



CITY OF
Big Spring

CITY COUNCIL AGENDA

Tuesday, April 8, 2014

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, April 8, 2014, at 5:30 p.m. in the City Council Chambers located at 307 East 4th Street, Big Spring, Texas.

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

**As a courtesy to those in attendance, please place your cell phone on “Silent” or “Vibrate.”
Please, no talking during the meeting, take any conversations outside, so others can hear.**

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.”**

Disposition of Minutes

2. Approval of Minutes of the Regular Meeting of March 25, 2014 4-8 Davis

Consent Items

3. Final Reading of a Resolution Authorizing the Mayor to Approve the Use of Funds from the Public Educational and Governmental (PEG) Fees that the City Receives from Cable Subscribers for the Acquisition, Installation or Updating of Materials or Equipment by or on Behalf of Other Boards or Governmental Entities in Order to Facilitate Broadcasting on Channel 17; and Providing an Effective Date 9 Boyd

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| 4. | Final Reading of an Ordinance Amending the Big Spring Code of Ordinances Chapter Six Entitled “Cemeteries, Parks and Recreation,” Article Three Entitled “Dora Roberts Community Center,” Section 6-46 Entitled “Deposits, Rental Fees, and Security” Requiring Rental Fees be Paid Seven (7) Days Prior to Any Event and Adjusting Various Fees; Amending Section 6-47 Entitled “Special Services and Equipment” to Adjust Various Fees; and Revising Other Sections for Clarity; Providing for Severability; and Providing an Effective Date | 10-14 | Sjogren |
| 5. | Acceptance of the Convention and Visitors Bureau Committee Minutes for the Meetings of March 5, 2014 | 15 | Darden |

Routine Business

- | | | | |
|----|--|--|---------|
| 6. | Vouchers for 03/27/14 \$ 362,771.79
Vouchers for 04/03/14 \$ 826,604.80 | | Harbour |
|----|--|--|---------|

New Business

- | | | | |
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| 7. | First Reading of a Resolution Supporting the Rights of Our Citizens Under the 2 nd , 9 th , and 10 th Amendments to the United States Constitution; and Providing an Effective Date | | Boyd |
| 8. | 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; to Move Funds from the General Fund and Create a New Fund Called Cable Franchise-Peg Fund for the Purpose of Purchasing Broadcasting Equipment for Public Entities; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Publication; Providing an Effective Date | 16-18 | Moore |
| 9. | First Reading of an Ordinance Amending Chapter 18 of the Code of Ordinances Entitled “Traffic” by Amending Article 3 Section 18-75 Entitled “One Way Streets, Designation and Marking” by Adding a New Subsection I to Declare 2 nd Street a Single Lane, One Way Westbound Traffic Roadway from Gregg to Lancaster; Adding Subsection J to Declare Lancaster a Single Lane, One Way Southbound Traffic Roadway from 2 nd Street to 3 rd Street; Amending Article 5 Section 18-149 Entitled “Specific Parking, Standing, Stopping and Street Closing Provisions” by Adding a New Subsection (M) to Regulate Parking Along 2 nd Street from Gregg to Lancaster and Lancaster Street From 2 nd to 3 rd ; and Adding a New Subsection (N) to Prohibit Thru Traffic in the Alley From 2 nd to 3 rd Between Gregg and Lancaster; Providing for Severability; Providing for Publication; and Providing an Effective Date | 19-20 | Womack |

10. Consideration of Accepting and Approving Funding from the Big Spring Economic Development Corporation for the City's Master Plan and the Airport Master Plan Wegman

