

CITY OF FORT STOCKTON, TEXAS

MINUTES OF: REGULAR CITY COUNCIL MEETING  
DATE OF MEETING: JUNE 26, 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, RUBEN FALCON, PAUL JEROME CHAVEZ

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.

**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. Presentation of Plaque to Former Mechanic Shop Supervisor Larry D. Rey for his Exceptional Commitment & Distinguished Service to the Citizens of Fort Stockton from June 1, 1998 - June 22, 2023. **(Mayor)**

**Mayor Joe Chris Alexander** presented a plaque to Former Mechanic Shop Supervisor Larry D. Rey for his Exceptional Commitment & Distinguished Service to the Citizens of Fort Stockton.

**Mayor Joe Chris Alexander** called the Regular City Council Meeting to Convene into the following Public Hearing at 5:38 p.m.

#### **PUBLIC HEARINGS:**

2. The City of Fort Stockton, Pecos County, Texas has applied for funding with the U.S. Department of Agriculture, Rural Development for financial assistance for Wastewater Treatment Plant Clarifier. **(City Mgr./Dir. of Fin.)**

**City Manager Frank Rodriguez III** advised everyone the purpose of this Public Hearing was to notify the public that the City of Fort Stockton was awarded funding from the U.S. Department of Agriculture, Rural Development for financial assistance for the Wastewater Treatment Plant Clarifier.

**Mayor Joe Chris Alexander** closed the Public Hearing to Convene into the Next Public Hearing at 5:39 p.m.

3. Application Request from Property Owner Kings Builders and Management, LLC to Consider Rezoning Lots Six (6) & Eight (8), Block Thirty-Nine (39), OLD FORT ADDITION, Fort Stockton, Pecos County, Texas from a Retail District (R) to a One-Family Dwelling District 3 (SF-3), for the Purpose of Constructing a New Single-Family Dwelling on Each Lot; this being in Accordance with Sections 7(1) & 7(2) of the Zoning Ordinance. **(City Sec.)**

**City Secretary Marina Cantu** explained this property is located next to the Fort Stockton Glass Shop facing the Fort. The request has been heard by the Planning & Zoning Commission who recommended City Council approve the request.

**Mayor Joe Chris Alexander** closed the Public Hearing to Reconvene into the Regular City Council Meeting at 5:40 p.m.

#### **ORDINANCES:**

4. Discuss/Act upon Ordinance No. 23-110, An Ordinance of the City Council of Fort Stockton, Pecos County, Texas, Rezoning Lots Six (6) & Eight (8), Block Thirty-Nine (39), OLD FORT ADDITION, Fort Stockton, Pecos County, Texas, from a Retail (R) to a One-

Family Dwelling District 3 (SF-3), as Petitioned by Property Owner Kings Builders and Management, LLC, for the Purpose of Constructing a New Single-Family Dwelling on each lot; in Accordance with Section 7(1) & 7(2) of the Zoning Ordinance. **(City Sec.)**

**Motion was made by Council Member Darren Hodges, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Ordinance No. 23-110, An Ordinance of the City Council of Fort Stockton, Pecos County, Texas, Rezoning Lots Six (6) & Eight (8), Block Thirty-Nine (39), OLD FORT ADDITION, Fort Stockton, Pecos County, Texas, from a Retail (R) to a One-Family Dwelling District 3 (SF-3), as Petitioned by Property Owner Kings Builders and Management, LLC, for the Purpose of Constructing a New Single-Family Dwelling on each lot; in Accordance with Section 7(1) & 7(2) of the Zoning Ordinance. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Joe Chris Alexander, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

5. Discuss/Act upon Ordinance No. 23-111, Adopting Budget Amendment No. 2 to the Original Budget of the City of Fort Stockton, Texas for the Fiscal Year 2022-2023; Providing for Supplemental Appropriation and/or Transfer of Certain funds; Providing for Severability; and Providing for Other Matters Related to the Subject. **(City Mgr./Dir. of Fin.)**

**Director of Finance Maria Rodriguez** requested Budget Amendment No. 2 from HB 445. She explained at the end of FY 21-22 the HB 445 Fund Balance was \$435,363. Therefore, she requested permission to expend additional funds in the amount of \$250,000.

**Motion was made by Council Member Ruben Falcon, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Ordinance No. 23-111, Adopting Budget Amendment No. 2 to the Original Budget of the City of Fort Stockton, Texas for the Fiscal Year 2022-2023; Providing for Supplemental Appropriation and/or Transfer of Certain funds; Providing for Severability; and Providing for Other Matters Related to the Subject. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Joe Chris Alexander, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

6. Discuss/Act upon Ordinance No. 23-112, An Ordinance Rescinding Ordinance No. 23-103 regarding the Implementation of Regulations for Coin-Operated Machines & Furthermore Incorporated & Repealed from Chapter 19 of the Code of Ordinances of the City of Fort Stockton Titled Public Amusements; and Creating Article III. Coin-Operated Machines; and

Repealing all Other Ordinances or Portions Thereof in Conflict, a Severability Clause and Providing an Effective Date. (Asst. City Mgr.)

