



CITY COUNCIL AGENDA

Tuesday, May 13, 2014

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, May 13, 2014, at 5:30 p.m. in the City Council Chambers located at 307 East 4th Street, Big Spring, Texas.

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

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

Thank You!

1. Invocation & Pledge of Allegiance to the United States Flag and to the Texas State Flag McLellan

**"Honor the Texas flag; I pledge allegiance to thee, Texas,
one state under God, one and indivisible."**

Disposition of Minutes

2. Approval of Minutes of the Special Meeting of April 15, 2014 and the Regular Meeting of April 22, 2014 5-11 Davis

Consent Items

3. Final Reading of an Ordinance Approving a Replat of Government Heights to Bauer Addition to the City of Big Spring, Parts of Lots 1-3, Lots 4-6, Block 34, Lots 1-3, Block 35, Part of an Abandoned Alley and a Portion of North Douglas Street, Being Approximately 1.57 Acres Located West of US Highway 87 (Gregg Street) and South of North 10th Street, Providing for Severability and Providing an Effective Date 12-13 Womack
4. Acceptance of the McMahon-Wrinkle Airport and Industrial Park Development Board of Directors Minutes for the Regular Meeting of March 20, 2014 14-15 Little

Bids

- | | | | |
|----|--|----|--------|
| 5. | Award Bid For Utility Services Contractor (Water and Sewer Line Construction or Replacement) | 16 | Medina |
|----|--|----|--------|

Routine Business

- | | | | |
|----|-----------------------|-----------------|----------|
| 6. | Vouchers for 04/24/14 | \$ 410,286.99 | McDonald |
| | Vouchers for 05/01/14 | \$ 756,475.84 | |
| | Vouchers for 05/08/14 | \$ 1,180,046.72 | |

New Business

- | | | | |
|-----|---|-------|-------------|
| 7. | Emergency Reading of an Ordinance Canvassing the Returns and Declaring the Results of the General Election Which was Held on the 10 th Day of May, 2014, for the Purpose of Electing Councilmember District One and Councilmember District Three | 17-18 | Moore |
| 8. | Recognition of Outgoing Councilmembers | | McLellan |
| 9. | Administer Oath of Office to Duly Elected Councilmembers | | Judge Green |
| 10. | Emergency Reading of an Ordinance Calling for a Runoff Election to be Held on the 14 th Day of June, 2014, for the Purpose of Electing One Person to Serve as District One Councilmember, Who Shall Be Elected by Majority Vote of the Qualified Voters of District One; Designating a Polling Place Within the City: Authorizing the Mayor to Execute Notice and Have the Notice Posted for the Purpose of Notifying the Public of Said Election | 19-20 | Moore |
| 11. | Emergency Reading of an Ordinance Calling for a Runoff Election to be Held on the 14 th Day of June, 2014, for the Purpose of Electing One Person to Serve as District Three Councilmember, Who Shall Be Elected by Majority Vote of the Qualified Voters of District Three; Designating a Polling Place Within the City: Authorizing the Mayor to Execute Notice and Have the Notice Posted for the Purpose of Notifying the Public of Said Election | 21-22 | Moore |
| 12. | <u>TABLED - Final Reading of an Ordinance Amending Chapter 18 of the Code of Ordinances Entitled "Traffic" by Amending Article 3 Section 18-75 Entitled "One Way Streets, Designation and Marking" by Adding a New Subsection (I) to Declare 2nd Street a Single Lane, One Way Westbound Traffic Roadway from the East Line of the Alley Between Gregg Street and Lancaster Street to Lancaster Street; Adding Subsection (J) to Declare Lancaster Street</u> | 23-26 | Womack |

a Single Lane, One Way Southbound Traffic Roadway from 2nd Street to 3rd Street; Amending Section 18-83 Renamed to “Turning Prohibited”; Adding Subsection (B) to Prohibit Left Turns Northbound at the Eastbound Intersection of West 2nd Street and Gregg Street; Amending Article 5 Section 18-149 Entitled “Specific Parking, Standing, Stopping and Street Closing Provisions” by Adding a New Subsection (M) to Regulate Parking Along 2nd Street from Gregg Street to Lancaster Street and Lancaster Street from 2nd Street to 3rd Street; and Adding a New Subsection (N) to Prohibit Thru Traffic in the Alley From 2nd Street to 3rd Street Between Gregg Street and Lancaster Street; Providing for Severability; Providing for a Penalty in Accordance with State Law; Providing for Publication; and Providing an Effective Date

- | | | | |
|-----|--|-------|---------|
| 13. | First Reading of an Ordinance Amending Chapter 18 of the Code of Ordinances Entitled “Traffic” by Amending Article 5 Section 18-149 Entitled “Specific Parking, Standing, Stopping and Street Closing Provisions” by Adding a New Subsection (M) to Prohibit Thru Traffic in the Alley Located Between Gregg Street and Lancaster Street From 2 nd Street to 3 rd Street; Providing for Severability; Providing for a Penalty in Accordance with State Law; Providing for Publication; and Providing an Effective Date | 27-28 | Womack |
| 14. | Emergency Reading of an Ordinance Imposing a Moratorium on Permits for Construction in the Area North of I-20, East of US Highway 87, West of Oil Mill Road, and South of the North City Limits Line, “The Northern Sector” Pending the Designation of Appropriate Zoning for the Area with Such Moratorium to be Effective for 90 Days Beginning May 14, 2014; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Severability, Providing an Effective Date; and Declaring an Emergency | 29-31 | Womack |
| 15. | First Reading of an Ordinance Amending the Code of Ordinances by Amending Chapter 16, Article 1 Entitled “Utility Extensions” by Amending Section 16-25 Entitled “Deposit Required for Water Meter Tests” to Increase the Deposit Required for Water Meter Testing; by Amending Article 3 Entitled “Utility Service Charges” by Adding New Section 16-61 Entitled “Water Tampering Charges” in Order to Require Charges to be Paid by Account Holders When City Equipment is Tampered with; Providing for Severability; Providing for Publication; and Providing an Effective Date | 32-33 | Moore |
| 16. | First Reading of a Resolution in Support of the Annexation into the City Limits of the Rights of Way Identified as the US Highway 87 | 34 | Sjogren |

