



CITY COUNCIL AGENDA

Tuesday, May 10, 2016

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, May 10, 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 City 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 Monsignor Bernard Gully of the Holy Trinity Catholic 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. **Proclamation** - Motorcycle Safety and Awareness Month 6 McLellan

Disposition of Minutes

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| 5. | Approval of the Minutes of the Regular Meeting of April 26, 2016 | 7-13 | Davis |
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Consent Items

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| 6. | Final Reading of an Ordinance Amending Number 043-2015 Which Adopted the Annual Budget for the Fiscal Year Beginning October 1, 2015 and Ending September 30, 2016 by Increasing the Landfill Fund Budget for the Purpose of Purchasing a Loader; Providing for Severability; Providing for Publication; and Providing an Effective Date | 14 | Medina |
| 7. | Final Reading of an Ordinance Amending Various Sections of Chapter 15 of the Code of Ordinances Entitled "Subdivision Regulations of the City of Big Spring," Authorizing the Planning and Zoning Commission to Act as a Final Decision-Making Body for Subdivision Requests and Variances, Except that the City Council shall Remain the Final Decision-Making Body for the Appeals Process; Eliminating the Sketch Plat Requirements and Associated Fees; Requiring a "Certification of Howard County Clerk" Signature Block on Final Plats; and Providing Clarification of Plan Submittal Requirements; Providing for Severability; and Providing an Effective Date | 15-23 | Johnston |
| 8. | Final Reading of an Ordinance Amending Article 2 of the City of Big Spring Zoning Ordinance, Section 2-1 Entitled "Definitions," by Adding a New Subsection 93a to Define "Plaza"; Amending Article 6 Entitled "District Regulations," Section 6-6 Entitled "Districts and Permitted" by Amending Subsection (A)(2) Under the Heading "CA-Central Area District" to Include "Plaza," as a Permitted Use; and Directing that Appendix B, Subsection B be Amended to Reflect the Amendments herein Provided; Providing for Severability; and Providing an Effective Date | 24-25 | Johnston |
| 9. | Final Reading of an Ordinance Amending the City of Big Spring Zoning Ordinance Article 6, Entitled "District Regulations" by Adding a New Section 6-7, Entitled "Fences," to Establish Procedures and Standards for Separation Between Zoning Uses and Districts for New Development; and Adding a New Section 6-8, Entitled "Visual Clearance on Corner Lots," to Allow Improved Visibility and Safety at Intersections; and Amending Article 7, Entitled "Special Applications," by Adding a New Section, 7-4, Entitled "Administrative Adjustments," to Authorize the Building Official to Determine up to Ten (10%) Percent Variance in Numerical Standards Set Forth in Article 6 and Under Certain Circumstances; Providing for Severability; and Providing an Effective Date | 26-31 | Johnston |

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| 10. | Final Reading of an Ordinance Approving Z16-01, a Rezone of the Porter Addition, Lots 1-3, Block 4, Big Spring, Howard County, Texas from Two-Family (2F) to Light Commercial (LC); Providing for Severability; and Providing an Effective Date | 32 | Johnston |
| 11. | Final Reading of an Ordinance Amending Chapter Six of the Code of Ordinances Entitled "Cemeteries, Parks and Recreation" by Amending Article 4 Entitled "Parks and Recreation," Division 3 Entitled "City Park Pavilion Areas," Section 6-90 Entitled "Reservations, Hours of Use and Rental Fees," Subsections (B) and (C) to Remove Heart of the City Pavilion from the List of Rentable Pavilions in City Parks; Repealing Section 201 Regarding Fees and Deposits in its Entirety; and Adding a New Article 13 Entitled "Heart of the City Plaza" to Provide Regulations Concerning Heart of the City Plaza Rentals and Consumption of Alcohol on the Premises; Providing for Severability; and Providing an Effective Date | 33-38 | Wegman |
| 12. | Acceptance of the Zoning Board of Adjustments and Appeals Board Minutes for the Meeting of April 6, 2016 | 39-40 | Womack |
| 13. | Acceptance of the Board of Adjustments and Appeals Board Minutes for the Meeting of May 19, 2010 | 41-43 | Womack |
| 14. | Acceptance of the Big Spring McMahon-Wrinkle Airport and Industrial Park Development Board Minutes for the Meeting of March 17, 2016 | 44-45 | Little |

Bids

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| 15. | Award Bid for a Front End Loader for the Landfill and Authorizing the City Manager or His Designee to Execute Any Necessary Documents | 46 | Medina |
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Routine Business

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| 16. | Vouchers for 04/28/16 \$ 737,507.97 | | |
| | Vouchers for 05/05/16 \$ 1,035,408.63 | | DePauw |

New Business

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| 17. | Emergency Reading of an Ordinance Canvassing the Returns and Declaring the Results of the General Election Which was Held on the 7 th Day of May, 2016, for the Purpose of Electing Mayor and Councilmember District Five | 47-48 | Moore |
| 18. | Recognition of Outgoing Councilmembers | | Darden |

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| 19. | Administer Oath of Office to Duly Elected Councilmembers | | Judge Green |
| 20. | Discussion and Approval of Length of Term with Electrical Provider Proposed by Priority Power Management, LLC and Authorizing the Mayor to Negotiate Final Contract Pricing and Execute Any Necessary Documents | 49-57 | Medina |
| 21. | First Reading of an Ordinance Amending Ordinance Number 043-2015 which adopted the Annual Budget for the City of Big Spring for the Fiscal Year Beginning October 1, 2015 and Ending September 30, 2016 to Increase the Motel Tax Fund Budget for the Purpose of Re-Roofing the Big Spring Auditorium; Providing for Severability; Providing for Publication; and Providing an Effective Date | 58 | Wegman |
| 22. | Consideration and Approval of an Agreement for Audit Services with Bolinger, Segars, Gilbert & Moss, LLP and Authorizing the City Manager or His Designee to Execute Any Necessary Documents | 59-67 | Moore |
| 23. | Approval of the Minutes of the Regular Meeting of the Big Spring Economic Development Corporation Held on March 15, 2016 and Special Meeting Held on March 28, 2016 | 68-71 | Edwards |

City Manager's Report

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| 24. | Items of Public Interest | | Darden |
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Council Input

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| 25. | Input | | McLellan |
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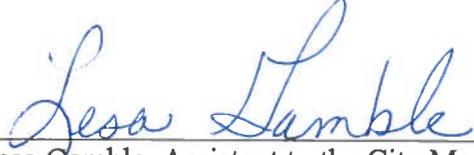
Executive Session

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| 26. | Adjourn into Executive Session in Accordance with Section 551.087 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 Development Negotiations | | McLellan |
| 27. | Reconvene in Open Session and Take Any Necessary Action | | McLellan |
| 28. | 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. Given by order of the City Council and Posted on Friday, May 6, 2016 at 3:00 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.



Lesa Gamble, Assistant to the City Manager

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

May ____, 2016 at _____ a.m./p.m.

By: _____



PROCLAMATION

WHEREAS, May is “**National Motorcycle Safety and Awareness**” Month, and the Texas Department of Public Safety urges all motorcycle enthusiasts, both experienced and inexperienced, to attend a professionally taught motorcycle course to sharpen their skills and pledge to always wear quality protective gear, including a helmet; and

WHEREAS, the safe operation of a motorcycle requires the use of skills developed through a combination of training, experience, the use of good judgment, and a knowledge of traffic laws; and

WHEREAS, Texas has more than 630,000 people qualified to operate a motorcycle and during the month of May, motorcycle organizations will hold various events to promote motorcycle safety with the hope of raising the public’s awareness of motorcycling and motorcycle riders; and

WHEREAS, in Texas a motorcyclist dies in a crash on our roads every day, and in the year 2015, 455 motorcyclists lost their lives and 1,867 were seriously injured, half of these from colliding with a car or truck; and

WHEREAS, sharing the road with motorcycles can be safer if we all “**look twice**,” especially at intersections, use turn signals, don’t follow a motorcycle too close, check our mirrors before changing lanes, always assume a motorcycle is closer than it appears to be, and always give a motorcyclist a full lane;

NOW, THEREFORE, I, Larry McLellan, Mayor of the City of Big Spring, Texas, do hereby proclaim May 2016 as:

“MOTORCYCLE SAFETY AND AWARENESS MONTH”

in Big Spring, Texas, and call upon all citizens to “**look twice**,” “**share the road**,” and watch for motorcycles and their riders in the community in which we all live.



GIVEN UNDER MY HAND
and seal of the
City of Big Spring,
this 10th day of May, 2016

Larry McLellan, Mayor

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 26, 2016, with the following members present:

LARRY MCLELLAN	Mayor
JUSTIN MYERS	Mayor Pro Tem
RAUL MARQUEZ	Councilmember
CARMEN HARBOUR	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
CHAD WILLIAMS	Police Chief
JIM LITTLE	Airpark Director
TIM GREEN	Municipal Court Judge
DEBBIE WEGMAN	Community Services Director

INVOCATION & PLEDGE OF ALLEGIANCE

Kevin Knudson, Go Life Church, gave the invocation and Mayor McLellan led the Pledge of Allegiance to the American and Texas Flags.

ANNOUNCEMENTS & PUBLIC HEARINGS

PUBLIC HEARING – Z16_01, A REZONE OF THE PORTER ADDITION, LOTS 1-3, BLOCK 4, BIG SPRING, HOWARD COUNTY, TEXAS FROM TWO-FAMILY (2F) TO LIGHT COMMERCIAL (LC)

Motion was made by Councilmember Harbour, seconded by Councilmember Benavides, with all members of the Council voting “aye” to open the above captioned public hearing. There were no comments from the citizens or the council. Motion was made by Councilmember Waggoner, seconded by Councilmember DePauw, with all members of the Council voting “aye” to close the above captioned public hearing.

PUBLIC HEARING – AMENDING ARTICLE 2 OF THE CITY OF BIG SPRING ZONING ORDINANCE, SECTION 2-1 ENTITLED “DEFINITIONS,” BY ADDING A NEW SUBSECTION 93a TO DEFINE “PLAZA”; AMENDING ARTICLE 6 ENTITLED “DISTRICT REGULATIONS,” SECTION 6-6 ENTITLED “DISTRICTS AND PERMITTED” BY AMENDING SUBSECTION(A)(2) UNDER THE HEADING “CA-CENTRAL AREA DISTRICT” TO INCLUDE “PLAZA,” AS A PERMITTED USE; AND DIRECTING THAT APPENDIX B, SUBSECTION B BE AMENDED TO REFLECT SAID AMENDMENTS

Motion was made by Councilmember Waggoner, seconded by Councilmember Benavides, with all members of the Council voting “aye” to open the above captioned public hearing. There were no comments from the citizens or the council. Motion was made by Councilmember DePauw, seconded by Mayor Pro Tem Myers, with all members of the Council voting “aye” to close the above captioned public hearing.

PUBLIC HEARING – AMENDING VARIOUS SECTIONS OF CHAPTER 15 OF THE CODE OF ORDINANCES ENTITLED “SUBDIVISION REGULATIONS OF THE CITY OF BIG SPRING,” AUTHORIZING THE PLANNING AND ZONING COMMISSION TO ACT AS A FINAL DECISION-MAKING BODY FOR SUBDIVISION REQUESTS AND VARIANCES, EXCEPT THAT THE CITY COUNCIL SHALL REMAIN THE FINAL DECISION-MAKING BODY FOR THE APPEALS PROCESS; ELIMINATING THE SKETCH PLAT REQUIREMENTS AND ASSOCIATED FEES; REQUIRING A “CERTIFICATION OF HOWARD COUNTY CLERK” SIGNATURE BLOCK ON FINAL PLATS; AND PROVIDING CLARIFICATION OF PLAN SUBMITTAL REQUIREMENTS

Motion was made by Councilmember Harbour, seconded by Councilmember Waggoner, with all members of the Council voting “aye” to open the above captioned public hearing. There were no comments from the citizens or the council. Motion was made by Councilmember Harbour, seconded by Councilmember Marquez, with all members of the Council voting “aye” to close the above captioned public hearing.

PUBLIC HEARING – AMENDING THE CITY OF BIG SPRING ZONING ORDINANCE ARTICLE 6, ENTITLED “DISTRICT REGULATIONS” BY ADDING A NEW SECTION 6-7, ENTITLED “FENCES,” TO ESTABLISH PROCEDURES AND STANDARDS FOR SEPARATION BETWEEN ZONING USES AND DISTRICTS FOR NEW DEVELOPMENT; AND ADDING A NEW SECTION 6-8, ENTITLED “VISUAL CLEARANCE ON CORNER LOTS,” TO ALLOW IMPROVED VISIBILITY AND SAFETY AT INTERSECTIONS; AND AMENDING ARTICLE 7, ENTITLED “SPECIAL APPLICATIONS,” BY ADDING A NEW SECTION, 7-4, ENTITLED “ADMINISTRATIVE ADJUSTMENTS,” TO AUTHORIZE THE BUILDING OFFICIAL TO DETERMINE UP TO TEN (10%) PERCENT VARIANCE IN NUMERICAL STANDARDS SET FORTH IN ARTICLE 6 AND UNDER CERTAIN CIRCUMSTANCES, AND ALLOWING A ONE-TIME ONLY NINETY (90) DAY DELAY IN THE PROVISION OF ALL-WEATHER SURFACE FOR OFF-STREET PARKING SPACES

Motion was made by Councilmember Benavides, seconded by Mayor Pro Tem Myers, with all members of the Council voting “aye” to open the above captioned public hearing. There were no comments from the citizens or the council. Motion was made by Councilmember Waggoner, seconded by Councilmember Harbour, with all members of the Council voting “aye” to close the above captioned public hearing.