City Manager's Report

11. Special Meeting – April 15, 2014 Darden

Council Input

12. Input McLellan

Executive Session

13. Adjourn into Executive Session with the Executive Director of the Big Spring Economic Development Corporation under the Provisions of Title 5, Texas Government Code, Section 551.087 to Discuss or Deliberate Commercial or Financial Information Concerning Entities that the City Seeks to have Locate, Stay, or Expand in or Near the City and with Which the City and Big Spring Economic Development Corporation are Conducting Economic Development Negotiations; and Under Title 5, Texas Government Code, Section 551.072 to Deliberate the Purchase, Exchange, Lease or Value of Real Property (**Quarterly Update**) McLellan
14. Executive Session in Accordance with Texas Government Code Section 551.072 to Discuss the Purchase, Exchange, Lease or Value of Real Property McLellan
15. Reconvene in Open Session and Take Any Necessary Action McLellan
16. Adjourn McLellan

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, April 4, 2014 at 5:00 p.m. In addition this agenda and supporting documents are posted on the City of Big Spring's website, **www.mybigspring.com** in accordance with legal requirements.


Lesa Gamble, Administrative Assistant

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

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

The City Council of the City of Big Spring, Texas, met in a regular meeting in the City Council Chambers located at 307 E. 4th, Big Spring, Texas, at 5:30 p.m., March 25, 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
JIM LITTLE	Airpark Director
DON MOORE	Finance Director/ City Secretary

PRESENTATIONS & PUBLIC HEARINGS

INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Mona Lue Tonn, Spring Tabernacle Ministries, gave the invocation and Mayor McLellan led the Pledge of Allegiance to the American and Texas Flags.

DISPOSITION OF MINUTES

APPROVAL OF MINUTES OF THE REGULAR MEETING OF MARCH 11, 2014

Motion was made by Councilmember Carrigan, seconded by Councilmember Boyd, with all members of the Council voting “aye” approving the minutes of the regular meeting of March 11, 2014.

CONSENT ITEMS

FINAL READING OF AN ORDINANCE APPROVING A NEGOTIATED SETTLEMENT AGREEMENT BETWEEN THE STEERING COMMITTEE OF CITIES SERVED BY ATMOS WEST TEXAS DIVISION REGARDING THE COMPANY'S 2013 STATEMENT OF INTENT TO INCREASE RATES IN ALL CITIES EXERCISING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT AND FINDING THE RATES TO BE SET BY THE TARIFFS ATTACHED TO THE SETTLEMENT AGREEMENT TO BE JUST AND REASONABLE; APPROVING A NEW RATE REVIEW MECHANISM; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES; REPEALING CONFLICTING RESOLUTIONS OR ORDINANCES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETING ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE CITIES' LEGAL COUNSEL

FINAL READING OF A RESOLUTION IN SUPPORT OF THE TEXAS DEPARTMENT OF TRANSPORTATION REDUCING THE AMOUNT OF PARKING AT THE SOUTHEAST CORNER OF 3RD STREET AND MAIN STREET AND PROVIDING AN EFFECTIVE DATE

FINAL READING OF AN ORDINANCE AMENDING APPENDIX A TO THE BIG SPRING CODE OF ORDINANCES ENTITLED "FEE SCHEDULE" BY ADDING A NEW ARTICLE 2 ENTITLED "COLLECTION FEES" IN ORDER TO ASSESS A COLLECTION FEE TO ASSESS A COLLECTION FEE OF THIRTY PERCENT OF THE AMOUNT OWNED ON PAST DUE ACCOUNTS RECEIVABLE THAT ARE TO BE REFERRED TO THE CONTRACTED COLLECTION SERVICE, PROVIDING FOR SEVERABILITY, PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE

ACCEPTANCE OF THE CONVENTION AND VISITORS BUREAU COMMITTEE MINUTES FOR THE MEETINGS OF JANUARY 8, 2014 AND FEBRUARY 5, 2014

ACCEPTANCE OF THE MCMAHON-WRINKLE AIRPORT AND INDUSTRIAL PARK DEVELOPMENT BOARD MINUTES FOR THE MEETING OF FEBRUARY 20, 2014

Ms. Sjogren, City Attorney, notified the Council of a change to the Collection Fee Ordinance from the first reading removing the \$240.00 fee to be assessed on ambulance collection accounts. Motion was made by Councilmember Benavides, seconded by Councilmember Carrigan, with all members of the Council voting "aye" approving the second and final reading, as amended, of the above listed resolution, ordinances and minutes.

