

CITY OF FORT STOCKTON, TEXAS  
MINUTES OF: REGULAR CITY COUNCIL MEETING  
DATE OF MEETING: AUGUST 28, 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: PAUL JEROME CHAVEZ, DARREN HODGES, JAMES WARNOCK, RUBEN J BERNAL, RUBEN FALCON

JAMES WARNOCK ARRIVED AT 5:34 PM.

ABSENT: PAUL CASIAS

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

**Council Member Ruben Falcon** called the Regular Meeting to Order at 5:30 p.m. after declaring a quorum present.

**Council Member Ruben Falcon** 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 Ruben J. Bernal** led the Pledge of Allegiance to the United States of America Flag & the Pledge of Allegiance to the Texas Flag.

**CONSENT AGENDA:**

1. 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, 08/14/2023
- Special Meeting Minutes of Fort Stockton City Council, 08/24/2023
- Special Meeting Minutes of Fort Stockton Economic Development 4-A Corporation, 07/13/2023
- Special Meeting Minutes of Fort Stockton Economic Development 4-A Corporation, 07/31/2023
- Regular Meeting Minutes of Fort Stockton Economic Development 4-B Corporation, 06/15/2023
- Regular Meeting Minutes of Fort Stockton Housing Authority Board, 07/20/2023
- Regular Meeting Minutes of Intergovernmental Recreation Board, 07/19/2023
- Regular Meeting Minutes of Fort Stockton Tourism Advisory Board, 07/18/2023
- Regular Meeting Minutes of Substandard Building Committee, 07/06/2023
- Regular Meeting Minutes of Animal Control Advisory Board, 03/09/2023

**Accounts Payable Grand Total:                    \$243,507.59**

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

#### **ANNEXATION REQUEST:**

2. Discuss/Act upon Initiating the Voluntary Annexation Process for 0.782 Acres, being all of Lots One to Eleven (1-11) all in Block 15, ORIENTA PARK ADDITION to the City of Fort Stockton, per subdivision on file in Plat Cabinet 7B, Plat Records of Pecos County, Texas, which shall be zoned as a "One-Family Dwelling District 1 (SF-1) for the Procurement of Utility Services." (Mayor)

**City Secretary Marina Cantu** advised City Council this property is located off of Gonzalez Loop near Affordable Towing. The property is within the City of Fort Stockton's ETJ and was reviewed by the City Attorney who verified the City is able to annex this property. The property owners wish to annex this property into the City of Fort Stockton in order to obtain utility services.

**Motion was made by Council Member Darren Hodges, seconded by Council Member Paul Jerome Chavez, and carried unanimously to approve Initiating the Voluntary Annexation Process for 0.782 Acres, being all of Lots One to Eleven (1-11) all in Block 15, ORIENTA PARK ADDITION to the City of Fort Stockton, per subdivision on file in Plat Cabinet 7B, Plat Records of Pecos County, Texas, which shall be zoned as a "One-Family Dwelling**

**District 1 (SF-1) for the Procurement of Utility Services.” Council Member Darren Hodges, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

**Mayor Pro-Tem James Warnock** arrived at 5:34 p.m. and assumed his duties of presiding the meeting as Mayor Pro-Tem

3. Discuss/Act upon Municipal Services Agreement between the City of Fort Stockton and Property Owners Eleno Flores and Jose Gilberto Flores. **(City Atty.)**

**City Attorney Puja Boinpally** advised City Council this is the standard Municipal Services Agreement which addresses the services the property owner will have access to once the property is annexed into the City of Fort Stockton. It also addresses who will incur the costs for getting the utilities, in this case the water, to the property.

**Council Member Ruben J. Bernal** inquired if there was a utility line available to service this area.

**City Secretary Marina Cantu** explained that there is a utility line located in the street and further explained it would be the property owner’s responsibility to have the line run from the street to the property.