DISPOSITION OF MINUTES

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF APRIL 12, 2016

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

CONSENT ITEMS

FINAL 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 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

FINAL 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

FINAL 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

FINAL 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

FINAL 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

ACCEPTANCE OF THE ZONING BOARD OF ADJUSTMENTS AND APPEALS BOARD MEETING MINUTES FOR THE MEETING OF NOVEMBER 18, 2015

ACCEPTANCE OF THE PLANNING AND ZONING COMMISSION BOARD MINUTES FOR THE MEETING OF JANUARY 19, 2016 AND MARCH 01, 2016

Motion was made by Mayor Pro Tem Myers, seconded by Councilmember DePauw, with all members of the Council voting "aye" approving the second and final reading of the above listed ordinances, resolutions and minutes.

BIDS

PERMISSION TO ADVERTISE FOR BIDS FOR PURCHASING CARDS

Motion was made by Councilmember Benavides, seconded by Mayor Pro Tem Myers, with all members of the Council voting "aye" approving to advertise for bids for purchasing cards.

AWARD BID FOR ONE (1) REPLACEMENT POLICE PATROL CAR

Motion was made by Councilmember Harbour, seconded by Councilmember DePauw with all members of the Council voting "aye" awarding the above captioned bid to Grapevine Dodge in the amount of \$23,746.00.

ROUTINE BUSINESS

Councilmember Benavides reviewed the vouchers in the amount of \$1,103,165.57 (4/14/16) and \$306,601.10 (4/11/16). Motion was made by Councilmember Benavides, seconded by Councilmember Marquez, with all members of the Council voting "aye" approving the above listed vouchers.

NEW BUSINESS

FIRST READING OF AN ORDINANCE AMENDING NUMBER 043-2015 WHICH ADOPTED THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016 BY INCREASING THE LANDFILL FUND BUDGET FOR THE PURPOSE OF PURCHASING A LOADER; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

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

FIRST READING OF AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 15 OF THE CODE OF ORDINANCES ENTITLED “SUBDIVISION REGULATIONS OF THE CITY OF BIG SPRING,” AUTHORIZING THE PLANNING AND ZONING COMMISSION TO ACT AS A FINAL DECISION-MAKING BODY FOR SUBDIVISION REQUESTS AND VARIANCES, EXCEPT THAT THE CITY COUNCIL SHALL REMAIN THE FINAL DECISION-MAKING BODY FOR THE APPEALS PROCESS; ELIMINATING THE SKETCH PLAT REQUIREMENTS AND ASSOCIATED FEES; REQUIRING A “CERTIFICATION OF HOWARD COUNTY CLERK” SIGNATURE BLOCK ON FINAL PLATS; AND PROVIDING CLARIFICATION OF PLAN SUBMITTAL REQUIREMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

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

FIRST READING OF AN ORDINANCE AMENDING ARTICLE 2 OF THE CITY OF BIG SPRING ZONING ORDINANCE, SECTION 2-1 ENTITLED “DEFINITIONS,” BY ADDING A NEW SUBSECTION 93a TO DEFINE “PLAZA”; AMENDING ARTICLE 6 ENTITLED “DISTRICT REGULATION,” SECTION 6-6 ENTITLED “DISTRICTS AND PERMITTED” BY AMENDING SUBSECTION (A)(2) UNDER THE HEADING “CA-CENTRAL AREA DISTRICT” TO INCLUDE “PLAZA,” AS A PERMITTED USE; AND DIRECTING THAT APPENDIX B, SUBSECTION B BE AMENDED TO REFLECT THE AMENDMENTS HEREIN PROVIDED; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

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

FIRST READING OF AN ORDINANCE AMENDING THE CITY OF BIG SPRING ZONING ORDINANCE ARTICLE 6, ENTITLED “DISTRICT REGULATIONS” BY ADDING A NEW SECTION 6-7, ENTITLED “FENCES,” TO ESTABLISH PROCEDURES AND STANDARDS FOR SEPARATION BETWEEN ZONING USES AND DISTRICTS FOR NEW DEVELOPMENT: AND ADDING A NEW SECTION 6-8, ENTITLED “VISUAL CLEARANCE ON CORNER LOTS,” TO ALLOW IMPROVED VISIBILITY AND SAFETY AT INTERSECTIONS; AND AMENDING ARTICLE 7, ENTITLED “SPECIAL APPLICATIONS,” BY ADDING A NEW SECTION 7-4, ENTITLED “ADMINISTRATIVE ADJUSTMENTS,” TO AUTHORIZE THE BUILDING OFFICIAL TO DETERMINE UP TO TEN (10%) PERCENT VARIANCE IN NUMERICAL STANDARDS SET FORTH IN ARTICLE 6 AND UNDER CERTAIN CIRCUMSTANCES, AND ALLOWING A ONE-TIME ONLY NINETY (90) DAY DELAY IN THE PROVISION OF ALL-WEATHER SURFACE FOR OFF-STREET PARKING SPACES, PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember Marquez, seconded by Councilmember DePauw, with all members of the Council voting “aye” approving the above captioned ordinance with the exception of allowing a ninety (90) day delay for all-weather surfacing for off-street parking spaces.

FIRST READING OF AN ORDINANCE APPROVING Z16-01, A REZONE OF THE PORTER ADDITION, LOTS 1-3, BLOCK 4, BIG SPRING, HOWARD COUNTY, TEXAS FROM TWO-FAMILY (2F) TO LIGHT COMMERCIAL (LC); PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

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

FIRST READING OF AN ORDINANCE AMENDING CHAPTER SIX OF THE CODE OF ORDINANCES ENTITLED “CEMETERIES, PARKS AND RECREATION” BY AMENDING ARTICLE 4 ENTITLED “PARKS AND RECREATION,” DIVISION 3 ENTITLED “CITY PARK PAVILION AREAS,” SECTION 6-90 ENTITLED “RESERVATIONS, HOURS OF USE AND RENTAL FEES,” SUBSECTIONS (B) AND (C) TO REMOVE HEART OF THE CITY PAVILION FROM THE LIST OF RENTABLE PAVILIONS IN CITY PARKS; REPEALING SECTION 201 REGARDING FEES AND DEPOSITS IN ITS ENTIRETY; AND ADDING A NEW ARTICLE 13 ENTITLED “HEART OF THE CITY PLAZA” TO PROVIDE REGULATIONS CONCERNING HEART OF THE CITY PLAZA RENTALS AND CONSUMPTION OF ALCOHOL ON THE PREMISES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

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

FIRST READING OF AN ORDINANCE AMENDING CHAPTER TWO OF THE CODE OF ORDINANCES ENTITLED “ALCOHOLIC BEVERAGES” BY ADDING A NEW SECTION 2-12 ENTITLED “TEMPORARY ALCOHOL PERMIT” REQUIRING A TEMPORARY ALCOHOL PERMIT FOR PUBLIC EVENTS IN WHICH ALCOHOL IS SOLD OR DISTRIBUTED FOR CONSUMPTION WITHIN THE CITY; ESTABLISHING A PERMIT FEE OF ONE-HUNDRED-FIFTY DOLLARS (\$150.00); REQUIRING SECURITY FOR EVENTS IN WHICH ALCOHOL IS SOLD OR DISTRIBUTED; AND PROVIDING A PENALTY OF NOT LESS THAN TWO-HUNDRED DOLLARS (\$200.00); PROVIDING SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

Todd Darden, City Manager, asked that this item be skipped and ask the Council for permission to create a committee to review the above captioned ordinance. Council agreed.

CONSIDERATION AND PERMISSION TO APPLY FOR THE BUREAU OF JUSTICE ASSISTANCE (BJA) GRANT 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 grant.

CITY MANAGER’S REPORT

Todd Darden announced that the City Depository would be coming up for bid soon as this is a two year contract pursuant to our City Charter.

COUNCIL INPUT

Mayor McLellan and several Councilmembers reminded citizens that early voting started and encouraged everyone to go vote.

EXECUTIVE SESSION

QUARTERLY UPDATE – ADJOURN INTO EXECUTIVE SESSION IN ACCORDANCE WITH SECTION 551.071(1) TO CONSULT WITH THE CITY ATTORNEY CONCERNING PENDING OR CONTEMPLATED LITIGATION AT 6:27 P.M.

RECONVENE IN OPEN SESSION AND TAKE ANY NECESSARY ACTION AT 6:40 P.M.

No action taken.

ADJOURN

Mayor McLellan adjourned the meeting at 6:40 p.m.

CITY OF BIG SPRING, TEXAS

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AMENDING ORDINANCE NUMBER 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 LANDFILL FUND BUDGET FOR THE PURPOSE OF PURCHASING A LOADER; 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 Landfill Loader that was totaled in a fire and 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 Landfill 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 \$39,000 into the revenue account (440-4905) received from TML Insurance and the amount of \$146,012.26 into the expense account (440-025-350-6404) 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 **26th** 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 **10th** day of **May, 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 OF BIG SPRING, TEXAS, AMENDING VARIOUS SECTIONS OF CHAPTER 15 OF THE CODE OF ORDINANCES ENTITLED “SUBDIVISION REGULATIONS OF THE CITY OF BIG SPRING,” AUTHORIZING THE PLANNING AND ZONING COMMISSION TO ACT AS A FINAL DECISION-MAKING BODY FOR SUBDIVISION REQUESTS AND VARIANCES, EXCEPT THAT THE CITY COUNCIL SHALL REMAIN THE FINAL DECISION-MAKING BODY FOR THE APPEALS PROCESS; ELIMINATING THE SKETCH PLAT REQUIREMENTS AND ASSOCIATED FEES; REQUIRING A “CERTIFICATION OF HOWARD COUNTY CLERK” SIGNATURE BLOCK ON FINAL PLATS; AND PROVIDING CLARIFICATION OF PLAN SUBMITTAL REQUIREMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the intended purpose of the following revisions is to streamline the subdivision process; and

WHEREAS, following a public hearing on June 16, 2015, the Planning and Zoning Commission gave its unanimous approval of the following amendments to the City of Big Spring Subdivision Regulations Ordinance;

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

SECTION 1. Chapter 15 of the Big Spring Code of Ordinances entitled “Subdivision Regulations of the City of Big Spring,” Article I entitled “General Provisions,” Section 5 entitled “Variances” is hereby amended to read in its entirety as follows:

ARTICLE I GENERAL PROVISIONS

...

SECTION 5 VARIANCES

- A. Findings Required.* The Commission may, following written request by an applicant, approve a variance from the provision of these regulations when, in the Commission’s opinion, undue hardship will result from requiring strict adherence therewith. Economic hardship alone shall not be deemed to constitute undue hardship. In making its decision, the Commission’s considerations shall include the general purpose and intent of these regulations, the nature of the proposed use of the land involved, and existing uses in the vicinity. No variance shall be allowed unless the Commission finds that:

1. There are special circumstances or conditions affecting the land involved such that the strict application of the provisions of these regulations would deprive the applicant of the reasonable use of his land;
 2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;
 3. The variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area; and
 4. The variance will not prevent the orderly use or development of other land in the area in accordance with the provisions of these regulations.
- B. Such findings of the Commission, together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the meeting(s) at which such variance is granted.
- C. Variances may be granted only when in harmony with the general purpose and intent of this Chapter and the City's Comprehensive Plan so that the public health, safety and welfare may be secured and substantial justice served.

SECTION 2. Chapter 15 of the Big Spring Code of Ordinances entitled "Subdivision Regulations of the City of Big Spring," Article III entitled "Platting Procedure," Section 1 entitled "General Application – Sketch Plan," is hereby renamed to read "General Application." Subsections "A" through "C" of the amended section title are also hereby amended and shall read in their entirety as follows:

ARTICLE III PLATTING PROCEDURE

SECTION 1 GENERAL APPLICATION

- A. No plat shall be approved for recording until it has been processed through the preliminary plat and final plat stages as provided herein, unless otherwise permitted.
- B. Following receipt of a preliminary plat or final plat application, the City shall determine if the submittal is complete and is therefore officially filed. After it has been officially filed, it may then be considered for review by the staff and Commission.
- C. An accurate notation of the recommendations of the staff or actions taken by the Commission shall be entered into the records and made available to the subdivider.

...

SECTION 3. Chapter 15 of the Big Spring Code of Ordinances entitled "Subdivision Regulations of the City of Big Spring," Article III entitled "Platting Procedure," Section 2 entitled "Fees;" Section 3 entitled "General Provisions;" Section 10 entitled "General

Application – Preliminary Plat,” Subsection “A”; Section 12 entitled “Procedures,” “Preliminary Plat Submittal,” Subsection “D”; Section 20 entitled “Certifications,” amended to add “CERTIFICATION OF HOWARD COUNTY CLERK”; Section 22 entitled “Dedication of Instrument Contents,” Subsection “C”; Section 24 entitled “Review and Processing – Final Plat,” Subsections “B” and “C”; Section 25 entitled “Special Plats,” Subsections “B” and “C”; and Section 26 entitled “Alternative Plat Approval Procedures,” Subsection “A” are hereby amended to read in their entirety as follows:

ARTICLE III PLATTING PROCEDURE

...

SECTION 2 FEES

Fees, as approved by the City Council, shall be collected by the Office of the Director of Finance at the time of the filing of a preliminary plat, or final plat with the City for processing and approval. No action by the Commission shall be valid until the fees have been paid. A receipt must be obtained from the proper officer specifying that the fees provided for herein have been paid prior to the submission of any plat to the Commission. The receipt shall be attached to the formal request for plat review and processing. No filing fee shall be refunded because of preliminary or final plat disapproval.

SECTION 3 GENERAL PROVISIONS

A. In the event that either or both of the following conditions occur during the processing of a subdivision plat, the Commission may require resubmittal of the plat.

i. Significant Change or Changes in Proposal. When a proposal has undergone a significant change or changes during the process of plat review that make it desirable or necessary to review how it will be more compatible with the Comprehensive Plan and associated plans for community development.

ii. Extended Delays in Processing by Developer. When the developer does not continue through with the plat review process and there are delays beyond those permitted below:

Maximum Permitted Delay

Preliminary Plat Approval to Final Plat Submittal	Twelve (12) Months
Final Plat Approval to Plat Recording	120 days

B. A final plat must be resubmitted to the governing body for re-approval if it has not been recorded within one-hundred and twenty (120) days of approval by the Public Works Director or Commission.

