



CITY COUNCIL AGENDA

Tuesday, January 14, 2014

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, January 14, 2014, 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"
Thank You!**

Presentations & Public Hearings

1. Invocation & Pledge of Allegiance to the United States Flag and to the Texas State Flag
"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible." McLellan
2. **Public Hearing** – Regarding Submission of One or More Applications for Community Development Block Grant Assistance from the Texas Department of Agriculture's Texas Capital Fund Program to Provide Improved Facilities and Services in the Community Womack
3. **Public Hearing** – Regarding a Replat of Kentwood, Block 17, Lots 20-39 and Block 20, Lots 1-20, being 11.3 Acres Located East of Central Drive and South of East 25th Street. Zoned: N/A, Currently Outside the City Limits. Browning
4. **Public Hearing** – Regarding a Final Plat of Big Spring Village, Block 1, Lot 1 and Block 2, Lot 1, being 14.02 Acres Located South of Old State Highway 1 and on Both Sides of Airbase Road. Browning

Disposition of Minutes

5. Approval of Minutes of the Regular Meeting of December 10, 2013 and Special Meeting of December 11, 2013 5-13 Davis
01-14-14 Agenda

Consent Items

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| 6. | Acceptance of the Convention and Visitors Bureau Committee Minutes for the Meeting of November 13, 2013 | 14-16 | Darden |
| 7. | Acceptance of the Zoning Board of Adjustments and Appeals Minutes for the Meeting of March 27, 2013 | 17-18 | Davis |
| 8. | Acceptance of the Howard County Appraisal District's Board of Directors Minutes for the Special Meeting of September 11, 2013, Regular Meeting of September 11, 2013 and Meeting of November 13, 2013 and | 19-22 | Moore |

Routine Business

- | | | | |
|----|-----------------------|-----------------|---------|
| 9. | Vouchers for 12/12/13 | \$ 981,157.37 | Harbour |
| | Vouchers for 12/19/13 | \$ 616,389.37 | |
| | Vouchers for 01/02/14 | \$ 816,282.51 | |
| | Vouchers for 01/09/14 | \$ 1,077,520.27 | |

New Business

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| 10. | Emergency Reading of a Resolution Authorizing Submission of an Application to the Texas Department of Agriculture for Funding Through the Texas Capital Fund for Infrastructure Improvements | 23-24 | Womack |
| 11. | Consideration of Adopting a Citizen Participation Plan and Citizen Complaint Procedures to be Followed During Implementation of Texas Community Development Block Grant Program, Texas Capital Fund Projects | 25-31 | Womack |
| 12. | First Reading of an Ordinance Regarding Approximately Annexing a 74.382 Acres Hereinafter Described to the City of Big Spring, and Extending the Boundary Limits so as to Include the Described Property within the City Limits, and Granting to Said Territory and to All Future Inhabitants of the Property all of the Rights and Privileges of Other Citizens; Adopting a Service Plan for the Territory Annexed; Establishing Approximately 52.1 Acres as an SF-2 (Single Family Dwelling District) Zone and Establishing Approximately 22.5 Acres as a Planned Development for Townhouses; Binding Future Inhabitants by All of the Acts and Ordinances of the City; Providing for a Penalty, for Publication and for an Effective Date | 32-43 | Browning |
| 13. | First Reading of an Ordinance Approving a Replat of Kentwood (Unit 2), Block 17, Lots 20-39 and Block 20, Lots 1-20, to the City of Big Spring, Providing for Severability, and Providing an Effective Date | 44 | Browning |

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| 14. | First Reading of an Ordinance Approving a Final Plat of Big Spring Village, Block 1, Lot 1 and Block 2, Lot 1, to the City of Big Spring, Providing for Severability and Providing an Effective Date | 45 | Browning |
| 15. | First Reading of a Resolution Repealing Resolution Number 31-2000 Which Required All City Employees to Live Within a 30 Minute Travel Time to Their Workstation | 46 | Medina |
| 16. | First Reading of an Ordinance Amending Ordinance Number 029-2013 Which Adopted the Annual Budget for the City of Big Spring for the Fiscal Year Beginning October 1, 2013 and Ending September 30, 2014; in Oder to Increase the Motel Tax Fund Budget for the Purpose of Additional Event Funding; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Publication and Providing an Effective Date | 47-48 | Moore |
| 17. | First Reading of an Ordinance Amending Ordinance Number 029-2013 Which Ordinance Adopted the Annual Budget for the City of Big Spring for the Fiscal Year Beginning October 1, 2013 and Ending September 30, 2014; Providing for Increasing the Malone and Hogan Clinic Fund Budget for the Purpose of Purchasing a New Boiler System for Malone & Hogan Clinic; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Publication and Providing an Effective Date | 49-50 | Moore |
| 18. | First Reading of a Resolution Authorizing the City Manager to Execute Any Necessary Documents on Behalf of the City, Including a Juvenile Accountability Block Grant Waiver of Funds Form in Order to Allow the City's Allocations of Such Grant Funds from the Texas Criminal Justice Division to be Used by Lubbock County to Fund the Office of Dispute Resolution's Juvenile Accountability Program | 51 | Williams |
| 19. | First Reading of an Ordinance Amending Chapter Twenty of the Code of Ordinances of the City of Big Spring Entitled "Building Codes and Board of Adjustments and Appeals" by Amending Section 20-1 in Order to Provide that Whenever the City's Contracted Plan Review and Inspection Service Performs Services Then the City Will Pass Through the Charge for Such Service to the Customer; Providing for Severability; Providing for Publication and Providing an Effective Date | 52-53 | Womack |
| 20. | Approval of a Joint Election Agreement with Big Spring Independent School District and Authorizing the Mayor to Execute Any Necessary Documents | 54-56 | Moore |
| 21. | Approval and Acceptance of the Texas "J" Regional Advisory Council 2013 EMS/Trauma Care System Award for \$8,490.00 for Use of Such Funds to Make Allowable Purchases Above the EMS Department Current Budget | 57 | Ferguson |

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| 22. | Approval of an Industrial Park Lease with D&I, Silica, L.L.C., for the Purpose of a Rail Storage and Transloading Facility at the McMahan-Wrinkle Airport and Industrial Park and Authorizing the City Manager to Execute Any Necessary Documents | Little |
| 23. | Announcement of the Appointment of Jim DePauw to the Civil Service Commission | McLellan |
| 24. | Acceptance of the Big Spring Economic Development Corporation Board of Directors Minutes for the Regular Meeting of November 25, 2013 and Special Meeting of December 9, 2013 | 58-63
Sjogren |

City Manager's Report

- | | | |
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| 25. | | Darden |
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Council Input

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| 26. | Input | McLellan |
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Executive Session

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| 27. | Adjourn into Executive Session in Accordance with Texas Government Code Section 551.072 to Discuss the Purchase, Exchange, Lease or Value of Real Property - Malone and Hogan Clinic – Police Department Building – Municipal Court Building | McLellan |
| 28. | Reconvene in Open Session and Take Any Necessary Action | |
| 29. | 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 10, 2014 at 5:00 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

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 10, 2013, with the following members present:

LARRY McLELLAN	Mayor
MARCUS FERNANDEZ	Mayor Pro Tem
CARMEN HARBOUR	Councilmember
GLEN CARRIGAN	Councilmember
BOBBY McDONALD	Councilmember
RAUL BENAVIDES	Councilmember
MARVIN BOYD	Councilmember

Same and constituting a quorum; and

TODD DARDEN	City Manager
LINDA SJOGREN	City Attorney
JOHN MEDINA	Human Resources Director
CHAD WILLIAMS	Police Chief
CRAIG FERGUSON	Fire Chief
TIM GREEN	Municipal Court Judge
DON MOORE	Interim Finance Director/ City Secretary
JOHNNY WOMACK	Public Works Director

PRESENTATIONS & PUBLIC HEARINGS

INVOCATION & PLEDGE OF ALLEGIANCE

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

PRESENTATION OF DECEMBER “STAR EMPLOYEE” AWARD

Mayor McLellan, Todd Darden and Craig Ferguson presented the “Star Employee” award for December to Michael Fangman, Firefighter for the Big Spring Fire Department.

PUBLIC HEARING – TO CONSIDER THE ANNEXATION INTO THE BIG SPRING CITY LIMITS OF 74.382 ACRES OF LAND, UNDEVELOPED AND OWNED BY THE BIG SPRING LAND, LP, BEING GENERALLY LOCATED SOUTH OF E. 25TH STREET AND WEST OF MORGAN RANCH ROAD AND BEING PART OF

**SECTION NINE, BLOCK THIRTY-TWO, TOWNSHIP ONE SOUTH, T & P
RAILROAD COMPANY SURVEY, HOWARD COUNTY, TEXAS**

Motion was made by Councilmember Carrigan, seconded by Mayor Pro Tem Fernandez with all members of the Council voting “aye” to open the above listed public hearing. There were no comments from citizens or the Council. Motion was made by Councilmember McDonald, seconded by Mayor Pro Tem Fernandez with all members of the Council voting “aye” to close the public hearing.

DISPOSITION OF MINUTES

MINUTES OF THE REGULAR MEETING OF NOVEMBER 12, 2013

Motion was made by Councilmember Benavides, seconded by Councilmember Carrigan, with all members of the Council voting “aye” approving the minutes of the regular meeting of November 12, 2013.

CONSENT ITEMS

FINAL READING OF AN ORDINANCE ANNEXING THE TERRITORY TO THE CITY OF BIG SPRING AND EXTENDING THE BOUNDARY LIMITS SO AS TO INCLUDE DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF THE PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS; ADOPTING A SERVICE PLAN FOR THE TERRITORY ANNEXED; ESTABLISHING IT AS AN SF-2 (SINGLE FAMILY DWELLING) ZONE AND BINDING FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE CITY OF BIG SPRING; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

FINAL READING OF A RESOLUTION APPROVING THE INVESTMENT POLICY FOR THE CITY

ACCEPTANCE OF MCMAHON-WRINKLE INDUSTRIAL PARK DEVELOPMENT BOARD MINUTES FOR THE MEETING OF OCTOBER 24, 2013

ACCEPTANCE OF THE CONVENTION AND VISITORS BUREAU COMMITTEE MINUTES FOR THE MEETING OF OCTOBER 2, 2013

ACCEPTANCE OF THE HOWARD COUNTY APPRAISAL DISTRICT’S BOARD OF DIRECTORS MINUTES FOR THE MEETING OF AUGUST 14, 2013

Motion was made by Councilmember Carrigan, seconded by Councilmember Harbour, with all members of the Council voting “aye” approving the second and final reading of the above listed ordinance, resolution and the above listed minutes.

The final reading of the following resolution was pulled from the consent agenda:

FINAL READING OF A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR FUNDING THROUGH THE TEXAS CAPITAL FUND FOR INFRASTRUCTURE IMPROVEMENTS; AUTHORIZING THE CITY MANAGER TO ACT ON THE CITY'S BEHALF REGARDING THE APPLICATION AND AWARD; AND PROVIDING AN EFFECTIVE DATE

Johnny Womack, Director of Public Works, requested that the resolution be pulled from consideration and explained that if we submit the above application at a later date there will be more funds available. Council agreed.

BIDS

AWARD BID FOR A SANITATION IMPROVEMENT STUDY AND PLAN AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

After a brief discussion, motion was made by Councilmember Carrigan, seconded by Councilmember Benavides, with all members of the Council voting "aye" awarding the bid to SAIC Energy, Environment & Infrastructure, LLC for a Sanitation Improvement Study and Plan and authorizing the City Manager or his designee to execute any necessary documents in the amount of \$90,400.00 with the option to add an additional cost of \$7,700 through a future budget amendment if necessary.

PERMISSION TO ADVERTISE FOR BIDS FOR THE PREPARATION OF AN AIRPORT/INDUSTRIAL PARK MASTER PLAN

Motion was made by Councilmember McDonald, seconded by Councilmember Carrigan, with all members of the Council voting "aye" approving permission to advertise for bids for the preparation of an Airport/Industrial Park Master Plan.

PERMISSION TO ADVERTISE FOR BIDS AND APPROVAL OF SPECIFICATIONS FOR THE EAST CELL CONSTRUCTION AT THE BIG SPRING/HOWARD COUNTY MSW LANDFILL

Motion was made by Councilmember Benavides, seconded by Mayor Pro Tem Fernandez, with all members of the Council voting "aye" approving permission to advertise for bids and approval of specifications for the East Cell Construction at the Big Spring/Howard County MSW Landfill.

