

STATE OF TEXAS :
COUNTY OF HOWARD :
CITY OF BIG SPRING :

The City Council of the City of Big Spring, Texas, met in a regular meeting in the City Council Chambers located at 307 E. 4th St., Big Spring, Texas, at 5:30 p.m., March 9, 2021, with the following members present in person:

SHANNON THOMASON	Mayor
DOUG HARTMAN	Mayor Pro Tem
NICK ORNELAS	Councilmember
CODY HUGHES	Councilmember
GLORIA MCDONALD	Councilmember
TROY TOMPKINS	Councilmember

Same and constituting a quorum, for which four Councilmembers must be present; and the following staff in person;

TODD DARDEN	City Manager
JOHN MEDINA	Assistant City Manager
ANDREW HAGEN	City Attorney
CHAD WILLIAMS	Police Chief
CRAIG FERGUSON	Fire Chief
SHANE BOWLES	Public Works Director
HAYLEY HERRERA	Community Services Director
JIM LITTLE	Airpark Director
TAMI DAVIS	Interim City Secretary
TIM GREEN	Municipal Judge

INVOCATION & PLEDGE OF ALLEGIANCE

Councilmember Ornelas gave the invocation and Mayor Thomason led the Pledge of Allegiance to the American and Texas Flags.

PUBLIC COMMENT

No comments were made at this time.

ANNOUNCEMENTS, PRESENTATIONS AND PUBLIC HEARINGS

EMERGENCY READING OF AN ORDINANCE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL ELECTION HELD ON THE 6TH DAY OF MARCH, 2021, IN THE CITY OF BIG SPRING, TEXAS; AND DECLARING AN EMERGENCY

Mayor Thomason and the Councilmembers reviewed the canvass returns for the Special Election for Districts Five and Six as follows:

City Councilmember District Five

Daniel Moreno	82 votes	31.54%
Troy Tompkins	178 votes	68.46%

Winner – Troy Tompkins

City Councilmember District Six

Casey W. Pledger	18 votes	33.33%
Maury Smith	36 votes	66.67%

Winner – Maury Smith

Motion was made by Mayor Thomason to approve the above captioned canvass, seconded by Councilmember Hughes, with all members of the Council present voting “aye”.

ADMINISTER THE OATH OF OFFICE TO DULY ELECTED COUNCILMEMBERS FOR DISTRICTS FIVE AND SIX

Municipal Court Judge Green administered the oath of office to duly elected Troy Tompkins as Councilmember District Five and presented him with a certificate. Maury Smith was not present at this meeting.

CITY MANAGER’S REPORT

Todd Darden, City Manager, gave an update on the following:

- Large Item Pickup for District 2
- Update on Winter Storm Issues – Power Outages & Water Lines
- COVID-19 Update with Dr. Ahmed

CONSENT ITEMS

APPROVAL OF THE CITY COUNCIL MINUTES OF THE REGULAR MEETING OF FEBRUARY 9, 2021

FINAL READING OF A RESOLUTION AUTHORIZING AND APPOINTING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM TO SECURE FUNDING FOR DEPARTMENT OPERATIONS/ MEDIA DATA MANAGEMENT NETWORK SERVERS; AND PROVIDING AN EFFECTIVE DATE

FINAL READING OF A RESOLUTION AUTHORIZING THE CITY MANAGER OR THE MAYOR TO ENTER INTO A CONTRACT WITH ALLISON, BASS & MAGEE, L.L.P. FOR PROFESSIONAL SERVICES RELATED TO REDISTRICTING FOLLOWING THE 2020 CENSUS; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember Hughes to approve the above captioned minutes and resolutions, seconded by Councilmember Ornelas, Hartman, Hughes, Thomason, and McDonald voting "aye." Councilmember Tompkins abstained. Motion passed five to zero.

