

CITY COUNCIL AGENDA

City of Big Spring
Tuesday, August 14, 2012

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, August 14, 2012, at 5:30 p.m. in the City Council Chambers located at 307 East 4th Street, Big Spring, Texas.

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

Presentations & Public Hearings

1. Invocation & Pledge of Allegiance to the United States Flag and to the Texas State Flag Duncan
2. Call for a Public Hearing on the Annual Budget and Ad Valorem Tax Rate for Fiscal Year 2012-13 To Be Conducted During the Regular City Council Meeting on August 28, 2012 at 5:30 in the City Council Chambers located at 307 East 4th Street Walker

Disposition of Minutes

3. Minutes of the Regular Meeting of July 24, 2012 5-8 Davis

Consent Items

4. Final 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 9-11 Darden
5. Final 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 12-16 Darden

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| 6. | Final 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 |
| 7. | Final 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 |
| 8. | Final 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 |
| 9. | Acceptance of McMahon-Wrinkle Airport Development Board Minutes for Meeting of June 21, 2012 | 28-29 | Little |
| 10. | Acceptance of Howard County Appraisal District Board of Directors Minutes for Meeting of June 13, 2012 | 30 | Walker |

Routine Business

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|-----|---------------------------------------|-----------|
| 11. | Vouchers for 07/26/12 \$ 1,021,493.79 | Fernandez |
| | Vouchers for 08/02/12 \$ 328,342.23 | |
| | Vouchers for 08/09/12 \$ 1,192,079.37 | |

New Business

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| 12. | First Reading of an Ordinance Granting a Partial Residence Homestead Exemption for Tax Year 2012; and Granting a Partial Residence Homestead Exemption to Any Individual Who is Disabled or Age 65 or Older | 31-32 | Walker |
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| 13. | First Reading of an Ordinance Providing for an Additional Twenty Percent (20%) Penalty to Defray Costs of Collecting Delinquent Taxes that Remain Delinquent on July 1 of the Year in Which They Become Delinquent | 33-34 | Walker |
| 14. | Approval of Investment Report for the Quarter Ending June 30, 2012 | 35-37 | Walker |
| 15. | Acceptance of Big Spring Economic Development Corporation Board of Directors Minutes for Meetings of June 14, 2012 and July 3, 2012 | 38-41 | Fuqua |

City Manager's Report

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| 16. | | Fuqua |
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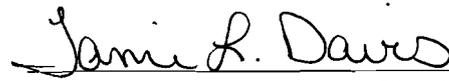
Council Input

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| 17. | Input | Duncan |
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Executive Session

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| 18. | Quarterly Update – Adjourn into Executive Session in Accordance with Section 551.071(1) to Consult with the City Attorney Concerning Pending or Contemplated Litigation | Duncan |
| 19. | Reconvene in Open Session and Take Any Necessary Action | Duncan |
| 20. | 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, August 10, 2012 at 3 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.


 Tami L. Davis, Assistant City Secretary

THE MEETING FACILITY IS ACCESSIBLE TO DISABLED PERSONS. ANY DISABLED PERSON NEEDING SPECIAL ACCOMMODATIONS OR HEARING-IMPAIRED PERSONS WISHING TO HAVE AN INTERPRETER SHOULD CONTACT 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

August _____, 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. 4th, Big Spring, Texas, at 5:30 p.m., July 24, 2012, with the following members present:

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| TOMMY DUNCAN | Mayor |
| CARMEN HARBOUR | Councilmember |
| GLEN CARRIGAN | Councilmember |
| BOBBY MCDONALD | Councilmember |
| MARVIN BOYD | Councilmember |

(Mayor Pro Tem Olson and Councilmember Fernandez were not present at this meeting.)

Same and constituting a quorum; and

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|----------------|---------------------------------|
| 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 |
| CRAIG FERGUSON | Fire Chief |

PRESENTATIONS & PUBLIC HEARINGS

INVOCATION & PLEDGE OF ALLEGIANCE

Robert Rivera, Templo DeAlabanza, gave the invocation and Mayor Duncan led the Pledge of Allegiance to the American and State Flags.

