

# CITY COUNCIL AGENDA

**City of Big Spring  
Tuesday, May 22, 2012**

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, May 22, 2012, at 5:30 p.m. in the City Council Chambers located at 307 East 4<sup>th</sup> 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 "Star Employee Award" Duncan

## **Disposition of Minutes**

3. Minutes of the Regular Meeting of May 8, 2012 4-8 Davis

## **Consent Items**

4. Final Reading of a Resolution Denying ATMOS Energy Corp., West Texas Division's ("ATMOS WEST TEXAS") Requested Rate Change; Requiring the Company to Reimburse the City's Reasonable Ratemaking 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 the City's Legal Counsel 9-11 Walker
5. Final Reading of an Ordinance Amending Chapter Eighteen of the Code of Ordinances Entitled "Traffic" by Amending Article Five Entitled "Stopping, Standing and Parking," Section 18-149 Entitled "Specific Parking, Standing, Stopping and Street Closing Provisions" by Amending Subsection (d) in Order to Delete the Right Turn Only Designation at West 18<sup>th</sup> Street and South Lancaster Street; Providing for Severability and Providing an Effective Date 12 Darden

- |    |   |       |        |
|----|---|-------|--------|
| 6. | Final Reading of an Ordinance Amending the Code of Ordinances by Amending Chapter 6, Article 11 Entitled "Big Spring Family Aquatic Center" by Establishing Fees for Private Rentals of the Center; Amending Hours of Operation; Providing for Severability and Providing an Effective Date | 13-14 | Darden |
|----|---|-------|--------|

**Routine Business**

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|----|--|--|----------|
| 7. | Vouchers for 05/10/12 \$ 558,408.64<br>Vouchers for 05/17/12 \$ 1,067,010.27 |  | Carrigan |
|----|--|--|----------|

**New Business**

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|-----|---|-------|--------|
| 8.  | Emergency Reading of an Ordinance Canvassing the Returns and Declaring the Results of a General Election for City Councilmember District 4 and Canvassing the Returns and Declaring the Results of a Special Election for the Authorization of a 4B Project Held on May 12, 2012      | 15-19 | Walker |
| 9.  | Presentation of Appreciation Plaques to Outgoing Councilmembers   |       | Fuqua  |
| 10. | Administer Oath of Office to Duly Elected Council Members   |       | Walker |
| 11. | Election of Mayor Pro Tem   |       | Duncan |
| 12. | First Reading of a Resolution Directing Publication of Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation; and Resolving Other Matters Relating to the Subject   | 20-21 | Walker |
| 13. | First Reading of a Resolution Authorizing the Mayor to Negotiate and Execute Community Services Contracts and Other Necessary Documents with the Texas Department of Aging and Disability Services for the Senior Center  | 22-23 | Walker |
| 14. | First Reading of a Resolution Authorizing the Auction of Howard County Trustee Properties to the Highest Bidder for Cash, Without Reservation; and Providing an Effective Date  | 24-41 | Walker |
| 15. | First Reading of a Resolution Authorizing Continued Participation with the Atmos Cities Steering Committee; and Authorizing the Payment of Five Cents Per Capita to the Atmos Cities Steering Committee to Fund Regulatory and Related Activities Related to Atmos Energy Corporation | 42-43 | Walker |

- |     |  |       |         |
|-----|--|-------|---------|
| 16. | First Reading of an Ordinance Amending Chapter Eighteen of the Big Spring Code of Ordinances entitled "Traffic" by Amending Article Five Section 18-149 entitled "Specific Parking, Standing, Stopping and Street Closing Provisions" by Adding a new Subsection (l) in Order to Provide Two Fifteen Minute Pet Loading and Unloading Zones at 215 S. Main Street; Providing for Severability; Providing for Publication and Providing an Effective Date | 44-45 | Sjogren |
| 17. | Discussion and Consideration of Previous Approval of Performance Agreement between Big Spring Economic Development Corporation and Boyce Galvanizing LLC   |       | Sjogren |
| 18. | Acceptance of Big Spring Economic Development Corporation Board of Directors Minutes for Regular Meeting of April 17, 2012   | 46-48 | Fuqua   |

**City Manager's Report**

19. Council Work Session – May 29, 2012

**Council Input**

- |     |         |        |
|-----|---------|--------|
| 20. | Input   | Duncan |
| 21. | Adjourn | Duncan |

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, May 18, 2012 at 4:00 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.

  
 Tami L. Davis, Assistant City Secretary

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

May \_\_\_\_\_, 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 regular meeting in the City Council Chambers located at 307 E. 4<sup>th</sup>, Big Spring, Texas, at 5:30 p.m., May 8, 2012, with the following members present:

TOMMY DUNCAN	Mayor
CRAIG OLSON	Mayor Pro Tem
MARCUS FERNANDEZ	Councilmember
GLEN CARRIGAN	Councilmember
MANUEL RAMIREZ	Councilmember
GLORIA MCDONALD	Councilmember
TERRY HANSEN	Councilmember

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
RICH GROVE	Interim Fire Chief
JIM LITTLE	Airport Director

## **PRESENTATIONS & PUBLIC HEARINGS**

### **INVOCATION & PLEDGE OF ALLEGIANCE**

Sam Segundo, Family Faith Victory Church, gave the invocation and Mayor Duncan led the Pledge of Allegiance to the American and State Flags.

**PROCLAMATION FOR MAY 15<sup>TH</sup> AS “PEACE OFFICER’S MEMORIAL DAY” AND MAY 13<sup>TH</sup> THROUGH MAY 19<sup>TH</sup> 2012 AS “NATIONAL POLICE WEEK”**

Mayor Duncan presented a proclamation for May 15<sup>th</sup> as “Peace Officer’s Memorial Day” and May 13<sup>th</sup> through May 19<sup>th</sup> 2012 as “National Police Week” to Lieutenant Lance Telchik.

## **DISPOSITION OF MINUTES**

### **MINUTES OF THE REGULAR MEETING OF APRIL 24, 2012**

Motion was made by Councilmember Hansen, seconded by Councilmember Carrigan, with all members of the Council voting "aye" approving the minutes of the regular meeting of April 24, 2012.

## **CONSENT ITEMS**

### **ACCEPTANCE OF MCMAHON-WRINKLE AIRPORT DEVELOPMENT BOARD MINUTES FOR REGULAR MEETING OF MARCH 15, 2012**

### **ACCEPTANCE OF HOWARD COUNTY APPRAISAL DISTRICT'S BOARD OF DIRECTORS MINUTES FOR REGULAR MEETING OF FEBRUARY 8, 2012**

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

## **ROUTINE BUSINESS**

### **VOUCHERS**

Councilmember Ramirez reviewed vouchers. Motion was made by Councilmember Fernandez, seconded by Mayor Pro Tem Olson, with all members of the Council voting "aye" approving vouchers in the amount of \$72,492.93 (04/26/12) and \$753,393.81 (05/03/12).

## **BIDS**

### **PERMISSION TO ADVERTISE FOR BIDS AND APPROVAL OF SPECIFICATIONS FOR THE WASTEWATER TREATMENT FILTERS AND AERATION IMPROVEMENTS AS PART OF THE 2012 WASTEWATER TREATMENT PLANT UPGRADE PROJECT**

Motion was made by Councilmember Ramirez, seconded by Councilmember Hansen, with all members of the Council voting "aye" giving permission to advertise for bids and approving specifications for the wastewater treatment filters and aeration improvements as part of the 2012 wastewater treatment plant upgrade project.

### **PERMISSION TO ADVERTISE FOR BIDS AND APPROVAL OF SPECIFICATIONS FOR THE WASTEWATER TREATMENT PLANT SCADA IMPROVEMENTS AS PART OF THE 2012 WASTEWATER TREATMENT PLANT UPGRADE PROJECT**

Motion was made by Councilmember Hansen, seconded by Councilmember Carrigan, with all members of the Council voting "aye" giving permission to advertise for bids and

approving specifications for the wastewater treatment plant SCADA improvements as part of the 2012 wastewater treatment plant upgrade project.

## **NEW BUSINESS**

FIRST READING OF A RESOLUTION DENYING ATMOS ENERGY CORP., WEST TEXAS DIVISION'S ("ATMOS WEST TEXAS") REQUESTED RATE CHANGE; REQUIRING THE COMPANY TO REIMBURSE THE CITY'S REASONABLE RATEMAKING 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 THE CITY'S LEGAL COUNSEL

Motion was made by Councilmember McDonald, seconded by Councilmember Carrigan, with all members of the Council voting "aye" approving first reading of a resolution denying Atmos Energy Corp., West Texas Division's ("ATMOS WEST TEXAS") requested rate change; requiring the company to reimburse the City's reasonable ratemaking expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of the resolution to the company and the City's legal counsel.

FIRST READING OF AN ORDINANCE AMENDING CHAPTER EIGHTEEN OF THE CODE OF ORDINANCES ENTITLED "TRAFFIC" BY AMENDING ARTICLE FIVE ENTITLED "STOPPING, STANDING, AND PARKING," SECTION 18-149 ENTITLED "SPECIFIC PARKING, STANDING, STOPPING AND STREET CLOSING PROVISIONS" BY AMENDING SUBSECTION D IN ORDER TO DELETE THE RIGHT TURN ONLY DESIGNATION AT WEST 18<sup>TH</sup> STREET AND SOUTH LANCASTER STREET; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember Carrigan, seconded by Councilmember Ramirez, with all members of the Council voting "aye" approving first reading of an ordinance amending Chapter Eighteen of the Code of Ordinances entitled "Traffic" by amending Article Five entitled "Stopping, Standing, and Parking," Section 18-149 entitled "Specific Parking, Standing, Stopping and Street Closing Provisions" by amending Subsection D in order to delete the right turn only designation at West 18<sup>th</sup> Street and South Lancaster Street; providing for severability and providing an effective date.

