

CITY COUNCIL AGENDA

**City of Big Spring
Tuesday, April 23, 2013**

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, April 23, 2013, 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.

Presentations & Public Hearings

- | | | | |
|----|---|--|--------|
| 1. | Invocation & Pledge of Allegiance to the United States Flag and to the Texas State Flag | | Duncan |
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Disposition of Minutes

- | | | | |
|----|---|-----|-------|
| 2. | Minutes of the Regular Meeting of April 9, 2013 | 4-8 | Davis |
|----|---|-----|-------|

Consent Items

- | | | | |
|----|--|-------|--------|
| 3. | Final Reading of a Resolution Authorizing the Mayor to Execute Any Necessary Documents with the Texas Department of Transportation for a Grant Agreement for Certain Improvements at McMahan-Wrinkle Airport to Include Hangar Development | 9-10 | Little |
| 4. | Final Reading of a Resolution Authorizing Continued Participation with the Steering Committee of Cities Served by Oncor; and Authorizing the Payment of 10 Cents per Capita to the Steering Committee to Fund Regulatory and Related Activities Related to Oncor Electric Delivery Company L.L.C. and Authorizing the Mayor or His Designee to Execute Any Necessary Documents | 11-12 | Walker |

Other Business

- | | | | |
|----|--|----|--------|
| 5. | Final Reading of a Resolution Authorizing the City Manager or His Designee to Enter into an Interlocal Agreement with Howard County to Provide for Sharing of the Costs of Land Acquisition, Permitting, Operation, Ownership, Closure and Post Closure of a New Municipal | 13 | Duncan |
|----|--|----|--------|

Landfill; Requiring that such Agreement Distribute the Cost of the New Landfill at a Ratio of One Third for Howard County to Two Thirds for the City of Big Spring; and Authorizing the City Manager or His Designee to Execute Any Necessary Documents

Routine Business

- | | | | | |
|----|-----------------------|-----------------|--|-------|
| 6. | Vouchers for 04/11/13 | \$ 1,276,923.52 | | Olson |
| | Vouchers for 04/18/13 | \$ 805,075.54 | | |

New Business

- | | | | | |
|-----|--|-------|--|--------|
| 7. | Discussion and Approval of Hiring a City Planner | | | Darden |
| 8. | Discussion and Consideration of Changes to City Personnel Policies | | | Medina |
| 9. | Emergency Reading of an Ordinance Imposing a Moratorium on Permitting of Modular or Industrialized Housing Units and Developments and the Use of Travel Trailers or Recreational Vehicles as Living Quarters for Extended Periods Within the City Limits in Order to Allow for Review and Consideration of Regulations and Appropriate Placement of Such Housing, with such Moratorium to be Effective 90 Days Beginning April 23, 2013; Providing for the Repeal of Ordinances in Conflict Herewith ; Providing an Effective Date; Providing for Severability | 14-16 | | Darden |
| 10. | Approval of 2013-14 Proposed Budget for Howard County Tax Assessor/Collector | 17-19 | | Walker |
| 11. | Acceptance of Big Spring Economic Development Corporation Board of Directors Minutes for Regular Meeting of March 19, 2013 and Special Meeting of April 1, 2013 | 20-24 | | Walker |

Interim City Manager’s Report

- | | | | | |
|-----|--|--|--|--------|
| 12. | Discussion of Using Outside Contractors to Install City Services | | | Darden |
|-----|--|--|--|--------|

Council Input

- | | | | | |
|-----|-------|--|--|--------|
| 13. | Input | | | Duncan |
|-----|-------|--|--|--------|

Executive Session

- 14. **Quarterly Update** - 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 Duncan

- 15. Reconvene in Open Session and Take Any Necessary Action Duncan

- 16. Adjourn Duncan

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 19, 2013 at 5:00 p.m. In addition this agenda and supporting documents are posted on the City of Big Spring's website, www.mybigspring.com in accordance with legal requirements.


Lesa Gamble, Administrative Assistant

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

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

April _____, 2013 at _____ a.m./p.m. By: _____
City Secretary's Office

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., April 9, 2013, with the following members present:

| | |
|------------------|---------------|
| TOMMY DUNCAN | Mayor |
| CRAIG OLSON | Mayor Pro Tem |
| MARCUS FERNANDEZ | Councilmember |
| GLEN CARRIGAN | Councilmember |
| BOBBY MCDONALD | Councilmember |
| MARVIN BOYD | Councilmember |

(Councilmember Harbour was not present at this meeting.)