**Assistant City Manager Jesse Gonzales, Jr.** explained this item and the next item correlate with one another. He explained this Ordinance was to rescind the previous ordinance passed in January which if approved will be replaced with the following comprehensive ordinance pertaining to Game Rooms.

**Motion was made by Council Member Ruben Falcon, seconded by Mayor Pro-Tem James Warnock, and carried unanimously to approve Ordinance No. 23-112, An Ordinance Rescinding Ordinance No. 23-103 regarding the Implementation of Regulations for Coin-Operated Machines & Furthermore Incorporated & Repealed from Chapter 19 of the Code of Ordinances of the City of Fort Stockton Titled Public Amusements; and Creating Article III. Coin-Operated Machines; and Repealing all Other Ordinances or Portions Thereof in Conflict, a Severability Clause and Providing an Effective Date. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Joe Chris Alexander, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

7. Discuss/Act upon Ordinance No. 23-113, An Ordinance Amending Chapter 19 of the Code of Ordinance of the City of Fort Stockton Titled Public Amusements; and Creating Article III. Game Rooms and Amusement Redemption Machines; and Repealing all Other Ordinances or Portions Thereof in Conflict, a Severability Clause and Providing for its Publication and Effective Date. (Asst. City Mgr.)

**Assistant City Manager Jesse Gonzales, Jr.** explained this comprehensive ordinance places a stipulation that game rooms can not be located within 2,000 feet of another game room.

**Council Member Ruben Falcon** explained thanks to the citizens voting to change to a Home Rule Municipality, our local government has more control over the game rooms.

**Motion was made by Council Member Ruben Falcon, seconded by Council Member Darren Hodges, and carried unanimously to approve Ordinance No. 23-113, An Ordinance Amending Chapter 19 of the Code of Ordinance of the City of Fort Stockton Titled Public Amusements; and Creating Article III. Game Rooms and Amusement Redemption Machines; and Repealing all Other Ordinances or Portions Thereof in Conflict, a Severability Clause and Providing for its Publication and Effective Date. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Joe Chris**

**Alexander, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

**CONSENT AGENDA:**

8. 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, 06/12/2023
- Regular Meeting Minutes of Fort Stockton Economic Development 4-A Corporation, 05/18/2023
- Regular Meeting Minutes of Fort Stockton Economic Development 4-B Corporation, 05/18/2023
- Regular Meeting Minutes of Fort Stockton Tourism Advisory Board, 05/16/2023
- Regular Meeting Minutes of Planning & Zoning Commission, 02/15/2023

**Accounts Payable Grand Total:                      \$353,036.77**

**Motion was made by Mayor Pro-Tem James Warnock , seconded by Council Member Ruben J Bernal, and passed to approve the Consent Agenda, as presented. 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.**

**REGULAR BUSINESS:**

9. Discuss/Act upon Convention Center Main Hall Audio System Agreement between the City of Fort Stockton and Just Macs LLC, dba Absolute AVL. **(Asst. City Mgr.)**

**City Attorney Puja Boinpally** explained this is the Agreement for the Convention Center Main Hall Audio System for the Bid approved during the previous meeting. This is the Standard Contractor Agreement. Mr. Greer requested 50% upfront and 50% upon completion. He is expecting to complete the project within two weeks of initiating the process.

**Motion was made by Council Member Ruben Falcon, seconded by Council Member Paul Jerome Chavez, and carried unanimously to approve Convention Center Main Hall**

**Audio System Agreement between the City of Fort Stockton and Just Macs LLC, dba Absolute AVL. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Joe Chris Alexander, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

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

**City Attorney Puja Boinpally** explained this is an Amendment to the Existing Surface Use Agreement. The Amendment would add Section 3 which pertains to the damages. Forge Energy II Delaware, LLC has agreed to increase the damage rates for Pipeline Easements, Remediation Damages, Powerline Easements. In addition, they also agreed to reimburse us for water sales.

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

11. 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.)**

**City Attorney Puja Boinpally** explained this is to transfer the same agreement terms including the amendment just approved from Forge Energy II Delaware, LLC to Vital Energy, Inc.

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

12. 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.)

**City Attorney Puja Boinpally** explained Mr. Gonzalez would need to obtain an easement through the City's Blue Ridge Property in order to access the property he is in the process of purchasing. She further explained he is securing funding through the Veterans Texas Land Board who has requested the duration of the easement be for the term of the loan.

