

CITY OF FORT STOCKTON, TEXAS
 MINUTES OF: REGULAR CITY COUNCIL MEETING
 DATE OF MEETING: SEPTEMBER 11, 2019
 TIME OF MEETING: 5:30 P.M.
 PLACE OF MEETING: CITY COUNCIL CHAMBER

MOVED
 SECONDED
 VOTED AYE
 VOTED NAY

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

ABSENT: PAUL CASIAS

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

Mayor Alexander called the Regular Meeting to order at 5:32 p.m. after declaring a quorum present.

Mayor Pro-Tem 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 at 5:34 p.m. to convene into the:

FIRST ORDER OF BUSINESS:

1. **PUBLIC HEARING:** Regarding Application request from Property Owners Manuel & Isidra Lopez to Consider a Specific-Use Permit for the Placement of a Manufactured Mobile Home in a Single Family-4 (SF-4) Residential Dwelling District located on Lot Twelve (12), Block Ninety-One (91), Orient Addition, Fort Stockton, Pecos County, Texas, & more particularly described as being on the Corner Lot &/Or Adjacent to Park Street and Seventh Street; This being 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 at 5:35 p.m.

SECOND ORDER OF BUSINESS:

2. **CONSENT AGENDA:**

Minutes

- Special Meeting Minutes of Fort Stockton City Council, 08/29/2019

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- Regular Meeting Minutes of Fort Stockton City Council, 08/27/2019
- Regular Meeting Minutes of Planning & Zoning Commission, 08/28/2019
- Regular Meeting Minutes of Keep Historic F.S. Beautiful, 08/07/2019
- Regular Meeting Minutes of Substandard Building Committee, 06/06/2019
- Regular Meeting Minutes of Fort Stockton Housing Authority Board, 05/15/2019

Accounts Payable Total: \$688,362.06

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

THIRD ORDER OF BUSINESS:

3. Discuss/Act upon Ordinance No. 19-116, Approving the Plat for All of Block 47, St. Gall Addition, Fort Stockton, Pecos County, Texas, to contain Lot 1, Lot 2, Lot 3, Lot 4; As requested by Property Owners Yadira & Jose Renteria & Providing for an effective date provision.

City Secretary Delma A. Gonzalez explained that this Ordinance was to approve the plat of the property as it had already exceeded the 30-day time frame.

Motion was made, seconded and carried unanimously to approve Ordinance No. 19-116, Approving the Plat for All of Block 47, St. Gall Addition, Fort Stockton, Pecos County, Texas, to contain Lot 1, Lot 2, Lot 3, Lot 4; As requested by Property Owners Yadira & Jose Renteria & Providing for an effective date provision.

FOURTH ORDER OF BUSINESS:

4. Discuss/Act upon Ordinance No. 19-117, Allowing for the Placement of a Manufactured Mobile Home by Specific-Use Permit in a Single Family-4 (SF-4) Residential Dwelling District; Located on Lot Twelve (12), Block Ninety-One (91), Orient Addition, Fort Stockton, Pecos County, Texas, & More Particularly described as being on the Corner &/or Adjacent to

FALCON
 WARNOCK
 URETA
 PALILEO

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

FALCON
 WARNOCK
 URETA
 PALILEO

X	X
	XX
	X
	X

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Park Street and Seventh Street; This being in accordance with Section 7(1), 7(2) & 7(16) of the Zoning Ordinance & Providing for an Effective Date Provision; as Requested by Property Owners Manuel & Isidra Lopez.

Building Official Robert Stoddard explained that the Planning & Zoning Commission previously reviewed the Specific-Use Permit Application & they recommended its approval. He elaborated that there is an alley through that area where the Zoning District changes from Commercial to SF-4. He informed City Council that there are several mobile homes located in that area.

City Secretary Gonzalez reassured City Council that mobile homes are allowed in a SF-4 District, by Specific-Use Permit.

Motion was made, seconded and carried unanimously to Approve Ordinance No. 19-117, Allowing for the Placement of a Manufactured Mobile Home by Specific-Use Permit in a Single Family-4 (SF-4) Residential Dwelling District; Located on Lot Twelve (12), Block Ninety-One (91), Orient Addition, Fort Stockton, Pecos County, Texas, & More Particularly described as being on the Corner &/or Adjacent to Park Street and Seventh Street; This being in Provision; as Requested by Property Owners Manuel & Isidra Lopez.

