CITY OF FORT STOCKTON, TEXAS

MINUTES OF: REGULAR CITY COUNCIL MEETING
DATE OF MEETING: AUGUST 8, 2017
TIME OF MEETING: 5:30 P.M.
PLACE OF MEETING: CITY COUNCIL CHAMBER

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:
RUBEN FALCON, BILLY JACKSON, & MIKE URETA, JR.

ABSENT: DINO RAMIREZ

MAYOR: JOE CHRIS ALEXANDER
CITY MANAGER: FRANK RODRIGUEZ III
CITY SECRETARY: DELMA A. GONZALEZ
CITY ATTORNEY: JESSE GONZALES, JR.

MINUTES OF LAST MEETING:

Mayor Alexander called the Regular Meeting to order at 5:34 p.m. after declaring a quorum present.

Council Member Ureta gave the Invocation.

Council Member Falcon led the Pledge of Allegiance.

Mayor 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.”

OATH OF OFFICE: Administer Oath of Office to Newly Appointed Council Member James B. Warnock to Fulfill an Unexpired Term Until the Next General Municipal Election & in Accordance with E.C., Section §141.001.

Mayor Alexander administered the Oath of Office to newly appointed Council Member James B. Warnock, who will fulfill Former Council Member Eric Dominguez’ unexpired term until the next General Municipal Election.

He expressed that Council Member Warnock did a tremendous job volunteering his time to several City boards and knew that he would do an excellent job as a Council Member.

RECOGNITION: Commend Reverse-Osmosis Personnel for their Exceptional Comprehensive Compliance Evaluation of Public Water Supply at the Reverse-Osmosis Facility, as per the Texas Commission on Environmental Quality (TCEQ).

Mayor Alexander commended Water Department Supervisor Carlos Lopez, R.O. Plant Operators Daryl Boatright and Josh Simons, Asst. Director of Public Works Robbie Dominguez and Director of Public Works Aaron Ramos for their exceptional mission in maintaining high-quality water for citizens.

City Manager Rodriguez expressed that the TCEQ Audit was extremely technical and rarely were “no findings” the end result. He expressed his gratitude to this team for their excellent job.
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MINUTES OF LAST MEETING:

FIRST ORDER OF BUSINESS:

1. Public Testimony on Agenda Items Only.

Public comments concerning Agenda Items were not received by those in attendance.

SECOND ORDER OF BUSINESS:

2. Consent Agenda:

Motion was made, seconded and carried unanimously to approve the Consent Agenda, as presented.

THIRD ORDER OF BUSINESS:

3. Interim Chief of Police Rangel ———

Interim Chief of Police Rangel was in attendance to present July’s statistics for the Police Department:

<table>
<thead>
<tr>
<th></th>
<th>June</th>
<th>July</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adults Arrested</td>
<td>31</td>
<td>17</td>
</tr>
<tr>
<td>Juveniles Arrested</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>Total Arrests</td>
<td>35</td>
<td>17</td>
</tr>
<tr>
<td>Accident Reports</td>
<td>20</td>
<td>17</td>
</tr>
<tr>
<td>Officers Assistance - County</td>
<td>5</td>
<td>7</td>
</tr>
<tr>
<td>83rd DA Filed Cases</td>
<td>14</td>
<td>4</td>
</tr>
<tr>
<td>112th DA Filed Cases</td>
<td>23</td>
<td>8</td>
</tr>
<tr>
<td>Filed Cases-County Attty.</td>
<td>41</td>
<td>9</td>
</tr>
<tr>
<td>Juvenile Cases</td>
<td>5</td>
<td>0</td>
</tr>
</tbody>
</table>
| Total Cases Filed      | 83   | 21   | Decrease from prior month but still have 52 open cases.
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ABSENT: DINO RAMIREZ

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He conveyed that there was a local “rescue” group that diligently worked with Animal Control. Photos were taken of animals prior to their selection. Neutering or spaying of animals was not required but only a veterinarian’s health certificate for each animal. Generally, most of the animals were selected unless ill or the group refused certain breeds. Typically most of the animals were adopted out-of-state &/or all over the country.

