

CITY COUNCIL AGENDA

City of Big Spring
Tuesday, August 23, 2011

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, August 23, 2011, 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

Disposition of Minutes

2. Minutes of the Regular Meeting of August 9, 2011 1-5 Davis

Consent Items

3. Final Reading of a Resolution Approving the Investment Policy of the City of Big Spring 6-11 Walker
4. Acceptance of Convention and Visitors Bureau Committee Minutes for Meeting of July 6, 2011 12-13 Walker
5. Acceptance of Howard County Appraisal District Board of Directors Minutes for Meeting of July 6, 2011 14 Walker

Routine Business

6. Vouchers for 08/11/11 \$ 1,186,933.25 Olson
Vouchers for 08/18/11 \$ 477,640.57

New Business

7. Call for Public Hearing for 2011-12 Annual Budget and Ad Valorem Tax Rate – Walker
September 13, 2011 at 5:30 p.m. at the Council Chambers

- | | | | |
|-----|---|-------|---------|
| 8. | Discussion of Proposed Plan #1 for Redistricting of Political Boundaries | 15-30 | Walker |
| 9. | First Reading of a Resolution Establishing Fund Balance Policies as Required by GASB 54 | 31-32 | Walker |
| 10. | Consideration and Approval to Replat Property Located in the West Part of Section 7, Block 32, Township 1 South, T&P R Survey, to be Replatted as Coronado Gardens, Lots 1-5 and Consideration to Vacate and Abandon All Recorded or Prescriptive Easements Located in or on Lots 1-5 of Coronado Gardens | 33-34 | Darden |
| 11. | Approval of an Interlocal Agreement between the City of Big Spring and Howard County to Provide Financial Support of the Senior Citizens Center and Authorizing the Mayor to Execute Any Necessary Documents | 35-36 | Sjogren |
| 12. | Approval of an Interlocal Agreement between the City of Big Spring and Howard County to Provide Emergency Ambulance Service and Authorizing the Mayor to Execute Any Necessary Documents | 37-39 | Sjogren |
| 13. | Acceptance of Big Spring Economic Development Corporation Board of Directors Minutes for Regular Meeting of July 19, 2011 | 40-43 | Fuqua |

City Manager's Report

- | | | | |
|-----|---|--|-------|
| 14. | Employees Appreciation Day Picnic and Service Awards
Friday, September 2, 2011 at 12:00 Noon | | Fuqua |
|-----|---|--|-------|

Council Input

- | | | | |
|-----|---------|--|--------|
| 15. | Input | | Duncan |
| 16. | Adjourn | | Duncan |

I hereby certify that this agenda was posted on the official bulletin boards at the Big Spring City Hall Building, 310 Nolan Street, Big Spring, Texas on Friday, August 19, 2011 at 5:00 p.m. In addition this agenda and supporting documents are posted on the City of Big Spring's website, www.mybigspring.com in accordance with legal requirements.


 Lesa Gamble, Administrative Assistant

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

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

August _____, 2011 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., August 9, 2011, with the following members present:

TOMMY DUNCAN	Mayor
CRAIG OLSON	Mayor Pro Tem
MARCUS FERNANDEZ	Councilmember
GLEN CARRIGAN	Councilmember
GLORIA MCDONALD	Councilmember
TERRY HANSEN	Councilmember

(Councilmember Ramirez was not present at this meeting.)

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
LONNIE SMITH	Police Chief
RICH GROVE	Deputy Fire Chief
TIM GREEN	Municipal Court Judge
JIM LITTLE	Airport Director

PRESENTATIONS & PUBLIC HEARINGS

INVOCATION & PLEDGE OF ALLEGIANCE

Holsten Banks, Shiloh House of Praise, gave the invocation and Mayor Duncan led the Pledge of Allegiance to the American and State Flags.

PRESENTATION OF “DOING YOUR PART AWARDS”

Mayor Duncan and Councilmember Carrigan presented the “Doing Your Part Award” for July, 2011 to George and Terri Martin at 1902 Comanche.

PRESENTATION OF “STAR EMPLOYEE AWARD”

Mayor Duncan and Gary Fuqua, City Manager, presented “Star Employee Awards” for August to Todd Darden, Assistant City Manager, and Lesa Gamble, Administrative Assistant to the City Manager.

DISPOSITION OF MINUTES

MINUTES OF THE REGULAR MEETING OF JULY 26, 2011

Motion was made by Councilmember Carrigan, seconded by Councilmember Fernandez, with all members of the Council voting "aye" approving the regular minutes of July 26, 2011.

CONSENT ITEMS

FINAL READING OF A RESOLUTION DENYING ATMOS ENERGY CORPORATION-WEST TEXAS DIVISION'S FOURTH ANNUAL RATE REVIEW MECHANISM FILING; PERMITTING THE COMPANY TO ESTABLISH A REGULATORY ASSEST FOR NEW DEPRECIATION RATES WHICH MAY BE CONSIDERED IN A SYSTEM-WIDE RATE FILING; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES; ADOPTING A SAVING CLAUSE; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THE RESOLUTION TO THE COMPANY AND THE STEERING COMMITTEE'S LEGAL COUNSEL

FINAL READING OF AN ORDINANCE GRANTING A PARTIAL RESIDENCE HOMESTEAD EXEMPTION FOR TAX YEAR 2011; AND GRANTING A PARTIAL RESIDENCE HOMESTEAD EXEMPTION TO ANY INDIVIDUAL WHO IS DISABLED OR AGE 65 OR OLDER

FINAL 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

FINAL READING OF A RESOLUTION APPROVING THE ACTIVE BANK ACCOUNTS OF THE CITY AND AUTHORIZING SIGNATURES FOR EACH ACCOUNT

ACCEPTANCE OF MCMAHON WRINKLE AIRPARK DEVELOPMENT BOARD MINUTES FOR MEETING OF JUNE 16, 2011

APPROVAL OF LATE HOMESTEAD EXEMPTION REFUNDS FOR THE MONTH OF JULY 2011

Motion was made by Mayor Pro Tem Olson, seconded by Councilmember McDonald, with all members of the Council voting "aye" approving the second and final reading of the above listed resolutions and ordinances and approving of the above listed minutes and late homestead exemption refunds.

ROUTINE BUSINESS

VOUCHERS

Councilmember McDonald reviewed vouchers.

Motion was made by Councilmember McDonald, seconded by Mayor Pro Tem Olson, with all members of the Council voting “aye” approving vouchers in the amount of \$679,579.46 (7/28/11) and \$173,464.60 (8/4/11).

NEW BUSINESS

NOTICE OF REVISIONS TO WATERING SCHEDULE IN STAGE III OF THE DROUGHT CONTINGENCY PLAN

Gary Fuqua, City Manager, announced that he would like to change the residential watering schedule from one day of watering to two watering days which will be Tuesday evening from 7 p.m. to 10 p.m. and on Saturday morning from 7 a.m. to 10 a.m. Commercial businesses will remain on the same one day watering schedule on Tuesday morning from 6 a.m. to 10 a.m. All Councilmembers agreed.

FIRST READING OF A RESOLUTION APPROVING THE INVESTMENT POLICY OF THE CITY OF BIG SPRING

Motion was made by Councilmember McDonald, seconded by Councilmember Carrigan, with all members of the Council voting “aye” approving first reading of a resolution approving the investment policy of the City of Big Spring.

APPROVAL OF A PERFORMANCE AGREEMENT WITH BIG SPRING ECONOMIC DEVELOPMENT CORPORATION FOR INFRASTRUCTURE IMPROVEMENTS TO THE WESTERN CONTAINER FACILITY SPRINKLER SYSTEM AT THE BIG SPRING MCMAHON WRINKLE AIRPARK AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Hansen, seconded by Councilmember McDonald, with all members of the Council voting “aye” approving a performance agreement with Big Spring Economic Development Corporation for infrastructure improvements to the Western Container Facility sprinkler system at the Big Spring McMahan Wrinkle Airpark and authorizing the Mayor to execute any necessary documents.

APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BIG SPRING AND HOWARD COUNTY TO PROVIDE SUPPORT FOR OPERATIONS OF THE BIG SPRING STATE PARK AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Carrigan, seconded by Mayor Pro Tem Olson, with all members of the Council voting “aye” approving an interlocal agreement between the City of Big Spring and Howard County to provide support for operations of the Big Spring State Park and authorizing the Mayor to execute any necessary documents.

APPROVAL OF AN AGREEMENT WITH TRANSPORT HANDLING SPECIALISTS, INC. TO LEASE CERTAIN PROPERTY AND RAILROAD EASEMENTS AT THE BIG SPRING MCMAHON WRINKLE AIRPORT AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO NEGOTIATE ADDITIONAL TERMS AND TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Fernandez, seconded by Councilmember Hansen, with all members of the Council voting “aye” approving an agreement with Transport Handling Specialists, Inc. to lease certain property and railroad easements at the Big Spring McMahon Wrinkle Airport and authorizing the City Manager or his designee to negotiate additional terms and to execute any necessary documents.

APPROVAL OF AN INTERLOCAL AGREEMENT WITH HOWARD COUNTY JUNIOR COLLEGE DISTRICT FOR THE COLLEGE TO DONATE COMPUTER EQUIPMENT TO THE BIG SPRING POLICE DEPARTMENT AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember McDonald, seconded by Councilmember Carrigan, with Councilmembers Fernandez, Carrigan, Duncan, McDonald and Olson voting “aye” approving an interlocal agreement with Howard County Junior College District for the college to donate computer equipment to the Big Spring Police Department and authorizing the Mayor to execute any necessary documents. Councilmember Hansen abstained.

