



CITY COUNCIL AGENDA

Tuesday, November 12, 2013

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, November 12, 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.

**As a courtesy to those in attendances, please place your cell phone on "Silent" or "Vibrate"
Thank You!**

Presentations & Public Hearings

1. Invocation & Pledge of Allegiance to the United States Flag and to the Texas State Flag
"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."
McLellan
2. **Public Hearing** – For Zoning of Area to be Annexed into the Big Spring City Limits of 74.382 acres, undeveloped and owned by Big Spring Land, LP, being generally located south of E. 25th Street and West of Morgan Ranch Road and being part of Section Nine, Block Thirty-Two, Township One South, T & P Railroad Company Survey, Howard County, Texas
Sjogren

Disposition of Minutes

3. Approval of Minutes of the Special Meeting of October 22, 2013
5-10 Davis

Consent Items

4. Final Reading of a Resolution Amending the Personnel Policies & Procedures by Amending Chapter VIII, Section 2 Entitled "Vacation" to Amend Provisions Concerning Selling Back of Accumulated Vacation Leave and Declaring an Effective Date
11-12 Medina

- | | | | |
|----|--|-------|--------|
| 5. | Final Reading of a Resolution Declaring the Official Intent of the City of Big Spring to be Reimbursed for Certain Capital Expenditures from Proceeds of a Lease Purchase Agreement and Establishing an Effective Date | 13-14 | Moore |
| 6. | Acceptance of McMahon-Wrinkle Industrial Park Development Board Minutes for Meeting of September 19, 2013 | 15-16 | Little |

Bids

- | | | | |
|----|---|-------|--------|
| 7. | Award Bid for Utilities Contractor Services and Authorize the City Manager or His Designee to Execute Any Necessary Documents | 17-18 | Medina |
|----|---|-------|--------|

Executive Session

- | | | | |
|----|---|--|----------|
| 8. | Adjourn into Executive Session in Accordance with Texas Government Code Section 551.072 Regarding the Lease of Oil and Gas at the McMahon Wrinkle Airpark | | McLellan |
| 9. | Reconvene in Open Session | | McLellan |

Bids - Continue

- | | | | |
|-----|---|--|--------|
| 10. | Award Bid for Lease of Oil and Gas on Approximately 1,550 Acres at the McMahon Wrinkle Airpark and Authorize the Mayor or His Designee to Execute Any Necessary Documents | | Darden |
|-----|---|--|--------|

Routine Business

- | | | | |
|-----|---|--|------|
| 11. | Vouchers for 10/24/13 \$ 789,570.21 | | Boyd |
| | Vouchers for 10/31/13 \$ 1,125,724.53 | | |
| | Vouchers for 11/07/13 \$ 608,872.12 | | |

New Business

- | | | | |
|-----|---|-------|----------------|
| 12. | Presentation of Annual Delinquent Tax Report | | Drew
Mouton |
| 13. | Emergency Resolution Suspending the November 22, 2013, Effective Date of Atmos Energy Corp., West Texas Division, Requested Rate Change to Permit the City Time to Study the Request and to Establish Reasonable Rates; Approving Cooperation with the Steering Committee of Cities Served by Atmos West Texas to Hire Legal and Consulting Services and to Negotiate with the Company and Direct any Necessary Litigation and Appeals | 19-20 | Darden |

Emergency Resolution Suspending the November 22, 2013, Effective Date of Atmos Energy Corp., West Texas Division (“Atmos West Texas”) Requested Rate Change to Permit the City Time to Study the Request and to Establish Reasonable Rates; Approving Cooperation with the Steering Committee of Cities Served by Atmos West Texas (“Cities”) to Hire Legal and Consulting Services and to Negotiate with the Company and Direct any Necessary Litigation and Appeals; Requiring Reimbursement of Cities’ Rate Case Expenses; Finding that the Meeting at Which This Resolution is Passed is Open to the Public as Required by Law; Requiring Notice of This Resolution to the Company and Cities’ Legal Counsel

- | | | | |
|-----|---|-------|-----------------|
| 14. | Emergency Reading of a Resolution Approving a Replat of the Undeveloped Portion of Kentwood Phase II Which is Currently in an Area for Which Annexation into the City Limits is Pending; Providing an Effective Date | 21-23 | Womack |
| 15. | First Reading of an Ordinance Annexing the Territory to the City of Big Spring and Extending the Boundary Limits so as to Include Described Property Within the City Limits, and Granting to Said Territory and to All Future Inhabitants of the Property All of the Rights and Privileges of Other Citizens; Adopting a Service Plan for the Territory Annexed; Establishing It as an SF-2 (Single Family Dwelling) Zone and Binding Future Inhabitants by All of the Acts and Ordinances of the City of Big Spring; Providing for a Penalty; Providing for Severability and an Effective Date | 24-27 | Darden |
| 16. | First Reading of a Resolution Approving the Investment Policy | 28-33 | Moore |
| 17. | First Reading of a Resolution Authorizing Submission of an Application to the Texas Department of Agriculture for Funding Through the Texas Capital Fund for Infrastructure Improvements; Authorizing the City Manager to Act on the City’s Behalf Regarding the Application and Award; and Providing an Effective Date | 34-36 | Womack |
| 18. | Consideration and Approval of Amendment No. 1 to the Agreement between the City of Big Spring and Parkhill, Smith & Cooper, Inc. for Professional Services and Authorizing the Mayor to Execute the Agreement | 37-51 | Womack |
| 19. | Consideration and Approval of a Performance Agreement between the City of Big Spring and Big Spring Economic Development Corporation for Construction of a Railroad Storage Facility on the McMahan Wrinkle Industrial Airpark for the Benefit of Western Container and Authorizing the Mayor to Execute the Agreement | 52-58 | Terry
Wegman |
| 20. | Election of Directors for the Howard County Appraisal District for 2014-2015 | | McLellan |

- | | | | |
|-----|--|-------|--------|
| 21. | Approval of Investment Report for the Quarter Ending September 30, 2013 | 59-61 | Moore |
| 22. | Acceptance of Big Spring Economic Development Corporation Board of Directors Minutes for Meeting of September 17, 2013 | 62-63 | Darden |

City Manager's Report

- | | | |
|-----|--|--------|
| 23. | Monday, November 11, 2013 in observance of Veterans Day – all offices will be closed | Darden |
| 24. | Municipal Court – Open House – November 13 th – 2:00 – 4:00 | Darden |
| 25. | Electronic Waste – Keep Big Spring Beautiful – November 16 th | Darden |
| 26. | Council Meeting Schedule –
Regular Meeting December 10 th
Special Meeting December 11 th | Darden |

Council Input

- | | | |
|-----|-------|----------|
| 27. | Input | McLellan |
|-----|-------|----------|

Executive Session

- | | | |
|-----|--|----------|
| 28. | Adjourn into Executive Session in Accordance with Texas Government Code Section 551.072 with John Grant and/or Other Representatives of the Colorado River Municipal Water District to Deliberate the Purchase, Exchange, Lease, or Value of Real Property | McLellan |
| 29. | Reconvene in Open Session and Take Any Necessary Action | |
| 30. | 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, November 8, 2013 at 5:00 p.m. In addition this agenda and supporting documents are posted on the City of Big Spring's website, **www.mybigspring.com** in accordance with legal requirements.


Lesa Gamble, Administrative Assistant

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

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., October 22, 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
LINDA SJOGREN	City Attorney
JOHN MEDINA	Human Resources Director
CHAD WILLIAMS	Police Chief
CRAIG FERGUSON	Fire Chief
TIM GREEN	Municipal Court Judge
DON MOORE	Assistant Finance Director

PRESENTATIONS & PUBLIC HEARINGS

INVOCATION & PLEDGE OF ALLEGIANCE

Dewayne Wheat, Emergency Services Chaplain, gave the invocation and Mayor McLellan led the Pledge of Allegiance to the American and State Flags.

PRESENTATION OF “SERVICE AWARD”

Todd Darden, City Manager, presented a service award for five years of service with the City of Big Spring Police Department to Chris Beserra.

PUBLIC HEARING – REGARDING THE ANEXATION 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

Motion was made by Mayor Pro Tem Fernandez, seconded by Councilmember Carrigan with all members of the Council voting “aye” to open the above listed public hearing. There were no comments from citizens or the Council. Motion was made by Councilmember Boyd, seconded by Councilmember Carrigan with all members of the Council voting “aye” to close the above listed public hearing.

DISPOSITION OF MINUTES

MINUTES OF THE SPECIAL MEETING OF OCTOBER 7, 2013

Motion was made by Councilmember McDonald, seconded by Mayor Pro Tem Fernandez, with all members of the Council voting “aye” approving the minutes of the special meeting of October 7, 2013.

CONSENT ITEMS

FINAL 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

FINAL READING OF AN ORDINANCE APPROVING A ZONE CHANGE FROM SINGLE FAMILY-2 (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

FINAL 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

ACCEPTANCE OF CONVENTION AND VISITORS BUREAU COMMITTEE MINUTES FOR MEETING OF SEPTEMBER 4, 2013

Mr. Boyd pulled off Item #3 and asked a question prior to motion approval. Motion was made by Councilmember Carrigan, seconded by Councilmember Boyd, with all members of the Council voting “aye” approving second and final reading of the above listed ordinances and minutes.

BIDS

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

Motion was made by Councilmember McDonald, seconded by Councilmember Boyd, 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:

Arrow Board (Street Department) to Barricades Unlimited in the amount of \$24,250.00.

14 Cubic Yard Dump Truck (Street Department) to Freightliner and Western Star in the amount of \$111,863.27.

Network Equipment (IT Department) to GDT in the amount of \$61,072.54.

Trap Rake (Golf Course) to Professional Turf Products in the amount of \$17,000.00.

Range Ball Collector (Golf Course) to Professional Turf Products in the amount of \$11,412.00.

Greens Mower (Golf Course) to Professional Turf Products in the amount of \$32,000.00.

Fairway Mower (Golf Course) to Professional Turf Products in the amount of \$52,642.59.

Ambulance (EMS) to Southwest Ambulance Sales in the amount of \$110,000.00 with a 2006 Type I Ambulance of \$3,000.00.

Tractor (Airpark) to South Plains Implement in the amount of \$44,710.37.

Pickup (Landfill) to Caldwell Country Chevrolet in the amount of \$25,676.00.

Pickup (Wastewater Treatment Plant) to Caldwell Country Chevrolet) in the amount of \$25,676.00.

Tractor (Wastewater Treatment Plant) to South Plains Implement in the amount of \$17,044.91.

10” Trash Pump (Wastewater Treatment Plant) to National Pump and Compressor in the amount of \$49,785.00.

