



CITY COUNCIL AGENDA

Tuesday, April 12, 2016

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, April 12, 2016, at 5:30 p.m. in the City Council Chambers located at 307 East 4th Street, Big Spring, Texas.

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!

The City of Big Spring Council reserves the right to consider business out of the posted order, and at any time during the meeting, reserves the right to adjourn into executive session on any of the above posted agenda items which are not listed as executive session items and which qualify to be discussed in closed session under Chapter 551 or the Texas Government Code.

Open Session

1. Call to Order McLellan
2. Invocation by Pastor John McCullough of Berea Baptist Church McLellan
3. 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.”

Public Hearing Comments – The Council will take public input on public hearing items **prior** to any Action. Each member of the public should make remarks **from the podium** and **begin by stating his/her name**. Citizens will be limited to **three minutes**, unless waived by the Mayor for **all speakers**. No individual will be allowed to speak more than once, until every citizen wishing to comment has done so.

Announcements & Public Hearings

4. **Public Hearing** – Name change of Street Royal Coast Lane to Holland Grace, Located Approximately 175 feet Northeast of Intersection of Johnston

Scott Drive and Glenwick Cove on the North Side of Scott Drive,
Extending North

Disposition of Minutes

- | | | | |
|----|---|-----|-------|
| 5. | Approval of the Minutes of the Regular Meeting of
March 22, 2016 | 5-8 | Davis |
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Consent Items

- | | | | |
|----|---|-------|----------|
| 6. | Final Reading of an Ordinance of the City of Big Spring, Texas
Amending Chapter Nineteen of the Big Spring Code of Ordinances, by
Amending Article 5, Entitled "Vehicles for Hire," by Renaming
Section 19-104 Entitled "Termination of Permit" to "Permit Fees;
Termination" and Amending the Section to Include an Initial Permit
Fee of Two-Hundred Fifty Dollars; Raising the Permit/Renewal Fee to
One-Hundred Fifty Dollars; and Providing a Permit/Re-Instatement
Fee of Three-Hundred Dollars; Providing for Severability; Providing
for Publication; and Providing an Effective Date | 9-10 | Ferguson |
| 7. | Acceptance of the Big Spring McMahon-Wrinkle Airport and
Industrial Park Development Board Meeting Minutes for the Meeting
of February 18, 2016 | 11-13 | Little |
| 8. | Acceptance of the Howard County Appraisal District's Board of
Directors Meeting Minutes for the Meeting of February 10, 2016 | 14-15 | Moore |

Routine Business

- | | | | |
|----|--|--|----------|
| 9. | Vouchers for 03/24/16 \$ 444,675.59 | | Waggoner |
| | Vouchers for 03/31/16 \$ 796,653.74 | | |
| | Vouchers for 04/07/16 \$ 661,244.85 | | |

New Business

- | | | | |
|-----|---|-------|-------------------|
| 10. | Presentation and Approval of Comprehensive Annual Financial
Report for Year Ended September 30, 2015 | | David
Copeland |
| 11. | Presentation and Acceptance of Big Spring Economic Development
Corporation's Annual Audit for Year Ended September 30, 2015 | | Dale
Newberry |
| 12. | First Reading of an Ordinance Amending Chapter Seventeen of the
Big Spring Code of Ordinances by Adding a New Section 17-66
Entitled "Renaming Royal Coast Lane to Holland Grace" and | 16-17 | Johnston |

Authorizing and Directing the City Manager to Take all Necessary Action to Change the Street “Royal Coast Lane,” Located Approximately 175 Feet Northeast of the Intersection of Scott Drive and Glenwick Cove, to “Holland Grace”; Providing for Severability, Providing for Publication; and Providing an Effective Date.

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| 13. | First Reading of a Resolution Providing for Health Insurance for Retirees Eligible to Retire Under the Texas Municipal Retirement System or the Big Spring Fireman’s Relief and Retirement Plan and Their Dependents So Long As The Retiree is Eligible; Providing For Annual Premium Adjustments; Providing For Payment to be Borne by Retirees; Providing An Effective Date; and Providing For Repeal Of Inconsistent Resolutions and Ordinances | 18-19 | Medina |
| 14. | First Reading of a Resolution Authorizing the Mayor to Negotiate and Execute Community Services Contracts and Other Necessary Documents with the Texas Department of Aging and Disability Services for the Senior Center | 20 | Wegman |
| 15. | First Reading of an Ordinance Amending Ordinance Number 043-2015 Which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2015 and Ending September 30, 2016 to Decrease the Motel Tax Fund Budget for the Purpose of Over Estimating Motel Tax Revenue; Providing for Severability; Providing for Publication; and Providing an Effective Date | 21 | Wegman |
| 16. | First Reading of an Ordinance Amending Ordinance Number 043-2015 Which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2015 and Ending September 30, 2016 by Increasing the General Fund Budget for the Purpose of Purchasing a Police Vehicle; Providing for Severability; Providing for Publication; and Providing an Effective Date | 22-23 | Medina |
| 17. | Consideration and Authorization to Negotiate an Agreement with the YMCA for Lifeguards at the Russ McEwen Aquatic Center and Authorizing the City Manager to Execute Any Necessary Documents | 24-29 | Womack |
| 18. | Zoning Board of Adjustments
One Opening | Resume – Matthew Evans
30-31 | Darden |

City Manager’s Report

- | | | |
|-----|--------------------------|--------|
| 19. | Items of Public Interest | Darden |
|-----|--------------------------|--------|

Council Input

- | | | |
|-----|-------|----------|
| 20. | Input | McLellan |
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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. Given by order of the City Council and Posted on Friday, April 8, 2016 at 4:30 p.m. in accordance with Title 5, Texas Government Code, Chapter 551.

