

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, February 14, 2023, with the following members present in person:

COUNCIL MEMBER GLORIA MCDONALD
COUNCIL MEMBER TROY TOMPKINS
MAYOR ROBERT MOORE
MAYOR PRO TEM NICK ORNELAS
COUNCIL MEMBER MAURY SMITH
COUNCIL MEMBER DIANE YANEZ
COUNCIL MEMBER CODY HUGHES

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
MIKE FEELEY	Airpark Director
SANDY SMITH	Finance Director
HAYLEY LEWIS	Community Services Director
TAMI DAVIS	City Secretary
MANDY HAYNES	Municipal Judge

Open Session

Call to Order

Mayor Moore called the City Council meeting to order at 5:30 p.m.

Invocation

Bobby Roevers, Alive in Christ Lutheran 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

One citizens spoke regarding the concern over spaying and neutering pets and would like to make it mandatory in Big Spring.

City Manager's Report

City Manager's report on the following items:

- Large Item Pickup, District 2 - Feb. 15, 2023
- Special Council Meeting Feb. 23rd for Abatements
- Feb. 28th Council Meeting Reminder & Discussion on City's Talking Points at Summit
- Chamber Banquet Feb. 16th
- City Holiday - President's Day, Feb. 20th

Todd Darden, City Manager, reported on the above captioned items as follows; Large Item Pickup for District 1 will be on February 15, 2023; A special council meeting will be on February 23rd for abatement hearings; Reminder of the regular City Council meeting will be at the held in conjunction with the Summit meeting on February 28th; Reminder of the Chamber Banquet on February 16th; and city offices will be closed on February 20th in observance of President's Day.

Consent Items

Approval of the City Council Minutes of the Regular Meeting of January 24, 2023 and of the Special Meeting of February 2, 2023.

Acknowledge Receipt of the Planning & Zoning Minutes of the Regular Meeting of November 1, 2022.

Final Reading of a Resolution Authorizing Continued Participation with the Steering Committee of Cities Served by Oncor; and Authorizing the Payment of Ten Cents Per Capita to the Steering Committee to Fund Regulatory and Legal Proceedings and Activities Related to Oncor Electric Delivery Company, LLC.; and Providing an Effective Date

Final Reading of a Resolution of the City Council of the City Of Big Spring, Texas Supporting the Proposed Project for the Texas Department Of Housing And Community Affairs 2023 Competitive (9%) Housing Tax Credit ("HTC"), "The Trails at Big Spring"

Project in the City of Big Spring and Pledging \$250 in Permit, Inspection, and Water and Wastewater Tapping Fees Towards the Project; and Providing an Effective Date

Final Reading of an Ordinance Amending Ordinance Number 038-2022 which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the General Fund Budget for the Purpose of Purchasing a Zero Turn Mower for the Parks Department; Providing for Severability; Providing for Publication; and Providing an Effective Date

Final Reading of an Ordinance Amending Ordinance Number 038-2022 which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the General Fund Budget for the Purpose of Ongoing Litigation; Providing for Severability; Providing for Publication; and Providing an Effective Date

Final Reading of an Ordinance Amending Ordinance Number 038-2022 which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Transferring Funds within the Airpark Fund Budget for the Purpose of Purchasing a HVAC Unit for the Airpark Terminal Building; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Publication; and Providing an Effective Date

Final Reading of an Ordinance Repealing Subsection 12-44(4) of the Big Spring City Code and Substituting a New Section 12-50 of Chapter 12 of the Big Spring City Code to Adopt with Amendments the 2023 National Electrical Code; Providing for a Penalty; Providing for Severability; Providing for Repeal; and Providing an Effective Date.

MOTION WAS MADE BY Council Member McDonald to approve the above captioned resolutions, ordinances and minutes, 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

Vouchers

Vouchers for 01/26/23 \$ 882,764.07

Drafts \$ 2,223,507.21

Mayor Pro Tem Ornelas reviewed the above captioned vouchers.