PERMISSION TO ADVERTISE FOR BIDS FOR LEASE PURCHASE FINANCING FOR VARIOUS EQUIPMENT

Motion was made by Councilmember Carrigan, seconded by Councilmember Benavides, with all members of the Council voting “aye” approving permission to advertise for bids for Lease Purchase Financing for various equipment.

PERMISSION TO ADVERTISE FOR BIDS FOR AN ANNUAL CONTRACT TO PROVIDE CONCRETE IMPROVEMENTS

Motion was made by Councilmember Benavides, seconded by Councilmember Carrigan, with all members of the Council voting “aye” approving permission to advertise for bids for an annual contract to provide concrete improvements.

PERMISSION TO ADVERTISE FOR BIDS FOR CONTRACTED JANITORIAL SERVICES AT CITY HALL, POLLY MAYS AND COUNCIL CHAMBERS

Motion was made by Councilmember Harbour, seconded by Councilmember Boyd, with all members of the Council voting “aye” approving permission to advertise for bids for contracted janitorial services at City Hall, Polly Mays and Council Chambers.

AWARD BID FOR THE PURCHASE OF SANITATION CONTAINERS AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Boyd, seconded by Councilmember Harbour, with all members of the Council voting “aye” awarding bid to RollOffs USA for the purchase of sanitation containers and authorizing the City Manager or his designee to execute any necessary documents in the amount of \$191,025.00.

ROUTINE BUSINESS

Mayor Pro Tem Fernandez reviewed the vouchers. Motion was made by Mayor Pro Tem Fernandez, seconded by Councilmember Harbour, with all members of the Council voting “aye” approving vouchers in the amount of \$754,609.93 (11/14/13), \$832,940.35 (11/21/13) and \$718,520.27 (12/05/13).

NEW BUSINESS

EMERGENCY READING OF A RESOLUTION AUTHORIZING THE FILING OF TWO GRANT APPLICATIONS WITH THE PERMIAN BASIN REGIONAL PLANNING COMMISSION UNDER THE REGIONAL SOLID WASTE GRANT PROGRAM; AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACT AS THE AUTHORIZED REPRESENTATIVE IN ALL MATTERS RELATED TO THE APPLICATIONS

Motion was made by Mayor Pro Tem Fernandez , seconded by Councilmember Benavides, with all members of the Council voting “aye” approving an emergency reading of a resolution authorizing the filing of two grant applications with the Permian Basin Regional Planning

Commission under the Regional Solid Waste Grant Program; and authorizing the City Manager or his designee to act as the authorized representative in all matters related to the applications.

EMERGENCY READING OF A RESOLUTION AUTHORIZING SIGNATORIES FOR ALL DOCUMENTATION PERTAINING TO THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TXCDBG) – CONTRACT AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Carrigan, seconded by Councilmember Harbour, with all members of the Council voting “aye” approving an emergency reading of a resolution authorizing signatories for all documentation pertaining to the Texas Community Development Block Grant Program (TXCDBG) – contract and authorizing the Mayor to execute any necessary documents.

EMERGENCY READING OF A RESOLUTION ADOPTING THE POLICY IN 12 U.S.C. 1701 u (SECTION 3) REGARDING EMPLOYMENT AND CONTRACTING OPPORTUNITIES; PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember Benavides, seconded by Mayor Pro Tem Fernandez, with all members of the Council voting “aye” approving an emergency reading of a resolution adopting the policy in 12 U.S.C. 1701 u (Section 3) regarding employment and contracting opportunities; providing an effective date.

EMERGENCY READING OF A RESOLUTION ADOPTING AN EXCESSIVE FORCE POLICY AND A GRIEVANCE PROCEDURE IN CONNECTION WITH THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; PROVIDING AN EFFECTIVE DATE AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Mayor Pro Tem Fernandez, seconded by Councilmember Harbour, with all members of the Council voting “aye” approving an emergency reading of a resolution adopting an Excessive Force Policy and a Grievance Procedure in connection with the Texas Community Development Block Grant Program; providing an effective date and authorizing the Mayor to execute any necessary documents.

APPROVAL OF AN INTERLOCAL AGREEMENT WITH THE SOUTH PLAINS ASSOCIATION OF GOVERNMENTS (SPAG) FOR ASSISTANCE WITH A TEXAS COMMUNITY DEVELOPMENT GRANT FROM THE TEXAS DEPARTMENT OF AGRICULTURE (TDA) FOR WATER IMPROVEMENTS AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Benavides, seconded by Councilmember Harbour, with all members of the Council voting “aye” approving an interlocal agreement with the South Plains Association of Governments (SPAG) for assistance with a Texas Community Development Grant from the Texas Department of Agriculture (TDA) for Water Improvements and authorizing the Mayor to execute any necessary documents.

**APPROVAL OF AN AGREEMENT WITH PARKHILL, SMITH & COOPER, INC.
FOR DESIGN AND CONSTRUCTION ASSISTANCE FOR WATER
IMPROVEMENTS AT YOUNG, STATE AND 14TH STREETS AND AUTHORIZING
THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS**

Motion was made by Councilmember Benavides, seconded by Councilmember Harbour, with all members of the Council voting “aye” approving an agreement with Parkhill, Smith & Cooper, Inc. for design and construction assistance for water improvements at Young, State and 14th Streets and authorizing the Mayor to execute any necessary documents.

**APPROVAL OF AN AGREEMENT BETWEEN THE TEXAS A&M FOREST
SERVICE FOR THE USE OF A FIRE SUPPRESSION VEHICLE AND
AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY
NECESSARY DOCUMENTS**

Motion was made by Councilmember McDonald, seconded by Mayor Pro Tem Fernandez, with all members of the Council voting “aye” approving an agreement between the Texas A&M Forest Service for the use of a Fire Suppression Vehicle and authorizing the City Manager or his designee to execute any necessary documents.

**ACCEPTANCE OF BIG SPRING ECONOMIC DEVELOPMENT CORPORATION BOARD
OF DIRECTORS MINUTES FOR MEETING OF OCTOBER 29, 2013**

Motion was made by Mayor Pro Tem Fernandez, seconded by Councilmember Carrigan, with all members of the Council voting “aye” approving the minutes of the Big Spring Economic Development Corporation Board of Directors meeting of October 29, 2013.

CITY MANAGER’S REPORT

Todd Darden, City Manager, reported :

- The resignation of Airpark Development Board Member, Jim DeVille.
- Special Council meeting on December 11th.
- Shortage on staffing in the Fire Dept. and in Utilities. Mr. Darden thanked the staff who have stepped in to help in the areas that have been short handed.

COUNCIL INPUT

All Councilmembers wished everyone a Merry Christmas, safe travel and thanked employees for their hard work all year.

Mayor Pro Tem Fernandez also reported that the Northside Movement fed over 750 people on Thanksgiving Day.

ADJOURN

Motion was made by Mayor Pro Tem Fernandez, seconded by Councilmember Harbour, with all members of the Council voting “aye” to adjourn at 7:15 p.m.

CITY OF BIG SPRING, TEXAS

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

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

The City Council of the City of Big Spring, Texas, met in a special meeting in the City Council Chambers located at 307 E. 4th, Big Spring, Texas, at 5:30 p.m., December 11, 2013, with the following members present:

LARRY McLELLAN	Mayor
MARCUS FERNANDEZ	Mayor Pro Tem
CARMEN HARBOUR	Councilmember
GLEN CARRIGAN	Councilmember
BOBBY McDONALD	Councilmember
RAUL BENAVIDES	Councilmember
MARVIN BOYD	Councilmember

Same and constituting a quorum; and

TODD DARDEN	City Manager
LINDA SJOGREN	City Attorney
JOHN MEDINA	Human Resources Director
CHAD WILLIAMS	Police Chief
CRAIG FERGUSON	Fire Chief
TIM GREEN	Municipal Court Judge
DON MOORE	Interim Finance Director/ City Secretary
JOHNNY WOMACK	Public Works Director

PRESENTATIONS & PUBLIC HEARINGS

INVOCATION & PLEDGE OF ALLEGIANCE

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

PUBLIC HEARING – TO CONSIDER THE ANNEXATION INTO THE BIG SPRING CITY LIMITS OF 74.382 ACRES OF LAND, UNDEVELOPED AND OWNED BY THE BIG SPRING LAND, LP, BEING GENERALLY LOCATED SOUTH OF E. 25TH STREET AND WEST OF MORGAN RANCH ROAD AND BEING PART OF SECTION NINE, BLOCK THIRTY-TWO, TOWNSHIP ONE SOUTH, T & P RAILROAD COMPANY SURVEY, HOWARD COUNTY, TEXAS

Motion was made by Mayor Pro Tem Fernandez, seconded by Councilmember Carrigan with all members of the Council voting “aye” to open the above listed public hearing. There were no comments from citizens or the Council. Motion was made by

Councilmember McDonald, seconded by Mayor Pro Tem Fernandez with all members of the Council voting “aye” to close the public hearing.

COUNCIL INPUT

No Council input.

ADJOURN

Motion was made by Councilmember Harbour, seconded by Councilmember Carrigan, with all members of the Council voting “aye” to adjourn at 5:50 p.m.

CITY OF BIG SPRING, TEXAS

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

**Convention and Visitors Bureau Committee
Minutes from Wednesday, November 13, 2013
City Council Chambers**

Present: Marcus Fernandez, Carmen Harbour, Jacob Cerda, Don Moore, Bruce Schooler

Staff: Debbie Wegman, Hayley Lewis

Absent: Troy Tompkins, Todd Darden

Guests: Michael Dutchover, ALSA; John De Los Santos, ALSA; Trevor Partlow, Big Spring Cruisers; Susan Roeber, Big Spring Kennel Club; Linda Miller, Big Spring Kennel Club; Nati Saldivar, Northside Movement

Mr. Fernandez called the meeting to order at 4:30 p.m.

Approval of minutes

The minutes from the meeting of October 2, 2013 were reviewed. Motion was made by Bruce Schooler to approve the minutes as written. Motion was seconded by Carmen Harbour and passed unanimously.

Consideration of Event Funding Requests

- a. Big Spring Kennel Club Dog Show: Linda Miller and Susan Roeber presented the request for the Big Spring Kennel Club Dog Show. The dog show is an annual event that happens the first week of May in Big Spring. The event brings anywhere from 300-500 entries. It's a two night event so most of the entrants stay overnight in hotels. Carmen Harbour asked about the superintendents fees; Mrs. Miller stated that since the Big Spring Dog Show is an AKC event that the superintendent handles all the paper work, entries, etc. Bruce Schooler mentioned the fairly large increase from past years, but Mrs. Miller and Mrs. Roeber stated that in past years the request did not include the superintendent's fees. The superintendent has a list of participants from around Texas, New Mexico, etc and sends out flyers and advertisement.

Motion was made by Bruce Schooler to approve the requested amount of \$7,650; the motion was seconded by Jacob Cerda and passed unanimously.

Discussion of Follow-up Reports

- a. Howard College Rodeo- no one was present but Mrs. Wegman said they report looks in order. All receipts were provided.
- b. Big Spring Film Society Summer Film Series- no one was present but Mrs. Wegman stated that all receipts and bank statements were provided.
- c. West Texas Rod Run and Sonic Cruise- Treavor Partlow was present to receive any questions; this year's event was their first two day event. Next year they'll be moving Dora Roberts Community Center; they had 85 participants and hopefully by moving the event to a paved area they will have a bigger turn out.

- d. 16th of September Festival- Michael Dutchover was present; he stated that it was a great two-night event but there is no knowledge of any overnight stays and they hope to work on that next year.

Other

- a. Finish Line- Mrs. Wegman provided information about a new finish line blow up structure for the various athletic/running events that are happening throughout the town. The blow up structure has an estimated cost of \$3,000 and could be used for many different events. Carmen Harbour made a motion to approve the purchase of a new finish line, Jacob Cerda seconded and the motion was passed unanimously.
- a. Billboard: Pictures of the new poinsettia billboard on I-20 were passed to committee members. Marcus Fernandez wants to revisit the idea of an electronic billboard. Jacob Cerda stated that he's read that the 4k LED technology prices will drop drastically in the upcoming year and Mr. Fernandez wants Jacob Cerda and Bruce Schooler to work together on researching, pricing, etc for an electronic billboard.
- b. DRCC Deposit Changes- Mrs. Wegman stated that we recently had to re-key the building because a renter lost the master key which cost \$525. She wants to change the contract to state that anytime someone is renting the building which requires a master key that they put down a \$525 deposit. A community member made the suggestion of getting an electronic code locking system, Marcus Fernandez asked to have more information emailed to him.

