

MINUTES OF: REGULAR CITY COUNCIL MEETING  
DATE OF MEETING: DECEMBER 19, 2017  
TIME OF MEETING: 5:30 P.M.  
PLACE OF MEETING: CITY HALL COUNCIL CHAMBER

Moved  
Seconded  
Voted Aye  
Voted Nay

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:  
RUBEN FALCON, JAMES WARNOCK, BILLY JACKSON,  
MIKE URETA, JR. & 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 5:32 p.m. after declaring a quorum present.

Council Member Ureta gave the Invocation.

Council Member Ramirez 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: Publicly Swear-In Newly Appointed Chief of Police Ryan Skelton.**

Mayor Alexander conducted the Oath of Office for Chief of Police Ryan Skelton. He reported that Chief Skelton's official swear-in was conducted by him at City Hall on December 5<sup>th</sup>; his date of hire. City personnel witnessed this formality but he also wanted the public to observe this pledge.

Chief Skelton expressed that he was thrilled to be in Fort Stockton and thanked those who were in attendance. Beneficial policies were already in place but we wanted to further extend on those. He believed in an "Open Door Policy" and intended to become a part of the community and City family. He planned to work hard for the community and asked for everyone's support.

**OATH OF OFFICE: Swear-In Remijio A. Ramos as the new Fort Stockton Economic Development Director.**

Mayor Alexander conducted the Oath of Office for EDC Director Remijio A. Ramos. He conveyed that Director Ramos had "hit the ground" working and learning from Former EDC Director May.

EDC Director Ramos conveyed that Former EDC Director May was filled with knowledge and extremely acquainted with documents in his office. In reorganizing and consolidating documents, two cabinets were eliminated.

Mayor Alexander recessed from the Regular Meeting @ 5:40 p.m. to convene into a:

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VOTED NAY  
VOTED AYE  
SECONDED  
MOVED

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MINUTES OF LAST MEETING:

**PUBLIC HEARING:** Application Request from Property Owner Vimalkumar Bhakta to Consider the Re-Plat of 5.754 Acres of Land Out of Section 17, Block 146, T. & STL R.R. Co., Pecos County, Texas; Known as the "Sanchi Plaza Addition," into Three (3) Lots: Lot 1: 1.107 Acres of Land; Lot 2: 3.597 Acres of Land; & Lot 3: 1.050 Acres of Land. All More Particularly described by Metes & Bounds & Also Being that Certain 5.70 Acre Tract described and Recorded in Volume 159, Page 354, Pecos County, Texas.

Mayor Alexander asked for comments from the public. There being none, the Public Hearing was closed @ 5:41 p.m. to reconvene into the Regular Meeting.

**FIRST ORDER OF BUSINESS:**

**Public Testimony on Agenda Items Only.**

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

**SECOND ORDER OF BUSINESS:**

**2. Consent Agenda:**

**Minutes:**

- Regular Meeting Minutes of Fort Stockton City Council, 11/28/2017
- Special Meeting Minutes of Fort Stockton City Council, 12/04/2017
- Regular Meeting Minutes of Planning & Zoning Commission, 12/06/2017
- Regular Meeting Minutes of Keep Historic F.S. Beautiful Board, 11/01/2017
- Regular Meeting Minutes of F.S. 4-A Economic Development Corporation, 10/26/2017
- Regular Meeting Minutes of F.S. 4-A Economic Development Corporation, 10/05/2017
- Regular Meeting Minutes of F.S. 4-B Economic Development Corporation, 09/21/2017

Accounts Payable Total: \$ 712,488.02  
Account Recap Report Total: \$16,342,610.76

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FALCON  
 WARNOCK  
 JACKSON  
 URETA  
 RAMIREZ

MOVED	SECONDED	VOTED AYE	VOTED NAY
X		X	
		X	
		X	
		X	
		X	
		XX	

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

**THIRD ORDER OF BUSINESS:**

**3. Discuss/Act upon Ordinance No. 17-123, Adopting Budget Amendment No. 1 to the Original Budget of the City of Fort Stockton, Texas, for the Fiscal Year 2017-2018; Providing for Supplemental Appropriation and/or Transfer of Certain Funds; Providing for Severability; and Providing for Other Matters Related to the Subject.**

Director of Finance Rodriguez reported that this was the first amendment for the FY 2017-2018 Budget. The City planned to resume Municipal Court from Pecos County on January 1<sup>st</sup>, and therefore Municipal Court Judge Joe Muñoz requested \$10,000 from the Municipal Tech Fund for the purchase of computers and technological enhancements. *i.e.* The Fund Balance as of the end of FY 2015-2016 for the Municipal Tech Fund contained \$20,387.29.