C. Filing Requirements:

Requests for processing shall be filed with the Director of Public Works. Such filing shall include:

- i. A completed and signed request form;
- ii. A copy of the filing fee receipt issued by the Director of Finance; and
- i. Copies of proposals (narrative and maps) in the number required below, including a .dwg, .dxf or .dgn (CAD file), or GIS Shapefile of the proposal sent in an electronic format to the Public Works Director or his designee:

<u>Stage of Review of Plat Proposal</u>	<u>Information in Narrative Form</u>	<u>Number of Plat Maps</u>
Preliminary Plat	6	6
Final Plat	6	6

After approval of the final plat, two (2) Mylar, or other reproducible original print, and three (3) copies shall be furnished to the Director of Public Works complete with all necessary signatures.

...

SECTION 10 GENERAL REQUIREMENTS – PRELIMINARY PLAT

- A. The subdivider shall cause a preliminary plat to be prepared in accordance with this Chapter unless the Short Form or Administrative procedure outline in Sections 25 and 26 of this Article are permitted. If a preliminary plat is required, it shall be approved by the Commission before an application for final plat approval is submitted to the Director of Public Works.

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SECTION 12 PROCEDURES

Preliminary Plat Submittal

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- D. Should a preliminary plat be denied following its review by the Commission, the applicant shall have thirty (30) days from the date of the denial to appeal to the City Council, pursuant to Article I, SEC. 11.

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SECTION 20 CERTIFICATIONS

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CERTIFICATION OF HOWARD COUNTY CLERK

Approved for recording this ____ day of _____, 20____, at _____ o' clock (AM or PM).

County Clerk of Howard County, Texas

SECTION 22 DEDICATION OF INSTRUMENT CONTENTS

...

- C. When the developer and/or owner files the final plat and the dedication deed covering the dedicated lands with the city, he shall also file a money order or cashier's check payable to the County Clerk to cover the recording of same. After the final plat and dedication deed are approved by the Commission and the certificate of approval is signed as hereinafter specified, the City shall cause said final plat and dedication deed to be recorded in the Plat Records of the County Clerk.

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SECTION 24 REVIEW AND PROCESSING OF FINAL PLAT

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- B. After the Commission has determined that the plat is in proper form, that the arrangement of the development proposed for the property being subdivided is consistent with zoning regulations and that the subdivision complies with the provisions of this Chapter, it shall enter an order approving the plat. The Commission shall consider all proposals with respect to the dedication of right-of-way for public use, the construction of utilities, streets, drainage and other improvements and when satisfied with the final plat proposal, shall authorize the execution of agreements for the same to ratify the final plat.

C. Processing- examples.

- i. Residential replats require notification and a public hearing in accordance with Sec 212.0065 of the Texas Local Government Code.

- ii. Non residential and residential replats, involving four (4) or fewer lots and as referenced in Article III, Sec. 25 Subsection B and C, may be approved by the Public Works Director who may elect to forward the plat to the Commission for approval.

SECTION 25 SPECIAL PLATS

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B. Minor Plats

- i. *General.* A plat of a subdivision involving four (4) or fewer lots fronting on an existing street and not requiring the creation of any new street or dedication of additional right-of-way or public easement and involves no public improvements. Such plats are not subject to preliminary plat review.
- ii. *Form and content.* Final minor plats will be required to be in conformance with final plat procedures.

C. Replats

- i. *General.* A revision of a previously platted subdivision that involves vacating the prior subdivision and resubdivides the property that usually changes the number of lots in accordance with the Texas Local Government Code Ch. 212. A replat shall follow the same procedures as are required for an original plat and shall comply with Texas Local Government Code Ch. 212, including requirements for public hearings and notifications.
- ii. *Form and content.* The current configuration shall depict all of the information as required for final plats.

...

SECTION 26 ALTERNATIVE PLAT APPROVAL PROCEDURES

- A. Short Form Procedure. The procedure provided herein may be followed for approval of a subdivision when the land proposed to be subdivided or resubdivided meets the following conditions:
 - i. Adequate existing streets, alleys, and easements exist. No additional right-of way or easement is needed to meet the requirements of this Chapter;
 - ii. The perimeter of the land being subdivided has been surveyed and marked on the ground;
 - iii. No additional drainage improvements are needed;

- iv. Utilities, adequate to serve the subdivision, are in place to serve each lot or arrangements to provide such facilities have been made; and
- v. The proposed subdivision is not inconsistent with existing zoning.

All required City fees shall be paid, although alternative approval procedures may be authorized.

The final plat may be submitted for consideration by the Commission without prior approval of a preliminary plat. All other requirements for final plat shall be met.

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SECTION 4. The Big Spring Subdivision Ordinance, Chapter 15, Article III entitled “Platting Procedures,” Sections 6 through 9 are hereby deleted in their entirety as follows:

SECTION 6 (DELETED IN ITS ENTIRETY)

SECTION 7 (DELETED IN ITS ENTIRETY)

SECTION 8 (DELETED IN ITS ENTIRETY)

SECTION 9 (DELETED IN ITS ENTIRETY)

SECTION 5. The Big Spring Subdivision Ordinance, Chapter 15, Article IV entitled “Standards, Specifications, and Other Provisions,” Section 1 entitled “General Requirements”; Section 2 entitled “Streets,” Subsection “A” and “F”; and Section 12 entitled “Miscellaneous Provisions,” Subsection “B” are hereby amended to read in their entirety as follows:

ARTICLE IV STANDARDS, SPECIFICATIONS, AND OTHER PROVISIONS

SECTION 1 GENERAL REQUIREMENTS

No preliminary or final plat shall be approved by the Commission and no completed improvements shall be accepted by the City unless they conform to the following standards and specifications.

- i. *Conformity with Comprehensive Plan.* The subdivision shall be consistent with the adopted Comprehensive Plan of the City of Big Spring and the parts thereof as amended from time to time.
- ii. *Provision for future subdivisions.* If a tract is subdivided into parcels larger than ordinary building lots, such parcels shall be arranged to allow the opening of future streets.

- iii. *Prohibition of reserve strips and flag lots.* No subdivision or addition showing reserve strips of land controlling the access to public ways or adjoining properties will be approved either in whole or in part. No plats containing flag lots shall be approved.
- iv. *Inspection of Construction Work.* All construction work such as street grading, street paving, storm sewers or water mains performed by the owner, developer, or contractor, shall be subject to inspection during construction by the proper authorities of the City and shall be constructed in accordance with City Construction Standards for Subdivisions.

SECTION 2 STREETS

- A. *Access conditions.* All platted lots shall have safe and reliable access to the public street system for daily use and emergency purposes. Except for lots that are provided access from a cul-de-sac street, all subdivisions shall have two means of access. Where development is proposed in phase or constraints of the land prevent the provision of a second means of access, the Commission may accept a temporary street connection or other means of access to satisfy this requirement. Other than this condition, subdivisions shall conform to the minimum street standards contained below.

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- F. *Curvilinear Streets.*

- i. Curvilinear streets shall be allowed and shall meet the following standards:

<u>Operating Speed of Street</u>	<u>Minimum Curve Radius</u>
1. 20 MPH or less	200 feet
2. 30 MPH	375 feet
3. 35 MPH	550 feet
4. 40 MPH	725 feet
5. 50 MPH or less	1,190 feet

- ii. The Commission may approve local residential streets with a smaller radius than required above in special circumstances consistent with the use of the street. In the case of such the developer shall pay the additional cost of installing water and sewer lines caused by a smaller radius.

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SECTION 12 MISCELLANEOUS PROVISIONS

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B. *Obligation by City for Maintenance of Improvements.* Final approval of any plat shall not be deemed an acceptance of the proposed dedication and shall not impose any duty upon the City concerning the maintenance or improvement of such dedicated parts until the proper authorities of the City shall have made actual appropriation for the same by entry, use or improvement.

...

SECTION 14 RESPONSIBILITY FOR INSTALLATION OF PUBLIC IMPROVEMENTS

Except when waived or deferred by the Commission, all subdivision development improvements conforming to adopted city standards shall be provided by the developer for any subdivision, or portion thereof, within the City and its extraterritorial jurisdiction as outlined in this Article. Said improvements shall be guaranteed in accordance with SEC. 13 above. All required public improvement plans shall be prepared by or under the supervision of a professional engineer registered in the State of Texas. Plans submitted for review by the City shall be dated and shall bear the responsible engineer's name, serial number, and the designation of "engineer," "professional engineer," or "P.E." and an appropriate stamp or statement that the submitted documents are for preliminary review and are not intended for construction. Final plans acceptable to the City shall bear the seal and signature of the engineer and the date signed on all sheets of the plans. Copies of said plans shall be submitted in accordance with Article III for review by the Director of Public Works, who shall return his comments within a period of ten (10) working days.

SECTION 6. 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 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 8. This ordinance shall take effect following its passage 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 **26th** day of **April, 2016**, with all members 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 **10th** day of **May, 2016**, with all members voting "aye" for the passage of same.

ATTEST:

Larry McLellan, Mayor

Tami Davis, Assistant City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, AMENDING ARTICLE 2 OF THE CITY OF BIG SPRING ZONING ORDINANCE, SECTION 2-1 ENTITLED “DEFINITIONS,” BY ADDING A NEW SUBSECTION 93a TO DEFINE “PLAZA”; AMENDING ARTICLE 6 ENTITLED “DISTRICT REGULATIONS,” SECTION 6-6 ENTITLED “DISTRICTS AND PERMITTED” BY AMENDING SUBSECTION (A)(2) UNDER THE HEADING “CA-CENTRAL AREA DISTRICT” TO INCLUDE “PLAZA,” AS A PERMITTED USE; AND DIRECTING THAT APPENDIX B, SUBSECTION B BE AMENDED TO REFLECT THE AMENDMENTS HEREIN PROVIDED; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a public hearing was held on April 5, 2016 in which the public was invited to comment on proposed amendments to the Zoning Ordinance, including a new definition of “plaza” and designating a plaza as an authorized use in CA, Central Area District, and

WHEREAS, The Planning and Zoning Commission gave its unanimous approval of the proposed amendments to the City of Big Spring Zoning Ordinance on April 5, 2016;

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

SECTION 1. The City of Big Spring Zoning Ordinance, Article 2, Section 2-1 entitled “Definitions” is hereby amended by adding a new Subsection 93a. to define “Plaza” and shall read in its entirety as follows:

93.a PLAZA – A public or privately owned open area adjacent to a building and accessible at the level of the sidewalk it adjoins, unobstructed to the sky except for seating and other permitted amenities, and that occupies no smaller area than two-thousand square feet (2,000 ft²).

SECTION 2. The City of Big Spring Zoning Ordinance, Article 6, Section 6-6 entitled “District Regulations,” Subsection (A)(2) under the heading “CA, CENTRAL AREA DISTRICT” is hereby amended to add “plaza” as a permitted use and shall read in its entirety as follows:

CA, Central Area District

- (A) *Use.* A building or premise shall be used only for the following uses:
- (2) Airport landing field or heliport, amusements (commercial indoor or outdoor), animal clinic or hospital (without outside runs or pens), antique shop, auto repair (minor), auto parts sales (new), bakery (retail or wholesale), building material sales, cafeteria, carwash, clothing manufacturer or light compounding or fabrication, custom personal service, dry cleaning, florist, fraternal organization,

lodge or civic club, gasoline/service center, greenhouse or plant nursery, handicraft shop, hauling or storage company, heavy machinery sales and storage, home or treatment center for care of alcoholic, narcotic, or psychiatric patients, hotel or motel, household appliance sales, service and repair , laundry or cleaning self-service, mortuary or funeral parlor, office supply sales, motor freight terminal, paint shop, parking lot (commercial –autos only), parking lot (commercial – autos and trucks), pawn shop, pharmacy, places of entertainment or eating and serving alcoholic beverages, **plaza**, print shop, radio and television tower (monopole only), railroad freight terminal, railroad passenger station, railroad team track, restaurant with or without dive-in service, retail sale of alcoholic beverages for off-premise consumption, retail sale of alcoholic beverages for off-premise consumption, retail stores and shops (other), wireless communication tower.

SECTION 3. The City of Big Spring City Council hereby directs APPENDIX B – DISTRICT USE REGULATIONS of the Big Spring Zoning Ordinance to be amended to reflect the amendments herein described.

SECTION 4. Should any section, paragraph, sentence, clause, phrase or word of this ordinance amendment be declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 6. This ordinance shall take effect following its passage 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 **26th** day of **April, 2016**, 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 **10th** day of **May, 2016**, with all members present voting “aye” for the same

Larry McLellan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, AMENDING THE CITY OF BIG SPRING ZONING ORDINANCE ARTICLE 6, ENTITLED "DISTRICT REGULATIONS" BY ADDING A NEW SECTION 6-7, ENTITLED "FENCES," TO ESTABLISH PROCEDURES AND STANDARDS FOR SEPARATION BETWEEN ZONING USES AND DISTRICTS FOR NEW DEVELOPMENT; AND ADDING A NEW SECTION 6-8, ENTITLED "VISUAL CLEARANCE ON CORNER LOTS," TO ALLOW IMPROVED VISIBILITY AND SAFETY AT INTERSECTIONS; AND AMENDING ARTICLE 7, ENTITLED "SPECIAL APPLICATIONS," BY ADDING A NEW SECTION, 7-4, ENTITLED "ADMINISTRATIVE ADJUSTMENTS," TO AUTHORIZE THE BUILDING OFFICIAL TO DETERMINE UP TO TEN (10%) PERCENT VARIANCE IN NUMERICAL STANDARDS SET FORTH IN ARTICLE 6 AND UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a public hearing was held on June 16, 2015 in which the public was invited to comment on these proposed amendments to the Zoning Ordinance, and

WHEREAS, The Planning and Zoning Commission gave its unanimous approval to recommend adoption of the following amendments to the City of Big Spring Zoning Ordinance on June 16, 2015;

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

SECTION 1. The City of Big Spring Zoning Ordinance, Article 6, Section 6-7 entitled "District Regulations" is hereby amended to read in its entirety as follows:

SECTION 6-7. Fences

(A) Required Privacy Fences

- (1) A privacy fence shall be required for all new building construction where the side or rear lot line of a nonresidential use is adjacent to either of the following:
 - a. A nonresidential district boundary other than an A Zoning District; or
 - b. An existing residential use.
- (2) This requirement shall not apply when an equivalent fence already exists;
- (3) Properties immediately across a body of water, transportation, drainage or utility right-of-way, street or alley shall be considered adjacent if the intervening body of

water, transportation, drainage or utility right-of-way, street or alley, is less than eighty feet (80 ft.) wide.

