

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., January 11, 2022, 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
CRAIG FERGUSON	Fire Chief
SHANE BOWLES	Public Works Director
SANDY SMITH	Finance Director
HAYLEY HERRERA	Community Services Director
TAMI DAVIS	City Secretary
TIM GREEN	Municipal Judge

INVOCATION & PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT

Several citizens spoke in regards to items on the agenda.

ANNOUNCEMENTS, PRESENTATIONS AND PUBLIC HEARINGS

PRESENTATION OVER SECTION 3 WORKERS FOR ACTIVE TDA TxCDBG GRANTS

Chelsey Baldivia gave an update on the TxCDBG Grants.

PUBLIC HEARING – FIRST PUBLIC HEARING REGARDING REDISTRICTING PLANS

Motion was made by Mayor Pro Tem Ornelas to open the above captioned public hearing, seconded by Councilmember Hughes, with all members of the Council present voting “aye.” Bob Bass with Allison, Bass & Associates, LLP explained three different plans of redistricting within the city limits. After a brief discussion, motion was made by Councilmember Tompkins to close the above captioned public hearing, seconded by Councilmember McDonald, with all members of the Council present voting “aye.”

Item #23 on the agenda of new business was moved at this time.

FIRST READING OF A RESOLUTION APPROVING AND ADOPTING NEW DISTRICT BOUNDARIES FOR THE ELECTION OF CITY COUNCIL MEMBERS; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Mayor Thomason to approve the above captioned resolution and adopt Plan B of the redistricting options, seconded by Councilmember McDonald.

Motion was made by Councilmember Tompkins to amend the motion to adopt Plan C of the redistricting options, seconded by Mayor Pro Tem Ornelas, with Councilmembers Ornelas, Yanez, Hughes, McDonald and Tompkins voting “aye.” Mayor Thomason, being opposed, voting “nay” for the amendment. Motion to amend **passed** five to one.

Motion was made by Mayor Thomason to approve the amended resolution by adopting Plan C, seconded by Councilmember McDonald, with all members of the Council present voting “aye.”

CITY MANAGER’S REPORT

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

- Large Item Pickup for District 1 will be on January 19th
- Martin Luther King Holiday – January 17th

CONSENT ITEMS

APPROVAL OF THE CITY COUNCIL MINUTES OF THE REGULAR MEETING OF DECEMBER 14, 2021

FINAL READING OF A RESOLUTION AUTHORIZING AMENDMENTS TO THE CITY OF BIG SPRING PERSONNEL POLICY MANUAL; AND ESTABLISHING AN EFFECTIVE DATE

FINAL READING OF AN ORDINANCE AMENDING CHAPTER 2 OF THE BIG SPRING CITY CODE ENTITLED “ADMINISTRATION,” BY ADDING A NEW SECTION 2-197 ENTITLED “OFFICIAL BONDS” TO ESTABLISH THE AMOUNT OF VARIOUS BONDS FOR CITY OFFICIALS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

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

FINAL READING OF AN ORDINANCE AMENDING CHAPTER 2 OF THE BIG SPRING CITY CODE ENTITLED "ADMINISTRATION," SECTION 2-196 "PAYMENT CARD FEES AND SERVICE CHARGES" BY ADDING A NEW SUBSECTION (c-1) AUTHORIZING AND DIRECTING MUNICIPAL COURT OFFICIALS TO CHARGE A CARD REIMBURSEMENT FEE SPECIFIED BY THE CITY COUNCIL OR THE CITY MANAGER; PROVIDING FOR EXPIRATION OF THIS PROVISION ON JANUARY 31, 2023; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Mayor Thomason to approve the above captioned ordinance, seconded by Councilmember McDonald, 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.

City Council adjourned into break at 7:12 p.m.

City Council reconvened into open session at 7:24 p.m.

