

CITY COUNCIL AGENDA

City of Big Spring
Monday, October 7, 2013

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Special Session on Monday, October 7, 2013, 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 Fernandez
2. **Public Hearing** – Regarding the Annexation into the Big Spring City Limits of Forty Acres of Undeveloped Land Owned by the City of Big Spring, Being Generally Located South of Willard Street and West of Parkway Drive and Being Part of the East One Half of the West One Half of Section 13, Block 33, T-1-S, T & P Ry. Co. Survey, Howard County, Texas 4-10 Sjogren
3. **Public Hearing** – Regarding the Applicable Zoning of Land to be Annexed i.e., Forty Acres of Undeveloped Land Owned by the City of Big Spring, Being Generally Located South of Willard Street and West of Parkway Drive and Being Part of the East One Half of the West One Half of Section 13, Block 33, T-1-S, T & P Ry. Co. Survey, Howard County, Texas Browning
4. **Public Hearing** – Regarding a Replat of 1.98 Acres of Land Being Lot 1, Block 16, Brennand Addition, City of Big Spring 11-12 Browning
5. **Public Hearing** – Regarding Changing the Zoning of 1.98 Acres of Land Being Lot 1, Block 16, Brennand Addition, City of Big Spring from Single Family 2 to Multi-Family 13-14 Browning
6. **Public Hearing** – Regarding a Specific Use Permit for the Operation of a Pet Shop at 2101 Scurry Street 15 Browning

Disposition of Minutes

7. Approval of Minutes of the Regular Meeting of September 24, 2013 16-22 Davis

Consent Items

- | | | | |
|----|--|-------|--------|
| 8. | Acceptance of McMahon-Wrinkle Airport and Industrial Park Development Board Minutes for Meeting of July 18, 2013 | 23-24 | Little |
|----|--|-------|--------|

Bids

- | | | | |
|-----|---|-------|----------|
| 9. | Award Bid for Two (2) Sanitation Trucks and Authorizing the City Manager or His Designee to Execute Any Necessary Documents | 25 | Medina |
| 10. | Award Bid for Wastewater Treatment Plant Contract "A" with a Change Order and Authorizing the City Manager or His Designee to Execute Any Necessary Documents | 26-27 | Womack |
| 11. | Award Bid for Comprehensive Plan and Authorizing the City Manager or His Designee to Execute Any Necessary Documents | | Browning |

Routine Business

- | | | | |
|-----|-----------------------|---------------|----------|
| 12. | Vouchers for 09/26/13 | \$ 519,488.37 | McDonald |
| | Vouchers for 10/03/13 | \$ 973,999.37 | |

New Business

- | | | | |
|-----|---|-------|----------|
| 13. | Emergency Reading of an Ordinance Amending Ordinance Number 029-2013 Which Ordinance Adopted the Annual Budget for the City of Big Spring, for the Fiscal Year Beginning October 1, 2013 and Ending September 30, 2014; Providing for Increasing the General Fund Budget for the Purpose of Developing a Comprehensive Master Plan; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Publication; Providing an Effective Date | 28-29 | Walker |
| 14. | Emergency Reading of a Resolution Designating Tim Blackshear as Nominee for the Position of Director on the Board of Directors of the Howard County Joint Tax Appraisal District for the Years of 2014 and 2015 | 30 | Walker |
| 15. | Consideration of a Petition to Annex 74.382 Acres – Kentwood Phase II | 31-34 | Sjogren |
| 16. | First Reading of an Ordinance Approving a Replat of Lot 1, Block 16, Brennand Addition to the City of Big Spring, Providing for a Severability Clause and Providing for Publication | 35 | Browning |

- | | | | |
|-----|---|-------|----------|
| 17. | First Reading of an Ordinance Approving a Zone Change from Single Family (SF-2) to Multi-Family (MF) for a 1.98 Acre Tract Being Lot 1, Block 16, Brennand Addition, Providing for a Severability Clause and Providing for Publication | 36-38 | Browning |
| 18. | First Reading of an Ordinance Providing for the Issuance of a Specific Use Permit Without Term to Daniel Mondier for the Operation of a Pet Shop Located at 2101 Scurry, Described as N/100' of the NW/4 of Block 30, College Heights, Providing for Severability and Providing for Publication | 39 | Browning |
| 19. | Discussion and Consideration of a Request by Mr. Jay Patel to Vacate and Abandon the Alley Located Between Lots 4, 5, and 6 on the North and Lots 7, 8 and 9 on the South in Block 35, Bauer Addition to the City of Big Spring and Authorizing the Mayor to Execute Any Necessary Documents | 40 | Womack |

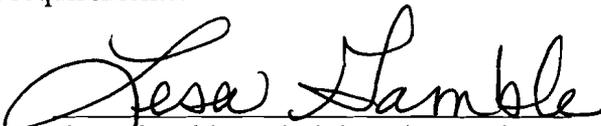
City Manager's Report

20.

Council Input

- | | | |
|-----|---------|-----------|
| 21. | Input | Fernandez |
| 22. | Adjourn | |

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, October 4, 2013 at 5:15 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

**BUSINESS OF THE CITY COUNCIL
CITY OF BIG SPRING, TEXAS**

Meeting Date: October 7, 2013

Agenda Item(s): 2 and 3

Description: Public Hearing, discussion and consideration regarding the annexation into the Big Spring City Limits and the zoning of a 40 acre undeveloped tract owned by the City of Big Spring, being generally located south of Willard Street and west of Parkway Drive.

Applicant: City of Big Spring

Detail of Request:

The City, the applicant, is proposing annexation of a 40 acre undeveloped tract in the southwest quadrant of the City. The tract has access to Willard Street, a City street on the north, and Parkway Drive, a County road on the east. Staff is recommending that the tract be zoned SF-2, Single Family Dwelling District, upon annexation. This is the zoning of the property to the north and adjacent to this tract. The SF-2 district is a single family dwelling district with a minimum lot size of 7000 square feet, the list of additional permitted uses is attached for your review.

City utilities and services will be extended to the tract upon annexation, future residents will attend Forsan Independent School District schools.

Once annexed and zoned, the City intends to market the property to residential developers

Planning and Zoning Commission:

The Planning and Zoning Commission at their October 1, 2013 meeting unanimously recommended annexation and zoning of the subject 40 acre tract.

Recommended Action:

Annexation of the subject tract and establish SF-2 zoning.

**CITY OF BIG SPRING
PETITION FOR ANNEXATION OR CITY LIMITS EXTENSION**

TO THE MAYOR AND GOVERNING BODY OF THE CITY OF BIG SPRING, TEXAS,

The undersigned, Mayor of the City of Big Spring which is the owner of the hereinafter described tract of land, which is (1) one-half mile or less in width, (2) contiguous to the city limits, and (3) vacant and without residents, hereby petition the governing body of the City of Big Spring to extend the present city limits so as to include as part of the City of Big Spring, Texas, the property described as follows:

All that certain parcel and piece of land out of and part of the East one half of the West one half of Section Thirteen, Block Thirty-three, Township One South, T & P Ry. Co. Survey in Howard County, Texas, more particularly described as follows:

BEGINNING at an iron rod for the N.W. corner of this tract, said rod is N. 75 deg. 23' E. 1320 feet and S. 14 deg. 37'E. 2610 feet from the N.W. corner of Section 13, Block 33, T-1-S, T & P Ry. Co. Survey, Howard County, Texas, and S.W. corner of Lot 12, Block 12, SUBURBAN HEIGHTS, Big Spring, Howard County, Texas;

THENCE S. 14 deg. 37' E. 1382.86 feet to an iron rod for the S.W. corner of this tract;

THENCE N. 75 deg. 23' E. 1260 feet to an iron rod located in the West ROW line of Parkway Road, a dedicated thoroughfare, for the S.E. corner of this tract;

THENCE N. 14 deg. 37' W. 1382.86 feet, along and with the West line of Parkway Road, to a concrete monument located at the S.E. corner of Lot 20, Block 8, of SUBURBAN HEIGHTS, for the N.E. corner of this tract;

THENCE S. 75 deg. 23' W. 1260 feet, along and with the South line of SUBURBAN HEIGHTS to the place of beginning, containing 40 acres of land in Section 13, Block 33, T-1-S, T & P Ry. Co. Survey, Howard County, Texas.

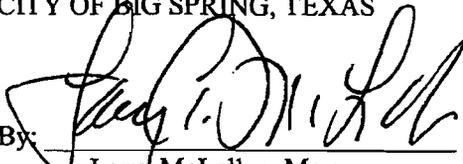
I hereby certify, under oath, that:

THE CITY OF BIG SPRING IS THE TRUE AND ONLY OWNER OF THE ABOVE DESCRIBED TRACT OF LAND, as conveyed to it in a Deed of Gift recorded as:

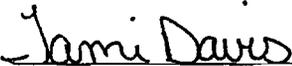
Document No. 5081, Official Deed Records of Howard County, or in Volume 466, Page 214, Deed Records of Howard County.

