



CITY COUNCIL AGENDA

Tuesday, August 23, 2016

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, August 23, 2016, at 5:30 p.m. in the City Council Chambers located at 307 East 4th Street, Big Spring, Texas.

As a courtesy to those in attendance, please place your cell phone on “Silent” or “Vibrate.”

Please, no talking during the meeting; take any conversations outside, so others can hear.

Thank You!

The City of Big Spring City Council reserves the right to consider business out of the posted order, and at any time during the meeting, reserves the right to adjourn into executive session on any of the below agenda items which are not listed as executive session items and which qualify to be discussed in closed session under Chapter 551 or the Texas Government Code.

Open Session

1. Call to Order McLellan
2. Invocation by Pastor Ken McMean of College Baptist Church McLellan
3. Pledge of Allegiance to the United States Flag and to the Texas State Flag McLellan

“Honor the Texas flag; I pledge allegiance to thee, Texas, one State under God, one and indivisible.”

Public Hearing Comments – The Council will take public input on public hearing items **prior** to any Action. Each member of the public should make remarks **from the podium and begin by stating his/her name**. Citizens will be limited to **three minutes**, unless waived by the Mayor for **all** speakers. No individual will be allowed to speak more than once, until every citizen wishing to comment has done so.

Announcements & Public Hearings

4. First Public Hearing - Proposed Tax Rate for Fiscal Year 2016-2017 Moore
5. Public Hearing – Nomination of Alon USA Partners, LP as a Texas Enterprise Project Darden

Disposition of Minutes

6. Approval of the Minutes of the Regular Meeting of August 9, 2016 5-9 Davis

Consent Items

7. Acceptance of the Zoning Board of Adjustments and Appeals Minutes for the Meeting of June 22, 2016 10-11 Johnston

Routine Business

8. Vouchers for 08/11/16 \$ 499,640.42 Marquez
Vouchers for 08/18/16 \$ 794,686.35

Bids

9. Award Bid for Utility Valves and Fittings to Benmark Supply and Authorizing the City Manager or His Designee to Execute Any Necessary Documents 12-13 Medina

New Business

10. First Reading of an Ordinance Ordaining the City's Participation in the Texas Enterprise Zone Program Pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code (Act), Providing Tax Incentives, Designating a Liaison for Communication with Interested Parties, and Nominating Alon USA Partners, LP to the Office of the Governor Economic Development & Tourism (EDT) Through the Economic Development Bank (Bank) as an Enterprise Project (Project); and Providing an Effective Date 14-17 Darden
T. Wegman
11. First Reading of an Ordinance Amending Chapter 3 Entitled "Animals" by Adding a New Article 12 Entitled "Animal Rescue & Adoption Committee," to Establish a New, Five-Member Board Charged with Raising Public Awareness and Facilitating the Adoption of Animals from the Big Spring Animal Shelter; Establishing Qualifications, Duties, and Terms for Members of the Board; Appointing the Support Services Lieutenant As an Ex-Officio Member; Providing for Severability; and Providing an Effective Date 18-20 Williams
12. First Reading of an Ordinance Amending Chapter Sixteen 16 of the Big Spring City Code Of Ordinances Entitled "Public Utilities," Article 3 Entitled "Utility Service Charges," Section 16-60.2 (C) Entitled "Delinquent Fees" to Allow Customers to Pay with a Credit Card or Check; Providing for Severability; and Providing an Effective Date 21 Moore
- 13 Approval of the Minutes of the Regular Meeting of the Big Spring 22-26 Edwards

Economic Development Corporation Held on June 21, 2016, the Special Meeting Held on June 28, and the Regular Meeting of July 5, 2016

City Manager's Report

- 14. Items of Public Interest Darden
- 15. Up Date on Water Conditions Darden
- 16. Special Meeting – Monday, August 29th Darden
- 17. Resumes for Boards & Committees – Due Before Wednesday, September 22nd Darden

Council Input

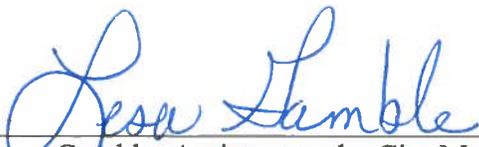
- 18. Input McLellan

Executive Session

- 19. Adjourn into Executive Session in Accordance with Texas Government Code Section 551.071 to Consult with the City Attorney Regarding an Airpark Lease with Desert Tanks, LLC McLellan
- 20. Reconvene in Open Session and Take Any Necessary Action McLellan

I hereby certify that this agenda was posted on the official bulletin boards at the Big Spring City Hall Building, 310 Nolan Street, Big Spring, Texas. Given by order of the City Council and Posted on Friday, August 19, 2016 at 4:30 p.m. in accordance with Title 5, Texas Government Code, Chapter 551.