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.



Tami L. Davis, Assistant City Secretary

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 TAMI DAVIS AT 264-2513. 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

April __, 2016 at _____ a.m./p.m.

By: _____

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 22, 2016, with the following members present:

LARRY MCLELLAN	Mayor
JUSTIN MYERS	Mayor Pro Tem
CARMEN HARBOUR	Councilmember
RAUL MARQUEZ	Councilmember
STEVE WAGGONER	Councilmember
RAUL BENAVIDES	Councilmember
JIM DEPAUW	Councilmember

Same and constituting a quorum; and

TODD DARDEN	City Manager
KAYE EDWARDS	City Attorney
JOHN MEDINA	Assistant City Manager/ Human Resource Director
CRAIG FERGUSON	Fire Chief
JOHNNY WOMACK	Public Works Director
ALONZO ECHAVARRIA	Assistant Finance Director
JIM LITTLE	Airpark Director
TIM GREEN	Municipal Court Judge
DEBBIE WEGMAN	Community Services Director

INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Craig Holstedt, First Presbyterian Church, gave the invocation and Mayor McLellan led the Pledge of Allegiance to the American and Texas Flags.

DISPOSITION OF MINUTES

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF MARCH 8, 2016
Motion was made by Councilmember Harbour, seconded by Councilmember Benavides, with all members of the Council voting "aye" approving the above listed minutes.

CONSENT ITEMS

FINAL READING OF A RESOLUTION SUPPORTING THE 2030 COMPREHENSIVE PLAN

FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 043-2015 WHICH ADOPTED THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016 BY INCREASING THE AIRPARK FUND BUDGET FOR THE ADDITIONAL COST OF AN ATV MAINTENANCE VEHICLE PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember Waggoner, seconded by Mayor Pro Tem Myers, with Councilmembers Marquez, Myers, McLellan, Waggoner, Benavides and DePauw voting “aye” approving the second and final reading of the above listed resolution and ordinance. Councilmember Harbour, being opposed, voting “nay” for passage of same. Motion passed six to one.

ROUTINE BUSINESS

Mayor Pro Tem Myers reviewed the vouchers in the amount of \$883,724.33 (3/10/16) and \$914,359.14 (03/17/16). Motion was made by Mayor Pro Tem Myers, seconded by Councilmember Marquez, with all members of the Council voting “aye” approving the above listed vouchers.

NEW BUSINESS

FIRST READING OF AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS AMENDING CHAPTER NINETEEN OF THE BIG SPRING CODE OF ORDINANCES, BY AMENDING ARTICLE 5, ENTITLED “VEHICLES FOR HIRE,” BY RENAMING SECTION 19-104 ENTITLED “TERMINATION OF PERMIT” TO “PERMIT FEES; TERMINATION” AND AMENDING THE SECTION TO INCLUDE AN INITIAL PERMIT FEE OF TWO-HUNDRED FIFTY DOLLARS; RAISING THE PERMIT/RENEWAL FEE TO ONE-HUNDRED FIFTY DOLLARS; AND PROVIDING A PERMIT/RE-INSTATEMENT FEE OF THREE-HUNDRED DOLLARS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

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

CONSIDERATION AND APPROVAL OF AN AGREEMENT WITH PRIORITY MANAGEMENT, LLC AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

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

CONSIDERATION AND PERMISSION TO APPLY FOR GRANTS THAT HELP TO PROMOTE AND ADD ADDITIONAL FUNDING FOR THE SPRING RESTORATION PROJECT AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

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

ZONING BOARD OF ADJUSTMENTS

Motion was made by Councilmember Harbour, seconded by Councilmember DePauw, with all members of the Council voting “aye” appointing Veronica Zuniga to the Zoning Board of Adjustments.

