



CITY COUNCIL AGENDA

Tuesday, January 13, 2015

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, January 13, 2015, at 5:30 p.m. in the City Council Chambers located at 307 East 4th Street, Big Spring, Texas.

The City Council may discuss and/or take action on each of the following items before it and may go into Executive Session on any item listed on the agenda in accordance with Chapter 551 of the Texas Government Code.

As a courtesy to those in attendance, please place your cell phone on “Silent” or “Vibrate.”

Please, no talking during the meeting, take any conversations outside, so others can hear.

Thank You!

1. Invocation & Pledge of Allegiance to the United States Flag and to the Texas State Flag McLellan

“Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

Announcements & Public Hearings

2. **Public Hearing** – Regarding Z14-06 Approving a Rezone From Single-Family (SF-2) Dwelling Zoning District to Multi-Family (MF) Dwelling Zoning District at 906 Birdwell Lane, Occupying the North Belvue Addition, Block 5, Lot 17, in East Big Spring 6-9 Johnston
3. **Public Hearing** – Regarding a Final Plat of the Agave Addition, Situated on an Unaddressed 4.679 Acre Tract Located Approximately 210 feet Northeast of the Intersection of Sunset Avenue and Birdwell Lane. More Specifically, This Property Occupies a 4.679 Acre Tract out of Section 44, Block 32, Township 1 North of the T&P Railway Company Survey in East Big Spring 10-13 Johnston

Disposition of Minutes

- | | | | |
|----|--|-------|-------|
| 4. | Approval of the Minutes of the Regular Meeting of December 9, 2014 | 14-21 | Davis |
|----|--|-------|-------|

Consent Items

- | | | | |
|----|--|-------|----------|
| 5. | Final Reading of an Ordinance Approving Z14-05, a Rezone of an Approximately 116.6 Acre Tract in Section 25, Block 33, T-1-N, T & P RR Co. Survey, Abstract No. 314, Howard County, Big Spring, TX and a 70.67 Acre Tract Out of the North ½ of Section 26, Block 33, T-1-N Including the Baseball Field, also Known as the Roy Anderson Sports Complex in North Big Spring, from Light Industrial (LI) to Single-Family (SF-2) Dwelling Zoning District; Providing for Severability; Providing for Publication; and Providing an Effective Date | 22-26 | Johnston |
| 6. | Final Reading of an Ordinance Amending Ordinance Number 048-2014, Which Adopted the Annual Budget for the City for the Fiscal Year Beginning October 1, 2014 and Ending September 30, 2015 Increasing the General Fund, Grant Revenues and Expenses for the Purpose of Accepting a FEMA Assistance to Firefighters Grant and Paying Matching Funds at Ten Percent; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Publication; and Providing an Effective Date | 27-28 | Ferguson |
| 7. | Acceptance of the Howard County Appraisal District's Board of Directors Minutes for the Meeting of September 10, 2014 | 29-30 | Moore |

Other Business

- | | | | |
|----|---|-------|--------|
| 8. | Final Reading of an Ordinance Amending Ordinance Number 36-2007 in Order to Update the City Purchasing Procedures Manual by Amending Section 4.04 Providing Exceptions to the Requirement to use Formal Bidding and Competitive Quote Procedures in Certain Circumstances; Providing for Severability; and Establishing an Effective Date | 31-32 | Medina |
|----|---|-------|--------|

Bids

- | | | | |
|----|---|----|--------|
| 9. | Award Bid for Aerial Fire Truck and Authorizing the City Manager or His Designee to Execute Any Necessary Documents | 33 | Medina |
|----|---|----|--------|

- | | | | |
|-----|--|----|--------|
| 10. | Award Bid for a Ambulance for EMS and Authorizing the City Manager or His Designee to Execute Any Necessary Documents | 34 | Medina |
| 11. | Award Bid for Daily Cover Machine for the Landfill and Authorizing the City Manager or His Designee to Execute Any Necessary Documents | 35 | Medina |
| 12. | Award Bid for (394) 3-Cubic Yard Sanitation Containers and Authorizing the City Manager or His Designee to Execute Any Necessary Documents | 36 | Medina |
| 13. | Award Bid for Two (2) Sanitation Trucks and Authorizing the City Manager or His Designee to Execute Any Necessary Documents | 37 | Medina |
| 14. | Award Bid for a Animal Control Truck and Authorizing the City Manager or His Designee to Execute Any Necessary Documents | 38 | Medina |
| 15. | Award Bid for a Utility Truck and Authorizing the City Manager or His Designee to Execute Any Necessary Documents | 39 | Medina |
| 16. | Award Bid for Sewer Jet Truck and Authorizing the City Manager or His Designee to Execute Any Necessary Documents | | Medina |

Routine Business

- | | | | |
|-----|-----------------------|-----------------|------|
| 17. | Vouchers for 12/11/14 | \$ 1,118,461.40 | Boyd |
| | Vouchers for 12/18/14 | \$ 831,869.90 | |
| | Vouchers for 01/08/15 | \$ 1,056,374.51 | |

New Business

- | | | | |
|-----|---|-------|-------------|
| 18. | Presentation of the Annual Delinquent Tax Report | | Drew Mouton |
| 19. | First Reading of an Ordinance Approving Z14-06, A Rezone of Block 4, Lot 17, North Belvue Addition, Also Known as 906 Birdwell Lane, Located in East Big Spring, From Single-Family (SF-2) Dwelling Zoning District to Multi-Family (MF) Dwelling Zoning District; Providing for Severability; Providing for Publication; and Providing an Effective Date | 40-41 | Johnston |
| 20. | First Reading of an Ordinance Approving a Final Plat of an Approximate 4.679 Acre Tract Located Approximately 210 Feet Northeast of the Intersection of Sunset Avenue and Birdwell Lane, | 42-43 | Johnston |

more Specifically, an Approximate 4.679 Acre Tract Out of Section 44, Block 32, Township 1 North of the T&P Railway Company Survey in East Big Spring; Providing for Severability; and Providing an Effective Date

- | | | | |
|-----|--|-------|----------|
| 21. | First Reading of a Resolution Authorizing Submission of a Grant Application with the Permian Basin Regional Planning Commission Under the Regional Solid Waste Grants Program; Authorizing the City Manager or His Designee to Act as the Authorized Representative in All Matters Related to this Application; Providing for Severability; and Providing an Effective Date | 44-45 | Womack |
| 22. | First Reading of an Ordinance Amending Chapter Thirteen of the Big Spring Code of Ordinances, by Amending Article 13, Entitled “Ambulance Service,” Section 13-210 Entitled “Ambulance Fees” to Establish New Fees for Basic Ambulance Services; Providing for Severability; Providing for Publication; and Providing an Effective Date | 46-47 | Ferguson |
| 23. | First Reading of an Ordinance Amending Ordinance Number 048-2014, Which Adopted the Annual Budget for the City for the Fiscal Year Beginning October 1, 2014 and Ending September 30, 2015 to Transfer Budgeted Funds Within the General Fund from the Sports Complex Department to the Aquatic Center Department; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Publication; and Providing an Effective Date | 48-49 | Womack |
| 24. | Consideration and Approval of a Joint Election Agreement Between City of Big Spring and Big Spring Independent School District and Authorizing the Mayor or His Designee to Execute Any Necessary Documents | 50-52 | Moore |
| 25. | Consideration and Approval of a Water Supply Agreement Between City of Big Spring and Howard County Water Control and Improvement District No. 1 and Authorizing the Mayor or His Designee to Execute Any Necessary Documents | 53-59 | Sjogren |
| 26. | Approval and Acceptance of the Minutes of the Regular Meeting of the Big Spring Economic Development Corporation Held on November 18, 2014 | 60-62 | Sjogren |
| 27. | Consideration and Approval to Move the Regular City Council Meeting of February 10, 2015 to Thursday, February 12, 2015 Due to a Conflict with Howard County Day at the Capitol | | Darden |

City Manager's Report

- 28. Martin Luther King, Jr. Day – Monday, January 19th Darden
- 29. Big Spring Economic Development Corporation Meeting on Darden
January 20, 2015 - Carlton Schwab President/CEO of the Texas
Economic Development Council

Council Input

- 30. Input McLellan
- 31. Adjourn

I hereby certify that this agenda was posted on the official bulletin boards at the Big Spring City Hall Building, 310 Nolan Street, Big Spring, Texas on Friday, January 9, 2015 at 4:00 p.m. In addition this agenda and supporting documents are posted on the City of Big Spring's website, **www.mybigspring.com** in accordance with legal requirements.


 Lesa Gamble, Administrative Assistant

THE MEETING FACILITY IS ACCESSIBLE TO DISABLED PERSONS. ANY DISABLED PERSON NEEDING SPECIAL ACCOMMODATIONS OR HEARING-IMPAIRED PERSONS WISHING TO HAVE AN INTERPRETER SHOULD CONTACT LESA GAMBLE AT 264-2401. REQUESTS FOR AN INTERPRETER SHOULD BE MADE AT LEAST 48 HOURS IN ADVANCE OF THE MEETING TIME.

Agenda Removal Notice - This public notice was removed from the official posting board at the Big Spring City Hall Building, 310 Nolan Street, Big Spring, Texas on

January _____, 2015 at _____ a.m./p.m. By: _____



Memo

Meeting Date: January 13, 2015

To: City Council members

From: Roxanne Johnston, City Planner

Subject: Z14_06: request for a zone change from Single-Family (SF-2) to Multi-Family (MF) Zoning District on the following property:

Location: 906 Birdwell Lane, located at the northwest corner of the intersection of Birdwell Lane and Tucson Road. More specifically, this property occupies the North Belvue Addition, Block 4, Lot 17, in east Big Spring.

Purpose: Approval of this request would zone the property Multi-Family Dwelling District (MF) and allow the current non-conforming structure to be used as a multi-family dwelling.

Contacts: Roxanne Johnston, City Planner 432-264-2319
Roshni Patel 479-283-3590

Recommendation: Staff recommends approving the proposed zone change request.

Analysis:

The applicant is requesting a zone change on the subject property in order to legitimize an apartment dwelling with 3 separate units (triplex). Prior to May of 2013, the property contained a single-family dwelling which is allowable under Single-Family (SF-2) Dwelling Districts. In May of that same year, a City of Big Spring building permit was applied for and issued that described the project as being an "Alteration/Addition to the dwelling. Through a series of events, the dwelling was converted into a triplex, which is not an allowable use in SF-2 and would necessitate a zone change in order for the structure to remain given its current use.

Although there are situations such as this case where the responsibility of action on the part of the City has resulted in a non-conforming use, moving forward, staff is working

diligently to correct these situations and ensure that they are not repeated. One way to do this is to individually address properties out of compliance, and a recent zone change case (14_05) where the Planning and Zoning Commission agreed with staff that the zoning needed to be changed on property owned by the City and previously owned by the State Hospital due to deed restrictions illustrates a second.

Yet another way to address non-conformities is to avoid them in the future by rewriting policy and ordinances to ensure they are clearly understood by all.

Non-conforming use aside, the main question staff asked was whether or not the proposed zone change would be a good fit for the area, noting the surrounding uses. The property is located directly west of Howard College, a Junior college located in a Planned Development zoning district. Other area uses not directly related to residential uses in general include several churches and a City fire station, which is located at 1607 11th Place, located at the northwest intersection of 11th Place and Birdwell Lane, 1702 College Baptist Church East 11th Place, 1612 Church of Christ, and My Redeemer Church at 1010 Birdwell Lane. What these uses demonstrate is the fact that there are a variety of uses in the immediate area that the subject property is located. Although staff does not support the idea that duplexes and triplexes would fit in every area of mixed uses, it is important to remember that housing options are important especially in areas that contain a school such as Howard College.

Should the zone change be approved, staff notes that neighborhood traffic will not be adversely affected since Birdwell Lane is an arterial street and already handles moderately heavy traffic at 30mph. Additionally, the property owner has provided the proper amount of parking per unit; 1.5 spaces per unit by constructing a paved driveway facing Birdwell Lane and parking inside the property line facing Tucson St.