ROUTINE BUSINESS

Mayor Pro Tem Fernandez reviewed the vouchers. Motion was made by Mayor Pro Tem Fernandez, seconded by Councilmember Harbour, with all members of the Council voting “aye” approving vouchers in the amount of \$2,362,745.16 (03/20/14).

NEW BUSINESS

FIRST READING OF A RESOLUTION AUTHORIZING THE MAYOR TO APPROVE THE USE OF FUNDS FROM THE PUBLIC EDUCATIONAL AND GOVERNMENTAL (PEG) FEES THAT THE CITY RECEIVES FROM CABLE SUBSCRIBERS FOR THE ACQUISITION, INSTALLATION OR UPDATING OF MATERIALS OR EQUIPMENT BY OR ON BEHALF OF OTHER BOARDS OR GOVERNMENTAL ENTITIES IN ORDER TO FACILITATE BROADCASTING ON CHANNEL 17; AND PROVIDING AN EFFECTIVE DATE

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

FIRST READING OF AN ORDINANCE AMENDING THE BIG SPRING CODE OF ORDINANCES CHAPTER SIX ENTITLED “CEMETERIES, PARKS AND RECREATION,” ARTICLE THREE ENTITLED “DORA ROBERTS COMMUNITY CENTER,” SECTION 6-46 ENTITLED “DEPOSITS, RENTAL FEES, AND SECURITY” REQUIRING RENTAL FEES BE PAID SEVEN (7) DAYS PRIOR TO ANY EVENT AND ADJUSTING VARIOUS FEES; AMENDING SECTION 6-47 ENTITLED “SPECIAL SERVICES AND EQUIPMENT” TO ADJUST VARIOUS FEES; AND REVISING OTHER SECTIONS FOR CLARITY; 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 the above captioned ordinance.

CONSIDERATION AND APPROVAL OF AGREEING TO PAY THE APPRAISED VALUE FOR .054 ACRES OF LAND AT THE CORNER OF GREGG AND FM 700 TO BE ACQUIRED FROM THE STATE OF TEXAS SURPLUS PROPERTY PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS

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

CONSIDERATION AND APPROVAL OF AN AGREEMENT WITH THE YMCA FOR OPERATION OF THE RUSS MCEWEN FAMILY AQUATIC CENTER AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS

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

CONSIDERATION AND APPROVAL OF A FIRST AMENDED MEDICAL OFFICE LEASE BETWEEN THE CITY OF BIG SPRING AND BIG SPRING HOSPITAL CORPORATION AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS

After a brief discussion on reducing the total square footage of the lease, motion was made by Councilmember Carrigan, seconded by Councilmember Boyd, with all members of the Council voting “aye” approving the above captioned amended lease.

ACCEPTANCE OF THE BIG SPRING ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS MINUTES FOR THE REGULAR MEETING OF FEBRUARY 18, 2014

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

CITY MANAGER’S REPORT

Todd Darden, City Manager, asked Thomas Hodges, Code Enforcement Superintendant, to give a brief update on the recently updated ordinance on front yard parking. Mr. Hodges reported that the Code Officers have been working very hard on this issue and have sent 24 front yard parking violation notices out since the ordinance passed on February 25, 2014. He also noted that they have made many announcements and press releases regarding the ordinance.

COUNCIL INPUT

Mayor McLellan encouraged everyone to attend the annual Hoops, Dreams and Goals event at the Dorothy Garrett Coliseum on Friday March 28.