APPROVAL OF INVESTMENT REPORT FOR THE QUARTER ENDING JUNE 30, 2011

Motion was made by Councilmember Hansen, seconded by Mayor Pro Tem Olson, with all members of the Council voting “aye” approving investment report for the quarter ending June 30, 2011.

CITY MANAGER’S REPORT

Gary Fuqua, City Manager, announced that the large item pick up for District 5 will be August 26, 2011.

COUNCIL INPUT

All Councilmembers thanked the city staff for their hard work on the 2011-2012 budget.

Councilmember Fernandez expressed concerns about the water issues and asked the public to use water wisely.

ADJOURN

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

CITY OF BIG SPRING, TEXAS

Tommy Duncan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS,
APPROVING THE INVESTMENT POLICY OF THE CITY OF BIG SPRING.

WHEREAS, the City Council of the City of Big Spring has adopted a written investment policy as required by the Public Funds Investment Act;

WHEREAS, Section 2256.005(e) of the Public Funds Investment Act requires an annual review of the adopted investment policy; and

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

The City Council has reviewed and hereby approves the investment policy and investment strategy hereto attached as Exhibit A.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 9th day of August, 2011, with all Councilmembers voting "aye" for passage of same.

PASSED AND APPROVED on second reading at a regular meeting of the City Council on the 23rd day of August, 2011, with all Councilmembers voting "aye" for passage of same.

Tommy Duncan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

CITY OF BIG SPRING

INVESTMENT POLICY

Scope: This investment policy applies to all financial assets of the City of Big Spring, Texas, and includes all funds listed below:

1. General Fund
2. Special Revenue Funds
3. Debt Service Funds
4. Enterprise Funds
5. Internal Service Funds
6. Trust and Agency Funds

Statement of Cash Management Philosophy - The City of Big Spring shall maintain a comprehensive cash management program, to include the effective collection of all accounts receivable, the prompt deposit of receipts to the City's bank accounts, the payment of obligations so as to comply with state law and in accordance with vendor invoices, and the prudent investment of idle funds in accordance with this policy.

Objectives - The City's investment program shall be conducted so as to accomplish the following objectives, listed in order of priority:

1. Safety of the principal invested;
2. Availability of sufficient cash to pay obligations of the City when they are due; and
3. Investment of idle cash at the highest rate of possible return, consistent with state and local laws and the two objectives listed above.

Delegation of Authority - The Director of Finance, as the City's chief financial officer, is responsible for overall management of the City's investment program and is designated as the City's Investment Officer, with support from the City Manager, and may designate the Assistant Director of Finance as a deputy to assist with the management of the investment portfolio. Accordingly, the Finance Director is responsible for day-to day administration of the investment program and for the duties listed below:

1. Maintain current information as to available cash balances in City accounts, and as to the idle cash available for investment;
2. Make investments in accordance with this policy;
3. Ensure that all investments are adequately insured.

Prudence - Investments shall be made with judgment and care, under circumstances then prevailing, that persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

The treasurer, the chief financial officer if the treasurer is not the chief financial officer, deputies appointed to assist in investments and the investment officer shall attend at least one training session relating to the person's responsibilities within twelve months after taking office or assuming duties. The positions mentioned above must attend a training session once every two years and receive a minimum of ten hours training, with the training to be provided by an independent source approved by the City Council. For the purposes of this policy, an "independent source" from which investment training shall be obtained shall include a professional organization, an institute of higher learning or any other sponsor other than a business organization with whom the City of Big Spring may engage in an investment activity.

Authorized Investments - City of Big Spring funds may be invested in the following:

1. U.S. Treasury bills, notes or bonds which are guaranteed as to principal and interest by the full faith and credit of the United States of America;
2. Collateralized or fully insured certificates of deposit at FDIC insured banks in the State of Texas, consistent with provisions of the City's current bank depository agreement;
3. Direct obligations of the State of Texas or its agencies;
4. Other obligations which are unconditionally guaranteed or insured by the State of Texas or the United States of America;
5. Commercial paper with a rating of A-1 or P-1 or an equivalent rating by at least two nationally recognized rating agencies;
6. Fully collateralized repurchase agreements and reverse repurchase agreements having a defined termination date and secured by any obligation of the United States, its agencies or its instrumentalities; and
7. No-load money market mutual funds which are regulated by the Securities and Exchange Commission; rated AAA; maintain a dollar weighted average stated maturity of 90 days or less and maintain a stable net asset value of \$1.00.

The use of Delivery versus Payment (DVP) for investment transactions/purchases will be continually used by the investment officer. Security selection and terms will be determined in accordance with (1) safety of principal, (2) cash flow needs, (3) investment type as a percentage of total investment portfolio, and (4) yield.

Market Price - The market price for investments will be obtained through the Wall Street Journal on the last trade day of the month.

Qualifying Institutions - Investments may be made through or with the following institutions:

1. Federally insured banks located in the State of Texas;
2. Primary government security dealers reporting to the Market Reports Division of the Federal Reserve Bank of New York; and
3. Eligible Public Fund Investment Pools that are rated no lower than investment grade by at least one nationally recognized rating service and having a weighted average maturity no longer than ninety (90) days.

Collateralization and Safekeeping - The City of Big Spring will accept as collateral for its certificates of deposit and other evidence of deposit the following securities:

FDIC coverage;

U.S. Treasury bills, note or bonds;

State of Texas bonds;

Other obligations of the U.S. or its agencies and instrumentalities;

Bonds issued by other Texas government entities (city, county, school, or special districts), with a remaining maturity of twenty years or less.

Securities pledged as collateral must be retained in a third party bank in the State of Texas and the City shall be provided the original safekeeping receipt on each pledged security. The City, financial institution, and the safekeeping bank shall operate in accordance with a master safekeeping agreement signed by all three parties.

The release of a pledged security, prior to its removal from the safekeeping account, must be approved by original signature of any two of the following: Investment Officer, Assistant Director of Finance and City Manager.

The financial institution with which the City invests and/or maintains other deposits shall provide monthly, and as requested by the City, a listing of the collateral pledged to the City marked to current market prices. The listing shall include at a minimum, total pledged securities itemized by:

1. name, type and description of the security
2. safekeeping receipt number
3. par value
4. current market value
5. maturity date
6. Moody's or Standard and Poor's rating (both if available)

Description - It is the policy of the City of Big Spring to diversify its investments to eliminate the risk of loss resulting from over-concentration of assets in a specific maturity, a specific issuer or a specific class of securities. The following general constraints shall apply: maturities shall be staggered to avoid undue concentration of assets in a specific maturity sector and maturities selected shall provide for stability of income and reasonable liquidity.

General Government Practices - All investment transactions shall be documented by the Investment Officer. The Investment Officer may make investments orally, but shall follow promptly with a written confirmation to the financial institution or broker/dealer, with a copy of such confirmation retained in the City's files.

On all investments which do not fall under provisions of the City's depository agreement, the Investment Office shall take competitive bids. At least three (3) quotations shall be taken for each such investment made.

CITY OF BIG SPRING

INVESTMENT STRATEGY

The City of Big Spring maintains portfolios which utilize specific investment strategy considerations designed to address the unique characteristics of the fund groups represented in the portfolio.

Investment strategies for operating funds and commingled funds have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. The secondary objective is to create a portfolio structure which will experience minimum volatility during economic cycles. This may be accomplished by purchasing high quality short to medium term securities. The dollar weighted average maturity of 365 days or less will be calculated using the stated final maturity dates of each security.

Investment strategies for debt service funds shall have as the primary objective the assurance of investment liquidity adequate to cover the debt service obligation on the required payment date. Securities purchased shall not have a stated final maturity date which exceeds the debt service payment date.

Investment strategies for special projects of special purpose funds will have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. The stated final maturity dates of securities held should not exceed the estimated project completion date.

**Convention and Visitors Bureau Committee
Minutes from July 6, 2011
City Council Chambers**

Present: Gloria McDonald, Troy Tompkins, Peggy Walker, Gary Fuqua, Jan Foresyth,
 Marcus Fernandez, Devoun Blount
Absent: Debbie Wegman, Jay Patel
Guests: Brandon Johnson, Big Spring Film Society

Gloria McDonald called the meeting to order at 4:00 p.m.

Gloria McDonald introduced the new member to the CVB committee, Councilman Marcus Fernandez.

Approval of minutes

The minutes from the meeting of June 1, 2011 were reviewed. Motion was made by Gary Fuqua to approve the minutes as written. Motion was seconded by Peggy Walker and passed unanimously.