Signature page follows

CITY OF BIG SPRING, TEXAS

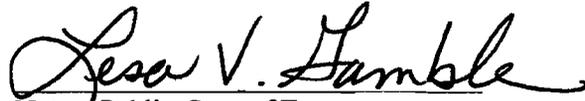
By: 
Larry McLellan, Mayor

ATTEST:


Tami Davis, Assistant City Secretary

ACKNOWLEDGMENT

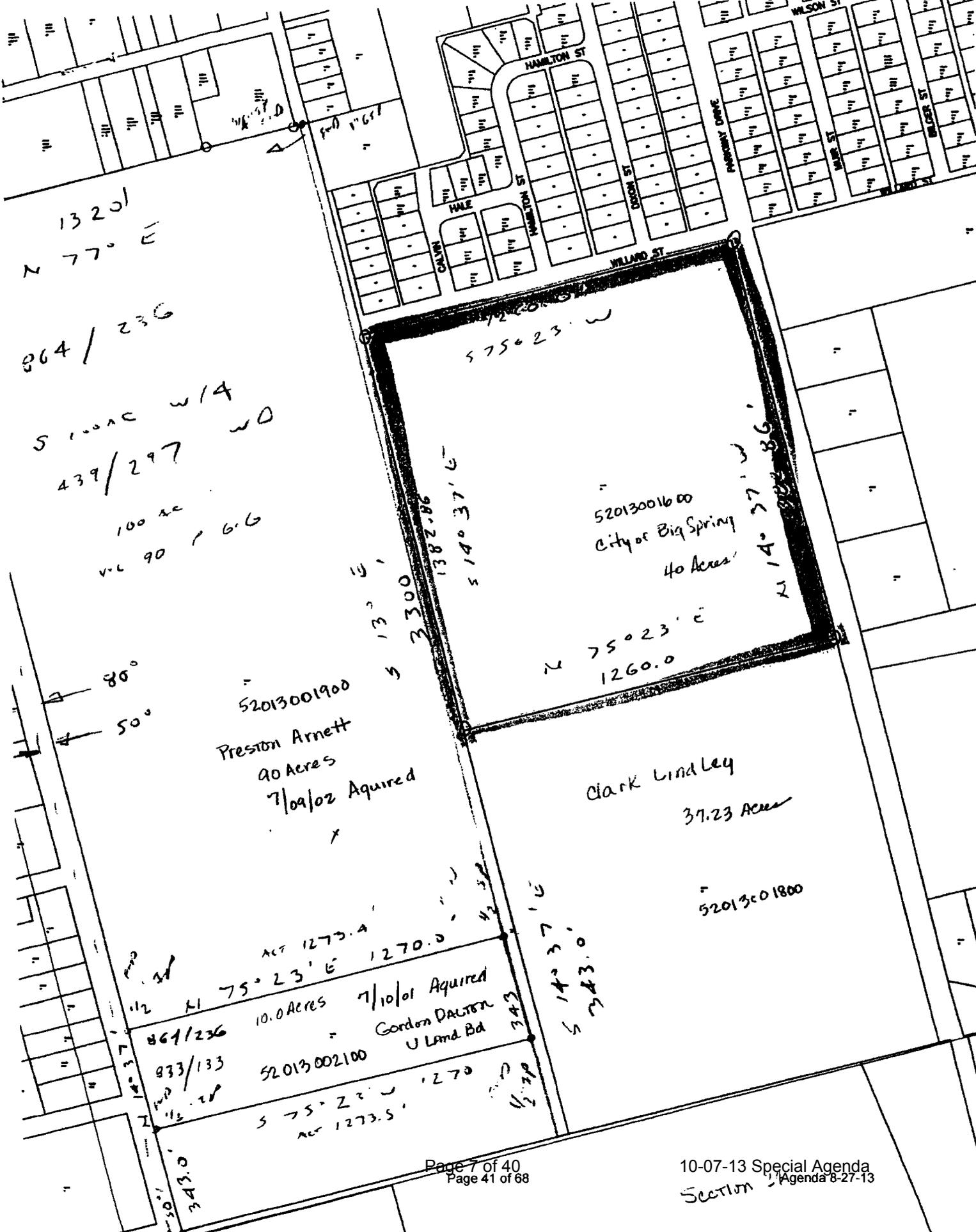
BEFORE ME, the undersigned notary public in and for the State of Texas, on this day personally appeared Larry McLellan, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he is the Mayor of the City of Big Spring, a Texas home-rule municipal corporation, and that he executed the same for the purposes and in the capacity therein expressed on behalf of said entity.


Notary Public, State of Texas



My Commission expires 7-29-14

For Office Use Only	
Date Received:	_____
City Council Hearing Date:	_____



1320
N 77° E

864 / 236

S 100 AC W 14
439 / 297 W 0

100 AC
W 90 / 6.6

80°
50°

52013001900
Preston Arnett
40 Acres
7/09/02 Acquired

13°
3300

1382.86
S 14° 37' E

S 75° 23' W
1260.0

N 75° 23' E
1260.0

52013001600
City of Big Spring
40 Acres

N 14° 37' W
343.0

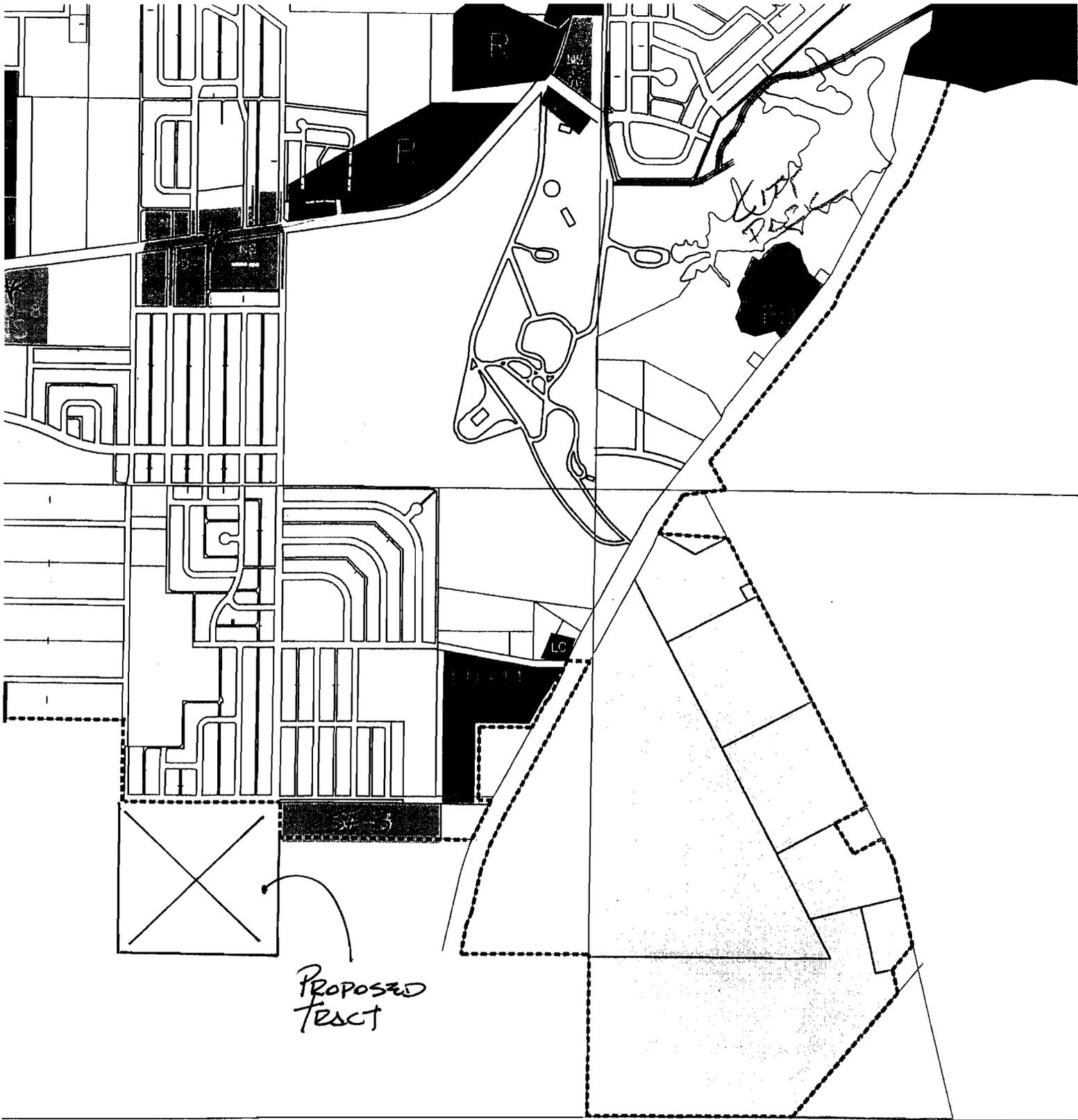
Clark Lindley
37.23 Acres

52013001800

ACT 1273.4
N 75° 23' E 1270.0
864/236
10.0 ACRES 7/10/01 Acquired
Gordon Dalton
U Land Bd

S 14° 37' E
343.0

833/133
52013002100
S 75° 23' W 1270
ACT 1273.5



- (D) *Lot width.* The minimum lot width shall not be less than 80 feet at the required front and rear building setback lines. The minimum width at the front property line shall be 60 feet.

[Exception.] Where a platted lot having less area or width than herein required existed in separate ownership upon the effective date of this chapter, the above regulations shall not prohibit the use of the property as hereby allowed.

- (E) *Lot Depth.* The minimum depth of the lot shall not average less than 120 feet.

- (F) *Lot coverage.* In no case shall more than 35 percent of the total lot area be covered by the combined area of the main buildings and accessory buildings.

SF-2, Single-Family Dwelling District.

