was received from the Railroad Commission of Texas regarding selected physical conditions, written procedures, and their review of records. The summary of the evaluation indicated that there were not any alleged violations of the applicable safety regulations in the areas that were reviewed which resulted in a favorable report.

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MINUTES OF LAST MEETING:

City Manager Rodriguez commented that Gas Department personnel did a tremendous job in operating a hazardous facet of the City. Gas Department Supervisor Almendariz was initially tasked to complete the required paperwork for the department but was now being assisted by Administrative Assistant Leyva so that he could dedicate time in the field to ensure that procedures were properly adhered to and for the safety of personnel.

### THIRD ORDER OF BUSINESS:

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

Former Council Member Hodges referenced Agenda Item #8. He emphasized that Fort Stockton was a remarkable place to reside in. an undesirable aspect to being a property owner was the never ending taxes that continued to increase year after year.

Pecos County offered a homestead exemption as did the School District. He believed that home ownership was the backbone of any community and anything that the City could do to encourage home ownership was valuable. He disliked seeing a community occupied with mobile homes because that was an inexpensive approach to select. He wanted homes built within the city to encourage people to remain locally. He disliked seeing homes that were only one block outside city limits to avoid paying for city property taxes and abiding with City regulations.

The City could "afford" this homestead exemption at this time and asked Council Members to authorize it for citizens.

### FOURTH ORDER OF BUSINESS:

#### 4. CONSENT AGENDA:

Minutes:

- Regular Meeting Minutes of Fort Stockton City Council, 06/12/2018
- Special Meeting Minutes of Fort Stockton City Council, 06/19/2018
- Regular Meeting Minutes of Main Street Advisory Board, 05/30/2018
- Regular Meeting Minutes of Fort Stockton 4-A EDC Corporation, 05/24/2018
- Regular Meeting Minutes of Fort Stockton 4-B EDC Corporation, 05/24/2018
- Regular Meeting Minutes of Convention & Visitor's Bureau, 05/15/2018

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 MINUTES OF LAST MEETING:

- Special Meeting Minutes of Convention & Visitor's Bureau, 05/22/2018
- Regular Meeting Minutes of Housing Authority Board, 05/16/2018

Accounts Payable Total: \$ 268,995.43  
 Accounts Recap Total: \$19,084,870.56

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

**FIFTH ORDER OF BUSINESS:**

**5. Code Enforcement Officer Ingles --**

- ✚ Ord. No. 09-121; Sec. 12-7. *Illegal Dumping; Adopted 07/14/2009; It shall be considered illegal dumping for anyone residing inside or outside the city limits that does not pay for City sanitation services to dispose of their garbage or refuse in any City-Owned receptacle. A fine shall be assessed in accordance with the City's Code of Ordinances.*

Code Enforcement Officer Ingles provided an update on the revision(s) made to bulk trash in October 2017 and focused on details regarding illegal dumping.

She reported that the Department was intently focusing on the illegal dumping that some of the county residents were doing. Numerous reports were received that these residents were entering the city and allegedly dumping their trash in city receptacles. This was not only a major violation of the City's ordinance but the Texas Health & Safety Code.

The county lacked a structured sanitation system and options for some of these residents were to either obtain a city receptacle and pay for this service or keep their money to illegally dump in the city. Possibly a plan could be prepared with Pecos County to deter this. The Department would continue to monitor violations, respond to calls & complaints in an attempt to discourage this in the future.

**SIXTH ORDER OF BUSINESS:**

- 6. Discuss/Act upon Ordinance No. 18-117, Amending Chapter 23, Traffic and Vehicles\*, Article VI. Stopping, Standing and Parking,\* Sec. 23-113. Parking of Certain Vehicles, Trucks, Trailers, Etc. on Streets or Alleys Within the City Limits; of the Code of the City of Fort Stockton, Texas; Containing a Severability Clause, Conflicts Clause, & Penalty Clause, Providing for an Effective Date; and Ordering Publication.**

FALCON  
 WARNOCK  
 PALILEO  
 URETA  
 RAMIREZ

MOVED	SECOND	AYE	NAY
		X	
	X	X	
		X	
	X	X	
		X	
		X	

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MINUTES OF LAST MEETING:

**Code Enforcement Officer Ingles** reported that this amendment clarified that recreational vehicles would not be allowed to park on city streets for longer than 72 hours. Several were currently parked on streets &/or parked extremely close to the alleyways which created issues for City crews in their daily operations. There were also intersections where recreational vehicles had been parked for lengthy periods and fairly close to stop signs & intersections which obstructed the view for drivers and was a safety precaution. Some were also parked close to fire hydrants which could be a hazard if a fire occurred.

