

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., June 8, 2021, with the following members present in person:

SHANNON THOMASON	Mayor
NICK ORNELAS	Mayor Pro Tem
DIANE YANEZ	Councilmember
CODY HUGHES	Councilmember
GLORIA McDONALD	Councilmember
TROY TOMPKINS	Councilmember

(Councilmember Smith was not present at this meeting.)

Same and constituting a quorum, for which four Councilmembers must be present; and the following staff in person;

TODD DARDEN	City Manager
JOHN MEDINA	Assistant City Manager
ANDREW HAGEN	City Attorney
CHAD WILLIAMS	Police Chief
CRAIG FERGUSON	Fire Chief
SHANE BOWLES	Public Works Director
SANDY SMITH	Finance Director
HAYLEY HERRERA	Community Services Director
JIM LITTLE	Airpark Director
TAMI DAVIS	Interim City Secretary
TIM GREEN	Municipal Judge

INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Chance Nichols, Christ Fellowship Church, gave the invocation and Mayor Thomason led the Pledge of Allegiance to the American and Texas Flags.

PUBLIC COMMENT

No comments were made at this time.

CITY MANAGER'S REPORT

Todd Darden, City Manager, gave an update on the following:

- Reminder on Large Item Pickup for District 6 – June 16, 2021
- Update on seal coat

- Report on the Radio System for Fire and Police Departments
- Update on the rollout countainers

CONSENT ITEMS

APPROVAL OF THE CITY COUNCIL MINUTES OF THE REGULAR MEETING OF MAY 25, 2021

FINAL READING OF A RESOLUTION AMENDING THE AUTHORIZED REPRESENTATIVES EMPOWERED TO TRANSMIT AND WITHDRAW FUNDS FORM TEXPOOL; AND DECLARING AN EFFECTIVE DATE

FINAL READING OF AN ORDINANCE AMENDING CHAPTER 40 OF THE BIG SPRING CITY CODE ENTITLED “PARKS, RECREATION, AND CULTURAL AFFAIRS,” BY ADDING A NEW ARTICLE XIV ENTITLED “ABC PARK,” AND ADDING A NEW SECTION 40-701 ENTITLED “PJ” “THE DJ’ PAVILION” THEREBY NAMING A NEWLY CONSTRUCTED ABC PARK PAVILION AFTER PJ “THE DJ” DOMINGUEZ; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

FINAL READING OF AN ORDINANCE AMENDING CHAPTER 2 OF THE BIG SPRING CITY CODE ENTITLED “ADMINISTRATION,” ARTICLE VII “BOARDS AND COMMISSIONS” BY ADDING A NEW SECTION 2-241 ENTITLED “APPOINTMENTS TO AND REMOVAL FROM BOARDS AND COMMITTEES CREATED BY ACTS OF CITY COUNCIL” TO PROVIDE FOR EQUAL, DISTRICT-LEVEL REPRESENTATION OF CITY BOARDS AND COMMITTEES; ADDING A NEW SECTION 2-242 ENTITLED “RULES AND PROCEDURES FOR BOARDS AND COMMITTEES” TO PROVIDE GENERAL RULES FOR EACH BOARD; MOVING THE SECTIONS OF THE CODE PERTAINING TO THE PARKS AND RECREATIONS BOARD AND TRAFFIC COMMISSION FROM THEIR RESPECTIVE CHAPTERS TO CHAPTER 2, ARTICLE VII FOR CONSISTENCY AND PROVIDING FOR RENUMBERING OF THOSE MOVED SECTIONS; PROVIDING THAT APPOINTMENTS MADE UNDER THE NEW RULES OF SECTION 2-241 ARE APPLICABLE AS TERMS FOR BOARD AND COMMISSION MEMBERS EXPIRE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

FINAL READING OF AN ORDINANCE AMENDING CHAPTER 2 OF THE BIG SPRING CITY CODE ENTITLED “ADMINISTRATION,” SECTIN 2-137 “EXEMPTION OF CITY FROM GARNISHMENT,” IN ORDER TO CORRECT A STATE LAW REFERENCE AND REMOVE EXTRANEOUS LANGUAGE FROM THE SECTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember Hughes to approve the above captioned resolutions and minutes, seconded by Mayor Pro Tem Ornelas, with all members of the Council present voting “aye.”

