



CITY COUNCIL AGENDA

Thursday, September 11, 2014

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Thursday, September 11, 2014, at 5:30 p.m. in the City Council Chambers located at 307 East 4th Street, Big Spring, Texas.

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

As a courtesy to those in attendance, please place your cell phone on “Silent” or “Vibrate.”

Please, no talking during the meeting, take any conversations outside, so others can hear.

Thank You!

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

“Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

Public Hearings & Announcements

2. **Second Public Hearing** – Proposed Tax Rate for Fiscal Year 2014-15 McLellan
3. **Public Hearing** – Annual Budget for Fiscal Year 2014-15 McLellan

Disposition of Minutes

4. Approval of the Minutes of the Regular Meeting of August 26, 2014 6-11 Davis

Consent Items

5. Final Reading of an Ordinance Approving a Rezone on Approximately 29.4 Acres Located Immediately Southwest of the 12-15 Johnston

Intersection of US Highway 87 and Village Road from Single-Family Dwelling (SF-2) and Agricultural (A) to Planned Development 8 – Transition District with an Underlying Light Commercial (LC) District; Proscribing Height Restrictions, Screening Separation Between Adjoining Residential Districts, Height and Luminosity Restrictions for Lighting, Restricting Uses; Requiring a Setback from Comanche Trail Lake, Prohibiting Overnight Parking of Commercial Trucks; Providing for Severability; Providing for Publication; and Providing an Effective Date

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|----|--|-------|--------|
| 6. | Final Reading of an Ordinance Repealing and Replacing Chapter Eleven of the Code of Ordinances Entitled “Garbage and Other Refuse” by Amending Existing Definitions; Providing Additional Definitions for Commercial and Residential Accounts; Clarifying Existing Regulations Regarding Collections, Disposal, and Use of the City Landfill; Requiring Transported Waste to be Secured; Establishing New Fees for Collection Services and Waste Disposal; Renumbering Sections for Clarification; Providing for a Maximum Penalty of \$1,000.00; Providing for Publication; Providing for Severability; and Providing an Effective Date | 16-26 | Womack |
| 7. | Acceptance of the Convention and Visitors Bureau Committee Minutes for the Meetings of May 7, 2014, June 4, 2014 and July 2, 2014 | 27-32 | Wegman |
| 8 | Acceptance of the McMahon-Wrinkle Airport and Industrial Park Development Board Minutes for the Meeting of June 19, 2014 | 33-35 | Little |
| 9. | Acceptance of the Planning and Zoning Commission Minutes for the Meetings of June 3, 2014, June 17, 2014, July 1, 2014 and July 15, 2014 | 36-42 | Womack |

Bids

- | | | | |
|-----|---|--|--------|
| 10. | Request Permission to Advertise for Sealed Bids for Purchase of City Owned Property Located in Cedar Crest Subdivision Lot 5 Block 17 and Lot 7 Block 18 | | Womack |
| 11. | Request Permission to Advertise for Sealed Bids for Purchase of Forty Acres of City Owned Property Described as the East One Half of the West One Half of Section 13, Block 33, Township One South, T & P Railroad Survey in Howard County, Texas | | Womack |

Routine Business

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| 12. | Vouchers for 08/28/14 | \$ 384,677.11 | Boyd |
| | Vouchers for 09/04/14 | \$ 537,375.03 | |