**Motion was made by Council Member Darren Hodges, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Municipal Services Agreement between the City of Fort Stockton and Property Owners Eleno Flores and Jose Gilberto Flores. Council Member Darren Hodges, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez, Mayor Pro-Tem James Warnock voted aye.**

#### **RESOLUTIONS:**

4. Discuss/Act upon Resolution No. 23-118R, a Resolution setting the dates, time, and place for Two Public Hearings on the Proposed Annexation of Certain Property, described as 0.782 Acres, Being all of Lots One to Eleven (1-11) all in Block 15, ORIENTA PARK ADDITION to the City of Fort Stockton, per subdivision on file in Plat Cabinet 7B, Plat Records of Pecos County, Texas, which shall be Zoned as a "One-Family Dwelling District 1 (SF-1)" for the Procurement of Utility Services as petitioned by Property Owners Eleno Flores and Jose Gilberto Flores, by the City of Fort Stockton, Texas, and Authorizing and Directing the Mayor to Publish Notice of such Public Hearings. **(City Atty)**

**City Attorney Puja Boinpally** explained this Resolution would set the dates, time and place for the Two Public Hearings for the proposed annexation. She advised City Council the 1<sup>st</sup> Public Hearing would be held on September 11, 2023 at 5:30 p.m. in the City Council Chambers of the City Hall of the City of Fort Stockton, Texas and the 2<sup>nd</sup> Public Hearing would be held on September 25, 2023 at 5:30 p.m. in the City Council Chambers of the City Hall of the City of Fort Stockton, Texas.

**Motion was made by Council Member Ruben Falcon, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Resolution No. 23-118R, a Resolution setting the dates, time, and place for Two Public Hearings on the Proposed Annexation of Certain Property, described as 0.782 Acres, Being all of Lots One to Eleven (1-11) all in Block 15, ORIENTA PARK ADDITION to the City of Fort Stockton, per subdivision on file in Plat Cabinet 7B, Plat Records of Pecos County, Texas, which shall be Zoned as a "One-Family Dwelling District 1 (SF-1)" for the Procurement of Utility Services as petitioned by Property Owners Eleno Flores and Jose Gilberto Flores, by the City of Fort Stockton, Texas, and Authorizing and Directing the Mayor to Publish Notice of such Public Hearings. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

5. Discuss/Act upon Resolution No. 23-119 R, a Resolution Rescinding Resolution No. 23-111R, a Resolution Adopting and Allocating Funds for an Outdoor Fitness Court (R) as part of the 2023 National Fitness Campaign. (City Mgr./EDC Dir.)

**Assistant City Manager Jesse Gonzales, Jr.** requested permission to rescind the resolution for the grant award for the City of Fort Stockton for the Wellness Program through BlueCross Blue Shield. This resolution would rescind the grant award and allow for the reallocation of funds.

**Motion was made by Council Member Darren Hodges, seconded by Council Member Ruben Falcon, and carried unanimously to approve Resolution No. 23-119 R, a Resolution Rescinding Resolution No. 23-111R, a Resolution Adopting and Allocating Funds for an Outdoor Fitness Court (R) as part of the 2023 National Fitness Campaign. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

#### **REGULAR BUSINESS:**

6. Discuss/Act upon rescinding action previously taken by the Fort Stockton City Council during the Regular Meeting of January 23, 2023 approving the Initiative for A Wellness Program for the Community that is promoted by Blue Cross Blue Sheild and the National Fitness Campaign. (City Mgr./EDC Dir.)

**Assistant City Manager Jesse Gonzales, Jr.** explained he was requesting permission to rescind the action previously taken concerning the Wellness Program for the Community promoted through BlueCross BlueShield to dissolve the tie between the City of Fort Stockton and this grant.

**Council Member Ruben J. Bernal** inquired the reasoning behind this request.

**Assistant City Manager Jesse Gonzales, Jr.** responded the funds would be reallocated for the upgrades to the park.

**Motion was made by Council Member Paul Jerome Chavez, seconded by Council Member Darren Hodges, and carried unanimously to rescind action previously taken by the Fort Stockton City Council during the Regular Meeting of January 23, 2023 approving the Initiative for A Wellness Program for the Community that is promoted by Blue Cross Blue Shield and the National Fitness Campaign. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

7. Discuss/Act upon Payment Application No. 2 totaling \$29,530.00 for Solar Lighting for the Gene Cummings Park as Approved by Economic Development 4-B Corporation on March 16, 2023 for the Park Upgrade Project. **(City Mgr./EDC Dir.)**

**Assistant City Manager Jesse Gonzales** explained the Economic Development 4-B Corporation approved funding for \$29,529.00 for the Solar Lighting for the Gene Cummings Park.