PROCLAMATION FOR “NATIONAL HEALTH CENTER WEEK” AUGUST 5TH THROUGH AUGUST 11TH

Mayor Duncan presented a proclamation for “National Health Center Week” to Howard County Health Center employees for the week of August 5th through August 11th.

DISPOSITION OF MINUTES

MINUTES OF THE REGULAR MEETING OF JULY 10, 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 July 10, 2012.

ROUTINE BUSINESS

Councilmember Harbour reviewed the vouchers. Motion was made by Councilmember Harbour, seconded by Councilmember Boyd, with all members of the Council voting "aye" approving vouchers in the amount of \$1,381,301.71 (7/12/12) and \$452,960.39 (7/19/12).

NEW BUSINESS

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

After a lengthy discussion, motion was made by Councilmember Carrigan, seconded by Councilmember Boyd, with all members of the Council voting "aye" approving 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.

DISCUSSION AND CONSIDERATION OF REMOVING AND REPLACING BOARD MEMBERS OF THE BIG SPRING ECONOMIC DEVELOPMENT CORPORATION

Mayor Duncan expressed some concerns that some members of the Big Spring Economic Development Corporation Board were not communicating well with Councilmembers and the Mayor would like to see the board be more conservative on some issues. After a brief discussion, no Council action was taken.

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

Motion was made by Mayor Pro Tem Olson, seconded by Councilmember Boyd, with all members of the Council voting "aye" approving 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.

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

Motion was made by Councilmember Carrigan, seconded by Councilmember Harbour, with all members of the Council voting "aye" approving 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.

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

Motion was made by Councilmember Boyd, seconded by Councilmember Harbour, with all members of the Council voting "aye" approving 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.

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 ACCORDNANCE WITH STATE LAW; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember McDonald, seconded by Councilmember Boyd, with all members of the Council voting "aye" approving 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.

CITY MANAGER'S REPORT

Gary Fuqua, City Manager, introduced Craig Ferguson as the new Fire Chief.

Jim Little, Airpark Director, announced that the 2012 National Hang Gliding would be at the Airpark August 6-10.

COUNCIL INPUT

No comments at this time.

ADJOURN

Motion was made by Councilmember Boyd, seconded by Councilmember Harbour, with all members of the Council voting "aye" to adjourn at 9:00 p.m.

CITY OF BIG SPRING, TEXAS

Tommy Duncan, Mayor

ATTEST:

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 24th 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 7th 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 **24th** 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 **14th** 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 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 22nd Street to a point 15’ south of the south right-of-way line of 17th Street.

(2) On 18th 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 4th Street to the south right-of-way line of NW 7th Street.

(2) On NW 7th 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 5th Street to a point 20' north of the right-of-way line of East 10th 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 8th 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 5th to a point north of the right-of-way line of East 6th Street.
- (6) On Austin Street from a point 10' south of the right-of-way line of East 5th to a point north of the right-of-way line of East 6th 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 13th Street to a point 88' north of the north right-of-way line of West 13th Street.
- (2) On West 16th 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 24th 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 14th 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 **24th** 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 **14th** 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 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.

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 places for the election on election day, and the precincts for said election, are hereby designated as follows:

Howard County Election Precincts

Polling Places:

County Election Precincts No. 11, 12, 12A, 13, 14,
16,

Howard County Road & Bridge Office
1000 N. San Antonio
Big Spring, TX 79720

County Election Precincts No. 24, 25, 26,

Big Spring Mall
1201 S. Birdwell Lane
Big Spring, TX 79720

County Election Precincts No. 32, 33, 34, 35,

First Baptist Church Foyer
705 W FM 700
Big Spring, TX 79720

County Election Precincts No. 42, 45, 46,

Dorothy Garrett Coliseum
1001 Birdwell Lane
Big Spring, TX 79720

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, October, 30, 2012, and Thursday, November 1, 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:

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;
- 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; and
- maintenance and operating costs associated with the above projects.