He reported that CID had been under-staffed due to illnesses plus there was a vacancy in the department. Both Officers had returned to work and were collectively working on cases.

City Manager Rodriguez expressed that Interim Chief Rangel was attempting to condense the flow chart when a case was received to possibly requiring the officers on patrol to close it versus CID. There will eventually be a manageable case load when the timeframe is reduced from the initial receipt of the case to court.

Mayor Alexander recessed from the Regular Meeting @ 5:48 p.m. to convene as the Board of Adjustment

FOURTH ORDER OF BUSINESS:

4. Discuss/Act upon Request from Property Owner Sam Ford for a 3' Variance from the Required 3' Side Yard Property Line for the Construction of a Carport in a Single Family - One (SF-1) Residential Dwelling District, 809 N. Kansas Street; Block 121, N/2 of Lot 11 & All of
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ABSENT: DINO RAMIREZ

CITY OF FORT STOCKTON, TEXAS
MINUTES OF LAST MEETING:
Lot 12, ORIENT ADDITION. (Ordinance 16-115; adopted October 11, 2016.

Code Enforcement Officer Mendoza reported that the property owner was seeking a 0' setback from the required 3' side yard property line. This property was located on the corner of the street and the carport, if permitted, would align with the existing fence and would not impede on the stop sign or utilities. He would ensure that the carport’s roof matched the roof of the house.

Motion was made, seconded and carried unanimously to approve Request from Property Owner Sam Ford for a 3' Variance from the Required 3' Side Yard Property Line for the Construction of a Carport in a Single Family - One (SF-1) Residential Dwelling District, 809 N. Kansas Street; Block 121, N/2 of Lot 11 & All of Lot 12, ORIENT ADDITION.

Mayor Alexander closed the Board of Adjustment Meeting @ 5:51 p.m. to reconvene into the Regular Meeting.

FIFTH ORDER OF BUSINESS:

5. Discuss/Act upon Procurement of a Grant Administrator and Project Engineer for a Texas Capital Fund Grant Application; La Quinta Inn & Suites.

City Manager Rodriguez remarked that historically the City had only completed projects that were City-owned &/or operated. The City was currently administering two very extensive grants which were the Quail Run Project and AMI Project. He understood that the proposed grant was a worthy project but it would be challenging for the City to monitor and manage an additional grant because staffing and resources would be required.

Consultant Carlos Colinas-Vargas conveyed that the Texas Capital Fund was intended to stimulate the economy for small communities and rural counties. It contained two categories: (1) Infrastructure Development Program for the expansion of businesses and (2) Real Estate Program for purchasing buildings &/or land for the location of businesses.

The grant award included administrative & engineering services and both barred the participation of a business and were essentially for a private investment. The essential component for businesses to participate in this program was their...
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MINUTES OF LAST MEETING:

willingness to create jobs which generated $25,000 per job. The program paid for public infrastructure i.e. water lines, sewer lines, streets located in public easements & used for public service, etc.

The City, as recipient of this award, would receive grant funds which were 100% reimbursable to the City for incurred expenses. As the City justified expenditures, funds could be drawn from the State to pay for service(s), construction or facilities on contract, etc. The arrangement was a lease-purchase agreement between the City and business.

When infrastructure was located inside private property or land included acquisition of building, the interest rate for the business would be 0% during the amortization period which ranged anywhere between 5-20 years. Upon culmination of this period, the property would be owned by the business.

In the past, the City received several Community Development Funds which were identical to this program except that this one included a private sector participating in the program.

City Manager Rodriguez emphasized that the City would be tasked with filing and monitoring all of the requirements that the grant entailed. This was a full-time job in terms of the paperwork, collection process, etc.

Council Member Falcon understood that the agenda item was for the procurement of a Grant Administrator.

Consultant Colinas-Vargas replied that the Grant Administrator helped the City to be compliant in satisfying the proceedings of the program, observing fiscal management, etc.

