

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., January 28, 2020, with the following members present:

SHANNON THOMASON	Mayor
CAMILLA STRANDE	Mayor Pro Tem
RAUL MARQUEZ	Councilmember
TERRY MCDANIEL	Councilmember
GLORIA MCDONALD	Councilmember
JIM DEPAUW	Councilmember

(Councilmember Hartman was not present at this meeting.)

Same and constituting a quorum; and

TODD DARDEN	City Manager
JOHN MEDINA	Assistant City Manager
SHANE BOWLES	Public Works Director
CRAIG FERGUSON	Fire Chief
CHAD WILLIAMS	Police Chief
JIM LITTLE	Airpark Director
TIM GREEN	Municipal Court Judge
HAYLEY HERRERA	Community Services Director

INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Scott Kirkland, Trinity Baptist Church, gave the invocation and Mayor Thomason led the Pledge of Allegiance to the American and Texas Flags.

PUBLIC COMMENT

Mayor Thomason presented a proclamation to Pastor Michael Smith proclaiming January 20, 2020 as Martin Luther King, Jr. Day.

ANNOUNCEMENTS AND PUBLIC HEARINGS

RECOGNITION – DONATION FROM NORTH SIDE MOVEMENT AND THE BIG SPRING PROFESSIONAL FIREFIGHTER ASSOCIATION OF EQUIPMENT FOR THE WELLNESS PROGRAM AT EACH FIRE STATION

Craig Ferguson, Fire Chief, recognized and thanked the North Side Movement and the Big Spring Professional Firefighter Association for donating exercise equipment for the Wellness Program at each Fire Station.

PRESENTATION – UNITED STATE CENSES 2020

Amber Pedigo with the United State Census 2020 expressed the importance of the 2020 Census for the City of Big Spring and asked everyone participate.

CITY MANAGER’S REPORT

Todd Darden, City Manager, announced several board openings that need to be filled and that the City Council Chambers will be closed for some remodel.

OTHER BUSINESS

FINAL READING OF AN ORDINANCE OUTLAWING ABORTION WITHIN THE CITY OF BIG SPRING, TEXAS DECLARING A SANCTUARY CITY FOR THE UNBORN, MAKING VARIOUS PROVISIONS AND FINDING RELATED THERETO, PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES; AND ESTABLISHING AN EFFECTIVE DATE

POSSIBLE AMENDED TO: ORDINANCE OUTLAWING ABORTION TO READ AS:

FINAL READING OF AN ORDINANCE AMENDING CHAPTER 13 ENTITLED “HEALTH AND SAFETY” BY ADDING A NEW ARTICLE 15 ENTITLED “PROTECTION OF THE UNBORN” IN ORDER TO PROTECT THE LIVES OF UNBORN CHILDREN BY OUTLAWING ABORTION WITHIN THE CITY LIMITS OF BIG SPRING, TEXAS; DECLARING THE CITY OF BIG SPRING, TEXAS A SAFE HAVEN FOR THE UNBORN; MAKING VARIOUS PROVISIONS AND FINDINGS RELATED THERETO; PROVIDING FOR A PENALTY UPON THE OVERTURNING OF ROE V. WADE BY THE SUPREME COURT OF THE UNITED STATES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Mayor Thomason to approve the second above captioned ordinance, with corrections to references within the ordinance, in order for the ordinance to be adopted into the City of Big Spring Code of Ordinances, seconded by Councilmember DePauw. During discussion Councilmember DePauw recommended that the Council bring this ordinance back to the Council for a first reading as recommended by the City Attorney. After a brief discussion the Mayor agreed and withdrew his motion.

Motion was made by Councilmember DePauw to amend Section C4 of the above captioned first ordinance to clarify the organizations prohibited are those described in Section B3, seconded by Councilmember McDonald, with Councilmembers McDaniel, Thomason, McDonald and DePauw voting “aye”. Councilmembers Marquez and Strande, being opposed, voting “nay” for passage of same. Motion passed four to two.

Another motion was made by Councilmember DePauw to approve the amended first captioned ordinance, as amended in his prior motion, seconded by Councilmember McDonald, with Councilmembers McDaniel, Thomason, McDonald and DePauw voting "aye". Councilmembers Marquez and Strande, being opposed, voting "nay" for passage of same. Motion passed four to two.

CONSENT ITEMS

APPROVAL OF THE CITY COUNCIL MINUTES OF THE SPECIAL MEETING OF JANUARY 13, 2020 AND THE REGULAR MEETING OF JANUARY 14, 2020

FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 035-2019 WHICH ADOPTED THE ANNUAL BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020 BY INCREASING THE GENERAL FUND BUDGET BY ACCEPTING A DONATION TO BE USED FOR ADDITIONAL EQUIPMENT FOR THE FIRE DEPARTMENT; PROVIDING SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

APPROVAL OF THE CONVENTION AND VISITORS BUREAU COMMITTEE MINUTES FOR THE REGULAR MEETINGS OF DECEMBER 4, 2019

APPROVAL OF THE PARKS AND RECREATION BOARD MINUTES FOR THE REGULAR MEETING OF NOVEMBER 20, 2019

APPROVAL OF THE TRAFFIC COMMISSION MINUTES FOR THE REGULAR MEETINGS OF DECEMBER 12, 2019

Motion was made by Councilmember McDonald to approve the above captioned minutes and ordinance, seconded by Councilmember McDaniel, with all members of the Council present voting "aye."

FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 035-2019 WHICH ADOPTED THE ANNUAL BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020 BY INCREASING THE GENERAL FUND BUDGET BY ACCEPTING A SAFER GRANT TO BE USED FOR ADDITIONAL EXPENSES FOR TEN NEW FIREFIGHTERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

The above captioned ordinance was taken off the agenda.

VOUCHER

Mayor Pro Tem Strande reviewed the following vouchers;

VOUCHERS FOR 01/16/2020 \$ 1,399,674.73

VOUCHERS FOR 12/19/19 \$ 513,080.68

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

NEW BUSINESS

FIRST READING OF AN ORDINANCE CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 2, 2020 FOR THE PURPOSE OF ELECTING A CITY COUNCIL MEMBER FOR DISTRICT ONE AND CITY COUNCIL MEMBER FOR DISTRICT THREE; PROVIDING FOR THE CONDUCT OF THE ELECTION; AUTHORIZING THE MAYOR TO EXECUTE NOTICE AND HAVE THE NOTICE POSTED FOR THE PURPOSE OF NOTIFYING THE PUBLIC OF SAID ELECTION; AND PROVIDING FOR SEVERABILITY

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

FIRST READING OF A RESOLUTION AUTHORIZING AND APPOINTING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR A GRANT TO SECURE FUNDING FOR NEGOTIATORS CRISIS RESPONSE THROW PHONE; AND PROVIDING AN EFFECTIVE DATE

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

CONSIDERATION AND POSSIBLE ACTION OF A SECURITY AWARENESS POLICY TO COMPLY WITH HB NO. 3834

John Medina, Assistant City Manager, explained H.B. No. 3834 mandates security training and testing for all employees who have access to a municipality local computer system or database and bring that he would be bringing this back to Council as a resolution implementing a new employee policy.

CONSIDERATION AND POSSIBLE ACTION OF AN AMENDMENT NO. 1 TO THE FREESE AND NICHOLS PROFESSIONAL SERVICES AGREEMENT AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS

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

CONSIDERATION AND POSSIBLE ACTION OF AN AGREEMENT FOR PROFESSIONAL SERVICES IN RELATION TO SITE/DESIGN FOR ENTRY ROADS AT THE McMAHON WRINKLE INDUSTRIAL PARK WITH TGB GROUP AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS

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

CONSIDERATION AND POSSIBLE ACTION OF A DONATION OF A SURPLUS GENERATOR TO HOWARD COLLEGE

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

APPOINTMENT TO THE TRAFFIC COMMISSION FOR AN UNEXPIRED TERM 9-2020 – APPLICATION DIANE YANEZ

Motion was made by Mayor Thomason to appoint Diane Yanez to the Traffic Commission, seconded by Councilmember DePauw, with all members of the Council present voting "aye."

APPROVAL OF THE BIG SPRING ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTOR'S MINUTES FOR THE REGULAR MEETING OF DECEMBER 17, 2019

Motion was made by Councilmember Marquez to approve the above captioned minutes, seconded by Councilmember DePauw, with all members of the Council present voting "aye."

COUNCIL INPUT

Several Councilmembers thanked the citizens for attending the Council meetings over the last month voicing and respecting each other's opinion on the outlawing abortion ordinance.

Mayor Thomason reminded everyone to spay or neuter your pets.

Councilmember Marquez reported that there was 45 tons of large items picked up in District One.

EXECUTIVE SESSIONS

ADJOURN INTO EXECUTIVE SESSION IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTION 551.071 TO CONSULT WITH THE CITY ATTORNEY REGARDING PENDING OR CONTEMPLATED LITIGATION AND QUARTERLY REPORT

ADJOURN INTO EXECUTIVE SESSION IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTION 551.074 TO DISCUSS PERSONNEL MATTERS: CITY ATTORNEY

ADJOURN INTO EXECUTIVE SESSION IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTION 551.074 TO DISCUSS PERSONNEL MATTERS: CITY MANAGER AT 8:30 P.M.

RECONVENE IN OPEN SESSION AND TAKE ANY NECESSARY ACTION ON EXECUTIVE SESSION ITEMS AND AUTHORIZE THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS AT 10:01 P.M.

Not action taken on any of the above captioned executive sessions.

ADJOURN

Mayor Thomason adjourned the meeting at 10:02 p.m.



Shannon D. Thomason, Mayor

ATTEST:



Tami L. Davis, Assistant City Secretary