FALCON  
 WARNOCK  
 JACKSON  
 URETA  
 RAMIREZ

MOVED	SECONDED	VOTED AYE	VOTED NAY
X		X	
		X	
		X	
		X	
		X	
		X	

**Motion was made, seconded and carried unanimously to approve Ordinance No. 17-123, Adopting Budget Amendment No. 1 to the Original Budget of the City of Fort Stockton, Texas, for the Fiscal Year 2017-2018; Providing for Supplemental Appropriation and/or Transfer of Certain Funds; Providing for Severability; and Providing for Other Matters Related to the Subject.**

**FOURTH ORDER OF BUSINESS:**

**4. Discuss/Act upon Ordinance No. 17-124, Re-Platting the "Sanchi Plaza Addition" being 5.754 Acres of Land Out of Section 17, Block 146, T. & ST. L. R. R. Co., Pecos County, Texas, and Said 5.754 Acre Tract also being that Certain 5.70 Acre Tract Described and Recorded in Volume 159, Page 354 Official Public Records of Pecos County, Texas and Said 5.754 Acre Tract being More Particularly Described by Metes and Bounds. Wherein Lot 1 (1.107 Acres) Shall Remain Vacant Until Further Advised, Lot 2 (3.597 Acres) Shall Contain A "La Quinta Inn & Suites Hotel," & Lot 3 (1.050 Acres) Shall Be A Parking Lot For Oil Field/Freightliner Parking.**

FALCON  
 WARNOCK  
 JACKSON  
 URETA  
 RAMIREZ

MOVED	SECONDED	VOTED AYE	VOTED NAY
X		X	
		X	
		X	
		X	
		X	
		X	

**Motion was made, seconded and carried unanimously to approve Ordinance No. 17-124, Re-Platting the "Sanchi Plaza Addition" being 5.754 Acres of Land Out of Section 17, Block 146, T. & ST. L. R. R. Co., Pecos County,**

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Texas, and Said 5.754 Acre Tract also being that Certain 5.70 Acre Tract Described and Recorded in Volume 159, Page 354 Official Public Records of Pecos County, Texas and Said 5.754 Acre Tract being More Particularly Described by Metes and Bounds. Wherein Lot 1 (1.107 Acres) Shall Remain Vacant Until Further Advised, Lot 2 (3.597 Acres) Shall Contain A "La Quinta Inn & Suites Hotel," & Lot 3 (1.050 Acres) Shall Be A Parking Lot For Oil Field/Freightliner Parking.

**FIFTH ORDER OF BUSINESS:**

- 5. Discuss/Act upon Ordinance No. 17-125, Amending the City of Fort Stockton Personnel Policies & Procedures Manual, Adopted October 24, 2017, Chapter III - Leave & Other Benefits; & Incorporating Section 3.23. "Special Events & Compensation" For Personnel; Containing a Savings Clause; and Providing for the Publication and Effective Date Thereof.

City Manager Rodriguez reported that historically when full-time Police Officers and full-time employees have worked City recognized special events, their wages have been adversely affected if an approved City holiday or day(s) off have occurred during that pay period.

The proposed ordinance will benefit Police Officers and regular employees that agree to work "Special Events." If a "Special Events" pay is approved for a specific hourly rate, that employee will receive that pay for working the event regardless if an approved City holiday or scheduled day(s) off have occurred in that pay period.

Also, the City will authorize its employees to work City authorized "Special Events" that are outside of their regularly scheduled work hours. In addition, this includes days off &/or holiday events recognized by the City. Examples of some "Special Event" functions include: Pope Warner (Recreation Department), Fall Festival (CVB), Big Bend Open Road Race, Chamber of Commerce, etc.

If a City employee is the Special Event Manager &/or Coordinator, that individual will be compensated at his/her customary hourly &/or overtime rate. Example: If an employee's role differs from his/her customary duties, this would be considered a different job with an adjusted rate of pay to be processed by the City's Payroll Department. The City of Fort Stockton will utilize the allowed default method as per FLSA.

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CITY ATTORNEY: JESSE GONZALES, JR.  
MINUTES OF LAST MEETING:

Motion was made, seconded and carried unanimously to approve Ordinance No. 17-125, Amending the City of Fort Stockton Personnel Policies & Procedures Manual, Adopted October 24, 2017, Chapter III - Leave & Other Benefits; & Incorporating Section 3.23. "Special Events & Compensation" For Personnel; Containing a Savings Clause; and Providing for the Publication and Effective Date Thereof.

**SIXTH ORDER OF BUSINESS:**

6. Discuss/Act upon Ordinance No. 17-126, Amending the City of Fort Stockton, Texas, Personnel Policies & Procedures Manual by Classifying "Exempt and Non-Exempt" Employees According to Job Descriptions; Repealing Prior Job Descriptions; Containing a Savings Clause; and Providing for the Publication and Effective Date Thereof.

City Manager Rodriguez remarked that in accordance with the Fair Labor Standards Act, the proposed ordinance appropriately classified "Exempt and Non-Exempt" personnel.

Patrol officers and Sergeants (FLSA 207(k) Exemption) who have a work schedule of 14 days for 86 hours of straight time will be paid overtime for hours in excess of the 86. Also, several Public Works employees have been re-classified from hourly to salary &/or "Exempt."