(B) Height Standards for New Privacy Fences

- (1) All new privacy fences shall meet the visual clearance requirements of Section 6-8, below.
- (2) For separation between new non-residential and residential uses in areas which requires a privacy fence, the Building Official shall determine height and placement of a fence of additional height to minimize the impact of possible nuisances.
- (3) Maximum Fence Height in Residential Districts.
 - (a) No portion of any new privacy fence or enclosure in any residential district, excluding the A District, shall exceed a height of eight feet (8 ft.), unless it is determined by the Building Official that the existing topography requires a fence in excess of eight feet (8 ft.). *(Example: where a property is situated below a property located on a substantially higher elevation).*
 - (b) A substantially open fence with a ratio of solid portion to open portion equal to or less than one (1) (solid) to four (4) (open) may be constructed up to a height of ten feet (10 ft.).

(4) Maximum Height in Required Front Yards

- (a) Any new fence or enclosure extending into a required front yard shall not exceed a height of three feet (3 ft.) unless it is a substantially open in nature.
- (b) *Exceptions:* The following are exempt from the requirements in (a) above:
 - (1) New construction of fences in the O, NS, R, LC, HC, CA, LI and HI Districts (non-residential use only);
 - (2) Fences for screening of Mobile/Manufactured Home Parks in SF-3 and GR; and
 - (3) Fencing that serves to screen property in any District for which a Special Permit for Campground/RV Park has been approved and is actively in use.
- (c) In the A Zoning District, a substantially open fence with a ratio of solid portion to open portion equal to or less than one (1) (solid) to four (4) (open) may be constructed up to a height of six feet (6 ft.).

SECTION 2. The City of Big Spring Zoning Ordinance, Article 6, Section 6-8 entitled “District Regulations” is hereby amended to read in its entirety as follows:

SECTION 6-8 Visual Clearance on Corner Lots

Except for freestanding signs with appropriate visual clearance below the display area which include official traffic control devices or approved public utilities, and with exception to corner lots in the Central Area (CA) District, any new fence, structure, sign, single trees with single trunks trimmed so that no vegetation on the tree hangs lower than eight feet (8 ft.) above the street elevation or landscaping on a corner lot and situated within thirty feet (30 ft.) of the intersection of the two street property lines, shrubbery, fencing, trees other than those herein described, shall not exceed a height of two and one-half feet (2.5 ft.) above the street elevation located on a corner lot at a street intersection. For this purpose, the restricted area for visual clearance shall be considered a triangle rather than an area bounded by an arc. This triangle shall be formed by the corner formed by the intersection of the back of curb lines or an imaginary extension of said lines (or if there is no curb, the corner where the back of curb lines would intersect if there were a curb) nearest the street intersection and the point on each said back of curb line which is thirty feet (30 ft.) from said corner as shown on Appendix D #14, provided however, this subsection (2) shall not apply.

SECTION 3. The City of Big Spring Zoning Ordinance, Article 7, Section 7-4 entitled “Special Applications” is hereby amended to read in its entirety as follows:

SECTION 7-4 ADMINISTRATIVE ADJUSTMENTS

- (A) *Purpose.* Administrative adjustments are specified deviations from otherwise applicable development standards where development is proposed that would be (1) compatible with surrounding land uses; (2) in keeping with the public interest, and (3) consistent with the purposes of this Zoning Ordinance.
- (B) *Administrative Adjustments Allowed.* The Building Official shall have the authority to grant only the following administrative adjustments:
- (1) Allow an increase in the floor area of a residential accessory building above fifty percent (50%) of the total square footage of the principal structure, or above one-hundred percent (100%) of the total square footage of the principal structure on lots in Agriculture (A) Zoning Districts, as long as the increase does not exceed ten percent (10%) above the applicable maximum.
 - (2) Authorize a variance of up to ten percent (10%) from the numerical standard set forth in Article 6.

EXAMPLE: Minimum front yard requirement of twenty feet (20 ft.) may be varied by up to ten percent (10%) to a minimum of eighteen feet (18 ft.).

- (C) *Submission of Application.* A complete application of an Administrative Adjustment shall be submitted to the Building Official, along with the appropriate application fee.

(D) *Action by the Building Official.* After determining that the application is complete, the Building Official shall review the application and approve, approve with conditions, or deny the application based upon the criteria below. A written decision including affirmative findings on the criteria set forth below shall be mailed to the applicant.

(E) *Administrative Adjustment Criteria.* To approve an application for an Administrative Adjustment, the Building Official shall make an affirmative finding that the following criteria are met:

The Administrative Adjustment will:

- (1) ensure the same general level of land use compatibility as the otherwise applicable standards;
- (2) not material and adversely affect adjacent land uses and the physical character of uses in the immediate vicinity of the proposed development because of inadequate buffering, screening, setbacks and other environmental considerations;
- (3) not adversely affect value of nearby property in any material way; and
- (4) be generally consistent with the purposes and intent of this Zoning Ordinance.

(F) *Appeals.* Appeal of an Administrative Adjustment to the Zoning Board of Adjustment shall be made within thirty (30) days of the mailing of the Building Official's decision in accordance with Section 5-2.

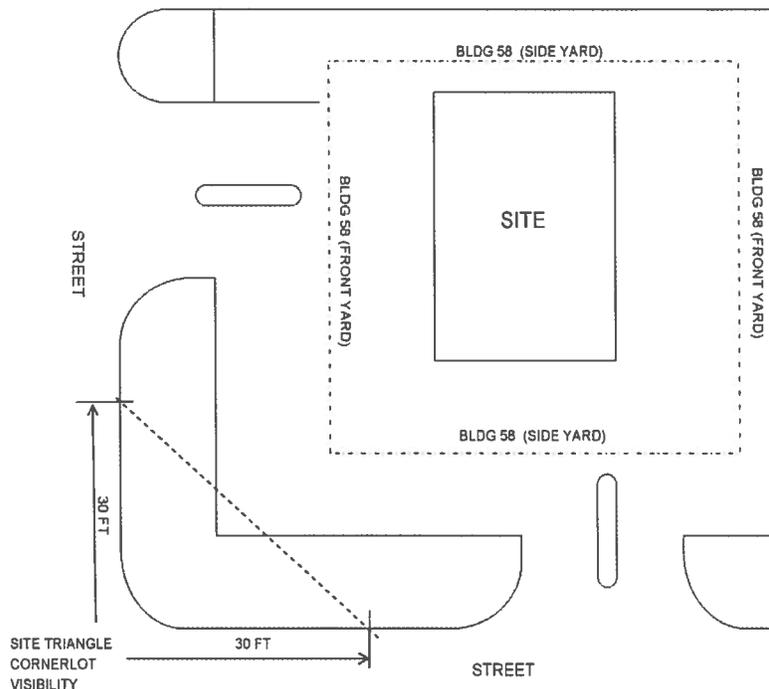
(G) *Conditions.* The Building Official may impose such conditions on approval of an Administrative Adjustment as are necessary to accomplish the purpose of this Zoning Ordinance, to prevent or minimize adverse impacts upon the public and neighboring properties, and to ensure compatibility of the site with its surroundings. These conditions may include but are not limited to limitations on the size, bulk and location of buildings; provisions for landscaping, buffering and screening; limitations on sources of buildings; provisions on sources of artificial lighting; and requirements for adequate vehicle ingress and egress.

(H) *Effect of Administrative Adjustment*

- (1) Administrative approval of an adjustment shall authorize only the particular allowance, variation or exception which is specifically approved by the Building Official. Administrative approval of such an adjustment runs with the land.
- (2) Unless otherwise specified in the Building Official's approval of an administrative adjustment, an application to commence construction of improvements that are the subject of the approved adjustment must be applied for and approved within twelve (12) months from the date of the Building Official's written acknowledgement of

approval; otherwise, the Administrative Adjustment shall automatically become null and void. Upon written request, two extensions of the twelve (12) month period may be granted by the Building Official, if he/she determines that conditions of the site and immediately surrounding area are substantially unchanged. These permitted time frames do not change with successive owners of the subject property.

APPENDIX D #14



APPENDIX D #14

SECTION 4. 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 5. Any ordinance that conflicts with this ordinance is hereby repealed to the extent of such conflict.

SECTION 6. This Ordinance shall take effect immediately after passage 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 **26th** day of **April, 2016**, 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 **10th** day of **May, 2016**, with all members voting "aye" for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, APPROVING Z16_01, A REZONE OF THE PORTER ADDITION, LOTS 1-3, BLOCK 4, BIG SPRING, HOWARD COUNTY, TEXAS FROM TWO-FAMILY (2F) TO LIGHT COMMERCIAL (LC); PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission held a public hearing on April 5, 2016 and gave its final approval and recommendation of this zone change from Two-Family (2F) to Light Commercial (LC);

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

SECTION 1. The zoning designation shall change from Two-Family (2F) to Light Commercial (LC) for the properties located at 500, 502 & 504 S. Benton Street, also known as Lots 1-3 in Block 4 of the Porter Addition, Howard County, Big Spring, Texas and such change is hereby approved by the Big Spring City Council.

SECTION 2. The City of Big Spring Zoning Map shall be amended to reflect the zoning designation of the above described properties as Light Commercial (LC).

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

SECTION 5. This Ordinance shall take effect immediately from and after passage upon two readings in accordance with the provisions of the Charter of the City of Big Spring, and it is accordingly so ordained.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **26th** day of **April, 2016**, 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 **10th** day of **May, 2016**, with all members present voting “aye” for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS AMENDING CHAPTER SIX OF THE CODE OF ORDINANCES ENTITLED "CEMETERIES, PARKS, AND RECREATION" BY AMENDING ARTICLE 4 ENTITLED "PARKS AND RECREATION," DIVISION 3 ENTITLED "CITY PARK PAVILLION AREAS," SECTION 6-90 ENTITLED "RESERVATIONS, HOURS OF USE AND RENTAL FEES," SUBSECTIONS (B) AND (C) TO REMOVE HEART OF THE CITY PAVILLION FROM THE LIST OF RENTABLE PAVILIONS IN CITY PARKS; REPEALING SECTION 201 REGARDING FEES AND DEPOSITS IN ITS ENTIRETY; AND ADDING A NEW ARTICLE 13 ENTITLED "HEART OF THE CITY PLAZA" TO PROVIDE REGULATIONS CONCERNING HEART OF THE CITY PLAZA RENTALS AND CONSUMPTION OF ALCOHOL ON THE PREMISES; AND; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council finds it to be in the public interest to regulate the usage of the Heart of the City Plaza and its fees and rules for the downtown festivals that are to be held in City of Big Spring; and

WHEREAS, the City Council finds it to be in the public interest to regulate the public sales and consumption of alcohol for downtown festivals to promote safety;

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

SECTION 1. The City of Big Spring Code of Ordinances Chapter 6, Article 4, Division 3, Section 6-90 entitled "Reservation, Hours of Use and Rental Fees," Subsections (B) and (C) shall hereby be amended to read in their entirety as follows:

Division 3. City Park Pavilion Areas

Sec. 6-90. Reservations, Hours of Use and Rental Fees.

...

- (B) Hours of Use. The rental of any pavilion located within the Comanche Trail Park or Bert Andries Park will begin at 8:00 a.m. and end at 10:00 p.m. on the day of such rental unless the City Manager or his designee extends the park closing hours pursuant to Section 6-70(C) of this Chapter.
- (C) Rental Fees. The following fees are for an entire day's rental. No partial day rentals will be allowed.
- | | |
|--------------------------|---------|
| 1. Old Settlers Pavilion | \$25.00 |
|--------------------------|---------|

2. Belaski Pavilion	\$25.00
3. Haynes Pavilion	\$25.00
4. Mi Familia Pavilion	\$25.00

...

SECTION 2. The City of Big Spring Code of Ordinances Chapter 6 entitled “Cemeteries, Parks, and Recreation,” Article 12 entitled “Fees and Deposits; Exemptions,” Section 201 entitled “Fees and Deposits; Exemptions” is hereby repealed in its entirety.

Sec. 201. Fees and Deposits; Exemptions.

Repealed in its entirety.

SECTION 3. The City of Big Spring Code of Ordinances Chapter 6 entitled “Cemeteries, Parks, and Recreation” is hereby amended to add a new Article 13 entitled “Heart of the City Plaza” and shall read in its entirety as follows:

Article 13. Heart of the City Plaza

Sec. 202. Hours of Operation.

Heart of the City Plaza is available for rent from 8:00 a.m. to midnight on the day of rental.

Sec. 203. Rental Fees.

The rental fee for the Plaza shall be Fifty Dollars (\$50.00) per day. An additional one-time per use, refundable cleaning deposit of Fifty Dollars (\$50.00) shall be assessed at the time of rental and due prior to use of the facility. Following the use of the facility, all necessary cleaning or repair expenses shall be paid and the balance refunded.