General Information:

Existing Zoning: Single Family Dwelling (SF-2)

Existing Land Use: Triplex for multi-family uses

Surrounding Zoning/Land Use:

North:	Single-Family Dwelling (SF-2)	Medium Density Single-family residences
South:	Single-Family Dwelling (SF-2)	Medium Density Single-family residences
East:	Planned Development	Howard College
West:	Single-Family Dwelling (SF-2).	Medium Density Single-family residences

Thoroughfares/Streets: Birdwell Lane is an arterial in the City of Big Spring's pending Transportation Concept Plan and runs along the eastern boundary

of the subject property. The posted speed limit along this street is 30 mph.

Tucson Street is considered a "local" street by the same Plan, and is designed to carry light, neighborhood traffic at lower speeds.

Zoning History: The property contains no special zoning overlays.

Applicable Regulations: Once zoned, allowed uses for this property can be found in Section 6-6 of the Zoning Ordinance, entitled "*ML, Multi-Family Dwelling*".

Development Standards: **Zoning Ordinance, Article 4 and Appendix C**

Minimum Lot Area-7500 sq ft for one to two-story multi-family development

Minimum Lot Dimensions- 60X120 feet for multi-family uses

Minimum Front Yard- 25 ft

Minimum Side Yard- 15 ft for multifamily dwellings not exceeding 35' in height

Maximum Floor Area Ratio- 45%

Special Information

Traffic Concerns: Staff anticipates no traffic concerns for this property.

Parking Requirements: **Zoning Ordinance, Article 4, Section 4-9**

"One (1) space for each dwelling unit for single-family residence and one and one-half (1 ½) spaces for each dwelling in two-family or apartment unit"

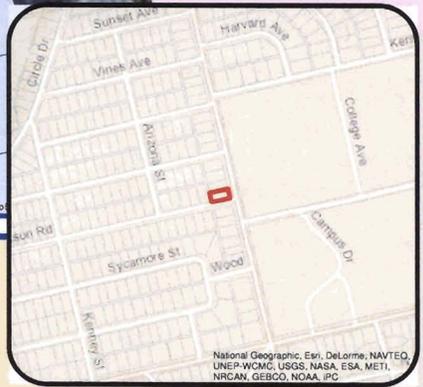
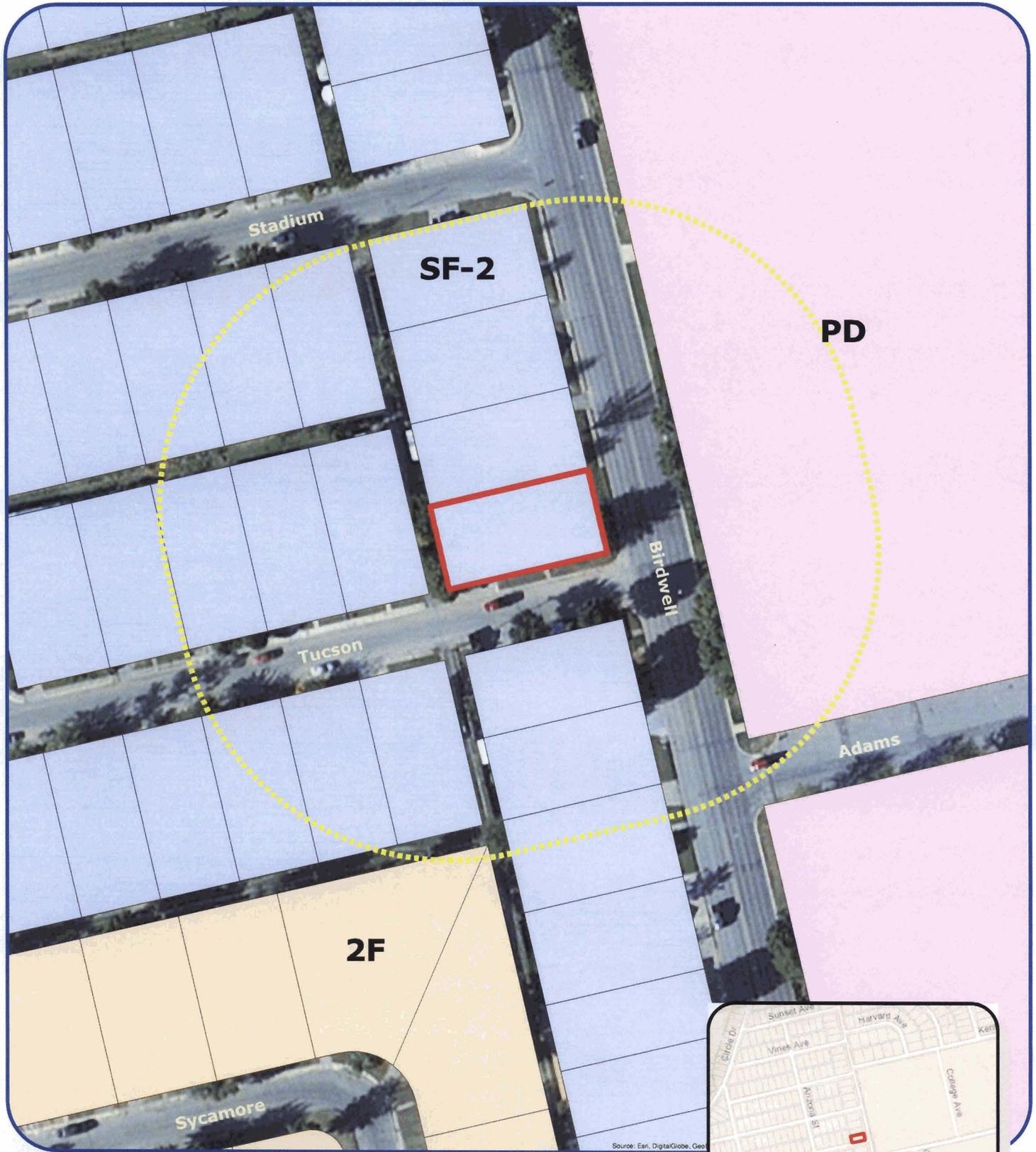
Notifications Required: Yes

Notifications Sent: 20

Responses in Favor: 0

Responses in Opposition: 0

Attachments: Excerpt from zoning map, highlighting subject property



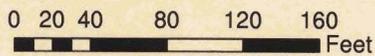
Zoning Case File

Case: Z14_06

Council District:
Boyd/Benevides

Legend

- Subject Property: —
- Current Zoning: SF-2
- Requested Zone Change: MF
- Vision: N/A





Memo

Meeting Date: January 13, 2015

To: City Council members

From: Roxanne Johnston, City Planner

Subject: Agave Subdivision, a request for approval of a Final Plat in a Multi-Family Dwelling Zoning District on the following property:

Location: An unaddressed 4.679 acre tract located approximately 210 feet northeast of the intersection of Sunset Avenue and Birdwell Lane. More specifically, this property occupies a 4.679 acre tract out of Section 44, Block 32, Township 1 North of the T&P Railway Company Survey in east Big Spring.

Purpose: Approval of this request will allow the developer to construct a multi-family housing project after the recording of the final plat with the Howard County Clerk's office.

Contacts:

Roxanne Johnston, City Planner	432-264-2319
Claude F. Hinkle, Jr., Representative	512-454-6605

Recommendation: Staff recommends **approving** the final plat for the Agave Addition.

On December 16, 2014, the Planning Commission voted unanimously to recommend approving this final plat.

Analysis:

The applicant is representing a firm that intends to construct an apartment complex on the lot indicated within this preliminary plat. The reason this subdivision is being reviewed by the Planning and Zoning Commission and City Council is because a 15 foot public alley easement is required. This easement is located at the southeast corner of the proposed lot. The Preliminary Plat for this property was approved by the Planning and Zoning Commission on November 4, 2014 by unanimous vote.

General Information:

Existing Zoning: Multi-Family Dwelling

Existing Land Use: Vacant tract

Surrounding Zoning/Land Use:

North:	Single-Family Dwelling (SF-2)	Single family residences
South:	Single-Family Dwelling (SF-2)	Single family residences
East:	Single-Family Dwelling (SF-2)	Single family residences
West:	Single-Family Dwelling (SF-2)	Single family residences

Thoroughfares/Streets: Birdwell Lane is identified as an “arterial street,” designed to carry heavy traffic at higher speeds. The posted speed limit at this location is 35mph.

Sunset Avenue and Circle Drive are identified as “local streets,” designed to carry light neighborhood traffic at lower speeds and generally connect to collector streets.

Required ROW Width (arterial streets): 70’

Required Pavement Width (arterial streets): 48’

Required ROW Width (local streets): 50’

Required Pavement Width (local streets): 36’

Storm Water/Drainage: A drainage study has already been submitted.

Topography: Topographical issues are expected with this property but will be addressed during the development stage.

911 Addressing: The layout of the final plat is not expected to create any addressing issues.

Water/Sewer Utilities: Already in place.

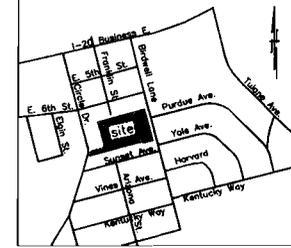
Fire Protection and Access Management: No access management issues are expected at this point in development.

Private Utilities: To be addressed though the development phase.

Attachments: Aerial map, highlighting subject property; and
Final Plat draft

Agave Addition Block 1, Lot 1

an addition to the City of Big Spring, Howard County, Texas

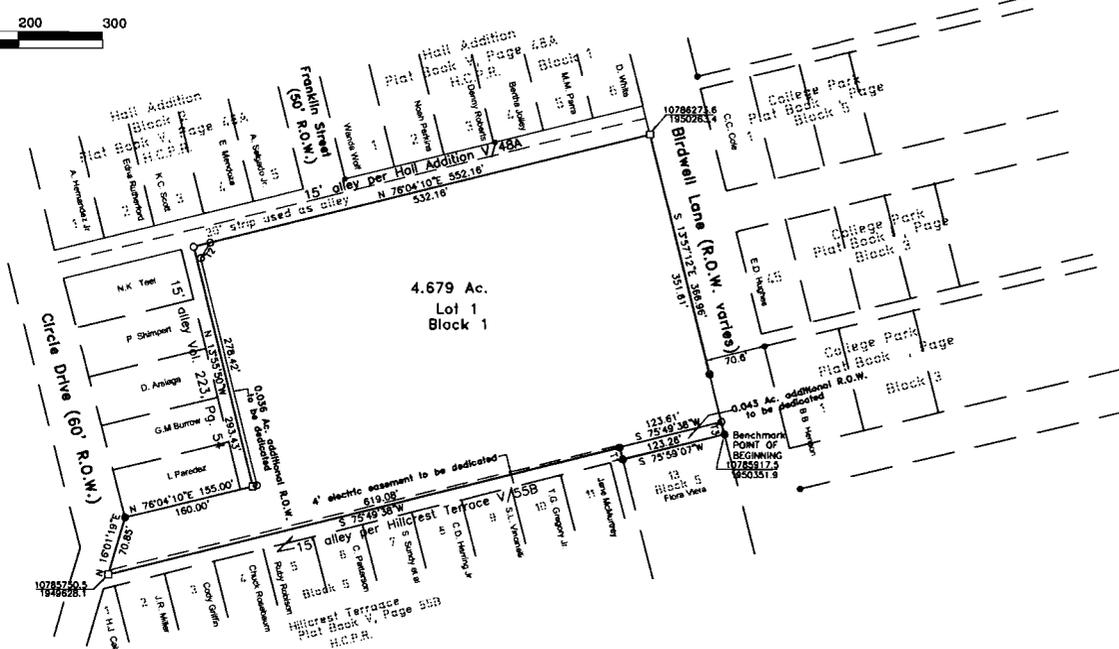


Location Map
N.T.S.