Motion was made, seconded and carried unanimously to approve Ordinance No. 17-126, Amending the City of Fort Stockton, Texas, Personnel Policies & Procedures Manual by Classifying "Exempt and Non-Exempt" Employees According to Job Descriptions; Repealing Prior Job Descriptions; Containing a Savings Clause; and Providing for the Publication and Effective Date Thereof.

**SEVENTH ORDER OF BUSINESS:**

7. Discuss/Act upon Ordinance No. 17-127, Amending Chapter 6 of the Code of Ordinances of the City of Fort Stockton Titled Buildings and Building Regulation\*, Article II. Building Code, Section 6-24. Permit Fees & Section 6-27. Work by Homeowners; Article III. Electrical Standards, Section 6-87. Fees and Permits; Article IV. Plumbing And Gas Code, Section 6-123. Plumbing Permit and Inspection Fees; Article VII. Mechanical Code, Section 6-184. Permit and Inspection Fees; Article IX.

	MOVED	SECONDED	VOTED AYE	VOTED NAY
FALCON			X	
WARNOCK			X	
JACKSON		X	X	
URETA	X		X	
RAMIREZ			X	
FALCON			X	
WARNOCK		X	X	
JACKSON			X	
URETA	X		X	
RAMIREZ			X	

FALCON  
WARNOCK  
JACKSON  
URETA  
RAMIREZ

FALCON  
WARNOCK  
JACKSON  
URETA  
RAMIREZ

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VOTED AYE  
VOTED NAY

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MINUTES OF LAST MEETING:

**Miscellaneous Standards, Section 6-200; & Repealing All Other Ordinances or Portions Thereof in Conflict, A Severability Clause and Providing for an Effective Date.**

**Building Official Maldonado** stated that Building Permit Fees for Residential, Commercial and Industrial were previously revised in 2010. Revisions to Electrical Fees were completed in 2004; and fees for Plumbing and Mechanical in 2009.

The current process for building permits required an evaluation process because the actual cost for construction and remodeling projects were habitually “under reported” and why the proposed ordinance contained a “per square footage fee” instead. Some of the fees and permits for electrical, mechanical, and plumbing also increased. A “Miscellaneous Permit Fees” section was added which included permits that were excluded from the Code.

**City Manager Rodriguez** commented that currently there were some business establishments in the community that were operating without a Certificate of Occupancy and it was difficult for the City to enforce non-compliance issues because this requirement was excluded from the City’s Code. Approval of the proposed ordinance would assist with this enforcement concern.

**Council Member Falcon** inquired where the revised rates were obtained from?

**Building Official Maldonado** replied “From different cities.”

**Council Member Falcon** inquired “Similar economics, home & property values, etc.?”

**Building Official Maldonado** responded “Yes, Sir.”

**Mayor Pro-Tem Jackson** wondered how this would affect our community’s economic development.

**Council Member Falcon** expressed that on several occasions the City failed to increase its fees but nevertheless needed to “catch up.” He preferred that adjustments occur during the budget process and to minimally increase a percentage in an attempt to gradually “catch up.” Unfortunately fees needed to be adjusted, as recommended by Building Official Maldonado. Most citizens realized that the cost of living increased from year to year.

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**Council Member Ureta** declared that the City was merely "catching up" on its fees to where it should have been a long time ago. If they needed to do it all at once, then so be it. For impending EDC projects, they would be informed that this ordinance was adopted. This was merely the cost of doing business.

**Mr. Oscar Hernandez** expressed concern regarding the \$15 permit that he recently obtained which would now require additional and elevated fees.

**Building Official Maldonado** confirmed that his permit would now cost \$116. On average, most permits were \$15 but in actuality the Department was required to complete several inspections for the same project i.e. foundation, roof, framing, etc. The \$15 for the paperwork, inspections, reports, etc. failed to justify the additional tasks.

**Mayor Pro-Tem Jackson** voiced concern regarding Mr. Hernandez' escalated permit amount.

**Council Member Falcon** responded that the \$15 permit fee was from 2010 and believed that other communities charged more than this amount.

**Mayor Pro-Tem Jackson** strongly objected and believed that these fees should have been discussed during the budget process.