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

13. Discuss/Act upon Re-Solicitation of Bid for Belding Water Well #6 Replacement Well Services. (City Mgr./R.O. Plant Sup.)

**City Manager Frank Rodriguez III** requested permission to resolicit Request for Bids for Belding Water Well #6 Replacement Well Services, broadening the advertising to see if other bids are received in order to make comparisons. The re-solicitation packet would include answers to the questions received from the previous bidder.

**Motion was made by Council Member Ruben Falcon, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Re-Solicitation of Bid for Belding Water Well #6 Replacement Well Services. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Joe Chris Alexander, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

14. Discuss/Act upon Solicitation of Sealed Bids for Purchasing of Materials for Street Construction and Repairs. (City Mgr./P.W. Dir.)

**Public Works Director Luis Guerra** explained the agreement for street materials have expired; therefore, he requested permission to solicit bids for oil, gravel and caliche.

**Motion was made by Council Member Ruben J Bernal, seconded by Mayor Pro-Tem James Warnock, and carried unanimously to approve Solicitation of Sealed Bids for Purchasing of Materials for Street Construction and Repairs. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Joe Chris Alexander, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

#### RESOLUTION:

15. Discuss/Act upon Resolution No. 23-116R, Approving the Official Canvass for the June 20, 2023 City Special Runoff Election. (Mayor)

**Mayor Joe Chris Alexander** read Resolution No. 23-116R aloud.

**Mayor Joe Chris Alexander** advised everyone that 495 votes were cast at the Special Run Off Election to Elect One (1) Mayor to a 3-year term.

Results were as follows:

	PRECINCT 1	PRECINCT 2	PRECINCT 7	PRECINCT 10	TOTAL PCT. VOTES
<b>COUNCIL MEMBERS</b>					
James B. Warnock	92	81	27	27	227
<b>Paul Casias*</b>	<b>103</b>	<b>105</b>	<b>33</b>	<b>27</b>	<b>268</b>
<b>SUM OF TOTAL PCT. VOTES</b>	<b>195</b>	<b>186</b>	<b>60</b>	<b>54</b>	<b>495</b>

**Paul Casias** was Elected Mayor.

**Motion was made by Council Member Ruben J Bernal, seconded by Council Member Paul Jerome Chavez, and carried unanimously to approve Resolution No. 23-116R, Approving the Official Canvass for the June 20, 2023 City Special Runoff Election. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Joe Chris Alexander, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**



**REGULAR BUSINESS CONTINUED:**

16. Present "Certificate of Election" to Paul Casias, Newly Elected Mayor. **(Mayor)**

**Mayor Joe Chris Alexander** presented Newly Elected Mayor Paul Casias with his Certificate of Election.

17. Conduct "Oath of Office" for Paul Casias, Newly Elected Mayor. **(Asst. City Mgr.)**

**Notary/Assistant City Manager Jesse Gonzales, Jr.** Conducted the Oath of Office for Paul Casias, Newly Elected Mayor.

18. Presentation of Plaque to Out-Going Mayor Joe Chris Alexander in Appreciation of the Years of Dedicated Service and Leadership to the City of Fort Stockton and its Citizens Serving on City Council from 2010-2015 & Serving as Mayor from 2015-2023. **(Mayor Pro-Tem)**

**Newly Elected Mayor Paul Casias** presented the Plaque to Out-Going Mayor Joe Chris Alexander in Appreciation of the Years of Dedicated Service and Leadership to the City of Fort Stockton and its Citizens Serving on City Council from 2010-2015 & Serving as Mayor from 2015-2023.

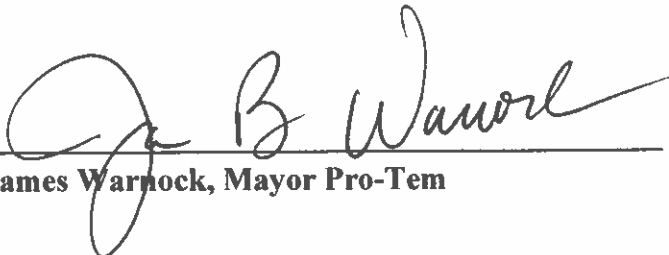
19. Questions from Media.

There were no questions from the media.

20. **Adjourn the Regular City Council Meeting for a Celebratory Reception!**

Motion was made by Council Member Ruben Falcon, seconded by Council Member Ruben J Bernal, and carried unanimously to adjourn the Regular City Council Meeting for a Celebratory Reception at 6:22 p.m. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Joe Chris Alexander, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.



  
James Warnock, Mayor Pro-Tem

ATTEST:

  
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Marina A. Cantu, City Secretary

