

CITY COUNCIL AGENDA

City of Big Spring
Tuesday, December 11, 2012

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, December 11, 2012, at 5:30 p.m. in the City Council Chambers located at 307 East 4th Street, Big Spring, Texas.

The City Council may discuss and/or take action on each of the following items before it and may go into Executive Session on any item listed on the agenda in accordance with Chapter 551 of the Texas Government Code.

Presentations & Public Hearings

1. Invocation & Pledge of Allegiance to the United States Flag and to the Texas State Flag Duncan
2. Presentation of "Mayor and Council Special Recognition Award" Duncan

Disposition of Minutes

3. Minutes of the Special Meeting of November 17, 2012 5-9 Davis

Consent Items

4. Final Reading of an Ordinance Amending the Zoning Ordinance by Changing the Zoning from Single Family-1 (SF-1) to Light Commercial (LC) for the Property Located at the Northeast Corner of Westover & FM 700 Described as 1.72 Acres out of the SW/4 of Section 6, Block 32, T-1-S, T & P RR Co. Survey, Howard County; Providing a Severability Clause; Providing an Effective Date 10 Darden
5. Final Reading of an Ordinance Amending Chapter 13, Article 5 of the City Codes Entitled "Food and Food Establishments," Section 13-102 Entitled "Permits and Exemptions" by Adding Day Care Centers to Those Establishments That are Exempt from the Permitting Process; Providing for Severability; and Providing an Effective Date 11-13 Sjogren

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| 6. | Final Reading of an Ordinance Amending the Code of Ordinances by Amending Chapter One, Section 1-8 (B) to Update Retirement Eligibility and Vesting Requirements to 5 Years of Service in the Texas Municipal Retirement System Pursuant to the Provisions of Sections 62.105 and 64.202 (g) of Title 110B, Revised Civil Statutes of Texas, 1925; and Providing an Effective Date | 14 | Medina |
| 7. | 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 | 15-16 | Walker |
| 8. | Acceptance of McMahon Wrinkle Airpark Development Board Minutes for Meeting of October 18, 2012 | 17-18 | Walker |

Routine Business

- | | | | |
|----|---------------------------------------|--|---------|
| 9. | Vouchers for 11/15/12 \$ 1,443,965.42 | | Harbour |
| | Vouchers for 11/29/12 \$ 771,357.02 | | |
| | Vouchers for 12/06/12 \$ 763,290.96 | | |

Bids

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|-----|---|----|--------|
| 10. | Approval of Plans and Specifications and Permission to Advertise for Water Treatment Plant Upgrades "Phase A" | 19 | Darden |
| 11. | Award Bids as Follows and Authorizing the City Manager or His Designee to Execute Any Necessary Documents | | |
| a. | (8) Police Vehicles | 20 | Medina |
| b. | (2) ½ Ton Short Wheel Base Extended Cab Pickups | 21 | Medina |
| c. | (1) ½ Ton Long Wheel Base Extended Cab Pickup | 22 | Medina |
| d. | (2) ½ Ton Regular Cab Pickups | 23 | Medina |
| e. | (1) Wheel Loader | 24 | Medina |
| f. | (1) Dual Drum Roller | 25 | Medina |
| g. | (1) Bulldozer | 26 | Medina |
| h. | (2) Utility Vehicles | 27 | Medina |

New Business

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|-----|--|-------|---------|
| 12. | First Reading of a Resolution Authorizing the Filing of a Grant Application with the Permian Basin Regional Planning Commission for the Regional Solid Waste Grants Program; Authorizing the City Manager or His Designee to Act as the Authorized Representative and to Execute Any Necessary Documents | 28-29 | Darden |
| 13. | Emergency Reading of a Resolution Authorizing the City Manager to Terminate Stage III and to Enact Stage II of the City’s Drought Contingency Plan; Amending Established Watering Schedules for City of Big Spring Water Customers; and Establishing an Effective Date | 30-31 | Darden |
| 14. | Approval of an Interlocal Agreement with Howard County Junior College District for Mutual Purchase or Sale of Property and Authorizing the Mayor or His Designee to Execute Any Necessary Documents | 32-34 | Sjogren |
| 15. | Approval of Investment Report for the Quarter Ending September 30, 2012 | 35-37 | Walker |
| 16. | Acceptance of Big Spring Economic Development Corporation Board of Directors Minutes for Regular Meeting of October 16, 2012 | 38-41 | Fuqua |

City Manager’s Report

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| 17. | | | Fuqua |
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Council Input

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| 18. | Input | | Duncan |
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Executive Session

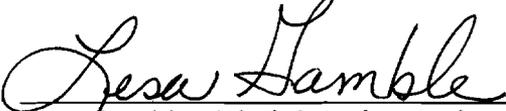
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| 19. | Adjourn into an Executive Session under Section 551.071(2) – of the Texas Government Code to Consult with the City Attorney and Under Section 551.072 of the Texas Government Code to Discuss the Purchase, Exchange, Lease or Value of Real Property | | Duncan |
| 20. | Reconvene into Regular Session to Consider Authorizing the Mayor to Negotiate the Purchase, Sale or Exchange of Property for a New Landfill and to Take Any Other Necessary Action or Execute Any Documents to Acquire Such Property | | Duncan |

21. Consider Accepting a Donation of Real Property and Authorizing the Mayor to Execute Any Necessary Documents

Duncan

22. Adjourn

I hereby certify that this agenda was posted on the official bulletin boards at the Big Spring City Hall Building, 310 Nolan Street, Big Spring, Texas on Friday, December 7, 2012 at 4:30 p.m. In addition this agenda and supporting documents are posted on the City of Big Spring's website, www.mybigspring.com in accordance with legal requirements.