The average weight of a recreational vehicle was 5,200 lbs. The life of city streets would extend if this extra weight was prevented for an extended period of time.

The side and back yards of a residence were options for parking recreational vehicles while the front yard was explicitly prohibited in the ordinance. Also, individuals from several of the R.V. Parks indicated that they could provide storage for a monthly fee or rent a spot. Nevertheless, an area in the county could be considered.

Prior to enforcement of the ordinance, the Department planned to provide a reasonable amount of time for adjustments to be made by owners of vehicles.

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 PALILEO  
 RAMIREZ

MOVED	SECOND	AYE	NAY
			X
			X
			X
			X
			X
			X

**Motion was made, seconded and carried unanimously to approve Ordinance No. 18-117, Amending Chapter 23, Traffic and Vehicles\*, Article VI. Stopping, Standing and Parking,\* Sec. 23-113. Parking of Certain Vehicles, Trucks, Trailers, Etc. on Streets or Alleys Within the City Limits; of the Code of the City of Fort Stockton, Texas; Containing a Severability Clause, Conflicts Clause, & Penalty Clause, Providing for an Effective Date; and Ordering Publication.**

**SEVENTH ORDER OF BUSINESS:**

- Discuss/Act upon Ordinance No. 18-118, 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 One (1), Block Twenty-Five (25), ST. GALL ADDITION, Fort Stockton, Pecos County, Texas, In Accordance with Section 7(1), 7(2) & 7(16) of the Zoning Ordinance; As Requested by Property Owners Hervey Jacquez, Jr., Joshue Jacquez & Jorge Jacquez.

**Code Enforcement Officer Ingles** conveyed that a mobile home was previously situated on this site. The address for this property was 300 E. Sherer Street.

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FALCON  
 WARNOCK  
 URETA  
 PALILEO  
 RAMIREZ

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

MAYOR: JOE CHRIS ALEXANDER  
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MINUTES OF LAST MEETING:

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#### EIGHTH ORDER OF BUSINESS:

**8. Discuss/Act upon Ordinance No. 18-119, Approving a Residential Homestead Tax Exemption on a Percentage of the Appraised Value in a Tax Year with a \$5,000 Guaranteed Minimum to a 20% Maximum on Ad Valorem Taxation, As Authorized by Section §11.13(n) of the Texas Property Code.**

Council Member Falcon expressed that several conversations occurred throughout the years regarding this homestead exemption but the economy overruled this. In the past two years, the City was "blessed" with Blue Ridge and if this exemption was approved, the budget would be impacted on October 1<sup>st</sup> by approximately \$120,000.

City Manager Rodriguez reported that in considering the budget, the only item that required consideration was the health coverage. If an exemption was granted, the proposed budget would need to be revised.

Director of Finance Rodriguez provided homestead exemption examples for homes valued from \$80,000 - \$350,000. In considering an \$80,000 home:

- **Option 1 – 1%** = The minimum was \$5,000 and every property owner qualified for this amount unless the value of a house exceeded \$500,000. This Option granted \$355.13 or a \$23.68 yearly savings ;
- **Option 2 – 20%** = An exemption of \$303.04 or a \$75.76 yearly savings;
- **Option 3 – 10%** = An exemption of \$340.92 or a \$37.88 yearly savings.

Several years ago, the City approved an exemption for Over 65/Disabled/Disabled Veterans which impacted the City by \$44,882.78 yearly. Depending on the option selected, the City would be impacted in the 2018-2019 Fiscal-Year Budget by: Option 1 = \$40,292.03, Option 2 = \$127,899.19 or Option 3 = \$66,782.43.