FIRST READING OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 6, ARTICLE 11 ENTITLED "BIG SPRING FAMILY AQUATIC CENTER" BY ESTABLISHING FEES FOR PRIVATE RENTALS OF THE CENTER; AMENDING HOURS OF OPERATION; PROVIDING FOR SEVERABILITY AND 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 Code of Ordinances by amending Chapter 6, Article 11 entitled "Big Spring Family Aquatic Center"

by establishing fees for private rentals of the center; amending hours of operation; providing for severability and providing an effective date.

#### **APPROVAL OF AN AGREEMENT WITH THE BIG SPRING YMCA FOR LIFEGUARD SERVICES AT THE BIG SPRING FAMILY AQUATIC CENTER AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS**

Motion was made by Councilmember Carrigan, seconded by Councilmember Ramirez, with all members of the Council voting “aye” approving an agreement with the Big Spring YMCA for lifeguard services at the Big Spring Family Aquatic Center and authorizing the City Manager to execute any necessary documents

#### **APPOINTMENTS TO COLORADO RIVER MUNICIPAL WATER DISTRICT’S BOARD OF DIRECTORS.**

Motion was made by Councilmember Hansen, seconded by Councilmember McDonald, with all members of the Council voting “aye” reappointing Jim Purcell and Dr. John Myers to the Colorado River Municipal Water District’s Board of Directors.

#### **CITY MANAGER’S REPORT**

Gary Fuqua, City Manager, announced that there will be a Council budget planning work session on May 29<sup>th</sup> at 5:30 p.m.

Mr. Fuqua also introduced Carl Condray, Fire Marshal, who announced that the Big Spring Fire Department was taking possession of a Fire Prevention Safety Trailer used for training and education from the State Fire Marshall.

#### **COUNCIL INPUT**

Mayor Duncan announced that he testified in the Sage Lizard appeal in regards to possible delays in the water pipeline work. Mayor Duncan also announced that he has received several calls regarding property appraisal increases and advised anyone that disagrees with their appraisal to file an appeal with the Howard County Appraiser. Mayor Duncan encouraged everyone to get out and vote in the District Four race and the 4A/4B Project.

Councilmember Fernandez thanked the local law enforcement officers and also recognized the correctional officers who work for the prisons.

Councilmember Carrigan remarked on the very low turnout for early voting and encouraged citizens to go vote.

Councilmember McDonald and Councilmember Hansen thanked Carl Condray on his efforts in getting the Fire Prevention Safety Trailer.

**ADJOURN**

Motion was made by Councilmember Fernandez, seconded by Councilmember Ramirez, with all members of the Council voting “aye” to adjourn at 6:10 p.m.

CITY OF BIG SPRING, TEXAS

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Tommy Duncan, Mayor

ATTEST:

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Tami L. Davis, Assistant City Secretary

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY OF BIG SPRING, TEXAS DENYING ATMOS ENERGY CORP., WEST TEXAS DIVISION'S ("ATMOS WEST TEXAS") REQUESTED RATE CHANGE; REQUIRING THE COMPANY TO REIMBURSE THE CITY'S REASONABLE RATEMAKING 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 THE CITY'S LEGAL COUNSEL**

WHEREAS, the City of Big Spring, Texas ("City") is a gas utility customer of Atmos Energy Corp., West Texas Division ("Atmos West Texas" or "Company"), and 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, the City is a member of the Steering Committee of Cities Served by Atmos West Texas ("Cities"), a coalition of similarly situated cities served by the Company that have joined together to facilitate the review and response to natural gas issues affecting rates charged in Atmos Energy Corporation's West Texas Division; and

WHEREAS, pursuant to the terms of the agreement settling the Company's 2007 request to increase rates under the Gas Reliability Infrastructure Program ("GRIP") process, Cities and the Company worked collectively to develop a Rate Review Mechanism ("RRM") tariff that allows for an expedited rate review process controlled in a three-year experiment by Cities as a substitute to the current GRIP process instituted by the Legislature; and

WHEREAS, Cities and the Company agreed to extend the RRM process in reaching a settlement in 2010 on the third RRM filing; and

WHEREAS, on or about February 7, 2012, the Company filed a Statement of Intent with the cities retaining original jurisdiction within its West Texas service division to increase rates by approximately \$11.6 million; and

WHEREAS, Atmos West Texas proposed March 13, 2012, as the effective date for its requested increase in rates; and

WHEREAS, the City suspended the effective date of Atmos West Texas' proposed rate increase for the maximum period allowed by law and thus extended the City's jurisdiction until June 11, 2012; and

WHEREAS, the Cities' Executive Committee hired and directed legal counsel and consultants to prepare a common response to the Company's requested rate increase and to negotiate with the Company and direct any necessary litigation; and

WHEREAS, Cities' consultants conducted a review of the Company's requested rate increase and found justification that the Company's rates should be decreased; and

WHEREAS, Cities hope to achieve settlement with the Company that perpetuates the RRM process prior to the expiration of City jurisdiction; and

WHEREAS, if Cities and the Company are unable to reach agreement prior to June 11, 2012, the Company may impose its proposed rates; and

WHEREAS, the Executive Committee for the Cities recommends denial of the Company's proposed rate increase in order to continue settlement discussions pending the Company's appeal of Cities' denials to the Railroad Commission of Texas; and

WHEREAS, the GURA § 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:

1. That the rates proposed by Atmos West Texas to be recovered through its gas rates charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

2. That the Company shall continue to charge its existing rates to customers within the City and that said existing rates are reasonable.

3. That the City's reasonable rate case expenses shall be reimbursed by the Company.

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. A copy of this Resolution shall be sent to Atmos West Texas, care of Jeffrey Foley, Vice-President, Rates and Regulatory Affairs, at Atmos Energy Corporation, West Texas Division, 5110 80<sup>th</sup> Street, Lubbock, Texas 79424, and to Geoffrey Gay, General Counsel to Cities, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

PASSED AND APPROVED on first reading at a regular meeting of the City Council of the City of Big Spring on the 8<sup>th</sup> day of May, 2012, with all members present voting "aye" for passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council of the City of Big Spring on the 22<sup>nd</sup> day of May, 2012, with all members present voting "aye" for passage of same.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Peggy S. Walker, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Linda Sjogren, City Attorney

ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS AMENDING CHAPTER EIGHTEEN OF THE BIG SPRING CODE OF ORDINANCES ENTITLED "TRAFFIC" BY AMENDING ARTICLE FIVE ENTITLED "STOPPING, STANDING AND PARKING," SECTION 18-149 ENTITLED "SPECIFIC PARKING, STANDING, STOPPING AND STREET CLOSING PROVISIONS" BY AMENDING SUBSECTION d IN ORDER TO DELETE THE RIGHT TURN ONLY DESIGNATION AT WEST 18<sup>TH</sup> STREET AND SOUTH LANCASTER STREET; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City Council of the City of Big Spring finds it in the best interest of the citizens of the City of Big Spring to remove the right turn only designation at the intersection of West 18<sup>th</sup> Street and South Lancaster Street;

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

**SECTION 1.** THAT Chapter 18, Article 5, Section 18-149 of the Big Spring Code of Ordinances entitled "Specific Parking, Standing, Stopping and Street Closing Provisions" is hereby amended by amending subsection "d" to read as amended as follows:

**Sec. 18-149. Specific Parking, Standing, Stopping and Street Closing Provisions.**

"d. No parking shall be allowed on the west side of South Lancaster, north from 18<sup>th</sup> Street to the first entrance drive to Canterbury South complex."

**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 such conflict.

**PASSED AND APPROVED** on first reading at a regular meeting of the City Council on the 8<sup>th</sup> day of May, 2012 with all members present voting "aye" for passage of the same.

**PASSED AND APPROVED** on second reading at a regular meeting of the City Council on the 22<sup>nd</sup> day of May, 2012 with all members present voting "aye" for passage of the same.

ATTEST:

\_\_\_\_\_  
Tommy Duncan, Mayor

\_\_\_\_\_  
Tami Davis, Assistant City Secretary

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING AMENDING THE BIG SPRING CODE OF ORDINANCES BY AMENDING CHAPTER 6, ARTICLE 11 ENTITLED "BIG SPRING FAMILY AQUATIC CENTER" BY ESTABLISHING FEES FOR PRIVATE RENTALS OF THE CENTER; AMENDING HOURS OF OPERATION; REPEALING ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City Council finds it to be in the best interest of the citizens of the city to provide for the operation of the Big Spring Family Aquatic Center;

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

**SECTION 1.** Big Spring Code of Ordinances, Chapter 6, Article 11 is hereby amended as follows:

**Article 11. Big Spring Family Aquatic Center**

**Sec. 6-193. Days and Hours of Operation.**

11:00 a.m. – 12:00 noon Tuesday through Friday	Private 1 hr group rentals
12:00 Noon - 8:00 p.m. Tuesday through Friday	Open to public
11:00 a.m. – 8:00 p.m. Saturday	Open to public
1:00 p.m. – 8:00 p.m. Sunday	Open to public

**Sec. 6-194. Private Group Rentals.**

The Aquatic Center is available for one hour private group rental from 11:00 a.m. until 12:00 noon Tuesday through Friday to accommodate groups of individuals that require close supervision, i.e. day care centers or others with similar requirements.