**Motion was made, seconded and carried to approve Ordinance No. 17-127, Amending Chapter 6 of the Code of Ordinances of the City of Fort Stockton Titled Buildings and Building Regulation\*, Article II. Building Code, Section 6-24. Permit Fees & Section 6-27. Work by Homeowners; Article III. Electrical Standards, Section 6-87. Fees and Permits; Article IV. Plumbing And Gas Code, Section 6-123. Plumbing Permit and Inspection Fees; Article VII. Mechanical Code, Section 6-184. Permit and Inspection Fees; Article IX. Miscellaneous Standards, Section 6-200; & Repealing All Other Ordinances or Portions Thereof in Conflict, A Severability Clause and Providing for an Effective Date.**

**EIGHTH ORDER OF BUSINESS:**

**8. Discuss/Act upon Ordinance No. 17-128, Amending Chapter 10 of the Code of Ordinances of the City of Fort Stockton Titled Fire Prevention\*, Article I. In General, Section 10-4. Fire Hydrants; Section 10-5. Fire**

VOTED NAY  
VOTED AYE  
SECONDED  
MOVED

FALCON  
WARNOCK  
JACKSON  
URETA  
RAMIREZ

X  
X  
X  
X  
X



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VOTED AYE  
SECONDED  
MOVED

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MINUTES OF LAST MEETING:

**Sprinkler Lines; & Repealing All Other Ordinances or Portions Thereof in Conflict, A Severability Clause and Providing for an Effective Date.**

**Building Official Maldonado** reported that there were several fire hydrants that were being used for new construction that were temporarily erected and unmetered. Also, the McDonald's contractor was very displeased because he had never been required to meter sprinkler lines.

**Council Member Falcon** stated that this metering seemed unique. Did other communities require this?

**Building Official Maldonado** replied that numerous communities followed this process.

**Mayor Alexander** expressed that this process was not merely for the City's purpose but would be a "billing" mechanism for the customer.

**Building Official Maldonado** replied "Also for the City's auditing purposes."

**Council Member Ramirez** inquired if a customer would incur a monthly invoice for the installed meter?

**Council Member Falcon** responded that an invoice would be provided to the customer for new construction. Also, when fire sprinkler lines were activated by a business for a fire, etc., the owner recouped the monetary loss from the insurance.

**Council Member Ramirez** asked "What about a business that does not have a meter for its fire sprinkler line?"

**Building Official Maldonado** replied that not all businesses were required to maintain a fire sprinkler line. A business needed to be a minimum of 13,000 square feet &/or with a maximum occupancy of 325 people to require one.

**Council Member Falcon** emphasized that businesses would be grandfathered unless a major reconstruction occurred.

**Mayor Pro-Tem Jackson** inquired about a residential/business fire and if a property owner would be charged when the fire department hooked up to the metered fire hydrant?



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**Building Official Maldonado** replied “No” because water will generate from the fire hydrant and will be accounted for.

**Motion was made, seconded and carried unanimously to approve Ordinance No. 17-128, Amending Chapter 10 of the Code of Ordinances of the City of Fort Stockton Titled Fire Prevention\*, Article I. In General, Section 10-4. Fire Hydrants; Section 10-5. Fire Sprinkler Lines; & Repealing All Other Ordinances or Portions Thereof in Conflict, A Severability Clause and Providing for an Effective Date.**

**NINTH ORDER OF BUSINESS:**

**9. Discuss/Act upon Ordinance No. 17-129, Amending Appendix B - Zoning of the Code of Ordinances of the City of Fort Stockton Titled Zoning\*, Section 18. Certificate of Occupancy and Compliance; & Repealing All Other Ordinances or Portions Thereof in Conflict, A Severability Clause and Providing for an Effective Date.**

**Building Official Maldonado** reported that the proposed ordinance was merely a revision to the existing ordinance. Section (a) will allow the Building Official to enter noncompliant buildings &/or businesses in an attempt to ensure that they are compliant by a certain timeframe.

**Council Member Falcon** inquired if his objective was that every business in the city limits post this “Certificate of Occupancy? What was this information for?”

**Building Official Maldonado** responded that the Certificate indicated that the building was compliant with City, State, Fire, & Safety Codes. There were numerous buildings in the community that were non-conforming.

**City Manager Rodriguez** emphasized that the certificate was for the protection of every individual that entered a business and to inform customers that the building was inspected and cleared for occupancy.

**Council Member Falcon** inquired whether properties that lacked a modern fire suppression, etc. would be grandfathered-in. Would there be a 30, 60, & 90 day deadline for each phase? Previously, the deadline for grease traps was 18 months but for the most part everyone waited until the last minute. A timeline was needed but a realistic one.

	MOVED	SECONDED	VOTED AYE	VOTED NAY
FALCON	X		X	
WARNOCK			X	
JACKSON			X	
URETA		X	X	
RAMIREZ			X	

FALCON  
 WARNOCK  
 JACKSON  
 URETA  
 RAMIREZ

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VOTED NAY

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**City Manager Rodriguez** replied that Section (d) of the ordinance provided that "All existing or hereafter created nonconforming uses shall obtain a Certificate of Occupancy within 18 months of the effective date of this ordinance." Unless City Council gave Building Official Maldonado the authority to set deadlines for each phase, etc.

**City Attorney Gonzales** stated that 18 months was the enforcement deadline in the proposed ordinance. They could direct Official Maldonado to initiate a 6, 12, & 18 month deadline for each phase but it was not required in the ordinance.

**Council Member Falcon** understood that this regulation assisted the City with its T-Rate; the overall insurance rate for the City. Nevertheless, could force some small "Mom & Pop" businesses to fold.