Mayor Pro Tem Fernandez and Councilmember Harbour thanked Freese and Nichols for giving them a presentation of the City’s Master Plan for districts one and two. Mayor Pro Tem Fernandez and Councilmember Carrigan thanked Big Spring Economic Development for agreeing to fund the master plan and the City Council for allocating \$25,000 for park equipment at the Bert Andres Park. Mr. Fernandez also announced that the Northside Movement will have a dedication ceremony for naming the pavilions and an easter egg hunt on April 19 at the Bert Andres Park.

Mr. Fernandez requested the status of making an appointment to the McMahon Wrinkle Airport Board. Ms. Sjogren noted that she was still looking into the city residency status of one applicant.

Councilmember McDonald announced the Big Spring Annual Trash Off will be held on April 5, 2014.

Councilmember Boyd thanked Jim Little, Airpark Director, for a tour of the Airpark.

ADJOURN

Motion was made by Mayor Pro Tem Fernandez, seconded by Councilmember Harbour, with all members of the Council voting “aye” to adjourn at 7:20 p.m.

CITY OF BIG SPRING, TEXAS

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, HOWARD COUNTY TEXAS, AUTHORIZING THE MAYOR TO APPROVE THE USE OF FUNDS FROM THE PUBLIC EDUCATIONAL AND GOVERNMENTAL (PEG) FEES THAT THE CITY RECEIVES FROM CABLE SUBSCRIBERS FOR THE ACQUISITION, INSTALLATION OR UPDATING OF MATERIALS OR EQUIPMENT BY OR ON BEHALF OF OTHER BOARDS OR GOVERNMENTAL ENTITIES IN ORDER TO FACILITATE BROADCASTING ON CHANNEL 17; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City receives funds collected from cable subscribers in order to provide and promote public, educational and governmental programming to the area; and

WHEREAS, the City Council finds that it promotes public educational and governmental programming for local boards and entities to have adequate equipment so that recordings of their meetings are of good quality for broadcasting on the PEG Channel; and

WHEREAS, from time to time there are sufficient funds in the City's PEG account for the City to provide funding to other boards or entities to acquire, install or update the recording equipment available to such boards or entities.

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

Section 1. THAT, the Mayor is hereby authorized to approve the use of funds from the Public Educational and Governmental (PEG) fees that the City receives from cable subscribers, for the acquisition, installation or updating of materials or equipment by or on behalf of the Big Spring Economic Development Corporation, Howard County or any other similar local governmental board or entity within the community that makes a written request to the City Manager for funding. The Mayor may allocate available funds in the manner he believes will best serve the community so long as it will facilitate programming on the PEG channel (Channel 17) and so long as any purchases of goods or services using such funds comply with the state and city procurement laws applicable to the entity making the purchase.

Section 2. THAT, this resolution shall become effective upon its passage in accordance with the City Charter of the City of Big Spring.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **25th** day of **March 2014**, with all City Council Members voting "aye" for passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the **8th** day of **April 2014**, with all City Council Members voting "aye" for passage of same.

Larry McLellan, Mayor

ATTEST:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS AMENDING THE BIG SPRING CODE OF ORDINANCES CHAPTER SIX ENTITLED "CEMETERIES, PARKS AND RECREATION," ARTICLE THREE ENTITLED "DORA ROBERTS COMMUNITY CENTER," SECTION 6-46 ENTITLED "DEPOSITS, RENTAL FEES, AND SECURITY" REQUIRING RENTAL FEES BE PAID SEVEN (7) DAYS PRIOR TO ANY EVENT AND ADJUSTING VARIOUS FEES; AMENDING SECTION 6-47 ENTITLED "SPECIAL SERVICES AND EQUIPMENT" TO ADJUST VARIOUS FEES; AND REVISING OTHER SECTIONS FOR CLARITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Dora Roberts Community Center is a city-owned facility available for rent by individuals, organizations, and groups; and

WHEREAS, the City Council of the City of Big Spring finds it necessary to adjust rental fees to counter increasing operation and maintenance costs and also require rental fees be paid seven (7) days prior to any scheduled event;

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

SECTION 1: The Big Spring Code of Ordinances, Chapter 6 entitled "Cemeteries, Parks, and Recreation," Article 3 entitled "Dora Roberts Community Center," shall be amended to read in its entirety as follows:

Article 3. Dora Roberts Community Center

Sec. 6-41. Definitions.

