

CITY OF FORT STOCKTON, TEXAS

MINUTES OF: REGULAR CITY COUNCIL MEETING

DATE OF MEETING: JUNE 12, 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, RUBEN J BERNAL, PAUL JEROME CHAVEZ

ABSENT: 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 5:33 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.

Mayor Pro-Tem James Warnock led the Pledge of Allegiance to the United States of America Flag & the Pledge of Allegiance to the Texas Flag.

PRESENTATIONS:

1. **Chief of Police Ernesto Velasquez with Fort Stockton Police Department----**
 - STATISTICS FOR MAY 2023

May Calls for Service

Total Calls for Service: 1,527

FSPD Calls: 970

FSPD Calls: 14

City: 6

County: 8

PCEMS Calls: 163

PCSO Calls: 378

May Traffic Statistics

Traffic Stops: 270

City: 161

Other Agency: 109

Traffic Citations Issued: 16

Motor Vehicle Accidents: 59

City: 30

Other Agency: 29

May Cases Filed for Prosecution:

Juvenile Probation: 2

County Attorney: 25

83rd District Attorney: 27

112th District Attorney: 31

May Arrest Statistics:

Total Arrests: 23

Charges:

Assault: 0

Burglary: 0

Criminal Mischief: 1

Criminal Trespass: 2

Disorderly Conduct: 0

Duty on Striking: 0

Driving While Intoxicated: 4

Driving While License Invalid: 0

Evading Arrest: 0

Failure to ID: 0

Family Violence: 0

Murder: 0

Outstanding Warrant: 11

Possession of Controlled Substance: 4

Possession of Marijuana: 1

Public Intoxication: 2

Racing: 0

Resisting Arrest: 2

Sexual Assault: 0

Smuggling of Persons: 0

Terroristic Threat: 0

Theft: 1

Undocumented Migrants: 0

Unlawful Carry: 1

• STATISTICS FOR YEAR TO DATE

Year To Date Calls for Service

Total Calls for Service: 5,497

FSPD Calls: 3,418

FSPD Calls: 69

City: 8

County: 47

PCEMS Calls: 830

PCSO Calls: 1,390

Year To Date Traffic Statistics

Traffic Stops: 1,587

City: 935

Other Agency: 652

Traffic Citations Issued: 63

Motor Vehicle Accidents: 270

City: 149

Other Agency: 121

Year To Date Cases Filed for Prosecution:

Juvenile Probation: 11

County Attorney: 135

83rd District Attorney: 129

112th District Attorney: 37

Year To Date Arrest Statistics:

Total Arrests: 113

• Charges:

- Assault: 2
- Burglary: 2
- Criminal Mischief: 4
- Criminal Trespass: 9
- Disorderly Conduct: 1
- Duty on Striking: 6
- Driving While Intoxicated: 10
- Driving While License Invalid: 3
- Evading Arrest: 2
- Failure to ID: 2
- Family Violence: 7
- Murder: 0
- Outstanding Warrant: 109
- Possession of Controlled Substance: 25

- Possession of Marijuana: 6
- Public Intoxication: 8
- Racing: 2
- Resisting Arrest: 3
- Sexual Assault: 1
- Smuggling of Persons: 8
- Terroristic Threat: 1
- Theft: 4
- Undocumented Migrants: 3
- Unlawful Carry: 3

ORDINANCES:

2. Discuss/Act upon Ordinance No. 23-109, An Ordinance Amending Chapter 24 of the Code of Ordinances of the City of Fort Stockton Titled Utilities*, Article III. Service Rates and Charges, Division 3. Deposits, Section 24-66. Deposits for Water and Gas Meters; Temporary Disconnect Policy and Transfer Fee and Repealing all Other Ordinances or Portions Thereof in Conflict, A Severability Clause and Providing for an Effective Date. **(City Mgr.)**

Assistant City Manager Jesse Gonzales explained this Ordinance would allow for a lower deposit rate for customers who have three or more commercial accounts under the same business name and have established a good payment history.

He further explained that City Council would set the deposit rate.