Private use of the Aquatic Center is available by reservation during days and hours that the Aquatic Center is not open to the public at the rate of \$500.00 per hour with a two hour minimum.

Reservations are subject to availability and must be made at least seven days in advance.

**SECTION 2:** Any ordinance that conflicts with this ordinance is hereby repealed to the extent of such conflict.

**SECTION 3.** 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 4.** This ordinance shall take effect immediately after 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 regular meeting of the City Council on the 8<sup>th</sup> day of May, 2012, with all members voting "aye" for the passage of same.

**PASSED AND APPROVED** on second reading at a regular meeting of the City Council on the 22<sup>nd</sup> day of May, 2012 with all members voting "aye" for the passage of same.

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Tommy Duncan, Mayor

ATTEST:

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Tami Davis, Asst. City Secretary

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION WHICH WAS HELD ON THE 12<sup>TH</sup> DAY OF MAY, 2012, IN THE CITY OF BIG SPRING, TEXAS, FOR THE PURPOSE OF ELECTING A COUNCILMEMBER DISTRICT 4, AND CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL ELECTION WHICH WAS HELD ON THE 12<sup>TH</sup> DAY OF MAY, 2012, IN THE CITY OF BIG SPRING, TEXAS FOR THE VOTERS TO CONSIDER AUTHORIZING THE BIG SPRING ECONOMIC DEVELOPMENT CORPORATION TO USE 4A SALES AND USE TAX PROCEEDS TO CONSTRUCT, ACQUIRE, IMPROVE, RENOVATE AND EQUIP WATER SUPPLY AND WATER CONSERVATION IMPROVEMENT PROJECTS UNDER SECTION 4B OF THE DEVELOPMENT CORPORATION ACT; AND DECLARING AN EMERGENCY

WHEREAS, heretofore, the Mayor of the City of Big Spring, Texas caused to be published an ordinance announcing the City Council general election for Councilmember District 4 to be held on the 12<sup>th</sup> day of May, 2012, as required by City Charter and State law; and

WHEREAS, heretofore, the Mayor of the City of Big Spring, Texas caused to be published an ordinance announcing the City Council special election to be held on the 12<sup>th</sup> day of May, 2012, for the voters to consider authorizing the Big Spring Economic Development Corporation to use 4A sales and use tax proceeds to construct, acquire, improve, renovate and equip water supply and water conservation improvement projects under Section 4B of the Development Corporation Act; and

WHEREAS, notice of said elections was actually given as required by law and as directed in said ordinance as is shown by affidavit properly filed in the office of the City Secretary; and

WHEREAS, said elections were duly and legally held on the 12<sup>th</sup> day of May, 2012, in conformity with the election laws of the State of Texas and the City Charter, and the results of said election have been certified and returned by the proper judges and clerks thereof; and

WHEREAS, this Council has today considered the returns of said elections; and

WHEREAS, it appears to the Council, and the Council so finds, that the Howard County Elections Administrator has tabulated the results of said election and certified the tabulation to the Council, and that the tabulation is correct:

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

SECTION I. That the tabulation of votes cast in the City Council general and special elections held on the 12<sup>th</sup> day of May, 2012, made and certified by the Howard County Elections Administrator, a copy of which is attached hereto and made a part hereof, is hereby adopted as the official tabulation of the votes cast at said elections and that said tabulation be filed and recorded in the official records of the City as the official canvass of said elections.

SECTION II. That said official canvass of the returns of the general election reflects the following:

The following received a majority of the votes cast for said respective office and was duly elected Council Member:

Bobby McDonald

City Council Member District 4

In compliance with the terms of the City Charter and State Law, a runoff election is not necessary since the candidate listed above for the respective office received a majority of the votes cast for said office.

SECTION III. That said official canvass of the returns of the special election reflects the following:

A majority of the votes cast in the special election were in favor of authorizing the Big Spring Economic Development Corporation to use 4A sales and use tax proceeds to construct, acquire, improve, renovate and equip water supply and water conservation improvement projects under Section 4B of the Development Corporation Act, and the 4B project is hereby approved.

SECTION IV. The necessity of making an official canvass of votes cast in the aforesaid election and declaring the said results of said election no earlier than the third (3<sup>rd</sup>) day and no later than the eleventh (11<sup>th</sup>) day after election day as required by Section 67.003 *Texas Election Code*, creates a public emergency and an imperative public necessity requiring the suspension of the Charter rule that no ordinance or resolution shall be passed finally on the date of its introduction but that such ordinance or resolution shall be read at two meetings of the City Council, and the Mayor having declared said emergency and necessity to exist, having requested the suspension of the Charter rule and that this ordinance take effect and be in full force and effect from and after its passage, IT IS ACCORDINGLY SO ORDAINED, this the 22<sup>nd</sup> day of May, 2012.

PASSED AND APPROVED, on an emergency reading by the City Council of the City of Big Spring, Texas, this 22<sup>nd</sup> day of May, 2012, at a regular meeting of the City Council of the City of Big Spring, Texas, with all members present voting "aye" for the passage of same.

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Tommy Duncan, Mayor

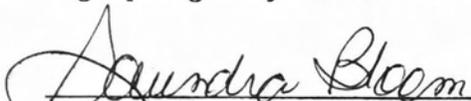
ATTEST:

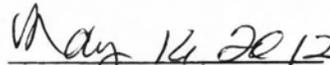
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Tami L. Davis, Assistant City Secretary

	TOTAL VOTES	%	MAIL IN	EARLY	ELECTION DAY	LATE/PROVISIO	
CITY COUNCIL PLACE 4 BIG SPRING CITY COUNCIL PLACE 4 VOTE FOR 1							
BOBBY MCDONALD. . . . .	232	51.44	13	156	63	0	
LORETTA FARQUHAR . . . . .	219	48.56	18	137	64	0	

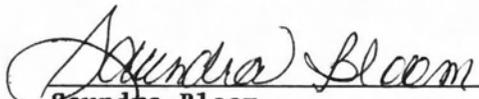
I, Sandra Bloom, Howard County Elections Administrator, hereby certify this to be an accurate count of th votes cast in the May 12, 2012, Big Spring City Election.

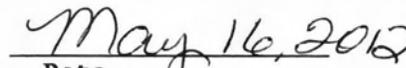
  
 Sandra Bloom

  
 Date

	TOTAL VOTES	%	MAIL IN	EARLY	ELECTION DAY	LATE/PROVISIO	
PROPOSITION BIG SPRING PROP VOTE FOR 1							
FOR (DE ACUERDO) . . . . .	1,182	71.51	109	755	318	0	
AGAINST (EN CONTRA) . . . . .	471	28.49	17	298	156	0	

I, Sandra Bloom, Howard County Elections Administrator, hereby certify this to be an accurate count of th votes cast in the May 12, 2012, Big Spring City Election.

  
Sandra Bloom

  
Date

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS  
DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE  
COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION; AND  
RESOLVING OTHER MATTERS RELATING TO THE SUBJECT**

WHEREAS, this City Council deems it advisable to give notice of intention to issue certificates of obligation of the City of Big Spring, Texas, as hereinafter provided; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

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

SECTION 1. Attached hereto is a form of the Notice of Intention to Issue Certificates of Obligation of the City of Big Spring, Texas, the form and substance of which is hereby adopted and approved.

SECTION 2. The City Secretary shall cause said notice to be published in substantially the form attached hereto, in a newspaper, as defined by Subchapter C, Chapter 2051, Texas Government Code, of general circulation in the area of said City, once a week for two consecutive weeks, the date of the first publication thereof to be at least 30 days prior to the date tentatively set for the adoption of the ordinance authorizing the issuance of such certificates of obligation as shown in said notice.

SECTION 3. In accordance with the provisions of V.T.C.A., Government Code, Section 1201.028, this Resolution shall be effective immediately upon its adoption by the City Council.

PASSED AND APPROVED on first reading at a regular meeting of the City Council of the City of Big Spring on the 22<sup>nd</sup> day of May, 2012, with all members present voting "aye" for passage of same.

PASSED AND APPROVED on second and final reading at a special meeting of the City Council of the City of Big Spring on the 29<sup>th</sup> day of May, 2012, with all members present voting "aye" for passage of same.