Sec.. 204. Alcohol Permit

- (A) **Approved Areas.** The sale, distribution, delivering and/or consumption of alcoholic beverages shall be allowed at Heart of the City Plaza in conjunction with an approved alcohol permit, or as authorized by the Chief of Police for downtown festivals/events.
- (B) **Applications.** The application for reservations where the sale, distribution, delivery and/or consumption of alcohol is planned must be:
 1. Submitted not later than fourteen (14) days prior to the date of the event;
 2. Made in the form prescribed by the City Manager;

3. Accompanied by proof of approval by the Texas Alcoholic Beverage Commission for the sale, service or delivery of alcoholic beverages for the activity;
4. Accompanied by proof that the applicant does not owe any delinquent taxes to the City of Big Spring or Howard County; and
5. Accompanied by payment for all applicable fees for the location as well as an additional non-refundable temporary alcohol permit fee in the amount of One-Hundred Fifty Dollars (\$150.00) per day.

(C) Conditions. The following conditions apply:

1. Specific date(s) and times that the reservation is valid shall be set forth in writing and shall not exceed three (3) consecutive days;
2. Evidence of approval from the Texas Alcoholic Beverage Commission to sell, serve and/or deliver alcoholic beverages for the activity shall be kept at the location during the entire event;
3. The dispensing of alcoholic beverages must be from a bulk delivery service using biodegradable paper cups or aluminum cans. No glass containers or bottles will be allowed;
4. Sale, distribution, or delivery of alcoholic beverages must stop no later than one (1) hour before the scheduled end of the event;
5. The Chief of Police will determine whether security is required for the authorized sale, distribution, or consumption of alcohol on the premises. The permit holder is responsible for all costs associated with procuring security personnel.
6. If the sale, distribution, and/or consumption of alcohol in the Heart of the City Plaza is associated with rental of the premises, no alcoholic beverages may be carried in or out of the specific location authorized in the reservation except by those persons authorized by Texas Alcoholic Beverage Commission to sell, serve or deliver alcoholic beverages for the event, while in the course and scope of such purpose; and
7. Exception: If the Heart of the City Plaza is included inside the designated boundary of a festival or event that has been permitted by the Texas Alcohol and Beverage Commission for the sale, distribution, and/consumption of alcohol and approved by the Chief of Police, alcohol may be carried and consumed on the premises at Heart of the City Plaza. In this instance, a City

Alcohol Permits is only required if alcohol is sold or distributed on the premises of Heart of the City Plaza.

Sec. 205. Release of City from Liability for Injury or Damages.

Each rental pursuant to the provisions of this article shall be conditioned that, by the request of such rental, the renter thereof releases the city fully and completely from any and all injuries or damages that might be sustained by the renter thereof or any other individuals participating in an event held at the Heart of the City Plaza or the area surrounding the Plaza. Any use of the premises shall constitute acceptance of this release.

SECTION 4. 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 5. Any ordinance that conflicts with this ordinance is hereby repealed to the extent of such conflict.

SECTION 6. This Ordinance shall take effect immediately after passage 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 26th day of April, 2016, 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 10th day of May, 2016, with all members voting "aye" for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary



FACILITY RENTAL AGREEMENT

This Facility Rental Agreement (the "Agreement") is made and entered into on this the _____ day of _____, 20____ by and between the City of Big Spring (Owner) and

Renter:

Name

Address

Phone Number

City/State/Zip

collectively known as the "Parties." The Parties hereby agree as follows:

The City of Big Spring hereby rents to the Renter _____
("the Premises") beginning on _____ the _____ of
_____, 20____ at _____ .m. and commencing on
_____ the _____ of
_____, 20____ at _____ .m. for a total rental cost of
\$ _____.

A Deposit of \$ _____ was provided to the City of Big Spring at the time the facility was reserved. This deposit is held to ensure payment for cleaning or repairs of damages caused by negligence, carelessness, accident, or abuse of the premises, equipment, grounds, and/or parking lot which may result from the use of the Faculty 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.

All Rental fees are due no later than seven (7) days prior to the scheduled event.

If a alcohol permit, food permit, insurance certificate, security/dance permit, is required for the facility in conjunction with the rental, a copy of the appropriate associated documents are required to be submitted to the Facilities Coordinator upon final payment of rental fees.

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.

I HAVE CAREFULLY READ AND UNDERSTOOD THE FOREGOING PARAGRAPHS. I HEREBY ACCEPT THE CONDITIONS OF THIS AGREEMENT ACCORDING TO ITS TERMS.

Renter Signature

Date

**THE CITY OF BIG SPRING
ZONING BOARD OF ADJUSTMENTS AND APPEALS
MINUTES OF APRIL 6, 2016**

THE CITY OF BIG SPRING ZONING BOARD OF ADJUSTMENTS AND APPEALS HELD A MEETING WEDNESDAY, APRIL 6, 2016 AT 5:30 PM IN THE CITY COUNCIL CHAMBERS, LOCATED AT 307 E 4TH ST.

THE FOLLOWING MEMBERS WERE PRESENT:

Steve Herron
Veronica Zuniga
Libby Uribe

MEMBERS ABSENT:

Drew Mouton
Carrie Rodman

STAFF PRESENT:

Leslie Whitten-Administrative Assistant
Thomas Hodges-Code Enforcement Superintendent
Kay Pilgrim-Planning Administrative Assistant

OTHERS PRESENT:

Sonia Lusk
Eric Lusk

CALL TO ORDER:

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

APPROVAL OF MINUTES OF November 18, 2015:

Libby Uribe made motion to approve minutes, Veronica Zuniga 2nd motion.
All members present voted "Aye", none opposed. Motion carried.

Sonia Lusk, .183 AC of SC 1 BK 1S & .055 AC of SC 6 BK 32 1S, Located at 110 Cedar is requesting a variance for a front yard carport. Mr. Hodges stated that 14 letters were sent out, 3 no objection, 0 objections and 0 returned letters. Mr. Hodges stated that the City doesn't have any issues with the proposal.

Libby Uribe made motion to approve. Veronica Zuniga 2nd the motion.
All members present voted "Aye", none opposed. Motion carried.

OTHER BUSINESS:

Thomas advised the board that we would have an aerial shot of the properties from now on.

ADJOURNMENT:

Libby Uribe made motion to adjourn. Veronica Zuniga 2nd motion.
All members present voted "Aye". None opposed. Meeting Adjourned.

CHAIRMAN'S SIGNATURE

Steve Herron

ADMIN ASSISTANT SIGNATURE

Leslie Whitten

**CITY OF BIG SPRING
BOARD OF ADJUSTMENTS AND APPEALS
MINUTES OF MEETING WEDNESDAY, MAY 19, 2010**

THE BOARD OF ADJUSTMENTS AND APPEALS OF THE CITY OF BIG SPRING, TEXAS HELD A MEETING ON WEDNESDAY, MAY 19, 2010 AT 5:30 PM IN THE CITY COUNCIL CHAMBERS.

THE FOLLOWING MEMBERS WERE PRESENT:

PHIL FURQUERON
TOMMY CORWIN
DALE COATES
RON HOWELL
RICHARD WRIGHT

OTHERS PRESENT:

KENNY DAVIS, CHIEF BUILDING OFFICIAL
CHAD AVERETTE, CODE ENFORCEMENT SUPERVISOR
BRANDI HILARIO, CODE OFFICER
DANNY VALLE, CODE OFFICER
THOMAS HODGES, CODE OFFICER
LESLIE WHITTEN, ADMINISTRATIVE ASSISTANT

MEMBERS ABSENT WERE:

WALTER BRUMLEY, JR

CALL TO ORDER:

CHAIRMAN PHIL FURQUERON CALLED THE MEETING TO ORDER AT 5:35 PM.

APPROVAL OF MINUTES OF AUGUST 12, 2009:

TOMMY CORWIN MADE THE MOTION AND RICHARD WRIGHT SECONDED TO APPROVE THE MINUTES OF THE AUGUST 12, 2009 MEETING AS WRITTEN. ALL MEMBERS VOTED "AYE". NONE OPPOSED. MOTION CARRIED.

**CONSIDERATION OF THE FOLLOWING STRUCTURES FOR
THE ELIMINATION OR REPAIR OF SAID BUILDING AS
DETERMINED BY THE BOARD:**

**The board discussed viewing all the structures & then making a
determination.**

1-Roscoe Hartfield, 1102 N. Main St, Big Spring, TX 79720, SECTION 42 BLOCK 32 1 NORTH TRACT 1, of William B. Currie Addition, also known as 1102 N. Main St. Mr. Hartfield was not present at this meeting nor has he acknowledged any of the City of Big Spring's attempts to contact him.

2-Kay Littlejohn, PO Box 202461, Arlington, TX 76006-8461, 6.5 ACRES S/W 4 of SECTION 42 BLOCK 32 1 NORTH, of William B. Currie Addition, also known as 218 N. Johnson St. Mrs. Littlejohn was not present at this meeting nor has she acknowledged any of the City of Big Spring's attempts to contact her.

3-Palemon Diaz, 215 NE. 8th St, Big Spring, TX 79720-1410, SE/4 of SECTION 42 BLOCK 32 1 NORTH TRACT 22, of William B. Currie Addition, also known as 215 NE. 8th St. Mr. Diaz was not present at this meeting nor has he acknowledged any of the City of Big Spring's attempts to contact him.

4-James Jackson, 310 NW. 10th St, Big Spring, TX 79720-1218, LOT 9 BLOCK 40, of Bauer Addition, also known as 310 NW. 10th St. Mr. Jackson was not present at this meeting nor has he acknowledged any of the City of Big Spring's attempts to contact him.

5-Lester Crawford, (deceased,) PARTIAL LOTS 7-8 & PARTIAL LOT 9 BLOCK 11, of Brown Addition, also known as 300 Jones St.

6-Leslie H. McMullen, 405 E. 10th St, Big Spring, TX 79720, LOT 9 BLOCK 78, of Birdwell Heights Addition, according to re-plat of BLOCK 78, Original Town of Big Spring, also known as 405 E. 10th St. Mr./Mrs. McMullen was not present at this meeting nor has he acknowledged any of the City of Big Spring's attempts to contact him/her.

7-James Spangler, 377 White St, Loveland, OH 45140-8867, LOT 6 BLOCK 20, of Cole & Strayhorn Addition, also known as 810 E. 15th St. Mr. Spangler was not present at this meeting nor has he acknowledged any of the City of Big Spring's attempts to contact him.

8-Joe A. Torres, PO Box 2955, Big Spring, TX 79721-2955, LOT 11 BLOCK 18, of Cole & Strayhorn Addition, also known as 603 E. 16th St. Mr. Torres was not present at this meeting nor has he acknowledged any of the City of Big Spring's attempts to contact him.

9-Riley Rivera, 702 S. Bell, Big Spring, TX 79720, LOTS 2 BLOCK 3, of Earles Addition, also known as 702 Bell St. Mr. Rivera was not present at this meeting nor has he acknowledged any of the City of Big Spring's attempts to contact him.

10-Sunshine Unlimited Inc, 1651 County Road 255, Big Spring, TX 79720-0704, of Jones Valley Addition, also known as 906 W. 6th St. No one from Sunshine Unlimited Inc. was present at this meeting nor has anyone acknowledged any of the City of Big Spring's attempts to make contact.

After discussion from the Board, Tommy Corwin made motion to Abate all the structures by demolition with no penalties, 2nd by Dale Coates. All members present voted "aye". None opposed. Motion carried.

OTHER BUSINESS:

NO OTHER BUSINESS.

ADJOURNMENT:

PHIL FURQUERON MADE MOTION TO ADJOURN, 2ND BY RON HOWELL. ALL MEMBERS PRESENT VOTED "AYE". NONE OPPOSED. MOTION CARRIED. MEETING ADJOURNED.

Chairman's Signature



Administrative Assistant



City of Big Spring
Big Spring McMahon-Wrinkle Airport and Industrial Park
Development Board Meeting Minutes
March 17, 2016

The Big Spring Airport and Industrial Park Development Board met in Regular Session at 5:30 p.m., on Thursday, March 17th, 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:

Jane Armstrong
Phillip Welch
Paschal Odom

Terry Hansen
Wayne Dawson

Also in attendance:

Jim Little
Andriana Olvera

Rodney Patridge
Terry Wegman

Absent: Willie Rangel

Item # 1

Call to Order

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

Item # 2

Review and approve minutes from February 18, 2016 meeting

Motion to approve made by Jane Armstrong, seconded by Terry Hansen, with all members voting "aye" for acceptance of the minutes as written.

Item # 3

Big Spring Economic Development Corporation Update

Terry Wegman updated the board on the current Malon and Hogan status. The clinic is in the process of being transferred to the EDC then will be sold to a developer. Terry also presented the board with a video marketing plan presentation that was created by the EDC. Terry also mentioned to the board that the rail yard west of town is now up and operational.

Item # 4

Rail Yard Development Activity

No other update at this time other than the brief update that was given by Terry Wegman in the EDC Update.

Item # 5

T-Hangar Project, Status

Jim gave an update. Tenants will be moved in very soon and a ribbon cutting ceremony will be taking place March 30th. All board members are invited.

Item # 6

Airport Director Update

Airport staffing status has not changed. Jim continues to receive and review applications. The Airpark currently has two positions still unfilled including one over hire position. Jim updated the board on the 2016 TXDot Aviation Conference that he had recently attended in Montgomery Texas. The City of Big Spring received an award for being an active RAMP Program member every year for the past 20 years. Jim also updated the board on the conversion of aeronautical land use to revenue producing status. All documentation has now been sent to the FAA. Jim updated the board on the current joint seal situation on runway 17-35. The contractor and the manufacturer are working to figure out who is responsible for the repairs. The Airpark has purchased a new Peterbilt Dump Truck for the maintenance division. It was parked at the Terminal for the board members to view. Jim also made aware to the board that the prairie dog control operation would be beginning on March 27th.