SCALE 1" = 100'
bearing basis grid North
Coordinate basis State Plane Coordinates
North Central Zone
Elevation datum NAVD88

LEGEND
 ● Iron pipe found
 ○ Capped iron pin set
 □ Concrete monument set
 H.C.P.R. Howard County Plat Records
 H.C.D.R. Howard County Deed Records



4.679 Ac.
Lot 1
Block 1

Course	Bearing	Distance
T1	N 15°16'24" W	14.95'
T2	N 41°04'10" E	21.21'
T3	S 13°37'12" E	15.35'

FIELD NOTES FOR 4.758 ACRES

All that certain tract or parcel of land situated in Howard County, Texas, and being a part of Section 44, Block 32, Township 1 North of the T & P Railway Company Survey and being all of a 4.758 acre tract of land conveyed to Big Spring Multi-Family #1 L.P. in Volume 1403, Page 303 of the Deed Records of Howard County Texas and being more particularly described by metes and bounds as follows:

BEGINNING at an iron pipe found on the Southwest line of Birdwell Lane, in the North corner of Lot 13 in Block 5 of Hillside Terrace, a subdivision recorded in Block V, Page 558 of the Plat Records of Howard County, Texas and the East corner of the above mentioned 4.758 acre tract for the East corner of this tract.

THENCE S 75°59'07" W 123.26 feet to an iron pipe found on the Northeast line of a 15 foot alley set out on the plat of Circle Drive for the South corner of the above mentioned 4.758 acre tract and an ell corner of this tract.

THENCE N 13°55'53" W 15.00 feet to an iron pipe found in the North corner of the above mentioned 15 foot wide alley for an ell corner of the said 4.758 acre tract and an ell corner of this tract.

THENCE S 75°49'20" W with the Northwest line of the said alley 619.43 feet to an iron pipe found on the East line of Circle Drive for the South corner of the said 4.758 acre tract and the South corner of this tract.

THENCE N 18°01'18" E with the East line of Circle Drive 70.85 feet to an iron pipe found in the South corner of a tract of land conveyed to Lupe Paredes in Volume 956, Page 808 of the said Deed Records and the West corner of the said 4.758 acre tract for a reentrant corner of this tract.

THENCE N 78°04'10" E with the North line of the 4.758 acre tract at 140.74 feet pass a fence corner post in the East corner of the Paredes tract and continue for a total of 155.00 feet to a capped iron pin set in an ell corner of the said 4.758 acre tract for an ell corner of this tract.

THENCE N 13°55'50" W 293.43 feet to a capped iron pin set on the occupied Southeast line of a 35 foot wide alley, in the West corner of the above mentioned 4.758 acre tract for the West corner of this tract.

THENCE N 78°04'10" E 552.16 feet to a capped iron pin set in the intersection of the Northwest line of the said 1/2 acre tract and the Southwest line of Birdwell Lane for the North corner of this tract.

THENCE S 13°57'12" E with the Southwest line of Birdwell Lane 366.96 feet to the POINT OF BEGINNING containing 4.758 acres of land more or less.

STATE OF TEXAS:
COUNTY OF HOWARD:

WHEREAS, Big Spring Multi-Family #1, LP acting by and through its general partner, owner of 4.758 acres of land in Section 44 Block 32 Township 1N T & P Railway Survey in Howard County, Texas, as recorded in Volume 1403, Page 303 of the Official Public Records of Howard County, Texas do hereby subdivide the said 4.758 acres in accordance with this map or plat to be known as

AGAVE ADDITION Block 1 Lot 1

and do hereby dedicate to the use of the public forever all parks, watercourses, drains, public easements, and public places thereon shown.

Witness my hand this _____ day of _____, 2014

Brad Beago
General Partner
Big Spring Multi-Family #1, LP
1809 Randolph Ridge Trail
Austin, Texas 78746

STATE OF TEXAS, COUNTY OF TRAVIS:
This instrument was acknowledged before me on the _____ day of _____, 2014, by Brad Beago in the capacity therein stated.

NOTARY PUBLIC _____ My commission expires _____

I, the undersigned, Director of Public Works of the City of Big Spring, hereby certify that this subdivision plat conforms to all requirements of the City of Big Spring and hereby recommend approval.

Director of Public Works

This plat has been submitted to and considered by the Planning Commission of the City of Big Spring, Texas, and is hereby approved by such Commission.

DATED this _____ day of _____, 2014.

By _____
City Secretary

I hereby certify that the above and foregoing Plat of Agave Addition to the City of Big Spring, Texas, was approved by the City Council of the City of Big Spring on the _____ day of _____, 2014. This approval shall be invalid unless the approved plat of such addition is recorded in the office of the County Clerk of Howard County, Texas, within one hundred and twenty (120) days from said date of final approval pursuant to Article III, SEC. 3 B.

Witness my hand this _____ day of _____, 2014.

City Secretary

STATE OF TEXAS
COUNTY OF TRAVIS

I, the undersigned, a Registered Public Surveyor in the State of Texas, hereby certify, to the best of my knowledge and belief, that this plat is true and correct, that it was prepared from an actual survey of the property made under my supervision on the ground, and that all necessary survey monuments are currently shown thereon.

Claude F. Hinkle, Jr.
Registered Professional Land Surveyor #4629



The easement recorded in Volume 115, Page 314 is a blanket easement.
The easement recorded in Volume 82, Page 425 is of unspecified width.

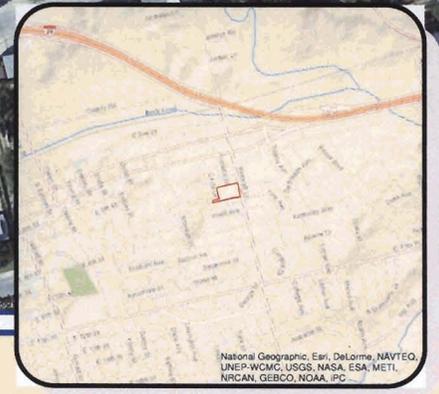
OWNERS: Big Spring Multi-Family #1 L.P.
ACREAGE: 4.758
SURVEYOR: Austin Surveyors
LINEAR FEET OF NEW STREETS: 124'
BENCHMARK DESCRIPTION: top of iron pipe found in Southeast corner of 4.758 acre tract.
Elevation: 2447.02' NAVD 88
PATENT SURVEY: Section 44 Block 32 Twpsh 1 N T&P Railway Company Survey
NUMBER OF LOTS: 1
Zoned MF

File No.: 1872prelim	Designed By: slp
Job No.: 1872-300	Drawn By: slp
Date: May 2014	Checked By:
Scale: 1" = 20'	Revised:

AUSTIN SURVEYORS

2105 Justin Lane #103
Austin, Texas 78757
312-454-6805

01-13-15 Agenda



Preliminary Plat

**Agave Addition
Block 1, Lot 1**

Legend

Subject Property: ———
Current Zoning: Multi Family (MF)



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, Big Spring, Texas, at 5:30 p.m., December 9, 2014, with the following members present:

LARRY McLELLAN	Mayor
RAUL BENAVIDES	Mayor Pro Tem
RAUL MARQUEZ JR.	Councilmember
JUSTIN MYERS	Councilmember
BOBBY McDONALD	Councilmember
MARVIN BOYD	Councilmember

(Councilmember Harbour was not present at this meeting.)

Same and constituting a quorum; and

TODD DARDEN	City Manager
LINDA SJOGREN	City Attorney
JOHNNY WOMACK	Public Works Director
JOHN MEDINA	Human Resource Director
CHAD WILLIAMS	Police Chief
CRAIG FERGUSON	Fire Chief
JIM LITTLE	Airpark Director
DON MOORE	Finance Director/ City Secretary
TIM GREEN	Municipal Court Judge
DEBBIE WEGMAN	Community Services Director

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor McLellan gave the invocation and led the Pledge of Allegiance to the American and Texas Flags.

ANNOUNCEMENTS & PUBLIC HEARINGS

ANNOUNCEMENT – PRESENTATION OF “STAR EMPLOYEE” AWARD FOR THE MONTH OF DECEMBER, 2014

Mayor McLellan presented the “Star Employee” award for the month of December, 2014 to Tammy Adams in the Landfill Department.

PUBLIC HEARING – REGARDING Z14-05 APPROVING A ZONE CHANGE FROM LIGHT INDUSTRIAL (LI) TO A SINGLE-FAMILY (SF-2) DWELLING ZONING

DISTRICT FOR AN APPROXIMATELY 116.6 ACRE TRACT IN SECTION 25, BLOCK 33, T-1-N, T & P RR CO. SURVEY, ABSTRACT NO. 314, HOWARD COUNTY, IN NORTH BIG SPRING AND A 70.67 ACRE TRACT OUT OF THE NORTH ½ OF SECTION 26, BLOCK 33, T-1-N, ALSO KNOWN AS THE ROY ANDERSON SPORTS COMPLEX IN NORTH BIG SPRING

Motion was made by Councilmember Myers, seconded by Mayor Pro Tem Benavides, with all members of the Council voting “aye” to open the above captioned public hearing. There were no comments from the citizens or council. Motion was made by Mayor Pro Tem Benavides, seconded by Councilmember Boyd, with all members of the Council voting “aye” to close the above captioned public hearing.

PUBLIC HEARING – REGARDING THE ANNEXATION INTO THE CITY OF BIG SPRING CITY LIMITS OF AN APPROXIMATELY 12.552 ACRE COMBINED UNDEVELOPED TRACT GENERALLY LOCATED SOUTH OF ANN DRIVE AND WEST OF ANN DRIVE TO LYNN DRIVE; MORE SPECIFICALLY BEING 5.96 ACRES OUT OF A 169.723 ACRE TRACT IN SECTION 9, BLOCK 32, T-1-S, T & P RR CO. SURVEY, HOWARD COUNTY, BIG SPRING, TEXAS AND 6.592 ACRES OUT OF A 169.723 ACRE TRACT IN SECTION 9, BLOCK 32, T-1-S, T & P RR CO. SURVEY, HOWARD COUNTY, TEXAS IN SOUTH BIG SPRING AND REGARDING Z14-06 ESTABLISHING THE ZONING OF THE ANNEXED AREA AS A SINGLE FAMILY (SF-2) DWELLING DISTRICT.

Motion was made by Councilmember Marquez, seconded by Councilmember Myers, with all members of the Council voting “aye” to open the above captioned public hearing. There were no comments from the citizens or council. Motion was made by Councilmember Boyd, seconded by Councilmember McDonald, with all members of the Council voting “aye” to close the above captioned public hearing.

DISPOSITION OF MINUTES

APPROVAL OF MINUTES OF THE REGULAR MEETING OF NOVEMBER 28, 2014

Motion was made by Councilmember Myers, seconded by Councilmember Boyd, with all members of the Council voting “aye” approving the above listed minutes.

CONSENT ITEMS

FINAL READING OF AN ORDINANCE APPROVING Z14-04, A REZONE OF AN APPROXIMATELY 18.049 ACRE TRACT OUT OF THE SOUTH HALF OF SECTION 5, BLOCK 32, T-1-S, T & P RR. SURVEY, SOUTH CENTRAL BIG SPRING, FROM A SINGLE-FAMILY DWELLING (SF-2) ZONING DISTRICT TO A MULTI-FAMILY DWELLING (MF) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

FINAL READING OF AN ORDINANCE AMENDING CHAPTER ELEVEN OF THE CODE OF ORDINANCES ENTITLED “GARBAGE AND OTHER REFUSE,” ARTICLE 2 ENTITLED “GARBAGE COLLECTION AND LANDFILL FEES,” SECTION 11-9 ENTITLED “FEES” TO INCLUDE A FEE FOR COMMERCIAL COMPACTOR SERVICE UNDER PART (B) ENTITLED “COMMERCIAL RATES”; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 048-2014, WHICH ADOPTED THE ANNUAL BUDGET FOR THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015 TO INCREASE THE MOTEL TAX FUND BUDGET FOR THE PURPOSE OF REVITALIZING THE HISTORIC SPRING; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 048-2014, WHICH ADOPTED THE ANNUAL BUDGET FOR THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015 REAPPROPRIATING BUDGETED FUNDS LEFT OVER WITHIN THE ENTERPRISE FUND FROM FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 048-2014, WHICH ADOPTED THE ANNUAL BUDGET FOR THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015 TO INCREASE THE GENERAL FUND BUDGET FOR THE PURPOSE OF HIRING PROFESSIONAL SERVICES TO DETERMINE THE CITY’S MINERAL RIGHT OWNERSHIP AT MOSS LAKE, POWELL LAKE AND OTHER LOCATIONS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 048-2014, WHICH ADOPTED THE ANNUAL BUDGET FOR THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015 TO INCREASE THE ENTERPRISE FUND BUDGET FOR THE PURPOSE OF FUNDING PROFESSIONAL SERVICES TO PERFORM A PRORATA STUDY FOR UTILITIES EXPANSION; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

ACCEPTANCE OF THE CONVENTION AND VISITORS BUREAU COMMITTEE MINUTES FOR THE MEETING OF SEPTEMBER 10, 2014

ACCEPTANCE OF THE MCMAHON WRINKLE AIRPORT DEVELOPMENT BOARD MINUTES FOR THE MEETING OF OCTOBER 16, 2014

Motion was made by Councilmember McDonald, seconded by Mayor Pro Tem Benavides, with all members of the Council voting “aye” approving the above listed ordinances and minutes.

