



**CITY COUNCIL AGENDA**

**Tuesday, January 28, 2014**

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, January 28, 2014, at 5:30 p.m. in the City Council Chambers located at 307 East 4<sup>th</sup> 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 McLellan  
**“Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”**
- 2. **Public Hearing** – Regarding the Application of DHI NC Housing L.P. to the Texas Department of Housing and Community Affairs for Housing Tax Credits for the Development of Affordable Rental Housing (68 Units) at 1002 North Main Street Named Northcrest Apartments and Financed through the Private Activity Bond Program. Public Comment Accepted. 5-11 Sjogren

**Disposition of Minutes**

- 3. Approval of Minutes of the Regular Meeting of January 14, 2014 12-18 Davis

**Consent Items**

- 4. Final Reading of an Ordinance Regarding Annexing Approximately 74.707 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 the Rights and Privileges 19-30 Browning

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

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| 5.  | Final 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  | 31    | Browning |
| 6.  | Final 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  | 32    | Browning |
| 7.  | Final 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   | 33    | Medina   |
| 8.  | Final 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 Order 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   | 34-35 | Moore    |
| 9.  | Final 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 | 36-37 | Moore    |
| 10. | Final 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   | 38-39 | Womack   |
| 11. | Acceptance of the McMahan-Wrinkle Airport and Industrial Park Development Board Minutes for the Meeting of November 21, 2013  | 40-41 | Little   |

- |     |   |       |       |
|-----|---|-------|-------|
| 12. | Acceptance of the Convention and Visitors Bureau Committee Minutes for the Meeting of December 12, 2013 | 42-43 | Moore |
|-----|---|-------|-------|

**Bids**

- |     |   |       |        |
|-----|---|-------|--------|
| 13. | Award Bid for Construction of the East Cell at Big Spring/Howard County Landfill Contingent on agreement for Funding with Howard County and Authorizing the City Manager to Execute Any Necessary Documents | 44-47 | Womack |
|-----|---|-------|--------|

**Routine Business**

- |     |  |  |          |
|-----|--|--|----------|
| 14. | Vouchers for 01/16/14   \$ 770,716.24<br>Vouchers for 01/23/14   \$ 664,863.65 |  | Carrigan |
|-----|--|--|----------|

**New Business**

- |     |  |       |          |
|-----|--|-------|----------|
| 15. | First Reading of a Resolution of No Objection to Rehabilitation and Preservation of an Affordable Rental Housing Development of 68 Units Located at 1002 North Main Street Known as Northcrest Apartments and Providing an Effective Date  | 48-49 | Sjogren  |
| 16. | Presentation and Acceptance of Big Spring Police Department's Annual Traffic Contact Report for 2013   |       | Williams |
| 17. | First Reading of an Ordinance Calling for a General Election to be Held on May 10, 2014, for the Purpose of Electing One Person to Serve as City District One Councilmember Who Shall be Elected by Majority Vote of the Qualified Voters of District One and Electing One Person to Serve as City District Three Councilmember Who Shall be Elected by Majority Vote of the Qualified Voters of District Three; Designating One Central Polling Place Within the City; Authorizing the Mayor to Execute Notice and Have the Notice Posted for the Purpose of Notifying the Public of Said Election; Providing a Severability Clause and Providing an Effective Date | 50-51 | Moore    |
| 18. | Consideration and Approval of the City's Application for a Grant from the Texas Criminal Justice Division Juvenile Accountability Program  | 52-53 | Williams |
| 19. | Discussion of Revisions to the Front Yard Parking Ordinance  | 54-56 | Sjogren  |
| 20. | Acceptance of the Big Spring Economic Development Corporation Board of Directors Minutes for the Regular Meeting of December 17, 2013  | 57-59 | Sjogren  |

**City Manager's Report**

21. Quarterly Department Activity Reports

Darden

**Council Input**

22. Input

McLellan

23. 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 24, 2014 at 4:30 p.m. In addition this agenda and supporting documents are posted on the City of Big Spring's website, [www.mybigspring.com](http://www.mybigspring.com) in accordance with legal requirements.

  
Lesa Gamble, Administrative Assistant

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

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

January \_\_\_\_\_, 2014 at \_\_\_\_\_ a.m./p.m.

By: \_\_\_\_\_  
City Secretary's Office

**PUBLIC HEARING DEVELOPMENT NARRATIVE**

**NORTHCREST APARTMENTS**

Northcrest Apartments

Northcrest Apartments, located at 1002 North Main Street, Big Spring, TX 79720, was built in 1974 and consists of 16 one-bedroom one-bath units, 20 two-bedroom one-bath units and 32 three-bedroom one-bath units, for a total of 68 units.

The 4.8 acre site is improved with eleven (11) two-story residential buildings and one (1) non-residential building containing a management/leasing office, laundry room and maintenance shop. The buildings are constructed of block construction with flat built-up roofs.

The property and residents benefit from a project-based HUD rental assistance contract for all 68 units.

Juniper Housing LLC and Precision General Commercial Contractors recently completed the renovation of the 76-units Park Village Apartments, located at 1905 Wasson Road, Big Spring, Texas 79720.

What’s Happening – Sale

Northcrest Apartments is being sold to DHI NC Housing LP, a Texas limited partnership, sponsored by SW Preservation LLC ("Southwest Preservation") an entity comprised of Dawson Holdings, Inc. and Juniper Housing LLC.

What’s Happening – Financing

The acquisition and substantial rehabilitation of the Northcrest Apartments is being financed using a combination of tax-exempt bonds, FHA 221(d)4 permanent financing and low-income housing tax credits.

Who

The Development Team consists of:

Developers:	Dawson Holdings, Inc. and Juniper Housing LLC form Southwest Preservation a real estate company that specialize in the renovation and preservation of affordable low-income rental housing
Architect:	Hill Firm has been active in multi-family design for over 16 years. They are licensed in 29 states and have been the architect for thousands of new construction and rehabilitation apartments.
General Contractor:	Precision General Commercial Contractors has renovated in excess of 40,000 apartments units.
Property Management:	Capstone is an Austin-based property management presently managing about 40,000 apartment units. They have extensive experience with affordable rental housing, including Section 8 ,



smart sites - green systems - sustainable materials - tenant enrichment

	low-income housing tax credits and tax-exempt bond properties.
Bond Issuer:	Texas Department of Housing and Community Affairs
Issuer's Bond Counsel:	Bracewell & Giuliani
Issuer's Bond Co-Counsel:	Bates & Coleman, P.C.
Issuer's Disclosure Counsel:	Andrews Kurth, LLP
Issuer's Financial Advisor:	George K. Baum & Company
Borrower's Counsel:	Coats Rose Yale Ryman & Lee
Borrower's Limited Partner:	Michel Associates, LTD
Lender:	Pillar Capital Finance LLC
Underwriter:	Merchant Capital LLC
Underwriter's Counsel	Jones Walker LLP
Trustee:	Wilmington Trust
Trustee's Counsel:	Naman, Howell, Smith & Lee, PLLC

More What's Happening - Construction and Renovation Work

We will be substantially rehabilitating the property. Working with the CNA consultant and the project architect, we have developed a scope of work to address deferred maintenance, lower long-term operating costs, lower residents' long-term utility costs and make the property a more desirable residential community.

The building exterior scope of work includes:

- Window replacement with dual pane vinyl clad energy-efficient windows
- Exterior wall repairs and painting
- Paint the exterior
- New roofs

The interior scope of work includes, as needed:

- HVAC system replacements and repairs
- Kitchen and bathroom Cabinet and counter-top replacement
- Bathtub/shower and enclosure replacement
- Kitchen appliance replacement
- Flooring and interior doors replacement

The common area scope of work includes:

- New signage
- Leasing/Management Office refurbishments and redesign
- Conversion of portion of Maintenance Shop to Community Room
- Install new playground

The site area scope of work includes:

- Landscaping upgrades including native plants and trees installation
- Paving and flatwork repairs
- New site lighting



Accessibility scope of work includes:

- ADA upgrades to the laundry room
- ADA upgrades and new entry to Leasing Office

Sustainability scope of work includes:

- Increased attic insulation and install effecinet roofing assemblage
- Install new dual-pane windows
- Install refurbished high-efficiency HVAC
- Install new Energy Star appliances
- Install native plants and trees

More What’s Happening – Rent & Income Limits

Resident’s rent will not change due to the renovation or the change in ownership. The rental assistance program (HUD Section 8) will continue as before. 100% of the community will be reserved for those with incomes at 60% or below of Area Median Income ("AMI")

Unit Type	Number	TDHCA Max Rent	Sect 8 Contract Rent
1 bedroom	16	\$594	\$671
2 bedroom	20	\$714	\$758
3 bedroom	32	\$824	\$870
Total	68		

AMFI %	Number of Household Members					
	1	2	3	4	5	6
30	\$11,100	\$12,690	\$14,280	\$15,840	\$17,130	\$18,390
40	\$14,800	\$16,920	\$19,040	\$21,120	\$22,840	\$24,520
50	\$18,500	\$21,150	\$23,800	\$26,400	\$28,550	\$30,650
<b>60</b>	<b>\$22,200</b>	<b>\$25,380</b>	<b>\$28,560</b>	<b>\$31,680</b>	<b>\$34,260</b>	<b>\$36,780</b>
80	\$29,600	\$33,840	\$38,080	\$42,240	\$45,680	\$49,040

More What’s Happening – Displacement

No one will be displaced (forced to move out) permanently.