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MINUTES OF LAST MEETING:

	MOVED	SECOND	THIRD	FOURTH	FIFTH	SIXTH	SEVENTH	EIGHTH	NINTH	TENTH	ELEVENTH	Twelfth	Thirteenth	FOURTEENTH	FIFTEENTH	SIXTEENTH	SEVENTEENTH	EIGHTEENTH	NINETEENTH	Twentieth	Twenty-first	Twenty-second	Twenty-third	Twenty-fourth	Twenty-fifth	Twenty-sixth	Twenty-seventh	Twenty-eighth	Twenty-ninth	THIRTIETH
FALCON	X																													
WARNOCK																														
URETA																														
PALILEO																														
RAMIREZ																														

Motion was made, seconded and carried unanimously to approve Ordinance No. 18-119, Approving a Residential Homestead Tax Exemption on a Percentage of the Appraised Value in a Tax Year with a \$5,000 Guaranteed Minimum to a 20% Maximum on Ad Valorem Taxation, As Authorized by Section §11.13(n) of the Texas Property Code. (*Option 2; 20% was selected*)

#### NINTH ORDER OF BUSINESS:

9. Discuss/Act upon Professional Legal Services from Mark A. Harral, JD; now with Harral and Associates, PLLC.

FALCON																														
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PALILEO																														
RAMIREZ																														

Motion was made, seconded and carried unanimously to approve Professional Legal Services from Mark A. Harral, JD; now with Harral and Associates, PLLC.

#### TENTH ORDER OF BUSINESS:

10. Discuss/Act upon S•Power Solar Lease Option Agreement and Land Lease Agreement at the City's Blue Ridge Property; As Well as Authorizing the City Manager and City Water Attorney to Send Notification Letter to Schuyler Wight.

Mayor Alexander recommended that this item be tabled; an additional option needed to be reviewed for comparison purposes.

FALCON																														
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URETA																														
PALILEO																														
RAMIREZ																														

Motion was made, seconded and carried unanimously to Table the S•Power Solar Lease Option Agreement and Land Lease Agreement at the City's Blue Ridge Property; As Well as Authorizing the City Manager and City Water Attorney to Send Notification Letter to Schuyler Wight.

#### ELEVENTH ORDER OF BUSINESS:

11. Discuss/Act upon Awarding of Lease Option for a Sewer Jetting Truck.  
*Bid: BancorpSouth Equipment Finance.*

City Manager Rodriguez stated that the department used its sewer truck daily. If this truck was approved, it would be delivered before December compared to the other option being May 2019. BancorpSouth Equipment Finance provided an Equipment Cost of \$258,654.00 with a Lease Term of 5 years and 60 monthly payments of \$4,733.22 or 5 annual payments of \$57,782.44. The Lease Rate was 60 – 3.74% (Rate indexed to 5.00% Prime Rate).

RUBEN FALCON, JAMES WARNOCK, MIKE URETA, JR.  
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MINUTES OF LAST MEETING:

**Director of Finance Rodriguez** expressed that interest totaling \$25,339.20 would be paid for 60 months compared to interest for 5 annual payments totaling \$30,258.40; reason being that the first annual payment would not be due until 2019. Also, a budget amendment would need to be considered for this purchase.

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**TWELFTH ORDER OF BUSINESS:**

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RAMIREZ

**Motion was made, seconded and carried unanimously to Table the 2018 Interlocal Services Agreement – Trash Collection between Pecos County, Texas – City of Fort Stockton, Texas.**

**THIRTEENTH ORDER OF BUSINESS:**

FALCON  
WARNOCK  
URETA  
PALILEO  
RAMIREZ

**City Manager Rodriguez** reported that the Workshop initially scheduled for a Saturday would instead be 3 evening workshops. The remainder of the calendar remained the same and coincided with the Tax Assessor's preferred schedule. Revisions to the calendar were as follows:

- 07/13/2018, Friday Submit Budget Draft to City Manager
- 07/24/2018, Tuesday Budget Draft Delivered to City Council
- 08/06/2018, Monday Special Meeting: Budget Workshop
- 08/07/2018, Tuesday Special Meeting: Budget Workshop
- 08/08/2018, Wednesday Special Meeting: Budget Workshop