Discussion of Event Funding Requests

- a. Big Spring Film Society Summer Series. Brandon Johnson presented the request for the Big Spring Film Society. The society is requesting \$5,133.96 for this year's series of outdoor movie screenings. Movie screenings began on July 1st with "Back to the Future" to kick off the Funtastic Fourth Festival in downtown Big Spring. This screening brought in over 400 spectators. The second screening "Ghostbusters" will be July 15th in conjunction with Under West Texas Skies and opening for WESTFEST, a musical festival. The last screening is August 27th movie on the mountain "The Dark Crystal" in the Big Spring State Park. The movie on the mountain has drawn quite a crowd and there are only plans to be bigger and better. Mr. Johnson states that there have been calls from places like Dallas and Austin about the movie on the mountain. Eventually the film society would like to fund a music and film festival once the downtown area has been completed. Mr. Johnson believes that this event could draw many visitors to the Big Spring Area. For this summer screenings there have already been some donations made by oilfield and construction companies, but he is still actively seeking more donations. Most of this year's events have been in conjunction with other events which has increased spectators and provided more help with the screenings. Peggy Walker suggested that the film society continue to seek out donations and other sources of income and use less CVB money. Motion was made by Peggy Walker to approve the funding request in the amount of \$5,134.00. Motion was seconded by Gary Fuqua and passed unanimously.

Update on La Quinta Inn & Suites

Peggy Walker updated the committee that in the previous meeting it was brought to their attention that La Quinta Inn & Suites was about 4 months behind in paying their hotel/motel tax. After much effort, the hotel/motel has paid the delinquent amount and is current.

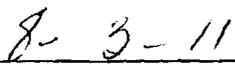
Members Comments No comments at this time.

Next meeting is scheduled for August 3, 2011

Meeting was adjourned at 5:00p.m.



Gloria McDonald



Date

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

JULY 6, 2011

The Board of Directors of the Howard County Appraisal District (HCAD) met for their called Meeting on July 6, 2011 at 5:15 pm. Directors present were Donnie Baker, Kathy Sayles, Donnie Reid, and Tim Blackshear. Shane Shaffner represented the HCAD. Legal council present was Drew Mouton.

Mr. Baker called the meeting to order at 5:17 pm.

No one was registered for public comments.

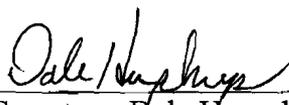
The minutes for June 8, 2011, were reviewed and approved on a motion from Donnie Reid with a second from Kathy Sayles. Motion carried 4 to 0.

Chairman Baker stated that the Board would retire into Executive Session to consult with Legal council. The time was 5:19 pm.

The Board reconvened to open session at 5:35 pm.

Kathy Sayles made the motion for the Board to accept the Resolution Waiving Potential Conflict of Interest, Tim Blackshear gave a second. Motion carried 4 to 0.

With no other business to discuss the meeting adjourned at 5:43 pm.


Secretary, Dale Humphreys


Chairman, Donnie Baker

ALLISON, BASS & ASSOCIATES, L.L.P.

Attorneys at Law

A. O. WATSON HOUSE
402 WEST 12TH STREET
AUSTIN, TEXAS 78701
law@allison-bass.com
(512) 482-0701
FAX (512) 480-0902

JAMES P. ALLISON
j.allison@allison-bass.com

ROBERT T. BASS
r.bass@allison-bass.com

VANESSA A. GONZALEZ
Board Certified, Labor and Employment Law
Texas Board of Legal Specialization
v.gonzalez@allison-bass.com

J. ERIC MAGEE
e.magee@allison-bass.com

JANA CLIFT WILLIAMS
j.williams@allison-bass.com

June 2, 2011

VIA REGULAR MAIL &
Email: pwalker@mybigspring.com

Peggy S. Walker
Director of Finance/City Secretary
310 Nolan
Big Spring, Texas 79720

RE: City of Big Spring Reapportionment

Dear Ms. Walker,

You will find attached to this letter our initial assessment of your existing political boundaries, based upon population data extracted from the 2010 Census.

Based upon these numbers, the City of Big Spring will be legally required to redistrict the City Council Precincts in 2011. The total maximum deviation between the largest and smallest existing precincts in terms of population is under Tab 2 of the Initial Assessment. As long as this number is below 10%, you are not legally obligated to redraw your political boundaries. However, the Total Maximum Deviation for the City of Big Springs, based upon the 2010 Census, is 25.28%. Consequently, you will be obligated to go forward with redistricting.

I would like to discuss the results of our initial assessment, and the steps that will follow from this point forward. Please schedule a meeting for me to meet with the Council members for June 15, 2011, at 2:00 p.m. I am enclosing appropriate Orders for consideration at our meeting.

I have provided suggested language for posting this special meeting.

"To receive & provide information, evaluate demographics and take possible action regarding redistricting of City Council political boundaries."

I look forward to seeing you soon.

Sincerely,



Robert T. "Bob" Bass

RTB:slc
Enclosure

INITIAL ASSESSMENT
OF THE CITY OF
BIG SPRING, TEXAS
FOR PURPOSES OF REDISTRICTING EVALUATION

Prepared by

ALLISON, BASS & ASSOCIATES, L.L.P.

Attorneys at Law
The A.O. Watson House
402 West 12th Street
Austin, Texas 78701
(512) 482-0701
(512) 480-0902
Law@allison-bass.com

Should you determine that maps depicting various political boundaries are incorrect, please advise us immediately.

TAB 1

GENERAL OVERVIEW

The Initial Assessment is a narrative analysis of the data contained in the PL94-171 files provided by the Census Bureau, together with an explanation of the impact such data may have upon the City of Big Spring in light of state and federal law.

Following the Supreme Court decision in *Avery v. Midland City*, 390 U.S. 474; 88 S. Ct. 1114, 20 L. Ed. 2d 45 (1968), Texas City Councils have been required to make a periodic assessment of their political boundaries to determine whether the boundaries retain "one-person-one-vote" balance. This requirement is now carried forward by statutory requirement in Article 42.001 of the Texas Election Code, and has been extended in turn to virtually all political bodies that elect representatives from special member districts, or geographic regions of the political jurisdiction in which the candidates for representative office must reside.

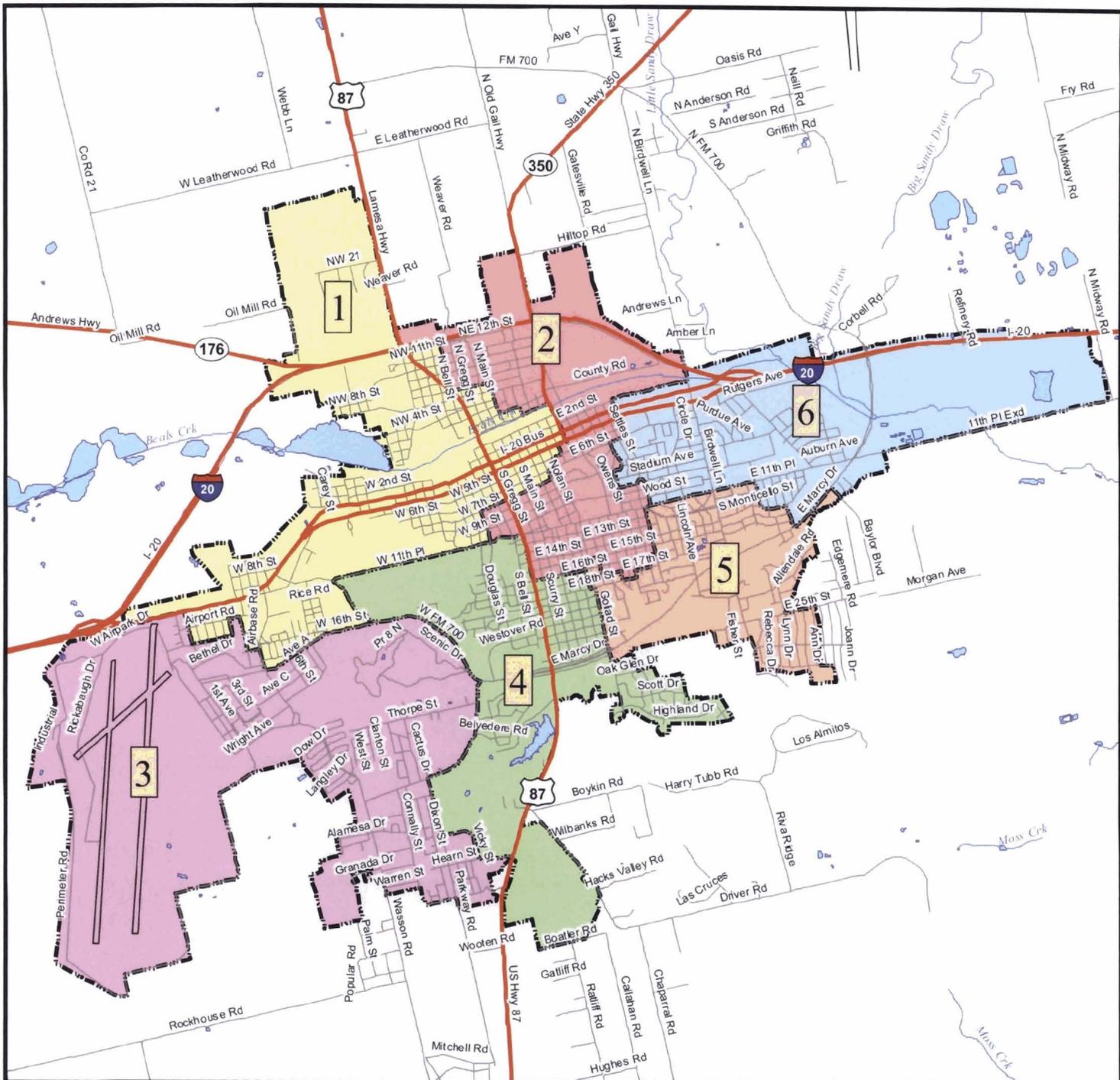
Therefore, following each federal census, each Texas County, city, school district or other political entity electing representative officers from geographic regions of the sub-division should conduct an assessment of existing political boundaries. It should be carefully noted that simple comparisons between the City population of 2000 and 2010, or even a more sophisticated analysis of the urban and less populated areas of the City might not reflect the true extent of population "change" each City has experienced over the last ten years. "Change" may not directly correlate to "different" or "new" population. For example, existing populations within a City will, over time, move considerably within the City, rendering existing political boundaries constitutionally questionable over a ten-year span. In small population jurisdictions, the movement of a single large family from a one area of town to another across political boundaries may have a significant impact on the obligation of that City to redistrict. As a very general rule of thumb, any statistical change of population between the 2000 and 2010 census more than 3%, plus or minus, will indicate a potential need for redistricting in order to retain numerical balance between the governing body's representative districts. Only in rare circumstances will a City experiencing a population change in excess of 3% avoid the need for rather extensive reapportionment of the City Council ward lines. However, any assumption that a population change of less than 3% will not require reapportionment is ill advised. Populations will shift within a City over time. Every City, city, school district or other political entity electing representative officers from geographic regions of the sub-division, even those with a rather insignificant overall population change, should carefully examine actual population demographics relative to their existing political lines to determine the need for reapportionment.