BIDS

AWARD BID FOR BS 2014 SEWER EXTENSION-PHASE A AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Boyd, seconded by Councilmember Marquez, with all members of the Council voting “aye” awarding bid for the BS 2014 Sewer Extension-Phase A to Darnell Construction in the amount of \$866,927.82.

ROUTINE BUSINESS

Mayor Pro Tem Benavides reviewed the vouchers in the amount of \$1,511,880.93 (11/20/14) and \$667,375.31 (12/04/14). Motion was made by Mayor Pro Tem Benavides, seconded by Councilmember Myers, with all Councilmembers voting “aye” approving the above listed vouchers.

NEW BUSINESS

EMERGENCY READING OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AUTHORIZING THE ASSISTANT CITY MANAGER AND FINANCE DIRECTOR TO EXECUTE AND DELIVER A MASTER LEASE AGREEMENT, AN ESCROW AGREEMENT, AND RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH; AND DECLARING THIS RESOLUTION AN EMERGENCY

Motion was made by Mayor Pro Tem Benavides, seconded by Councilmember Marquez, with all members of the Council voting “aye” approving the above captioned resolution.

FIRST READING OF AN ORDINANCE APPROVING Z14-05, A REZONE OF AN APPROXIMATELY 116.6 ACRE TRACT IN SECTION 25, BLOCK 33, T-1-N, T & P RR CO. SURVEY, ABSTRACT NO. 314, HOWARD COUNTY, BIG SPRING, TX AND A 70.67 ACRE TRACT OUT OF THE NORTH ½ OF SECTION 26, BLOCK 33, T-1-N INCLUDING THE BASEBALL FIELD, ALSO KNOWN AS THE ROY ANDERSON SPORTS COMPLEX IN NORTH BIG SPRING, FROM LIGHT INDUSTRIAL (LI) TO SINGLE FAMILY (SF-2) DWELLING ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember Marquez, seconded by Mayor Pro Tem Benavides, with all members of the Council voting “aye” approving the above captioned ordinance.

FIRST READING OF AN ORDINANCE ANNEXING THE DESCRIBED TERRITORY INTO THE CITY OF BIG SPRING, HOWARD COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS SO AS TO INCLUDE DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO THE SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF THE PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS; SPECIFICALLY INCLUDING APPROXIMATELY 12.552 ACRES COMBINED UNDEVELOPED TRACT GENERALLY LOCATED SOUTH OF ANN DRIVE AND WEST OF ANN DRIVE TO LYNN DRIVE; MORE SPECIFICALLY BEING 5.96 ACRES OUT OF A CALLED 5.99 ACRE TRACT AND 6.592 ACRES OUT OF A 169.723 ACRE TRACT, BOTH IN SECTION 9, BLOCK 32, T-1-SOUTH, T & P RR CO SURVEY, HOWARD COUNTY, TEXAS; ADOPTING A SERVICE PLAN FOR THE TERRITORY ANNEXED; ESTABLISHING ZONING Z14-06 AS A SINGLE-FAMILY (SF-2) DWELLING DISTRICT ZONE AND BINDING FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE CITY OF BIG SPRING; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Mayor Pro Tem Benavides, seconded by Councilmember Myers, with all members of the Council voting “aye” approving the above captioned ordinance.

FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 36-2007 IN ORDER TO UPDATE THE CITY PURCHASING PROCEDURES MANUAL BY AMENDING SECTION 4.04 PROVIDING EXCEPTIONS TO THE REQUIREMENT TO USE FORMAL BIDDING AND COMPETITIVE QUOTE PROCEDURES IN CERTAIN CIRCUMSTANCES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

Motion was made by Councilmember Marquez, seconded by Mayor Pro Tem Benavides, with Councilmembers Marquez, Myers, McLellan, McDonald and Benavides voting “aye” approving the above captioned ordinance. Councilmember Boyd, being opposed, voting “nay” for passage of same. Motion passed five to one.

EMERGENCY READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 048-2014, WHICH ADOPTED THE ANNUAL BUDGET FOR THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015 INCREASING THE AIRPARK FUND BUDGET FOR THE PURPOSE OF FUNDING ROOF REPAIR ON THE JOHN CRANE PRODUCTION BUILDING; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY

Motion was made by Councilmember McDonald, seconded by Mayor Pro Tem Benavides, with all members of the Council voting “aye” approving the above captioned ordinance.

FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 048-2014, WHICH ADOPTED THE ANNUAL BUDGET FOR THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015 INCREASING THE

GENERAL FUND, GRANT REVENUES AND EXPENSES FOR THE PURPOSE OF ACCEPTING A FEMA ASSISTANCE TO FIREFIGHTERS GRANT AND PAYING MATCHING FUNDS AT TEN PERCENT; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember Myers, seconded by Councilmember Marquez, with all members of the Council voting “aye” approving the above captioned ordinance.

CONSIDERATION AND APPROVAL OF AUTHORIZING STAFF TO OBTAIN QUOTES FOR EMERGENCY REPAIRS TO THE JOHN CRANE PRODUCTION BUILDING UNDER THE PUBLIC HEALTH AND SAFETY EXCEPTION TO THE STATE FORMAL BIDDING LAW AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO AUTHORIZE SUCH REPAIRS AND EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Marquez, seconded by Mayor Pro Tem Benavides, with all members of the Council voting “aye” approving the above captioned consideration.

CONSIDERATION AND APPROVAL OF THE FIRE DEPARTMENT’S APPLICATION FOR A FEMA GRANT AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Mayor Pro Tem Benavides, seconded by Councilmember Myers, with all members of the Council voting “aye” approving the above captioned application for a FEMA Grant.

CONSIDERATION AND APPROVAL OF AN AGREEMENT WITH DATAPROSE, LLC FOR UTILITY BILLING PRINTING SOFTWARE AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Marquez, seconded by Councilmember Myers, with all members of the Council voting “aye” approving the above captioned agreement.

CONSIDERATION AND APPROVAL OF AN INTERLOCAL AGREEMENT WITH HOWARD COLLEGE TO ALLOW THE COLLEGE TO USE CITY EQUIPMENT AND SURFACE LAND AT THE CITY LANDFILL FOR HEAVY EQUIPMENT OPERATOR’S TRAINING COURSES AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Boyd, seconded by Councilmember Myers, with all members of the Council voting “aye” approving the above captioned agreement.

CONSIDERATION AND APPROVAL OF AN INTERLOCAL AGREEMENT WITH HOWARD COLLEGE TO ALLOW THE COLLEGE TO UTILIZE THE CITY’S BIDDING PROCESSES TO REQUEST PROPOSALS ON THE LEASE OF COLLEGE OWNED

MINERAL RIGHTS AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Mayor Pro Tem Benavides, seconded by Councilmember Marquez, with all members of the Council voting “aye” approving the above captioned agreement.

CONSIDERATION AND APPROVAL OF A SERVICE AGREEMENT AND A BUSINESS ASSOCIATE AGREEMENT WITH EMERGICON, LLC FOR EMS BILLING AND COLLECTION SERVICES AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Marquez, seconded by Mayor Pro Tem Benavides, with all members of the Council voting “aye” approving the above captioned agreement.

CONSIDERATION AND APPROVAL OF A SOFTWARE SUBSCRIPTION AGREEMENT AND A BUSINESS ASSOCIATE AGREEMENT WITH ESO SOLUTIONS FOR EMS SOFTWARE AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Mayor Pro Tem Benavides, seconded by Councilmember Myers, with all members of the Council voting “aye” approving the above captioned agreement

CONSIDERATION AND APPROVAL OF A PERFORMANCE AGREEMENT WITH BIG SPRING ECONOMIC DEVELOPMENT CORPORATION FOR FINANCIAL ASSISTANCE TO CONSTRUCT ADDITIONAL RAIL SPUR INFRASTRUCTURE ON THE MCMAHON WRINKLE INDUSTRIAL AIRPARK AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Boyd, seconded by Councilmember McDonald, with all members of the Council voting “aye” approving the above captioned agreement.

APPROVAL AND ACCEPTANCE OF THE MINUTES OF THE REGULAR MEETING OF THE BIG SPRING ECONOMIC DEVELOPMENT CORPORATION HELD ON OCTOBER 21, 2014

Motion was made by Mayor Pro Tem Benavides, seconded by Councilmember Marquez, with all members of the Council voting “aye” approving the above listed minutes.

CITY MANAGER’S REPORT

Mr. Darden reported on the following:

- Announced the retirement of Perry Hall of the Landfill Department and Robert Fitzgibbons of the Police Department;
- City offices will be closed on Thursday, December 25th and Friday, December 26th for the Christmas Holiday and on Thursday, January 1st for New Year’s; and

- Wished everyone a Merry Christmas.

COUNCIL INPUT

All Councilmembers wished everyone Merry Christmas.

ADJOURN

Mayor McLellan adjourned the meeting at 7:15 p.m.

CITY OF BIG SPRING, TEXAS

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, APPROVING Z14-05, A REZONE OF AN APPROXIMATELY 116.6 ACRE TRACT IN SECTION 25, BLOCK 33, T-1-N, T&P RR. CO. SURVEY, ABSTRACT NO. 314, HOWARD COUNTY, CITY OF BIG SPRING, TEXAS AND A 70.67 ACRE TRACT OUT OF THE NORTH 1/2 OF SECTION 26, BLOCK 33, T-1-N INCLUDING THE BASEBALL FIELD, KNOWN AS THE ROY ANDERSON SPORTS COMPLEX IN NORTH BIG SPRING, FROM LIGHT INDUSTRIAL (LI) TO SINGLE-FAMILY (SF-2) DWELLING ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Planning and Zoning Commission has given its approval of the rezone of said 116.6 acres and 70.67 acres, Howard County, Texas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS THAT:

SECTION 1. The approximately 116.6 acre tract in Section 25, Block 33, T-1-N, T&P RR. Co. Survey, abstract number 314, Howard County, City of Big Spring, Texas and the 70.67 acre tract out of the North ½ of Section 26, Block 33, T-1-N, known as the Roy Anderson Sports Complex, in North Big Spring, Texas shall be, and is hereby rezoned from Light Industrial (LI) to Single-Family (SF-2) Dwelling Zoning District.

SECTION 2. Should any section, paragraph, sentence, clause, phrase or word of this Ordinance be declared unconstitutional or invalid for any purpose, the remainder of this Ordinance shall not be affected thereby.

SECTION 3. The City Secretary is hereby ordered and directed to cause the descriptive caption, as well as the penalties for violation of this ordinance to be published as provided by law.

SECTION 4. This ordinance shall take effect immediately from and after its publication and passage upon two readings in accordance with the provisions of the Charter of the City of Big Spring, and it is accordingly so ordained.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 9th day of December, 2014, with all members present voting “aye” for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 6th day of January, 2015, with all members present voting “aye” for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary



Memo

Meeting Date: December 9, 2014

To: City Council members

From: Roxanne Johnston, City Planner

Subject: Z14_05: request for a zone change from Light Industrial (LI) to a Single-Family (SF-2) Zoning District on the following property:

Location: An unaddressed 116.6 acre tract located immediately north of the Roy Anderson Sports Complex. More specifically, this property occupies a 116.6 acre tract in Section 25, Block 33, T-1-N, T & P R.R. Co. Survey, Abstract No. 314, Howard County, City of Big Spring, Texas **-AND-** a 70.67 Acre tract known as the Roy Anderson Sports Complex, located at the southeast corner of Old Mill Road and Interstate 20 Frontage Road. More specifically, this property occupies a 70.67 acre tract out of the North ½ of Section 26, Block 33 1N Baseball Field at the Roy Anderson Park, in north Big Spring.