Item # 7

Reliever Route/Airport Access Road

The City is still currently working with both parties on the south and west access roads. It is anticipated that Martha May will be signing a contract very soon on the south access road but the west still remains at stalemate.

Item # 8

Interstate 27

No update at this time

Item #9

Leased Building Issues

Jim gave a brief update. Desert Tanks buildings along with the Gaston Racing building are still in litigation.

Item #10

Airport Safety Committee Report

Wayne Dawson went over the Safety Plan with the board. A revised version had been completed and given to the board members for further review.

Item # 11

Other Events and Activities

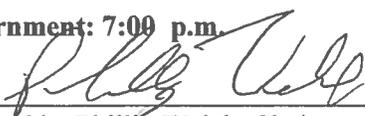
The board still continues to decide on a date the Prairie Dog Fly-In and this year's Hang Gliding event.

Item # 12

Next Meeting Date

April 28, 2016

Adjournment: 7:00 p.m.



Approved by Phillip Welch, Chairman

4-28-16
Date



Purchasing and Material Control Memorandum

To: Honorable Mayor, City Council, City Manager
From: Paul Sotelo, Purchasing Agent
Date: May 10, 2016
Subject: Request for Bid Award for Front End Loader for Landfill

On Wednesday, January 13, 2016, the City of Big Spring received a quote from Yellowhouse John Deere through the Buyboard Purchasing Cooperative for a 3 cubic yard front end loader.

1 – 2016 John Deere 524K Front End Loader \$146,012.26

Recommendation: The staff recommends that the bid be awarded to Yellowhouse Machinery for the amount of \$146,012.26.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION WHICH WAS HELD ON THE 7TH DAY OF MAY, 2016, IN THE CITY OF BIG SPRING, TEXAS, FOR THE PURPOSE OF ELECTING A MAYOR AND COUNCIL MEMBER DISTRICT FIVE; AND DECLARING AN EMERGENCY.

WHEREAS, heretofore, the Mayor of the City of Big Spring, Texas caused to be published an ordinance announcing the general election for the Mayor and Council Member District Five to be held on the 7th day of May, 2016, as required by City Charter and State law; and

WHEREAS, notice of said election was duly given as required by law and as directed in said ordinance as is shown by affidavit properly filed in the office of the City Secretary; and

WHEREAS, said election was duly and legally held on the 7th day of May, 2016, in conformity with the election laws of the State of Texas and the City Charter, and the results of said election have been certified and returned by the proper judges and clerks thereof; and

WHEREAS, this Council has today considered the returns of said election; and

WHEREAS, it appears to the Council, and the Council so finds, that the Howard County Elections Administrator has tabulated the results of said election and certified the tabulation to the Council, and that the tabulation is correct;

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

SECTION 1. The tabulation of votes cast in the City Council general election held on the 7th day of May, 2016, made and certified by the Howard County Elections Administrator, a copy of which is attached hereto and made a part hereof, is hereby adopted as the official tabulation of the votes cast at said election and that said tabulation be filed and recorded in the official records of the City as the official canvass of said election.

SECTION 2. Said official canvass of the returns of said election reflects the following:

The following received a majority of the votes cast for said respective office and was duly elected to such office:

_____ Mayor

_____ Council Member District 5

In compliance with the terms of the City Charter and State Law, a runoff election is not necessary since the candidate listed above for the respective office received a majority of the votes cast for said office.

SECTION 3. The necessity of making an official canvass of votes cast in the aforesaid election and declaring the results of said election no earlier than the third (3rd) day and no later than the eleventh (11th) day after election day as required by Section 67.003 *Texas Election Code*, creates a public emergency and an imperative public necessity requiring the suspension of the Charter rule that no ordinance or resolution shall be passed finally on the date of its introduction but that such ordinance or resolution shall be read at two meetings of the City Council, and the Mayor having declared said emergency and necessity to exist, having requested the suspension of the Charter rule and that this ordinance take effect and be in full force and effect from and after its passage, IT IS ACCORDINGLY SO ORDAINED, this the 10th day of May, 2016.

PASSED AND APPROVED, on an emergency reading by the City Council of the City of Big Spring, Texas, this 10th day of May, 2016, at a regular meeting of the City Council of the City of Big Spring, Texas, with all members present voting “aye” for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary



MEMORANDUM

TO: Honorable Mayor and City Council
FROM: John Medina, Assistant City Manager
DATE: May 5, 2016
RE: Electric Contract Extension Bid Consideration

Mr. Bob Forman of Priority Power Management has been our representative for over 4 years. In order to provide the city with the best energy pricing, Priority Power Management continually analyzes the electrical utility market to identify opportunities available. Recently, Mr. Forman called for a meeting to discuss the 20-year low in the market and the possibilities of extending our agreement to benefit from these economic conditions.

We believe that the decision to enter into an extended agreement has the potential savings of at least \$500,000 over the life of the contract. This means we would lock in a rate today that would apply after our current contract, which expires in 2017.

Mr. Forman has sent proposals (RFPs) on our behalf and will present information to the city council for consideration on May 10, 2016.

The attached pages include Mr. Forman's latest analysis and detail explanation of the rates as of May 3, 2016.

If you have questions please feel free to contact me at 432-264-2345.



Indicative Forward Pricing Analysis

Prepared Exclusively for:

City of Big Spring

Tuesday, May 3, 2016

Supplier Pricing Detail - 5/3/2016

City of Big Spring

Estimated TDSP: \$0.05322
Total ESI ID: 206

Powerflow Start Date 1/1/2018

Estimated Term Volumes:	
24-mos	20,319,074
36-mos	30,478,611
48-mos	40,638,148
60-mos	50,797,685
72-mos	60,957,222
84-mos	71,116,759
96-mos	81,276,296

FIXED PRICE LOAD ZONE

Supplier	Standing Monthly	Price 36-mos	Effective Price 36-mos	Diff vs Low 36-mos	Energy Cost For Term	Diff vs Low (%)
TXU	\$0.00	\$0.03439	\$0.03439	\$0.00000	\$1,048,159	0.00%
MidAmerican	\$0.00	\$0.03524	\$0.03524	\$0.00085	\$1,074,066	2.47%
Reliant	\$0.00	\$0.03785	\$0.03785	\$0.00346	\$1,153,615	10.06%
Supplier	Standing Monthly	Price 48-mos <th>Effective Price 48-mos</th> <th>Diff vs Low 48-mos</th> <th>Energy Cost For Term</th> <th>Diff vs Low (%)</th>	Effective Price 48-mos	Diff vs Low 48-mos	Energy Cost For Term	Diff vs Low (%)
TXU	\$0.00	\$0.03577	\$0.03577	\$0.00000	\$1,453,627	0.00%
MidAmerican (47 MOS)	\$0.00	\$0.03599	\$0.03599	\$0.00022	\$1,462,567	0.62%
Reliant	\$0.00	\$0.03872	\$0.03872	\$0.00295	\$1,573,509	8.25%
Supplier	Standing Monthly	Price 60-mos <th>Effective Price 60-mos</th> <th>Diff vs Low 60-mos</th> <th>Energy Cost For Term</th> <th>Diff vs Low (%)</th>	Effective Price 60-mos	Diff vs Low 60-mos	Energy Cost For Term	Diff vs Low (%)
TXU	\$0.00	\$0.03680	\$0.03680	\$0.00000	\$1,869,355	0.00%
Reliant	\$0.00	\$0.04037	\$0.04037	\$0.00357	\$2,050,703	9.70%
Supplier	Standing Monthly	Price 72-mos <th>Effective Price 72-mos</th> <th>Diff vs Low 72-mos</th> <th>Energy Cost For Term</th> <th>Diff vs Low (%)</th>	Effective Price 72-mos	Diff vs Low 72-mos	Energy Cost For Term	Diff vs Low (%)
TXU	\$0.00	\$0.03824	\$0.03824	\$0.00000	\$2,331,004	0.00%
Reliant	\$0.00	\$0.04198	\$0.04198	\$0.00374	\$2,558,984	0.00%
Supplier	Standing Monthly	Price 84-mos <th>Effective Price 84-mos</th> <th>Diff vs Low 84-mos</th> <th>Energy Cost For Term</th> <th>Diff vs Low (%)</th>	Effective Price 84-mos	Diff vs Low 84-mos	Energy Cost For Term	Diff vs Low (%)
TXU	\$0.00	\$0.03940	\$0.03940	\$0.00000	\$2,802,000	0.00%
Supplier	Standing Monthly	Price 96-mos <th>Effective Price 96-mos</th> <th>Diff vs Low 96-mos</th> <th>Energy Cost For Term</th> <th>Diff vs Low (%)</th>	Effective Price 96-mos	Diff vs Low 96-mos	Energy Cost For Term	Diff vs Low (%)
TXU	\$0.00	\$0.04031	\$0.04031	\$0.00000	\$3,276,247	0.00%

Notes:
Fixed Pricing includes all electric energy, ancillary services and Line losses, ERCOT/QSE fees, UFE, and RUC. Pricing is to the Load Zone.
All TDSP charges will be pass through at actual cost (i.e. utility distribution charges, stranded cost recovery and etc.)

Indicative Pricing as of: **May 3, 2016**
 Prepared for: **City of Big Spring**

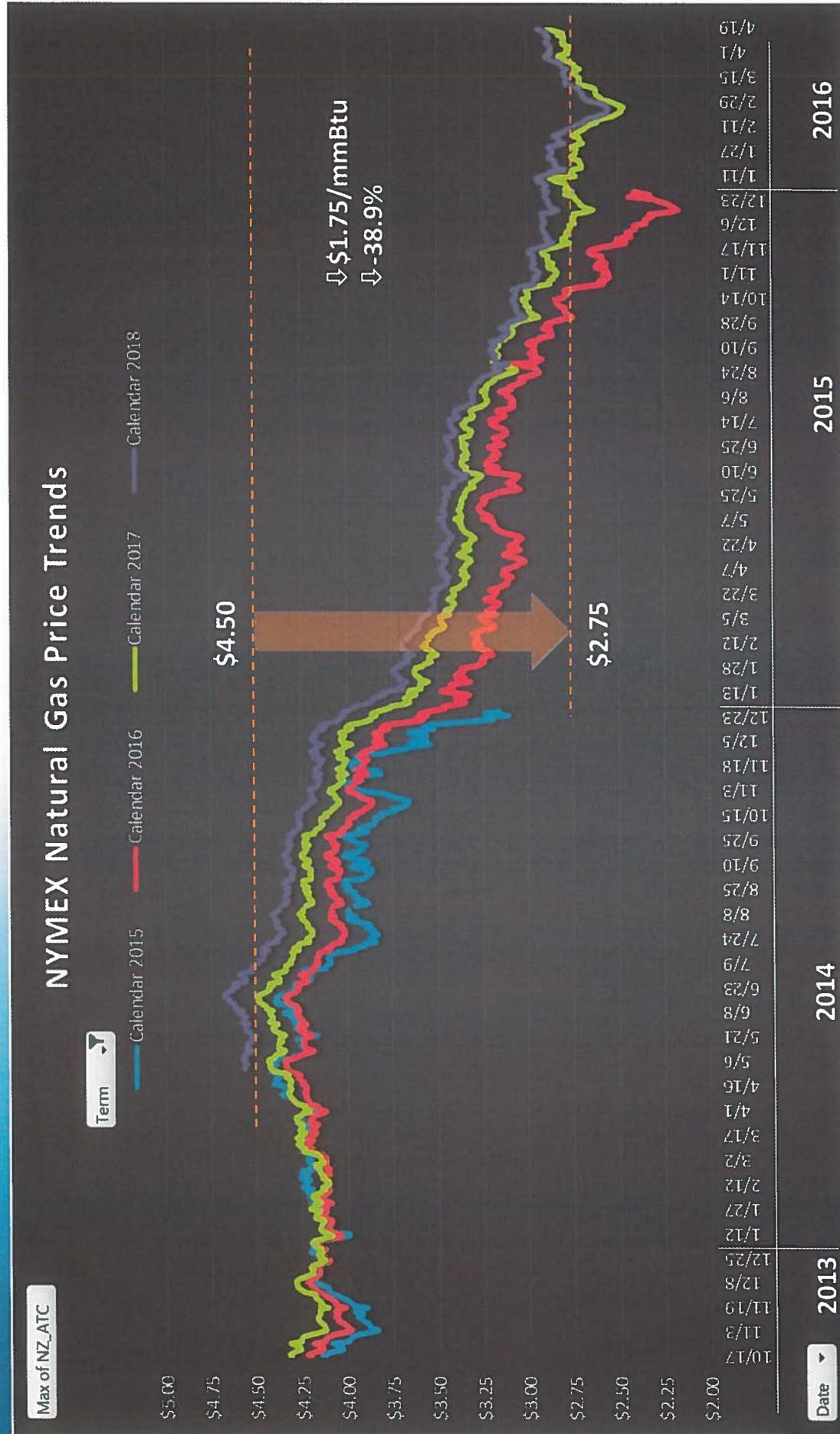
Current Energy Price (\$/kWh) \$0.052980
 Estimated TDSP Cost (\$/kWh) \$0.0532231
LOAD ZONE