For the purpose of this article, the term "Center" shall mean the grounds, entire premises, parts or portions of the Dora Roberts Community Center.

Sec. 6-42. Administration.

The administrator in charge of the Center shall be the Convention and Visitors Bureau Coordinator or such other person as may be designated by the City Council, who shall discharge such duties pertaining to the Center as may be prescribed by the City Council, the Convention and Visitors Bureau (CVB) Committee, and by this Article.

Sec. 6-43. Written Contract Required.

A written contract shall be required for rental of the entire Center or any part or portion thereof. Verbal agreements to rent the Center shall not be recognized under any circumstances. The regulations contained in this Article as well as the Facility Use Guidelines shall constitute the entire agreement and may not be varied or altered unless approved by an authorized representative of both parties upon written request. The CVB Coordinator is hereby authorized to execute rental contracts for the Center on behalf of the city.

Sec. 6-44. City's Right to Refuse to Rent.

Acting through the CVB Coordinator, the city hereby reserves the right to refuse to rent or allow the use of the Center to any individual, organization, or group.

Sec. 6-45. Reserving Facilities.

Reservations for use of the Center shall be made at the office of the CVB Coordinator and will be granted on a first-come, first-serve basis. However, the city may designate and specify times or dates for which reservations will not be accepted and the Center will not be used by individuals, organizations, or groups.

Sec. 6-46. Deposits, Rental Fees, and Security.

All deposits shall be paid at the time the Center is reserved. Deposits are intended to protect the City against loss of revenue for cancelled events and to ensure payment for cleaning and/or repair of damages caused by negligence, carelessness, accident, or abuse of the premises, equipment, the center grounds, and/or parking lot which may result from the use of the Center by the renter or any person allowed into the facility by renter whether through renter's action or inaction. In the event repairs and/or cleaning costs exceed the amount of the deposit, renter shall be responsible for the payment of any excess. The amount of the deposit shall be as prescribed below in Sec. 6-46 (A) through (I).

Rental fees are due seven (7) days prior to the scheduled event. A copy of any required permit, including but not limited to, food service, dance, or alcohol, must be submitted to the CVB Coordinator upon final payment of rental fees. There will be no discounts of rental fees for any individual, group, or organization. Rental fees are prescribed below in Sec. 6-46 (A) through (I). An early set-up fee, late clean-up fee, or both, of ten percent (10%) of the rental fee will be required if the renter chooses to set up on the day before the scheduled event or to clean up on the day after the scheduled event. However, these options will only be offered if the individual room(s) or areas in question are not rented to another individual, group, or organization that has paid all rental fees.

Location	Rental Fee	Deposit	Deposit w/ Alcohol	Early Set-up Fee	Late Clean-up Fee
(A) Entire Building	\$ 500.00	\$ 525.00	\$ 1,025.00	\$ 50.00	\$ 50.00
(B) Ballroom	\$ 300.00	\$ 300.00	\$ 600.00	\$ 30.00	\$ 30.00
(C) Lake Room	\$ 200.00	\$ 200.00	\$ 400.00	\$ 20.00	\$ 20.00
(D) Classroom	\$ 100.00	\$ 100.00	\$ 200.00	\$ 20.00	\$ 20.00
(E) Fireplace Room	\$ 50.00	\$ 50.00	\$ 100.00	\$ 5.00	\$ 5.00
(F) Dining Room (only)	\$ 100.00	\$ 100.00	\$ 200.00	\$ 10.00	\$ 10.00
(G) Dining Room (w/ rental of additional room)	\$ 50.00	\$ 50.00	\$ 100.00	\$ 5.00	\$ 5.00
(H) Kitchen	\$ 100.00	\$ 100.00	\$ 200.00	\$ 10.00	\$ 10.00
(I) Pavilion	\$ 50.00	\$ 50.00	\$ 100.00	\$ 5.00	\$ 5.00

*Note: First day – full day rental rate; consecutive days following – ½ price

Sec. 6-47. Special Services and Equipment.

