

CITY OF FORT STOCKTON, TEXAS

MINUTES OF: REGULAR CITY COUNCIL MEETING
DATE OF MEETING: JANUARY 22, 2024
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: DARREN HODGES, PAUL CASIAS, RUBEN J BERNAL, RUBEN FALCON,
PAUL JEROME CHAVEZ

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

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

Mayor Paul Casias 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 Darren Hodges gave the Invocation.

Council Member Ruben J. Bernal led the Pledge of Allegiance to the United States of America Flag & the Pledge of Allegiance to the Texas Flag.

PRESENTATIONS:

1. **Chief of Police Ernesto Velasquez with Fort Stockton Police Department----**
 - Statistics Report for December 2023

December Calls for Service

Total Calls for Service: 1,323
FSPD Calls: 823
FSFD Calls: 8
City: 2

County: 6
PCEMS Calls: 151
PCSO Calls: 336

December Traffic Statistics

Traffic Stops: 383
City: 259
Other Agency: 124
Traffic Citations Issued: 37
Motor Vehicle Accidents: 61
City: 28
Other Agency: 33

December Cases Filed for Prosecution:

Juvenile Probation: 0
County Attorney: 58
83rd District Attorney: 36
112th District Attorney: 9

December Arrest Statistics:

Total Arrests: 18
Charges:
Arson: 0
Assault: 1
Burglary: 0
Criminal Mischief: 0
Criminal Trespass: 0
Disorderly Conduct: 0
Duty on Striking: 0
Driving While Intoxicated: 2
Driving While License Invalid: 0
Evading Arrest: 0
Failure to ID: 1
Family Violence: 0
Murder: 0
Outstanding Warrant: 8
Possession of Controlled Substance: 4
Possession of Marijuana: 2
Public Intoxication: 2
Racing: 0
Resisting Arrest: 1
Sexual Assault: 0
Smuggling of Persons: 0
Terroristic Threat: 0

Theft: 0
Undocumented Migrants: 0
Unlawful Carry: 0
Injury to Child/Elderly: 0
Reckless Driving: 0
Deadly Conduct: 0
Forgery: 0

- Statistics Report for Year To Date

Year To Date Calls for Service

Total Calls for Service: 16,837
FSPD Calls: 11,043
FSFD Calls: 190
City: 44
County: 146
PCEMS Calls: 2,044
PCSO Calls: 3,756

Year To Date Traffic Statistics

Traffic Stops: 3,971
City: 2,715
Other Agency: 1,256
Traffic Citations Issued: 432
Motor Vehicle Accidents: 650
City: 340
Other Agency: 310

Year To Date Cases Filed for Prosecution:

Juvenile Probation: 21
County Attorney: 426
83rd District Attorney: 309
112th District Attorney: 60

Year To Date Arrest Statistics:

Total Arrests: 322
Charges:
Arson: 1
Assault: 16
Burglary: 7
Criminal Mischief: 6
Criminal Trespass: 19
Disorderly Conduct: 5
Duty on Striking: 7

Driving While Intoxicated: 36
Driving While License Invalid: 8
Evading Arrest: 11
Failure to ID: 5
Family Violence: 17
Murder: 1
Outstanding Warrant: 224
Possession of Controlled Substance: 59
Possession of Marijuana: 20
Public Intoxication: 28
Racing: 5
Resisting Arrest: 12
Sexual Assault: 1
Smuggling of Persons: 8
Terroristic Threat: 5
Theft: 13
Undocumented Migrants: 3
Unlawful Carry: 9
Injury to Child/Elderly: 1
Reckless Driving: 4
Deadly Conduct: 1
Forgery: 1

RESOLUTION:

2. Discuss/Act upon Resolution No. 24-103R, A Resolution Authorizing the City of Fort Stockton to File a Grant Application for Community Surveillance to Combat Terrorism. **(City Mgr./C.O.P)**

Chief of Police Ernesto Velasquez explained this is for a Homeland Security Grant to Combat Terrorism. They are looking to apply for the Drone Program to help prevent and deter acts of Terrorism across the State. This would allow us to gather intelligence and utilize it as a surveillance platform to share information and respond accurately in a timely manner to an event such as an active shooter or terrorism event. The drone would be deployed when there is any suspicious activity.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Resolution No. 24-103R, A Resolution Authorizing the City of Fort Stockton to File a Grant Application for Community Surveillance to Combat Terrorism. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.