Demographic data is depicted in chart and graphic form for both total population as well as voting age population. While "One-Person-One-Vote" balance between the City Council Wards is based upon the entire City population, the availability of voting age populations is also important in two respects.

In Cities inhabited by a significant minority population, the need to create one or more City Council Wards that assure minority representation requires utilization of voting age information. While the actual political boundaries will be based upon total population, the viability of the resulting Ward in terms of the ability to elect requires analysis of voting age population.

With this general overview, the following sections of this Initial Assessment will evaluate the City of Big Spring's political boundaries and attempt to determine whether or not the City Council should undertake reapportionment. Our assessment will point out areas of potential conflict with state and federal law, and will also suggest areas that may be considered for purposes of cost effectiveness and voter/resident convenience.

All computer generated matters contained in this report, including statistical ratios or formulas, are derived from information taken directly from the Public Law 94-171 files of the United States Census Bureau. Allison, Bass and Associates, LLP is not responsible for errors that may occur in the PL94-171 data obtained from the United States Census Bureau.



Districts

-  1
-  2
-  3
-  4
-  5
-  6



City of Big Spring

Existing Plan
Single Member Districts

TAB 2

INITIAL SUMMARY FINDINGS REGARDING NUMERICAL BALANCE:

Definitions of the various ratios, formula and procedures utilized in the analysis of City population are provided below. These ratios, formula and procedures have been largely developed in case law in the field of redistricting, together with generally recognized methods of sociological study.

NOTE: The Census Data contains Prison inmate populations, and while this institutionalized population should be included in all gross population numbers used to determine City eligibility for state or federal programs, grants or revenue sharing, there are good reasons to exclude this population from “one-person-one-vote” calculations. Because many institutionalized inmates are detained under felony convictions, or are being held for deportation for violation of immigration laws, these individuals are typically not eligible to vote under Texas law, and are most commonly registered to vote, if at all, in the City of their true residence. As such, large populations of inmates held within the state or federal prison systems physically located within the municipal boundaries, or under public or private contract in City facilities, are not generally counted in the determination of Total Maximum Deviation, or for other “one-person-one-vote” determinations for City redistricting. For purposes of the Initial Assessment, raw data has been acquired from the City and/or the Department of Criminal Justice regarding prison populations. In subsequent census data releases, group housing data may reveal more specific information, but at this time, we are deducting prison populations from City population totals in order to arrive at a true “one-person-one-vote” analysis, and to avoid potential imbalances in population that might result from inclusion of prison population in Ward totals. Smaller facilities holding persons convicted of both felony and misdemeanor offenses, juvenile facilities, or facilities holding individuals pending resolution of pending criminal charges are included within the population counts for the City, as reflected in the census data.

Please review the information contained under Tab 2 carefully. Please pay particular attention to the following:

1. Please consider the Absolute Deviation in terms of population between the Actual Population of each City Council Ward and the Ideal Population. Remember that the ideal population of each ward is the total City population, divided by the number of single member districts.
2. Next, consider the Relative Deviation, expressed as a percentage, of the Actual Population of each Ward as compared to the Ideal Population of each Ward.
3. Redistricting will be necessary to comply with 'One-Person-One-Vote' standards if the Total Maximum Deviation between the largest Ward and the smallest Ward (in terms of population) exceeds 10%.

4. Therefore, carefully examine the Total Maximum Deviation calculation. If that number is more than 10%, the City of Big Spring is legally obligated to make changes in its political boundaries to re-balance the population to more equal terms.
5. If the Total Maximum Deviation exceeds approximately 7%, you may want to consider redistricting in order to re-balance your boundaries, although you are not legally required to do so at this time. However, with only a few percentage points separating the City of Big Spring from the 10% maximum standard, you would be prudent to consider redistricting at this time. A suit can be filed at any time the statistical evidence suggests a City's political boundaries are no longer constitutionally balanced.
6. If the Total Maximum Deviation is below 5%, you are generally safe from legal challenge on a "one-person-one-vote" basis for the next few years.

City of Big Springs Single Member Districts

Analysis of Population in the Single Member Districts based on 2010 Census data

Member District	Actual Population	Ideal Population	Absolute Deviation	Relative Deviation
District 1	3,772	3,616	156	4.31%
District 2	3,029	3,616	-587	-16.23%
District 3	3,449	3,616	-167	-4.62%
District 4	3,696	3,616	80	2.21%
District 5	3808	3,616	192	5.31%
District 6	3,943	3,616	327	9.04%
Total Population	21,697			

Ideal Population is defined as (total district population divided by the number of districts). Absolute and Relative (%) Deviations are difference in actual and ideal.

-587 to 327 **Absolute Range** is the spread in absolute deviation from the smallest precinct to the largest.

-16.23% to 9.04% **Relative Range** is the spread in relative deviation (%) from the smallest precinct to the largest.

215.57 **Absolute Mean Deviation** is the average deviation, which is calculated by adding all the absolute deviations (ignoring "+" and "-" signs) and dividing by 4.

6.96% **Relative Mean Deviation** is the average deviation, which is calculated by adding all the relative deviations (ignoring "+" and "-" signs) and dividing by 4.

123.26 **Standard Deviation of Population** is the square root of the sum of the squares of all the absolute deviations divided by 4.

3.41% **Standard Deviation of Relative Deviations** is the square root of the sum of the squares of all the relative (%) deviations divided by 4.

41.73% **Total Absolute Deviation** is the sum of all relative deviations (ignoring "+" and "-" signs).

25.28%	Total Maximum Deviation is the sum of the relative deviations (%) of the smallest and largest precincts, (ignoring "+" and "-" signs).
---------------	---

TAB 3 MINORITY VOTING RIGHTS

We have extracted from the Census data a summary of each City Ward. Prior to the 1990 census, previously existing election precinct boundaries were often described by non-physical boundaries, such as survey lines, or "metes and bounds" descriptions of real property. Since the computerized census first implemented in 1990 was based upon topological maps, it was necessary to "approximate" those boundaries that were not defined by a physical boundary such as a road, watercourse, or other physical boundary. These approximations were described as Voter Tabulation Districts, or VTDs. It should be noted that the VTD was only an approximation of the actual voting boundaries, since Public Law 94-171 requires that the VTD utilize census blocks as its component parts.

Texas Counties are responsible for the structure of county election precincts. These county election precincts should recognize city ward boundaries in cities having a population of more than 10,000. In 1990, most counties adopted election boundaries based on census blocks, but VTDs are still encountered. The boundaries utilized in this Initial Assessment are derived from the Texas Legislative Council, and have been, to the extent possible, confirmed as accurate by local officials. However, some counties continue to have election precinct boundaries defined in a manner that is incompatible with census block based mapping. Therefore, in some cases, you may find a discrepancy between the actual boundary in use, and the census block based mapping boundaries used in this report. All future election precincts should be based upon census blocks to avoid any discrepancy between the actual boundary in use and the official boundary description maintained by the Texas Legislative Council.

As a general rule, where the total minority percentage exceeds 25% of the total population, there is ample justification to create at least one, or where the minority population is sufficient, more than one City Council Ward that contains a potential voting majority of minority residents. In concentrations greater than 40%, consideration should be given to creating at least one City Council Ward with a potential voting majority of minority residents, with the possibility of any "excess population" being used to impact one or more other Wards. Where the total minority concentration exceeds 40%, the issue of "Packing" becomes a consideration, meaning that minority populations cannot be "packed" into a single Ward, but must be allowed to influence as many Wards as the total minority population warrants without efforts to fragment otherwise contiguous concentrations of minority population.

Minority representation must not be diluted, and where possible, a voting majority of minority residents should be created if sufficient minority populations existing within a reasonably compact and contiguous geographic area. In order to achieve the maximum minority representation within the demographic and geographic limitations in existence, it will be necessary to determine which City Ward, and which census blocks within each Ward, contain the highest percentage of minority population and to take such reasonable measures as will insure the highest possible minority voice in City government. To achieve this goal, some attention must be paid to voting age minority residents. In order to create a

viable voting majority of ethnic, race or language minority voters, it is necessary to attain a voting age population within at least one City Council Ward of approximately 55% or better. In order to accomplish this high number of voting age population, a total population figure in excess of 60% is typically required. This is due to the statistically younger populations in most minority categories, which yield lower numbers of voting age residents, and in historically lower voting age turnout in minority communities of interest.

