

CITY OF FORT STOCKTON, TEXAS

MINUTES OF: SPECIAL CITY COUNCIL MEETING
DATE OF MEETING: FEBRUARY 15, 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, JAMES WARNOCK, 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.

PUBLIC TESTIMONY:

1. Public Testimony on Agenda Items.

PRESENTATIONS:

2. **Alex Gonzalez with BioCatters, LLC----**
 - Update on Blue Ridge Farms

Lambert Gonzalez of BioCatters, LLC showed a brief slideshow. He explained over the last few years BioCatters has met with a handful of organizations for the purpose of entering into an agreement for developing the Blue Ridge Farms Property. He elaborated that they are currently engaged and have successfully executed 2 Letters of Intent with multiple groups. The contracts have not been returned; however, once they are received, they will be reviewed by City Council.

3. **Economic Development Corporation Executive Director Remie Ramos----**

- FY 2023-2024 1st Quarterly Report

Economic Development Corporation Executive Director Remie Ramos explained unemployment changed from 3.4 in September to 2.7 in December, which could be attributed to the availability of short-term jobs.

Sales Tax for the quarter is up 15.34% with a total of \$4,968,716 for the year to date.

Business Recruitment Projects:

- A&B Prestige for the revitalization of the cleaners building on Main Street for Sizzle & Stone.
- APEX Gym & Fitness into one of the shopping centers.
- Snyder Iron & Metal to relocate a scrap yard in Pecos County.
- Union Pacific for the development of 2 new rail projects within the rail yard in Pecos County.

Business Retention Projects:

- Hilda Alvarado with a Storefront Project for VIP Closet located at the former Tattoo Shop on the East side of town.
- Assisted with the Transfer of Ownership of the Steakhouse
- Storefront Improvement for Cowboy Liquor.

Commercial Building Report:

- Vacant: 14 buildings
- Change in Status Reported: VIP Closet, Elia's Bakery, and APEX gym

Residential Report:

- Rental Available: 12 houses, 2 Duplex, 9 Apartments
- Listings Available: 40 MLS, 3 by Owner, 14 ETJ

- Construction: 1 New Construction Permit

Ongoing City Projects:

- Lannom Park Solar Lighting
- Thrive Marketing Group
- Spray Park Mechanical Upgrade
- Gene Cummings Shade Installation
- Spaceport Launch Pending
- TNMP New Yard
- Grand Lux Apartments
- Springhirst & Railroad Warehouse

Special Events:

- TML Conference in October
- TEDC Annual Conference in October
- UPRA State Fair Awards
- Thrive Community Meeting in December

4. **Dr. Gabriel Zamora Superintendent of the Fort Stockton Independent School District----**
 - Proposed AG Barn to be located on School Property

Dr. Gabriel Zamora Superintendent of the Fort Stockton Independent School District explained his intent is to best serve the students in the best way possible. The School District wants a safe environment for their students. They also want to provide the facilities that were promised during this bond. When touring the facilities when he first arrived, he questioned why the Ag Barn was located so far away.

He was advised that the location of the existing Ag Barn was due to the current ordinance that prohibits livestock inside city limits. He spoke with City Manager Frank Rodriguez III to see if there was an opportunity to place the facility somewhere where the students can access it immediately that is visible rather than being located on the dark side, outside the city limits.

He clarified while the decision has been made to build a new Ag Barn, the only thing that was going to cause the old one to go down would be the construction of the new one.

He further explained the illustration published in the newspaper was the renovations that were to be made to the existing Ag Barn; however, the architects realized that it did not have an

engineer's stamp nor was it created via architect design. Therefore, the School District was unable to provide the lab, restroom facilities and places for students to go to interact with the different animals.

He further explained there would be a minimal number of animals.

He stated they would like to have a place to park some of their trailers to keep them out of the sun. He measured via google maps and determined that the closest house was approximately 600 yards from the proposed location of the New Ag Facility.

He explained in the hot part of the year the wind blows in the opposite direction.

He clarified they are not looking to create a facility to be utilized as a slaughterhouse or store 100 animals. They are looking for a facility that the students can seasonally have animals with the ability to participate during the school day in labs and have access to the restroom facilities.

The larger animals will be maintained at the existing Ag Barn. They have plans to replace the roof with metal tin to extend the life of the existing Ag Barn.