City Manager Rodriguez emphasized that nevertheless the City would be responsible for these tasks because personnel would be required to complete the paperwork regardless of a Grant Administrator. The City would ultimately be responsible for the Grant Administrator whether he/she complied.

Council Member Falcon inquired “So the City will be responsible for soliciting RFP for a Grant Administrator and RFQ for an engineer?”

Consultant Colinas-Vargas replied that City Manager Rodriguez was technically correct because the City would be the recipient of the grant award.
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ABSENT: DINO RAMIREZ

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Council Member Falcon declared that he did not want to increase the workload for City staff. He understood from reading the information that the Grant Administrator would manage everything.

Consultant Colinas-Vargas replied “Yes, to the extent of the services.” The administrator responds to questions, oversees labor standard requirements, etc.

Council Member Falcon expressed that this needed to be presented to the Economic Development Corporation because they handled this type of request.

Council Member Ureta inquired why the City was seeking a Grant Administrator and Project Engineer. Also, was the City awarded the funds? It seemed to him that the City was “looking at a cart before the horse.”

City Manager Rodriguez replied “No, Sir.” On May 9th, a presentation was merely provided regarding the Texas Capital Fund Program.

Consultant Colinas-Vargas responded to Council Member Ureta that awarding of grant was the former practice. The new system required that an entity complete the procurement process for an administrator and engineer prior to applying for the grant. If the grant was awarded, then those individuals would already be selected.

Council Member Jackson recommended that this item be tabled until the August 22nd meeting and inquired if it was time sensitive?

Consultant Colinas-Vargas replied that the timeline was for the business because the construction and operation of hotels/motels was seasonal. Their goal was to be ready for the travel season.

Mayor Alexander concurred with Mayor Pro-Tem Jackson to table this item. EDC Director May would be contacted to determine how EDC could assist because City staff was over-taxed with current obligations.

Motion was made, seconded and carried unanimously to table the Procurement of a Grant Administrator and Project Engineer for a Texas Capital Fund Grant Application; La Quinta Inn & Suites.
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FALCON X X
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JACKSON X X
URETA X X

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MINUTES OF LAST MEETING:

SEVENTH ORDER OF BUSINESS:

6. Discuss/Act upon the Proposed Tax Rate for the 2017-2018 Fiscal-Year Budget & Announce Two (2) Public Hearing Dates.

City Manager Rodriguez recommended that the Effective Tax Rate of $0.473529/$100 be considered. "Last year’s tax rate is the actual rate the taxing unit used to determine property taxes last year. This year’s effective tax rate would impose the same total taxes as last year if you compare properties taxed in both years."

Council Member Falcon reported, as proposed in Budget Workshops, that the City would not be increasing water, sewer, & gas rates, would eliminate the $5 Bulk Trash Pickup Fee and not increase taxes this year.

Motion was made, seconded and carried unanimously to approve the Effective Tax Rate of $0.473529/$100 of taxable property and Announce Two Public Hearing Dates of 08/17/17 & 08/22/17.

City Manager Rodriguez expressed that City Water Attorney Harral had reviewed this proposed easement which was on Blue Ridge; Reeves County side. His recommendation was that the City consider this 16” line with a 30’ permanent easement of 12.20 rods totaling a payment of $1,708.00.

Mayor Pro-Tem Jackson inquired if a renewal term was included for easements approved at Blue Ridge? Most easements contained a 2-3 year renewal term after the initial period, etc. and proposed that an expiration date be included in this and future agreements. He merely wanted to ensure that a schedule was in place for payments that needed to be made to the City. Most land owners renegotiated additional terms to obtain extra revenue.

Motion was made, seconded and carried unanimously to table 30’ Permanent Easement between the City of Fort Stockton and ETC Field Services LLC for
EIGHTH ORDER OF BUSINESS:

8. Discuss/Act upon Permit to Conduct 3-D Geophysical Survey on 2,485.34 Acres of City Property, As Requested by ITM on behalf of Vector Seismic Data Processing, Inc.