**Mayor Pro-Tem Jackson** concurred with Councilman Falcon. The 18 months could be included in the ordinance but nonetheless was not so simple. Some of these businesses will be forced to shut down on account of this. This meant something to him because he was previously in business.

**Council Member Ureta** expressed concern regarding those that frequent these businesses and expect a safe environment for themselves and their families. What if a tragedy occurred because an owner failed to comply? This was State Law and 18 months provided business owners with ample time to plan and budget.

**Council Member Warnock** emphasized that adoption of the ordinance and enforcement was needed. In the past as a fireman, he detested entering a fiery building to remove remains. There were long-standing & noncompliant businesses in the community but nevertheless needed to abide with the Code.

FALCON  
WARNOCK  
JACKSON  
URETA  
RAMIREZ

X  
X  
X  
X  
X

**Motion was made, seconded and carried unanimously to approve Ordinance No. 17-129, Amending Appendix B - Zoning of the Code of Ordinances of the City of Fort Stockton Titled Zoning\*, Section 18. Certificate of Occupancy and Compliance; & Repealing All Other Ordinances or Portions Thereof in Conflict, A Severability Clause and Providing for an Effective Date.**

**TENTH ORDER OF BUSINESS:**

**10. Discuss/Act upon Ordinance No. 17-130, Amending the Personnel Policies & Procedures Manual of the City of Fort Stockton, Texas; Providing fiery Revision to the Organizational Chart by Transferring the Code**

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**Enforcement Department Under the Jurisdiction of the Police Department; and the Payroll Administrative Assistant Under the Supervision of the Director of Human Resources; Containing a Savings Clause; and Providing for the Publication and Effective Date Thereof.**

City Manager Rodriguez remarked that the proposed ordinance revised the Organizational Chart to allow the Code Enforcement Department to be under the supervision of the Police Department regarding the enforcement of street violations, abandoned vehicles, and non-compliant trailers. Police Officers were authorized to run vehicle tags whereas Code Enforcement could not. Also, Police Officers were on the streets 24/7 and could merge the enforcement side with the police side which would streamline and expedite the process.

An additional revision to the Organizational Chart was to relocate the payroll process from the Finance Department to the Human Resources Department. Information being requested by personnel was either from Human Resources &/or payroll which would help to streamline the combined responsibilities and would allow two employees to utilize the system for various procedures. Proper controls, including the segregation of duties, would remain in place to avoid noncompliance with audits.

Additional personnel would not be employed due to these revisions. The Code Enforcement Department would remain at the City Hall Annex Building and would maintain their other customary duties other than the enforcement side where assistance would be available from the Police Department.

**Motion was made, seconded and carried unanimously to approve Ordinance No. 17-130, Amending the Personnel Policies & Procedures Manual of the City of Fort Stockton, Texas; Providing fiery Revision to the Organizational Chart by Transferring the Code Enforcement Department Under the Jurisdiction of the Police Department; and the Payroll Administrative Assistant Under the Supervision of the Director of Human Resources; Containing a Savings Clause; and Providing for the Publication and Effective Date Thereof.**

**ELEVENTH ORDER OF BUSINESS:**

- 11. Discuss/Act upon the Appointment of Remijio A. Ramos as the new Fort Stockton Economic Development Director.

VOTED NAY  
VOTED AYE  
SECONDDED  
MOVED

X  
X  
X  
X  
X  
X  
X

FALCON  
WARNOCK  
JACKSON  
URETA  
RAMIREZ

X

X

CITY OF FORT STOCKTON, TEXAS  
 MINUTES OF: REGULAR CITY COUNCIL MEETING  
 DATE OF MEETING: DECEMBER 19, 2017  
 TIME OF MEETING: 5:30 P.M.  
 PLACE OF MEETING: CITY HALL COUNCIL CHAMBER

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

FALCON  
 WARNOCK  
 JACKSON  
 URETA  
 RAMIREZ

MOVED	SECONDDED	VOTED AYE	VOTED NAY
		X	
	X	X	
		X	
		X	
X		X	
		X	

**Motion was made, seconded and carried unanimously to approve the Appointment of Remijio A. Ramos as the new Fort Stockton Economic Development Director.**

**TWELFTH ORDER OF BUSINESS:**

**12. Discuss/Act upon Surface-Use Agreement at Belding Well Field with B&J Air and Pump.**

City Manager Rodriguez stated that as per City Water Attorney Harral, the proposed agreement with B&J Air and Pump was for \$700 monthly (\$8,400 yearly) for 7 acres of property located in Section 112, T&P RRy. Block 3, Pecos County, Texas. The company's plans were to utilize these acres for storage of pipe and office space. The proposed agreement was for a 1-year primary term with two 1-year options.

Mayor Pro-Tem Jackson inquired regarding the University Lands Rate and Surface Use Schedule.