A determination of whether or not the minority populations in these areas could be joined in a single Ward, or perhaps concentrated in an effort to maximize minority impact upon elections is difficult to assess without a more detailed evaluation of historical voting patterns, racial demographics, and the realities of political boundaries.

When taken with the numerical imbalances that must be addressed, it would appear that if at all possible, minority populations might be concentrated in at least one City Council Ward to the degree possible to achieve an acceptable potential minority concentration. Typically, the City Council Ward with the largest minority concentration prior to redrawing lines is the best candidate for any alternative plan, but other possible constructions of Ward lines might well result in a favorable racial profile.

Fragmenting minority population concentrations must be avoided. Any modification of political boundaries to accomplish compliance with the requirements of the Voting Rights Act must be carefully considered.

Maps for Hispanic and Black populations are provided in this assessment. Other Non-Anglo Populations, such as Asian, American Indian, Pacific Islander, Other or Multi-racial categories in excess of 3% aggregate will also be mapped.

Ethnic Background of Total Population

	Anglo	Black	Amer. Indian	Asian	Hispanic	Hawaii/Pac. Is.	Other	Multi Race	Prec. Total	% of County
District 1	1,117	316	14	6	2,254	7	14	44	3,772	17.38%
District 2	959	124	12	6	1,880	0	15	33	3,029	13.96%
District 3	1,765	222	20	25	1,377	0	0	40	3,449	15.90%
District 4	2,386	101	19	79	1,055	1	9	46	3,696	17.03%
District 5	2,366	115	21	10	1,246	0	4	46	3,808	17.55%
District 6	2,007	185	37	28	1,635	1	0	50	3,943	18.17%
County Total	10,600	1,063	123	154	9,447	9	42	259	21,697	100.00%
% of County	48.85%	4.90%	0.57%	0.71%	43.54%	0.04%	0.19%	1.19%	100.00%	

Ethnic Background as a % of Total Population

	Anglo	Black	Amer. Ind.	Asian	Hispanic	Haw/Pac	Other	Multi	% Total
District 1	29.61%	8.38%	0.37%	0.16%	59.76%	0.19%	0.37%	1.17%	100.00%
District 2	31.66%	4.09%	0.40%	0.20%	62.07%	0.00%	0.50%	1.09%	100.00%
District 3	51.17%	6.44%	0.58%	0.72%	39.92%	0.00%	0.00%	1.16%	100.00%
District 4	64.56%	2.73%	0.51%	2.14%	28.54%	0.03%	0.24%	1.24%	100.00%
District 5	62.13%	3.02%	0.55%	0.26%	32.72%	0.00%	0.11%	1.21%	100.00%
District 6	50.90%	4.69%	0.94%	0.71%	41.47%	0.03%	0.00%	1.27%	100.00%

Ethnic Background of Voting Age Population

	Anglo	Black	Amer. Indian	Asian	Hispanic	Hawaii/Pac. Is.	Other	Multi Race	Prec. Total	% of County
District 1	943	252	14	5	1,494	5	6	27	2,746	17.34%
District 2	776	93	9	6	1,300	0	7	23	2,214	13.98%
District 3	1,395	131	11	19	832	0	0	20	2,408	15.21%
District 4	2,048	75	16	66	710	1	6	23	2,945	18.60%
District 5	1,896	70	16	8	735	0	3	21	2,749	17.36%
District 6	1,609	130	24	24	963	1	0	23	2,774	17.52%
County Total	8,667	751	90	128	6,034	7	22	137	15,836	100.00%
% of County	54.73%	4.74%	0.57%	0.81%	38.10%	0.04%	0.14%	0.87%	100.00%	

Ethnic Background as a % of Voting Age Population

	Anglo	Black	Amer. Ind.	Asian	Hispanic	Haw/Pac	Other	Multi	% Total
District 1	34.34%	9.18%	0.51%	0.18%	54.41%	0.18%	0.22%	0.98%	100.00%
District 2	35.05%	4.20%	0.41%	0.27%	58.72%	0.00%	0.32%	1.04%	100.00%
District 3	57.93%	5.44%	0.46%	0.79%	34.55%	0.00%	0.00%	0.83%	100.00%
District 4	69.54%	2.55%	0.54%	2.24%	24.11%	0.03%	0.20%	0.78%	100.00%
District 5	68.97%	2.55%	0.58%	0.29%	26.74%	0.00%	0.11%	0.76%	100.00%
District 6	58.00%	4.69%	0.87%	0.87%	34.72%	0.04%	0.00%	0.83%	100.00%

TAB 4

GENERAL HOUSEKEEPING

Some attention should be given to "straightening" political boundaries into more uniform shape. In some cases, certain boundaries may be altered to use a more commonly understood or recognized physical boundary in lieu of a poorly identified or recognized boundary. Public Law 94-171, which directed the Census Bureau to develop a uniform mapping and demographic profiling approach for use by small computers, required that all voter tabulation districts (VTDs) follow census block boundaries. In many cases, City wards had been previously drawn in a manner that did not follow a census block boundary. This required the State of Texas, acting in conjunction with the State Data Center and the Texas Legislative Council, to move the actual voting district boundary to coincide with a nearby census block boundary for tabulation purposes only. The resulting VTD was no longer "actual," but an approximation referred to as a "pseudo-voting district."

Every reasonable effort has been made to conform the pseudo voting district to actual political boundaries. However, due to the nature of the available data base, and the requirements of Public Law 94-171, there may be occasions in which the pseudo voting districts, or the resulting lines between City Council Wards, are different from those that actually exist. Again, the use of the pseudo voting district was for tabulation purposes only, and any apparent difference between actual and apparent political lines should be considered as minimal. However, since all later census counts will be undertaken upon the census blocks, there could be a valid argument that a necessity to alter current election district boundaries to match the census block format exists. Under these circumstances, new political lines will be required to avoid conflict with census block lines that do not match current political area definitions. While matching census blocks to actual political lines would not, in and of itself, generally support a decision to reapportion under the circumstances that exist in the City of Big Spring, there is a justifiable combination of factors that would support a reapportionment decision. These factors would include:

1. Redrawing election precincts to increase voter convenience.
2. Harmonizing actual political lines with pseudo voting districts based upon census blocks.
3. Redrawing all lines to achieve "one-person-one-vote" deviations of the smallest possible percentage.

CONCLUSION

Redistricting should be viewed as an opportunity for streamlining City organization, and a chance to address as many issues as possible to achieve greater participation and involvement in City government. This is the time to plan for future growth, anticipate costs of government operations, and to involve the public in the process of City government. We look forward to working with you in this exacting but rewarding process.

City of Big Springs Single Member Districts

Proposed Plan 1

Analysis of Population in the Single Member Districts based on 2010 Census data

Member District	Actual Population	Ideal Population	Absolute Deviation	Relative Deviation
District 1	3,547	3,616	-69	-1.91%
District 2	3,565	3,616	-51	-1.41%
District 3	3,610	3,616	-6	-0.17%
District 4	3,661	3,616	45	1.24%
District 5	3661	3,616	45	1.24%
District 6	3,653	3,616	37	1.02%
Total Population	21,697			

Ideal Population is defined as (total district population divided by the number of districts). Absolute and Relative (%) Deviations are difference in actual and ideal.

-69 to 45 **Absolute Range** is the spread in absolute deviation from the smallest precinct to the largest.

-1.91% to 1.24% **Relative Range** is the spread in relative deviation (%) from the smallest precinct to the largest.

36.14 **Absolute Mean Deviation** is the average deviation, which is calculated by adding all the absolute deviations (ignoring "+" and "-" signs) and dividing by 4.

1.17% **Relative Mean Deviation** is the average deviation, which is calculated by adding all the relative deviations (ignoring "+" and "-" signs) and dividing by 4.

18.87 **Standard Deviation of Population** is the square root of the sum of the squares of all the absolute deviations divided by 4.

0.52% **Standard Deviation of Relative Deviations** is the square root of the sum of the squares of all the relative (%) deviations divided by 4.

7.00% **Total Absolute Deviation** is the sum of all relative deviations (ignoring "+" and "-" signs).

3.15% **Total Maximum Deviation** is the sum of the relative deviations (%) of the smallest and largest precincts, (ignoring "+" and "-" signs).

