

STATE OF TEXAS :
COUNTY OF HOWARD :
CITY OF BIG SPRING :

The City Council of the City of Big Spring, Texas, met in a special meeting in the City Council Chambers located at 307 E. 4th St., Big Spring, Texas, at 5:30 p.m., May 12, 2021, with the following members present in person:

SHANNON THOMASON	Mayor
NICK ORNELAS	Councilmember
DIANE YANEZ	Councilmember
CODY HUGHES	Councilmember
TROY TOMPKINS	Councilmember
MAURY SMITH	Councilmember

(Councilmember McDonald 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
ANDREW HAGEN	City Attorney
CHAD WILLIAMS	Police Chief
SANDY SMITH	Finance Director
JIM LITTLE	Airpark Director
TAMI DAVIS	Interim City Secretary

OPEN SESSION

Mayor Thomason called the special meeting to order at 5:30 p.m.

PUBLIC COMMENT

One comment was made regarding the charter items.

NEW BUSINESS

ACKNOWLEDGE THE MINUTES OF THE CHARTER REVIEW SPECIAL COMMITTEE MEETINGS OF APRIL 7, 2021, APRIL 28, 2021 MAY 5, 2021 AND MAY 6, 2021

Councilmembers acknowledged the above captions minutes.

DISCUSSION OF EXISTING CHARTER

Andrew Hagen, City Attorney, briefly explained that several items in the existing charter needed to be reviewed and updated.

ORAL REPORT FROM CHARTER REVIEW COMMITTEE

John Scott, Chairman of the Charter Review Committee, presented all of the changes and measures to the Council that were recommended and approved by the Charter Review Committee.

DISCUSSION AND POSSIBLE ACTION CONCERNING PROPOSED MEASURE FOR CHARTER AMENDMENTS AS RECOMMENDED BY THE CHARTER COMMISSION

MEASURE A – COMPLIANCE WITH STATE LAW

Amendments to the City's home rule charter amending by deletion or revision to require and ensure compliance with state law.

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

MEASURE B – UNNEEDED SECTIONS UNDER STATE LAW

An amendment to the City Charter deleting and amending those provisions which are redundant of state law, duplicative of other sections of the home rule charter or otherwise unnecessary for placement in the City's Charter.

Motion was made by Councilmember Smith to approve the above captioned Measure B, seconded by Councilmember Hughes. Motion was made by Mayor Thomason to amend Measure B by striking out Section 1 – Council in its entirety under Article IV. – City Government and change Section 1a – Council to Section 1 – Council, seconded by Councilmember Hughes, with all members of the Council present voting "aye." Final motion was made by Councilmember Smith to approve the amendment to the above captioned Measure B, seconded by Councilmember Hughes, with all members of the Council present voting "aye."

MEASURE C – RESIDENCY REQUIREMENTS FOR COUNCIL MEMBERS

An amendment to the City Charter requiring councilmen and councilwomen to reside within the District to which they intended to be elected.

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

MEASURE D – CLARIFICATION OF COUNCIL APPOINTMENTS

An amendment to the City Charter clarifying that the City Attorney, Internal Auditor and the City Judge are appointed by the City Council.

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

MEASURE E – GENDER NEUTRAL PRONOUNS

An amendment to the City Charter providing for gender neutral pronouns.

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

MEASURE F – APPOINTMENT OF REPLACEMENT COUNCIL MEMBER

An amendment to the City Charter authorizing City Council to either appoint an individual to a vacancy or call a special election to fill a vacancy when there are less than 180 days remaining in the term of the office to be filled.

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

MEASURE G – TERM LIMIT CLARIFICATION

An amendment to the City Charter clarifying the existing prohibition that no individual may serve more than two consecutive terms of office on City Council or hold office within six years from the end of any two consecutive terms.