Same and constituting a quorum; and

| | |
|----------------|----------------------------|
| TODD DARDEN | Interim City Manager |
| LINDA SJOGREN | City Attorney |
| PEGGY WALKER | Interim Asst. City Manager |
| JOHN MEDINA | Human Resources Director |
| CHAD WILLIAMS | Interim Police Chief |
| CRAIG FERGUSON | Fire Chief |
| JIM LITTLE | Airpark Director |
| TIM GREEN | Municipal Court Judge |

PRESENTATIONS & PUBLIC HEARINGS

INVOCATION & PLEDGE OF ALLEGIANCE

Jeff Denison, East Side Baptist Church, gave the invocation and Mayor Duncan led the Pledge of Allegiance to the American and State Flags.

PRESENTATION OF “STAR EMPLOYEE” AWARD

Mayor Duncan and Todd Darden, Interim City Manager, presented the “Star Employee” award to Ray Bryant, Sanitation Department.

DISPOSITION OF MINUTES

MINUTES OF THE REGULAR MEETING OF MARCH 26, 2013

Motion was made by Councilmember McDonald, seconded by Councilmember Carrigan, with all members of the Council voting “aye” approving minutes of the regular meeting of March 26, 2013.

CONSENT ITEMS

ACCEPTANCE OF MCMAHON-WRINKLE AIRPARK DEVELOPMENT BOARD MINUTES FOR MEETING OF FEBRUARY 28, 2013

ACCEPTANCE OF ZONING BOARD OF ADJUSTMENTS AND APPEALS MINUTES FOR MEETING OF SEPTEMBER 28, 2011

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

OTHER BUSINESS

FINAL READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING FROM SINGLE FAMILY-2 (SF-2) TO NEIGHBORHOOD SERVICE (NS) FOR THE PROPERTY LOCATED NORTH OF THE CONNALLY AND WASSON INTERSECTION DESCRIBED AS TRACT 6, KENNEBECK HEIGHTS, SECTION 12, BLOCK 33, T-1-S, T & P RR CO. SURVEY, BIG SPRING, HOWARD COUNTY, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Mayor Pro Tem Olson, seconded by Councilmember Boyd, with Councilmembers Carrigan, McDonald, Olson and Boyd voting “aye” approving second and final reading of an ordinance amending the Zoning Ordinance by changing the zoning from Single Family-2 (SF-2) to Neighborhood Service (NS) for the property located north of the Connally and Wasson intersection described as Tract 6, Kennebeck Heights, Section 12, Block 33, T-1-S, T & P RR Co. Survey, Big Spring, Howard County, Texas; providing a severability clause; providing for publication; and providing an effective date. Councilmembers Fernandez and Duncan, being opposed, voting “nay” for passage of same. Motion passes four to two.

FINAL READING OF AN ORDINANCE PROVIDING FOR THE ISSUANCE OF A SPECIFIC USE PERMIT WITHOUT TERM TO RELIABLE SELF STORAGE, LLC FOR CONSTRUCTION AND OPERATION OF A MINI STORAGE WAREHOUSE FACILITY LOCATED NORTH OF THE CONNALLY AND WASSON INTERSECTION DESCRIBED AS TRACT 6, KENNEBECK HEIGHTS, SECTION

12, BLOCK 33, T-1-S, T & P RR CO. SURVEY, BIG SPRING, HOWARD COUNTY, TEXAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION

Motion was made by Mayor Pro Tem Olson, seconded by Councilmember Carrigan, with Councilmembers Carrigan, McDonald, Olson and Boyd voting “aye” approving second and final reading of an ordinance providing for the issuance of a Specific Use Permit without term to Reliable Self Storage, LLC for construction and operation of a mini storage warehouse facility located north of the Connally and Wasson intersection described as Tract 6, Kennebeck Heights, Section 12, Block 33, T-1-S, T & P RR Co. Survey, Big Spring, Howard County, Texas; providing for severability; providing for publication. Councilmembers Fernandez and Duncan, being opposed, voting “nay” for passage of same. Motion passes four to two.

