

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 23, 2019, with the following members present:

|                |               |
|----------------|---------------|
| LARRY MCLELLAN | Mayor         |
| DOUG HARTMAN   | Councilmember |
| HOWARD STEWART | Councilmember |
| RAUL BENAVIDES | Councilmember |
| JIM DEPAUW     | Councilmember |

(Mayor Pro Tem McDaniel and Councilmember Marquez were not present at this meeting.)

Same and constituting a quorum; and

|                |                                 |
|----------------|---------------------------------|
| TODD DARDEN    | City Manager                    |
| JOHN MEDINA    | Assistant City Manager          |
| MARIANNE BANKS | City Attorney                   |
| CHAD WILLIAMS  | Police Chief                    |
| CRAIG FERGUSON | Fire Chief                      |
| TIM GREEN      | Municipal Court Judge           |
| DON MOORE      | Finance Director/City Secretary |
| HAYLEY HERRERA | Community Services Director     |

## **INVOCATION & PLEDGE OF ALLEGIANCE**

Jonathan Raffini, First Baptist Church, gave the invocation and Mayor McLellan led the Pledge of Allegiance to the American and Texas Flags.

## **ANNOUNCEMENTS AND PUBLIC HEARINGS**

### **PROCLAMATION – NATIONAL NURSES WEEK – MAY 6-12**

Mayor McLellan presented a proclamation to the nursing staff from West Texas VA Health Care System.

## **DISPOSITION OF MINUTES**

### **APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF APRIL 9, 2019.**

Motion was made by Councilmember Hartman, seconded by Councilmember DePauw, with all members of the Council present voting “aye” approving the above listed minutes.

## **CONSENT ITEMS**

FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 042-2018 WHICH ADOPTED THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019 TO INCREASE THE GENERAL FUND BUDGET FOR THE BEALS CREEK MAINTENANCE PROJECT; PROVIDING SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember Benavides, seconded by Councilmember Hartman, with all members of the Council present voting "aye" approving the second and final reading of the above captioned ordinance.

VOUCHERS FOR 04/11/19 \$798,069.16 AND 04/18/19, \$626,438.16.

Motion was made by Councilmember Stewart, seconded by Councilmember Benavides, with all members of the Council present voting "aye" to table the above captioned vouchers due to the absence of Councilmember Marquez and it being his turn to review the vouchers.

## **BIDS**

REQUEST APPROVAL OF RUNWAY 06-24 PROJECT FOR TAXIWAY LIGHTING AND REPLACEMENT OF VASI'S AND PAPPY-2'S AND AUTHORIZE THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

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

REQUEST APPROVAL TO REPLACE THE OBSOLETE AWOS WITH A NEW SYSTEM AND AUTHORIZE THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember DePauw, seconded by Councilmember Hartman, with all members of the Council present voting "aye" approving the above captioned request.

## **NEW BUSINESS**

FIRST READING OF AN ORDINANCE CALLING FOR A RUNOFF ELECTION TO BE HELD ON JUNE 8, 2019 FOR THE PURPOSE OF ELECTING THE MAYOR, CITY COUNCILMEMBER FOR DISTRICT FOUR, AND CITY COUNCILMEMBER FOR DISTRICT FIVE; PROVIDING FOR THE CONDUCT OF THE ELECTION; DESIGNATING SEVERAL POLLING PLACES 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

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

**TABLED – CONSIDERATION AND POSSIBLE ACTION ON A DEVELOPMENT AGREEMENT WITH SILVERLEAF COMMUNITIES, LLC CONCERNING INFRASTRUCTURE IMPROVEMENTS AND RESIDENTIAL DEVELOPMENT AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS**

Motion was made by Councilmember Benavides, seconded by Councilmember Hartman, with all members of the Council present voting “aye” to remove the above captioned agreement off the table. Motion was made by Councilmember Benavides, seconded by Councilmember Harman, with all members of the Council present voting “aye” approving the above captioned agreement.