To do some of the interior construction work, we will need to get into the residents’ homes. This may require residents to be out of their home during the day. But the mess will be cleaned up and residents will be able to be back in their home the same evening.

If residents have to be out of their home overnight, accommodations will be arranged and paid for.

When

We expect to close the sale by the end of October and start construction by December 1<sup>st</sup> .!



smart sites - green systems - sustainable materials - tenant enrichment

!

## Northcrest Scope of Work Narrative

### NOTE:

IN THIS SCOPE OF WORK THERE ARE REFERENCES TO "THE UNIT MATRIX". IN INSTANCES WHERE WE ARE NOT REPLACING 100% OF ITEMS THE SPECIFIC QUANTITIES BEING REPLACED WILL BE LISTED IN THE UNIT MATRIX. GENERALLY, WE CONSIDERED RETAINING EXISTING ITEMS ONLY IF THEY ARE WITHIN 5 YEARS OLD AND IN GOOD CONDITION. THE UNIT MATRIX IS ATTACHED IN THE APPENDIX IN THE SPECIFICATIONS BOOK.

### INTERIORS:

1. Remove and replace 96% cabinets and countertops - *The property recently replaced the remaining 4% of cabinets and countertops in 2011.*
2. Remove and replace 100% appliances - *This includes self-cleaning ranges, range hoods and refrigerators with ice makers. All new appliances will be Energy-Star rated.*
3. Add disposals, microwave ovens in 100% of units.
4. Prepare drywall, patching & sanding, to receive paint.
5. Paint 100% of unit interiors.- *All interior paint will be low VOC.*
6. Install new splatter screens for all ranges.
7. Remove and replace 100% door hardware for interior and exterior doors.
8. Remove and replace 100% flooring.
9. Remove and replace 70% interior doors - *The property recently replaced the remaining 30% of int. doors*

### EXTERIOR:

1. **Roof:**
  - Remove and replace 100% roofs - *New Green Roofing System will utilize a TPO Roofing with tapered insulation.*
  - Remove and replace 100% gutters and downspouts.
  - Add new flashing to the gable roofs as noted on the plans.
2. **Windows:**
  - Remove and replace 23% windows per the unit matrix - *New windows will be dual pane vinyl clad and energy efficient. The property recently replaced the remaining 77% of the windows also dual pane and energy efficient.*
3. **Exterior Doors:**
  - Remove and replace 84% exterior doors - *The property recently replaced the remaining 16% in 2013. New doors will be steel pre-hung doors which will add to the energy efficiency of the units.*
4. **Building Envelope:**
  - Paint all exterior walls - *The property's existing CMU block exterior walls are in good shape and expected to last another 40 years given the resilience, low maintenance and serviceability associated with CMU block construction. As part of the rehab we will patch where necessary and paint fully using Low-VOC paint.*

### SYSTEMS:

1. **Mechanical: Cooling & Heating**
  - Remove and replace 100% cooling system - *New system will be a Green, exterior mounted, enhanced-efficiency cooler system that will be centralized via ceiling ductwork allowing airflow into all rooms. Exterior portions of new system will be shaded year-round.*
  - Remove and replace 100% bath exhaust fans.
  - Remove and replace 65% furnaces per the unit matrix - *The property recently replaced the remaining 35% of furnaces.*

**2. Electrical / Fire Suppression:**

- Remove and replace 100% light fixtures - *All lighting will be Energy-Star rated.*
- Add ceiling fans in 100% of units - *All ceiling fans will be Energy-Star rated.*
- Install new hard wired smoke detectors in 100% of units - *Install in all bedrooms and hallways as required by the local fire code.*
- Install new site lighting as noted on the plans - *All site lighting will be installed with photocell controls that will reduce the energy consumption of the property.*
- Remove and replace electrical panels, wiring and receptacles as noted on the plans.

**3. Plumbing:**

- Remove and replace 100% water heaters - *All new water heaters will be Energy-Star rated.*
- Remove and replace 100% toilets - *Replace with low flow toilets which will reduce the amount of water consumption at the property.*
- Remove and replace 82% plumbing fixtures - *This includes tubs, surrounds, lavatories, faucets, shower heads and all connections - The property recently replaced the remaining 18% of these items.*
- Remove and replace drain and vent lines as noted in the plans. Remove and replace approximately 25% of site waste lines.

**SPECIAL CONSTRUCTION:**

**1. ADA Units:**

- Convert four units to ADA accessible per the Uniform Federal Accessibility Standards as detailed in the plans.
- Convert two units to accommodate individuals with audio/visual impairments as designated in the plans.
- Provide remote switching for the range hood fan and light
- Install new fire strobe smoke detector alarms

**2. Community Center / Leasing Office:**

- Complete interior architectural renovation per the plans.
- Install all new flooring per the plans.
- Paint the entire office and community center.

**LANDSCAPING AND SITE:**

- Install native trees and planting.
- Remove existing playground equipment and replace with new tot lot and fall surface.
- Remove and replace asphalt where noted on plans, Seal and Stripe all asphalt.
- Extensive concrete walk repair and replacement and Install access ramp where noted on plans.
- Install new grand monument sign and building signage.





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. 4<sup>th</sup>, Big Spring, Texas, at 5:30 p.m., January 14, 2014, 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**

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

### **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**

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

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 25<sup>TH</sup> STREET. ZONED : N/A, CURRENTLY OUTSIDE THE CITY LIMITS

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

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.

Motion was made by Councilmember Benavides, seconded by Councilmember McDonald 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 Harbour, seconded by Councilmember Carrigan with all members of the Council voting “aye” to close the public hearing.

## **DISPOSITION OF MINUTES**

MINUTES OF THE REGULAR MEETING OF DECEMBER 10, 2013 AND SPECIAL MEETING OF DECEMBER 11, 2013

Motion was made by Councilmember Harbour, seconded by Councilmember Carrigan, with all members of the Council voting “aye” approving the minutes of the regular meeting of December 10, 2013 and Special Meeting of December 11, 2013.

## **CONSENT ITEMS**

ACCEPTANCE OF THE ZONING BOARD OF ADJUSTMENTS AND APPEALS MINUTES FOR THE MEETING OF MARCH 27, 2013

ACCEPTANCE OF THE CONVENTION AND VISITORS BUREAU COMMITTEE MINUTES FOR THE MEETING OF NOVEMBER 13, 2013

ACCEPTANCE OF THE HOWARD COUNTY APPRAISAL DISTRICT’S BOARD OF DIRECTORS MINUTES FOR THE SPECIAL MEETING OF AUGUST 11, 2013, REGULAR MEETING OF SEPTEMBER 11, 2013 AND MEETING OF NOVEMBER 13, 2013

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

## **ROUTINE BUSINESS**

Councilmember Harbour reviewed the vouchers. Motion was made by Councilmember Harbour, seconded by Councilmember Boyd, with all members of the Council voting “aye” approving vouchers in the amount of \$981,157.37 (12/12/13), \$616,389.37 (12/19/13), \$816,282.51 (01/02/14) and \$1,077,520.27 (01/09/14).

## **NEW BUSINESS**

### **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**

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 submission of an application to the Texas Department of Agriculture for funding through the Texas Capital Fund for infrastructure improvements.

### **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**

Motion was made by Councilmember McDonald, seconded by Mayor Pro Tem Fernandez, with all members of the Council voting “aye” approving the adoption of a Citizen Participation Plan and Citizen Complaint Procedures to be followed during implementation of the Texas Community Development Block Grant Program, Texas Capital Fund Projects.

### **FIRST READING OF AN ORDINANCE REGARDING ANNEXING APPROXIMATELY 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**

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

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

Motion was made by Mayor Pro Tem Fernandez, seconded by Councilmember Harbour, with all members of the Council voting "aye" approving first reading of the above captioned ordinance.