FINAL READING OF A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO AN INTERLOCAL AGREEMENT WITH HOWARD COUNTY TO PROVIDE FOR SHARING OF THE COSTS OF LAND ACQUISITION, PERMITTING, OPERATION, OWNERSHIP, CLOSURE AND POST CLOSURE OF A NEW MUNICIPAL LANDFILL; REQUIRING THAT SUCH AGREEMENT DISTRIBUTE THE COST OF THE NEW LANDFILL AT A RATIO OF ONE THIRD FOR HOWARD COUNTY TO TWO THIRDS FOR THE CITY OF BIG SPRING; AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Mayor Duncan asked the Council to consider postponing this item until the next council meeting in order to meet with the County for continued negotiations and possible solutions. Motion was made by Mayor Pro Tem Olson, seconded by Councilmember McDonald, with all Councilmembers voting “aye” approving postponement of this item until the next council meeting on April 23, 2013.

ROUTINE BUSINESS

Councilmember McDonald reviewed the vouchers. Motion was made by Councilmember McDonald, seconded by Mayor Pro Tem Olson, with all members of the Council voting “aye” approving vouchers in the amount of \$251,152.96 (03/28/13) and \$640,807.08 (04/04/13).

NEW BUSINESS

DISCUSSION OF ACQUISITION, PERMITTING, OPERATING AND CLOSING COSTS OF NEW LANDFILL AND POSSIBLE SHARING OF COSTS WITH HOWARD COUNTY

This item was discussed prior to the final reading of the third resolution under “Other Business” shown above. At the request of County Commissioner Jimmy Long, it was decided to postpone the final reading until the next Council meeting so that negotiations could continue with the County.

FIRST READING OF A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR A GRANT AGREEMENT FOR CERTAIN IMPROVEMENTS AT MCMAHON-WRINKLE AIRPORT TO INCLUDE HANGAR DEVELOPMENT

Motion was made by Councilmember McDonald, seconded by Councilmember Boyd, with all Councilmembers voting “aye” approving first reading of a resolution authorizing the Mayor to execute any necessary documents with the Texas Department of Transportation for a grant agreement for certain improvements at McMahan-Wrinkle Airport to include hangar development.

FIRST READING OF A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AND AUTHORIZING THE PAYMENT OF 10 CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY L.L.C. AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Carrigan, seconded by Councilmember Boyd, with all Councilmembers voting “aye” approving first reading of a resolution authorizing continued participation with the Steering Committee of Cities Served by Oncor; and authorizing the payment of 10 cents per capita to the Steering Committee to fund regulatory and related activities related to Oncor Electric Delivery Company L.L.C. and authorizing the Mayor or his designee to execute any necessary documents.

APPROVAL OF AN INTERLOCAL AGREEMENT WITH HALL COUNTY, TEXAS FOR USE OF AN AUTHORIZED ACCESS TERMINAL PROVIDING ACCESS TO THE TEXAS LAW ENFORCEMENT TELECOMMUNICATION SYSTEMS (“TLETS”) AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Fernandez, seconded by Councilmember Boyd, with all members of the Council voting “aye” approving an interlocal agreement with Hall County, Texas for use of an authorized access terminal providing access to the Texas Law Enforcement Telecommunication Systems (“TLETS”) and authorizing the Mayor or his designee to execute any necessary documents.

INTERIM CITY MANAGER’S REPORT

Todd Darden, Interim City Manager, thanked the public for attending the Cline Shale Project meeting that was previously held at DRCC. Mr. Darden also reminded the public that the City is still on the volunteer watering schedule and that we still need to conserve water as much as possible.

COUNCIL INPUT

Mayor Duncan suggested adding Lonnie Smith and Stan Parker's name to the shields that are currently on display at the Law Enforcement Center. Council agreed.

Councilmember McDonald thanked Pat Simmons and the citizens who participated with the recent Great American Clean-Up.

ADJOURN

Motion was made by Councilmember Fernandez, seconded by Councilmember Carrigan, with all members of the Council voting "aye" to adjourn at 6:10 p.m.