Purpose: Approval of this request would zone the property Single-Family Dwelling District (SF-2).

Contacts: Roxanne Johnston, City Planner 432-264-2319

Recommendation: Staff recommends approving the proposed zone change request.

On November 17, 2014, the Planning and zoning Commission voted unanimously to forward their approval of this proposed zone change to City Council.

Analysis:

The applicant is the City of Big Spring. The property is currently two tracts: the Roy Anderson Sports Complex, which is bounded by City Limits to the west, and a 116.6

acre tract that used to contain accessory buildings for the Big Spring State Hospital. Some of these remaining buildings are currently being used as storage by the City. Additionally, this tract is bounded by the City Limits to the north and west. Neither of these properties contains residences.

The intent of the City of Big Spring is to create an area for future single-family residences north of the Roy Anderson Sports Complex. The zone change request also includes the sports complex in order to eliminate current zoning, since staff discovered that the properties, which previously belonged to the Big Spring State Hospital, contain a deed restriction prohibiting the property to be used for industrial purposes. Therefore, the zone change to SF-2 would ensure that the correct zoning would be in place as all or portions of this acreage are later sold. Staff projects that the area could develop quickly once a key element in this future development, the installation of the sewer bore to extend across I-20, will occur.

Although parks are allowed in all zoning categories, changing the zoning from an industrial use to a residential use is more in keeping with the intent of the Zoning Ordinance and the deed restriction mentioned above.

General Information:

Existing Zoning: Light Commercial (LC)
 Existing Land Use: Sports Complex and vacant land containing storage buildings.

Surrounding Zoning/Land Use:

North:	Non-annexed property	Vacant property
South:	Heavy Commercial	Commercial businesses
East:	Light Commercial (LC)	Vacant property, Big Spring State Hospital
West:	Non-annexed property	Vacant property, light residential

Thoroughfares/Streets: I-20 Frontage Road provides a connection to I-20, which is identified as an arterial in the City of Big Spring’s pending Transportation Concept Plan and runs along the southern boundary of the subject property.

Oil Mill Road is a county road identified as a “future collector” street, designed to carry traffic at higher speeds to arterial streets.

Zoning History: The property contains no special zoning overlays.

Applicable Regulations: Once zoned, allowed uses for this property can be found in Section 6-6 of the Zoning Ordinance, entitled “SF-2, Single-Family Dwelling District”.

Development Standards: **Zoning Ordinance, Article 4 and Appendix C**

Minimum Lot Area-7000 sq ft for single-family development

Minimum Lot Dimensions- 60X100 feet for single-family uses

Minimum Front Yard- 25 ft

Minimum Side Yard- 5 ft on each side

Maximum Floor Area Ratio- 35%

Special Information

Traffic Concerns: There is currently no traffic concerns with this area.

Parking Requirements: **Zoning Ordinance, Article 4, Section 4-9**

“One (1) space for each dwelling unit for single-family residence...”

“One space for each three seats provided.” (For the Roy Anderson Sports Complex), listed under “Places of Public Assembly” in the Zoning Ordinance, ‘Parking Regulations for Non-Residential Uses.’

Zoning Ordinance, Article 4, Section 4-11

“There shall be provided handicapped parking spaces in accordance to the Architectural Barriers Act, Article 9102, Texas Civil Statutes as amended.”

Notifications Required: Yes

Notifications Sent: 10

Responses in Favor: 0

Responses in Opposition: 0

Attachments: Excerpt from zoning map, highlighting subject properties



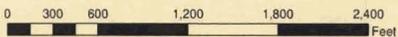
Zoning Case File

Case:Z14_05

Council District: (1) Marquez

Legend

- Subject Property: —
- Current Zoning: LIGHT INDUSTRIAL (LI)
- Requested Zone Change: SINGLE FAMILY 2 (SF-2)
- Vision: N/A



CITY OF BIG SPRING GIS / MAPPING DEPARTMENT



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AMENDING ORDINANCE NUMBER 048-2014, WHICH ADOPTED THE ANNUAL BUDGET FOR THE CITY OF BIG SPRING, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015 INCREASING THE GENERAL FUND , GRANT REVENUES AND EXPENSES FOR THE PURPOSE OF ACCEPTING A FEMA ASSISTANCE TO FIREFIGHTERS GRANT AND PAYING MATCHING FUNDS OF TEN PERCENT; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS the City Council adopted the annual 2014-15 budget for the City of Big Spring, Texas on September 25, 2014; and

WHEREAS FEMA Grant funding has become available to provide assistance to the Fire Department;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS AS FOLLOWS:

SECTION 1. Enacted.

THAT the General Fund of the Annual Budget for the City of Big Spring, Texas for the Fiscal Year beginning October 1, 2014 and ending September 30, 2015 is hereby increased by \$3,818.00 to the account number (002-012-210-5117) in order to fund a ten percent match of a FEMA Grant for the purpose of providing adequate funding for the purchase of fire equipment. This increase will be funded through existing fund balance. In addition the Grant Revenues (114-4229) and Grant Expenses (114-012-210-5117) accounts are hereby increased by \$38,182.00 which is the amount of the Federal share of the FEMA Grant.

SECTION 2. Continuing effect.

THAT the remaining portions of Ordinance Number 048-2014 shall remain in full force and effect.

SECTION 3. Repeal.

THAT all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4. Publication.

THAT the City Secretary is hereby authorized and directed to cause the publication of this ordinance in accordance with law.

SECTION 5. Effective Date.

THAT, this ordinance shall be in force and effective from and after its passage and publication as required by law.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 9th day of December, 2014 with all members of the Council voting “aye” for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 13th day of January, 2015 with all members of the Council voting “aye” for the passage of same.

CITY OF BIG SPRING

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

**THE MINUTES OF MEETING OF THE
BOARD OF DIRECTORS
HOWARD COUNTY APPRAISAL DISTRICT**

SEPTEMBER 10, 2014

The Board of Directors of the Howard County Appraisal District (HCAD) met for their Regular Meeting on September 10, 2014 at 5:15 P.M. Directors present were Donnie Baker, Jimmy Miller and Donnie Reid. Ronny Babcock and Lisa Reyna represented the HCAD.

Mr. Baker called the meeting to order at 5:15 P.M.

No one was registered for comments.

Jimmy Miller was sworn in as a new Board of Director.

The board organized. Donnie Baker motioned to appoint Donnie Reid as secretary. Jimmy Miller seconded the motion. Motion carried 3 to 0.

The bills for August, 2014 were reviewed and approved on a motion from Donnie Baker and seconded from Donnie Reid. Motion carried 3 to 0.

The financial report for August, 2014 was reviewed and approved on a motion from Donnie Reid , with a second from Jimmy Miller. Motion carried 3 to 0.

The board discussed the Reappraisal Plan for 2015-2016 tax years. A motion was made by Jimmy Miller and seconded by Donnie Reid to approve as printed. Motion was carried 3 to 0.

Donnie Baker made a motion to approve the Public Relations Plan. Motion was seconded by Donnie Reid. Motion was carried 3 to 0.

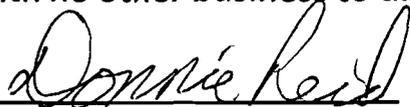
Donnie Reid motioned to approve the Disaster Plan as presented. Motion was seconded by Jimmy Miller. Motion carried 3 to 0.

Donnie Reid motioned to approve the change of the Employees Per Diem Allowance from \$45 to \$55. Donnie Baker seconded the motion. Motion carried 3 to 0.

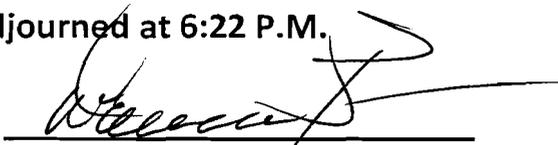
The board authorized the chief appraiser to bring forward the Resolution to retain funds at the next scheduled meeting.

The board heard from the chief appraiser regarding his recommendation to raise an employee wage to \$30,000.

With no other business to discuss, the meeting adjourned at 6:22 P.M.



Secretary, Donnie Reid



Chairman, Donnie Baker

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AMENDING ORDINANCE NUMBER 36-2007 IN ORDER TO UPDATE THE CITY PURCHASING PROCEDURES MANUAL BY AMENDING SECTION 4.04 PROVIDING EXCEPTIONS TO THE REQUIRMENT TO USE FORMAL BIDDING AND COMPETITIVE QUOTE PROCEDURES IN CERTAIN CIRCUMSTANCES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Big Spring has an approved Purchasing Procedures Manual; and

WHEREAS, the City of Big Spring Purchasing Procedures Manual currently requires the City to use a competitive bid process for any expenditure of more than \$50,000.00; and

WHEREAS, the City Council finds it to be in the public interest to allow certain exceptions to the formal bidding requirements;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS;

SECTION 1. THAT Section 4.04 of the Purchasing Procedures Manual of the City of Big Spring is hereby amended to read as follows:

4.04 Goods or services costing more than \$50,000 must be formally bid and approved by the City Council unless one of the exceptions below applies. The requesting department must submit specifications to the Purchasing Department for verification. The Purchasing Department will then be responsible for submitting the specifications to the City Council for approval and requesting permission to advertise for sealed bids. Following award of the bid by the City Council, a properly executed and authorized contract and/or purchase order will be submitted to the vendor to whom the bid was awarded.

Exception: Formal bidding requirements may be waived for such purchases if the City Attorney determines that a statutory exception to the formal bidding requirements applies to the purchase, or if a legal substitute for the bidding requirements, such as a co-op contract, is used for the purchase. When this exception applies, City Council approval is not required if the purchase is for a budgeted item and no contract is required.

SECTION 2. THAT should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby.

SECTION 3. THAT any ordinances or parts of ordinances in conflict with this ordinance shall be, and are hereby, repealed to the extent of such conflict.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 9th day of December, 2014, with Councilmembers Marquez, Myers, McLellan, McDonald and Benavides voting “aye” for the passage of same. Councilmember Boyd, being opposed, voting “nay” for the passage of same. Councilmember Harbour was not present at this meeting.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 13th day of January, 2015, with Councilmembers Marquez, Harbour, Myers, McLellan, McDonald and Benavides voting “aye” for the passage of same. Councilmember Boyd, being opposed, voting “nay” for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary



Purchasing and Material Control Memorandum

To: Honorable Mayor, City Council, City Manager
From: Paul Sotelo, Purchasing Agent
Date: January 13, 2015
Subject: Request for Bid Award for an Aerial Fire Truck for the Fire Department

On Tuesday, January 6, 2015, the City of Big Spring received a quote for an Aerial Fire Truck thru the BuyBoard Purchasing Cooperative.

Recommendation: Staff recommends that the bid be awarded to Hall Buick, Pontiac, GMC for a 2014 Ferrara HD77 Aerial Fire Truck for \$613,013.14 which is \$36,986.86 under budget.



Purchasing and Material Control Memorandum

To: Honorable Mayor, City Council, City Manager
From: Paul Sotelo, Purchasing Agent
Date: January 13, 2015
Subject: Request for Bid Award for an Ambulance for EMS

On Tuesday, January 6, 2015, the City of Big Spring received a quote for an ambulance thru the BuyBoard Purchasing Cooperative.

Recommendation: Staff recommends that the bid be awarded to PEVSS of Mena, AR for a 2015 GM Type I Ambulance for \$107,465.00 less trade-in of a 2003 McCoy-Miller Type I Ambulance for \$2,500.00 bringing the total to \$104,965.00, which is \$5,035.00 under budget.



Purchasing and Material Control Memorandum

To: Honorable Mayor, City Council, City Manager
From: Paul Sotelo, Purchasing Agent
Date: January 13, 2015
Subject: Request for Bid Award for Daily Cover Machine for the Landfill

On Tuesday, January 6, 2015, the City of Big Spring received a quote for a Daily Cover Machine for the Landfill thru the BuyBoard Purchasing Cooperative.