Lesa Gamble, Administrative Assistant

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

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

December _____, 2012 at _____ a.m./p.m. By: _____
City Secretary's Office

STATE OF TEXAS :
COUNTY OF HOWARD :
CITY OF BIG SPRING :

The City Council of the City of Big Spring, Texas, met in a special meeting in the City Council Chambers located at 307 E. 4th, Big Spring, Texas, at 2:00 p.m., November 17, 2012, with the following members present:

TOMMY DUNCAN	Mayor
CRAIG OLSON	Mayor Pro Tem
MARCUS FERNANDEZ	Councilmember
CARMEN HARBOUR	Councilmember
BOBBY MCDONALD	Councilmember
MARVIN BOYD	Councilmember

(Councilmember Carrigan was not present at this meeting)

Same and constituting a quorum; and

GARY FUQUA	City Manager
TODD DARDEN	Assistant City Manager
LINDA SJOGREN	City Attorney
PEGGY WALKER	Finance Director/City Secretary
JOHN MEDINA	Human Resources Director
LONNIE SMITH	Police Chief
CRAIG FERGUSON	Fire Chief
JIM LITTLE	Airpark Director
TIM GREEN	Municipal Court Judge

PRESENTATIONS & PUBLIC HEARINGS

INVOCATION & PLEDGE OF ALLEGIANCE

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

PUBLIC HEARING – CONSIDERATION AND DISCUSSION OF A ZONE CHANGE FROM SINGLE FAMILY-1 (SF-1) TO LIGHT COMMERCIAL (LC) FOR THE PROPERTY LOCATED AT THE NORTHEAST CORNER OF WESTOVER & FM 700 DESCRIBED AS 1.72 ACRES OUT OF THE SW/4 OF SECTION 6, BLOCK 32, T-1-S, T&P RR CO. SURVEY

Motion was made by Councilmember Fernandez, seconded by Mayor Pro Tem Olson, with all members of the Council voting “aye” to open the public hearing. Todd Darden, Assistant City Manager, explained the zone change was a vacant lot and would be used for retail business. He further explained that the Planning & Zoning Commission

approved the zone change request on October 13, 2012 and there were no objections from letters sent out to surrounding citizens.

After a few questions from the Council and no public comments, motion was made by Councilmember McDonald, seconded by Councilmember Harbour, with all members of the Council voting "aye" to close the public hearing.

DISPOSITION OF MINUTES

MINUTES OF THE REGULAR MEETING OF OCTOBER 23, 2012

Motion was made by Councilmember Boyd, seconded by Mayor Pro Tem Olson, with all members of the Council voting "aye" approving minutes of the regular meeting of October 23, 2012.

CONSENT ITEMS

FINAL READING OF AN ORDINANCE AMENDING CHAPTER SIX OF THE CITY CODES ENTITLED "CEMETERIES, PARKS AND RECREATION" BY AMENDING ARTICLE 10 ENTITLED "BALL FIELD RECREATIONAL AREAS" BY AMENDING SECTION 6-181(B) ENTITLED "LEAGUE FEES PRESCRIBED" BY PERMITTING CONCESSION STANDS TO BE LOCKED WITH KEYS PROVIDED BY THE CITY AND PROVIDING A FEE OF \$100.00 FOR A LEAGUE'S FAILURE TO RETURN SUCH KEYS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

ACCEPTANCE OF MCMAHON WRINKLE AIRPARK DEVELOPMENT BOARD MINUTES FOR MEETING OF SEPTEMBER 20, 2012

Motion was made by Councilmember Boyd, seconded by Mayor Pro Tem Olson, with all members of the Council voting "aye" approving the above listed ordinance and minutes.

ROUTINE BUSINESS

Councilmember Harbour reviewed the vouchers. Motion was made by Councilmember Harbour, seconded by Mayor Pro Tem Olson, with all members of the Council voting "aye" approving vouchers in the amount of \$236,625.82 (10/25/12), \$764,082.29 (11/01/12) and \$480,365.62 (11/08/12).

BIDS

AWARD BID FOR TRACTOR WITH AERATOR AND AUTHORIZE 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 bid to South Plains Implement in the amount of

\$29,315.51 for a tractor with aerator and authorize the City Manager or his designee to execute any necessary documents.

NEW BUSINESS

EMERGENCY READING OF AN ORDINANCE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL ELECTION WHICH WAS HELD ON THE 6TH DAY OF NOVEMBER, 2012 FOR THE VOTERS TO CONSIDER ABOLISHING THE TYPE A ONE HALF CENT SALES AND USE TAX ADOPTED ON MAY 5, 1990 AND REPLACING THE TAX WITH A TYPE B ONE HALF CENT SALES AND USE TAX UNDER CHAPTER 505 OF THE TEXAS LOCAL GOVERNMENT CODE TO UNDERTAKE ANY PROJECTS ALLOWED UNDER CHAPTER 501, 502, 504 AND 505 OF THE TEXAS LOCAL GOVERNMENT CODE

Motion was made by Councilmember Fernandez, seconded by Mayor Pro Tem Olson, with all members of the Council voting “aye” approving an emergency reading of an ordinance canvassing the returns and declaring the results of the special election which was held on the 6th day of November, 2012 for the voters to consider abolishing the Type A one half cent sales and use tax adopted on May 5, 1990 and replacing the tax with a Type B one half cent sales and use tax under Chapter 505 of the Texas Local Government Code to undertake any projects allowed under Chapter 501, 502, 504 and 505 of the Texas Local Government Code. The proposition fails with the results as follows: FOR – 2,055; AGAINST – 3,258

FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING FROM SINGLE FAMILY-1 (SF-1) TO LIGHT COMMERCIAL (LC) FOR THE PROPERTY LOCATED AT THE NORTHEAST CORNER OF WESTOVER & FM 700 DESCRIBED AS 1.72 ACRES OUT OF THE SW/4 OF SECTION 6, BLOCK 32, T-1-S, T & P RR CO. SURVEY, HOWARD COUNTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember McDonald, seconded by Mayor Pro Tem Olson, with all members of the Council voting “aye” approving first reading of an ordinance amending the Zoning Ordinance by changing the zoning from Single Family-1 (SF-1) to Light Commercial (LC) for the property located at the northeast corner of Westover & FM 700 described as 1.72 acres out of the SW/4 of Section 6, Block 32, T-1-S, T & P RR Co. Survey, Howard County; providing a severability clause; providing an effective date.

EMERGENCY READING OF A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AFFIDAVIT FOR UTILITY OWNER TO BE SUBMITTED TO THE TEXAS DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE MAYOR TO ACT AS THE CITY’S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE US HIGHWAY 87 IMPROVEMENTS

Motion was made by Councilmember Harbour, seconded by Councilmember Boyd, with all members of the Council voting “aye” approving an emergency reading of a resolution authorizing the Mayor to execute an affidavit for utility owner to be submitted to the Texas

Department of Transportation and authorizing the Mayor to act as the City's executive officer and authorized representative in all matters pertaining to the US Highway 87 improvements.

DISCUSSION AND CONSIDERATION OF NAME CHANGE OF THE BIG SPRING FAMILY AQUATIC CENTER TO THE RUSS MCEWEN FAMILY AQUATIC CENTER

Gary Fuqua, City Manager, explained that he had received a letter from a Junior at Big Spring High School requesting to rename the Big Spring Family Aquatic Center after the former Mayor Russ McEwen for his dedication and many accomplishments in helping the youth of our city.