Fees for special services, equipment and conveniences shall be charged to and paid by the renter as part of the Center's rental fees. Special services and equipment fees are prescribed below. A refundable deposit in the amount of one-half (1/2) of the rental amount of the table linens, skirting, chair covers, table settings, and individual items will be required. If these items are damaged, broken, or lost, the actual replacement cost will be deducted from the deposit. If the deposit does not fully cover the amount of damages or lost or broken items, the deposit will be retained and the renter will be required to pay the difference.

Apparatus	Fee
(A) Public Address System (PA)	Free w/ Ballroom (upon request)
(B) Tables B Set Up	\$ 3.00 Ea.
(C) Chairs B Set Up	\$ 0.50 Ea.
(D) Table Linens (Black or White)	\$ 5.00 Ea.
(E) Table Skirting (14 ft or 21 ft)	\$ 10.00 Ea. 14 ft. or \$ 15.00 Ea. 21 ft
(F) Chair Covers (Black or White)	\$ 2.00 Ea.
(G) Table Settings	\$ 1.00 Ea. (includes: Dinner Plate, Salad Plate, Beverage Glass, Coffee Mug, Wine Glass, Knife, Spoon, Dinner & Salad Forks, and Linen Napkin)
(H) Individual Items (listed above)	\$ 0.25 Ea.

(l) Security. The individual, organization or group hosting an event for which the services of police, guards, or watchmen are required or desired; whether incidental to permit requirements, to handle a large crowd (50 or more), or for the protection of equipment; is responsible for procurement and compensation of individuals providing such services. The services of licensed law enforcement officers or licensed private security officers at scheduled events is required when alcohol is served.

Sec. 6-48. Establishment of Insurance Requirements.

The City Council shall establish all insurance requirements pertaining to the use of the center and its premises.

Sec. 6-49. Renter to Indemnify City.

By executing the Facility Use Guidelines, the renter agrees to indemnify and hold harmless the City of Big Spring from any and all liability, civil, administrative, or otherwise, whether through tort, contract or any other form of claim which may result from or be related to the use of the Center by renter. In the event suit is filed as a result of renter's activities, renter agrees to provide, at renter's sole expense, a defense to such suit through legal counsel acceptable to the City of Big Spring. In the event a judgment is entered finding that the suit or claim was partially the fault of the City of Big Spring, then this indemnity and any resulting payments shall be reduced by the percentage that the fault of the City of Big Spring bears to the total liability. The City of Big Spring shall only be required to comply with this section to the extent allowed by law.

Sec. 6-50. Termination/Cancellations of Agreement: Refunds and Forfeitures.

All rental payments under a rental agreement shall be due and payable to the city seven (7) days prior to the date of the event. Failure of the renter to use the premises during the agreed period shall constitute a breach of contract and the deposit and rental payment shall be forfeited to the city to serve as liquidated damages for breach of the contract. In case of an event cancellation, the following schedule will determine the amount of deposit and rental fees to be refunded, if any:

- | | |
|---|-------------|
| (A) Notice received fourteen (14) days prior to event: | Full Refund |
| (B) Notice received four (4) days to thirteen (13) days prior to event: | ½ Refund |
| (C) Notice received three (3) days or less prior to event: | No Refund |

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 be effective on, from, and after its adoption in accordance with the City Charter.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **25th** day of **March, 2014**, with all members present voting “aye” for passage of the same.

