

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 27, 2024, with the following members present in person:

MAYOR PRO TEM TROY TOMPKINS
COUNCIL MEMBER HOMER WILKERSON
MAYOR ROBERT MOORE
COUNCIL MEMBER DIANE YANEZ
COUNCIL MEMBER NICK ORNELAS
COUNCIL MEMBER DANIEL MORENO
COUNCIL MEMBER CODY HUGHES

Same and constituting a quorum, for which four Council Members 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
JAY HOLT	Fire Chief
MIKE FEELEY	Airpark Director
SANDY SMITH	Finance 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

Jess Colegrove 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

Scott Emerson thanked the city staff and other citizens that helped clean up the Benton St. overpass.

Announcements, Presentations and Public Hearings

Open Public Hearings

MOTION WAS MADE BY Mayor Moore to open the below listed public hearings, seconded by Council Member Yanez.

**YEAS: Mayor Moore, Council Member Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member Wilkerson, Mayor Pro Tem
Tompkins, Council Member Moreno**

NAYS: None 0

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1211 LINDBERGH, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 17, BLOCK 4, WRIGHTS AIRPORT SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: LOUIS SILVA & ALICE SILVA

MOTION WAS MADE BY Mayor Moore to abate the above captioned property (1211 Lindbergh), seconded by Council Member Ornelas.

**YEAS: Mayor Moore, Council Member Ornelas, Council Member Wilkerson, 7
Council Member Hughes, Council Member Yanez, Mayor Pro Tem Tompkins,
Council Member Moreno**

NAYS: None 0

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1401 W 5TH, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: SECTION 32, BLOCK 33, TOWNSHIP 1 NORTH, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: ESTATE OF ELEAZAR GARZA & SARAH PAT GARZA

No action was necessary for the above captioned property (1401 W. 5th).

Close Public Hearings

MOTION WAS MADE BY Mayor Moore to close the above captioned public hearings, seconded by Council Member Wilkerson.

**YEAS: Mayor Moore, Council Member Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member Wilkerson, Mayor Pro Tem
Tompkins, Council Member Moreno**

NAYS: None 0

MOTION PASSED

City Manager's Report

City Manager's report on the following items:

- Update - Large Item Pickup, District 2
- Boards & Committees
- City Holiday - September 2nd, Labor Day

Todd Darden, City Manger, reported on the above captioned items as follows: Large Item Pickup for District 2 picked up 8 tons of items; Boards and Committes will have some expired members on September 30, 2024 and will be on the next agenda; City offices will be closed on September 2nd for Labor Day.

Consent Items

Approval of the City Council Minutes of the Regular Meeting of August 13, 2024.

Acknowledge Receipt of the Big Spring Economic Development Corporation Board of Director's Minutes of the Regular Meeting of July 16, 2024.

Acknowledge Receipt of the McMahon-Wrinkle Aviation Advisory Board Minutes of the Regular Meetings of May 16, 2024 and July 18, 2024.

Final Reading of a Resolution to Enter into the Cyber Liability and Data Breach Response Interlocal Agreement with Texas Municipal League Intergovernmental Risk Pool; Delagating Authority to Select the Fund Contact; Finding and Determining that the Meetings at Which the Resolution were Discussed were Open to the Public as Required by Law; and Establishing an Effective Date

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

YEAS: Mayor Moore, Council Member Ornelas, Council Member Yanez, Council Member Hughes, Council Member Wilkerson, Mayor Pro Tem Tompkins, Council Member Moreno

NAYS: None

MOTION PASSED

Vouchers

Vouchers for 08/15/24	\$	185,942.06
Vouchers for 08/22/24	\$	912,901.61

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, Council Member Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member Wilkerson, Mayor Pro Tem
Tompkins, Council Member Moreno
NAYS: None 0

MOTION PASSED

Bids

Consideration and Possible Action on Awarding a Bid for the Asbestos Abatement at the Flight Academy located at McMahon-Wrinkle Airpark and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Council Member Hughes to award the above captioned bid to 1 Priority Environmental Services in the amount of \$51,444.00, seconded by Council Member Yanez.

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

MOTION PASSED

Consideration and Possible Action on Awarding a Bid for the Asbestos Abatement at the Training Center Located at McMahon-Wrinkle Airpark and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Council Member Yanez to award the above captioned bid to 1 Priority Environmental Services in the amount of \$14,212.00, seconded by Council Member Hughes.