Reliever Route and Interstate 20 from Its Intersection with the Reliever Route East to the Current City Limits of Big Spring; Authorizing the City Manager to Seek Approval of Such Annexation from the Texas Department of Transportation and Providing an Effective Date

17. Discussion and Consideration of the Need for Sewer Improvements in the Northern Sector of the City Womack

City Manager's Report

18. Monday, May 26, 2014 – Memorial Holiday Darden
19. Departmental Quarterly Reports Darden

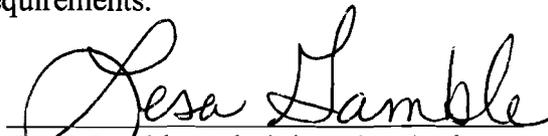
Council Input

20. Input McLellan

Executive Session

21. Adjourn into **Executive Session** in Accordance with Texas Government Code Section 551.071(2) to Consult with City Attorney Regarding a Matter that is Attorney Client Privileged McLellan
22. Reconvene in Open Session and Take Any Necessary Action McLellan
23. Adjourn McLellan

I hereby certify that this agenda was posted on the official bulletin boards at the Big Spring City Hall Building, 310 Nolan Street, Big Spring, Texas on Friday, May 9, 2014 at 4:00 p.m. In addition this agenda and supporting documents are posted on the City of Big Spring's website, www.mybigspring.com in accordance with legal requirements.


Lesa Gamble, Administrative Assistant

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

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

The City Council of the City of Big Spring, Texas, met in a special meeting in the City Council Chambers located at 307 E. 4th, Big Spring, Texas, at 5:30 p.m., April 15, 2014, with the following members present:

LARRY McLELLAN	Mayor
MARCUS FERNANDEZ	Mayor Pro Tem
GLEN CARRIGAN	Councilmember
BOBBY McDONALD	Councilmember
RAUL BENAVIDES	Councilmember
MARVIN BOYD	Councilmember

(Councilmember Harbour was not present at this meeting.)

Same and constituting a quorum; and

TODD DARDEN	City Manager
LINDA SJOGREN	City Attorney
JOHN MEDINA	Human Resources Director
CHAD WILLIAMS	Police Chief
CRAIG FERGUSON	Fire Chief
JOHNNY WOMACK	Public Works Director
JIM LITTLE	Airpark Director
DON MOORE	Finance Director/ City Secretary
TIM GREEN	Municipal Court Judge

PRESENTATIONS & PUBLIC HEARINGS

INVOCATION & PLEDGE OF ALLEGIANCE

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

PRESENTATIONS

PRESENTATION BY CONDREY AND ASSOCIATES, INC. – JOB CLASSIFICATION AND COMPENSATION PLAN

Steve Condrey with Condrey and Associates, Inc. presented a job classification and compensation plan on a study they completed on comparable salaries with other surrounding cities as well as other cities close to our size in population and what it would cost the City of Big Spring to bring our employee compensation to that level.

PRESENTATION BY CITY MANAGER AND STAFF – RECRUITMENT/RETENTION AND COMPENSATION IMPROVEMENT PLAN

City Manager Todd Darden presented a proposal to the Council to give employee's a six percent (6%) salary increase beginning in June, 2014 using understaffing savings from salaries already budgeted for this fiscal year. Mr. Darden also proposed another possible five percent (5%) increase through classification adjustments in the 2014-2015 budget. Mr. Darden explained that the six percent (6%) increase would not get the salaries all the way to where they should be according to the Condrey and Associates study, but would be a positive step in that direction with the next budget year adjustments to hopefully get us to a median point among the cities we compete with. Mr. Darden also said staff is working on other recruitment incentives to be presented at a later date.

Motion was made by Councilmember Benavides, seconded by Councilmember McDonald, with all members of the Council voting "aye" approving a six percent (6%) increase in salaries.

COUNCIL INPUT

Mayor McLellan reminded everyone about the public meeting on April 21, 2014 at Howard College regarding the City's Master Plan.

ADJOURN

Motion was made by Councilmember Carrigan, seconded by Councilmember McDonald, with all members of the Council voting "aye" to adjourn at 7:00 p.m.

CITY OF BIG SPRING, TEXAS

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

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 22, 2014, with the following members present:

LARRY McLELLAN	Mayor
MARCUS FERNANDEZ	Mayor Pro Tem
CARMEN HARBOUR	Councilmember
GLEN CARRIGAN	Councilmember
BOBBY McDONALD	Councilmember
RAUL BENAVIDES	Councilmember
MARVIN BOYD	Councilmember

Same and constituting a quorum; and

TODD DARDEN	City Manager
LINDA SJOGREN	City Attorney
JOHN MEDINA	Human Resources Director
CHAD WILLIAMS	Police Chief
CRAIG FERGUSON	Fire Chief
JOHNNY WOMACK	Public Works Director
JIM LITTLE	Airpark Director
DON MOORE	Finance Director/ City Secretary
TIM GREEN	Municipal Court Judge

PRESENTATIONS & PUBLIC HEARINGS

INVOCATION & PLEDGE OF ALLEGIANCE

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

PUBLIC HEARINGS & ANNOUNCEMENTS

PUBLIC HEARING – REGARDING A REPLAT OF GOVERNMENT HEIGHTS TO BAUER ADDITION TO THE CITY OF BIG SPRING, PARTS OF LOTS 1-3, LOTS 4-6, BLOCK 34, LOTS 1-3, BLOCK 35, PART OF AN ABANDONED ALLEY AND A PORTION OF NORTH DOUGLAS STREET, BEING APPROXIMATELY 1.57 ACRES LOCATED WEST OF US HIGHWAY 87 (GREGG STREET) AND SOUTH OF NORTH 10TH STREET, ZONED: LIGHT COMMERCIAL.
APPLICANT: PARKHILL, SMITH & COOPER, INC.