FIFTH ORDER OF BUSINESS:

5. Discuss/Act upon Ordinance No. 19-120, Approving and Adopting the City of Fort Stockton, Texas, Budget for the Fiscal Year 2019-2020; Making Appropriations for the City for the Fiscal Year as Reflected is said Budget; And making Certain Findings and Containing Certain Provisions Relating to the Subject.

Motion was made, seconded and carried unanimously to Approve Ordinance No. 19-120, Approving and Adopting the City of Fort Stockton, Texas, Budget for the Fiscal Year 2019-2020; Making Appropriations for the City for the Fiscal Year as Reflected is said Budget; And making Certain Findings and Containing Certain Provisions Relating to the Subject.

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

FALCON
WARNOCK
URETA
PALILEO

	X	
X	X	
	X	
X	X	

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SIXTH ORDER OF BUSINESS:

6. Discuss/Act Upon Ordinance No. 19-121, Levying Taxes for the Use and Support of the Municipal Government of the City of Fort Stockton, Pecos County, Texas; Providing for the Interest and Sinking Fund & Appropriating Each Levy for a Specific Purpose for Fiscal Year 2019-2020 & Providing for Approval of Ordinance.

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

Motion was made, Seconded and carried unanimously that the Property Tax Rate be increased By the Adoption of a Tax Rate of \$0.4533, which is Effectively a 13.8% Increase in the Tax Rate.

SEVENTH ORDER OF BUSINESS:

7. Discuss/Act upon Interlocal Cooperation Contract for the Failure to Appear Program with the Texas Department of Public Safety.

Mayor Alexander explained that the City was informed that new laws enacted affected the allowable rates. Therefore, the item would be revisited with the correct rates.

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

Motion was made, seconded and carried unanimously to table the item.

EIGHTH ORDER OF BUSINESS:

8. Discuss/Act upon Solicitation of Request for Proposals (RFP) for the Repair & Rehabilitation of Officers' Quarters #7.

Convention and Visitor's Bureau (CVB) Director Crystal Lopez explained that CVB had budgeted for repairs to Officers' Quarters #7 for the next fiscal year.

She further explained that CVB was requesting permission to Solicit Bids with the anticipation of completing the process & selecting a contractor by October 1st, the beginning of the next fiscal year.

The recent rain has caused the building to shift resulting in another ½"-1" gap increase in the wall. Therefore, CVB was hoping to expedite the process to repair and rehabilitate Officers' Quarters #7.

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VOTED NAY
 VOTED AYE
 SECONDED
 MOVED

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She informed everyone that \$150,000 was budgeted for the rehabilitation of Officers' Quarters #7.

Mayor Alexander explained that this is the Officers' Quarters that City Council recently toured.

Annie Riggs Memorial Museum Director Melba Montoya advised City Council that the building had shifted approximately 1 ½" since City Council had toured the facility.

Mayor Alexander inquired if a temporary brace was needed against the wall.

Annie Riggs Memorial Museum Director Montoya responded that a temporary brace would be useful. She indicated that the damage is to the East corner on the south wall on the doorway, which seems to be travelling south.

She explained that a team consisting of an Adobe Expert, Dan Ray an Architect Engineer coming out of Alpine and Local Contractor as well as herself would be working with the Texas Historical Commission on this project, as the fort is a Historical Landmark.

She further explained that Architect Engineer Dan Ray previously worked on other rehabilitations within Fort Stockton. He has extensive knowledge about the buildings as he has been working on them since 1990.

Council Member Falcon inquired if City Council needed to authorize the Solicitation of RFQ's instead of RFP's as he did not want to skip a step. To his recollection normal protocol is to solicit RFQ's prior to Soliciting RFP's.

Mayor Alexander inquired when the Architect Engineer Dan Ray was last used and how much he was paid.

Annie Riggs Memorial Museum Director Montoya replied that the Historical Society paid Architect Engineer Ray approximately \$697.00 in late July.

Mayor Alexander explained that \$697.00 did not exceed the amount requiring City Council's authorization to solicit bids.

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Mayor Pro-Tem Ureta explained that RFQ's were not being solicited as the Historical Society already took care of that.

CVB Director Lopez explained that they are merely looking for a contractor for this project.