After a brief discussion, motion was made by Councilmember McDonald, seconded by Mayor Pro Tem Olson, with all members of the Council voting "aye" to rename the Big Spring Family Aquatic Center to the Russ McEwen Family Aquatic Center.

FIRST READING OF AN ORDINANCE AMENDING CHAPTER 13, ARTICLE 5 OF THE CITY CODES ENTITLED "FOOD AND FOOD ESTABLISHMENTS," SECTION 13-102 ENTITLED "PERMITS AND EXEMPTIONS" BY ADDING DAY CARE CENTERS TO THOSE ESTABLISHMENTS THAT ARE EXEMPT FROM THE PERMITTING PROCESS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember Boyd, seconded by Mayor Pro Tem Olson, with all members of the Council voting "aye" approving first reading of an ordinance amending Chapter 13, Article 5 of the City Codes entitled "Food and Food Establishments," Section 13-102 entitled "Permits and Exemptions" by adding Day Care Centers to those establishments that are exempt from the permitting process; providing for severability; and providing an effective date.

FIRST READING OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER ONE, SECTION 1-8 (B) TO UPDATE RETIREMENT ELIGIBILITY AND VESTING REQUIREMENTS TO 5 YEARS OF SERVICE IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM PURSUANT TO THE PROVISIONS OF SECTIONS 62.105 AND 64.202 (g) OF TITLE 110B, REVISED CIVIL STATUTES OF TEXAS, 1925; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember Boyd, seconded by Mayor Pro Tem Olson, with all members of the Council voting "aye" approving first reading of an ordinance amending the Code of Ordinances by amending Chapter One, Section 1-8 (B) to update retirement eligibility and vesting requirements to 5 years of service in the Texas Municipal Retirement System pursuant to the provisions of Sections 62.105 and 64.202 (g) of Title 110B, revised Civil Statutes of Texas, 1925; and providing 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 Fernandez, seconded by Councilmember Boyd, 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.

APPROVAL OF AN AMENDMENT TO THE INTERLOCAL AGREEMENT WITH HOWARD COUNTY FOR EMERGENCY AMBULANCE SERVICE AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Mayor Pro Tem Olson, seconded by Councilmember Fernandez, with all members of the Council voting “aye” approving an amendment to the Interlocal Agreement with Howard County for emergency ambulance service and authorizing the Mayor or his designee to execute any necessary documents.

CITY MANAGER’S APPOINTMENT TO CIVIL SERVICE COMMISSION

City Manager, Gary Fuqua, appointed Jim Clements to the Civil Service Commission.

CITY MANAGER’S REPORT

Gary Fuqua, City Manager, reminded the Council of the one council meeting on December 11th.

COUNCIL INPUT

Mayor Duncan announced that the United Way Campaign was off to a good start and that the annual event with Howard College and the veterans went very well.

Mayor Pro Tem Olson asked that everyone keep the families that were involved in a parade accident in Midland in their prayers.

Councilmember Fernandez wished everyone a safe and happy Thanksgiving.

Councilmember McDonald announced that he and several councilmembers attended the TML Annual Conference and it was very informative.

ADJOURN

Motion was made by Councilmember Boyd, seconded by Councilmember Fernandez, with all members of the Council voting “aye” to adjourn at 2:50 p.m.

CITY OF BIG SPRING, TEXAS

Tommy Duncan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING FROM SINGLE FAMILY-1 (SF-1) TO LIGHT COMMERCIAL (LC) FOR THE PROPERTY LOCATED AT THE NORTHEAST CORNER OF WESTOVER & FM700 DESCRIBED AS 1.72 ACRES OUT OF THE SW/4 OF SECTION 6, BLOCK 32, T-1-S, T & P RR CO SURVEY, HOWARD COUNTY, BIG SPRING, TEXAS; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS DISCUSSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission held a public hearing on November 13, 2012 and gave its final approval and recommendation of this zone change from Single Family-1 (SF-) to Light Commercial (LC);

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

SECTION 1. The zoning designation shall change from Single Family-1 (SF-1) to Light Commercial (LC) for property located at the Northeast corner of Westover & FM700 described as 1.72 acres out of the SW/4 of Section 6, Block 32, T-1-s, T&P RR Co Survey, Howard County, Big Spring, Texas and such change is hereby approved by the Big Spring City Council as an amendment to the zoning ordinance.

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

SECTION 3. It is officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

SECTION 4. The City Secretary is hereby ordered and directed to cause the descriptive caption as well as the penalty for violation of this ordinance to be published as provided by law.

SECTION 5. This ordinance shall take effect immediately from and after its publication and passage upon two readings in accordance with the provisions of the Charter of the City of Big Spring, and it is accordingly so ordained.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on this the 17th day of November, 2012 with all members present voting "aye" for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 11th day of December, 2012 with all members present voting "aye" for the passage of same.

Tommy Duncan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary

ORDINANCE _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS AMENDING CHAPTER 13, ARTICLE 5 OF THE BIG SPRING CITY CODE ENTITLED "FOOD AND FOOD ESTABLISHMENTS, SECTION 13-102 ENTITLED "PERMITS AND EXEMPTIONS" BY ADDING DAY CARE CENTERS TO THOSE ESTABLISHMENTS THAT ARE EXEMPT FROM THE PERMITTING PROCESS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, day care centers are inspected by the Texas Department of State Health Services; and

WHEREAS, the City of Big Spring City Council finds it necessary to exempt day care centers from the City of Big Spring permitting requirement;

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

SECTION 1. THAT Chapter 13, Article 5, entitled "Food and Food Establishments", Section 13-102 entitled "Permits and Exemptions" of the Code of Ordinances of the City of Big Spring is hereby amended to read as follows:

Sec. 13-102. Permits and Exemptions.

- A. A person may not operate a food establishment without a permit issued by the City of Big Spring unless such person holds a valid Food Establishment Permit from the State Department of Health issued prior to the effective date of this ordinance. Permits are not transferable from one person to another or from one location to another location, except as otherwise permitted by this ordinance. A valid permit must be posted in or on every food establishment regulated by this ordinance.
- B. The following are exempt from the permitting requirements of this ordinance, but are not exempt from compliance with State Rules. The City of Big Spring may require any information necessary to determine whether an organization meets this exemption.
 - 1. School Food Establishments, including day care centers, that are inspected annually by the Texas Department of Health;

2. Federally inspected food establishments;
3. Correctional facilities subject to inspection by the Texas Department of Criminal Justice or the Texas Jail Commission;
4. Nursing homes subject to inspection by Long Term Care Regulatory agency of the Texas Department of Human Services;
5. Hospitals subject to inspection by the Health Facility Licensure Division in the Department and that do not serve food to the general public;
6. Food establishments on state campuses inspected by state college or university personnel in accordance with the requirements of §229.373 of Title 25 Texas Administrative Code (relating to minimum Standards for Permitting and Operation);
7. Food establishments licensed under the Health and Safety Code, Chapter 431, as manufacturers of food;
8. Food establishments subject to inspection by the Texas Department of State Health Services; and
9. Food and beverage vending machines.

