

CITY OF FORT STOCKTON, TEXAS

MINUTES OF: REGULAR CITY COUNCIL MEETING  
DATE OF MEETING: FEBRUARY 14, 2022  
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: JAMES WARNOCK, PAM PALILEO, PAUL CASIAS, RUBEN FALCON,  
DARREN HODGES

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

**Mayor Alexander** called the Regular Meeting to order at 5:30 p.m. after declaring a quorum present.

**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** gave the Invocation.

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

**ACKNOWLEDGEMENT:**

1. Commend Former Public Works Director Aaron Ramos for his 16 Years of Distinguished Service to the City of Fort Stockton & Citizens. **(Mayor)**

**Mayor Alexander** commended Former Public Works Director Aaron Ramos for his 16 Years of Service and his unwavering dedication to the community.

**PRESENTATIONS:**

2. **Jonathan Andrews of Thomas Development Group, LLC—**
  - Rehabilitation of Oasis Apartments

**Jonathan Andrews of Thomas Development Group, LLC** explained that JLG Properties LLC and Thomas Development Group have partnered for the rehabilitation of Oasis Apartments a fifty-six-unit affordable housing community. The site layout is arranged with five buildings and three parking lots. Oasis Apartments initial construction dates prior to 1991. A complete rehabilitation of the property will provide much needed like- new affordable units for residents. The Oasis Apartments rehabilitation and scope of work includes site improvements, building exteriors, unit interiors, accessible units, and a new community building with office space, community room, laundry facility, and management office.

**Site**

- New Site Entrance Sign
- Parking lots/sidewalks new paving
- Landscaping
- Multi-purpose community building
- New ramada concrete pad with BBQ grill and picnic table

**Building Exteriors**

- New siding, replace existing paint
- New windows and doors
- New metal stairs
- New light fixtures create better lit site entry to units

**Unit Interiors**

- New flooring, ceiling fans
- New cabinets, counters, energy efficient fixtures and appliances
- Interior doors
- New water heater, lighting, vanity sink

**Accessible Units**

- TDHCA ADA Compliance

**Office/Laundry**

- New multi-purpose/office/maintenance building
- Concrete pad
- BBQ grill
- New Building signage

The tax credit award process is very competitive and scoring criteria determine project selection. They asked for Council support of the following scoring criteria.

- **Commitment of Development Funding by Local Political Subdivision (1 point)**  
 (2) Commitment of Development Funding by Local Political Subdivision.  
 (§2306.6725(a)(5)) The source of the funding cannot be the Applicant, Developer, or an Affiliate of the Applicant. The commitment of Development funding must be reflected in the Application as a financial benefit to the Development, i.e. reported as a source of funds on the Sources and Uses Form or reflected in a lower cost in the Development Cost Schedule, such as notation of a reduction in building permits and related costs.  
**Documentation must include a letter from an official of the municipality, county, or other instrumentality with jurisdiction over the proposed Development stating they will provide a loan, grant, reduced fees or contribution of other value that equals \$500 or more for Applications located in Urban subregions or \$250 or more for Applications located in Rural subregions for the benefit of the Development. The letter must describe the value of the contribution, the form of the contribution, e.g. reduced fees or gap funding, and any caveats to delivering the contribution. Once a letter is submitted to the Department it may not be changed or withdrawn. (1 point)**
  