Motion was made by Councilmember Carrigan, seconded by Mayor Pro Tem Fernandez, with all members of the Council voting “aye” to open the above captioned public hearing. No citizens came forward to speak on the issue. Motion was made by Councilmember Benavides, seconded by Councilmember Harbour, with all members of the Council voting “aye” to close the above captioned public hearing.

DISPOSITION OF MINUTES

APPROVAL OF MINUTES OF THE REGULAR MEETING OF APRIL 8, 2014

Motion was made by Councilmember Benavides, seconded by Mayor Pro Tem Fernandez, with all members of the Council voting “aye” approving the minutes of the regular meeting of April 8, 2014.

CONSENT ITEMS

FINAL READING OF A RESOLUTION SUPPORTING THE RIGHTS OF OUR CITIZENS UNDER THE 2ND, 9TH, AND 10TH AMENDMENTS TO THE UNITED STATES CONSTITUTION; AND PROVIDING AN EFFECTIVE DATE

FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 029-2013 WHICH ADOPTED THE ANNUAL BUDGET FOR THE CITY OF BIG SPRING FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; TO MOVE FUNDS FROM THE GENERAL FUND AND CREATE A NEW FUND CALLED CABLE FRANCHISE-PEG FUND FOR THE PURPOSE OF PURCHASING BROADCASTING EQUIPMENT FOR PUBLIC ENTITIES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE

ACCEPTANCE OF THE HOWARD COUNTY APPRAISAL DISTRICT’S BOARD OF DIRECTORS MINUTES FOR THE REGULAR MEETING OF FEBRUARY 5, 2014

Motion was made by Councilmember Boyd, seconded by Councilmember Carrigan, with all members of the Council voting “aye” approving the second and final reading of the above listed resolution, ordinance, minutes and removing the following ordinance from the consent agenda.

FINAL READING OF AN ORDINANCE AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES ENTITLED “TRAFFIC” BY AMENDING ARTICLE 3 SECTION 18-75 ENTITLED “ONE WAY STREETS, DESIGNATION AND MARKING” BY ADDING A NEW SUBSECTION I TO DECLARE 2ND STREET A SINGLE LANE, ONE WAY WESTBOUND TRAFFIC ROADWAY FROM GREGG TO LANCASTER; ADDING SUBSECTION J TO DECLARE LANCASTER A SINGLE LANE, ONE WAY SOUTHBOUND TRAFFIC ROADWAY FROM 2ND STREET TO 3RD STREET; AMENDING ARTICLE 5 SECTION 18-149 ENTITLED “SPECIFIC PARKING,

STANDING, STOPPING AND STREET CLOSING PROVISIONS” BY ADDING A NEW SUBSECTION (M) TO REGULATE PARKING ALONG 2ND STREET FROM GREGG TO LANCASTER AND LANCASTER STREET FROM 2ND TO 3RD; AND ADDING A NEW SUBSECTION (N) TO PROHIBIT THRU TRAFFIC IN THE ALLEY FROM 2ND TO 3RD BETWEEN GREGG AND LANCASTER; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

Several citizens expressed their opinions against the ordinance (Lee Harris, Toby Roemer and John Lujan). After a brief discussion, motion was made to table the above captioned ordinance until the next Council meeting by Councilmember McDonald, seconded by Councilmember Benavides with Councilmembers Harbour, Carrigan, McLellan, McDonald, Benavides and Boyd voting “aye” approving the motion. Mayor Pro Tem Fernandez, being opposed, voting “nay” for passage of same. The motion passed to table this item six to one.

BIDS

PERMISSION TO ADVERTISE FOR BIDS FOR 2014 WATER SYSTEM IMPROVEMENTS (WATER LINE REPLACEMENT) FOR COMMUNITY DEVELOPMENT BLOCK GRANT NO. 713030 AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS

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

ROUTINE BUSINESS

Councilmember Carrigan reviewed the vouchers. Motion was made by Councilmember Carrigan, seconded by Councilmember Boyd, with all members of the Council voting “aye” approving vouchers in the amount of \$415,020.98 (04/10/14) and \$1,301.680.77 (04/17/14).