- (A) *Use.* A building or premise shall be used only for the following uses:

- (1) Single-family dwelling detached.
- (2) Church or rectory, or other religious worship facilities.
- (3) Buildings and uses owned or operated by public governmental agencies, parks, playgrounds and public community centers, and public utility lines and structures.
- (4) Railroad tracks and rights-of-way.
- (5) Public golf course, but not including miniature golf courses, driving ranges or similar forms of commercial amusement.
- (6) Farm or ranch.
- (7) Real estate sales offices during the development of residential subdivisions, but not to exceed two years.
- (8) Schools, public, with full curriculum accredited by the state, where appropriate, and equivalent to that of a public elementary or high school.
- (9) Temporary buildings for uses incidental to construction work on the premises, which shall be removed upon the completion or abandonment of construction work.
- (10) Accessory buildings and uses, customarily incident to the above uses and located on the same lot and not involving the conduct of a retail business and for home occupations as defined by this chapter.
- (11) A detached private garage with or without storeroom and/or utility room shall be permitted as an accessory building, provided that such garage shall be located not less than 25 feet from the front lot line and, in the case of corner lots having two sides on a public or private street when both streets shall be treated as front yards. A garage constructed as an integral part of the main building shall be subject to the regulations affecting the main building.

- (B) *Height.* No building shall exceed 30 feet.

~ 60 ft (C)

(C) *Lot area, side and rear yard setbacks.* No building shall be constructed on any lot or tract less than the required minimum 7,000 square feet. Side yard setback shall be a minimum of five (5) feet except as provided in Section 4-4; rear yard setback of main buildings shall be a minimum of ten (10) feet.

(D) *Lot width.* The minimum lot width shall not be less than 60 feet at the required front and rear building setback lines. The minimum width at the front property line shall be 45 feet.

[Exception.] Where a platted lot having less area or width than herein required existed in separate ownership upon the effective date of this chapter, the above regulations shall not prohibit the use of the property as hereby allowed.

(E) *Lot Depth.* The minimum depth of the lot shall not average less than 100 feet.

(F) *Lot coverage.* In no case shall more than 35 percent of the total lot area be covered by the combined area of the main buildings and accessory buildings.

SF-3, Single-Family Dwelling District.

(A) *Use.* A building or premise shall be used only for the following uses:

- (1) Single-family dwelling detached, mobile/manufactured home.
- (2) Church or rectory, or other religious worship facilities.
- (3) Buildings and uses owned or operated by public governmental agencies, parks, playgrounds and public community centers, and public utility lines and structures.
- (4) Railroad tracks and rights-of-way.
- (5) Public golf course, but not including miniature golf courses, driving ranges or similar forms of commercial amusement.
- (6) Farm or ranch.
- (7) Real estate sales offices during the development of residential subdivisions, but not to exceed two years.
- (8) Schools, public, with full curriculum accredited by the state, where appropriate, and equivalent to that of a public elementary or high school.
- (9) Temporary buildings for uses incidental to construction work on the premises, which shall be removed upon the completion or abandonment of construction work.
- (10) Accessory buildings and uses including carports, customarily incident to the above uses and located on the same lot and not involving the conduct of a retail business and for home occupations as defined by this chapter.
- (11) A detached private garage with or without storeroom and/or utility room shall be permitted as an accessory building, provided that such garage shall be located not less than 25 feet from the front lot line and, in the case of corner lots having two

**BUSINESS OF THE CITY COUNCIL
CITY OF BIG SPRING, TEXAS**

Meeting Date: October 7, 2013

Agenda Item(s): 4 and 14

Description: A replat of Lot 1, Block 16, Brennand Addition, being a 1.98 acre tract located west of Bell Street, east of Aylford Street and between 16th and 17th Streets.

Applicant: Derek Osburn for Parkhill Townhouses, LLC.

Details of Request:

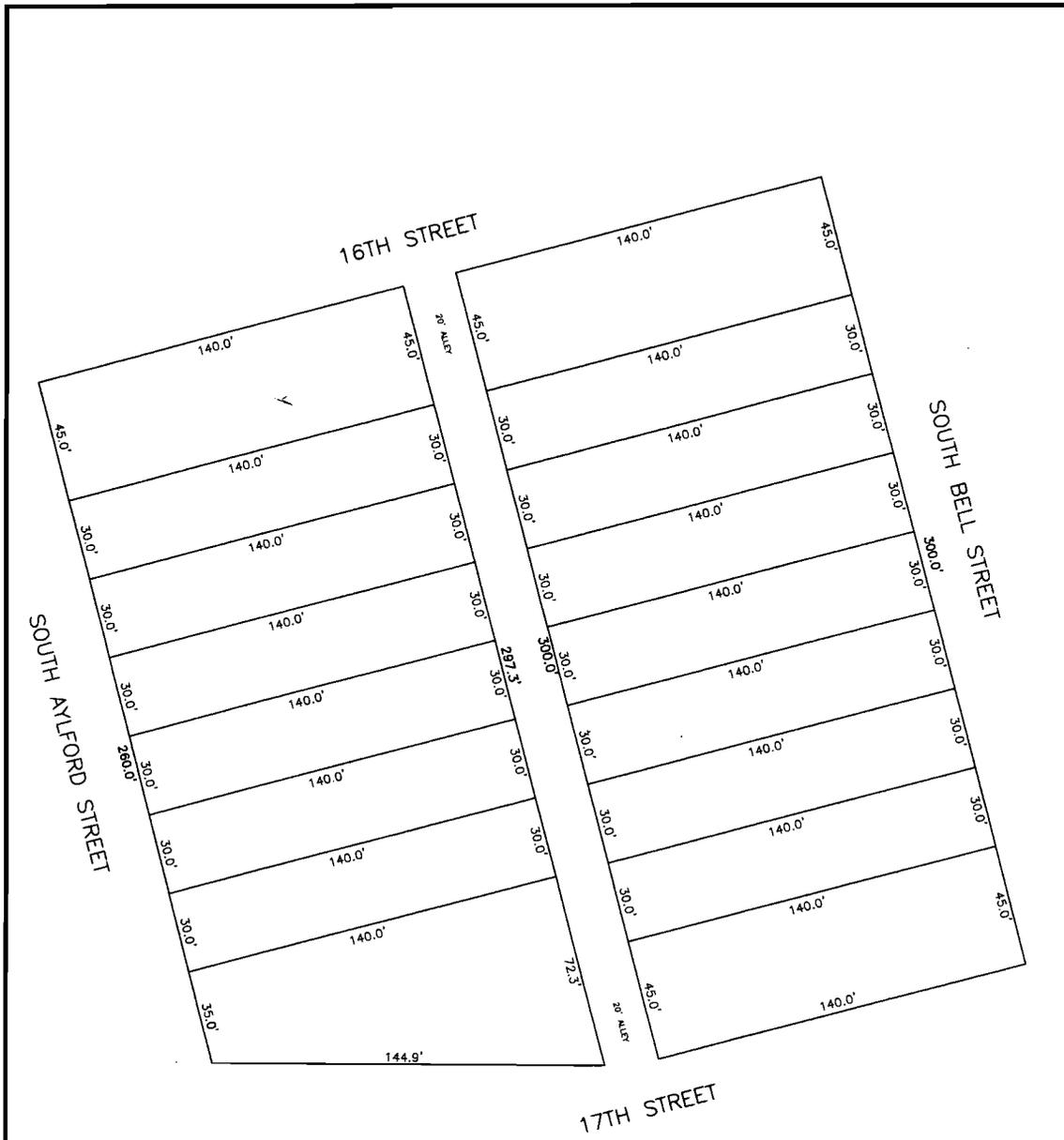
The applicant is requesting a replat of the subject tract in conjunction with a zoning change request for the property for the construction of townhouses, single family attached dwellings. The plat as submitted meets the lot area, width and depth for single family attached lots, as well as required setbacks.

Planning and Zoning Commission:

The Planning and Zoning Commission at their October 1, 2013 meeting unanimously recommended approval of the replat.

Recommended Action:

Staff recommends approval as submitted.



PROPOSED REPLAT
 OF
 BLOCK 16, BRENNAND ADDITION,
 AN ADDITION TO THE CITY OF BIG SPRING,
 HOWARD COUNTY, TEXAS

NOT TO SCALE



Stored: 13050205_R	
BRADSHAW AND ASSOCIATES, INC.	
CONSULTING ENGINEERS REGISTERED PROFESSIONAL LAND SURVEYORS 600 EAST FM 700 B BIG SPRING, TEXAS 79720 (432) 263-1100 FAX (432) 263-1294	
Date	6-14-2013
Drawn	

**BUSINESS OF THE CITY COUNCIL
CITY OF BIG SPRING, TEXAS**

Meeting Date: October 7, 2013

Agenda Item (s): 5 and 15

Description: A zoning change request from SF-2, Single Family Dwelling District, to MF, Multiple-Family District for a 1.98 acre tract located west of Bell Street, east of Aylford Street, between 16th and 17th Streets.

Applicant: Derek Osburn for Parkhill Townhouses, LLC.

Detail of Request:

The applicant is requesting a zoning change on the subject 1.98 acre tract to construct a seventeen (17) unit townhouse project in two (2) structures facing Bell Street and Aylford Street respectfully. The proposed units are one story, 3 bedroom, 1,500 square foot units with a 2 car garage. They propose a masonry exterior and the access will be from the rear (alley).

Planning and Zoning Commission:

The Planning and Zoning Commission at their October 1, 2013 meeting unanimously recommended approval of the rezoning.

Recommended Action:

Approve zoning change as requested.



Handwritten initials or mark in the top left corner.