Financials

Financials were provided for committee review. The non-finalized September financials report was presented. Hotel Tax report was also provided and everything was approved. A comparison report, the data from the state comptroller, and an occupancy report were also provided.

CVB Coordinator Report

A Thank You card was provided by someone who received goody-bags from the CVB. Mrs. Wegman attended the Downtown Conference in Bastrop last week and said it was a very good conference and she learned some good ideas and met people for networking. The native and adaptive plant project has been planted at DRCC. Greeters are currently being recruited for the Comanche Trail Festival of Lights, the dates are December 15-31 from 6PM-8PM and 8PM-10PM. Mrs. Wegman will be attending a conference during the next CVB meeting time so she asked if we could move the meeting til the following week. Carmen Harbour asked if we could change the meeting time to 5pm, but Mr. Fernandez stated that meetings are usually held during work hours due to the city employees. Mr. Fernandez asked to table the issue until the next meeting.

Members Comments

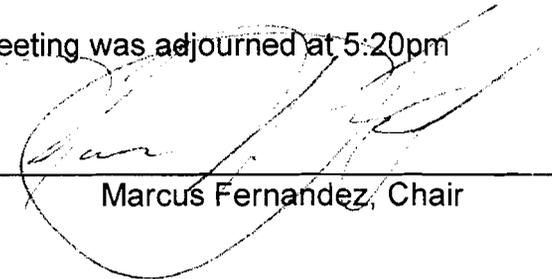
Carmen Harbour thanked Mr. Dutchover and Mr. Partlow for their events and wished them luck in upcoming years.

Bruce Schooler commented that it's great to see success from the events and that he is excited for the Dog Show.

Don Moore was welcomed as a new CVB committee member as he is interim finance director.

Marcus Fernandez thanked everyone for their hard work; and also thanked everyone for their help and support for the Veterans Day 5k run/walk. They had 103 runners/walkers and rose over \$7,000 to be donated to the Wounded Warrior Project. Mr. Fernandez also reminded the committee members of the Northside Movement's Thanksgiving Feast at Alberto's.

Meeting was adjourned at 5:20pm



Marcus Fernandez, Chair

12/12/2013

Date

**THE CITY OF BIG SPRING
ZONING BOARD OF ADJUSTMENTS AND APPEALS
MINUTES OF MARCH 27, 2013**

THE CITY OF BIG SPRING ZONING BOARD OF ADJUSTMENTS AND APPEALS HELD A MEETING WEDNESDAY, MARCH 27, 2013 AT 5:30 PM IN THE CITY COUNCIL CHAMBERS, LOCATED AT 307 E 4TH ST.

THE FOLLOWING MEMBERS WERE PRESENT:

Burr Lea Settles
Steve Herron
Drew Mouton
Kenneth Johnson
Libby Uribe

MEMBERS ABSENT:

OTHERS PRESENT:

Leslie Whitten-Administrative Assistant
Thomas Hodges-Code Enforcement Superintendent
Lance Champion-Representative for Pilot
Adolfo Saldivar
Irene Ortiz

CALL TO ORDER:

Steve Herron called the meeting to order @ 5:30 PM.

APPROVAL OF MINUTES OF September 28, 2011:

Drew Mouton made motion to approve minutes, Burr Lea Settles 2nd motion.
Kenneth Johnson inquired about my not reflecting a vote on an action item from the minutes of September 28, 2011. After discussion from the board & myself, I advised that it will be corrected.

All members present voted "Aye", none opposed. Motion carried.

Pilot Travel Centers, 706 E. I-20, is requesting a variance for a 100' sign. Mr. Hodges stated that 25 letters were sent out, 1 no objection, 0 objections and 2 returned letters.

Mr. Hodges stated that the City of Big Spring doesn't object to the sign. Kenneth Johnson made motion to approve. Libby Uribe 2nd the motion.

All members present voted "Aye", none opposed. Motion carried.

OTHER BUSINESS:

No other business.

ADJOURNMENT:

Burr Lea Settles made motion to adjourn. Kenneth Johnson 2nd motion.
All members present voted "Aye". None opposed. Meeting Adjourned.

CHAIRMAN'S SIGNATURE

Steve Henry

ADMIN ASSISTANT SIGNATURE

Leslie Whitten

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

SEPTEMBER 11, 2013

The Board of Directors of the Howard County Appraisal District (HCAD) met for Public meeting on the 2014 Budget on September 11, 2013 at 5:15 pm. Directors present were Donnie Baker, Dale Humphreys, Donnie Reid and Kathy Sayles. Ronny Babcock and Shane Schaffner represented the HCAD. Diane Carter represented the Tax Office.

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

No one was registered for public comments.

The board held a public hearing on the 2014 Budget.

The board discussed any changes in the 2014 Budget.

With no other business to discuss, the meeting adjourned at 5:22 P.M.


Secretary, Dale Humphreys


Chairman, Donnie Baker

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

SEPTEMBER 11, 2013

The Board of Directors of the Howard County Appraisal District (HCAD) met for their Regular Meeting on September 11, 2013 at 5:30 pm. Directors present were Donnie Baker, Dale Humphreys, Donnie Reid and Kathy Sayles. Ronny Babcock and Shane Schaffner represented the HCAD. Diane Carter represented the Tax Office.

Mr. Baker called the meeting to order at 5:23 pm.

No one was registered for public comments.

The minutes for August 14, 2013 were reviewed and approved on a motion from Kathy Sayles with a second from Donnie Reid. Motion carried 4 to 0.

The bills for August, 2013 were reviewed and approved on a motion from Dale Humphreys with a second from Kathy Sayles. Motion carried 4 to 0.

The financial report for July 2013 were reviewed and approved on a motion from Donnie Reid with a second from Dale Humphreys. Motion carried 4 to 0.

The District's travel expenses were reviewed and approved on a motion from Dale Humphreys with a second from Donnie Reid. Motion carried 4 to 0.

The chairman stated that at 5:29 PM they were going into executive session, Section 551.074, to discuss Personnel Matters.

At 5:49 PM the board reconvened in Open Session.

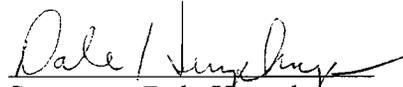
After reviewing the Howard County Appraisal District's Budget for 2014, Dale Humphreys motioned to approve the 2014 Budget, and seconded by Kathy Sayles. Motion carried 4 to 0.

The board removed the Mineral Contract proposals off the table from August 14, 2013 meeting. They reviewed the Mineral Contract proposals submitted. Dale Humphreys motioned to award the Mineral Contract to Pritchard & Abbott, Inc. starting in January, 2014. Donnie Reid seconded the motion. Motion carried 4 to 0.

The board reviewed the District's health insurance. Kathy Sayles motioned to accept Blue Cross Blue Shield with a premium limit of \$680 per employee. Donnie Reid seconded the motion. Motion carried 4 to 0.

Ronny Babcock gave the chief appraiser's report.

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


Secretary, Dale Humphreys

Chairman, Donnie Baker

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

NOVEMBER 13, 2013

The Board of Directors of the Howard County Appraisal District (HCAD) met for their Regular Meeting on November 13, 2013 at 5:15 pm. Directors present were Donnie Baker, Dale Humphreys and Kathy Sayles. Ronny Babcock represented the HCAD. Diane Carter represented the Tax Office.

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

No one was registered for public comments.

The minutes for September 11, 2013 were reviewed and approved on a motion from Kathy Sayles with a second from Dale Humphreys. Motion carried 3 to 0.

The bills for September, 2013 and October, 2013 were reviewed and approved on a motion from Dale Humphreys with a second from Kathy Sayles. Motion carried 3 to 0.

The financial report for October, 2013 were reviewed and approved on a motion from Dale Humphreys with a second from Kathy Sayles. Motion carried 3 to 0.

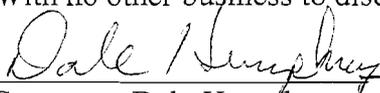
The District's travel expenses were reviewed and approved on a motion from Dale Humphreys, motion was seconded from Kathy Sayles. Motion carried 3 to 0.

The Chief Appraiser's Evaluation was tabled.
The Employment Agreement between the chief appraiser and the District was tabled.
Shane Schaffner's vacation time and sick time were tabled.
The ARB Member appointment was tabled.
Appointing an ARB Chairman was tabled.

Donnie Baker motioned to approve the Employees Holiday Schedule as printed. Motion seconded by Kathy Sayles. Motion carried 3 to 0.

Ronny Babcock gave the chief appraiser's report.

With no other business to discuss, the meeting adjourned at 6:10 P.M.


Secretary, Dale Humphreys


Chairman, Donnie Baker

A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR FUNDING THROUGH THE TEXAS CAPITAL FUND FOR INFRASTRUCTURE IMPROVEMENTS AND DECLARING AN EMERGENCY

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

SECTION 1. The City Council has reviewed and hereby approves an application for:

Item	Benefiting business	Use of funds	Amount
1.	5 Star Hotel Management II, LP, dba Holiday Inn of Big Spring	Infrastructure: sewer improvements	\$588,000
2.	To be procured after funding	Engineering Services	\$112,000
3.	To be procured after funding	Administration Services	\$50,000
TOTAL GRANT REQUEST:			\$750,000

SECTION 2. The City Council has reviewed and hereby agrees to comply with all assurances executed in connection with the application and, if funded, the award.

SECTION 3. The City Manager is hereby authorized and directed to act on the City's behalf in all matters pertaining to this application and, if funded, the award.

SECTION 4. The City Council understands that there is no requirement of repayment for this award and, therefore, will not require the benefiting business (5 Star Hotel Management II, LP, dba Holiday Inn of Big Spring) to repay any Texas Capital Fund monies received for this project unless an agreement between the benefiting business and the City of Big Spring provides otherwise.

SECTION 5. The passage of this Resolution constitutes an emergency and an imperative necessity that the Charter Rule requiring that City Resolutions be read at two (2) separate meetings of the City council shall be suspended, and said rule is hereby suspended, and this Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Big Spring, Howard County, Texas, held on Jan. 14, 2013 by the following vote:

AYES:_____ NAYS:_____ ABSENT:_____

ATTEST:

LARRY McLELLAN, MAYOR

TAMI DAVIS, ASST. CITY SECRETARY

JUVENILE ACCOUNTABILITY
BLOCK GRANT (JABG) WAIVER
OF FUNDS FORM

OFFICE OF THE GOVERNOR
 CRIMINAL JUSTICE DIVISION
 P.O. Box 12428
 AUSTIN, TEXAS 78711
 512/463-1919
 FAX: 512/475-2440
WWW.GOVERNOR.STATE.TX.US

1 T.A.C. §3.1211

Any entity receiving a local allocation may waive their ability to apply for funds and choose instead to waive the allocation to a larger or neighboring city, county, or Native American tribe that will still benefit the waiving entity's area. To designate an agency to receive your jurisdiction's allocation, complete this form and fax it to (512) 475-2440 by the application submission deadline. The applicant that is requesting CJD funding is responsible for obtaining written authorization from each agency that chooses to waive their allocation. CJD will not award any *additional* waived funds to the applicant organization until the waiver form is signed and received by CJD. Funds will revert back to CJD if not requested or waived by the application submission deadline.

PART I: WAIVER OF ALLOCATION

Name of agency waiving funds:	City of Big Spring	
Amount of waived funds:	\$13,937.00	
The name of the agency that will receive the waived allocation:	Lubbock County	
If funds are being waived to more than one agency, ENTER the additional name(s) of the agency(ies) receiving funds and the amount of the waived funds to each agency:		
Name(s) of the Agency(ies) Receiving Waived Funds	Amount of Funds Waived	
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	

PART II: SIGNATURE AUTHORIZING THE WAIVER OF ALLOCATIONS

The agency waiving funds hereby authorizes the above-named organization(s) to receive the allocated funds.

