

CITY OF FORT STOCKTON, TEXAS
MINUTES OF: REGULAR CITY COUNCIL MEETING
DATE OF MEETING: APRIL 14, 2020
TIME OF MEETING: 5:30 P.M.
PLACE OF MEETING: CITY COUNCIL CHAMBER

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:

PRESENT VIA VIDEO CONFERENCE: RUBEN FALCON, JAMES WARNOCK, MIKE URETA JR.,
PAM PALILEO & PAUL CASIAS

VOTED NAY
VOTED AYE
SECONDED
MOVED

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

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 @ 5:37 p.m. to convene into the:

SEVENTEENTH ORDER OF BUSINESS:

- 17. City Council May Convene in Closed Session in Accordance with the 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) Annual Evaluation & Revision to Contract for City Manager Frank Rodriguez III.
(b) 90-Day Review Evaluation: City Secretary Marina A. Cantu

Mayor Alexander closed the Executive Session @ 6:02 p.m. to:

EIGHTEENTH ORDER OF BUSINESS:

- 18. Reconvene into Open Session Pursuant to Texas Government Code Section §551.102 & Take Action, if any, on Matters Deliberated in Executive Session:
(17a) Discuss/Act upon Annual Evaluation & Revision to Contract for City Manager Frank Rodriguez III.

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:

PRESENT VIA VIDEO CONFERENCE: RUBEN FALCON, JAMES WARNOCK, MIKE URETA JR.,
 PAM PALILEO & PAUL CASIAS

	MOVED	SECONDED	VOTED AYE	VOTED NAY
FALCON			X	
WARNOCK		X	X	
URETA	X		X	
PALILEO			X	
CASIAS			X	
FALCON			X	
WARNOCK		X	X	
URETA	X		X	
PALILEO			X	
CASIAS			X	

MAYOR: JOE CHRIS ALEXANDER
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Motion was made, seconded and carried unanimously to Approve a favorable and positive evaluation for City Manager Frank Rodriguez III and Revisions to his Employment Contract to include 36-Month Extension beginning April 14, 2020 & a \$10,000 increase to his salary.

(17b) Discuss/Act upon 90-Day Review Evaluation of City Secretary Marina A. Cantu.

Motion was made, seconded and carried unanimously to Approve a positive 90-Day Review Evaluation for Marina A. Cantu with a 1.5 Step Increase.

Mayor Alexander recessed from the Regular Meeting @ 5:37 p.m.

Mayor Pro-Tem Ureta convened as the Board of Adjustment for a:

FIRST ORDER OF BUSINESS:

- PUBLIC HEARING:** Application request from Property Owner Elvira Feyry to consider a Special Exception to expand a one-family dwelling (detached) in a Retail District 0.22 Acres; Specifically Lots 1&2, Block 251, ORIENT ADDITION, Fort Stockton, Pecos County, Texas According to the Map or Plat of said Addition Recorded in Plat Cabinet 1, Pages 10 A&B of the Plat records of Pecos County, Texas.

Public Testimony from Oscar Hernandez of 1109 N. State:

Oscar Hernandez inquired why the Public Hearing was being heard by the Board of Adjustment.

City Secretary Cantu explained that Special Exceptions are heard by the Board of Adjustment.

Mayor Pro-Tem Ureta closed the Public Hearing at 6:12 p.m.

SECOND ORDER OF BUSINESS:

- Discuss/Act upon Application request from Property Owner Elvira Feyry to consider a Special Exception to expand a one-family dwelling

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(detached) in a Retail District 0.22 Acres; Specifically Lots 1&2, Block 251, ORIENT ADDITION, Fort Stockton, Pecos County, Texas According to the Map or Plat of said Addition Recorded in Plat Cabinet 1, Pages 10 A&B of the Plat records of Pecos County, Texas.

Motion was made, seconded and carried unanimously to Approve the Special Exception for Property Owner Elvira Feyry to expand a one-family dwelling (detached) in a Retail District 0.22 Acres; Specifically Lots 1&2, Block 251, ORIENT ADDITION, Fort Stockton, Pecos County, Texas According to the Map or Plat of said Addition Recorded in Plat Cabinet 1, Pages 10 A&B of the Plat records of Pecos County, Texas.

Mayor Pro-Tem Ureta closed the Board of Adjustment Meeting 6:14 p.m.