In addition, this agenda and supporting documents are posted on the City of Big Spring's website, www.mybigspring.com, in accordance with legal requirements.



Lesa Gamble, Assistant to the City Manager

THE MEETING FACILITY IS ACCESSIBLE TO DISABLED PERSONS. ANY DISABLED PERSON NEEDING SPECIAL ACCOMMODATIONS OR HEARING-IMPAIRED PERSONS WISHING TO HAVE AN INTERPRETER SHOULD CONTACT 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 __, 2016 at _____ a.m./p.m.

By: _____

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, 2016, with the following members present:

LARRY MCLELLAN	Mayor
JIM DEPAUW	Mayor Pro Tem
RAUL MARQUEZ	Councilmember
CARMEN HARBOUR	Councilmember
JUSTIN MYERS	Councilmember
RAUL BENAVIDES	Councilmember
STEVE WAGGONER	Councilmember

Same and constituting a quorum; and

TODD DARDEN	City Manager
KAYE EDWARDS	City Attorney
JOHN MEDINA	Assistant City Manager/ Human Resource Director
DON MOORE	Finance Director/City Secretary
CHAD WILLIAMS	Police Chief
CRAIG FERGUSON	Fire Chief
JOHNNY WOMACK	Public Works Director
JIM LITTLE	Airpark Director
TIM GREEN	Municipal Court Judge
DEBBIE WEGMAN	Community Services Director

INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Bill Ivins, First Methodist Church, gave the invocation and Mayor McLellan led the Pledge of Allegiance to the American and Texas Flags.

DISPOSITION OF MINUTES

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF JULY 26, 2016

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

CONSENT ITEMS

FINAL READING OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES CHAPTER 1, ARTICLE 4, DIVISION 3 ENTITLED "BIG SPRING MCMAHON WRINKLE AIRPARK DEVELOPMENT BOARD," SECTION 1-110 ENTITLED "ORGANIZATION AND MEMBERSHIP" TO INCLUDE HOWARD COUNTY RESIDENTS AS ELIGIBLE APPOINTEES; REQUIRING THAT ALL APPOINTED MEMBERS OF THE BOARD DEMONSTRATE THEIR INTEREST AND KNOWLEDGE OF AERONAUTICAL ACTIVITIES, BUSINESS, INDUSTRY, AND REAL ESTATE; AND DESIGNATING THE AIRPORT ADMINISTRATIVE ASSISTANT AS AN EX-OFFICIO MEMBER AND SECRETARY OF THE BOARD; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

ACCEPTANCE OF THE MCMAHON-WRINKLE INDUSTRIAL PARK DEVELOPMENT BOARD MINUTES FOR THE MEETING OF JUNE 16, 2016

Motion was made by Councilmember Myers, seconded by Councilmember Benavides, with all members of the Council voting "aye" approving the second and final reading of the above captioned ordinance and minutes.

ROUTINE BUSINESS

Mayor Pro Tem DePauw reviewed the vouchers in the amount of \$179,398.37 (7/28/16) and \$1,107,572.74 (8/04/16). Motion was made by Mayor Pro Tem DePauw, seconded by Councilmember Myers, with all members of the Council voting "aye" approving the above listed vouchers.

BIDS

PERMISSION TO ADVERTISE FOR BIDS FOR WTP FILTER'S REHABILITATION PROJECT AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Mayor Pro Tem DePauw, seconded by Councilmember Waggoner, with all members of the Council voting "aye" approving permission to advertise the above captioned bid.

AWARD BID FOR DISTRIBUTION PIPE TO BENMARK SUPPLY AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Benavides, seconded by Mayor Pro Tem DePauw, with Councilmembers Marquez, Myers, McLellan, Waggoner, Benavides and DePauw voting "aye" approving the above captioned bid to Benmark Supply in the amount of \$22,684.00. Councilmember Harbour, being opposed, voting "nay" for passage of same. Motion passed six to one.

NEW BUSINESS

PRESENTATION OF THE TAX RATE FOR THE 2016-2017 FISCAL YEAR

Don Moore, Finance Director, presented the tax rate for the 2016-2017 fiscal year in the amount of \$0.790000/\$100 which would allow \$500,000 for street repairs.

