

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., April 14, 2020, with the following members present in person:

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

The following members present by telecommunication:

DOUG HARTMAN	Councilmember
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Same and constituting a quorum; and the following staff in person;

TODD DARDEN	City Manager
JOHN MEDINA	Assistant City Manager
ANDREW HAGEN	City Attorney
DON MOORE	Finance Director/City Secretary
CRAIG FERGUSON	Fire Chief
CHAD WILLIAMS	Police Chief

The following staff was present by telecommunication;

JIM LITTLE	Airpark Director
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## **INVOCATION & PLEDGE OF ALLEGIANCE**

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

## **PUBLIC COMMENT**

Several citizens spoke regarding the City Manager's evaluation and all agreed that he is doing a good job. Mayor Thomason gave the Citizens a few minutes to phone in with comments. No further comments were made at this time.

## **ANNOUNCEMENTS AND PUBLIC HEARINGS**

No announcements or public hearings at this time.

## **CITY MANAGER'S REPORT**

Todd Darden, City Manager, announced that the Large Item Pickup for District 4 will be Wednesday, April 15, 2020.

City Attorney's Quarterly Report – Mr. Hagen sent the council written reports on pending claims against the City.

## **CONSENT ITEMS**

**APPROVAL OF THE CITY COUNCIL MINUTES OF THE REGULAR MEETING OF MARCH 24, 2020 AND SPECIAL MEETING OF MARCH 26, 2020.**

Motion was made by Mayor Pro Tem Strande to remove the public comment section of the March 24, 2020 minutes, seconded by Councilmember McDaniel, with all members of the Council present voting "aye".

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

## **VOUCHERS**

Councilmember McDonald reviewed the following vouchers;

VOUCHERS FOR 03/26/2020	\$	1,081,762.66
VOUCHERS FOR 04/02/2020	\$	234,359.11
VOUCHERS FOR 04/09/2020	\$	1,317,932.80

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

## **BIDS**

**AWARD THE BID FOR SEAL COAT AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS**

Motion was made by Councilmember McDaniel to award the above caption bid to Cox Paving of Texas, Inc. in the amount of \$1,444,289.35, seconded by Councilmember McDonald, with all members of the Council present voting "aye."

**AWARD BID FOR WATER LINE REPLACEMENT AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS**

Motion was made by Councilmember McDaniel to award the above captioned bid to J & H Services, Inc. in the amount of \$1,408,114.17, seconded by Mayor Pro Tem Strande, with all members of the Council present voting "aye."

**REJECT ALL BIDS FOR PARKING LOT**

No action was taken.

**NEW BUSINESS**

**PRESENTATION AND ACCEPTANCE OF THE BIG SPRING ECONOMIC DEVELOPMENT CORPORATION'S FINANCIAL STATEMENT FOR YEAR ENDED SEPTEMBER 30, 2019 BY BOLINGER, SEGAR, GILBERT & MOSS**

Tyler Canady with Bolinger, Segar, Gilbert & Moss presented the financial statements for the Big Spring Economic Development Corporation. Motion was made by Councilmember McDaniel to approve the above captioned financial statements, seconded by Mayor Pro Tem Strande, with all members of the Council present voting "aye."

**PRESENTATION AND ACCEPTANCE OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR YEAR ENDED SEPTEMBER 30, 2019 BY BOLINGER, SEGAR, GILBERT & MOSS**

Tyler Canady with Bolinger, Segar, Gilbert & Moss presented the annual financial report. Motion was made by Councilmember Marquez to approve the above captioned financial report, seconded by Councilmember McDonald, with all members of the Council present voting "aye."

**DISCUSSION OF A POSSIBLE APPOINTMENT OF A LOCAL HEALTH AUTHORITY FOR THE CITY OF BIG SPRING**

Councilmember Marquez presented the possibility of hiring a Local Health Authority for the City of Big Spring to assist in the COVID-19 pandemic. After a brief discussion, Mayor Thomason suggested that he would like to visit with the County.

