

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

The City Council of the City of Big Spring, Texas, met in a REGULAR AGENDA in the City Council Chambers located at 307 E. 4th St., Big Spring, Texas, at 5:30 PM, August 23, 2022, with the following members present in person:

ROBERT H. MOORE	Mayor
NICK ORNELAS	Mayor Protem
DIANE YANEZ	Council Member
CODY HUGHES	Council Member
GLORIA MCDONALD	Council Member
TROY TOMPKINS	Council Member
MAURY SMITH	Council Member

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
CHAD WILLIAMS	Police Chief
CRAIG FERGUSON	Fire Chief
MIKE FEELEY	Airpark Director
SANDY SMITH	Finance Director
HAYLEY LEWIS	Community Services Director
TAMI DAVIS	City Secretary
TIM GREEN	Municipal Judge

Open Session

Call to Order

Invocation

Pastor Randy Cotton gave the invocation.

Pledge of Allegiance to the United States Flag and to the Texas State Flag

Mayor Moore led the Pledge of Allegiance to the United States Flag and to the Texas State Flag.

Public Comment

Public Comment

Several citizens spoke regarding items on the agenda.

City Manager's Report

City Manager's report on the following items:

- Update - Large Item Pickup, District 2 - Aug. 17, 2022
- City Holiday - Labor Day, Sept. 5, 2022
- Update on Abatement Properties
- Reminder that School has Started

Todd Darden, City Manager, gave an update on the above captioned items.

Consent Items

Approval of the City Council Minutes of the Regular Meeting of August 9, 2022

Final 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; Increasing the Utility Fund for the Purpose of a 6-Inch Water Line; Providing for Repeal of Ordinance in Conflict Herewith; Providing for Publication; and Providing an Effective Date

Final Reading of an Ordinance Amending Chapter 2 of the Big Spring City Code "Administration," Article II "City Council," by Repealing Section 2-28 "No Office for Councilmembers"; Providing for Severability; and Providing for an Effective Date

Final Reading of an Ordinance Amending Chapter 2 of the Big Spring City Code "Administration," Article VII "Boards and Commissions," Division 9 "Zoning Board of Adjustment" Section 2-314 "Organization and Procedure," Appointing Councilmembers as Second and Third Alternates to the Zoning Board of Adjustments; Providing for Severability; and Providing an Effective Date

Final Reading of a Resolution 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 2022 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 Attachment Establishing a Benchmark for Pensions and Retiree Medical Benefits; 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 this Resolution to the Company and the Cities' Legal Counsel

MOTION WAS MADE BY Mayor Pro Tem Ornelas to approve the above captioned ordinances, resolution and minutes, seconded by Council Member McDonald.

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith
NAYS: None**

MOTION PASSED

Vouchers

Vouchers for 08/11/22 \$ 759,523.15
Vouchers for 08/18/22 \$ 600,812.62
Manual Cks & Drafts \$ 588,369.67

Council Member Yanez reviewed the above captioned vouchers.

MOTION WAS MADE BY Council Member Yanez to approve the above captioned vouchers, seconded by Council Member Hughes.

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith
NAYS: None**

MOTION PASSED

Bids

Consideration and Possible Action on Awarding a Bid for Fencing at the Big Sandy Landfill and Authorizing the City Manager or His Designee to Execute any Necessary Documents

After a brief discussion,

MOTION WAS MADE BY Council Member Tompkins to table the above captioned bid until the next council meeting, seconded by Mayor Moore.

**YEAS: Mayor Moore, Council Member McDonald, Council Member 4
Tompkins, Council Member Smith 3
NAYS: Mayor Pro Tem Ornelas, Council Member Yanez, Council Member
Hughes**

MOTION PASSED

New Business

Call for Public Hearing on the Proposed 2022-23 Annual Budget to be Held on Tuesday, September 13, 2022 at 5:30 pm in the City Council Chambers Located at 307 East 4th Street, Big Spring, TX

MOTION WAS MADE BY Mayor Pro Tem Ornelas to call for the above captioned public hearing on the annual budget, seconded by Council Member Hughes.

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith**

NAYS: None

MOTION PASSED

Call for a Public Hearing on the Proposed Tax Rate to be Held on Tuesday, September 13, 2022 at 5:30 pm in the City Council Chambers Located at 307 East 4th Street, Big Spring, TX

MOTION WAS MADE BY Mayor Pro Tem Ornelas to call for the above captioned public hearing on the proposed property tax rate of \$0.673163, seconded by Council Member Yanez.

