

CITY OF FORT STOCKTON, TEXAS

MINUTES OF: REGULAR CITY COUNCIL MEETING
DATE OF MEETING: FEBRUARY 13, 2023
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, JOE CHRIS ALEXANDER, PAUL CASIAS, RUBEN J BERNAL, RUBEN FALCON

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

Mayor Joe Chris Alexander called the Regular Meeting to Order at 5:34 p.m. after declaring a quorum present.

Mayor Joe Chris 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.

Council Member Darren Hodges gave the Invocation.

Council Member James Warnock led the Pledge of Allegiance to the United States of America Flag & the Pledge of Allegiance to the Texas Flag.

PRESENTATIONS:

1. **OATH OF OFFICE:** Publicly Swear-In Newly Appointed Chief of Police Ernesto Velasquez.

Mayor Joe Chris Alexander Publicly Swore-In Newly Appointed Chief of Police Ernesto Velasquez.

2. **RECOGNITION:** K-9 Officer Derek Calderon and K-9 Nemo

Chief of Police Ernesto Velasquez recognized K-9 Officer Derek Calderon and K-9 Nemo, who recently graduated from K-9 Training.

3. **RECOGNITION:** Criminal Investigation Division (CID) Investigator (s)
- Tori Beecher
 - Alexis Olivares

Chief of Police Ernesto Velasquez recognized Investigator(s) Tori Beecher and Alexis Olivares of the Criminal Investigation Division (CID) for doing a great job.

4. **RECOGNITION:** Newly Appointed Officer(s) Completed the Field Training Officer Program
- Frank Granado, Jr., School Resource Officer

Chief of Police Ernesto Velasquez introduced Newly Appointed School Resource Officer Frank Granado, Jr., who recently completed the Field Training Officer (FTO) Program.

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, 01/23/2022
- Regular Meeting Minutes of Fort Stockton Animal Control Advisory Board, 07/28/2022
- Special Meeting Minutes of Fort Stockton Animal Control Advisory Board, 09/22/2022

Accounts Payable Grand Total: \$ 537,237.78

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

RESOLUTION:

6. Discuss/Act upon Resolution No. 23-105R, A Resolution of the City of Fort Stockton, Texas, Ordering a General Election to be held on May 6, 2023, in the City of Fort Stockton, Texas for the purpose of Electing the Positions of One (1) Mayor and Two (2) Council Members, designated as Place 1 & Place 2, of the Fort Stockton City Council, to hold office for a period of Three Years; Designating Locations of Polling Places; Designating Filing Deadlines; and Ordering Notices of Election to be given as prescribed by law in connection with such Election.

Administrative Assistant Sheila Lehnert requested permission to approve Resolution No. 23-105R, Ordering an Election to be held on May 6, 2023 to Elect One Mayor and Two Council Members, designated as Place 1 & Place 2.

Council Member Darren Hodges inquired who currently holds the Place 1 and Place 1.

Administrative Assistant Sheila Lehnert responded Council Member Paul Casias currently holds Place 1 and Council Member Ruben Falcon currently holds Place 2.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Darren Hodges, and carried unanimously to approve Resolution No. 23-105R, A Resolution of the City of Fort Stockton, Texas, Ordering a General Election to be held on May 6, 2023, in the City of Fort Stockton, Texas for the purpose of Electing the Positions of One (1) Mayor and Two (2) Council Members, designated as Place 1 & Place 2, of the Fort Stockton City Council, to hold office for a period of Three Years; Designating Locations of Polling Places; Designating Filing Deadlines; and Ordering Notices of Election to be given as prescribed by law in connection with such Election. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

REGULAR BUSINESS:

7. Discuss/Act upon Notice of May 6, 2023 City of Fort Stockton General Election to Elect One (1) Mayor and Two (2) Council Members, designated as Place 1 & 2. **(Mayor)**

Motion was made by Council Member James Warnock, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Notice of May 6, 2023 City of Fort Stockton General Election to Elect One (1) Mayor and Two (2) Council Members, designated as Place 1 & 2. Council Member Darren Hodges, Council

Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

8. Discuss/Act upon Election Services Contract Between the City of Fort Stockton and the Pecos County Clerk, State of Texas, County of Pecos. **(Mayor)**

City Attorney Puja Boinpally explained this is the Contract for Pecos County to provide Election Services for the City of Fort Stockton. The Contract is almost identical to last year's contract.