They intend to maintain the existing Ag Barn for larger animals while creating a new facility to meet the needs the district has in an area north of the Football, Softball and Baseball Complex.

He apologized for not providing a finalized plan; however, the plan depends on what the City of Fort Stockton decides.

Jennifer Gonzales of 2100 S. Crockett Drive explained she currently serves as the FFA Booster Club President for Fort Stockton High School as well as the School Board Trustee for Ward 7.

She explained having the Ag Science Facility would open a lot of time for students as well as their teacher. This would open opportunities to hold clinics at the High School. It would make it effortless to supervise projects, clean up and upkeep while tending to animals and offering mentorship opportunities.

Thier goal is to develop a mentor program with their Special Education Students. The close proximity of the proposed Ag Barn would allow students in other academic groups within their campus more opportunities to gain experience with something new. This would allow the

district the ability to host events where Special Education Students could show their projects as well.

She explained there would be a disposal system in place to keep any odor down from livestock waste such as manure.

The Ag Science Facility will not be utilized as a slaughterhouse. The current Ag Classroom has a Meat Processing Room for those interested in taking a tour. However, the refrigerator will need to be repaired in the future. This would allow the district to host clinics, having someone from Sul Ross come in to show the students how to properly dress down a deer, a cow or a pig. They would also show them the method of processing an animal.

Larger livestock such as cattle or horses would not be kept at the Ag Barn. Students that show cattle usually keep their heifers or steers at home. Due to the investment they put into their project, they cannot risk their animal(s) getting hurt or dying. Projects that would primarily be kept at the Ag Barn would be smaller animals such as pigs, lambs and goats.

Ector Martinez of 1503 N. Gillis explained he currently serves as the 2023-2024 FFA Chapter President. The relocation of the Ag Barn onto School Property would bring many new and extended opportunities to the Agricultural CTE Program. The close proximity of the Ag Barn would offer the development of easily accessible livestock projects, outdoor classroom experiences and the personal development of agricultural life.

Paul Henderson of 2274 S. Crockett explained although the program currently has a few hogs housed out there; building the program could result in many more. What about the property value of properties located within the area? How will it affect them? He further explained there is a lot of money being spent on the High School to improve the Stadium and Fields for them to be affected by the smell of the Ag Barn. The School District has plenty of property out by the existing Ag Barn. He stated he doesn't believe the ordinance should be changed for the School District. What happens when someone living inside city limits decides they want to keep their racehorse in their backyard? He believes the Ag Barn needs to stay out in the Country. Lots of money has been spent on the roads and cleaning the area up. He is for the Ag Program; however, he is tired of wasting money.

Zana Matthis Hanson of 3455 7D Road a Former Ag Student approximately 40 years ago explained they used to travel via truck during the class period stacking kids upon kids. The proximity of the proposed Ag Facility would allow for safer travel as they could walk to the facility.

She attributed her daughter's growth to the program. Her daughter participates in Public Speaking and other learning experiences that grow her in leadership. She is currently serving as her Chapter's Secretary as well as a Reporter for the District. She has goals in pursuing Leadership Positions at the state level. It is more than showing, the program teaches responsibility through these animal experiences.

Juanita Dominguez of 1501 W. Panther Lane explained she built her forever home located across from the golf range and tennis courts. She would like to sit outside her home and enjoy the breeze without the odor of manure. She explained right now they only have a few pigs; however, there might be more in the future.

She addressed the issue of the traffic at the High School. She stated the students don't walk to the college they zoom to the college in their vehicles. She explained her neighbor just had a vehicle run into his yard last week. She reiterated she was against the proposed Ag Barn location. The improvements to the Sports Complex will be overpowered by the stench of manure at the proposed Ag Barn.

Ruben Gonzales of 1804 N. Oklahoma is opposed to building an Ag Barn at the proposed location for the same reasons mentioned earlier.

Matt Tarpley of 2007 W. 6th Street explained he supports an educational facility at the proposed location; however, housing small livestock at the proposed location is not a good idea.

He further explained pigs learn how to identify your vehicle and will squeal when they are hungry, until they are fed. Although they may be located 600 yards away, the noise will carry. Building an Ag Facility equipped with a classroom and a few pens to bring livestock in when that educational opportunity needs to happen might be a good compromise.