FIRST READING OF AN ORDINANCE APPROVING A FINAL PLAT OF BIG SPRING VILLAGE, BLOCK1, LOT 1 AND BLOCK 2, LOT 1, TO THE CITY OF BIG SPRING, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember Boyd, seconded by Councilmember McDonald, with all members of the Council voting "aye" approving first reading of the above captioned ordinance.

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

Motion was made by Councilmember Boyd, seconded by Councilmember Carrigan, with all members of the Council voting "aye" approving first reading of the above captioned resolution.

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 ORDER 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

Motion was made by Councilmember McDonald, seconded by Councilmember Harbour, with all members of the Council voting "aye" approving first reading of the above captioned ordinance.

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 ORDER TO INCREASE 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

Motion was made by Councilmember Boyd, seconded by Councilmember Carrigna, with all members of the Council voting “aye” approving first reading of the above captioned ordinance.

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

This item removed at the request of Chief Williams and a grant application will be brought to the Council at a later date.

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

Motion was made by Councilmember Carrigan, seconded by Councilmember Harbour, with all members of the Council voting “aye” approving first reading of the above captioned ordinance.

APPROVAL OF A JOINT ELECTION AGREEMENT WITH BIG SPRING INDEPENDENT SCHOOL DISTRICT AND AUTHORIZING THE MAYOR 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 the above referenced agreement.

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

Motion was made by Councilmember Carrigan, seconded by Mayor Pro Tem Fernandez, with all members of the Council voting “aye” approving and accepting the above referenced funds.

**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 MCMAHON-WRINKLE AIRPORT AND INDUSTRIAL PARK AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS**

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

**ANNOUNCEMENT OF THE APPOINTMENT OF JIM DEPAUW TO THE CIVIL SERVICE COMMISSION**

Mayor McLellan announced the appointment of Jim Depauw to the Civil Service Commission.

**ACCEPTANCE OF BIG SPRING ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS MINUTES FOR REGULAR MEETING OF NOVEMBER 25, 2013 AND SPECIAL MEETING OF DECEMBER 9, 2013**

Motion was made by Councilmember Harbour, seconded by Councilmember Carrigan, with all members of the Council voting “aye” approving the above referenced minutes.

**CITY MANAGER’S REPORT**

Todd Darden, City Manager, reported :

- City offices will be closed on Monday, Jan. 20 to observe Martin Luther King Jr. Day.
- The Staff will have quarterly reports to update the Council at the last meeting in January.
- CRMWD would be happy to meet with council in executive session or individually regarding the RFP on new water sources.
- Due to increased attendance by Councilmembers, we will post a City Council agenda for each Big Spring Economic Development Corporation Board of Directors meeting so that Councilmembers will be able to attend and participate in such meetings.

**COUNCIL INPUT**

Mayor McLellan announced that it was TxDOT, not the City that halted the work being done on 3<sup>rd</sup> and 4<sup>th</sup> Streets due to the weather. Mr. McLellan also announced that Keep Big Spring Beautiful has developed different levels of corporate memberships in support of the organization.

Mayor Pro Tem Fernandez recommended that staff, as a recruitment tool, look into a program that allows former military members to use the G.I. Bill in connection with learning new careers. Mr. Fernandez also informed the Council that he would be absent from the next meeting on January 28, 2014.

**EXECUTIVE SESSION**

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 AT 7:05 P.M.

RECONVENE IN OPEN SESSION AT 7:45 P.M.

No action was taken at this time.

**ADJOURN**

Motion was made by Councilmember Harbour, seconded by Councilmember Carrigan, with all members of the Council voting “aye” to adjourn at 7:46 p.m.

CITY OF BIG SPRING, TEXAS

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Larry McLellan, Mayor

ATTEST:

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Tami L. Davis, Assistant City Secretary

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, ANNEXING APPROXIMATELY 74.707 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 74.707 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 25<sup>th</sup> 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 S. 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 S. 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 northwesterly 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' at 30.0' pass the North right-of-way line of Merrily Drive Extended (Chord bearing N. 14° 37' 26" W. 119.07') an arc length of 119.08' in all 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 25<sup>th</sup> 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 25<sup>th</sup> Street, 1359.91' to the PLACE OF BEGINNING.

Containing approximately 74.707 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 25<sup>th</sup> Street.

THENCE S. 75° 24' 06" W. with the South R.O.W line of East 25<sup>th</sup> 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 1/2" I.R. set with a 1" Orange Plastic Cap Stamped "Baker Aicklen" for the South East corner hereof, from which a 1/2" 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 1/2" 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 1/2" 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 1/2" 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 1/2" 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 1/2" 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 25<sup>th</sup> 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 25<sup>th</sup> 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 128 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 74.707 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 25<sup>th</sup> Street, being the Northeast Corner of said 74.707 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 74.707 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 74.707 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 74.707 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 74.707 acre tract:

THENCE with the West lines of said 74.707 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 25<sup>th</sup> Street, being the Northwest Corner of said 74.707 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 25<sup>th</sup> Street, being the North line of said 74.707 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 74.707 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 25<sup>th</sup> Street, being in the North line of said 74.707 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 25<sup>th</sup> Street, being the North line of said 74.707 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 14<sup>th</sup> 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 28<sup>th</sup> day of **January, 2014** will all members present voting “aye” for the passage of same.

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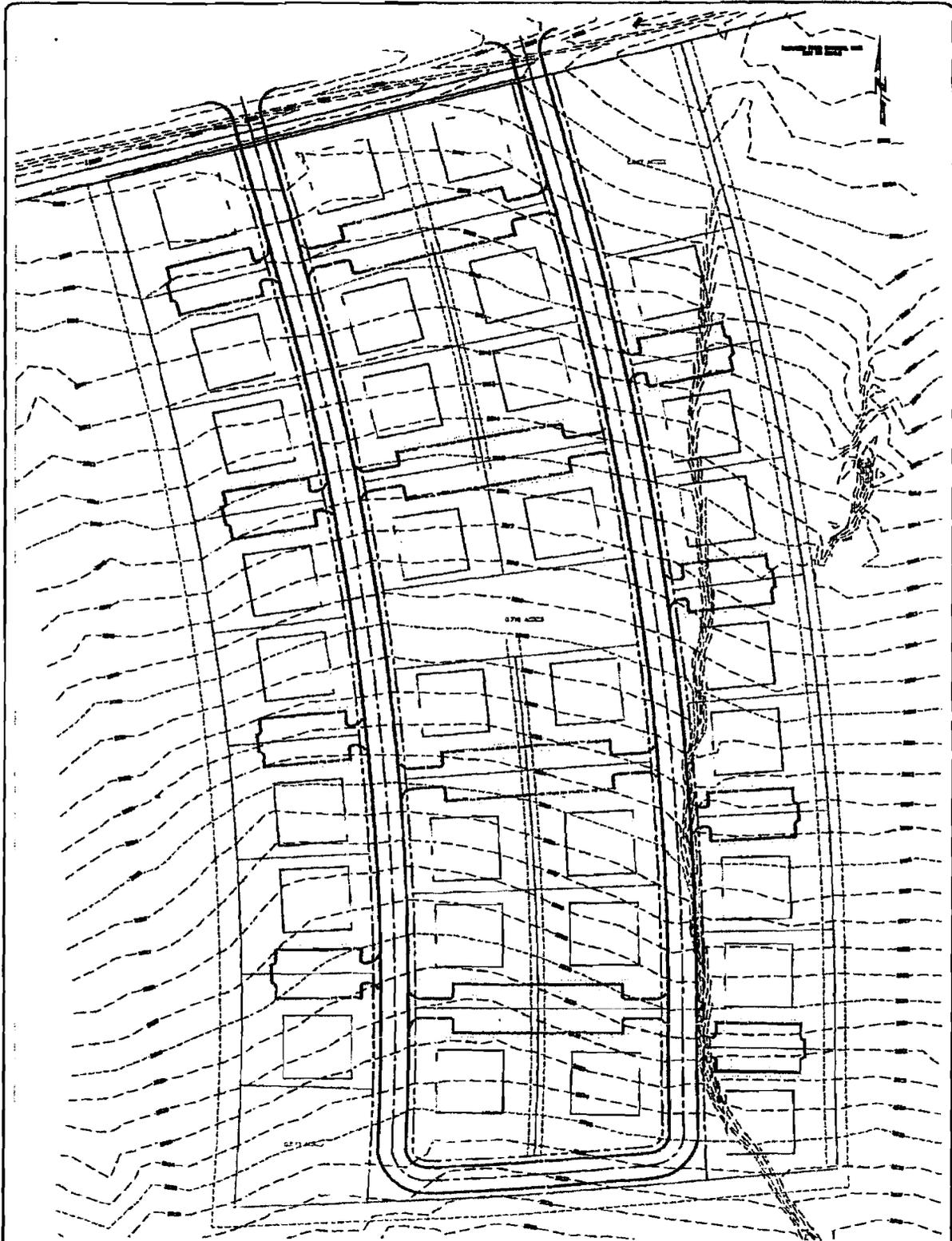
Larry McLellan, Mayor

ATTEST:

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Tami Davis, Assistant City Secretary

# EXHIBIT A



**KENTWOOD  
CONCEPT PLAN**

**BAKER-AICKLEN  
& ASSOCIATES, INC.**  
ARCHITECTS | ENGINEERS | INTERIORS | PLANNING | LANDSCAPE ARCHITECTS  
1115 EAST 17TH AVENUE  
DENVER, CO 80202  
303.733.1111

## EXHIBIT B

### ANNEXATION SERVICE PLAN

City owned 74.707 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 14<sup>th</sup> 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 28<sup>th</sup> day of January, 2014, with all members of the Council voting “aye” for the passage of same.