Field Striper (Roy Anderson Sports Complex) to Sherwin-Williams in the amount of \$5,605.00.

Zero Turn Mower (Roy Anderson Sports Complex) to Moridge Manufacturing in the amount of \$14,090.14.

Zero Turn Mower (Parks Department) to Moridge Manufacturing in the amount of \$3,909.86.

Zero Turn Mower (Cemetery) to Morigde Manufacturing in the amount of \$15,484.00.

Eight (8) Sedans (Police Department) to Grapevine Dodge-Chrysler-Jeep in the amount of \$208,001.25.

AWARD BID FOR FLEET SERVICES AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Harbour, seconded by Mayor Pro Tem Fernandez, with all members of the Council voting “aye” awarding bid to Vector Fleet Management for Fleet Services and authorizing the City Manager or his designee to execute any necessary documents.

ROUTINE BUSINESS

Councilmember Benavides reviewed the vouchers. Motion was made by Councilmember Benavides, seconded by Councilmember Boyd, with all members of the Council voting “aye” approving vouchers in the amount of \$688,744.04 (10/10/13) and \$1,227,655.39 (10/17/13).

NEW BUSINESS

DISCUSSION OF ATMOS ENERGY CORPORATION’S STATEMENT OF INTENT TO INCREASE GAS UTILITY RATES WITHIN ALL INCORPORATED AREAS SERVED BY THE WEST TEXAS DIVISION

Todd Darden, City Manager, explained that Atmos Energy Corporation is requesting a \$12 million increase system-wide rates. Mr. Darden explained that the City is participating in a committee that will negotiate a settlement agreement.

CONSIDERATION AND APPROVAL OF A MEET AND CONFER AGREEMENT BETWEEN THE CITY OF BIG SPRING AND THE BIG SPRING PROFESSIONAL FIREFIGHTERS ASSOCIATION AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

Linda Sjogren, City Attorney, explained that the Meet and Confer Agreement is an agreement to govern employment relations between the City of Big Spring and the Big Spring Professional Firefighters Association. Motion was made by Mayor Pro Tem Fernandez , seconded by Councilmember Harbour, with all members of the Council voting “aye” approving a Meet and Confer Agreement Between the City of Big Spring and the Big Spring Professional Firefighters Association and authorizing the Mayor to execute the agreement.

FIRST READING OF A RESOLUTION AMENDING THE PERSONNEL POLICIES & PROCEDURES BY AMENDING CHAPTER VIII, SECTION 2 ENTITLED “VACATION” TO AMEND PROVISIONS CONCERNING SELLING BACK OF ACCUMULATED VACATION LEAVE AND DECLARING AN EFFECTIVE DATE

Motion was made by Mayor Pro Tem Fernandez, seconded by Councilmember Harbour, with all members of the Council voting “aye” approving first reading of a resolution amending the Personnel Policies & Procedures by amending Chapter VIII, Section 2 entitled “Vacation” to amend provisions concerning selling back of accumulated vacation leave and declaring an effective date.

FIRST READING OF A RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF BIG SPRING TO BE REIMBURSED FOR CERTAIN CAPITAL EXPENDITURES FROM PROCEEDS OF A LEASE PURCHASE AGREEMENT AND ESTABLISHING AN EFFECTIVE DATE

Motion was made by Councilmember Carrigan, seconded by Councilmember Benavides, with all members of the Council voting “aye” approving first reading of a resolution declaring the official intent of the City of Big Spring to be reimbursed for Certain Capital Expenditures from proceeds of a Lease Purchase Agreement and Establishing an effective date.

FIRST 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

Several citizens spoke for and against the rates (Norma Garcia, Cotton Mize, Aubrey Weaver Jr., Dale Avant, Jimmy Yanez were all against and Terry Hansen was for the rate increase). After a lengthy discussion, 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.

APPOINTMENT TO MCMAHON/WRINKLE AIRPARK DEVELOPMENT BOARD

Jane Armstrong was appointed to serve on the McMahon/Wrinkle Airpark Development Board by a unanimous show of hands by the City Council.

CITY MANAGER’S REPORT

Todd Darden, City Manager, announced the appointment of Chad Williams as Chief of Police.

COUNCIL INPUT

All Councilmembers congratulated Chad on his new position as Police Chief.

Mayor McLellan thanked everyone that helped with some maintenance work done at the Kid Zone.

Mayor Pro Tem Fernandez announced the Northside Movement will have a Trunk or Treat at the St. Thomas Hall on October 31.

EXECUTIVE SESSION

QUARTERLY UPDATE - ADJOURN INTO EXECUTIVE SESSION IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, SECTION 551.071(1)(A) TO CONSULT WITH THE CITY ATTORNEY CONCERNING PENDING OR CONTEMPLATED LITIGATION INCLUDING CLAIM BY TOMMY CHURCHWELL AT 8:30 P.M.

THE COUNCIL RECONVENED INTO REGULAR SESSION AT 8:45 P.M.

No action was taken at this time.

ADJOURN

Motion was made by Councilmember Benavides, seconded by Councilmember Boyd, with all members of the Council voting “aye” to adjourn at 8:47 p.m.

CITY OF BIG SPRING, TEXAS

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AMENDING THE CITY OF BIG SPRING PERSONNEL POLICIES & PROCEDURES BY AMENDING CHAPTER VIII, SECTION 2 ENTITLED "VACATION" TO CLARIFY PROVISIONS CONCERNING SELLING BACK OF ACCUMULATED VACATION LEAVE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, The City of Big Spring Personnel Policies and Procedures (hereinafter the "Policies") provide for vacation leave as a benefit to employees, and in some situations allow payment for unused leave, and in order to clarify those provisions;

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

1. THAT, Chapter VIII, Section 2, Paragraph d (2) of the Policies entitled "Vacation" shall be amended and Paragraph d (3) be added as follows:

Paragraph d – Employees shall be encouraged to use a substantial portion of their vacation leave each year.

- (2) In November of each year, an employee who has worked a full year during the immediately preceding fiscal year of the City without taking sick leave [except for leave taken pursuant to the Family and Medical Leave Act (FMLA) provisions contained in these policies] may sell back to the City, for cash, up to sixty-eight (68) hours of the employee's accumulated vacation leave. An employee will have the option to replace any amount of sick hours used that were not associated with FMLA with vacation or compensatory hours in order to be eligible for this program. Payment for such accumulated leave shall be paid on the pay day immediately preceding the Thanksgiving holiday.
 - (3) For firefighters, the buyback policy shall be as set forth in the current Meet & Confer Agreement or Directive 12 if there is no Meet & Confer Agreement in place.
2. THAT this resolution shall be effective immediately upon its final passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 22nd day of October, 2013, 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 12th day of November, 2013, with all members of the Council voting “aye” for passage of the same.

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, DECLARING THE OFFICIAL INTENT OF THE CITY OF BIG SPRING (LESSEE) TO BE REIMBURSED FOR CERTAIN CAPITAL EXPENDITURES FROM PROCEEDS OF A LEASE PURCHASE AGREEMENT AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, Lessee intends to build, construct or purchase vehicles and equipment or renovate certain facilities as more particularly described below (the Project);

WHEREAS, Lessee expects to pay certain capital expenditures in connection with the Project prior to its receipt of Lease Proceeds for such expenditures;

WHEREAS, Lessee reasonably expects it will make expenditures with respect to the Project in an amount not reasonably expected to exceed \$1,335,750 for which the Lessee may (or expects to) enter into a Lease Purchase Agreement with a Leasing Corporation; and

WHEREAS, Treasury Department and Internal Revenue Service Regulations do not allow the proceeds of a tax exempt borrowing to be spent on working capital;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Big Spring, Texas, as follows:

Section 1. The City Council of the City of Big Spring finds and determines that the foregoing recitals are true and correct.

Section 2. This resolution is adopted by the City Council of the City of Big Spring solely for the purpose of establishing compliance with the requirements of Section 1.150.2 Treasury Regulations. This resolution does not bind the Lessee to make any expenditures, incur any indebtedness, or proceed with the Project.

Section 3. The City Council expects the Lessee will pay certain capital expenditures in connection with the Project prior to the receipt of lease proceeds from the Project.

Section 4. The City Council of the Lessee hereby declares the Lessee's official intent to use proceeds of a Lease Agreement to reimburse itself for future project expenditures.

Section 5. Description of Project: GIS Database (Phase 1); Police Vehicles and Associated Equipment (8); Arrow Board w/Trailer (1); 14' Dump Truck (1); Sanitation Trucks (2); Pickup (2); Park Structure for Bert Andries Park (1); Zero Turn Mower (3);

Field Striper (1); Point of Sale Software & Computers (2); Trap Rake w/Front Flex Blade (1); Range Ball Collector w/Cage (1); Greens Mower (1); Fairway Mower (1); Ice Machine (1); Box-Style Ambulance (1).

Section 6. That this resolution shall take effect immediately from and after its passage upon two readings in accordance with the provisions of the Charter of the City of Big Spring.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 22nd day of October, 2013, 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 12th day of November, 2013, with all members of the Council voting “aye” for passage of the same.

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
September 19, 2013

The Big Spring Airport and Industrial Park Development Board met in Regular Session at 5:30 p.m., Thursday, September 19, 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
Wayne Dawson, Safety Officer

Absent: Jim DeVille
Willie Rangel

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

Terry Wegman, BSEDC

Item # 1

Call to Order

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

Item # 2

Review and approve minutes from July 18, 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 updated the board on the lease agreement for the rail yard on the east side of Big Spring stating that it is still being negotiated by the attorneys but the project is moving forward. One new development is the possibility of shipping the crude oil by pipeline rather than rail. The EDC and City Council has approved \$1.5M for the use of rail infrastructure on the Airpark facility. The work will primarily benefit Western Container in the beginning but will provide access for other businesses in the future as work progresses. There is a company interested in storing sand for rail transport. There have been a large number of companies with similar ideas but this company appears to be more aware of what the long term needs are for this type of operation. There will be more discussion with them to determine feasibility.

Item # 4

T-Hangar Project, Status

Jim updated the board stating that the project has been approved and funded. PSC is working on the design and construction of the project which will be a 12-unit hangar. The total cost should be under \$1.3M. This project will be a 90/10 Grant. Construction should begin by the end of the year. We have discussed the possibility of additional hangar space for large aircraft as well. We have more demand at this time for hangar space than ever and are turning down prospective tenants on an almost daily basis. We currently have at least a dozen people on a waiting list for hangar space, just in the smaller units.

Item # 5

Airport Terminal Apron Upgrade Project, Status

Jim stated that the project will be done by the same company as the fuel farm pad. The construction company met with City officials and PSC earlier this week and set a start date of September 30 for construction. The airport will remain open during the project and the terminal apron will be accessible throughout the process. Completion is anticipated by the end of February 2014.