CONSIDERATION OF PLACING A PROPOSAL ON THE SEPTEMBER 27, 2016 CITY COUNCIL AGENDA TO ADOPT THE TAX RATE OF \$0.790000/\$100 (WHICH INCLUDES A DEBT SERVICE RATE OF \$0.120218/\$100 AND A M & O RATE OF \$0.669782/\$100) FOR THE 2016-2017 FISCAL YEAR

Motion was made by Councilmember Waggoner, seconded by Councilmember Benavides, with Councilmembers Marquez, Myers, McLellan, Waggoner, Benavides and DePauw voting "aye" to adopt a \$0.669782 Maintenance and Operation Tax Rate for a total Preliminary Proposed Tax Rate of \$0.790000 on the regular council meeting, Tuesday, September 27th, 2016 at 5:30 p.m. Councilmember Harbour, being opposed, voting "nay" for passage of same. Motion passed six to one.

CALL FOR THE FIRST PUBLIC HEARING ON THE PROPOSED TAX RATE TO BE HELD ON TUESDAY, AUGUST 23, 2016 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS LOCATED AT 307 EAST 4TH STREET, BIG SPRING, TEXAS AND CALL FOR THE 2ND PUBLIC HEARING ON THE PROPOSED TAX RATE TO BE HELD ON TUESDAY, SEPTEMBER 13, 2016 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS LOCATED AT 307 EAST 4TH STREET, BIG SPRING, TEXAS

Motion was made by Councilmember Myers, seconded by Mayor Pro Tem DePauw, with all members of the Council voting "aye" approving to call for the first public hearing on a proposed tax increase for the regular council meeting on Tuesday, August 23rd, 2016 at 5:30 p.m. and for the second public hearing to be during the regular council meeting on Tuesday, September 13th, 2016 at 5:30 p.m.

CALL FOR A PUBLIC HEARING ON THE PROPOSED 2016-2017 ANNUAL BUDGET TO BE HELD ON TUESDAY, SEPTEMBER 13, 2016 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS LOCATED AT 307 EAST 4TH STREET, BIG SPRING, TEXAS

Motion was made by Councilmember Harbour, seconded by Councilmember Marquez, with all members of the Council voting "aye" approving to hold a public hearing on the proposed budget at the regular council meeting on Tuesday, September 13th, 2016 at 5:30 p.m.

ACCEPTANCE OF UTILITY EASEMENTS AND RIGHT OF WAYS FROM SCENIC MOUNTAIN MEDICAL CENTER AND MALONE AND HOGAN CLINIC AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

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

CONSIDERATION AND AUTHORIZATION TO ALLOW THE CITY MANAGER TO NEGOTIATE THE TERMS OF AN AGREEMENT WITH SCENIC MOUNTAIN MEDICAL CENTER AND MALONE AND HOGAN CLINIC FOR WATER LINE INSTALLATION AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

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

ACCEPTANCE OF A DEED OF GIFT FROM FAY MARIE HUGHES

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

CONSIDERATION AND APPROVAL OF AN INTERLOCAL AGREEMENT WITH PERMIAN BASIN REGIONAL PLANNING COMMISSION FOR SOLID WASTE GRANT AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

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

APPOINTMENT TO THE PLANNING & ZONING COMMISSION

Motion was made by Councilmember Harbour, seconded by Mayor Pro Tem DePauw, with all members of the Council voting “aye” appointing Bebe McCasland to the Planning & Zoning Commission.

CITY MANAGER’S REPORT

Todd Darden announced that the second summers on the green will be on Friday, August 12, 2016.

COUNCIL INPUT

Mayor McLellan invited the public out to see the hang gliders at the McMahan Wrinkle Airport this week. Mayor McLellan also announced that he is working with staff to establish an Animal Control Board and thanked the local rescue agencies for their help in keeping the no kill rates down.

Councilmember Harbour thanked the citizens that attended the council meeting and apologized for being absent at the last council meeting.

EXECUTIVE SESSION

ADJOURN INTO EXECUTIVE SESSION IN ACCORDANCE WITH SECTION 551.071(1) OF THE TEX. GOV'T CODE TO CONSULT WITH ATTORNEY DREW MOUTON CONCERNING PENDING OR CONTEMPLATED LITIGATION; OR SETTLEMENT – BANKS V. CITY OF BIG SPRING AT 6:40 P.M.

RECONVENE IN OPEN SESSION AND TAKE ANY NECESSARY ACTION AT 7:02 P.M.

Motion was made by Councilmember Myers, seconded by Councilmember Benavides, with all members of the Council voting “aye” approving the City Manager to attend mediation and negotiate on behalf of the City of Big Spring.

ADJOURN

Mayor McLellan adjourned the meeting at 7:03 p.m.

CITY OF BIG SPRING, TEXAS

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

**THE CITY OF BIG SPRING
ZONING BOARD OF ADJUSTMENTS AND APPEALS
MINUTES OF JUNE 22, 2016**

THE CITY OF BIG SPRING ZONING BOARD OF ADJUSTMENTS AND APPEALS HELD A MEETING WEDNESDAY, JUNE 22, 2016 AT 5:30 PM IN THE CITY COUNCIL CHAMBERS, LOCATED AT 307 E 4TH ST.