Todd Darden

 Name of the Agency's Authorized Official

City Manager

 Title of the Agency's Authorized Official

 Signature of the Agency's Authorized Official

City of Big Spring

 Name of the Agency Waiving Funds

 Effective Date

**CITY OF BIG SPRING
CITIZEN PARTICIPATION PLAN FOR
TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM PROJECTS**

The City of Big Spring, Texas, shall comply with the following citizen participation plan requirements:

- 1) Provide for and encourage citizen participation, emphasizing participation by persons of low and moderate income residing in slum and blight areas and in areas in which TxCDBGP funds are proposed to be used;
- 2) Provide citizens with reasonable and timely access to local meetings, information and records concerning the proposed and actual use of TxCDBGP funds;
- 3) Provide for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing TxCDBGP proposals with the level and type of assistance to be determined by the City;
- 4) Provide for public hearings to obtain citizen views and to respond to questions and proposals at all stages of the community development program, including at least the development of needs, the review of proposed activities, and a review of program performance, which hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodations for handicapped persons;
- 5) Provide for a timely written response to written complaints and grievances, within 15 working days where practicable; and
- 6) Identify how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

PUBLIC HEARING PROVISIONS

For each public hearing scheduled and conducted by the City of Big Spring, Texas, the following public hearing provisions shall be observed:

- (1) Public notice of all hearings must be published at least three (3) calendar days prior to the scheduled hearing. The public notice must be published in a non-legal section of a local newspaper. Each public notice must include the date, time, location and topics to be considered at the public hearing. A published newspaper article can also be used to meet this requirement so long as it meets all content and timing requirements.
- (2) Each public hearing shall be held at a time (generally after 5:00 PM on weekdays or on Saturdays) and location convenient to potential or actual beneficiaries and will include accommodation for handicapped person.
- (3) When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter will be present to accommodate the needs of the non-English speaking residents.

COMPLAINT PROCEDURES

The City of Big Spring, Texas, has in place written citizen complaint procedures that provide a timely written response to complaints and grievances. The complaint procedures comply with the requirements of the Office of Rural Affairs' Complaint System, 10 T.A.C. Sec 178.1 and 178.2. Citizens will be made aware of the location and hours at which times they may obtain a copy of these written procedures.

TECHNICAL ASSISTANCE

When requested, the City of Big Spring, Texas, will provide technical assistance to groups representative of persons of low and moderate income in developing proposals for the use of TxCDBGP funds. The level and type of assistance shall be determined by the City based upon the specific needs of the community's residents.

The City will comply with the following citizen participation requirements for the preparation and submission of an application to the Texas Community Development Block Grant Program:

- (1) At a minimum, the City will hold at least one public hearing prior to developing the application and publish a public notice at least 5 days prior to submission of all applications.
- (2) Multiple public hearings will be held at least 7 days apart.
- (3) The public hearing will be held in a location convenient to residents of the proposed project area.
- (4) The City will retain documentation of the hearings notice(s), a listing of persons attending the hearings(s), minutes of the hearing(s), and any other records concerning the proposed use of funds for a period of one year or until the project, if funded, is closed out. Such records will be made available to the public in accordance with Texas Civil Statutes, Article 6252-17a.
- (5) The public hearing will include a discussion with citizens on the development of housing and community development needs, the amount of funding available. All eligible activities under the Texas Community Development Block Grant Program and the use of past TxCDBGP contract funds, if applicable. Citizens, with particular emphasis on persons of low and moderate income who are residents of slum and blight areas, will be encouraged to submit their views and proposals regarding community development and housing needs. Citizens will be made aware of the location where they may submit their views and proposals should they be unable to attend the public hearing.
- (6) A public notice will announce the applicant's intent to submit the proposed project, the amount of funds being requested, the estimated amount of funds proposed for activities that will benefit low/moderate income persons, and the plans of the locality to minimize displacement of persons and to assist persons actual displaced as a result of activities assisted with TxCDBGP funds, if applicable. The notice will include the location and hours when the application is available for review.
- (7) While more than one application can be discussed at a single public hearing e.g., if the applicant is considering both a Community Development Fund and a Texas Capital Fund application - a hearing held for the previous program year's submittal of the same

application (under either fund) is not acceptable for meeting the requirements for any subsequent competition.

The City will comply with the following citizen participation requirements in the event that it receives funding from the Texas Community Development Block Grant Program:

- (1) The City will hold a public hearing concerning any substantial change, as determined by the Office of Rural Affairs (ORA), proposed to be made in the use of TxCDBGP funds from one eligible activity to another.
- (2) Upon completion of the community development program activities, the City will hold a public hearing and review its program performance including the actual use of the TxCDBGP funds.
- (3) The City will retain documentation of the hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three years after the project is closed out. Such records will be made available to the public in accordance with Texas Civil Statutes, Article 6252-17a.

CITIZEN PARTICIPATION PLAN COMPLAINT SYSTEM

1. A citizen who has a comment or complaint about the quality of services provided by any subcontractor for the City related to a Texas Community Development Block Grant Program (TxCDBGP) funded project or a comment or complaint related to any aspect of a TxCDBGP project may submit such comment or complaint in writing to the Mayor.
2. The Mayor shall advise the complainant that his written comment or complaint will be presented to the City Council at the next regularly scheduled meeting of that body and the complainant shall be invited to attend the meeting to observe the action of the City Council.
3. The Mayor shall present the written comment or complaint to the City Council at its next regularly scheduled meeting and advise the Council that an investigation of the will be conducted. Further, he shall advise the Council that the findings of that investigation will be brought back to the Council at its next regularly scheduled meeting. The Mayor may, at his discretion, appoint a City staff person, a member of the City Council or a committee of the Council to investigate the complaint or he may conduct the investigation himself.
4. At the next regularly scheduled meeting of the City Council, the appointed person or committee or the Mayor shall present a report of its (his) findings. The City Council shall then vote to adopt or reject the report and approve the action to be taken in response to the complaint. The complainant shall be informed of the meeting and be invited to observe the deliberations and decision of the Council.
5. The decision of the City Council shall be carried out and, if necessary, a report shall be given by the Mayor at the next regularly scheduled meeting of the Council confirming that the action required by the Council was completed. If a final report of the resolution of the comment or complaint is to be provided at the next Council meeting, the complainant shall be so informed.

6. The City shall report the comment and complaint received and the action taken in its quarterly report to the Office of Rural Affairs and close-out documentation for the TxCDBGP project.

Approved and adopted by City of Big Spring, Texas, governing body on Jan. 14, 2014.

[seal of City]

LARRY MCLELLAN, MAYOR

ATTEST

TAMI DAVIS, ASST. CITY SECRETARY

CITY OF BIG SPRING, TEXAS

CITIZEN COMPLAINT PROCEDURES FOR TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM PROJECTS

In order to comply with the Office of Rural Affairs Complaint System, 10 T.A.C. Sec 178.1 and 178.2, the following citizen complaint procedures, adopted by City of Big Spring, Texas, are intended to provide a timely written response to all complaints and grievances made against City of Big Spring, Texas, during implementation of its Texas Community Development Block Grant Program efforts:

- 1) A person who has a comment or complaint about the services funded or to be funded by a block grant administered by the City may submit such comment or complaint in writing to the Mayor who is responsible for administering the block grant program.
- 2) The Mayor shall, within five working days of receiving the comments or complaints, conduct an investigation into same, determine an appropriate response to same and so advise the person who made said comments or complaints, in writing. If, for any reason this cannot be done, the Mayor will, within five working days of receiving the comment or complaint, advise the person making the comment or complement, in writing, why the response cannot be provided within five working days of receiving the comment or Complaint and when a response can be expected.
- 3) The Mayor shall notify the person who made said comments or complaints, in writing, of the final results of any investigation conducted. Unless unusual circumstances interfere, all investigative action and reports documenting the findings of same should be accomplished prior to the 15th working day after the comments or complaints were originally received. Should this final response be delayed, the person making the comments or complaints must be so advised in writing, to include the problems being encountered and a new date for final resolution of the comment or complaint.
- 4) A copy of the above outlined comment and/or complaint procedures can be obtained at the office of the City Manager in the City of Big Spring, Texas, City Hall between the hours of 8:00 A.M. and 4:30 P.M., Monday through Friday (except holidays).

Approved and adopted by City of Big Spring, Texas, governing body on Jan. 14, 2014.

[seal of City]

LARRY MCLELLAN, MAYOR

ATTEST

CITY OF BIG SPRING CITIZEN COMPLAINT FORM

FOR CITY USE ONLY

INSTRUCTIONS: Read this form and the instructions on reverse carefully before completing. All questions should be answered. However, if you do not know the answer or if a question is not applicable, leave the questions unanswered and fill out as much of the form as you can. Your complaint should be signed and dated and, if possible, notarized. Where more than one individual or organization is filing the same complaint, each additional individual or organization should complete boxes 1 and 7 of a separate complaint form and attach it to the original form, but the other boxes need not be completed if the information is the same as in the original form, but the other boxes need not be completed if the information is the same as in the original. Complaints may be (1) mailed to or (2) filed or presented in person to the Mayor of 79720 City of Big Spring, 310 Nolan Street, Big Spring, TX 75119.

Number _____
Date _____
Filing Date _____
DATE OF PRIOR ACTION, IF ANY _____
PRELIMINARY DETERMINATION _____

PLEASE TYPE OR PRINT

1. Name of Aggrieved person or organization Telephone Number:

(Mr. Mrs. Miss) (Last Name - First Name - Middle Initial) Street Address City City State ZIP Code

2. Whom is this complaint against?

Name (Last Name-First Name-Middle Initial) Street Address City City State ZIP Code Telephone Number

Is the party named above a: (Check applicable box or boxes)

City Employee City Council Member Contractor of the City Other

Name and Identify Others (if any) you believe violated the law in this case:

3. What did the person you are complaining against do? When did act or acts occur? (Be sure to include all dates, if several dates are involved.)

4. Do you believe there was discrimination because of? (Check applicable box and write your race, color, religion, sex or national origin on the line below the box checked)

Race or Color Religion Sex National Origin

5. Please review the following and check the applicable box or boxes if they apply to your case.

The City has described its housing and community development needs in a manner clearly inconsistent with available facts and data; The activities proposed by the City are clearly inappropriate to meet the City's needs and objectives;
 The City has not complied with TxCDBG program requirements; The proposed activities are not eligible for TxCDBG grant assistance.

6. Summarize in your own words what happened. Use this space for a brief and concise statement of the facts. Additional details of what happened may be provided on an attachment. (NOTE: The City will furnish a copy of complaint to the person or organization against whom complaint is made.)

7. I swear or affirm that I have read this complaint (including any attachments) and that it is true to the best of my knowledge, information, and belief.

(Date) (Sign your name)

NOTARIZATION:

8. Subscribed and sworn to before me this _____ day of _____, _____.

SEAL

(Name) (Title)

IF IT IS DIFFICULT FOR YOU TO GET A NOTARY PUBLIC TO SIGN THIS, SIGN YOUR OWN NAME AND MAIL IT WITHOUT NOTARIZATION.

CITY OF BIG SPRING CITIZEN COMPLAINT FORM

ADDITIONAL DETAILS

If you wish to explain in detail in an attachment what happened, you should consider the following:

1. If you feel that others were treated differently from you, please explain the facts and circumstances.
2. If there were witnesses or others who know what happened, give their names, addressees, and telephone numbers.
3. If you have made this complaint to other City staff or government agencies or to the State, explain when and where and what happened.

You can obtain assistance in filing a complaint at the offices listed below:

1. Complain to the Office of Rural Affairs under their Complaint System, 10 T.A.C. Sect 178.1 and 178.2.

Office of Rural Affairs
P.O. Box 12877
Austin, Texas 78711
(512) 936-7890
2. Complain to the Secretary of HUD by filing this form by mail or in person.