\_\_\_\_\_  
Tommy Duncan, Mayor

ATTEST:

\_\_\_\_\_  
Peggy S. Walker, City Secretary

## EXHIBIT A

### NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION OF THE CITY OF BIG SPRING, TEXAS

NOTICE IS HEREBY GIVEN that it is the intention of the City Council of the City of Big Spring, Texas, to issue one or more series of the interest bearing certificates of obligation of the City for the purpose of paying all or a portion of the City's contractual obligations to be incurred in connection with: (i) acquiring, constructing, installing and equipping additions, extensions and improvements to the City's waterworks and sewer system, including upgrades and improvements for the water treatment plant and the wastewater treatment plant; and (ii) paying fees for legal, fiscal, engineering, architectural and other professional services in connection with these projects. The City Council tentatively proposes to adopt on second and final reading an ordinance authorizing the issuance of said certificates of obligation at a meeting to commence at 5:30 p.m., on July 10, 2012, at the Council Chambers 307 East 4th Street, Big Spring, Texas. The maximum amount of certificates of obligation indebtedness that may be authorized to be sold on said date for such purposes described above is \$12,000,000. The City proposes to provide for the payment of such certificates of obligation from the levy and collection of ad valorem taxes in the City as provided by law, and from a pledge of surplus revenues of the City's waterworks and wastewater system remaining after payment of all operation and maintenance expenses thereof, and all debt service, reserve, and other requirements in connection with all of the City's revenue bonds or other obligations (now or hereafter outstanding), which are payable from all or any part of the net revenues of the City's waterworks and wastewater system. The certificates of obligation are to be issued, and this notice is given, under and pursuant to the provisions of V.T.C.A., Local Government Code, Subchapter C of Chapter 271.

CITY OF BIG SPRING, TEXAS

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS  
AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE COMMUNITY  
SERVICES CONTRACTS AND OTHER NECESSARY DOCUMENTS WITH THE TEXAS  
DEPARTMENT OF AGING AND DISABILITY SERVICES FOR THE SENIOR CENTER;  
AND DECLARING AN EMERGENCY

WHEREAS, the City of Big Spring entered into a contract effective July 18, 2011 with the Department of Aging and Disability Services (DADS) for grant funding for the Senior Center; and

WHEREAS, a City representative must now be authorized to negotiate with DADS regarding funding and budgetary issues;

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

Section I. THAT the Mayor is hereby authorized to represent the City to negotiate and execute contracts with the Texas Department of Aging and Disability Services (DADS) for Community Based Alternatives, Community Care home delivered meals and such other contracts as he deems necessary. The Mayor has the power and authority to do all things necessary to implement, maintain, amend, renew or request closure of the contracts. Although the authority of the successors is binding on the City of Big Spring, it is acknowledged that the City of Big Spring must specifically authorize another party by name in a resolution within 30 days of the change in authorization, or when specifically required by DADS, whichever is sooner.

Section II. THAT the City of Big Spring is a municipal local government and is authorized by the Texas Local Government Code.

Section III. THAT this resolution was passed in accordance with the governing documents of the City of Big Spring and the laws of the State of Texas. The term local government means a county, city, town, special purpose district and any other political subdivision of the State of Texas.

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

PASSED AND APPROVED on an emergency reading at a regular meeting of the City Council of the City of Big Spring, Texas, this 22<sup>nd</sup> day of May, 2012, with all members of the Council voting “aye” for passage of the same.

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Tommy Duncan, Mayor

ATTEST:

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Tami L. Davis, Assistant City Secretary

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS,  
AUTHORIZING THE AUCTION OF HOWARD COUNTY TRUSTEE PROPERTIES  
TO THE HIGHEST BIDDER FOR CASH, WITHOUT RESERVATION; AND  
PROVIDING AN EFFECTIVE DATE

WHEREAS, on the 5<sup>th</sup> day of June, 2012, pursuant to an Order of Sale, the Sheriff of Howard County will offer to sell the properties listed on the attached Exhibit "A", Notice of Sale; and

WHEREAS, if the minimum bid required by law is not received at such Sheriff sale the property will be struck off to HOWARD COUNTY, TRUSTEE, on behalf of County of Howard, Howard County Junior College District, City of Big Spring, Big Spring Independent School District, City of Coahoma, City of Forsan, Forsan Independent School District, Howard County Water Control and Improvement District #1 and Howard-Glasscock County Education District; and

WHEREAS, on the 23<sup>rd</sup> day of June, 2012, HOWARD COUNTY, TRUSTEE, on behalf of County of Howard, Howard County Junior College District, City of Big Spring, Big Spring Independent School District, City of Coahoma, City of Forsan, Forsan Independent School District, Howard County Water Control and Improvement District #1 and Howard-Glasscock County Education District, desires to sell at public auction the properties listed on Exhibit "A" attached hereto for which no minimum bid is received at the above described Sheriff sale, as well as properties listed on Exhibit "B", Howard County Trustee Properties, and other properties listed in the name of Howard County, Trustee, to the highest bidder for cash without reservation;

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

SECTION I. That the City of Big Spring consents to the public auction of all properties listed in the name of Howard County, Trustee, to the highest bidder for cash without reservation.

SECTION II. 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 22<sup>nd</sup> day of May, 2012, with all members of the Council voting “aye” for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 12<sup>th</sup> day of June, 2012, with all members of the Council voting “aye” for the passage of same.

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Tommy Duncan, Mayor

ATTEST:

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Tami L. Davis, Assistant City Secretary

# EXHIBIT “A”

## NOTICE OF SALE

## NOTICE OF SALE OF REAL PROPERTY

THE STATE OF TEXAS       §

COUNTY OF HOWARD       §

By virtue of a ORDER OF SALE issued out of the District Court of Howard County, Texas, pursuant to judgment rendered in 118th Judicial District Court of Howard County, Texas, by the District Clerk of said Court, in the hereinafter numbered and styled suits and to me directed and delivered as Sheriff of said County, I did on the \_\_\_\_ day of \_\_\_\_\_, 2012, at 10:00 a.m., levy upon and will proceed to sell for cash to the highest bidder at public auction on the 5<sup>th</sup> day of June, 2012, being the first Tuesday of said month beginning at 10:00 o'clock a.m. on said day, at the North Courthouse door of said County, all the right, title, and interest of the Defendants in such suits in and to the following described real estate levied upon as the property of said Defendants, the same lying and being situated in the County of Howard and the State of Texas, to-wit:

CAUSE NO. 6080

HOWARD COUNTY, ET AL VS JOSEPHINE BAEZA

EXHIBIT NO. DEFENDANT NAME	PROPERTY DESCRIPTION	ADDRESS
No. 1 Josephine Baeza	Lt 11, Bk 11, Government Heights to Bauer Addn	402 Father Delaney
No. 2 Addie Cherry Baird, et al	Lt 1, Bk 2, Rosemont Addn	106 Channing
No.3 Natividad Barela	Lt 2, Bk 1, Denton Addn	609 N. San Antonio
No. 4 Lunnie Coleman	Lt 5 and E/20' of Lt 6, Bk H, Moore Heights Addn	1009 NW 3 <sup>rd</sup>
No. 5 Oscar R. Del Bosque and Ester Del Bosque	Lts 1 & 2, Bk 13, Boydston Addn	200 State
No. 6 Federal Housing Com. of Washington D.C.	Lt 17, Bk 19, Monticello Addn	2612 S. Monticello
No. 7 Francisca Flores and Domingo Flores, et al	Lt 4, Bk H, Moore Heights Addn	1007 NW 3 <sup>rd</sup>
No. 8 Aubrey Galan and Elva Galan, et al	Being a tract of land out of Sc. 42, Bk 32, T1N	104 NE 10 <sup>th</sup>
No. 9 Ramon M. Garcia and Guadalupe Garcia	Lts 3 & 4, Bk 5, Cedar Crest Addn	815 W. 7 <sup>th</sup>
No. 10 Susie M. Grant	Lt 13, Bk 11, Monticello Addn	1402 Marijo
No. 11 Susie M. Grant	Lt 14, Bk 11, Monticello Addn	1404 Marijo

No. 12 George M. Hanks aka George M. Hank, et al	Being a tract of land 109' wide, East and West, by 140' long, North and South, out of tract 19, of the Wm B. Currie Sub-division, SE/4 Sc 42, Bk 32, T1N	603 NE 9 <sup>th</sup>
No. 13 L. C. Heffington, et al	Lt 4, Bk 2, Brown Addn	1504 W 3 <sup>rd</sup>
No. 14 Mike Hernandez, et al	Lt 2, Bk 5, Government Heights to Bauer Addn	504 NW 5 <sup>th</sup>
No. 15 Mike Hernandez, et al	Lt 3, Bk 5, Government Heights to Bauer Addn	506 NW 5 <sup>th</sup>
No. 16 Ike Isaacs and L. R. Baxter	Being 310' Easterly and Westerly and 250' Northerly and Southerly out of the SW corner of 8.58 acres of land out of Sc 31, Bk 33	N/A
No. 17 Juliana H. Mancha Joure aka Julia Mancha, et al	Lt 2, Bk B, Moore Heights Addn	903 NW 5 <sup>th</sup>
No 18 Maudine Kasch	Lt 1, Bk 17, Sherrod Heights Addn	N/A
No 19 Maudine Kasch	Lt 2, Bk 17, Sherrod Heights Addn	N/A
No 20 Maudine Kasch	Lt 3, Bk 17, Sherrod Heights Addn	N/A
No 21 Maudine Kasch	Lt 4, Bk 17, Sherrod Heights Addn	N/A
No 22 Maudine Kasch	Lt 5, Bk 17, Sherrod Heights Addn	N/A
No 23 Maudine Kasch	Lt 6, Bk 17, Sherrod Heights Addn	N/A
No 24 Maudine Kasch	Lt 7, Bk 17, Sherrod Heights Addn	N/A
No 25 Maudine Kasch	Lt 8, Bk 17, Sherrod Heights Addn	N/A
No 26 Maudine Kasch	Lt 9, Bk 17, Sherrod Heights Addn	N/A
No 27 Maudine Kasch	Lt 10, Bk 17, Sherrod Heights Addn	N/A
No 28 Maudine Kasch	Lt 11, Bk 17, Sherrod Heights Addn	N/A
No 29 Maudine Kasch	Lt 12, Bk 17, Sherrod Heights Addn	N/A
No 30 Maudine Kasch	Lt 1, Bk 18, Sherrod Heights Addn	N/A
No 31 Maudine Kasch	Lt 2, Bk 18, Sherrod Heights Addn	N/A
No 32 Maudine Kasch	Lt 3, Bk 18, Sherrod Heights Addn	N/A
No 33 Maudine Kasch	Lt 4, Bk 18, Sherrod Heights Addn	N/A
No 34 Maudine Kasch	Lt 5, Bk 18, Sherrod Heights Addn	N/A
No 35 Maudine Kasch	Lt 6, Bk 18, Sherrod Heights Addn	N/A
No 36 Maudine Kasch	Lt 7, Bk 18, Sherrod Heights Addn	N/A