CITY OF BIG SPRING, TEXAS

Tommy Duncan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

RESOLUTION _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR A GRANT AGREEMENT FOR CERTAIN IMPROVEMENTS AT MCMAHON-WRINKLE AIRPORT TO INCLUDE HANGAR DEVELOPMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Big Spring, Texas, hereinafter referred to as Sponsor, intends to make certain improvements to the Big Spring McMahon-Wrinkle Airport; and

WHEREAS, the general description of the project is for hangar development and specifically includes engineering and design of T-Hangars, constructing a 12-unit T-Hangar (300 x 50) constructing Hangar Access Taxiway for new T-Hangar, administration, mobilization, testing, Resident Project Representative and closeout of the project; and

WHEREAS, the Sponsor will construct said hangar development in a manner consistent with the Airport Layout Plan as approved by the State; and

WHEREAS, the Sponsor commits to maintaining airport minimum standards, rates and charges that are reasonable and nondiscriminatory; and

WHEREAS, the total project cost is estimated to be \$1,225,300 with \$600,000 identified for actual hangar construction; and

WHEREAS, the Sponsor has available and will provide at least 10% of the total project costs with local funds and understands that any additional costs above \$600,000 for the actual hangar construction cannot be matched in federal or state funds;

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 execute on behalf of the Sponsor, at the appropriate time, and with the appropriate authorizations of this governing body, all contracts and agreements with the Texas Department of Transportation, and such other parties as shall be necessary and appropriate for the implementation of the improvements to the Big Spring McMahon-Wrinkle Airport; and

SECTION 2. It is officially found and determined that the meeting at which this resolution was passed was open to the public as required by law.

SECTION 3. THAT this resolution shall be effective immediately upon its final passage.

PASSED AND APPROVED on first reading by the City Council of the City of Big Spring, Texas this 9th day of April, 2013, 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 **23rd** day of **April, 2013**, at a regular meeting of the City Council, with all members present voting “aye” for the passage of same.

Tommy Duncan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AND AUTHORIZING THE PAYMENT OF 10 CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY L.L.C.

WHEREAS, the City of Big Spring is a regulatory authority under the Public Utility Regulatory Act (PURA) and has exclusive original jurisdiction over the rates and services of Oncor Electric Delivery Company L.L.C. (Oncor) within the municipal boundaries of the city; and

WHEREAS, the Steering Committee has historically intervened in Oncor (formerly known as TXU) rate proceedings and electric utility related rulemakings to protect the interests of municipalities and electric customers residing within municipal boundaries; and

WHEREAS, the Steering Committee is participating in Public Utility Commission dockets and projects, as well as court proceedings, affecting transmission and distribution utility rates; and

WHEREAS, the City is a member of the Steering Committee of Cities Served by Oncor; and

WHEREAS, in order for the Steering Committee to continue its participation in these activities which affects the provision of electric utility service and the rates to be charged, it must assess its members for such costs;

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

I.

That the City is authorized to continue its membership with the Steering Committee of Cities Served by Oncor to protect the interests of the City of Big Spring and protect the interests of the customers of Oncor Electric Delivery Company L.L.C. residing and conducting business within the City limits.

II.

The City is further authorized to pay its assessment to the Steering Committee ten cents (\$0.10) per capita based on the population figures for the City shown in the latest TML Directory of City Officials.

III.

A copy of this Resolution and the assessment payment check made payable to “Steering Committee of Cities Served by Oncor” shall be sent to Jay Doegey, Chair, Steering Committee of Cities Served by Oncor, c/o City Attorney’s Office, Mail Stop 63-0300, P. O. Box 90231, Arlington, Texas 76004-3231.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 9th day of April, 2013, 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 23rd day of April, 2013, with all members present voting “aye” for the passage of same.

Tommy Duncan, 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 CITY MANAGER OR HIS DESIGNEE TO ENTER INTO AN INTERLOCAL AGREEMENT WITH HOWARD COUNTY TO PROVIDE FOR SHARING OF THE COSTS OF LAND ACQUISITION, PERMITTING, OPERATION, OWNERSHIP, CLOSURE AND POST CLOSURE OF A NEW MUNICIPAL LANDFILL; REQUIRING THAT SUCH AGREEMENT DISTRIBUTE THE COSTS OF THE NEW LANDFILL AT A RATIO OF ONE THIRD FOR HOWARD COUNTY TO TWO THIRDS FOR THE CITY OF BIG SPRING; AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

WHEREAS in order to protect the health and safety of the citizens of the City of Big Spring (the “City”) and the surrounding area in Howard County (the “County”), it is necessary that a new landfill be established to provide for the needs of the area once the existing landfill has reached its full capacity; and

