

CITY COUNCIL AGENDA

City of Big Spring
Tuesday, May 28, 2013

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, May 28, 2013, at 5:30 p.m. in the City Council Chambers located at 307 East 4th Street, Big Spring, Texas.

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

Presentations & Public Hearings

1. Invocation & Pledge of Allegiance to the United States Flag and to the Texas State Flag McLellan

Disposition of Minutes

2. Minutes of the Regular Meeting of May 14, 2013 4-9 Davis

Consent Items

3. Final 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 10-26 Walker
4. Final Reading of an Ordinance Amending Ordinance Number 025-2012 Which Ordinance Adopted the Annual Budget for the City of Big Spring for the Fiscal Year Beginning October 1, 2012 and Ending September 30, 2013; Providing for Increasing the General Fund Budget for the Purpose of Purchasing a Front-End Loader for the Landfill Department; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Publication; Providing an Effective Date 27-28 Walker
5. Acceptance of Howard County Appraisal District Board of Directors Minutes for Meeting of April 24, 2013 29-30 Walker

Routine Business

6. Vouchers for 05/16/13 \$ 821,800.00 Fernandez
Vouchers for 05/23/13 \$ 1,680,529.80

New Business

7. **First Reading of an Ordinance Amending Chapter 9 of the Big Spring City Code Entitled "Fire Prevention" by Amending Article 2 Entitled "Fire Marshal" to Provide that the City Fire Marshal Shall be Assigned by the Fire Chief Rather than Appointed by the City Manager and to Require that the Fire Marshal Perform All the Duties and Have All the Authority Set Forth in the International Fire Code as Adopted by the City Council; Providing for Severability; and Providing an Effective Date** 31-32 Sjogren
8. **First Reading of an Ordinance Amending Chapter 1 of the Big Spring City Code by Amending Article 1, "In General", Section 1-25, Entitled "Adoption of Civil Service for Firefighters and Civil Service Positions," Paragraph 3 by Adding a New Lieutenant Position and Providing for Assignment Pay for One Lieutenant Position to be Assigned as Assistant Fire Marshal to Perform Health Inspections; Providing a Severability Clause; Providing for Repeal of Conflicting Ordinances; and Providing an Effective Date** 33-34 Medina
9. **First Reading of an Ordinance Amending the Fire Department Pay Scale for Fiscal Year 2012-13; Providing for Certificate, Education and Assignment Pay in Accordance with Chapter 143 of the Texas Local Government Code; Providing for Repeal of Ordinances in Conflict Herewith; and Providing an Effective Date** 35-36 Medina
10. **First Reading of an Ordinance Amending Chapter Fourteen of the Big Spring City Code Entitled "Offenses," Article 1 Entitled "General," by Adding a New Section 14-8 in Order to Prohibit the Introduction of Certain Contraband Items into a Private or Public Correctional Institution; Providing for a Penalty of Up to Five Hundred Dollars; Providing for Severability; Providing for Publication; and Providing an Effective Date** 37-38 Sjogren
11. **First Reading of an Ordinance Amending Chapter Thirteen, Article Five of the Big Spring City Code Entitled "Food and Food Establishments" to Change the Definition of Regulatory Authority to Include Any Certified Health Inspector Employed by the City and to Charge the City Manager with Conducting Administrative Hearings Related to Food and Food Establishments; Providing for Severability, and Providing an Effective Date** 39-40 Sjogren
12. **Discussion and Consideration of Updating and Amending the City of Big Spring Comprehensive Plan and the McMahon-Wrinkle Airport Master Plan and Authorizing City Staff to Seek Proposals from Qualified Professionals to Assist in the Project** Darden
13. **Approval to Apply for a Department of State Health Services Grant for Financial Assistance through the EMS/LPG Program and Authorizing the City Manager or His Designee to Execute Any Necessary Documents** 41-44 Ferguson

14. Approval of an Agreement with the Big Spring YMCA for Lifeguard Services at the Russ McEwen Family Aquatic Center and Authorizing the City Manager to Execute Any Necessary Documents 45-49 Walker

15. Appointments to Colorado River Municipal Water District's Board of Directors 50-51 Darden

Current Appointee – James T. Weaver since July 13, 1995
Current Appointee – Ray Kennedy – since February 11, 2004
Resume – Roy Worthy 52

Interim City Manager's Report

16. Darden

Council Input

17. Input Duncan

18. 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 24, 2013 at 5:00 p.m. In addition this agenda and supporting documents are posted on the City of Big Spring's website, www.mybigspring.com in accordance with legal requirements.


Lesa Gamble, Administrative Assistant

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

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 _____, 2013 at _____ a.m./p.m. By: _____
Page 3 of 52 City Secretary's Office 05-28-13 Agenda

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

The City Council of the City of Big Spring, Texas, met in a regular meeting in the City Council Chambers located at 307 E. 4th, Big Spring, Texas, at 5:30 p.m., May 14, 2013, with the following members present:

TOMMY DUNCAN	Mayor (Outgoing)
LARRY McLELLAN	Mayor (Incoming)
CRAIG OLSON	Mayor Pro Tem
MARCUS FERNANDEZ	Councilmember
CARMEN HARBOUR	Councilmember
GLEN CARRIGAN	Councilmember
BOBBY MCDONALD	Councilmember
MARVIN BOYD	Councilmember

Same and constituting a quorum; and

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

PRESENTATIONS & PUBLIC HEARINGS

INVOCATION & PLEDGE OF ALLEGIANCE

Barbara Kirk-Norris, St. Mary's Episcopal Church, gave the invocation and Mayor Duncan led the Pledge of Allegiance to the American and State Flags.

PRESENTATION OF "STAR EMPLOYEE" AWARDS

Mayor Duncan and Chad Williams, Interim Police Chief, presented "Star Employee" awards for the month of May to Lieutenant Brian Gordon and Corporal Amy Soles.

Mayor Duncan skipped to Item #10 on the agenda.

NEW BUSINESS

EMERGENCY READING OF AN ORDINANCE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION WHICH WAS HELD ON THE 11TH DAY OF MAY, 2013, FOR THE PURPOSE OF ELECTING A MAYOR AND COUNCILMEMBER DISTRICT 5

Mayor Duncan and the Councilmembers looked over the tabulation of the general election for which the results were as follows: Mayor – Larry McLellan with 1074 votes, Roger M. Rodman with 505 votes and Manuel Ramirez, Jr. with 33 votes. District 5 – J.D. Smith with 143 votes, Raul Benavides with 187 votes and Clint Collins with 93 votes.

Motion was made by Mayor Pro Tem Olson, seconded by Councilmember Fernandez, with all members of the Council voting “aye” approving an emergency reading of an ordinance canvassing the returns and declaring the results of the general election which was held on the 11th day of May, 2013, for the purpose of electing Larry McLellan as Mayor and a runoff to be called for Councilmember District 5 between J.D. Smith and Raul Benavides.

RECOGNITION OF OUTGOING COUNCILMEMBERS

Mayor Duncan gave an emotional thanks to the city staff, councilmembers and to his family for their support during his term as Mayor.

ADMINISTER OATH OF OFFICE TO DULY ELECTED COUNCILMEMBERS

Peggy Walker, City Secretary, administered the oath of office to duly elected Mayor Larry McLellan, and Mayor Pro Tem Olson presented Mayor McLellan with a certificate of election as Mayor of the City of Big Spring.

DISPOSITION OF MINUTES

MINUTES OF THE REGULAR MEETING OF APRIL 23, 2013 AND SPECIAL MEETING OF MAY 7, 2013

Motion was made by Councilmember McDonald, seconded by Mayor Pro Tem Olson, with all members of the Council voting “aye” approving minutes of the regular meeting of April 23, 2013 and special meeting of May 7, 2013.

CONSENT ITEMS

ACCEPTANCE OF McMAHON-WRINKLE AIRPARK DEVELOPMENT BOARD MINUTES FOR MEETING OF MARCH 28, 2013

ACCEPTANCE OF CONVENTION AND VISITORS BUREAU COMMITTEE MINUTES FOR MEETINGS OF MARCH 13, 2013 AND APRIL 3, 2013

ACCEPTANCE OF HOWARD COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS MINUTES FOR MEETINGS OF FEBRUARY 13, 2013, MARCH 13, 2013 AND MARCH 21, 2013

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

BIDS

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

Motion was made by Councilmember Carrigan, seconded by Councilmember Boyd, with all members of the Council voting “aye” awarding bid for tub grinder services and authorizing the Interim City Manager or his designee to execute any necessary documents to Austin Wood Recycling in the amount of \$52,500.00.

AWARD BID FOR A LOADER AND AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Mayor Pro Tem Olson, seconded by Councilmember Boyd, with all members of the Council voting “aye” awarding bid for a loader and authorizing the Interim City Manager or his designee to execute any necessary documents to Yellowhouse Machinery in the amount of \$49,000.00.

ROUTINE BUSINESS

Councilmember Boyd reviewed the vouchers. Motion was made by Councilmember Boyd, seconded by Councilmember Fernandez, with all members of the Council voting “aye” approving vouchers in the amount of \$1,182,924.94 (05/02/13) and \$554,190.46 (05/09/13).

NEW BUSINESS

EMERGENCY READING OF AN ORDINANCE CALLING FOR A RUNOFF ELECTION TO BE HELD ON THE 8TH DAY OF JUNE, 2013, FOR THE PURPOSE OF ELECTING ONE PERSON TO SERVE AS DISTRICT FIVE COUNCILMEMBER, WHO SHALL BE ELECTED BY MAJORITY VOTE OF THE QUALIFIED VOTERS OF DISTRICT FIVE;

DESIGNATING A POLLING PLACE WITHIN THE CITY; AUTHORIZING THE MAYOR TO EXECUTE NOTICE AND HAVE THE NOTICE POSTED FOR THE PURPOSE OF NOTIFYING THE PUBLIC OF SAID ELECTION

Motion was made by Councilmember McDonald, seconded by Councilmember Fernandez, with all members of the Council voting “aye” approving an emergency reading of an ordinance calling for a runoff election to be held on the 8th day of June, 2013, for the purpose of electing one person to serve as District Five Councilmember, who shall be elected by majority vote of the qualified voters of District Five; designating a polling place within the City; authorizing the Mayor to execute notice and have the notice posted for the purpose of notifying the public of said election.