	<u>36</u>	<u>48</u>	<u>60</u>	<u>72</u>	<u>84</u>	<u>96</u>
Term (Months)						
Estimated TDSP (\$/kWh)	\$0.05322	\$0.05322	\$0.05322	\$0.05322	\$0.05322	\$0.05322
Indicative Energy Price (\$/kWh)	\$0.03439	\$0.03577	\$0.03680	\$0.03824	\$0.03940	\$0.04031
Indicative Price w/TDSP (\$/kWh)	\$0.08761	\$0.08999	\$0.09002	\$0.09146	\$0.09262	\$0.09353
Current Energy Price (\$/kWh)	\$0.05298	\$0.05298	\$0.05298	\$0.05298	\$0.05298	\$0.05298
Current Price w/TDSP (\$/kWh)	\$0.10620	\$0.10620	\$0.10620	\$0.10620	\$0.10620	\$0.10620
Estimated Total Cost Savings (\$/kWh)	-\$0.01859	-\$0.01721	-\$0.01618	-\$0.01474	-\$0.01358	-\$0.01267
Savings (\$/YR)	\$188,866	\$174,846	\$164,381	\$149,752	\$137,967	\$128,721
Savings (\$/Term)	\$566,597	\$699,383	\$821,907	\$898,509	\$965,766	\$1,029,771
(%)	-17.5%	-16.2%	-15.2%	-13.9%	-12.8%	-11.9%

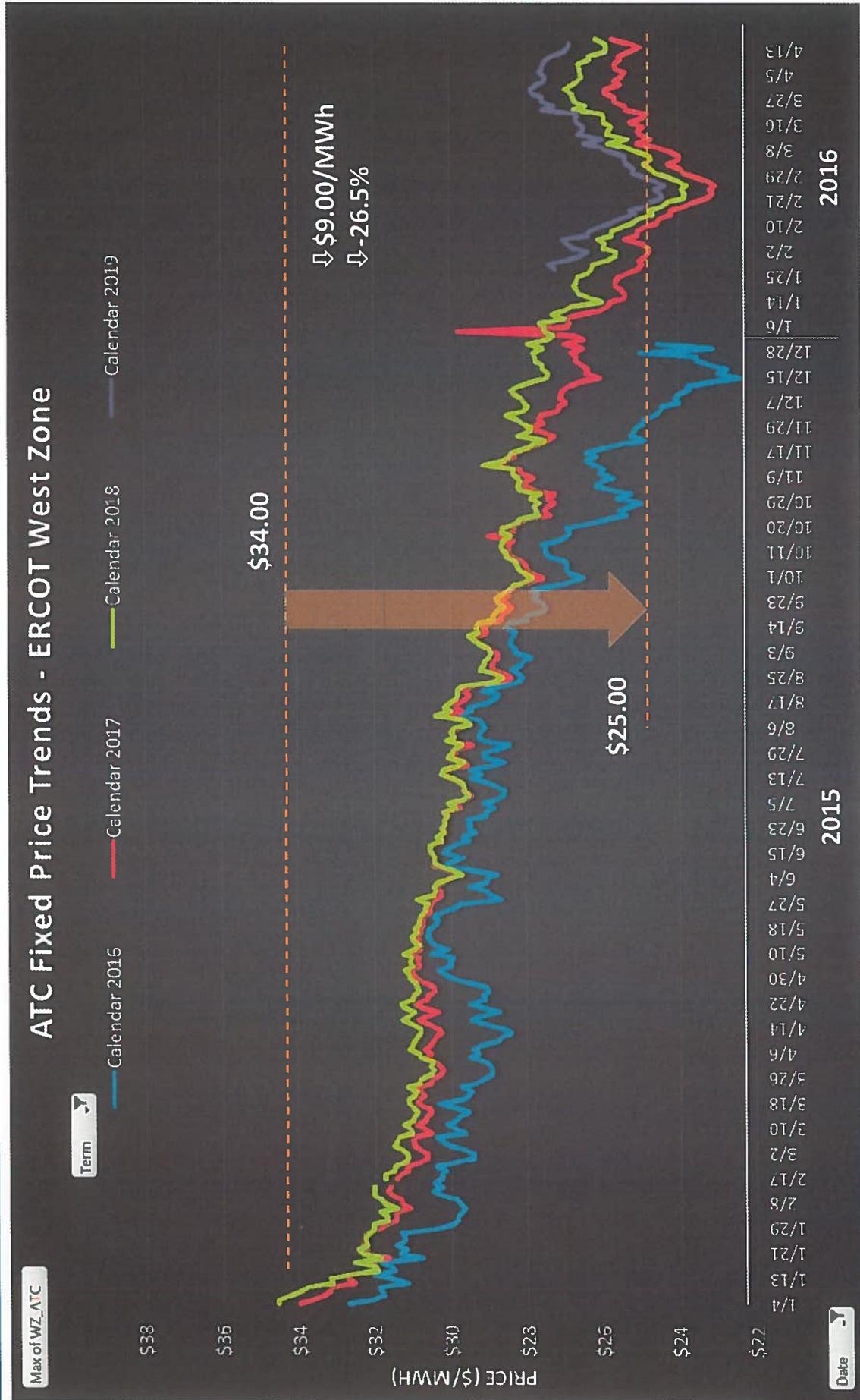
Modified TDSP Data

ESI ID	Customer Name	Rate Class Zip Code	Metered Kv	Actual KWH	Billed KW	TDSP Char	Start Date	End Date
206			2,368	727,798	2,921	45,241	2/27/2015	3/30/2015
			2,509	778,299	2,924	47,195	3/30/2015	4/29/2015
			2,660	786,860	2,986	46,259	4/29/2015	5/29/2015
			2,803	846,615	3,048	46,962	5/29/2015	6/29/2015
			2,583	906,907	2,978	45,088	6/29/2015	7/29/2015
			2,601	940,063	3,173	44,980	7/29/2015	8/27/2015
			2,836	1,028,259	3,242	46,896	8/27/2015	9/28/2015
			2,587	950,883	3,225	44,785	9/28/2015	10/27/2015
			2,223	718,033	2,949	42,278	10/27/2015	11/25/2015
			2,445	780,842	3,102	44,157	11/25/2015	12/29/2015
			2,389	850,402	3,153	43,423	12/29/2015	1/28/2016
			2,441	844,576	3,165	43,459	1/28/2016	2/26/2016
			2,836	10,159,537	3,242	540,722	0.05322	

NYMEX | Natural Gas Price Trends



ERCOT | Fixed Power WZ Price Trends



Contracting Name	Peak kW	Annual KWH	Start Date	Credit	Term	Pricing Submittal
City of Big Spring						Fixed Price to L-ZONE
RELJANT	2,836	10,160,000	1/1/2018	Approved	To 12-31-2020 (36 Month) or Max	\$37.85
	2,836	10,160,000	1/1/2018	Approved	To 12-31-2021 (48 Month) or Max	\$38.72
	2,836	10,160,000	1/1/2018	Approved	To 12-31-2022 (60 Month) or Max	\$40.37
	2,836	10,160,000	1/1/2018	Approved	To 12-31-2023 (72 Month) or Max	\$41.98

Special Provisions

Yes	No	Additional Comments
X		
X		
X		
X		
X		
X		25% for 2 consecutive months

1. No Usage Tolerance Bands (100% Swing)
2. 10 % Add-Delete Language
3. Net 30 Day Payment Terms
4. Summary Billing _Excel Line Item
5. Assigned PPM Customer Care Person
6. Material Change Clause - Minimum 25%

Contracting Name	Peak kW	Annual KWH	Start Date	Credit	Term	Pricing Submittal	Greenback Energy Rebates
City of Big Spring						Fixed Price to L-ZONE	
TXU	2,836	10,160,000	1/1/2018	Approved	To 12-31-2020 (36 Month) or Max	\$34.39	\$3,700 / year
	2,836	10,160,000	1/1/2018	Approved	To 12-31-2021 (48 Month) or Max	\$35.77	\$3,700 / year
	2,836	10,160,000	1/1/2018	Approved	To 12-31-2022 (60 Month) or Max	\$36.80	\$3,700 / year
	2,836	10,160,000	1/1/2018	Approved	To 12-31-2023 (72 Month) or Max	\$38.24	\$4,300 / year

Special Provisions

Yes	No	Additional Comments
X		25% MAC
X		
X		
X		
X		

1. No Usage Tolerance Bands (100% Swing)
2. 10 % Add-Delete Language
3. Net 30 Day Payment Terms
4. Summary Billing _Excel Line Item
5. Assigned PPM Customer Care Person
6. Material Change Clause - Minimum 25%

Contracting Name	Peak kW	Annual KWH	Start Date	Credit	Term	Pricing Submittal
City of Big Spring						Fixed Price to L-ZONE
GEXA	2,836	10,160,000	1/1/2018	Approved	To 12-31-2020 (36 Month) or Max	N/A
	2,836	10,160,000	1/1/2018	Approved	To 12-31-2021 (48 Month) or Max	N/A
	2,836	10,160,000	1/1/2018	Approved	To 12-31-2022 (60 Month) or Max	N/A
	2,836	10,160,000	1/1/2018	Approved	To 12-31-2023 (72 Month) or Max	N/A

Special Provisions

1. No Usage Tolerance Bands (100% Swing)
2. 10 % Add-Delete Language
3. Net 30 Day Payment Terms
4. Summary Billing _Excel Line Item
5. Assigned PPM Customer Care Person
6. Material Change Clause - Minimum 25%

Yes No Additional Comments

Yes	No	Additional Comments
X		Subject customer providing us notice of any customer known changes to future usage - See TOS section 3.
X		
X		
X		
X		
	X	See Section 3 of TOS

Contracting Name	Peak kW	Annual KWH	Start Date	Credit	Term	Pricing Submittal
City of Big Spring						Fixed Price to L-ZONE
MidAmerican	2,836	10,160,000	1/1/2018	Approved	To 12-31-2020 (34 Month) or Max	\$35.24
	2,836	10,160,000	1/1/2018	Approved	To 12-31-2021 (47 Month) or Max	\$35.99
	2,836	10,160,000	1/1/2018	Approved	To 12-31-2022 (60 Month) or Max	N/A
	2,836	10,160,000	1/1/2018	Approved	To 12-31-2023 (72 Month) or Max	N/A

Special Provisions

1. No Usage Tolerance Bands (100% Swing)
2. 10 % Add-Delete Language
3. Net 30 Day Payment Terms
4. Summary Billing _Excel Line Item
5. Assigned PPM Customer Care Person
6. Material Change Clause - Minimum 25%

Yes No Additional Comments

Yes	No	Additional Comments
X		
X		20% add-Delete Language
X		Net 60 day payment Terms
X		
X		
X		

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 INCREASE THE MOTEL TAX FUND BUDGET FOR THE PURPOSE OF RE-ROOFING THE BIG SPRING AUDITORIUM; 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 re-roofing the Big Spring Auditorium 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 Motel Tax 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 \$36,200 for the purpose of re-roofing the Big Spring Auditorium into the expense fund (110-040-530-6202) 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 **10th** day of **May, 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 **24th** day of **May, 2016** with all members of the Council voting “aye” for the passage of same.

ATTEST:

Larry McLellan, Mayor

Tami L. Davis, Assistant City Secretary

BOLINGER, SEGARS, GILBERT & MOSS, L.L.P.

CERTIFIED PUBLIC ACCOUNTANTS

PHONE: (806) 747-3806

FAX: (806) 747-3815

8215 NASHVILLE AVENUE

LUBBOCK, TEXAS 79423-1954

April 4, 2016

City of Big Spring
310 Nolan Street
Big Spring, TX 79720-2657

We submit the enclosed audit agreement for the year ended September 30, 2016. If the terms are acceptable, please have the agreement signed by a corporate officer and return one to us.

We appreciate the opportunity to continue as your auditor. If you have any questions or need additional information, please let us know.

Very truly yours,

BOLINGER, SEGARS, GILBERT & MOSS, L.L.P.

By: 

David Copeland, Partner

Enclosures

BOLINGER, SEGARS, GILBERT & MOSS, L.L.P.

CERTIFIED PUBLIC ACCOUNTANTS

PHONE: (806) 747-3806

FAX: (806) 747-3815

8215 NASHVILLE AVENUE

LUBBOCK, TEXAS 79423-1054

April 4, 2016

City of Big Spring
310 Nolan Street
Big Spring, TX 79720-2657

We are pleased to confirm our understanding of the services we are to provide for City of Big Spring for the year ended September 30, 2016.

We will audit the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of City of Big Spring, Texas as of and for the year ended September 30, 2016. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement City of Big Spring, Texas' basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to City of Big Spring, Texas' RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited: See Attachment A.

We have also been engaged to report on supplementary information other than RSI that accompanies City of Big Spring, Texas' financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole: See Attachment A.

The statistical section accompanying the financial statements will not be subjected to the auditing procedures applied in our audit of the financial statements, and our auditor's report will not provide an opinion or any assurance on that other information: See Attachment A.

Audit Objectives

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with accounting principles generally accepted in the United States of America. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States and will include tests of the accounting records of City of Big Spring and other procedures we consider necessary to enable us to express such opinions. If our opinions on the financial statements are other than unqualified, we will fully discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

We will also provide a report (that does not include an opinion) on internal control related to the financial statements and compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants, noncompliance with which could have a material effect on the financial statements as required by *Government Auditing Standards*. The reports on internal control and compliance will each include a statement that the report is intended solely for the information and use of the board of directors, management, and specific legislative or regulatory bodies and is not intended to be and should not be used by anyone other than these specified parties.

Management Responsibilities

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. As part of the audit, we will prepare a draft of your financial statements and related notes. You are responsible for making all management decisions and performing all management functions relating to the financial statements and related notes and for accepting full responsibility for such decisions. You will be required to acknowledge in the management representation letter that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for them. Further, you are required to designate an individual with suitable skill, knowledge, or experience to oversee any nonaudit services we provide and for evaluating the adequacy and results of those services and accepting responsibility for them.

Management is responsible for making all financial records and related information available to us. We understand that you will provide us with such information required for our audit and that you are responsible for the accuracy and completeness of that information. Management's responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for establishing and maintaining internal controls, including monitoring ongoing activities; for the selection and application of accounting principles; and for the fair presentation in the financial statements of City of Big Spring and the respective changes in financial position and cash flows, where applicable, in conformity with accounting principles generally accepted in the United States of America. You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud, or illegal acts affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud, or illegal acts affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity

complies with applicable laws, regulations, contracts, agreements and grants and for taking timely and appropriate steps to remedy any fraud, illegal acts, violations of contracts or grant agreements, or abuse that we may report.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for us previous audits or other engagements or studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits or other engagements or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because an audit is designed to provide reasonable, but not absolute assurance and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform you of any material errors and any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform you of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will also require certain written representations from you about the financial statements and related matters.