Mayor Alexander convened into the:

THIRD ORDER OF BUSINESS:

3. **PUBLIC HEARING:** Application request from Property Owner Fort Stockton ISD to consider Revisions to all of Block H and a portion of West Gallagher Street, South Valentine Street and South Young Street, JAMES ADDITION, Fort Stockton, Pecos County, Texas, Being bound on the North & South by Gallagher Street & Sherer Street and the East & West by Young Street & Valentine Street:
 - RE-ZONE Property from a Single Family (SF-3) Residential Dwelling District to a Two-Family (2F) Residential Dwelling District;
 - RE-PLAT the Block to contain seven (7) Separate Lots; &
 - ABANDONMENT/CLOSURE of a 0.320 Acre Tract of Land being a Portion of South Young Street, West Gallagher Street & South Valentine Street for the Eventual Construction of Teacher Housing.

Public Testimony from Oscar Hernandez of 1109 N. State:

Oscar Hernandez voiced he did not agree with this project as the bond that included teacher housing did not pass.

VOTED NAY
VOTED AYE
SECONDED
MOVED

FALCON
WARNOCK
URETA
PALILEO
CASIAS

X
X
X
X
X
X

MOVED
SECONDED
VOTED AYE
VOTED NAY

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Council Member Falcon explained that the bond was not being discussed. The abandonment/closure of property, Re-Zoning & Re-Platting of the Property is what was being Considered.

Mayor Alexander closed the Public Hearing at 6:17 p.m.

Mayor Pro-Tem Ureta convened into:

FOURTH ORDER OF BUSINESS:

4. **PUBLIC HEARING:** Application request from Property Owner Directbytes, LLC to consider a Revision to 2.066 Acres; Specifically Block 3, Ellyson First Addition, Fort Stockton, Pecos County, Texas According to Pecos County, Texas; Being bound on the North & South by W. Dickinson Boulevard & 9th Street and the East & West by Walnut Street & Mulberry Street.

- RE-PLAT the Block to Contain three (3) Separate lots for the purpose of subdivision & redevelopment.

Mayor Alexander explained when he purchased the property it was platted as one property. His architect recommended re-platting the property into 3 separate sections: the westside being the tunnel portion of the Carwash, the Southeast Side being the redeveloped Self-Serve Carwash, & the Northeast Side being the former E-Z Auto Repair as well as the store on the end where the welding shop is.

The architect suggested the property be re-platted that way he could sell the property individually instead of having to sell the entire property.

Mayor Pro-Tem Ureta closed the Public Hearing at 6:20 p.m.

Mayor Alexander convened into:

FIFTH ORDER OF BUSINESS:

5. **PUBLIC HEARING:** Application request from Property Owner Elvira Feyry to consider revision to 0.22 Acres; Specifically Lots 1&2, Block 251, ORIENT ADDITION, Fort Stockton, Pecos County, Texas According to the Map or Plat of said Addition Recorded in Plat Cabinet 1, Pages 10 A&B of the Plat records of Pecos County, Texas:

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VOITED NAY
 VOTED AYE
 SECONDED
 MOVED

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- RE-PLAT property to one (1) lot.

Mayor Alexander closed the Public Hearing @ 6:21 p.m. to reconvene into the Regular Meeting:

SIXTH ORDER OF BUSINESS:

**6. Chief of Police Robert Lujan with Fort Stockton Police Department ---
 ↳ Statistics for March 2020**

Service Calls Dispatched:	1312	Investigations Initiated:	31
FSPD	1009	83 rd District Attorney	7
FSFD	10	112 th District Attorney	13
PCEMS	143	County Attorney	8
PCSO	149	Juvenile Probation	0
Accidents Worked:	57	Total Arrests:	48
Accidents (PD)	35	Assault – Family Violence	2
Traffic Stops/Violations	488	Burglary	0
Traffic Citations Issued	116	Criminal Mischief	0
Traffic Stops (PD)	458	Criminal Trespass:	9
Misdemeanors	28	Disorderly Conduct	0
Felonies	12	Driving While Intoxicated	5
		Evading Arrest	2
		Illegal Aliens	0
		Murder	0
		Possession of a Controlled Substance	6
		Possession of Marijuana	2
		Public Intoxication	3
		Resisting Arrest	0
		Theft	0
		Warrants	8

SEVENTH ORDER OF BUSINESS:

**7. City Manager Frank Rodriguez III---
 ↳ City Manager’s Report**

MOVED
 SECONDED
 VOTED AYE
 VOTED NAY

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City Manager Frank Rodriguez III explained that the City is still operating.

The City Hall Lobby is open for Senior Citizens from 8:00 a.m. – 10:00 a.m.

The City is allowing customers to drop-off items at the landfill as needed during the City-wide Clean-up.

City Council authorized the 50% reduction of customer’s utility bill. The community is grateful. City Council will review the reduction April 28.