Ethnic Background of Total Population

	Anglo	Black	Amer. Indian	Asian	Hispanic	Hawaii/Pac. Is.	Other	Multi Race	Prec. Total	% of County
District 1	956	294	13	6	2,214	7	13	44	3,547	16.35%
District 2	1,349	152	15	16	1,967	0	23	43	3,565	16.43%
District 3	1,739	234	21	22	1,554	0	1	39	3,610	16.64%
District 4	2,459	94	19	75	969	1	1	43	3,661	16.87%
District 5	2,178	121	24	11	1,270	1	4	52	3,661	16.87%
District 6	1,919	168	31	24	1,473	0	0	38	3,653	16.84%
County Total	10,600	1,063	123	154	9,447	9	42	259	21,697	100.00%
% of County	48.85%	4.90%	0.57%	0.71%	43.54%	0.04%	0.19%	1.19%	100.00%	

Ethnic Background as a % of Total Population

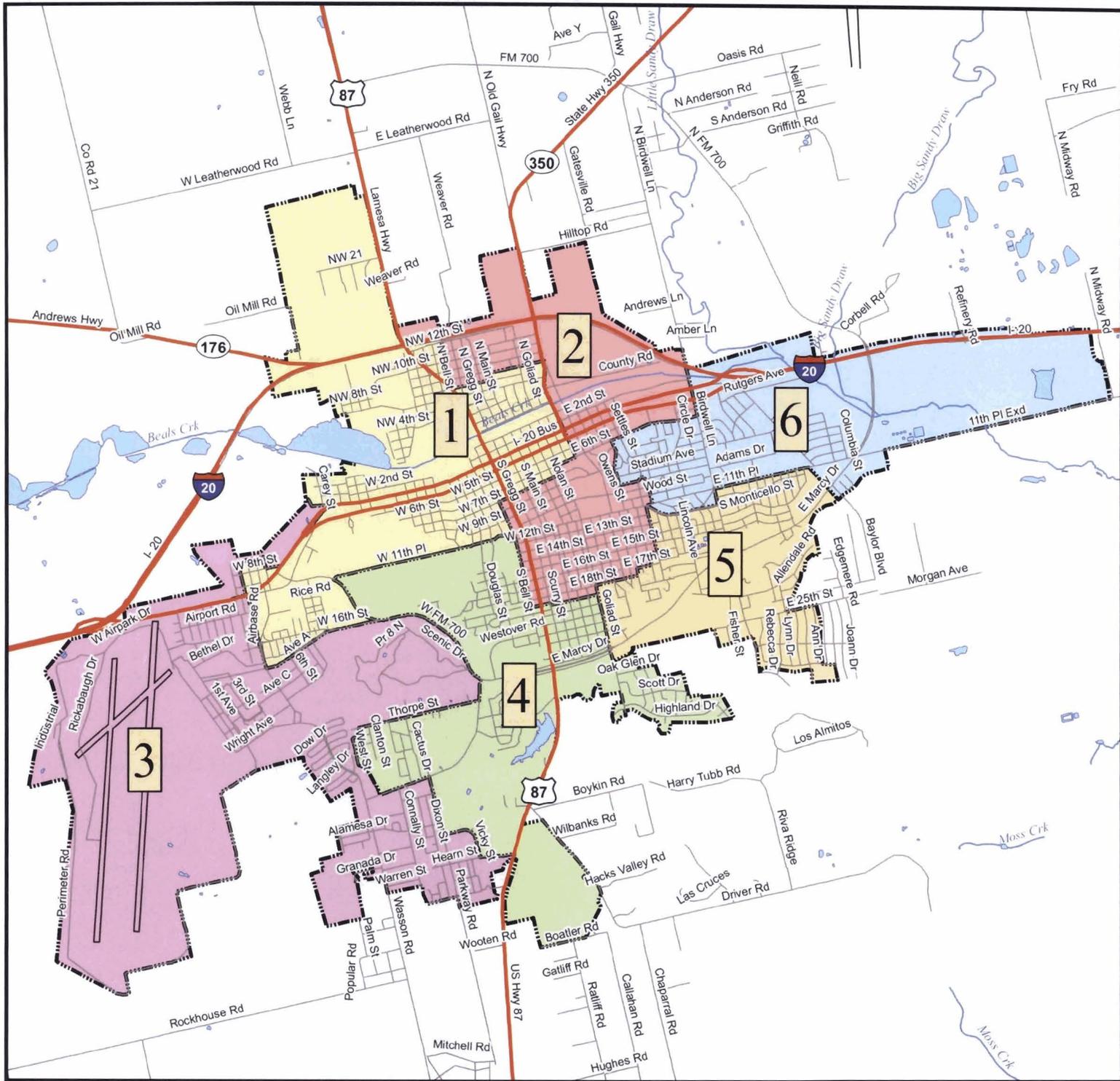
	Anglo	Black	Amer. Ind.	Asian	Hispanic	Haw/Pac	Other	Multi	% Total
District 1	26.95%	8.29%	0.37%	0.17%	62.42%	0.20%	0.37%	1.24%	100.00%
District 2	37.84%	4.26%	0.42%	0.45%	55.18%	0.00%	0.65%	1.21%	100.00%
District 3	48.17%	6.48%	0.58%	0.61%	43.05%	0.00%	0.03%	1.08%	100.00%
District 4	67.17%	2.57%	0.52%	2.05%	26.47%	0.03%	0.03%	1.17%	100.00%
District 5	59.49%	3.31%	0.66%	0.30%	34.69%	0.03%	0.11%	1.42%	100.00%
District 6	52.53%	4.60%	0.85%	0.66%	40.32%	0.00%	0.00%	1.04%	100.00%

Ethnic Background of Voting Age Population

	Anglo	Black	Amer. Indian	Asian	Hispanic	Hawaii/Pac. Is.	Other	Multi Race	Prec. Total	% of County
District 1	808	233	13	5	1,498	5	5	25	2,592	16.37%
District 2	1,092	114	12	16	1,325	0	12	27	2,598	16.41%
District 3	1,371	144	12	17	949	0	1	21	2,515	15.88%
District 4	2,107	68	16	61	655	1	1	22	2,931	18.51%
District 5	1,745	74	16	9	751	1	3	25	2,624	16.57%
District 6	1,544	118	21	20	856	0	0	17	2,576	16.27%
County Total	8,667	751	90	128	6,034	7	22	137	15,836	100.00%
% of County	54.73%	4.74%	0.57%	0.81%	38.10%	0.04%	0.14%	0.87%	100.00%	

Ethnic Background as a % of Voting Age Population

	Anglo	Black	Amer. Ind.	Asian	Hispanic	Haw/Pac	Other	Multi	% Total
District 1	31.17%	8.99%	0.50%	0.19%	57.79%	0.19%	0.19%	0.96%	100.00%
District 2	42.03%	4.39%	0.46%	0.62%	51.00%	0.00%	0.46%	1.04%	100.00%
District 3	54.51%	5.73%	0.48%	0.68%	37.73%	0.00%	0.04%	0.83%	100.00%
District 4	71.89%	2.32%	0.55%	2.08%	22.35%	0.03%	0.03%	0.75%	100.00%
District 5	66.50%	2.82%	0.61%	0.34%	28.62%	0.04%	0.11%	0.95%	100.00%
District 6	59.94%	4.58%	0.82%	0.78%	33.23%	0.00%	0.00%	0.66%	100.00%



Districts

-  1
-  2
-  3
-  4
-  5
-  6

City of Big Spring
 Proposed Plan 1
 Single Member Districts



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS,
ESTABLISHING FUND BALANCE POLICIES AS REQUIRED BY GASB 54

WHEREAS, the Governmental Accounting Standards Board (“GASB”) has adopted Statement 54 (“GASB 54”), a new standard for governmental fund balance reporting and governmental fund type definitions that become effective in governmental fiscal years starting after June 15, 2010, and

WHEREAS, the City of Big Spring elects to implement GASB 54 requirements, and to apply such requirements to its financial statements beginning with the current (October 1, 2010-September 30, 2011) fiscal year; and

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

SECTION I. Recognizing that fund balance measures the net financial resources available to finance expenditures of future periods, the City of Big Spring hereby adopts a Fund Balance Policy consistent with GASB 54 requirements, to include the following fund balance categories for its governmental funds:

Nonspendable Fund Balance – Amounts that cannot be spent due to form, to include inventories, prepaid items, long-term notes receivable, and the corpus of a permanent fund.

Restricted Fund Balance – Amounts constrained for a specific purpose by external parties, constitutional provision or enabling legislation.

Committed Fund Balance – Amounts constrained for a specific purpose by the City Council, which would require action by the City Council to remove or change the constraints placed on the resources.

Assigned Fund Balance – For all governmental funds other than the General Fund, any remaining positive amounts not classified as nonspendable, restricted or committed. For the General Fund, assigned fund balance represents amounts constrained for the intent to be used for a specific purpose by the City of Big Spring.

Unassigned Fund Balance – For the General Fund, amounts not classified in one of the above categories are unassigned fund balance. For other governmental funds, amounts expended in excess of resources that create a residual deficit are unassigned fund balance.

Fund Balance of the City of Big Spring may be committed for a specific source by formal action of the City of Big Spring City Council. Amendments or modifications of the committed fund balance must also be approved by formal action of the City of Big Spring City Council.

In circumstances where an expenditure is to be made for a purpose for which amounts are available in multiple fund balance classifications, the order in which resources will be expended is as follows: restricted fund balance, followed by committed fund balance, assigned fund balance, and lastly, unassigned fund balance.

SECTION II. The City of Big Spring's financial goal is to have a sufficient balance in the operating fund with sufficient working capital and a margin of safety to address local and regional emergencies without borrowing. General Fund's Unassigned Fund Balance may only be appropriated by ordinance of the City Council. The City of Big Spring shall strive to maintain, at a minimum, an annual Unassigned Fund Balance in the General Fund which totals twenty five percent (25%) of the fund's annual operating expenditures, in order to provide approximately three month's operations.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 23rd day of August, 2011, with all Councilmembers voting "aye" for passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 13th day of September, 2011, with all Councilmembers voting "aye" for passage of same.