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

- projects for the promotion of development and expansion of affordable housing;
- 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 development or expansion of airports, railport facilities, rail switching facilities, 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; and
- maintenance and operating costs associated with the above projects.

8. 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

FOR)

AGAINST)

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:

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;
- 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; AND
- MAINTENANCE AND OPERATING COSTS ASSOCIATED WITH THE ABOVE PROJECTS.

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

- PROJECTS FOR THE PROMOTION OF DEVELOPMENT AND EXPANSION OF AFFORDABLE HOUSING;
- 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 DEVELOPMENT OR EXPANSION OF AIRPORTS, RAILPORT FACILITIES, RAIL SWITCHING FACILITIES, 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; AND
- MAINTENANCE AND OPERATING COSTS ASSOCIATED WITH THE ABOVE PROJECTS.

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 **24th** 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 **14th** 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.

Tommy Duncan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary

City of Big Spring
Big Spring McMahon-Wrinkle Airport and Industrial Park
Development Board Meeting Minutes
June 21, 2012

The Big Spring Airport and Industrial Park Development Board met in Regular Session at 5:30 p.m., Thursday, June 21, 2012 at the Airport Terminal conference room, 3200 Rickabaugh Drive, Big Spring, Texas. Marc Marchesseault called the meeting to order at 5:30 p.m. with the following members in attendance:

| | |
|--------------------|--------------|
| Marc Marchesseault | Paschal Odom |
| Ned Crandall | Jan Hansen |
| Jim DeVille | |

Absent: Willie Rangel
Wayne Dawson

Also in attendance: Jim Little, Airport Director
Kelly Grant, Director's Assistant
Rodney Patridge, A&P Mechanic

Item # 1

Call to Order

Marc called the meeting to order at 5:30 pm.

Item # 2

Review and approve minutes from May 24, 2012 meeting

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

Item # 3

Big Spring Economic Development Corporation Update

Terry Wegman was unavailable due to travel. Jim updated the board on a recent issue with CoEx Pipe where UP had shut down their rail service pending the repair of a safety issue which the EDC promptly assisted them in. EDC had them back up and running by the next day. The EDC is also still working with the galvanizing plant on North 87, helping them move forward.

Item # 4

THS Update

Jim updated the board stating that THS has leased their office space on the Airpark and the rail location plans are still being worked. The locomotive has not arrived from California yet. The board viewed photos of the two types of locomotive that THS has been trying to acquire. They will only be getting one at this time.

Item # 5

Airport Terminal Ramp Upgrade Project, Status

Jim stated that the design and engineering are complete and the project is going before the Transportation Commission for approval. The planning phase is almost complete and the project is moving along very well.

Item # 6

Airport Fuel Tank Farm Project, Status

Jim stated that the project specs are now being wrapped up. The airport has received a great deal of inquiries about the self serve fueling option and that is being reconsidered. Due to the increasing interest, Jim stated that he feels it would be prudent to add that option to the current installation project if possible. Ned Crandall made a motion to add the self serve fueling option, with Jan Hansen seconding the motion and all members voting 'aye' for approval.