APPROVAL OF BIG SPRING ECONOMIC DEVELOPMENT CORPORATION BUDGET AMENDMENT FOR THE 2015-2016 ANNUAL BUDGET FOR THE SALE OF THE MALONE AND HOGAN CLINIC AND PERFORMANCE AGREEMENT BETWEEN TEXAS HEALTHCARE HOLDINGS II, LLC AND BIG SPRING ECONOMIC DEVELOPMENT CORPORATION FOR THE RENOVATION AND REDEVELOPMENT OF MALONE AND HOGAN CLINIC LOCATED AT 1501 WEST 11TH PLACE

Motion was made by Councilmember Benavides, seconded by Councilmember DePauw, with Councilmembers Marquez, Harbour, McLellan, Waggoner, Benavides and DePauw voting “aye” approving the above Big Spring Economic Development Corporation budget amendment. Mayor Pro Tem Myers abstained for passage of same. Motion passed six to one.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BIG SPRING ECONOMIC DEVELOPMENT CORPORATION HELD ON FEBRUARY 22, 2016

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

CITY MANAGER’S REPORT

Todd Darden thanked the contractors that are working on the water line by the High School and Mr. Darden also reminded the Council that City offices will be closed on March 25, 2016 for Good Friday.

COUNCIL INPUT

Mayor McLellan announced that the annual Keep Big Spring Beautiful Trash Off will be on April 2, 2016 and encouraged the Council to attend. Mayor McLellan also announced that the Hoops, Dreams and Goals will begin at 8:30 a.m. on March 24, 2016.

Councilmember Marquez announced that he was glad to see the progress on the burnt structures and on the Malone and Hogan Clinic.

Councilmember Benavides encouraged citizens to clean up their yards.

Councilmember DePauw was also glad with the progress on the burnt structures.

ADJOURN

Mayor McLellan adjourned the meeting at 6:00 p.m.

CITY OF BIG SPRING, TEXAS

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS AMENDING CHAPTER NINETEEN OF THE BIG SPRING CODE OF ORDINANCES, BY AMENDING ARTICLE 5, ENTITLED "VEHICLES FOR HIRE," BY RENAMING SECTION 19-104 ENTITLED "TERMINATION OF PERMIT" TO "PERMIT FEES; TERMINATION" AND AMENDING THE SECTION TO INCLUDE AN INITIAL PERMIT FEE OF TWO-HUNDRED FIFTY DOLLARS; RAISING THE PERMIT/RENEWAL FEE TO ONE-HUNDRED FIFTY DOLLARS; AND PROVIDING A PERMIT/RE-INSTATEMENT FEE OF THREE-HUNDRED DOLLARS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Big Spring permits private ambulance services to operate within the City; and

WHEREAS, the preceding ordinance did not provide for an initial permit fee for private ambulance services;

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

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

SECTION 1. The City of Big Spring Code of Ordinances, Chapter 19, entitled "Vehicles for Hire," Article 5, entitled "Ambulances," Section 19-104, entitled "Termination of Permit" is hereby amended to read in its entirety as follows:

Sec. 19-104. Permit Fees; Termination.

The initial fee for an ambulance permit shall be Two-Hundred Fifty Dollars (\$250.00) and shall terminate one (1) year from the date of issuance. Such permits may be renewed by paying a permit/renewal fee of One-Hundred Fifty Dollars (\$150.00), if such fee is paid before the termination date. The holder of an ambulance permit shall immediately cease operations of ambulance services if a permit is allowed to terminate. An ambulance operator may seek to re-instate a permit without re-application if such action is taken within thirty (30) days of termination and upon paying a permit/re-instatement fee of Three-Hundred Dollars (\$300.00). If the termination of the permit exceeds thirty (30) days, a new application and public hearing is required. The City shall furnish appropriate ambulance permits and the same shall be prominently displayed on the vehicle.

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

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

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

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

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **22nd** day of **March, 2016**, with all members of the Council voting “aye for passage of the same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the **12th** day of **April, 2016** with all members voting “aye” for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary

City of Big Spring
Big Spring McMahon-Wrinkle Airport and Industrial Park
Development Board Meeting Minutes
February 18, 2016

The Big Spring Airport and Industrial Park Development Board met in Regular Session at 5:30 p.m., on Thursday, February 18, 2016 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:

Ned Crandall	Wayne Dawson
Phillip Welch	Paschal Odom
Terry Hansen	

Also in attendance:

Jim Little	Orville Spradling
Andriana Olvera	

Absent:

Jane Armstrong
Willie Rangel
Terry Wegman

Item # 1

Call to Order

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

Item # 2

Review and approve minutes from January 21, 2016 meeting

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

Item # 3

Big Spring Economic Development Corporation Update

The Board discussed recent rail activity around the Big Spring area. Terry Hansen also updated the Board on the current status of Desert Tanks. Drew Mouton was given direction by the EDC to pursue all legal action necessary against the company. He also announced the renovations that are going to take place at the Malone & Hogan Clinic next to Scenic Mountain Medical Center.

Item # 4

Rail Yard Development Activity

Jim updated the board on the current rail activity on the airpark. A preconstruction meeting was held with all the contractors involved in the rail extension project. The first phase of construction will be the portion on the north side where Prime Eco is located. Jim also pointed out on the map where will rail will be. All rail will be inside the fenced in area. The City is still waiting on approval from the FAA regarding conversion of aeronautical and revenue producing properties on the Airpark.