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

Motion was made by Mayor Pro Tem Olson, seconded by Councilmember Fernandez, with all Councilmembers voting “aye” approving 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.

FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 025-2012 WHICH ORDINANCE ADOPTED THE ANNUAL BUDGET FOR THE CITY OF BIG SPRING FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; PROVIDING FOR INCREASING THE GENERAL FUND BUDGET FOR THE PURPOSE OF PURCHASING A FRONT-END LOADER FOR THE LANDFILL DEPARTMENT; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember Carrigan, seconded by Councilmember Boyd, with all members of the Council voting “aye” approving first reading of an ordinance amending Ordinance Number 25-2012 which ordinance adopted the annual budget for the City of Big Spring for the fiscal year beginning October 1, 2012 and ending September 30, 2013; providing for increasing the General Fund budget for the purpose of purchasing a front-end loader for the Landfill Department; providing for repeal of ordinances in conflict herewith; providing for publication; providing an effective date.

APPROVAL OF AN AGREEMENT FOR AUDIT SERVICES WITH BOLINGER, SEGARS, GILBERT & MOSS, L.L.P. AND AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Carrigan, seconded by Councilmember Harbour, with all members of the Council voting “aye” approving an agreement for audit services with Bolinger, Segars, Gilbert & Moss, L.L.P. and authorizing the Interim City Manager to execute any necessary documents.

APPROVAL OF AN AGREEMENT WITH TERRACON CONSULTANTS, INC. FOR CONSULTING SERVICES FOR ASBESTOS ABATEMENT IN THE TWO-STORY BARRACKS BUILDING AT THE McMAHON-WRINKLE AIRPARK AND AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Carrigan, seconded by Councilmember Harbour, with all members of the Council voting “aye” approving an agreement with Terracon Consultants, Inc. for consulting services for asbestos abatement in the two-story barracks building at the McMahon-Wrinkle Airpark and authorizing the Interim City Manager to execute any necessary documents.

APPROVAL OF AN AGREEMENT WITH VANCO INSULATION, INC. FOR ASBESTOS ABATEMENT IN THE TWO-STORY BARRACKS BUILDING AT THE McMAHON-WRINKLE AIRPARK AND AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Harbour, seconded by Councilmember Carrigan, with all members of the Council voting “aye” approving an agreement with Vanco Insulation, Inc. for asbestos abatement in the two-story barracks building at the McMahon-Wrinkle Airpark and authorizing the Interim City Manager to execute any necessary documents.

APPROVAL OF INVESTMENT REPORT FOR THE QUARTER ENDING MARCH 31, 2013

Motion was made by Mayor Pro Tem Olson, seconded by Councilmember Fernandez, with all members of the Council voting “aye” approving the investment report for the quarter ending March 31, 2013.

INTERIM CITY MANAGER’S REPORT

Todd Darden, Interim City Manager, reminded Council that there will be two Colorado River Municipal Water District Board of Directors whose terms will expire on May 31, 2013. Mr. Darden also commented that Mayor Duncan was very involved with the staff and the community and did a great job as Mayor. Mr. Darden congratulated Mayor McMellan.

COUNCIL INPUT

All Councilmembers congratulated and welcomed Mayor McMellan.

Mayor McMellan expressed his thanks to Mayor Duncan for his term as Mayor. Mayor McMellan also thanked the people who supported him during the election and looks forward to working with the Council and Staff.

ADJOURN

Motion was made by Councilmember McDonald, seconded by Councilmember Boyd, with all members of the Council voting “aye” to adjourn at 6:05 p.m.

CITY OF BIG SPRING, TEXAS

Larry McLellan, Mayor

ATTEST:

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 4th day of June, 2013, 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 29th day of June, 2013, 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 14th day of May, 2013, 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 28th day of May, 2013, with all members of the Council voting “aye” for the passage of same.

Tommy Duncan, Mayor

ATTEST:

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 _____, 2013, at 10:00 a.m., levy upon and will proceed to sell for cash to the highest bidder at public auction on the 4th day of June, 2013, 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. 6197

HOWARD COUNTY, ET AL VS THOMAS AYALA, ET AL

EXHIBIT NO. DEFENDANT NAME	PROPERTY DESCRIPTION	ADDRESS
No. 1 Thomas Ayala, et al	Lt 9, Bk 7, Adell Addn.	1404 W. 2 nd
No. 2 Lillian Frances Gary Bivings aka Lillian Gary Bivings aka Lillian Bivings, et al	A tract of land out of Sc 32, Bk 33, T1N	704 Presidio
No.3 Virginia Faye Brumley aka Virginia Raska Brumbley (Beckett)	Lt 8, Bk 3, Wright's Airport Annex Addn.	1315 Utah
No. 4 Jimmy Bynum	Lt 4, Bk 3, Sunset Addn.	n/a
No. 4 Jimmy Bynum	Lt 5, Bk 3, Sunset Addn.	n/a
No. 4 Jimmy Bynum	Lt 7, Bk 3, Sunset Addn.	n/a
No. 4 Jimmy Bynum	Lt 1, Bk 4, Sunset Addn. SAVE & EXCEPT any portion dedicated to public road	400 Sunset
No. 4 Jimmy Bynum	Lt 2, Bk 4, Sunset Addn.	402 Sunset
No. 4 Jimmy Bynum	Lt 3, Bk 4, Sunset Addn.	404 Sunset
No. 4 Jimmy Bynum	Lt 4, Bk 4, Sunset Addn.	406 Sunset
No. 4 Jimmy Bynum	Lt 5, Bk 4, Sunset Addn.	408 Sunset
No. 4 Jimmy Bynum	Lt 6, Bk 4, Sunset Addn.	410 Sunset

No. 4 Jimmy Bynum	Lt 7, Bk 4, Sunset Addn.	500 Sunset
No. 4 Jimmy Bynum	Lt 8, Bk 4, Sunset Addn.	502 Sunset
No. 4 Jimmy Bynum	Lt 14, Bk 4, Sunset Addn.	n/a
No. 4 Jimmy Bynum	Lt 15, Bk 4, Sunset Addn.	n/a
No. 4 Jimmy Bynum	Lt 16, Bk 4, Sunset Addn.	n/a
No. 4 Jimmy Bynum	Lt 2, Bk 5, Sunset Addn.	409 Sunset
No. 5 Myrl Click and Betty Click	Lt 10, of the replat of Lts A & B, Tr 8, Kennebec Heights, Subdivision of Sc 12, Bk 33, T1S, T&P Ry. Co. Survey	n/a
No. 6 Clara Jones Coffee, C. C. Coffee, Jr., and Robert B. Coffee	A tract of land out of Sc 5, Bk 32, T1S, T&P Ry. Co. Survey	n/a
No. 7 C. C. Cole	Lt 2, Bk 3, South Haven Addn	Wasson
No. 8 Demetrio M. Corralez aka D. M. Corralez, et al	Lt 10, Bk 23, Governments Heights to Bauer Addn	604 NW 8 th
No. 10 Bobby Doe, et al	M/50' and all of S/50' in Lt 2, Bk 80, Original Town of Big Spring, Howard County, Texas; SAVE AND EXCEPT land conveyed from Jack L. Watkins and wife Ida D. Watkins to William R. Allred and wife, Rosa Lee Allred	905 Runnels
No. 12 Helen Miller, Merle J. Stewart, Lucille Collins, Lola Belle Rix, Keith M. Stewart and Laverne Yeatman, as Stockholders in Forsan Townsite Company	Lt 18, Bk 26, Original Townsite of Forsan	305 E. Main (Forsan)
No. 12 Helen Miller, Merle J. Stewart, Lucille Collins, Lola Belle Rix, Keith M. Stewart and Laverne Yeatman, as Stockholders in Forsan Townsite Company	Lt 14, Bk 26, Original Townsite of Forsan	309 Main (Forsan)
No. 14 Johnny Ray Gardner, et al	The W/60' of the E/180', Bk 55, Government Heights to Bauer Addn	205 NW 12 th
No. 15 Emilio Gonzales and Isabell Gonzales Alcantar	N/2 of Lt 1, Bk 10, Government Heights to Bauer Addn.	611 N Bell

No. 16 Garland Green aka Garland Green, Sr. and Georgia Mae Green, et al	Lt 4, Bk 1, Rosemont Addn., town of Big Spring	207 Channing
No. 18 G. C. Heffington, and Guy Heffington, et al	Lts 1 & 2, Bk 12, Jones Valley Addn	1009 W 6 th
No. 18 G. C. Heffington, and Guy Heffington, et al	Lt 1, Bk 2, Brown Addn	1510 W 3 rd
No. 18 G. C. Heffington, and Guy Heffington, et al	Lt 2, Bk 2, Brown Addn	1508 W 3 rd
No. 18 G. C. Heffington, and Guy Heffington, et al	Lt 3, Bk 2, Brown Addn	1506 W 3 rd
No. 18 G. C. Heffington, and Guy Heffington, et al	Lt 6, Bk 7, Brown Addn	1600 W 1 st
No. 19 Humberto Hernandez	A parcel of land out of Tr 34, of the Wm. B. Currie Subdivision of the SE/4 of Sc. 42, Bk 32, T1N, T&P Ry. Co Survey	207 NE 7 th
No. 20 Richard Hilario aka Richard C. Hilario	A tract of land out of Tr 33, of the Wm B. Currie subdivision out of the SE/4 of Sc. 42, Bk 32, T1N, T&P Ry. Co. Survey, SAVE AND EXCEPT 0.17'	306 NE 8 th
No. 21 Leon Houston, Jr. aka Leon J. Houston, Jr.	Lt 10, Bk 4, Amended Govenment Heights to Bauer Addn	511 N Lancaster
No. 22 H. W. Howell and Nancy Riddle Howell	A tract of land out of Sc 32, Bk 33, T1N, T&P Ry. Co. Survey	1203 W 5 th
No. 23 J&J Construction Company	Lt 8, Bk 20, Monticello Addn	2302 S Monticello
No. 23 J&J Construction Company	Lt 16, Bk 7, Monticello Addn	1201 Barnes
No. 24 John Jarrett and Fannie Jarrett, et al	S/27' of the W/90' of Lt 1, Bk 1, Rosemont Addn	201 Channing
No. 24 John Jarrett and Fannie Jarrett, et al	N/27' of the W/90' of Lt 1, Bk 1, Rosemont Addn	105 Channing
No. 25 Mamie Lee Jones	A tract of land out of the SE/4 of Sc 42, Bk 32, Tr 42, T1N, T&P RR Co. Survey	109 NE 9 th
No. 26 Patrick Kelly Equipment, et al	A tract of land out of Sc 31, Bk 33, T1N, T&P Ry. Co. Survey	n/a
No. 27 Juanita Lopez and Juanita H. Lopez	Lt 3, Bk 6, Porter Addn., City of Big Spring	504 Young