Item # 7

Airport Directors Update

Jim mentioned the current Budget preparation for 2012-2013. The prospect of building new hangars is being worked at this time. The airport is in desperate need of additional hangar space and there are several options that are being discussed. We do have local support for the construction of an additional Corporate Hangar. Jim mentioned the Runway 06/24 crack seal project that is being funded through our RAMP program and should be complete in the next two months. The US Flight Academy has three new airplanes flying and has hired on two additional flight instructors to assist in the training of their 12 new students. The City has begun a Master Plan Review for all of the different departments and Councilman Glen Carrigan will be assisting with the update for the Master Plan. Jim mentioned the previously discussed Fiber internet cables that were being considered for installation to the large hangar tenants. That option is not being pursued at this time due to high costs, but may be reconsidered at a later time. Jim informed the board of a possible material storage site for the Truck Reliever Route construction process on the West side of the airport property. Jim also mentioned the planned expansion of the GEO Group's Cedar Hill Prison Unit. The airport will be involved in the planning process due to the possible impacts on the airport and airspace restrictions. A new issue is the possibility of leasing a small tract of land to the prison contractors for the installation of temporary housing for the large construction crews that will be working the project. The board briefly discussed the pros and cons of that opportunity and decided that it would benefit the airport to assist the prison through the lease of land for the temporary housing. Jim informed the board that the Forest Service Fire Helicopters have all been relocated to fight the ongoing wildfires in California and Colorado, but may return in the fall. The Annual Prairie Dog Fly-In on Saturday, June 9th was successful. We had a great turnout of patrons and aircraft, and will do some follow up work to determine the outcome of some competing fly-ins and help in pre-planning for the next year's event. The July 4th Pop's In The Park event is set for July 3rd at Comanche Trail Park Amphitheater, with a flyover being coordinated for that event. The National Hang Gliding Competitions are still scheduled for July 21-28th. For Show & Tell, the board viewed a map of the Truck Reliever Route, photos of the Big Spring Rail System locomotive options, a flyer for the upcoming Hangar 25 Air Museum Kids Club program, and a humorous short story about a pilot and his son.

Item # 8

Leased Building Issues

Jim informed the board that there have recently been some roof leaks at the John Crane Production Solutions buildings which we were previously unaware of. Those repairs are being discussed and worked at this time. Jim also again briefly mentioned the fire safety sprinkler system projects for Western Container and John Crane Production Solutions, Inc. Both projects are currently being worked.

Item # 9

Airport Safety Committee Report

Wayne Dawson was unavailable for an update. However, Marc stated that a representative from the Forest Service Fire Fighting operations should be here for the next Pilot Safety Meeting in August. The board also briefly discussed the upcoming Hang Gliding competitions and the increase in Flight School activity with Jarle having over a dozen new students beginning their flight training.

Item # 10

Other Events & Activities

There are no other events or activities at this time.

Item # 11

Board Member Updates

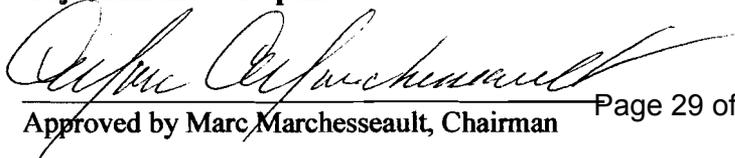
There are no updates at this time.

Item # 12

Next Meeting Date

July 19, 2012

Adjournment: 7:15 p.m.


Approved by Marc Marchesseault, Chairman


Date Approved 8-14-12 Agenda

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

JUNE 13, 2012

The Board of Directors of the Howard County Appraisal District (HCAD) met for their Regular Meeting on June 13, 2012 at 5:15 pm. Directors present were Donnie Baker, Donnie Reid, Dale Humphreys, and Kathy Sayles. Ronny Babcock and Shane Schaffner represented the HCAD.

Mr. Baker called the meeting to order at 5:15 pm.

No one was registered for public comments.

The minutes for May 16, 2012 were reviewed and approved on a motion from Kathy Sayles with a second from Donnie Reid. Motion carried 4 to 0.

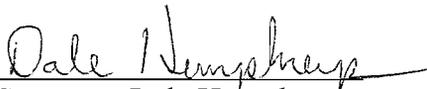
The bills were inspected and reviewed. Dale Humphreys made a motion to approve the bills, Kathy Sayles seconded the motion. Motion carried 4 to 0.

The financial reports were reviewed and approved on a motion from Donnie Reid, with a second from Dale Humphreys. Motion carried 4 to 0.

A motion was made by Kathy Sayles to amend Policies of Operation & Personnel Rules on ATM (Credit Card) Procedures. Motioned was seconded by Donnie Reid. Motion carried 4 to 0.