FINAL READING OF AN ORDINANCE AMENDING CHAPTER 32 OF THE BIG SPRING CITY CODE ENTITLED "LICENSES, TAXATION AND MISCELLANEOUS BUSINESS REGULATION," SECTION 32-58 "DEFINITIONS" TO INCLUDE SHORT-TERM RENTALS AND BED AND BREAKFASTS IN DEFINITION OF HOTEL IN ORDER TO REQUIRE PAYMENT AND COLLECTION OF HOTEL OCCUPANCY TAXES FROM SHORT-TERM RENTALS AND BED AND BREAKFASTS WITHIN THE CITY; AMENDING SECTION 32-63 TO REQUIRE ESTABLISHMENTS SUBJECT TO THE TAX TO REGISTER WITH THE CITY'S CONVENTION AND VISITOR'S BUREAU; AMENDING OTHER SECTIONS TO AUTHORIZE THE CVB DIRECTOR TO COLLECT THE TAX AND PROCESS REGISTRATIONS; PROVIDING FOR A PENALTY OF \$500; AND SUBJECTING COMMERCIAL SHORT-TERM RENTALS TO COMMERCIAL RATES FOR WATER AND SEWER UTILITIES AND TRASH COLLECTION; AND PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Mayor Thomason to amend the above captioned ordinance by removing Section 32-59. "Levy of tax; rate; exception; use.", Subsection (d) in its entirety and also remove the wording of "the city secretary" and replace it with CVB Director in Sec. 32-61. "Reports", Subsection (a), seconded by Councilmember McDonald, with Councilmembers Ornelas, Hartman, Hughes, Thomason, and McDonald voting "aye." Councilmember Tompkins abstained. Motion passed five to zero.

Motion was made by Mayor Thomason to approve the above captioned amendments, seconded by Councilmember McDonald, with Councilmembers Ornelas, Hartman, Hughes, Thomason, and McDonald voting "aye." Councilmember Tompkins abstained. Motion passed five to zero.

OLD BUSINESS

TABLED - FIRST READING OF A RESOLUTION AMENDING THE BIG SPRING ECONOMIC DEVELOPMENT CORPORATION BY AMENDING THE TITLE OF ARTICLE VI ENTITLED "DIRECTORS" TO "DIRECTORS, OFFICERS, AND EMPLOYEES"; AND AMENDING THE NUMBER OF DIRECTORS; MANNER OF APPOINTMENT OF DIRECTORS AND OFFICERS; AND LIMITING THE NUMBER OF EMPLOYEES; AND ADDING A NEW ARTICLE VIII ENTITLED "CONDUCT OF BUSINESS, GENERALLY" THAT PROVIDES FOR THE CONDUCT OF DIRECTORS AND EMPLOYEES CONCERNING CONTRACTS, LOBBYING, AND AMENDMENT OF THE ARTICLES OF INCORPORATION WITHOUT PRIOR AUTHORIZATION OF COUNCIL; AND PROVIDING AN EFFECTIVE DATE

There was no motion to remove the above captioned item off the table therefore this item remains on the table.

VOUCHERS

Councilmember Ornelas reviewed the following vouchers:

VOUCHERS FOR 02/12/2021	\$	1,935,910.38
VOUCHERS FOR 02/19/2021	\$	496,815.01

Motion was made by Councilmember Ornelas to approve the above captioned vouchers, seconded by Councilmember Hughes, with all members of the Council present voting "aye."

Mayor Pro Tem Hartman reviewed the following vouchers:

VOUCHERS FOR 02/26/2021	\$	798,813.92
VOUCHERS FOR 03/05/2021	\$	411,037.34

Motion was made by Mayor Pro Tem Hartman to approve the above captioned vouchers, seconded by Councilmember Hughes, with all members of the Council present voting "aye."

NEW BUSINESS

EMERGENCY READING OF AN ORDINANCE DECLARING THE UNOPPOSED CANDIDATE IN THE MAY 1, 2021 GENERAL ELECTION FOR CITY COUNCIL MEMBER, DISTRICT 6; CANCELING THE GENERAL ELECTION FOR CITY COUNCIL POSITION FOR CITY COUNCIL MEMBER, DISTRICT 6; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY

Motion was made by Councilmember Hughes to approve the above captioned ordinance, seconded by Councilmember Ornelas, with all members of the Council present voting "aye."