Item # 5

T-Hangar Project, Status

Jim gave a brief update on the completion of the new T-Hangars. He advised the board that contracts should be done by the first of the month. All 12 units will be occupied. New hangars are 40 feet wide and 12 feet tall with a bathroom on the west end of the building. Rent will be \$150.00 a month plus a \$20.00 electric bill. Jim also stated that there will be a price increase on the existing hangars to \$85.00 a month from \$71.50. Oncor will be installing street lights to assist tenants when driving to the new T- Hangars at night.

Item # 6

Airport Director Update

The Airpark is still short staffed two maintenance positions and is still accepting applications. Jim also updated the board on the oil drilling activity on and around the Airpark. The oil rig west of the Airpark will be relocating 40 yards from its current location. Jim advised the board that the self serve fueling station has been repaired and is now back up and running. The airport beacon tower next to the Terminal was also down and has now been serviced and repaired. Jim also discussed how crime is still a huge problem on the Airpark. Buildings and bunkers are being burglarized. The Gaston Racing building has now been vacated but was left in a very poor condition. That building has also been burglarized and vandalized. Jim updated the board on the joint seal situation on runway 17-35. It has began failing after only one year after installation.. Another inspection has been done and the contractor is currently in consultation with the manufacturers of the sealant. Jim and Phillip Welch will be attending this year's TxDot Aviation Conference where McMahan Wrinkle Airport will be receiving an award for being an active participant in the RAMP Program every year for the past 20 years. There was also discussion about setting a date for this year's annual Prairie Dog Fly In. The board discussed the naming of the new streets on the Airpark.

Item # 7

Reliever Route/Airport Access Road

Jim advised the board that the reliever route status has not changed since the last meeting. The City is getting closer to completion with Martha May on the purchase of the south end of the route. Thus should be completed within a week or so. The west access road access still remains a stalemate.

Item # 8

Interstate 27

No update at this time.

Item #9

Leased Building Issues

Leased building issues were discussed in Jim's Airport Director Update

Item #10

Airport Safety Committee Report

There was nothing to report at this time.

Item # 11
Other Events and Activities
TxDot Aviation Conference March 9th-11th

Item # 12
Next Meeting Date
March 17, 2016

Adjournment: 7:00 p.m.



Approved by Phillip Welch, Chairman



Date

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

FEBRUARY 10, 2016

The Board of Directors of the Howard County Appraisal District (HCAD) met for their regular meeting on February 10, 2016 at 5:15 P.M. Directors present were Donnie Baker, Jimmy Miller, Danny Howard and Mark Barr. Ronny Babcock and Lisa Reyna represented the HCAD.

Mr. Baker called the meeting to order at 5:20 P.M.

No one was registered for comments.

Danny Howard was sworn in by Lisa Reyna, Notary Public for Howard County.

Mark Barr motioned to approve the minutes of February 10, 2016 as printed. Jimmy Miller seconded the motion. Motion carried 4 to 0.

The bills for January, 2016 were reviewed and tabled.

The financial reports for January, 2016 were reviewed and tabled.

The board reviewed the chief appraiser employment packaged and tabled this item.

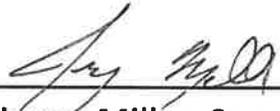
Jimmy Miller motioned to appoint James McFarland as ARB Chairman. Danny Howard seconded the motion. Motion carried 4 to 0.

Mark Barr motioned to approve Ron Howell as Howard County Appraisal Review Board Member for 2016-2017 years. Jimmy Miller seconded the motion. Motion carried 4 to 0.

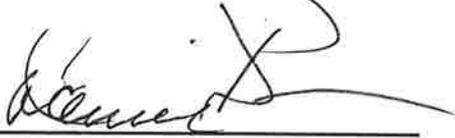
Ronny Babcock, Chief Appraiser, presented the Board the latest findings of the Property Value Study for Howard County.

The chief appraiser discussed the properties that were under litigation.

With no other business to discuss, the meeting adjourned at 6:23 P.M.



Jimmy Miller, Secretary



Donnie Baker, Chairman

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS AMENDING CHAPTER SEVENTEEN OF THE BIG SPRING CODE OF ORDINANCES BY ADDING A NEW SECTION 17-66 ENTITLED “RENAMING ROYAL COAST LANE TO HOLLAND GRACE” AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO TAKE ALL NECESSARY ACTION TO CHANGE THE STREET “ROYAL COAST LANE,” LOCATED APPROXIMATELY 175 FEET NORTHEAST OF THE INTERSECTION OF SCOTT DRIVE AND GLENWICK COVE, TO “HOLLAND GRACE”; PROVIDING FOR SEVERABILITY, PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Big Spring received an application and petition requesting a permanent street name change for Royal Coast Lane to Holland Grace;

WHEREAS, the petition was signed by more than seventy-five percent of the abutting property owners as required by Chapter 17, Section 17-50(2) of the Big Spring Code of Ordinances;

WHEREAS, a public hearing was held on Tuesday, April 5, 2015 of which there were no objections; and

WHEREAS, on April 5, 2016 the Planning and Zoning Commission unanimously voted to recommend that the City Council approve this street name change;

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

SECTION 1. The Code of Ordinances, Chapter 17 is hereby amended to add a new Section 17-66 entitled “Renaming Royal Coast Lane to Holland Grace” to read in its entirety as follows:

Sec. 17-66. The street known as Royal Coast Lane, located approximately 175 feet northeast of the intersection of Scott Drive and Glenwick Cove shall hereinafter be named and known as Holland Grace.