OTHER BUSINESS

TABLED – CONSIDERATION AND POSSIBLE ACTION TO REMOVE ALL MEMBERS WHO WERE APPOINTED PRIOR TO JULY 1, 2021 FROM THE AIRPARK DEVELOPMENT BOARD, PARKS AND RECREATION BOARD, TRAFFIC COMMISSION, PLANNING AND ZONING COMMISSION, ANIMAL RESCUE AND ADOPTION COMMITTEE, BOARD OF ADJUSTMENTS AND APPEALS, AND THE ZONING BOARD OF ADJUSTMENTS

Motion was made by Mayor Pro Tem Ornelas to remove the above captioned request off the table, seconded by Councilmember Hughes, with all members of the Council present voting "aye."

Motion was made by Councilmember Yanez to approve the above captioned request, seconded by Mayor Pro Tem Ornelas. After a brief discussion, Mayor Thomason ruled the motion out of order due to the fact that there is an ordinance already in place allowing current members of the above listed boards to remain in place until their term is expired.

Motion was made by Councilmember Yanez to appeal the rule of the chair to be sustained, seconded by Mayor Pro Tem Ornelas, with Councilmembers Ornelas, Yanez, Hughes, Thomason and McDonald voting "aye." Councilmember Tompkins, being opposed, voting "nay" for the appeal. Motion to appeal the ruling of the chair to be sustained **passed** five to one.

VOUCHERS

Councilmember Hughes reviewed the following vouchers:

VOUCHERS FOR 12/16/2021 \$ 1,148,146.65
VOUCHERS FOR 12/29/2021 \$ 749,403.25
VOUCHERS FOR 01/06/2022 \$ 828,830.43

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

BIDS

CONSIDERATION AND POSSIBLE ACTION TO ACCEPT A BID AWARD FOR LEASE PURCHASE FINANCING FOR CAPITAL ITEMS AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Hughes to award the above captioned bid to Bank Funding, LLC with a 1.450% interest rate, seconded by Councilmember McDonald, with all members of the Council present voting "aye."

NEW BUSINESS

ACKNOWLEDGE RECEIPT OF THE BIG SPRING ECONOMIC DEVELOPMENT BOARD OF DIRECTORS MINUTES OF THE REGULAR MEETING OF NOVEMBER 16, 2021

Councilmembers acknowledge receipt of the above captioned minutes.

ACKNOWLEDGE RECEIPT OF THE QUARTERLY CLAIMS AND LITIGATION REPORT FROM THE CITY ATTORNEY

Councilmembers acknowledge receipt of the above captioned report.

CONSIDERATION AND POSSIBLE ACTION TO ACCEPT A DONATION FROM OXY PETROLEUM CORPORATION TO THE FIRE DEPARTMENT

Motion was made by Mayor Thomason to accept the above captioned donation in the amount of \$10,000, seconded by Mayor Pro Tem Ornelas, with all members of the Council present voting "aye."

CONSIDERATION AND POSSIBLE ACTION ON A CONTRACT RENEWAL WITH CGI COMMUNICATIONS, INC., AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

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

FIRST READING OF A RESOLUTION TO SET THE ROTATION PERIOD OF MEMBERS OF CITY COUNCIL TO VERIFY AND AUDIT PAYMENT VOUCHERS TO A MONTHLY BASIS; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Mayor Pro Tem Ornelas to approve the above captioned resolution, seconded by Councilmember Yanez, with Councilmembers Ornelas, Yanez, Hughes, Thomason and Tompkins voting "aye." Councilmember McDonald, being opposed, voting "nay" for passage of same. Motion **passed** five to one.

FIRST READING OF A RESOLUTION AMENDING THE BIG SPRING ECONOMIC DEVELOPMENT CORPORATION BY AMENDING THE NUMBER OF DIRECTORS AND THE MANNER OF APPOINTMENT OF DIRECTORS; AND PROVIDING FOR RULES OF PROCEDURES; AND PROVIDING AN EFFECTIVE DATE