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

MEASURE H – AUTOMATIC RESIGNATION UPON RUNNING FOR DIFFERENT OFFICE

An amendment to the City Charter clarifying the existing requirement that any individual is appointed to or who becomes a candidate for any local, state or federal office shall automatically resign their City Council position.

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

MEASURE I – DELETING DUPLICATIVE ADMINISTRATIVE HEARING FOR EMPLOYEE DISCIPLINE

An amendment to the City Charter deleting Article VI, Section 5 Disciplinary hearing for city employees.

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

MEASURE J – DELETING BOND REQUIREMENTS FOR COUNCIL MEMBERS

An amendment to the City Charter deleting the requirement that City Council provide a bond upon being elected to office.

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

MEASURE K – ESTABLISHMENT OF FISCAL YEAR

An amendment to the City Charter establishing the fiscal year of the City to begin October first of each year.

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

MEASURE L – CLARIFICATION OF CITY OFFICERS AND EMPLOYEES

An amendment to the City Charter reorganizing and clarifying those provisions in the City Charter related to employees and officers.

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

MEASURE M – DUTIES OF MAYOR AND MAYOR PRO-TEMPORE

An amendment to the City Charter providing for the powers and responsibilities of the Mayor and the Mayor Pro-Tempore.

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

MEASURE N – APPOINTMENT OF ACTING CITY MANAGER

An amendment to the City Charter providing for the appointment of an Acting City Manager during the City Manager’s absence.

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

MEASURE O – APPOINTMENT OR REMOVAL OF CITY JUDGE OR ASSOCIATE JUDGE

An amendment to the City Charter providing for the appointment and removal of the presiding and associate judges of the municipal court.

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

MEASURE P – MINIMUM SCHEDULE FOR CHARTER REVIEW

An amendment to the City Charter requiring a creation of a Charter Review Committee every four (4) years for the purpose of reviewing the City Charter.

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

MEASURE Q – CHANGE OF NOTICE DEADLINE FOR DAMAGE OR INJURY

An amendment to the City Charter deleting and amending those provisions which provide for notice of claim against the city for damage or injury.

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

MEASURE R – AMENDMENT TO RECALL PROCESS

An amendment to the City Charter amending the recall process.

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

MEASURE S – AMENDMENT TO THE NUMBER OF COUNCILMEMBERS NEEDED TO CALL A SPECIAL COUNCIL MEETING

An amendment to the City Charter stating the number of council members required to call and hold a meeting.

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

MEASURE T – INITIATIVE AND REFERENDUM

An amendment to the City Charter adding provisions for initiative and referendum.

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

MEASURE U – NON-SUBSTANTIVE CORRECTIONS AND REVISIONS

An amendment to the City Charter authorizing non-substantive numbering, spelling, punctuation, and vocabulary changes when necessary.

Motion was made by Councilmember Hughes to approve the above captioned Measure U, seconded by Mayor Pro Tem Ornelas. Motion was made by Councilmember Tompkins to amend Measure U by adding “and approved by City Council” to the end of the above caption Measure U, seconded by Councilmember Hughes, with all members of the Council present voting “aye.” Final motion was made by Councilmember Hughes to approve the amendment to the above captioned Measure U, seconded by Mayor Pro Tem Ornelas, with all members of the Council present voting “aye.”

DISCUSSION AND POSSIBLE ACTION CONCERNING OTHER MEASURE TO AMEND THE CHARTER

No action taken.

DISCUSSION AND POSSIBLE ACTION CONCERNING AN ORDINANCE TO CALL A SPECIAL ELECTION WITH ONE OR MORE MEASURE TO AMEND THE CHARTER

After a brief discussion, the Council directed the City Attorney to draft an ordinance calling for an election for charter amendments and recommend having a public hearing with the first reading of the ordinance.

ADJOURN

Mayor Thomason adjourned the meeting at 7:11 p.m.



Shannon D. Thomason, Mayor

ATTEST:



Tami L. Davis, Interim City Secretary