



CITY COUNCIL AGENDA

Monday, August 29, 2016

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Special Session on Monday, August 29, 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 | 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.

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| 4. Second 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 | 3-6 | Darden
T. Wegman |
|---|-----|---------------------|

Council Input

- 5. Input McLellan

- 6. Adjourn McLellan

I hereby certify that this agenda was posted on the official bulletin boards at the Big Spring City Hall Building, 310 Nolan Street, Big Spring, Texas. 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: _____

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