C. Nonprofit organizations are exempt from the permit fees but not from the permitting requirements of this ordinance or from the State Rules.

SECTION 2. 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 3. THAT all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4. 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 the first reading at regular meeting of the City Council on the **6th** day of **November, 2012**, with all members present voting “aye” for passage of the same.

PASSED AND APPROVED on the second reading at regular meeting of the City Council on the 20th day of October, 2012, with all members present voting “aye” for passage of the same.

Tommy Duncan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER ONE, SECTION 1-8 (B) TO UPDATE RETIREMENT ELIGIBILITY AND VESTING REQUIREMENTS TO 5 YEARS OF SERVICE IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM PURSUANT TO THE PROVISIONS OF SECTIONS 62.105 AND 64.202 (g) OF TITLE 110B, REVISED CIVIL STATUTES OF TEXAS, 1925; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Big Spring is a member of the Texas Municipal Retirement System and as of January 1, 2002 changed its vesting requirements from ten to five years;

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

SECTION 1: The Code of Ordinances of the City of Big Spring, Texas, Chapter One, Article 1, Section 1-8 entitled "In General", is hereby amended as follows:

Sec 1-8: Participation of Employees; New Employees; Eligibility for Retirement; Five Year Vesting; Maximum Age and Prior Service Credits.

Pursuant to the provisions of Sections 62.105 and 64.202 of Subtitle G of Title 110B, Revised Civil Statutes of Texas, 1925, as amended, which Subtitle shall herein be referred to as the "TMRS Act", the City of Big Spring, Texas, adopts the following provisions affecting participation of its employees in the Texas Municipal Retirement System:

- (B) Any member, after five (5) years from the effective date of his or her membership in the System, shall be eligible for service retirement if he or she has attained the age of sixty (60) years; or has completed twenty (20) years of creditable service with one or more municipalities that have authorized eligibility under Section 64.202 of the TMRS Act or under Section XX of former Article 6243h, Vernon's Texas Civil Statutes;

SECTION 2: That this ordinance shall take effect immediately upon its passage in accordance with the provisions of the Charter of the City of Big Spring, and it is accordingly so ordained.

PASSED AND APPROVED on first reading at a special meeting of the City Council on the 17th day of November, 2012 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 11th day of December, 2012 with all members voting "aye" for the passage of the same.

Tommy Duncan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, 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 \$1,392,775 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: Fire Wall Upgrade; Police Vehicles and Associated Equipment (8); Small Fire Engine/Pumper (1); ½ Ton Pickup (3); ¼ Ton

Pickup (2); Front-End Loader (1); Steel Wheel Roller (1); Sanitation Truck (1); D7 Bulldozer (1); Tractor w/ Aerator Accessories (1); 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 special meeting of the City Council on the 17th day of November, 2012, 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 11th day of December, 2012, with all members of the Council voting “aye” for passage of the same.

Tommy Duncan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

City of Big Spring
Big Spring McMahon-Wrinkle Airport and Industrial Park
Development Board Meeting Minutes
October 18, 2012

The Big Spring Airport and Industrial Park Development Board met in Regular Session at 5:30 p.m., Thursday, October 18, 2012 at the Airport Terminal conference room, 3200 Rickabaugh Drive, Big Spring, Texas. Marc Marchesseault called the meeting to order at 5:30 p.m. with the following members in attendance:

Marc Marchesseault	Paschal Odom
Jan Hansen	Jim DeVille
Willie Rangel	

Absent: Ned Crandall Wayne Dawson

Also in attendance: Jim Little, Airport Director Kelly Grant, Director's Assistant
Rodney Patridge, A&P Mechanic

Item # 1

Call to Order

Marc called the meeting to order at 5:30 pm.

Item # 2

Review and approve minutes from September 20, 2012 meeting

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

Item # 3

Big Spring Economic Development Corporation Update

Terry Wegman gave a brief update stating that they had several projects in the works and that they are still waiting on the pending agreement for lease of the land east of Sid Richardson. He hopes to have a more in depth update at the next meeting.

Item # 4

THS Update

Jim stated that THS is already up and running with contracts in place for trans-loading operations and new customers already utilizing the rail system. They currently have agreements with Ft. Worth Pipe and Kinder Morgan and are still getting inquiries from new prospective customers.

Item # 5

Airport Terminal Apron Upgrade Project, Status

Jim stated that the project will be going out for bids within the next three weeks. The project will still incorporate the joint repair on Rwy 17/35 and construction should commence shortly after bid acceptance.

Item # 6

Airport Fuel Tank Farm Project, Status

Jim stated that the project is being worked in conjunction with the Apron project and should be progressing along the same timelines.

Item # 7

Airport Directors Update

Jim updated the board on the recent Permian Basin Airport Board Meeting stating that Midland's Airport has had a booming year with revenues up and flights at an all time high in capacity. They have the new hangar project under construction and the XCOR project in place. The Airport Director from Roswell discussed the recent record

breaking parachute jump from a large helium balloon that garnered national attention. Jim discussed the two new land leases with Ft. Worth Pipe and the progress of the Flight Academy students, stating that all twelve have received their pilot's licenses and are now working toward their instrument rating and commercial licenses. The RNAV GPS Approaches for Runways 06 and 24 have been approved and will be published on May 2, 2013 after resolution of some minor discrepancies that came up in the last two weeks. The Crack Seal project is currently underway on Runway 06/24 and although delayed due to the recent inclement weather, should be completed within the next week. The old barracks building has been approved for demolition and possibilities for aiding in the reduction of the associated costs are being considered at this time. Jim updated the board on his upcoming travel for the TML Conference in Grapevine, TX on November 13-15. For Show & Tell the board viewed photos of the two new Big Spring Rail locomotives.

Item # 8

Leased Building Issues

Jim updated the board on the JCPS and WC sprinkler system repairs, both of which are currently underway. Western Container has requested approval for a new office expansion and the City is working with them on the project.