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 2013-2014 Budget status. We have several approved projects and are hoping to purchase an additional tractor to help with the land maintenance required on the facility. We still have a vacancy for the Airpark Maintenance Superintendent. We have had several applicants and have begun interviewing candidates. No decision has been made yet. We have one applicant so far for the upcoming Airpark Board vacancy. Ned Crandall wishes to remain on the board for another term. Jan Hansen will be leaving the board. Jim thanked Jan for her tenure and wished her well in her future endeavors. Jim discussed some recent incidents relating to the airport, including the Haverfield Aviation helicopter fatalities, and an emergency landing off airport by a flight student. The WAAS approaches are in and have had one correction of crosswind runway length listed since being implemented. The 2013 Hang Gliding competitions went extremely well with only one minor accident during launching. There were over 45 pilots this year, making it our biggest Nationals competitions so far. A company called Dawson Geophysical will be doing some seismic testing on the airport in the near future. There is also proposed drilling on the airport that is still being worked out. The City/Airport Master Plan is still in progress. The access road that will come into the airport from the truck reliever route on the west side of the facility should be completed in approximately two years. Jim also mentioned some rail spur issues that are being worked. The old barracks building asbestos abatement and demolition is now complete. Next year the old parachute building will be on the agenda for abatement and demolition. Jim gave an update on new airplanes on the field. Director's upcoming travel includes the TML trip to Austin on October 6-9 and a personal trip to Lubbock during the 15-18 of October for a follow-up medical procedure. For Show & Tell the board viewed a poster advertising the Annual AOPA Aviation Summit which will be held in Ft. Worth this year, October 10-11, and two photographs, one of a unique homebuilt airplane that flew in recently and one of a large snake that was underneath a plane on the ramp earlier in the week.

Item # 8

Leased Building Issues

Jim stated that we are still dealing with some roof leaks but repairs are underway.

Item # 9

Airport Safety Committee Report

Wayne mentioned the upcoming Pilot Safety Meeting in November and asked for submission of articles for the Airport Newsletter by the beginning of October.

Item # 10

Other Events & Activities

No other events at this time.

Item # 11

Board Member Updates

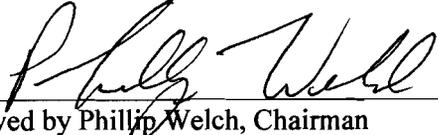
No updates at this time.

Item # 12

Next Meeting Date

October 17, 2013

Adjournment: 7:06 p.m.



Approved by Phillip Welch, Chairman

10-24-13
Date Approved

City of Big Spring
Purchasing and Material Control
Memorandum

To: Honorable Mayor, City Council, City Manager
From: Paul Sotelo, Purchasing Agent
Date: November 12, 2013
Subject: Request for Bid Award for Utilities Contractor Services

On Monday, November 4, 2013, the City of Big Spring accepted sealed bids for **Utilities Contractor Services**.

Recommendation: The staff recommends the bid be awarded to Boler Equipment Service, Inc.

City of Big Spring
Bid Tabulation - Utility Contractor Services
November 8, 2013

<u>Contractor</u>	<u>Services</u>	<u>Bid Price</u>
Boler Equipment Service Midland, TX	Water Taps	\$ 2,250.00
	Sewer Taps	\$ 2,250.00
	<u>Water Line</u>	
	Less than 4" and no deeper than 6'	\$ 59.00 per foot
	Less than 4" and deeper than 6-10'	\$ 69.00 per foot
	4" and 6" and no deeper than 6'	\$ 59.00 per foot
	4" and 6" and deeper than 6-10'	\$ 69.00 per foot
	8-12" and no deeper than 6'	\$ 74.00 per foot
	<u>Sewer Lines</u>	
	4" and no deeper than 6'	\$ 59.00 per foot
	4" and deeper than 6-10'	\$ 74.00 per foot
	6" and no deeper than 6'	\$ 64.00 per foot
	6" and deeper than 6-10'	\$ 79.00 per foot
	Rock clause, only additional charge	\$ 30.00 per foot
	Manhole Set- labor and concrete only	\$ 2,450.00 per manhole
Scott Thane Ditch Odessa, TX	No Response	
TEC Excavation Midland, TX	No Response	
Cline Construction Big Spring, TX	No Response	
Earthco Big Spring, TX	No Bid	

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, SUSPENDING THE NOVEMBER 22, 2013, EFFECTIVE DATE OF ATMOS ENERGY CORP., WEST TEXAS DIVISION (“ATMOS WEST TEXAS”) REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ATMOS WEST TEXAS (“CITIES”) TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF CITIES’ RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND CITIES’ LEGAL COUNSEL; AND DECLARING AN EMERGENCY

WHEREAS, on or about October 18, 2013, Atmos Energy Corp., West Texas Division (“Atmos West Texas” or “Company”), pursuant to Gas Utility Regulatory Act § 104.102 filed with the City of Big Spring (“City”) a Statement of Intent to change gas rates in all municipalities exercising original jurisdiction within its West Texas Division service area, effective November 22, 2013; and

WHEREAS, the City is a regulatory authority under the Gas Utility Regulatory Act (“GURA”) and under Chapter 104, §104.001 et seq. of GURA has exclusive original jurisdiction over Atmos West Texas’ rates, operations, and services within the City; and

WHEREAS, in order to maximize the efficient use of resources and expertise, it is reasonable for the City to maintain its involvement in the Steering Committee of Cities Served by Atmos West Texas (“Cities”) and to cooperate with similarly situated cities in conducting a review of the Company’s application and to hire and direct legal counsel and consultants and to prepare a common response and to negotiate with the Company and direct any necessary litigation; and

WHEREAS, Atmos West Texas proposed November 22, 2013, as the effective date for its requested increase in rates; and

WHEREAS, it is not possible for the City to complete its review of Atmos West Texas’ filing by November 22, 2013; and

WHEREAS, the City will need an adequate amount of time to review and evaluate Atmos West Texas’ rate application to enable the City to adopt a final decision as a local regulatory authority with regard to Atmos West Texas’ requested rate increase; and

WHEREAS, the Gas Utility Regulatory Act § 104.107 grants local regulatory authorities the right to suspend the effective date of proposed rate changes for ninety (90) days; and

WHEREAS, the Gas Utility Regulatory Act § 103.022 provides that costs incurred by Cities in ratemaking activities are to be reimbursed by the regulated utility;

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

1. That the November 22, 2013, effective date of the rate request submitted by Atmos West Texas on October 18 2013, be suspended for the maximum period allowed by law to permit adequate time to review the proposed changes and to establish reasonable rates.

2. That the City is authorized to cooperate with the Steering Committee of Cities Served by Atmos West Texas and its member cities in the West Texas service area and under the direction of the Steering Committee's Executive Committee to hire and direct legal counsel and consultants, negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of a rate ordinance and the rate case filed with the City or Railroad Commission.

3. That the City's reasonable rate case expenses shall be reimbursed by Atmos West Texas.

4. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

5. That a copy of this Resolution shall be sent to Atmos, care of Mr. Jeffrey Foley, Vice President, Rates and Regulatory Affairs, 5110 80th Street, P.O. Box 1121, Lubbock, Texas 79408-1121, and to Geoffrey Gay, General Counsel to Cities, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

6. 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 (2) 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 emergency reading at a special meeting of the City Council on the 12th day of November, 2013, with all members present voting "aye" for passage of same.

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

APPROVED AS TO FORM:

Linda Sjogren, City Attorney

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, APPROVING A REPLAT OF THE UNDEVELOPED PORTION OF KENTWOOD PHASE II WHICH IS CURRENTLY IN AN AREA FOR WHICH ANNEXATION INTO THE CITY LIMITS IS PENDING; PROVIDING AN EFFECTIVE DATE AND DECLARING AN EMERGENCY

WHEREAS the annexation of 74.382 acres of undeveloped land into the Big Spring City Limits and the declaration of applicable zoning for such area is currently in process; and

WHEREAS Section 4-16 of the City's Zoning Ordinance provides that the Planning and Zoning Commission may not approve a plat of any subdivision that is pending annexation before the City Council unless the City Council approves the plat by resolution; and

WHEREAS the developers of the area to be annexed have requested that the replat of the undeveloped portion of Kentwood Phase II, which is pending annexation be approved;

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

Section 1. The City Council hereby approves the replat of the undeveloped portion of Kentwood Phase II, which is attached hereto as Exhibit "A" and incorporated herein by reference, and directs staff to present such plat to the Planning and Zoning Commission for its approval.

Section 2. This Resolution shall be effective from and after its adoption.

Section 3: The passage of this Resolution constitutes an emergency and an imperative necessity that the Charter Rule requiring that city Resolutions be read at two (2) separate meetings of the City council shall be suspended, and said rule is hereby suspended, and this Resolution shall take effect immediately upon its passage.

PASSED AND APPROVED on emergency reading at a regular meeting of the City Council of the City of Big Spring on the 12th day of November 2013, with all members present voting "aye" for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary

CERTIFICATION OF OWNER / SUBDIVISION

STATE OF TEXAS
COUNTY OF HOWARD

I, the undersigned owner of the land shown on this plat, and designed herein as the "Replat of Kentwood Unit 2" to the City of Big Spring, Texas and whose name is subscribed hereto, hereby declare my intention to dedicate to the use if he public forever all streets, alleys, parks, water courses, drains, easements and public places.

OWNER(S)

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF HOWARD

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name subscribed to the foregoing instrument, and acknowledged to me that _____ executed the same for the purposes and consideration therein stated.
GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2013

NOTARY PUBLIC

CERTIFICATION OF ENGINEER

STATE OF TEXAS
COUNTY OF HOWARD

I, the undersigned, a Registered Professional Engineer in the State of Texas hereby certify that proper engineering consideration has been given this plat.

REGISTERED PROFESSIONAL ENGINEER

CERTIFICATION OF SURVEYOR

STATE OF TEXAS
COUNTY OF HOWARD

I, the undersigned, a Registered Professional Land Surveyor, in the State of Texas hereby certify, to the best of my knowledge and belief, that this Plat is true and correct, that it was prepared from an actual survey of the property made under my supervision on the ground, and that all necessary survey monuments are currently shown thereon.

REGISTERED PROFESSIONAL LAND SURVEYOR

CERTIFICATION OF PLANNING COMMISSION

This plat has been submitted to and considered by the Planning Commission of the City of Big Spring, Texas and is hereby approved by such Commission.