EMERGENCY READING OF A RESOLUTION RENEWING AND EXTENDING A DECLARATION OF A PUBLIC HEALTH EMERGENCY/DISASTER ISSUED BY THE MAYOR ON FEBRUARY 13, 2021, FEBRUARY 20, 2021, AND FEBRUARY 27, 2021 IN RESPONSE TO WINTER STORMS, ELECTRICAL OUTAGES, AND WATER SYSTEM ISSUES TO TAKE SUCH STEPS AS ARE NECESSARY TO SUPPORT THE DECLARATIONS THEREIN MADE; PROVIDING FOR AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY

Motion was made by Mayor Thomason to approve the above captioned resolution, seconded by Councilmember McDonald. After a brief discussion on whether this item should be an emergency reading, Mayor Thomason made a motion to amend the above captioned resolution by removing Section 4 regarding it as an emergency reading and make it a first reading, seconded by Councilmember Hughes, with all member of the Council present voting "aye." Councilmember Ornelas made a motion to change the time frame of the extension. After a brief discussion, Councilmember Ornelas withdrew his motion. Final motion was made by Mayor Thomason to approve the amended resolution, seconded by Councilmember McDonald, with all members of the Council present voting "aye."

FIRST READING OF A RESOLUTION REQUESTING ON BEHALF OF THE CITIZENS OF BIG SPRING, THAT THE TEXAS DEPARTMENT OF TRANSPORTATION PERFORM A STUDY AND SUBSEQUENTLY AUTHORIZE THE PLACEMENT OF A TRAFFIC LIGHT AT INTERSECTION OF FM 700 AND E. 11TH PLACE; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Mayor Thomason to approve the above captioned resolution, seconded by Councilmember Ornelas, with all members of the Council present voting "aye."

FIRST READING OF A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED ON ONCOR; AND AUTHORIZING THE PAYMENT OF SIX CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND LEGAL PRECEEDINGS AND ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY, LLC; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember Hughes to approve the above captioned resolution, seconded by Mayor Pro Tem Hartman, with all members of the Council present voting "aye."

CONSIDERATION AND POSSIBLE ACTION REGARDING AN INTERLOCAL AGREEMENT WITH SOUTH PLAINS ASSOCIATION OF GOVERNMENTS (SPAG) FOR AN APPLICATION TO TEXAS CAPITAL FUND DOWNTOWN REVITALIZATION GRANT PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Hughes to approve the above captioned agreement, seconded by Councilmember Tompkins, with all members of the Council present voting "aye."

DISCUSSION AND POSSIBLE ACTION REGARDING AN ENGINEERING PROPOSAL AND SELECT ENGINEERING FIRM FOR TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Hughes to approve the selection of Jacob & Martin Engineering Services for the above captioned grant program, seconded by Councilmember McDonald, with all members of the Council present voting "aye."

CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE MAYOR TO SIGN A LETTER OF NO INTEREST ON PROPERTY OUTSIDE CITY LIMITS NEAR KENTWOOD

Motion was made by Councilmember Hughes to approve the Mayor to sign the above captioned letter, seconded by Mayor Pro Tem Hartman, with all members of the Council present voting "aye."

CONSIDERATION AND POSSIBLE ACTION REGARDING A RIGHT OF ENTRY TO THE U.S. GOVERNMENT, DEPARTMENT OF THE ARMY, TO CONDUCT AN

**ENVIRONMENTAL INVESTIGATION AND REMEDIATION OF PROPERTY AT THE
MCMAHON WRINKLE AIRPARK AND AUTHORIZING THE MAYOR TO EXECUTE
ANY NECESSARY DOCUMENTS**

Motion was made by Mayor Thomason to approve the above captioned investigation, seconded by Councilmember Hughes, with all members of the Council present voting “aye.”