Item # 9

Airport Safety Committee Report

Wayne Dawson was unavailable for an update, but Marc discussed the upcoming Pilot Safety Meeting and advertising of the event. Rodney provided information on the aircraft maintenance operations for USFA and the pilot certification progress by the Indian students currently training at the school.

Item # 10

Other Events & Activities

No other events or activities at this time.

Item # 11

Board Member Updates

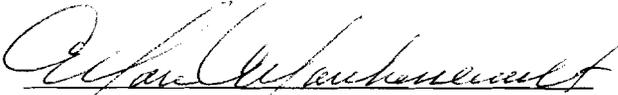
There are no updates at this time.

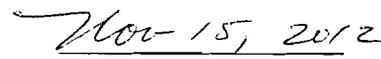
Item # 12

Next Meeting Date

November 15, 2012

Adjournment: 6:30 p.m.


Approved by Marc Marchesseault, Chairman


Date Approved



CITY OF
Big Spring
PUBLIC WORKS
MEMORANDUM

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

FROM: TODD DARDEN, ASSISTANT CITY MANAGER

SUBJECT: REQUEST FOR PERMISSION TO ADVERTISE FOR BIDS FOR THE
CONTRACT A PORTION OF THE WATER TREATMENT PLANT UPGRADES

DATE: DECEMBER 7, 2012

This is a request for permission to advertise for bids for the Contract A portion of the Water Treatment Plant Upgrade Project. Plans and specifications are being prepared by Parkhill, Smith and Cooper and will be placed on file in the Public Works office for review.

Contract A consists of improvements to the following:

- Sludge Dewatering
- Sedimentation Basin and its Collection System
- Flocculators
- Raw Water Valve Improvements
- Associated Equipment for These Areas

Please contact me if you have any questions or concerns.



Purchasing and Material Control Memorandum

To: Honorable Mayor, City Council, City Manager
From: Paul Sotelo, Purchasing Agent
Date: December 11, 2012
Subject: Request for Bid Award for Eight (8) Vehicles for Police Department

On Monday, December 3, 2012, the City of Big Spring received quotes for eight (8) police vehicles from three (3) vendors through the BuyBoard purchasing cooperative.

Recommendation: Staff recommends that the bid be awarded to Grapevine Dodge for eight (8) 2013 Dodge Chargers (V6) in the amount of **\$184,992.00**.



Purchasing and Material Control Memorandum

To: Honorable Mayor, City Council, City Manager
From: Paul Sotelo, Purchasing Agent
Date: December 11, 2012
Subject: Request for Bid Award for Two (2) ½ ton Ext. Cab Pickups

On Monday, December 3, 2012, the City of Big Spring received quotes for a Street Department and Code Enforcement Pickup from three (3) vendors through the BuyBoard purchasing cooperative.

Recommendation: Staff recommends that the bid be awarded to Caldwell Country Chevrolet for two (2) 2013 Chevrolet Ext. Cab SWB ½ ton pickups in the amount of **\$37,130.00**.



Purchasing and Material Control Memorandum

To: Honorable Mayor, City Council, City Manager
From: Paul Sotelo, Purchasing Agent
Date: December 11, 2012
Subject: Request for Bid Award for Animal Control Pickup

On Monday, December 3, 2012, the City of Big Spring received quotes for an Animal Control Pickup from two (2) vendors on the BuyBoard Purchasing Cooperative.

Recommendation: Staff recommends that the bid be awarded to Caldwell Country Chevrolet for a 2013 Chevrolet Ext. Cab LWB ½ ton pickup in the amount of **21,675.00.**



Purchasing and Material Control Memorandum

To: Honorable Mayor, City Council, City Manager
From: Paul Sotelo, Purchasing Agent
Date: December 11, 2012
Subject: Request for Bid Award for Two (2) Customer Service Pickups

On Monday, December 3, 2012, the City of Big Spring received quotes for two (2) pickups for Customer Service from three (3) vendors through the BuyBoard purchasing cooperative.

Recommendation: Staff recommends that the bid be awarded to Philpott Ford for two (2) 2013 Ford Regular Cab SWB ½ ton pickups in the amount of **\$33,937.50**. The original request was for ¼ ton trucks, but two manufacturers have discontinued that size and one is off production until August of 2013. With advancements in technology, maintenance costs and gas mileage in these ½ tons are equal to if not better than the ¼ tons.



Purchasing and Material Control Memorandum

To: Honorable Mayor, City Council, City Manager
From: Paul Sotelo, Purchasing Agent
Date: December 11, 2012
Subject: Request for Bid Award for Wheel Loader

On Monday, December 3, 2012, the City of Big Spring received quotes for a Wheel Loader from two (2) vendors through the BuyBoard purchasing cooperative.

Recommendation: Staff recommends that the bid be awarded to Yellowhouse Machinery for a 924K wheel loader in the amount of **\$118,750.00**, which includes a trade-in amount on a Case Tractor of \$7,500.00. This price reflects a savings of \$21,250.00 under budget.



Purchasing and Material Control Memorandum

To: Honorable Mayor, City Council, City Manager
From: Paul Sotelo, Purchasing Agent
Date: December 11, 2012
Subject: Request for Bid Award for Dual Drum Roller

On Monday, December 3, 2012, the City of Big Spring received quotes for a Dual Drum Roller from three (3) vendors through the BuyBoard and HGAC purchasing cooperatives.

Recommendation: Staff recommends that the bid be awarded to Yellowhouse Machinery for a Bomag BW120AD-4 dual drum roller, through HGAC, in the amount of **\$35,150.00**.



Purchasing and Material Control Memorandum

To: Honorable Mayor, City Council, City Manager
From: Paul Sotelo, Purchasing Agent
Date: December 11, 2012
Subject: Request for Bid Award for a Bulldozer for the Landfill

On Monday, December 3, 2012, the City of Big Spring received quotes for a Bulldozer from two (2) vendors through the BuyBoard purchasing cooperative.

Recommendation: Staff recommends that the bid be awarded to Yellowhouse Machinery for a John Deere 950J bulldozer in the amount of **\$292,700.00**. This price includes a \$9,200.00 5 year, 6000 hour warranty.



Purchasing and Material Control Memorandum

To: Honorable Mayor, City Council, City Manager
From: Paul Sotelo, Purchasing Agent
Date: December 11, 2012
Subject: Request for Bid Award for Two (2) Utility Vehicles for Roy Anderson

On Monday, December 3, 2012, the City of Big Spring received quotes for two (2) Utility Vehicles for the Roy Anderson Sports Complex from three (3) vendors.