SECTION 2. The City Manager is authorized and directed to take all necessary action to revise the official street name map, and notify abutting property owners, all effected County, State and Federal agencies of the effective date of the new name for the street.

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

SECTION 5. The City Secretary is hereby ordered and directed to cause the descriptive caption of this ordinance to be published as provided by law.

SECTION 6. 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 meeting of the City Council on the day of 12th day of April, 2016, 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 day of 26th day of April, 2016 with all members present voting “aye” for passage of the same.

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, PROVIDING FOR HEALTH INSURANCE FOR RETIREES WHO ARE ELIGIBLE TO RETIRE UNDER THE TEXAS MUNICIPAL RETIREMENT SYSTEM OR THE BIG SPRING FIREMAN'S RELIEF AND RETIREMENT PLAN AND THEIR DEPENDENTS SO LONG AS THE RETIREE IS ELIGIBLE; PROVIDING FOR ANNUAL PREMIUM ADJUSTMENTS; PROVIDING FOR PAYMENT TO BE BORNE BY RETIREES; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR REPEAL OF INCONISTENT RESOLUTIONS AND ORDINANCES

WHEREAS, the City is currently offering health benefits coverage through the City of Big Spring self-funded benefit plan administered by Texas Municipal League Multistate Intergovernmental Employee Benefits Pool pursuant to an interlocal agreement;

WHEREAS, the City desires to provide health benefits coverage to its retirees who are eligible to retire as defined under the Texas Municipal Retirement System or the Big Spring Fireman's Relief and Retirement Plan along with eligible dependents, with the cost for such coverage to be borne by the individual retiree;

WHEREAS, the City desires to select a plan of benefits for its retirees to be provided by the Texas Municipal League Multistate Intergovernmental Employee Benefit Pool; and

WHEREAS, providing retiree coverage under the Texas Municipal League Multistate Intergovernmental Employee Benefit Pool Interlocal Agreement is in the best interest of the City, its retirees, and the public generally;

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

SECTION 1. The foregoing recitals are incorporated into this Resolution as findings of fact.

SECTION 2. The City hereby elects to provide health benefits coverage to its retirees and eligible dependents, as defined in the above recitals, through Texas Municipal League Multistate Intergovernmental Employee Benefit Pool Interlocal Agreement.

SECTION 3. The City hereby adopts the following benefit plans to be provided to its retirees through the Texas Municipal League Group Benefits Risk Pool:

the same medical plan offered to active employees.

SECTION 4. The City hereby authorizes the provision of retiree medical coverage at a contribution rate to be evaluated on an annual basis, adjusting premiums based on a funding ratio.

SECTION 5. The City recognizes and intends to grandfather current retirees and their dependents, except as to Section 4 of this Resolution. To qualify for medical coverage, individuals retiring after the effective date of this resolution must enroll for this coverage within thirty (30) days of retirement. Dependents of a retiree, except those grandfathered, will be eligible for coverage under the City’s plan only so long as the City of Big Spring retiree is eligible.

SECTION 6. This Resolution may be repealed or modified at any time but will remain in effect for any employee retiring while it is in effect.

SECTION 7. All existing City resolutions or ordinances in conflict with this Resolution are repealed to the extent of the conflict.

SECTION 8. This Ordinance shall be effective immediately after its passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **12th** day of **April, 2016**, with all City Council members voting “age” for passage of same.

PASSED AND APPROVED on second reading at a regular meeting of the City Council on the **26th** day of **April, 2016**, with all City Council members voting “age” for passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary

Governing Authority Resolution Business Organization

COUNTRY, TERRITORY or NATION OF United States

STATE or PROVINCE OF Texas

COUNTY OF Howard

On the ___ day of ___, year ___, the Governing Authority of City of Big Spring a Business Organization, at a meeting held in the City of Big Spring, Howard County or Parish, and in the State or Province of Texas, with a quorum of the Governing Authority present, it was duly moved and seconded that the following resolution be adopted:

BE IT RESOLVED that the Governing Authority of the above Business Organization does hereby authorize

Mayor, Larry McLellan

and his/her/their successors to negotiate, on terms and conditions that he/she/they may deem advisable, a contract or contracts with the Texas Department of Aging and Disability Services (DADS), and to execute the contract or contracts on behalf of the Business Organization, and further we do hereby give him/her the power and authority to do all things necessary to implement, maintain, amend, renew or request closure of the contract. Although the authority of the successors is binding on this Organization, it is acknowledged that this Organization must specifically authorize another party by name in a resolution within 30 days of the change in authorization, or when specifically required by DADS, whichever is sooner.