Recommendation: Staff recommends that the bid be awarded to Romco Equipment Co. of Fort Worth, TX for a 2014 Finn LF120 Hydro Seeder in the amount of \$60,585.00, which is \$4,415.00 under budget.



Purchasing and Material Control Memorandum

To: Honorable Mayor, City Council, City Manager
From: Paul Sotelo, Purchasing Agent
Date: January 13, 2015
Subject: Request for Bid Award for Three Cubic Yard Refuse Containers

On Tuesday, January 6, 2015, the City of Big Spring received a quote for Three Hundred Ninety-Four 3 cubic yard Refuse Containers thru the HGAC Purchasing Cooperative.

Recommendation: Staff recommends that the bid be awarded to Roll Offs USA of Durant, OK for the amount of \$179,664.00 plus freight costs of \$11,374.00 for a total of \$191,038.00, which is \$8,962.00 under budget.



Purchasing and Material Control Memorandum

To: Honorable Mayor, City Council, City Manager
From: Paul Sotelo, Purchasing Agent
Date: January 13, 2015
Subject: Request for Bid Award for Two (2) Sanitation Trucks

On Tuesday, January 6, 2015, the City of Big Spring received a quote for two (2) Sanitation Trucks thru the BuyBoard Purchasing Cooperative.

Recommendation: Staff recommends that the bid be awarded to Rush Truck Center of Odessa, TX for two (2) trucks 2016 Peterbilt Trucks with 30 cu. Yard Challenger bodies at \$212,829.00 each for a total of \$425,658.00, which is \$34,342.00 under budget.



Purchasing and Material Control Memorandum

To: Honorable Mayor, City Council, City Manager
From: Paul Sotelo, Purchasing Agent
Date: January 13, 2015
Subject: Request for Bid Award for Animal Control Truck

On Tuesday, January 6, 2015, the City of Big Spring received a quote for an Animal Control Truck thru the BuyBoard Purchasing Cooperative.

Recommendation: Staff recommends that the bid be awarded to Rush Ford-Isuzu of Dallas, TX for the amount of \$23,919.00, which is \$2,081.00 under budget.



Purchasing and Material Control Memorandum

To: Honorable Mayor, City Council, City Manager
From: Paul Sotelo, Purchasing Agent
Date: January 13, 2015
Subject: Request for Bid Award for Utility Truck for Distribution and Collection

On Tuesday, January 6, 2015, the City of Big Spring received a quote for a Utility Truck for Distribution and Collection thru the BuyBoard Purchasing Cooperative.

Recommendation: Staff recommends that the bid be awarded to Rush Ford-Isuzu from Dallas, TX for a 2015 Ford F350 with a utility bed for \$38,544.00, which is \$1,456.00 under budget.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, APPROVING Z14_06, A REZONE OF BLOCK 4, LOT 17, NORTH BELVUE ADDITION, ALSO KNOWN AS 906 BIRDWELL LANE, LOCATED IN EAST BIG SPRING, HOWARD COUNTY, TEXAS, FROM SINGLE-FAMILY (SF-2) DWELLING ZONING DISTRICT TO MULTI-FAMILY (MF) DWELLING ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission has given its approval of the rezone of said North Belvue Addition, Block 4, Lot 17, Howard County, Texas, also known as 906 Birdwell Lane;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, THAT:

SECTION 1. The rezone of Block 4, Lot 17, North Belvue Addition, also known as 906 Birdwell Lane, from Single-Family (SF-2) Dwelling Zoning District to Multi-Family (MF) Dwelling Zoning District in Big Spring, Texas, is hereby approved by said City Council.

SECTION 2. Should any section, paragraph, sentence, clause, phrase or word of this Ordinance be declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby.

SECTION 3. The City Secretary is hereby ordered and directed to cause the descriptive caption, as well as the penalties for violation of this ordinance to be published as provided by law.

SECTION 4. This Ordinance shall take effect immediately from and after its publication and passage upon two readings in accordance with the provisions of the Charter of the City of Big Spring, and it is accordingly so ordained.

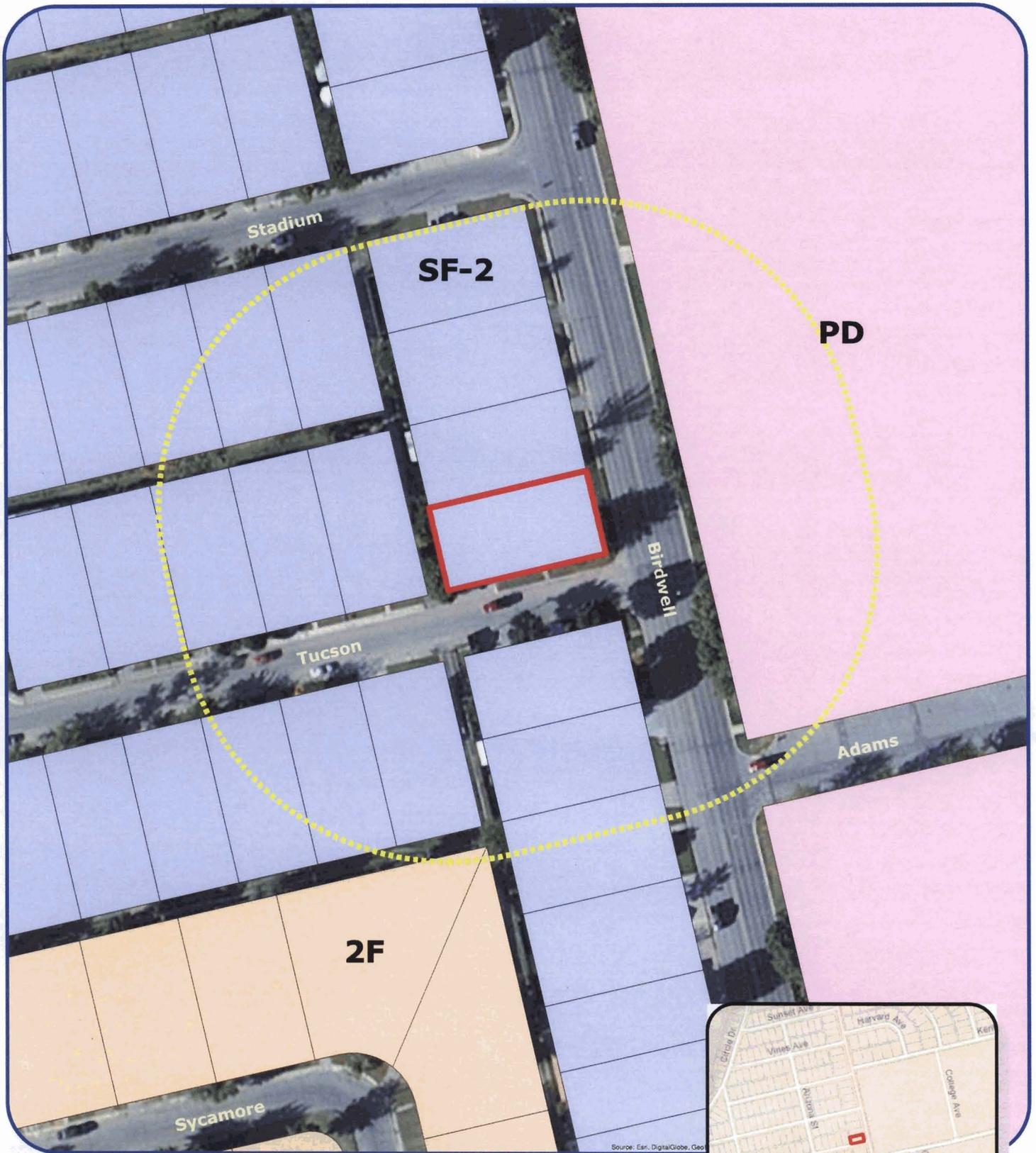
PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 13th day of **January, 2015**, with all members present voting “aye” for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 27th day of **January, 2015**, with all members present voting “aye” for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary



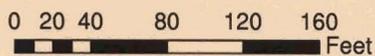
Zoning Case File

Case:Z14_06

Council District:
Boyd/Benevides

Legend

- Subject Property: —
- Current Zoning: SF-2
- Requested Zone Change: MF
- Vision: N/A



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, APPROVING A FINAL PLAT OF AN APPROXIMATE 4.679 ACRE TRACT LOCATED APPROXIMATELY 210 FEET NORTHEAST OF THE INTERSECTION OF SUNSET AVENUE AND BIRDWELL LANE, MORE SPECIFICALLY, AN APPROXIMATE 4.679 ACRE TRACT OUT OF SECTION 44, BLOCK 32, TOWNSHIP 1 NORTH OF THE T&P RAILWAY COMPANY SURVEY IN EAST BIG SPRING, TEXAS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Big Spring Planning and Zoning Commission recommends that the City Council authorize a final plat of approximately 4.697 acres out of Section 44, Block 32, T-1-N, T & P Railway Company Survey, located approximately 210 feet northeast of the intersection of Sunset Avenue and Birdwell Lane in East Big Spring;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, THAT:

SECTION 1. The final plat of an approximate 4.679 acre tract out of Section 44, Block 32, Township 1 North of T & P Railway Company Survey in the City of Big Spring, Howard County, Texas, attached hereto as Exhibit "A," is hereby approved.

SECTION 2. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby.

SECTION 3. This ordinance shall take effect immediately from and after its passage upon two readings in accordance with the provision of the Charter of the City of Big Spring, and it is accordingly so ordained.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 13th day of **January, 2015**, with all members present voting "aye" for the passage of same.

PASSED AND APPROVED on second final reading at a regular meeting of the City Council on the 27th day of **January, 2015**, with all members present voting "aye" for the passage of same

Larry McLellan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS AUTHORIZING SUBMISSION OF A GRANT APPLICATION WITH THE PERMIAN BASIN REGIONAL PLANNING COMMISSION UNDER THE REGIONAL SOLID WASTE GRANTS PROGRAM; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACT AS THE AUTHORIZED REPRESENTATIVE IN ALL MATTERS RELATED TO THIS APPLICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Big Spring desires to develop a solid waste reduction program which serves the community, landfill, and compost operations by prolonging the life of the landfill; and

WHEREAS, the Permian Basin Regional Planning Commission is directed by the Texas Commission on Environmental Quality to administer solid waste grant funds for implementation of the COG's adopted regional solid waste management plan; and

WHEREAS, the City of Big Spring is qualified to apply for funding under the Regional Solid Waste Grant Program Requests for Applications;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, THAT:

SECTION 1. City staff is directed to submit an application to the Permian Basin Regional Planning Commission on behalf of the City for equipment, product remediation, education, and training related to a solid waste reduction program.

SECTION 2. If the project is funded, the City of Big Spring will comply with the grant requirements of the Permian Basin Regional Planning Commission, Texas Commission on Environmental Quality, and the State of Texas.

SECTION 3. The grant funds and any grant-funded equipment or facilities will be used only for the purposes for which they are intended under the grant.

SECTION 4. All activities will comply with and support the adopted regional and local solid waste management plans adopted for the geographical area in which the activities are performed.

SECTION 5. By a written instrument signed by the Authorized Official, said Authorized Official may designate specially identified officers or employees of the City of Big Spring to execute and deliver agreements and documents relating to the Grant provided by PBRPC on behalf of the City of Big Spring.

Signatures and Titles of Authorized Official:

Name: Todd Darden

Title: City Manager

Signature

SECTION 6. Should any section, paragraph, sentence, clause, phrase or word of this resolution be declared unconstitutional or invalid for any purpose, the remainder of this resolution shall not be affected thereby.