THE FOLLOWING MEMBERS WERE PRESENT:

Steve Herron
Veronica Zuniga
Libby Uribe
Carrie Rodman

MEMBERS ABSENT:

Drew Mouton

STAFF PRESENT:

Leslie Whitten-Administrative Assistant
Thomas Hodges-Code Enforcement Superintendent
Roxanne Johnston-City Planner

OTHERS PRESENT:

Beverly Knous
Domingo Rios
Emily Rios
Gail Adlesperger

CALL TO ORDER:

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

APPROVAL OF MINUTES OF April 27, 2016:

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

Beverly Knous, LT 15 BK 29 of College Park Addition, Located at 3229 Drexel Ave. Mr. Hodges stated that 30 letters were sent out, 2 no objection, 2 objections and 0 returned letters. Mr. Hodges stated that the City doesn't have any issues with the proposal. After much discussion, the board voted to pass the variance with the following stipulation. A prescription has been provided by a physician stating that Mr. Knous is a

fall risk and with all of his current diagnoses, he would benefit from having a front yard carport to ensure his safety. At such time that the prescription provided becomes invalid, or the property is sold, the carport will no longer be approved & must be removed. Veronica Zuniga made motion to approve. Carrie Rodman 2nd the motion. All members present voted "Aye", none opposed. Motion carried.

Domingo Rios, LT 23 BK 22 of College Park Addition, Located at 3206 Auburn Ave. Mr. Hodges stated that 20 letters were sent out, 0 no objection, 0 objections and 0 returned letters. Mr. Hodges stated that the City doesn't have any issues with the proposal.

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

OTHER BUSINESS:

ADJOURNMENT:

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

CHAIRMAN'S SIGNATURE

Steve Gomez

ADMIN ASSISTANT SIGNATURE

Leslie Whitten

City of Big Spring
Purchasing and Material Control
Memorandum

To: Honorable Mayor, City Council, City Manager
From: Paul Sotelo, Purchasing Agent
Date: August 23, 2016
Subject: Request for Bid Award for Utilities Valves and Fittings

On Monday, August 15, 2016, the City of Big Spring accepted sealed bids for Utilities Valves and Fittings designated in RFB 16-018. We contacted nine (9) vendors and received responses from seven (7). A bid tabulation sheet has been prepared and is attached to this memo for consideration in making your award.

Recommendation: The staff recommends the bid be awarded to Benchmark Supply of Midland, Texas for the total estimated amount of \$262,172.19.

City of Big Spring
Bid Tabulations - RFB 16-018 Utilities Valves and Fittings
 August 15, 2016

<u>Lot #:</u>	<u>APSCO</u>	<u>Benchmark Supply</u>	<u>Ferguson Co.</u>	<u>H.D. Supply</u>	<u>K.W. Sharp</u>	<u>Morrison Supply</u>	<u>Sims Plastics</u>	<u>Triple T Pipe and Supply</u>	<u>Western Industrial</u>
I. Meter Adapters and Couplings	No Bid	\$ 61,188.40	\$ 66,347.60	\$ 63,849.20	\$ 65,297.00	\$ 64,620.80	No Bid	\$ 62,373.00	\$ 63,077.30
II. Misc. Valves and Fittings	No Bid	\$ 18,726.30	\$ 19,277.55	\$ 19,531.90	\$ 19,182.10	\$ 18,914.56	No Bid	\$ 18,552.50	\$ 19,426.65
III. Repair Clamps	No Bid	\$ 3,792.30	\$ 5,873.90	\$ 4,315.00	\$ 5,814.70	\$ 2,219.60	No Bid	\$ 5,711.50	\$ 4,340.90
IV. Dresser Couplings	No Bid	\$ 23,274.00	\$ 31,751.92	\$ 28,954.54	\$ 31,123.80	\$ 40,338.94	No Bid	\$ 29,728.00	\$ 31,683.00
V. Service Saddles	No Bid	\$ 7,913.50	\$ 9,925.50	\$ 9,187.20	\$ 8,665.10	\$ 9,578.15	No Bid	\$ 9,884.60	\$ 9,875.90
VI. Brass Fittings	No Bid	\$ 6,993.63	\$ 9,308.54	\$ 7,884.19	No Bid	\$ 7,803.62	No Bid	\$ 8,462.85	\$ 10,723.51
VII. Cast Iron Items	No Bid	\$ 28,187.06	\$ 39,548.36	\$ 36,167.91	No Bid	\$ 36,052.11	No Bid	\$ 13,082.85	\$ 38,839.30
VIII. Gate Valves	No Bid	\$ 83,492.00	\$ 90,873.47	\$ 87,708.45	\$ 107,225.00	\$ 84,355.15	No Bid	\$ 84,543.45	\$ 112,583.50
IX. Fire Hydrants	No Bid	\$ 19,382.00	\$ 21,654.26	\$ 20,250.96	\$ 20,450.00	\$ 19,661.82	No Bid	No Bid	\$ 25,247.80
X. Band Clamps, Full Circles, and Tapping Sleeves	No Bid	\$ 9,223.00	\$ 9,683.18	\$ 9,687.42	\$ 9,830.00	\$ 9,678.43	No Bid	\$ 9,742.25	\$ 9,738.05
TOTALS		\$ 262,172.19	\$ 304,244.28	\$ 287,536.77	\$ 267,587.70	\$ 293,223.18	No Bid	\$ 242,081.00	\$ 325,535.91