Additionally, sheep and goats have a tendency to get out of their pens. The close proximity to the interstate might create safety concerns. There was a reason why the ordinance was adopted several years ago, and the reason still exists.

He reiterated that a good compromise would be an educational facility that livestock could be temporarily brought in and returned to the existing Ag Facility located outside city limits.

Joe Shuster of 1507 W. Callaghan serves as the Pecos County Judge. He explained the stock pens that used to be located on the Old Alpine Highway created an odor that reached across Fort

Stockton. The reason the ordinance was adopted was because residents living inside city limits did not want to deal with the noise, the flies or the smell.

He explained he supports the FFA and 4-H Programs; however, there is a place for them. The place for them is the Ag Barn and the Ag Barn belongs outside city limits. He knows that students will learn through the program, Ms. Hanson is a prime example of that.

Millions of dollars have been utilized to improve the proposed area and it would be a mistake to place an Ag Barn there. People visiting would remember Fort Stockton for the odor emitted from the Ag Barn.

He urged Council to be cognizant of the fact that they serve the people not the School or the School Board. The School Board needs to make that decision amongst themselves. The proper place for the Ag Facility is on the other side of the existing Ag Barn. The existing Ag Barn does not meet the criteria for today because it was made by students and teacher volunteers.

He urged City Council to do the right thing.

He also advised everyone that the students used to be bussed to the existing Ag Barn.

Juanita Dominguez of 1501 W. Panther Lane explained students drive to the college every day. If they love their animals, they will find a way to get to the existing Ag Barn to care for them.

Zana Matthis Hanson of 3455 7D Road responded that her daughter walks every day to the college for class. She explained the proposed location would provide a better controlled class environment that is supervised instead of students being sent to the location on their own.

Dr. Gabriel Zamora Superintendent of the Fort Stockton Independent School District explained the safety concern was the current location being isolated due to its location. He explained their intent was to provide a CTE facility and lab for their students to access and save time traveling back and forth. The other facility would be utilized to permanently house the livestock.

Mayor Paul Casias explained this was not an action item, it would be reviewed as an action item at a later date.

Council Member Ruben Falcon inquired why City Council was considering the request without a completed plan. He explained it would be different if Mrs. Dominguez was

requesting to build her home next to an existing Ag Barn; however, the School District is requesting permission to build an Ag Barn next to her home. He suggested the School District gather everything needed for a Variance Request and submit it to the City Secretary for review.

Dr. Gabriel Zamora Superintendent of the Fort Stockton Independent School District advised everyone that the School District was not willing to spend hundreds or thousands of dollars on a plan at this point. He further explained the plan would be different depending on the City of Fort Stockton's verdict. Once the verdict is received the School District will plan accordingly.

Paul Henderson of 2274 S. Crockett pointed out that Dr. Gabriel Zamora contradicted himself concerning the safety of the students. He initially stated there was a safety concern with the Ag Barn being located outside city limits then stated that the animals would be brought to the Ag Facility to work with and returned outside city limits.

City Attorney Puja Boinpally explained last September House Bill 1750 was passed, which allows cities to regulate agricultural operations. Upon receiving the School District's Letter of Intent City Attorney Puja Boinpally and City Secretary Marina Cantu reached out to the Texas A&M Agrilife Extension to see the required manual. The manual was recently released, a few days ago. City Attorney Puja Boinpally reached out to the Texas Municipal League to discuss the manual; however, they have not reviewed the manual. Therefore, we need additional time to review the manual to determine what policies would need to be adopted to regulate agriculture.

Pecos County Judge Joe Shuster suggested City Attorney Puja Boinpally review the bill to see whether the word may or shall was utilized, as each word would have a different meaning for what the bill states.

CONSENT AGENDA:

5. 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, 01/22/2024
- Special Meeting Minutes of Fort Stockton City Council, 02/01/2024
- Special Joint Meeting Minutes of Fort Stockton City Council and Pecos County Commissioners Court, 02/06/2024

- Regular Meeting Minutes of Building and Standards Commission, 01/05/2024
- Regular Meeting Minutes of Historical Landmark Commission, 01/03/2024
- Regular Meeting Minutes of Keep Historic Fort Stockton Beautiful Board, 01/03/2024
- Regular Meeting Minutes of Fort Stockton Economic Development 4-A Corporation, 11/16/2023
- Regular Meeting Minutes of Fort Stockton Economic Development 4-B Corporation, 11/16/2023

Accounts Payable Grand Total:

\$528,728.78

Motion was made by Council Member Ruben Falcon, seconded by Council Member Ruben J Bernal, and carried unanimously to approve 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, Council Member Paul Jerome Chavez voted aye.