City Manager Rodriguez replied that there would not be any disturbance on the ground. Pipe would be removed from the railroad, unloaded and would temporarily remain at the location until relocated to a job site.

Mayor Pro-Tem Jackson asserted that it did not matter. Being adjacent to the railroad saved in trucking expenses for the company and therefore the City should be collecting additional funds.

City Attorney Gonzales remarked that the agreement also indicated "Lessee shall provide a survey of 7 acres to the City Manager for approval prior to beginning construction on the property." A survey had yet to be provided.

City Manager Rodriguez suggested tabling of item until a survey was provided.

Council Member Falcon asked if the company could proceed anyway?

City Attorney Gonzales replied that they could not because the land was not identified nor the actual acreage that would be conveyed.

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:  
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 MIKE URETA, JR. & 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 Pro-Tem Jackson emphasized that if the pipe was transported it would cost B&J \$100's - \$1,000's to truck it. A lot of money would be saved being adjacent to the railroad and no reason why the City could not collect off of that.

Motion was made, seconded and carried unanimously to table Surface-Use Agreement at Belding Well Field with B&J Air and Pump.

**THIRTEENTH ORDER OF BUSINESS:**

13. Discuss/Act upon Selection of Proposal for Grant Administration/Professional Services for the 2017/2018 Texas Capitol Fund.

City Manager Rodriguez mentioned that GrantWorks had previously administered two grants for the City with satisfactory results. Score sheets were included in the packet for their review. His recommendation was that GrantWorks be selected as the Grant Administrator for the 2017/2018 Texas Capitol Fund.

Motion was made, seconded and carried unanimously to Select GrantWorks' Proposal for Grant Administration/Professional Services for the 2017/2018 Texas Capitol Fund.

**FOURTEENTH ORDER OF BUSINESS:**

14. Discuss/Act upon Additional One-Year Bank Depository Extension Option with Pecos County State Bank.

Director of Finance Rodriguez reported that the current 2015-2017 Bank Depository Agreement with Pecos County State Bank provided a 1-year extension. Her recommendation was to exercise this option. The City would receive the same rate as LOGIC was providing.

Motion was made, seconded and carried unanimously to approve Additional One-Year Bank Depository Extension Option with Pecos County State Bank.

**FIFTEENTH ORDER OF BUSINESS:**

15. Discuss/Act upon Purchase of a Tier 3 Asphalt Zipper 600 through HGAC (Houston-Galveston Area Council).

FALCON  
 WARNOCK  
 JACKSON  
 URETA  
 RAMIREZ

MOVED X  
 X  
 X  
 X  
 X  
 X

FALCON  
 WARNOCK  
 JACKSON  
 URETA  
 RAMIREZ

X  
 X  
 X  
 X  
 X

FALCON  
 WARNOCK  
 JACKSON  
 URETA  
 RAMIREZ

X  
 X  
 X  
 X  
 X

CITY OF FORT STOCKTON, TEXAS  
MINUTES OF: REGULAR CITY COUNCIL MEETING  
DATE OF MEETING: DECEMBER 19, 2017  
TIME OF MEETING: 5:30 P.M.  
PLACE OF MEETING: CITY HALL COUNCIL CHAMBER

VOTED NAY  
VOTED AYE  
SECONDED  
MOVED

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

**City Manager Rodriguez** reported that the asphalt zipper was amazing and could refurbish the existing asphalt &/or could mix/inject/grind additional asphalt, lime, aggregate, or herbicide to it. During its demonstration, two blocks were completed in one hour compared to the past. It would be utilized with the front-end loader and could gage 2", 4", or 6", etc. of asphalt depending on the street &/or material. In considering a timetable and cost-savings, this machine would benefit the City with the development of its street plan.

The total price for the Tier 3 AZ600 was \$170,680 with a 5-year annual purchase option with a \$40,000 yearly payment & interest or the City could outright purchase the unit. The trade-in value for the small asphalt machine was \$15,000.

**Mayor Alexander** recounted that street modifications to the depth, aggregate, etc. could be completed with a remote control. For slopes, the blades could be tilted for various depths plus the base material could be reused which would save a lot of money. The existing machine was 4' versus this one which was 6' or similar to those used on interstate highways. Only two employees would be required to operate it; one driving while the other one watched the line.

**Mayor Pro-Tem Jackson** inquired where the funding would derive from for this purchase?

**Director of Finance Rodriguez** conveyed that the machine was unbudgeted. A budget amendment from the Fund Balance would be required to purchase it.

**City Manager Rodriguez** replied that plans were to utilize the \$652,000 from the Capitol Improvement Fund that was intended for Public Works equipment. Being that machinery was already allocated in that specific fund; they could prioritize and place a piece of equipment on the back burner to purchase this new machine.

Historically for merely 4 miles of streets, approximately \$200,000 was disbursed for material but he believed that within the first street cycle that a cost savings would be realized. Added miles of streets would be completed with less money because the asphalt on the ground would be reused with the new machine. Also, personnel could begin to prep the streets in the winter for the summer.

