

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, September 27, 2022, with the following members present in person:

ROBERT H. MOORE	Mayor
NICK ORNELAS	Mayor Pro Tem
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 T.J. Lipham, Trinity Baptist Church, 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

Announcements, Presentations and Public Hearings

City Manager's Report

City Manager's report on the following items:

- Update on Large Item Pickup, District 3 - Sept. 21, 2022
- Update on EDA Grant
- Boards and Committees
- TML Region IV Quarterly Meeting - October 28, 2022

Todd Darden, City Manager, gave an update on the above captioned items as follows: Large Item Pickup for District 3 picked up 6 Tons of Trash; the EDA Grant was approved; several opening need to be filled on the boards and committees; and also things are moving forward the improvements to the animal shelter.

Consent Items

Approval of the City Council Minutes of the Regular Meeting of September 13, 2022

Final Reading of a Resolution Seeking Permission to Apply for a Grant Through the Office of the Governor, Public Safety Office Criminal Justice Division for Funding of Bullet-Resistant Shields.

Final Reading of a Resolution Amending the Authorized Representatives Empowered to Transmit and Withdraw Funds from Texpool; and Declaring an Effective Date

Final Reading of a Resolution Reviewing and Approving the Investment Policy of the City of Big Spring

Final Reading of an Ordinance Amending Chapter 50 of the Code of Ordinances Entitled "Utilities," Article IV Entitled "Utility Service Charges" by Amending Section 50-92 Entitled "Charges for Water Rates" Subsection B and Section 50-94 Entitled "Wastewater Rates" to Adjust Rates; Providing for Publication; and Providing an Effective Date

Final Reading of an Ordinance Amending Chapter 44 of the Big Spring Code of Ordinances Entitled "Solid Waste," Article I "In General," Section 44-11 "Permit for Private Collectors;" Amending Chapter 44 of the Big Spring Code of Ordinances Entitled "Solid Waste," Article II "Collections and Landfill Fees" Section 44-41 "Rates" to Amend the Rate Schedule; Providing for Severability; Providing for Publication; and Providing an Effective Date

Final Reading of an Ordinance Fixing and Levying Municipal Ad Valorem Taxes for Said City for the Year 2022; Directing the Assessment and Collection Thereof; Providing for Severability; and Establishing an Effective Date

Final Reading of an Ordinance Adopting an Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; Providing for Severability; Providing for Publication; and Providing an Effective Date

Final Reading of an Ordinance Establishing the Pay Schedule for Classified Positions Within the Police Department for the Fiscal Year 2022-23; Providing for Repeal of Ordinances in Conflict Herewith; and Providing for an Effective Date

Final Reading of an Ordinance Establishing the Fire Department Pay Scale for the Fiscal Year 2022-23 in Accordance with Chapter 143 of the Texas Local Government Code; Providing for the Repeal of Ordinances in Conflict Herewith; and Providing for an Effective Date

Final Reading of An Ordinance of the City Council Of Big Spring, Texas, Amending Chapter 32 of The Big Spring City Code Entitled "Licenses, Taxation And Miscellaneous Business," Article II "Taxation," Division 2 "Hotel Occupancy Tax," Section 32-65 "Revenues-Use" to Add A New Subsection 3 to Waive the 5-Year Limitation on Assistance; and Amending Chapter 40 of the Big Spring City Code Entitled "Parks, Recreation And Cultural Affairs", Article IV "Dora Roberts Community Center", Section 40-110 "Administration" Subsection (B) to Make Exceptions to the Board's Duties; Providing For Severability; And Providing An Effective Date.

Acknowledge Receipt of the Big Spring Economic Development Corporation Board of Director's Minutes of the Regular Meeting of August 30, 2022

MOTION WAS MADE BY Mayor Pro Tem Ornelas to approve the above captioned resolutions, ordinances and minutes, 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

Vouchers

Vouchers for 09/15/22	\$	475,250.64
Vouchers for 09/22/22	\$	1,473,222.66
Manual Cks & Drafts	\$	566,227.06

Council Member Hughes reviewed the above captioned vouchers.