NEW BUSINESS

FIRST READING OF AN ORDINANCE APPROVING A REPLAT OF GOVERNMENT HEIGHTS TO BAUER ADDITION TO THE CITY OF BIG SPRING, PARTS OF LOTS 1-3, LOTS 4-6, BLOCK 34, LOTS 1-3, BLOCK 35, PART OF AN ABANDONED ALLEY AND A PORTION OF NORTH DOUGLAS STREET, BEING APPROXIMATELY 1.57 ACRES LOCATED WEST OF US HIGHWAY 87 (GREGG STREET) AND SOUTH OF NORTH 10TH STREET, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

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

EMERGENCY READING OF AN ORDINANCE ESTABLISHING THE PAY SCHEDULE FOR CLASSIFIED POSITIONS WITHIN THE POLICE DEPARTMENT FOR JUNE 1ST THROUGH SEPTEMBER 30, 2014; PROVIDING FOR A 6% INCREASE IN PAY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE

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

EMERGENCY READING OF AN ORDINANCE ESTABLISHING THE FIRE DEPARTMENT PAY SCALE FOR JUNE 1ST TO SEPTEMBER 30, 2014; PROVIDING FOR A 6% INCREASE IN BASE PAY, INCLUDING FIREFIGHTER AND EMT CERTIFICATIONS INTO BASE PAY AND ADDING A NON-CIVIL SERVICE CADET CLASSIFICATION IN ACCORDANCE WITH CHAPTER 143 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE

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

APPROVAL OF AN AGREEMENT FOR AUDIT SERVICES WITH BOLINGER, SEGARS, GILBERT & MOSS, L.L.P. AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS

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

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

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

CITY MANAGER’S REPORT

Todd Darden, City Manager, invited everyone to the ground breaking ceremony for the US 87 Big Spring Truck Reliever Route on Friday, April 25, 2014 at Hangar 25.

COUNCIL INPUT

Mayor McLellan thanked everyone for attending the meeting regarding the City’s Master Plan and thanked the Council for voting in favor of the 6% raise to employees. Mayor McLellan also announced that April is National Child Abuse Month.

Mayor Pro Tem Fernandez, Councilmember Harbour and Councilmember Carrigan thanked everyone involved with the successful easter egg hunt that was held at the Bert Andries Park.

Councilmember Benavides encouraged everyone to vote in the general election for Councilmember Districts One and Three.

EXECUTIVE SESSION

ADJOURN INTO EXECUTIVE SESSION IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTION 551.072 TO DISCUSS THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY IN CONNECTION WITH THE US 87 BIG SPRING TRUCK RELIEVER ROUTE AT 6:21 P.M.

RECONVENE IN OPEN SESSION AND TAKE ANY NECESSARY ACTION AT 7:00 P.M.

No action was taken at this time.

ADJOURN

Motion was made by Councilmember McDonald, seconded by Councilmember Benavides, with all members of the Council voting “aye” to adjourn at 7:01 p.m.

CITY OF BIG SPRING, TEXAS

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, APPROVING A REPLAT OF GOVERNMENT HEIGHTS TO BAUER ADDITION TO THE CITY OF BIG SPRING, HOWARD COUNTY, TEXAS, PARTS OF LOTS 1-3, LOTS 4-6, BLOCK 34, LOTS 1-3, BLOCK 35, PART OF AN ABANDONED ALLEY AND A PORTION OF NORTH DOUGLAS STREET, BEING APPROXIMATELY 1.57 ACRES LOCATED WEST OF US HIGHWAY 87 (GREGG STREET) AND SOUTH OF NORTH 10TH STREET, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission has given its final approval of the replat of Government Heights to Bauer Addition of the City of Big Spring, Howard County, Texas, parts of Lots 1-3, Lots 4-6, Block 34, Lots 1-3, Block 35, part of an abandoned alley and a portion of North Douglas Street; and

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

SECTION 1. The replat of Government Heights to Bauer Addition of the City of Big Spring, Howard County, Texas, parts of Lots 1-3, Lots 4-6, Block 34, Lots 1-3, Block 35, part of an abandoned alley and a portion of North Douglas Street being Approximately 1.57 Acres Located west of US Highway 87 (Gregg Street) and south of North 10th Street, approved by said City Council.

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

SECTION 3. This ordinance shall take effect immediately from and after its passage upon two readings in accordance with the provisions of the Charter of the City of Big Spring, and it is accordingly so ordained.

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

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 13th day of May, 2014, with all members present voting "aye" for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary

City of Big Spring
Big Spring McMahon-Wrinkle Airport and Industrial Park
Development Board Meeting Minutes
March 20, 2014

The Big Spring Airport and Industrial Park Development Board met in Regular Session at 5:30 p.m., on Thursday, March 20, 2014 at the Airport Terminal conference room, 3200 Rickabaugh Drive, Big Spring, Texas. Phillip Welch called the meeting to order at 5:35 p.m. with the following members in attendance:

Phillip Welch, Chairman	Paschal Odom, Vice Chair
Ned Crandall	Jane Armstrong
Willie Rangel	

Absent: Wayne Dawson, Safety Officer Vacant Position

Also in attendance: Jim Little, Airport Director Karen Reagan, Director's Assistant

Item # 1

Call to Order

Phillip Welch called the meeting to order at 5:35 p.m.

Item # 2

Review and approve minutes from February 20, 2014 meeting

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

Item # 3

Big Spring Economic Development Corporation Update

Terry Wegman was not attending this evening. Jim stated that the bulk of this is rail related with the oil boom being upon us. The board discussed a map of the existing land use in the Big Spring Area and looked at existing, new, and possible future rail lines.

Item # 4

Rail Yard Development Activity

Jim confirmed there is a lot of activity going in this area both inside and outside the airpark. The board discussed the rail next to the refinery and the need for more rail lines in the Big Spring area due to oilfield growth.

Item # 5

T-Hangar Project, Status

Jim stated that the design plans are completed. TxDOT is currently reviewing them, and in a few weeks we should be able to look for bids. The board discussed the layout of the new T-hangars and the possibility of extending them in the future. The time frame for completion is scheduled for September of this year.

Item # 6

Comprehensive Master Plan

Jim mentioned his hope to get this plan finished as soon as possible. Things looked optimistic in his meeting with Freese and Nichols where it was discussed that the airpark project could be included in conjunction with the city project. Jim shared that his immediate concerns were the amount of space for 18 wheelers traveling on airport roads and the apron space traffic on the east side of the airport.