Motion was made by Council Member Darren Hodges, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Ordinance No. 23-109, An Ordinance Amending Chapter 24 of the Code of Ordinances of the City of Fort Stockton Titled Utilities*, Article III. Service Rates and Charges, Division 3. Deposits, Section 24-66. Deposits for Water and Gas Meters; Temporary Disconnect Policy and Transfer Fee and Repealing all Other Ordinances or Portions Thereof in Conflict, A Severability Clause and Providing for an Effective Date, as presented with a \$50.00 deposit rate. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Council Member Ruben J Bernal, Council Member Paul Jerome Chavez voted aye.

CONSENT AGENDA:

3. All matters listed are considered to be routine by the City Council and will be enacted by one motion. If discussion is desired, that item will be removed from the Consent Agenda and considered separately.

Minutes: (Mayor)

- Regular Meeting Minutes of Fort Stockton City Council, 05/22/2023
- Regular Meeting Minutes of Housing Authority Board, 04/20/2023 Regular
- Meeting Minutes of Substandard Building Committee, 05/04/2023

Accounts Payable Grand Total: \$426,957.27

City Secretary Marina Cantu advised City Council that the payment for Directbytes LLC and the payment for Fort Stockton Body Shop would need to be removed from the Consent Agenda and acted upon separately.

Motion was made by Council Member Darren Hodges, seconded by Council Member James Warnock, and carried unanimously to Remove the Payment to Direct Bytes LLC in the Amount of \$840 and the Payment to Fort Stockton Body Shop in the Amount of \$6,760.13, Approving the Remaining Consent Agenda. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Council Member Ruben J Bernal, Council Member Paul Jerome Chavez voted aye.

Motion was made by Council Member Darren Hodges, seconded by Council Member Ruben J Bernal, and passed to approve the Payment to Directbytes LLC in the amount of \$840. Council Member Darren Hodges, Council Member James Warnock, Council Member Ruben J Bernal, Council Member Paul Jerome Chavez voted aye. Mayor Joe Chris Alexander abstained from the Motion.

Motion was made by Council Member Darren Hodges, seconded by Council Member Ruben J Bernal, and passed to approve the Payment to Fort Stockton Body Shop in the amount of \$6,760.13. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Council Member Ruben J Bernal voted aye. Council Member Paul Jerome Chavez abstained from the Motion.

REGULAR BUSINESS:

4. Discuss/Act upon Electing the Mayor Pro-Tem for 2023-2024. **(Mayor)**

Motion was made by Council Member Darren Hodges, seconded by Council Member Paul Jerome Chavez, and carried unanimously to Elect James Warnock as Mayor Pro-Tem for 2023-2024. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Council Member Ruben J Bernal, Council Member Paul Jerome Chavez voted aye.

Mayor Joe Chris Alexander explained Items 5-7 would be skipped for now.

8. Discuss/Act upon Bid for Belding Water Well #6 Replacement. **Bids Submitted:** *Hydro Resources Mid-Continent, Inc. (R.O. Plant Sup.)*

Assistant City Manager Jesse Gonzales recommended that City Council reject this bid as it came in much higher than anticipated and they do not have anything else to compare it to.

Motion was made by Council Member Ruben J Bernal, seconded by Council Mayor Pro-Tem James Warnock, and carried unanimously to Reject the Bid submitted from Hydro Resources Mid-Continent for the Belding Water Well #6 Replacement. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Joe Chris Alexander, Council Member Ruben J Bernal, Council Member Paul Jerome Chavez voted aye.

9. Discuss/Act upon Awarding Bid for Audio System at the City of Fort Stockton Convention Center **Bids Submitted:** *Just Macs LLC, dba Absolute AVL. (City Manager)*

Assistant City Manager Jesse Gonzales explained this is the company that did the sound for the Theater. However, because of the way the original bid was awarded we had to solicit bids for the City of Fort Stockton Convention Center. Economic Development Corporation (EDC) has committed to \$80,000 and the Convention and Visitor's Bureau (CVB) Venue Tax will cover the remainder of the cost. Therefore, he recommended City Council approve the bid as submitted to include Option #2.

Motion was made by Mayor Pro-Tem James Warnock, seconded by Council Member Paul Jerome Chavez, and carried unanimously to award the Bid for Audio System at the City of Fort Stockton Convention Center to Just Macs LLC, dba Absolute AVL, to

include Option 2. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Joe Chris Alexander, Council Member Ruben J Bernal, Council Member Paul Jerome Chavez voted aye.