Note: Amounts highlighted in green denote that certain line items in that particular lot were a "No Bid."

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, ORDAINING THE CITY'S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE (ACT), PROVIDING TAX INCENTIVES, DESIGNATING A LIAISON FOR COMMUNICATION WITH INTERESTED PARTIES, AND NOMINATING ALON USA PARTNERS, LP TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT & TOURISM (EDT) THROUGH THE ECONOMIC DEVELOPMENT BANK (BANK) AS AN ENTERPRISE PROJECT (PROJECT); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Big Spring, Texas (City) desires to create the proper economic and social environment to induce the investment of private resources in productive business enterprises located in severely distressed areas of the city and to provide employment to residents of such area; and

WHEREAS, the project or activity is not located in an area designated as an enterprise zone; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Act, Alon USA Partners, LP has requested designation as an enterprise project from the City; and

WHEREAS, the City finds that Alon USA Partners, LP meets the criteria for tax relief and other incentives adopted by the City on the grounds that it will be located at the qualified business site, will create a higher level of employment, economic activity and stability; and

WHEREAS, a public hearing to consider this ordinance was held by the City Council on **August 23, 2016**;

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

SECTION 1. The City nominates Alon USA Partners, LP for enterprise project status.

SECTION 2. The local incentives identified and summarized briefly in the attached Exhibit A, at the election of the governing body, are or will be made available to nominated Projects in the City of Big Spring.

SECTION 3. The enterprise zone areas within the City are reinvestment zones in accordance with the Texas Tax Code, Chapter 312.

SECTION 4. The City of Big Spring City Council directs and designates the City Manager, or his designee, as the City's liaison to communicate and negotiate with the EDT through the Bank and enterprise project(s) and to oversee zone activities and communications with qualified businesses and other entities in an enterprise zone or affected by an enterprise project.

SECTION 5. The City finds that Alon USA Partners, LP meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

- (a) Alon USA Partners, LP is a “qualified business” under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site within the governing body’s jurisdiction, located outside of an enterprise zone and at least thirty-five percent (35%) of the business’ new employees will be residents of an enterprise zone, economically disadvantaged individuals, or veterans; and
- (b) There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities in the area; and
- (c) The designation of Alon USA Partners, LP as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

SECTION 6. The enterprise project shall take effect on the date of designation of the enterprise project by EDT and terminate five years after the date of designation.

SECTION 7. This ordinance shall take effect from and after its passage as the law and charter in such case provides.

PASSED AND APPROVED on this first reading at a regular meeting of the City Council on the 23rd day of August, 2016, with all members of the Council voting “aye” for passage of the same.

PASSED AND APPROVED on second and final reading at a special meeting of the City Council on the 29th day of August, 2016, with all members voting “aye” for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

Approved as to form:

Kaye H. Edwards, City Attorney

Exhibit A

	Name of Incentive	Description of Incentive	Availability
1	Local Sales Tax Refund	City may offer local sales/use tax refunds	Citywide – Case by Case Basis
2	Tax Abatement	City may abate local property taxes for qualifying projects	Citywide – Case by Case Basis
3	Tax Increment Financing	City may create tax increment financing districts for economic development	Citywide – Case by Case Basis
4	Economic Development Sales Tax (4A) Contribution	City has a 0.50% Economic Development Sales Tax (4A Corporation)	Citywide – Case by Case Basis
5	Chapter 380	City may offer economic development incentives under Local Government Code Chapter 380	Citywide – Case by Case Basis
6	Other Tax Deferrals, Tax Refunds or Tax Incentives	City may authorize other tax deferrals, refunds, or incentives to promote economic development	Citywide – Case by Case Basis
7	Zoning Changes / Variances	City may approve zoning changes or variances to promote economic development	Citywide – Case by Case Basis
8	Building Code Exemptions	City may defer compliance with building codes to promote economic development	Citywide – Case by Case Basis
9	Impact / Inspection Fee Exemptions	City may provide permitting fee reductions or exemptions to promote economic development	Citywide – Case by Case Basis
10	Streamlined Permitting	City may provide streamlined permitting to promote economic development	Citywide – Case by Case Basis
11	Improved Police and/or Fire Protection	Protection and safety of City residents.	Citywide
12	Community Crime Prevention Programs	Big Spring / Howard County CrimeStoppers	Citywide
13	Capital Improvements in Water and Sewer Facilities	City may provide resources for a capital improvement project related to water and sewer service.	Citywide – Case by Case Basis
14	Road Repair	City is responsible for maintaining and repairing public streets and alleys inside city limits.	Citywide
15	Creation or Improvement of Parks	City maintains parks and promotes a healthy lifestyle for residents.	Citywide
16	One-Stop Permitting, Problem Resolution Center or Ombudsmen	City offers one-stop permitting assistance through the Building Inspection Department	Citywide
17	Promotion and Marketing Services	Big Spring Area Chamber of Commerce	Citywide
18	Job Training and Employment Services	Offered in conjunction with Howard College and Workforce Solutions of the Permian Basin	Citywide
19	Retraining Program	Offered in conjunction with Howard College and Workforce Solutions of the Permian Basin	Citywide

Exhibit A (Continued)

	Name of Incentive	Description of Incentive	Availability
20	Literacy and Employment Skills Programs	Offered in conjunction with Howard College and Workforce Solutions of the Permian Basin	Citywide
21	Vocational Education	Offered in conjunction with Howard College and Workforce Solutions of the Permian Basin	Citywide
22	Customized Job Training	Offered in conjunction with Howard College and Workforce Solutions of the Permian Basin	Citywide

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AMENDING CHAPTER 3 ENTITLED “ANIMALS” BY ADDING A NEW ARTICLE 12 ENTITLED “ANIMAL RESCUE & ADOPTION COMMITTEE,” TO ESTABLISH A NEW, FIVE-MEMBER BOARD CHARGED WITH RAISING PUBLIC AWARENESS AND FACILITATING THE ADOPTION OF ANIMALS FROM THE BIG SPRING ANIMAL SHELTER; ESTABLISHING QUALIFICATIONS, DUTIES, AND TERMS FOR MEMBERS OF THE BOARD; APPOINTING THE SUPPORT SERVICES LIEUTENANT AS AN EX-OFFICIO MEMBER; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council desires to create an “Animal Rescue and Adoption Committee” to increase public awareness and facilitate the adoption of abandoned and misplaced animals at the Big Spring Animal Shelter; and

WHEREAS, the City Council wishes to engage local animal lovers and rescue agencies to assist the City in its goal to become a “no-kill shelter” as stated in Resolution No. 003-2016;

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

SECTION 1. The Big Spring Code of Ordinances, Chapter 3 entitled “Animals” is hereby amended by adding a new Article 12 entitled “Animal Rescue & Adoption Committee” to read in its entirety as follows:

Article 12. Animal Rescue & Adoption Committee

Sec. 3-58. Organization and Term.

The Animal Rescue and Adoption Committee shall be composed of five (5) members, all of whom shall be citizens of the City of Big Spring and/or Howard County and appointed by a majority vote of the City Council for a term of three (3) years. Terms shall expire on September 30th, but each member shall continue to serve until his or her successor is appointed. For those members first appointed, two (2) members shall be appointed for a term of one (1) year, two members for a term of two (2) years, and one (1) member for a term of three (3) years. Subsequent appointments shall be for the full three (3) year term. The Chairman and Vice-Chairman shall be elected annually during the first annual meeting by official members of the Committee. In addition to the five (5) members above, the Support Services Lieutenant shall serve as a non-voting, ex-officio member, serve as staff liaison, and shall advise and assist the Committee in its various functions.

Sec. 3-59. Additional Qualifications of Members.

The City Council will consider for appointment only those members of the community who have demonstrated an interest and/or knowledge in at least one (1) of the following areas:

- (a) An interest in the health, safety, and welfare of the public and animals;
- (b) Experience and/or knowledge of animal shelter operations;
- (c) Experience and/or knowledge of public health or sanitation;
- (d) A willingness to become familiar with state statutes regarding animal health and safety and operation of animal shelters; and/or
- (e) Advanced knowledge or license in veterinarian medicine.

Sec. 3-60. Duties of the Committee.

The Committee shall be charged with organizing quarterly public awareness events, working with animal rescue organizations to facilitate adoptions from the Big Spring Animal Shelter, using social media (or other means) to increase exposure of animals in need of adoption, recruiting qualified volunteers to assist the City in areas relating to animals in need of adoption and animal control, assisting the City in its goal to become a no-kill shelter, promoting low-cost spay and neuter programs, acting as public relations liaison between the public and city officials to advance the common interest of animal welfare issues and reconcile public concerns, and review and make recommendations to the City Council in an advisory capacity on matters concerning the adoption of animals.