Recommendation: Staff recommends that the bid be awarded to Tractor Supply for two (2) Massimo Motors MSU 300 utility vehicles in the amount of **\$9,990.00**.

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE PERMIAN BASIN REGIONAL PLANNING COMMISSION UNDER THE REGIONAL SOLID WASTE GRANTS PROGRAM; AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACT AS THE AUTHORIZED REPRESENTATIVE IN ALL MATTERS RELATED TO THIS APPLICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Big Spring desires to develop a solid waste reduction program which serves the community, landfill, and compost operations by prolonging the life of the landfill; and

WHEREAS, the Permian Basin Regional Planning Commission is directed by the Texas Commission on Environmental Quality to administer solid waste grant funds for implementation of the COG's adopted regional solid waste management plan; and

WHEREAS, the City of Big Spring is qualified to apply for funding under the Regional Solid Waste Grant Program Requests for Applications;

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

SECTION 1. City staff is directed to submit an application to the Permian Basin Regional Planning Commission on behalf of the City for equipment, product remediation, education and training related to a solid waste reduction program.

SECTION 2. If the project is funded, the City of Big Spring will comply with the grant requirements of the Permian Basin Regional Planning Commission, Texas Commission on Environmental Quality and the State of Texas.

SECTION 3. The grant funds and any grant-funded equipment or facilities will be used only for the purposes for which they are intended under the grant.

SECTION 4. All activities will comply with and support the adopted regional and local solid waste management plans adopted for the geographical area in which the activities are performed.

SECTION 5. By a written instrument signed by the Authorized Official, said Authorized Official may designate specially identified officers or employees of the City of Big Spring to execute and deliver agreements and documents relating to the Grant provided by PBRPC on behalf of the City of Big Spring.

Signatures and Titles of Authorized Official:

Name: Gary Fuqua

Title: City Manager

Signature

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

SECTION 7. This resolution shall take effect immediately upon its adoption and approval.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 11th day of December 2012, with all members present voting “aye” for passage of same.

PASSED AND APPROVED on second reading at a regular meeting of the City Council on the 8th day of January, 2013, with all members present voting “aye” for passage of same.

Tommy Duncan, Mayor

Attest:

Tami Davis, Asst. City Secretary

RESOLUTION NO. _____

AN EMERGENCY READING OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AUTHORIZING THE CITY MANAGER TO TERMINATE STAGE III AND TO ENACT STAGE II OF THE CITY'S DROUGHT CONTINGENCY PLAN; AMENDING ESTABLISHED WATERING SCHEDULES FOR CITY OF BIG SPRING WATER CUSTOMERS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Colorado River Municipal Water District (CRMWD) which supplies water to the City of Big Spring has notified the City that it is amending the required reduction in peak demand usage; and

WHEREAS, the City finds it to be in the best interest to maintain water conservation focus; and

WHEREAS, the City Council finds it to be in the interest of the public health, safety, and welfare to return to Stage II of the City of Big Spring Drought Contingency Plan;

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

SECTION 1. The City of Big Spring hereby authorizes the City Manager to terminate Stage III and return to Stage II of the City's Drought Contingency Plan and directs him to notify the public of such change in the manner set forth in the Drought Contingency Plan.

SECTION 2. The following water schedule is in accordance with Stage II of the Drought Contingency Plan:

Designation of Watering Days:

Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for water customers with a street address ending in an even number (0, 2, 4, 6, or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7, or 9) and to irrigate only between the hours of 12:00 midnight until 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days.

Irrigation of landscaped areas is permitted at anytime if it is by means of a hand held hose, a faucet filled bucket, or watering can of five (5) gallons or less, or drip irrigation system.

Water customers are requested to refrain from washing cars and to continue to practice water conservation and to minimize or discontinue water use for non-essential purposes. Wasting of water is still prohibited.

Stage II shall remain in effect until the City Manager or his designee rescinds this action or more stringent drought stage(s) are enacted.

SECTION 3. The passage of this resolution constitutes an emergency and an imperative public necessity that the Charter Rule requiring that City resolutions be read at two separate meetings of the City Council be suspended, and said rule is hereby suspended, and this resolution shall be effective immediately upon its passage on first and final reading.

SECTION 4. Should any section, paragraph, sentence, clause, phrase or word of this resolution be declared unconstitutional or invalid for any purpose, the remainder of this resolution shall not be affected and shall remain in full force and effect.

PASSED AND APPROVED on Emergency reading by the City Council of the City of Big Spring, Texas, on this 11th day of December, 2012 at a regular meeting of the City Council, with all members present voting “aye” for passage of same.

Tommy Duncan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary

**INTERLOCAL AGREEMENT BETWEEN
HOWARD COLLEGE AND THE CITY OF BIG SPRING
FOR PURCHASE AND SALE OF SURPLUS PROPERTY**

This Interlocal Agreement for the purchase and sale of surplus property is by and between Howard Junior College District and the City of Big Spring in accordance with Texas Government Code Section 791.001 et seq. INTERLOCAL COOPERATION CONTRACT.

WHEREAS Howard County Junior College District, (hereinafter referred to as *Howard College*), is a Texas junior college district and local governmental unit of the State of Texas; and

WHEREAS City of Big Spring (hereinafter referred to as *City*) is a local governmental unit of the State of Texas, a Texas home-rule municipality government governed by six elected city council members and a mayor who have delegated authority to negotiate and agree to all terms and conditions of this Agreement to the City Manager or his designee; and

WHEREAS Howard College and City are authorized and required by state and local law to serve the mutual and joint interests of their communities and citizens and therefore currently perform numerous security and safety actions collaboratively when affecting real estate and facilities under the jurisdiction and control of both entities within the City of Big Spring that result in substantial ongoing savings and avoidance of duplication of effort and resources; and

WHEREAS, from time to time the Parties wish to purchase from and sell to each other various property and equipment, and have determined that such mutual exchanges would be beneficial to each entity and would benefit the citizens of their respective communities, therefore constituting a public purpose;

NOW THEREFORE, in consideration of the following mutual promises exchanged, terms and conditions, the Parties hereby agree as follows:

1. **Term.**

The term of this Interlocal Agreement shall be for one year beginning on December 15, 2012 and ending on December 14, 2013. The Agreement shall automatically renew each year on the anniversary date unless either Party notifies the other Party in writing of its intent not to renew the Agreement. Either Party may terminate this Agreement by giving the other Party thirty days advance written notice of such termination.