DATED this _____ day of _____, 2013

By: _____

CHAIRPERSON

FILED
FOR RECORD

This _____ day of _____, 2013

at _____ O' Clock and _____ minutes

in envelope _____ Howard
County Plat Records.

Donna Wright, County Clerk
Howard County, Texas

Deputy

CERTIFICATION OF DIRECTOR OF PUBLIC WORKS

STATE OF TEXAS
COUNTY OF HOWARD

I, the undersigned Director of Public Works of the City of Big Spring hereby certify that this subdivision plat conforms to all requirements of the City of Big Spring and hereby recommend approval.

DIRECTOR OF PUBLIC WORKS

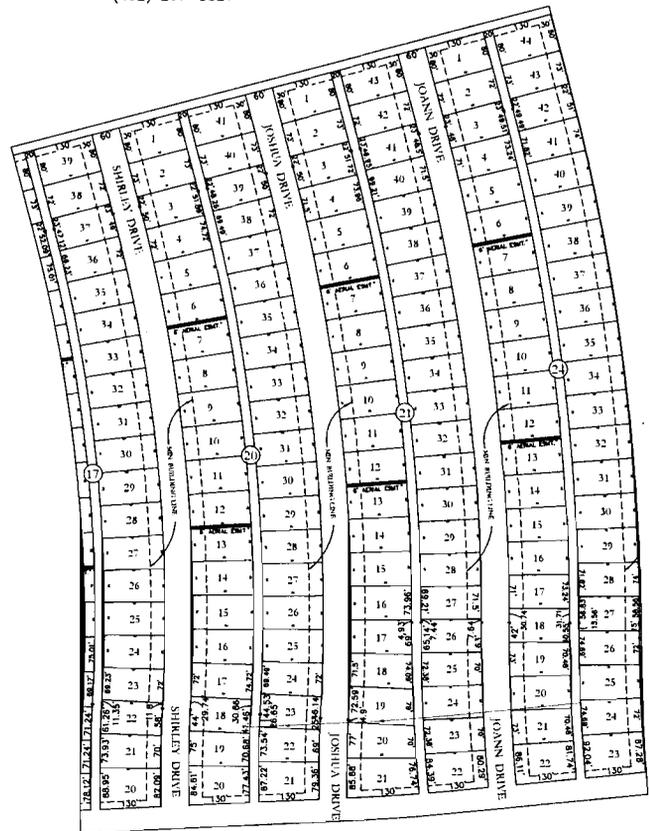
UTILITY COMPANIES
ATMOS ENERGY
(888) 363-7427

CITY OF BIG SPRING (WATER AND SEWER)
310 NOLAN STREET
BIG SPRING, TEXAS 79720
(432) 264-2500

TXU ENERGY
(800) 368-1728

AT&T
(800) 268-8313

SUDENLINK
2000 SOUTH BIRDWELL LANE
BIG SPRING, TEXAS 79720
(432) 267-3821



PORTION OF KENTWOOD (UNIT 2)
TO BE REPLATTED
CITY OF BIG SPRING,
HOWARD COUNTY, TEXAS
11-12-13 Agenda

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, ANNEXING THE HERINAFTER DESCRIBED TERRITORY TO THE CITY OF BIG SPRING, HOWARD COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS SO AS TO INCLUDE DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF THE PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS; ADOPTING A SERVICE PLAN FOR THE TERRITORY ANNEXED; ESTABLISHING IT AS AN SF-2 (SINGLE FAMILY DWELLING) ZONE AND BINDING FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE CITY OF BIG SPRING; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, all required public notices have been submitted and public hearings have been held in accordance with state law; and

WHEREAS, a petition for annexation has been duly signed and acknowledged by each and every person or corporation having an interest in the subject property;

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

SECTION 1: THAT the following described territory is hereby annexed and incorporated into the corporate limits of the City of Big Spring, Texas:

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° 23' E. 1320 feet and S. 14° 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° 37' E. 1382.86 feet to an iron rod for the S.W. corner of this tract;

THENCE N. 75° 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° 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° 23' W. 1260 feet, along and with the South line of SUBURBAN HEIGHTS to the PLACE OF THE BEGINNING

Containing 40 acres of land in Section 13, Block 33, T-1-S, T & P Ry. Co. Survey, Howard County, Texas,

the city limits of the City of Big Spring are hereby extended to include the above described territory and said land and the future inhabitants thereof shall hereafter be entitled to all right and privileges of other citizens of the City of Big Spring, Texas and shall be bound by the acts and ordinances of said City.

SECTION 2. THAT the service plan regarding the provisions of public service set forth in Exhibit "A," attached hereto and incorporated herein by reference, is hereby adopted for the area described in Section 1 above as required by Texas Local Government Code §43.056.

SECTION 3. THAT upon the adoption of this ordinance, the area described in Section 1 shall be and constitute an SF-2 (Single Family 2) Zone and shall be regulated in accordance with the City of Big Spring Zoning Ordinance.

SECTION 4. THAT the City Secretary is hereby directed to file with the County Clerk of Howard County, Texas, a certified copy of this ordinance.

SECTION 5. THAT the penalty for violation of this ordinance shall be up to Two-Thousand (\$2,000.00) for each offense.

SECTION 6. THAT should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby.

SECTION 7. THAT all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 8. THAT this ordinance shall take effect immediately after its publication 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 regular scheduled meeting of the City Council on the ___ day of _____, will all members present voting "aye" for the passage of same.

PASSED AND APPROVED on second and final reading at a regular scheduled meeting of the City Council on the ___ day of _____, will all members present voting “aye” for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary

ANNEXATION SERVICE PLAN
City owned 40 acres, Parkwood and Willard

The following services will be provided by the City of Big Spring immediately following annexation or upon demand following annexation.

- Animal Control:** The provisions of animal control services shall be in effect following annexation and development of the property.
- Code Enforcement:** The provisions of Code Enforcement services, including the application and enforcement of building, electrical, plumbing and other related code requirements adopted by the City of Big Spring shall be made immediately to the area upon annexation. The preparation of a zoning ordinance shall serve as a basis for the zoning of the property being annexed. The adoption of a zoning ordinance shall immediately follow annexation.
- Fire Protection:** Fire protection and suppression personnel and equipment from the Big Spring Fire Department will be provided to the area as needed.
- Fire Prevention:** The services of the City of Big Spring Fire Marshal's office shall be provided to the area.
- Parks:** City of Big Spring Parks and Recreation services and facilities will be available to the area residents.
- Police Protection:** Police protection personnel and equipment shall be provided to the area immediately upon annexation. Police enforcement and protection services shall be provided through regular patrol activities.
- Streets:** Public streets not maintained by the Texas Department of Transportation (TxDOT) or Howard County within the area shall be maintained by the City of Big Spring.
- Solid Waste:** Solid waste collection shall be available to residents of the annexed area at the same costs and procedures as required of city residents and businesses.
- Traffic:** Traffic control devices and street markers shall be installed where deemed necessary by the City's Street Department, except as provided by the Texas Department of Transportation (TxDOT) or Howard County.
- Utilities:** The extension of utilities (water/wastewater) in the area shall be in accordance with the City of Big Spring's Subdivision Regulations.

RESOLUTION NO. _____

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

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

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

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

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

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 12th day of November, 2013, with all Councilmembers voting “aye” for passage of same.

PASSED AND APPROVED on second reading at a regular meeting of the City Council on the 10th day of December, 2013, with all Councilmembers voting “aye” for passage of same.

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

CITY OF BIG SPRING

INVESTMENT POLICY

November 12, 2013

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

FDIC coverage;

U.S. Treasury bills, note or bonds;

State of Texas bonds;

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

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

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

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

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

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

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

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

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

CITY OF BIG SPRING

INVESTMENT STRATEGY

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

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

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

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

RESOLUTION _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR FUNDING THROUGH THE TEXAS CAPITAL FUND FOR INFRASTRUCTURE IMPROVEMENTS; AUTHORIZING THE CITY MANAGER TO ACT ON THE CITY'S BEHALF REGARDING THE APPLICATION AND AWARD; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Big Spring, Texas intends to make certain infrastructure improvements; and

WHEREAS, the general description of the improvements is water storage and water and sewer line infrastructure, acquisition for on-site improvements, and associated engineering and administrative services, hereafter the "Project;" and

WHEREAS, the Texas Department of Agriculture oversees the Texas Capital Fund Grant Program to support such projects;

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

SECTION 1. City staff is hereby authorized to submit an application to the Texas Department of Agriculture for funding through the Texas Capital Fund for the construction of a water tower, lines and sewer lines benefitting eligible businesses.

SECTION 2. The City Council has reviewed and hereby agrees to comply with all assurances executed in connection with the application and, if funded, the award.

SECTION 3. The City Manager is hereby authorized and directed to act on the City's behalf in all matters pertaining to this application and, if funded, the award.

SECTION 4. The City Council understands that there is no requirement of repayment for this award and, therefore, will not require the benefiting business(s) to repay any Texas Capital Fund monies received for this project unless an agreement between the benefiting business(s) and the City of Big Spring provides otherwise.

SECTION 5. THAT this resolution shall be effective immediately upon its final passage.

PASSED AND APPROVED on first reading by the City Council of the City of Big Spring, Texas this 12th day of **November, 2013**, at a regular meeting of the City Council, with all members present voting "aye" for the passage of same.

PASSED AND APPROVED on second reading by the City Council of the City of Big Spring, Texas this 10th day of December, 2013, at a regular meeting of the City Council, with all members present voting “aye” for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary

2013 Texas Capital Fund Program

- Program: Texas Capital Fund (Source of funds: Federal HUD dollars passed down through the Texas Department of Agriculture’s Rural Economic Development division)
- Infrastructure Program: 100% grant to sponsoring locality to install public infrastructure improvements such as water, sewer, drainage, natural gas, street, electric, telephone, and, depending on circumstances, rail improvements.
- Real Estate Program: 100% loan funds repaid at 0% interest over 20 years. Funds awarded to locality on behalf of benefitting business to be used for on-site improvements. Locality holds title to improvements during term of repayment so this is essentially a lease-to-own arrangement.
- Funding Amounts: Awards of up to \$750,000 available all years. During short period, one \$1.5 million and two \$1 million “jumbo” awards are available each year.
- Match Requirement: Benefiting business must invest a matching amount into its own development. Business is not required to contribute to infrastructure or real estate improvements cost, but must show investment in its operation.
- Match Level: Awards of up to \$750,000 required a dollar-for-dollar investment. Awards of \$750,100 to \$1 million require four-to-one investment. Awards of \$1,000,100 to \$1.5 million require a five-to-one investment.
- Grant Amount Request Determined by Number of Jobs That Business Will Create: Locality can request up to \$25,000 per job being created or retained. Points awarded if request is less than \$20,000 or less than \$15,000.
- At least 51% of all “jobs” created must be filled by individuals who are of low to moderate income when they are hired. Applicable low to moderate thresholds are shown below.

