

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., August 24, 2021, with the following members present in person:

NICK ORNELAS	Mayor Pro Tem
DIANE YANEZ	Councilmember
CODY HUGHES	Councilmember
GLORIA MCDONALD	Councilmember
TROY TOMPKINS	Councilmember
MAURY SMITH	Councilmember

(Mayor Thomason 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
CRAIG FERGUSON	Fire Chief
CHAD WILLIAMS	Police Chief
SHANE BOWLES	Public Works Director
SANDY SMITH	Finance Director
JIM LITTLE	Airpark Director
HAYLEY HERRERA	Community Services Director
TAMI DAVIS	City Secretary
TIM GREEN	Municipal Judge

## **INVOCATION & PLEDGE OF ALLEGIANCE**

Councilmember Tompkins gave the invocation and Mayor Pro Tem Ornelas led the Pledge of Allegiance to the American and Texas Flags.

## **PUBLIC COMMENT**

No comments at this time.

## **ANNOUNCEMENTS, PRESENTATION AND PUBLIC HEARINGS**

**PUBLIC HEARING** – PUBLIC HEARING FOR A ZONE CHANGE FROM (SF2) SINGLE FAMILY DWELLING TO (PD) PLANNED DEVELOPMENT FOR A HOUSING DEVELOPMENT ON A TRACT OF 6.61 ACRES LOCATED IN SECTION 9, BLOCK 32, T-

1-S, T&P RR. CO. SURVEY, HOWARD COUNTY, TEXAS. (GENERALLY LOCATED ON THE N. SIDE OF MERRILY STREET EAST OF CENTRAL STREET) Z21-03

Motion was made by Mayor Pro Tem Ornelas to open the above captioned public hearing, seconded by Councilmember McDonald, with all members of the Council present voting "aye." Cameron Walker with Walker Planning Group LLC explained three objectives for the zone change as follows: Additional lot coverage; Minimum lot size is approximately 10% smaller; and the minimum lot width would be 10 feet narrower. There were no questions or comments. Motion was made by Councilmember McDonald to close the above captioned public hearing, seconded by Councilmember Smith, with all members of the Council present voting "aye."

### **CITY MANAGER'S REPORT**

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

- Update on Large Item Pickup for District 2 on August 18<sup>th</sup>
- Update on TML Roof Claims
- Update on Mosquito Spraying
- Update on Kids Zone rubber mulch
- Update on COVID 19 from Dr. Ahmed

### **CONSENT ITEMS**

APPROVAL OF THE CITY COUNCIL MINUTES OF THE REGULAR MEETING OF AUGUST 10, 2021 AND OF THE SPECIAL MEETING OF AUGUST 14, 2021

FINAL READING OF AN ORDINANCE AMENDING CHAPTER 3 ENTITLED "OFFENSES AND MISCELLANEOUS PROVISIONS," ARTICLE 1 ENTITLED "IN GENERAL" BY AMENDING SECTION 38-9 ENTITLED "CURFEW FOR MINORS," SUBPART (f) IN ORDER TO EXTEND THE JUVENILE CURFEW UNTIL SEPTEMBER 1, 2024; REPEALING SECTION 38-9(E)(2) ON REFERRING JUVENILES TO TEEN COURT; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

FINAL READING OF AN ORDINANCE AMENDING CHAPTER 2 ENTITLED "ADMINISTRATION," ARTICLE VII "BOARDS AND COMMISSION," DIVISION 8 "BOARD OF ADJUSTMENTS AND APPEALS, SECTION 2-312 "MEMBERSHIP AND TERMS" BY ADDING A NEW SUBSECTION (D) TO PROVIDE FOR MEMBERS OF THE BOARD OF ADJUSTMENTS AND APPEALS TO CONTINUE THEIR CURRENT TERMS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember Tompkins to approve the above captioned ordinances and minutes, seconded by Councilmember Yanez, with all Councilmembers present voting "aye."