ORDINANCE:

6. Discuss/Act upon Ordinance No. 24-102, An Ordinance of the City of Fort Stockton, Pecos County, Texas, Establishing an Exemption from Ad Valorem Taxes for Qualifying Child-Care Facility Properties, As Authorized by Texas Tax Code Section 11.36; Providing for a Severability Clause; Providing for Related Matters.

City Secretary Marina Cantu explained City Manager Frank Rodriguez III was approached by one of our local Day-Care Facilities concerning Senate Bill 1145 that was recently passed and effective January 1, 2024. She further explained it has taken a little while to get the process established. The Texas Comptroller's Office recently created the form to be submitted to the Appraisal District by the Applicant. In speaking with the Texas Municipal League and the Local Appraisal District, should the City of Fort Stockton choose to adopt the exemption, we would need to Approve the ordinance, designating a percentage of the appraised value of the property. The percentage specified by the governing body may not be less than 50 percent.

The property must meet the following requirements to qualify for the exemption:

- Used exclusively to provide developmental and educational services for children attending the child-care facility; and
- Reasonably necessary for the operation of the child-care facility.
- The use of exempt property for functions other than providing developmental and educational services for children attending the child-care facility located on the property does not result in the loss of an exemption authorized by this section if

those other functions are incidental to the use of the property for providing those services to those children and benefit:

- Those children; or
- The staff and faculty of the facility.

Furthermore, as set forth in the Texas Tax Code Section 11.36(g), a person cannot claim the child-care facility exemption on property they own and lease to another to operate a qualifying child-care facility if the person also claims a Texas Tax Code Section 11.13 residence homestead exemption on the property or leases any part of the property to another for use as a principal residence.

She explained that the Ordinance is being presented to City Council for their review because the Local Child-Care Facility requested the exemption; however, she wasn't sure if they were ready to vote on the item or if they wanted to review the new Bill in depth to fully understand what they would be approving.

Mayor Paul Casias voiced he felt City Council needed more time to look into this item to understand what they are considering.

Motion was made by Council Member Ruben J Bernal, seconded by Council Member Paul Jerome Chavez, and carried unanimously to table Ordinance No. 24-102, An Ordinance of the City of Fort Stockton, Pecos County, Texas, Establishing an Exemption from Ad Valorem Taxes for Qualifying Child-Care Facility Properties, as Authorized by Texas Tax Code Section 11.36; Providing for a Severability Clause; Providing for Related Matters. 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.

RESOLUTIONS:

7. Discuss/Act upon Resolution No. 24-104R, A Resolution Authorizing the City of Fort Stockton to File a Grant Application for the Criminal Justice Grant Program FY2025.
(C.O.P)

Chief of Police Ernesto Velasquez explained he would like to request that City Council Approve Resolution No. 24-104R, Authorizing the City of Fort Stockton to apply for the Edward Byrne Memorial Justice Assistance Grant Program to promote public safety, reduce crime, and improve the criminal justice system. He explained they would like to purchase equipment to improve the

interview process. The equipment would detect modulations in a person's voice to determine whether they were being truthful or not.

Motion was made by Council Member Ruben J Bernal, seconded by Council Member Darren Hodges, and carried unanimously to approve Resolution No. 24-204R, A Resolution Authorizing the City of Fort Stockton to File a Grant Application for the Criminal Justice Grant Program FY2025. 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 Resolution No. 24-105R, A Resolution Authorizing the City of Fort Stockton to File a Grant Application for the Operation Lone Star Grant Program (OLS), FY2025. (C.O.P.)

Chief of Police Ernesto Velasquez explained he would like to request that City Council Approve Resolution No. 24-105R, Authorizing the City of Fort Stockton to apply for the Operation Lone Star Grant Program. They previously were awarded this grant and utilized it for funding operations related to border activities such as criminal interdiction, drug interdiction and alien smuggling. He requested permission to enter into their grant program again.