No 37 Maudine Kasch	Lt 8, Bk 18, Sherrod Heights Addn	N/A
No 38 Maudine Kasch	Lt 9, Bk 18, Sherrod Heights Addn	N/A
No 39 Maudine Kasch	Lt 10, Bk 18, Sherrod Heights Addn	N/A
No 40 Maudine Kasch	Lt 11, Bk 18, Sherrod Heights Addn	N/A
No 41 Maudine Kasch	Lt 12, Bk 18, Sherrod Heights Addn	N/A
No 42 Maudine Kasch	Lt 13, Bk 18, Sherrod Heights Addn	N/A
No 43 Maudine Kasch	Lt 14, Bk 18, Sherrod Heights Addn	N/A
No 44 Maudine Kasch	Lt 15, Bk 18, Sherrod Heights Addn	N/A
No. 45 Leslie L. Killings and George Killings	W/90' of Lt 6, Bk 1, Rosemont Addn	211 Channing
No. 46 Georgia Leach and Georgamal Collins	Lt 8, Bk 4, Government Heights to Bauer Addn	508 N Bell
No. 47 Charles C. Long aka C. C. Long	Lt 14, Bk 37, Original Town of Forsan	109 S. Rex (Forsan)
No. 48 Juanita Marquez, et al	Lt 8, Bk D, Moore Heights Addn	1008 NW 3 <sup>rd</sup>
No. 49 R. McDaniel, Pauline Tucker McDaniel, et al	A tract of land out of Bk 3, of the Bowser Addn	1309 W 2 <sup>nd</sup>
No. 50 Tenalio O. McGee aka T. O. McGee and Lee Anna McGee	Lts 1 & 2, Bk J, Moore Heights Addn	907 NW 2 <sup>nd</sup>
No. 51 W. J. McNew	Lt 4, Bk 7, Lakeview Addn	104 Algerita
No. 52 Micaela Mendoza	A tract of land out Sc 42, Bk 32, T1N, T&P Ry. Co. Survey, Tract 41, Wm B. Currie Subdivision	310 NE 6 <sup>th</sup>
No. 53 Ysa Mendoza and Maria Mendoza	The E/49' of Lt 8, Bk 99, Original Town of Big Spring	628 NW 3 <sup>rd</sup>
No. 54 Linda Joyce Norman aka Linda Norman	W/30' of N/100' of Lt 9, Bk 12, Brown Addn	1709 W. 2 <sup>nd</sup>
No. 55 Diego Olague, Sr. Deceased, Johnny Olague, Deceased, et al	A tract of land 50' northward and southward by 90' eastward and westward out of a certain 2 acre tract, more or less, out of Sc 42, Bk 32, T1N	N/A
No. 56 W. C. Pearson and Dorothy C. Pearson	Lt 2, Bk 5, Rice Addn	1102 State Park Dr.
No. 57 Eddie Mae Penn	Lt 6, Bk 2, Rosemont Addn	101 Channing

No. 58 Elizabeth Perkins, et al	A tract of land out of the SE corner of Lt 7, Bk "A", Moore Heights Addn	Sargent Paredes
No. 59 Mrs. Helen Peterson	W/2 of Lt 2, Bk 117, Original Town of Big Spring	201 NE 3 <sup>rd</sup>
No. 60 Leroy Phillips, et al	Lt 3, Bk 15, Wm B. Currie Extension to Government Heights to Bauer Addn	105 NW 8 <sup>th</sup>
No. 61 Lillian Pijanowski	Lt 3, Bk 5, Jones Valley Addn	N/A
No. 62 Lillian Pijanowski	Lt 4, Bk 5, Jones Valley Addn	N/A
No. 63 Marvin D. Price, Jr. aka Marvin Price and Lupe Martinez	Lt 11, Bk 20, Original Townsite of City of Coahoma	314 S. 2 <sup>nd</sup> (Coahoma)
No. 64 Clara Puga	A tract of land out of Sc. 42, Bk 32, T1N	402 NE 6 <sup>th</sup>
No. 65 Pete Rodriquez, et al	Lt 3, Bk H, Moore's Heights Addn	1005 NW 3 <sup>rd</sup>
No. 66 Alex Rosas aka Alex Rosa	A tract of land 100' eastward and westward by 140' northward and southward out of Tr 22, of the Wm B. Currie Subdivision of the SE/4 of Sc 42, Bk 32, T1N	300 NE 9 <sup>th</sup>
No. 67 Nat Scott and Mable Scott	2 tracts of land out of Sc 26, Bk 33, T1N	808 Father Delaney 816 Father Delaney
No. 68 Willie Mae Sewell aka Willie Sewell	A tract of land out of Sc 26, Bk 33, T1N	901 Father Delaney
No. 69 Pat H. Stanford	Lt 13, Bk 2, Stanford Park Addn	N/A
No. 70 Stanford John Stewart, et al	Lt 19, Bk 2, Original Town of Forsan	306 W. 8 <sup>th</sup> (Forsan)
No. 71 T.W.M. Inc	A tract of land out of the SE/4 of Sc. 42, Bk 32, T1N	108 NE 9 <sup>th</sup>
No. 72 Amalia O. Torres, et al	The S/50' of the SW/4 of Bk 30, of Government Heights to Bauer Addn	900 N. Gregg
No. 73 R. A. Trantham, et al	A tract of land out of Sc 32, Bk 33, T1N	911 W 8 <sup>th</sup>
No. 74 Ector Valdez, et al	A tract of land out of Tract No. 19 of the Wm B. Currie Subdivision of the SE/4 of Sc. 42, Bk 32, T1N	507 NE 9 <sup>th</sup>
No. 75 Florinda I. Viera et al	A tract of land of the SE/4 of Sc 42, Bk 32, T1N	106 NE 9 <sup>th</sup>
No. 76 Preciliano H. Viera	Lt 10, Bk H, Moore Heights Addn	1004 NW 2 <sup>nd</sup>
No. 77 Manuel Villa, et al	A tract of land 40' Eastward and Westward by 110' Northward and Southward out of the NW corner of Tr 29, Wm. B. Currie Subdivision, SE/4 Sc 42, Bk 32, T1N	500 NE 8 <sup>th</sup>

No. 78 E. R. Weatherman	A tract of land out of Sc. 32, Bk 33, T1N	1600 W 5 <sup>th</sup>
No. 79 William Lewis West, et al	A certain 1.93 acre tract of land out of Sc. 40, Bk 32, T1N	1800 Birdwell
No. 80 Artis White, et al	Lt 1, Bk B, Moore Heights Addn	901 NW 5 <sup>th</sup>
No. 81 W. W. White, et al	A tract of land out of a 5.75 acre tract out of Sc 32, Bk 33, T1N	812 San Antonio
No. 82 Max M. Winn, et al	The E/2 of a certain 100' North and South by 208.7' East and West out of the E/2 of Sc 2, Bk 33, T1S	1317 Harding
No. 83 Theresa J. Winn	A 1.0 acre tract out of Sc 41, Bk 31, T1N	N/A

CAUSE NO.                      STYLE                                      PROPERTY DESCRIPTION                                      ADDRESS

T-4644	Howard County, et al vs. Jose J. Olivares, et al	The N/50' of the NE/4 of Bk 27, College Heights Addn	2000 Johnson
T-5530	Howard County, et al vs. Hosea Banks, et al	Lts 5 & 6, Bk 2, Banks Addn	1206 NW 7 <sup>th</sup>
T-5851	Howard County, et al vs. Emmitt Woodard	Lt 18, Bk 3, Mittel Acres Addn	1803 Mittel Ave
T-5851	Howard County, et al vs. Emmitt Woodard	Lt 9, Bk 4, Mittel Acres Addn	1819 Benton
T-5834	Howard County, et al vs. Edward Andrew Merrick	West 46' of Lt 5 and the West 46' of Lt 6, Bk 15 "D", Fairview Heights Addn	301 E 15 <sup>th</sup>
T-5911	Howard County, et al vs. Louis Silva, et al	Lt 11, Bk 5, Wright's Airport Addn	1210 Lindbergh

Said sale to be made by me to satisfy the judgment(s) rendered in the above styled and numbered cause(s), together with interest, penalties and costs of suit, and the proceeds of said sales to be applied to the satisfaction thereof, and the remainder, if any, to be applied as the law directs.