PASSED AND APPROVED on the first reading by the City Council of the City of Big Spring, Texas, on this 13th day of January, 2015 at a regular meeting of the City Council, with all members present voting “aye” for passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 27th day of January, 2015, with all members present voting “aye” for the passage of the same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS AMENDING CHAPTER THIRTEEN OF THE BIG SPRING CODE OF ORDINANCES, BY AMENDING ARTICLE 13, ENTITLED "AMBULANCE SERVICE," SECTION 13-210 ENTITLED "AMBULANCE FEES" TO ESTABLISH NEW FEES FOR BASIC AMBULANCE SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Big Spring operates Emergency Medical Services (EMS) for the citizens of Big Spring and Howard County; and

WHEREAS, the City Council finds it necessary to align ambulance fees with current industry standards;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, THAT:

SECTION 1. The City of Big Spring Code of Ordinances, Chapter 13, entitled "Health and Safety," Article 13, entitled "Ambulance Services," Section 13-210, entitled "Ambulance Fees" is hereby amended to read as follows:

Sec. 13-210. Ambulance Fees.

Basic fees for emergency ambulance service, transfer/transport service, and refusal of service shall be according to the following schedule:

(1)	ALS 1	\$ 850.00
(2)	ALS 2	\$ 1,050.00
(3)	SCT (scheduled inner facility transfer)	\$ 1,275.00
(4)	BLS	\$ 750.00
(5)	ALS (Non-Emergency)	\$ 850.00
(6)	BLS (Non-Emergency)	\$ 750.00
(7)	Refusal	\$ 150.00
(8)	ALS Disposables	\$ 375.00
(9)	BLS Disposables	\$ 225.00
(10)	Oxygen	\$ 150.00
(11)	Mileage	\$ 15.00

Medicare/Medicaid Assignments: The ambulance service will accept Medicare and Medicaid assignments. Patients will be required to pay only the balance due on the Medicare approved fee after Medicare reimbursements.

Ambulance Subscriber Service: The ambulance service offers Ambulance Subscriber Service to residents for a One-Hundred-Fifty dollar (\$150.00) yearly membership fee. This fee covers all emergency and medically necessary ambulance services for the subscriber’s entire household (all persons living in that household). Everyone is eligible for membership regardless of lack of private insurance coverage. If a member does have insurance coverage, the charges will be filed with the insurance company for payment and the member will not be responsible for any remaining balance after insurance reimbursements.

SECTION 2. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4. The City Secretary is hereby ordered and directed to cause the descriptive caption, as well as any penalties for violation of this ordinance to be published as provided by law.

SECTION 5. This ordinance shall take effect immediately from and after its publication and passage upon two readings in accordance with the City Charter.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 13th day of **January, 2015**, with all members of the Council voting “aye for passage of the same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 27th day of **January, 2015** with all members voting “aye” for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AMENDING ORDINANCE NUMBER 048-2014, WHICH ADOPTED THE ANNUAL BUDGET FOR THE CITY OF BIG SPRING, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015, TO TRANSFER BUDGETED FUNDS WITHIN THE GENERAL FUND FROM THE SPORTS COMPLEX DEPARTMENT TO THE AQUATIC CENTER DEPARTMENT; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS the City Council adopted the annual 2014-15 budget for the City of Big Spring, Texas on September 25, 2014; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS AS FOLLOWS:

SECTION 1. Enacted.

THAT the General Fund Budget of the Annual Budget for the City of Big Spring, Texas for the Fiscal Year beginning October 1, 2014 and ending September 30, 2015 by transferring the amount of \$3,200.00 from the Sports Complex Department, 002-027-375-6314, to the Aquatic Center Department, 002-027-380-6226, for the purpose of providing adequate funding for the the purchase of an Accu-tab system for dispensing chlorine.

SECTION 2. Continuing effect.

THAT the remaining portions of Ordinance Number 048-2014 shall remain in full force and effect.

SECTION 3. Repeal.

THAT all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4. Publication.

THAT the City Secretary is hereby authorized and directed to cause the publication of this ordinance in accordance with law.

SECTION 5. Effective Date.

THAT, this ordinance shall be in force and effective from and after its publication as required by law.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 13th day of January, 2015 with all members of the Council voting “aye” for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 27th day of January, 2015 with all members of the Council voting “aye” for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

**JOINT ELECTION AGREEMENT
BETWEEN
BIG SPRING INDEPENDENT SCHOOL DISTRICT
AND
THE CITY OF BIG SPRING, TEXAS**

In compliance with 271.002(a) of the Texas Election Code, the Big Spring Independent School District and the City of Big Spring hereby agree to hold a joint election in conformance with the provisions set forth below.

1. Scope

This Agreement covers the conduct of the City's regular election and the District's general trustee election, which are to be held on May 9, 2015 ("Election Day") as well as any special election which may be called by either Party which will be held on the above noted election day, jointly for the voters in the City of Big Spring and the Big Spring Independent School District.

2. Legal Documents

The Parties shall each be responsible for the preparation, adoption, and publication (including bilingual publications) of their respective required election orders, resolutions, notices, Department of Justice pre-clearance submission (as required by the Civil Rights Act), and any other pertinent documents required by law, unless otherwise set forth herein.

3. Polling Places

The Parties shall share common polling places as set forth in their respective election orders, and in accordance with Election Code §271.003 and Chapter 43 of the Election Code.

4. Conducting the Election

- a. The Parties have each entered into an Election Services Agreement with Howard County wherein the Elections Administrator has agreed to perform election duties ordinarily contemplated in a Joint Election Agreement. Accordingly, the terms of each Party's respective Election Service Contract shall bind the conduct of the election for each Party.
- b. In the event a conflict regarding the conduct of the election (with the exception of polling places) arises between this Agreement and the

Election Services Agreement, the Election Services Agreement provision prevails.

5. Election Records Retention

Both Parties will be responsible for the retention of their respective records, in accordance with the Texas Election Code.

6. Order, Resolution, or Other Official Action

The Parties agree to state the terms of the Joint Election Agreement in an order, resolution, or other official action adopted by the governing body of each Party, at a lawfully called meeting, as required by Texas Election Code § 271.002(d).

7. Cancellation of Election

Should either Party cancel its election, this Agreement will become void upon notification to the other Party.

8. Preservation

An executed copy of this Agreement shall be preserved by each party for the period for preserving the precinct election records, as required by Texas Election Code §271.002(e), or longer as determined by each Party's records retention schedules.

9. Miscellaneous Provisions

- a. This Agreement shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the Parties created hereunder are performable in Howard County, Texas.
- b. In the event one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.
- c. The Parties shall comply with all applicable laws, ordinances, and codes of the State of Texas, all local governments, and any other entities with local jurisdiction.
- d. The waiver by any party of a breach of any provision of this Agreement shall not operate as or be construed as a waiver of any subsequent breach.
- e. Any amendment of this Agreement shall be of no effect unless in writing and signed by both Parties hereto.

- f. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original for all purposes.

CITY OF BIG SPRING

Larry McLellan, Mayor

ATTEST:

BIG SPRING INDEPENDENT SCHOOL DISTRICT

Chad Wash, School Board President

ATTEST:

WATER SUPPLY AGREEMENT
Between the City of Big Spring and
Howard County Water Control and Improvement District No. 1

This Water Supply Agreement is made and entered into effective the 1st day of February, 2015, by and between Howard County Water Control and Improvement District No. 1 (hereinafter called the “District”) and the City of Big Spring (hereinafter called “City”).

WHEREAS, the City owns its water distribution system and anticipates that it will have available from its source of supply a surplus of water in excess of its needs; and

WHEREAS, the District has a water distribution system, but has no source of water supply of its own; and

WHEREAS the City and the District entered into an agreement dated February 1, 2005, (hereinafter the “Original Agreement”), the purpose of which is for the City to sell and the District to buy water upon the terms and conditions and for the consideration set forth in the agreement; and

WHEREAS, the City and the District entered into a First Amendment to Water Supply Agreement effective July 12, 2011; and

WHEREAS, the City and the District desire to continue such arrangement with a new Water Supply Agreement;

NOW, THEREFORE, in consideration of the mutual premises contained herein, the City agrees to sell and the District agrees to buy water upon the terms and conditions and for the consideration hereinafter set forth:

1. **QUANTITY.** The City agrees to sell and to deliver to the District at the point hereinafter specified, and District agrees to purchase and take at said delivery point, water required by District during the period of this Agreement for its own use and for distribution to all of the customers served by the District. The District represents that its estimated present average of daily requirements of water are approximately 300,000 gallons. The City will use its best efforts to supply treated water at a rate of 0.6 gallons per minute per connection, but its obligation shall be limited to the amount of water available to the City from its own source of supply.

It is further agreed that in the event of a temporary water shortage, should it become necessary for the City to ration water, the District will apply the same basis of rationing to its customers as is applied in the City of Big Spring.

2. **QUALITY.** The City shall be obligated to treat and filter the water to be delivered by the City and received by the District hereunder, so that said water shall be of the same quality supplied to the citizens of the City of Big Spring. The water is to be delivered in the City's water pipelines at City pressure to authorized and approved delivery point(s).

3. **MEASURING EQUIPMENT.** The District shall furnish, install and maintain at its own expense at said delivery point the necessary equipment and devices of standard type to be approved by the City for measuring properly the quantity of water delivered under this Agreement. Such meter or meters and other equipment so installed shall remain the property of District. The City shall have access to such metering equipment at all reasonable times, but the calibration and adjustment thereof shall be done only by the meter manufacturer's representative when requested by the City, the cost of which service by such representative is to be paid by the District. For the purpose of this Agreement the original record or reading of the meter or meters shall be the journal or other record book of City, and retained in the City office in which the records of the employee or agent of the City who takes the readings are, or may be, transcribed. Upon written request of District the City will give District a copy of such journal or record book, or permit District to have access to the same in the office of the City during reasonable business hours.

(A) **Calibration and Adjustment of Delivery Meter.** Not more than once in each calendar month, on a date as near the end of such calendar month as practical, the City shall have the meter calibrated by the meter manufacturer's representative, if requested in writing by the District to do so, in the presence of a representative of the District and a representative of the City. The Parties shall jointly observe any adjustments which are made to the meter in case any adjustments shall be necessary, and if the check meter hereinafter provided for has been installed, the same shall also be calibrated by the meter manufacturer's representative in the presence of a representative of the City and a representative of the District and the Parties shall jointly observe any adjustment in case any adjustment is necessary. If the District shall, in writing, request the City to have the meter calibrated and the City shall give the District notice of the time when any such calibration is to be made and a representative of the District is not present at the time set, the City may proceed to have the meter calibrated and adjusted in the absence of any representative of the District.

If either Party at any time observes a variation between the delivery meter and the check meter, or if any such check meter is installed, such Party will promptly notify the other Party, and the Parties hereto shall then cooperate to procure an immediate calibration test and joint observation of any adjustment and the said meter or meters shall then be adjusted to accuracy. Each Party shall give the other Party forty-eight (48) hours notice of the time of all tests of meters so that the other Party may conveniently have a

representative present. All calibrations, tests and adjustments are to be made by the meter manufacturer's representative.

If upon the test, the percentage of inaccuracy of any metering equipment is found to be in excess of two percent (2%), registration thereof shall be corrected for a period extending back to the time when such inaccuracy began, if such time is ascertainable, and if such time is not ascertainable, then for a period extending back one-half (½) of the time elapsed since the last date of calibration, but in no event further back than a period of six (6) months.

(B) Payment for Delivered but Unmetered Water. If for any reason any meters are out of service or out of repair so that the amount of water delivered cannot be ascertained or computed from the reading thereof, the water delivered through the period such meters are out of repair shall be estimated and agreed upon by the Parties hereto upon the basis of the best data available. For such purposes, the best data available shall be deemed to be the registration of any check meter if the same has been installed and is accurately registering. If no check meter has been installed, or if the accuracy of any check meter is questioned, the City shall, at its discretion, use one of the following methods to estimate the amount of water delivered during any period that the delivery meter is not functioning properly: (1) correcting the error, if the percentage of the error is ascertainable by calibration tests or mathematical calculation; (2) estimating the quantity of water delivered by taking the average for deliveries during the same period for the prior two (2) years under similar conditions when the delivery meter was registering accurately; or (3) using billing and water loss records provided by the District and the City of Coahoma.

(C) Check Meter. The District may, at its option and its own expense, install and operate a check meter to check the delivery meter, but the measurement of water for the purpose of this agreement shall be solely by the delivery meter, except in the cases hereinabove specifically provided to the contrary. Any such check meter shall be of standard make and shall be subject at all reasonable times to inspection and examination by any employee or agent of the City, but the calibration and adjustment thereof shall be made only by the meter manufacturer's representative, at the request of either the City or the District. Provided that during any period when the check meter may be used under the provisions hereof for measuring the amount of water delivered, the reading thereof shall be made by City with like effect as if such check meter had been furnished or installed by City.