- **Local Government Support (17 points)**  
 (1) Local Government Support. (§2306.6710(b)(1)(B)) An Application may qualify for up to seventeen (17) points for a resolution or resolutions voted on and adopted by the bodies reflected in subparagraphs(A) - (C) of this paragraph, as applicable. The resolution(s) must be dated prior to Final Input from Elected Officials Delivery Date and must be submitted to the Department no later than the Final Input from Elected Officials Delivery Date as identified in §11.2(a) of this chapter, relating to Competitive HTC Deadlines. Such resolution(s) must specifically identify the Development whether by legal description, address, Development name, Application number or other verifiable method. Resolutions received by the Department setting forth that the municipality and/or county objects to or opposes the Application or Development will result in zero points awarded to the Application for that Governing Body. If a Development site is located partially within a municipality and partially within a county or extraterritorial jurisdiction, positive points will only be awarded if a resolution is obtained from both entities. Such resolutions will be added to the Application posted on the Department's website. Once a resolution is submitted to the Department it may not be changed or withdrawn. For an Application with a proposed Development Site that, at the time of the initial filing of the Application, is: (A) Within a municipality, the Application will receive points from either: **(i) Seventeen (17) points for a resolution from the Governing Body of that municipality expressly setting forth that the municipality supports the Application or Development.**

**Council Member Falcon** inquired if the Oasis Apartments are members of the City's Section 8 Program.

**Housing Authority Director Paula Ureste** responded the Oasis Apartments are not currently members of the City's Section 8 Program; however, should they retain Grant money to renovate the properties; they should become members of the Section 8 Program.

3. **City Manager Frank Rodriguez III----**

- City Manager's Report

**City Manager Rodriguez** emphasized how well the Emergency Preparedness staff, consisting of Roy Mendoza, Luis Guerra, and Chief Robert Lujan, responded to the winter storms. The teams identified hazardous streets and were ready to respond accordingly.

He acknowledged the Maintenance Department Carlos Ibarra, Petronilo Salinas, Salvador Caballero, Alfredo Armendariz, and Jesus Gonzalez for working on the renovation of the City Hall-Council Chambers.

The City has a goal to expand the parks, attract citizens to the parks, and to utilize the existing parks. The City will partner with the Economic Development Corporation to make this vision come to fruition. The plan for the Gene Cummings Park is to add a walking trail. There will be a half figure 8 at the Helen Dionne Memorial Park. There is a reclamation project to reclaim the water from the spray park. The water from the spray park will be stored in a holding tank and redistributed to water the grass. This way, water will no longer go into our sewer system.

The City Solicited Requests for Proposals for a New Recreation Facility in order to gauge the expense for a new facility. City Council then referred the project for further planning to the Intergovernmental Recreation Board, comprised of members from the following entities: City, County and School District. Since then, Parkhill, Smith & Cooper have been enlisted to come up with a plan/drawing. The School District should decide this Wednesday on what further steps need to be taken.

4. **Chief of Police Robert Lujan with Fort Stockton Police Department----**

- Statistics for January 2022

<b>Service Calls Dispatched:</b>	<b>1202</b>	<b>Investigations Initiated:</b>	<b>0</b>
FSPD	752	83 <sup>rd</sup> District Attorney	12

<i>FSFD</i>	<i>20</i>
<i>PCEMS</i>	<i>149</i>
<i>PCSO</i>	<i>278</i>
<b><i>Accidents Worked:</i></b>	<b><i>37</i></b>
<b><i>Accidents (PD)</i></b>	<b><i>22</i></b>

<b><i>Traffic Stops/Violations</i></b>	<b><i>294</i></b>
<b><i>Traffic Citations Issued</i></b>	<b><i>28</i></b>
<b><i>Traffic Stops (PD)</i></b>	<b><i>207</i></b>

<b><i>Misdemeanors</i></b>	<b><i>27</i></b>
<b><i>Felonies</i></b>	<b><i>10</i></b>