10. Discuss/Act upon Pay Application No. 3 totaling \$83,000.00 for Work Performed by L.T. Construction, LLC on additions and buildout of the Hodges Pavilion. **(City Mgr./Dir. of Fin.)**

City Secretary Marina Cantu explained the amount of Pay Application No. 3 should be for \$85,500.00.

Motion was made by Mayor Pro-Tem James Warnock, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Pay Application No. 3 totaling \$85,500.00 for Work Performed by L.T. Construction, LLC on additions and buildout of the Hodges Pavilion. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Joe Chris Alexander, Council Member Ruben J Bernal, Council Member Paul Jerome Chavez voted aye.

11. Discuss/Act upon Designating the Date of the Employee Appreciation Event and Authorizing staff to conclude their workday before 5:00 p.m. to attend. **(City Mgr.)**

Assistant City Manager Jesse Gonzales explained historically City Council has authorized the early closure of the City for staff to attend Employee Appreciation.

He recommended City Council authorize the early closure of the City on June 16, 2023 at 12:00 p.m.

Motion was made by Council Member Ruben J Bernal, seconded by Mayor Pro-Tem James Warnock, and carried unanimously to Authorize the Early Closure of the City on June 16, 2023 at 12:00 p.m. for the Employee Appreciation Event. Council Member Darren Hodges, Council Member James Warnock, Mayor Joe Chris Alexander, Council Member Ruben J Bernal, Council Member Paul Jerome Chavez voted aye.

Mayor Joe Chris Alexander recessed from the Regular Session to convene into Executive Session at 5:57 p.m.

EXECUTIVE SESSION:

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) Discuss/Act upon Amendment of Surface Use Agreement between Forge Energy II Delaware, LLC and the City of Fort Stockton.
- (b) 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 Attorney Puja Boinpally clarified that Item No. 6 would not be discussed during executive session; however, City Council would need to decide on what action would be taken on item No. 5 prior to proceeding with Item No. 6.

Mayor Joe Chris Alexander closed the Executive Session to Reconvene into the Regular Session at 6:20 p.m.

REGULAR BUSINESS CONTINUED:

5. Discuss/Act upon Amendment of Surface Use Agreement between Forge Energy II Delaware, LLC and the City of Fort Stockton. **(City Mgr./City Atty.)**

Motion was made by Council Member Ruben J Bernal, seconded by Council Member James Warnock, and carried unanimously to table the Amendment of Surface Use Agreement between Forge Energy II Delaware, LLC and the City of Fort Stockton. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Joe Chris Alexander, Council Member Ruben J Bernal, Council Member Paul Jerome Chavez voted aye.

6. Discuss/Act upon Consent to Assign Surface Agreement for Partial Assignment of the Existing Contract for Blue Ridge Farms from Forge Energy II Delaware, LLC, as assignor, to Vital Energy, Inc. and Northern Oil and Gas, Inc., as assignees. (City Atty.)

Motion was made by Council Member Ruben J Bernal, seconded by Mayor Pro-Tem James Warnock, and carried unanimously to table the Consent to Assign Surface Agreement for Partial Assignment of the Existing Contract for Blue Ridge Farms from Forge Energy II Delaware, LLC, as assignor, to Vital Energy, Inc. and Northern Oil and Gas, Inc., as assignees. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Joe Chris Alexander, Council Member Ruben J Bernal, Council Member Paul Jerome Chavez voted aye.

7. 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.)

Motion was made by Council Member Ruben J Bernal, seconded by Mayor Pro-Tem James Warnock, and carried unanimously to table the 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. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Council Member Joe Chris Alexander, Council Member Ruben J Bernal, Council Member Paul Jerome Chavez voted aye.

12. Questions from Media
There were no questions from the media.

13. Adjourn


Motion was made by Council Member Ruben J Bernal, seconded by Mayor Pro-Tem James Warnock, and carried unanimously to adjourn the Regular City Council Meeting at 6:23 p.m. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Joe Chris Alexander, Council Member Ruben J Bernal, Council Member Paul Jerome Chavez voted aye.





Joe Chris Alexander, Mayor

ATTEST:



Marina A. Cantu, City Secretary