Motion was made by Council Member Ruben J Bernal, seconded by Council Member Darren Hodges, and carried unanimously to approve Resolution No. 24-105R, A Resolution Authorizing the City of Fort Stockton to File a Grant Application for the Operation Lone Star Grant Program (OLS), FY2025. 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 Resolution No. 24-106R, A Resolution Authorizing the City of Fort Stockton to File Grant Application #4905102 to the Office of the Governor for the Operation Stonegarden (OPSG) for FY2023. (C.O.P.)

Chief of Police Ernesto Velasquez explained he would like to request that City Council Approve Resolution No. 24-106R, Authorizing the City of Fort Stockton to apply for Operation Stonegarden another national grant working with Border Patrol and Customs also focusing on the border activities, southbound traffic, northbound traffic, criminal interdiction, and alien smuggling as well.

Motion was made by Council Member Ruben J Bernal, seconded by Council Member Darren Hodges, and carried unanimously to approve Resolution No. 24-106R, A Resolution

Authorizing the City of Fort Stockton to File Grant Application #4905102 to the Office of the Governor for the Operation Stonegarden (OPSG) for FY2023. 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 Resolution No. 24-107R, A Resolution Authorizing the City of Fort Stockton to File a Grant Application with the Office of the Secretary, US Department of Transportation Raise Grant Opportunity. **(Annika Vasquez)**

City Manager Frank Rodriguez III explained he was requesting permission to apply for the Raise Grant through the US Department of Transportation. They identified an area that will fit the criteria required by the grant. They have \$1.5 Billion Dollars available for infrastructure for streets. The identified area is from W. Sherer, W. Ryan, and between the El Paso Area.

Motion was made by Council Member Ruben J Bernal, seconded by Council Member Paul Jerome Chavez, and carried unanimously to approve Resolution No. 24-107R, A Resolution Authorizing the City of Fort Stockton to File a Grant Application with Office of the Secretary, US Department of Transportation Raise Grant Opportunity. 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.

REGULAR BUSINESS:

11. Discuss/Act upon 10-foot-wide Utilities Easement Agreement for 0.032 acres out of Lots 5, 6, 7, and 8, Block 39, OLD FORT ADDITION between Rook Properties, LLC and the City of Fort Stockton. **(City Atty.)**

City Attorney Puja Boinpally explained this easement is for two properties located back-to-back owned by the same property owner. There is no alley in between them; therefore, the property owner is granting the City of Fort Stockton an easement to access that area for utilities.

Motion was made by Council Member Ruben J Bernal, seconded by Council Member Paul Jerome Chavez, and carried unanimously to approve a 10-foot-wide Utilities Easement Agreement for 0.032 acres out of Lots 5, 6, 7, and 8, Block 39, OLD FORT ADDITION between Rook Properties, LLC and the City of Fort Stockton. 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 Memorandum of Understanding (MOU) between the City of Fort Stockton and Texas Disposal Systems, Inc. (TDS) allowing TDS to divert excess Municipal Solid Waste (MSW) to the City of Fort Stockton Landfill. **(City Mgr.)**

City Manager Frank Rodriguez III explained Texas Disposal Systems, Inc. approached the City of Fort Stockton regarding a diversion opportunity for their trash.

They are existing customers of the City of Fort Stockton. Since the opening of the new Landfill we have the opportunity to generate additional revenue. The MOU identifies 30 Tons per week. They would be bringing in Type I Waste. Our Ordinance allows for \$85 per ton for Type I Waste; however, since they are coming from out of town, he requested that City Council approve the MOU for \$105 per ton at a rate of 30 tons per week.

He explained this would not affect the City's ability to continue to provide local trash services. We are allowed to have 7,300 tons per year for Type I and Type IV Waste.