Item # 7

Airport Terminal Apron Upgrade Project, Status

Jim updated the board on the state of the apron upgrade. He thought that it was approximately 75% done. There was a slight setback when the asphalt test strip had to be torn up due to problems. Previously the plan was to finish one side of the apron then start on the other. Currently both sides are being worked on to meet a possible completion time of mid-April.

Item # 8

Airport Fuel Tank Farm Project, Status

The expected completion date of the fuel farm is also mid-April. The issue of fuel fees has yet to be decided.

Item # 8

Airport Director's Update

Jim discussed the current vacancy of the Airpark Board and Airpark Maintenance Superintendent. The Truck Reliever Route Groundbreaking Ceremony is to take place on April 25th. Jim informed the board that the contract has been signed with the company overseeing the demolition of the old parachute building, and there is no completion date as of yet. The board briefly discussed the issue of aircraft hangar availability and the waiting list for this. Jim reported that the meeting with TXDOT in Austin on planning issues went well. Upcoming Director's travel includes being out of the office March 26-28 and the TxDOT Aviation Conference April 9-11 which he will be attending with the Airport Board Chair. For Show and Tell, the board looked at a framed photo of an aircraft that was donated by a local pilot.

Item # 9

Leased Building Issues

Jim gave a brief summary of the state of the bunkers with roof issues and break-ins. The board discussed the possibility of adding lighting or cameras.

Item # 10

Airport Safety Committee Report

There was no safety report at this time.

Item # 11

Other Events & Activities

Upcoming events include the Annual Fly-In breakfast with a tentative date of June 7th and the US Nationals Hang Gliding Competitions in August.

Item # 12

Board Member Updates

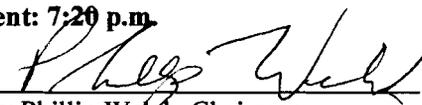
Phillip brought up the idea of using a website called Social Flight to advertise airport events and proposed the idea of having a TV monitor set up in the conference room for various presentations.

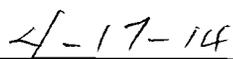
Item # 13

Next Meeting Date

April 17, 2014

Adjournment: 7:20 p.m.


Approved by Phillip Welch, Chairman


Date

City of Big Spring
Purchasing and Material Control
Memorandum

To: Honorable Mayor, City Council, City Manager
From: Paul Sotelo, Purchasing Agent
Date: May 13, 2014
Subject: Request for Bid Award for Utilities Contractor Services

On Monday, May 5, 2014, the City of Big Spring accepted sealed bids for **Utility Services Contractor**.

Recommendation: The staff recommends the bid be awarded to Boler Equipment Service, Inc.

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 10TH DAY OF MAY, 2014, IN THE CITY OF BIG SPRING, TEXAS, FOR THE PURPOSE OF ELECTING COUNCIL MEMBER DISTRICT ONE AND COUNCIL MEMBER DISTRICT THREE; 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 Council Member District One and Council Member District Three to be held on the 10th day of May, 2014, 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 10th day of May, 2014, 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:

SECTION I. That the tabulation of votes cast in the City Council general election held on the 10th day of May, 2014, 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 II. That 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:

_____ Council Member District 1

_____ Council Member District 3

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 III. 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 13th day of May, 2014.

PASSED AND APPROVED, on an emergency reading by the City Council of the City of Big Spring, Texas, this 13th day of May, 2014, 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

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, CALLING FOR A RUNOFF ELECTION TO BE HELD ON THE 14TH DAY OF JUNE, 2014, FOR THE PURPOSE OF ELECTING ONE PERSON TO SERVE AS COUNCILMEMBER DISTRICT ONE WHO SHALL BE ELECTED BY MAJORITY VOTE OF THE QUALIFIED VOTERS OF DISTRICT ONE; DESIGNATING A POLLING PLACE WITHIN THE CITY; AUTHORIZING THE MAYOR TO EXECUTE NOTICE AND HAVE THE NOTICE POSTED FOR THE PURPOSE OF NOTIFYING THE PUBLIC OF SAID ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY

WHEREAS, the official canvass of the election returns of the regular election duly held for Councilmember District One was held on the 13th day of May, 2014, in accordance with State law and City Charter requirements, and a candidate for the office of Councilmember District One did not receive a majority of all votes cast for said office, and in accordance with the City Charter and the Texas Election Code there is hereby declared a necessity for a runoff election; and

WHEREAS, §2.024 Texas Election Code requires that the City Council no later than the fifth (5th) day after the date the final canvass of the main election is completed (no later than the 5th day after May 13, 2014) order said runoff election; and

WHEREAS, Section 2.025(a) of the Texas Election Code requires that the runoff election be held no earlier than the twentieth day and no later than the forty fifth day after the date of the final canvass of the main election;

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

SECTION I. That a runoff election shall be held on Saturday the 14th day of June, 2014, in compliance with the City Charter and §2.025(b) 2(B), Texas Election Code for the purpose of electing Councilmember District One. Said Councilmember District One shall be elected by majority vote for a three year term. Early voting shall begin on the 3rd day of June, 2014 and end on the 10th day of June 2014, as authorized by §85.001(a) *Texas Election Code* and notice shall be posted continuously for at least 72 hours immediately preceding the first hour of early voting (8:00 a.m.) as required by §85.007 *Texas Election Code*. As required by §85.002 *Texas Election Code*, the early voting polling place shall be at the Howard County Courthouse located at 300 S. Main, Big Spring, Texas.

SECTION II. That the names of the candidates shall appear on the ballot in the order determined in the official drawing to be held on May 16, 2014 in the City Secretary's Office located at 310 Nolan at 2:00 p.m. for placement of names on the ballot.

SECTION III. That the names of the candidates for said office shall be placed on said ballot in the manner and form prescribed by law.

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

SECTION V. That the polling place for the June 14, 2014 runoff election will be in the East Room of the Dorothy Garrett Coliseum located at the corner of Birdwell Lane and Kentucky Way.

SECTION VI. That said election shall be held in accordance with the Constitution and laws of the State of Texas and the Charter of the City of Big Spring, Texas, and the manner of holding said election shall be governed by the laws of the state regulating special elections and this ordinance.

SECTION VII. That the voting shall be by DRE (Direct Recording Electronic) System and by official paper ballot for early voting by mail and provisional ballots.

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

SECTION IX. That the passage of this ordinance constitutes an emergency and an imperative public necessity that the Charter Rule requiring that city ordinances be read at two (2) separate meetings of the City Council be suspended, and said rule is hereby suspended, and this ordinance shall take effect immediately upon its passage.

PASSED AND APPROVED on emergency reading at a regular meeting of the City Council on the 13th day of May, 2014, with all members of the Council voting "aye" for the passage of same.

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, CALLING FOR A RUNOFF ELECTION TO BE HELD ON THE 14TH DAY OF JUNE, 2014, FOR THE PURPOSE OF ELECTING ONE PERSON TO SERVE AS COUNCILMEMBER DISTRICT THREE WHO SHALL BE ELECTED BY MAJORITY VOTE OF THE QUALIFIED VOTERS OF DISTRICT THREE; DESIGNATING A POLLING PLACE WITHIN THE CITY; AUTHORIZING THE MAYOR TO EXECUTE NOTICE AND HAVE THE NOTICE POSTED FOR THE PURPOSE OF NOTIFYING THE PUBLIC OF SAID ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY

WHEREAS, the official canvass of the election returns of the regular election duly held for Councilmember District Three was held on the 13th day of May, 2014, in accordance with State law and City Charter requirements, and a candidate for the office of Councilmember District Three did not receive a majority of all votes cast for said office, and in accordance with the City Charter and the Texas Election Code there is hereby declared a necessity for a runoff election; and

WHEREAS, §2.024 Texas Election Code requires that the City Council no later than the fifth (5th) day after the date the final canvass of the main election is completed (no later than the 5th day after May 13, 2014) order said runoff election; and

WHEREAS, Section 2.025(a) of the Texas Election Code requires that the runoff election be held no earlier than the twentieth day and no later than the forty fifth day after the date of the final canvass of the main election;

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

SECTION I. That a runoff election shall be held on Saturday the 14th day of June, 2014, in compliance with the City Charter and §2.025(b) 2(B), Texas Election Code for the purpose of electing Councilmember District Three. Said Councilmember District Three shall be elected by majority vote for a three year term. Early voting shall begin on the 3rd day of June, 2014 and end on the 10th day of June 2014, as authorized by §85.001(a) Texas Election Code and notice shall be posted continuously for at least 72 hours immediately preceding the first hour of early voting (8:00 a.m.) as required by §85.007 Texas Election Code. As required by §85.002 Texas Election Code, the early voting polling place shall be at the Howard County Courthouse located at 300 S. Main, Big Spring, Texas.

SECTION II. That the names of the candidates shall appear on the ballot in the order determined in the official drawing to be held on May 16, 2014 in the City Secretary's Office located at 310 Nolan at 2:00 p.m. for placement of names on the ballot.

SECTION III. That the names of the candidates for said office shall be placed on said ballot in the manner and form prescribed by law.

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

SECTION V. That the polling place for the June 14, 2014 runoff election will be in the East Room of the Dorothy Garrett Coliseum located at the corner of Birdwell Lane and Kentucky Way.

SECTION VI. That said election shall be held in accordance with the Constitution and laws of the State of Texas and the Charter of the City of Big Spring, Texas, and the manner of holding said election shall be governed by the laws of the state regulating special elections and this ordinance.

SECTION VII. That the voting shall be by DRE (Direct Recording Electronic) System and by official paper ballot for early voting by mail and provisional ballots.

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

SECTION IX. That the passage of this ordinance constitutes an emergency and an imperative public necessity that the Charter Rule requiring that city ordinances be read at two (2) separate meetings of the City Council be suspended, and said rule is hereby suspended, and this ordinance shall take effect immediately upon its passage.

PASSED AND APPROVED on emergency reading at a regular meeting of the City Council on the 13th day of May, 2014, with all members of the Council voting "aye" for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS AMENDING CHAPTER 18 OF THE BIG SPRING CODE OF ORDINANCES ENTITLED "TRAFFIC" BY AMENDING ARTICLE 3 SECTION 18-75 ENTITLED "ONE WAY STREETS, DESIGNATION AND MARKING" BY ADDING A NEW SUBSECTION I TO DECLARE 2ND STREET A SINGLE LANE, ONE WAY WESTBOUND TRAFFIC ROADWAY FROM THE EAST LINE OF THE ALLEY BETWEEN GREGG STREET AND LANCASTER STREET TO LANCASTER STREET; ADDING SUBSECTION (J) TO DECLARE LANCASTER STREET A SINGLE LANE, ONE WAY SOUTHBOUND TRAFFIC ROADWAY FROM 2ND STREET TO 3RD STREET; AMENDING SECTION 18-83 RENAMED TO "TURNING PROHIBITED" ADDING SUBSECTION (B) TO PROHIBIT LEFT TURNS NORTHBOUND AT THE INTERSECTION OF EASTBOUND WEST 2ND STREET AND GREGG STREET; AMENDING ARTICLE 5 SECTION 18-149 ENTITLED "SPECIFIC PARKING, STANDING, STOPPING AND STREET CLOSING PROVISIONS" BY ADDING A NEW SUBSECTION (M) TO REGULATE PARKING ALONG 2ND STREET FROM GREGG STREET TO LANCASTER STREET AND LANCASTER STREET FROM 2ND STREET TO 3RD STREET; AND ADDING A NEW SUBSECTION (N) TO PROHIBIT THRU TRAFFIC IN THE ALLEY FROM 2ND STREET TO 3RD STREET BETWEEN GREGG STREET AND LANCASTER STREET; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY IN ACCORDANCE WITH STATE LAW; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

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

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

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

SECTION 1. The City of Big Spring Code of Ordinances Chapter 18, Article 3, Section 18-75 and 18-83 as well as Article 5, Section 18-149 are hereby amended by adding new subsections which shall read as follows:

Article 3: Operation of Vehicles Generally

...

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

...

- I. 2nd Street from the east line of the alley located between Gregg Street and Lancaster street westbound to Lancaster Street is hereby designated a one lane roadway that is one way westbound.
- J. Lancaster Street from 2nd Street to 3rd Street is hereby designated a one lane roadway that is a one way southbound.

...

Sec. 18-83. Turning Prohibited

A 11th Place

- (1) "No Left Turn" shall be allowed westbound on 11th Place at the intersection of 11th Place and Benton Street;
- (2) "No Left Turn" shall be allowed westbound on 11th Place at the intersection of 11th Place and Austin Street;
- (3) "No Left Turn" shall be allowed northbound on Benton Street at the intersection of Benton Street and 11th Place;
- (4) "No Left Turn" shall be allowed northbound on Austin Street at the intersection of Austin Street and 11th Place.

B W 2nd Street and Gregg Street

- (1) "No Left Turn" shall be allowed northbound onto Gregg Street at the intersection of Gregg Street and eastbound West 2nd Street.

Article 5: Stopping/Standing/Parking

...

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

...

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

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

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

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

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

SECTION 3. Should any section, paragraph, sentence, clause, phrase, or word of this ordinance be declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby.

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

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

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

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

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

Larry McLellan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS AMENDING CHAPTER 18 OF THE BIG SPRING CODE OF ORDINANCES ENTITLED "TRAFFIC" BY AMENDING ARTICLE 5 SECTION 18-149 ENTITLED "SPECIFIC PARKING, STANDING, STOPPING AND STREET CLOSING PROVISIONS" BY ADDING A NEW SUBSECTION (M) TO PROHIBIT THRU TRAFFIC IN THE ALLEY LOCATED BETWEEN GREGG STREET AND LANCASTER STREET FROM 2ND STREET TO 3RD STREET; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY IN ACCORDANCE WITH STATE LAW; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council finds it to be in the interest of public safety to prohibit thru traffic in the alley located between Gregg Street and Lancaster Street from 2nd Street to 3rd Street; and

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

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

SECTION 1. The City of Big Spring Code of Ordinances Chapter 18, Article 5, Section 18-149 is hereby amended by adding a new subsection (M) which shall read as follows:

Article 5: Stopping/Standing/Parking

...

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

...

(M) Closure to Thru Traffic in the alley located between Gregg Street and Lancaster Street from 2nd Street to 3rd Street.

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

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

SECTION 3. Should any section, paragraph, sentence, clause, phrase, or word of this ordinance be declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby.

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

SECTION 5. City officials shall place and maintain the necessary signs at the above intersection.

SECTION 6. The City Secretary is directed to publish the caption and penalty for violation of this Ordinance in accordance with the City Charter and State law.

SECTION 7. This ordinance shall take effect immediately after passage and publication in accordance with the provisions of the Charter of the City of Big Spring, and it is accordingly so ordained.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **13th** day of **May, 2014**, with all members voting "aye" for the passage of same.

PASSED AND APPROVED on second reading at a regular meeting of the City Council on the **27th** day of **May, 2014**, with all members voting "aye" for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, IMPOSING A MORATORIUM ON PERMITS FOR CONSTRUCTION IN THE AREA NORTH OF I-20, EAST OF US HIGHWAY 87, WEST OF OIL MILL ROAD, AND SOUTH OF THE NORTH CITY LIMITS LINE, “THE NORTHERN SECTOR” PENDING THE DESIGNATION OF APPROPRIATE ZONING FOR THE AREA WITH SUCH MORATORIUM TO BE EFFECTIVE FOR 90 DAYS BEGINNING MAY 14, 2014; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY, PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY

WHEREAS, as part of the City’s Comprehensive plan review currently underway, the City Council finds that the zoning currently in effect in the area described as North of Interstate 20, East of US Highway 87, West of Oil Mill Road, and South of the North City Limits line and depicted in Exhibit A, (hereinafter referred to as “the Northern Sector”) does not adequately address the zoning and land uses that would be in the best interest of the citizens of the City; and

WHEREAS, the City Council finds that in order to protect the public health, safety and welfare, promote economic development and quality of life for the citizens and to ensure that adequate infrastructure will exist for the various types of land use and construction in this time of rapid growth, it is necessary for the council to place a temporary moratorium on permits for construction within the Northern Sector to allow time to address the necessary and appropriate zoning and land uses for that area;

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

SECTION 1. Moratorium Imposed on Development in Northern Sector. From and after the effective date and throughout the duration of the moratorium, no new permit of any nature shall be issued for construction within the Northern Sector in order to allow for review and consideration of appropriate land use and zoning, except that permits for the construction of hotels, restaurants or other retail businesses in the area adjacent to Interstate 20, as depicted on Exhibit “A,” will be considered contingent on adequate sewer and water infrastructure being available.

SECTION 2. Duration of Moratorium. This moratorium shall be for a period of ninety (90) days from the effective date of this ordinance, unless earlier terminated or extended in order to allow accurate and judicious review of the necessary zoning regulations within the City limits and to allow for the appropriate designation of zoning within this area.

SECTION 3. Notice. Notice of, and hearing on this ordinance in the normal course, would undermine effective City planning by allowing development in the area on applications submitted between the time notice was published, and the time the Ordinance was adopted, to vest in City regulations which may be inadequate to protect the public health, safety, and general welfare.

SECTION 4. Should any provision of this ordinance, or its application to any person, entity, or circumstance is for any reason held invalid, the remainder of the Ordinance, or the application of the provisions to other persons, entities, or circumstances, shall not be affected.

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

SECTION 6. This Ordinance shall be in full force and effect upon its passage.

SECTION 5. The passage of this Ordinance constitutes an emergency and an imperative public necessity that the Charter Rule requiring that City Ordinances must be read at two separate meetings of the City Council be suspended and said rule is hereby suspended, and this Ordinance shall be effective beginning May 14, 2014.

PASSED AND APPROVED on Emergency reading at a regular meeting of the City Council on the 13th day of May, 2014, with all members present voting “aye” for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary



EXHIBIT "A"

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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 16, ARTICLE 1 ENTITLED "UTILITY EXTENSIONS" BY AMENDING SECTION 16-25 ENTITLED "DEPOSIT REQUIRED FOR WATER METER TESTS" TO INCREASE THE DEPOSIT REQUIRED FOR WATER METER TESTING; BY AMENDING ARTICLE 3 ENTITLED "UTILITY SERVICE CHARGES" BY ADDING NEW SECTION 16-61 ENTITLED "WATER TAMPERING CHARGES" IN ORDER TO REQUIRE CHARGES TO BE PAID BY ACCOUNT HOLDERS WHEN CITY EQUIPMENT IS TAMPERED WITH ; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the administrative costs to the City for repair or replacement of broken valves, broken padlocks and stolen meters has significantly increased and is a detriment to the efficient operation of the water utilities department; and

WHEREAS, the City Council finds that the following deposits and charges will help offset such administrative costs;

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

SECTION 1. Chapter 16, Article 1, Section 16-25 of the Big Spring City Code entitled "Deposit Required for Water Meter Tests" is hereby amended to read as follows:

Sec. 16-25. Deposit Required for Water Meter Tests.

Deposits for customer requested water meter tests shall be as follows:

¾ to 1" meters	\$125.00
2" and larger meters	\$175.00 per inch.

The deposit will be refunded to the customer if an error of more than two percent (2%) is discovered through the meter test.

SECTION 2. Chapter 16, Article 3 entitled "Utility Service Charges" is hereby amended by adding new Section 16-61 entitled "Water Tampering Charges" to read as follows:

Sec. 16-61. Water Tampering Charges.

The following charges must be paid by the account holder before water service can be restored when tampering with City equipment is discovered. These charges are in addition to any applicable criminal penalties that may be assessed upon conviction for tampering with or

destroying City property or theft of services. Charges for tampering with City utility equipment shall be as follows:

Broken Valves (Curb Stops)	¾”	\$200.00
	1”	\$250.00
	2”	\$300.00
Installation of Locking Device		\$150.00
Broken Pad Locks		\$100.00
Jumper Found		\$300.00
Stolen Meter		\$600.00
Removing an Antenna from Meter		\$100.00

SECTION 3. **Severability.** 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. **Publication.** The City Secretary is hereby directed to cause the caption and the charges associated with this ordinance to be published as provided by law.

SECTION 4. **Effective Date.** This ordinance shall take effect immediately from and after its publication and 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 13th day of May, 2014, with all members present voting “aye” for passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 27th day of May, 2014, with all members present voting “aye” for passage of same.

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING TEXAS IN SUPPORT OF THE ANNEXATION INTO THE CITY LIMITS OF THE RIGHTS OF WAY IDENTIFIED AS THE US HIGHWAY 87 RELIEVER ROUTE AND INTERSTATE 20 FROM ITS INTERSECTION WITH THE RELIEVER ROUTE EAST TO THE CURRENT CITY LIMITS OF BIG SPRING; AUTHORIZING THE CITY MANAGER TO SEEK APPROVAL OF SUCH ANNEXATION FROM THE TEXAS DEPARTMENT OF TRANSPORTATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the US Highway 87 Reliever Route (the “Reliever Route”) will go around the City through areas that are not currently in the City Limits; and

WHEREAS, the City Council finds that annexing the rights of way of the Reliever Route and certain portions of Interstate 20 that are not in the city limits would provide for better control of traffic, economic development and land use along such rights of way and would serve to protect the health, safety and welfare of the citizens of the City and of Howard County;

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

SECTION 1. The City of Big Spring supports the annexation into the city limits of the above-referenced Reliever Route and Interstate 20 rights of way and authorizes the City Manager to seek approval from the Texas Department of Transportation, which owns the rights of way, for annexation of such lands.

SECTION 2. This resolution shall take effect immediately upon its adoption and approval.

SECTION 3. Should any section, paragraph, sentence, clause, phrase or word of this resolution be declared unconstitutional or invalid for any purpose, the remainder of this resolution shall not be affected thereby.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 13th day of May, 2014, with all members present voting “aye” for passage of same.

PASSED AND APPROVED on second reading at a regular meeting of the City Council on the 27th day of May, 2014, with all members present voting “aye” for passage of same.

Larry McLellan, Mayor

Attest:

Tami Davis, Asst. City Secretary