CITY OF BIG SPRING

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Larry McLellan, Mayor

ATTEST:

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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 14<sup>th</sup> 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 28<sup>th</sup> 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**

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Larry McLellan, Mayor

**ATTEST:**

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Tami L. 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 25<sup>th</sup>, 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 **14<sup>th</sup>** 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 **28<sup>th</sup>** day of **January, 2014,** with \_\_\_\_\_ members voting “aye” for passage of the same.

\_\_\_\_\_  
Larry McLellan, Mayor

ATTEST:

\_\_\_\_\_  
Tami Davis, Asst. City Secretary

**City of Big Spring**  
**Big Spring McMahan-Wrinkle Airport and Industrial Park**  
**Development Board Meeting Minutes**  
**November 21, 2013**

The Big Spring Airport and Industrial Park Development Board met in Regular Session at 5:30 p.m., Thursday, November 21, 2013 at the Airport Terminal conference room, 3200 Rickabaugh Drive, Big Spring, Texas. Phillip Welch called the meeting to order at 5:30 p.m. with the following members in attendance:

Phillip Welch, Chairman  
Ned Crandall  
Wayne Dawson, Safety Officer

Paschal Odom, Vice Chair  
Jane Armstrong

Absent: Willie Rangel  
Jim DeVille - RESIGNED

Also in attendance: Jim Little, Airport Director  
Larry McClellan, Mayor  
Terry Wegman, BSEDC  
Orville Spradling, Pilot

Kelly Seales, Director's Assistant  
Bobby McDonald, Councilman  
Marv Easterly, Midland Airports Director  
Justine Ruff, Assistant Dir., Midland Airports

**Item # 1**

**Call to Order**

Phillip Welch called the meeting to order at 5:30 pm.

**Item # 2**

**Review and approve minutes from October 24, 2013 meeting**

Motion to approve made by Paschal Odom, seconded by Ned Crandall, with all members voting "aye" for acceptance of the minutes as written.

**Item # 3**

**Big Spring Economic Development Corporation Update**

Terry Wegman updated the board on several projects, including the Airpark lead track options for trans-loading and storage yard placement and the EDC approval of \$493,000 for the track to service Western Container Corp. There have also been discussions on the possibility of leasing land adjacent to JCPS for rail storage of materials. The EDC is still working on the rail yard development on the east side of town as well and hopes to provide a solution that will also serve Alon in the future if necessary. That particular rail yard will focus on petroleum based products including a cryogenic gas plant product trans-loading.

**Item # 4**

**T-Hangar Project, Status**

Jim updated the board stating that we are making good progress on this project. PSC is working on the design and we have had some geotechnical surveyors out to assess the property where the hangars will be built. The project should be completed by February of 2014.

**Item # 5**

**Airport Terminal Apron Upgrade Project, Status**

Jim stated that the accompanying Runway 17/35 joint seal repair should be completed by week's end. However, the apron construction may be delayed until March because of a lack of available asphalt for the work. This project also includes the pads for the fuel farm.

**Item #6**

**Airport Fuel Tank Farm Project, Status**

Jim stated that this project is tied in with the Apron Upgrade and is just waiting on the pad construction to be completed. We will have self-serve general aviation fuel capabilities.

**Item #7**

**Airport Directors Update**

Jim introduced and welcomed our visitors including the Mayor and Councilman in attendance and Marv Easterly, Midland Airports Director and his assistant, Justine Ruff. Jim thanked the board for their service and briefly mentioned the recent resignation of board member, Jim DeVille and the continued vacancy of the Airport and Industrial Park Superintendent. Jim mentioned the Dawson Geophysical seismic testing on the airport property beginning in the next few months, which is related to the proposed drilling on the airport. The RFP that was put out received several bids and the contract for the Oil & Gas Drilling was awarded to Veritas Energy, LLC - a well known oil company in the area. Jim updated the board on the Railroad Spur development including recent meetings with the rail company and city staff. The Truck Reliever route is planning to have a ground breaking ceremony at the airpark very soon and the project will begin with the rework of the overpasses coming on and off of Interstate 20. The Airport and EDC have been working with a company that may be able to provide us with a new Airport Master Plan. There is still a possibility that we will have to go to an outside company for that work. The board discussed continued stresses related to the lack of hangar availability and the desperate need for more small aircraft storage, as we still have 13 people on the waiting list for hangar space. Jim mentioned the upcoming graduation of the first group of USFA students from India. The students have will have completed all of their flight training and received certifications up to and including CFI, Single and Multi-Engine and will only be lacking the flight hours required for Airline Transport pilot certificates. Upcoming Director's travel will be for the TxDOT Aviation Conference in Austin during the month of April, 2014 and hopefully a visit with the TxDOT Planning Committee in either December or January. For Show & Tell the board viewed news articles about a Boeing 747 landing at the wrong airport, an article about the new Liberty Hill Airport – a private airport in east Texas, and an article about the Haverfield Aviation helicopter crash in August which resulted in two fatalities. Terry briefly discussed an upcoming West Texas Energy Consortium Conference and Economic Impact study that will be held in Big Spring on December 3<sup>rd</sup>.

**Item # 8**

**Leased Building Issues**

Jim stated that Noltex Truss will be vacating their building as they relocate operations to Midland. Phillip brought up the fence damage near the T-Hangars and old compost area. That repair is scheduled already. Jim mentioned the large nets that have been put up around the prison facilities to keep contraband from being thrown into the property. Jim stated that he is working with city officials and the FAA to determine what measures will be taken, if any to remedy any potential impacts on the airport.

**Item # 9**

**Airport Safety Committee Report**

Wayne commented on the Pilot Safety Meeting that will begin at 7:00 pm, following our meeting. The speaker will be Marv Easterly from the Permian Basin Airport Board.

**Item # 10**

**Other Events & Activities**

No other events at this time.

**Item # 11**

**Board Member Updates**

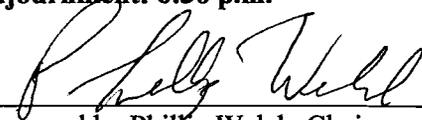
No updates at this time.

**Item # 12**

**Next Meeting Date**

January 16, 2014

**Adjournment: 6:30 p.m.**

  
\_\_\_\_\_  
Approved by Phillip Welch, Chairman

**Convention and Visitors Bureau Committee  
Minutes from Thursday, December 12, 2013  
City Council Chambers**

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*Present:* Marcus Fernandez, Todd Darden, Carmen Harbour, Jacob Cerda, Troy Tompkins, Don Moore, Bruce Schooler

*Staff:* Debbie Wegman, Hayley Lewis

*Absent:*

*Guests:* Dale Avant, Junior Yanez &, Nati Saldivar, NSM; Ramon Holguin; & Christy Bromman, DRA; Scott Raines, Howard College Men's Basketball; Col. Jim Little, Raul Benavides; City Council.

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Mr. Marcus Fernandez called the meeting to order at 4:31 p.m.

**Approval of minutes**

The minutes from the meeting of November 13, 2013 were reviewed. Motion was made by Troy Tompkins to approve the minutes as written. Motion was seconded by Bruce School and passed unanimously.

**Special Event Funding Report**

A new report has been added that will provide the committee with information regarding past funding requests as well as requests made during this year and budget that is available. Todd Darden asked to add the number of heads in beds to the report.