The above resolution was passed in accordance with the Governing Documents of this Organization and the laws of the jurisdiction in which this Organization was formed. The terms "Governing Authority," "Business Organization" and "Governing Documents" are used as defined in the Texas Business Organizations Code.

This Organization is a (check one) [] General Partnership [] Corporation [] Limited Liability Company [] Limited Partnership [] Limited Liability Partnership [] Association [x] Other (specify) Texas Local Government Code

I certify that the above and foregoing constitute a true and correct copy of a part of the minutes of a meeting of the Governing Authority of City of Big Spring held on the ___ day of ___, year ___.

Signature Larry McLellan, Mayor Printed Name and Title

Subscribed and sworn to (or affirmed) before me on this ___ day of ___, year ___.

Signature - Notary Public Printed Name of Notary and Jurisdiction

My commission expires _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AMENDING ORDINANCE NUMBER 043-2015 WHICH ADOPTED THE ANNUAL BUDGET FOR THE CITY OF BIG SPRING, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016 TO DECREASE THE MOTEL TAX FUND BUDGET FOR THE PURPOSE OF OVER ESTIMATING MOTEL TAX REVENUE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted the annual 2015-16 budget for the City of Big Spring, Texas on September 21, 2015; and

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

SECTION 1. The Motel Tax revenue fund (110-4031) of the Annual Budget for the City of Big Spring, Texas for the Fiscal Year beginning October 1, 2015 and ending September 30, 2016 is hereby decreased from \$1,600,000 to \$1,200,000 for the purpose of over estimating motel tax revenue and decreasing the miscellaneous structure expense fund (110-560-6226-01) from \$1,440,000 to \$1,040,000.

SECTION 2. The remaining portions of Ordinance Number 043-2015 shall remain in full force and effect.

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

SECTION 4. The City Secretary is hereby authorized and directed to cause the publication of this ordinance in accordance with law.

SECTION 5. 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 **12th** day of **April, 2016** 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 **26th** day of **April, 2016** with all members of the Council voting “aye” for the passage of same.

ATTEST:

Larry McLellan, Mayor

Tami L. Davis, Assistant City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AMENDING ORDINANCE NUMBER 043-2015 WHICH ADOPTED THE ANNUAL BUDGET FOR THE CITY OF BIG SPRING, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016 BY INCREASING THE GENERAL FUND BUDGET FOR THE PURPOSE OF PURCHASING A POLICE VEHICLE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted the annual 2015-16 budget for the City of Big Spring, Texas on September 21, 2015; and

WHEREAS, funding for the replacement of a totaled police vehicle was not included in such budget.

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

SECTION 1. The General Fund Budget of the Annual Budget for the City of Big Spring, Texas for the Fiscal Year beginning October 1, 2015 and ending September 30, 2016 is hereby increased by the amount of \$12,600 into the revenue account (002-4905) received from TML Insurance and the amount of \$24,000 into the expense account (002-011-220-6401) from the existing fund balance.

SECTION 2. The remaining portions of Ordinance Number 043-2015 shall remain in full force and effect.

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

SECTION 4. The City Secretary is hereby authorized and directed to cause the publication of this ordinance in accordance with law.

SECTION 5. 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 **12th** day of **April, 2016** 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 26th day of April, 2016 with all members of the Council voting “aye” for the passage of same.

ATTEST:

Larry McLellan, Mayor

Tami L. Davis, Assistant City Secretary

**RUSS McEWEN FAMILY AQUATIC CENTER
OPERATION AGREEMENT BETWEEN
THE CITY OF BIG SRING AND THE BIG SPRING YMCA**

This Agreement is made and entered in to as of the 12th day of April, 2016, by and between the City of Big Spring, Texas, hereinafter referred to as the "CITY," and the Big Spring YMCA, Inc., hereinafter referred to as "CONTRACTOR".

WHEREAS, the CITY desires to retain the services of CONTRACTOR for the purpose of providing lifeguards for the Russ McEwen Family Aquatic Center, hereinafter referred to as the "Aquatic Center"; and

WHEREAS, CONTRACTOR is competent and qualified to provide the required services according to the terms and conditions stated herein;

NOW THEREFORE, for and in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. TERM

The term of this Agreement shall be for a period commencing on the 4th day of June, 2016 and ending on the 20th day of August, 2016.

2. CONSIDERATION

CITY shall pay CONTRACTOR hourly rates of pay in accordance with the Rate Schedule, attached hereto as "Exhibit A." These hourly rates of pay are based on actual expenses incurred by the YMCA for base pay, Social Security/Medicare, and unemployment tax.

The YMCA will provide detailed records of daily work schedules to the CITY on a monthly basis and the CITY will pay the CONTRACTOR each month for the hours of service provided, more specifically described below. The stated rates of pay will be the compensation rates for normal working hours, preparation hours before the Aquatic Center is open, and hours worked for special parties or events (to be invoiced separately).

3. WARRANTY

3.1 CONTRACTOR warrants and represents that it is qualified to provide lifeguards for the Aquatic Center and will provide a copy of all certifications of each lifeguard who works on the premises.