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

MOTION PASSED

Consideration and Possible Action on Awarding a Bid for the Development of Covered Parking for Airport Fuel Trucks at McMahon-Wrinkle Airport and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Council Member Hughes to award the above captioned bid to RW Fence and Fab in the amount of \$14,950.00, seconded by Council Member Yanez.

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

Tompkins, Council Member Moreno

NAYS: None

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MOTION PASSED

New Business

Consideration and Possible Action on Big Spring Economic Development Corporation's 2023-2024 Annual Report and 2024-2025 Plan of Work

Mark Willis, Executive Director, presented the above captioned reports. No action was taken.

Consideration and Possible Action of Placing a Proposal on the September 10, 2024 City Council Agenda to Adopt the Proposed Tax Rate of \$0.671465.

MOTION WAS MADE BY Mayor Pro Tem Tompkins to approve placing the proposed tax rate of \$0.671465 on the next City Council agenda, seconded by Council Member Wilkerson.

**YEAS: Mayor Moore, Council Member Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member Wilkerson, Mayor Pro Tem**

Tompkins, Council Member Moreno

NAYS: None

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MOTION PASSED

Consideration and Possible Action to Call for Public Hearings on the 2024-25 Annual Budget and the Proposed Tax Rate to be Held on Tuesday, September 10, 2024 at 5:30 p.m. in the City Council Chambers Located at 307 East 4th Street, Big Spring, TX.

MOTION WAS MADE BY Mayor Pro Tem Tompkins to approve calling for the above captioned public hearings on the budget and tax rate, seconded by Council Member Hughes.

**YEAS: Mayor Moore, Council Member Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member Wilkerson, Mayor Pro Tem**

Tompkins, Council Member Moreno

NAYS: None

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MOTION PASSED

Consideration and Possible Action to Grant an Easement and Right-of-Way to Oncor Electric Delivery Company, LLC on the North Side of Douglas Street, and the West Side of 1st Avenue, Big Spring, Texas and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Mayor Pro Tem Tompkins to approve the above captioned easement, seconded by Council Member Hughes.

**YEAS: Mayor Moore, Council Member Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member Wilkerson, Mayor Pro Tem**

Tompkins, Council Member Moreno

NAYS: None

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MOTION PASSED

Consideration and Possible Action to Approve an Agreement with Timeclock Plus, LLC for Software Licenses, Hardware Support and Maintenance for a Three-Year Term and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Mayor Pro Tem Tompkins to approve the above captioned agreement, seconded by Council Member Wilkerson.

**YEAS: Mayor Moore, Council Member Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member Wilkerson, Mayor Pro Tem
Tompkins, Council Member Moreno**

NAYS: None

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MOTION PASSED

Consideration and Possible Action to Extend the Real Estate Service Agreement with Texas Communities Group, LLC to September 30, 2025 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, Council Member Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member Wilkerson, Mayor Pro Tem
Tompkins, Council Member Moreno**

NAYS: None

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MOTION PASSED

First 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 2024 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' Reasonable 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 Tompkins to approve the above captioned resolution, seconded by Council Member Hughes.

**YEAS: Mayor Moore, Council Member Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member Wilkerson, Mayor Pro Tem
Tompkins, Council Member Moreno**

NAYS: None

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MOTION PASSED

Council Input

Input

There was no council input at this time.

Executive Session

Adjourn into Executive Session in Accordance with the Purposes Permitted by the Open Meetings Act, Section 551.071, Texas Government Code, "Consultation with Attorney; Closed Meeting," and the Texas Disciplinary Rules of Professional Conduct, to Provide Legal Advice and Counsel with Respect to Potential Litigation.

Adjourn into Executive Session in Accordance with the Purposes Permitted by the Open Meetings Act, Section 551.072 Texas Government Code, "Deliberation Regarding Real Property; Closed Meeting," to Deliberate the Purchase, Exchange, Lease, or Value of Real Property when Deliberation in an Open Meeting Would Have a Detrimental Effect on the Position of the Governmental Body in Negotiations with a Third Person.

MOTION WAS MADE BY Mayor Moore to adjourn into the above captioned executive sessions at 6:02 p.m., seconded by Council Member Hughes.

**YEAS: Mayor Moore, Council Member Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member Wilkerson, Mayor Pro Tem
Tompkins, Council Member Moreno**

NAYS: None 0

MOTION PASSED

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

Mayor Moore reconvened into open session at 6:50 p.m. No action was taken.

Adjourn

Mayor Moore adjourned the City Council meeting at 6:52 p.m.



Robert H. Moore III, Mayor

ATTEST:



Tami L. Davis, City Secretary