Tommy Duncan, Mayor

ATTEST:

Peggy S. Walker, City Secretary



**CITY OF BIG SPRING
PUBLIC WORKS
MEMORANDUM**

TO: HONORABLE MAYOR AND CITY COUNCIL
MR. GARY FUQUA, CITY MANAGER

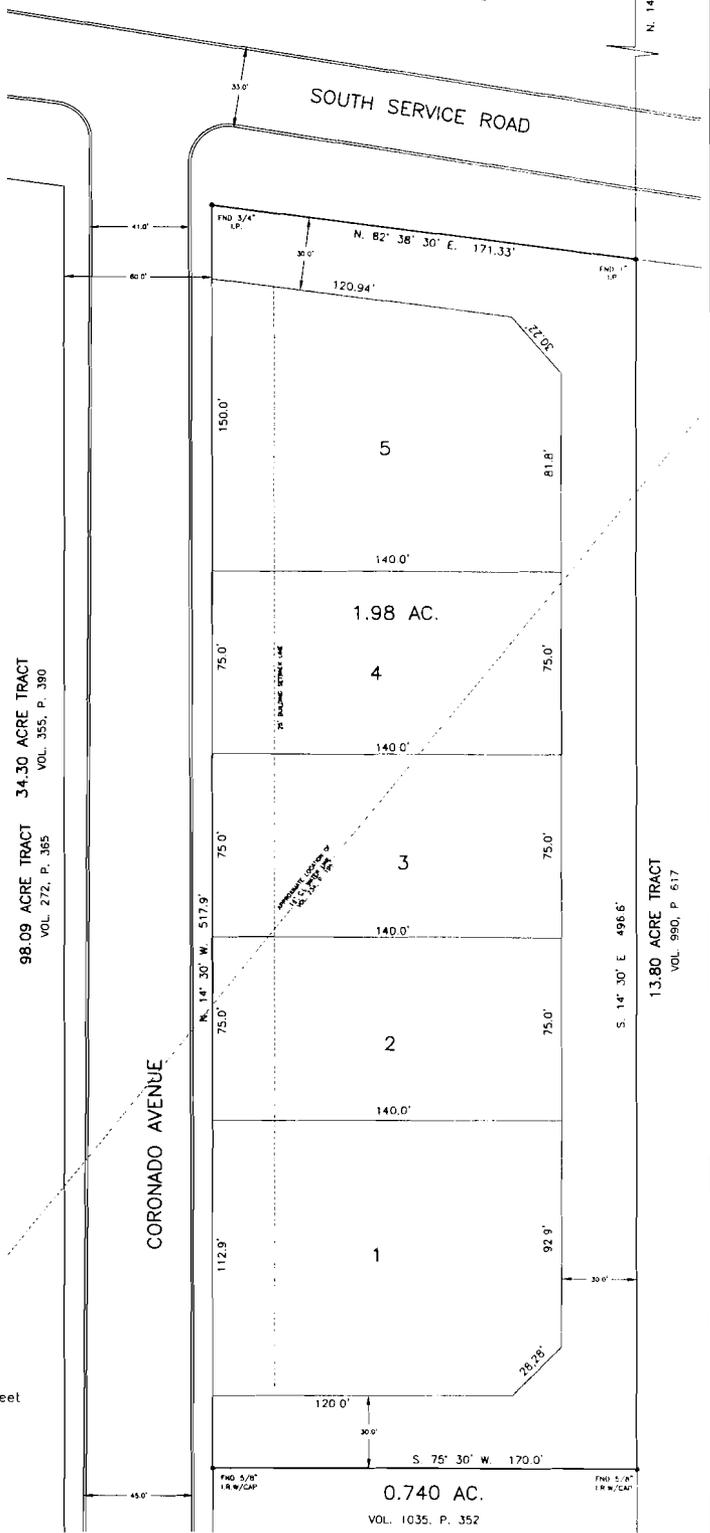
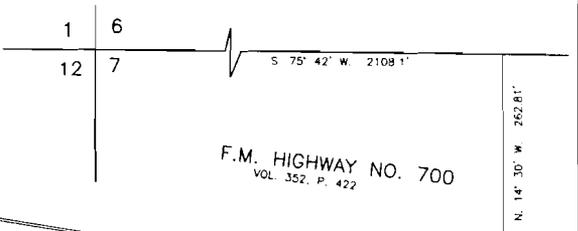
FROM: TODD DARDEN, ASSISTANT CITY MANAGER

SUBJECT: DISCUSSION AND CONSIDERATION TO APPROVE REPLAT ALONG WITH APPROVAL TO VACATE AND ABANDON AN EASEMENT AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS.

DATE: AUGUST 18, 2011

We are requesting your consideration to replat property located in the West part of Section 7, Block 32, Township 1 South, T&P R Survey, Big Spring Howard County, Texas to be replatted as Coronado Gardens, Lots 1-5, an addition to the City of Big Spring, Howard County, Texas.

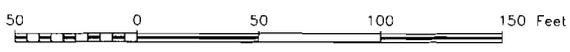
We are also requesting your consideration to vacate and abandon all recorded or prescriptive easements located within Lots 1-5 of Coronado Gardens, an addition to the City of Big Spring, Howard County, Texas.



98.09 ACRE TRACT VOL. 272, P. 385
 34.30 ACRE TRACT VOL. 355, P. 380

13.80 ACRE TRACT VOL. 990, P. 617

PRELIMINARY PLAT
 OF
 CORONADO GARDENS,
 AN ADDITION TO THE CITY OF BIG SPRING,
 HOWARD COUNTY, TEXAS



SURVEY PLAT FOR CHUCK ROSENBAUM

THIS SURVEY PLAT IS PROVIDED SOLELY FOR THIS TRANSACTION

PLAT IS COPYRIGHTED AND SHALL NOT BE USED FOR ANY OTHER TRANSACTION

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE EASEMENTS OR RIGHTS OF WAY, EXCEPT AS SHOWN HEREON, AND THIS SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY AS SHOWN.



REGISTERED PROFESSIONAL LAND SURVEYOR

Stored: 110/0198		
BRADSHAW AND ASSOCIATES, INC.		
CONSULTING ENGINEERS REGISTERED PROFESSIONAL LAND SURVEYORS 600 EAST FM 700 B BIG SPRING, TEXAS 79720 (432) 263-1098 FAX (432) 263-1294		
Drawn	Chkd	Surveyed
By DEH	M.L.M	NB/JN
Date 7-26-2011	7-26-2011	7-20-11

**INTERLOCAL AGREEMENT BETWEEN
THE CITY OF BIG SPRING AND HOWARD COUNTY
FOR OPERATION OF THE SENIOR CITIZENS CENTER**

This Interlocal Agreement for the provision of services at the Senior Citizens Center in the City of Big Spring (the "Center") is by and between the City of Big Spring (the "City") and Howard County (the "County"), hereinafter collectively referred to as the "Parties". This agreement is executed pursuant to Texas Government Code Chapter 791, the Texas Interlocal Cooperation Act.

WHEREAS, in prior years the City and the County have entered into Interlocal Agreements for operation and financial support of the Center and the provision of services to the senior citizens of Howard County; and

WHEREAS, the Parties now wish to enter into this Interlocal Agreement to provide that the City will operate the Center with certain financial support from the County;

NOW THEREFORE, the Parties hereby agree as follows:

1. Term.
The term of this Agreement shall be for one year beginning on October 1, 2011 and ending on September 30, 2012.

2. Services.
In consideration of the County's payments and other promises set forth herein, the City agrees to operate the Center and to provide services for senior citizens of Howard County at the Center.

3. Financial Consideration.
In consideration of the City's agreement to operate the Center and to provide services for the senior citizens of Howard County at the Center, the County agrees to pay to the City the amounts listed below for the support and general operation of the Center.

\$37,500.00 due on or before October 15, 2011
\$37,500.00 due on or before April 15, 2012

4. Modification.
This agreement may be amended only with the duly authorized written consent of the governing bodies of both Parties.

5. Entire Agreement.
This Agreement constitutes the entire agreement between the parties with respect to the subject hereof and supersedes any and all prior or contemporaneous agreements or understandings, whether written or oral.

No verbal agreement or conversation with any officer, agent or employee of either party either before or after execution of this Agreement shall affect or modify any of the terms or obligations contained herein.

Executed this ____ day of _____, 2011

CITY OF BIG SPRING, TEXAS

By: _____
Tommy Duncan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary

Executed this ____ day of _____, 2011

HOWARD COUNTY, TEXAS

By: _____
Mark Barr, County Judge

ATTEST:

Donna Wright, County Clerk

**INTERLOCAL AGREEMENT BETWEEN
THE CITY OF BIG SPRING AND HOWARD COUNTY
FOR EMERGENCY AMBULANCE SERVICE**

This Interlocal Agreement for Emergency Ambulance Service (the "Agreement") is by and between the City of Big Spring (the "City") and Howard County (the "County"), hereinafter collectively referred to as the "Parties." This Agreement is executed pursuant to Texas Government Code Chapter 791, the Texas Interlocal Cooperation Act.