3.2 In performing all services required under this Agreement, CONTRACTOR, its employees and agents shall comply with all applicable federal, state, county, and city statutes, ordinances and regulations. If such compliance is impossible for any reason, CONTRACTOR shall immediately notify the CITY of the fact and the reasons therefore. In such event, CITY shall have the right to take any necessary action to provide services to protect the health, safety, and welfare of the citizens and, if necessary, terminate this

contract.

- 3.3 CONTRACTOR warrants and represents that it will not cause, suffer, allow or permit the occurrence of:
 - a. any act or omission in the execution and performance of this Agreement that could result in or give rise to any violation of any federal, state or local law, regulation or ordinance;
 - b. any act or omission that might give rise to any action at law or in equity for personal injury, wrongful death or damage to property.
- 3.4 CONTRACTOR shall strictly prohibit its employees from using cell phones or being under the influence of intoxicating substances while on duty at the Aquatic Center.
- 3.5 Nothing in this Agreement shall be deemed to convey to CONTRACTOR any interest in or title to the Aquatic Center. CONTRACTOR'S employees shall not be considered employees of the City of Big Spring and shall not be entitled to any city benefits.

4. SERVICES PROVIDED

- 4.1 CONTRACTOR shall supply all labor and supervision necessary to provide the following services. Specifically, CONTRACTOR shall perform the following:
 - a. In accordance with nationally recognized standards, provide nine (9) employees (including lifeguards, slide crew, and grounds maintenance staff) to be on duty at the Aquatic Center at all times during the normal operating hours set forth below and at such additional times as may be arranged for private group rentals.

Normal Operating Hours:

Tuesday – Friday	12:00 p.m. – 8:00 p.m.
Saturday	11:00 a.m. – 8:00 p.m.
Sunday	1:00 p.m. – 8:00 p.m.

Additional Private Group Rentals:

Tuesday – Friday	11:00 a.m. – 12:00 p.m.
Monday	as reserved
 - b. Daily clean the skimmers, vacuum the pool, net debris off top of pool, clean grounds, pick up trash from aquatic center trash cans, clean and restock restrooms and dressing rooms, place all trash in provided dumpsters, wax lily pads, wipe down play structure and any other items as determined necessary. Additionally, wax slides on a weekly basis (at a minimum).
 - c. Submit any required reports and/or records.

- d. Report any damages or needed repairs to the Aquatic Center Management Staff.
- e. Promptly notify Aquatic Center Management Staff of any incident involving personal injury or property damage.
- f. Respond within a reasonable time (not to exceed 48 hours) to any complaint from the CITY.

4.2 In addition to the consideration set forth above, the CITY agrees to:

- a. Maintain general liability and property insurance on the Aquatic Center;
- b. Provide staff to open and close the Aquatic Center, collect entrance and rental fees and to operate all ticket and concession areas;
- c. Perform cleaning and maintenance of the concession, admissions and sand play areas, and perform all mechanical and chemical maintenance on the pool portions of the Aquatic Center.

5. SUPERVISION

CONTRACTOR shall ensure that all services it provides are properly performed and supervised at all times. CONTRACTOR'S employees and agents shall not identify themselves or in any way represent themselves as employees or agents of the CITY.

6. INDEMNIFICATION

CONTRACTOR agrees to indemnify, defend, and forever hold harmless the CITY, its officials, agents and employees from all suits, actions, or claims of any character, type, or description brought or made for or on account of any injury or damages, including death, received or sustained by any person or persons or property, arising out of, or in any way associated with, any act or omission of CONTRACTOR, its agents or employees. CONTRACTOR shall provide a defense to such claims at its own expense with legal counsel who shall report to the CITY. In the event that a court of competent jurisdiction makes a specific finding that the CITY is at fault in all or a portion of any such suit, action or claim, then the amount of indemnity provided hereunder shall be reduced by the percentage of fault attributable to the CITY.

7. DEFAULT

7.1 If CONTRACTOR shall fail to meet any of the terms and conditions of this Agreement such failure shall be considered an event of default. If CONTRACTOR fails to cure any event of default within seventy-two (72) hours after receiving written notice of such default, the CITY may take any or all of the following actions:

- a. Employ any and all means deemed necessary or advisable by the CITY in its sole discretion to provide the services to the public contemplated by this agreement;

and/or

b. Terminate this agreement by delivering to CONTRACTOR written notice of termination by personal service or by certified mail return receipt requested.

7.2 In the event City terminates this Agreement pursuant to Section 7.01, CONTRACTOR will refund any prepaid but unearned funds at the applicable daily rates set forth in Section 2.01.

8. MISCELLANEOUS PROVISIONS

8.1 **Agreement and Amendments.** This Agreement constitutes the entire agreement between the parties hereto and supersedes any commitment, agreement, and memorandum of understanding previously made by the parties with respect to the subject matter of this Agreement. No amendment shall be valid unless it is set forth in writing and signed by duly authorized representatives of both parties.

8.2 **Choice of Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas. Venue for any action brought under this Agreement shall be in Howard County, Texas.