**FIRST READING OF A RESOLUTION AMENDING THE CITY OF BIG SPRING PERSONNEL POLICIES & PROCEDURES BY AMENDING CHAPTER VIII, SECTION 2 ENTITLED "VACATION," SUBSECTION D TO REMOVE REQUIREMENTS IN SELLING BACK OF ACCUMULATED VACATION LEAVE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

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

**FIRST READING OF A RESOLUTION RENAMING AND AMENDING THE CITY COUNCIL OF BIG SPRING CODE OF CONDUCT AND ETHICS IN ORDER TO UPDATE**

**AND CLARIFY RULES RELATED TO COUNCIL CONDUCT AND ETHICS; AND PROVIDING AN EFFECTIVE DATE**

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

**FIRST READING OF AN ORDINANCE AMENDING CHAPTER 1 OF THE CODE OF ORDINANCES ENTITLED "ADMINISTRATION," ARTICLE 8, SECTIONS 1-170 THROUGH 1-177 IN ORDER TO CLARIFY COUNCIL PARLIAMENTARY STANDARDS OF CONDUCT, AGENDA PREPARATION AND REVIEW PROCEDURES, MEETING AND EXECUTIVE SESSION PROCEDURES, UPDATE STATE LAW REFERENCES; AND CLARIFY POSTING REQUIREMENTS TO IMPROVE TRANSPARENCY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

Motion was made by Councilmember Marquez to approve the above captioned ordinance, seconded by Councilmember DePauw. After a brief discussion, motion was made by Mayor Thomason to amend the first sentence of Sec. 1-177 (H) & (I) to say "City Attorney" instead of "City Manager," seconded by Councilmember McDaniel. After another discussion that the City Secretary is responsible of keeping all city records, Mayor Thomason withdrew his current motion and made a motion to say City Secretary or their designee and also to remove the word "shall" and replace with the word "should" in the same sentence, seconded by Councilmember McDonald, with all members of the Council present voting "aye."

Final motion was made by Councilmember Marquez to approve the above captioned ordinance with the above mentioned amendments, seconded by Councilmember DePauw, with all members of the Council present voting "aye."

**CONSIDERATION AND POSSIBLE ACTION OF A SERVICE AGREEMENT WITH TML MULTISTATE INTERGOVERNMENTAL EMPLOYEE BENEFITS POOL AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS**

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

**CONSIDERATION AND POSSIBLE ACTION OF AN AGREEMENT WITH TML REGARDING HIPAA REGULATIONS AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS**

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

**CONSIDERATION AND POSSIBLE ACTION OF AN AGREEMENT WITH TML HEALTH BENEFITS POOL REGARDING COBRA COVERAGE AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS**

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

## **COUNCIL INPUT**

All Councilmembers expressed sympathy for the family who lost a loved one due to the COVID-19 virus and commended the staff for their efforts and concerns for the citizens during this difficult time.

Mayor Thomason announced that there is currently five clinics testing for the COVID-19 virus and reminded everyone to take care of themselves by washing your hands, social distance, stay home if possible and wear masks. Mayor Thomason also reminded everyone to spay or neuter your pets.

Mayor Pro Tem Strande also encouraged citizens to apply for the loans that are available to help businesses to get through the COVID-19 pandemic.

## **EXECUTIVE SESSION**

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

**1. DELIBERATE THE EMPLOYMENT, DUTIES, AND EVALUATION OF THE CITY MANAGER; AND**

**2. DELIBERATE THE EMPLOYMENT, DUTIES, AND EVALUATION OF THE INTERNAL AUDITOR AT 8:04 P.M.**

1. City Manager, Todd Darden, requested to discuss his employment evaluation in open session. Motion was made by Councilmember DePauw to open the executive session, seconded by Councilmember McDaniel, with all members of the Council present voting "aye."

After a brief discussion, motion was made by Councilmember DePauw to terminate the employment of Mr. Darden. Mayor Thomason ruled the motion to be out of order because Mr. DePauw did not submit a written complaint of wrongdoing as afforded Mr. Darden by his employment contract which gives him the same rights provided to other employees under Article VI, Section 5 of the City Charter to terminate Mr. Darden. Councilmember DePauw appealed the decision of the chair. There was no second for Councilmember DePauw's appeal therefore the appeal is overruled and Mayor Thomason considered the issue closed.

2. Mayor Thomason announced that Don Moore resigned as the Internal Auditor and there would be no reason for an executive session.

**ADJOURN**

Mayor Thomason adjourned the meeting at 8:25 p.m.



Shannon D. Thomason, Mayor

ATTEST:

Jami L. Davis  
Tami L. Davis, Assistant City Secretary