<i>112<sup>th</sup> District Attorney</i>	<i>0</i>
<i>County Attorney</i>	<i>22</i>
<i>Juvenile Probation</i>	<i>0</i>
<b><i>Total Arrests:</i></b>	<b><i>9</i></b>
<i>Assault – Family Violence</i>	<i>0</i>
<i>Burglary</i>	<i>0</i>
<i>Criminal Mischief</i>	<i>0</i>
<i>Criminal Trespass:</i>	<i>11</i>
<i>Disorderly Conduct</i>	<i>2</i>
<i>Driving While Intoxicated</i>	<i>0</i>
<i>Evading Arrest</i>	<i>7</i>
<i>Illegal Aliens</i>	<i>0</i>
<i>Murder</i>	<i>0</i>
<i>Possession of a Controlled Substance</i>	<i>0</i>
<i>Possession of Marijuana</i>	<i>5</i>
<i>Public Intoxication</i>	<i>0</i>
<i>Resisting Arrest</i>	<i>0</i>
<i>Theft</i>	<i>1</i>
<i>Warrants</i>	<i>2</i>

**Officer Alexis Olivares** moved from Patrol to the Criminal Investigations Division. There is one vacancy in Patrol. Dispatch has been very busy, averaging 100 calls per day. There is one vacancy in Dispatch. Animal Control Officers CO is working well with one another. School Resource Officers are doing an excellent job.

**Mayor Alexander** inquired about the tagging.

**Chief of Police Lujan** responded that any tagging incidents are recorded through dispatch and are reported to Code Enforcement. Code Enforcement communicates with the victim and an amount for the damage is given to the Police Department which is forwarded to the prosecutor.

He advised City Council that the juvenile probation officers have been assisting the Police Department, as the individuals responsible for the tagging are required to report to them.

**Council Member Falcon** inquired who the prosecutor is.

**Chief of Police Lujan** responded that County Attorney Frank Lacy is the prosecutor.

**Council Member Falcon** relayed concern from the public that nothing was being done by the City to stop the tagging of local businesses.

**Chief of Police Lujan** replied that the individuals tagging local businesses have been arrested; however, they were released with conditions.

#### **RESOLUTION:**

5. Discuss/Act upon Resolution No. 22-100R, a Resolution of the City Council of the City of Fort Stockton, Texas, Authorizing the Appointment of a Charter Commission; and Making Other Findings and Provisions Related Thereto. **(Mayor)**

**Mayor Alexander** Read the Resolution aloud. He explained there is a lengthy process that would be done in order to hold an Election to switch from a General Law Type A Municipality to a Home Rule Municipality. He explained a proposed charter was created a while back; however, it will be changed to fit the current needs of the community and will be placed on an Election Ballot. The City now has an advisor that will assist in this process.

**Motion was made by Council Member Ruben Falcon, seconded by Council Member James Warnock, and carried unanimously to approve Resolution No. 22-100R, a Resolution of the City Council of the City of Fort Stockton, Texas, Authorizing the Appointment of a Charter Commission; and Making Other Findings and Provisions Related Thereto. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

#### **CONSENT AGENDA:**

6. 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, 01/24/2022
- Special Meeting Minutes of Fort Stockton City Council 02/07/2022
- Regular Meeting Minutes of Substandard Building Committee, 12/02/2021
- Regular Meeting Minutes of Substandard Building Committee, 01/06/2022
- Regular Meeting Minutes of Keep Historic Fort Stockton Beautiful Board, 01/05/2022

• **Accounts Payable Grand Total: \$605,924.52**

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

#### **REGULAR BUSINESS:**

7. Discuss/Act upon Final Pay Application No. 5 totaling \$158,814.62 for work performed by Fletco Construction, LP for the Construction of the New Landfill Shop Building located at 256 Moody Road, Fort Stockton, Texas 79735. (City Mgr./Int. P.W. Dir.)

**City Manager Rodriguez** explained an Inspection was conducted by the City Engineer Raul Rodriguez as well as the Building Official Roy Mendoza. Therefore, he is requesting permission to approve the final payment of \$158,814.62 to Fletco Construction, LP.

**Motion was made by Council Member Ruben Falcon, seconded by Council Member James Warnock, and carried unanimously to approve Pay Application No. 5 totaling \$158,814.62 for work performed by Fletco Construction, LP for the Construction of the New Landfill Shop Building located at 256 Moody Road, Fort Stockton, Texas 79735.**

8. Discuss/Act upon Pay Application No. 2 totaling \$97,204.00 for Work Performed by Colt I&E, LLC, which entailed Replacing 2,558 feet of Cast Iron Gas Line Project. (City Mgr./Int. P.W. Dir.)