**Motion was made, seconded and carried unanimously to approve changes to the 2018-2019 Fiscal-Year Budget Calendar, as presented by City Manager Rodriguez.**

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**FOURTEENTH ORDER OF BUSINESS:**

**14. Discuss/Act upon Officially Designating the "Main Street Advisory Board" as the "Fort Stockton Downtown Association."**

Council Member Falcon expressed that the Main Street Advisory Board previously held two meetings but two members were from Nelson Street. Their intent was to rename the board to "Fort Stockton Downtown Association" which would extend the range of the streets &/or make the board more inclusive for interested participants.

Motion was made, seconded and carried unanimously to approve Officially Designating the "Main Street Advisory Board" as the "Fort Stockton Downtown Association."

**FIFTEENTH ORDER OF BUSINESS:**

**15. Discuss/Act upon Continuation of the Inclusion Process for Properties that have Received Longstanding Treatment as Part of the Municipality for 20 years or Longer; Pursuant to Section §41.003 of the Texas Local Government Code *i.e.* Block 18, 19, Part of 33, 34, 45, & 46 RULE ADDITION & To Include the Solicitation of Bids for Surveying of Property.**

Council Member Falcon reported that properties being considered for this inclusion were in the vicinity of Apache Elementary School. The difference between an "inclusion" and "annexation" were: An inclusion is an area that has been a part of the municipality (*but not annexed*) for at least the preceding 20 years and received municipal services, including police protection compared to a voluntary annexation which will receive municipal services once the annexation process is completed &/or the property is incorporated into the city limits.

His goal for the past 10 years was that all properties south of the interstate needed to be part of the city. There were several "pockets" within the city that were not incorporated and therefore property owners were not required to pay for City property taxes; yet reaped the benefits of the city. This was unjust for property owners in the city that were obligated to pay this tax.

The inclusion of all "pockets" within the city would be beneficial but currently only \$66,000 was budgeted for this process which required a survey of the area. His intent was to initiate this process once again. Thereafter, City Council could select which property(s) was/were next. The emphasis was to incorporate

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 RAMIREZ

X

X

X  
 X  
 X  
 X  
 X



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properties to generate additional property taxes to help offset this process and other City costs.

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 RAMIREZ

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

Motion was made, seconded and carried unanimously to approve the Continuation of the Inclusion Process for Properties that have Received Longstanding Treatment as Part of the Municipality for 20 years or Longer; Pursuant to Section §41.003 of the Texas Local Government Code i.e. Block 18, 19, Part of 33, 34, 45, & 46 RULE ADDITION & To Include the Solicitation of Bids for Surveying of Property.

#### SIXTEENTH ORDER OF BUSINESS:

16. Discuss/Act upon Appointment of an "Alternate Director" to the Fort Stockton Economic Development Corporation due to 3 Consecutive & Unexcused Absences by Current Director. *Applicants:* Guadalupe Fierro, David Neyland, Ember Renteria, Alberto Saucedo, Sal Salazar, Mark L. Smith, Mike Stallard

FALCON  
 WARNOCK  
 URETA  
 PALILEO  
 RAMIREZ

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

Motion was made, seconded and carried unanimously to appoint Sal Salazar as the "Alternate Director" to the Fort Stockton Economic Development Corporation.

#### SEVENTEENTH ORDER OF BUSINESS:

17. Discuss/Act upon Appointment of a Board Member to the Convention & Visitor's Bureau due to 3 Consecutive & Unexcused Absences by Current Member. *Applicants:* Guadalupe Fierro, Ember Renteria, Alberto Saucedo, Letricia Slater

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

Motion was made, seconded and carried unanimously to Table this Appointment until the July 10<sup>th</sup> Regular City Council Meeting.

#### EIGHTEENTH ORDER OF BUSINESS:

18. Questions from the Media on Agenda Items.

There being no further business, the Regular City Council Meeting was adjourned @ 6:10 p.m.

ATTEST

Delma A. Gonzalez, City Secretary

Joe Chris Alexander, Mayor