WHEREAS the City Council believes that it would be beneficial to the health and safety of the entire community for the new landfill to be available for the use of all citizens of the County, and to that end the City Council has determined that if the governing body of the County determines it wants to make the new landfill available for use by the citizens of the County that live outside the city limits of the City, then the County and the City should share the costs of the landfill in an equitable manner which it deems to be a ratio of one third for the County and two thirds for the City

NOW THEREFORE BE IT RESOLVED THAT:

- 1). The City Manager is hereby authorized to enter into and execute an Interlocal Agreement and any other necessary documents allowing the citizens of the County that live outside the city limits of the City to use the new landfill in the same manner as citizens of the City so long as such Interlocal Agreement provides for an equitable sharing of the costs of the new landfill, including but not limited to land acquisition, permitting, operating, ownership, closure and post closure, at the ratio of one third for the County to two thirds for the City.
- 2). This Resolution shall become effective immediately upon final 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 26th day of March, 2013, 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 23rd day of April, 2013, with all members present voting “aye” for the passage of same.

Tommy Duncan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS IMPOSING A MORATORIUM ON PERMITTING OF MODULAR OR INDUSTRIALIZED HOUSING UNITS AND DEVELOPMENTS AND THE USE OF TRAVEL TRAILERS OR RECREATIONAL VEHICLES AS LIVING QUARTERS FOR EXTENDED PERIODS WITHIN THE CITY LIMITS IN ORDER TO ALLOW FOR REVIEW AND CONSIDERATION OF REGULATIONS AND APPROPRIATE PLACEMENT OF SUCH HOUSING, WITH SUCH MORATORIUM TO BE EFFECTIVE 90 DAYS BEGINNING APRIL 23, 2013; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HERewith; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY.

WHEREAS, the City Council finds that the zoning ordinance currently in effect does not adequately address the use of modular or industrial housing units or developments and the use of travel trailers or recreational vehicles as living quarters for extended periods in the City and the possible adverse effects such units or developments will have on neighborhood property values; and

WHEREAS, the City Council finds it necessary to consider revisions to the zoning ordinance to include appropriate regulation and placement of such uses or developments, and

WHEREAS, the City Council finds that a temporary moratorium on permits for placement or construction of modular or industrialized housing and the use of travel trailers or recreational vehicles as living quarters for extended periods is necessary for the protection of the citizens of the city;

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

SECTION 1. Moratorium Imposed on Modular or Industrialized Housing.

From and after the effective date and throughout the duration of the moratorium, no new permit of any nature shall be issued for the placement or construction of modular or industrialized housing units or the establishment of a modular or industrialized housing development within the city limits. In addition, no application shall be considered for such a permit during the duration of this moratorium.

Definitions.

(A) Modular or Industrialized Housing shall mean a single structure modified or constructed for residential purposes and comprised of one or more modules or using one or more modular components built at a location other than the permanent residential site and designed to be transported to the permanent residential site and erected on a permanent foundation.

(B) Modular or Industrialized Housing Development shall mean a site used for the placement of more than one modular or industrialized home in which the structures are available for rent. Modular or industrial housing developments shall set in compliance with the applicable zoning requirements in the area in which it is to be established.

SECTION 2. Moratorium Imposed on Extended Use of Travel or Recreational Vehicles.

From and after the effective date and throughout the duration of the moratorium, no person shall use a travel trailer or recreational vehicle for living quarters for more than five (5) consecutive days in any thirty (30) day period, except in a properly authorized mobile/manufactured home park.

SECTION 3. Duration of Moratorium.

This moratorium shall be for a period of ninety (90) days from the effective date of this ordinance, unless earlier terminated or extended in order to allow accurate and judicious review of the necessary regulation and appropriate placement of modular or industrialized housing units or developments within the city limits and appropriate regulations for the use of travel or recreational vehicles for living quarters.

SECTION 4. Notice.

Notice of, and hearing on this ordinance in the normal course, would undermine effective City planning by allowing modular housing unit or development applications submitted between the time notice was published, and the time the ordinance was adopted, to vest in City regulations which may be inadequate to protect the public health, safety and general welfare.

SECTION 5. If any provision of this ordinance, or its application to any person, entity or circumstance is for any reason held invalid, the remainder of the ordinance, or the application of the provisions to other persons, entities or circumstances, shall not be affected.