Motion was made by Mayor Pro-Tem James Warnock, seconded by Council Member Ruben J Bernal, and carried unanimously to approve the Memorandum of Understanding (MOU) between the City of Fort Stockton and Texas Disposal Systems, Inc. (TDS) allowing TDS to divert excess Municipal Solid Waste (MSW) to the City of Fort Stockton Landfill. 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 Lease Proposal for Approximately 360 Acres of Land, more particularly described as:
- o All of Tracts 7, 8, 9, 10, Section 4, Block 2, Fort Stockton Irrigated Lands Company Land, Pecos County, Texas;
 - o Tracts 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63 and 64, Survey 5, Block 2, Fort Stockton Irrigated Lands Company Land, Pecos County, Texas.
 - o **Proposals Received:** *M & J Trucking Inc. dba M & J Ranches and Farm, Matt Garvin. Paul Gollither dba Gollither Cattle (City Mgr.)*

Public Works Director Luis Guerra explained the lease identified approximately 360 Acres of Land for farming. After the proposals were submitted and reviewed, he ranked them in order with one providing the best value for the city. Number 1 being M & J Trucking, Number 2 being Paul

Golliher and Number 3 being Matt Garvin. He reiterated that the proposal submitted by M & J Trucking would be most advantageous proposal for the city.

Council Member Ruben Falcon inquired if the City of Fort Stockton knew what the annual sales are.

City Manager Frank Rodriguez III responded that annual sales have yielded \$1,000 for the City of Fort Stockton with a \$8,200 annual lease.

Council Member Ruben Falcon inquired if we knew what the operator was yielding.

City Manager Frank Rodriguez III responded that we do not know what the operator was yielding.

Council Member Ruben Falcon stated his reason for inquiry was because one proposal offered 10% of sales vs. another offered 1% of sales.

Council Member Ruben J. Bernal inquired if the additional pivot was necessary.

Matt Garvin explained the additional pivot was not necessary; however, it would add additional revenue. There is another portion of 320 acres on the north side that the powerline runs through. You could utilize another pivot, or you could utilize flood irrigation. Either way it would add an additional 100 acres for farming.

Council Member Ruben Falcon inquired if the additional pivot would be needed today.

Matt Garvin stated no he would not need the pivot today; however, he would cover clearing off the land and putting it into production.

His whole goal is to make money off of it. The hay sales would be roughly 90% of what he grows. The other 10% he would keep for his own livestock.

Council Member Ruben Falcon advised City Council every time they bid this lease out; Mr. Garvin was present.

Council Member Darren Hodges expressed his experience is that farming doesn't bring in much revenue. The \$10,000, \$12,000 and \$18,000 are given; however, the sales vary.

Council Member Ruben J. Bernal inquired what season Alfalfa Hay is planted.

Matt Garvin responded that Alfalfa Hay is usually planted right now or in the fall.

Council Member Ruben J. Bernal inquired if that is what was being done before.

Matt Garvin explained Alfalfa is usually good for 5 years.

Council Member Ruben Falcon inquired how many cuts he thought the land would produce per year.

Matt Garvin responded the land would produce at least 6-7 cuts per year.

Council Member Ruben Falcon explained 10% of 6-7 cuts a year would be a good deal for the city.

Matt Garvin recalled the current leasee stating he was averaging 5,000 tons an acre.

Council Member Jerome Chavez inquired who would incur the cost of the estimated \$200,000 for the additional pivot.

Council Member Ruben Falcon stated that the cost of the additional pivot would be incurred by the City of Fort Stockton.

Council Member Ruben J. Bernal inquired what would be more efficient pivot irrigation or flood irrigation.

Matt Garvin responded pivot irrigation would be more efficient; however, due to the powerline flooding irrigation might work better.

He stated it just had to be at a certain grade.

Motion was made by Council Member Ruben Falcon and Seconded by Council Member Ruben J. Bernal to award the Lease Proposal for Approximately 360 Acres of Land to Matt Garvin.

Mayor Paul Casias inquired if there was any discussion.

Council Member Paul Jerome Chavez stated he would like to wait and gather additional information pertaining to the cuttings. The proposal from M & J Trucking looks promising and that is the proposal that Public Works Director Luis Guerra recommended.

Council Member Darren Hodges stated he likes proposal No. 1 or No. 3. He stated we are looking at a difference of \$8,000 upfront. However, we are looking at a lot higher rate of return on the backside, which we don't know what that would be. He expressed either proposal is probably better than what we are currently receiving.

City Attorney Puja Boinpally explained a motion has been made which needs to be voted on. However, if the motion does not pass, she advised City Council the item could be tabled for further information.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Ruben J Bernal, and passed to award Lease Proposal for Approximately 360 Acres of Land, more particularly described as: All of Tracts 7, 8, 9, 10, Section 4, Block 2, Fort Stockton Irrigated Lands Company Land, Pecos County, Texas; Tracts 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, Survey 5, Block 2, Fort Stockton Irrigated Lands Company Land, Pecos County, Texas to Matt Garvin. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye and Mayor Paul Casias, Council Member Paul Jerome Chavez voted nay.