U.S. Department of Housing and Urban Development
Region VI - Dallas
New Dallas Federal Building
1100 Commerce Street
Dallas, Texas 75202

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, ANNEXING APPROXIMATELY 74.382 ACRES HEREINAFTER DESCRIBED TO THE CITY OF BIG SPRING, HOWARD COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS SO AS TO INCLUDE THE DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF THE PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS; ADOPTING A SERVICE PLAN FOR THE TERRITORY ANNEXED; ESTABLISHING APPROXIMATELY 22.5 ACRES AS A PLANNED DEVELOPMENT FOR TOWNHOUSES AND ESTABLISHING APPROXIMATELY 52.1 ACRES AS AN SF-2 (SINGLE FAMILY DWELLING DISTRICT) ZONE; BINDING FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE CITY OF BIG SPRING; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, all required public notices have been submitted and public hearings have been held in accordance with state law; and

WHEREAS, a petition for annexation has been duly signed and acknowledged by each and every person or corporation having an interest in the subject property;

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

SECTION 1: THAT the following described territory is hereby annexed and incorporated into the corporate limits of the City of Big Spring, Texas:

BEING a 74.382 acre tract of land out of a 90.089 acre tract out of Section 9, Block 32, T-1-S, T & P RR. Co. Survey, Howard County Texas, described by metes and bounds as follows:

BEGINNING at a ¾" I.P. found in the South right-of-way line of East 25th Street (100' right-of-way) in Section 9, Block 32, T-1-S, T & P RR. Co. Survey, Howard County, Texas, the NE corner of a 20' wide alley in Kentwood Addition (Unit No 2) an addition to the City of Big Spring, Howard County, Texas for the NW corner of this tract; from whence the NW corner of said Section 9 bears N. 14° 36' 32" W. 50.0' and S. 75° 23' 28" W. 2860.0'.

THENCE S. 14° 38' 36" E. along the East right-of-way line of said 20' wide alley, 175.0' to a ½" I.R. found, the PC of a curve to the right and corner of this tract.

THENCE Southeasterly along the East right-of-way line of said 20' wide alley and the arc of said curve to the right having a radius of 3255.0' (Chord Bearing S. 05° 35' 19" E. 1023.49') an arc length of 1027.75' to a ½" I.R. found for the PC of a curve to the left and a corner of this tract.

THENCE Southeasterly along the East right-of-way line of said 20' wide ally and the arc of said curve to the left having a radius of 2445.0' (Chord Bearing S. 7° 26' 41" E. 917.73') an arc length of 923.17' to a ½" I.R. found for a corner of this tract.

THENCE 7° 39' 50" E. along the East right-of-way line of said 20' wide alley 128.68' to a ½" I.R. found in the North line Merrily Drive (60' right-of-way) for the SW corner of this tract.

THENCE 88° 22' 06" E. along the North right-of-way line of said Merrily Drive, 364.34' to a ½" I.R. found for the PC of a curve to the left and a corner of this tract.

THENCE Northeasterly along the North right-of-way line of said Merrily Drive and the arc of said curve to the left having a radius of 360.0' (Chord Bearing N. 83° 48' 06" E. 96.11') an arc length of 96.4' to a ½" I.R. found for a corner of this tract.

THENCE N. 76° 27' 19" E. along the North right-of-way line of said Merrily Drive, 54.10' to a ½" I.R. with cap found for an interior corner of this tract.

THENCE southeasterly along a curve to the right having a radius of 2175.0'; (Chord bearing S. 13° 49' 42" E. 30.0) an arc of length 30.0' to a ½" I.R. with cap set in the centerline of Merrily Drive (60' Right-of-Way) for a corner of this tract.

THENCE N. 76° 27' 19" E. along the centerline of said Merrily Drive extended 889.34' to a ½" I.R. with cap set in a West line of a 169.723 acre tract for the SE corner of this tract.

THENCE northeasterly along a West line of said 169.723 acre tract and the arc of a curve to the left having a radius of 3065.0' (Chord bearing N. 14° 53' 23" W. 89.07') an arc length of 89.07' to a ½" I.R. with cap found for the PT of this curve and the PC of a curve to the right for a corner of this tract.

THENCE Northwesterly along a West line of said 169.723 acre tract and the arc of said curve to the right having a radius of 3270.0' (Chord bearing N. 7° 50' 40" W. 913.19') an arc length of 916.18' to a ½" I.R. with cap found, the PT of this curve, the PC of a curve to the left and a corner of this tract.

THENCE Northwesterly along a West line of said 169.723 acre tract and the arc of said curve to the left having a radius of 4615.0' (Chord bearing N. 7° 09' 58"

W. 1196.79') an arc length of 1200.17' to a ½" I.R. with cap found, the PT of this curve and a corner of this tract.

THENCE N. 14° 36' 58" W. along a West line of said 169.723 acre tract, 175.0' to a 120-D nail found in the South right-of-way line of said East 25th Street, the NW corner of said 169.723 acre tract and for the NE corner of this tract.

THENCE S. 75° 23' 28" W. along the South right-of-way line of said East 25th Street, 1359.91' to the PLACE OF BEGINNING.

Containing 74.382 Acres of Land

NOTE: A 30' wide strip of land 889.34' in length along a South line of this tract is to be used to extend Merrily Drive (60' Right-of-Way)

The city limits of the City of Big Spring are hereby extended to include the above described territory and said land and the future inhabitants thereof shall hereafter be entitled to all right and privileges of other citizens of the City of Big Spring, Texas and shall be bound by the acts and ordinances of said City.

SECTION 2. THAT the following described portion (22.5 acres) of the annexed property (as described in Section 1) is zoned Planned Development for the purpose of constructing Townhouses:

COMMENCING at an 80d nail found for the North East corner of Kentwood (Unit 2), being the North East corner of a 20' alley, being in the South right-of-way, (R.O.W.), line of East 25th Street.

THENCE S. 75° 24' 06" W. with the South R.O.W line of East 25th Street, being the North line of Kentwood (Unit 2) a distance of 339.59' to an ½" I.R. set with 1" Orange Plastic cap stamped "Baker Aicklen" for the POINT OF BEGINNING, being the North West corner of Lot 44, Block 24, being the North East corner of the alley of Block 24, same being the North East corner hereof;

THENCE, with the East line of the alley of Block 24, same being the East line hereof the following three (3) courses and distances:

1. S 14° 37' 49" E., a distance of 174.45' to an ½" I.R. set with 1" Orange Plastic Cap Stamped "Baker Aicklen" for the point of curvature of a curve to the right;
2. 1111.75' following the arc of said curve to the right having a radius of 4275.00', tangents of 559.03', a delta angle of 14° 54' 01", and a Chord which bears S. 07° 37' 49" E., a distance of 1108.62' to an ½" I.R. set with 1" Orange Plastic Cap Stamped "Baker Aicklen" for a point of reverse curvature of a curve to the left; and

3. 171.35' following said curve to the left having a radius of 3610.00', tangents of 85.78', a delta angle of 02° 43' 21", and a Chord which bears S. 01° 05' 28" E., a distance of 171.51' to an ½" I.R. set with a 1" Orange Plastic Cap Stamped "Baker Aicklen" for the South East corner hereof, from which a ½" I.R. found for the South West corner of Lot 23 of Block 24, being the South East corner of the alley of Block 24, being the North R.O.W. line of McDonald Drive bears 160.10' following the arc of said curve to the left having a radius of 3610.00', Tangents of 80.06', a delta angle of 02° 32' 28", and a Chord which bears S. 03° 43' 22" E., a distance of 160.09'.

THENCE, traversing over, across, and through the alley of Block 24, Lt 20 of Block 24, Joann Drive, Lot 24 of Block 21, the alley of Block 21, Lot 19 and Lot 20 of Block 21, Joshua Drive, Lot 22 of Block 20, and the alley of Block 20 the following three (3) courses and distances for the South line hereof:

1. S. 84° 22' 16" W., a distance of 288.02' to an ½" I.R. set with 1" Orange Plastic Cap Stamped "Baker Aicklen" for the point of curvature of a curve to the right;
2. 191.81' following said curve to the right having a radius of 3790.00', tangents of 95.93', a delta angle of 02° 53' 59", and a Chord which bears S. 85° 849' 16" W., a distance of 191.79' to an ½" I.R. set with 1" Orange Plastic Cap Stamped "Baker Aicklen;" and
3. S. 87° 16' 15" W., a distance of 233.65' to an ½" I.R. with 1" Orange Plastic Cap Stamped "Baker Aicklen," being in a curving West line of the alley of Block 20, being in the curving East line of Lot 18 of Block 20, from which a ½" I.R. found for the South West corner of Lot 20 of Block 20, being the South East corner of the alley of Block 20, being in the North R.O.W. line of McDonald Drive bears 160.29' following the arc of said curve to the left having a radius of 2125.00', tangents of 80.19', a delta angle of 04° 19' 28", and a Chord which bears S. 00° 30' 48" W., a distance of 160.26'.

THENCE, with the West line of the alley of Block 20, being the West line hereof following three (3) courses and distances:

1. 29.22' following the arc of said curve to the right having a radius of 2125.00', tangents of 14.61', a delta angle of 00° 47' 18" and a Chord which bears N. 03° 04' 12" E., a distance of 29.22' to an ½" I.R. set with a 1" Orange Plastic Cap Stamped "Baker Aicklen" for a point of reverse curvature of a curve to the left; and
2. 1128.79' following the arc of said curve to the left having a radius of 3575.00', tangents of 569.13', a delta angle of 18° 05' 27", and a Chord which bears N. 05° 35' 05" W., a distance of 1124.11' to an ½" I.R. set with 1" Orange Plastic Cap Stamped "Baker Aicklen"; and

3. N. 14° 37' 49" W., a distance of 174.84' to an ½" I.R. set with 1" Orange Plastic Cap Stamped "Baker Aicklen", being the North East corner of Lot 1, Block 20, being in the South R.O.W. line of East 25th Street, being in the North line of Kentwood (Unit 2), being the North West corner hereof, from which a ¾" I.P found for the North West corner of Lot 39, Block 17, bears S. 75° 24' 06" W., a distance of 320.02'.

THENCE, N. 75° 24' 06" E. with the South R.O.W. line of East 25th Street, being the North line of Kentwood (Unit 2) a distance of 700.00' to the POINT OF BEGINNING, containing a calculated area of 22.5 acres of land, more or less, as surveyed on the ground by Baker-Aicklen & Associates, Incorporated under the direct supervision of David Scott. R.P.L.S. 6034

SECTION 3. THAT the 22.5 acres described in Section 2 and zoned Planned Development shall be constructed substantially in accordance with the Concept Plan, attached as Exhibit A, and shall be subject to the following use and development regulations:

A. The following uses shall be permitted as a matter of right on the tract:

1. Quadplexes, as townhouses, at a maximum number of 124 units (32 Structures);
2. Community/Rental-Office Center, swimming pool and pool house, and service building, activity building and playground(s); and
3. Single Family Residences constructed in accordance with SF-2 development standards.

B. The following development regulations shall be required in addition to those stated in the Multiple-Family Dwelling District Section of the City of Big Spring Zoning Ordinance:

1. Parking: Two (2) spaces per unit plus fifty (50) spaces for visitor parking;
2. Landscaping shall be constructed in accordance with Article 10 of the Big Spring Zoning Ordinance;
3. Sidewalks four (4) feet in width shall be provided on both sides of the streets and shall be constructed in accordance with Section 8 of the City of Big Spring Subdivision Ordinance; and
4. An amenity area of a minimum of one (1) acre shall be provided.