## **VOUCHERS**

Mayor Pro Tem Ornelas reviewed the following vouchers:

VOUCHERS FOR 08/12/2021 \$ 948,195.91

VOUCHERS FOR 08/19/2021 \$ 426,235.75

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

## **BIDS**

### **CONSIDERATION AND POSSIBLE ACTION ON AWARDING A BID FOR THE AUDITORIUM PARKING LOT**

Motion was made by Councilmember Tompkins to approve staff recommendation and award the above captioned bid to C & B Excavation & Paving in the amount of \$400,000.00 to include lighting, seconded by Councilmember Hughes, with all members of the Council present voting "aye."

## **NEW BUSINESS**

### **PRESENTATION ON CRMWD RATE INCREASE**

Mr. Darden, City Manager, explained the CRMWD rate increase of 7% for the delivery of raw water to the City of Big Spring Water Treatment Plant.

### **CALL FOR PUBLIC HEARING ON THE PROPOSED 2021-22 ANNUAL BUDGET TO BE HELD ON TUESDAY, SEPTEMBER 14, 2021 AT 5:30 PM IN THE CITY COUNCIL CHAMBERS LOCATED AT 307 EAST 4<sup>TH</sup> STREET, BIG SPRING, TX**

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

### **CALL FOR PUBLIC HEARING ON THE PROPOSED TAX RATE TO BE HELD ON TUESDAY, SEPTEMBER 14, 2021 AT 5:30 PM IN THE CITY COUNCIL CHAMBERS LOCATED AT 307 EAST 4<sup>TH</sup> STREET, BIG SPRING, TX**

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

### **CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE MAYOR TO CONSENT AND RATIFY DESIGNATION OF POOLED UNIT, ROBB WALTER UNIT**

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

**CONSIDERATION AND POSSIBLE ACTION OF A LEASE AGREEMENT WITH PRIME ECO GROUP, INC. AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS**

Motion was made by Councilmember Tompkins to approve the above captioned agreement, seconded by Councilmember McDonald. After a brief discussion, motion was made by motion was made by Councilmember Hughes to amend the agreement with the City Attorney's recommendation of paying the unpaid balance of \$9,000.00 and fix the issue with the Secretary of State in Delaware, seconded by Councilmember McDonald, with all members of the Council present voting "aye." Final motion was made by Councilmember Tompkins to approve the amendment, seconded by Councilmember McDonald, with all members of the Council present voting "aye."

**CONSIDERATION AND POSSIBLE ACTION OF CONTRACT WITH PUBLIC MANAGEMENT, INC. AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS**

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

**FIRST READING OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE EXECUTIVE COMMITTEE OF CITIES SERVED BY ATMOS WEST TEXAS ("CITIES") AND ATMOS ENERGY CORP., WEST TEXAS DIVISION REGARDING THE COMPANY'S 2021 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONALBE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THE RESOLUTION TO THE COMPANY AND THE CITIES' LEGAL COUNSEL; AND PROVIDING AN EFFECTIVE DATE**

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

**FIRST READING OF AN ORDINANCE AUTHORIZING Z-21-03, AMENDING THE BIG SPRING ZONING ORDINANCE BY REZONING APPROXIMATELY 6.61 ACRES OUT OF SEC. 9, BLK. 32, T-1-S, T&P R.R. CO. SURVEY, IN BIG SPRING, HOWARD COUNTY, TEXAS FROM SF-2, SINGLE-FAMILY DWELLING DISTRICT TO PLANNED**

DEVELOPMENT FOR A HOUSING DEVELOPMENT; PROVIDING FOR SEVERABILITY;  
PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

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

**COUNCIL INPUT**

Mayor Pro Tem Ornelas thanked staff members for their help.

Councilmember Yanez thanked staff for of the Large Item Pickup in District 2 will be on  
August 18<sup>th</sup>.

All Councilmembers thanked the staff for the work on the new Landfill opening.

**ADJOURN**

Mayor Pro Tem Ornelas adjourned the meeting at 6:42 p.m.

  
Shannon D. Thomason, Mayor

ATTEST:

  
Tami L. Davis, City Secretary