SECTION 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 7. This ordinance shall be in full force and effect upon its passage.

SECTION 8. The passage of this ordinance constitutes an emergency and an imperative public necessity that the Charter Rule requiring that City ordinances must be read at two separate meetings of the City Council be suspended and said rule is hereby suspended, and this ordinance shall be effective beginning April 23, 2013.

PASSED AND APPROVED on emergency reading at a regular meeting of the City Council on the 23rd day of April, 2013, with all members voting “aye” for the passage of same.

ATTEST:

Tommy Duncan, Mayor

Tami Davis, Assistant City Secretary

CITY OF BIG SPRING

MEMORANDUM

April 16, 2013

TO: Honorable Mayor and City Council Members

FROM: Peggy Walker, Director of Finance 

SUBJECT: 2013-14 Proposed Budget for Howard County Tax Assessor/Collector

The contract that the City of Big Spring has with the Howard County Tax Office requires that the tax assessor/collector prepare a proposed budget for operation of the tax office for the coming fiscal year (September 1 through August 31) and submit the proposed budget to each taxing unit before March 15 of each year. The County Commissions will hold a public hearing for consideration of this budget and provide written notice of the public hearing to the governing body of each taxing unit. The County will approve the budget no later than June 15 each year. If the governing body of a taxing unit objects to the budget, it must adopt a resolution disapproving said budget and file with the County prior to final approval on or before June 15.

Attached is a copy of the 2013-14 proposed budget for your consideration, as presented by Kathy Sayles, Howard County Tax Assessor/Collector. Also attached is a copy of the approved 2012-13 budget for your review and comparison.

If you have any questions, please feel free to contact me.

**THE COUNTY OF HOWARD
OFFICE TAX ASSESSOR COLLECTOR
DIANE CARTER**

**COLLECTION FEE BUDGET
2013**

| | |
|-----------------------|--------------------|
| Salaries: | |
| Diane Carter | \$13,910.60 |
| Cathey Hogg | 49,580.50 |
| Vanessa Olivas | <u>36,345.98</u> |
| Total Salaries | \$99,837.08 |

| | |
|-------------------------|--------------------|
| Expenses: | |
| Postage | \$12,500.00 |
| Tax Roll Forms | 8,953.39 |
| Tax Roll on CD-R Format | 1,783.09 |
| Telephone | 700.00 |
| TACA-TDLR | 135.00 |
| Audit | 2,500.00 |
| New Computer Software | 48,000.00 |
| Computer Mthly Maint. | <u>20,000.00</u> |
| Total Expenses | \$94,571.48 |

TOTAL BUDGET **\$194,408.56**

Breakdown per Taxing Entity

| Jurisdictions | Levy | Parcels | Levy Pt | Parcel Pt | Total |
|-----------------|-----------------------------|-----------------------|---------------------------|---------------------------|----------------------------|
| Howard County | 11,530,110.24 | 51,600 | \$18,847.18 | \$25,261.47 | \$44,108.65 |
| Howard College | 6,156,722.40 | 51,599 | \$10,063.81 | \$25,260.98 | \$35,324.79 |
| Big Spring City | 4,983,906.45 | 12,892 | \$8,146.72 | \$6,311.45 | \$14,458.17 |
| Coahoma City | 104,645.05 | 1,034 | \$171.05 | \$506.21 | \$677.26 |
| Forsan City | 21,627.70 | 422 | \$35.35 | \$206.60 | \$241.95 |
| Big Spring ISD | 20,506,799.75 | 22,965 | \$33,520.53 | \$11,242.82 | \$44,763.35 |
| Coahoma ISD | 6,109,882.13 | 10,323 | \$9,987.25 | \$5,053.76 | \$15,041.01 |
| Forsan ISD | 9,876,885.14 | 12,731 | \$16,144.81 | \$6,232.63 | \$22,377.44 |
| Permain UWD | 175,930.71 | 34,987 | \$287.58 | \$17,128.35 | \$17,415.93 |
| | <u>59,466,509.57</u> | <u>198,553</u> | <u>\$97,204.28</u> | <u>\$97,204.28</u> | <u>\$194,408.56</u> |

THE \$48000.00 IS A ONE TIME FEE FOR NEW SOFTWARE. THIS SOFTWARE WILL BE COMPATIBLE WITH THE APPRAISAL DISTRICT.