The board discussed the Preliminary Budget for 2013 tax year.

With no other business to discuss, the meeting adjourned at 5:45 pm.


Secretary, Dale Humphreys


Chairman, Donnie Baker

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS GRANTING A PARTIAL RESIDENCE HOMESTEAD EXEMPTION FOR TAX YEAR 2012; AND GRANTING A PARTIAL RESIDENCE HOMESTEAD EXEMPTION TO ANY INDIVIDUAL WHO IS DISABLED OR AGE 65 OR OLDER

WHEREAS, the City Council finds that it would be in the best interest of the public welfare for the City Council to grant the residence homestead exemptions provided in Article 8, Section 1-b of the Texas Constitution and §11.13 of the Texas Property Tax Code;

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

SECTION I: As authorized by Article 8 Section 1-b (e) of the Texas Constitution and §11.13 (n) of the Texas Property Tax code the City Council hereby exempts from Municipal Ad Valorem Taxation twenty percent (20%) of the market value of the residence homestead of a married or unmarried adult, including one living alone, for the tax year 2012. However, as provided in said constitutional provision, the amount of the exemption authorized pursuant to this section may not be less than Five Thousand Dollars (\$5,000.00) unless the legislature by general law prescribes other monetary restrictions on the amount of this exemption. Also, as prescribed in said constitutional provisions an eligible adult is entitled to receive other applicable exemptions provided by law. Further, as provided in said constitution provision, where Ad Valorem Tax has previously been pledged for the payment of debt, the City of Big Spring may continue to levy and collect the tax against the value of the homesteads exempted under this section until the debt is discharged if the cessation of the levy would impair the obligation of the contract by which the debt was created.

SECTION II: In addition to the exemption in Section I above, and as authorized by Article 8, Section 1-b of the Texas constitution and §11.13 (d), (e), and (f) of the Texas Property Tax Code, the City Council hereby exempts from Municipal Ad Valorem Taxation Five Thousand and no/100 Dollars (\$5,000.00) of the appraised value of the residence homestead of an individual who is age sixty-five (65) or older or is disabled. (See said §11.13 for definitions and restrictions.) An eligible disabled individual who is sixty-five (65) years of age or over may not receive both a disabled and an age 65 exemption in the same year but may choose either one; notwithstanding the foregoing, where any ad valorem tax has heretofore been pledged for payment of any debt, the taxing officers of the City shall have authority to continue to levy and collect the tax against said homestead property at the same rate as the tax so pledged until the debt is discharged if cessation of the levy would impair the obligation of the contract by which the debt was created.

The exemption provided by this Section II may be repealed or decreased in amount by the City Council. In the case of decrease, the amount of the exemption may not be reduced to less than \$3,000.00 of the market value.

SECTION III: Joint or community owners may not each receive the same exemption by Section I or Section II above for the same residence homestead in the same year.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 14th day of August 2012, 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 28th day of August 2012, with all members present voting “aye” for passage of same.

Tommy Duncan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS PROVIDING FOR AN ADDITIONAL TWENTY PERCENT (20%) PENALTY TO DEFRAID COSTS OF COLLECTING DELINQUENT TAXES THAT REMAIN DELINQUENT ON JULY 1 OF THE YEAR IN WHICH THEY BECOME DELINQUENT, AND PROVIDING FOR PUBLICATION

WHEREAS, the City of Big Spring has contracted with an attorney pursuant to Section 6.30 of the Texas Property Tax Code to represent the City to enforce the collection of delinquent taxes;

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

SECTION I: Pursuant to Section 33.07 of the Texas Property Tax Code, ad valorem taxes that remain delinquent on July 1 of the year in which they become delinquent incur an additional penalty, which shall be 20% of the amount of taxes, penalty, and interest due.

SECTION II: Pursuant to Section 33.07 (b) of the Texas Property Tax Code, a tax lien attaches to the property on which the tax is imposed to secure payment of said additional penalty.