No. 28 Norma Lee Lujan fka Norma Lee Puga	A parcel of land out of Tr 33, of the Wm. B. Currie Subdivision of the SE/4 of Sc 42, Bk 32, T1N, T&P Ry. Co. Survey	305 NE 7 th
No. 29 Sylvia Martinez	Lt 3, Bk 4, Cedar Crest Addn	828 W 7 th
No. 30 Cirilo Melendez and Seturnina Melendez	40' off of the north end of Lt 7, Bk 2, Jones Valley Addn	306 San Antonio
No. 31 Lloyd R. Nichols and Ruth H. Nichols	Lt 8, Bk 108, Less W/25'	209 NW 2 nd
No. 32 Joseph Gregorio Palomino	Lt 2, Bk 2, Rosemont Addn	105 Channing
No. 32 Joseph Gregorio Palomino	Lt 3, Bk 2, Rosemont Addn	104 Channing
No. 32 Joseph Gregorio Palomino	Lt 4, Bk 2, Rosemont Addn	103 Channing
No. 32 Joseph Gregorio Palomino	Lt 5, Bk 2, Rosemont Addn	102 Channing
No. 34 Bertha L. Payton	All of Lt 7, Bk A, Moore Heights Addn., City of Big Spring, Howard County, Texas; SAVE AND EXCEPT a parcel of land	810 Sgt Paredez
No. 35 Peoples National Fund, Inc.	Lt 11, Bk 8, Brown Addn	1609 W 1 st
No. 36 Loretta Purcell, James C. Smith, et al	Lt 3, Bk 42, Settles Subdivision of College Heights Addn	2204 Nolan
No. 37 Larry Frank Roden and Ronald Reeves Knaus	Lt 2, Bk 4, Hathcock Heights Addn	n/a
No. 38 Betty Sherman	A parcel of land out of the S/2 of Sc 26, Bk 33, T1N, T&P Ry. Co. Survey	n/a
No. 39 H. W. Smith Transport Company, Inc., et al	Lt 4, of the Balch Addition located on the Snyder Highway out of the City of Big Spring, and being out of Sc 32, Bk 32, T1N, T&P Ry. Co. Survey	n/a
No. 40 Charles C. Smith, Ind. and dba State Wide Refurbishment, et al	Lt 14, Bk 41, Original town of Forsan	404 E 4 th (Forsan)
No. 40 Charles C. Smith, Ind. and dba State Wide Refurbishment, et al	Lt 6, Bk 41, Original town of Forsan	409 E 3 rd (Forsan)
No. 41 Jonnie Mae Spruill	Lt 13, Bk 17, Sherrod Heights Subdivision	n/a
No. 42 Esta Lee Stockstill	Lt 13, Bk 19, Original Townsite of Forsan	200 W 6 th (Forsan)
No. 42 Esta Lee Stockstill	Lt 18 & 19, Bk 20, Original Townsite of Forsan	108 W 6 th (Forsan)

No. 43 Lonnie J. Stockton	Lts 1 & 2, Bk 44, Original Townsite of Forsan	108 E 4 th (Forsan)
No. 44 John D. Stull aka J. D. Stull, et al	A tract of land out of Sc 26, Bk 33, T1N, T&P Ry. Co. Survey	n/a
No. 45 W. R. Summers, T. F. Summers and W. T. Summers	A tract of land out of Sc 32, Bk 33, T1N, T&P Ry. Co. Survey	610 Presidio
No. 46 George Thadeus Thomas, Jr. aka George Thadeus Thomas aka Thad Thomas	Lt 3, Bk L, Moore's Heights Addn	1005 NW 1 st
No. 47 Violet Webb, fka Violet N. Hall, Emmett Hall, et al	Lts 1 & 2, Bk 2, Wrights Airport Annex Addn	1301 Kindle
No. 48, Frank Eugene Wentz, Bertha Wentz, et al	Lt 11, Bk 4, Brown Addn	1507 Meadow
No. 49 Ella B. Womble aka Ella B. Wamble	Being the S/50' of a tract of land out of Sc 32, Bk 33, T1N, T&P Ry. Co. Survey	904 San Antonio
No. 50 Ascension P. Yanez, Ascencion Yanez, et al	A tract of land out of Sc 32, Bk 33, T1N, T&P Ry. Co. Survey	1007 W 8 th

CAUSE NO. STYLE PROPERTY DESCRIPTION ADDRESS

T-4673	Howard County, et al vs. Jerry D. Coyle, et al	A tract of land 192 feet wide, Eastward and Westward, by 179.4 feet long, Northward and Southward, out of Sc 44, Bk 32, T1N	n/a
T-5123	Howard County, et al vs. Adan Hernandez Valencia aka Adam H. Valencia, deceased, et al	S/2 of Lts 5&6, Bk 6, Government Heights to Bauer Addn	608 NW 5 th
T-5343	Howard County, et al vs. David Young	Lt 4, Bk 112, Original Town of Big Spring	105 NE 3rd
T-5911	Howard County, et al vs. Walter B. Fields	Lt 5, Bk 1, Buckner Place Addn.	1409 Lincoln
T-5959	Howard County, et al vs. John T. Fierro and Delma Fierro	A tract of land out of Sc 5, Bk 32, T1S, Howard County, Texas	1002 E. 19 th

T-6003	Howard County, et al vs. Mark Lee Smith, Leanne Smith and Ashley Smith	Lt 25, Bk 1, Bates Addn., City of Coahoma	912 Culp Addn. (Coahoma)
T-6036	Howard County, et al vs. Carmen Chavarria	Lt 10, Bk 12, Boydstun Addn	205 Benton
T-6169	Howard County, et al vs. Linda Gail Hall aka Linda G. Hall aka Linda Hall	Lt 26, Bk 4, Hall Addn.	1410 E. 4 th

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 _____, 2013.

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 DIANE CARTER, HOWARD COUNTY TAC

EXHIBIT “B”

HOWARD COUNTY TRUSTEE PROPERTIES

HOWARD COUNTY TRUSTEE PROPERTIES AUCTION

DATE: SATURDAY, JUNE 29, 2013

TIME: 9:00 A.M.

LOCATION: CACTUS ROOM, HOWARD COLLEGE CAMPUS, BIG SPRING, TEXAS

AUCTIONEER-SCOTT EMERSON

WEBSITE-BUYTAXPROPERTY.COM

CAUSE NO. 6197

HOWARD COUNTY, ET AL VS THOMAS AYALA, ET AL

EXHIBIT NO. DEFENDANT NAME	PROPERTY DESCRIPTION	ADDRESS
No. 1 Thomas Ayala, et al	Lt 9, Bk 7, Adell Addn.	1404 W. 2 nd
No. 2 Lillian Frances Gary Bivings aka Lillian Gary Bivings aka Lillian Bivings, et al	A tract of land out of Sc 32, Bk 33, T1N	704 Presidio
No. 3 Virginia Faye Brumley aka Virginia Raska Brumbley (Beckett)	Lt 8, Bk 3, Wright's Airport Annex Addn.	1315 Utah
No. 4 Jimmy Bynum	Lt 4, Bk 3, Sunset Addn.	n/a
No. 4 Jimmy Bynum	Lt 5, Bk 3, Sunset Addn.	n/a
No. 4 Jimmy Bynum	Lt 7, Bk 3, Sunset Addn.	n/a
No. 4 Jimmy Bynum	Lt 1, Bk 4, Sunset Addn. SAVE & EXCEPT any portion dedicated to public road	400 Sunset
No. 4 Jimmy Bynum	Lt 2, Bk 4, Sunset Addn.	402 Sunset
No. 4 Jimmy Bynum	Lt 3, Bk 4, Sunset Addn.	404 Sunset
No. 4 Jimmy Bynum	Lt 4, Bk 4, Sunset Addn.	406 Sunset
No. 4 Jimmy Bynum	Lt 5, Bk 4, Sunset Addn.	408 Sunset
No. 4 Jimmy Bynum	Lt 6, Bk 4, Sunset Addn.	410 Sunset
No. 4 Jimmy Bynum	Lt 7, Bk 4, Sunset Addn.	500 Sunset

No. 4 Jimmy Bynum	Lt 8, Bk 4, Sunset Addn.	502 Sunset
No. 4 Jimmy Bynum	Lt 14, Bk 4, Sunset Addn.	n/a
No. 4 Jimmy Bynum	Lt 15, Bk 4, Sunset Addn.	n/a
No. 4 Jimmy Bynum	Lt 16, Bk 4, Sunset Addn.	n/a
No. 4 Jimmy Bynum	Lt 2, Bk 5, Sunset Addn.	409 Sunset
No. 5 Myrl Click and Betty Click	Lt 10, of the replat of Lts A & B, Tr 8, Kennebec Heights, Subdivision of Sc 12, Bk 33, T1S, T&P Ry. Co. Survey	n/a
No. 6 Clara Jones Coffee, C. C. Coffee, Jr., and Robert B. Coffee	A tract of land out of Sc 5, Bk 32, T1S, T&P Ry. Co. Survey	n/a
No. 7 C. C. Cole	Lt 2, Bk 3, South Haven Addn	Wasson
No. 8 Demetrio M. Corralez aka D. M. Corralez, et al	Lt 10, Bk 23, Governments Heights to Bauer Addn	604 NW 8 th
No. 10 Bobby Doe, et al	M/50' and all of S/50' in Lt 2, Bk 80, Original Town of Big Spring, Howard County, Texas; SAVE AND EXCEPT land conveyed from Jack L. Watkins and wife Ida D. Watkins to William R. Allred and wife, Rosa Lee Allred	905 Runnels
No. 12 Helen Miller, Merle J. Stewart, Lucille Collins, Lola Belle Rix, Keith M. Stewart and Laverne Yeatman, as Stockholders in Forsan Townsite Company	Lt 18, Bk 26, Original Townsite of Forsan	305 E. Main (Forsan)
No. 12 Helen Miller, Merle J. Stewart, Lucille Collins, Lola Belle Rix, Keith M. Stewart and Laverne Yeatman, as Stockholders in Forsan Townsite Company	Lt 14, Bk 26, Original Townsite of Forsan	309 Main (Forsan)
No. 14 Johnny Ray Gardner, et al	The W/60' of the E/180', Bk 55, Government Heights to Bauer Addn	205 NW 12 th
No. 15 Emilio Gonzales and Isabell Gonzales Alcantar	N/2 of Lt 1, Bk 10, Government Heights to Bauer Addn.	611 N Bell