2013 Howard County

<u>1 person</u>	<u>2 persons</u>	<u>3 persons</u>	<u>4 persons</u>	<u>5 persons</u>	<u>6 persons</u>	<u>7 persons</u>	<u>8 persons</u>
\$29,600	\$33,800	\$38,050	\$42,250	\$45,650	\$49,050	\$52,400	\$55,800

- Contract period is up to three years (36 months) during which (1) infrastructure will be installed, (2) business will construct its development, and (3) committed number of jobs will be filled. Project may be closed in fewer than 36 months if all three goals have been met.
- TCF State Contract will require business to provide a liability guarantee to cover any penalties resulting in business failure to create required number of jobs and/or spend required cash match.

**AMENDMENT NO. 1
TO THE AGREEMENT
BETWEEN CITY OF BIG SPRING, TEXAS
AND
PARKHILL, SMITH & COOPER, INC.
FOR
PROFESSIONAL SERVICES**

THIS IS AN AMENDMENT effective as of _____ ("Effective Date") to the AGREEMENT dated October 10, 2012 Between City of Big Spring, Texas ("OWNER") and Parkhill, Smith & Cooper, Inc. ("ENGINEER").

OWNER and ENGINEER agree to the following:

OWNER intends to make certain Improvements City's infrastructure, primarily the replacement of existing water lines and sewer lines that are currently maintenance issues. PSC shall coordinate with city personnel to determine the order of water line replacement in the most problematic areas. Area of interest and preliminary line replacements are shown by the revised Exhibit E – Water Distribution System and Wastewater Collection System Improvements and are tabulated with construction cost budgets as follows:

Item	Description	Construction
1	2013 Waterlines - Capital Budget	\$420,000
2	2014 Waterlines - Capital Budget Base Bid	\$177,000
3	2014 Sewer lines - Capital Budget (Airpark and WWTP)	\$344,400
4	2014 Sewer lines – I-20 Extension	\$857,100
Totals		\$1,838,700

OWNER and ENGINEER, in consideration of their mutual covenants as set forth herein, agree as follows:

1. Page 14, Article 8-Exhibits and Special Provision, 8.01 E. Revise to read as follows:
Exhibit E - Water Distribution System and Wastewater Collection System Improvements.
2. Exhibit B Payments to Engineer Lump Sum Method. Replace with the attached Exhibit B, Payments to Engineer, Lump Sum Method.
3. Exhibit E 2013 Water Distribution System Improvements. Replace with the attached Exhibit E, Water Distribution System and Wastewater Collection System Improvement.
4. Appendix 1 Current Hourly Rate Schedule. Replace with the attached Current Hourly Rate Schedule (current through December 31, 2013).

IN WITNESS WHEREOF, the parties hereto have executed this Amendment in duplicate, the Effective Date of which is indicated on page 1

OWNER:

ENGINEER:

City of Big Spring, Texas

Parkhill, Smith & Cooper, Inc.

By: _____
Larry McLellan
Title: Mayor

By: _____
Edwin E. "Butch" Davis, P.E.
Title: Vice President

Date Signed: _____

Date Signed: _____

Address for giving notices:

Address for giving notices:

310 Nolan Street
Big Spring, Texas 79720-2657

4222 85th Street
Lubbock, Texas 79423

IN DUPLICATE

**EXHIBIT B
PAYMENTS TO ENGINEER
LUMP SUM METHOD**

Article 4 of the Agreement is amended and supplemented to include the following agreement of the parties:

ARTICLE 4 -- PAYMENTS TO THE ENGINEER

B4.01 For Basic Services Having A Determined Scope--Lump Sum Method of Payment

A. OWNER shall pay ENGINEER for Basic Services set forth in Exhibit A-Part 1, as follows:

Lump Sum of \$ **295,000** with the following distributions:

Professional Services	Water System Improvements		Sanitary Sewer System Improvements		Totals
	2013 CIP	2014 CIP	2014 CIP	I-20 Extension	
Preliminary Design Phase	\$ 26,000	\$ 5,500	\$ 10,950	\$ 27,250	\$ 69,700
Final Design Phase	\$ 22,500	\$ 11,000	\$ 21,900	\$ 54,500	\$ 109,900
Bid Phase	\$ 10,000	\$ 2,750	\$ 5,475	\$ 13,625	\$ 31,850
Construction Phase Services	\$ 18,000	\$ 8,250	\$ 16,425	\$ 40,875	\$ 83,550
Totals	\$ 76,500	\$ 27,500	\$ 54,750	\$ 136,250	\$ 295,000

1. The Lump Sum includes compensation for ENGINEER's services and services of ENGINEER's Consultants, if any. Appropriate amounts have been incorporated in the Lump Sum to account for labor, overhead, profit, and Direct Expenses.

2. The portion of the Lump Sum amount billed for ENGINEER's services will be based upon ENGINEER's estimate of the proportion of the total services actually completed during the billing period to the Lump Sum.

3. The Lump Sum is conditioned on Construction Contract Times to complete the Work not exceeding 10 months. Should the Construction Contract Times to complete the Work be extended beyond this period, the total compensation to ENGINEER shall be appropriately adjusted.

4. If more prime contracts are awarded for Work designed or specified by ENGINEER for this Project than identified in Exhibit A - Part 1, the ENGINEER shall be compensated an additional amount equal to \$_____ * for all Basic Services for each prime contract added.

*To be negotiated if required.

B4.02 For Authorized Additional Services --Standard Hourly Rates Method of Payment.

A. OWNER shall pay ENGINEER for authorized Additional Services set forth in Exhibit A - Part 2 as follows:

1. For labor on an hourly rate basis in accordance with Appendix 1.
2. For reimbursable expenses, on the basis of cost times a factor of 1.15.

B. The hourly rate schedule will be adjusted each January 1st to reflect cost of living adjustments.

B. Authorized Additional Services for this Agreement are identified as follows:

Authorized Additional Services to exceed \$		127,750		unless authorized by Owner	
Authorized Additional Services	Water System Improvements		Sanitary Sewer System Improvements		Totals
	2013 CIP	2014 CIP	2014 CIP	I-20 Extension	
Surveying	\$ 20,000	\$ 6,000	\$ 12,500	\$ 12,500	\$ 51,000
Testing	\$ 5,000	\$ 1,500	\$ 1,750	\$ 4,500	\$ 12,750
Resident Project Representative	\$ 16,000	\$ 6,000	\$ 12,000	\$ 30,000	\$ 64,000
Totals	\$ 41,000	\$ 13,500	\$ 26,250	\$ 47,000	\$ 127,750

APPENDIX 1

CURRENT HOURLY RATE SCHEDULE

Parkhill, Smith & Cooper, Inc.
Hourly Rate Schedule
Current through December 31, 2013

Client: City of Big Spring, Texas
 Project: Amendment No. 1 to the Agreement dated Oct. 10, 2012
 Agreement Date:

January 1, 2013

Classification	Hourly Rate	Classification	Hourly Rate
PROFESSIONAL LEVEL VII	\$187.00	PROFESSIONAL LEVEL I	\$83.00
Engineer VII		Intern (Architect) I	
Architect VII		Intern (Interiors) I	
Landscape Architect VII		Intern (Landscape Architect) I	
Interior Designer VII		Technologist I	
		Resident Project Representative I	
		Clerical Supervisor I	
PROFESSIONAL LEVEL VI	\$158.00	SUPPORT STAFF III	\$80.00
Engineer VI		Engineering Technician III, IV	
Architect VI		CADD III, IV	
Landscape Architect VI		Administrative Secretary III	
Interior Designer VI		Architect Technician III, IV	
		Project Assistant I/II	
PROFESSIONAL LEVEL V	\$141.00	SUPPORT STAFF II	\$73.00
Engineer V		Architect Technician I, II	
Architect V		Engineering Technician I, II	
Landscape Architect V		CADD I, II	
Interior Designer V		Accounting Clerk I, II	
		Administrative Secretary I, II	
		Project Assistant EL	
		Word Processor I, II	
		Receptionist I, II	
		File Clerk I	
PROFESSIONAL LEVEL IV	\$122.00	SUPPORT STAFF I	\$42.00
Engineer III, IV		Architectural Student EL	
Architect IV, Intern (Architect) IV		Engineering Student EL	
Landscape Architect IV		Landscape Architecture Student EL	
Interior Designer IV		Interiors Student EL	
Technologist IV		CADD EL	
Resident Project Representative IV		Accounting Clerk EL	
		Word Processor EL	
		Receptionist EL	
		File Clerk EL	
PROFESSIONAL LEVEL III	\$103.00		
Engineer I/II			
Architect III, Intern (Architect) III			
Landscape Architect III			
Intern (Landscape Architect) III			
Interior Designer III			
Technologist III			
Resident Project Representative III			
PROFESSIONAL LEVEL II	\$91.00		
Intern (Architect) II			
Interior Designer II, Intern (Interiors) II			
Landscape Architect II			
Technologist II			
Resident Project Representative II			
Clerical Supervisor II			

Expenses

Reimbursement for expenses, as listed below, but not limited to, incurred in connection with the services, will be at cost plus fifteen percent for items such as:

1. Maps, photographs, postage, telephone, reproductions, printing, equipment rental, and special supplies related to the services.
2. Consultants, soils engineers, surveyors, contractors, and other outside services.
3. Rented vehicles, local public transportation and taxis, road toll fees, travel, and subsistence.
4. Special or job specific fees, insurance, permits, and licenses applicable to the work services.
5. Mileage at IRS approved rate.

Rate for professional staff for legal proceedings or as expert witnesses will be a rate one and one-half times the Hourly Rates specified above. Excise and gross receipts taxes, if any, will be added as an expense.

The foregoing Schedule of Charges is incorporated into the agreement for the services provided, effective January 1, 2013 through December 31, 2013. After December 31, 2013, invoices will reflect the Schedule of Charges currently in effect.

EXHIBIT E
Water System Improvements

MEMO

TO: Todd Darden, Assistant City Manager, City of Big Spring

FROM: Edwin E. "Butch" Davis, P.E.