SECTION 4. THAT the following described portion (52.1 acres) of the annexed property (as described in Section 1) is zoned SF-2 (Single Family Dwelling District):

Being a 52.1 acre remainder tract of land situated in Howard County, Texas out of section 9, in block 32 of the Texas and Pacific Railroad Company Survey, being out of a

called 74.382 acre tract, being out of a former addition known as Kentwood (unit no. 2), said 52.1 acres being more particularly described by metes and bounds as follows:

BEGINNING an 80d Nail Found in the southerly Right-Of-Way, (R.O.W.), line of East 25th Street, being the Northeast Corner of said 74.382 acre tract, same being the Northeast Corner of said Kentwood (Unit No. 2), same being the Northeast Corner Hereof;

THENCE with the East lines of said 74.382 acre tract, same being the East lines of said Kentwood (Unit No. 2), the following four (4) courses and distances;

1. S 14° 38' 05"E a distance of 174.89' to an ½-Inch Iron Rod Set with a 1-Inch Orange Plastic Cap Stamped "Baker Aicklen" for a Point of Curvature to the right,
2. 1199.38' following the arc of said curve to the right, having a radius of 4615.00', tangents of 603.09', a delta angle of 14° 53' 26", and a chord which bears S. 07° 09' 15" E., a distance of 1196.01' to an ½-Inch Rod Found for a Point of Reverse Curvature to the left;
3. 916.08' following the arc of said reverse curve to the left, having a radius of 3270.00', tangents of 461.06', a delta angle of 16° 03' 04", and a chord which bears S. 07° 33' 45" E., a distance of 913.09' to an ½-Inch Iron Rod Found for a Point of Reverse Curvature to the right; and
4. 119.09' following the arc of said reverse curve to the right, having a radius of 3065.00', and a chord which bears S. 14° 55' 17" E. a distance of 119.09' to an ½-Inch Iron Rod Set with a 1-Inch Orange Plastic Cap Stamped "Baker Aicklen" for the Southeast Corner of said 74.382 acre, from which a 1-Inch Iron Rod Found bears 812.24' with the arc of a curve to the right, having a radius of 3065.00', tangents of 408.51', a delta angle of 15° 11' 01", and a chord which bears S. 06° 13' 04" E., a distance of 809.86';

THENCE with the South lines of said 74.382 acre tract following five (5) courses and distances:

1. S. 76° 24' 29" W., a distance of 885.04' to an ½-Inch Iron Rod Set with a 1-Inch Orange Plastic Cap Stamped "Baker Aicklen;"
2. N. 13° 42' 19" W., a distance of 30.00' to an ½-Inch Iron Rod Found;
3. S. 76° 25' 58" W., a distance of 54.03' to an ½-Inch Iron Rod Found for Point of Curvature for a curve to the right;

4. 96.32' following the arc of said curve to the right, having a radius of 360.00', and a chord which bears S 83° 49' 28" W., a distance of 96.03' to an ½-Inch Iron Rod Found; and
5. N. 88° 22' 40" W., a distance of 364.31' to an ½-Inch Iron Rod Found in the Easterly R.O.W. line of an existing 20-foot wide alley of said Kentwood (Unit No. 2), being the Southwest corner of said 74.382 acre tract:

THENCE with the West lines of said 74.382 acre tract, being the Easterly R.O.W. lines of an existing 20-foot wide alley of said Kentwood (Unit No. 2) the following four (4) courses and distances:

1. N. 07°40'17" W a distance of 128.66' to an ½-Inch Iron Rod Set with a 1-Inch Orange Plastic Cap Stamped "Baker Aicklen" for the Point of Curvature of a curve to the right;
2. 922.97' following the arc of said curve to the right, having a radius of 2445.00', tangents of 467.04', a delta angle of 21° 37' 43", and a chord which bears N. 07° 26' 54" W., a distance of 917.50' to a ½-Inch Iron Rod Found for a point of Reverse Curvature of a curve to the left;
3. 1027.47' following the arc of said curve to the left, having a radius of 3255.00', tangents of 518.05', a delta angle of 18° 05' 10", and a chord which bears N. 05° 35' 40" W a distance of 1023.21' to an ½-Inch Iron Rod Found; and
4. N. 14° 38' 54" W., a distance of 175.06' to a ¾-Inch Iron Rod Found in the Southerly R.O.W. line of East 25th Street, being the Northwest Corner of said 74.382 acre tract, being in the North line of said Kentwood (Unit No. 2);

THENCE, N 75° 23' 54" E. with the Southerly R.O.W. line of East 25th Street, being the North line of said 74.382 acre tract, being the North line of said Kentwood (Unit No. 2), a distance of 320.00' to a ½-Inch Iron Rod Set with a 1-Inch Orange Plastic Cap Stamped "Baker Aicklen" for the Northwest corner of Proposed Multi-Family Kentwood Townhomes;

THENCE, traversing over, across, and through said 74.382 acre tract, being in said Kentwood (Unit No. 2) with the Westerly, Southerly, and Easterly exterior lines of said Proposed Multi-Family Kentwood Townhomes the following nine courses and distances:

1. S. 14° 37' 49" E., a distance of 174.84' to an ½-Inch Iron Rod Set with a 1-Inch Orange Plastic Cap Stamped "Baker Aicklen" set for a Point of Curvature of a curve to the right;

2. 1128.79' following the arc of said curve to the right, having a radius of 3575.00', tangents of 569.13', a delta angle of 18° 05' 27" and a chord which bears S. 05° 35' 05" E., a distance of 1124.11' to an ½-Inch Iron Rod Set with a 1-Inch Orange Plastic Cap Stamped "Baker Aicklen" for a Point of Reverse Curvature of a curve to the left;
3. 29.22' following the arc of said reverse curve to the left, having a radius of 2125.00', and chord which bears S. 03° 04' 12" W., a distance of 29.22' to an ½-Inch Iron Rod Set with a 1-Inch Orange Plastic Cap Stamped "Baker Aicklen" for the Southwest Corner of said Proposed Multi-Family Kentwood Townhomes;
4. N 87° 16' 15" E., a distance of 233.65' to an ½-Inch Iron Rod Set with a 1-Inch Orange Plastic Cap Stamped "Baker Aicklen" for a Point of Curvature of a curve to the left;
5. 191.81' following the arc of said curve to the left, having a radius of 3790.00', and a chord which bears N. 85° 49' 16" E., a distance of 191.79' to an ½-Inch Iron Rod Set with a 1-Inch Orange Plastic Cap Stamped "Baker Aicklen;"
6. N. 84° 22' 16" E., a distance of 288.02' to an ½-Inch Iron Rod Set with a 1-Inch Orange Plastic Cap Stamped "Baker Aicklen", for the Southeast Corner of said Proposed Multi-Family Kentwood Townhomes;
7. 171.53' following the arc of a curve to the right, having a radius of 3610.00', and chord which bears N. 01° 05' 28" W., a distance of 171.51' to an ½-Inch Iron Rod Set with a 1-Inch Orange Plastic Cap Stamped "Baker Aicklen" for a Point of Reverse Curvature of a curve to the left;
8. 1111.75' following the arc of said reverse curve to the left, having a radius of 4275.00', tangents of 559.03', a delta angle of 14° 54' 01" and a chord which bears N. 07° 10' 47" W., a distance of 1108.62' to an ½-Inch Iron Rod Set with a 1-Inch Orange Plastic Cap Stamped "Baker Aicklen;" and
9. N. 14° 37' 49" W., a distance of 174.45' to an ½-Inch Iron Rod Set with a 1-Inch Orange Plastic Cap Stamped "Baker Aicklen" for the Northeast Corner of said Proposed Multi-Family Kentwood Townhomes, Being in the Southerly R.O.W. line of East 25th Street, being in the North line of said 74.382 acre tract, same being the North line of said Kentwood (Unit No. 2).

THENCE, N. 75° 24' 06" E., with the Southerly R.O.W. line of East 25th Street, being the North line of said 74.382 acre tract, same being the North line of Kentwood (Unit No. 2), a distance of 339.59' to the POINT OF BEGINNING and containing a calculated area of 52.1 acres of land, more or less, as surveyed on the ground by Baker-Aicklen & Associates, Incorporated under the direct supervision of David Scott, R.P.L.S. 6034.

This description is to be used in conjunction with the accompanying survey plat attached hereto, and made part thereof.

Basis of bearing for this survey is derived from GPS observations.

SECTION 5. THAT the service plan regarding the provision of public services set forth in Exhibit "B," attached hereto and incorporated herein by reference, is hereby adopted for the area described in Section 1 above as required by Texas Local Government Code §43.056.

SECTION 6. THAT upon the adoption of this ordinance, the area described in Section 2 shall be and constitute a Planned Development Zone and the area described in Section 4 shall be and constitute an SF-2 (Single Family 2 District) Zone and shall be regulated in accordance with the City of Big Spring Zoning Ordinance.

SECTION 7. THAT the City Secretary is hereby directed to file with the County Clerk of Howard County, Texas, a certified copy of this ordinance.

SECTION 8. THAT the penalty for violation of this ordinance shall be up to Two-Thousand (\$2,000.00) for each offense.

SECTION 9. 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 10. THAT all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 11. THAT 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 12. THAT this ordinance shall take effect immediately after its publication 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 scheduled meeting of the City Council on the 14th day of **January, 2014** will all members present voting “aye” for the passage of same.

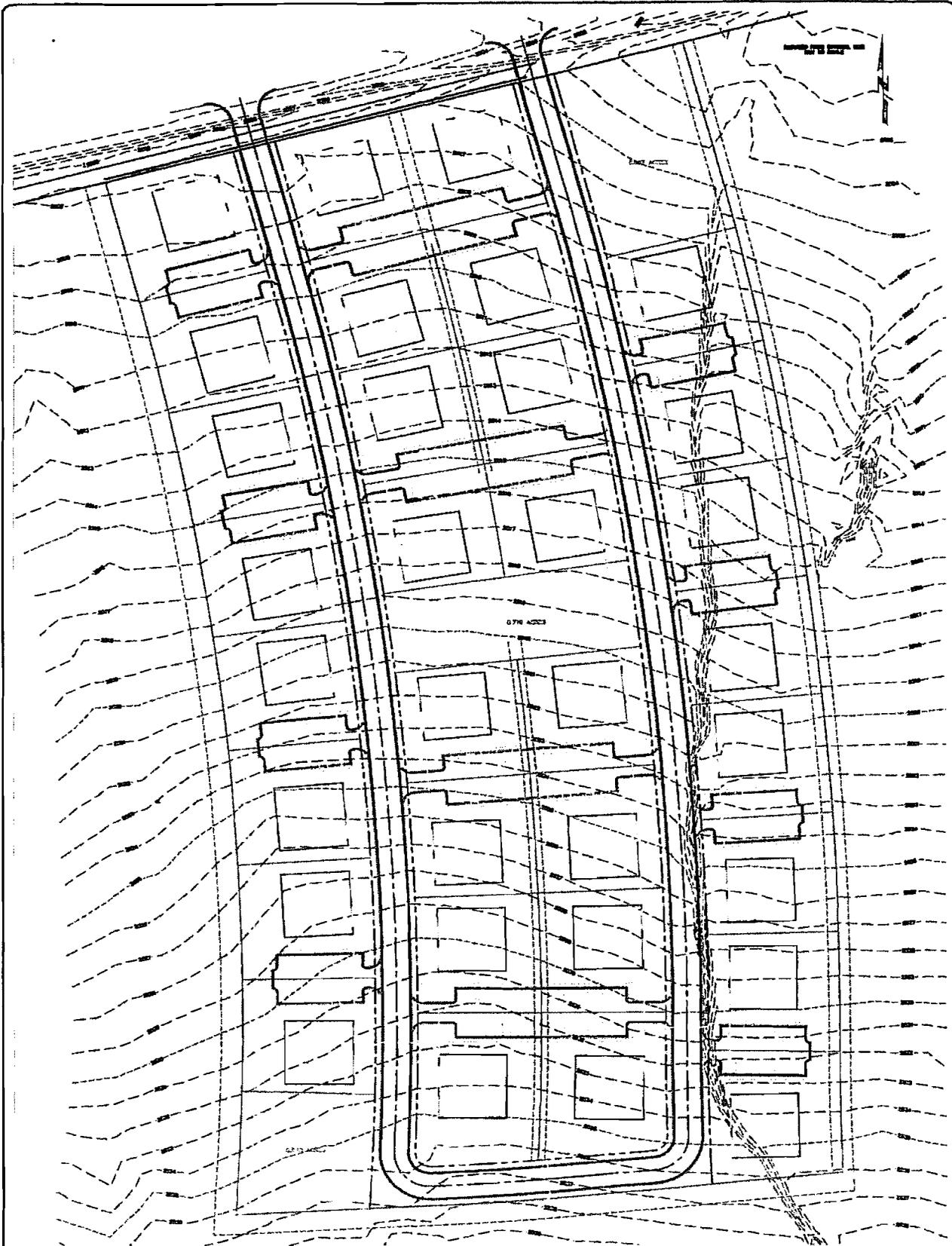
PASSED AND APPROVED on second and final reading at a regular scheduled meeting of the City Council on the 28th day of **January, 2014** will all members present voting “aye” for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary

EXHIBIT A



KENTWOOD CONCEPT PLAN

BAKER-AICKLEN & ASSOCIATES, INC. 807 WEST LIBERTY AVENUE
ROLLING ROCK, TEXAS 79854
917.836.8600

ARCHITECTURE | SURVEYING | CIVIL | PLANNING | LANDSCAPE ARCHITECTURE

CONSTRUCTION ADMINISTRATION | SURVEY ADMINISTRATION

EXHIBIT B

ANNEXATION SERVICE PLAN

City owned 74.382 acres

The following services will be provided by the City of Big Spring immediately following annexation or upon demand following annexation.