**THE COUNTY OF HOWARD
OFFICE TAX ASSESSOR COLLECTOR
KATHY A SAYLES RTA**

**COLLECTION FEE BUDGET
2012**

| | |
|-----------------------|--------------------|
| Salaries: | |
| Kathy A Sayles | \$14,201.64 |
| Cathey Hogg | 35,412.93 |
| Vanessa Olivas | <u>41,821.58</u> |
| Total Salaries | \$91,436.15 |

| | |
|-------------------------|--------------------|
| Expenses: | |
| Postage | \$12,000.00 |
| Tax Roll Forms | 8,953.39 |
| Tax Roll on CD-R Format | 1,485.00 |
| Telephone | 700.00 |
| TACA-TDLR | 135.00 |
| Audit | 2,500.00 |
| Computer | <u>24,740.00</u> |
| Total Expenses | \$50,513.39 |

TOTAL BUDGET **\$141,949.54**

Breakdown per Taxing Entity

| Jurisdictions | Levy | Parcels | Levy Pt | Parcel Pt | Total |
|-----------------|----------------------|----------------|--------------------|--------------------|---------------------|
| Howard County | 11,072,495.29 | 48,823 | \$15,180.12 | \$18,293.65 | \$33,473.77 |
| Howard College | 6,021,915.35 | 48,822 | \$8,255.90 | \$18,293.27 | \$26,549.17 |
| Big Spring City | 5,198,600.83 | 13,242 | \$7,127.16 | \$4,961.69 | \$12,088.84 |
| Coahoma City | 97,527.84 | 1,026 | \$133.71 | \$384.44 | \$518.14 |
| Forsan City | 20,347.65 | 420 | \$27.90 | \$157.37 | \$185.27 |
| Big Spring ISD | 17,197,673.17 | 22,094 | \$23,577.59 | \$8,278.47 | \$31,856.07 |
| Coahoma ISD | 5,129,573.88 | 10,155 | \$7,032.52 | \$3,805.01 | \$10,837.53 |
| Forsan ISD | 6,841,603.63 | 12,892 | \$9,379.67 | \$4,830.55 | \$14,210.22 |
| Permain UWD | 189,788.36 | 31,947 | \$260.20 | \$11,970.33 | \$12,230.52 |
| | 51,769,526.00 | 189,421 | \$70,974.77 | \$70,974.77 | \$141,949.54 |

Minutes of the Board of Director's Regular Meeting
BIG SPRING ECONOMIC DEVELOPMENT CORPORATION
Tuesday, March 19, 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 5:17 p.m. Tuesday, March 19, 2013 in the offices of the Big Spring Economic Development Corporation with Mr. DePauw, presiding. The following notice was sent on March 15, 2013 to all Directors, the news media, and duly posted on March 15, 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, March 19, 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 February 19, 2013 Regular Meeting, Action on February Financials, Action on February Investment Reports, Directors Report, Executive Session, Action as a Result of Executive Session, Public Comment; Board Comment, and Adjourn".

Directors Present:

Mr. Jim DePauw
Mr. Scott MacKenzie
Mr. Justin Myers
Dr. Keith Ledford
Mrs. Frances Hobbs

Directors Absent:

Staff Present:

Mr. Terry Wegman
Mrs. Teresa Darden

Guests:

Miklos Szabo
Steve Campbell
Drew Mouton

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

Mr. DePauw called the meeting to order at 5:17 p.m. Mrs. Hobbs led the invocation and pledge.

Executive Session was moved to Action Item #2, Action as a Result of Executive Session was moved to #3, Minutes were moved to #4, Financials #5, Investment Report #6.

ACTION ITEM #2- Action on Minutes of the February 19, 2013 Regular Board Meeting:

Mr. DePauw presented the minutes of the February 19, 2013 Regular Meeting. Motion to accept the minutes were made by Dr. Ledford, seconded by Mrs. Hobbs. The motion passed 5 to 0 with all members present voting “aye” in favor of the motion.

ACTION ITEM #3- Action on February Financials Report:

Mr. MacKenzie presented the February Financial report. Motion to approve the February Financial Report was made by Mr. Myers seconded by Dr. Ledford. The motion passed 5 to 0 with all members present voting “aye” in favor of the motion.