PROJECT NAME: Water System Improvements

PROJECT NO.: 01-0349-12

DATE: November 4, 2013

OPINION OF PROBABLE COST (OPC): City of Big Spring Water Distribution and Wastewater Collection System Improvements Summary 11/4/13								
		Parkhill, Smith & Cooper, Inc. 4222 85th Street Lubbock, TX 79423						
Item	Description	Construction	Basic Services	Additional Services			Sub total Professional and Additional	Totals
			Professional Fees DBC	Surveying	Testing	RPR		
Improvements								
1	2013 Waterlines - Capital Budget	\$ 460,200	\$ 76,500	\$ 20,000	\$ 5,000	\$ 16,000	\$ 117,500	\$ 577,700
2	2014 Waterlines - Capital Budget Base Bid	\$ 177,000	\$ 27,500	\$ 6,000	\$ 1,500	\$ 6,000	\$ 41,000	\$ 218,000
3	2014 Sewer lines - Capital Budget (Airpark and WWTP)	\$ 344,400	\$ 54,750	\$ 12,500	\$ 1,750	\$ 12,000	\$ 81,000	\$ 425,400
4	2014 Sewer lines - I-20 Extension	\$ 857,100	\$ 136,250	\$ 12,500	\$ 4,500	\$ 30,000	\$ 183,250	\$ 1,040,350
	subtotals	\$ 1,838,700	\$ 295,000	\$ 51,000	\$ 12,750	\$ 64,000	\$ 422,750	\$ 2,261,450

OPINION OF PROBABLE CONSTRUCTION COST
Big Spring- Water and Wastewater System Improvements
2013/2014 Capital Improvements Project

11/4/2013

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
WATERLINE IMPROVEMENTS: BASE BID					
2013 CIP					
1	Mobilization / Demobilization	1	LS	\$ 21,000.00	\$ 21,000
2	Traffic Control	1	LS	\$ 5,400.00	\$ 5,400
3	Hot Mix / Asphalt Repair Including Flowable Fill Cap	1,315	SY	\$ 98.00	\$ 128,900
4	12" C900 DR 18 Waterline	1,150	LF	\$ 55.00	\$ 63,300
5	6" C900 DR 25 Waterline	2,080	LF	\$ 38.00	\$ 79,000
6	4" C900 DR 25 Waterline	920	LF	\$ 32.00	\$ 29,400
7	12" Steel Sleeve/Casing in Bore	75	LF	\$ 295.00	\$ 22,100
8	Water Meter	15	EA	\$ 350.00	\$ 5,300
9	12" x 12" Tapping Sleeve w/ GV	1	EA	\$ 7,200.00	\$ 7,200
10	12" x 6" Tapping Sleeve w/ GV	1	EA	\$ 5,000.00	\$ 5,000
11	8" x 6" Tapping Sleeve w/ GV	1	EA	\$ 2,250.00	\$ 2,300
12	6" x 4" Tapping Sleeve w/ GV	2	EA	\$ 2,000.00	\$ 4,000
13	8" x 4" Tapping Sleeve w/ GV	1	EA	\$ 2,250.00	\$ 2,300
14	4" x 4" Tapping Sleeve w/ GV	2	EA	\$ 1,750.00	\$ 3,500
15	Existing Pipe Cut and Plug (2",4",6",12")	8	EA	\$ 350.00	\$ 2,800
16	12" Gate Valve and Box	1	EA	\$ 3,750.00	\$ 3,800
17	6" Gate Valve and Box	2	EA	\$ 1,700.00	\$ 3,400
18	4" Gate Valve and Box	2	EA	\$ 1,400.00	\$ 2,800
19	Service Connections w/ Corp Stop	18	EA	\$ 850.00	\$ 15,300
20	D.I. Fittings	1.5	TON	\$ 9,000.00	\$ 13,500
21	Contingencies (10%)	1.0	LS	\$ 39,900.00	\$ 39,900
2013 CIP Subtotal					\$ 460,200

* For Preliminary Use Only.
 Not to be used for construction
 permitting or other construction
 purposes

OPINION OF PROBABLE CONSTRUCTION COST
Big Spring- Water and Wastewater System Improvements
2013/2014 Capital Improvements Project
 11/4/2013

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
	2014 CIP				
22	Mobilization / Demobilization	1	LS	\$ 8,500.00	\$ 8,500
23	Traffic Control	1	LS	\$ 4,400.00	\$ 4,400
24	6" C900 DR 25 Waterline	1,700	LF	\$ 38.00	\$ 64,600
25	Hot Mix / Asphalt Repair Including Flowable Fill Cap	590	SY	\$ 98.00	\$ 57,800
26	6" x 4" Tapping Sleeve w/ GV	2	EA	\$ 2,000.00	\$ 4,000
27	6" X 4" Reducing Bend	2	EA	\$ 500.00	\$ 1,000
28	Existing 6" Pipe Cut and Plug	2	EA	\$ 375.00	\$ 800
29	Re-attach existing Lines (2", 4", 6")	7	EA	\$ 1,000.00	\$ 7,000
30	6" Gate Valve and Box	3	EA	\$ 1,700.00	\$ 5,100
31	4" Gate Valve and Box	2	EA	\$ 1,400.00	\$ 2,800
32	Service Connections w/ Corp Stop	4	EA	\$ 850.00	\$ 3,400
33	D.I. Fittings	0.3	TON	\$ 9,000.00	\$ 2,300
34	Contingencies (10%)	1.0	LS	\$ 15,300.00	\$ 15,300
	2014 CIP Subtotal				\$ 177,000

* For Preliminary Use Only.
 Not to be used for construction
 permitting or other construction
 purposes

OPINION OF PROBABLE CONSTRUCTION COST
Big Spring- Water and Wastewater System Improvements
2013/2014 Capital Improvements Project
 11/4/2013

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
SEWER LINE IMPROVEMENTS: BASE BID					
30" Sewer Improvements- WWTP					
1	Mobilization / Demobilization	1	LS	\$ 3,000.00	\$ 3,000
2	Heavy Polyethylene Warning Tape for Trenching	380	LF	\$ 0.50	\$ 200
3	30-inch Corrugated HDPE Sewer Line (15-20' Cut)	380	LF	\$ 75.00	\$ 28,500
4	30- inch Corrugated HDPE Sewer Line (15'-20' Cut)	140	LF	\$ 40.00	\$ 5,600
5	Trench Safety	380	LF	\$ 5.00	\$ 1,900
6	Tie to Existing Sewer Line	1	LS	\$ 6,000.00	\$ 6,000
6	Dewatering Wells	1	LS	\$ 8,500.00	\$ 8,500
7	Contingencies (10%)	1	LS	\$ 5,100.00	\$ 5,100
30" Sewer Improvements - WWTP Subtotal					\$ 58,800
12" Sewer Improvements- Airpark					
8	Mobilization / Demobilization	1	LS	\$ 12,500.00	\$ 12,500
8	Traffic Control	1	LS	\$ 7,500.00	\$ 7,500
9	Asphaltic Pavement Removal and Repair (3 Locations)	55	SY	\$ 98.00	\$ 5,400
10	Heavy Polyethylene Warning Tape for Trenching	1,550	LF	\$ 0.50	\$ 800
11	22" Steel Casing in Bore (2 RR locations)	75	LF	\$ 500.00	\$ 37,500
12	12-inch SDR-35 Sewer Line (5'-10' Cut)*	1,550	LF	\$ 75.00	\$ 116,300
13	Tie to Existing Sewer Line	2	EA	\$ 3,500.00	\$ 7,000
14	Cut and Plug Existing Sewer Line	10	EA	\$ 350.00	\$ 3,500
15	Trench Safety	1,550	LF	\$ 5.00	\$ 7,800
16	Manholes (Including Lining)	5	EA	\$ 8,000.00	\$ 40,000
16	Extra Depth for Manholes (Over 6-foot Depth)	30	VF	\$ 750.00	\$ 22,500
17	Contingencies (10%)	1	LS	\$ 24,800.00	\$ 24,800
30" Sewer Improvements - WWTP Subtotal					\$ 285,600
15" Sewer Improvements- IH-20 Extension					
18	Mobilization / Demobilization	1	LS	\$ 40,000.00	\$ 40,000
18	Traffic Control	1	LS	\$ 7,500.00	\$ 7,500
19	Asphaltic Pavement Repair	435	SY	\$ 98.00	\$ 42,600
19	Heavy Polyethylene Warning Tape for Trenching	3,800	LF	\$ 0.50	\$ 1,900
20	Excavation and Shoring for Bore	800	CY	\$ 12.00	\$ 9,600
21	24" Steel Casing in Bore (10' - 12' Depth)	420	LF	\$ 600.00	\$ 252,000
21	Casing Spacers	70	EA	\$ 185.00	\$ 13,000
22	15-inch SDR-35 Sewer Line	3,800	LF	\$ 90.00	\$ 342,000
23	Tie to Existing Sewer Manhole	1	EA	\$ 2,500.00	\$ 2,500
24	Trench Safety	1,550	LF	\$ 5.00	\$ 7,800
25	Manholes (Including Lining, 0' - 6' Depth)	9	EA	\$ 8,000.00	\$ 72,000
26	Extra Depth for Manholes (Over 6-foot Depth)	30	VF	\$ 750.00	\$ 22,500
27	Manhole Stub-out	4	EA	\$ 1,200.00	\$ 4,800
28	Contingencies (5%)	1	LS	\$ 38,900.00	\$ 38,900
15" Sewer Improvements - IH-20 Extension					\$ 857,100

* For Preliminary Use Only.
 Not to be used for construction
 permitting or other construction
 purposes

OPINION OF PROBABLE CONSTRUCTION COST
Big Spring- Water and Wastewater System Improvements
2013/2014 Capital Improvements Project
 11/4/2013

ITEM	DESCRIPTION	QUANTITY UNIT	UNIT PRICE	TOTAL
SUMMARY				
	WATERLINE IMPROVEMENTS 2013 CIP		\$	460,200
	WATERLINE IMPROVEMENTS 2014 CIP		\$	177,000
	SEWER LINE IMPROVEMENTS 2014 CIP (Airpark and WWTP)		\$	344,400
	SEWER LINE IMPROVEMENTS I-20 EXTENSION		\$	857,100
	TOTAL CONSTRUCTION COST		\$	1,838,700

* For Preliminary Use Only.
 Not to be used for construction
 permitting or other construction
 purposes



LEGEND
 — 2013 CIP
 — 2014 CIP
 — TDA

PROPOSED WATER LINE IMPROVEMENTS EXHIBIT



PARKHILL SMITH & COOPER
PSC BS WATERLINE IMPROVEMENTS
 Issue: NOV. 2013
 Project No: 01.0349.12 Sheet: 1 OF 1