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

FIRST READING OF AN ORDINANCE ADOPTING THE 2021 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES WITHIN THE CITY LIMITS; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES IN THE CITY OF BIG SPRING; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING CHAPTER 36, "NUISANCES," ARTICLE II, "UNSANITARY, UNSIGHTLY, AND PUBLIC NUISANCE CONDITIONS OF PROPERTY IN ITS ENTIRETY; AMENDING CHAPTER 44, "SOLID WASTE," ARTICLE I, "IN GENERAL," SECTION 1, "DEFINITIONS," SECTION 44-1 AND ARTICLE III, "ILLEGAL DUMPING AND LITTER CONTROL," SECTION 101, "DEFINITIONS TO AMEND THE DEFINITIONS OF "GARBAGE"; AND AMENDING THE STRUCTURAL STANDARDS ORDINANCE, ARTICLE I, SECTION 1.05 "DEFINITIONS," SUBSECTION (c) "BUILDING CODES" TO INCLUDE CHAPTER 36, ARTICLES I AND III IN THE BUILDING CODES; 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 seconded by Councilmember McDonald, with Councilmembers Hughes, Thomason, McDonald and Tompkins voting "aye." Councilmembers Ornelas and Yanez, being opposed, voting "nay" for passage of same. Motion **passed** four to two.

FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 039-2021 WHICH ADOPTED THE ANNUAL BUDGET FOR THE CITY OF BIG SPRING, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30,

2022 BY INCREASING THE SPECIAL REVENUE FUND, SENIOR CENTER, BUDGET FOR THE PURPOSE OF PURCHASING A NEW VEHICLE FOR THE SENIOR CENTER; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; 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 Hughes, with all members of the Council present voting "aye."

BOARDS AND COMMITTEES

TABLED

Big Spring Economic Development Corporation Board

Councilmember Yanez withdrew this nomination

Jonathan Ray – Nominated by Councilmember Yanez (Dist. 2)

Board of Adjustments and Appeals

Rosie Franco – Nominated by Councilmember Yanez (Dist. 2)

Motion was made by Councilmember McDonald to remove the above nominee's off the table, seconded by Mayor Pro Tem Ornelas, with all members of the Council present voting "aye."

Board of Adjustments and Appeals

Amy French – Nominated by Councilmember Hughes (Dist. 3)

Convention & Visitors Bureau Board

Kristy Tyra – Nominated by Councilmember Tompkins (Dist. 5)

Emaan Campbell - Nominated by Mayor

The above listed nominee's were appointed by acclamation of the Council.

COUNCIL INPUT

Councilmember Tompkins asked to revisit the City Master Plan at some point.

Councilmembers McDonald and Hughes thanked the staff for their work on the property maintenance ordinance.

Councilmember Yanez expressed her disappointment regarding a hearing that was held earlier in the week.

Mayor Pro Tem Ornelas reminded everyone in District One of the large item pickup in January and he will have some help for citizens over 65.

Mayor Thomason gave a COVID update and addressed some questions that a few citizens had at the beginning of the meeting. Mayor Thomason reminded everyone to help control the pet population by having their pets spayed or neutered.

EXECUTIVE SESSION

ADJOURN INTO EXECUTIVE SESSION UNDER THE PROVISIONS OF TITLE 5, TEXAS GOVERNMENT CODE, SECTION 551.087 REGARDING “(1) TO DISCUSS OR DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE GOVERNMENTAL BODY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE GOVERNMENTAL BODY SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN OR NEAR THE TERRITORY OF THE GOVERNMENTAL BODY AND WITH WHICH THE GOVERNMENTAL BODY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR (2) TO DELIBERATE THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT DESCRIBED BY SUBDIVISION (1).”

Motion was by Mayor Pro Tem Ornelas to adjourn into executive session at 8:58 p.m., seconded by Councilmember McDonald, with all members of the Council present voting “aye.”

RECONVENE IN OPEN SESSION AND TAKE ANY NECESSARY ACTION AS DEEMED APPROPRIATE IN THE CITY COUNCIL’S DISCRETION AT 9:58 P.M.

Motion was made by Councilmember Hughes to authorize the Mayor to negotiate and execute an Economic Incentive Agreement with Big Spring Distillers Inc., seconded by Councilmember McDonald, 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.

ADJOURN

Mayor Thomason adjourned the meeting at 10:00 p.m.



Shannon D. Thomason, Mayor

ATTEST:



Tami L. Davis, City Secretary