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

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

MOTION PASSED

Bids

Consideration and Possible Action on Awarding Annual Bids and Authorizing the City Manager or His Designee to Execute any Necessary Documents as Follows (Items 20-28):

MOTION WAS MADE BY Council Member Hughes to award the above captioned annual bids by staff recommendation (Items 20-28) as follows, seconded by Council Member Tompkins:

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

MOTION PASSED

Aluminum Sulfate

Aluminum Sulfate to Chameleon Industries in the amount of \$252,500.00;

Anhydrous Ammonia

Anhydrous Ammonia to DPC Industries in the amount of \$82,000.00;

Liquid Chlorine

Liquid Chlorine to DPC Industries in the amount of \$305,370.00;

Polymer

Polymer to Polydyne, Inc. in the amount of \$74,000.00;

Sulfur Dioxide

Sulfur Dioxide to DPC Industries in the amount of \$43,000.00;

Sodium Hydroxide

Sodium Hydroxide to DPC Industries in the amount of \$53,250.00;

Sodium Permanganate

Sodium Permanganate to Shannon Chemical Corporation in the amount of \$53,250.00;

Valves and Fittings

Valves and Fittings to Benchmark Supply Company in the amount of \$688,835.57;

DRCC Janitorial Services

DRCC Janitorial Services to Evan's Janitorial Service in the amount of \$8,940.00.

New Business

First Reading of an Ordinance Amending the Big Spring City Code, Chapter 8 "Animals," Article V "Miscellaneous Regulations, in Order to Repeal Section 8-12 "Unlawful Restraint; Providing for Severability; and Providing an Effective Date

MOTION WAS MADE BY Mayor Pro Tem Ornelas to approve the above captioned ordinance, 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

First Reading of a Resolution Requesting, on Behalf of the Citizens of Big Spring, That the Texas Department of Transportation Review the Proposal for a Truck Route for the City of Big Spring, Take Appropriate Action, and Notify the City of Comments, in Preparation for the City to Put into Place a New Truck Route

MOTION WAS MADE BY Council Member McDonald to approve the above captioned resolution, 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

First Reading of a Resolution Finding that Oncor Electric Delivery Company LLC's ("Oncor" or "Company") Application to Change Rates Within the City Should be Denied; Finding that the City's Reasonable Rate Case Expenses Shall be Reimbursed by the Company; Finding that the Meeting at Which This Resolution is Passed is Open to the Public as Required by Law; Requiring Notice of this Resolution to the Company and Legal Counsel

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

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

NAYS: None

MOTION PASSED

First Reading of a Resolution in Support of State Funding to Match Competitive Federal Rail Programs

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

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

NAYS: None

MOTION PASSED

Consideration and Possible Action Regarding the Request for Hotel Tax Funds for Use of the Dora Roberts Community Center for the West Texas Disc Golf Champions Tournament.

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

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

NAYS: None

MOTION PASSED

Consideration and Possible Action on a Contract Agreement with Area Agency on Aging of the Permian Basin Regional Planning Commission and Authorizing the Mayor to Execute any Necessary Documents.

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

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

NAYS: None

MOTION PASSED

Consideration and Possible Action to Accept a Gift of Real Property at 200 Galveston Street

MOTION WAS MADE BY Council Member Smith to accept the above captioned gift of real property, 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

Boards & Committees

Big Spring Economic Development Corporation

Raul Benavides - Nominated by Council Member McDonald

Kristy Tyra - Nominated by Council Member Smith

MOTION WAS MADE BY Council Member Hughes to appoint Raul Benavides and Kristy Tyra to the Big Spring Economic Development Board of Directors, seconded by Council Member 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: None

MOTION PASSED

Council Input

Input

All Council Members thanked the staff on various issues.

Executive Session

ADJOURN into Executive Session in Matters Covered by Texas Government Code Section 551.074 "Personnel Matters; Closed Meeting" to Deliberate the Appointment, Employment, Evaluation and Duties of Municipal Judge

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.

MOTION WAS MADE BY Council Member Smith to adjourn into the above

captioned executive sessions at 6:30 p.m., 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

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

MOTION WAS MADE BY Mayor Pro Tem Ornelas to reconvene into open session at 7:45 p.m., 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

MOTION WAS MADE BY Council Member Hughes to appoint Timothy Green as Associate Judge and authorize the Mayor to sign an agreement as modified by the City Attorney and compensation through October 31, 2022 will be current salary but as an independent consultant, further compensation will be an equivical hourly rate, seconded by Council Member Yanez.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonlad, Council Member 0

Tompkins, Council Member Smith

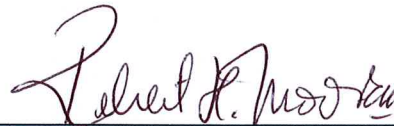
NAYS:None

MOTION

No action was taken on the Economic Development Negotiations.

ADJOURN

Mayor Moore adjourned the council meeting at 7:47 p.m.



Robert H. Moore III, Mayor

ATTEST:



Tami L. Davis, City Secretary