Animal Control: The provisions of animal control services shall be in effect following annexation and development of the property.

Code Enforcement: The provisions of Code Enforcement services, including the application and enforcement of building, electrical, plumbing and other related code requirements adopted by the City of Big Spring shall be made immediately to the area upon annexation. The preparation of a zoning ordinance shall serve as a basis for the zoning of the property being annexed. The adoption of a zoning ordinance shall immediately follow annexation.

Fire Protection: Fire protection and suppression personnel and equipment from the Big Spring Fire Department will be provided to the area as needed.

Fire Prevention: The services of the City of Big Spring Fire Marshal's office shall be provided to the area.

Parks: City of Big Spring Parks and Recreation services and facilities will be available to the area residents.

Police Protection: Police protection, personnel and equipment shall be provided to the area immediately upon annexation. Police enforcement and protection services shall be provided through regular patrol activities.

Streets: Public streets not maintained by the Texas Department of Transportation (TxDOT) or Howard County within the area shall be maintained by the City of Big Spring.

Solid Waste: Solid waste collection shall be available to residents of the annexed area at the same costs and procedures as required of city residents and businesses.

Traffic: Traffic control devices and street markers shall be installed where deemed necessary by the City's Street Department, except as provided by the Texas Department of Transportation (TxDOT) or Howard County.

Utilities: The extension of utilities (water/wastewater) in the area shall be in accordance with the City of Big Spring's Subdivision Regulations.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, APPROVING A REPLAT OF KENTWOOD (UNIT 2), BLOCK 17, LOTS 20-39 AND BLOCK 20, LOTS 1-20, TO THE CITY OF BIG SPRING, HOWARD COUNTY, TEXAS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission has given its final approval of the replat of Kentwood (Unit 2), Block 17, Lots 20-39 and Block 20, Lots 1-20; and

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

SECTION 1. The replat of Kentwood (Unit 2), Block 17, Lots 20-39 and Block 20, Lots 1-20 of the City of Big Spring, Howard County, 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. This ordinance shall take effect immediately from and after its 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 the first reading at a regular meeting of the City Council on the 14th day of January, 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 28th day of January, 2014, with all members present voting "aye" for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, APPROVING A FINAL PLAT OF BIG SPRING VILLAGE, BLOCK 1, LOT 1 AND BLOCK 2, LOT 1, TO THE CITY OF BIG SPRING, HOWARD COUNTY, TEXAS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission has given its final approval of the final plat of Big Spring Village, Block 1, Lot 1 and Block 2, Lot 1; and

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

SECTION 1. The final plat of Big Spring Village, Block 1, Lot 1 and Block 2, Lot 1 of the City of Big Spring, Howard County, 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. This ordinance shall take effect immediately from and after its 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 the first reading at a regular meeting of the City Council on the 14th day of January, 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 28th day of January, 2014, 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, REPEALING RESOLUTION 31-2000 WHICH APPROVED AND ADOPTED A PERSONNEL POLICY THAT REQUIRED ALL CITY EMPLOYEES TO LIVE WITHIN A 30 MINUTE TRAVEL TIME TO THEIR WORKSTATION.

WHEREAS, the City Council finds that requiring city employees to live within 30 minutes of their workstation for quicker response is not attainable under the current economic conditions;

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

THAT Resolution Number 31-2000 which was passed and approved on July 11, 2000 is hereby repealed;

PASSED AND APPROVED on the first reading by the City Council of the City of Big Spring, Texas, this the 14th day of January, 2014, at a regular meeting of the City Council of the City of Big Spring, Texas, with all members present voting "aye" for passage of same.

PASSED AND APPROVED on the second and final reading by the City Council of the City of Big Spring, Texas, this the _____ day of: _____, 2014, at a regular meeting of the City Council of the City of Big Spring, Texas, with all members present voting "aye" for passage of same.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING SPRING, TEXAS, AMENDING ORDINANCE NUMBER 029-2013 WHICH ADOPTED THE ANNUAL BUDGET FOR THE CITY OF BIG SPRING, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014 TO INCREASE THE MOTEL TAX FUND BUDGET FOR THE PURPOSE OF ADDITIONAL EVENT FUNDING; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS the City Council adopted the annual 2013-14 budget for the City of Big Spring, Texas on September 24, 2013; and

WHEREAS, additional CVB event funding is needed;

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

SECTION 1. Enacted.

THAT the Motel Tax Fund of the Annual Budget for the City of Big Spring, Texas for the Fiscal Year beginning October 1, 2013 and ending September 30, 2014 is hereby increased by the amount of \$5,000 for the purpose of adding to the CVB event funding due to the number of requests made to the CVB. This increase will be funded through existing fund balance.

SECTION 2. Continuing effect.

THAT the remaining portions of Ordinance Number 029-2013 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 14th day of January, 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 28th day of January, 2014, 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

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AMENDING ORDINANCE NUMBER 029-2013 WHICH ORDINANCE ADOPTED THE ANNUAL BUDGET FOR THE CITY OF BIG SPRING, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; PROVIDING FOR INCREASING THE MALONE AND HOGAN CLINIC FUND BUDGET FOR THE PURPOSE OF PURCHASING A NEW BOILER SYSTEM FOR MALONE & HOGAN CLINIC; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council adopted the annual budget for the City of Big Spring, Texas on September 24, 2013; and

WHEREAS, funding for the purchase and installation of a new boiler system for Malone & Hogan Clinic to provide heat to the facility at a cost of \$34,773.00, and the equipment is necessary for the safe and efficient operation and utilization of the clinic facilities of the City of Big Spring;

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

SECTION 1. Enacted.

The Malone and Hogan Clinic Fund Budget of the Annual Budget for the City of Big Spring, Texas for the Fiscal Year beginning October 1, 2013 and ending September 30, 2014 is hereby increased by an amount not to exceed \$34,773.00 for the purpose of payment for the purchase and installation of a new boiler system for Malone & Hogan Clinic. This increase will be funded through existing fund balance.

SECTION 2. Continuing effect.

The remaining portions of Ordinance Number 029-2013 shall remain in full force and effect.

SECTION 3. Repeal.

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

SECTION 4. Publication.

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

SECTION 5. Effective Date.

This ordinance shall be in force and effect from and after its passage and publication as required by law.

PASSED AND APPROVED on first reading by the City Council of the City of Big Spring, Texas this 14th day of January, 2014, at a regular meeting of the City Council, with all members present voting “aye” for the passage of same.

PASSED AND APPROVED on second reading by the City Council of the City of Big Spring, Texas this 28th day of January, 2014, at a regular meeting of the City Council, with all members present voting “aye” for the passage of same.

CITY OF BIG SPRING

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

RESOLUTION _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS ON BEHALF OF THE CITY OF BIG SPRING, INCLUDING A JUVENILE ACCOUNTABILITY BLOCK GRANT WAIVER OF FUNDS FORM IN ORDER TO ALLOW THE CITY'S ALLOCATION OF SUCH GRANT FUNDS FROM THE TEXAS CRIMINAL JUSTICE DIVISION TO BE USED BY LUBBOCK COUNTY TO FUND THE OFFICE OF DISPUTE RESOLUTION'S JUVENILE ACCOUNTABILITY PROGRAM; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City wishes to redirect its allocation of grant funds from the Criminal Justice Division of the Office of the Governor to Lubbock County to help with funding the Juvenile Accountability Program;

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

SECTION 1: THAT the City Manager is hereby authorized and directed to execute any necessary documents on behalf of the City of Big Spring, including but not limited to, a Juvenile Accountability Block Grant Waiver of Funds Form attached hereto as Exhibit "A" and incorporated by reference as if set forth in full herein. The purpose of the waiver is to allow the City's allocation of grant funds from the Texas Criminal Justice Division of the Office of the Governor to be used by Lubbock County to fund the Office of Dispute Resolution's Juvenile Accountability Program;

SECTION 2: THAT this resolution shall become effective immediately upon its passage.

PASSED AND APPROVED on first reading by the City Council of the City of Big Spring, Texas this 14th day of January, 2014, at a regular meeting of the City Council, with all members present voting "aye" for the passage of same.

PASSED AND APPROVED on second reading by the City Council of the City of Big Spring, Texas this 28th day of January, 2014, at a regular meeting of the City Council, with all members present voting "aye" for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary

ORDINANCE _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AMENDING CHAPTER TWENTY OF THE CODE OF ORDINANCES OF THE CITY OF BIG SPRING ENTITLED "BUILDING CODES AND BOARD OF ADJUSTMENTS AND APPEALS" BY AMENDING SECTION 20-1 IN ORDER TO PROVIDE THAT WHENEVER THE CITY'S CONTRACTED PLAN REVIEW AND INSPECTION SERVICE PERFORMS SERVICES THEN THE CITY WILL PASS THROUGH THE CHARGE FOR SUCH SERVICE TO THE CUSTOMER; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 25th, 2013 the City Council adopted the 2011 edition of the National Electrical Code and the 2012 editions of the International Code Council Building Codes for use within the City; and

WHEREAS, the City has entered into an agreement with the Institute for Building Technology and Safety for assistance in performing plan review and building inspection services when the City deems it necessary because of inadequate staffing to perform those duties due to the influx of new construction in the City; and

WHEREAS, it is beneficial to the health and safety of the citizens of the City that such reviews and inspections take place in a timely manner and that the costs of such reviews and inspections be borne by the persons or entities utilizing the services;

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

SECTION 1. THAT Chapter 20 of the Code of Ordinances of the City of Big Spring entitled "Building Codes and Board of Adjustments and Appeals" Section 20-1 is amended by adding a new Section 20-1A to read as follows:

Sec. 20-1A. Pass Through of Fees for Contracted Services.

Notwithstanding any fees listed in this Chapter or elsewhere in the Big Spring Code of Ordinances for building inspections, plan review or any other similar services; whenever the City's contracted plan review and inspection service performs any required services, then the customer utilizing such service shall be charged the same fee charged to the City by the contracted service.

SECTION 2. THAT if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this ordinance. The City of Big Spring, hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared

unconstitutional.

SECTION 3. THAT the City Secretary is hereby ordered and directed to cause the descriptive caption of this ordinance to be published as provided by law.

SECTION 4. THAT this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect upon completion of publication as provided by law.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **14th** day of **January, 2014,** with _____ members voting “aye” for passage of the same.

PASSED AND APPROVED on second reading at a regular meeting of the City Council on the **28th** day of **January, 2014,** with _____ members voting “aye” for passage of the same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Asst. 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 10, 2014 ("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

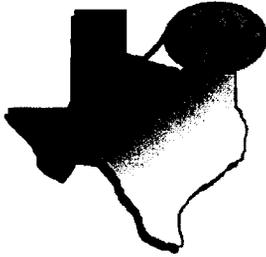
Larry McLellan, Mayor

ATTEST:

BIG SPRING INDEPENDENT SCHOOL DISTRICT

Irene Rodriguez, School Board President

ATTEST:



TEXAS "J" REGIONAL ADVISORY COUNCIL

P.O. Box 7964 • Midland, Texas 79708 • 432-221-3834
www.texasjrac.org

Date: September 18, 2013
To: Big Spring Fire Department
From: Frank Rodriguez
Chair, Executive Committee
Re: EMS Trauma Care System Funds

The Executive Committee of Texas J RAC is pleased to inform you that you have met all eligibility requirements for participation in fiscal year 2013 EMS/Trauma Care System Funds. The amount was appropriated as approved by the State of Texas and Texas J RAC participants.

Enclosed is check No. 1093 in the amount of \$8,490.00. These funds may be used for the following:

- Supplies
- Operational Expenses
- Education and Training
- Equipment
- Vehicles
- Communications Systems

This money may NOT be used for:

- Buildings
- Land or investments (stocks, bonds, mutual funds, etc.)
- Food

You must have the following in the J RAC office by July 01, 2014.

- 1) Receipts for ALL expenditures (must be dated between May 1, 2013 and July 1, 2014).
- 2) Copies of all checks used to spend this money (must be dated between May 1, 2013 and July 1, 2014).
- 3) Completed expenditure form. (See attached.)

