

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., July 13, 2021, with the following members present in person:

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

(Councilmembers McDonald and Smith were 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
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

Don Smith, Ben Negev Bible Study Group, 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 1 – July 21, 2021
- Seal coat to begin on July 19, 2021
- New Landfill opening the 1st week of August with the Grand Opening on August 6 at 10:00 a.m.
- Report on mosquito spraying

- Update on the Fan Drive

CONSENT ITEMS

APPROVAL OF THE CITY COUNCIL MINUTES OF THE REGULAR MEETING OF JUNE 22, 2021

FINAL READING OF A RESOLUTION DESIGNATING INVESTMENT OFFICERS TO BE RESPONSIBLE FOR THE INVESTMENT OF FUNDS AND PROVIDING AN EFFECTIVE DATE

FINAL 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 BY INCREASING THE AIRPARK FUND BUDGET TO BE USED FOR THE PURPOSE OF PURCHASING A MOWER; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

FINAL 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; TRANSFERRING FUNDS FROM THE UTILITY FUND TO THE CONVENTION AND VISITORS BUREAU (CVB) FUND FOR THE PURPOSE OF CONSTRUCTION OF A PARKING LOT FOR ADDITIONAL PARKING FOR THE AUDITORIUM; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; 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," TO CONFIRM THAT THE CHANGES TO ELIGIBILITY TO THE BOARDS AND COMMISSIONS APPLIES TO MEMEBERS APPOINTED JUNE 1, 2021 OR LATER; BY AMENDING SECTION 2-242, "RULES AND PROCEDURES FOR BOARDS AND COMMITTEES" TO REQUIRE BOARDS AND COMMITTEES TO PROVIDE MINUTES AND AN ORAL OR WRITTEN REPORT TO CITY COUNCIL AT LEAST ONCE PER QUARTER; MOVING THE SECTIONS OF THE CODE PERTAINING TO THE ANIMAL RESCUE AND ADOPTION COMMITTEE AND THE BOARD OF ADJUSTMENTS AND APPEALS FROM THEIR RESPECTIVE CHAPTERS TO CHAPTER 2, ARTICLE VII FOR CONSISTENCY AND PROVIDING FOR RENUMBERING OF THOSE MOVED SECTIONS; REPEALING CHAPTER 8 "ANIMALS," ARTICLE II "ANIMAL RESCUE AND ADOPTION COMMITTEE," AND REPEALING CHAPTER 12 "BUILDING CODES," ARTICLE IV, "BOARD OF ADJUSTMENTS AND APPEALS" AND RESERVING THOSE ARTICLES FOR FUTURE EXPANSION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Mayor Pro Tem Ornelas to approve the above captioned resolution, ordinances and minutes, seconded by Councilmember Tompkins, with all members of the Council present voting "aye."

VOUCHERS

Mayor Thomason reviewed the following vouchers for Councilmember McDonald:

VOUCHERS FOR 06/24/2021	\$	214,862.45
VOUCHERS FOR 07/01/2021	\$	678,258.38
VOUCHERS FOR 07/08/2021	\$	1,271,718.43

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

BIDS

CONSIDERATION AND POSSIBLE ACTION ON AWARDING THE SALE OF TAX PROPERTIES BY TEXAS COMMUNITIES GROUP AS FOLLOWS:

- a. Parcel R000010905, 1303 Mesquite to Frank & Erika Rodriquez in the Amount of \$4,000.00
- b. Parcel R000008725, 309 Sargent Paredes to Ruben V Gamboa Jr in the Amount of \$2,500.00
- c. Parcel R000008772, 105 NE 3rd Street to Joana Aguirre in the Amount of \$3,000.00
- d. Parcel R000004254, 707 W 7th Street to Joana Aguirre in the Amount of \$3,000.00

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

- e. Parcel R0000046791, 203 NE 8th Street to Juan Carlos Murillo in the Amount of \$3,000.00

No action was taken on the above caption bid.

NEW BUSINESS

ACKNOWLEDGE RECEIPT OF QUARTERLY CLAIMS AND LITIGATION REPORT FROM CITY ATTORNEY

Councilmembers acknowledged receipt of the above captioned report.