4. **UNIT OF MEASUREMENT.** The measurement for water delivered hereunder shall be 1,000 gallons of water, U.S. Standard Liquid Measure.

5. FISCAL PERIODS, PRICE, AND TERMS.

- (A) For the purpose of billing and accounting for water delivered hereunder, the District shall be included in the billing zone of the City in which the delivery point is located.

The fiscal year shall commence on February 1st of each year. The consideration to be paid by the District to the City shall be City's cost plus ten percent (10%). The term "City's cost" as used herein shall mean and include the following: (1) Estimated average cost of raw water furnished to City by Colorado River Municipal Water District (CRMWD); (2) Cost of labor, materials and chemicals in connection with operation and maintenance of City's water system; (3) Cost of electric power for operating water treatment plant and for supplying water at required pressure to District's delivery point; (4) Amount required to pay principal and interest on revenue bonds and general obligation bonds issued against City's water system. All of the foregoing cost items shall be calculated on the basis of proportionate cost per 1,000 gallons of water, and on or before February 1st each year during the term of this Agreement, the City shall determine per 1,000 gallon price to be paid by the District for the ensuing year.

It is further agreed that during any temporary period of water shortage of the City, when it is required that the City temporarily increases its water rates in order to raise sufficient revenues to meet the principal and interests payments when due on its outstanding waterworks bonds and its waterworks operating expenses, then in such event the price of water to the District shall be increased in the same proportion that the rates are increased to the citizens of the City of Big Spring.

- (B) City shall bill District monthly for water delivered to District during the billing month, which bill shall disclose the quantity of water delivered during such month and the amount charged to the District for such service. Such bills shall be delivered to the District within seven (7) days after the end of the billing month covered and each such bill shall be paid by the District on or before the 15th day after the billing date at the office of the City. In the event the District shall fail to make such payment herein specified, a penalty of ten percent (10%) of the total current bill will be assessed against the District. In the event such payment is not made within sixty (60) days from the date such payment becomes due the City may, at its option, discontinue the delivery of water to the District until the amount then due the City is paid in full with penalty as above specified; provided that such service shall not be discontinued until after thirty (30) days written notice to District.

6. **SPECIAL CONDITIONS.**

Title to all water supplied hereunder shall remain with the City to the point of delivery, and upon passing through the meter installed at the specific point of delivery such title to the water shall pass to the District. Each of the Parties hereto shall be responsible for and agrees to save and hold the other Party harmless from all claims, demands, and causes of action which may be asserted by anyone on account of the transportation, delivery, and disposal of said water while title remains in such Party.

7. **FORCE MAJEURE.**

In case by reason of force majeure either Party hereto shall be rendered unable wholly or in part to carry out its obligations under this Agreement, other than the obligation of District to make the payment required under the terms hereof, then if such Party shall give notice and full particulars of such force majeure in writing to the other Party filing such notice, so far as it is affected by such force majeure, shall be suspended during the continuance of the inability then claimed, but for no longer period, and any such Party shall endeavor to remove or overcome such inability with all reasonable dispatch. The term "Force Majeure" as employed herein, shall mean acts of God, strikes, lockouts, or other industrial disturbances, act of public enemy, war, orders of any kind of the Government of the United States or the State of Texas or any civil or military authority, insurrection, riots, epidemics, landslides, lightning, earthquake, fires, hurricanes, storms, floods, washouts, droughts, arrests, restraint of government and people, civil disturbances, explosions, breakage or accidents to machinery, pipelines or canals, partial or entire failure of water supply, and inability on part of City to deliver water hereunder, or of the District to receive water hereunder, on account of any other causes not reasonably within the control of the Party claiming such inability. It is understood and agreed that the settlement of strikes and lockouts shall be entirely within the discretion of the Party having the difficulty, and that the above requirement that any Force Majeure shall be remedied with all reasonable dispatch shall not require the settlement of strikes and lockouts as acceding to the demands of the opposing Party having the difficulty.

8. **TERM OF AGREEMENT.** This Agreement shall continue in full force and effect for a period of ten (10) years from February 1, 2015.

9. **MODIFICATION.** This Agreement may be changed or modified only with the consent of the governing bodies of both the District and City. Such modification may be requested by either Party, in which event a joint meeting of such governing bodies shall be held not less than ninety (90) days after giving of such notice, at which joint meeting the requested changes or modifications shall be considered and discussed. No such change or modification may be made which will effect adversely the prompt payment when due of all moneys

required to be paid by the District under the terms of this Agreement. Provided, however, notwithstanding anything herein to the contrary, the City reserves the right to terminate this Agreement upon one-hundred-eighty (180) days written notice to the District in the event the amount of water available to the City from its own source of supply, less the water hereunder to the District is, in the opinion of the City, not sufficient to satisfy the needs of the citizens of the City of Big Spring.

10. **REGULATORY BODIES.** This Agreement shall be subject to all valid rules, regulations, and laws applicable hereto and passed or promulgated by the United States of America, the State of Texas, or any governmental body or agency having lawful jurisdiction of any authorized representative or agent of the City or the District.

11. **NOTICES.** All notices or communications provided for herein shall be in writing and shall be either delivered to City or District, or if mailed, shall be sent by registered mail, postage paid, addressed as follows:

City of Big Spring
310 Nolan St.
Big Spring, TX 79720

Howard County Water Control
and Improvement District No. 1
P.O. Box 350
Coahoma, TX 79511

or to such other address as may later be designated in writing by a party.

12. **ADOPTION OF DROUGHT CONTINGENCY PLAN AND WATER USE RESTRICTIONS.** The District shall adopt the applicable provisions of the City's Water Conservation Plan and Drought Contingency Plan, or have a plan approved by the City's Public Works Director. The District agrees to amend its plan or plans at such times as the City amends its plans.

The District specifically acknowledges that it has adopted the City's most recent amendment to the Drought Contingency Plan dated May, 2011. The District agrees to use its best business practices to convey to its customers the outside watering and other water use restrictions put in place by the City and to take any steps reasonably necessary to enforce water use reductions required now or in the future by the City or its water supplier the Colorado River Municipal Water District (CRMWD).

The Parties agree that the City will notify the District as soon as it becomes aware that the District is approaching or exceeding a water delivery amount that exceeds the effective water usage reduction level currently in place. The Parties further agree that if the District's use of water exceeds such reduction level, the City reserves the right to stop or limit delivery of

water to the District to the extent necessary to meet the required reduction levels. In such event the Parties will mutually agree on an amount of water that is necessary for emergency purposes such as for medical, elderly or child care facilities among the District's customers, and the City will deliver that amount of water absent other incidences of Force Majeure that might prevent such delivery.

Dated this ____ day of _____, 201__.

CITY OF BIG SPRING

Larry McLellan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary

HOWARD COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

President

ATTEST:

Secretary

Minutes of the Board of Director's Regular Meeting
BIG SPRING ECONOMIC DEVELOPMENT CORPORATION
Tuesday, November 18, 2014 5:15 p.m.
Offices of the Big Spring Economic Development Corporation
215 West Third Street, Big Spring, Texas

The Regular Meeting of the Board of Directors of the Big Spring Economic Development Corporation was called to order at 5:15 p.m. Tuesday, November 18, 2014 in the offices of the Big Spring Economic Development Corporation. The following notice was sent on November 14, 2014 to all Directors, the news media, and duly posted on November 14, 2014, by Teresa Darden in compliance with the Open Meeting's Act by posting it on the outside door of the Big Spring Economic Development Corporation and on the inside and outside of City Hall.

"The Board of Directors of the Big Spring Economic Development Corporation will hold a Regular Board Meeting on Tuesday, November 18, 2014 at 5:15 p.m. in the offices of the Big Spring Economic Development Corporation, 215 West Third Street, Big Spring, Texas. The purpose of the meeting is: Action on Minutes of the October 21, 2014 Regular Board Meeting, Action to Approve October Financials Report, Action to Approve October Investment Report, Appointment of Chair by President for Industry Retention and Expansion Committee, Directors Report, Executive Session, Action as a Result of Executive Session, Directors Report, Board Comment, and Adjourn".

Directors Present:

Mr. Terry Hansen- President
Mr. Cole Morgan-Vice President
Mrs. Nadine Reyes- Secretary/Treasurer
Mr. Bob Price
Mrs. Kay McDaniel

Directors Absent:

Staff Present:

Mr. Terry Wegman

Guests that signed in: Mack Wood, Renee Bianco, David Graves, Jan Hansen

AGENDA ITEM # 1 – Call to Order/Invocation and Pledge:

Mr. Hansen called the meeting to order at 5:15 p.m. Mr. Price led the invocation and Mr. Hansen led the pledge.

ACTION ITEM #2- Action on Minutes of the October 21, 2014 Regular Board Meeting:

Mr. Hansen presented the minutes of the October 21, 2014 Regular Meeting. Motion to accept the minutes for the October 21, 2014 Regular Meeting was made by Mr. Morgan, seconded by Mrs. McDaniel. The motion passed 5 to 0 with all members present voting "aye" in favor of the motion.

ACTION ITEM #3- Action to Approve October Financials Report:

Mrs. Reyes presented October Financials. Motion to approve the October Financials was made by Mrs. Reyes seconded by Mrs. McDaniel. The motion passed 5 to 0 with all members present voting "aye" in favor of the motion.

AGENDA ITEM #4- Action to Approve October Investment Report:

Mrs. Reyes presented the October Investment Report. Motion to approve the October Investment Report was made by Mrs. Reyes seconded by Mr. Morgan. The motion passed 5 to 0 with all members present voting “aye” in favor of the motion.

AGENDA ITEM #5- Appointment of Chair by President for Industry Retention and Expansion Committee:

Mr. Hansen appointed Mrs. McDaniel as the Chair of the Industry Retention and Expansion Committee.

AGENDA ITEM #6- Directors Report:

Mr. Wegman updated the Board on the Invenergy wind project, the Air Park Rail Project and the Prime Eco Group. Mr. Wegman informed the Board of past and upcoming meetings to include: High Ground Annual Meeting October 30-31th, TEDC Women in Economic Development November 18-19th, Meeting with TxDot November 19th, TEDC Board Retreat December 4-5th, High Ground Austin Allies December 10-11th and the Next Board Meeting will be December 16th. Mr. Wegman wished everyone a Happy Thanksgiving.

AGENDA ITEM #7- Executive Session:

Mr. Hansen adjourned the Board of Directors into Executive Session @ 5:35 pm. November 18, 2014.

Mr. Hansen called the Executive Session to order at 5:36pm. November 18, 2014

Mr. Hansen adjourned out of executive session at 6:14pm. November 18, 2014

AGENDA ITEM #8- Action as a Result of Executive Session:

Mr. Hansen reconvened into open session at 6:15pm. November 18, 2014

Mr. Price made the motion to authorize the Executive Director to begin discussion between the EDC and Bartlett & West to negotiate a design build contract for the next phase of rail infrastructure at the Airpark. The motion was seconded by Mr. Morgan. The motion passed 5 to 0 with all members present voting “aye” in favor of the motion.

Mr. Morgan made the motion to approve the Performance Agreement between the EDC and the City of Big Spring for a maximum expenditure of \$1.5 million financial assistance for the Phase 3 rail extension, seconded by Mr. Price. The motion passed 5 to 0 with all members present voting “aye” in favor of the motion.

AGENDA ITEM #9- Public Comments:

None

AGENDA ITEM # 10- Board Comments:

None

AGENDA ITEM # 11- Adjourn:

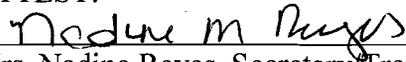
Mrs. McDaniel made a motion to adjourn, seconded by Mr. Morgan.

The motion passed 5 to 0 with all members present voting “aye” in favor of the motion.

Meeting adjourned at 6:20 pm on November 18, 2014.


Mr. Terry Hansen, President

ATTEST:


Mrs. Nadine Reyes, Secretary/Treasurer