OLD BUSINESS

FINAL READING OF AN ORDINANCE CALLING FOR A SPECIAL ELECTION TO BE HELD ON NOVEMBER 2, 2021 FOR THE PURPOSE OF AMENDING THE HOME RULE CHARTER; MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION AND DECLARING AN EFFECTIVE DATE

Motion was made by Mayor Pro Tem Ornelas to approve the above captioned ordinance, seconded by Councilmember Hughes.

Motion was made by Mayor Thomason to amend the above caption ordinance with the clarification that the current term of one holding office on November 1, 2021, or to the current term of one holding office when their residence was disannexed or located in another district as a result of redistricting, seconded by Councilmember Hughes, with all members of the Council present voting "aye."

Motion was made by Mayor Thomason for a second amendment to the above caption ordinance by adding a section that authorizes the City Attorney to prepare a document that explains the Charter measures in plain English and in unbiased terms, and to submit such to the Texas Ethics Commission pursuant to Tex. Elec. Code § 255.003(e) for the purposes of seeking an advisory opinion to confirm that the statement is neutral and may be openly published by the City on the city's web site and in printed form without violating state election law, seconded by Councilmember Tompkins, with all members of the Council present voting "aye."

Final motion was made by Mayor Pro Tem Ornelas to approve the amended ordinance as listed above, seconded by Councilmember Hughes, with all members of the Council present voting "aye."

VOUCHERS

Councilmember Yanez did not have time to review the following vouchers:

VOUCHERS FOR 05/14/2021	\$	576,470.32
VOUCHERS FOR 05/21/2021	\$	1,396,438.26

Motion was made by Councilmember Yanez to **table** the above captioned vouchers, seconded by Mayor Pro Tem Ornelas, with all members of the Council present voting "aye."

NEW BUSINESS

ACKNOWLEDGE RECEIPT OF THE BIG SPRING MCMAHON-WRINKLE AIRPORT DEVELOPMENT BOARD MINUTES OF THE REGULAR MEETING OF JANUARY 21, 2021

Councilmembers acknowledged receipt the above captioned minutes.

ACKNOWLEDGE RECEIPT OF THE PLANNING & ZONING COMMISSION BOARD
MINUTES OF THE REGULAR MEETING OF MARCH 30, 2021

Councilmembers acknowledged receipt the above captioned minutes.

DISCUSSION AND POSSIBLE ACTION ALLOWING THE MAYOR TO RENEGOTIATE
AND EXECUTE AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY
OF BIG SPRING AND NH MANAGEMENT LLC

After a brief discussion, motion was made by Councilmember Hughes to authorize the Mayor to renegotiate the above captioned agreement, seconded by Mayor Pro Tem Ornelas, with all members of the Council present voting "aye."

FIRST READING OF AN ORDINANCE AMENDING THE BIG SPRING CODE OF
ORDINANCE BY AMENDING CHAPTER 40 ENTITLED "PARKS, RECREATION, AND
CULTURAL AFFAIRS," ARTICLE II "PARKS AND RECREATION FACILITIES,"
DIVISION 1 "GENERALLY," SECTION 40-33 "ADDITIONAL REQUIREMENTS FOR
ACTIVITIES INVOLVING SALES, SERVICE, OR CONSUMPTION OF ALCOHOL",
SUBSECTION 4 "COMANCHE TRAIL MUNICIPAL AMPHITHEATER" IN ORDER TO
AMEND THE BOUNDARY DEFINITION FOR ALCOHOL SERVICE AND
CONSUMPTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE
DATE