No. 16 Garland Green aka Garland Green, Sr. and Georgia Mae Green, et al	Lt 4, Bk 1, Rosemont Addn., town of Big Spring	207 Channing
No. 18 G. C. Heffington, and Guy Heffington, et al	Lts 1 & 2, Bk 12, Jones Valley Addn	1009 W 6 th
No. 18 G. C. Heffington, and Guy Heffington, et al	Lt 1, Bk 2, Brown Addn	1510 W 3 rd
No. 18 G. C. Heffington, and Guy Heffington, et al	Lt 2, Bk 2, Brown Addn	1508 W 3 rd
No. 18 G. C. Heffington, and Guy Heffington, et al	Lt 3, Bk 2, Brown Addn	1506 W 3 rd
No. 18 G. C. Heffington, and Guy Heffington, et al	Lt 6, Bk 7, Brown Addn	1600 W 1 st
No. 19 Humberto Hernandez	A parcel of land out of Tr 34, of the Wm. B. Currie Subdivision of the SE/4 of Sc. 42, Bk 32, T1N, T&P Ry. Co Survey	207 NE 7 th
No. 20 Richard Hilario aka Richard C. Hilario	A tract of land out of Tr 33, of the Wm B. Currie subdivision out of the SE/4 of Sc. 42, Bk 32, T1N, T&P Ry. Co. Survey, SAVE AND EXCEPT 0.17'	306 NE 8 th
No. 21 Leon Houston, Jr. aka Leon J. Houston, Jr.	Lt 10, Bk 4, Amended Govenment Heights to Bauer Addn	511 N Lancaster
No. 22 H. W. Howell and Nancy Riddle Howell	A tract of land out of Sc 32, Bk 33, T1N, T&P Ry. Co. Survey	1203 W 5 th
No. 23 J&J Construction Company	Lt 8, Bk 20, Monticello Addn	2302 S Monticello
No. 23 J&J Construction Company	Lt 16, Bk 7, Monticello Addn	1201 Barnes
No. 24 John Jarrett and Fannie Jarrett, et al	S/27' of the W/90' of Lt 1, Bk 1, Rosemont Addn	201 Channing
No. 24 John Jarrett and Fannie Jarrett, et al	N/27' of the W/90' of Lt 1, Bk 1, Rosemont Addn	105 Channing
No. 25 Mamie Lee Jones	A tract of land out of the SE/4 of Sc 42, Bk 32, Tr 42, T1N, T&P RR Co. Survey	109 NE 9 th
No. 26 Patrick Kelly Equipment, et al	A tract of land out of Sc 31, Bk 33, T1N, T&P Ry. Co. Survey	n/a
No. 27 Juanita Lopez and Juanita H. Lopez	Lt 3, Bk 6, Porter Addn., City of Big Spring	504 Young

No. 28 Norma Lee Lujan fka Norma Lee Puga	A parcel of land out of Tr 33, of the Wm. B. Currie Subdivision of the SE/4 of Sc 42, Bk 32, T1N, T&P Ry. Co. Survey	305 NE 7 th
No. 29 Sylvia Martinez	Lt 3, Bk 4, Cedar Crest Addn	828 W 7 th
No. 30 Cirilo Melendez and Seturnina Melendez	40' off of the north end of Lt 7, Bk 2, Jones Valley Addn	306 San Antonio
No. 31 Lloyd R. Nichols and Ruth H. Nichols	Lt 8, Bk 108, Less W/25'	209 NW 2 nd
No. 32 Joseph Gregorio Palomino	Lt 2, Bk 2, Rosemont Addn	105 Channing
No. 32 Joseph Gregorio Palomino	Lt 3, Bk 2, Rosemont Addn	104 Channing
No. 32 Joseph Gregorio Palomino	Lt 4, Bk 2, Rosemont Addn	103 Channing
No. 32 Joseph Gregorio Palomino	Lt 5, Bk 2, Rosemont Addn	102 Channing
No. 34 Bertha L. Payton	All of Lt 7, Bk A, Moore Heights Addn., City of Big Spring, Howard County, Texas; SAVE AND EXCEPT a parcel of land	810 Sgt Paredez
No. 35 Peoples National Fund, Inc.	Lt 11, Bk 8, Brown Addn	1609 W 1 st
No. 36 Loretta Purcell, James C. Smith, et al	Lt 3, Bk 42, Settles Subdivision of College Heights Addn	2204 Nolan
No. 37 Larry Frank Roden and Ronald Reeves Knaus	Lt 2, Bk 4, Hathcock Heights Addn	n/a
No. 38 Betty Sherman	A parcel of land out of the S/2 of Sc 26, Bk 33, T1N, T&P Ry. Co. Survey	n/a
No. 39 H. W. Smith Transport Company, Inc., et al	Lt 4, of the Balch Addition located on the Snyder Highway out of the City of Big Spring, and being out of Sc 32, Bk 32, T1N, T&P Ry. Co. Survey	n/a
No. 40 Charles C. Smith, Ind. and dba State Wide Refurbishment, et al	Lt 14, Bk 41, Original town of Forsan	404 E 4 th (Forsan)
No. 40 Charles C. Smith, Ind. and dba State Wide Refurbishment, et al	Lt 6, Bk 41, Original town of Forsan	409 E 3 rd (Forsan)
No. 41 Jonnie Mae Spruill	Lt 13, Bk 17, Sherrod Heights Subdivision	n/a
No. 42 Esta Lee Stockstill	Lt 13, Bk 19, Original Townsite of Forsan	200 W 6 th (Forsan)
No. 42 Esta Lee Stockstill	Lt 18 & 19, Bk 20, Original Townsite of Forsan	108 W 6 th (Forsan)

No. 43 Lonnie J. Stockton	Lts 1 & 2, Bk 44, Original Townsite of Forsan	108 E 4 th (Forsan)
No. 44 John D. Stull aka J. D. Stull, et al	A tract of land out of Sc 26, Bk 33, T1N, T&P Ry. Co. Survey	n/a
No. 45 W. R. Summers, T. F. Summers and W. T. Summers	A tract of land out of Sc 32, Bk 33, T1N, T&P Ry. Co. Survey	610 Presidio
No. 46 George Thadeus Thomas, Jr. aka George Thadeus Thomas aka Thad Thomas	Lt 3, Bk L, Moore's Heights Addn	1005 NW 1 st
No. 47 Violet Webb, fka Violet N. Hall, Emmett Hall, et al	Lts 1 & 2, Bk 2, Wrights Airport Annex Addn	1301 Kindle
No. 48, Frank Eugene Wentz, Bertha Wentz, et al	Lt 11, Bk 4, Brown Addn	1507 Meadow
No. 49 Ella B. Womble aka Ella B. Wamble	Being the S/50' of a tract of land out of Sc 32, Bk 33, T1N, T&P Ry. Co. Survey	904 San Antonio
No. 50 Ascension P. Yanez, Ascencion Yanez, et al	A tract of land out of Sc 32, Bk 33, T1N, T&P Ry. Co. Survey	1007 W 8 th

CAUSE NO. STYLE PROPERTY DESCRIPTION ADDRESS

T-4673	Howard County, et al vs. Jerry D. Coyle, et al	A tract of land 192 feet wide, Eastward and Westward, by 179.4 feet long, Northward and Southward, out of Sc 44, Bk 32, T1N	n/a
T-5123	Howard County, et al vs. Adan Hernandez Valencia aka Adam H. Valencia, deceased, et al	S/2 of Lts 5&6, Bk 6, Government Heights to Bauer Addn	608 NW 5 th
T-5343	Howard County, et al vs. David Young	Lt 4, Bk 112, Original Town of Big Spring	105 NE 3rd
T-5376	Howard County, et al vs. Alonzo Mata Hilario and Christina Perez	A tract of land out of the SE/4 of Sec. 42, Blk 32, T-1-N, Tr. 22, William B. Currie Addn.	203 NE 8th
T-5817	Howard County, et al vs. Deborah Carol Hanson	Lt 2, Bk 5, Piner Heights Addn.	1405 Stadium

T-5855	Howard County, et al vs. Thoai Van Quach and Quyen Le Quach	All of Lt 6, Bk 34, Cole & Strayhorn Addn.	1110 E. 14th
T-5911	Howard County, et al vs. Walter B. Fields	Lt 5, Bk 1, Buckner Place Addn.	1409 Lincoln
T-5959	Howard County, et al vs. John T. Fierro and Delma Fierro	A tract of land out of Sc 5, Bk 32, T1S, Howard County, Texas	1002 E. 19 th
T-5977	Howard County, et al vs. Lucy Elizabeth Jones	Lt 1, Bk 19, Jones Valley Addn	1111 W. 3rd
T-5996	Howard County, et al vs. Richard H. Hernandez Martinez	Lt 9, Bk 23, Cole & Strayhorn Addn.	n/a
T-6003	Howard County, et al vs. Mark Lee Smith, Leanne Smith and Ashley Smith	Lt 25, Bk 1, Bates Addn., City of Coahoma	912 Culp Addn. (Coahoma)
T-6036	Howard County, et al vs. Carmen Chavarria	Lt 10, Bk 12, Boydston Addn	205 Benton
T-6042	Howard County, et al vs. Nan M. Ivie	Lt 13, Bk 3, Mittel Acres Addn	1901 Mittel
T-6079	Howard County, et al vs. Erika Arias Zapata	Lt 5, Bk 1, Manning Addn; SAVE & EXCEPT S/10"	1707 Young
T-6169	Howard County, et al vs. Linda Gail Hall aka Linda G. Hall aka Linda Hall	Lt 26, Bk 4, Hall Addn.	1410 E. 4 th

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 _____, 2013.