FIRST READING OF AN ORDINANCE AMENDING CHAPTER 44 OF THE BIG SPRING CODE OF ORDINANCES ENTITLED "SOLID WASTE," ARTICLE II "COLLECTION AND

LANDFILL FEES,” DIVISION 1 “GENERALLY, SECTION 44-41 “RATES” TO AMEND THE RATE SCHEDULE; AMENDING SECTION 44-42 “FAILURE TO PAY” TO CORRECT GRAMMATICAL ERRORS; AND BY ADDING A NEW SECTION 44-45 ENTITLED “DELINQUENT FEES” TO PROVIDE FOR A TEN PERCENT LATE FEE TO EXISTING AND FUTURE DELINQUENT ACCOUNTS; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember Hughes to approve the above captioned ordinance as modifies by the recommendation of the City Attorney, seconded by Mayor Thomason, with Councilmembers Hughes Thomason and Tompkins voting “aye.” Councilmembers Ornelas and Yanez, being opposed, voting “nay” for passage of same. Motion **passed** three to two.

FIRST READING OF ORDINANCE AMENDING THE BIG SPRING CITY CODE, CHAPTER 36 ENTITLED “NUISANCES,” ARTICLE II “UNSANITARY; UNSIGHTLY; AND PUBLIC NUISANCE CONDITIONS OF PROPERTY,” SECTION 36-19 “DEFINITIONS” BY ADDING A NEW DEFINITION FOR “INFESTATION”; AMENDING SECTION 36-22 “ACCUMULATION OF WEEDS, RUBBISH, GARBAGE, AND OTHER MATTER DECLARED A PUBLIC NUISANCE AND UNLAWFUL” BY ADDING “INFESTATION” TO THE TITLE AND BODY OF SAID SECTION IN ORDER TO DECLARE INFESTATIONS NOT COVERED BY STATE LAW A PUBLIC NUISANCE AND REQUIRE THE ABATEMENT THEREOF; AND BY AMENDING SECTION 36-28 “PENALTY” IN ORDER TO CORRECT AN ERROR MADE DURING CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

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

CONSIDERATION AND POSSIBLE ACTION REGARDING AN INTERLOCAL AGREEMENT WITH SPAG TO BE THE GRANT ADMINISTRATOR FOR THE TEXAS PARKS AND WILDLIFE GRANT AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

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

BOARDS & COMMITTEES

PLANNING & ZONING COMMISSION

Mr. TJ Stewart – Nominated by Councilmember Yanez for District 2

TRAFFIC COMMISSION

Mr. Jonathan Ray – Nominated by Councilmember Yanez for District 2

ANIMAL RESCUE & ADOPTION COMMITTEE

Mrs. Julia Hartman – Nominated by Councilmember Yanez for District 2

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

COUNCIL INPUT

Mayor Thomason asked that everyone keep Councilmember McDonald in their prayers and assured the citizens that no one with the City of Big Spring will go door to door regarding the COVID-19 vaccine. Mayor Thomason also reminded citizens to “help control the pet population, spay or neuter your pets.”

Mayor Pro Tem Ornelas reminded everyone that the large item pickup for District One will be on July 21, 2021 and he is working with the Young Marines to assist citizens 60 or older.

Councilmember Yanez thanked staff for responding to her requests.

Councilmember Hughes expressed his concerns about water standing in a dip in the road at the intersection of Parkway and Alamesa.

Councilmember Tompkins asked the staff to keep Code Enforcement in mind during the upcoming budget work sessions.

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; AND

ADJOURN INTO EXECUTIVE SESSION IN ACCORDANCE WITH THE PURPOSES PERMITTED BY THE OPEN MEETINGS ACT, SECTION 551.087, TEXAS GOVERNMENT CODE, “DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING” TO DISCUSS AND DELIBERATE ECONOMIC DEVELOPMENT MATTERS AT 6:21 P.M.

RECONVENE IN OPEN SESSION AND TAKE ANY NECESSARY ACTION ON EXECUTIVE SESSION ITEMS AT 7:55 P.M.

First executive session – Motion was made by Councilmember Hughes authorizing the Mayor to accept and execute a settlement agreement in the case “City of Big Spring v. The GEO Group Inc.”, seconded by Mayor Pro Tem Ornelas, with all members of the Council present voting “aye.”

Second executive session – Motion was made by Councilmember Tompkins authorizing the Mayor to negotiate an economic incentive agreement with Compute North, seconded by Councilmember Hughes, with all members of the Council present voting “aye.”

Second executive session – Motion was made by Councilmember Tompkins authorizing the Mayor to execute a memorandum of understanding with Cross Ell Ranch, seconded by Councilmember Yanez, with all members of the Council present voting “aye.”

ADJOURN

Mayor Thomason adjourned the meeting at 7:55 p.m.



Shannon D. Thomason, Mayor

ATTEST:



Tami L. Davis, City Secretary