**Consideration of Event Funding Requests**

Before the request was presented, Marcus Fernandez stated that because he is a member of the City Council and a member of the North Side Movement that he wanted to remove himself from the voting; he also asked the City Manager, Todd Darden, to run this portion of the meeting.

- a. Cinco de Mayo: Junior Yanez, Vice President of the North Side Movement, and Dale Avant presented the request for the North Side Movement. Cinco de Mayo will be a two day event to be held May 2-3, 2014 with bands, a golf tournament with the Chicano Golf Association, and a softball tournament. The entertainment portion will be held in the Amphitheater and all the other events will be held in Comanche Trail Park. Due to the fact that the CVB Committee has a special event funding budget of \$125,000 and the North Side Movement is asking for \$52,885 Bruce Schooler asked how much money would be able to help them jump start their event since we approve the total amount of \$52,885. Todd Darden stated that since it was a large amount of money that the city would be willing to let the North Side Movement use the Amphitheater as an in-kind donation and that the city would be willing to help with some of the security costs. Troy Tompkins asked Carmen Harbour if she would be willing to request a budget amendment to City Council to increase the CVB special funding if needed before the end of the fiscal year. Troy Tompkins made the

motion to grant the North Side Movement \$25,000 for Cinco de Mayo, Bruce Schooler seconded, and the motion was passed unanimously. After this vote, Mr. Fernandez returned to the meeting.

**Discussion of Follow-up Reports**

- a. Howard College Men’s Basketball Classic: Scott Raines was present to answer any questions about the event. Twenty hotel rooms were used for the two-day event. All receipts were provided.
- b. Funtastic Fourth: Ramon Holguin and Christy Bromman were present to answer any questions about the event. The event has grown to a two day event and 15 hotel rooms were utilized. All receipts were provided and the full amount of \$14,400 was returned back to the CVB
- c. 2013 USHGA National Competition- Colonel Jim Little was present to answer any questions. An approximate 390 hotel rooms were used during the weeklong event. All receipts were provided and \$1,558.02 was returned back to the CVB.

**Financials**

CVB Financials including Hotel Tax reports and CVB Budget reports were provided for committee review. A comparison report, the data from the state comptroller, and an occupancy report were also provided.

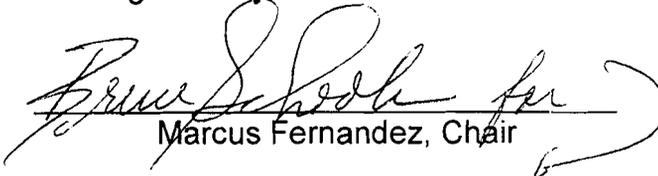
**CVB Coordinator Report**

Debbie Wegman mentioned that we are still researching electronic keys for the Dora Roberts and information for an inflatable finish line.

**Members Comments**

Todd Darden wanted to remind the group of the Big Spring Symphony on Saturday and that the Lighted Christmas parade has been postponed until Saturday, the 14<sup>th</sup>.

Meeting was adjourned at 5:45PM

  
\_\_\_\_\_  
Marcus Fernandez, Chair

1-8-14  
\_\_\_\_\_  
Date

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CITY OF  
**Big Spring**  
PUBLIC WORKS  
MEMORANDUM

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**TO:** HONORABLE MAYOR AND CITY COUNCIL  
MR. TODD DARDEN, CITY MANAGER

**FROM:** JOHNNY WOMACK, PUBLIC WORKS DIRECTOR

**SUBJECT:** AWARD BID FOR CONSTRUCTION OF THE EAST CELL OF THE BIG  
SPRING/HOWARD COUNTY LANDFILL AND AUTHORIZE THE CITY  
MANAGER OR HIS DESIGNEE TO EXECUTE THE CONTRACT

**DATE:** JANUARY 23, 2014

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The City of Big Spring received seven (7) submissions for construction of the East Cell of the Landfill. We received proposals from:

CSW Contractors  
Hammett Excavation  
Onyx Contractors  
Max Jantz Excavating  
Ranger Excavating  
LD Kemp  
RE Monks

Representatives of Parkhill, Smith, & Cooper, Inc. evaluated the proposals based on bid prices, qualifications of bidders, and compliance with bid requirements. Parkhill, Smith, and Cooper recommended that the project be awarded to Max Jantz Excavating, LLC.

**Recommendation:** The staff recommends that the bid for the construction of the East Cell of the Landfill be awarded to Max Jantz Excavating, LLC.

January 17, 2014

Mr. Johnny Womack, Director of Public Works  
City of Big Spring  
310 Nolan Street  
Big Spring, TX 79720-2657

Re: Recommendation for Award of Construction Contract  
City of Big Spring – MSW Landfill East Cell Construction

Dear Mr. Womack:

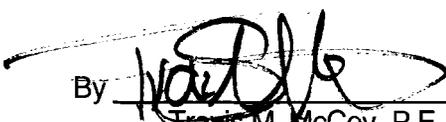
We have reviewed bids for the referenced project received on January 16, 2014 and determined that all bids were submitted in accordance with guidelines established in the Bid Documents and those procedures adopted by the City of Big Spring. All bids have been determined to be tabulated properly and are consistent with those figures recorded during the bid opening. A completed bid tabulation form is enclosed for your reference.

We recommend that the Construction Contract for the City of Big Spring – MSW Landfill East Cell Construction project be awarded to the low bidder, Max Jantz Excavating, LLC, including the Base Bid Proposal items only for the **Total Contract Amount of \$ 1,908,334.00**. For reference, our most recent Opinion of Probable Cost for this project was \$2,135,300.00. PSC has had extensive experience working with Max Jantz Excavating, LLC on projects very similar to yours. We feel that this company's qualifications and capacity to complete the project to the satisfaction of the City of Big Spring and PSC are more than adequate.

Please call me at 806-473-3607 if you have any questions.

Sincerely,

PARKHILL, SMITH & COOPER, INC.

By   
Travis M. McCoy, P.E.  
Project Manager

TMM/lms  
Enclosures

**Big Spring - MSW Landfill East Cell Construction**

**Big Spring, Texas**

**PSC PROJECT NO. 01-0366-13**

**January 16, 2014**

**10:00 AM**

BASE BID				Max Jantz Excavating, LLC 26503 Eleven Road Montezuma, KS 67667		Hammett Excavation, Inc. 1545 CR 2917 Dodd City, TX 75438		R.E. Monks Construction Co., LLC 8355 Vollmer Road Colorado Springs, CO 80908		LD Kemp Excavation, Inc. 5409 Denton HWY. Fort Worth, TX 78148	
Item No.	Description	Quantity	Unit	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	Mobilization/Demobilization (3% Max.)	1	LS	\$57,000.00	\$57,000.00	\$55,000.00	\$55,000.00	\$60,000.00	\$60,000.00	\$63,600.00	\$63,600.00
2	Excavation	312,800	CY	\$2.80	\$875,840.00	\$2.84	\$888,352.00	\$2.15	\$672,520.00	\$2.60	\$813,280.00
3	Embankment Fill	17,500	CY	\$0.30	\$5,250.00	\$2.39	\$41,825.00	\$2.00	\$35,000.00	\$1.50	\$26,250.00
4	Subgrade Preparation (Floor)	297,100	SF	\$0.05	\$14,855.00	\$0.04	\$11,884.00	\$0.15	\$44,565.00	\$0.22	\$65,362.00
5	Subgrade Preparation (Slopes)	186,200	SF	\$0.05	\$9,310.00	\$0.06	\$11,172.00	\$0.15	\$27,930.00	\$0.35	\$65,170.00
6	Geosynthetic Clay Liner (Floor)	297,100	SF	\$0.40	\$118,840.00	\$0.45	\$133,695.00	\$0.55	\$163,405.00	\$0.47	\$139,637.00
7	Reinforced Geosynthetic Clay Liner (Slopes)	186,200	SF	\$0.44	\$81,928.00	\$0.51	\$94,962.00	\$0.60	\$111,720.00	\$0.53	\$98,688.00
8	Smooth Geomembrane Liner	297,100	SF	\$0.44	\$130,724.00	\$0.50	\$148,550.00	\$0.50	\$148,550.00	\$0.54	\$160,434.00
9	Textured Geomembrane Liner	186,200	SF	\$0.52	\$96,824.00	\$0.61	\$113,582.00	\$0.60	\$111,720.00	\$0.64	\$119,168.00
10	Geocomposite Drainage Layer	483,300	SF	\$0.49	\$236,817.00	\$0.49	\$236,817.00	\$0.60	\$289,980.00	\$0.52	\$251,318.00
11	Protective Soil Cover (Floor)	297,100	SF	\$0.27	\$80,217.00	\$0.18	\$53,478.00	\$0.20	\$59,420.00	\$0.22	\$65,362.00
12	Protective Soil Cover (Slopes)	186,200	SF	\$0.30	\$55,860.00	\$0.19	\$35,378.00	\$0.25	\$46,550.00	\$0.24	\$44,688.00
13	Geotextile Fabric	16,300	SF	\$0.21	\$3,423.00	\$0.46	\$7,498.00	\$1.45	\$23,635.00	\$0.40	\$6,520.00
14	Gravel Drainage Material	820	CY	\$44.00	\$36,080.00	\$15.50	\$12,710.00	\$108.00	\$88,560.00	\$41.50	\$34,030.00
15	6-Inch Leachate Collection Pipe	700	LF	\$14.00	\$9,800.00	\$27.07	\$18,949.00	\$25.20	\$17,640.00	\$13.20	\$9,240.00
16	Site Signage	1	LS	\$1,590.00	\$1,590.00	\$350.00	\$350.00	\$1,440.00	\$1,440.00	\$2,800.00	\$2,800.00
17	Erosion Control	1	LS	\$8,650.00	\$8,650.00	\$3,900.00	\$3,900.00	\$5,500.00	\$5,500.00	\$6,250.00	\$6,250.00
18	Sump & Access Structure	1	LS	\$29,500.00	\$29,500.00	\$45,500.00	\$45,500.00	\$48,000.00	\$48,000.00	\$28,430.00	\$28,430.00
19	Electrical	1	LS	\$7,500.00	\$7,500.00	\$34,000.00	\$34,000.00	\$25,000.00	\$25,000.00	\$78,000.00	\$78,000.00
20	Wheeled Sump Pump	1	LS	\$23,530.00	\$23,530.00	\$17,900.00	\$17,900.00	\$32,000.00	\$32,000.00	\$17,500.00	\$17,500.00
21	Groundwater Monitor Well Installation	100	VF	\$223.00	\$22,300.00	\$270.00	\$27,000.00	\$75.00	\$7,500.00	\$242.00	\$24,200.00
22	Groundwater Monitor Well Abandonment	104	VF	\$24.00	\$2,496.00	\$47.12	\$4,900.48	\$85.00	\$8,840.00	\$40.00	\$4,160.00
<b>TOTAL</b>					<b>\$1,908,334.00</b>		<b>\$1,997,402.48</b>		<b>\$2,029,475.00</b>		<b>\$2,124,083.00</b>