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

FIRST READING OF AN ORDINANCE AMENDING CHAPTER 2 OF THE BIG SPRING
CITY CODE ENTITLED "ADMINISTRATION," ARTICLE II "CITY COUNCIL," SECTION
2-22 "ESTABLISHING THE AGENDA" TO DELEGATE THE DIRECTION AND
AUTHORIZATION OF AGENDAS TO THE MAYOR; DELEGATE PREPARATION AND
POSTING OF AGENDAS TO THE CITY SECRETARY; REVISING THE METHOD BY
WHICH AGENDA ITEMS ARE SUBMITTED; REQUIRING A LISTED SPONSOR OR
AUTHOR OF AGENDA ITEMS; VOIDING ACTION TAKEN IN VIOLATION OF THIS
SECTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Mayor Thomason to approve the above captioned ordinance, seconded by Councilmember Tompkins. After a brief discussion Councilmember Tompkins made a motion to amend the above captioned ordinance designating another Councilmember to review the agenda in case the Mayor or Mayor Pro Tem are unavailable, seconded by Councilmember Hughes. Mayor Thomason motioned to accept Councilmember Tompkins amendment as a friendly amendment to the above captioned ordinance, seconded by Councilmember Tompkins, with Councilmembers Yanez, Hughes, Thomason, McDonald and Tompkins voting "aye." Mayor Pro Tem Ornelas, being opposed, voting "nay" for passage of same. Motion **passed** five to one.

FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 029-2020 WHICH ADOPTED THE ANNUAL BUDGET FOR THE CITY OF BIG SPRING, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021 TO INCREASE THE LANDFILL FUND BUDGET FOR THE PURPOSE OF ADDITIONAL POSTAGE FOR MAILOUTS

Motion was made by Councilmember Hughes to approve the above captioned ordinance, seconded by Mayor Pro Tem Ornelas, with all members of the Council present voting “aye.”

CONSIDERATION AND POSSIBLE ACTION REGARDING AN AGREEMENT WITH ADT COMMERCIAL FOR A SURVEILLANCE CAMERA SYSTEM

Motion was made by Councilmember Tompkins to approve the above captioned agreement, seconded by Councilmember McDonald, with all members of the Council present voting “aye.”

COUNCIL INPUT

Mayor Thomason announced that work is in progress to re-establish the Animal Rescue Advisory Board and is working on ways to encourage pet owners to be more responsible. Mayor Thomason also announced that there will be a Council Worksession on June 15, 2021 for a presentation regarding TIRZ and also asked citizens to “help control the pet population, spay or neuter your pets.”

Mayor Pro Tem Ornelas said that he was still getting calls regarding the rollout dumpsters and on stray animals. Also Mayor Pro Tem Ornelas is working with someone to help the elderly with the Large Item Pickup for District 6.

Councilmember McDonald said she has been receiving calls regarding the rollout dumpsters also.

Councilmember Tompkins expressed concerns regarding the speed of traffic on neighborhood streets and he is also concerned about the number of stray animals.

EXECUTIVE SESSION

ADJOURN INTO EXECUTIVE SESSION IN ACCORDNANCE WITH THE PURPOSES PERMITTED BY THE OPEN MEETINGS ACT, SECTION 551.071, TEXAS GOVERNMENT CODE, “CONSULTATION WITH ATTORNEY; CLOSED MEETING,” AND THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT TO DISCUSS LITIGATION MATTERS

Motion was made by Councilmember Tompkins to adjourn into the above captioned executive session at 6:42 p.m., seconded by Councilmember McDonald, with all members of the Council present voting “aye.”

RECONVENE IN OPEN SESSION AND TAKE ANY NECESSARY ACTION ON EXECUTIVE SESSION ITEMS AT 7:20 P.M.

Motion was made by Councilmember Hughes authorizing legal counsel to negotiate the settlement discussed in executive session and authorize the Mayor to execute the settlement agreement, seconded by Councilmember Yanez, with all members of the Council present voting "aye."

ADJOURN

Mayor Thomason adjourned the meeting at 7:21 p.m.



Shannon D. Thomason, Mayor

ATTEST:



Tami L. Davis, Interim City Secretary