**Council Member Darren Hodges** inquired how many lights this included.

**Assistant Director of Finance Nilva Salinas** advised City Council this included 16 lights.

**Motion was made by Council Member Ruben Falcon, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Payment Application No. 2 totaling \$29,529.00 for Solar Lighting for the Gene Cummings Park as Approved by Economic Development 4-B Corporation on March 16, 2023 for the Park Upgrade Project. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

8. Discuss/Act upon Bid for Removal of 20" Water Pipeline Project. **Bids Submitted: AG Oilfield Services, Inc., West Texas Contractors, LLC (City Manager)**

**Assistant City Manager Jesse Gonzales, Jr.** explained R.O. Plant Supervisor Robbie Dominguez reviewed the submittals and recommended awarding the bid for the Removal of 20" Water Pipeline Project to AG Oilfield Services, Inc. He added that he concurred with the recommendation.

**City Council Member Ruben J. Bernal** inquired about the possible necessity of asbestos remediation.

**Assistant City Manager Jesse Gonzales, Jr.** explained portions of the water pipeline have already been removed and there have been no traces of asbestos detected.

**Motion was made by Council Member Ruben Falcon, seconded by Council Member Ruben J Bernal, and carried unanimously to award Bid for Removal of 20" Water Pipeline Project to AG Oilfield Services, Inc. for the amount of \$278,600.00. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

9. Discuss/Act upon Letter of Engagement between the City of Fort Stockton and Smith & Rives, PC for Audit Services for the year ended September 30, 2023. **(City Mgr./Dir. of Fin.)**

**Assistant Director of Finance Nilva Salinas** advised City Council this is the Formal Letter of Engagement for the 2023 Audit. She further explained Smith & Rives, PC was awarded the bid back in fiscal year ending in 2020. The award was for that year and 3 additional years. This will be the final year to fulfill the awarded bid. Therefore, bids for Audit Services will need to be solicited after this year.

**Motion was made by Council Member Darren Hodges, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Letter of Engagement between the City of Fort Stockton and Smith & Rives, PC for Audit Services for the year ended September 30, 2023. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

10. Discuss/Act upon Street Material Agreement between the City of Fort Stockton and MJ Trucking and Materials for Base Material, Grade 1 (Caliche) and Rock Aggregate, Grade 4 for Street Construction and Repairs. **(City Mgr./P.W. Dir.)**

**City Attorney Puja Boinpally** explained this was the Street Material Agreement for the Base Material and Rock Aggregate that was awarded to MJ Trucking and Materials during the previous meeting.

**Motion was made by Council Member Ruben J Bernal, seconded by Council Member Darren Hodges, and carried unanimously to approve Street Material Agreement between the City of Fort Stockton and MJ Trucking and Materials for Base Material, Grade 1 (Caliche) and Rock Aggregate, Grade 4 for Street Construction and Repairs. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

11. Discuss/Act upon Street Material Agreement between the City of Fort Stockton and P Squared Emulsion Plants, LLC for CWE-2 Emulsion for Street Construction and Repairs. **(City Mgr./P.W. Dir.)**

**City Attorney Puja Boinpally** explained this was the Street Material Agreement for the CWE-2 Emulsion that was awarded to P Squared Emulsion Plants, LLC during the previous meeting.