**Big Spring - MSW Landfill East Cell Construction**

**Big Spring, Texas**

**PSC PROJECT NO. 01-0366-13**

**January 16, 2014**

**10:00 AM**

BASE BID				Onyx Contractors Operation, LP PO Box 60547 Midland, TX 79711		Ranger Excavating, L.P. 5222 Thunder Creek Rd., B-1 Austin, TX 78759		CSW Contractors, Inc. 6135 N. 7th Street, Suite #105 Phoenix, AZ 85014	
Item No.	Description	Quantity	Unit	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	Mobilization/Demobilization (3% Max.)	1	LS	\$62,650.00	\$62,650.00	\$65,000.00	\$65,000.00	\$69,310.00	\$69,310.00
2	Excavation	312,800	CY	\$2.70	\$844,560.00	\$2.50	\$782,000.00	\$2.41	\$753,848.00
3	Embankment Fill	17,500	CY	\$1.85	\$32,375.00	\$2.00	\$35,000.00	\$1.34	\$23,450.00
4	Subgrade Preparation (Floor)	297,100	SF	\$0.20	\$59,420.00	\$0.06	\$17,826.00	\$0.07	\$20,797.00
5	Subgrade Preparation (Slopes)	186,200	SF	\$0.22	\$40,964.00	\$0.08	\$14,896.00	\$0.08	\$14,896.00
6	Geosynthetic Clay Liner (Floor)	297,100	SF	\$0.445	\$132,209.50	\$0.45	\$133,695.00	\$0.73	\$216,883.00
7	Reinforced Geosynthetic Clay Liner (Slopes)	186,200	SF	\$0.475	\$88,445.00	\$0.50	\$93,100.00	\$0.79	\$147,098.00
8	Smooth Geomembrane Liner	297,100	SF	\$0.475	\$141,122.50	\$0.50	\$148,550.00	\$0.77	\$228,767.00
9	Textured Geomembrane Liner	186,200	SF	\$0.545	\$101,479.00	\$0.55	\$102,410.00	\$0.86	\$160,132.00
10	Geocomposite Drainage Layer	483,300	SF	\$0.525	\$253,732.50	\$0.56	\$270,648.00	\$0.76	\$367,308.00
11	Protective Soil Cover (Floor)	297,100	SF	\$0.40	\$118,840.00	\$0.60	\$178,260.00	\$0.35	\$103,985.00
12	Protective Soil Cover (Slopes)	186,200	SF	\$0.45	\$83,790.00	\$0.70	\$130,340.00	\$0.44	\$81,928.00
13	Geotextile Fabric	16,300	SF	\$0.43	\$7,009.00	\$0.30	\$4,890.00	\$0.48	\$7,824.00
14	Gravel Drainage Material	820	CY	\$36.00	\$29,520.00	\$65.00	\$53,300.00	\$77.04	\$63,172.80
15	6-Inch Leachate Collection Pipe	700	LF	\$32.00	\$22,400.00	\$10.00	\$7,000.00	\$21.70	\$15,190.00
16	Site Signage	1	LS	\$1,620.00	\$1,620.00	\$2,500.00	\$2,500.00	\$2,100.00	\$2,100.00
17	Erosion Control	1	LS	\$6,000.00	\$6,000.00	\$5,500.00	\$5,500.00	\$15,600.00	\$15,600.00
18	Sump & Access Structure	1	LS	\$12,548.00	\$12,548.00	\$95,000.00	\$95,000.00	\$45,000.00	\$45,000.00
19	Electrical	1	LS	\$48,600.00	\$48,600.00	\$10,000.00	\$10,000.00	\$11,060.00	\$11,060.00
20	Wheeled Sump Pump	1	LS	\$32,040.00	\$32,040.00	\$35,000.00	\$35,000.00	\$34,300.00	\$34,300.00
21	Groundwater Monitor Well Installation	100	VF	\$267.00	\$26,700.00	\$30.00	\$3,000.00	\$151.00	\$15,100.00
22	Groundwater Monitor Well Abandonment	104	VF	\$50.00	\$5,200.00	\$25.00	\$2,600.00	\$17.00	\$1,768.00
<b>TOTAL</b>					<b>\$2,151,224.50</b>		<b>\$2,190,515.00</b>		<b>\$2,399,516.80</b>

**A RESOLUTION OF NO OBJECTION TO THE REHABILITATION AND PRESERVATION OF AN AFFORDABLE RENTAL HOUSING DEVELOPMENT OF 68 UNITS LOCATED AT 1002 NORTH MAIN STREET IN THE CITY OF BIG SPRING, ALSO KNOWN AS NORTHCREST APARTMENTS, AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, DHI NC Housing LP, a Texas limited partnership (the Applicant”) has proposed a development for affordable rental housing of 68 units that will be located at 1002 North Main Street named Northcrest Apartments (“the Development”) within the corporate limits of the City of Big Spring, Texas (“the City”); and

WHEREAS, the Development will be financed in part by the private activity bond program; and

WHEREAS, Applicant has submitted an application to the Texas Department of Housing and Community Affairs (“TDHCA”) for housing tax credits for the Development (the “Application”); and

WHEREAS, Applicant provided notice of its intent to file the Application with the governing body of the City; and

WHEREAS, pursuant to Texas Government Code §2306.67071 certain certifications are required by the City before the Application may be approved by TDHCA.

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

**SECTION 1:** The City certifies, in accordance with the requirements of the Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4) and it is hereby found that:

- (1) Notice has been provided to the City in accordance with Texas Government Code, §2306.67071(a);
- (2) The City has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed Development;
- (3) The City has held a hearing at which public comment may be made on the proposed Development in accordance with Texas Government Code, §2306.67071(b); and
- (4) After due consideration of the information provided by the Applicant and public comment, the City does not object to the proposed Application.

**SECTION 2:** 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 **28<sup>th</sup>** 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 **11<sup>th</sup>** day of **February, 2014**, at a regular meeting of the City Council, with all members present voting “aye” for the passage of same.