Sec. 3-61. Removal from Office and Vacancies.

Any member may be removed from office by a majority vote of the City Council for any reason. Vacancies shall be filled in the same manner as the original appointment.

Sec. 3-62. Quorum.

A quorum shall consist of no less than three (3) members. An affirmative vote of three (3) members shall be necessary for approval of motions before the Committee. Members must be present at the meeting to vote and members shall not appoint a substitute to appear on his or her behalf.

Sec. 3-63. Public Meeting.

All meetings shall be open to the public and subject to the Open Meetings Act. Regular meetings shall be scheduled at least quarterly and the City Manager shall call together the Committee to consider business as needed. Additional meetings may be held upon the call of the Chairman, or the Vice-Chairman in the absence of the Chairman, or upon petition of a simple majority of Committee members.

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

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

SECTION 4. This ordinance shall take effect immediately upon two readings in accordance with the City Charter.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 23rd day of August, 2016, with all members of the Council voting “aye” for passage of the same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 13th day of September, 2016 with all members voting “aye” for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AMENDING CHAPTER SIXTEEN 16 OF THE BIG SPRING CITY CODE OF ORDINANCES ENTITLED “PUBLIC UTILITIES,” ARTICLE 3 ENTITLED “UTILITY SERVICE CHARGES,” SECTION 16-60.2 (C) ENTITLED “DELINQUENT FEES” TO ALLOW CUSTOMERS TO PAY WITH A CREDIT CARD OR CHECK; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, amending the delinquent fees to allow customers to pay with a credit card or check will assist customers who do not have cash on hand or a money order;

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

SECTION 1. Chapter 16 of the City of Big Spring Code of Ordinances entitled “Public Utilities,” Article 3 entitled “Utility Service Charges,” Section 16-60.2 (C) entitled “Delinquent Fees” is hereby amended to read in its entirety as follows:

Sec. 16-60.2. Delinquent fees.

(C) Any form of monetary payment may be used to satisfy a delinquent account. However, payment by check will only be accepted from customers who have never had a returned check with the City of Big Spring. Payment must be received before the water will be restored.

SECTION 2. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall be affected thereby.

SECTION 3. Any ordinance that conflicts with this ordinance is hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall be in force and effective from and after its publication as required by law.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **23rd** day of **August, 2016** with all members of the Council voting “aye” for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the **13th** day of **September, 2016** with all members of the Council voting “aye” for the passage of same.

ATTEST:

Larry McLellan, Mayor

Tami L. Davis, Assistant City Secretary

Minutes of the Board of Director's Regular Meeting
BIG SPRING ECONOMIC DEVELOPMENT CORPORATION
Tuesday, June 21, 2016, 5:15 p.m.
Offices of the Big Spring Economic Development Corporation
215 West Third Street, Big Spring, Texas

The Regular Meeting of the Board of Directors of the Big Spring Economic Development Corporation was called to order at 5:15 p.m. Tuesday, June 21, 2016 in the offices of the Big Spring Economic Development Corporation. The following notice was sent on June 17, 2016 to all Directors, the news media, and duly posted on June 17, 2016, by Teresa Darden in compliance with the Open Meeting's Act by posting it on the outside door of the Big Spring Economic Development Corporation and on the inside and outside of City Hall.

"The Board of Directors of the Big Spring Economic Development Corporation will hold a Regular Board Meeting on Tuesday, June 21, 2016, 5:15 p.m. in the offices of the Big Spring Economic Development Corporation, 215 West Third Street, Big Spring, Texas. The purpose of the meeting is: Action on Minutes of the May 31, 2016 Regular Meeting, Action to Approve May Financials Report, Directors Report, Executive Session, Action as a Result of Executive Session, Public Comment, Board Comment, and Adjourn".

Directors Present:

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

Directors Absent:

Staff Present:

Mr. Terry Wegman
Mrs. Teresa Darden

Guests that signed in: Ace Little

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

Mr. Hansen called the meeting to order at 5:16 p.m. Mr. Price led the invocation and Mrs. McDaniel led the pledge.

ACTION ITEM #2- Action to Approve Minutes of the May 31, 2016 Regular Meeting:

Mr. Hansen presented the Minutes. Motion to accept the Minutes was made by Mrs. McDaniel and seconded by Mr. Price. The motion passed 5 to 0 with all members present voting "aye" in favor of the motion.