Witness my hand this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
SHERIFF OF HOWARD COUNTY, TEXAS

BY: \_\_\_\_\_  
Deputy

*PROPERTY ADDRESSES ARE PROVIDED BY THE HOWARD COUNTY APPRAISAL DISTRICT*

*PROSPECTIVE BUYERS SHOULD SATISFY THEMSELVES AS TO THE ACTUAL LOCATION OF THE PROPERTY*

*PROSPECTIVE BUYERS SHOULD CHECK TITLE RECORDS FOR METES AND BOUNDS DESCRIPTIONS OF PROPERTY AND TO DETERMINE STATUS OF TITLE*

*ALL PROPERTIES SOLD "AS IS", "WITHOUT WARRANTY OF TITLE"*

*PROSPECTIVE BUYERS WILL BE RESPONSIBLE FOR DEED RECORDING FEES*

*EACH PROPERTY IS SUBJECT TO ANY RIGHT OF REDEMPTION*

*BUYERS WILL BE RESPONSIBLE FOR PAYMENT OF 2011 TAXES; PLEASE CONTACT KATHY SAYLES, HOWARD COUNTY TAC*

# EXHIBIT “B”

## HOWARD COUNTY TRUSTEE PROPERTIES

**HOWARD COUNTY TRUSTEE PROPERTIES AUCTION**  
**DATE: SATURDAY, JUNE 23, 2012**  
**TIME: 9:00 A.M.**  
**LOCATION: CACTUS ROOM, HOWARD**  
**COLLEGE CAMPUS, BIG SPRING, TEXAS**  
**AUCTIONEER-SCOTT EMERSON**  
**WEBSITE-BUYTAXPROPERTY.COM**

CAUSE NO. 6080

HOWARD COUNTY, ET AL VS JOSEPHINE BAEZA

DEFENDANT NAME	EXHIBIT NO. PROPERTY DESCRIPTION	ADDRESS
No. 1 Josephine Baeza	Lt 11, Bk 11, Government Heights to Bauer Addn	402 Father Delaney
No. 2 Addie Cherry Baird, et al	Lt 1, Bk 2, Rosemont Addn	106 Channing
No.3 Natividad Barela	Lt 2, Bk 1, Denton Addn	609 N. San Antonio
No. 4 Lunnie Coleman	Lt 5 and E/20' of Lt 6, Bk H, Moore Heights Addn	1009 NW 3 <sup>rd</sup>
No. 5 Oscar R. Del Bosque and Ester Del Bosque	Lts 1 & 2, Bk 13, Boydston Addn	200 State
No. 6 Federal Housing Com. of Washington D.C.	Lt 17, Bk 19, Monticello Addn	2612 S. Monticello
No. 7 Francisca Flores and Domingo Flores, et al	Lt 4, Bk H, Moore Heights Addn	1007 NW 3 <sup>rd</sup>
No. 8 Aubrey Galan and Elva Galan, et al	Being a tract of land out of Sc. 42, Bk 32, T1N	104 NE 10 <sup>th</sup>
No. 9 Ramon M. Garcia and Guadalupe Garcia	Lts 3 & 4, Bk 5, Cedar Crest Addn	815 W. 7 <sup>th</sup>
No. 10 Susie M. Grant	Lt 13, Bk 11, Monticello Addn	1402 Marijo
No. 11 Susie M. Grant	Lt 14, Bk 11, Monticello Addn	1404 Marijo

No. 12 George M. Hanks aka George M. Hank, et al	Being a tract of land 109' wide, East and West, by 140' long, North and South, out of tract 19, of the Wm B. Currie Sub-division, SE/4 Sc 42, Bk 32, T1N	603 NE 9 <sup>th</sup>
No. 13 L. C. Heffington, et al	Lt 4, Bk 2, Brown Addn	1504 W 3 <sup>rd</sup>
No. 14 Mike Hernandez, et al	Lt 2, Bk 5, Government Heights to Bauer Addn	504 NW 5 <sup>th</sup>
No. 15 Mike Hernandez, et al	Lt 3, Bk 5, Government Heights to Bauer Addn	506 NW 5 <sup>th</sup>
No. 16 Ike Isaacs and L. R. Baxter	Being 310' Easterly and Westerly and 250' Northerly and Southerly out of the SW corner of 8.58 acres of land out of Sc 31, Bk 33	N/A
No. 17 Juliana H. Mancha Joure aka Julia Mancha, et al	Lt 2, Bk B, Moore Heights Addn	903 NW 5 <sup>th</sup>
No 18 Maudine Kasch	Lt 1, Bk 17, Sherrod Heights Addn	N/A
No 19 Maudine Kasch	Lt 2, Bk 17, Sherrod Heights Addn	N/A
No 20 Maudine Kasch	Lt 3, Bk 17, Sherrod Heights Addn	N/A
No 21 Maudine Kasch	Lt 4, Bk 17, Sherrod Heights Addn	N/A
No 22 Maudine Kasch	Lt 5, Bk 17, Sherrod Heights Addn	N/A
No 23 Maudine Kasch	Lt 6, Bk 17, Sherrod Heights Addn	N/A
No 24 Maudine Kasch	Lt 7, Bk 17, Sherrod Heights Addn	N/A
No 25 Maudine Kasch	Lt 8, Bk 17, Sherrod Heights Addn	N/A
No 26 Maudine Kasch	Lt 9, Bk 17, Sherrod Heights Addn	N/A
No 27 Maudine Kasch	Lt 10, Bk 17, Sherrod Heights Addn	N/A
No 28 Maudine Kasch	Lt 11, Bk 17, Sherrod Heights Addn	N/A
No 29 Maudine Kasch	Lt 12, Bk 17, Sherrod Heights Addn	N/A
No 30 Maudine Kasch	Lt 1, Bk 18, Sherrod Heights Addn	N/A
No 31 Maudine Kasch	Lt 2, Bk 18, Sherrod Heights Addn	N/A
No 32 Maudine Kasch	Lt 3, Bk 18, Sherrod Heights Addn	N/A
No 33 Maudine Kasch	Lt 4, Bk 18, Sherrod Heights Addn	N/A
No 34 Maudine Kasch	Lt 5, Bk 18, Sherrod Heights Addn	N/A
No 35 Maudine Kasch	Lt 6, Bk 18, Sherrod Heights Addn	N/A
No 36 Maudine Kasch	Lt 7, Bk 18, Sherrod Heights Addn	N/A

No 37 Maudine Kasch	Lt 8, Bk 18, Sherrod Heights Addn	N/A
No 38 Maudine Kasch	Lt 9, Bk 18, Sherrod Heights Addn	N/A
No 39 Maudine Kasch	Lt 10, Bk 18, Sherrod Heights Addn	N/A
No 40 Maudine Kasch	Lt 11, Bk 18, Sherrod Heights Addn	N/A
No 41 Maudine Kasch	Lt 12, Bk 18, Sherrod Heights Addn	N/A
No 42 Maudine Kasch	Lt 13, Bk 18, Sherrod Heights Addn	N/A
No 43 Maudine Kasch	Lt 14, Bk 18, Sherrod Heights Addn	N/A
No 44 Maudine Kasch	Lt 15, Bk 18, Sherrod Heights Addn	N/A
No. 45 Leslie L. Killings and George Killings	W/90' of Lt 6, Bk 1, Rosemont Addn	211 Channing
No. 46 Georgia Leach and Georgamal Collins	Lt 8, Bk 4, Government Heights to Bauer Addn	508 N Bell
No. 47 Charles C. Long aka C. C. Long	Lt 14, Bk 37, Original Town of Forsan	109 S. Rex (Forsan)
No. 48 Juanita Marquez, et al	Lt 8, Bk D, Moore Heights Addn	1008 NW 3 <sup>rd</sup>
No. 49 R. McDaniel, Pauline Tucker McDaniel, et al	A tract of land out of Bk 3, of the Bowser Addn	1309 W 2 <sup>nd</sup>
No. 50 Tenalio O. McGee aka T. O. McGee and Lee Anna McGee	Lts 1 & 2, Bk J, Moore Heights Addn	907 NW 2 <sup>nd</sup>
No. 51 W. J. McNew	Lt 4, Bk 7, Lakeview Addn	104 Algerita
No. 52 Micaela Mendoza	A tract of land out Sc 42, Bk 32, T1N, T&P Ry. Co. Survey, Tract 41, Wm B. Currie Subdivision	310 NE 6 <sup>th</sup>
No. 53 Ysa Mendoza and Maria Mendoza	The E/49' of Lt 8, Bk 99, Original Town of Big Spring	628 NW 3 <sup>rd</sup>
No. 54 Linda Joyce Norman aka Linda Norman	W/30' of N/100' of Lt 9, Bk 12, Brown Addn	1709 W. 2 <sup>nd</sup>
No. 55 Diego Olague, Sr. Deceased, Johnny Olague, Deceased, et al	A tract of land 50' northward and southward by 90' eastward and westward out of a certain 2 acre tract, more or less, out of Sc 42, Bk 32, T1N	N/A
No. 56 W. C. Pearson and Dorothy C. Pearson	Lt 2, Bk 5, Rice Addn	1102 State Park Dr.
No. 57 Eddie Mae Penn	Lt 6, Bk 2, Rosemont Addn	101 Channing