Motion was made by Council Member Ruben J Bernal, seconded by Council Member James Warnock, and carried unanimously to approve Election Services Contract Between the City of Fort Stockton and the Pecos County Clerk, State of Texas, County of Pecos. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

9. Discuss/Act upon 2-Year Service Agreement between the City of Fort Stockton and WTG Fuels for Bulk Fuel, Diesel Exhaust Fluid (DEF), Coolant/Anti-freeze, Engine Oil & Hydraulic Oil that shall be delivered to the City's Maintenance Yard and Current/New Landfill. **(City Mgr./City Atty.)**

City Attorney Puja Boinpally explained WTG Fuels is our current provider. The only change to the new contract is an increase in the rates.

Motion was made by Council Member James Warnock, seconded by Council Member Ruben J Bernal, and carried unanimously to approve 2-Year Service Agreement between the City of Fort Stockton and WTG Fuels for Bulk Fuel, Diesel Exhaust Fluid (DEF), Coolant/Anti-freeze, Engine Oil & Hydraulic Oil that shall be delivered to the City's Maintenance Yard and Current/New Landfill. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

10. Discuss/Act upon 36 Month Managed Services Plan Renewal between the City of Fort Stockton and Calian IT & Cybersecurity Solutions. **(City Mgr./Asst. City Mgr.)**

Assistant City Manager Jesse Gonzales, Jr. explained the 36 Month Managed Services Plan Renewal between the City of Fort Stockton and Calian IT & Cybersecurity Solutions is for \$15, 529 per month.

Motion was made by Council Member Ruben J Bernal, seconded by Council Member Darren Hodges, and carried unanimously to approve 36 Month Managed Services Plan Renewal between the City of Fort Stockton and Calian IT & Cybersecurity Solutions. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

11. Discuss/Act upon Lease Agreement for 816-11 Landfill Compactor with Caterpillar Financial Services Corporation, Contract Number 001-70096098; 60 monthly payments of \$9,000.73. (Asst. City Mgr.)

Assistant City Manager Jesse Gonzales, Jr. explained this is the final agreement on the Landfill Compactor that was approved last year.

Motion was made by Council Member James Warnock, seconded by Mayor Pro-Tem Paul Casias, and carried unanimously to approve Lease Agreement for 816-11 Landfill Compactor with Caterpillar Financial Services Corporation, Contract Number 001-70096098; 60 monthly payments of \$9,000.73. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

12. Discuss/Act upon First Amendment to Blue Ridge Farm Lease between the City of Fort Stockton and BioCatters, LLC. (City Atty.)

City Attorney Puja Boinpally explained the projects BioCatters, LLC is bringing in are Long Term Projects; therefore, she recommends extending the lease until February of 2028 or further, not to exceed 10 years. She stated normally she is hesitant in approving long term leases; however, all the subleases benefit the City as well. She advised City Council if there is a sublease project in the future that will exceed the 10 years the Lease will need to be redone.

Alex Gonzalez of BioCatters, LLC recommended extending the Lease until 2028.

Council Member Ruben Falcon recalled if BioCatters, LLC produced a long-term sublease it would call for a separate lease and BioCatters, LLC would receive a finder's fee.

Alex Gonzalez of BioCatters, LLC concurred with Council Member Falcon's recollection.

Motion was made by Council Member Ruben Falcon, seconded by Council Member Ruben J Bernal, and carried unanimously to approve First Amendment to Blue Ridge Farm Lease between the City of Fort Stockton and BioCatters, LLC, extending the lease to 2028. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

13. Discuss/Act upon Blueridge Farm Sublease Approval for Grazing sublease between BioCatters, LLC and Edwin Eppenauer. (City Atty.)

City Attorney Puja Boinpally explained this is a Grazing sublease for 5 years.

Motion was made by Council Member Ruben J Bernal, seconded by Council Member James Warnock, and carried unanimously to approve Blueridge Farm Sublease Approval for Grazing sublease between BioCatters, LLC and Edwin Eppenauer. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

14. Discuss/Act upon Accepting Assignment of Easement 8289 from Pecos County Commissioner's Court (20" and 30" water line located on UT Lands in Section 34, Block 21, Sections 6 & 7, Block 28, University Lands Survey, Pecos County, Texas) (City Mgr./Asst. City Mgr.)

Assistant City Manager Jesse Gonzales, Jr. explained this is the easement that covers where the new 30-inch line was installed from Belding to the RO Plant. Under the current fee schedule, we are being charged for both the 30-inch line and the 20-inch line. This will be brought before City Council once the existing 20-inch line is removed.

The original easement was for Pecos County; however, the City is going to assume the easement. The current easement will expire in March.

Council Member Ruben J. Bernal inquired how long the section was.

City Manager Frank Rodriguez explained the section is 3.44 acres.