CONSENT AGENDA:

3. 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, 01/08/2024
- Regular Meeting Minutes of Building & Standards Commission, 12/07/2023
- Regular Meeting Minutes of Tourism Advisory Board, 11/21/2023
- Regular Meeting Minutes of Intergovernmental Recreation Board, 11/15/2023
- Regular Meeting Minutes of Cemetery Advisory Board, 01/18/2023
- Regular Meeting Minutes of Cemetery Advisory Board, 10/18/2023

Accounts Payable Grand Total:

\$509,384.05

Motion was made by Council Member Ruben J Bernal, seconded by Council Member Paul Jerome Chavez, and carried unanimously to approve the Consent Agenda, as presented. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon, Paul Jerome Chavez voted aye.

REGULAR BUSINESS:

4. Discuss/Act upon Memorandum of Understanding (MOU) between PermiaCare Rural Border Intervention Program Community Health Worker (CHW) Services and City of Fort Stockton Police Department for Collaborative Treatment Planning and Care Coordination activities concerning Community-based Mental Health and/or Substance Use Disorder Services. (City Mgr./C.O.P.)

Chief of Police Ernesto Velasquez explained the Memorandum of Understanding between PermiaCare and the Fort Stockton Police Department allows them to provide healthcare services for the City of Fort Stockton and the surrounding area. This allows them to coordinate and network services pertaining to substance abuse and mental behavior issues.

Motion was made by Council Member Ruben J Bernal, seconded by Council Member Paul Jerome Chavez, and carried unanimously to approve Memorandum of Understanding (MOU) between PermiaCare Rural Border Intervention Program

Community Health Worker (CHW) Services and City of Fort Stockton Police Department for Collaborative Treatment Planning and Care Coordination activities concerning Community-based Mental Health and/or Substance Use Disorder Services. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.

5. Discuss/Act upon Amended and Restated Economic Development Program Agreement between the City of Fort Stockton, Texas and Lancium, LLC. (City Atty./EDC Dir.)

Economic Development Corporation Executive Director Remie Ramos thanked Jennifer Kennedy of Lancium for attending the meeting and he requested this item be reviewed by City Council later once additional information is gathered.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Ruben J Bernal, and carried unanimously to table the Amended and Restated Economic Development Program Agreement between the City of Fort Stockton, Texas and Lancium, LLC. Council Member Darren Hodges, Mayor Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.

6. Discuss/Act upon Lease Agreement between Xerox and the City of Fort Stockton for 1 Copier for the Recreation Department. (City Mgr./Rec. Dir.)

Director of Finance Maria Rodriguez explained the Recreation Department approved the new lease for a Xerox Machine. They currently pay approximately \$230 a month and will now pay approximately \$171 a month depending on how many-colored impressions they make.

Motion was made by Council Member Paul Jerome Chavez, seconded by Council Member Darren Hodges, and carried unanimously to approve Lease Agreement between Xerox and the City of Fort Stockton for 1 Copier for the Recreation Department. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.

7. Discuss/Act upon Proposal for the New Construction of a Shade Awning at the Hodges Pavilion. **Proposals Received:** *L.T. Construction, LLC, Triple R Welding, LLC* (City Mgr.)

City Manager Frank Rodriguez recommended all proposals for the New Construction of a Shade Awning at the Hodges Pavilion be rejected. He explained the proposals did not include a breakdown in cost for labor and materials which would have allowed for a better comparison in proposals.

Council Member Ruben J. Bernal inquired if they would come back with details.

City Manager Frank Rodriguez explained they would possibly re-solicit; however, they would like to add the green room to ensure everything is done all at one time.

Council Member Darren Hodges inquired if the proposal would also request detailed information.

City Manager Frank Rodriguez explained the solicitation for proposals did request detailed information, he reiterated the importance of the detailed information when determining who the proposal would be awarded to. He stated the new proposal would emphasize the importance to the prospective contractors.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Ruben J Bernal, and carried unanimously to Reject both Proposals received for the New Construction of a Shade Awning at the Hodges Pavilion. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.

8. Discuss/Act upon Pay Application No. 3 totaling \$83,105.00 for work performed by AG Oilfield Services, Inc. which includes phase 3: Excavation and Removal as well as the Change Order for Clearing of the Right-of-Way for the Removal of 13,851 feet of Pipeline within Section 34, Block 27, and Section 6, 7, 17, and 18, Block 28, University Lands, Pecos County, Texas. (City Mgr.)

City Manager Frank Rodriguez III explained the scope of work performed by AG Oilfield Services, LLC has been verified by our City Engineer.