2. **Agreement.**

The Parties agree to sell to and purchase from each other any materials, equipment, or personal property of any nature that one Party wishes to sell and the other Party wishes to buy so long as such sale and purchase shall be to the mutual benefit of both Parties.

3. **Bill of Sale.**

Each transaction covered under this Interlocal Agreement shall be represented by a Bill of Sale issued by the selling Party that describes the item to be sold and the price to be paid for such item. If

any item is sold for less than its fair market value, the Bill of Sale must also describe the public purpose that will accrue to the citizens of the selling entity from the sale. Each Bill of Sale must be signed by the City Manager on behalf of the City and the President of Howard College on its behalf or either of their designee authorized in writing to execute such documents. The Parties further agree to upon request of the other Party execute any documents required to complete a transaction under this Agreement.

4. **No Warranty.**

Unless otherwise noted in writing and specified in the Bill of Sale, any property conveyed under this Agreement is conveyed "As Is" and with any and all faults. No warranties of any kind are implied in any transaction and the purchasing entity releases the other Party from any and all liabilities, claims or causes of action resulting from or in any way arising out of the receipt or use of such property. Each purchasing Party shall be responsible for determining to its own satisfaction if the property is suitable for its purposes. Any affirmation of fact or promise by the Seller to the Purchaser shall not be regarded as part of the transaction under this Agreement and shall not be deemed to create any express warranty that the property will conform to the affirmation or promise.

5. **Notice.**

Notice to COLLEGE shall be in writing by certified mail or fax to:

Dr. Cheryl Sparks, President
Howard County Junior College District
1001 Birdwell Lane
Big Spring, Texas 79720

Notice to City shall be in writing by certified mail or fax to:

Gary Fuqua, City Manager
City of Big Spring
310 Nolan St.
Big Spring, TX 79720

6. **Entire Agreement.**

This document constitutes the entire agreement between the Parties with respect to the subject hereof and supersedes any and all prior or contemporaneous agreements or understandings, whether written or oral. No verbal agreement or conversation with any officer, agent or employee of either party either before or after execution of this Interlocal Agreement shall affect or modify any of the terms or obligations contained herein.

7. **Severability.**

In case any one or more of the provision contained in this Agreement is for any reason held to be invalid, illegal, or unenforceable in any respect, that invalidity, illegality, or unenforceability will not affect any other provision. This Agreement will be construed as if the invalid, illegal, or unenforceable provision had never been contained in it.

Signature Pages Follow

IN WITNESS WHEREOF, the parties have executed this agreement in duplicate originals.

Executed this ____ day of December, 2012.

HOWARD COUNTY JUNIOR COLLEGE DISTRICT

By: _____
Dr. Cheryl Sparks, President

ATTEST:

Julie Bailey, Executive Assistant

Executed this ____ day of December, 2012.

CITY OF BIG SPRING, TEXAS

By: _____
Tommy Duncan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary

**City of Big Spring
Investment Report
Quarter Ending September 30, 2012**

	<u>Market Value</u> <u>6/30/12</u>	<u>Quarterly</u> <u>Interest</u> <u>Income</u>	<u>Net Additions/</u> <u>Decreases</u>	<u>Market Value</u> <u>9/30/12</u>
<u>TexPool Funds</u>				
Utility Escrow	\$ -	\$ -	\$ -	\$ -
Airpark	495,875.20	174.77		496,049.97
Landfill Closure	2,250,414.87	793.42	-	2,251,208.29
Operating Account	1,728,493.56	609.42	-	1,729,102.98
Cemetery	350,500.09	123.61	-	350,623.70
Health Insurance	-	-	-	-
Total TexPool	\$ 4,825,283.72	\$ 1,701.22	\$ -	\$ 4,826,984.94
<u>TexSTAR Funds</u>				
Certificates of Obligation	\$ 279,291.33	\$ 19.21	\$ (279,310.54)	\$ -
Certificates of Obligation 2012	\$ 11,800,000.00	\$ 2,463.74		\$ 11,802,463.74
Total TexSTAR	\$ 12,079,291.33	\$ 2,482.95	\$ (279,310.54)	\$ 11,802,463.74
Total Funds in Pools	\$ 16,904,575.05	\$ 4,184.17	\$ (279,310.54)	\$ 16,629,448.68

**City of Big Spring
Investment Report
Quarter Ending September 30, 2012**

	<u>Value</u> <u>6/30/12</u>	<u>Quarterly</u> <u>Interest</u> <u>Income</u>	<u>Net Additions/</u> <u>Decreases</u>	<u>Value</u> <u>9/30/12</u>
Western Bank-				
Maturity 9/30/2012	\$ 100,525.56	\$ 178.40	\$ -	\$ 100,703.96
Maturity 9/30/2012	130,782.79	263.72	-	131,046.51
Total Western Bank	\$ 231,308.35	\$ 442.12	\$ -	\$ 231,750.47
Lone Star State Bank				
Maturity 9/30/2012	\$ 100,375.24	\$ 101.05	\$ -	\$ 100,476.29
Maturity 9/30/2012	130,733.29	247.14	-	130,980.43
Total Lone Star Bank	\$ 231,108.53	\$ 348.19	\$ -	\$ 231,456.72
BBVA Compass				
Money Market - 2521127867	\$ 5,504,482.40	\$ 1,872.78	\$ -	\$ 5,506,355.18
Total BBVA Compass	\$ 5,504,482.40	\$ 1,872.78	\$ -	\$ 5,506,355.18
Total Investments	\$ 22,871,474.33	\$ 6,847.26	\$ (279,310.54)	\$ 22,599,011.05

**City of Big Spring
Monthly Interest Rates
Quarter Ending September 30, 2012**

	<u>July</u>	<u>August</u>	<u>September</u>	<u>Average</u>
TexPool Funds	0.1300%	0.1300%	0.1600%	0.1429%
TexSTAR Funds	0.1359%	0.1326%	0.1574%	0.1450%
Western Bank 6 month CD				0.7000%
12 month CD				0.8000%
Lone Star State Bank 6 month CD				0.3994%
12 month CD				0.7521%
BBVA Compass Money Market				0.2000%

Prepared by: Peggy Walker
 Peggy Walker - Finance Director

Gary Fuqua
 Gary Fuqua - City Manager

**Minutes of the Board of Director's Regular Meeting
BIG SPRING ECONOMIC DEVELOPMENT CORPORATION
Tuesday, October 16, 2012**

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 5:16 p.m. Tuesday, October 16, 2012 in the offices of the Big Spring Economic Development Corporation with Mr. Myers, presiding. The following notice was sent on October 12, 2012 to all Directors, the news media, and duly posted on October 12, 2012, 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, October 16, 2012 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 September 18, 2012 Regular Meeting, Action on September Financials, Action on September Investment Reports, Resolution of the Board of Directors for the Big Spring Economic Development Corporation in support of the Economic Development Corporation as a Type A corporate structure, Resolution recognizing outgoing Board Member Rodney Bomar, Introduction of new Board Member, Election of Officers, Appointment of Committee Chairs by President, Consideration of Engagement Letter from Newberry, Leonard, Horton & Barrington, CPA's for the 2011-2012 Audit, Directors Report, Public Comment; Board Comment, and Adjourn".

