

CITY OF FORT STOCKTON, TEXAS

MINUTES OF: REGULAR CITY COUNCIL MEETING
 DATE OF MEETING: FEBRUARY 27, 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 FALCON

ABSENT: RUBEN J. BERNAL

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

Mayor Joe Chris Alexander called the Regular Meeting to Order at 5:32 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.

Mayor Joe Chris Alexander recessed from the Regular City Council Meeting to Convene into the following Public Hearing at 5:34 p.m.

PUBLIC HEARINGS:

2. Application Request from Property Owner Eleno Flores to Consider a Specific-Use Permit for a Mobile Home Park in a One-Family Dwelling District 4 (SF-4) located on Lots Thirteen through Sixteen (13-16), Block Two Hundred Forty-Three (243),

ORIENT ADDITION, Fort Stockton, Pecos County, Texas & More Particularly described as being adjacent to Thirteenth Street and Williams Street; this being in accordance with Sections 7(1), 7(2) & 7(16) of the Zoning Ordinance. (**Bldg. Offl./City Sec.**)

Building Official Roy Mendoza explained that proper notifications were sent to the property owners in the vicinity.

Mayor Joe Chris Alexander closed the Public Hearing to Convene into the Next Public Hearing at 5:35 p.m.

3. Application Request from Property Owners Ele Chris Hagelstein, III and Patricia Gay Hagelstein to consider the following Revisions to Lots Thirteen through Twenty-Four (13-24), Block Two Hundred Twenty-Nine (229), ORIENT ADDITION, Fort Stockton, Pecos County, Texas & more particularly described as being adjacent to Thirteenth Street and Rooney Street:
 - Re-Zone the property from Commercial District (C) to a One-Family Dwelling District 4 (SF-4); &
 - Specific-Use Permit for a Mobile Home Park in a One-Family Dwelling District 4 (SF-4); This being in accordance with Sections 7(1), 7(2) & 7(16) of the Zoning Ordinance.

Building Official Roy Mendoza explained the proper notifications were sent to the surrounding neighbors and there was not any opposition to the request.

City Secretary Marina Cantu explained the property owners have found it in their best interest to re-zone the property in order to be able to rent the property out with the intention of the renter eventually owning the property. After consulting with our City Attorney Puja Boinpally, it was determined this would be the best way to handle this situation. This would allow the property owner to rent the property out until the renter pays it off. Zoning the property as SF-4 would prevent future zoning issues once the renter owns the property.

Mayor Joe Chris Alexander closed the Public Hearing to Reconvene into the Regular City Council Meeting at 5:37 p.m.

ORDINANCES:

4. Discuss/Act upon Ordinance No. 23-104, An Ordinance Amending the Zoning Chapter of the Municipal Code of the City of Fort Stockton, Texas, Allowing for the Placement of a Manufactured Mobile Home by Specific-Use Permit in a One-Family Dwelling District 4 (SF-4) located on Lots Thirteen through Sixteen (13-16), Block Two Hundred Forty-Three

(243), ORIENT ADDITION, Fort Stockton, Pecos County, Texas & more particularly described as being adjacent to Thirteenth Street and Williams Street; this being in accordance with Sections 7(1), 7(2) & 7(16) of the zoning ordinance & providing for an Effective Date Provision. (Bldg. Offl./City Sec.)

Motion was made by Council Member Darren Hodges, seconded by Council Member Ruben Falcon, and carried unanimously to approve Ordinance No. 23-104, An Ordinance Amending the Zoning Chapter of the Municipal Code of the City of Fort Stockton, Texas, Allowing for the Placement of a Manufactured Mobile Home by Specific-Use Permit in a One-Family Dwelling District 4 (SF-4) located on Lots Thirteen through Sixteen (13-16), Block Two Hundred Forty-Three (243), ORIENT ADDITION, Fort Stockton, Pecos County, Texas more particularly described as being adjacent to Thirteenth Street and Williams Street; this being in accordance with Sections 7(1), 7(2) & 7(16) of the zoning ordinance providing for an Effective Date Provision. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon voted aye.

4. Discuss/Act upon Ordinance No. 23-105, An Ordinance Amending the Zoning Chapter of the Municipal Code of the City of Fort Stockton, Texas, Re-Zoning Lots Thirteen through Twenty-Four (13-24), Block Two Hundred Twenty-Nine (229), ORIENT ADDITION, Fort Stockton, Pecos County, Texas, more particularly described as being adjacent to Thirteenth Street and Rooney Street, from a Commercial District (C) to a One-Family Dwelling District 4 (SF-4) and Allowing for Use as a Mobile Home Park by a Specific-Use Permit; this being in accordance with Sections 7(1), 7(2) & 7(16) of the Zoning Ordinance & Providing for an Effective Date Provision. (Bldg. Offl./City Sec.)

Motion was made by Council Member James Warnock, seconded by Council Member Ruben Falcon, and carried unanimously to approve Ordinance No. 23-105, An Ordinance Amending the Zoning Chapter of the Municipal Code of the City of Fort Stockton, Texas, Re-Zoning Lots Thirteen through Twenty-Four (13-24), Block Two Hundred Twenty-Nine (229), ORIENT ADDITION, Fort Stockton, Pecos County, Texas, more particularly described as being adjacent to Thirteenth Street and Rooney Street, from a Commercial District (C) to a One-Family Dwelling District 4 (SF-4) and Allowing for Use as a Mobile Home Park by a Specific-Use Permit; this being in accordance with Sections 7(1), 7(2) & 7(16) of the Zoning Ordinance & Providing for an Effective Date Provision. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon voted aye.