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 2012 TAXES AND ALL TAXES ASSESSED THEREAFTER; PLEASE CONTACT TAX ASSESSOR COLLECTOR FOR AMOUNTS DUE FOR 2012

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.

VIEW PROPERTIES AT SPRING CITY AUCTION @ buytaxproperty.com

**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)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AMENDING ORDINANCE NUMBER 025-2012 WHICH ORDINANCE ADOPTED THE ANNUAL BUDGET FOR THE CITY OF BIG SPRING, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; PROVIDING FOR INCREASING THE GENERAL FUND BUDGET FOR THE PURPOSE OF PURCHASING A FRONT-END LOADER FOR THE LANDFILL DEPARTMENT; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS the City Council adopted the annual budget for the City of Big Spring, Texas on September 25, 2012; and

WHEREAS, funding for purchase of a Front-End Loader was not included in such budget, and is necessary for the efficient operation of the Landfill Department;

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

SECTION 1. Enacted.

THAT, the General Fund Budget of the Annual Budget for the City of Big Spring, Texas for the Fiscal Year beginning October 1, 2012 and ending September 30, 2013 is hereby increased by the amount of \$49,000 for the purpose of purchasing a 524K John Deere Front-End Loader for the Landfill Department.

SECTION 2: Continuing effect.

The remaining portions of Ordinance Number 025-2012 shall remain in full force and effect.

SECTION 3: Repeal.

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

SECTION 4. Publication.

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

SECTION 5. Effective Date.

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

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 14th day of May, 2013, with all members present voting “aye” for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 28th day of May, 2013, with all members present voting “aye” for the passage of same.

CITY OF BIG SPRING

Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

**THE MINUTES OF MEETING OF THE
BOARD OF DIRECTORS
HOWARD COUNTY APPRAISAL DISTRICT**

APRIL 24, 2013

The Board of Directors of the Howard County Appraisal District (HCAD) met for their Regular Meeting on April 24, 2013 at 5:15 pm. Directors present were Donnie Baker, Donnie Reid, Tim Blackshear, Dale Humphreys and Kathy Sayles. Ronny Babcock and Shane Schaffner represented the HCAD. Diane Carter represented the Tax Office. Jerry Whitehead represented Southwest Data from Waxahachie, Texas. Kevin Telchik represented Stephens, Stephens and Telchick from Lamesa, Texas.

Mr. Baker called the meeting to order at 5:13 pm.

No one was registered for public comments.

The minutes for March 13, 2013 and March 21, 2013 were reviewed and approved on a motion from Tim Blackshear with a second from Kathy Sayles. Motion carried 5 to 0.

The bills for March 2013 were reviewed and approved on a motion from Dale Humphreys with a second from Kathy Sayles. Motion carried 5 to 0.

The financial report for March 2013 were reviewed and approved on a motion from Kathy Sayles with a second from Donnie Reid. Motion carried 5 to 0.

The travel expenses were reviewed and approved on a motion from Donnie Reid with a second from Kathy Sayles. Motion carried 5 to 0.

The Auditor's Report was reviewed and approved on a motion from Tim Blackshear with a second from Donnie Reid. Motion carried 5 to 0.

Tim Blackshear motioned to distribute \$557,000 to the entities from the 2010 Year Surplus, with a second from Dale Humphreys. Motion carried 5 to 0.

Donnie Baker motioned to approve the Vehicle Bid for new vehicle from Pollard Chevrolet in the amount of \$30,639. Kathy Sayles seconded the motion. Motion carried 5 to 0. Two other bids were unsuccessful. One bid from Wheeler Motors and another bid from Pollard Chevrolet.

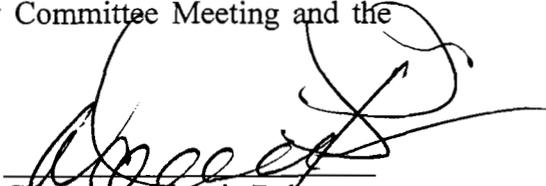
The board tabled item #III C. Acquiring new fiber cable for faster internet.

The chief appraiser gave a report on the new software: Gemini being Southwest Data.

He stated that the employees training on the new software was complete. He also discussed the installation of Pictometry, the Ag Advisory Committee Meeting and the completion of the ARB Training.

With no other business to discuss, the meeting adjourned.

Secretary, Dale Humphreys



Chairman, Donnie Baker

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AMENDING CHAPTER NINE OF THE BIG SPRING CITY CODE ENTITLED "FIRE PREVENTION" BY AMENDING ARTICLE 2 ENTITLED "FIRE MARSHAL" TO PROVIDE THAT THE CITY FIRE MARSHAL SHALL BE ASSIGNED BY THE FIRE CHIEF RATHER THAN APPOINTED BY THE CITY MANAGER AND TO REQUIRE THAT THE FIRE MARSHAL PERFORM ALL THE DUTIES AND HAVE ALL THE AUTHORITY SET FORTH IN THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE CITY COUNCIL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the position of Fire Marshal has been a Fire Department employee assigned by the Fire Chief and receiving assignment pay for performing the function a number of years; and

WHEREAS, the City Council desires to clarify the method of such assignment and the duties and authority of the Fire Marshal;

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

SECTION 1. THAT Chapter 9 of the Code of Ordinances of the City of Big Spring entitled "Fire Prevention," Article 2 entitled "Fire Marshal," Sections 9-12 and 9-13 are hereby amended to read as follows:

Sec. 9-12. Fire Marshal Assignment.

The Fire Marshal of the City of Big Spring shall be an employee of the Fire Department holding at least the rank of Lieutenant with such person to be assigned by the Fire Chief at his discretion and to receive such assignment pay as the City Council shall approve.

Sec. 9-13. Duties and Authority.

The Fire Marshal shall perform all functions set forth in the International Fire Code, 2012 edition or any subsequent edition that may be adopted by the City Council as the fire code of the City. The Fire Marshal shall also perform all duties and have such authority as is set forth in this Article 2.

SECTION 2. THAT if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this ordinance. The City of Big Spring, hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 3. THAT this ordinance shall take effect and be in full force and effect immediately upon its passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 28th day of May, 2013, with all members voting "aye" for passage of the same.

PASSED AND APPROVED on second reading at a regular meeting of the City Council on the **11th** day of **June, 2013**, with all members voting “aye” for passage of the same.

ATTEST:

Larry McLellan, Mayor

Tami Davis, Asst. City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AMENDING CHAPTER 1 OF THE BIG SPRING CITY CODE, BY AMENDING ARTICLE 1, ENTITLED "IN GENERAL", SECTION 1-25, ENTITLED "ADOPTION OF CIVIL SERVICE FOR FIREFIGHTERS AND CIVIL SERVICE POSITIONS," PARAGRAPH 3 BY ADDING A NEW LIEUTENANT POSITION AND PROVIDING FOR ASSIGNMENT PAY FOR ONE LIEUTENANT POSITION TO BE ASSIGNED AS ASSISTANT FIRE MARSHAL TO PERFORM HEALTH INSPECTIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has determined that it is in the best interest of the City to add one Lieutenant position in the Fire Department and to provide for assignment pay for one Lieutenant to be assigned as Assistant Fire Marshal;

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

Section 1. THAT, Chapter 1 of the Big Spring City Code is hereby amended by amending Article 1, entitled "In General," Section 1-25, entitled "Adoption of Civil Service for Firefighters and Civil Service Positions Designated," paragraph three in order to add a new lieutenant position to ensure that there will be sufficient lieutenants for one to be assigned by the Fire Chief as Assistant Fire Marshal and who shall also be a certified health inspector, which paragraph as amended shall read as follows:

Sec. 1-25. Adoption of Civil Service for Firefighters' and Civil Service Positions Designated.

...

(3) Classification of all firefighters and the number of authorized positions in each classification are as follows:

Classification	Number of Authorized Positions
*Fire Chief	1
**Deputy Chief	5
***Lieutenant	17
Driver	15
Firefighter	25
Total	63

- * Non Civil Service
- ** One of the five Deputy Chiefs will be appointed by the Fire Chief in accordance with paragraph 4 below. One Deputy Chief (whether appointed or tested) will be assigned as Fire Marshal by the Fire Chief and will also be a Certified Health Inspector.
- *** One Lieutenant will be assigned as Assistant Fire Marshal by the Fire Chief and will also be a Certified Health Inspector.

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 be in full force and effect from and after June 11, 2013.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 28th day of May, 2013, with all members of the Council voting “aye for passage of the same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 11st day of JUNE, 2013, with all members voting “aye” for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AMENDING THE FIRE DEPARTMENT PAY SCALE FOR FISCAL YEAR 2012-13; PROVIDING FOR CERTIFICATE, EDUCATION AND ASSIGNMENT PAY IN ACCORDANCE WITH CHAPTER 143 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council desires to amend the Fire Department pay plan for fiscal year 2012- 13; and to amend the provisions for certificate, education and assignment pay;

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

SECTION 1: Enacted

THAT, the pay schedule for the Fire Department as shown in Exhibit "A", which is attached hereto and incorporated herein for all purposes as if set forth in full herein, is adopted as the pay scale for the Fire Department of the City of Big Spring for the remainder of fiscal year 2012-13. Assignment, education and certificate pay are authorized as provided in Exhibit "A." In the event the City Council does not take action to amend the assignment, education and certificate pay in the years following 2012-13, the assignment, education and certificate pay provided shall remain in effect for subsequent years.