S3 S4

MF

MF

MF

MF

P

MF

MF

P

MF

S3 S4

STATE HIGHWAY - F.M. 709

X - locations

10-07-13 Special Agenda



CITY OF
Big Spring
CITY COUNCIL
October 3, 2013

CASE: **PUBLIC HEARING FOR A SPECIFIC USE PERMIT FOR A PET SHOP LOCATED AT 2101 SCURRY DESCRIBED AS N/100' OF THE NW/4 OF BLOCK 30, COLLEGE HEIGHTS, HOWARD COUNTY, TEXAS**

STATUS: On October 1, 2013 the Planning & Zoning Commission held a public hearing as required by law and gave its final approval and recommendation that the City Council allow the Specific Use Permit for a Pet Shop to be located as specified subject to the restriction prohibiting the sale of cats and/or dogs and requiring that all landscaping requirements are met with preference given to xeriscape and referred it to the City Council for consideration on Monday, October 1, 2013.

APPLICANT: Daniel Mondier

REPRESENTATIVE: Daniel Mondier

LEGAL DESCRIPTION: **N/100' OF THE NW/4 OF BLOCK 30, COLLEGE HEIGHTS, BIG SPRING, HOWARD COUNTY, TEXAS**

LOCATION: 2101 Scurry

CURRENT ZONING: Retail (R)

PROPOSED ZONING: N/A

DETAILS OF REQUEST:

20 Notices sent out – 2 returned – 0 for – 2 against – 1 DMR

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., September 24, 2013, with the following members present:

LARRY McLELLAN	Mayor
MARCUS FERNANDEZ	Mayor Pro Tem
CARMEN HARBOUR	Councilmember
GLEN CARRIGAN	Councilmember
BOBBY McDONALD	Councilmember
RAUL BENAVIDES	Councilmember
MARVIN BOYD	Councilmember

Same and constituting a quorum; and

TODD DARDEN	City Manager
PEGGY WALKER	Interim City Manager
LINDA SJOGREN	City Attorney
JOHN MEDINA	Human Resources Director
CHAD WILLIAMS	Interim Police Chief
CRAIG FERGUSON	Fire Chief
JIM LITTLE	Airpark Director
TIM GREEN	Municipal Court Judge

PRESENTATIONS & PUBLIC HEARINGS

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor McLellan gave the invocation and led the Pledge of Allegiance to the American and State Flags.

DISPOSITION OF MINUTES

MINUTES OF THE REGULAR MEETING OF SEPTEMBER 10, 2013 AND SPECIAL MEETING OF SEPTEMBER 17, 2013

Motion was made by Councilmember Harbour, seconded by Councilmember Carrigan, with all members of the Council voting “aye” approving minutes of the regular meeting of September 10, 2013 and Special meeting of September 17, 2013.

CONSENT ITEMS

FINAL READING OF AN ORDINANCE APPROVING AND ADOPTING THE CITY OF BIG SPRING'S ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014

FINAL READING OF AN ORDINANCE COMMEMORATING THE CONTRIBUTIONS MADE TO THE NATION AND TO THE CITY OF BIG SPRING BY BERT ANDRIES BY RE-NAMING THE PARK CURRENTLY KNOWN AS "NORTHSIDE PARK" TO HENCEFORTH BE KNOWN AS "BERT ANDRIES PARK," AMENDING CHAPTER SIX OF THE CITY CODE ENTITLED "STREETS, PARKS AND CEMETERIES," ARTICLE 4 ENTITLED "PARKS AND RECREATION," SECTION 6-70 ENTITLED "OPENING AND CLOSING HOURS FOR PARKS" IN ORDER TO REFLECT THE NAME CHANGE; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

FINAL READING OF AN ORDINANCE GRANTING A PARTIAL RESIDENCE HOMESTEAD EXEMPTION FOR TAX YEAR 2013; 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, AND PROVIDING FOR PUBLICATION

FINAL READING OF AN ORDINANCE AMENDING THE BIG SPRING CODE OF ORDINANCES BY AMENDING CHAPTER 6, ARTICLE 7, ENTITLED "COMANCHE TRAIL GOLF COURSE" BY DELETING SECTION 6-146(E) ENTITLED "GOLF COURSE FUND" AND RENUMBERING THE REMAINDER OF SECTION 6-146, AND AMENDING SECTION 6-147 ENTITLED "TOURNAMENTS" TO ESTABLISH TOURNAMENT REQUIREMENTS AND FEES; REPEALING ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

FINAL READING OF AN ORDINANCE ESTABLISHING THE PAY SCHEDULE FOR CLASSIFIED POSITIONS WITHIN THE POLICE DEPARTMENT FOR FISCAL YEAR 2013-14; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE

FINAL READING OF AN ORDINANCE ESTABLISHING THE FIRE DEPARTMENT PAY SCALE FOR FISCAL YEAR 2013-14; PROVIDING FOR CERTIFICATE, EDUCATION AND ASSIGNMENT PAY IN ACCORDANCE WITH CHAPTER 143 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR

THE REPEAL OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE

ACCEPTANCE OF CONVENTION AND VISITORS BUREAU COMMITTEE MINUTES FOR MEETING OF AUGUST 6, 2013

Motion was made by Councilmember Carrigan, seconded by Councilmember McDonald, with all members of the Council voting "aye" approving second and final reading of the above listed ordinances and minutes.

OTHER BUSINESS

FINAL READING OF AN ORDINANCE FIXING AND LEVYING MUNICIPAL AD VALOREM TAXES FOR THE CITY OF BIG SPRING FOR THE TAX YEAR 2013 AND DIRECTING THE ASSESSMENT AND COLLECTION THEREOF

Motion was made by Mayor Pro Tem Fernandez, seconded by Councilmember Carrigan, with all members of the Council voting "aye" approving second and final reading of an ordinance fixing and levying municipal ad valorem taxes for the City of Big Spring for the tax year 2013 and directing the assessment and collection thereof.

VOTE TO RATIFY THE 2013-14 TAX RATE OF \$0.85664 AND TO RATIFY THE PROPERTY TAX INCREASE REFLECTED IN THE 2013-14 ANNUAL BUDGET

Motion was made by Councilmember McDonald, seconded by Mayor Pro Tem Fernandez, with all members of the Council voting "aye" approving to move that the property tax rate be increased by the adoption of a tax rate of 85.664¢ per \$100 valuation, which is effectively a 12.3% increase in the tax rate.

FINAL READING OF AN ORDINANCE AMENDING THE BIG SPRING CITY CODE BY AMENDING CHAPTER 11 ENTITLED "GARBAGE AND OTHER REFUSE," ARTICLE 2 ENTITLED "CHARGES FOR CITY COLLECTION OF MUNICIPAL SOLID WASTE," BY AMENDING SECTIONS 11-8(1)(A) THROUGH 11-8(1)(D), INCREASING RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION FEES; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE AND FOR PUBLICATION

Motion was made by Councilmember McDonald, seconded by Councilmember Benavides, with Councilmembers McLellan, McDonald and Benavides voting "aye" approving final reading of an ordinance amending the Big Spring City Code by amending Chapter 11 entitled "Garbage and Other Refuse," Article 2 entitled "Charges for City Collection of Municipal Solid Waste," by amending Sections 11-8(1)(A) through 11-8(1)(D), increasing residential and commercial solid waste collection fees; providing for a severability clause; and providing for an effective date and for publication. Councilmembers Fernandez, Harbour, Carrigan and Boyd, being opposed, voted "nay" for passage of same. Motion **failed** four to three.

BIDS

AWARD ANNUAL BIDS AS FOLLOWS AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Fernandez, seconded by Councilmember Harbour, with all members of the Council voting “aye” awarding annual bids and authorizing the City Manager or his designee to execute any necessary documents as follows:

Aluminum Sulfate (Alum) to Chameleon Industries in the amount of \$118,275.00.

Anhydrous Ammonia to DPC Industries, Inc. in the amount of \$46,400.00.

Liquid Chlorine to DPC Industries, Inc. in the amount of \$96,795.00.

Polymer to Polydyne, Inc. in the amount of \$32,700.00.

Sulfur Dioxide to DPC Industries, Inc. in the amount of \$26,250.00.

Sodium Hydroxide to Tapwater Technologies in the amount of \$175,000.00.

Fleet Fuel Services to Kent Distributors, Inc. in the amount of \$0.12 over rack for unleaded and \$0.12 over rack for diesel.

Dora Roberts Community Center Janitorial Services to Diaz Janitorial Service in the amount of \$5,400.00.

Uniforms to Ameripride Corp. in the amount of \$9,220.75.

AWARD BID FOR WASTEWATER TREATMENT PLANT CONTRACT “A” AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Todd Darden, City Manager, asked the Council to postpone this bid for two weeks in order to review the bids. Motion was made by Mayor Pro Tem Fernandez, seconded by Councilmember Harbour, with all members of the Council voting “aye” approving to postpone the bid for Wastewater Treatment Plant Contract “A” and authorizing the City Manager or his designee to execute any necessary documents.

ROUTINE BUSINESS

Councilmember Carrigan reviewed the vouchers. Motion was made by Councilmember Carrigan, seconded by Councilmember Harbour, with all members of the Council voting “aye” approving vouchers in the amount of \$859,074.61 (09/12/13) and \$722,540.02 (09/19/13).

NEW BUSINESS

DISCUSSION OF REDRAFTING PARKING ON THE GRASS ORDINANCE

Linda Sjogren, City Attorney, explained that some members of the Council had expressed their wish to review the parking on the grass ordinance and bring back some recommendations at a later date. All Council agreed.

APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BIG SPRING AND HOWARD COUNTY FOR EMERGENCY MEDICAL SERVICES AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Carrigan , seconded by Councilmember Harbour, with all members of the Council voting “aye” approving an interlocal agreement between the City of Big Spring and Howard County for emergency medical services and authorizing the Mayor to execute any necessary documents.

APPOINTMENTS TO BOARDS AND COMMITTEES THAT HAVE TERMS EXPIRING OR VACANCIES

APPOINTMENTS TO MCMAHON/WRINKLE AIRPARK DEVELOPMENT BOARD

Motion was made by Councilmember McDonald, seconded by Councilmember Benavides, with Councilmembers Fernandez, Harbour, Carrigan, McLellan, Benavides and McDonald voting “aye” appointing Paschal Odom, Edmund Crandall and Grant Davidson to serve on the McMahon/Wrinkle Airpark Development Board. Councilmember Boyd, being opposed, voting “nay” for passage of same. Motion passes six to one.

APPOINTMENTS TO BOARD OF ADJUSTMENTS & APPEALS

Motion was made by Councilmember Carrigan, seconded by Councilmember McDonald, with all members of the Council voting “aye” appointing Dale Coates, Tommy Corwin and Richard Wright to serve on the Board of Adjustments & Appeals.

APPOINTMENT TO CONVENTION & VISITORS BUREAU BOARD

Jacob Cerda was appointed to serve on the Convention & Visitors Bureau Board by paper ballot votes from the City Council.

APPOINTMENTS TO PLANNING & ZONING COMISSION

Aubrey Weaver, Jr., Margarito (Junior) Yanez and Dale Avant were appointed to serve on the Planning & Zoning Comission by paper ballot votes from the City Council.

APPOINTMENT TO ZONING BOARD OF ADJUSTMENTS BOARD

Carrie Rodman was appointed to serve on the Zoning Board of Adjustments Board by paper ballot votes from the City Council.

APPOINTMENTS TO BIG SPRING ECONOMIC DEVELOPMENT CORPORATION BOARD

Nati Saldivar and Don Avant were appointed to serve on the Big Spring Economic Development Corporation Board by paper ballot votes from the City Council.

APPOINTMENTS TO TEEN COURT BOARD

Motion was made by Councilmember Carrigan, seconded by Councilmember Harbour, with all members of the Council voting “aye” appointing Louisa Rangel and Norma A. Garcia to serve on the Teen Court Board.

ACCEPTANCE OF BIG SPRING ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS MINUTES FOR MEETING OF AUGUST 27, 2013

Motion was made by Mayor Pro Tem Fernandez, seconded by Councilmember Harbour, with all members of the Council voting “aye” approving the Big Spring Economic Development Corporation Board of Directors minutes for meeting of August 27, 2013.

CITY MANAGER’S REPORT

Todd Darden, City Manager, announced that the City annual employee appreciation picnic will be on September 27, 2013 and invited Councilmembers to attend.

Mr. Darden also announced that Municipal Court is in the process of moving their offices to the Court House and should open on September 30, 2013.

Mr. Darden also announced that Peggy Walker, Interim Assistant City Manager, will be retiring at the end of December 2013.

COUNCIL INPUT

All Councilmembers thanked the City Employees for their hard work & dedication to the City of Big Spring, congratulated the new board members that were just appointed and congratulated Peggy Walker on her retirement and all expressed their appreciation to her.

EXECUTIVE SESSION

ADJOURN INTO EXECUTIVE SESSION WITH THE EXECUTIVE DIRECTOR OF THE BIG SPRING ECONOMIC DEVELOPMENT CORPORATION FOR THE QUARTERLY UPDATE OF THE BIG SPRING ECONOMIC DEVELOPMENT CORPORATION UNDER

THE PROVISIONS OF TITLE 5, TEXAS GOVERNMENT CODE, SECTION 551.087 TO DISCUSS OR DELIBERATE COMMERCIAL OR FINANCIAL INFORMATION CONCERNING ENTITIES THAT THE CITY SEEKS TO HAVE LOCATE, STAY OR EXPAND IN OR NEAR THE CITY AND WITH WHICH THE CITY AND BIG SPRING ECONOMIC DEVELOPMENT CORPORATION ARE CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATION AND;

ADJOURN INTO EXECUTIVE SESSION UNDER SECTION 551.072 OF THE TEXAS GOVERNMENT CODE TO DISCUSS THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY AT 6:40 P.M.

RECONVENE IN OPEN SESSION AND TAKE ANY NECESSARY ACTION AT 7:52 P.M.

No action was taken at this time.

ADJOURN

Motion was made by Councilmember McDonald, seconded by Councilmember Benavides, with all members of the Council voting "aye" to adjourn at 7:53 p.m.

CITY OF BIG SPRING, TEXAS

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

City of Big Spring
Big Spring McMahon-Wrinkle Airport and Industrial Park
Development Board Meeting Minutes
July 18, 2013

The Big Spring Airport and Industrial Park Development Board met in Regular Session at 5:30 p.m., Thursday, July 18, 2013 at the Airport Terminal conference room, 3200 Rickabaugh Drive, Big Spring, Texas. Phillip Welch called the meeting to order at 5:30 p.m. with the following members in attendance:

Phillip Welch, Chairman
Ned Crandall
Jan Hansen

Paschal Odom, Vice Chair
Willie Rangel

Absent: Jim DeVille
Wayne Dawson, Safety Officer

Also in attendance: Jim Little, Airport Director
Kelly Seales, Director's Assistant

Bobby McDonald, City Councilmember

Item # 1

Call to Order

Phillip Welch called the meeting to order at 5:30 pm.

Item # 2

Review and approve minutes from May 23, 2013 meeting

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

Item # 3

Big Spring Economic Development Corporation Update

Terry Wegman was unavailable for an update. Jim stated that the rail project on the east side of the refinery is moving rapidly. The EDC has chosen a company to proceed with and contracts are almost ready to go .

Item # 4

T-Hangar Project, Status

Jim updated the board stating that the project has been approved and is out for bids now. The engineers will do a design for the hangars, which will be a 12 unit hangar. This will be a three step process, instead of two steps. The three step process is likely to take longer, but is already in motion. This project will be a 90/10 Grant.

Item # 5

Airport Terminal Apron Upgrade Project, Status

Jim stated that the re-bid was completed and bids should be in on the 23rd at bid opening.

Item #6

Airport Fuel Tank Farm Project, Status

Jim stated that this project has the same status as the Terminal Apron Upgrade.

Item #7

Airport Directors Update

Jim updated the board on the recent vacancy at the airport with Cody Hare's departure. He resigned as a result of other employment opportunities. We will begin the hiring process for the Airpark Maintenance Superintendent opening soon. We had a visit on July 10 from Dave Pilton, Director of the TxDOT Aviation Division as well as some new hires within TxDOT. The visit went extremely well and covered some of the projects that have been

completed at the airport as well as upcoming projects. The Chancellor from the Indian University that has contracted with Jarle Boe and the US Flight Academy will be visiting Big Spring on July 23rd and a reception lunch featuring several City administrators and community leaders is planned at the Settles Hotel for his visit. Jim stated that the WAAS LPV Approaches for the airport have all been completed and as of June, all four approaches for our runways have been published. Jim mentioned the new aircraft on the field, including 7 construction helicopters and a new aircraft purchased by Bobby Price that will be stored in the Corporate Hangar upon its arrival. Jim briefly discussed the proposed drilling on the airport and the Request for Proposal that is being worked by Choate Company out of Midland. They are trying to get proposals from oil companies for drilling on the airport property. The company that is working the contract with the EDC for the rail yard east of the refinery has offered to work up a Master Plan for the City and Airport. We are awaiting the results of that. Jim stated that the Reliever Route is still in motion, with no change in status. The land for the project is being purchased and construction efforts should begin around the December/January time frame. Jim stated that rail spur is still getting a good number of inquiries for use, including an increase in interest from Western Container who would like to better utilize the spur. Jim mentioned the issues we have been facing on accommodating new businesses at the airport, stating that the ramp area on the east side of the field and the land on the west side of the airport have had increased inquiries. We have been reluctant to make commitments on that property due to the pending developments such as rail access and oil production, as well as a lack of available utilities. The old barracks building is currently being abated and is scheduled for demolition in the next couple of weeks. The parachute building will be next but will have to go through the bid process for contract purposes as with the barracks building. Jim made some comments on the Pops in the Park event, stating that it went very well. The Hang Gliding Welcome Dinner and Reception will be held on Saturday, August 3rd at the Dora Roberts Ball Room. The competitions will begin on Sunday, the 4th of August and continue through the 10th with an awards dinner to follow. For Show & Tell the board viewed photographs of the new Pilatus airplane that Bobby Price will be bringing into the Corporate Hangar.

Item # 8

Leased Building Issues

Jim stated that the recent rains have brought some roof leaks to our attention, in both commercial warehouse buildings and one of the large aircraft hangars. We have contacted several roofing contractors to get estimates on repairs, but some are reluctant to give bids due to the construction type of the roofs. Repair costs are likely to be high.

Item # 9

Airport Safety Committee Report

Jim reminded the board of our Pilot Safety meeting that will follow our board meeting. The presentation will be in conjunction with our 2nd Annual Safety Committee cook-out and will cover the anticipated safety concerns with the Hang Gliding competitions that are set for early next month.

Item # 10

Other Events & Activities

The 2013 US Nationals Hang Gliding Competition is set for August 4-10, 2013.

Item # 11

Board Member Updates

No updates at this time.

Item # 12

Next Meeting Date

August 15, 2013

Adjournment: 6:30 p.m.