Audit Procedures—Internal Controls

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of City of Big Spring's compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

Audit Administration, Fees, and Other

The audit documentation for this engagement is the property of Bolinger, Segars, Gilbert & Moss, L.L.P. and constitutes confidential information. However, pursuant to authority given by law or regulation, we may be requested to make certain audit documentation available to a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Bolinger, Segars, Gilbert & Moss, L.L.P. personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date. If we are aware that a federal awarding agency or auditee is contesting an audit finding, we will contact the party contesting the audit finding for guidance prior to destroying the audit documentation.

David Copeland is the engagement partner and is responsible for supervising the engagement and signing the report, and whom any complaints or disputes should be directed.

We estimate that our fee for these services will be \$38,000 including travel and other out-of-pocket costs such as report reproduction, word processing, postage, travel, copies, telephone, etc. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation.

Government Auditing Standards require that we provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract. Our most recent peer review report accompanies this letter.

We appreciate the opportunity to be of service to City of Big Spring and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

BOLINGER, SEGARS, GILBERT & MOSS, L.L.P.

By: 

David Copeland, Partner

RESPONSE:

This letter correctly sets forth the understanding of City of Big Spring.

By: _____

Title: _____

Date: _____



CPAs • Tax • Audit & Accounting

October 1, 2014

System Review Report

To the Partners of Bolinger, Segars, Gilbert & Moss, LLP
and the Peer Review Committee of the
Texas Society of Certified Public Accountants

We have reviewed the system of quality control for the accounting and auditing practice of Bolinger, Segars, Gilbert & Moss, LLP (the firm) in effect for the year ended May 31, 2014. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants. As a part of our peer review, we considered reviews by regulatory entities, if applicable, in determining the nature and extent of our procedures. The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review. The nature, objectives, scope, limitations of, and the procedures performed in a System Review are described in the standards at www.aicpa.org/prsummary.

As required by the standards, engagements selected for review included engagements performed under the *Government Auditing Standards*; audits of employee benefit plans, and audits performed under FDICIA.

In our opinion, the system of quality control for the accounting and auditing practice of Bolinger, Segars, Gilbert & Moss, LLP in effect for the year ended May 31, 2014, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency (ies)* or *fail*. Bolinger, Segars, Gilbert & Moss, LLP has received a peer review rating of *pass*.

Bumgardner, Morrison + Company, LLP

Bumgardner, Morrison & Company, LLP
Certified Public Accountants

Members: American Institute of Certified Public Accountants
Texas Society of Certified Public Accountants
AICPA Private Companies Practice Section
AICPA Employee Benefit Plan Audit Quality Center
AICPA Government Audit Quality Center

1501 E Mockingbird Lane, Suite 300
PO Box 3750
Victoria, Texas 77903-3750
Phone: 361.575.0271
Fax: 361.578.0880
Website: BMCcpa.com

Attachment A (Continued)

REQUIRED SUPPLEMENTARY INFORMATION

- Management Discussion and Analysis
- Schedule of Changes in Net Pension Liability and Related Ratios – TMRS
- Schedule of Employer Contributions - TMRS
- Schedule of Changes in Net Pension Liability and Related Ratios – BSFRRF
- Schedule of Employer Contributions – BSFRRF
- Schedule of Funding Progress
- Budgetary Comparison Schedule – General Fund

SUPPLEMENTARY INFORMATION

Combining Statements and Budgetary Comparison Schedules as Supplementary Information:

- Combining Balance Sheet – Nonmajor Governmental Funds
- Combining Statement of Revenues, Expenditures, and Changes in Fund Balances–Nonmajor Governmental Funds

Special Revenue Funds:

- Combining Balance Sheet – Nonmajor Special Revenue Funds
- Combining Statement of Revenues, Expenditures, and Changes in Fund Balances – Nonmajor Special Revenue Funds

Budgetary Comparison Schedules for Special Revenue Funds:

- Hotel/Motel Occupancy Tax Fund
- Economic Development
- Employee's College Education Fund
- Municipal Court Security Fund
- RSVP Fund
- Narcotics Task Force
- Cemetery Fund
- Senior Center
- P.E.G. Fund

Budgetary Comparison Schedules for Debt Service Funds:

- 2007 G.O. Bonds
- 2007 C.O. Bonds
- 2010 C.O. Bonds

Budgetary Comparison Schedules for Capital Project Fund:

- Capital Replacement Fund

Budgetary Comparison Schedule for Permanent Fund:

- Cemetery Permanent Care Fund

Budgetary Comparison Schedules for Proprietary Funds:

- Water and Sewer Fund
- Airport/Industrial Park
- Emergency Medical Services Fund
- Malone & Hogan Clinic
- Landfill
- Sanitation

Attachment A (Concluded)

Internal Service Funds:

- Combining Statement of Net Position
- Combining Statement of Revenues, Expenses, and Changes in Fund Net Position
- Combining Statement of Cash Flows

Budgetary Comparison Schedules for Internal Service Funds:

- Garage Fund
- Health Insurance Fund
- Occupational Accident Insurance Fund

STATISTICAL SECTION (Unaudited)

- Net Position by Component
- Expenses, Program Revenues, and Net (Expense) Revenue
- General Revenues and Total Change in Net Position
- Fund Balances of Governmental Funds
- Changes in Fund Balances of Governmental Funds
- Tax Revenues by Sources, Governmental Funds
- Direct and Overlapping Sales Tax Rates
- Assessed Value and Estimated Actual Value of Taxable Property
- Principal Property Taxpayers
- Property Tax Levies and Collections
- Sales Tax Revenue Payers by Industry
- Ratios of Outstanding Debt by Type
- Ratios of General Bonded Debt Outstanding
- Direct and Overlapping Governmental Activities Debt
- Legal Debt Margin Information
- Demographic and Economic Statistics
- Principal Employers
- Full-Time-Equivalent City Government Employees by Function/Program
- Operating Indicators by Function/Program
- Capital Assets Statistics by Function/Program

Minutes of the Board of Director's Regular Meeting
BIG SPRING ECONOMIC DEVELOPMENT CORPORATION
Tuesday, March 15, 2016, 5:15 p.m.
Offices of the Big Spring Economic Development Corporation
215 West Third Street, Big Spring, Texas

The Regular Meeting of the Board of Directors of the Big Spring Economic Development Corporation was called to order at 5:15 p.m. Tuesday, March 15, 2016 in the offices of the Big Spring Economic Development Corporation. The following notice was sent on March 11, 2016 to all Directors, the news media, and duly posted on March 11, 2016, 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 15, 2016, 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 22, 2016 Regular Meeting, Action to Approve February Financials Report, Approval of 2014-2015 Annual Audit, Action to Amend the 2015-2016 Annual Budget relating to the sale of the Malone and Hogan Clinic and Performance Agreement with Texas Healthcare Holdings II, LLC, Directors Report, Executive Session, Action as a Result of Executive Session, Public Comment, Board Comment, and Adjourn".

Directors Present:

Mr. Bob Price- Vice President
Mrs. Nadine Reyes- Secretary/Treasurer
Mr. Bobby McDonald

Directors Absent:

Mr. Terry Hansen- President
Mrs. Kay McDaniel

Staff Present:

Mr. Terry Wegman
Mrs. Teresa Darden

Guests that signed in: Ace Little, Steve Schellenberg

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

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

ACTION ITEM #2- Action to Approve February 22, 2016 Regular Meeting Minutes:

Mr. Price presented the Minutes. Motion to accept the Minutes was made by Mr. McDonald seconded by Mrs. Reyes. The motion passed 3 to 0 with all members present voting "aye" in favor of the motion.

ACTION ITEM #3- Action to Approve February Financials:

Mr. Reyes presented the Financials. Motion to approve the Financials was made by Mrs. Reyes seconded by Mr. McDonald. The motion passed 3 to 0 with all members present voting "aye" in favor of the motion.

ACTION ITEM #4- Approval of 2014-2015 Annual Audit:

Mr. Newberry is waiting on information from the City Auditors in order to complete the BSEDC Audit. No action taken.

ACTION ITEM #5- Big Spring McMahan/Wrinkle Airpark Logistics Feasibility Study by IMS Worldwide:

Mr. Schellenberg presented the final study to the Board. IMS was contracted by BSEDC to determine the prospects and outlook for adding logistics and distribution activities with the outcome objective of identifying new opportunities for industry and job creation. Mr.

Schellenberg expressed that Big Spring had significant advantages with rail and highway infrastructure.

ACTION ITEM #6- Action to Amend the 2015-2016 Annual Budget relating to the sale of the Malone and Hogan Clinic and Performance Agreement with Texas Healthcare Holdings II, LLC.:

Motion to approve the Amendment to the Annual Budget for additional income of \$210,000.00 from sale of the clinic and fees paid for seismic work done on the EDC property and economic development in the amount of \$850,000.00 for the Performance Agreement, was made by Mr. McDonald seconded by Mrs. Reyes. The motion passed 3 to 0 with all members present voting “aye” in favor of the motion.

ACTION ITEM #7- Directors Report:

Mr. Wegman updated the Board on several projects including: Texas Healthcare Holdings II, LLC closing has been delayed slightly due to a water main break and the EDC attorney is working diligently on the transaction. Mr. Wegman attended TxDot Aviation awards banquet that recognized the Big Spring Airpark as the longest participant in the RAMP (Routine Airport Maintenance Program). Mr. Wegman was able to meet with FAA representatives with outcome of Phase III of rail construction update: FAA, Ft. Worth has forwarded signed documentation to Washington, which should take 30 days to review. Mr. Wegman updated on the DEF Manufacturers and that they are moving along with purchase and addressing environmental concerns of the property. Project UNO is open again with the Governor’s office and will be waiting to help attract the project to Big Spring. Mr. Wegman updated the Board on past and upcoming meetings to include: Special meeting to approve the Annual Audit (TBD), TEDC was Feb 24-26. Board agreed to sponsor a round table meeting with Sam Silberstein Inc. for a community team building seminar. Ports to Plains Energy and AG Summit is March 30th-31st, Team Texas MRO meeting April 5-7th, PFIA Training April 11-12th, Texas Women’s Conference April 19-20th, and the next regular EDC Board meeting will tentatively be April 19th.

AGENDA ITEM #8- Executive Session in accordance with Texas Government Code, Section 551.071. CONSULTATION WITH ATTORNEY; CLOSED MEETING. A governmental body may not conduct a private consultation with its attorney except: (1) when the governmental body seeks the advice of its attorney about: (A) pending or contemplated litigation; or (B) a settlement offer; or (2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

- Desert Tanks

No Executive Session- Mr. Wegman gave a brief update. Mr. Mouton has filed suit against Desert Tanks. Desert Tanks attorney will file an answer on or before March 30, 2016.

AGENDA ITEM #9- Action as a Result of Executive Session:

None

AGENDA ITEM #10- Public Comments:

None

AGENDA ITEM #11- Board Comments:

None

AGENDA ITEM # 12- Adjourn:

Mr. McDonald made a motion to adjourn, seconded by Mrs. Reyes
The motion passed 3 to 0 with all members present voting "aye" in favor of the motion.
Meeting adjourned at 6:32 pm on March 15, 2016


Mr. Terry Hansen, President

ATTEST:


Mrs. Nadine Reyes, Secretary/Treasurer

Minutes of the Board of Director's Special Meeting
BIG SPRING ECONOMIC DEVELOPMENT CORPORATION
Monday, March 28, 2016, 5:15 p.m.
Offices of the Big Spring Economic Development Corporation
215 West Third Street, Big Spring, Texas

The Special Meeting of the Board of Directors of the Big Spring Economic Development Corporation was called to order at 5:15 p.m. Monday, March 28, 2016 in the offices of the Big Spring Economic Development Corporation. The following notice was sent on March 24, 2016 to all Directors, the news media, and duly posted on March 24, 2016, by Teresa Darden in compliance with the Open Meeting's Act by posting it on the outside door of the Big Spring Economic Development Corporation and on the inside and outside of City Hall.

"The Board of Directors of the Big Spring Economic Development Corporation will hold a Special Board Meeting on Monday, March 28, 2016, 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: Approval of 2014-2015 Annual Audit, Public Comment, Board Comment, and Adjourn".

Directors Present:

Mr. Terry Hansen- President
Mrs. Nadine Reyes- Secretary/Treasurer
Mrs. Kay McDaniel
Mr. Bobby McDonald

Directors Absent:

Mr. Bob Price- Vice President

Staff Present:

Mr. Terry Wegman
Mrs. Teresa Darden

Guests that signed in: Ace Little, Mark Morgan, Dale Newberry

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

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

ACTION ITEM #2- Approval of 2014-2015 Annual Audit:

Mr. Dale Newberry of Newberry Leonard Horton and Bairrington CPA, presented the 2014-2015 Annual Audit. Mr. Newberry stated that after conducting the audit, there was no significant deficiency or material weakness disclosed during the audit.

Motion to approve the 2014-2015 Annual Audit was made by Mrs. Reyes, seconded by Mrs. McDaniel. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion.

AGENDA ITEM #3- Public Comments:

None

AGENDA ITEM #4- Board Comments:

None

AGENDA ITEM # 5- Adjourn:

Mrs. McDaniel made a motion to adjourn, seconded by Mrs. Reyes. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion.

Meeting adjourned at 5:45 pm on March 28, 2016


Mr. Terry Hansen, President

ATTEST:


Mrs. Nadine Reyes, Secretary/Treasurer