WHEREAS, the Parties wish to enter into this Agreement for Emergency Ambulance Service in order to protect the health, safety and general welfare of the citizens of Howard County; and

WHEREAS, the City has incurred significant operating losses from the prior agreement between the Parties for ambulance service and has requested contribution from the County for its portion of such accrued losses and the County has agreed to make such contribution;

NOW THEREFORE, in consideration of the premises and mutual covenants hereinafter made, the Parties hereby agree as follows:

1. Term.
This Agreement shall commence on October 1, 2011 and end on October 31, 2013.
2. Compensation By County.
 - (a) For the period October 1, 2011 through September 30, 2012 the County agrees to pay to the City One Hundred Thirty Thousand and No/100 Dollars (\$130,000.00) for ambulance service. Such payments shall be made in monthly installments of \$10,833.33 commencing on October 1, 2011 and continuing thereafter in a like sum on or before the first day of each succeeding month during the period.
 - (b) In order to compensate for accrued operating losses of the ambulance service, the County agrees to pay to the City three payments of Twenty Three Thousand Three Hundred Thirty Three and No/100 Dollars (\$23,333.00) with such payments to be made on October 15, 2011, October 15, 2012 and October 15, 2013.
3. Service and Obligation of the City.
In consideration of the County's payments and other promises set forth herein, the City agrees to provide the following services during the period October 1, 2011 through September 30, 2012:

- (a) To provide quality ambulance service for the general welfare of the citizens of the County.
- (b) To comply with all Federal and State laws and regulations covering emergency medical services.
- (c) To recruit, train and employ paramedical and EMT personnel, and all other necessary personnel, to adequately staff the ambulance service and to require that such personnel be licensed as required by law.
- (d) To properly maintain its equipment according to the accepted standards of the industry.
- (e) To provide response times to life threatening emergencies within the accepted standards of the industry.
- (f) To allow periodic inspection of any and all equipment by officials of the County. A reasonable amount of notice to the City must be allowed before such an inspection takes place.

4. Response.

The City shall maintain five (5) Mobile Intensive Care Unit capable ambulances within the City. The City shall have enough personnel on duty to be able to have two units operating at the same time.

5. Response Area.

The City shall respond to all requests for service in Howard County.

6. Ability to Pay.

The City will respond without giving consideration to the patient's ability to pay, and without consideration of the patient's sex, race, age or national origin. Collection of all fees shall be managed by the City. Fees shall not be collected at the rendering of the service. The City shall not unreasonably withhold services. The City shall accept Medicare and Medicaid assignment.

7. Right to Inspect Books.

The County may inspect the books and records of the City.

8. Quarterly Reports.

The City will provide a quarterly report on ambulance operations.

9. Independent Contractor.

The City is and shall be an independent contractor with the right and obligation to manage, supervise and control the operations of the ambulance service.

10. Modification.
This agreement may be amended only by the duly authorized written consent of the governing bodies of both Parties.
11. Entire Agreement.
This Agreement constitutes the entire agreement between the parties with respect to the subject hereof and supersedes any and all prior or contemporaneous agreements or understandings, whether written or oral. No verbal agreement or conversation with any officer, agent or employee of either party either before or after execution of this Agreement shall affect or modify any of the terms or obligations contained herein.

Executed in duplicate originals this ____ day of _____, 2011

CITY OF BIG SPRING, TEXAS

By: _____
Tommy Duncan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary

Executed this ____ day of _____, 2011

HOWARD COUNTY, TEXAS

By: _____
Mark Barr, County Judge

ATTEST:

Donna Wright, County Clerk

Minutes of the Board of Director's Regular Meeting
BIG SPRING ECONOMIC DEVELOPMENT CORPORATION
Tuesday, July 19, 2011
5:15 p.m.
Offices of the Big Spring Economic Development Corporation
215 West Third Street
Big Spring, Texas

The Regular Meeting of the Board of Directors of the Big Spring Economic Development Corporation was called to order at 5:15 p.m. Tuesday, July 19, 2011 in the offices of the Big Spring Economic Development Corporation with Mr. Bomar, presiding. The following notice was sent on July 19, 2011 to all Directors, the news media, and duly posted on July 15, 2011, by Teresa Darden in compliance with the Open Meeting's Act by posting it on the outside door of the Big Spring Economic Development Corporation and on the inside and outside of City Hall.

"The Board of Directors of the Big Spring Economic Development Corporation will hold a Regular Board Meeting on Tuesday, July 19, 2011 at 5:15 p.m. in the offices of the Big Spring Economic Development Corporation, 215 West Third Street, Big Spring, Texas. The purpose of the meeting is: Action on Minutes of the June 21, 2011 Regular Meeting, Action on June Financials and Investment Reports, Entrepreneur Alliance Update, Action Consideration of Goals for 2011-2012, Directors Report, Executive Session; Action as a result of Executive Session; Public Comment; Board Comment; and Adjourn".

Directors Present:

Mr. Rodney Bomar
Glenn Fillingim
Larry McLellan
Dr. Keith Ledford
Mr. Justin Myers

Directors Absent:

Staff Present:

Terry Wegman
Teresa Darden

Guests:

Bobby Arizmendi, Matty McLain, Spencer McElhannon, Glynn Mouton

AGENDA ITEM # 1 – Call to Order:

Mr. Bomar called the meeting to order at 5:23 p.m.

AGENDA ITEM # 2- Invocation and Pledge:

Mr. Fillingim led the invocation and pledge.

ACTION ITEM #3- Action on Minutes of the June 21, 2011 Regular Board Meeting

Mr. Bomar presented the minutes of the June 21, 2011 Regular Meeting. Motion to accept the minutes were made by Mr. McLellan, seconded by Dr. Ledford. The motion passed 5 to 0 with all members present voting “aye” in favor of the motion

ACTION ITEM #4- Action on June Financials and Investment Reports

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

AGENDA ITEM # 5- Entrepreneur Alliance Update

Matty McLain gave an update of the impact that Entrepreneur Alliance has had since the company began working in Big Spring. The business facilitation started on February 1, 2011 and has counseled 19 individuals/owners. Clients are almost 50-50 between those with an idea and those with an existing business. The existing businesses that E.A. work with range from 0 employees to 10 and revenues of up to \$1.5 million. Clients have been made aware of the service through several media channels (newspaper, radio, banks and presentations at civic clubs). All in all the program has been a great success for Big Spring.

AGENDA ITEM #6- Consideration/Action of 2011-2012 Goals

Mr. Wegman presented the goals for 2011-2012. Motion to approve the Goals for 2011-2012 with the addition of continued development of the rail spur was made by Mr. Fillingim, seconded by Dr. Ledford. The motion passed 5 to 0 with all members present voting “aye” in favor of the motion

AGENDA ITEM #7- Directors Report

Mr. Wegman gave the Board an update on projects including: TDA Internship, Sandy Wiggins has completed her internship and has graduated with her masters, Howard County Community Health Care center opened on July 14, WETT/Isolux is currently remodeling the Western building in order to start business, Mr. Wayne Morton GM of WETT will be speaking at the State of the Community Breakfast on August 10 about the WETT project, EDC has received preliminary drawing of the EDC property and as has sent that information on to the client, The Settles Hotel reimbursement escrow account has been zeroed out and all copies of the \$9 million has been sent to us, and budget will be prepared for the next EDC meeting. Mr. Wegman advised the board of past and upcoming meetings that include: The Advanced Economic Development Financial Training, City Council Update on July 26th, TEDC Summer Meeting on July 28-29 in Abilene, Sales Tax Training on August 19th in Lubbock and next EDC meeting on August 16th.

AGENDA ITEM # 8- Executive Session

- **Executive Session in accordance with Texas Government Code, Section 551.071 authorizing governmental body to consult with its attorney in an executive session to seek his or her advice on legal matters. It provides as follows:**
 - (1) When the governmental body seeks the advice of its attorney about:**
 - **Pending or contemplated litigations**
 - **Executive Session Section 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee;**
 - **Executive Directors' Annual Evaluation**
 - **Executive Session in accordance with Texas Government Code, Section 551.087 (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).**
 - **Desert Tank**
 - **Acme Energy**

Mr. Bomar adjourned the Board of Directors into Executive Session @ 6:10 pm. July 19, 2011

AGENDA ITEM #9- Action as a result of Executive Session

Mr. Bomar reconvened the Board of Directors into open session @ 8:32 p.m. July 19, 2011. Action as a result include:

Motion to enter into an incentive agreement with Acme Energy with provisions that an initial payment of \$450,000 and a \$450,000 loan payable over 5 years. The loan can be repaid with earned payroll credits at a 10:1 ratio of payroll generated to loan forgiveness not to exceed a maximum of \$90,000 credit earned per year. Also, all truck and rolling stock will be rendered in Howard County was made by Dr. Ledford, seconded by Mr. McLellan with Mr. Fillingim voting for the motion and Mr. Myers and Mr. Bomar voting against the motion. The motion passed 3 to 2.

Motion to authorize the Executive Director to begin negotiating an incentive agreement with Desert Tanks, LLC in the amount of \$800,000 was made by Mr. McLellan, seconded by Mr. Myers. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion and Mr. Fillingim abstaining from voting.

AGENDA ITEM #10- Public Comments

None

AGENDA ITEM # 11- Board Comments

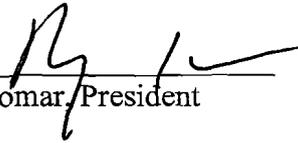
None

AGENDA ITEM # 12- Adjourn

Mr. Bomar asked for a motion to adjourn.

Motion by Dr. Ledford, seconded by Mr. McLellan. The motion passed 5 to 0 with all members present voting "aye" in favor of the motion.

Meeting adjourned at 8:35 pm on July 19, 2011



Mr. Bomar, President

ATTEST:



Dr. Ledford, Vice President