SECTION 2: Repeal

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

SECTION 3: Effective Date

This ordinance shall be in full force and effect from and after June 11, 2013.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the _____ day of _____, 2013, with all members 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 _____ day of _____, 2013, with all members voting "aye" for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary

Exhibit A

	STEP	SHIF	JOB DESCRIPTION	CODE	FY 12-13 HOURLY
BASE PAY	1	SHIFT	FIRE FIGHTER	FF S	\$11.286
	2	DAY	FIRE FIGHTER	FF D	\$15.799
	1	SHIFT	APPARATUS ENGINEER	APENG S	\$11.923
	2	DAY	APPARATUS ENGINEER	APENG D	\$16.692
	1	SHIFT	LIEUTENANT	LT S	\$13.229
	2	DAY	LIEUTENANT	LT D	\$18.521
	1	SHIFT	DEPUTY CHIEF	DC S	\$15.769
	2	DAY	DEPUTY CHIEF	DC D	\$22.077
CERTIFICATION PAY	1	SHIFT	FIRE FIGHTER BASIC	FFB S	\$0.447
	2	DAY	FIRE FIGHTER BASIC	FFB D	\$0.628
	1	SHIFT	FIRE FIGHTER INTERMEDIATE	FFI S	\$1.126
	2	DAY	FIRE FIGHTER INTERMEDIATE	FFI D	\$1.577
	1	SHIFT	FIRE FIGHTER ADVANCE	FFA S	\$1.566
	2	DAY	FIRE FIGHTER ADVANCE	FFA D	\$2.193
	1	SHIFT	FIRE FIGHTER MASTER	FFM S	\$2.131
	2	DAY	FIRE FIGHTER MASTER	FFM D	\$2.985
	1	SHIFT	EMERGENCY MED TECH BASIC	EMTB S	\$0.447
	2	DAY	EMERGENCY MED TECH BASIC	EMTB D	\$0.626
	1	SHIFT	EMERGENCY MED TECH INTERMEDIATE	EMTI S	\$1.275
	2	DAY	EMERGENCY MED TECH INTERMEDIATE	EMTI D	\$1.784
	1	SHIFT	EMERGENCY MED TECH PARAMEDIC	EMTP S	\$2.131
	2	DAY	EMERGENCY MED TECH PARAMEDIC	EMTP D	\$2.985
EDUCATION	1	SHIFT	ASSOCIATE DEGREE	ASSOC S	\$0.428
	2	DAY	ASSOCIATE DEGREE	ASSOC D	\$0.600
	1	SHIFT	BACHELORS DEGREE	BACH S	\$0.870
	2	DAY	BACHELORS DEGREE	BACH D	\$1.218
ASSIGNMENT PAY	1	SHIFT	INSTRUCTOR - TDH	INST-TDH S	\$0.888
	2	DAY	INSTRUCTOR - TDH	INST-TDH D	\$1.244
	1	SHIFT	WATER RESCUE	WATRES S	\$0.180
	2	DAY	WATER RESCUE	WATRES D	\$0.252
	1	SHIFT	INSTRUCTOR - INTERMEDIATE TCFP	INST-TCFP S	\$0.888
	2	DAY	INSTRUCTOR - INTERMEDIATE TCFP	INST-TCFP D	\$1.244
	1	SHIFT	FIRE INVESTIGATOR or INSPECTOR	INV-INSP S	\$0.455
	2	DAY	FIRE INVESTIGATOR or INSPECTOR	INV-INSP D	\$0.636
	1	SHIFT	ARSON INVESTIGATOR	ARSON S	\$0.908
	2	DAY	ARSON INVESTIGATOR	ARSON D	\$1.261
	2	DAY	TRAINING OFFICER	TRANOFF D	\$1.206
	2	DAY	FIRE MARSHAL	FIRE MARSH D	\$3.567
1	SHIFT	HEALTH INSPECTOR	FIRE MARSH S	\$0.861	
2	DAY	HEALTH INSPECTOR	FIRE MARSH D	\$1.206	

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, AMENDING CHAPTER FOURTEEN OF THE BIG SPRING CODE OF ORDINANCES ENTITLED "OFFENSES," ARTICLE 1 ENTITLED "GENERAL," BY ADDING A NEW SECTION 14-8 IN ORDER TO PROHIBIT THE INTRODUCTION OF CERTAIN CONTRABAND ITEMS INTO A PRIVATE OR PUBLIC CORRECTIONAL INSTITUTION; PROVIDING FOR A PENALTY OF UP TO FIVE-HUNDRED DOLLARS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, there are continuous incidents of individuals introducing or attempting to introduce items into public and private correctional institutions within the city; and

WHEREAS, such items represent a clear danger to the staff of such institutions, the citizens of the city and the public health and safety because they could facilitate escape or other dangerous conduct by inmates that obtain such items;

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

SECTION 1: THAT Chapter 14 entitled "Offenses," Article 1 entitled "General" of the Big Spring Code of Ordinances is hereby amended by adding Section 14-8 entitled "Introduction of Contraband into Correctional Institutions," to read in its entirety as follows:

Sec. 14-8. Introduction of Contraband into Correctional Institutions.

(A) A person commits an offense if the person:

- 1) provides contraband to an inmate of a correctional institution;
- 2) otherwise introduces contraband into a correctional institution; or
- 3) possesses contraband within close proximity to a correctional institution with the intent to introduce such contraband into the Institution.

(B) In this section "contraband" means:

- 1) any item not provided by or authorized by the operator of the correctional institution; or
- 2) any item provided by or authorized by the operator of the correctional institution that has been altered to accommodate a use other than the originally intended use.

(C) In this section "correctional institution" means any place used for the confinement of a person arrested for, charged with or convicted of a criminal offense except those places expressly defined in Section 1.07 of the Texas Penal Code or Section 51.02 of the Texas Family Code.

(D) **Penalty.** Any person violating this section shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of no less than Fifty Dollars (\$50.00) and no more the

Five-Hundred Dollars (\$500.00) for a first offense and a fine of no less than Two-Hundred-Fifty Dollars (\$250.00) and no more than Five-Hundred Dollars (\$500.00) for any subsequent offense.

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 any ordinances or parts of ordinances in the Big Spring Code of Ordinances in conflict with this ordinance shall be, and are hereby repealed to the extent of such conflict.

SECTION 4. 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.

SECTION 5. THAT this ordinance shall be in full force and effect from and after its passage and publication in accordance with the City of Big Spring Charter and other law.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 28th day of May, 2013, 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 11th day of June, 2013, with all members voting "aye" for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS AMENDING CHAPTER THIRTEEN, ARTICLE FIVE OF THE BIG SPRING CITY CODE, ENTITLED “FOOD AND FOOD ESTABLISHMENTS” TO CHANGE THE DEFINITION OF REGULATORY AUTHORITY TO INCLUDE ANY CERTIFIED HEALTH INSPECTOR EMPLOYED BY THE CITY AND TO CHARGE THE CITY MANAGER WITH CONDUCTING ADMINISTRATIVE HEARINGS RELATED TO FOOD AND FOOD ESTABLISHMENTS; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, due to personnel shortages in the Code Enforcement Department, the city council finds that it is in the interest of the public health and safety to move the health inspection function to the Big Spring Fire Department; and

WHEREAS, personnel in the Fire Marshal’s office are receiving the training to perform inspections of food establishments within the City;

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 13-101 entitled “Definitions” is hereby amended to read as follows:

Sec. 13-101. Definitions.

The following definitions, plus the definitions set forth in the Texas Food Establishment Rules shall apply to this ordinance.

“Authorized Agent or Employee” shall mean an agent or employee of the City of Big Spring.

“Regulatory Authority” shall mean any certified Health Inspector employed by the City of Big Spring.

“School Food Establishment” shall mean a food service establishment where food is prepared and intended for services primarily to students in institutions of learning including, but not limited to, public and private schools, including kindergarten, preschool and elementary schools, junior high schools, high schools, colleges, and universities.

“State Rules” or “Texas Food Establishment Rules” shall mean the State Rules found at 25 Texas Administrative Code, Chapter 229, Sections 161 through 171 and Sections 173 through 175. These rules are also known as the TFER.

SECTION 2. THAT Chapter 13, Article 5, entitled “Food and Food Establishments,” Section 13-111 entitled “Administrative Process” is hereby amended to read as follows:

Sec. 13-111. Administrative Process.

- A. A notice as required in this ordinance is properly served when it is delivered to the holder of the permit or the person in charge, or when it is sent by registered or certified mail, return receipt requested, to the last known address of the holder of the permit. A copy of the notice shall be filed in the records of the City of Big Spring.

- B. Any hearing provided for in these rules shall be conducted by the City Manager at a time and place set forth in a written notice to the permit holder or person in charge at least three (3) days prior to such hearing. Based upon the recorded evidence of such hearing, the City Manager shall make final findings, and shall sustain, modify or rescind any notice or order considered in the hearing. A written report of the hearing decision shall be furnished to the holder of the permit by the City Manager.

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 the conflict.

SECTION 5. THAT this ordinance shall take effect immediately after its passage and it is accordingly so ordained.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 28th day of May, 2013, 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 11th day of May, 2013, with all members present voting “aye” for passage of the same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary



Department of State Health Services
FORM A: FACE PAGE

Proposal for Financial Assistance EMS/LPG- 0557.1

This form requests basic information about the respondent and project, including the signature of the authorized representative. The face page is the cover page of the proposal and must be completed in its entirety.