CITY OF BIG SPRING
SEWER LINE RELOCATION
SEWER SITE MAP



PARKHILL SMITH & COOPER

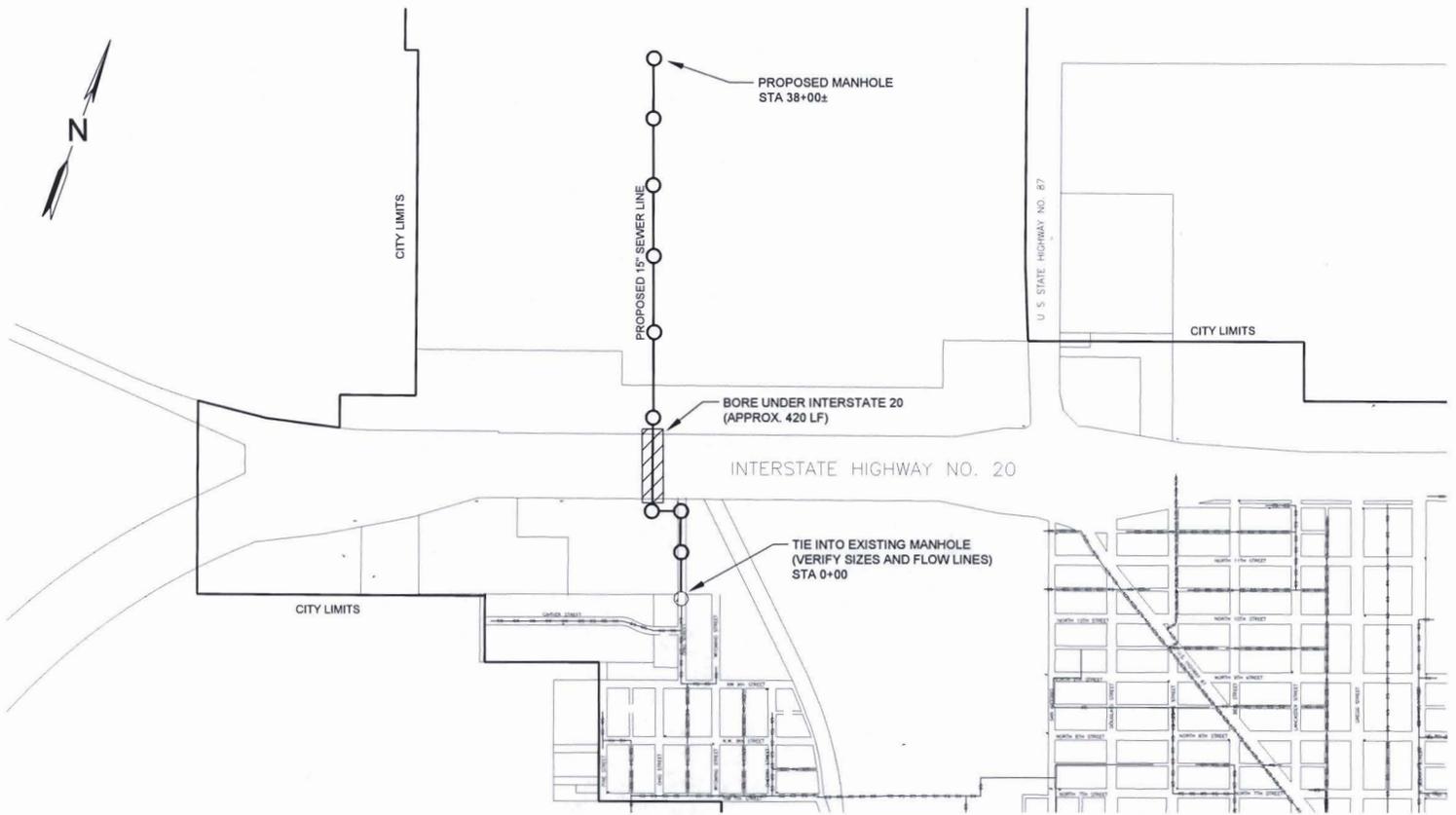
Date: 9/24/13



CITY OF BIG SPRING
SEWER LINE RELOCATION
SEWER SITE MAP



Date: 9/24/13



BIG SPRING I-20 SEWER IMPROVEMENTS

PARKHILL SMITH & COOPER
PSC
 Issue: _____ Date: 25OCT2013
 Project No: _____ Sheet: 1 OF 1

**PERFORMANCE AGREEMENT BETWEEN
BIG SPRING ECONOMIC DEVELOPMENT CORPORATION
AND
THE CITY OF BIG SPRING**

This agreement is made and entered into by and between Big Spring Economic Development Corporation a Texas non-profit corporation, hereinafter referred to as the “EDC” and the City of Big Spring, Texas a Texas home-rule municipality, hereinafter referred to as the “City,” collectively hereinafter referred to as the “Parties.” The Agreement shall become effective upon execution by both Parties, the “Effective Date.”

1. RECITALS

WHEREAS, the EDC is a Type A economic development corporation created pursuant to Chapter 504 of the Texas Local Government Code, as amended ; and

WHEREAS, the City finds it necessary to construct a railroad storage facility on the McMahon Wrinkle Industrial Airpark at 1600 1st Avenue, Big Spring, Texas for the benefit of its tenant, Western Container Corporation and potential new businesses; and

WHEREAS the improvements to be made are more specifically outlined in the specifications attached hereto as Exhibit “A” and incorporated herein by reference, (hereinafter the “Improvements”); and

WHEREAS, EDC finds that the Improvements meet the definition of a “project” as defined in Section 501.103 of the Texas Local Government Code, in that they are “required or suitable for infrastructure necessary to promote or develop new or expanded business enterprises;” and

WHEREAS, the EDC is willing to provide funding for, and to manage and direct the construction of, the Improvements with the expectation that existing jobs will be retained as a result;

NOW THEREFORE, in consideration of the mutual agreements, covenants and conditions contained herein, the Parties agree as follows:

2. DEFINITIONS

Maximum Financial Assistance. The words “Maximum Financial Assistance” means the sum of Four hundred ninety three thousand nine hundred thirty one dollars and ninety two cents (\$493,931.32), which shall be the maximum amount of funds that the EDC will expend on the Improvements attached hereto as Exhibit “B” and incorporated herein by reference. The EDC will be responsible for maintaining records of the expenditures on the Improvements.

3. AGREEMENT

The EDC agrees to hire a competent contractor to construct the Improvements. The EDC will require the contractor it hires to construct the Improvements, to submit a detailed design plan of the Improvements to the City's Airport Director and obtain his approval in writing prior to beginning any construction activities. The EDC will also require the contractor to obtain the types and amounts of insurance coverage that the City requires of contractors performing work on City premises. The Parties agree that the Improvements shall be the sole property of the City and no liens or other encumbrances shall be placed on the Improvements. The City further agrees that it will be responsible for maintenance of the Improvements after completion either through its Lessee, Transport Handling Specialists, Inc. or through such other means as the City shall deem prudent in its sole discretion.

5. TERM

This Agreement shall be effective for 1 year from the Effective Date, unless terminated sooner hereunder.

6. MISCELLANEOUS PROVISIONS

- a. **Venue.** Texas law shall govern interpretation of this Agreement and all disputes hereunder. This Agreement is to be performed in Howard County, Texas, and venue of any dispute between the parties shall be fixed in Howard County, Texas.
- b. **Signature Authority.** The persons executing this Agreement are authorized to sign this Agreement on behalf of the party for which they sign, and have the express power to bind the parties for which they sign.
- c. **Notice.** Notices or correspondence under this Agreement to either party from the other may be personally delivered or sent by First Class Mail, overnight courier or facsimile.

Notice to EDC shall be sent to:

215 W. Third Street
PO Box 3359
Big Spring, Texas 79721-3359
Attn: Terry Wegman, Director
Facsimile: 432-264-6042

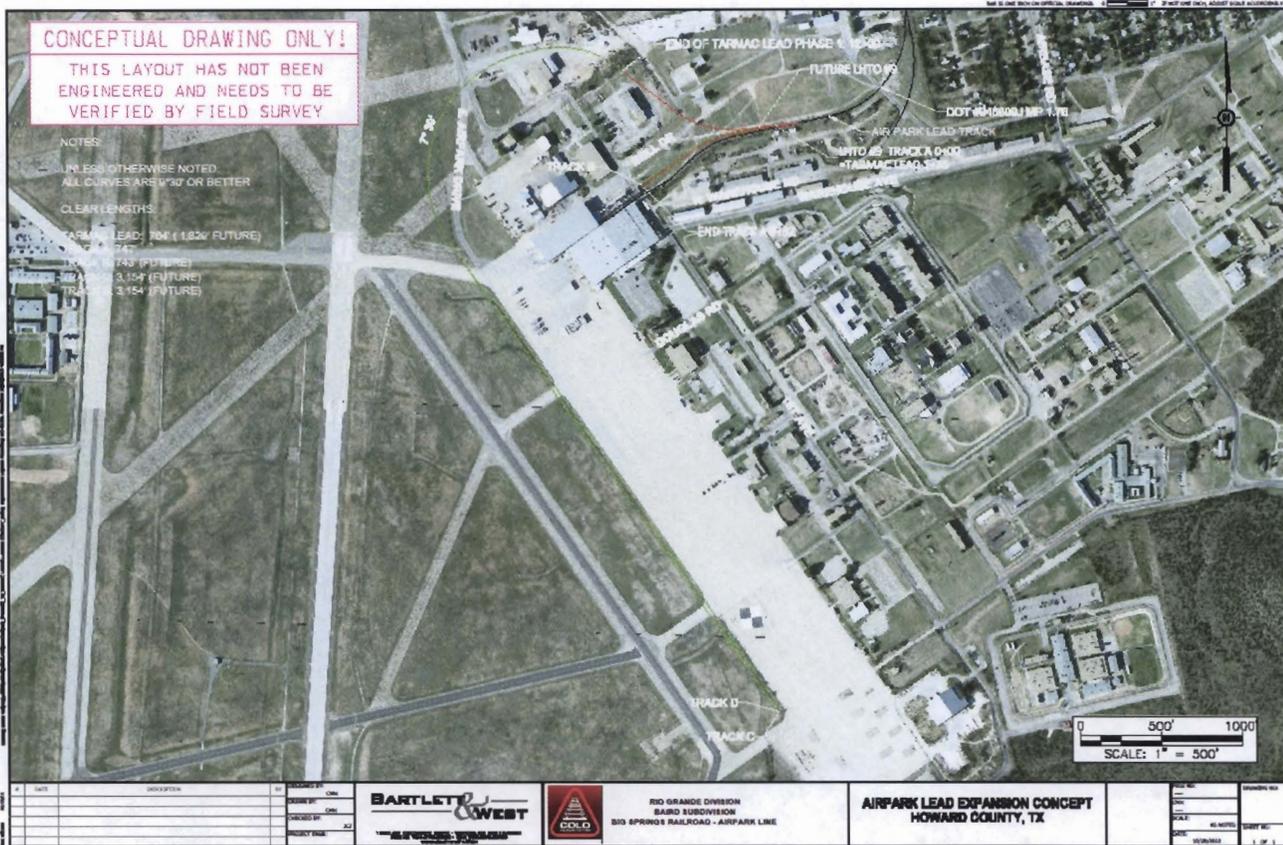
Notice to the City shall be sent to:

310 Nolan Street
Big Spring, TX 79720
Attn: Todd Darden, City Manager
Facsimile: 432-263-8310

- d. **Waiver.** No waiver by either party of any provision of this Agreement shall be effective unless in writing and such waiver shall not be construed as or implied to be a subsequent waiver of that provision or any other provision.
- e. **Assignment.** Neither party may assign this Agreement without the prior written approval of the other party.
- f. **Entire Agreement/Binding Authority.** This Agreement supersedes and constitutes a merger of all prior oral and/or written agreements and understandings of the parties on the subject matter of this Agreement and is binding on the parties and their legal representatives, receivers, executors, successors, agents and assigns.
- g. **Amendments.** This Agreement, together with any related documents, constitutes the entire understanding and agreement of the parties as to the matters set forth in this Agreement. No alteration of or amendment to this Agreement shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.
- h. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same document.
- i. **Severability.** The provisions of this Agreement are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this Agreement is for any reason held by a court of competent jurisdiction to be contrary to law or contrary to any rule or regulation have the force and effect of the law, the remaining portions of the Agreement shall be enforced as if the invalid provision had never been included.