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Larry McLellan, Mayor

ATTEST:

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Tami Davis, Assistant City Secretary

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 10, 2014, FOR THE PURPOSE OF ELECTING ONE PERSON TO SERVE AS CITY DISTRICT ONE COUNCIL MEMBER WHO SHALL BE ELECTED BY MAJORITY VOTE OF THE QUALIFIED VOTERS OF DISTRICT ONE; AND ELECTING ONE PERSON TO SERVE AS CITY DISTRICT THREE COUNCIL MEMBER WHO SHALL BE ELECTED BY MAJORITY VOTE OF THE QUALIFIED VOTERS OF DISTRICT THREE; DESIGNATING ONE CENTRAL POLLING PLACE WITHIN THE CITY; AUTHORIZING THE MAYOR TO EXECUTE NOTICE AND HAVE THE NOTICE POSTED FOR THE PURPOSE OF NOTIFYING THE PUBLIC OF SAID ELECTION; PROVIDING A SEVERABILITY CLAUSE.

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

SECTION 1. That an election shall be held on the 10<sup>th</sup> day of May, 2014, for the purpose of electing one person of the City of Big Spring, Texas, to serve as City District One Council Member who shall be a resident of the City and shall be elected by majority vote of the qualified voters of District One to serve a three year term; and electing one person of the City of Big Spring, Texas, to serve as City District Three Council Member who shall be a resident of the City and shall be elected by a majority vote of the qualified voters of District Three to serve a three year term.

SECTION II. Mayor Larry McLellan is hereby authorized to execute and have posted notice of said election in accordance with the law.

SECTION III. The polling place on election day for a resident voter of City District One and City District Three will be at the Dorothy Garrett Coliseum, located at the corner of Birdwell Lane and Kentucky Way.

SECTION IV. Said election shall be held in accordance with the constitution and laws of the State of Texas and the Charter of the City of Big Spring, Texas, and the manner of holding said election shall be governed by the laws of the State regulating general elections and this Ordinance.

SECTION V. Voting by personal appearance during early voting and on election day shall be by DRE (Direct Recording Electronic) System and by official paper ballot for early voting by mail and for provisional ballots. Each candidate shall make application in writing to the City Secretary for the candidate's name to appear on the official ballot no later than 5:00 p.m. of the sixty-second (62<sup>nd</sup>) before election day but no earlier than the thirtieth (30<sup>th</sup>) day before the date of the filing deadline, as required by sections 1.007 and 143.007 of the Texas Election Code. The application shall clearly designate the residence address of the candidate. Each candidate must reside in the city

limits of the City of Big Spring. A candidate for each office may reside anywhere within the city limits of the City of Big Spring. All candidates for the office of City Council shall have been a resident citizen of the City of Big Spring for a period of one (1) year immediately preceding the date of the election as required by Art. V, Sec. 7 of the City Charter.

SECTION VI. Early voting by personal appearance will be conducted at Howard County Courthouse located at 300 S. Main. Early voting will be held on weekdays beginning April 28, 2014 and ending May 6, 2014. The early voting polling place shall be open to the public from 7:00 a.m. to 7:00 p.m. on Tuesday, April 29, 2014 and Thursday, May 1, 2014 and from 8:00 a.m. to 5:00 p.m. on all other days.

SECTION VII. Only qualified electors under the general laws of the state who reside in City District One shall be qualified to vote for the office of District One City Council Member; and only qualified electors under the general laws of the state who reside in City District Three shall be qualified to vote for the office of District Three City Council Member.

SECTION VIII. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and if any phrase, clause, sentence, paragraph or section be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, said unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 28<sup>th</sup> day of January, 2014, with all members present voting “aye” for passage of same.

PASSED AND APPROVED on second and final reading at a special meeting of the City Council on the 11<sup>th</sup> day of February, 2014, with all members present voting “aye” for passage of same.

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Larry McLellan, Mayor

ATTEST:

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Tami L. Davis, Assistant City Secretary



**To:** Honorable Mayor and City Council  
Mr. Todd Darden, City Manager

**From:** Chad Williams, Chief of Police

**Subject:** Juvenile Accountability Block Grant

**Date:** January 23, 2014

For several years the City of Big Spring/ Big Spring Police Department have been part of a Multi-Jurisdictional Truancy Prevention Alternative Dispute Resolution Program that seeks grant funding through the Juvenile Accountability Block Grants (JABG) program. This is a Federal grant program that requires the recipient to match the grant allocation at 10%. In the last few years, Big Spring has teamed up with Lubbock County in obtaining these grant funds. Lubbock County was paying the 10% match for the grant and then the city was waiving our awarded portion of the grant funds to allow Lubbock County to use the funds to assist in funding juvenile dispute resolution program here in Howard County. This year, Lubbock County was not eligible to apply for this grant, but Big Spring does still qualify to apply for these funds. The department would like to apply for this grant and continue to use the funds for the same program. These grant funds are provided as block grants for programs promoting greater accountability in the juvenile justice system. The goal of this support is to provide units of local government with the means to implement state-of-the-art accountability-based programs in any of 17 program purpose areas.

One requirement to receive the Juvenile Accountability Grant the Grantee (City of Big Spring) is to develop a Local Advisory Board consisting of individuals representing the Police Department, Sheriffs Office, Juvenile Courts, Juvenile Probation Office, Social Services and School District. The local advisory board is responsible for the development of a coordinated enforcement plan for the use of grant funds based on analysis of the local juvenile justice system. The analysis determines the most effective use of grant funds within purpose areas that apply to those grant funds.

It is discussed and agreed upon that the Office of Dispute Resolution for Lubbock County is appointed by the Grantee to mediate and provide compliance services for each referral. It is also discussed and agreed upon that Alternative Dispute Resolution (ADR) services are provided by the Office of Dispute Resolution for Lubbock County and upon referral or request and target those students who are truant or at risk of becoming truant. Through ADR (e.g. Mediation, Community Adjudication Panel, and Parent Coordinator), a neutral third party can help to evaluate the whole situation to help the student and his/her parents (or guardians) to identify the problems and address them positively. All neutrals will be required to have Basic and Advanced Mediation Training. Previous studies have shown that family involvement, incentives/consequences, collaboration within the community, and goal setting have been effective in reducing truancy. The ADR program incorporates all of these components. The program will get the family involved by bringing the student and his/her parents (or guardians) together. Sometimes, parents are not aware of the rules surrounding school attendance or that there is a problem with their child attending school. With the help of a neutral, ADR gives them the opportunity to discuss why the

child is missing school, and then come up with solutions to get the child to school. Incentives and consequences can be set forth by the referral source, created by the student and his/her parents (or guardians), or both. Neutrals are encouraged and trained to think outside the box when assisting families in coming up with incentives and consequences. The total amount of Grant received with match equals \$15,456.00 and with this the purpose of the monies is for making referrals to community resources and monitoring juveniles compliance with mediated agreements. Approximately \$13,500 will be for salary and the remaining \$1,956 will be for fringe benefits. It is at \$100.00 per referral to be paid to the Office of Lubbock County Dispute Resolution.

**Recommendation:** The staff recommends that the department be allowed to apply for this grant of \$13,937. This would require a 10% match of \$1,549 from the city, making the total grant amount \$15,486.

**AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS AMENDING CHAPTER EIGHTEEN, ENTITLED "TRAFFIC", ARTICLE 5 ENTITLED, "STOPPING, STANDING AND PARKING," SECTION 18-128 ENTITLED, "DEFINITIONS," ADDING A DEFINITION FOR RECREATIONAL VEHICLE AND RENAMING SECTION 18-145 TO "PARKING ON FRONT YARDS," AND AMENDING THE SECTION IN ORDER TO MORE EFFECTIVELY REGULATE THE FRONT YARD PARKING OF MOTOR VEHICLES, RECREATIONAL VEHICLES, BOATS AND TRAILERS; PROVIDING A PENALTY OF \$ \_\_\_\_\_; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**

**Sec. 18-128. Definitions.**

1. In this Article, the terms described below shall be used and defined as follows:
  - a. "Motor Vehicle" means a vehicle that is self propelled.
  - b. "Operator" means a person in actual physical control of the vehicle.
  - c. "Owner" means a person who has (1) legal title to a motor vehicle, or (2) the right to possess or control a vehicle.
  - d. "Front Yard" means an open, unoccupied space on a lot facing a street extending across the lot between the side lot lines and from the front of the main building to the front lot or street line. In corner lots the front yard shall be that yard where the main entrance of the principal structure is located.
  - e. "Truck-tractor" means a motor vehicle designed or used primarily for pulling other vehicles and not constructed to carry a load other than a part of the weight of the vehicle being drawn.
  - f. "Semitrailer" means a vehicle without motive power that is designed, or used with a motor vehicle, so that some of its weight and the weight of its load rest on, or is carried by, the motor vehicle.
  - g. "Trailer" means a vehicle without motive power that is: (1) designed or used to carry property or passengers on its own structure exclusively; and (2) drawn by a motor vehicle.
  - h. "Vehicle" means a mechanical device, other than a device moved by human power or used exclusively upon stationary rails or tracks, in, on, or by which a person or property can be transported. The term includes a motor vehicle, commercial motor vehicle, truck-tractor, trailer, or semitrailer but does not include: 1) manufactured housing as defined by the Texas

Manufactured Housing Standards Act (Article 5221(f) Rev. Civ. Stat., Vernon's Texas Civil Statute) or 2) self propelled wheel chairs or mechanical devices while being used by handicapped individuals.