RESPONDENT INFORMATION	
A. Public Health Region : 9/10	B. Trauma Service Area : J
1) LEGAL BUSINESS NAME: Big Spring Fire Department 1A) DBA:	
2) MAILING Address Information (include mailing address, street, city, county, state and 9-digit zip code): Check if address change <input type="checkbox"/> 1401 Apron Dr. Big Spring, Howard, Tx. 79720	
3) PAYEE Name and Mailing Address, including 9-digit zip code (if different from above): Check if address change <input type="checkbox"/> Same as above	
4) DUNS Number (9-digit) required if receiving federal funds: N/A 087491858	
5) Federal Tax ID No. (9-digit), State of Texas Comptroller Vendor ID Number (14-digit) or Social Security Number (9-digit): 756000462 <i>*The respondent acknowledges, understands and agrees that the respondent's choice to use a social security number as the vendor identification number for the contract, may result in the social security number being made public via state open records requests.</i>	
6) TYPE OF ENTITY (check all that apply): <input checked="" type="checkbox"/> City <input checked="" type="checkbox"/> EMS Provider <input type="checkbox"/> State Controlled Institution of Higher Learning <input type="checkbox"/> County <input type="checkbox"/> First Responder Organization <input type="checkbox"/> Federally Qualified Health Centers <input type="checkbox"/> Other Political Subdivision <input type="checkbox"/> EMS Education Facility <input type="checkbox"/> Private <input type="checkbox"/> Injury Prevention Organization <input type="checkbox"/> Nonprofit Organization* <input type="checkbox"/> Other (specify): <input type="checkbox"/> For Profit Organization* <i>*If incorporated, provide 10-digit charter number assigned by Secretary of State:</i>	
7) PROPOSED BUDGET PERIOD: Start Date: November 1, 2013 End Date: August 31, 2014	
8) LIST COUNTIES SERVED BY PROJECT: Howard, Dawson, Borden, Scurry, Martin, Mitchell, Sterling, Glascock	
8A) NUMBER OF ENTITIES REPRESENTED IN PROPOSAL: 1 9) AMOUNT OF LPG FUNDING REQUESTED: \$24292.28	
8B) PROPOSED PROJECT includes (check all that apply): <input type="checkbox"/> Ambulance <input checked="" type="checkbox"/> Cardiac Monitor/Defib <input type="checkbox"/> EMS Equipment <input type="checkbox"/> Injury Prevention <input checked="" type="checkbox"/> EMS Training/Education	11) PROJECT CONTACT PERSON Name: Christopher M. Glenn Phone: 432-264-2306 Fax: 432-264-2399 Email: cglenn@mybigspring.com
10) PROJECTED EXPENDITURES: Does respondent's projected federal expenditures exceed \$500,000, or its projected state expenditures exceed \$500,000, for respondent's current fiscal year (excluding amount requested in line 9 above)? ** Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <i>**Projected expenditures should include anticipated expenditures under all federal grants including "pass through" federal funds from all state agencies, or all anticipated expenditures under state grants, as applicable.</i>	12) FINANCIAL OFFICER Name: Peggy Walker Phone: 432-264-2514 Fax: 432-263-8310 Email: pwalker@mybigspring.com
The facts affirmed by me in this proposal are truthful and I warrant the respondent is in compliance with the assurances and certifications contained in APPENDIX B: DSHS Assurances and Certifications . I understand the truthfulness of the facts affirmed herein and the continuing compliance with these requirements are conditions precedent to the award of a contract. This document has been duly authorized by the governing body of the respondent and I (the person signing below) am authorized to represent the respondent.	
13) AUTHORIZED REPRESENTATIVE Check if change <input checked="" type="checkbox"/> Name: Title: Phone: Fax: Email:	14) SIGNATURE OF AUTHORIZED REPRESENTATIVE 15) DATE

FORM C: CONTACT PERSON INFORMATION

Legal Business

Name of Big Spring Fire Department

This form provides information about the appropriate contacts in the respondent's organization in addition to those on FORM A: FACE PAGE. If any of the following information changes during the term of the contract, please send written notification to the Contract Management Unit.

Contact: Christopher M. Glenn Title: Deputy Chief Phone: 432-264 Ext.2306 Fax: 432-264-2399 Email: cglenn@mybigspring.com	Mailing Address (incl. street, city, county, state, & zip): 1401 Apron Dr. Big Spring Howard Tx. 79720
Contact: Craig Ferguson Title: Fire Chief Phone: 432-264 Ext.2304 Fax: 432-264-2399 Email: cferguson@mybigspring.com	Mailing Address (incl. street, city, county, state, & zip): 1401 Apron Dr. Big Spring Howard Tx. 79720
Contact: _____ Title: _____ Phone: _____ Ext. _____ Fax: _____ Email: _____	Mailing Address (incl. street, city, county, state, & zip): _____ _____ _____ _____
Contact: _____ Title: _____ Phone: _____ Ext. _____ Fax: _____ Email: _____	Mailing Address (incl. street, city, county, state, & zip): _____ _____ _____ _____
Contact: _____ Title: _____ Phone: _____ Ext. _____ Fax: _____ Email: _____	Mailing Address (incl. street, city, county, state, & zip): _____ _____ _____ _____

APPENDICES

APPENDIX A: BUDGET SECTION – FUNDING REQUEST BUDGET PAGE

All respondents must complete this budget page to detail the use of funds requested. Each item on this budget page must be supported in your proposal narrative, FORM H: WORK PLAN. Also refer to Section II, F. Funding Preferences and Limits.

*You may indicate the importance of your items by placing a priority number by each item (see Examples below). On FORM H: WORK PLAN, explain how you determined your priority. Refer to Form H: WORK PLAN GUIDELINES, 4. Budget.

Use additional pages as needed.

If submitting a multiple entity proposal, submit a separate page for each entity for which funds are requested.

Name of entity: _____ Big Spring Fire Department _____

A. Equipment and Supply Items: <i>Any individual item with a useful life of more than one year and a cost of more than \$1,000 (including shipping) requires 50% matching funds. Please be descriptive when listing your items (e.g. make/brand, model number, year, etc.). This also applies to items for injury prevention.</i>	Total cost per item	Your MATCH per item (if required)	Request for LPG funding per item	Quantity requested	Total request for funding (per line)
EXAMPLE ONLY: *Priority 1- 15 Lead Monitor/Defibrillator with batteries and carrying case	\$30,000	\$22,500	\$7,500	2	\$15,000
EXAMPLE ONLY: *Priority 2- Ferno scoop stretcher, Model 65	\$600	None Required	\$600	1	\$600
Zoll E-Series Monitor/Defibrillator w/ 12 Lead, Capnography, and Automated Blood Pressure	\$20,928	\$13,428	\$7,500	2	\$15,000
Simulaid Adult ALS Full Body Trainer w/ ECG Rhythm Generator P/N NT080FB	\$3500	\$1750	\$1750	1	\$1750
Simulaid Pediatric ALS Trainer w/ Rhythm Generator P/N NT091	\$1535.00	\$767.50	\$767.50	1	\$767.50
B. Fax machines, stereo equipment, cameras, video recorder/systems and computer/related equipment (Requires a 50% match if the individual item cost exceeds \$500 and the useful life is greater than one year). If requesting funds for computers, see Appendix A-1: Minimum Computer Equipment Specifications Form					
Computer Dell OptiPlex 9010 W/ monitor	\$1,046	\$596	\$450	1	\$450
Projector ACER S5201M	\$689	\$344.50	\$344.50	1	\$344.50
TV Sony 40" LED 1080P KDL-40R450A	\$480	N/A	\$480	1	\$480

C. Education and Training: List equipment for education/training under Section A above.		None required			
NASCO Intraosseous Infusion Simulator P/N 651108	\$579.99	N/A	\$579.99	1	\$579.99
Simulaids IV Arm and Hand Unit	\$407.72	N/A	\$407.72	2	\$815.44
CPR Prompt Training Manikin P/N 650700 5 Adult 2 Infant	\$470.30	N/A	\$470.30	2	\$940.60
NASCO "Airway Larry" Airway Mgt. Trainer P/N 653699	\$859.99	\$379.99	\$480.00	1	\$480.00
GreenLine Laryngoscope Kit P/N 5-5333-57	\$101.52	N/A	\$101.52	1	\$101.52
AMBU BVM Adult w/ CO2 Detector P/N 2442-70001	\$22.99	N/A	\$22.99	5	\$114.95
AMBU BVM Pediatric w/ infant and neonate mask and CO2 detector P/N 2442-83014	\$42.99	N/A	\$42.99	5	\$214.95
King Tube Kit LT-D Size 4 P/N 477-KLTD214EA	\$29.79	N/A	\$29.79	2	\$59.58
AED Practi-Trainer P/N NTWL220ES05	\$159.95	\$35.95	\$124.00	2	\$248.00
ACLS Instructor Package P/N NT90-1041	\$192.00	N/A	\$192.00	1	\$192.00
ACLS Provider Manual P/N NT90-1014	\$33.50	N/A	\$33.50	10	\$335.00
STEMI Provider Manual P/N NT90-1067	\$33.95	N/A	\$33.95	5	\$169.75
PALS Instructor Package P/N NT90-1058	\$192.00	N/A	\$192.00	1	\$192.00
PALS Provider Manual P/N NT90-1052	\$38.50	N/A	\$38.50	5	\$192.50
BLS Provider Manual P/N NT90-1038	\$12.00	N/A	\$12.00	20	\$240.00
ACLS Provider Course Cards (24pk) P/N NT90-1806	\$108.00	N/A	\$108.00	2	\$216.00
PALS Provider Course Cards (24pk) P/N NT90-1818	\$108.00	N/A	\$108.00	2	\$216.00
BLS Provider Course Cards (24pk) P/N NT90-1801	\$48.00	N/A	\$48.00	4	\$192.00
TOTAL FUNDING REQUESTED ON THIS PAGE:					\$24292

**RUSS McEWEN FAMILY AQUATIC CENTER
OPERATION AGREEMENT BETWEEN
THE CITY OF BIG SRING AND THE BIG SPRING YMCA**

This Agreement is made and entered in to as of the 28th day of May, 2013, by and between the City of Big Spring, Texas, hereinafter referred to as the "CITY," and the Big Spring YMCA, Inc., hereinafter referred to as "CONTRACTOR".

WHEREAS, the CITY desires to retain the services of CONTRACTOR for the purpose of providing lifeguards for the Russ McEwen Family Aquatic Center hereinafter referred to as the "Aquatic Center"; and

WHEREAS, CONTRACTOR is competent and qualified to provide the required services according to the terms and conditions stated herein;

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

1. TERM

1.01 The term of this Agreement shall be for a period commencing on the 25th day of May 2013 and ending on the ____ day of _____ 2013.

2. CONSIDERATION

2.01 CITY shall pay CONTRACTOR the lump sum of _____ and No/100 Dollars (\$_____) as consideration for the services provided as more specifically described below. During the Term, whenever the Aquatic Center is open at times outside of the normal operation hours set forth below, CITY will pay CONTRACTOR an additional amount of _____ and No/100 Dollars (\$_____) per hour for providing eight (8) employees (including: lifeguards, slide crew, and grounds maintenance staff) during such times.