ACTION ITEM #4- Action on February Investment Report:

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

AGENDA ITEM #5- Directors Report

Mr. Wegman informed the Board that there have been numerous inquiries from oilfield service related companies for potential operational sites as well as developers looking for potential sites for trailer parks, temporary housing, and permanent housing. Mr. Wegman advised the board of meetings that include: TEDC Legislative Meeting was Feb 27-March 1, Eagle Ford Consortium Annual Meeting was March 7-9, High Ground Redi Course I/Board Meeting Feb 21st -22nd, High Ground Spring Meeting and Redi Course II March 28th-29th at the Hotel Settles, Clines Shale Community Meeting will be April 4th at DRCC at 6:00pm. Next Board meeting will be April 16th.

AGENDA ITEM #6- Executive Session

Executive Session in accordance with Texas Government Code, Section 551.087 (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). also; Section 551.072 a governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have detrimental effect on the position of the governmental body in negotiations with a third party.

- **Future Potential Lease of Big Spring EDC Property**

Mr. DePauw adjourned the Board of Directors into Executive Session @ 6:02 p.m.
February 19, 2013.

AGENDA ITEM #7- Action as a Result of Executive Session

Mr. DePauw reconvened the Board of Directors into open session @ 7:08 p.m. March 19,
2013. Action as a result include: None

AGENDA ITEM #8- Public Comments

None

AGENDA ITEM # 9- Board Comments

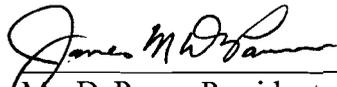
None

AGENDA ITEM # 10- Adjourn

Mr. DePauw asked for a motion to adjourn.

Motion by Mr. Myers seconded by Mr. MacKenzie. The motion passed 5 to 0 with all
members present voting "aye" in favor of the motion.

Meeting adjourned at 7:10 pm on March 19, 2013


Mr. DePauw, President

ATTEST:


Mr. Myers, Vice President

Minutes of the Board of Director's Special Meeting
BIG SPRING ECONOMIC DEVELOPMENT CORPORATION
Monday, April 1, 2013
12:00 p.m.
Offices of the Big Spring Economic Development Corporation
215 West Third Street
Big Spring, Texas

The Special Meeting of the Board of Directors of the Big Spring Economic Development Corporation was called to order at 12:02 p.m. Monday, April 1, 2013 in the offices of the Big Spring Economic Development Corporation with Mr. Myers, presiding. The following notice was sent on March 29, 2013 to all Directors, the news media, and duly posted on March 29, 2013, by Teresa Darden in compliance with the Open Meeting's Act by posting it on the outside door of the Big Spring Economic Development Corporation and on the inside and outside of City Hall.

"The Board of Directors of the Big Spring Economic Development Corporation will hold a Special Board Meeting on Thursday, December 13, 2012 at 4:30p.m. in the offices of the Big Spring Economic Development Corporation, 215 West Third Street, Big Spring, Texas. The purpose of the meeting is: Executive Session, Action as a result of Executive Session; Public Comment; Board Comment; and Adjourn".

Directors Present:

Mr. Justin Myers
Mr. Scott MacKenzie
Dr. Keith Ledford
Mrs. Frances Hobbs

Directors Absent:

Jim DePauw

Staff Present:

Mr. Terry Wegman

Guests:

Miklos Szabo

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

Mr. Myers called the meeting to order at 12:02 p.m. Mr. Myers led the invocation and pledge.

AGENDA ITEM #2- Approval of a Second Amendment to the Memorandum of Understanding with Express Midstream Services:

Motion to approve the Second Amendment to the Memorandum of Understanding with Express Midstream Services until May 1, 2013, was made by Scott MacKenzie and seconded by Frances Hobbs. The motion passed with all members present voted "aye" in favor of the motion.

AGENDA ITEM #3- Public Comments:

None

AGENDA ITEM # 4- Board Comments:

AGENDA ITEM # 5- Adjourn

Mr. Myers asked for a motion to adjourn.

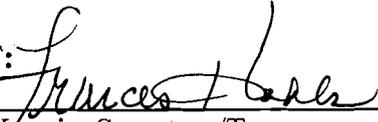
Motion by Mr. Myers, seconded by Dr. Ledford. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion.

Meeting adjourned at 12:06 pm on April 1, 2013



Mr. Myers, Vice President

ATTEST:



Mr. MacKenzie, Secretary/Treasurer