New Business

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| 13. | First Reading of an Ordinance Approving and Adopting the City of Big Spring's Annual Budget for the Fiscal Year Beginning October 1, 2014 and Ending September 30, 2015 | 43-44 | Moore |
| 14. | First Reading of an Ordinance Fixing and Levying Municipal Ad Valorem Taxes for the City of Big Spring for the Tax Year 2014 and Directing the Assessment and Collection Thereof | 45-46 | Moore |
| 15. | First Reading of an Ordinance Granting a Partial Residence Homestead Exemption for Tax Year 2014; and Granting a Partial Residence Homestead Exemption to Any Individual Who is Disabled or Age 65 or Older | 47-48 | Moore |
| 16. | First Reading of an Ordinance Providing for an Additional Twenty Percent (20%) Penalty to Defray Costs of Collecting Delinquent Taxes that Remain Delinquent on July 1 of the Year in Which They Become Delinquent, and Providing for Publication | 49 | Moore |
| 17. | First Reading of an Ordinance Establishing the Pay Schedule for Classified Positions within the Police Department for the Fiscal Year 2014-15; Providing for Repeal of Ordinances in Conflict Herewith; and Providing for an Effective Date | 50-51 | Medina |
| 18. | First Reading of an Ordinance Establishing the Fire Department Pay Scale for Fiscal Year 2014-15 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 | 52-53 | Medina |
| 19. | First Reading of an Ordinance Amending Chapter 16, Article 3 Entitled "Utility Service Charges" by Amending Section 16-70 Entitled "Charges For Water Rates;" Establishing Charges for Water Services for 2014-15; Providing for a Severability Clause; Providing for Publication; and Finding and Determining that the Meeting at Which this Ordinance was Discussed was Open to the Public as Required by Law. | | Medina |
| 20. | Approval of Routine Airport Maintenance Program (RAMP) Agreement with TxDOT for Airport AWOS Services and Other Projects and Authorizing the City Manager or His Designee to Execute Any Necessary Documents | 54-67 | Little |
| 21. | Approval of a Settlement Agreement Between the City of Big Spring and GEO Group, Inc. Regarding CPI Rate Adjustments for Leased Properties and Operating Charges and Authorizing the Mayor to Execute Any Necessary Documents | 68-71 | Sjogren |

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|---|-------|---------|
| 22. Approval of a Settlement Agreement Between the City of Big Spring and GEO Group, Inc. Regarding the Estimated Water Utilities Charges for a Malfunctioning Meter and Authorizing the Mayor to Execute Any Necessary Documents | 72-73 | Sjogren |
| 23. Consideration and Approval of a Non-Emergency Ambulance Operator's Permit for Lonestar Ambulance 1, LLC dba Allegiance Ambulance and Authorizing the City Manager or His Designee to Execute Any Necessary Documents | 74-75 | Sjogren |

City Manager's Report

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|--|--------|
| 24. City Picnic Scheduled for September 26, 2014 at 12:00 p.m. | Darden |
| 25. Boards and Committees Resumes Due by Friday, September 19, 2014 for the September 25 th Meeting | Darden |
| 26. Next City Council Meeting Thursday, September 25, 2014 | |

Council Input

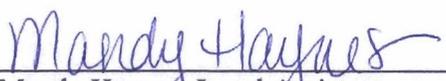
27. Input

Executive Session

- | | |
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| 28. Adjourn into Executive Session in Accordance with Texas Government Code Section 551.072 to Discuss the Purchase, Exchange, Lease or Value of Real Property | McLellan |
| 29. Reconvene in Open Session and Take Any Necessary Action | McLellan |
| 30. Adjourn | McLellan |

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 Monday, September 8, 2014 at 4:30 p.m.

In addition this agenda and supporting documents are posted on the City of Big Spring's website, www.mybigspring.com in accordance with legal requirements.


Mandy Haynes, Legal 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

September _____, 2014 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. 4th, Big Spring, Texas, at 5:30 p.m., August 26, 2014, with the following members present:

LARRY McLELLAN	Mayor
RAUL BENAVIDES	Mayor Pro Tem
RAUL MARQUEZ	Councilmember
CARMEN HARBOUR	Councilmember
JUSTIN MYERS	Councilmember
BOBBY McDONALD	Councilmember
MARVIN BOYD	Councilmember

Same and constituting a quorum; and

TODD DARDEN	City Manager
LINDA SJOGREN	City Attorney
JOHNNY WOMACK	Public Works Director
JOHN MEDINA	Human Resource Director
CHAD WILLIAMS	Police Chief
CRAIG FERGUSON	Fire Chief
JIM LITTLE	Airpark Director
DON MOORE	Finance Director/ City Secretary
TIM GREEN	Municipal Court Judge
DEBBIE WEGMAN	Community Services Director

INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Bill Ivins, First United Methodist Church, gave the invocation and Mayor McLellan led the Pledge of Allegiance to the American and Texas Flags.

PUBLIC HEARINGS & ANNOUNCEMENTS

PRESENTATION OF “STAR EMPLOYEE” AWARDS

Mayor McLellan and Johnny Womack, Public Works Director, presented “Star Employee” awards to Irby Williams, Steve Salinas and Isaac Hilario with the City of Big Spring Utilities Department.

