

CITY OF FORT STOCKTON, TEXAS

MINUTES OF: REGULAR CITY COUNCIL MEETING

DATE OF MEETING: OCTOBER 10, 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, PAUL CASIAS, RUBEN J BERNAL, RUBEN FALCON, PAUL JEROME CHAVEZ

RUBEN J BERNAL LEFT AT 6:27 PM

CITY MANAGER: FRANK RODRIGUEZ III

CITY SECRETARY: MARINA CANTU

CITY ATTORNEY: PUJA BOINPALLY

**Mayor Paul Casias** called the Regular Meeting to Order at 5:30 p.m. after declaring a quorum present.

**Mayor Paul Casias** 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.

**PRESENTATIONS:**

**1. Chief of Police Ernesto Velasquez with Fort Stockton Police Department----**

**Chief of Police Ernesto Velasquez** presented the following:

- Statistics Report for September 2023

**September Calls for Service**

Total Calls for Service: 1,423  
FSPD Calls: 1,027  
FSFD Calls: 10  
City: 3  
County: 7  
PCEMS Calls: 170  
PCSO Calls: 213

**September Traffic Statistics**

Traffic Stops: 315  
City: 268  
Other Agency: 47  
Traffic Citations Issued: 31  
Motor Vehicle Accidents: 45  
City: 26  
Other Agency: 19

**September Cases Filed for Prosecution:**

Juvenile Probation: 2  
County Attorney: 32  
83rd District Attorney: 20  
112th District Attorney: 0

**September Arrest Statistics:**

Total Arrests: 26  
Charges:  
Assault: 0  
Burglary: 1  
Criminal Mischief: 0  
Criminal Trespass: 0  
Disorderly Conduct: 1  
Duty on Striking: 3  
Driving While Intoxicated: 6  
Driving While License Invalid: 2  
Evading Arrest: 1  
Failure to ID: 0  
Family Violence: 4  
Murder: 0  
Outstanding Warrant: 7  
Possession of Controlled Substance: 3

Possession of Marijuana: 0  
 Public Intoxication: 2  
 Racing: 0  
 Resisting Arrest: 1  
 Sexual Assault: 0  
 Smuggling of Persons: 0  
 Terroristic Threat: 0  
 Theft: 2  
 Undocumented Migrants: 0  
 Unlawful Carry: 1

- Statistics Report for Year to Date:

### **Year To Date Calls for Service**

Total Calls for Service: 12,704  
 FSPD Calls: 8,314  
 FSFD Calls: 164  
 City: 36  
 County: 128  
 PCEMS Calls: 1,596  
 PCSO Calls: 2,852

### **Year To Date Traffic Statistics**

Traffic Stops: 2,944  
 City: 1,968  
 Other Agency: 976  
 Traffic Citations Issued: 349  
 Motor Vehicle Accidents: 476  
 City: 260  
 Other Agency: 216

### **Year To Date Cases Filed for Prosecution:**

Juvenile Probation: 18  
 County Attorney: 315  
 83rd District Attorney: 253  
 112th District Attorney: 51

### **Year To Date Arrest Statistics:**

Total Arrests: 235  
 Charges:  
 Assault: 8  
 Burglary: 4

Criminal Mischief: 5  
 Criminal Trespass: 12  
 Disorderly Conduct: 4  
 Duty on Striking: 7  
 Driving While Intoxicated: 27  
 Driving While License Invalid: 8  
 Evading Arrest: 7  
 Failure to ID: 3  
 Family Violence: 14  
 Murder: 0  
 Outstanding Warrant: 181  
 Possession of Controlled Substance: 44  
 Possession of Marijuana: 13  
 Public Intoxication: 26  
 Racing: 4  
 Resisting Arrest: 8  
 Sexual Assault: 1  
 Smuggling of Persons: 8  
 Terroristic Threat: 4  
 Theft: 9  
 Undocumented Migrants: 3  
 Unlawful Carry: 8  
 Injury to Child/Elderly: 1  
 Reckless Driving: 1

2. **Public Works Director Luis Guerra----**

- Street Report

**2023 Streets Paved:**

N. Front & W. Sixth  
 N. Young & W Seventh  
 W. 21st  
 W. Callaghan  
 S. Summit & W. Division  
 Sycamore St.

**2023 Street Paving Projects:**

676,296 sq. ft. - Road Paved  
 Materials used is the equivalent of 6.7 miles  
 1,696 Tons of Aggregate

34,012 gallons of CRS2 Oil  
 1,862 Tons of Base Material  
 Total Expenditure \$369,480.93