14. Discuss/Act upon Request for Proposals for Repair and Renovation of City Streets-2024.
(City Mgr./P.W. Dir.)

City Manager Frank Rodriguez III advised City Council we were trying to do something different this year. He requested permission to Solicit Proposals from a Road Repair Company. The City would simultaneously work on street repairs to maximize the coverage in street repairs.

Motion was made by Council Member Paul Jerome Chavez, seconded by Council Member Ruben J Bernal, and carried unanimously to approve the Request for Proposals for Repair and Renovation of City Streets-2024. 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.

15. Discuss/Act upon Authorizing Payment of \$302,977.64 for the Purchase of a John Deere 644 G-Tier Wheel Loader from YellowHouse Machinery Co. with Sourcewell Governmental Purchasing Cooperative, Contract No. 011723-JDC. (P.W. Dir.)

Assistant City Manager Jesse Gonzales Jr. explained we currently have a 2001-year model front end loader. It works, but it struggles. The existing front-end loader is utilized quite a bit; however, it would be useful to have an additional front-end loader to assist with other projects simultaneously. He explained this item is available through Sourcewell Purchasing Cooperative.

Motion was made by Council Member Ruben J Bernal, seconded by Mayor Pro-Tem James Warnock, and carried unanimously to Authorize Payment of \$302,977.64 for the Purchase of a John Deere 644 G-Tier Wheel Loader from YellowHouse Machinery Co. with Sourcewell Governmental Purchasing Cooperative, Contract No. 011723-JDC. 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.

16. Discuss/Act upon Traffic Study off West Rio Street from Hornbeck to the Interstate. (City Mgr.)

City Manager Frank Rodriguez III explained Council Member Paul Jerome Chavez had received some complaints from constituents as well as Ms. Dominguez voiced concern about traffic in the area. Therefore, they would like to perform a traffic study to see what measures would need to be taken to remedy the traffic violation issues. Once the traffic study is conducted it will be presented to City Council.

Mayor Paul Casias inquired if School Zone signs were posted in the area.

Chief of Police Ernesto Velasquez explained School Zone signs are posted on East Rio; however, the West side is not considered a School Zone.

Council Member Ruben J. Bernal inquired if that side could be marked as a School Zone.

Chief of Police Ernesto Velasquez responded that area could be marked as a School Zone.

Motion was made by Council Member Paul Jerome Chavez, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Traffic Study off West Rio Street from Hornbeck to the Interstate. 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.

17. Discuss/Act upon Appointment of one (1) Keep Historic Fort Stockton Beautiful Board Member to replace Ember Renteria. **(City Sec.)**

Former Board Member Ember Renteria stated it was an honor serving on the Keep Historic Fort Stockton Beautiful Board and the Historical Landmark Commission. She stated she previously had to resign because at the time she was going back to school. She advised everyone that she finished her bachelor's degree, and added that her son is a senior, so he is her priority right now. She wished the next member good luck as it is an amazing board to be a part of.

City Secretary Marina Cantu explained Ms. Ember Renteria resigned a while back; however, the application to become a member of this board was recently received from William Lawson Kemp.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Paul Jerome Chavez, and carried unanimously to Appoint William Lawson Kemp as a Keep Historic Fort Stockton Beautiful Board Member to replace Ember Renteria. 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.

18. Discuss/Act upon Appointment of one (1) Historical Landmark Commissioner to replace Ember Renteria. **(City Sec.)**

City Secretary Marina Cantu explained the same board members serve on the Keep Historic Fort Stockton Beautiful Board as the Historical Landmark Commission. Therefore, William Lawson Kemp also applied to become a Historical Landmark Commissioner.

Motion was made by Council Member Ruben J Bernal, seconded by Council Member Darren Hodges, and carried unanimously to Appoint William Lawson Kemp as a Historical Landmark Commissioner to replace Ember Renteria. 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.

19. Questions from the Media.

There were no questions from the media.

20. Adjourn.

Motion was made by Mayor Pro-Tem James Warnock, seconded by Council Member Paul Jerome Chavez, and carried unanimously to adjourn the Regular City Council Meeting at 6:41 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