PASSED AND APPROVED on second reading at a regular meeting of the City Council on the **8th** day of **April, 2014**, with all members present voting “aye” for passage of the same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary

**Convention and Visitors Bureau Committee
Minutes from Wednesday March 5, 2014
City Council Chambers**

Present: Marcus Fernandez, Todd Darden, Carmen Harbour, Jacob Cerda, Troy Tompkins, Don Moore, Amy Jacobs
Staff: Debbie Wegman, Hayley Lewis
Absent:
Guests: Nati Saldivar, Ramen Saldivar, NSM

Mr. Marcus Fernandez called the meeting to order at 4:32 p.m.

Approval of minutes

The minutes from the meeting of February 5, 2014 were reviewed. Motion was made by Todd Darden to approve the minutes as written. Motion was seconded by Carmen Harbour and passed unanimously.

Other

- a. **Review of Guidelines for Planning & Hosting an Event-** A draft of guidelines for planning and hosting an event were provided to the committee. Debbie Wegman also put a book together that has more detailed information. Marcus Fernandez told the committee to take home the guidelines to discuss at the next meeting.
- b. **Discussion of Special Event Funding Budget-** A copy of the special event funding budget was provided to all committee members. The committee agreed to wait until a later date to ask for a second budget amendment.
- c. **Discussion of Special Event Funding Process-** After discussion the committee decided to wait until after the THLA Training to make any decision on changing the event funding process.

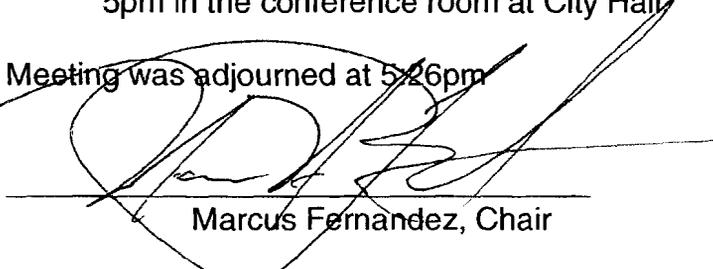
Financials

The financial report for January 2014 was provided to the committee. Hotel Tax Revenue report, comparison report of local hotels, data from the state comptroller, and an occupancy report were also provided.

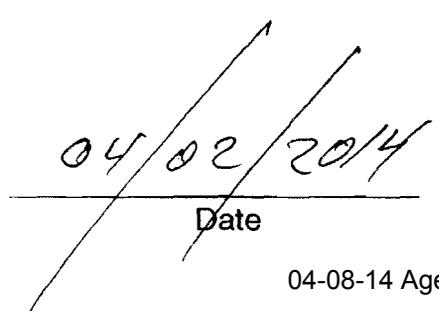
CVB Coordinator Report

- a. **THLA Training:** THLA Training has been scheduled for Tuesday, April 1, 2014 at 5pm in the conference room at City Hall.

Meeting was adjourned at 5:26pm



Marcus Fernandez, Chair



Date

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 MOVE FUNDS FROM THE GENERAL FUND AND CREATE A NEW FUND CALLED CABLE FRANCHISE-PEG FUND FOR THE PURPOSE OF PURCHASING BROADCASTING EQUIPMENT FOR PUBLIC ENTITIES; 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

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

SECTION 1. Enacted.

THAT the Cable Franchise-PEG Fee Fund is added to the Annual Budget for the City of Big Spring, Texas for the Fiscal Year beginning October 1, 2013 and ending September 30, 2014 by moving the amount of \$65,000 from the General Fund account of 002-4054-01 "Cable Franchise-PEG Fees" to 170-4054-01 "Cable Franchise-PEG Fees", and establishing budget of \$100,000 to expense account 170-002-140-6310-01 "PEG Equipment" for the purpose of purchasing broadcasting equipment for public entities which will broadcast on the City's Cable Channel.

The \$100,000 for account 170-002-140-6310-01 will come from the fund balance of Fund 170 "Cable Franchise -PEG Fund".

