

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., May 8, 2018, with the following members present:

LARRY McLELLAN	Mayor
RAUL MARQUEZ	Mayor Pro Tem
CARMEN HARBOUR	Councilmember (Outgoing)
DOUG HARTMAN	Councilmember (Incoming)
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
DON MOORE	Finance Director/City Secretary
JIM LITTLE	Airpark Director
TIM GREEN	Municipal Court Judge
DEBBIE WEGMAN	Community Services Director

INVOCATION & PLEDGE OF ALLEGIANCE

Chaplin Joel Miller gave the invocation and Mayor McLellan led the Pledge of Allegiance to the American and Texas Flags.

DISPOSITION OF MINUTES

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF APRIL 24, 2018.

Motion was made by Councilmember Harbour, 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 A RESOLUTION FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION FOR APPROVAL OF A DISTRIBUTION COST RECOVERY FACTOR PURSUANT TO 16 TEX. ADMIN. CODE § 25.243 TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AND FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY

FINAL READING OF A RESOLUTION AUTHORIZING THE MAYOR TO NEGOTIATE ON TERMS AND CONDITIONS WITH THE HEALTH AND HUMAN SERVICES COMMISSION (HHSC), AND TO EXECUTE THE CONTRACTS ON BEHALF OF THE CITY OF BIG SPRING

FINAL READING OF AN ORDINANCE ESTABLISHING THE PAY SCHEDULE FOR CLASSIFIED POSITIONS WITHIN THE POLICE DEPARTMENT FOR THE FISCAL YEAR 2017-18; REMOVING ADDITIONAL ASSIGNMENT PAY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

FINAL READING OF A RESOLUTION AMENDING THE CITY OF BIG SPRING PERSONNEL POLICIES AND PROCEDURES BY ADDING A NEW CHAPTER XVIII REGARDING THE AMERICANS WITH DISABILITIES ACT (ADA AND ADAAA) AND MODIFIED DUTY; AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO TAKE SUCH STEPS AS ARE NECESSARY TO IMPLEMENT SUCH POLICIES AND PROCEDURES

FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 034-2017 WHICH ADOPTED THE ANNUAL BUDGET FOR THE CITY OF BIG SPRING FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018 TO INCREASE THE HOTEL/MOTEL TAX FUND BUDGET FOR THE PURPOSE OF HIRING AN ARCHITECT TO ASSIST WITH THE AMPHITHEATER RENOVATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

COUNCILMEMBER STEWART REVIEWED THE VOUCHERS IN THE AMOUNT OF \$702,994.83 (04/26/18) AND \$839,523.75 (05/03/18).

Motion was made by Mayor Pro Tem Marquez, seconded by Councilmember Stewart, with all members of the Council present voting "aye" approving the second and final readings of the above captioned resolutions, ordinances and vouchers.

BIDS

AWARD RFQ FOR ENGINEERING SERVICES AND PERMISSION TO NEGOTIATE FOR THE AIRPARK AND AUTHORIZE THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Benavides, seconded by Councilmember Stewart, with Councilmembers Marquez, McDaniel, McLellan, Stewart and Benavides voting “aye” awarding the above captioned RFQ to Freese & Nichols. Councilmembers Harbour and DePauw, being opposed, voting “nay” for passage of same. Motion passes five to two.

NEW BUSINESS

EMERGENCY READING OF AN ORDINANCE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION WHICH WAS HELD ON THE 5TH DAY OF MAY, 2018 FOR THE PURPOSE OF ELECTING COUNCILMEMBER DISTRICT TWO

Mayor McLellan and the Councilmembers reviewed the canvass returns for which the results were as follows: City Councilmember District Two – Johnnie Rawls Jr. with 6 votes, Doug Hartman with 70 votes and Eric Escamilla with 22 votes.

Motion was made by Councilmember Benavides, seconded by Councilmember Stewart, with all members of the Council present voting “aye” approving the above captioned ordinance declaring Doug Hartman as City Councilmember District Two with 71.43% of the votes.

RECOGNITION OF OUTGOING COUNCILMEMBER FOR DISTRICT TWO

Todd Darden, City Manager, thanked Councilmember Harbour for serving on the City Council for two terms and presented her with a plaque.

ADMINISTER OATH OF OFFICE TO DULY ELECTED COUNCILMEMBERS

Judge Tim Green, Municipal Court Judge, administered the oath of office to duly elected Doug Hartman, City Councilmember District Two; Howard Stewart, City Councilmember District Four; and Jim DePauw, City Councilmember District Six and presented them with a certificate of election as Councilmembers.

FIRST READING OF AN ORDINANCE AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES ENTITLED “CEMETERIES, PARKS, AND RECREATION” BY AMENDING ARTICLE 14, ENTITLED “HISTORIC SPRING” BY RENAMING DIVISION 1 TO “MARIE HALL PLAZA AND PERFORMANCE STAGE”; BY ADDING A NEW DIVISION 2 ENTITLED “SM ENERGY PAVILION” IN ORDER TO ESTABLISH FEES AND FACILITY RENTAL GUIDELINES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

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

DISCUSSION AND APPROVAL OF RE-ESTABLISHING HOWARD COUNTY TEEN COURT AND AUTHORIZE THE CITY ATTORNEY TO EXECUTE ANY NECESSARY DOCUMENTS

Marianne Banks, City Attorney, explained the interest of re-establishing the Howard County Teen Court. After a brief discussion, motion was made by Councilmember DePauw, seconded by Councilmember McDaniel, with members of the Council present voting “aye” authorizing the City Attorney to prepare and file the appropriate paperwork to facilitate the establishment of a new Howard County Teen Court Board.

AUTHORIZE THE CITY MANAGER TO IMPLEMENT PAYROLL DEDUCTION FOR NEW LOANS BY EMPLOYEES FROM THE CITY’S 457B NATIONWIDE AND VALIC RETIREMENT PLANS

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

CITY MANAGER’S REPORT

Todd Darden thanked the Fire Department and the Emergency Responders for their hard work and long hours working on the fires we have had. Mr. Darden also welcomed Mr. Hartman to the Council.

COUNCIL INPUT

Mayor McLellan and all Councilmembers also thanked the Fire Department and Emergency Responders; thanked Councilmember Harbour for serving on the Council and congratulated Councilmember Hartman on his election to the Council.

EXECUTIVE SESSION

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 OF REAL PROPERTY; AND

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 AT 6:27 P.M.

RECONVENE IN OPEN SESSION AND TAKE ANY NECESSARY ACTION AT 7:09 P.M.

First executive session - Motion was made by Councilmember McDaniel, seconded by Councilmember Stewart, with all members of the Council present voting “aye” approving a contract for the purchase of approximately 43.34 acres of land out of Section 11, Block 33, Big Spring, Howard County, Texas, and the sale of approximately .241 acres of land at the southwest corner of Gregg Street and 14th Street, Big Spring, Howard County, Texas to James T. Investments and authorizing the Mayor to execute any necessary documents.

Second executive session – Motion was made by Councilmember McDaniel, seconded by Councilmember Stewart, with all members of the Council present voting “aye” authorizing the City Attorney to file petitions for permanent injunction to enforce the City’s Structural Standards Code on the following properties: 2506 W. 16th Street, 1007 Scurry Street, and 1210 Marijo Street, Big Spring, Howard County, Texas.

ADJOURN

Mayor McLellan adjourned the meeting at 7:10 p.m.



Larry McLellan, Mayor

ATTEST:



Tami L. Davis, Assistant City Secretary