ACTION ITEM #3- Action to Approve May Financials:

Mr. Reyes presented the Financials. Motion to approve the Financials was made by Mrs. Reyes seconded by Mr. McDonald. The motion passed 5 to 0 with all members present voting "aye" in favor of the motion.

ACTION ITEM #4- Directors Report:

Mr. Wegman updated the Board on several projects including: Phase III Rail Construction is on track to be complete mid-July. TWC has a high demand job training program grant available to apply for and Mr. Wegman has been in discussions with Howard College for job training needs. DEF (Diesel Exhaust Fluid) manufacturer is waiting on final survey, hopefully closing mid-July. A commercial real estate broker JLL has contacted two prospects in marketing the WCC building. Mr. Wegman will be meeting with a wind components logistics company. A current rail customer of BSR wants to locate offices of a calcium chloride distributions in Big Spring.

Mr. Wegman updated the Board on past and upcoming meetings to include: TEDC Mid-Year Conference June 8-10th, Rail logistics company July 7-8th, High Ground round table July 13th, US 87 Grand Opening July 20th at 11:00am, and the next regular EDC Board meeting will be July 19, 2016.

AGENDA ITEM #5-

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).

- **John Crane Production Solutions**
- **Big Dog Rig Movers**
- **Big Spring Rail System**

Mr. Hansen adjourned the Board into Executive Session @ 5:37pm, June 21, 2016

Mr. Hansen called the Executive Session to order at 5:38pm, June 21, 2016

Mr. Hansen adjourned out of executive session at 6:37pm, June 21, 2016

Mr. Hansen reconvened into open session at 6:37pm, June 21, 2016

AGENDA ITEM #6- Action as a Result of Executive Session:

None

AGENDA ITEM #7- Public Comments:

None

AGENDA ITEM #8- Board Comments:

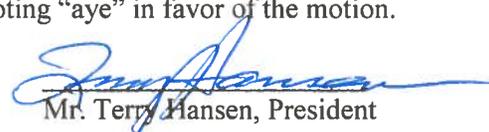
None

AGENDA ITEM # 9- Adjourn:

Mrs. Reyes made a motion to adjourn, seconded by Mr. Price

The motion passed 5 to 0 with all members present voting "aye" in favor of the motion.

Meeting adjourned at 6:37 pm on June 21, 2016


Mr. Terry Hansen, President

ATTEST:


Mr. Bob Price, Vice President

Minutes of the Board of Director's Special Meeting
BIG SPRING ECONOMIC DEVELOPMENT CORPORATION
Tuesday, June 28, 2016, 12:00 p.m.
Offices of the Big Spring Economic Development Corporation
215 West Third Street, Big Spring, Texas

The Special Meeting of the Board of Directors of the Big Spring Economic Development Corporation was called to order at 12:02 p.m. Tuesday, June 28, 2016 in the offices of the Big Spring Economic Development Corporation. The following notice was sent on June 24, 2016 to all Directors, the news media, and duly posted on June 24, 2016, by Teresa Darden in compliance with the Open Meeting's Act by posting it on the outside door of the Big Spring Economic Development Corporation and on the inside and outside of City Hall.

"The Board of Directors of the Big Spring Economic Development Corporation will hold a Special Board Meeting on Tuesday, June 28, 2016, 12:00 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: Executive Session, Action as a Result of Executive Session, Public Comment, Board Comment, and Adjourn".

Directors Present:

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

Directors Absent:

Staff Present:

Mr. Terry Wegman
Mrs. Teresa Darden

Guests: Baxter Wellman, Ron Bowes, Dave Lee

AGENDA ITEM # 1 – Call to Order

Mr. Hansen called the meeting to order at 12:02 p.m.

AGENDA ITEM #2-

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).

- **Big Spring Rail System**

Mr. Hansen adjourned the Board into Executive Session @ 12:03pm, June 28, 2016
Mr. Hansen called the Executive Session to order at 12:03pm, June 28, 2016
Mr. Hansen adjourned out of executive session at 12:59pm, June 28, 2016
Mr. Hansen reconvened into open session at 12:59pm, June 28, 2016

AGENDA ITEM #3- Action as a Result of Executive Session:

Mr. McDonald made a motion to authorize the Executive Director to enter into negotiations with Big Spring Rail Systems to subsidize rent at the Airpark. Motion was seconded by Mrs. McDaniel. The motion passed 5 to 0 with all members present voting "aye" in favor of the motion.

AGENDA ITEM # 4- Adjourn:

Mrs. Reyes made a motion to adjourn, seconded by Mrs. McDaniel

The motion passed 5 to 0 with all members present voting "aye" in favor of the motion.

Meeting adjourned at 1:01 pm on June 28, 2016

ATTEST:



Mr. Bob Price, Vice President



Mr. Terry Hansen, President