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 8th day of April, 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 22nd day of April, 2014 with all members of the Council voting “aye” for the passage of same.

CITY OF BIG SPRING

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

Backup Documentation

Note: There was \$75,951.19 of PEG expenses processed as of 4/1/14. The current fund balance, which includes this year's expenses, last year's ending fund balance, and this year received revenues is \$42,622.05. No amount was budgeted for this year's PEG Equipment. \$100,000 should cover the expenses already incurred, plus future ones, as approved by the prior meeting's ordinance to allow the PEG fund to be used for public entities which broadcast on the City's Cable Channel.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS AMENDING CHAPTER 18 OF THE BIG SPRING CODE OF ORDINANCES ENTITLED "TRAFFIC" BY AMENDING ARTICLE 3 SECTION 18-75 ENTITLED "ONE WAY STREETS, DESIGNATION AND MARKING" BY ADDING A NEW SUBSECTION I TO DECLARE 2ND STREET A SINGLE LANE, ONE WAY WESTBOUND TRAFFIC ROADWAY FROM GREGG TO LANCASTER; ADDING SUBSECTION J TO DECLARE LANCASTER A SINGLE LANE, ONE WAY SOUTHBOUND TRAFFIC ROADWAY FROM 2ND STREET TO 3RD STREET; AMENDING ARTICLE 5 SECTION 18-149 ENTITLED "SPECIFIC PARKING, STANDING, STOPPING AND STREET CLOSING PROVISIONS" BY ADDING A NEW SUBSECTION (M) TO REGULATE PARKING ALONG 2ND STREET FROM GREGG TO LANCASTER AND LANCASTER STREET FROM 2ND TO 3RD; AND ADDING A NEW SUBSECTION (N) TO PROHIBIT THRU TRAFFIC IN THE ALLEY FROM 2ND TO 3RD BETWEEN GREGG AND LANCASTER; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY IN ACCORDANCE WITH STATE LAW; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council finds it to be in the interest of public safety to regulate the direction of travel, parking, and alley traffic in the area of 2nd Street between Gregg and Lancaster and Lancaster between 3rd and 4th street; and

WHEREAS, the City Council finds that the public safety and general welfare will best be served by the following regulations;

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

SECTION 1. The City of Big Spring Code of Ordinances Chapter 18, Article 3, Section 18-75 and Article 5, Section 18-149 are hereby amended by adding new subsections which shall read as follows:

Article 3: Operation of Vehicles Generally

...

Section 18-75. One way Streets; Designation and Marking.

...

- I. 2nd Street from Gregg Street to Lancaster Street is hereby designated a one lane roadway that is one way westbound.
- J. Lancaster Street from 2nd Street to 3rd Street is hereby designated a one lane roadway that is a one way southbound.

Article 5: Stopping/Standing/Parking

...

Sec. 18-149. Specific Parking, Standing, Stopping, and Street Closing Provisions.

...

- (m) **Parking on 2nd Street from Gregg to Lancaster and on Lancaster from 2nd Street to 3rd Street.**

Perpendicular parking is established on the south side of 2nd Street from Gregg to Lancaster and on the west side of Lancaster from 2nd Street to 3rd Street.

- (n) **Closure of alley to Thru Traffic between Gregg and Lancaster from 2nd Street to 3rd Street.**

The alley running north and south between Gregg and Lancaster from 2nd Street to 3rd Street shall be closed to all thru traffic.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3. 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 4. The penalty for violation of this ordinance shall be as mandated by State law.

SECTION 5. This ordinance shall take effect immediately after passage and publication in accordance with the provisions of the Charter of the City of Big Spring, and it is accordingly so ordained.

SECTION 6. It is officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **8th** day of **April, 2014**, with all members voting "aye" for the passage of same.

PASSED AND APPROVED on second reading at a regular meeting of the City Council on the **22nd** day of **April, 2014**, with all members voting "aye" for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary