

# CITY COUNCIL AGENDA

City of Big Spring  
Tuesday, July 24, 2012

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, July 24, 2012, at 5:30 p.m. in the City Council Chambers located at 307 East 4<sup>th</sup> Street, Big Spring, Texas.

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

## Presentations & Public Hearings

1. Invocation & Pledge of Allegiance to the United States Flag and to the Texas State Flag Duncan
2. Proclamation for "National Health Center Week" August 5<sup>th</sup> through August 11<sup>th</sup> Duncan

## Disposition of Minutes

3. Minutes of the Regular Meeting of July 10, 2012 4-7 Davis

## Routine Business

4. Vouchers for 07/12/12 \$ 1,381,301.71 Fernandez  
Vouchers for 07/19/12 \$ 452,960.39

## New Business

5. First Reading of an Ordinance Amending Chapter Six of the Code of Ordinances Entitled "Cemeteries, Parks, and Recreation" by Amending Article 10 Entitled "Ball Field Recreational Areas" by Amending Section 6-181 Entitled "League Fees Prescribed" to Establish Fees for League Play and Concession Fees at City Ball Field Recreational Areas; Amending Section 6-182 Entitled "Non-League Fees Prescribed" to Establish Fees for Non-League Use of City Ball Field Recreational Areas; Providing for Severability and Providing an Effective Date 8-10 Darden

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| 6.  | First Reading of an Ordinance Amending the Zoning Ordinance by Amending Article 9 Entitled “Signs Requiring Permits”, Subsection E “Type E Signs” by Allowing Electronic Billboards to Replace Existing Billboards in the Highway 87/Gregg Street Area; Providing for Severability; Providing for a Maximum Penalty of \$2,000.00; Establishing an Effective Date; Providing for Publication   | 11-16 | Darden |
| 7.  | First Reading of an Ordinance Amending Chapter 18 of the Code of Ordinances Entitled “Traffic” by Amending Article 3 Section 18-73 Entitled “Speed Limits in School Zones” by Designating School Zones and Times When Specific Speed Limits Shall be in Effect; Providing for a Penalty in Accordance with State Law; Providing an Effective Date; Providing for Publication   | 17-19 | Darden |
| 8.  | 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 Amending Subsection (j) in Order to Abolish the Parking Prohibitions Around Bauer Elementary and to Prohibit Parking in Certain Areas on Connally and Wasson Streets Around Marcy Elementary; Providing for Severability; Providing for a Penalty in Accordance with State Law; Providing for Publication; and Providing an Effective Date  | 20-21 | Darden |
| 9.  | First Reading of an Ordinance Calling for a Special Election to be Held on November 6, 2012 for the Voters to Consider Abolishing the Type “A” One Half Cent Sales and Use Tax Adopted on May 5, 1990 and Replacing the Tax with a Type “B” One Half Cent Sales and Use Tax Under Chapter 505 of the Texas Local Government Code to Undertake Any Projects Allowed Under Chapters 501, 502, 504 and 505 of the Texas Local Government Code; Establishing Provisions for the Conduct of the Election; Enacting Other Provisions Related to Such Election; Providing for Severability; and Providing an Effective Date | 22-27 | Duncan |
| 10. | Discussion and Consideration of Removing and Replacing Board Members of the Big Spring Economic Development Corporation  |       | Duncan |

**City Manager’s Report**

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|-----|-----------------|--|-------|
| 11. | Budget Schedule |  | Fuqua |
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**Council Input**

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| 12. | Input |  | Duncan |
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13. Adjourn

Duncan

I hereby certify that this agenda was posted on the official bulletin boards at the Big Spring City Hall Building, 310 Nolan Street, Big Spring, Texas on Friday, July 20, 2012 at 6:00 p.m. In addition this agenda and supporting documents are posted on the City of Big Spring's website, www.mybigspring.com in accordance with legal requirements.

  
Lesa Gamble, Administrative Assistant

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

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

July \_\_\_\_\_, 2012 at \_\_\_\_\_ a.m./p.m.

By: \_\_\_\_\_  
City Secretary's Office

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

The City Council of the City of Big Spring, Texas, met in a regular meeting in the City Council Chambers located at 307 E. 4<sup>th</sup>, Big Spring, Texas, at 5:30 p.m., July 10, 2012, with the following members present:

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

Same and constituting a quorum; and

GARY FUQUA	City Manager
TODD DARDEN	Assistant City Manager
LINDA SJOGREN	City Attorney
PEGGY WALKER	Finance Director/City Secretary
JOHN MEDINA	Human Resources Director
LONNIE SMITH	Police Chief
JIM LITTLE	Airport Director
TIM GREEN	Municipal Court Judge
RICH GROVE	Interim Fire Chief

## **PRESENTATIONS & PUBLIC HEARINGS**

### **INVOCATION & PLEDGE OF ALLEGIANCE**

Pastor Ken McMeans, College Baptist Church, gave the invocation and Mayor Duncan led the Pledge of Allegiance to the American and State Flags.

## **DISPOSITION OF MINUTES**

### **MINUTES OF THE REGULAR MEETING OF JUNE 26, 2012 AND SPECIAL MEETING OF JULY 2, 2012**

Motion was made by Councilmember Carrigan, seconded by Councilmember Boyd, with all members of the Council voting “aye” approving minutes of the regular meeting of June 26, 2012 and special meeting of July 2, 2012.

## **CONSENT ITEMS**

FINAL READING OF AN ORDINANCE PROVIDING FOR THE ISSUANCE OF A SPECIFIC USE PERMIT TO M.U.G.S. PROPERTIES, LLC FOR CONSTRUCTION AND OPERATION OF A NURSING HOME FACILITY ON 10 ACRES LOCATED AT THE CORNER OF WASSON AND ALAMESA DESCRIBED AS SECTION 12, BLOCK 33 1-S, BIG SPRING, HOWARD COUNTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION

After a brief discussion, Councilmember McDonald requested that a sidewalk be added on Alamesa. Todd Darden, Assistant City Manager, said he would talk to the developer to see if they would consider adding the sidewalk. Motion was made by Councilmember Fernandez, seconded by Councilmember Boyd, with all members of the Council voting “aye” approving the second and final reading of the above listed ordinance.

ACCEPTANCE OF CONVENTION AND VISITORS BUREAU COMMITTEE MINUTES FOR MEETING OF MAY 9, 2012

ACCEPTANCE OF MCMAHON-WRINKLE AIRPORT DEVELOPMENT BOARD MINUTES FOR MEETING OF APRIL 19, 2012 AND MAY 24, 2012

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

## **OTHER CONTENT ITEMS**

FINAL READING OF AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF COMBINANTION TAX AND SURPLUS REVENUE CERTIFICATES OF OBLIGATION, SERIES 2012; LEVYING AN ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID CERTIFICATES; APPROVING AN OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT

George Williford, First Southwest, explained the issuance and sale of combination tax and surplus revenue certificates of obligation. Motion was made by Councilmember Fernandez, seconded by Councilmember Boyd, with all members of the Council voting “aye” approving second and final reading of the above listed ordinance.

## **ROUTINE BUSINESS**

Councilmember Boyd reviewed the vouchers. Motion was made by Councilmember Boyd, seconded by Mayor Pro Tem Olson, with all members of the Council voting “aye” approving vouchers in the amount of \$558,605.98 (6/28/12).

## **BIDS**

### **AWARD BID FOR BACKHOES AND MINI-EXCAVATOR LEASES AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS**

Motion was made by Councilmember McDonald, seconded by Councilmember Carrigan, with all members of the Council voting “aye” awarding bid to Warren Cat for the amount of \$60,606.60 per year for a five year lease agreement on five backhoes and \$6,329.40 per year for a five year lease agreement for one mini-excavator and authorizing the City Manager or his designee to execute any necessary documents.

## **NEW BUSINESS**

### **APPROVAL OF A GRANT AGREEMENT FOR A FUEL PAD AND ACCESS TURNAROUND WITH TEXAS DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS**

Motion was made by Councilmember Boyd, seconded by Councilmember Carrigan, with all members of the Council voting “aye” approving a grant agreement for a fuel pad and access turnaround with Texas Department of Transportation and authorizing the City Manager or his designee to execute any necessary documents.

### **APPROVAL TO APPLY FOR A FEMA GRANT FOR FIREFIGHTER’S ASSISTANCE PROGRAM AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS**

Motion was made by Mayor Pro Tem Olson, seconded by Councilmember Boyd, with all members of the Council voting “aye” approving to apply for a FEMA Grant for firefighter’s assistance program and authorizing the City Manager or his designee to execute any necessary documents.

### **APPROVAL OF AN AGREEMENT FOR ASSESSMENT AND COLLECTION OF TAXES WITH HOWARD COUNTY TAX ASSESSOR COLLECTOR AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT**

Motion was made by Councilmember Fernandez, seconded by Councilmember Carrigan, with all members of the Council voting “aye” approving an agreement for assessment and collection of taxes with Howard County Tax Assessor Collector and authorizing the Mayor to execute the agreement.

**CITY MANAGER’S REPORT**

Gary Fuqua, City Manager, thanked Peggy Walker and her staff for their work on the bond issuance.

**COUNCIL INPUT**

Mayor Duncan announced that the Pops in the Park was great and Under West Texas Skies with News West 9 will be live at the Big Spring Aquatic Center on July 20.

**ADJOURN**

Motion was made by Councilmember McDonald, seconded by Mayor Pro Tem Olson, with all members of the Council voting “aye” to adjourn at 6:00 p.m.

CITY OF BIG SPRING, TEXAS

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Tommy Duncan, Mayor

ATTEST:

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Tami L. Davis, Assistant City Secretary

ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS AMENDING CHAPTER SIX OF THE BIG SPRING CODE OF ORDINANCES ENTITLED "CEMETERIES, PARKS, AND RECREATION" BY AMENDING ARTICLE 10 ENTITLED "BALL FIELD RECREATIONAL AREAS" BY AMENDING SECTION 6-181 ENTITLED "LEAGUE FEES PRESCRIBED" TO ESTABLISH FEES FOR LEAGUE PLAY AND CONCESSION FEES AT CITY BALL FIELD RECREATIONAL AREAS; AMENDING SECTION 6-182 ENTITLED "NON-LEAGUE FEES PRESCRIBED" TO ESTABLISH FEES FOR NON-LEAGUE USE OF CITY BALL FIELD RECREATIONAL AREAS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City Council of the City of Big Spring finds it necessary to establish fees for the utilization of City ball field recreational areas;

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

**SECTION 1:** THAT Chapter 6, Article 10, Section 6-181 through 6-182 of the Big Spring Code of Ordinances entitled "Ball Field Recreational Areas" are hereby amended to read as follows:

**Article 10. Ball Field Recreational Areas**

**Sec. 6-181. League Fees Prescribed.**

(A) Each youth or adult softball, baseball, soccer, or football league desiring to play on the fields at the Roy Anderson Sports Complex or the Cotton Mize Field recreation areas shall register with the Convention and Visitors' Bureau no less than thirty (30) days prior to the start of each season and pay a season fee of Two-Hundred Dollars (\$200.00) per team. The registration form must indicate the beginning and ending date of the league season and the number of teams in the league, must be accompanied by full payment for the number of teams in the League, a copy of the season playing and scrimmage schedule, and a copy of the league insurance certificate naming the City of Big Spring as additional insured. Leagues will not be permitted to use the Complex on days not specified in the schedule.

(B) Use of Common Areas: Each league will be allowed use on the days specified in the schedule of the common areas associated within the respective fields including restrooms and concession stands as indicated on the map attached to the registration form on file with the Convention and Visitors' Bureau. During the defined season for each League, it shall have exclusive use of the applicable concession area and may place a lock on the

concession area so long as a key is provided to the Convention and Visitors' Bureau. Tournament users scheduled by the Convention and Visitors' Bureau during the League season will not be allowed to use the concession area without the written consent of the applicable League but may set up an outside concession area. At the end of the season, the League must remove all items and equipment from the concession area and will no longer have exclusive use of the area during the off-season. Any items not removed within ten (10) days of the end for the season will be removed and stored. The applicable league will be responsible for removal and storage fees before return of the equipment.

- (C) Leagues providing concessions must obtain a City of Big Spring Food Safety Permit but shall be excepted from the permit fees. If someone other than the League provides concessions they must obtain the permit and pay all applicable fees.

**Sec. 6-182. Non-League Fees Prescribed.**

For all non-league activities, including but not limited to tournaments, special games, and other uses of the fields at Roy Anderson Sports Complex and Cotton Mize Field, the following rules shall apply:

- (A) **Roy Anderson Sports Complex Activities:** All sport tournaments and other recreational uses must be scheduled through the City's Convention and Visitors' Bureau no less than fourteen (14) days prior to the activity and sponsors must pay in advance a Five-Hundred Dollar (\$500.00) refundable deposit and a Seventy-Five Dollar (\$75.00) per field per day non-refundable fee. If lighting is to be used, the sponsor must pay an additional Ten Dollar (\$10.00) per field per hour fee in advance. The City will refund the deposit to the activity sponsor after completion of the event and an inspection for any necessary cleaning or repairs. The sponsor must pay all necessary cleaning, repair expenses and lighting fees for any additional lighting hours before the balance of the deposit is refunded.

**Concessions:** Any person providing concessions at a non-league activity must pay a One-Hundred Dollar (\$100.00) refundable concession deposit for each concession stand or vendor and a Two-Hundred Dollar (\$200.00) concession stand fee for concession sales if the indoor concession stand is used during off-season tournaments or a One-Hundred Dollar (\$100.00) set up fee for each outside concession stand. These fees shall apply for up to four (4) days of concession sales with an additional Seventy-Five Dollar (\$75.00) per concession stand fee for each day of concession sales thereafter. Concession providers must obtain a City of Big Spring Food Safety Permit and pay all applicable fees.

- (B) **Cotton Mize Field:** All sport tournaments or other recreational uses of Cotton Mize Field must be scheduled through the City's Convention and Visitors' Bureau no less than

fourteen (14) days prior to the event and sponsors must pay a One-Hundred Dollar (\$100.00) refundable deposit and a Seventy-Five Dollar (\$75.00) per field per day non-refundable fee. If lighting is to be used, the sponsor must pay an additional Ten Dollar (\$10.00) per field per hour fee in advance. The City will refund the deposit to the activity sponsor after completion of the event and an inspection for any necessary cleaning or repairs. The sponsor must pay all necessary cleaning, repair expenses and lighting fees for any additional lighting hours before the balance of the deposit is refunded.

**Concessions:** Any person providing concessions at a non-league activity must pay a One-Hundred Dollar (\$100.00) set up fee for outside concession stands. This fee shall apply for up to four (4) days of concession sales with an additional Seventy-Five Dollar (\$75.00) per concession stand fee for each day of concession sales thereafter. Concession providers must obtain a City of Big Spring Food Safety Permit and pay all applicable fees.

(C) For purposes of this Section, a day shall consist of a twenty-four hour (24) period commencing at midnight. All applicants shall agree to comply with any proposed rules or regulations for the use of the Big Spring ball field areas as promulgated by the City of Big Spring. At the special request of the applicant, the City Manager, or his designee, may authorize the use of Cotton Mize Field during the daylight hours.

**SECTION 2.** THAT 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.** THAT this ordinance shall take effect immediately after its passage in accordance with the provisions of the Charter of the City of Big Spring, and it is accordingly so ordained.

**SECTION 4.** THAT all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

**PASSED AND APPROVED** on first reading at a regular meeting of the City Council on the **24<sup>th</sup>** day of **July, 2012** with all members present voting “aye” for passage of the same.

**PASSED AND APPROVED** on second reading at a regular meeting of the City Council on the **7<sup>th</sup>** day of **August, 2012** with all members present voting “aye” for passage of the same.

ATTEST:

\_\_\_\_\_  
Tommy Duncan, Mayor

\_\_\_\_\_  
Tami Davis, Assistant City Secretary

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING AMENDING THE ZONING ORDINANCE OF THE CITY OF BIG SPRING BY AMENDING ARTICLE 9 ENTITLED, "SIGN REGULATIONS", SECTION 9-5 ENTITLED, "SIGNS REQUIRING PERMITS"; SUBSECTION E "TYPE E SIGNS"; BY ALLOWING ELECTRONIC BILLBOARDS TO REPLACE EXISTING BILLBOARDS IN THE HIGHWAY 87/GREGG STREET AREA; PROVIDING FOR SEVERABILITY; PROVIDING FOR A MAXIMUM PENALTY OF \$2000.00; ESTABLISHING AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS DISCUSSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

**WHEREAS,** the City Council finds it to be in the public interest to regulate the use, placement, and maintenance of signs within the City of Big Spring and to regulate the use of electronic billboards and signs; and

**WHEREAS,** the City Council finds that the public health, 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 AS FOLLOWS:**

**SECTION 1.** That the City of Big Spring Zoning Ordinance Article 9 entitled, "Sign Regulations," Section 9-5 Entitled "Signs Requiring Permits", Subsection E Entitled "Type E Signs" is hereby amended to read as follows in its entirety:

**SECTION 9-5. Signs Requiring Permits**

...

(E) Type E Sign: Type E signs are those signs commonly referred to as billboards or poster boards (including electronic billboards) that are designed to deliver an advertising message, which message may be changed or removed and which may advertise products or services not available upon premises where the sign is located.

(1) Billboards:

(a) Billboards shall be allowed in LC, HC, LI, and HI Districts except for

(1) those areas located along and adjacent to state Hwy 87 from the city limits on the southern border of the city and extending to the northern most edge of Interstate 20; and

(2) those areas within the Central Area District as such district is defined in the

City of Big Spring Zoning Ordinance.

(b) Each sign shall contain a weather proof identification plate located no higher than five (5) feet above ground level which shall provide:

(1) the name and address of the party responsible for the placement, maintenance and removal of the sign.

(2) all signs not identified will become the responsibility of the property owner upon whose property the sign is placed. Said responsibility shall include that of repair, maintenance or removal, as may be necessary.

(c) The entire sign shall be located at least thirty (30) feet behind the property line.

(d) A billboard may be freestanding or located on a building but shall not exceed the height of the building upon which it is mounted or thirty (30) feet above ground. However, a billboard located on property fronting on Interstate Highway 20 may have a maximum height of forty-two and one half feet (42.5).

(e) A proposed location for a three-hundred (300) square feet in area billboard may not be approved:

(1) on the same side of the street and within one-thousand (1000) feet of an existing billboard; or

(2) on the same side of the street and within one-thousand-five-hundred (1500) feet of an electronic billboard.

(f) A proposed location for a billboard larger than three-hundred (300) square feet in area may not be approved which is located:

(1) within one-thousand-five-hundred (1500) feet of any other billboard.

(g) Maximum sign area:

(1) For property with frontage on Interstate 20, the maximum sign area of a billboard shall not be greater than six-hundred-seventy-two (672) square feet.

(2) For any other property within the city limits the maximum sign area allowed for new construction of a billboard shall be three hundred (300) square feet, the width of which shall not exceed fifteen (15) feet.

(h) No portion of a billboard or its supports shall be closer than three hundred (300) feet from the boundary line of a residential property.

(i) No free standing billboard shall be allowed within twenty (20) feet of any building on property under different ownership.

(j) Signs may be unlighted or shield lighted to prevent glare. No external lighting shall be used to illuminate a nonconforming sign.

(2) Electronic Billboards:

(a) Electronic billboards may be located in LC, HC, LI, and HI Districts except for

(1) those areas located along and adjacent to state Hwy 87 from the city limits on the southern border of the city and extending to the northern most edge of Interstate 20.

Exception: electronic billboards may be used to replace existing billboards within this area so long as the replacement billboards meet all of the requirements of this ordinance except for location within the area and do not cause any other existing sign to violate any provision of this Article 9; and

(2) those areas within the Central Area District as that District is defined in the City of Big Spring Zoning Ordinance.

(b) Each sign shall contain a weather proof identification plate located no higher than five (5) feet above ground level which shall provide:

(1) the name and address of the party responsible for the placement, maintenance and removal of the sign.

(2) all signs not identified will become the responsibility of the property owner upon whose property the sign is placed. Said responsibility shall include that of repair, maintenance or removal, as may be necessary.

(c) The entire sign shall be located at least thirty (30) feet behind the property line;

(d) An electronic billboard may be freestanding or located on a building but shall not exceed the height of the building upon which it is mounted or thirty feet (30) feet above ground. However, an electronic billboard located on property fronting on Interstate Highway 20, may have a maximum height of forty-two and one-half feet (42.5).

(e) No proposed location for an electronic billboard may be approved::

(1) on the same side of the street and within one-thousand-five-hundred (1,500) feet of an existing billboard;

(2) on the same side of the street and within one-thousand-five-hundred (1,500)

feet of any other electronic billboard;

(f) Maximum sign area:

(1) For property with frontage on Interstate 20, the maximum sign area of an electronic billboard shall not be greater than six-hundred-seventy-two (672) square feet.

(2) For any other property within the city limits:

(A) the maximum sign area allowed for new construction of an electronic billboard shall be three-hundred (300) square feet, the width of which shall not exceed fifteen (15) feet.

(B) any legally conforming billboard may be modified to an electronic billboard so long as it does not exceed three-hundred (300) square feet, the width of which shall not exceed fifteen (15) feet.

(g) No portion of an electronic billboard or its supports shall be closer than three-hundred (300) feet from the boundary line of a property used for residential purposes.

(h) No free standing electronic billboard shall be allowed within twenty (20) feet of any building on property under different ownership.

(i) No external lighting shall be used to illuminate an electronic billboard.

(j) An electronic billboard shall not:

(1) contain, display, or be illuminated by flashing, intermittent, or moving lights;

(2) contain or display animated, moving video, or scrolling advertising; or

(3) consist of a static image projected upon a stationary object;

(k) Operational Requirements:

(1) An electronic billboard shall display static messages only.

(A) The dwell or hold time of each message, defined as the interval between each message change, shall be at least eight (8) seconds.

(B) Each message change must be accomplished within two (2) seconds or less and must occur simultaneously on the entire sign surface.

(2) The sign shall not be configured to resemble or simulate a warning or danger

signal or any official lights or signs used to control traffic.

(3) The sign may not display light of such intensity to cause glare, impair vision, or otherwise result in a nuisance to the public.

(A) the maximum luminous intensity of a sign shall not exceed five-thousand (5,000) nits during daylight hours or five-hundred (500) nits between dusk and dawn, as measured from the sign's surface.

(B) the sign must be equipped with both a dimmer control or other such electronic control and a photocell or other such automatic control, which will produce the required illumination change according to natural ambient conditions.

(4) The sign shall contain a default mechanism that will freeze the sign in one position if a malfunction occurs.

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

**SECTION 4.** That 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 5.** That the City Secretary is hereby ordered and directed to cause the descriptive caption, as well as the penalties for violation of this ordinance to be published as provided by law.

**SECTION 6.** That 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 **24<sup>th</sup>** day of **July, 2012**, 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 **14<sup>th</sup>** day of **August, 2012** with all members voting "aye" for the passage of same.

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Tommy Duncan, Mayor

ATTEST:

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Tami Davis, Asst. City Secretary

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING AMENDING CHAPTER 18 OF THE BIG SPRING CODE OF ORDINANCES” ENTITLED “TRAFFIC” ARTICLE 3 BY AMENDING SECTION 18-73 ENTITLED, “SPEED LIMITS IN SCHOOL ZONES,” BY DESIGNATING SCHOOL ZONES AND TIMES WHEN SPECIFIC SPEED LIMITS SHALL BE IN EFFECT; PROVIDING FOR A PENALTY IN ACCORDANCE WITH STATE LAW; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS DISCUSSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

**WHEREAS,** the City Council finds it to be in the public interest to regulate the location and speed limits of school zones within the City of Big Spring; and

**WHEREAS,** the City Council finds that the public health, 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 AS FOLLOWS:**

**SECTION 1.** That the City of Big Spring Code of Ordinances Chapter 18, Article 3, Section 18-73 entitled, “Speed Limits in School Zones”, shall hereby be amended to read in its entirety as follows:

**Sec. 18-73. Speed Limits in School Zones.**

The following described locations or areas within the City of Big Spring are hereby designated "school zones" and no person shall drive a motor vehicle in any direction within said areas or locations at a speed greater than is reasonable or prudent under the circumstances then existing. The speed limit specified hereinafter shall be lawful, but any speed in excess of the limit so specified during the hours set forth hereinafter for each location or area shall be prima facie evidence that the speed is not reasonable or prudent and is unlawful, on the days school is in session.

(A) Goliad Elementary School.

A speed limit of 20 mph from 7:30 a.m. to 9:30 a.m. and from 2:45 p.m. to 4:30 p.m.

(1) On Goliad Street from a point 15’ north of the north right-of-way line of 22<sup>nd</sup> Street to a point 15’ south of the south right-of-way line of 17<sup>th</sup> Street.

(2) On 18<sup>th</sup> Street from a point 15’ east of the east right-of-way line of Benton Street to a point 84’ west of the west right-of-way line of Nolan Street.

(B) Kentwood Elementary School.

A speed limit of 20 mph from 7:30 a.m. to 9:30 a.m. and from 2:45 p.m. to 4:30 p.m.

(1) On Merrily Drive from the west right-of-way line of Ann Drive to the west right-of-way line of Shirley Drive.

(C) Lakeview Elementary School.

A speed limit of 20 mph from 7:30 a.m. to 9:30 a.m. and from 2:45 p.m. to 4:30 p.m.

(1) On Channing Street from a point 506’ north of the north right-of-way line of NW 4<sup>th</sup> Street to the south right-of-way line of NW 7<sup>th</sup> Street.

(2) On NW 7<sup>th</sup> Street from the east right-of-way line of Wyoming Street to the east right-of-way line of Channing Street.

(D) Marcy Elementary School.

A speed limit of 20 mph from 7:30 a.m. to 9:30 a.m. and from 2:45 p.m. to 4:30 p.m.

- (1) On Connally Street from a point 10' south of the south right-of-way line of Cecilia Street to the north right-of-way line of Wasson Road.
- (2) On Wasson Road from a point 300' east of the east right-of-way line of Randolph Blvd. to a point 10' east of the east right-of-way line to Calvin Street.

(E) Moss Elementary School.

A speed limit of 20 mph from 7:30 a.m. to 9:30 a.m. and from 2:45 p.m. to 4:30 p.m.

- (1) On Baylor Street from a point 115' south of the south right-of-way line of Fordham Street to the south right-of-way line of Greenbriar Street.
- (2) On Fordham Ave. from a point 15' west of the east right-of-way line of Baylor Street to a point 15' of the east right of way line of Marquette Ave.
- (3) On Kent Ave. from the north right-of-way line of Greenbrier Ave. to the south right-of-way line of Fordham Ave.
- (4) On Marquette Ave. from north right-of-way line of Greenbrier Ave. to 15' south of the south right-of-way line of Fordham Ave.
- (5) On Greenbrier Ave. from a point 15' west of the east right-of-way line of Baylor Blvd. to a point east of the east right-of-way line of Marquette Ave.

(F) Washington Place Elementary School.

A speed limit of 20 mph from 7:30 a.m. to 9:30 a.m. and from 2:45 p.m. to 4:30 p.m.

- (1) On Birdwell Lane from a point 25' south of the south right-of-way line of South Monticello Street to a point 55' north of the north right-of-way line of North Monticello Street.
- (2) On North Monticello Street from a point 90' west to the west right-of-way line of College Avenue to the west right-of-way line of Birdwell Lane.

(G) Big Spring High School.

A speed limit of 20 mph from 7:30 a.m. to 9:30 a.m. and from 2:45 p.m. to 4:30 p.m.

- (1) On 10th Street from a point 379' east of the east right-of-way line of Goliad Street to the west right of way line on Owens Street.
- (2) On 11th Place from a point 114' east of the east right-of-way line of Goliad Street to the west right-of-way line of Young Street.
- (3) The City Manager is hereby authorized and directed to add Speed Limit of 20 mph, same hours of all School Zones, to Owens Street between Eighth and Tenth Street

(H) New Hope Christian School.

A speed limit of 20 mph from 7:30 a.m. to 9:30 a.m. and from 2:45 p.m. to 4:30 p.m.

- (I) On Cedar Road from a point 78' west of the west right-of-way line of Mountain Park Drive to 581' east of the east right-of-way line of Indian Hills Drive.

(J) Big Spring Junior High School.

A speed limit of 20 mph from 7:30 a.m. to 9:00 a.m. and from 2:45 p.m. to 4:30 p.m..

- (1) On Sixth Street from a point 30' east of the right-of-way line of South Young to a point 140' east of the right-of-way line of South Goliad.
- (2) On Owens Street from a point 10' south of the right-of-way line of East 5<sup>th</sup> Street to a point 20' north of the right-of-way line of East 10<sup>th</sup> Street.
- (3) On Seventh Street from a point 160' east of the right-of-way line of South Goliad to the south right-of-way line of East 8<sup>th</sup> Street.

(4) On Eighth Street from a point 140' east of the right-of-way line of South Goliad to a point 10' west of the right-of-way line of South Caylor Street.

(5) On Benton Street from a point 10' south of the right-of-way line of East 5<sup>th</sup> to a point north of the right-of-way line of East 6<sup>th</sup> Street.

(6) On Austin Street from a point 10' south of the right-of-way line of East 5<sup>th</sup> to a point north of the right-of-way line of East 6<sup>th</sup> Street.

(K) Bus loading zone.

A speed limit of 20 mph from 7:30 a.m. to 9:30 a.m. and from 2:45 p.m. to 4:30 p.m.

(1) On Airbase Road from a point 460' south of the south right-of-way line of West 13<sup>th</sup> Street to a point 88' north of the north right-of-way line of West 13<sup>th</sup> Street.

(2) On West 16<sup>th</sup> Street from the west right-of-way line of Lark Street to the east right-of-way line of Mesa Street.

(L) The director of public works is hereby authorized and directed to erect and install appropriate signs and markings at the designated locations, in conformance with the State Highway Department's Manual and specifications, indicating and carrying out the provisions of this article.

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

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

**SECTION 6.** That upon Final Passage and Approval of this Ordinance, the City Secretary is hereby directed to publish the caption of this Ordinance two times in an official newspaper of the City and the Ordinance shall take effect immediately upon publication of the second notice.

**SECTION 7.** That 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 24<sup>th</sup> day of July, 2012 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 14<sup>th</sup> day of August, 2012 with all members voting "aye" for the passage of same.

\_\_\_\_\_  
Tommy Duncan, 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 AMENDING SUBSECTION (j) IN ORDER TO ABOLISH THE PARKING PROHIBITIONS AROUND BAUER ELEMENTARY AND TO PROHIBIT PARKING IN CERTAIN AREAS ON CONNALLY AND WASSON STREETS AROUND MARCY ELEMENTARY; 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 public interest to regulate the parking in this area to assist with designation of school zones within the City of Big Spring; and

**WHEREAS,** the City Council finds that the public health, 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 AS FOLLOWS:**

**SECTION 1.** That the City of Big Spring Code of Ordinances Chapter 18, Article 5, by amending Section 18-149 entitled, “Specific Parking, Standing, Stopping, and Street Closing Provisions”, subsection j is hereby repealed and replaced to read in its entirety as follows:

**Sec. 18-149 (j) No Parking on Connally from Wasson to Laurie and No Parking on Wasson from Connally to the Marcy School west property line**

“No Parking shall be allowed from 7:00 a.m. – 4:00 p.m. Monday through Friday while school is in session” on Connally Street from Wasson to Laurie and “No Parking shall be allowed from 7:00 a.m. to 4:00 p.m. Monday through Friday while school is in session” on Wasson from Connally to the Marcy School west property line.

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

**SECTION 3.** That 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 the penalty for violation of this ordinance shall be as mandated by State law.

**SECTION 5.** That 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.** That 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 **24<sup>th</sup>** day of **July, 2012**, 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 **14<sup>th</sup>** day of **August, 2012**, with all members voting "aye" for the passage of same.

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Tommy Duncan, Mayor

ATTEST:

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Tami Davis, Asst. City Secretary

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS CALLING FOR A SPECIAL ELECTION TO BE HELD ON NOVEMBER 6, 2012 FOR THE VOTERS TO CONSIDER ABOLISHING THE TYPE A ONE HALF CENT SALES AND USE TAX ADOPTED ON MAY 5, 1990 AND REPLACING THE TAX WITH A TYPE B ONE HALF CENT SALES AND USE TAX UNDER CHAPTER 505 OF THE TEXAS LOCAL GOVERNMENT CODE TO UNDERTAKE ANY PROJECTS ALLOWED UNDER CHAPTERS 501, 502, 504 AND 505 OF THE TEXAS LOCAL GOVERNMENT CODE; ESTABLISHING PROVISIONS FOR THE CONDUCT OF THE ELECTION; ENACTING OTHER PROVISIONS RELATED TO SUCH ELECTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, pursuant to the provisions of the Development Corporation Act, Subtitle C1, Title 12, Texas Local Government Code, as amended (the "Development Act") and Chapter 321, Texas Tax Code, the City Council of the City of Big Spring, Texas (the "City") is authorized to call an election in order to submit to the voters of the City a proposition regarding whether to abolish the Type A one-half cent sales and use tax adopted by the voters of the City of Big Spring on May 5, 1990 and replace it with a Type B one half cent sales and use tax under Chapter 505 of the Development Act; and

WHEREAS, this City Council deems it advisable to call the election hereinafter ordered to allow the voters of the city to make such a determination; and

WHEREAS, it is hereby officially found and determined that holding the hereinafter called election on the date set forth below is in the public interest, that the meeting at which this ordinance was considered was open to the public, and that public notice of the time, place and purpose of the meeting was given, all as required by Chapter 551, Texas Government Code;

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

1. A special election shall be held between the hours of 7:00 A.M. and 7:00 P.M. on November 6, 2012, in the City. The polling place for the election on election day shall be the Foyer of the Dorothy Garrett Coliseum, located at the northwest corner of the campus of Howard College, on the corner of Kentucky Way and Birdwell Lane.

2. The appointment of the Presiding Election Judge and Alternate Presiding Judge for the designated polling place shall be made by the Howard County Elections Administrator in accordance with the agreement between Howard County and the City for the County to conduct the election. By approving and signing such agreement, the Mayor of the City officially confirms the appointment of the aforesaid election officers to serve at said election, and by passing this ordinance the City Council approves and concurs in the appointment of the aforesaid election officers. The Presiding Judge shall appoint not less than two qualified election clerks to serve and assist in conducting said election; provided that if the Presiding Judge actually serves as expected, the Alternate Presiding Judge shall be one of such clerks.

3. Early voting by personal appearance shall be conducted at the Howard County Courthouse, 300 South Main, Big Spring, Texas, on weekdays beginning October 22, 2012, and ending November 2, 2012, from 8:00 a.m. to 5:00 p.m., except that on Tuesday, \_\_\_\_\_, 2012, and \_\_\_\_\_, 2012, early voting by personal appearance will be conducted from 7:00 a.m. to 7:00 p.m.

The Early Voting Clerk for said election shall be Sandra Bloom, Howard County Elections Administrator.

Applications for early voting by mail shall be delivered to the Early Voting Clerk at the following addresses:

By mail to:

Howard County Elections Department  
P.O. Box 1069  
Big Spring, Texas 79721  
Attn: Sandra Bloom, Early Voting Clerk

By hand delivery to:

Howard County Elections Department  
300 South Main St.  
Big Spring, Texas 79720  
Attn: Sandra Bloom, Early Voting Clerk

4. An early ballot board is hereby created to process early voting results, and Sandra Bloom, Howard County Elections Administrator, is hereby appointed the presiding judge of such board. The Presiding Judge shall appoint at least two other members of the Board.

5. All resident, qualified electors of said City shall be entitled to vote at said election.

6. Notice of said election shall be given by posting an election notice on the bulletin board used for posting notices of the meetings of the City Council not less than 21 days prior to the date set for said election; and an election notice and sample ballot also shall be published on the same day in each of two successive weeks in a newspaper of general circulation published in said City, the date of the first publication to be not earlier than the 30th day nor later than the 14th day prior to the date set for said election.

7. At said election the following PROPOSITION shall be submitted in accordance with law:

#### PROPOSITION

Shall the existing Type A one half of one percent sales tax for economic development adopted on May 9, 1990 be abolished and the Type A development corporation be dissolved with the tax to be replaced with a Type B sales and use tax at the rate of one half of one percent to undertake projects as described in Texas Local Government Code Chapters 501, 502, 504 and 505 including but not limited to:

A. Projects that create or retain primary jobs, including but not limited to:

- manufacturing and industrial facilities, research and development facilities, military facilities, including closed or re-aligned military bases;
- transportation facilities including airports, hangars, railports, rail switching facilities, maintenance and repair facilities, cargo facilities, related infrastructure

located on or adjacent to an airport or railport facility, marine ports, inland ports, mass commuting facilities, and parking facilities;

- sewage or solid waste disposal facilities, recycling facilities, air or water pollution control facilities, facilities for furnishing water to the public;
- distribution centers, small warehouse facilities capable of serving as decentralized storage and distribution centers, primary job training facilities for use by institutions of higher education, regional or national corporate headquarters facilities;
- public safety facilities, streets and roads, drainage and related improvements, demolition of existing structures, general municipally owned improvements, and any improvement or facilities related to a project described above;
- any other project the board of directors in the board's discretion determines promotes or develops new or expanded business enterprises that create or retain primary jobs.

**B. Projects that need not create or retain primary jobs including but not limited to:**

- job training classes, infrastructure necessary to promote or develop new or expanded business enterprises: limited to streets and roads, rail spurs, water and sewer utilities, electric utilities, gas utilities, drainage, site improvements, and related improvements, telecommunications and internet improvements;
- projects the primary purpose of which is to provide a general aviation business service airport that is part of an industrial park;
- buildings, equipment, facilities and improvements for professional and amateur sports, including children's sports, athletic, entertainment, tourist, convention, and public park purposes and events, including stadiums, ball parks, auditoriums, amphitheaters, concert halls, parks and park facilities, open space improvements, museums, exhibition facilities, and related store, restaurant, concession and automobile parking facilities, related area transportation facilities, and related roads, streets, and water and sewer facilities, and other related improvements that enhance any of the items described above;
- projects for the promotion of development and expansion of affordable housing;
- projects for the development or expansion of airport or railport facilities, including hangars, maintenance and repair facilities, cargo facilities, and related infrastructure located on or adjacent to an airport or railport facility, development improvement, expansion, or maintenance of facilities relating to the operation of commuter rail, light rail, or motor buses;
- certain water supply and water conservation programs with voter approval.

**8. That the official ballots for said election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "FOR" or "AGAINST" the aforesaid PROPOSITION,**

with the ballots to contain such provisions, markings and language as required by law, and with such PROPOSITION to be expressed substantially as follows:

PROPOSITION

SHALL THE EXISTING TYPE A ONE HALF OF ONE PERCENT SALES TAX FOR ECONOMIC DEVELOPMENT ADOPTED ON MAY 9, 1990 BE ABOLISHED AND THE TYPE A DEVELOPMENT CORPORATION BE DISSOLVED WITH THE TAX TO BE REPLACED WITH A TYPE B SALES AND USE TAX AT THE RATE OF ONE HALF OF ONE PERCENT TO UNDERTAKE PROJECTS AS DESCRIBED IN TEXAS LOCAL GOVERNMENT CODE CHAPTERS 501, 502, 504 AND 505 INCLUDING BUT NOT LIMITED TO:

FOR )

AGAINST )

A. PROJECTS THAT CREATE OR RETAIN PRIMARY JOBS, INCLUDING BUT NOT LIMITED TO:

- MANUFACTURING AND INDUSTRIAL FACILITIES, RESEARCH AND DEVELOPMENT FACILITIES, MILITARY FACILITIES, INCLUDING CLOSED OR RE-ALIGNED MILITARY BASES;
- TRANSPORTATION FACILITIES INCLUDING AIRPORTS, HANGARS, RAILPORTS, RAIL SWITCHING FACILITIES, MAINTENANCE AND REPAIR FACILITIES, CARGO FACILITIES, RELATED INFRASTRUCTURE LOCATED ON OR ADJACENT TO AN AIRPORT OR RAILPORT FACILITY, MARINE PORTS, INLAND PORTS, MASS COMMUTING FACILITIES, AND PARKING FACILITIES;
- SEWAGE OR SOLID WASTE DISPOSAL FACILITIES, RECYCLING FACILITIES, AIR OR WATER POLLUTION CONTROL FACILITIES, FACILITIES FOR FURNISHING WATER TO THE PUBLIC;
- DISTRIBUTION CENTERS, SMALL WAREHOUSE FACILITIES CAPABLE OF SERVING AS DECENTRALIZED STORAGE AND DISTRIBUTION CENTERS, PRIMARY JOB TRAINING FACILITIES FOR USE BY INSTITUTIONS OF HIGHER EDUCATION, REGIONAL OR NATIONAL CORPORATE HEADQUARTERS FACILITIES;
- PUBLIC SAFETY FACILITIES, STREETS AND ROADS, DRAINAGE AND RELATED IMPROVEMENTS, DEMOLITION OF EXISTING STRUCTURES, GENERAL MUNICIPALLY OWNED IMPROVEMENTS, AND ANY

IMPROVEMENT OR FACILITIES RELATED TO A PROJECT DESCRIBED ABOVE;

- ANY OTHER PROJECT THE BOARD OF DIRECTORS IN THE BOARD'S DISCRETION DETERMINES PROMOTES OR DEVELOPS NEW OR EXPANDED BUSINESS ENTERPRISES THAT CREATE OR RETAIN PRIMARY JOBS.

B. PROJECTS THAT NEED NOT CREATE OR RETAIN PRIMARY JOBS INCLUDING BUT NOT LIMITED TO:

- JOB TRAINING CLASSES, INFRASTRUCTURE NECESSARY TO PROMOTE OR DEVELOP NEW OR EXPANDED BUSINESS ENTERPRISES: LIMITED TO STREETS AND ROADS, RAIL SPURS, WATER AND SEWER UTILITIES, ELECTRIC UTILITIES, GAS UTILITIES, DRAINAGE, SITE IMPROVEMENTS, AND RELATED IMPROVEMENTS, TELECOMMUNICATIONS AND INTERNET IMPROVEMENTS;
- PROJECTS THE PRIMARY PURPOSE OF WHICH IS TO PROVIDE A GENERAL AVIATION BUSINESS SERVICE AIRPORT THAT IS PART OF AN INDUSTRIAL PARK;
- BUILDINGS, EQUIPMENT, FACILITIES AND IMPROVEMENTS FOR PROFESSIONAL AND AMATEUR SPORTS, INCLUDING CHILDREN'S SPORTS, ATHLETIC, ENTERTAINMENT, TOURIST, CONVENTION, AND PUBLIC PARK PURPOSES AND EVENTS, INCLUDING STADIUMS, BALL PARKS, AUDITORIUMS, AMPHITHEATERS, CONCERT HALLS, PARKS AND PARK FACILITIES, OPEN SPACE IMPROVEMENTS, MUSEUMS, EXHIBITION FACILITIES, AND RELATED STORE, RESTAURANT, CONCESSION AND AUTOMOBILE PARKING FACILITIES, RELATED AREA TRANSPORTATION FACILITIES, AND RELATED ROADS, STREETS, AND WATER AND SEWER FACILITIES, AND OTHER RELATED IMPROVEMENTS THAT ENHANCE ANY OF THE ITEMS DESCRIBED ABOVE;
- PROJECTS FOR THE PROMOTION OF DEVELOPMENT AND EXPANSION OF AFFORDABLE HOUSING;
- PROJECTS FOR THE DEVELOPMENT OR EXPANSION OF AIRPORT OR RAILPORT FACILITIES, INCLUDING HANGARS, MAINTENANCE AND REPAIR FACILITIES, CARGO FACILITIES, AND RELATED INFRASTRUCTURE LOCATED ON OR ADJACENT TO AN AIRPORT OR RAILPORT FACILITY, DEVELOPMENT IMPROVEMENT, EXPANSION, OR MAINTENANCE OF FACILITIES

RELATING TO THE OPERATION OF COMMUTER RAIL,  
LIGHT RAIL, OR MOTOR BUSES;

- CERTAIN WATER SUPPLY AND WATER CONSERVATION PROGRAMS WITH VOTER APPROVAL.

9. In all respects said election shall be conducted in accordance with the Texas Election Code. Pursuant to the federal Help America Vote Act and the Texas Election Code, each polling place shall be provided at least one voting system equipped for individuals with disabilities. Sufficient voting equipment to accommodate the voters shall be provided for early voting and at each of the polling places on election day.

10. 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.

11. In accordance with the provisions of V.T.C.A., Government Code, Section 1201.028 and the Charter of the City of Big Spring, this Ordinance shall be effective immediately upon its adoption by the City Council.

**PASSED AND APPROVED** on first reading by the City Council of the City of Big Spring, Texas, this the **24<sup>th</sup>** day of **July, 2012**, at a regular meeting of the City Council of the City of Big Spring, Texas, with all members present voting “aye” for passage of same.

**PASSED AND APPROVED** on second and final reading by the City Council of the City of Big Spring, Texas, this the **7<sup>th</sup>** day of **August, 2012**, at a regular meeting of the City Council of the City of Big Spring, Texas, with all members present voting “aye” for passage of same.

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Tommy Duncan, Mayor

ATTEST:

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Tami Davis, Asst. City Secretary