MOTION WAS MADE BY Mayor Pro Tem Ornelas 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

Vouchers for 02/03/23 \$ 151,977.63
Vouchers for 02/09/23 \$ 1,198,282.22
Drafts \$ 20,304.50

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 Crack Seal Bid for 2023 and Authorizing City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Council Member Yanez to award the above captioned bid to FYL Enterprises in the amount of \$64,925.99, 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

Consideration and Possible Action on Awarding a Bid for the Downtown Revitalization Grant Regarding Sidewalk and Water Line Improvements and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Council Member McDonald to award the above captioned bid to Brett Construction Company in the amount of \$288,909.60, 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

Consideration and Possible Action to Select an Engineering Firm Based on a Request for Qualifications for the Wastewater Treatment Plant's Grit Removal System and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Mayor Pro Tem Ornelas to award the above captioned RFQ to Freese & Nichols, 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 to Select an Engineering Firm Based on a Request for Qualifications for the Wastewater Treatment Plant's Cloth Filtration System and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Council Member Smith to award the above captioned RFQ to Freese & Nichols, 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

Consideration and Possible Action on Selecting a Proposal Pursuant to RFP # 22-020, "Economic Development/Real Estate Opportunity -- 1801 East I-20, Big Spring, Texas 79720" 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 proposal from 3-D Development in the amount of \$900,000.00, 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

New Business

Report on the Big Spring Police Department 2022 Racial Profiling Analysis
Chad Williams, Police Chief, gave a brief report on the Big Spring Police Department 2022 Racial Profiling Analysis. No action was necessary.

Consideration and Possible Action Granting Permission to Donate Police Units to the Permian Basin Law Enforcement Academy

MOTION WAS MADE BY Council Member Hughes to approve permission to donate two (2) police units to the Permian Basin Law Enforcement Academy, 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

Consideration and Possible Action Authorizing Event Funding from CVB for Texas Junior Disc Open

MOTION WAS MADE BY Council Member Tompkins to approve the above captioned event funding, 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

TABLED - First Reading of an Ordinance Amending Chapter 2 of the Big Spring City Code Entitled "Administration," Article VII "Boards and Commissions," Division 2 "Aviation Advisory Board" Section 2-261 by Adding a New Subsection (G) in Order to Render Inactive the Said Board and Release the Members of the Board for Potential Consideration for Service on Other Boards; Providing for Severability; and Providing an Effective Date

MOTION WAS MADE BY Mayor Pro Tem Ornelas to take the above captioned ordinance off the table, 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

After a brief discussion, Mr. Feeley recommended to rescind the above captioned ordinance and keep the Aviation Advisory Board active. Council agreed.

First Reading of an Ordinance Amending Ordinance Number 038-2022 Which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the Airpark Fund Budget for the Purpose of Adding the Debt Service Funds Back in the Budget; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Publication; and Providing an Effective Date

MOTION WAS MADE BY Council Member Hughes 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

Consideration and Possible Action to Approve Agreement to Surrender Leasehold for Consideration with Permian Holdings, LP with Regard to Five Acres at Industrial Park at the Big Spring McMahon Wrinkle Airpark, commonly referred to as 5412 West Interstate 20, Big Spring, Texas and Authorize the Mayor to Execute Any Necessary Documents

MOTION WAS MADE BY Council Member Yanez 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 0
Tompkins, Council Member Smith**

NAYS: None

MOTION PASSED

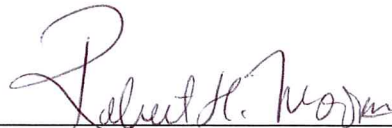
Council Input

Input

Council Members expressed their appreciation to staff members for their work on several projects.

ADJOURN

Mayor Moore adjourned the City Council meeting at 6:41 p.m.



Robert H. Moore III, Mayor

ATTEST:



Tami L. Davis, City Secretary