He commended the Police Department and Code Enforcement Department for doing an excellent job.

EIGHTH ORDER OF BUSINESS:

8. CONSENT AGENDA:

Minutes:

- Regular Meeting Minutes of Fort Stockton City Council, 03/24/2020
- Special Meeting Minutes of Fort Stockton City Council, 03/31/2020
- Emergency Meeting Minutes of Fort Stockton City Council, 04/02/2020
- Emergency Meeting Minutes of Fort Stockton City Council, 04/09/2020
- Regular Meeting Minutes of Fort Stockton Planning & Zoning Commission, 10/16/2019

Accounts Payable Grand Total: \$144,073.37

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

NINTH ORDER OF BUSINESS:

9. Discuss/Act upon Ordinance No. 20-103, Authorizing Three (3) Separate Requests from Property Owner Fort Stockton ISD for all of Block H and a portion of West Gallagher Street, South Valentine Street and South Young Street, JAMES ADDITION, Fort Stockton, Pecos County, Texas:

- **ABANDONMENT/CLOSURE of a 0.320 Acre Tract of Land being a Portion of South Young Street, West Gallagher Street & South Valentine Street.**

FALCON
 WARNOCK
 URETA
 PALILEO
 CASIAS

X
 X
 X
 X
 X

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VOTED NAY
 VOTED AYE
 SECONDED
 MOVED

MAYOR: JOE CHRIS ALEXANDER
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- RE-PLAT of all of Block H to contain seven (7) Separate Lots; &
- RE-ZONE Property from a Single Family (SF-3) Residential Dwelling District to a Two-Family (2F) Residential Dwelling District for the Eventual Construction of Teacher Housing.

Council Member Falcon reiterated that the City was considering the abandonment/closure of property, re-plat & re-zone of the property.

Mayor Alexander advised everyone that the abandonment/closure of property was being done to clean-up the property lines.

Motion was made, seconded and carried unanimously to Approve Ordinance No. 20-103, Authorizing Three (3) Separate Requests from Property Owner Fort Stockton ISD for all of Block H and a portion of West Gallagher Street, South Valentine Street and South Young Street, JAMES ADDITION, Fort Stockton, Pecos County, Texas:

- ABANDONMENT/CLOSURE of a 0.320 Acre Tract of Land being a Portion of South Young Street, West Gallagher Street & South Valentine Street.
- RE-PLAT of all of Block H to contain seven (7) Separate Lots; &
- RE-ZONE Property from a Single Family (SF-3) Residential Dwelling District to a Two-Family (2F) Residential Dwelling District for the Eventual Construction of Teacher Housing.

TENTH ORDER OF BUSINESS:

10. Discuss/Act upon Ordinance No. 20-104, Authorizing Request from Property Owner Directbytes, LLC to consider a Revision to 2.066 Acres; Specifically Block 3, Ellyson First Addition, Fort Stockton, Pecos County, Texas According to the map or plat of said addition recorded in Plat Cabinet, Slides 57 A&B, of the plat records of Pecos County, Texas; Being bound on the North & South by W. Dickinson Boulevard & 9th Street and the East & West by Walnut Street & Mulberry Street.

- RE-PLAT of all of Block 3 to contain three (3) Separate lots for the purpose of subdivision & redevelopment.

FALCON
 WARNOCK
 URETA
 PALILEO
 CASIAS

X

X

X
 X
 X
 X
 X

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City Manager Rodriguez determined that the Police Department and Code Enforcement Departments should receive Hazardous Duty Pay.

Mayor Pro-Tem Ureta clarified that all employees are essential & the City Council tries to take care of them. However, the Police Department and Code Enforcement Department are on the frontline. They have direct contact with the community. They provide security and enforce quarantine orders as well as enforce the curfew, etc.

Council Member Falcon inquired if every department was considered for Hazardous Duty Pay when designating these frontline employees.

City Manager Rodriguez assured Council Member Falcon every employee was considered.

Motion was made, seconded and carried to Authorize Hazardous Duty Pay for First Responders: Public Safety Officers & Code Enforcement Staff.

TWELFTH ORDER OF BUSINESS:

12. Discuss/Act upon the Construction of a Carport in a One-Family Dwelling District (SF-1) in accordance with Ordinance No. 18-126, as requested by Property Owner Fred Piña, 208 West 2nd Street, Fort Stockton, Texas 79735.

Mayor Alexander explained that the only issue is the original carport was designed to stand alone and the ordinance states that it must be attached to the home.

He advised everyone that the issue was previously discussed, and Property Owner Fred Piña agreed to attach the carport to the house.