Approved by Phillip Welch, Chairman

Page 24 of 40

9-19-13
~~9-23-13~~

Date Approved 10-07-13 Special Agenda



***Purchasing and Material Control
Memorandum***

To: Honorable Mayor, City Council, City Manager
From: Paul Sotelo, Purchasing Agent
Date: October 7, 2013
Subject: Request for Bid Award for Two (2) 30 Cubic Yard Sanitation Trucks

On Tuesday, October 1, 2013, the City of Big Spring received a quote for two (2) Thirty (30) Cubic Yard Sanitation Trucks through the BuyBoard Purchasing Cooperative.

Recommendation: Staff recommends that the bid be awarded to Rush Refuse Systems from Houston, Texas for two (2) Peterbilt Cabover chassis with 30 Cubic Yard Challenger round bodies, through BuyBoard, in the amount of **\$424,280.00**.



October 4, 2013

Honorable Mayor McLellan and City Council
City of Big Spring
310 Nolan Street
Big Spring, TX 79720

Re: Recommendation for Award of Construction Contract
City of Big Spring – 2012 Bond Improvements WWTP Contract A

Dear Mayor McLellan and City Council Members:

We have reviewed the bids for the above referenced project received on September 19, 2013 and determined that all bids were submitted in accordance with guidelines established in the Bid Documents and those procedures adopted by the City of Big Spring. All bids have been determined to be tabulated properly and are consistent with those figures recorded during the bid opening. A bid tabulation form is enclosed for your reference.

We recommend that the Construction Contract for the City of Big Spring – 2012 Bond Improvements WWTP Contract A project be awarded to the low bidder, Red River Construction Company, for the **Total Contract Amount of \$6,848,384.00**. PSC has had extensive experience working with Red River Construction Company on projects very similar to yours. We feel that this company's qualifications and capacity to complete the project to the satisfaction of the City of Big Spring and PSC are more than adequate.

Due to project budget constraints, PSC worked with the City of Big Spring staff to value engineer the project to be as cost effective as possible and still keep the critical equipment necessary for the project to be successful. During this process we were able to successfully remove \$957,300.00 from the original bid amount. With these changes the net project cost will be \$5,891,084.00 effective with Change Order No. 1 to be executed concurrently with the Contract Award.

Please contact me if you have questions or wish to discuss this matter further.

Sincerely,

PARKHILL, SMITH & COOPER, INC.

By 
Brian Stephens, PE
Project Manager

BMS/lms
Enclosures

\\Data1\Projects\2012\0355.12\BD-PROPOSAL PHASE\Bid Opening\recommendation award.doc



PARKHILLSMITH&COOPER

City of Big Spring – 2012 Bond Improvements WWTP Contract A

Big Spring, Texas

PSC PROJECT NO. 01-0355-12

September 19, 2013

2:00 PM

BASE BID		RED RIVER CONSTRUCTION 2804 CAPITAL ST. WYLLIE, TX 75098		ARCHER WESTERTN 2121 AVENUE J., SUITE 103 ARLINGTON, TX 76006	
Item No.	Description	Quantity	Unit	Unit Price	Amount
1	Mobilization	1	LS	\$150,000.00	\$150,000.00
2	New Plant Equipment (see equipment schedule)	1	LS	\$1,796,384.00	\$1,796,384.00
3	All work, complete, including installation of equipment and all work required by the plans and specifications.	1	LS	\$4,900,000.00	\$4,900,000.00
4	Trench Safety Systems	1	LS	\$2,000.00	\$2,000.00
	TOTAL				\$6,848,384.00
					\$6,851,000.00

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AMENDING ORDINANCE NUMBER 029-2013 WHICH ORDINANCE ADOPTED THE ANNUAL BUDGET FOR THE CITY OF BIG SPRING, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; PROVIDING FOR INCREASING THE GENERAL FUND BUDGET FOR THE PURPOSE OF DEVELOPING A COMPREHENSIVE MASTER PLAN; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY

WHEREAS the City Council adopted the annual budget for the City of Big Spring, Texas on September 24, 2013; and

WHEREAS, funding for developing and implementing a Comprehensive Master Plan was not included in such budget, and is necessary for the efficient operation and future growth of the City of Big Spring;

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

SECTION 1. Enacted.

The General Fund Budget of the Annual Budget for the City of Big Spring, Texas for the Fiscal Year beginning October 1, 2013 and ending September 30, 2014 is hereby increased by an amount not to exceed \$225,000 for the purpose of developing and implementing a Comprehensive Master Plan.

SECTION 2: Continuing effect.

The remaining portions of Ordinance Number 029-2013 shall remain in full force and effect.

SECTION 3: Repeal.

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

SECTION 4. Publication.

The City Secretary is hereby authorized and directed to cause the publication of this ordinance in accordance with law.

SECTION 5. Effective Date.

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

SECTION 6. The passage of this ordinance constitutes an emergency and an imperative public necessity that the Charter Rule requiring that City ordinances be read at two (2) separate meetings of the City Council be suspended, and said rule is hereby suspended, and this ordinance shall take effect immediately upon its passage.

PASSED AND APPROVED on an emergency reading at a special meeting of the City Council on the 7th day of October, 2013, with all members present voting “aye” for the passage of same.

CITY OF BIG SPRING

Marcus Fernandez, Mayor Pro Tem

ATTEST:

Tami L. Davis, Assistant City Secretary

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, DESIGNATING TIM BLACKSHEAR AS NOMINEE FOR THE POSITION OF DIRECTOR ON THE BOARD OF DIRECTORS OF THE HOWARD COUNTY JOINT TAX APPRAISAL DISTRICT FOR THE YEARS OF 2014 AND 2015; AND DECLARING THIS RESOLUTION AN EMERGENCY

WHEREAS, the State Property Tax Code requires that the board of directors of an appraisal district serve a two year term; and

WHEREAS, the term of the current Board of Directors will expire on December 31, 2013; and

WHEREAS, each taxing unit that is entitled to vote may nominate candidates for each position to be filled;

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

That Tim Blackshear, who resides at 2410 Allendale Road, Big Spring, Texas, be and is hereby selected as nominee for the position of Director on the Board of Directors for the Howard County Joint Tax Appraisal District for the years 2014 and 2015; and

That the passage of this resolution constitutes an emergency and an imperative public necessity that the Charter Rule requiring that City resolutions be read at two separate meetings of the City Council be suspended, and said rule is hereby suspended, and this resolution shall take effect immediately upon its passage.

PASSED AND APPROVED on an emergency reading at a special meeting of the City Council on the 7th day of October, 2013, with all members present voting "aye" for passage of same.

Marcus Fernandez, Mayor Pro Tem

ATTEST:

Tami L. Davis, Assistant City Secretary

ANNEXATION OR CITY LIMITS EXTENSION

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS.

The undersigned owners of the hereinafter described tract of land, which is (1) one-half mile or less in width, (2) contiguous to the city limits, and (3) vacant and without residents or on which less than three (3) qualified voters reside, hereby petition that you extend the present city limits so as to include as a part of the City of Big Spring, Texas, the property described in "Exhibit A", attached hereto and made a part hereof.

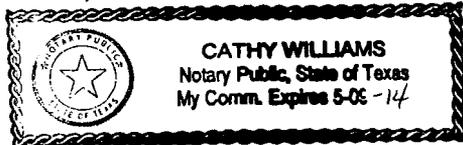
We hereby certify, under oath, that:

WE ARE THE TRUE AND ONLY OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, as conveyed to us in Deed(s) recorded as _____, in the Official Public Records of Howard County, or in Volume 1340 Page 654, Deed Records of Howard County.

James M. DePauw
BIG SPRING LAND, LP
Owner(s)

Subscribed and sworn to before me, by the said JAMES M. DEPAUW, on this the 23RD day of SEPTEMBER, 2013, which witness by my hand and seal of office.

Cathy Williams
Notary Public, State of Texas



Office Use Only

Date Received: 9/25/2013
City Council Meeting Date: 10/7/13

Bradshaw and Associates, Inc.
Surveying/Engineering
600 East FM 700 B, Big Spring, Texas, 79720
432-263-1098 Fax 432-263-1294

June 27, 2013

74.382 ACRE TRACT

BEING a 74.382 acre tract of land out of a 90.089 acre tract out of Section 9, Block 32, T-1-S, T. & P. RR. Co. Survey, Howard County, Texas, described by metes and bounds as follows:

BEGINNING at a 3/4" I.P. found in the South right-of-way line of East 25th Street (100' right-of-way) in Section 9, Block 32, T-1-S, T.& P. RR. Co. Survey, Howard County, Texas, the NE corner of a 20' wide alley in Kentwood Addition (Unit No. 2) an addition to the City of Big Spring, Howard County, Texas for the NW corner of this tract; from whence the NW corner of said Section 9 bears N. 14° 36' 32" W. 50.0' and S. 75° 23' 28" W. 2860.0'

THENCE S. 14° 38' 36" E. along the East right-of-way line of said 20' wide alley, 175.0' to a 1/2" I.R. found, the PC of a curve to the right and a corner of this tract

THENCE Southeasterly along the East right-of-way line of said 20' wide alley and the arc of said curve to the right having a radius of 3255.0' (Chord Bearing S. 05° 35' 19" E. 1023.49') an arc length of 1027.75' to a 1/2" I.R. found for the PC of a curve to the left and a corner of this tract

THENCE Southeasterly along the East right-of-way line of said 20' wide alley and the arc of said curve to the left having a radius of 2445.0' (Chord Bearing S. 7° 26' 41" E. 917.73') an arc length of 923.17' to a 1/2" I.R. found for a corner of this tract