Motion was made, seconded and carried unanimously to Authorize the Solicitation of Request for Proposals (RFP) for the Repair & Rehabilitation of Officers' Quarters #7.

NINTH ORDER OF BUSINESS:

9. Discuss/Act upon Pay Application No. 9 from Nelson Lewis for the 30-Inch Water Transmission Line which includes the Change Order for the 18-Inch Well Field Waterline, signed by the Contractor and Engineer. Current payment due is \$99,714.11.

City Manager Frank Rodriguez III advised City Council that Pay Application No. 9 was included in the presentation conducted at the previous City Council Meeting.

He explained that approval is needed to authorize Pay Application No. 9 in the amount of \$99,714.11.

Motion was made, seconded and carried unanimously to Approve Pay Application No. 9 from Nelson Lewis for the 30-Inch Water Transmission Line which includes the Change Order for the 18-Inch Well Field Waterline, signed by the Contractor and Engineer. Current payment due is \$99,714.11.

TENTH ORDER OF BUSINESS:

10. Discuss/Act upon Consent to Encroachment and Crossing Agreement between the City of Fort Stockton and KCE TX 9, LLC for T. & ST. L. RR. Survey, Abstract No. 5650, Pecos County, Texas.

Public Works Director Aaron Ramos explained that this is a Crossing Agreement requested by Key Capture Energy. (KCE) They are planning on building a road leading up to the entrance of their Electrical Substation located on the west side of Hwy 285. (just west of the golf course & airport). They will build

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 VOTED AYE
 SECONDED
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X X
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 X X

FALCON
 WARNOCK
 URETA
 PALILEO

X X
 X X
 X X
 X X

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an asphalt entrance onto Hwy 285 over the City of Fort Stockton's 8" PVC water main that provides water to the Airport & Industrial Park. This agreement states that the developer will pay at their expense for any damages caused to the city's water line caused by negligence or intentional misconduct. (If they cause the line to break under the entrance.

Motion was made, seconded to Approve the Consent to Encroachment and Crossing Agreement between the City of Fort Stockton and KCE TX 9, LLC for T.&ST.L. RR. Survey, Abstract No. 5650, Pecos County, Texas.

Mayor Alexander inquired if he recalled correctly, TXDOT now requires any entrances off of the highways to be concrete.

Council Member Warnock confirmed that all entrances off the highways are to be made of concrete.

Assistant City Manager Jesse Gonzales, Jr. explained that the only issue the city should be concerned with is the crossing of the City's Right-of-Way. The agreement will also have to be approved by TxDOT and anyone else who owns a Right-of-Way they will cross.

He further explained that that each entity would have the opportunity to voice any concerns they may have while they are approving their Right-of-Way Agreement.

Motion carried unanimously to Approve the Consent to Encroachment and Crossing Agreement between the City of Fort Stockton and KCE TX 9, LLC for T.&ST.L. RR. Survey, Abstract No. 5650, Pecos County, Texas.

ELEVENTH ORDER OF BUSNIESS:

11. Discuss/Act Upon Lease Agreement between the City of Fort Stockton and Rayburn Durham for Approximately 274 Acres of land located on the West Half of Section 71, (W/2 of 71), Block Three (3), T&P Ry. Co. Original Grantee, Pecos County, Texas.

Assistant City Manager Jesse Gonzalez, Jr. advised City Council that this is the Final Agreement for the Lease between Rayburn Durham and the City of Fort Stockton for the lease of land out at the TDCJ Lynaugh Farm that was approved during the last City Council Meeting.

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X

X

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X

X

X

X

MOVED

SECONDED

VOTED AYE

VOTED NAY

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 CITY ATTORNEY:

FALCON
 WARNOCK
 URETA
 PALILEO

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

Motion was made, seconded and carried to Approve the Lease Agreement between the City of Fort Stockton and Rayburn Durham for Approximately 274 Acres of land located on the West Half of Section 71, (W/2 of 71), Block Three (3), T&P Ry. Co. Original Grantee, Pecos County, Texas.

TWELFTH ORDER OF BUSINESS:

12. Discuss/ Act Upon Custodial Service Agreement between the City of Fort Stockton and Elfida Morales for Fort Stockton City Hall & Annex Building from 2019-2020.

City Manager Rodriguez explained that the City of Fort Stockton Currently has a Custodial Service Agreement with Elfida Morales for Fort Stockton City Hall & Annex Building and would like to extend the Service Agreement as she has done a great job.