SECTION III: Pursuant to Section 33.07 (c) of the Texas Property Tax Code, the City of Big Spring, Texas, shall not recover attorney's fees in a suit to collect delinquent taxes subject to said additional penalty.

SECTION IV: Pursuant to Section 33/07 (d) of the Texas Property Tax Code, the City of Big Spring tax collector shall deliver notice of delinquency and of said additional penalty to the property owner no less than 30 and no more than 60 days before July 1.

SECTION V: The City Secretary shall, after passage of this ordinance, publish the caption of this ordinance as required by law.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 14th day of August, 2012, 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 28th day of August, 2012, with all members present voting “aye” for the passage of same.

Tommy Duncan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

**City of Big Spring
Investment Report
Quarter Ending June 30, 2012**

| | Market Value <u>3/31/12</u> | Quarterly Interest <u>Income</u> | Net Additions/ <u>Decreases</u> | Market Value <u>6/30/12</u> |
|-----------------------------|--------------------------------|--|------------------------------------|--------------------------------|
| <u>TexPool Funds</u> | | | | |
| Utility Escrow | \$ 409,209.22 | \$ 85.35 | \$ (409,294.57) | \$ - |
| Airpark | 495,720.70 | 154.50 | | 495,875.20 |
| Landfill Closure | 2,249,713.56 | 701.31 | - | 2,250,414.87 |
| Operating Account | 1,727,954.87 | 538.69 | - | 1,728,493.56 |
| Cemetery | 353,390.19 | 109.90 | - | 353,500.09 |
| Health Insurance | 803,256.47 | 219.98 | (803,476.45) | - |
| Total TexPool | \$ 6,039,245.01 | \$ 1,809.73 | \$ (1,212,771.02) | \$ 4,828,283.72 |
| <u>TexSTAR Funds</u> | | | | |
| Certificates of Obligation | \$ 679,136.23 | \$ 123.45 | \$ (400,000.00) | \$ 279,259.68 |
| Total TexSTAR | \$ 679,136.23 | \$ 123.45 | \$ (400,000.00) | \$ 279,259.68 |
| Total Funds in Pools | \$ 6,718,381.24 | \$ 1,933.18 | \$ (1,612,771.02) | \$ 5,107,543.40 |

**City of Big Spring
Investment Report
Quarter Ending June 30, 2012**

| | <u>Value</u> <u>3/31/12</u> | <u>Quarterly</u> <u>Interest</u> <u>Income</u> | <u>Net Additions/</u> <u>Decreases</u> | <u>Value</u> <u>6/30/12</u> |
|-----------------------------|--------------------------------|--|---|--------------------------------|
| Western Bank- | | | | |
| Maturity 6/30/2012 | \$ 100,349.54 | \$ 176.02 | \$ - | \$ 100,525.56 |
| Maturity 9/30/2012 | 130,519.43 | 263.36 | - | 130,782.79 |
| Total Western Bank | \$ 230,868.97 | \$ 439.38 | \$ - | \$ 231,308.35 |
| Lone Star State Bank | | | | |
| Maturity 6/30/2012 | \$ 100,275.39 | \$ 99.85 | \$ - | \$ 100,375.24 |
| Maturity 9/30/2012 | 130,486.62 | 246.67 | - | 130,733.29 |
| Total Lone Star Bank | \$ 230,762.01 | \$ 346.52 | \$ - | \$ 231,108.53 |
| BBVA Compass | | | | |
| Money Market - 2521127867 | \$ 2,502,491.02 | \$ 1,991.38 | \$ - | \$ 2,504,482.40 |
| Total BBVA Compass | \$ 2,502,491.02 | \$ 1,991.38 | \$ - | \$ 2,504,482.40 |
| Total Investments | \$ 9,682,503.24 | \$ 4,710.46 | \$ (1,612,771.02) | \$ 8,074,442.68 |