Motion was made by Council Member James Warnock, seconded by Council Member Ruben J Bernal, and carried unanimously to Accept Assignment of Easement 8289 from Pecos County Commissioner's Court (20" and 30" water line

located on UT Lands in Section 34, Block 21, Sections 6 & 7, Block 28, University Lands Survey, Pecos County, Texas). Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

Mayor Joe Chris Alexander recessed from the Regular City Council Meeting to convene into Executive Session at 6:03 p.m.

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

Ref: (a) 60-foot-wide access easement agreement located in Section 46, Block 50, Township 8, Abstract 2720 and Section 3, Block 50, Township. 9, Abstract 2718, Texas and Pacific Railway Survey, Pecos and Reeves County, Texas (Blue Ridge Farm) between City of Fort Stockton (grantor) and Arthur R. Gonzalez and Denisse I. Gonzalez (grantees), as described in survey, containing 13066.27 linear feet, 791.89 rods, and 18.00 acres of land.

Mayor Joe Chris Alexander closed the Executive Session to Reconvene into the Regular City Council Meeting at 6:15 p.m.

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

15. Discuss/Act upon 60-foot-wide access easement agreement located in Section 46, Block 50, Township 8, Abstract 2720 and Section 3, Block 50, Township. 9, Abstract 2718, Texas and Pacific Railway Survey, Pecos and Reeves County, Texas (Blue Ridge Farm) between City of Fort Stockton (grantor) and Arthur R. Gonzalez and Denisse I. Gonzalez (grantees), as described in survey, containing 13066.27 linear feet, 791.89 rods, and 18.00 acres of land. (City Atty.)

Item was postponed until Thursday's Special Meeting.

16. Discuss/Act upon Final Pay Application No. 3 totaling \$53,806.88 for Work Performed by L.T. Construction, LLC on Site-A of the Additions of Restrooms for the Fort Stockton Convention Center. (City Mgr./Dir. of Fin.)

Mayor Joe Chris Alexander explained these are the outside restrooms.

City Manager Frank Rodriguez III is expecting this project to be completed by Friday. The payment will not be released until the work is inspected by the City Engineer.

Motion was made by Council Member Darren Hodges, seconded by Council Member Ruben Falcon, and carried unanimously to approve Final Pay Application No. 3 totaling \$53,806.88 for Work Performed by L.T. Construction, LLC on Site-A of the Additions of Restrooms for the Fort Stockton Convention Center. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

17. Discuss/Act upon Final Pay Application No. 3 totaling \$45,465.90 for Work Performed by L.T. Construction, LLC on Site-B of the Additions of Restrooms for the Fort Stockton Convention Center. **(City Mgr./Dir. of Fin.)**

Mayor Joe Chris Alexander explained these are the inside restrooms.

City Manager Frank Rodriguez III explained the payment would not be released until the project is complete.

Motion was made by Council Member James Warnock, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Final Pay Application No. 3 totaling \$45,465.90 for Work Performed by L.T. Construction, LLC on Site-B of the Additions of Restrooms for the Fort Stockton Convention Center. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

18. Discuss/Act upon Request for Bids for Chemicals and Filters for Two (2) Existing Water Treatment Plants. **(City Mgr./R.O. Plant Sup.)**

RO Plant Supervisor Robbie Dominguez explained he is trying to get a new contract going so the pricing can be locked in for the Antiscalant and the High and Low PH Cleaners for the RO Plant along with the Micron Filters.

Council Member Ruben J. Bernal inquired if the pricing of these items has increased.

RO Plant Supervisor Robbie Dominguez stated the pricing of the items requested have increased.

Motion was made by Council Member Ruben J Bernal, seconded by Mayor Pro-Tem Paul Casias, and carried unanimously to approve Solicitation Request for Bids for Chemicals and Filters for Two (2) Existing Water Treatment Plants. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

19. Discuss/Act upon Request for Bids for RO Membranes for One (1) Existing Water Treatment Plant. (City Mgr./R.O. Plant Sup.)

Mayor Joe Chris Alexander inquired which one these membranes would be for.

RO Plant Supervisor Robbie Dominguez stated the membranes would be to replace Train B at the Main RO Plant.

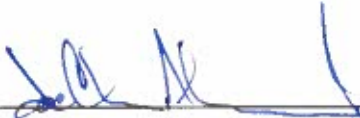
Motion was made by Council Member Ruben J Bernal, seconded by Mayor Pro-Tem Paul Casias, and carried unanimously to approve Solicitation Request for Bids for RO Membranes for One (1) Existing Water Treatment Plant. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.

20. Questions from Media

There were no questions from the media.

21. Adjourn

Motion was made by Council Member James Warnock, seconded by Mayor Pro-Tem Paul Casias, and carried unanimously to adjourn the Regular City Council Meeting at 6:20 p.m. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon voted aye.



Joe Chris Alexander, Mayor

ATTEST:



Marina A. Cantu, City Secretary