**Motion was made by Council Member Ruben J Bernal, seconded by Council Member Paul Jerome Chavez, and carried unanimously to approve Street Material Agreement between the City of Fort Stockton and P Squared Emulsion Plants, LLC for CWE-2 Emulsion for Street Construction and Repairs. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

12. Discuss/Act upon payment from Fort Stockton Economic Development 4-B Corporation in the amount of \$80,000.00 to Just Mac LLC dba Absolute AVL as per the agreement previously approved by the Fort Stockton City Council on June 26, 2023 meeting, for the Installation of the Main Hall Audio System at Fort Stockton Convention Center. **(City Mgr./EDC Dir.)**

**Assistant City Manager Jesse Gonzales, Jr.** explained the Fort Stockton Economic Development 4-B Corporation approved \$80,000.00 for the Installation of the Main Hall Audio System of the Fort Stockton Convention Center during their June 26, 2023 meeting. He further explained that the Convention and Visitor's Bureau would be paying the other portion.

**Motion was made by Council Member Ruben J Bernal, seconded by Council Member Darren Hodges, and carried unanimously to approve payment from Fort Stockton Economic Development 4-B Corporation in the amount of \$80,000.00 to Just Mac LLC dba Absolute AVL as per the agreement previously approved by the Fort Stockton City**

**Council on June 26, 2023 meeting, for the Installation of the Main Hall Audio System at Fort Stockton Convention Center. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

13. Discuss/Act upon Accepting Donation of \$6,000.00 from EagleClaw Midstream to the Fort Stockton Police Department. (City Mgr./Dir. of Fin.)

**Chief of Police Ernesto Velasquez** explained EagleClaw Midstream hosted their 2nd Annual Golf Tournament in Midland on June 27, 2023. As a result of the strong support, the vendors and the employees they raised over \$175,000.00 and would like to make a monetary donation of \$6,000.00 to the Fort Stockton Police Department on behalf of all their employees in West Texas and the Houston Area.

**Motion was made by Council Member Paul Jerome Chavez, seconded by Council Member Ruben J Bernal, and carried unanimously to Accept Donation of \$6,000.00 from EagleClaw Midstream to the Fort Stockton Police Department. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

#### **ORDINANCES:**

14. Discuss/Act upon Ordinance No. 23-122, Approving and Adopting the City of Fort Stockton, Texas, Budget for the Fiscal Year 2023-2024; Making Appropriations for the City for said Fiscal Year as Reflected in said Budget; And making Certain Findings and Containing Certain Provisions Relating to the Subject. (City Mgr./Dir. of Fin.)

**Assistant City Manager Jesse Gonzales, Jr.** explained the proposed budget was filed with the City Secretary's Office as required and is ready for approval.

**Motion was made by Council Member Ruben J Bernal, seconded by Council Member Paul Jerome Chavez, and carried unanimously to approve Ordinance No. 23-122 for Fiscal Year 2023-2024, this budget will raise less total property taxes than last year's budget by \$14,443.23 (-1.05%) and of that amount \$31,116.29 is tax revenue to be raised from new property added to the tax roll this year. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

15. Discuss/Act upon Ordinance No. 23-123, An Ordinance Levying Taxes for the Use and Support of the Municipal Government of the City of Fort Stockton, Pecos County, Texas; Providing for the



Interest and Sinking Fund & Apportioning Each Levy for a Specific Purpose for Fiscal Year 2023-2024 & Providing for Approval of Ordinance. (City Mgr./Dir. of Fin.)

Assistant City Manager Jesse Gonzales, Jr. explained this is the proposed tax rate ready for approval.

Motion was made by Council Member Darren Hodges, seconded by Council Member Paul Jerome Chavez, and carried unanimously to approve Ordinance No. 23-123 for Fiscal Year 2023-2024, which entails that the Property Tax Rate be Decreased by the Adoption of a Tax Rate of \$0.3096, which is Effectively a 3.13% Decrease in the Tax Rate. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.

**REGULAR BUSINESS CONTINUED:**

- 16. Questions from Media.

There were no questions from the media.

- 17. Adjourn.

Motion was made by Council Member Ruben J Bernal, seconded by Council Member Paul Jerome Chavez, and carried unanimously to adjourn the Regular City Council Meeting at 5:57 p.m. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.



*Paul Casias*

Paul Casias, Mayor

ATTEST:

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