#### ORDINANCES:

3. Discuss/Act upon Ordinance No. 23-133, An Ordinance Amending the City of Fort Stockton, Texas, Personnel Policies & Procedures Manual by Incorporating a Job Description for Marketing & Convention Center Coordinator, Pay Grade 26; to the Job Classification Table & Compensation Plan-Salary Scale; Repealing Job Description for Marketing & Sales Coordinator, Pay Grade 26 to the Job Classification Table & Compensation Plan-Salary Scale; Repealing the Prior Job Descriptions of the City Pertaining to this Ordinance; Containing a Savings Clause; and Providing for the Publication and Effective Date Thereof. **(City Mgr./H.R. Dir.)**

**Director of Finance Sara Mata** explained the purpose of this ordinance was to Change in the Job Title from Marketing & Sales Coordinator to Marketing & Convention Center Coordinator. The Job and Duties remain the same.

**Motion was made by Council Member Ruben Falcon, seconded by Council Member Ruben J Bernal, and carried unanimously to approve Ordinance No. 23-133, An Ordinance Amending the City of Fort Stockton, Texas, Personnel Policies & Procedures Manual by Incorporating a Job Description for Marketing & Convention Center Coordinator, Pay Grade 26; to the Job Classification Table & Compensation Plan-Salary Scale; Repealing Job Description for Marketing & Sales Coordinator, Pay Grade 26 to the Job Classification Table & Compensation Plan-Salary Scale; Repealing the Prior Job Descriptions of the City Pertaining to this Ordinance; Containing a Savings Clause; and Providing for the Publication and Effective Date Thereof. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

4. Discuss/Act upon Ordinance No. 23-134, An Ordinance Annexing the hereinafter described territory, 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, Pecos County, Texas, and Extending the Boundary Limits of Said City so as to include said hereinafter described property within said city limits, and granting to all the inhabitants of said property all the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of said city; and adopting a service agreement.

**City Secretary Marina Cantu** explained the Request to Annex was reviewed by the Planning & Zoning Commission who recommended approving the request. All proper notifications were made, the required Public Hearings were held and the Municipal Service Agreement was completed. This is the final step to approve this voluntary annexation request.

**Motion was made by Council Member Ruben J Bernal, seconded by Council Member Paul Jerome Chavez, and carried unanimously to approve Ordinance No. 23-134, An Ordinance Annexing the hereinafter described territory, 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, Pecos County, Texas, and Extending the Boundary Limits of Said City so as to include said hereinafter described property within said city limits, and granting to all the inhabitants of said property all the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of said city; and adopting a service agreement. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

#### **CONSENT AGENDA:**

5. 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, 09/25/2023
- Regular Meeting Minutes of Planning & Zoning Commission, 09/06/2023

<b>Accounts Payable 2022-2023 Fiscal Total:</b>	<b>\$391,116.74</b>
<b>Accounts Payable 2023-2024 Fiscal Total:</b>	<b>\$169,353.31</b>
<b>Accounts Payable Grand Total:</b>	<b>\$560,470.05</b>

**Director of Finance Maria Rodriguez** advised City Council there was a typo for Accounts Payable 2022-2023 Fiscal Total would need to be changed to \$391,268.15 as Jones Leasing was short \$151.41 for the covered parking. This would bring the Accounts Payable Grand Total to \$560,621.46.

**Motion was made by Council Member Ruben J Bernal, seconded by Council Member Paul Jerome Chavez, and carried unanimously to approve the Consent Agenda, as amended. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor**

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

#### REGULAR BUSINESS:

6. Discuss/Act upon Bid for Covered Parking for Public Works Machinery/Equipment. **Bids Submitted:** *AG Oilfield Services Inc., Jones Leasing, L.T. Construction, LLC, Mid-Tex of Midland, Triple R Welding, West Texas Contractors, LLC (City Mgr./P.W. Dir.)*

**Assistant City Manager Jesse Gonzales, Jr.** presented the bids submitted for the Covered Parking for Public Works Machinery/Equipment.

He advised everyone Triple R. Welding submitted the lowest bid.

**Council Member Ruben Falcon** inquired who monitors change orders and what the limit is.

**City Manager Frank Rodriguez III** explained the City Engineer monitors the change orders, which are not to exceed 25% in accordance with the Procurement Manual.