**City of Big Spring
Monthly Interest Rates
Quarter Ending June 30, 2012**

| | <u>April</u> | <u>May</u> | <u>June</u> | <u>Average</u> |
|----------------------------------|--------------|------------|-------------|----------------|
| TexPool Funds | 0.1100% | 0.1200% | 0.1400% | 0.1247% |
| TexSTAR Funds | 0.1098% | 0.1273% | 0.1379% | 0.1264% |
| Western Bank | | | | 0.7000% |
| 6 month CD | | | | 0.8000% |
| 12 month CD | | | | |
| Lone Star State Bank | | | | 0.5500% |
| 6 month CD | | | | 0.7521% |
| 12 month CD | | | | |
| BBVA Compass Money Market | | | | 0.2000% |

Prepared by: 
 Peggy Walker - Finance Director


 Gary Fugua - City Manager

Minutes of the Board of Director's Special Meeting
BIG SPRING ECONOMIC DEVELOPMENT CORPORATION
Thursday, June 14, 2012
12:30 p.m.
Offices of the Big Spring Economic Development Corporation
215 West Third Street
Big Spring, Texas

The Regular Meeting of the Board of Directors of the Big Spring Economic Development Corporation was called to order at 12:33 p.m. Thursday, June 14, 2012 in the offices of the Big Spring Economic Development Corporation with Mr. Myers, presiding. The following notice was sent on June 11, 2012 to all Directors, the news media, and duly posted on June 11, 2012, by Teresa Darden in compliance with the Open Meeting's Act by posting it on the outside door of the Big Spring Economic Development Corporation and on the inside and outside of City Hall.

"The Board of Directors of the Big Spring Economic Development Corporation will hold a Special Board Meeting on Thursday, June 14, 2012 at 12:30 p.m. in the offices of the Big Spring Economic Development Corporation, 215 West Third Street, Big Spring, Texas. The purpose of the meeting is: Action on Minutes of the May 15, 2012 Regular Meeting; Action to Approve modifications of the Incentive Agreement with Boyce Galvanizing LLC previously approved January 3, 2012; Action to enter into an Agreement with Transport Handling Specialist to provide reimbursement for repairs to the Industrial Park Rail Spur; Directors Report; Public Comment; Board Comment; and Adjourn".

Directors Present:

Mr. Justin Myers
Dr. Keith Ledford
Mr. Scott MacKenzie
Mr. Jim DePauw

Directors Absent:

Rodney Bomar

Staff Present:

Mr. Terry Wegman
Mrs. Teresa Darden

Guests:

Miklos Szabo
Amanda Moreno
Cole Morgan
Bobby McDonald

Greg Sherman
Bill Norris
Jonna Morgan

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

Mr. Myers called the meeting to order at 12:33 p.m. Mr. DePauw led the invocation and pledge.

AGENDA ITEM # 2- Action to Approve Minutes of the May 15, 2012 Regular Meeting:

Mr. Myers presented the minutes of the May 15, 2012 Regular Meeting. Motion to accept the minutes for the May 15, 2012 Regular Meeting was made by Mr. MacKenzie seconded by Mr. DePauw. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion.

ACTION ITEM #3- Action to approve modifications to the Incentive Agreement with Boyce Galvanizing LLC previously approved January 3, 2012:

Mr. Wegman presented the agreement with modifications. Motion to approve the modifications to the Incentive Agreement between Big Spring EDC and Boyce Galvanizing LLC was made by Mr. DePauw seconded by Dr. Ledford. The motion passed 3 to 0 with all members present voting "aye" in favor of the motion and Mr. Myers abstaining.

AGENDA ITEM #4- Action to enter into an Agreement with Transport Handling Specialist to provide reimbursement for repairs to the Industrial Park Rail Spur:

Mr. Wegman presented the Agreement with Transport Handling Specialist. Motion to approve the Agreement between Big Spring EDC and Transport Handling Specialist to provide reimbursement in the amount no more than \$28,303, for repairs to the Industrial Park Rail Spur was made by Mr. Myers seconded by Mr. DePauw. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion.

AGENDA ITEM #5- Directors Report

Mr. Wegman updated the Board on previous AWEA show and the contacts made. Mr. Wegman also met with an existing company wanting to expand and the owner of the property will be making that expansion. THS has been meeting with many prospects for the rail. This week they are meeting with a pipe trans-load company.

AGENDA ITEM #6- Public Comments

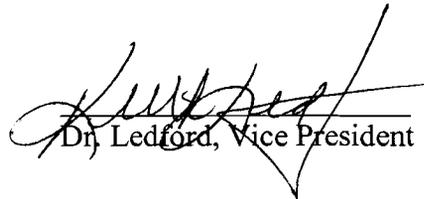
None

AGENDA ITEM # 7- Board Comments

None

AGENDA ITEM # 8- Adjourn

Mr. Myers asked for a motion to adjourn. Motion by Mr. Myers, seconded by Mr. MacKenzie. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion. Meeting adjourned at 1:05 pm on June 14, 2012


Dr. Ledford, Vice President

ATTEST:


Mr. DePauw

Minutes of the Board of Director's Special Meeting
BIG SPRING ECONOMIC DEVELOPMENT CORPORATION
Tuesday, July 3, 2012
11:30 a.m.
Offices of the Big Spring Economic Development Corporation
215 West Third Street
Big Spring, Texas

The Regular Meeting of the Board of Directors of the Big Spring Economic Development Corporation was called to order at 11:32 a.m. Tuesday July 3, 2012 in the offices of the Big Spring Economic Development Corporation with Mr. Myers, presiding. The following notice was sent on June 29, 2012 to all Directors, the news media, and duly posted on June 29, 2012, by Teresa Darden in compliance with the Open Meeting's Act by posting it on the outside door of the Big Spring Economic Development Corporation and on the inside and outside of City Hall.

"The Board of Directors of the Big Spring Economic Development Corporation will hold a Special Board Meeting on Tuesday, July 3, 2012 at 11:30 a.m. in the offices of the Big Spring Economic Development Corporation, 215 West Third Street, Big Spring, Texas. The purpose of the meeting is: Action to Approve modifications of the Incentive Agreement with Boyce Galvanizing LLC previously approved January 3, 2012 and June 14, 2012; Public Comment; Board Comment; and Adjourn".

Directors Present:

Mr. Justin Myers
Dr. Keith Ledford
Mr. Scott MacKenzie
Mr. Jim DePauw

Directors Absent:

Rodney Bomar

Staff Present:

Mr. Terry Wegman
Mrs. Teresa Darden

Guests:

Miklos Szabo
Joseph Best

Greg Sherman

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

Mr. Myers called the meeting to order at 11:32 a.m. Mr. Myers led the invocation and pledge.

ACTION ITEM #2- Action to approve modifications to the Incentive Agreement with Boyce Galvanizing LLC previously approved January 3, 2012 and June 14, 2012:

Mr. Wegman presented the agreement with modifications. Motion to approve the modifications to the Incentive Agreement between Big Spring EDC and Boyce Galvanizing LLC was made by Mr. MacKenzie seconded by Mr. DePauw. The motion passed 3 to 0 with all members present voting "aye" in favor of the motion and Mr. Myers abstaining.

AGENDA ITEM #3- Public Comments

None

AGENDA ITEM # 4- Board Comments

None

AGENDA ITEM # 5- Adjourn

Mr. Myers asked for a motion to adjourn.

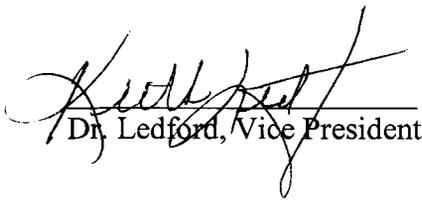
Motion by Mr. Myers, seconded by Mr. DePauw. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion.

Meeting adjourned at 11:46 am on July 3, 2012

ATTEST:



Mr. DePauw, Board Member



Dr. Ledford, Vice President