If you have any questions or concerns, please contact the Texas J RAC office at 432-221-3834 or connie.thompson@midland-memorial.com

Please note: Taxes are not allowable except for hotel and rental car. Gratuity is not an allowable cost. Remember to prorate within the contract period on insurance expense, annual membership dues and anything that is paid annually. Training has to have started and ended within the contract period.

Received by _____ Date: _____
Designated Representative

Minutes of the Board of Director's Regular Meeting
BIG SPRING ECONOMIC DEVELOPMENT CORPORATION
Monday, November 25, 2013
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. Monday, November 25, 2013 in the offices of the Big Spring Economic Development Corporation with Mr. Avant, presiding. The following notice was sent on November 22, 2013 to all Directors, the news media, and duly posted on November 22, 2013, 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 Monday, November 25, 2013 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 29, 2013 Regular Meeting, Action on October Financials, Action on October Investment Reports, Consideration/Action to Adjust EDC Regular Meeting Time and Venue, Directors Report, Public Comment; Board Comment, and Adjourn".

Directors Present:

Mr. Jim DePauw
Mr. Scott MacKenzie
Mrs. Frances Hobbs
Mr. Don Avant
Mrs. Nati Saldivar

Directors Absent:

Staff Present:

Mr. Terry Wegman
Mrs. Teresa Darden

Guests: Raul Benavides, Dale Avant, Aubrey Weaver

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

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

ACTION ITEM #2- Action on Minutes of the October 29, 2013 Regular Board Meeting:

Mr. Avant presented the minutes of the October 29, 2013 Regular Meeting. Changes requested were item 10 to show Mrs. Saldivar voting a no vote instead of voting no on the contract, as well as Mrs. Hobbs requesting additions to the guest list. Motion to

accept the minutes with requested changes was made by Mrs. Saldivar, seconded by Mr. MacKenzie. The motion passed 5 to 0 with all members present voting “aye” in favor of the motion.

ACTION ITEM #3- Action on October Financials Report:

Mr. MacKenzie presented the October Financial report. Mrs. Saldivar asked Mr. Wegman how many cell phones the EDC was paying for and Mr. Wegman’s response was one cell phone. Motion to approve the October Financial Report was made by Mr. DePauw seconded by Mrs. Saldivar. The motion passed 5 to 0 with all members present voting “aye” in favor of the motion.

ACTION ITEM #4- Action on October Investment Report:

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

AGENDA ITEM #5- Consideration/Action to Adjust EDC Regular Meeting Time and Venue

Mr. Avant presented the Board a request to adjustment the EDC regular meeting time and venue which included; changing the meeting days from every 3rd Tuesday of each month to every 1st and 3rd Monday of each month; changing the current time of 5:15pm to 5:30pm as well as changing from the current location to the City Council Chambers. After much discussion this item was tabled until more information is obtained from the City for use of the Council Chambers and available dates. Motion to table item #5, Consideration/Action to adjust EDC Regular Meeting time and Venue was made by Mrs. Saldivar and seconded by Mrs. Hobbs. The motion passed 5 to 0 with all members present voting “aye” in favor of the motion.

AGENDA ITEM #6- Directors Report

Mr. Wegman gave an update on projects to include: Contract for rail infrastructure at the Airpark is almost complete and construction is set to begin early December; Permian Energy Partners, CBRE and Quigg Bros. are moving forward with the design work and engineering with Bartlett West Engineering and Union Pacific; continued discussions with a calcium chloride distributor and manufacturer which plan to have a 24/7 operation; Discussions are ongoing with a frack sand operation wanting to locate on the Airpark; Grant Works on behalf of the City submitted a Texas Capital Fund Grant application on November 20 and should have an answer in a couple of weeks on whether we qualify to submit a final grant. Mr. Wegman also gave an update on upcoming meeting to include; West Texas Energy Consortium meeting is on December 3rd with November 26th being the deadline to register; November 28-29 BSEDC will be closed for the Thanksgiving Holiday; Next EDC Board meeting will be December 17th. Mr. Avant and Mrs. Saldivar asked about potential prospects and Mr. Wegman stated he has contacted or researched the prospects, with a possible meeting November 26th with one of them.

AGENDA ITEM #7- Public Comments

Mr. Aubrey Weaver liked the venue change for accessibility purposes as well as the change of meeting time. Mr. Dale Avant liked the venue change as well as the meeting time due to better parking and the set-up of the current venue. Mr. Raul Benavides likes the current location and time of the meetings.

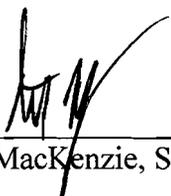
AGENDA ITEM # 8- Board Comments

Mrs. Hobbs stated that current recommendations for change of venue and time are for the education of the community. Mr. DePauw stated that he hasn't heard any complaints on the time or accessibility or venue of current board meetings. Mr. DePauw also expressed his concern for a growing community. Mr. MacKenzie agreed with the concern for the growth of the community as well as wished everyone a Happy Thanksgiving. Mrs. Saldivar expressed concerns of the City of Big Spring local access channel and the times that BSEDC meetings were televised as well as the quality. Mrs. Saldivar also requested a summary of projects be available for the public at meetings. Mrs. Saldivar also requested that the financials be emailed to the board prior to the meetings. Mr. Avant expressed his interest in having more involvement with the staff and the public for forward growth. Mr. Avant stated that the one common goal of the board is the bring businesses in and to make Big Spring the best it can be.

AGENDA ITEM # 9- Adjourn

Mr. DePauw made a motion to adjourn, seconded by Mr. MacKenzie
The motion passed 5 to 0 with all members present voting "aye" in favor of the motion.
Meeting adjourned at 6:13 pm on November 25, 2013.

ATTEST:



Mr. Scott MacKenzie, Secretary/Treasurer



Mr. Don Avant, President

**Minutes of the Board of Director's Special Meeting
BIG SPRING ECONOMIC DEVELOPMENT CORPORATION
Monday, December 9, 2013
5:15 p.m.
Offices of the Big Spring Economic Development Corporation
215 West Third Street
Big Spring, Texas**

The Special Meeting of the Board of Directors of the Big Spring Economic Development Corporation was called to order at 5:15 p.m. Monday, December 9, 2013 in the offices of the Big Spring Economic Development Corporation with Mr. Avant, presiding. The following notice was sent on December 5, 2013 to all Directors, the news media, and duly posted on December 5, 2013, 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 Special Board Meeting on Monday, December 9, 2013 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: Executive Session; Action as a Result of Executive Session; Public Comment; Board Comment, and Adjourn".

Directors Present:

Mr. Jim DePauw
Mr. Scott MacKenzie
Mrs. Frances Hobbs
Mr. Don Avant
Mrs. Nati Saldivar

Directors Absent:

Staff Present:

Mr. Terry Wegman
Mrs. Teresa Darden

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

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

ACTION ITEM #2- Executive Session in accordance with Texas Government Code, Section 551.074 PERSONNEL MATTERS; CLOSED MEETING. (a) This chapter does not require a governmental body to conduct an open meeting:(1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee (2) to hear a complaint or charge against an officer or employee. (b) Subsection (a) does not apply if the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

Mr. Wegman requested that the meeting be held in open session. Mrs. Saldivar stated that she contacted the Ethics Commission and the Attorney General. Mrs. Saldivar

requested a written letter stating the request to have the meeting held as a public meeting. Mr. Wegman presented the board president the written request to have the meeting held as open session public hearing. Upon the request of Mr. Wegman, the board president opened the meeting as a public hearing. Mr. Avant started the meeting by stating issues that have been brought to him by Mrs. Saldivar. Mrs. Saldivar stated that 2 cell phones were being billed to the EDC. Mr. Wegman explained that while 2 cell phones were billed to the EDC, one of the phones was reimbursed back to the EDC. Mrs. Saldivar asked if Mr. Wegman was going to reimburse the family plan charges back to the EDC. Mr. Wegman stated that if the Board chooses to change the cell phone plan going forward, he would certainly change the plan. Mr. Glenn Fillingim spoke as a past Board member and CPA. Mr. Fillingim stated that he would not have a problem with the cell phone plan as long as the EDC was made whole. Mr. Mark Morgan the EDC's CPA explained that when the cell phone was discussed, the reimbursement would cause no extra cost to the EDC. Mr. John Currie asked the President if he has reviewed the qualifications of Board members and asked if he felt all the members met those qualifications. Mr. Avant answered "yes". Mr. Currie state that if has was looking at personnel that the Board qualifications was something that should be looked at. Mr. Currie stated that there is one member that does not understand the job of a Board member. Mrs. Saldivar asked which Board member that is and Mr. Currie responded that it was Mrs. Saldivar. Mr. Currie explained that the function of this Board is dependent on the qualification of its Board members, and Mrs. Saldivar doesn't understand what is required of a Board member and if it continues like this, it will destroy the integrity of the EDC. Mrs. Saldivar respected Mr. Curries' opinion and disagreed. Mrs. Saldivar asked the Director if he thought \$1,100 in gourmet coffee was excessive. Mr. Wegman stated that he doesn't know if that is excessive or not and explained that coffee is offered to all the clients that come in and the reason for buying that type of coffee is because the machine was a gift. Mrs. Saldivar asked for a forensic audit. After much discussion of cellular plan and policy and procedures, Mr. Wegman requested that he obtain a new cellular plan which includes only himself, with the EDC paying any contract cancellation fees. Motion that all cancellation fees associated with cancellation of current cellular phone contract will be paid by Big Spring EDC, was made by Mr. DePauw and seconded by Mrs. Saldivar. The motion passed 5 to 0 with all members present voting "aye" in favor of the motion. Mrs. Hobbs stated that the Board needed to adhere to what she interprets as work place violence. The Board doesn't need to be bickering and pulling questions from the audience. Mrs. Hobbs stated that Mr. DePauw doesn't need to be rolling his eyes while the Director is talking and pulling the audience with his eyes. Mrs. Hobbs stated that the Board needs to do this in a professional manner and get everything straightened out so that the Board can run smooth.

Motion to have the Executive Director develop policy and procedures as required by the By Laws within 60 days was made by Mrs. Hobbs and seconded by Mrs. Saldivar. The motion passed 5 to 0 with all members present voting "aye" in favor of the motion. Mr. Avant wanted it to go on record that with the amount of public that was in attendance that the previous request of change of venue shows to be warranted. Mr. Wegman stated that he and Mr. Avant needed to schedule a time and day to go speak to City staff about use of their facility.

AGENDA ITEM #3- Action as a Result of Executive Session
N/A

AGENDA ITEM #4- Public Comments

Mr. Avant opened the floor to the public for comment. Those who spoke were; Dr. Keith Ledford, Mrs. Kathryn Wiseman, Mrs. Norma Garcia, Mrs. Joyce Crooker, Mr. Donnie Baker, Mr. Tim Blackshear, Mr. Rodney Bomar, Mr. Dale Avant, Mr. Aubrey Weaver, Mrs. Melinda Flenniken. Many showed support of the Executive Director as well as the current operations of the EDC while some showed support for change in some policies.

Mr. Wegman invited any citizen to come by his office if they would like a copy of the EDC goals as well as answer any question they may have.

AGENDA ITEM # 5- Board Comments

Mrs. Hobbs expressed her concern to make the board more transparent with procedures and only wants growth to come from the EDC board and work together to make a better community. Mr. DePauw supports Mr. Wegman and Mrs. Darden 100% and wants to move forward towards bringing business to town. Mrs. Saldivar is honored to sit on this board and wants make sure that public funding is spent wisely. Mr. MacKenzie stated that he supports Mr. Wegman and Mrs. Darden and the board is truly blessed to have them working for the EDC and wants the breakdown in communication resolved. Mr. Avant expressed is apologies for the communication breakdown and wants to make sure that public funding is spent wisely.

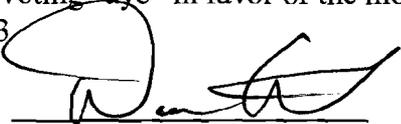
AGENDA ITEM # 6- Adjourn

Mr. DePauw made a motion to adjourn, seconded by Mrs. Saldivar
The motion passed 5 to 0 with all members present voting "aye" in favor of the motion.
Meeting adjourned at 6:47 pm on December 9, 2013

ATTEST:



Mr. Scott MacKenzie, Secretary/Treasurer



Mr. Don Avant, President