**City Manager Rodriguez** explained he was requesting approval for a \$97,204.00 payment to Colt I&E, LLC for completing 2,558 feet of Cast Iron Gas Line Replacement Project.

**Motion was made by Council Member Pam Palileo, seconded by Council Member Ruben Falcon, and carried unanimously to approve Pay Application No. 2 totaling \$97,204.00 for Work Performed by Colt I&E, LLC, which entailed Replacing 2,558 feet of Cast Iron Gas Line Project. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

9. Discuss/Act upon Change Order No. 1 for Colt I&E, LLC Authorizing a payment of \$9,810.00 for work completed on Arnett Alley between 7th and 8th streets. (City Mgr./Gas Sup.)

**Gas Superintendent Cruz Herrera** explained this Change Order was for a section of PVC pipe that the City was not aware of at the time of the Solicitation for the Bids. The Railroad Commission does not allow any PVC gas lines; therefore, it must be replaced as well.

**Motion was made by Council Member Ruben Falcon, seconded by Council Member Pam Palileo, and carried unanimously to approve Change Order No. 1 for Colt I&E, LLC Authorizing a payment of \$9,810.00 for work completed on Arnett Alley between 7th and 8th Streets. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

10. Discuss/Act upon KorWeb Services Billing Authorization Agreement between KorTerra and the City of Fort Stockton. (City Mgr./Gas Sup.)

**Gas Superintendent Cruz Herrera** explained that KorTerra is a web-based utility locating service. Prior to KorTerra being established their services were provided under KorWeb, free of charge under TEXAS 811. They have since privatized it and are charging for their services. The City needs this program in order to efficiently complete our utility line locates. This would be \$2,625.00 split between three departments.

He checked with other companies that provide similar services and this was by far the most cost effective. He explained if someone submits a dig request, they will report it to Texas 811 who would then send a locate request to KorTerra. KorTerra would then forward the request to all possible utility Agencies. Each entity would then be responsible for marking their lines or reporting no lines in that area. Should the City refuse to pay for their services, someone would need to be tasked with these duties, which would require additional funds.

**Motion was made by Council Member Ruben Falcon, seconded by Council Member Pam Palileo, and carried unanimously to approve KorWeb Services Billing Authorization Agreement between KorTerra and the City of Fort Stockton. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

11. Discuss/Act upon the Distributed Energy Resource Agreement between Voltus, Inc. and the City of Fort Stockton. (City Mgr./R.O. Plant Sup.)



**Assistant City Manager Jesse Gonzales** explained the Distributed Energy Resource Agreement would affect 4 wells.

**RO Plant Supervisor Robbie Domingez** explained this agreement would allow the City ample time to prepare for severe winter weather. Voltus, Inc. would ask the City of Fort Stockton to shut down the plants from all the pumps and motors which would allow them to divert energy in different directions. The City of Fort Stockton has requested that two of the four wells be excluded from this agreement. He assured everyone so long as two wells were operable at all times, they would provide sufficient water for the community. He further explained that the wastewater plants are a little more difficult; therefore, the City of Fort Stockton has requested that the Wastewater Plant be left alone. The City would continue to have control of the Reverse Osmosis Plants.

**City Attorney Boinpally** expressed concern about the length of the term.

**Mike Walker of Voltus** explained the need for the lengthy term was based on the need to make it financially viable for their investments.

**City Manager Rodriguez** requested the agreement be changed to reflect under the Payment Sharing section that Voltus will pay Customer 61.0% of all payments obtained by Voltus owing the Customer's performance in the Program(s), up to the total enrolled amount, less \$250 per Voltlet per month.