3. WARRANTY

3.01 CONTRACTOR warrants and represents that it is qualified to provide lifeguards for the Aquatic Center.

3.02 In performing all services required under this Agreement, CONTRACTOR, its employees and agents shall comply with all applicable federal, state, county, and city statutes, ordinances and regulations. If such compliance is impossible for any reason, CONTRACTOR shall immediately notify the CITY of the fact and the reasons therefore. In such event, CITY shall have the right to take any necessary action to provide services to protect the health and welfare of the citizens and, if necessary, terminate this contract.

- 3.03 CONTRACTOR warrants and represents that it will not cause, suffer, allow or permit the occurrence:
- a. of any act or omission in the execution and performance of this Agreement that could result in or give rise to any violation of any federal, state or local law, regulation or ordinance;
 - b. of any act or omission that might give rise to any action at law or in equity for personal injury, wrongful death or damage to property.
- 3.04 CONTRACTOR shall strictly prohibit its employees from using or being under the influence of intoxicating substances while on duty at the Aquatic Center. In addition, CONTRACTOR'S employees are prohibited from using cell phones while on duty.
- 3.05 Nothing in this Agreement shall be deemed to convey to CONTRACTOR any interest in or title to the Aquatic Center. CONTRACTOR'S employees shall not be considered employees of the City of Big Spring and shall not be entitled to any city benefits.

4. SERVICES PROVIDED

4.01 CONTRACTOR shall supply all labor and supervision necessary to provide the following services. Specifically, CONTRACTOR shall perform the following:

- 1. In accordance with nationally recognized standards, provide eight (8) employees (including lifeguards, slide crew, and grounds maintenance/restroom cleaning staff) to be on duty at the Aquatic Center at all times during the normal operating hours set forth below and at such additional times as may be arranged for private group rentals.

Normal Operating Hours:

Tuesday - Friday	12:00 noon to 8:00 p.m.
Saturday	11:00 a.m. to 8:00 p.m.
Sunday	1:00 p.m. to 8:00 p.m.

Additional private group rentals

Tuesday through Friday	11:00 a.m. to 12:00 noon
------------------------	--------------------------

- 2. Daily clean the skimmers, vacuum the pool, net debris off top of pool, clean grounds, pick up trash from aquatic center trash cans, clean and restock restrooms and dressing rooms, place all trash in provided dumpsters, wax lily pads, and any other items as determined necessary. Additionally, wax slides on a weekly basis (at a minimum).
- 3. Submit any required reports.

4. Report any damages or needed repairs to the Aquatic Center Management Staff.
5. Promptly notify Aquatic Center Management Staff of any incident involving personal injury or property damage.
6. Respond within a reasonable time (not to exceed 48 hours) to any complaint from the CITY.

4.02 In addition to the consideration set forth above, the CITY agrees to:

1. Maintain general liability and property insurance on the Aquatic Center;
2. Provide staff to open and close the Aquatic Center, collect entrance and rental fees and to operate all ticket and concession areas;
3. Perform cleaning and maintenance of the concession, admissions and sand play areas, and perform all mechanical and chemical maintenance on the pool portions of the Aquatic Center.

5. SUPERVISION

5.01 CONTRACTOR shall ensure that all services it provides are properly performed and supervised at all times. CONTRACTOR'S employees and agents shall not identify themselves or in any way represent themselves as employees or agents of the CITY.

6. INDEMNIFICATION

6.01 CONTRACTOR agrees to indemnify, defend, and forever hold harmless the CITY, its officials, agents and employees from all suits, actions, or claims of any character, type, or description brought or made for or on account of any injury or damages received or sustained by any person or persons or property, arising out of, or in any way associated with, any act or omission of CONTRACTOR, its agents or employees. CONTRACTOR shall provide a defense to such claims at its own expense with legal counsel who shall report to the CITY. In the event that a court of competent jurisdiction makes a specific finding that the CITY is at fault in all or a portion of any such suit, action or claim, then the amount of indemnity provided hereunder shall be reduced by the percentage of fault attributable to the CITY.

7. DEFAULT

7.01 If CONTRACTOR shall fail to meet any of the terms and conditions of this Agreement such failure shall be considered an event of default. If CONTRACTOR fails to cure any event of default within 72 hours after receiving written notice of such default, the CITY may take any or all of the following actions:

- a. Employ any and all means deemed necessary or advisable by the CITY in its sole discretion to provide the services to the public contemplated by this agreement.
- b. Terminate this agreement by delivering to CONTRACTOR written notice of termination by personal service or by certified mail return receipt requested.

7.02 In the event City terminates this Agreement pursuant to Section 7.01, CONTRACTOR will refund any prepaid but unearned funds at the applicable daily rates set forth in Section 2.01.

8. MISCELLANEOUS PROVISIONS

- 8.01 **Agreement and Amendments.** This Agreement constitutes the entire agreement between the parties hereto and supersedes any commitment, agreement, memorandum or understanding previously made by the parties with respect to the subject matter of this Agreement. No amendment shall be valid unless it is set forth in writing and signed by duly authorized representative of both parties.
- 8.02 **Choice of Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas. Venue for any action brought under this Agreement shall be in Howard County, Texas.
- 8.03 **Survival of Covenants and Conditions.** It is expressly agreed that all covenants and conditions relating to the rights and obligations of the parties hereto subsequent to the termination of this Agreement shall survive the termination and shall continue in full force and effect in accordance with the terms of the specific provisions.
- 8.04 **Assignment.** This Agreement and any rights, duties and obligations hereunder may not be assigned without the prior written consent of all of the parties hereto and, in the event of an attempted assignment by one party to this Agreement without the express prior written consent of all other parties, such attempted assignment shall be void and without effect.
- 8.05 **Binding Effect.** This Agreement shall be binding upon and inure solely to the benefit of the parties hereto, and their respective successors, employees, legal representatives, and permitted assigns, and no other person shall have any legal or equitable right, remedy or claim under or in respect of or by virtue of this Agreement or any provision herein contained.
- 8.06 **Remedies.** The remedies provided to the parties by this Agreement are not exclusive or exhaustive, but are cumulative of each other and in addition to any other remedies the parties may have at law or in equity.
- 8.07 **Attorney's Fees and Costs.** If any action at law or in equity is necessary to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to reasonable attorney fees, costs and necessary disbursements in addition to any other relief to which such party may be entitled.

8.08 **Notices.** All notices contemplated and/or required herein shall be in writing and shall be delivered in person or sent via certified mail, unless specifically provided otherwise.

Notices to CONTRACTOR shall be sent to:

Dathan Jones, Director
Big Spring YMCA, Inc.
801 Owens
Big Spring, Texas 79720

Notices to the CITY shall be sent to:

Todd Darden, Interim City Manager
City of Big Spring
310 Nolan Street
Big Spring, TX 79720-1390

The parties may consent to a different address for notices from time to time in writing signed by both parties hereto.

Executed in multiple copies, each of which shall be deemed to be an original

CITY OF BIG SPRING

Larry McLellan, Mayor

Attest:

Tami Davis, City Secretary

BIG SPRING YMCA, INC.

By: Dathan Jones

Attest:



May 1, 2013

Mr. Todd Darden
Interim City Manager
City of Big Spring
310 Nolan Street
Big Spring, Texas 79720

Dear Todd:

The terms for two of the City of Big Spring's appointees, Mr. James T. Weaver and Mr. Ray Kennedy, to the Colorado River Municipal Water District's Board of Directors will expire on May 31, 2013.

Mr. Weaver has served on the Board of Directors of CRMWD since July 13, 1995. He is currently serving as Secretary-Treasurer of the Board, Chair of the Administration and Audit Committee, and as a member of the Executive Committee and Electric Power Committee. He also serves as a member of the special committee on the Mission and Role of CRMWD.

Mr. Kennedy has served on the Board of Directors of CRMWD since February 11, 2004. He is currently serving as a member of the Operations Committee and as Vice Chair of the Retirement Plan and Trust Committee.

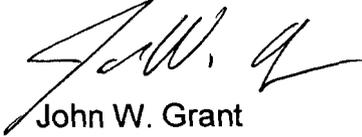
As set forth in the District's enabling legislation, the terms and qualifications of the Directors are:

"...in May of each year the governing body of each of the cities in Section 2 of this Act shall appoint two (2) directors for the two-year term beginning on June 1 of that year. Each director shall serve for his term of office as herein provided, and thereafter until his successor shall be appointed and qualified. No person shall be appointed a director unless he resides in and owns taxable property in the city from which he is appointed. No member of a governing body of a city, and no employee of a city shall be appointed as director. Such directors shall subscribe to the Constitutional Oath of office, and each shall give bond for the faithful performance of his duties in the amount of Five Thousand Dollars (\$5,000), the cost of which shall be paid by the District."

The term for the City's two appointees will be from June 1, 2013, through May 31, 2015. The District's first regularly scheduled Board Meeting after May 31, 2013, will be Wednesday, August 14, 2013.

After your city council makes the two appointments, please provide us with documentation for our files confirming the appointments. If you have any questions regarding this matter, please do not hesitate to give me a call.

Sincerely,



John W. Grant
General Manager

JWG/jap

cc: James T. Weaver
Ray Kennedy



310 Nolan • Big Spring, Texas 79720
Phone: 432-264-2401 • Fax: 432-263-8310

Committee & Board Appointment Resume'

Board you are interested in serving on: CRMWD Board

Your Name: ROY WORTHY

Address: 900 MOUNTAIN PARK DRIVE
BIG SPRING, TX 79720

Home Telephone Number: 432-268-9152

Work Telephone Number: 432-263-8297

Cellular Number: 432-816-9627

Current Occupation: LAND + PROPERTY INVESTMENT

Any Related Past Experience? Please Describe Below:

AIR PARK BOARD

ALON CAP PANEL

TAX ABATEMENT BOARD

BIG SPRING COUNTRY CLUB BOARD

DORA ROBERTS REHAB CENTER BOARD

UNITED WAY BOARD

Please Describe Your Education History:

BACHELOR OF ARTS TEXAS STATE UNIVERSITY

MAJOR: ENVIRONMENTAL RESOURCE MANAGEMENT

MINOR: ECONOMICS

Signature: ROY WORTHY

Date: 5-17-2013

Please attach any additional sheets as necessary or personal resume.
Once form is completed please deliver or mail Attention to the City Manager at the address above.