THENCE S. 7° 39' 50" E. along the East right-of-way line of said 20' wide alley 128.68' to a 1/2" I.R. found in the North line of Merrily Drive (60' right-of-way) for the SW corner of this tract

THENCE S. 88° 22' 06" E. along the North right-of-way line of said Merrily Drive, 364.34' to a 1/2" I.R. found for the PC of a curve to the left and a corner of this tract

THENCE Northeasterly along the North right-of-way line of said Merrily Drive and the arc of said curve to the left having a radius of 360.0' (Chord Bearing N. 83° 48' 06" E. 96.11') an arc length of 96.4' to a 1/2" I.R. found for a corner of this tract

THENCE N. 76° 27' 19" E. along the North right-of-way line of said Merrily Drive, 54.10' to a 1/2" I.R. with cap found for an interior corner of this tract

THENCE southeasterly along a curve to the right having a radius of 2175.0' ; (Chord bearing S. 13° 49' 42" E. 30.0') an arc of length 30.0' to a 1/2" I. R. with cap set in the centerline of Merrily Drive (60' Right-of-Way) for a corner of this tract

THENCE N. 76° 27' 19" E. along the centerline of said Merrily Drive extended 889.34' to a 1/2" I. R. with cap set in a West line of a 169.723 acre tract for the SE corner of this tract

THENCE northwesterly along a West line of said 169.723 acre tract and the arc of a curve to the left having a radius of 3065.0' (Chord bearing N. 14° 53' 23" W. 89.07') an arc length of 89.07' to a 1/2" I. R. with cap found for the PT of this curve and the PC of a curve to the right for a corner of this tract

(page2, 74.382)

THENCE Northwesterly along a West line of said 169.723 acre tract and the arc of said curve to the right having a radius of 3270.0' (Chord Bearing N. 7° 50' 40" W. 913.19') an arc length of 916.18' to a 1/2" I.R. with cap found, the PT of this curve, the PC of a curve to the left and a corner of this tract

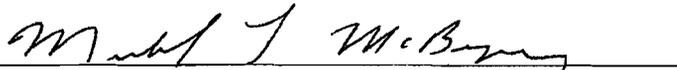
THENCE Northwesterly along a West line of said 169.723 acre tract and the arc of said curve to the left having a radius of 4615.0' (Chord Bearing N. 7° 09' 58" W. 1196.79') an arc length of 1200.17' to a 1/2" I.R. with cap found, the PT of this curve and a corner of this tract

THENCE N. 14° 36' 58" W. along a West line of said 169.723 acre tract, 175.0' to a 120-D nail found in the South right-of-way line of said East 25th Street, the NW corner of said 169.723 acre tract and for the NE corner of this tract

THENCE S. 75° 23' 28" W. along the South right-of-way line of said East 25th Street, 1359.91' to the PLACE OF BEGINNING

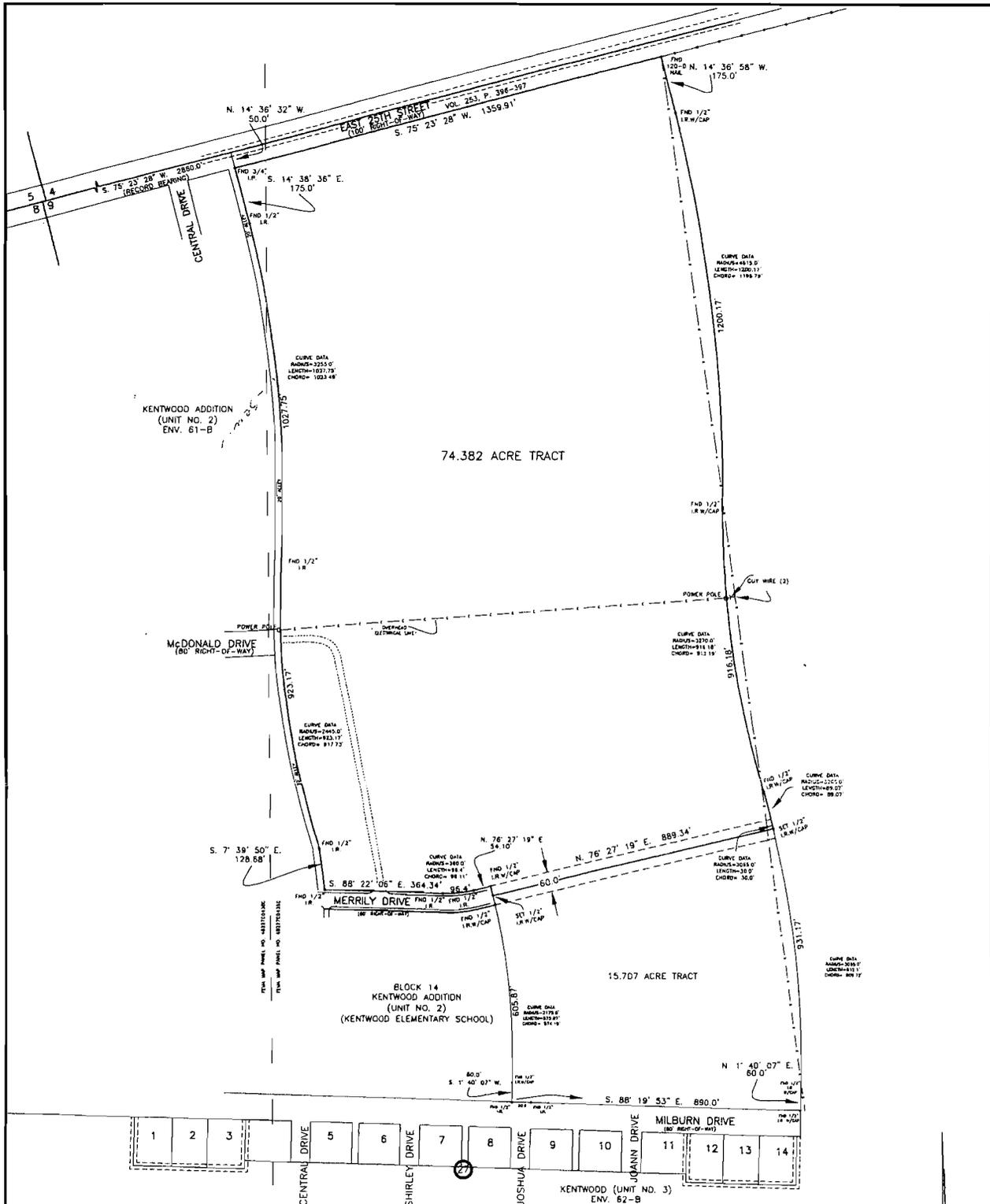
Containing 74.382 Acres of Land

NOTE: A 30' wide strip of land 889.34' in length along a South line of this tract is to be used to extend Merrily Drive (60' Right-of-Way).

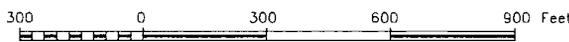


Michael L. McBrayer
Registered Professional Land Surveyor
No. 4161





PLAT
 OF
 A 74.382 ACRE TRACT OUT OF
 A 90.089 ACRE TRACT OUT OF SECTION 9, BLOCK 32,
 T-1-S, T.& P. RR. CO. SURVEY,
 HOWARD COUNTY, TEXAS



SURVEY PLAT FOR: BIG SPRING LAND, LP
 TO LIEN HOLDER ISSUING THE INSURANCE
 UNDERWRITER AND BIG SPRING ABSTRACT, BIG
 SPRING, TEXAS
 THIS SURVEY PLAT IS PROVIDED SOLELY FOR THIS
 TRANSACTION AND G.F. 1312427 AS NOTED.
 PLAT IS COPYRIGHTED AND SHALL NOT BE USED
 FOR ANY OTHER TRANSACTION.

THIS IS AN UNRECORDED PLAT AND IS NOT FILED IN THE HOWARD
 COUNTY PLAT RECORDS
 THIS PROPERTY LIES WITHIN FLOOD HAZARD ZONE "X" AS SHOWN BY
 THE FEDERAL EMERGENCY MANAGEMENT AGENCY FEDERAL INSURANCE
 ADMINISTRATION AND COMMUNITY PANEL NO. 48227C0430C AND
 NO. 48227C0435C. DATED OCTOBER 6, 2010.

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.



Stored: 13060259			
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			
By	Drawn	Chkd	Surveyed
	VR	MLM	LD/JN

10-07-13 Special Agenda

Michael L. McBrayer

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, APPROVING A REPLAT OF LOT 1, BLOCK 16, BRENNAND ADDITION TO THE CITY OF BIG SPRING, HOWARD COUNTY, TEXAS, PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR PUBLICATION.

WHEREAS, THE City Planning and Zoning Commission has given its final approval of the replat of Lot 1, Block 16, Brennand Addition;

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

SECTION 1. The replat of Lot 1, Block 16, Brennand Addition of the City of Big Spring, Howard County, Texas, attached as Exhibit "A," is hereby approved.

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. This ordinance shall take effect immediately from and after its publication and passage upon two readings in accordance with the provisions of the Charter of the City of Big Spring, and it is accordingly so ordained.

PASSED AND APPROVED on the first reading at a special meeting of the City Council on the 7th day of October, 2013, with all members present voting "aye" for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 22nd day of October, 2013, with all members present voting "aye" for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, APPROVING A REZONE FROM SINGLE FAMILY DWELLING (SF-2) TO MULTIPLE-FAMILY DWELLING (MF) FOR A 1.98 ACRE TRACT BEING, LOT 1, BLOCK 16, BRENNAND ADDITION, BIG SPRING, TEXAS; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning and Zoning Commission has given its approval of the rezone of Lot 1, Block 16, Brennand Addition, Howard County, Texas.