Public Testimony from Property Owner Fred Piña of 208 West 2nd Street:

Property Owner Fred Piña inquired what materials needed to be used to build the carport.

Mayor Alexander explained that the materials used on the carport should match the materials used on the house.

VOTED NAY
VOTED AYE
SECONDED
MOVED

FALCON
WARNOCK
URETA
PALILEO
CASIAS

X
X
X
X
X
X

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:

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Property Owner Fred Piña assured City Council that the Carport would be attached to his home and he stated that a storage and patio would be built on the other end.

Motion was made, seconded and carried to Approve the Construction of a Carport in a Retail (R) in accordance with Ordinance No. 18-126, as requested by Property Owner Fred Piña, 208 West 2nd Street, Fort Stockton, Texas 79735.

FOURTEENTH ORDER OF BUSINESS:

14. Discuss/Act upon Awarding Bid for Routine Maintenance & Repairs Service Contractor for City of Fort Stockton Air-Conditioning & Heating Systems. Bid: TDIndustries

City Manager Rodriguez explained that the bid was high for the services needed.

He recommended not accepting the bid.

Motion was made, seconded and carried to Reject the Bid from TDIndustries for Routine Maintenance & Repairs Service Contractor for City of Fort Stockton Air-Conditioning & Heating Systems.

FIFTEENTH ORDER OF BUSINESS:

15. Discuss/Act upon Accepting the Pecos County Donation of Flagpole located at the Property commonly known as the Baroid Buildings on Railroad Avenue to be placed at the City of Fort Stockton Police Department.

Mayor Alexander advised everyone that the Commissioners Court approved the donation of the flagpole to the Police Department.

Motion was made, seconded and carried unanimously to Accept the Pecos County Donation of Flagpole located at the Property commonly known as the Baroid Buildings on Railroad Avenue to be placed at the City of Fort Stockton Police Department.

FALCON
 WARNOCK
 URETA
 PALILEO
 CASIAS

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

FALCON
 WARNOCK
 URETA
 PALILEO
 CASIAS

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

FALCON
 WARNOCK
 URETA
 PALILEO
 CASIAS

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

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SIXTEENTH ORDER OF BUSINESS:

16. Discuss/Act upon Extra Workspace Permit for AEP TEXAS INC for a Temporary Workspace Easement for a 1.239 Acre Tract of land located at T. & P.P. RR Co. Survey, Section 40, Block 50, Township 9, Abstract 5658, Pecos County, Texas.

City Attorney Boinpally explained that the term of the agreement was not definite. Therefore, the agreement has a term of one year with the option to extend if need be.

Motion was made, seconded and carried unanimously to Approve the Extra Workspace Permit for AEP TEXAS INC for a Temporary Workspace Easement for a 1.239 Acre Tract of land located at T. & P.P. RR Co. Survey, Section 40, Block 50, Township 9, Abstract 5658, Pecos County, Texas.

NINETEENTH ORDER OF BUSINESS:

19. Questions from the Media.

Fort Stockton Pioneer Publisher Steve Fountain asked for clarification on the Changes in Employment Contract for City Manager Frank Rodriguez III.

Mayor Alexander clarified that the Agreement was extended for a 36-Month Term beginning April 14, 2020.

He added that City Manager Rodriguez also received a \$10,000 increase in his annual salary totaling \$139,829.44.

Fort Stockton Pioneer Publisher Steve Fountain asked inquired about changes to the curfew and utility rates.

Mayor Alexander responded there have been no changes to the curfew and the utility changes would be reviewed at the end of April.

Fort Stockton Pioneer Publisher Fountain asked how long maintenance has not been done on the Air-Conditioning Units.

City Manager Rodriguez clarified that maintenance is being done; however, the City pays for the services as rendered. There is not an actual agreement.

VOTED NAY
VOTED AYE
SECONDED
MOVED

FALCON
WARNOCK
URETA
PALILEO
CASIAS

X X
X X
X X
X X
X X

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:

PRESENT VIA VIDEO CONFERENCE: RUBEN FALCON, JAMES WARNOCK, MIKE URETA JR.,
 PAM PALILEO & PAUL CASIAS


	MOVED	SECONDED	VOTED AYE	VOTED NAY
FALCON			X	
WARNOCK	X		X	
URETA			X	
PALILEO	X		X	
CASIAS			X	

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

TWENTIETH ORDER OF BUSINESS:

20. Adjourn.

There being no further business, motion was made, seconded and carried unanimously to adjourn the Regular Meeting @ 6:49 p.m.


 Joe Chris Alexander, Mayor

ATTEST:

 Marina A. Cantu, City Secretary