**Council Member Falcon** indicated that they were six weeks from their Mid-Year Budget Workshop. They could shelve this item until then.

VOTED NAY  
VOTED AYE  
SECONDED  
MOVED

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

MAYOR: JOE CHRIS ALEXANDER  
CITY MANAGER: FRANK RODRIGUEZ III  
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MINUTES OF LAST MEETING:

**Assistant City Manager Davis** emphasized that this was the last round of building slots for the Tier 3 AZ600. If the City chose to wait until the end of January, this model might not be available.

**Council Member Falcon** reiterated "Three years ago we started a Mid-Year Budget Workshop. Being in the positive during these meetings compared to an entire year to see how we did. Part of the reason for that is that we are not purchasing unbudgeted items/machinery and if all possible would like to wait till the workshop; taking our time."

**Mayor Alexander** asked Director of Finance Rodriguez how much money was in the H.B. 445 Street Fund?

**Director of Finance Rodriguez** replied that according to the unaudited balance, it contained \$192,000. Two budget amendments were completed last year which decreased the amount.

**Council Member Falcon** preferred not to disturb the Public Works Equipment list because personnel specifically justified why the equipment was needed. He refused to place anything from the Capitol Improvement Fund on the back burner due to a new piece of machinery. He preferred to wait until the workshop and possibly consider this machine if still available.

**Mayor Pro-Tem Jackson** liked the machine but the City did not get where it was today by stepping out of its budget but by remaining in its budget.

**Mayor Alexander** reported that \$820,000 was recently received in sales tax that was not projected for anything.

**Mayor Pro-Tem Jackson** stated "And that makes it okay to step out of the budget?"

**Mayor Alexander** responded "If he had money sitting there that was not projected and there was a piece of equipment that could be purchased now with a savings of \$20,000 - \$40,000 by not waiting 6 weeks."

**Council Member Warnock** clarified "So the \$820,000 is separate, not part of the budget, and unallocated?"



CITY OF FORT STOCKTON, TEXAS  
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ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:  
 RUBEN FALCON, JAMES WARNOCK, BILLY JACKSON,  
 MIKE URETA, JR. & DINO RAMIREZ

MAYOR: JOE CHRIS ALEXANDER  
 CITY MANAGER: FRANK RODRIGUEZ III  
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 MINUTES OF LAST MEETING:

Mayor Alexander replied that monies received were unexpected. A sales tax state audit was finalized and received by the City was an extra \$820,000.

After further deliberation -----

FALCON  
 WARNOCK  
 JACKSON  
 URETA  
 RAMIREZ

MOVED  
 SECONDED  
 VOTED AYE  
 VOTED NAY

X  
 X  
 X  
 X  
 X  
 X

Motion was made, seconded and carried unanimously to table the Purchase of a Tier 3 Asphalt Zipper 600 through HGAC (Houston-Galveston Area Council) until the Mid-Year Budget Workshop in January.

**SIXTEENTH ORDER OF BUSINESS:**

**16. Discuss/Act upon Traffic Study Report for the Fort Stockton Industrial Park.**

City Manager Rodriguez recommended that a 35 mph speed limit be established based on the finalized Traffic Study for the Mart Adams Drive in the Industrial Park.

Council Member Falcon believed 30 mph would be safer.

Mayor Alexander conveyed that the City has attempted to standardize all streets in the community to 30 mph other than Dickinson Boulevard because it is in TxDOT's jurisdiction.

Mayor Pro-Tem Jackson declared that everything used to be 30 mph unless otherwise posted.

FALCON  
 WARNOCK  
 JACKSON  
 URETA  
 RAMIREZ

X  
 X  
 X  
 X  
 X  
 X

Motion was made, seconded and carried unanimously to approve the Traffic Study Report for the Fort Stockton Industrial Park.

**SEVENTEENTH ORDER OF BUSINESS:**

**17. Discuss/Act upon Pecos County – City of Fort Stockton 2018 Interlocal Services Agreement.**

City Manager Rodriguez commented that the proposed agreement was a yearly renewal for services and heavy equipment between both entities. The City utilized plenty of resources from the County to complete several streets/roads and vice-versa. In comparing services from each entity, the support was comparable.



CITY OF FORT STOCKTON, TEXAS  
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VOTED NAY  
VOTED AYE  
SECONDED  
MOVED

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

MAYOR: JOE CHRIS ALEXANDER  
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MINUTES OF LAST MEETING:

TSH Lab Work, as well as vision and hearing screenings for \$95 prior to and during their employment.

On January 1, 2018 and as an alternative facility, Pecos County Memorial Hospital will also be offering these identical services to personnel. In addition, PCMH will provide a free membership to employees at its fitness center at no additional cost. Dependents of employees will be required to pay \$10 each for access to the gym. Services for each facility will continue to be billed to R.H. Administrators.