Directors Present:

Mr. Justin Myers
Dr. Keith Ledford
Mr. Rodney Bomar
Mr. Jim DePauw
Mr. Scott MacKenzie
Mrs. Frances Hobbs

Directors Absent:

Staff Present:

Mr. Terry Wegman
Mrs. Teresa Darden

Guests:

Eddie & Vicki Cole, Joseph Best, Terry & Jan Hansen, Geneva Cox, Joyce Crooker, Bobby McDonald, Mike Tarpley, Tommy Duncan, Wade Dunbar, Glenn Fillingim, Cole Morgan, Ron Sayles, P. Narbaiz, Jim Clement, John Currie, Peggy Walker, Gary Fuqua, Jimmy Newsom, Walter Shipman, Willa Ledford, Debbye ValVerde, Malinda Flenniken, Verna Davis, Don Finkenbinder, Larry McLellan, Shane Forrest, Tammy DePauw, Raul Marquez, Richard Steal, Georgie Newsom, Sarah Carman, Andrea Barr, Mark & Stacy Bar

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

Mr. Myers called the meeting to order at 5:16 p.m. Mr. Myers led the invocation and pledge.

ACTION ITEM #2- Action on Minutes of the September 18, 2012 Regular Board Meeting:

Mr. Myers presented the minutes of the September 18, 2012 Regular Meeting. Motion to accept the minutes was made by Mr. Bomar, seconded by Mr. DePauw. The motion passed 5 to 0 with all members present voting “aye” in favor of the motion.

ACTION ITEM #3- Action on September Financials Report:

Mr. Bomar presented the September Financial report. Motion to approve the September Financial Report was made by Mr. Myers seconded by Mr. MacKenzie. The motion passed 5 to 0 with all members present voting “aye” in favor of the motion.

ACTION ITEM #4- Action on September Investment Report:

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

ACTION ITEM #5- Resolution of the Board of Directors for the Big Spring EDC in support of the Economic Development Corporation as a Type A corporate structure.

Motion to approve the Resolution was made by Mr. Myers, seconded by Mr. DePauw. The motion passed 5 to 0 with all members present voting “aye” in favor of the motion.

AGENDA ITEM #6- Resolution recognizing outgoing Board Members Rodney Bomar:

Mr. Myers presented the Resolution and plaque of recognition to outgoing Member, Mr. Bomar.

AGENDA ITEM #7- Introductions of new Board Member:

Mr. Myers introduced Mrs. Frances Hobbs as the new Board Member.

AGENDA ITEM #8- Elections of Officers

Mr. Myers nominated Mr. DePauw for President. No other nominations were made. Motion to elect Mr. DePauw as President was made by Mr. Myers, seconded by Dr. Ledford. The motion passed 5 to 0 with all members present voting “aye” in favor of the motion. Dr. Ledford nominated Mr. Myers for Vice President. No other nominations were made. Motion to elect Mr. Myers as Vice President was made by Dr. Ledford seconded by Mr. DePauw. The motion passed 5 to 0 with all members present voting “aye” in favor of the motion. Mr. DePauw nominated Mr. MacKenzie for Secretary/Treasurer. No other nominations were made. Motion to elect Mr. MacKenzie as Secretary/Treasurer was made by Mr. DePauw seconded by Dr. Ledford. The motion passed 5 to 0 with all members present voting “aye” in favor of the motion.

AGENDA ITEM #9- Appointments of Committee Chairs by President

Mr. DePauw appointed the following Committee Chairs:

- A. Industry Attraction and Recruitment - Mr. Myers
- B. Industry Retention and Expansion - Mr. MacKenzie
- C. Workforce Development – Mrs. Hobbs

AGENDA ITEM #10- Consideration of Engagement Letter from Newberry, Leonard, Horton & Bairrington, CPA’s for the 2011-2012 Audit.

Mr. Wegman presented the engagement letter for the annual audit by Newberry, Leonard, Horton & Bairrington, CPA’s. Motion to accept the engagement letter was made by Mr. Myers, seconded by Mr. MacKenzie. The motion passed 5 to 0 with all members present voting “aye” in favor of the motion.

AGENDA ITEM #11- Directors Report

Mr. Wegman discussed various projects including: THS, both locomotives have arrived and the first shipment consisting of timbers for Fort Worth Pipe Services have been delivered. THS now has 3 certified train operators. Fort Worth Pipe Services is moving forward on site work at the industrial park and expecting shipments as early as November. FWPS has also introduced Big Spring to a capital investment group that is involved in oil and gas development as well as multifamily housing. Express Midstream will be in town the 26th to meet with a potential client and also update us on design work for the EDC property.

Mr. Wegman advised the board of past and upcoming meetings that include: TEDC Annual Meeting in September, BSEDC received a recognition award for Community ED. Upcoming meetings are the PBOIS this week, the High Ground Annual Meeting on Nov. 5-6, the Community Series luncheon on Oct. 23rd, and the next Regular Board Meeting will be November 20th.

AGENDA ITEM #12- Public Comments

Mr. McLellan congratulated the Board on a job well done in the past year and wants to see the resilience continue for the future of our community.

AGENDA ITEM # 13- Board Comments

Mr. DePauw discussed the importance of being educated when going to the poles to vote.

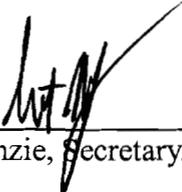
AGENDA ITEM # 14- Adjourn

Mr. DePauw asked for a motion to adjourn.

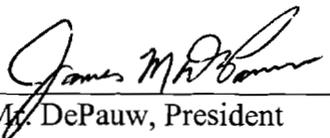
Motion by Dr. Ledford, seconded by Mr. Myers. The motion passed 5 to 0 with all members present voting "aye" in favor of the motion.

Meeting adjourned at 6:04 pm on October 16, 2012

ATTEST:



Mr. MacKenzie, Secretary/Treasurer



Mr. DePauw, President