RESOLUTION:

6. Discuss/Act upon Resolution No. 23-106R, A Resolution Authorizing the City of Fort Stockton to File a Loan/Grant Application for Assistance Under the Rules and Regulations of Rural Utilities Service, a Department of the United States Department of Agriculture. **(City Mgr./Dir. of Fin.)**

City Manager Frank Rodriguez III explained this project and the grant that is being applied for is targeted for the Wastewater Treatment Plant, identified as the Water Clarifier.

Last year the City applied for the grant and received a letter stating the grant was awarded to the City of Fort Stockton. He further explained they were waiting until January for the secondary use of the funds. The United States Department of Agriculture did visit the City of Fort Stockton.

This resolution is the first step of releasing the funds.

Mayor Alexander explained this is the grant the City of Fort Stockton was awarded by the Office of Representative Tony Gonzales.

Motion was made by Council Member James Warnock, seconded by Council Member Darren Hodges, and carried unanimously to approve Resolution No. 23-106R, A Resolution Authorizing the City of Fort Stockton to File a Loan/Grant Application for Assistance Under the Rules and Regulations of Rural Utilities Service, a Department of the United States Department of Agriculture. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon voted aye.

CONSENT AGENDA:

7. 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, 02/13/2023
- Special Meeting Minutes of Fort Stockton City Council, 02/16/2023
- Regular Meeting Minutes of Fort Stockton Economic Development 4-A Corporation, 01/19/2023
- Regular Meeting Minutes of Fort Stockton Economic Development 4-B Corporation, 01/19/2023

- Regular Meeting Minutes of Fort Stockton Housing Authority Board, 01/19/2023
- Regular Meeting Minutes of Fort Stockton Tourism Board, 01/17/2023
- Regular Meeting Minutes of Planning & Zoning Commission, 09/07/2022

Accounts Payable Grand Total: \$ 303,623.49

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

REGULAR BUSINESS:

9. Discuss/Act upon Draw No. 1 totaling \$50,837.50 for Work Performed by The Bosworth Company on the Heating and Cooling Units of the Fort Stockton Convention Center. (City Mgr./Dir. of Fin.)

City Manager Frank Rodriguez III explained the Economic Development Corporation approved this project, totaling \$101,675.00, last month. They are installing 4 units in the open area of the Fort Stockton Convention Center. He requested City Council approve Draw No. 1 for \$50,837.50.

Motion was made by Council Member Ruben Falcon, seconded by Council Member James Warnock, and carried unanimously to approve Draw No. 1 totaling \$50,837.50 for Work Performed by The Bosworth Company on the Heating and Cooling Units of 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 Falcon voted aye.

10. Discuss/Act upon Solicitation of Bids for Pest Control Services for City Buildings. (City Mgr.)

City Manager Frank Rodriguez III explained the Chamber of Commerce, the Recreation Facility and the Fort Stockton Convention Center were added to the list of facilities to receive Pest Control Services.

Mayor Pro-Tem Paul Casias inquired why the Recreation Facility was placed on the list as it is not a City Building.

City Manager Frank Rodriguez III explained he just wanted to make sure these services were offered for the Recreation Facility. In the event that the Fort Stockton Independent School District provides these services, the Recreation Facility will be removed from the list.

Motion was made by Council Member James Warnock, seconded by Council Member Ruben Falcon, and carried unanimously to approve Solicitation of Bids for Pest Control Services for City Buildings. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon voted aye.

Mayor Joe Chris Alexander recessed from the Regular Session to convene into Executive Session at 5:46 p.m.

EXECUTIVE SESSION:

11. 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) Annual Evaluation & Renewal of Contract for City Manager Frank Rodriguez III

Mayor Joe Chris Alexander closed the Executive Session to Reconvene into Regular Session at 6:12 p.m.

REGULAR BUSINESS CONTINUED:

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

(11a) Discuss/Act upon Annual Evaluation & Renewal of Contract for City Manager Frank Rodriguez III

Motion was made by Council Member Ruben Falcon, seconded by Mayor Pro-Tem Paul Casias, and carried unanimously to authorize the Renewal of City Manager Frank Rodriguez' Contract for 36 months, with a Positive Evaluation. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon voted aye.

13. Questions from Media

There were no questions from the media.

Mayor Joe Chris Alexander recessed from the Regular City Council Meeting at 6:14 p.m. to wait for presenter.

Mayor Joe Chris Alexander reconvened into the Regular City Council Meeting at 6:28 p.m.

PRESENTATIONS:1. **Rocky Rives of Smith & Rives, PC----**

- City of Fort Stockton's Final Audit for Fiscal Year Ending September 30, 2022.

ITEM WAS POSTPONED

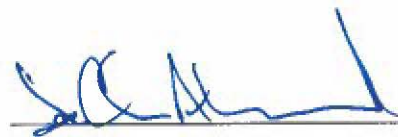
REGULAR BUSINESS CONTINUED:

8. Discuss/Act upon City of Fort Stockton's Final Audit for Fiscal Year Ending September 30, 2022, as presented by Rocky Rives of Smith & Rives, PC. (City Mgr./Dir. of Fin.)

ITEM WAS POSTPONED

14. Adjourn

Motion was made by Mayor Pro-Tem Paul Casias, seconded by Council Member James Warnock, and carried unanimously to adjourn the Regular City Council Meeting at 6:28 p.m. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Mayor Pro-Tem Paul Casias, Council Member Ruben Falcon voted aye.



Joe Chris Alexander, Mayor

ATTEST:



Marina A. Cantu, City Secretary