**Brad Orsak of Voltus** agreed to the requested changes.

**Motion was made by Council Member Ruben Falcon, seconded by Council Member Pam Palileo, and carried unanimously to approve Distributed Energy Resource Agreement between Voltus, Inc. and the City of Fort Stockton, as amended. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

12. Discuss/Act upon awarding of bid for Valves and Filters for Two (2) Existing Water Treatment Plants owned and operated by the City of Fort Stockton. **Bid submitted: Alpha Water Resources, LLC (City Mgr./R.O. Plant Sup.)**

**Robbie Dominguez** explained there was not much response. Alpha Water was the only one who submitted a bid. The Price of filters was \$15.66. He explained although the valves are expensive, they are made of stainless steel.

The previous valves only lasted 6 years; however, If the new valves are cleaned and maintained properly, they could last a long time.

**Mayor Alexander** advised everyone that the total bid was for \$135,153.40 plus freight.

**Robbie Dominguez** explained he would try to save on freight as much as possible. He estimated 3 charges for filters and one shipment for the valves.

**Motion was made by Council Member James Warnock, seconded by Council Member Pam Palileo, and carried unanimously to award Alpha Water Resources, LLC the Bid for Valves and Filters for Two (2) Existing Water Treatment Plants owned and operated by the City of Fort Stockton for \$135,153.40 plus freight. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

13. Discuss/Act upon solicitation of bids for RO Membranes for Water Treatment Plant owned and operated by City of Fort Stockton. (City Mgr./R.O. Plant Sup.)

**RO Plant Supervisor Robbie Dominguez** advised everyone this Bid was to replace the set of membranes for Train C. The membranes in this train are approximately 7 years old. The technology has improved therefore the membranes should last longer. The membranes should last approximately 12- 13 years.

**Motion was made by Council Member Darren Hodges, seconded by Council Member James Warnock, and carried unanimously to approve Solicitation of bids for RO Membranes for Water Treatment Plant owned and operated by City of Fort Stockton. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

14. Discuss/Act upon Notice and Order of the City of Fort Stockton General & Special Election for May 7, 2022; with Early Voting from April 25, 2022 - May 3, 2022 to Elect Three (3) Council Members and Reauthorize the Local Sales and Use Tax in the City of Fort Stockton at the Rate of One-Fourth (1/4) of One Percent to Continue Providing Revenue for Maintenance and Repair of Municipal Streets. (Mayor/City Sec.)

**Motion was made by Council Member Ruben Falcon, seconded by Council Member Pam Palileo, and carried unanimously to approve Notice and Order of the City of Fort Stockton General & Special Election for May 7, 2022; with Early Voting from April 25,**

**2022 - May 3, 2022 to Elect Three (3) Council Members and Reauthorize the Local Sales and Use Tax in the City of Fort Stockton at the Rate of One-Fourth (1/4) Of One Percent to Continue Providing Revenue for Maintenance and Repair of Municipal Streets. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

15. Questions from Media

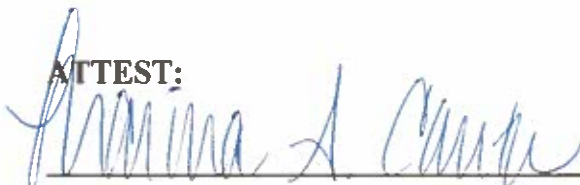
**Fort Stockton Pioneer Editor Nathan Heuer** inquired what the time frame was for the Home Rule Election.

**Mayor Alexander** responded the goal was to have the Home Rule Charter Election in November.

16. Adjourn

**Motion was made by Mayor Pro-Tem Paul Casias, seconded by Council Member Pam Palileo, and carried unanimously to adjourn the Regular Meeting at 6:41 p.m. Council Member James Warnock, Council Member Pam Palileo, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon, Council Member Darren Hodges voted aye.**

  
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**Joe Chris Alexander, Mayor**

**ATTEST:**  
  
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**Marina A. Cantu, City Secretary**