Motion was made by Council Member Ruben J Bernal, seconded by Council Member Paul Jerome Chavez, and carried unanimously to approve Pay Application No. 3 totaling \$83,105.00 for work performed by AG Oilfield Services, Inc. which includes phase 3: Excavation and Removal as well as the Change Order for Clearing of the Right-of-Way for the Removal of 13,851 feet of Pipeline within Section 34, Block 27,

and Section 6, 7, 17, and 18, Block 28, University Lands, Pecos County, Texas. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.

9. Discuss/Act upon Pay Application No. 2 totaling \$95,327.50 for work performed by Triple R. Welding, LLC which includes the completion of services for the Covered Parking for Public Works Machinery/Equipment Construction Project. (City Mgr.)

City Manager Frank Rodriguez III explained this project has been completed and verified by our City Engineer.

Motion was made by Council Member Paul Jerome Chavez, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Pay Application No. 2 totaling \$95,327.50 for work performed by Triple R. Welding, LLC which includes the completion of services for the Covered Parking for Public Works Machinery/Equipment Construction Project. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.

10. Discuss/Act upon 1st Quarterly Revenue & Expense Report ending December 31, 2023. (City Mgr./Dir. of Fin.)

	REVENUES	EXPENSES	REVENUES OVER/(UNDER) EXPENDITURES
GENERAL	28.32%	21.92%	\$ 701,271.70
HB 445	24.98%	23.06%	\$ 12,309.22
	<i>Sales Tax is doing good for the 1st Quarter.</i>		
RECREATION	24.11%	36.06%	(\$ 43,923.53)
	<i>They received a piece of equipment. They did a budget amendment for the last fiscal, and they will need to do a budget amendment for this fiscal. Some of their Fall Sports have been paid out of this Quarter.</i>		
HOUSING AUTHORITY	28.19%	28.17%	
	<i>They receive federal funding. They are pretty much balanced right now; they have spent what they have received.</i>		
ENTERPRISE	25.79%	24.61%	\$ 133,881.38
	<i>We are doing good for this Quarter. Our Summer months are usually better.</i>		
EDC 4A	23.71%	13.90%	\$ 99,129.27

EDC 4B	28.08%	41.39%	(\$ 87,803.12)
	<i>This includes the \$80,000 they paid for the Sound System. It was budgeted for last year; however, it was not paid until this year.</i>		
CVB	16.92%	17.40%	(\$ 6,386.70)
	<i>The Summer Months is usually when they receive most of their money for hotel/motel taxes.</i>		
VENUE TAX	17.43%	9.06%	\$ 30,543.10
DEBT SERVICE	22.48%	0.24%	\$ 317,684.03
	<i>Nothing has been paid, our first payment is due in March.</i>		

Motion was made by Council Member Darren Hodges, seconded by Council Member Ruben J Bernal, and carried unanimously to approve 1st Quarterly Revenue & Expense Report ending December 31, 2023. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.

11. Discuss/Act upon 1st Quarterly Investment Report ending December 31, 2023. (City Mgr./Dir. of Fin.)

Director of Finance Rodriguez reported at the end of December, TexPool's average interest rate was 5.32%; LOGIC's average interest rate was 5.54%; 90-day T-Bills were 5.46% and the one-year T-Bills were 4.80%. Our local bank, Pecos County State Bank, is currently at 4.89%.

In accordance with Resolution No. 11-110R, the City exceeded the required 7% of General Fund's and Enterprise Fund's budgeted expenses totaling \$21,858,810.00 by maintaining \$1,530,116.70.

GENERAL			
	<i>Beginning of Quarter</i>	<i>End of Quarter</i>	<i>Quarterly Interest Earned</i>
TOTAL	\$ 10,234,610.75	\$ 10,193,881.99	\$ 140,326.21
CVB			
	<i>Beginning of Quarter</i>	<i>End of Quarter</i>	<i>Quarterly Interest Earned</i>
TOTAL	\$ 861,640.86	\$ 896,501.92	\$ 10,969.85
EDC 4-A			
	<i>Beginning of Quarter</i>	<i>End of Quarter</i>	<i>Quarterly Interest Earned</i>
TOTAL	\$ 3,449,484.67	\$ 3,383,110.48	\$ 46,571.77

EDC 4-B			
	<i>Beginning of Quarter</i>	<i>End of Quarter</i>	<i>Quarterly Interest Earned</i>
TOTAL	\$ 1,929,236.21	\$ 1,680,313.14	\$ 25,461.61
SPECIAL ASSESSMENT			
	<i>Beginning of Quarter</i>	<i>End of Quarter</i>	<i>Quarterly Interest Earned</i>
TOTAL	\$ 3,209,739.16	\$ 3,496,148.67	\$ 45,866.62

Motion was made by Council Member Ruben J Bernal, seconded by Council Member Paul Jerome Chavez, and carried unanimously to approve 1st Quarterly Investment Report ending December 31, 2023. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.