Signature Pages Follow:

EXHIBIT "A"



Improvements designated in 'Red'

EXHIBIT "B"

Colo Railroad Builders

13834 Reeveston Rd.
Houston, Texas 77039
USA

www.colorr.com



P 832-564-3181
F 832-201-7337

To: Terry Wegman Address: 215 W 3 rd Big Spring, TX 79720	Contact: Phone 432-264-6032 Fax:
Project Name:BSRR- ATrack and Tarmac-Phase 1 Project Location: Big Spring, TX	Bid Number: Big Spring Bid Date: 10/28/2013

Item #	Item Description	Estimated Quantity	Unit
1	2132 TF, 2 #9 Turnouts, 9020 Rail, and 7X9 IG Ties		\$493,931.92

Total Bid Price: \$493,931.92

Notes:

This proposal is for working Monday through Friday only, excluding holidays
Any Delays not caused by Colo will be billed at applicable hourly rates
Prevailing Wages are not included in this price
Colo has full access to the work site
Colo has uninterrupted track time for the entire project
All traffic and safety control to be provided by others
Above Pricing is valid for 30 days from the date of this proposal

Payment Terms:

Payment is due within 30 days

ACCEPTED: The above prices specifications and conditions are satisfactory.	CONFIRMED: Colo Railroad Builders
Buyer: _____	

Signature: _____

Date of Acceptance: _____

Authorized Signature: _____

Estimator: _____

City of Big Spring Investment Report Quarter Ending September 30, 2013

	<u>Market Value</u> 6/30/13	<u>Quarterly</u> Interest Income	<u>Net Additions/ Decreases</u>	<u>Market Value</u> 9/30/13
<u>TexPool Funds</u>				
Utility Escrow	-	-	-	-
Airpark	496,463.58	56.93	-	496,520.51
Landfill Closure	2,253,085.64	258.18	-	2,253,343.82
Operating Account	1,730,544.99	198.33	-	1,730,743.32
Cemetery	350,916.20	40.21	-	350,956.41
Health Insurance	-	-	-	-
Total TexPool	\$ 4,831,010.41	\$ 553.65	\$ -	\$ 4,831,564.06
<u>TexSTAR Funds</u>				
Certificates of Obligation	-	-	-	-
Certificates of Obligation 2012	11,812,999.56	1,295.10	(5,000,000.00)	6,814,294.66
Total TexSTAR	\$ 11,812,999.56	\$ 1,295.10	\$ (5,000,000.00)	\$ 6,814,294.66
Total Funds in Pools	\$ 16,644,009.97	\$ 1,848.75	\$ (5,000,000.00)	\$ 11,645,858.72

City of Big Spring Investment Report Quarter Ending September 30, 2013

	Value 6/30/13	Quarterly Interest Income	Net Additions/ Decreases	Value 9/30/13
Western Bank-				
Maturity 9/30/2013	\$ 101,045.39	\$ 114.65	\$ -	\$ 101,160.04
Maturity 9/30/2013	131,470.38	429.54	-	131,899.92
Total Western Bank	\$ 232,515.77	\$ 544.19	\$ -	\$ 233,059.96
Lone Star State Bank				
Maturity 9/30/2013	\$ 100,701.69	\$ 76.07	\$ -	\$ 100,777.76
Maturity 9/30/2013	131,469.98	165.39	-	131,635.37
Total Lone Star Bank	\$ 232,171.67	\$ 241.46	\$ -	\$ 232,413.13
BBVA Compass				
Money Market - 2521127867	\$ 5,513,889.42	\$ 1,974.00	\$ (1,000,000.00)	\$ 4,515,863.42
Total BBVA Compass	\$ 5,513,889.42	\$ -	\$ (1,000,000.00)	\$ 4,515,863.42
Total Investments	\$ 22,622,586.83	\$ 2,634.40	\$ (6,000,000.00)	\$ 16,627,195.23

**City of Big Spring
Monthly Interest Rates
Quarter Ending September 30, 2013**

	July	August	September	Average
TexPool Funds	0.0500%	0.0400%	0.0000%	0.0310%
TexSTAR Funds	0.0487%	0.0474%	0.0390%	0.0461%
Western Bank				0.4500%
	6 month CD			0.6500%
Lone Star State Bank				0.2997%
	6 month CD			0.4991%
BBVA Compass Money Market				0.2000%

Prepared by:  _____
Donald Moore - Interim Finance Director

 _____
Todd Darden - City Manager

Minutes of the Board of Director's Regular Meeting
BIG SPRING ECONOMIC DEVELOPMENT CORPORATION
Tuesday, September 17, 2013 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, September 17, 2013 in the offices of the Big Spring Economic Development Corporation with Mr. DePauw, presiding. The following notice was sent on August 23, 2013 to all Directors, the news media, and duly posted on September 13, 2013, 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, September 17, 2013 at 5:15 p.m. in the offices of the Big Spring Economic Development Corporation, 215 West Third Street, Big Spring, Texas. The purpose of the meeting is: Action on Minutes of the August 27, 2013 Regular Meeting, Action on August Financials, Action on August Investment Reports, Action to Approve 2012-2013 Annual Report, Directors Report, Executive Session, Action as a Result of Executive Session, Public Comment; Board Comment, and Adjourn".

Directors Present:

Mr. Jim DePauw
Dr. Keith Ledford
Mr. Justin Myers
Mrs. Frances Hobbs

Directors Absent:

Mr. Scott MacKenzie

Staff Present:

Mr. Terry Wegman
Mrs. Teresa Darden

Guests: Michelle Sanchez, JoeMacias, Andria Medlin, Carmen Harbour, Marvin Boyd, Jr. Yanez.

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

Mr. DePauw called the meeting to order at 5:18 p.m. Mr. Myers led the invocation and pledge.

ACTION ITEM #2- Action on Minutes of the August 27, 2013 Regular Meeting:

Mr. DePauw presented the minutes of the August 27, 2013 Regular Meeting. Motion to accept the minutes were made by Mr. Myers, seconded by Mrs. Hobbs. The motion passed 3 to 0 with all members present voting "aye" in favor of the motion.

ACTION ITEM #3- Action on August Financials Report:

Mr. Myers presented the August Financial report. Motion to approve the August Financial Report was made by Mr. DePauw seconded by Mrs. Hobbs. The motion passed 3 to 0 with all members present voting "aye" in favor of the motion. Dr. Ledford arrived 5:30pm

ACTION ITEM #4- Action on August Investment Report:

Mr. Myers presented the August Investment report. Motion to approve the August Investment Report was made by Mrs. Hobbs, seconded by Mr. DePauw. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion

AGENDA ITEM 5 #- Approval of 2013-2014 Annual Report:

Motion to approve the 2013-2014 Annual Report was made by Mr. Myers seconded by Mr. DePauw. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion.

AGENDA ITEM #6- Directors Report:

Mr. Wegman updated the Board on projects including Permian Energy Partners has turned in the first draft of the lease and partnership agreement. Two companies have submitted Comprehensive Plans and those plans have been forwarded to CBRE for review. Leading EDG and Matty McLain will be in Big Spring 2 days every other week. Work on rail infrastructure engineering and estimates for the airpark are under way. Mr. Wegman also updated the Board on upcoming meetings to include: West Texas Energy Consortium Steering Committee Sept 24th, City Council Update Sept 24th, New Board Member Selection Sept 24th, High ground Planning Retreat Sept 25th, Meeting w/Union Pacific Industrial Development Team Sept 25th, Board of Realtors Sept 25th, Ports to Plains Annual Meeting in Amarillo Oct 1st, SWARS Conference in Phoenix Oct 2nd, TML in Austin Oct 8th, TEDC Sales Tax Training, Annual Meeting and CEDA Awards Oct 14-16th and the next Board Meeting will be either October 22nd or 29th due to training and conferences.

AGENDA ITEM #7- Executive Session:

- 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), also; Section 551.072 a governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have detrimental effect on the position of the governmental body in negotiations with a third party.
 - Potential Lease of the BSEDC Property

Mr. DePauw adjourned the Board of Directors into Executive Session @ 5:50 p.m. September 17, 2013.

Mr. DePauw called Executive Session of September 17, 2013 to order at 5:52 p.m.

Mr. DePauw adjourned out of executive session @ 6:36 p.m. September 17, 2013

Mr. DePauw reconvened the Board of Directors into open session @ 6:36 p.m. September 17, 2013

AGENDA ITEM #8- Action as a Result of Executive Session:

None

AGENDA ITEM #9- Public Comments:

None

AGENDA ITEM # 10- Board Comments:

Dr. Ledford expressed how honored and privileged he has been to work on this board. Mr. DePauw conveyed his deep admiration for Dr. and Mrs. Ledford and that this community is a better place because of their efforts.

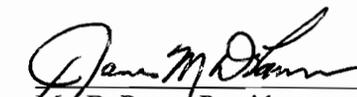
AGENDA ITEM # 16- Adjourn:

Mr. DePauw asked for a motion to adjourn.

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

Meeting adjourned at 6:39 pm on September 17, 2013

ATTEST: 
Mr. Myers, Vice President


Mr. DePauw, President