**CONSIDERATION AND POSSIBLE ACTION AUTHORIZING A CONTRACT FOR
EMERGENCY SLUDGE REMOVAL AT THE WATER TREATMENT PLANT AND
AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY
NECESSARY DOCUMENTS**

Motion was made by Councilmember Hughes to approve the above captioned contract, seconded by Councilmember Ornelas, with all members of the Council present voting “aye.”

**ACKNOWLEDGE RECEIPT OF THE CONVENTION AND VISITOR’S BUREAU
COMMITTEE MINUTES OF THE REGULAR MEETING OF FEBRUARY 3, 2021**

All members of the Council present acknowledged receipt of the above captioned minutes.

REPORT ON THE RACIAL PROFILING ANALYSIS 2020

Chad Williams, Police Chief, gave a brief report on the Racial Profiling Analysis 2020.

CITY MANAGER’S APPOINTMENTS TO THE CIVIL SERVICE COMMISSION

Todd Darden, City Manager, requested the reappointment of Tommy Tune and a new appointment of Jimmy Johnson to serve on the Civil Service Commission. Motion was made by Mayor Thomason to ratify Mr. Darden’s appointments, seconded by Councilmember McDonald, with all members of the Council present voting “aye.”

COUNCIL INPUT

All Councilmembers congratulated Troy Tompkins on the election and welcomed him to the Council. The council also thanked the staff and everyone that helped during the winter storm.

Mayor Thomason gave an update on the local COVID-19 cases also asked citizens to “help control the pet population, spay or neuter your pets.”

Councilmember Ornelas announced that he will be having a Town Hall meeting on April 29, 2021 at 605 N. Main St. from 6-8.

Councilmember Hughes reminded citizens in District 3 on the large item pickup on March 17th.

Councilmember McDonald appreciated the Fire Department with their help in handing out water to the citizens.

Councilmember Tompkins thanked everyone in District 5 that came out and voted.

EXECUTIVE SESSION

ADJOURN INTO EXECUTIVE SESSION IN ACCORDANCE WITH THE PURPOSES PERMITTED BY THE OPEN MEETINGS ACT, SECTION § 551.071, TEXAS GOVERNMENT CODE, AND THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT TO DISCUSS LITIGATION MATTERS; AND

ADJOURN INTO EXECUTIVE SESSION IN ACCORDANCE WITH THE PURPOSES PERMITTED BY THE OPEN MEETINGS ACT, SECTION § 551.071, TEXAS GOVERNMENT CODE, AND THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT TO DISCUSS AND DELIBERATE ECONOMIC DEVELOPMENT NEGOTIATIONS.

Motion was made by Councilmember Ornelas to adjourn into the above captioned executive sessions at 7:15 p.m., seconded by Councilmember Hughes, with all members of the Council present voting “aye.”

RECONVENE IN OPEN SESSION AND TAKE ANY NECESSARY ACTION AS DEEMED APPROPRIATE IN THE CITY COUNCIL’S DISCRETION REGARDING THE LITIGATION MATTERS AND THE ECONOMIC DEVELOPMENT NEGOTIATIONS AT 8:42 P.M.

EXECUTIVE SESSION REGARDING LITIGATION MATTERS.

Motion was made by Mayor Thomason to authorize the City Attorney to settle the matter with Chrisman Cable, seconded by Councilmember Hughes, with all members of the Council present voting “aye.”

EXECUTIVE SESSION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS.

Motion was made by Councilmember McDonald to authorize the Mayor to execute an Economic Development Agreement with NH Management LLC, seconded by Councilmember Tompkins, with all members of the Council present voting “aye.”

Motion was made by Councilmember Tompkins to reissue the request for proposals regarding the Park Plaza Project, authorize the Mayor to negotiate an agreement and direct the City Attorney to draft said agreement upon acceptance of said proposal, seconded by Councilmember Hughes, with all members of the Council present voting “aye.”

ADJOURN

Mayor Thomason adjourned the meeting at 8:46 p.m.



Shannon D. Thomason, Mayor

ATTEST:



Tami L. Davis, Interim City Secretary