12. Discuss/Act upon Initiating the Voluntary Annexation Process for a 31.9306 Acre Tract of Land, being part of Block Twenty-Nine (29), F.J. ELLYSON FIRST ADDITION, as filed in Volume 3, Page 54 of the Plat Records of Pecos County, Texas and a part of Section 27, Block 146, TEXAS & ST. LOUIS RAILROAD COMPANY SURVEYS to the City of Fort Stockton, According to the Map or Plat of Said Addition, Plat Records of Pecos County, Texas, which shall be zoned as a "Commercial District (C)" for the Procurement of Utility Services as requested by Property Owner Texas New Mexico Power Company. **(Mayor)**

City Secretary Marina Cantu displayed a map of the property proposed to be annexed, which is located off Ellyson Blvd in front of Dr. Ted Fish's Animal Medical Clinic.

City Manager Frank Rodriguez III explained the Team to include the Utilities Department met with Texas New Mexico Power Company to ensure that the Utilities could be provided to the area.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Paul Jerome Chavez, and carried unanimously to approve Initiating the Voluntary Annexation Process for a 31.9306 Acre Tract of Land, being part of Block Twenty-Nine (29), F.J. ELLYSON FIRST ADDITION, as filed in Volume 3, Page 54 of the Plat Records of Pecos County, Texas and a part of Section 27, Block 146, TEXAS & ST. LOUIS RAILROAD COMPANY SURVEYS to the City of Fort Stockton, According to the Map or Plat of Said Addition, Plat Records of Pecos County, Texas, which shall be zoned as a "Commercial District (C)" for the Procurement of Utility Services as requested by Property Owner Texas New Mexico Power Company. Council Member

Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.

13. Discuss/Act upon Initiating the Voluntary Annexation Process for a 5.72 acre tract of land being out of Section Twenty-Three (23), Block One Hundred Forty-Six (146), T. & ST. L. RY. CO. SURVEY, and also being out of and part of those same certain tracts called Tract One and Tract Two described in conveyance document to Ray House Jr. and Ellie M. House, recorded in Volume 765, Page 23 of the Deed Records of Pecos County, Texas, to the City of Fort Stockton, According to the Map or Plat of Said Addition, Plat Records of Pecos County, Texas, which shall be zoned as a "Commercial District (C)" for the Procurement of Utility Services as requested by Property Owner Duff Real Estate, LLC. **(Mayor)**

City Secretary Marina Cantu explained this property is located to the South of Flying J.

Council Member Ruben Falcon inquired if there was a Water Well located on this property. He recalled that location was previously utilized for water sales and inquired if this property would continue to be utilized for water sales.

Council Member Ruben J. Bernal responded that it appeared that there was a water tank located on the property being considered for annexation.

City Secretary Marina Cantu responded that the intended use of the Property would be to open a Tire Mart. She further explained the issue of the Water Well could be addressed when negotiating the Municipal Services Agreement.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Darren Hodges, and carried unanimously to approve Initiating the Voluntary Annexation Process for a 5.72 acre tract of land being out of Section Twenty-Three (23), Block One Hundred Forty-Six (146), T. & ST. L. RY. CO. SURVEY, and also being out of and part of those same certain tracts called Tract One and Tract Two described in conveyance document to Ray House Jr. and Ellie M. House, recorded in Volume 765, Page 23 of the Deed Records of Pecos County, Texas, to the City of Fort Stockton, According to the Map or Plat of Said Addition, Plat Records of Pecos County, Texas, which shall be zoned as a "Commercial District (C)" for the Procurement of Utility Services as requested by Property Owner Duff Real Estate, LLC. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.

14. Questions from Media.

There were no questions from the media.

15. Adjourn.

Motion was made by Council Member Paul Jerome Chavez, seconded by Council Member Ruben J Bernal, and carried unanimously to adjourn the Regular City Council Meeting at 6:00 p.m. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.



Paul Casias

Paul Casias, Mayor

ATTEST:

Marina A. Cantu

Marina A. Cantu, City Secretary