8.3 **Survival of Covenants and Conditions.** It is expressly agreed that all covenants and conditions relating to the rights and obligations of the parties hereto subsequent to the termination of this Agreement shall survive the termination and shall continue in full force and effect in accordance with the terms of the specific provisions.

8.4 **Assignment.** This Agreement and any rights, duties and obligations hereunder may not be assigned without the prior written consent of all of the parties hereto and, in the event of an attempted assignment by one party to this Agreement without the express prior written consent of all other parties, such attempted assignment shall be void and without effect.

8.5 **Binding Effect.** This Agreement shall be binding upon and inure solely to the benefit of the parties hereto, and their respective successors, employees, legal representatives, and permitted assigns, and no other person shall have any legal or equitable right, remedy or claim under or in respect of or by virtue of this Agreement or any provision herein contained.

8.6 **Remedies.** The remedies provided to the parties by this Agreement are not exclusive or exhaustive, but are cumulative of each other and in addition to any other remedies the parties may have at law or in equity.

8.7 **Attorney's Fees and Costs.** If any action at law or in equity is necessary to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to reasonable attorney fees, costs and necessary disbursements in addition to any other relief to which such party may be entitled.

8.8 **Notices.** All notices contemplated and/or required herein shall be in writing and shall be

delivered in person or sent via certified mail, unless specifically provided otherwise.

Notices to CONTRACTOR: Dathan Jones, Director Big Spring YMCA, Inc.
801 Owens
Big Spring, Texas 79720

Notices to the CITY: Todd Darden, City Manager
City of Big Spring
310 Nolan Street
Big Spring, TX 79720-1390

The parties may consent to a different address for notices from time to time in writing signed by both parties hereto.

EXECUTED in duplicate, each of which shall be deemed to be an original.

CITY OF BIG SPRING

Todd Darden, City Manager

ATTEST:

Tami Davis, Assistant City Secretary

BIG SPRNG YMCA, INC:

Dathan Jones, Director

EXHIBIT A

YMCA STAFF EXPENSES
2016 SEASON

	# of Hours per day	Prep/Clean Hours per day	Employees	Days Open	Total Hours	Base Pay	Social Sec/Medicare	Worker's Comp	Unempl	Total
Lifeguards										
Weekday Hours	8	1	7	44	2772	\$ 21,483.00	\$ 1,643.45	\$ 1,003.26	\$ 408.18	\$ 24,537.88
Saturday	9	1	7	12	840	\$ 6,510.00	\$ 498.02	\$ 304.02	\$ 123.69	\$ 7,435.72
Sunday	7	1	7	10	560	\$ 4,340.00	\$ 332.01	\$ 202.68	\$ 82.46	\$ 4,957.15
SLIDE CREW AND MAINTENANCE										
Weekday Hours	8	1	2	44	792	\$ 6,138.00	\$ 469.56	\$ 286.64	\$ 116.62	\$ 7,010.82
Saturday	9	1	3	12	360	\$ 2,790.00	\$ 213.44	\$ 130.29	\$ 53.01	\$ 3,186.74
Sunday	7	1	3	10	240	\$ 1,860.00	\$ 142.29	\$ 86.86	\$ 35.34	\$ 2,124.49
Sub Total										\$ 49,252.81
Admin Fee										\$ 7,387.92
Total Expense										\$ 56,640.73

This is an approximation, depending on actual benefit costs and days of operations.

BOARD OF ADJUSTMENTS & APPEALS: Three Year Term – Expires 9-30

Membership should be composed of:

- (1) Engineer or Architect
- (1) Mechanical Contractor
- (3) Members at large from the Construction Field
- (1) Master Plumber
- (1) Master Electrician

(2) Ex-officio Members – Representatives of Atmos and TXU Electric

Name	Appointed	Reappointed	Term Expires	Confidentiality Requested
Vacant/unexpired term			9-17	
Walter Brumley, Jr.	5-22-01	9-27-11	9-17	Yes
Edward Roach	1-25-11	9-21-15	9-18	Yes
Ron Howell	10-10-06	9-21-15	9-18	Yes
Dale Coates	02-22-05	9-24-13	9-16	No
Tommy Corwin	02-22-05	9-24-13	9-16	Yes
Richard Wright	02-22-05	9-24-13	9-16	No



310 Nolan • Big Spring, Texas 79720
Phone: 432-264-2401 • Fax: 432-263-8310

Committee & Board Appointment Resume'

Board you are interested in serving on: MEP Board of Adjustments and Appeals

Your Name: Matthew L. Evans

Address: _____
Big Spring, TX 79720

Home Telephone Number: N/A

Work Telephone Number: N/A

Cellular Number: _____

Current Occupation: Civil Engineer

Any Related Past Experience? Please Describe Below:
See attached.

Please Describe Your Education History:
See attached.

Signature: Matthew L. Evans **Date:** 3-30-16

**Please attach any additional sheets as necessary or personal resume.
Once form is completed please deliver or mail Attention to the City Manager at the address above.**