FALCON
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X			
	X		

Motion was made and seconded to Approve the Custodial Service Agreement between the City of Fort Stockton and Elfida Morales for Fort Stockton City Hall & Annex Building from 2019-2020.

Mayor Alexander inquired if there was any change in pricing.

City Manager Rodriguez replied that there wasn't any change in pricing.

FALCON
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		X	
		X	
		X	
		X	

Motion carried to Approve the Custodial Service Agreement between the City of Fort Stockton and Elfida Morales for Fort Stockton City Hall & Annex Building from 2019-2020.

THIRTEENTH ORDER OF BUSINESS:

13. Discuss/Act upon Custodial Service Agreement between the City of Fort Stockton and Emma Sanchez for the Fort Stockton Police Department from 2019-2020.

City Manager Rodriguez explained that the City of Fort Stockton Currently has a Custodial Service Agreement between the City of Fort Stockton and Emma Sanchez for the Fort Stockton Police Department.

ABSENT: PAUL CASIAS

MAYOR: JOE CHRIS ALEXANDER
CITY MANAGER: FRANK RODRIGUEZ III
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He spoke with Interim Chief of Police Valenzuela who recommended the extension of the Custodial Service Agreement with Emma Sanchez.

Motion was made, seconded and carried to Approve the Custodial Service Agreement between the City of Fort Stockton and Emma Sanchez for the Fort Stockton Police Department from 2019-2020.

FOURTEENTH ORDER OF BUSINESS:

14. Discuss/Act upon Appointment of New Member to the Fort Stockton Housing Authority Board due to the Resignation of Laura Lannom. Applicants: Guadalupe Fierro, Silvano Fuentes, Harry Gandhi, Ruben Gonzales, David Neyland, Mike Stallard

Motion was made, seconded and carried to Appoint Silvano Fuentez as the New Member of the Fort Stockton Housing Authority Board.

Mayor Alexander recessed from the Regular Meeting at 6:00 p.m. to convene into the:

FIFTEENTH ORDER OF BUSINESS:

15. City Council may Convene in Closed Session in Accordance with Texas Open Meetings Act, Texas Government Code, Concerning Attorney-Client Matters (§551.071); Deliberation regarding Real Property (§551.072); Deliberation regarding Prospective Gifts (§551.073); Personnel Matters (§551.074); and/or Deliberation regarding Security Devices (§551.076):

Ref: (a) Contract City Attorney Interviews: (a) Puja Boinpally (b) Adrian A. Valadez

(b) Annual Evaluation: City Secretary Delma A. Gonzalez

Mayor Alexander closed the Executive Session @ 7:41 p.m. to reconvene into the Regular Meeting.

SIXTEENTH ORDER OF BUSINESS:

16. Reconvene into Open Session Pursuant to Texas Government code Section §551.102 & Take Action, if any, on Matters Deliberated in Executive Session:

(15a) Discuss/Act upon Employment of Contract City Attorney.

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[illegible]

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 CITY SECRETARY: DELMA A. GONZALEZ
 CITY ATTORNEY:

FALCON
 WARNOCK
 URETA
 PALILEO

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

Motion was made, seconded and carried to Approve the Employment of Puja Boinpally for the Contract City Attorney for the City of Fort Stockton.

(15b) Discuss/Act upon Annual Evaluation of City Secretary Delma A. Gonzalez.

FALCON
 WARNOCK
 URETA
 PALILEO

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

Motion was made, seconded and carried to Approve a More than Positive & Outstanding Evaluation for City Secretary Delma A. Gonzalez.

SEVENTEENTH ORDER OF BUSINESS:

17. Questions from the Media on Agenda Items.

There were no questions from the media.

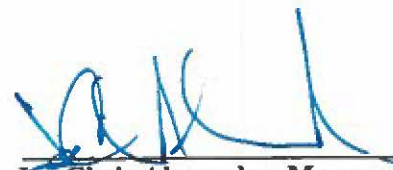
EIGHTEENTH ORDER OF BUSINESS:

18. Adjourn.

FALCON
 WARNOCK
 URETA
 PALILEO

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

There being no further business, motion was made, seconded and carried to adjourn the Regular Meeting @ 7:43 p.m.


 Joe Chris Alexander, Mayor

ATTEST:


 Marina A. Cantu, Administrative Assistant