- i. "Authorized Emergency Vehicle" means: a fire department or police vehicle, a public or private ambulance operated by a person who has been issued a license by the Texas Department of Health; a municipal department or public service corporation emergency vehicle that has been designated by the City Council; a private vehicle of a volunteer firefighter or certified emergency medical services employee or volunteer when responding to a fire alarm or medical emergency.
- j. "Paved Surface" shall mean an area continuously surfaced by concrete, hot mix asphalt, brick or stone pavers or gravel.
- k. "Park" or "Parking" means to stand an occupied or unoccupied vehicle, other than temporarily.
- l. "Recreational Vehicle" or "RV" means any vehicular, portable structure designed for temporary or short term occupancy. Such vehicles shall include self-propelled recreational vehicles, travel trailers, converted buses, tent trailers, motor homes, or similar devices used for temporary portable housing.
- m. "Stand" or "Standing" means to halt an occupied or unoccupied vehicle while receiving property or passengers.
- n. "Stop" or "Stopping" means to halt an occupied vehicle.

**Sec. 18-145. Parking on Front Yards.**

Parking on the front yard of a residence is allowed on paved surfaces. Rear yard and side yard parking is allowed on unpaved surfaces.

1. Prohibition.

- a. It shall be unlawful for any person to park or to cause, suffer, maintain or allow to be parked upon any property under his control, either as owner or tenant, any vehicle, trailer, boat or recreational vehicle on any unpaved surface in the front yard of any lot zoned for residential purposes.
- b. Each required parking space must be at least nine feet by eighteen feet (9' x 18') constructed of two (2) inches of concrete where curb and gutter exists, or asphalt, gravel, pavers or concrete where there is no curb and gutter.

Location and construction of required paved front yard surfaces must be done to comply with the City's ordinances, regulations, and driveway standards.

2. Exceptions:

a. Residential Lots Without Alleys or Alleys Less Than 16 Feet Wide.

Owners and tenants of residential lots that have no alley or that have alleys less than sixteen (16) feet wide, may park no more than one (1) trailer or one (1) recreational vehicle on an unpaved surface in the front yard. However, such trailer or recreational vehicle must be confined to one (1) space no more than twenty-two (22) feet wide and eighteen (18) feet long.

b. Persons operating authorized emergency vehicles and persons displaying valid state issued disabled parking placard/plates are exempt from the requirements of this section.

3. Penalty.

Any person violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine not to exceed \$\_\_\_\_\_. Each day that a violation occurs constitutes a separate offense.

Possible revision of Section 18-147 to prohibit parking of RV's and trailers in the street.

**Minutes of the Board of Director's Regular Meeting  
BIG SPRING ECONOMIC DEVELOPMENT CORPORATION  
Tuesday, December 17, 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. Tuesday, December 17, 2013 in the offices of the Big Spring Economic Development Corporation with Mr. Avant, presiding. The following notice was sent on December 13, 2013 to all Directors, the news media, and duly posted on December 13, 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 Tuesday, December 17, 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 November 25, 2013 Regular Meeting and December 9, 2013 Special Meeting, Action on November Financials, Action on November Investment Reports, Directors Report, Public Comment, Board Comment, and Adjourn".

**Directors Present:**

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

**Directors Absent:**

Mr. Jim DePauw

**Staff Present:**

Mr. Terry Wegman  
Mrs. Teresa Darden

**Guests that signed in:** Raul Benavides, Steve Campbell, Terry Hansen, Cole Morgan, Kathryn Wiseman, Georgie Newsom, Marvin Boyd, Pat DeAnda, Michelle Garcia, Sharon DeAnda, Jan Hansen, Alex Huddleston, Roger Foster, Thomas Defuro, Eddilisa Saldivar, Maricela Rodriguez, Junior Yanez, Kristen Poffinbarger, Debbie Wegman

**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 November 25, 2013 Regular Board Meeting and December 9, 2013 Special Meeting:**

Mr. Avant presented the minutes of the November 25, 2013 Regular Meeting and December 9, 2013 Special Meeting. Motion to accept the minutes were made by Mr. MacKenzie, seconded by Mrs. Saldivar. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion.

**ACTION ITEM #3- Action on November Financials Report:**

Mr. MacKenzie presented the November Financial report. Mrs. Saldivar asked Mr. Wegman to visit with the attorney about rental agreements with United Way and the Chamber. Motion to approve the November Financial Report was made by Mr. MacKenzie seconded by Mrs. Saldivar. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion.

**ACTION ITEM #4- Action on November Investment Report:**

Mr. MacKenzie presented the November Investment report. Motion to approve the November Investment Report was made by Mr. MacKenzie seconded by Mrs. Saldivar. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion.

**AGENDA ITEM #5- Directors Report**

Mr. Wegman gave an update on projects to include: Contract for rail infrastructure at the Airpark has been executed and materials are arriving and grading has begun with estimated completion around the first week in January; Permian Energy Partners, CBRE and Quigg Bros. are moving forward with the design work and engineering with Bartlett West Engineering and Union Pacific, attorneys are working through the lease agreement, Mrs. Hobbs asked is they were meeting the timeline and Mr. Wegman explained that because of the crude prices, it has slowed the timeline down some, and while some of the goals have been complete, the timeline hasn't been completed; continued discussions with a calcium chloride distributor and manufacturer which plan to have a 24/7 operation; Discussions are ongoing with a frac 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 was approved in the amount of \$488K with the possibility of being raised to the requested \$750K for sewer infrastructure to the northwest quadrant and hope to know by the end of the week. Mr. Wegman also gave an update on past and upcoming meeting which included; West Texas Energy Consortium meeting was on December 3<sup>rd</sup> and was a great success, Next EDC Board meeting will be January 21st. Mr. Wegman and Mr. Avant have a meeting with the City to discuss use of the City Council Chambers for EDC meetings. Mr. Wegman also gave an update to the board that the current cell phone plan has been changed and the additional phone has been removed. Mr. Wegman has also updated the board that he is currently asking for policy and procedures to model the BSEDC's by.

**AGENDA ITEM #6- Public Comments**

Kathryn Wiseman asked about the local access channel and the meetings shown on the channel. Mrs. Darden explained that the new line up is posted on the City website and the City is currently upgrading the system to have better quality picture and sound. Thomas Defuro asked if the Director was to pay back past cell phone bills. Mr. Avant said that it was decided in the last meeting that “what was done was done and we are going to change things and move forward from there.” Mrs. Hobbs responded that the Board did make the recommendation that if there were any cancellation fees that the EDC would take care of those. Pat DeAnda stated that she has been listening to the controversy and she is very disappointed. She also said that there have always been questions of the expenditures of the board and some of the people that have spoken have been against some of the things that are going on with the board. Ms. DeAnda stated that the economy that we live in today is very tight and one of the things that the citizens knew to happen was if the citizens didn’t want the tax anymore that they could repeal it. Ms. DeAnda went on to say that maybe repealing is what the citizens need to do if “we are fighting like this about what we’re spending, who’s spending and how much is being spent and who’s not getting and who’s getting. The makeup of the board has changed and it has gotten worse since the makeup has changed.” Ms. DeAnda also added that use of microphones would help the audience hear the meetings better.

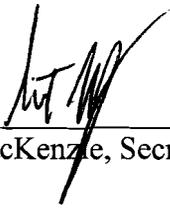
**AGENDA ITEM # 7- Board Comments**

Mr. Avant stated that today was a good meeting and he thanked all the guests in attendance and wished everyone a Merry Christmas.

**AGENDA ITEM # 8- Adjourn**

Mr. MacKenzie made a motion to adjourn, seconded by Mrs. Saldivar  
The motion passed 4 to 0 with all members present voting “aye” in favor of the motion.  
Meeting adjourned at 5:46 pm on December 17, 2013.

ATTEST:

  
\_\_\_\_\_  
Mr. Scott MacKenzie, Secretary/Treasurer

  
\_\_\_\_\_  
Mr. Don Avant, President