No. 58 Elizabeth Perkins, et al	A tract of land out of the SE corner of Lt 7, Bk "A", Moore Heights Addn	Sargent Paredes
No. 59 Mrs. Helen Peterson	W/2 of Lt 2, Bk 117, Original Town of Big Spring	201 NE 3 <sup>rd</sup>
No. 60 Leroy Phillips, et al	Lt 3, Bk 15, Wm B. Currie Extension to Government Heights to Bauer Addn	105 NW 8 <sup>th</sup>
No. 61 Lillian Pijanowski	Lt 3, Bk 5, Jones Valley Addn	N/A
No. 62 Lillian Pijanowski	Lt 4, Bk 5, Jones Valley Addn	N/A
No. 63 Marvin D. Price, Jr. aka Marvin Price and Lupe Martinez	Lt 11, Bk 20, Original Townsite of City of Coahoma	314 S. 2 <sup>nd</sup> (Coahoma)
No. 64 Clara Puga	A tract of land out of Sc. 42, Bk 32, T1N	402 NE 6 <sup>th</sup>
No. 65 Pete Rodriguez, et al	Lt 3, Bk H, Moore's Heights Addn	1005 NW 3 <sup>rd</sup>
No. 66 Alex Rosas aka Alex Rosa	A tract of land 100' eastward and westward by 140' northward and southward out of Tr 22, of the Wm B. Currie Subdivision of the SE/4 of Sc 42, Bk 32, T1N	300 NE 9 <sup>th</sup>
No. 67 Nat Scott and Mable Scott	2 tracts of land out of Sc 26, Bk 33, T1N	808 Father Delaney 816 Father Delaney
No. 68 Willie Mae Sewell aka Willie Sewell	A tract of land out of Sc 26, Bk 33, T1N	901 Father Delaney
No. 69 Pat H. Stanford	Lt 13, Bk 2, Stanford Park Addn	N/A
No. 70 Stanford John Stewart, et al	Lt 19, Bk 2, Original Town of Forsan	306 W. 8 <sup>th</sup> (Forsan)
No. 71 T.W.M. Inc	A tract of land out of the SE/4 of Sc. 42, Bk 32, T1N	108 NE 9 <sup>th</sup>
No. 72 Amalia O. Torres, et al	The S/50' of the SW/4 of Bk 30, of Government Heights to Bauer Addn	900 N. Gregg
No. 73 R. A. Trantham, et al	A tract of land out of Sc 32, Bk 33, T1N	911 W 8 <sup>th</sup>
No. 74 Ector Valdez, et al	A tract of land out of Tract No. 19 of the Wm B. Currie Subdivision of the SE/4 of Sc. 42, Bk 32, T1N	507 NE 9 <sup>th</sup>
No. 75 Florinda I. Viera et al	A tract of land of the SE/4 of Sc 42, Bk 32, T1N	106 NE 9 <sup>th</sup>
No. 76 Preciliano H. Viera	Lt 10, Bk H, Moore Heights Addn	1004 NW 2 <sup>nd</sup>
No. 77 Manuel Villa, et al	A tract of land 40' Eastward and Westward by 110' Northward and Southward out of the NW corner of Tr 29, Wm. B. Currie Subdivision, SE/4 Sc 42, Bk 32, T1N	500 NE 8 <sup>th</sup>

No. 78 E. R. Weatherman	A tract of land out of Sc. 32, Bk 33, T1N	1600 W 5 <sup>th</sup>
No. 79 William Lewis West, et al	A certain 1.93 acre tract of land out of Sc. 40, Bk 32, T1N	1800 Birdwell
No. 80 Artis White, et al	Lt 1, Bk B, Moore Heights Addn	901 NW 5 <sup>th</sup>
No. 81 W. W. White, et al	A tract of land out of a 5.75 acre tract out of Sc 32, Bk 33, T1N	812 San Antonio
No. 82 Max M. Winn, et al	The E/2 of a certain 100' North and South by 208.7' East and West out of the E/2 of Sc 2, Bk 33, T1S	1317 Harding
No. 83 Theresa J. Winn	A 1.0 acre tract out of Sc 41, Bk 31, T1N	N/A

CAUSE NO.                      STYLE                                      PROPERTY DESCRIPTION                                      ADDRESS

T-4644	Howard County, et al vs. Jose J. Olivares, et al	The N/50' of the NE/4 of Bk 27, College Heights Addn	2000 Johnson
T-5414	Howard County, et al vs. Juan De Los Santos	All of Lt 5, Bk 20, Government Heights to Bauer Addn	609 NW 8th
T-5428	Howard County vs. Robert Powell	Personal Property Mobile Home-Label #NTA0560748	10 Kenley
T-5530	Howard County, et al vs. Hosea Banks, et al	Lts 5 & 6, Bk 2, Banks Addn	1206 NW 7 <sup>th</sup>
T-5533	Howard County, et al vs. Verna Ashford	Lts 11 & 12, Bk E, Moore's Addn.	900 NW 3 <sup>rd</sup>
T-5605	Howard County, et al vs. Raul Vasquez and Rene Vasquez	A tract of land out of Sc. 31, Bk 33, T1N	2707 Old Hwy 80
T-5715	Howard County, et al vs. John Slay Fuglaar, et al	A 2 acre tract of land out of Sc 32, Bk 33, T1N	1607 W. 4th
T-5718	Howard County, et al vs. Peggy Coleman	Lt 8, Bk 16, Boydston Addn	509 Donley
T-5781	Howard County, et al vs. Paul R. Ronk and Misty D. Ronk	Lt 10, Bk 1, Highland Park Addn	1103 Sycamore
T-5798	Howard County, et al vs. Erasmo H. Sosa, et al	Lt 31, Bk 29, College Park Estates, a Subdivision to the City of Big Spring	3222 Duke

T-5799	Howard County, et al vs. James Spangler	Lt 6, Bk 20, Cole & Strayhorn Addn	810 E. 15 <sup>th</sup>
T-5851	Howard County, et al vs. Emmitt Woodard	Lt 18, Bk 3, Mittel Acres Addn	1803 Mittel Ave
T-5851	Howard County, et al vs. Emmitt Woodard	Lt 9, Bk 4, Mittel Acres Addn	1819 Benton
T-5834	Howard County, et al vs. Edward Andrew Merrick	West 46' of Lt 5 and the West 46' of Lt 6, Bk 15 "D", Fairview Heights Addn	301 E 15 <sup>th</sup>
T-5898	Howard County, et al vs. Jimmy Howard	Lt 23, Bk 1, Bates Addn., City of Coahoma, Howard County, Texas; to include 28x70 mobile home	916 Culp (Coahoma)
T-5911	Howard County, et al vs. Louis Silva, et al	Lt 11, Bk 5, Wright's Airport Addn	1210 Lindbergh
T-5946	Howard County, et al vs. Akin, (Erminia Barrientos)	Lt 1, Bk 112, Original Town of Big Spring	111 NE 3 <sup>rd</sup>
T-6046	Howard County, et al vs. Opal A. Gaskins and Bobby W. Gaskins, Sr.	Lts 14 & 15, Bk 6, Settles Heights Addn	704 Willia

Said sale to be made by me to satisfy the judgment(s) rendered in the above styled and numbered cause(s), together with interest, penalties and costs of suit, and the proceeds of said sales to be applied to the satisfaction thereof, and the remainder, if any, to be applied as the law directs.

Witness my hand this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
SHERIFF OF HOWARD COUNTY, TEXAS

BY: \_\_\_\_\_  
Deputy

## **GENERAL INFORMATION**

**THE FOLLOWING IS IMPORTANT INFORMATION REGARDING THE TRUSTEE PROPERTIES OFFERED AT AUCTION. YOU MUST CAREFULLY READ THIS INFORMATION AND EVALUATE THESE FACTS IN LIGHT OF YOUR ANTICIPATED USE OF THE PROPERTY**

**THE PROPERTIES WILL BE OFFERED AT PUBLIC AUCTION TO THE HIGHEST BIDDER, WITHOUT RESERVATION; PURCHASERS MUST PAY FOR PROPERTY WITH CASH OR A CHECK MADE PAYABLE MOUTON & MOUTON, TRUST ACCOUNT, IMMEDIATELY UPON CONCLUSION OF THE AUCTION.**

**RECORDING FEES WILL BE ADDED TO THE BID PRICE AND COLLECTED FOR EACH PROPERTY AT THE TIME OF THE SALE.**

**A 10% AUCTIONEER FEE WILL BE ADDED TO THE SALE PRICE OF EACH PROPERTY**

**PURCHASERS WILL BE RESPONSIBLE FOR PAYMENT OF 2010 TAXES AND ALL TAXES ASSESSED THEREAFTER; PLEASE CONTACT TAX ASSESSOR COLLECTOR FOR AMOUNTS DUE FOR 2010**

**VALUES SHOWN ARE VALUES ASSESSED BY THE HOWARD COUNTY APPRAISAL DISTRICT  
PROPERTY ADDRESSES SHOWN ARE NOT GUARANTEED, PROSPECTIVE BUYERS SHOULD SATISFY THEMSELVES AS TO THE ACTUAL LOCATION OF THE PROPERTY**

**PROSPECTIVE BUYERS SHOULD CHECK TITLE RECORDS FOR METES AND BOUNDS DESCRIPTIONS OF PROPERTY AND TO DETERMINE STATUS OF TITLE**

