

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. 4<sup>th</sup> St., Big Spring, Texas, at 5:30 p.m., February 13, 2018, with the following members present:

LARRY McLELLAN	Mayor
RAUL MARQUEZ	Mayor Pro Tem
CARMEN HARBOUR	Councilmember
TERRY McDANIEL	Councilmember
HOWARD STEWART	Councilmember
RAUL BENAVIDES	Councilmember
JIM DEPAUW	Councilmember

Same and constituting a quorum; and

TODD DARDEN	City Manager
JOHN MEDINA	Assistant City Manager/ Human Resource Director
MARIANNE BANKS	City Attorney
CRAIG FERGUSON	Fire Chief
CHAD WILLIAMS	Police Chief
JOHNNY WOMACK	Director of Public Works
JIM LITTLE	Airpark Director
TIM GREEN	Municipal Court Judge
DEBBIE WEGMAN	Community Services Director

## **INVOCATION & PLEDGE OF ALLEGIANCE**

Pastor Mark Lindsey, First Baptist Church, gave the invocation and Mayor McLellan led the Pledge of Allegiance to the American and Texas Flags.

## **ANNOUNCEMENTS AND PUBLIC HEARINGS**

**PUBLIC HEARING – DISCUSSION OF AN APPLICATION FOR NON-EMERGENCY AMBULANCE OPERATOR’S PERMIT OF ACUTE MEDICAL SERVICES, LLC DBA EMCEMS**

Motion was made by Mayor Pro Tem Marquez, seconded by Councilmember Harbour, with all members of the Council present voting “aye” to open the above-captioned public hearing. Craig Ferguson, Fire Chief, explained that a non-emergency ambulance service would like to obtain a permit with the City in order to transfer non-emergency patients. After a brief discussion, motion was made by Mayor Pro Tem Marquez, seconded by Councilmember McDaniel, with all members of the Council present voting “aye” to close the above captioned public hearing.

## **DISPOSITION OF MINUTES**

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF JANUARY 23, 2018.

Motion was made by Councilmember McDaniel, seconded by Mayor Pro Tem Marquez, with all members of the Council present voting “aye” approving the above listed minutes.

## **CONSENT ITEMS**

FINAL READING OF AN ORDINANCE CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 5, 2018 FOR THE PURPOSE OF ELECTING ONE PERSON TO SERVE AS CITY DISTRICT TWO COUNCIL MEMBER; ELECTING ONE PERSON TO SERVE AS CITY DISTRICT FOUR COUNCIL MEMBER; AND ELECTING ONE PERSON TO SERVE AS CITY DISTRICT SIX COUNCIL MEMBER; DESIGNATING ONE CENTRAL POLLING PLACE WITHIN THE CITY; 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

FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 034-2017 WHICH ADOPTED THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018 BY INCREASING THE GENERAL FUND BUDGET TO RECEIVE FUNDS GRANTED BY THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM AND TRANSFERRING ADDITIONAL FUNDS FROM THE FEDERAL FORFEITURE FUND TO COMPLETE THE PURCHASE FOR A RECORDS MANAGEMENT SYSTEM FOR THE POLICE DEPARTMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

APPROVAL OF THE MINUTES OF THE REGULAR MEETINGS OF THE BIG SPRING McMAHON-WRINKLE AIRPORT AND INDUSTRIAL PARK DEVELOPMENT BOARD HELD ON AUGUST 17, 2017 AND SEPTEMBER 21, 2017

COUNCILMEMBER STEWART REVIEWED THE VOUCHERS IN THE AMOUNT OF \$903,833.69 (02/01/18) AND \$794,644.70 (02/08/18).

Motion was made by Councilmember Harbour, seconded by Councilmember Stewart, with all members of the Council present voting “aye” approving the second and final readings of the above captioned ordinances, minutes and vouchers.

## **OTHER BUSINESS**

TABLED – APPROVAL OF AN AIRPARK LEASE AGREEMENT WITH GLOBAL ENERGY PARTNERS, LLC; AUTHORIZING THE CITY ATTORNEY TO APPROVE THE FINAL FROM OF THE CONTRACT; AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Stewart, seconded by Councilmember Harbour, with all members of the Council present voting “aye” to take off the table the above captioned lease agreement. Motion was made by Councilmember Harbour, seconded by Councilmember DePauw, with all members of the Council present voting “aye” to withdraw this item from the agenda and will bring back to the Council at a later date.

## **NEW BUSINESS**

### **PRESENTATION AND ACCEPTANCE OF BIG SPRING POLICE DEPARTMENT’S ANNUAL CONTACT REPORT FOR 2017**

Chad Williams, Police Chief, presented the Big Spring Police Department’s Annual Contact Report for 2017. Motion was made by Councilmember McDaniel, seconded by Councilmember Harbour, with all members of the Council present voting “aye” approving the above captioned report.

**EMERGENCY READING OF A RESOLUTION APPROVING AN EQUIPMENT LEASE PURCHASE AGREEMENT WITH CAPITAL ONE PUBLIC FUNDING, LLC; APPROVING AN ESCROW AGREEMENT; AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY DOCUMENTS; AUTHORIZING THE CITY MANAGER TO PERFORM DUTIES UNDER THESE AGREEMENTS; DECLARING AN EMERGENCY AND ESTABLISHING AN EFFECTIVE DATE**

Motion was made by Councilmember DePauw, seconded by Councilmember Stewart, with all members of the Council present voting “aye” approving the above captioned resolution.

**FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 034-2017, WHICH ADOPTED THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018 BY INCREASING THE GENERAL FUND BUDGET TO RECEIVE AND EXPEND FUNDS GRANTED BY THE CRIMINAL JUSTICE DIVISION THROUGH THE RIFLE-RESISTANT BODY ARMOR GRANT PROGRAM TO PURCHASE RIFLE RESISTANT VESTS FOR THE POLICE DEPARTMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE**

Motion was made by a Councilmember Benavides, seconded by Councilmember Harbour, with all members of the Council present voting “aye” approving to negotiate the above-captioned ordinance.

**FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 034-2017, WHICH ADOPTED THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018 BY INCREASING THE CEMETERY FUND BUDGET FOR THE PURPOSE OF PURCHASING A NEW LOWERING DEVICE; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE**

Motion was made by a Councilmember Benavides, seconded by Councilmember Harbour, with all members of the Council present voting “aye” approving the above-captioned ordinance.

PERMISSION TO SEEK FOUNDATION GRANT FUNDS FOR PARK OR OTHER CITY FACILITY IMPROVEMENTS AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by a Councilmember McDaniel, seconded by Councilmember Stewart, with all members of the Council present voting “aye” approving the above-captioned permission.

APPROVAL OF AN AGREEMENT FOR COMMUNITY VIDEO PROGRAM WITH CGI COMMUNICATIONS, INC. AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by a Councilmember DePauw, seconded by Councilmember Stewart, with all members of the Council present voting “aye” approving the above-captioned agreement.

AUTHORITY TO NEGOTIATE THE RIGHT OF WAY EASEMENT TO SM ENERGY FOR PERMANENT USE LOCATED IN THE W/2 OF SECTION 18, BLOCK 32 TOWNSHIP 1 SOUTH OF THE T&P RY.CO. SURVEY OF HOWARD COUNTY, TEXAS AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by a Councilmember McDaniel, seconded by Mayor Pro Tem Marquez, with all members of the Council present voting “aye” approving the above-captioned right of way easement.

APPROVAL OF AMENDMENT NO. 2 TO THE AGREEMENT WITH VECTOR FLEET MANAGEMENT, LLC FOR FLEET SERVICES AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by a Councilmember Harbour, seconded by Councilmember Stewart, with all members of the Council present voting “aye” approving the above-captioned amendment.

APPROVAL OF AN AMENDMENT TO CATERPILLAR LEASE AGREEMENTS AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Mayor Pro Tem Marquez, seconded by Councilmember DePauw, with all members of the Council present voting “aye” approving the above-captioned amendment.

APPROVAL OF A NON-EMERGENCY AMBULANCE OPERATOR’S PERMIT FOR ACUTE MEDICAL SERVICES, LLC DBA EMCEMS

Motion was made by a Councilmember McDaniel, seconded by Councilmember Stewart, with all members of the Council present voting “aye” approving the above-captioned permit.

PERMISSION TO SEEK REQUEST FOR PROPOSALS TO SALE APPROXIMATELY 40 ACRES OF SURFACE ONLY LAND LOCATED SOUTH OF WILLARD STREET AND WEST OF PARKWAY

Motion was made by a Councilmember Stewart, seconded by Mayor Pro Tem Marquez, with all members of the Council present voting "aye" approving the above-captioned request.

PERMISSION TO SEEK A GRANT THROUGH THE CRIMINAL JUSTICE DIVISION FOR A IDENTIFICATION CARD PRINTER AND SOFTWARE AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by a Councilmember Benavides, seconded by Councilmember Stewart, with all members of the Council present voting "aye" approving the above-captioned request.

### **CITY MANAGER'S REPORT**

City Manager, Todd Darden, reminded the Council that the City is taking applications for vacancies on the Zoning Board of Adjustments and Teen Court Board and also announced that City offices will be closed for President's Day, Monday, February 19, 2018.

### **COUNCIL INPUT**

Mayor McLellan reported that he took a tour through the airpark and is excited about the potential that the city has and that he still supports I-27.

### **EXECUTIVE SESSION**

ADJOURN INTO EXECUTIVE SESSION IN ACCORDANCE WITH TEXAS GOVERNMENT CODES SECTION 551.071(1)(A) TO CONSULT WITH THE CITY ATTORNEY CONCERNING PENDING OR CONTEMPLATED LITIGATION ; AND

ADJOURN INTO EXECUTIVE SESSION WITH CITY MANAGER, CITY ATTORNEY AND STAFF IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTION 551.072 TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE REAL OF PROPERTY AT 6:21 P.M.

RECONVENE IN OPEN SESSION AND TAKE ANY NECESSARY ACTION AT 7:28 P.M.

Motion was made by Councilmember Stewart, seconded by Councilmember Benavides, with all members of the Council present voting "aye" authorizing the staff to enter into a real estate brokerage agreement to list property for sale in the Permian Basin Multi-Listing Services.

Motion was made by Councilmember McDaniel, seconded by Councilmember Stewart, with all members of the Council present voting "aye" releasing paving assessments on Scurry Street and sundry other streets recorded in an ordinance dated October 24, 1928, pages 45-57.

**ADJOURN**

Mayor McLellan adjourned the meeting at 7:30 p.m.



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Larry McLellan, Mayor

ATTEST:



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Tami L. Davis, Assistant City Secretary