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith**

NAYS: None

MOTION PASSED

First Reading of a Resolution Repealing City Council Resolution 003-2016 Which Set the Goal of Ending the Euthanization of Homeless Pets; Providing for Severability; and Providing an Effective Date

After a brief discussion,

MOTION WAS MADE BY Council Member McDonald to approve the above captioned resolution, seconded by Council Member Yanez.

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 6
Council Member Hughes, Council Member McDonald, Council Member 1
Smith**

NAYS: Council Member Tompkins

MOTION PASSED

First Reading of an Ordinance Amending the Ordinance Establishing the Animal Rescue Committee to Exclude from the Committee's Responsibility Providing Assistance to the City in Becoming a No-Kill Shelter; and Amending Various Sections of Chapter 8 "Animals" to Balance a Policy Favoring Adoption and Placement of Animals into Permanent Homes where Possible with a Policy of Protecting Public Safety by Maintaining Safe and Adequate Space at the Animal Shelter, to Promote Microchipping and Other Identification Methods of Animals, and Amending and

Repealing Various Sections for Clarity; and Stating the Sense of City Council on Expanding Public Access to the Animal Shelter, Providing for Severability; and Providing an Effective Date

MOTION WAS MADE BY Council Member McDonald to approve the above captioned ordinance, seconded by Council Member Smith.

YEAS: None

0

NAYS: None

0

MOTION

MOTION WAS MADE BY Mayor Pro Tem Ornelas to amend Section 9 of the above captioned ordinance by replacing " an additional budgeted position for a shelter worker" with "an additional budgeted position for a shelter manager", seconded by Council Member Troy Tompkins.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez,

7

Council Member Hughes, Council Member McDonald, Council Member

0

Tompkins, Council Member Smith

NAYS:0

MOTION PASSED

MOTION WAS MADE BY Council Member Troy Tompkins to amend Section 2-308 of the above caption ordinance by replacing "The committee" with "The shelter manager", seconded by Mayor Pro Tem Ornelas.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez,

6

Council Member Hughes, Council Member McDonald, Council Member

1

Tompkins

NAYS:Council Member Smith

MOTION PASSED

MOTION WAS MADE BY Council Member McDonald to approve the above captioned ordinance with the two above captioned amendments, seconded by Council Member Smith.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez,

7

Council Member Hughes, Council Member McDonald, Council Member

0

Tompkins, Council Member Smith

NAYS: None

MOTION PASSED

Consideration and Possible Action Regarding an Agreement with HomeAway for Collection of Hotel Tax From Short-Term Rental Properties in Big Spring and

Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Council Member Hughes to approve the above captioned agreement, seconded by Council Member Yanez.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith
NAYS: None

MOTION PASSED

Consideration and Possible Action on an Agreement with CivicPlus for Mobile App Services and Authorizing the City Manager or His Designee to Execute Any Necessary Documents

MOTION WAS MADE BY Council Member Yanez to approve the above captioned agreement, seconded by Council Member Smith.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith
NAYS: None

MOTION PASSED

Consideration and Possible Action on an Agreement with the Howard County Tax Assessor Collector for the Collection of Property Taxes and Authorizing the Mayor to Execute any Necessary Documents

MOTION WAS MADE BY Council Member Hughes to approve the above captioned agreement, seconded by Council Member Yanez.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith
NAYS: None

MOTION PASSED

Discussion and Consideration Concerning the Qualifications, Appointments, Policies, Procedures and Possible Consolidation of Boards and Committees

Council Member Smith recommends to dissolve 5 advisory boards (Traffic Commission, CVB Board, Parks & Recreation, Animal Rescue & Adoption and Mchon/Wrinkle Aviation) that do not meet on a regular basis and bring items straight to council.

Council's consent is to look at one board at a time to determine if it is needed or not.

Council Input

Input

Council Member McDonald recommended that John Medina attend the luncheon with Senor Cruz and would also like to attend the next Ports to Plains meeting. Mayor Pro Tem Ornelas thanked the directors for their work on the budget.

Executive Session

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 Negotiations

Mayor Moore adjourned into executive session at 8:31 p.m.

Reconvene into Open Session and Take any Necessary Action on Executive Session Items

Mayor Moore reconvene into open session at 8:45 p.m.

No action taken

Adjourn

Mayor Moore adjourned the council meeting at 8:46 p.m.

A handwritten signature in blue ink, reading "Robert H. Moore III", written over a horizontal line.

Robert H. Moore III, Mayor

ATTEST:

A handwritten signature in blue ink, reading "Tami L. Davis", written over a horizontal line.

Tami L. Davis, City Secretary