**TWENTY-FIRST ORDER OF BUSINESS:**

**21. Discuss/Act upon Appointment & Re-Appointments to City Boards for 2018.**

**Animal Control Advisory Board:**

**Motion was made by Council Member Falcon, seconded by Council Member Warnock and carried unanimously to re-appoint Holly Murray and Lauren White to a 2-year term.**

**Board of Adjustment:**

**Motion was made by Council Member Falcon, seconded by Council Member Warnock and carried unanimously to re-appoint Mayor Alexander, Mayor Pro-Tem Jackson, Council Members Falcon, Ureta, Ramirez and Warnock to a 2-year term.**

**Cemetery Board:**

**Motion was made by Council Member Falcon, seconded by Council Member Ureta and carried unanimously to re-appoint Leslye Curnutt, Phyllis Smith, Mike Stallard, and Jackie Glenn to an indefinite term.**

**Motion was made by Council Member Falcon, seconded by Council Member Ureta and carried unanimously to appoint Guadalupe Fierro to an indefinite term.**

**Fort Stockton Convention & Visitor's Bureau:**

**Motion was made by Council Member Falcon, seconded by Council Member Ureta and carried unanimously to appoint Jr. Sena and Lou Ann Tovar to a 3-year term.**

VOTED NAY  
VOTED AYE  
SECONDED  
MOVED

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

MAYOR: JOE CHRIS ALEXANDER  
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MINUTES OF LAST MEETING:

Fort Stockton Economic Development 4-A & 4-B Corporation:

**Motion was made by Council Member Falcon, seconded by Mayor Pro-Tem Jackson and carried unanimously to re-appoint *Wayne Dyess* to a 3-yr. term.**

**Motion was made by Council Member Ureta, seconded by Council Member Warnock and carried to appoint *Joe Angel Hernandez* to a 1-yr. Alternate term.**

Fort Stockton Historical Landmark Commission:

**Motion was made by Council Member Ureta, seconded by Council Member Warnock and carried unanimously to re-appoint *Mike Stallard* to a 2-yr. term.**

Housing Authority Board:

**No appointments or reappointments.**

Intergovernmental Recreation Board:

**Motion was made by Council Member Warnock, seconded by Mayor Pro-Tem Jackson and carried unanimously to re-appoint *Mayor Alexander and Council Member Ureta* to an indefinite term**

Keep Historic F.S. Beautiful Board:

**Motion was made by Council Member Falcon, seconded by Council Member Ureta to re-appoint *Leslye Curnutt, Guadalupe Fierro, Harry Gandhi, Ruben Gonzales, Ross Harper, Bob Sadler, Mike Stallard, and Dulcia Warren* to an indefinite term and appoint *Alberto Saucedo* to an indefinite term.**

Planning & Zoning Board:

**Motion was made by Council Member Ureta, seconded by Council Member Warnock and carried unanimously to re-appoint *Al Haney and Luis P. Hernandez* to a 2-yr. term and appoint *Oscar Hernandez and Mike Stallard* to a 2-yr. term.**

Substandard Building Committee:

**No appointments or re-appointments.**

**Mayor Alexander recessed from the Regular Meeting @7:20 p.m. to convene into the:**

CITY OF FORT STOCKTON, TEXAS  
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PLACE OF MEETING: CITY HALL COUNCIL CHAMBER

MOVED  
SECONDED  
VOTED AYE  
VOTED NAY

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

MAYOR: JOE CHRIS ALEXANDER  
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CITY ATTORNEY: JESSE GONZALES, JR.  
MINUTES OF LAST MEETING:

**TWENTY-SECOND ORDER OF BUSINESS:**

22. City Council May Convene in Closed Session in Accordance with the Texas Open Meetings Act, Texas Government Code, Concerning Attorney-Client Matters (§551.071); Deliberation regarding Real Property (§551.072); Deliberation regarding Prospective Gifts (§551.073); Personnel Matters (§551.074); and/or Deliberation regarding Security Devices (§551.076): Ref: Duties of EDC Director Remijio Ramos

Mayor Alexander closed the Executive Session(s) @ 7:51p.m. to:

**TWENTY-THIRD ORDER OF BUSINESS:**

23. Reconvene into Open Session Pursuant to Texas Government Code Section §551.102 & Take Action, if any, on Matters Deliberated in Executive Session:

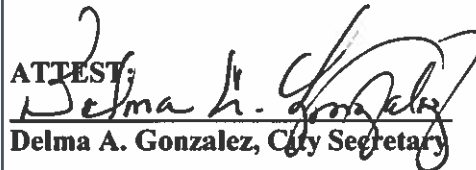
(22) Discuss/Act upon Duties of EDC Director Remijio Ramos.


No action taken.

**TWENTY-FOURTH ORDER OF BUSINESS:**

24. Questions from the Media on Agenda Items.

There being no further business, the Regular City Council Meeting was adjourned @ 7:52 p.m.

ATTEST:  
  
Delma A. Gonzalez, City Secretary

  
Joe Chris Alexander, Mayor