**FIRST READING OF A RESOLUTION FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC’S APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR PURSUANT TO 16 TEX. ADMINISTRATION CODE § 25.243 TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY’S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL; AND PROVIDING AN EFFECTIVE DATE**

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

**FIRST READING OF A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE CLOSURE OF EAST 3<sup>RD</sup> STREET FROM RUNNELS TO GREGG STREET AND ONE LANE OF EAST 4<sup>TH</sup> STREET FROM SCURRY STREET TO MAIN STREET FOR THE FUNTASTIC FOURTH FESTIVAL FROM JUNE 27<sup>TH</sup> THROUGH JUNE 30<sup>TH</sup>; IN CONJUNCTION WITH THE APPROVAL OF COUNTY COMMISSIONERS; AND UPON INDEMNIFICATION AND PRESENTATION OF INSURANCE COVERAGE BY DOWNTOWN REVITALIZATION ASSOCIATION THAT COMPLIES WITH THE SPECIFICATIONS REQUIRED OF THE CITY BY TxDOT UNDER THE AGREEMENT; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO TAKE ALL NECESSARY ACTIONS UNDER THE AGREEMENT**

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

**APPOINTMENTS TO THE PARKS AND RECREATION BOARD – SEVEN (7) MEMBERS – TWO (2) MEMBERS FOR A TERM OF THREE (3) YEARS; TWO (2) MEMBERS FOR A TERM OF TWO (2) YEARS; AND THREE (3) MEMBERS FOR A TERM OF ONE (1) YEAR**

Council appointed members by paper ballot were the following:

Stacy R. Barr and Justin Myers were appointed to the three (3) year term;  
Johnny R. DeLeon and Barney Dodd were appointed to the two (2) year term; and  
Ryan Williams, Danny Flenniken and Carmen Harbour were appointed to the (1) year term.

**APPOINTMENTS TO THE TRAFFIC COMMISSION – SEVEN (7) MEMBERS – TWO (2) MEMBERS FOR A TERM OF THREE (3) YEARS; TWO (2) MEMBERS FOR A TERM OF TWO (2) YEARS; AND THREE (3) MEMBERS FOR A TERM OF ONE (1) YEAR**

Council appointed members by paper ballot were the following:

Marvin Boyd and Jodi Duck were appointed to the three (3) year term;  
Lee Harris and Charles Smith were appointed to the two (2) year term; and  
Nati Saldivar, Roy Gomez, Jr. and Amy Powell were appointed to the (1) year term.

**APPOINTMENTS TO THE ZONING BOARD OF ADJUSTMENTS – 1 VACANCY – ONE UNEXPIRED TERM – EXPIRING 9-2020**

Council appointed Jonathan Ray by paper ballot and J.D. Smith as an alternate to the Zoning Board of Adjustments.

**APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BIG SPRING ECONOMIC DEVELOPMENT CORPORATION HELD ON MARCH 19, 2019.**

Motion was made by Councilmember DePauw, seconded by Councilmember Benavides, with all members of the Council present voting “aye” approving of the above listed minutes.

### **CITY MANAGER’S REPORT**

No report at this time.

### **COUNCIL INPUT**

Mayor McLellan and Councilmember Stewart encouraged citizens to vote on Saturday, May 4<sup>th</sup>.

### **EXECUTIVE SESSION**

**ADJOURN INTO EXECUTIVE SESSION WITH CITY ATTORNEY AND STAFF IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTION 551.072 TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY; AND**

**ADJOURN INTO EXECUTIVE SESSION IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTION 551.07(1)(A) TO CONSULT WITH CITY ATTORNEY**

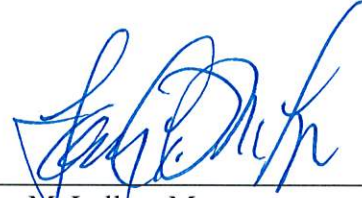
CONCERNING PENDING OR CONTEMPLATED LITIGATION (QUARTERLY UPDATE)  
AT 6:28 P.M.

RECONVENE IN OPEN SESSION AND TAKE ANY NECESSARY ACTIONS AND  
AUTHORIZE THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY NECESSARY  
DOCUMENTS AT 7:33 P.M.

No action was taken.

**ADJOURN**

Mayor McLellan adjourned the meeting at 7:34 p.m.



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Larry McLellan, Mayor

ATTEST:



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Tami L. Davis, Assistant City Secretary