**PURCHASERS AT THIS SALE WILL RECEIVE A DEED TO THE PROPERTY "AS IS", "WITHOUT WARRANTY OF TITLE"**

**EACH PROPERTY IS SUBJECT TO ANY RIGHT OF REDEMPTION PURSUANT TO VTCA PROPERTY TAX CODE § 34.21.**

**DREW MOUTON  
MOUTON & MOUTON, P.C.  
Attorneys at Law  
200 West Third Street; P. O. Box 1030  
Big Spring, TX 79721-1030  
Contact: Roylyn WELCH, Legal Assistant: Telephone (432) 264-7465  
ATTORNEY FOR THE HOWARD COUNTY TAXING ENTITIES  
(with the exception of Coahoma ISD)**

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY OF BIG SPRING, TEXAS, AUTHORIZING CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZING THE PAYMENT OF FIVE CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION

WHEREAS, the City of Big Spring is a regulatory authority under the Gas Utility Regulatory Act (GURA) and has exclusive original jurisdiction over the rates and services of Atmos Energy Corporation, Mid-Tex Division (Atmos) within the municipal boundaries of the city; and

WHEREAS, the Atmos Cities Steering Committee (ACSC) has historically intervened in Atmos rate proceedings and gas utility related rulemakings to protect the interests of municipalities and gas customers residing within municipal boundaries; and

WHEREAS, ACSC is participating in Railroad Commission dockets and projects, as well as court proceedings, affecting gas utility rates; and

WHEREAS, the City is a member of ACSC; and

WHEREAS, in order for ACSC to continue its participation in these activities which affects the provision of gas utility service and the rates to be charged, it must assess its members for such costs;

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

SECTION I. That the City is authorized to continue its membership with the Atmos Cities Steering Committee to protect the interests of the City of Big Spring and protect the interests of the customers of Atmos Energy Corporation, Mid-Tex Division residing and conducting business within the City limits.

SECTION II. It is further authorized to pay its 2012 assessment to the ACSC in the amount of five cents (\$0.05) per capita.

SECTION III. A copy of this Resolution and approved assessment fee payable to "Atmos Cities Steering Committee" shall be sent to:

Mary Bunkley  
Treasurer, Atmos Cities Steering Committee  
c/o Arlington City Attorney's Office, Mail Stop 63-0300  
Post Office Box 90231  
Arlington, Texas 76004-3231

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 22<sup>nd</sup> day of May, 2012, with all members of the Council voting “aye” for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 12<sup>th</sup> day of June, 2012, with all members of the Council voting “aye” for the passage of same.

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Tommy Duncan, Mayor

ATTEST:

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Tami L. Davis, Assistant City Secretary

APPROVED AS TO FORM:

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Linda Sjogren, City Attorney

ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS AMENDING CHAPTER EIGHTEEN OF THE BIG SPRING CODE OF ORDINANCES ENTITLED "TRAFFIC" BY AMENDING ARTICLE FIVE SECTION 18-149 ENTITLED "SPECIFIC PARKING, STANDING, STOPPING AND STREET CLOSING PROVISIONS" BY ADDING A NEW SUBSECTION (I) IN ORDER TO PROVIDE TWO FIFTEEN MINUTE PET LOADING AND UNLOADING ZONES AT 215 S. MAIN STREET; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City Council of the City of Big Spring finds it in the best interest of the citizens of the City of Big Spring to permit a pet loading and unloading zone in front of the business located at 215 S. Main St. in order to protect the health and safety of citizens loading and unloading animals at this high traffic location;

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

**SECTION 1.** THAT Chapter 18, Article 5, Section 18-149 of the Big Spring Code of Ordinances entitled "Specific Parking, Standing, Stopping and Street Closing Provisions" is hereby amended by adding a new subsection (I) to read as follows:

**Sec. 18-149. Specific Parking, Standing, Stopping and Street Closing Provisions.**

(I) Pet Loading and Unloading Zone. There shall be two 15 minute Pet Loading and Unloading Zones located at 215 S. Main St.

**SECTION 3.** 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 4.** THAT all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 5.** THAT the City Secretary is hereby ordered and directed to cause the descriptive caption, as well as the penalties for violation of this ordinance to be published as provided by law.

**PASSED AND APPROVED** on first reading at a regular meeting of the City Council on the **22<sup>nd</sup>** day of **May, 2012** with all members present voting "aye" for passage of the same.

**PASSED AND APPROVED** on second reading at a regular meeting of the City Council on the 12<sup>th</sup> day of June, 2012 with all members present voting “aye” for passage of the same.

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Tommy Duncan, Mayor

ATTEST:

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Tami Davis, Assistant City Secretary

**Minutes of the Board of Director's Regular Meeting**  
**BIG SPRING ECONOMIC DEVELOPMENT CORPORATION**  
**Tuesday, April 17, 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 5:25 p.m. Tuesday, April 17, 2012 in the offices of the Big Spring Economic Development Corporation with Mr. Myers, presiding. The following notice was sent on April 13, 2012 to all Directors, the news media, and duly posted on March 16, 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, April 17, 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 March 20, 2012 Regular Meeting; Action to Approve March Financials; Action to Approve March Investment Reports; Approval of a subscription with DNBi, a Dun and Bradstreet product, to facilitate evaluation of financial capacity of potential prospects; Approval of Amendment of the Incentive Agreement with Boyce Galvanizing; Approval of Contract between Big Spring EDC and Big Spring Industrial Foundation; Directors Report; Public Comment; Board Comment; and Adjourn".

**Directors Present:**

Mr. Justin Myers  
Dr. Ledford  
Mr. Rodney Bomar  
Mr. Jim DePauw

**Directors Absent:**

Scott MacKenzie

**Staff Present:**

Mr. Terry Wegman  
Mrs. Teresa Darden

**Guests:**

Amanda Moreno  
Jenelle Lewis  
Nick Reyna

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

Mr. Myers called the meeting to order 5:25 p.m. Mr. Myers led the invocation and pledge.

**AGENDA ITEM # 2- Action to Approve Minutes of the March 20, 2012 Regular Meeting:**

Mr. Myers presented the minutes of the March 20, 2012 regular meeting. Motion to accept the minutes for the March 20, 2012 regular meeting was made by Dr. Ledford seconded by Mr. DePauw. Mr. Bomar was not present. The motion passed 3 to 0 with all members present voting “aye” in favor of the motion

**ACTION ITEM #3- Action on March Financials:**

Mr. Bomar arrived and presented the March Financials. Motion to approve the March Financials was made by Mr. DePauw, seconded by Dr. Ledford. The motion passed 4 to 0 with all members present voting “aye” in favor of the motion.

**AGENDA ITEM #4- Action to Approve March Investment Report:**

Mr. Bomar presented the March Investment Report. Motion to approve the March Investment Report was made by Mr. DePauw seconded by Dr. Ledford. The motion passed 4 to 0 with all members present voting “aye” in favor of the motion.

**AGENDA ITEM #5- Approval of a subscription with DNBi, a Dun & Bradstreet product, to facilitate evaluation of financial capacity of potential prospects:**

Mr. Wegman presented the subscription. Motion to approve a subscription with DNBi was made by Mr. Bomar, seconded by Mr. DePauw. The motion passed 4 to 0 with all members present voting “aye” in favor of the motion.

**AGENDA ITEM #6- Approval of Amendment of the Incentive Agreement with Boyce Galvanizing:**

No discussion, no new information. No action taken

**AGENDA ITEM #7- Approval of Contract between Big Spring EDC and Big Spring Industrial Foundation:**

Mr. Wegman presented the Contract. Motion to approve the Contract between Big Spring EDC and Big Spring Industrial Foundation authorizing the President or other Board Member to sign all documents was made by Mr. Bomar, seconded by Mr. DePauw. The motion passed 4 to 0 with all members present voting “aye” in favor of the motion.

**AGENDA ITEM #8- Directors Report**

Mr. Wegman discussed various projects including: Permission from the Board to get prices on clearing the EDC property, EDC and the City have had a contract with Buxton (a retail study) Company that will expire the end of this month and the EDC uses this for economic impact analysis, THS has a verbal interchange/service agreement with UP, once the agreement is signed the UP will delivery the locomotive, THS has attracted several large companies with the rail, they are requesting a MOU that states THS has first right of refusal to provide rail operation and associated activities with the EDC property, after some discussion, the Board decided to look into it further, there has been no new news on the local business that wants to expand, Site Selector activity for retail, 55+ housing, residential housing has been great. Mr. Wegman advised the board of past and upcoming meetings that include: High Ground Spring Conference and Board Meeting was April 12-13 in Lubbock, Big Spring EDC asked to host the High Ground Annual meeting at the Settles this fall, TEDC Spring Meeting begins April 18<sup>th</sup>, SWCID Job Fair is April 24<sup>th</sup>, Type B Public Hearing and Quarterly Update are April 24<sup>th</sup> next meeting will be May 15, 2012

**AGENDA ITEM #9- Public Comments**

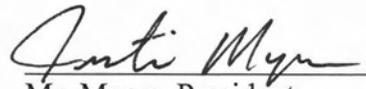
None

**AGENDA ITEM # 10- Board Comments**

None

**AGENDA ITEM # 11- Adjourn**

Mr. Myers asked for a motion to adjourn.  
Motion by Mr. DePauw seconded by Mr. Bomar. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion.  
Meeting adjourned at 6:56 pm on April 17, 2012

  
Mr. Myers, President

**ATTEST:**

  
\_\_\_\_\_  
Mr. Bomar, Secretary/Treasurer