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

SECTION 1. The rezoning of a 1.98 acre tract identified as Lot 1, Block 16, Brennand Addition, City of Big Spring, Texas, and further described in Exhibit "A," from Single Family Dwelling (SF-2) to Multiple-Family Dwelling (MF) is hereby approved.

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. This ordinance shall take effect immediately from and after its publication and passage upon two readings in accordance with the provisions of the Charter of the City of Big Spring, and it is accordingly so ordained.

PASSED AND APPROVED on first reading at a special meeting of the City Council on the 7th day of October, 2013, with all members present voting "aye" for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 22nd day of October, 2013, with all members present voting "aye" for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary

EXHIBIT A

Legal Description, Rezoning Request

DESCRIPTION

Block 16

BEING Block 16, Brennand Addition, to the City of Big Spring, Howard County Texas described by metes and bounds as follows:

BEGINNING at a $\frac{1}{2}$ " I.P. found in the Intersection of the West right-of-way line of Bell Street and the South right-of-way line of West 16th Street for the NE corner of this tract;

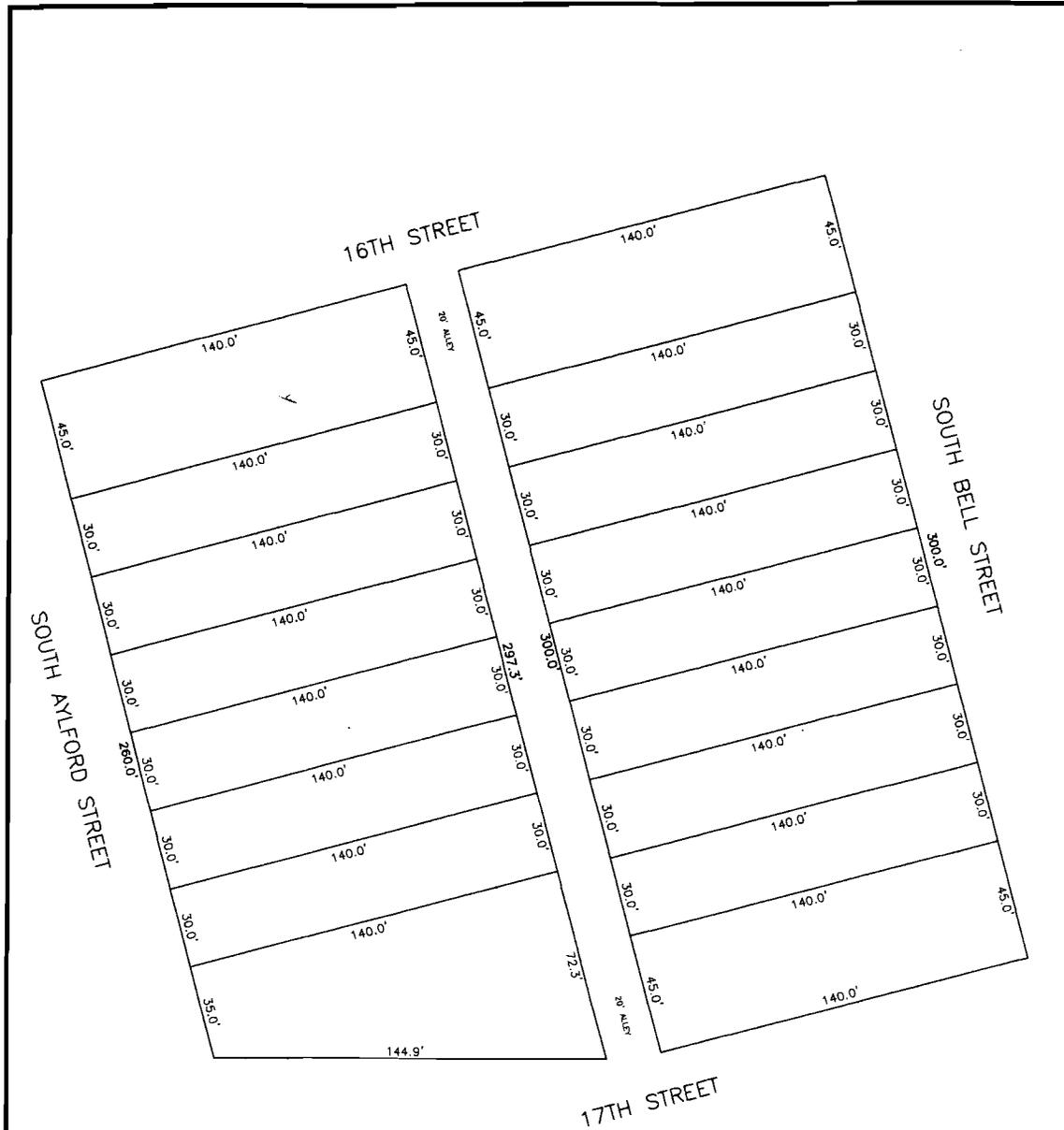
THENCE S. $14^{\circ} 34'$ E. along the West right-of-way line of said Bell Street 300.0' to a $\frac{5}{8}$ " I.R. found in the North right-of-way line of West 17th Street for the SE corner of this tract

THENCE S. $75^{\circ} 26'$ W. along the North right-of-way line of said West 17th Street 150.0' to a $\frac{5}{8}$ " I.R. found for a point of angle in the South line of this tract

THENCE N. $89^{\circ} 38' 07''$ W. 155.24' to a $\frac{1}{2}$ " I.R. with cap set in the East right-of-way line of Aylford Street for the SW corner of this tract

THENCE N. $14^{\circ} 34'$ W. along the East right-of-way line of said Aylford Street 260.0' to a $\frac{1}{2}$ " I.P. found in the South right-of-way line of said West 16th Street for the NW corner of this tract

THENCE N. $75^{\circ} 26'$ E. along the South right-of-way line of said West 16th Street 300.0' to the PLACE OF BEGINNING



PROPOSED REPLAT
 OF
 BLOCK 16, BRENNAN ADDITION,
 AN ADDITION TO THE CITY OF BIG SPRING,
 HOWARD COUNTY, TEXAS

NOT TO SCALE



Stored: 13050205_R	
BRADSHAW AND ASSOCIATES, INC.	
CONSULTING ENGINEERS REGISTERED PROFESSIONAL LAND SURVEYORS 600 EAST FM 700 B BIG SPRING, TEXAS 79720 (432) 263-1088 FAX (432)263-1294	
Drawn	
Date	6-14-2013

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, PROVIDING FOR THE ISSUANCE OF A SPECIFIC USE PERMIT WITHOUT TERM TO DANIEL MONDIER FOR THE OPERATION OF A PET SHOP LOCATED AT 2101 SCURRY, DESCRIBED AS N/100' OF THE NW/4 OF BLOCK 30, COLLEGE HEIGHTS, BIG SPRING, HOWARD COUNTY, TEXAS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PUBLICATION

WHEREAS, the City has received a request for a Specific Use Permit without term for a Pet Shop to be located at 2101 Scurry; and

WHEREAS, the Planning & Zoning Commission held a public hearing on Tuesday, October 1, 2013 as required by law and gave its final approval and recommendation that the City Council allow the Specific Use Permit for a Pet Shop to be located as specified subject to the restriction prohibiting the sale of cats and/or dogs and requiring that all landscaping requirements are met with preference given to xeriscape; and

WHEREAS, proper notice of the Public Hearing was published and mailed to all parties that are required by law to be notified;

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

SECTION 1. A Specific Use Permit without term for a pet shop with the restriction that no cats or dogs will be sold at such shop, as well as adherence to landscaping standards, to be located at 2101 Scurry described as N/100' of the NW/4 of Block 30, College Heights, Big Spring, Howard County, Texas is hereby approved and issued to Daniel Mondier.

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. This ordinance shall take effect immediately from and after its publication and passage upon two readings in accordance with the provisions of the Charter of the City of Big Spring and it is accordingly so ordained.

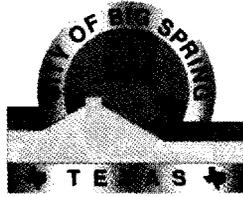
PASSED AND APPROVED on first reading at a special meeting of the City Council on the 7th day of October, 2013 with all members present voting "aye" for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 22nd day of October, 2013 with all members present voting "aye" for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary



Linda Sjogren, City Attorney

310 Nolan
Big Spring, Texas 79720
Phone: 432-264-2404
Fax: 432-263-8310

MEMORANDUM

To: Honorable Mayor and City Council

From: Johnny Womack

Date: October 3, 2013

Re: Request by Jay Patel to Vacate and Abandon Alley

Mr. Jay Patel recently purchased lots 4 – 9, Block 35 Bauer Addition which is located between 9th and 10th St. with frontage on San Antonio Street.

He is requesting that the City vacate and abandon the alley that runs through the middle of the property. The southern portion of that alley ending at the southern most part of Mr. Patel's property was vacated and abandoned several years ago. Mr. Patel owns all of the abutting properties to this alley and no other persons require the alley for access to their property.

Mr. Patel intends to build a hotel on the property, which will benefit the economic development of the City and therefore meets the public purpose requirement in state law and city ordinance to justify the vacating and abandoning of a city alley.

Staff recommends approval of this request.