City Manager Rodriguez stated that Vector Seismic Data Processing, Inc. was requesting permission to conduct a 3-D geophysical survey on Blue Ridge; Reeves County side. This survey would contain a total of 2,485.34 acres @ $20 per acre totaling $49,706.80 that would be paid to the City. Property description included: 48-10 T&P Sec. 9, 48-10 T&P Sec. 16 N PT., 50-9 T&P Sec. 26, & 50-9 T&P Sec. 27

Motion was made, seconded and carried unanimously to approve Permit to Conduct 3-D Geophysical Survey on 2,485.34 Acres of City Property, As Requested by ITM on behalf of Vector Seismic Data Processing, Inc.

NINTH ORDER OF BUSINESS:

9. Discuss/Act upon Agreement between the City of Fort Stockton and Midland College for Utilization of the Shooting Range Facility for Law Enforcement Academy Services.

Interim Police Chief Rangel stated that Midland College was seeking permission to utilize the Shooting Range Facility for their planned Police Academy. Several items were requested that would benefit the students i.e. safety rules, etc.

Motion was made, seconded and carried to approve Agreement between the City of Fort Stockton and Midland College for Utilization of the Shooting Range Facility for Law Enforcement Academy Services.

Mayor Pro-Tem Jackson abstained from the motion being that his spouse is employed by Midland College.
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TENTH ORDER OF BUSINESS:

10. Discuss/Act upon Establishing a “No Parking Zone” on Sycamore Street from Dickinson Boulevard/Highway 290 to Highway 285.

Council Member Falcon expressed that the area between Howard’s Drive-In to Hwy. 285 would likely become a heavily developed & trafficked area in the next 5 years. Freightliners were currently parking on both sides of the street and once new businesses were in operation, the view for individuals exiting these lots would be obstructed which could lead to vehicular accidents. This location needed to shadow Dickinson Boulevard’s freightliner provisions.

Complaints from current business owners were received regarding freightliners on this street. Some had already placed “No Parking” signs at the curb in an attempt to prevent future issues.

Motion was made, seconded and carried unanimously to Establish a “No Parking Zone” on Sycamore Street from Dickinson Boulevard/Highway 290 to Highway 285.

ELEVENTH ORDER OF BUSINESS:

11. Discuss/Act upon Donating a Polygraph Instrument to the City of Pecos; Purchased in 2009.

Interim Chief of Police Rangel reported that he was contacted several weeks ago by Chief of Police Clay McKinney with the Town of Pecos Police Department regarding this polygraph instrument that was not being utilized by the F.S.P.D.

It had not been used for some time but it was remarkable that a neighboring community could benefit from it. Also, if the City of Fort Stockton was to ever need a polygraph, Chief of Police McKinney agreed that his department could assist with this.

Motion was made, seconded and carried unanimously to Donate a Polygraph Instrument to the City of Pecos; Purchased in 2009… to include polygraph if/when needed of City of Fort Stockton Police Department Personnel.
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FALCON X X
WARNOCK X X
JACKSON X X
URETA X X

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TWELFTH ORDER OF BUSINESS:

12. Discuss/Act upon Auction Items with Lone Star Auctioneers (LSO) i.e. 12 Vehicles, 1 Chip Spreader, 1 Trailer, Exercise Equipment, Tires, etc.

City Manager Rodriguez commented that the vehicles included were unserviceable and expensive to repair. Funds obtained from the auction would be deposited in the General Fund.

Motion was made, seconded and carried unanimously to approve Auction Items with Lone Star Auctioneers (LSO) i.e. 12 Vehicles, 1 Chip Spreader, 1 Trailer, Exercise Equipment, Tires, etc.

THIRTEENTH ORDER OF BUSINESS:


Motion was made, seconded and carried unanimously to Re-Appointment Allan Childs to the Permian Basin Airport Board from October 1, 2017-September 30, 2018.

FOURTEENTH ORDER OF BUSINESS:

14. Questions from the Media on Agenda Items.

There being no further business, the Regular City Council Meeting was adjourned @ 6:27 p.m.

Joe Chris Alexander, Mayor

ATTEST:

Delma A. Gonzalez, City Secretary