**Motion was made by Council Member Darren Hodges, seconded by Council Member Ruben J Bernal, and carried unanimously to award the Bid for Covered Parking for Public Works Machinery/Equipment to Triple R Welding, LLC for \$112,150.00. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Paul Casias, Council Member Ruben J Bernal, Council Member Ruben Falcon, Council Member Paul Jerome Chavez** voted aye.

7. Discuss/Act upon Theater Lease Agreement between the City of Fort Stockton and Panther Pictures, LLC. **(City Mgr./CVB Dir.)**

**City Manager Frank Rodriguez III** explained both parties requested a more detailed agreement. He along with City Attorney Puja Boinpally met with the Barragans to work out the details. Their attorney was also consulted.

**Collette Barragan** explained they would like to amend the hours of operation from 8:00 a.m. - 1:00 a.m., allow for the sale of concessions with the purchase of a permit and allow for BYOB with the clause in order to remain competitive with other theaters.

**Council Member Ruben Falcon** assured everyone that the City would like to keep the theater operating so long as they are not in competition with other businesses.

After a lengthy discussion, the consensus of City Council concurred that the Theater Lease Agreement be hours should be amended from 10:30 a.m. - 1:00 a.m., the sale of concessions be allowed outside the theater during theater showtimes and BYOB not be allowed.

**After a lengthy discussion, Motion was made by Council Member Darren Hodges, seconded by Mayor Pro-Tem James Warnock, and carried unanimously to Approve the Theater Lease Agreement to include the following amendments: hours of operation be set from 10:30 a.m. - 1:00 a.m., the sale of concessions be allowed outside the theater during movie showtimes and BYOB not be allowed. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Paul Casias, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

8. Discuss/Act upon Pay Application No. 1 totaling \$41,790.00 for the Mobilization Fee for AG Oilfield Services, Inc. for the Removal of 13,851 feet of Pipeline within Section 34, Block 27, and Section 6, 7, 17, and 18, Block 28, University Lands, Pecos County, Texas. **(City Mgr.)**

**Assistant City Manager Jesse Gonzales, Jr.** explained this Pay Application was for the Mobilization Fee to remove the abandoned water line located in the University Lands.

**Motion was made by Mayor Pro-Tem James Warnock, seconded by Council Member Darren Hodges, and carried unanimously to approve Pay Application No. 1 totaling \$41,790.00 for the Mobilization Fee for AG Oilfield Services, Inc. for the Removal of 13,851 feet of Pipeline within Section 34, Block 27, and Section 6, 7, 17, and 18, Block 28, University Lands, Pecos County, Texas. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Paul Casias, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.**

9. Discuss/Act upon Amendment to Intergovernmental Recreation Board Bylaws Changing the Date and Time of the Monthly Intergovernmental Recreation Board to the 3rd Wednesday of each month at 5:30 p.m. **(City Mgr./Rec. Dir.)**

**City Manager Frank Rodriguez III** explained the Intergovernmental Recreation Board met September 20, 2023 and recommended changing the date and time of their monthly Meeting to the 3rd Wednesday of each month. In accordance with the Intergovernmental Recreation Board Bylaws, the designated representative of each entity shall submit a letter recommending the change, for approval.



Motion was made by Council Member Paul Jerome Chavez, seconded by Mayor Pro-Tem James Warnock, and carried unanimously to approve the Amendment to Intergovernmental Recreation Board Bylaws, Changing the Date and Time of the Monthly Intergovernmental Recreation Board to the 3rd Wednesday of each month at 5:30 p.m. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Paul Casias, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.

10. Discuss/Act upon Pay Application No. 7 totaling \$117,500.00 for Work Performed by L.T. Construction, LLC on additions and buildout of the Hodges Pavilion. (City Mgr./Dir. of Fin.)

Director of Finance Maria Rodriguez advised City Council there would be another Pay Application after this.

Motion was made by Council Member Darren Hodges, seconded by Council Member Paul Jerome Chavez, and carried unanimously to approve Pay Application No. 7 totaling \$117,500.00 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 Paul Casias, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.

11. Questions from Media.

There were no questions from the media.

12. Adjourn.

Motion was made by Mayor Pro-Tem James Warnock, seconded by Council Member Paul Jerome Chavez, and carried unanimously to adjourn the Regular City Council Meeting at 6:53 p.m. Council Member Darren Hodges, Mayor Pro-Tem James Warnock, Mayor Paul Casias, Council Member Ruben Falcon, Council Member Paul Jerome Chavez voted aye.



*Paul Casias*  
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Paul Casias, Mayor

**ATTEST:**

  
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**Marina A. Cantu, City Secretary**