PUBLIC HEARING – REGARDING CHANGING THE ZONING OF A 29.4 ACRE TRACT OF LAND LOCATED ON THE WEST SIDE OF US HIGHWAY 87, SOUTH OF VILLAGE ROAD AND NORTH OF JOHANSEN ROAD, FROM A SINGLE FAMILY DWELLING (SF-2) DISTRICT (TRACT 1) AND AGRICULTURE (A) DISTRICT (TRACT 2) TO A LIGHT COMMERCIAL (LC) DISTRICT

Motion was made by Councilmember Harbour, seconded by Councilmember Myers, with all members of the Council voting “aye” to open the above captioned public hearing. Roxanne Johnston, City Planner, recommended proceeding with the public hearing for rezoning as light commercial but to table the zoning ordinance until staff could revise to add a Planned Development 8 – Transition District to the underlying light commercial district. One citizen spoke against the zoning change stating that it is next to his residence and he was concerned about an increase in traffic. With no further discussion, motion was made by Councilmember Marquez, seconded by Councilmember Myers, with all members of the Council voting “aye” to close the public hearing.

PUBLIC HEARING – FIRST PUBLIC HEARING ON THE PROPOSED TAX RATE FOR FISCAL YEAR 2014-15

Due to corrections in the calculation of the assessed property values that were received from the Tax Assessor’s Office the above captioned public hearing was not held at this meeting and the Council considered the following items:

TO PLACE A PROPOSAL ON THE SEPTEMBER 25, 2014 CITY COUNCIL AGENDA TO ADOPT THE TAX RATE OF \$0.856640/\$100 VALUATION FOR THE 2014/2015 FISCAL YEAR

Motion was made by Mayor Pro Tem Benavides, seconded by Councilmember McDonald, with all members of the Council voting “aye” approving the above captioned proposal.

CALL FOR THE FIRST PUBLIC HEARING ON THE PROPOSED TAX RATE TO BE HELD THURSDAY, SEPTEMBER 4, 2014 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS LOCATED AT 307 EAST 4TH STREET, BIG SPRING, TEXAS; AND CALL FOR THE SECOND PUBLIC HEARING ON THE PROPOSED TAX RATE TO BE HELD ON THURSDAY, SEPTEMBER 11, 2014 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS LOCATED AT 307 E. 4TH STREET, BIG SPRING, TEXAS

Motion was made by Councilmember Harbour, seconded by Mayor Pro Tem Benavides, with all members of the Council voting “aye” calling for the above captioned public hearings.

CALL FOR A PUBLIC HEARING ON THE PROPOSED 2014-2015 ANNUAL BUDGET TO BE HELD ON THURSDAY, SEPTEMBER 11, 2014 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS LOCATED AT 307 E. 4TH STREET, BIG SPRING, TEXAS

Motion was made by Mayor Pro Tem Benavides, seconded by Councilmember Harbour, with all members of the Council voting “aye” calling for the above captioned public hearing.

DISPOSITION OF MINUTES

APPROVAL OF MINUTES OF THE CITY COUNCIL HELD ON A REGULAR MEETING OF AUGUST 12, 2014

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

CONSENT ITEMS

ACCEPTANCE OF THE HOWARD COUNTY APPRAISAL DISTRICT’S BOARD OF DIRECTORS MINUTES FOR THE REGULAR MEETING OF MAY 14, 2014

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

ROUTINE BUSINESS

Councilmember McDonald reviewed the vouchers. Motion was made by Councilmember McDonald, seconded by Councilmember Marquez, with all members of the Council voting “aye” approving vouchers in the amount of \$556,646.18 (08/44/14) and \$1,594,483.22 (08/21/14).

NEW BUSINESS

DISCUSSION AND CONSIDERATION OF REMOVING AND REPLACING BOARD MEMBERS OF THE BIG SPRING ECONOMIC DEVELOPMENT CORPORATION

Mayor McLellan expressed his concerns on the current Big Spring Economic Development Board Members not being able to get along, taking too long on making decisions and attempting to implement policies and procedures not required by the Big Spring Economic Development Corporation bylaws. Mayor McLellan recommended replacing all five board members in order to try to get a cohesive board. After a brief discussion and several comments from the Big Spring Economic Development board members and a few citizens, motion was made by Mayor Pro Tem Benavides, seconded by Councilmember Marquez, with Councilmembers Marquez, Myers, McLellan, McDonald and Benavides voting “aye” approving the removal of all five board members. Councilmembers Harbour and Boyd, being opposed, voting “nay” for passage of same. Motion passed five to two.

FIRST READING OF AN ORDINANCE REPEALING AND REPLACING CHAPTER ELEVEN OF THE CODE OF ORDINANCES ENTITLED “GARBAGE AND OTHER REFUSE” BY AMENDING EXISTING DEFINITIONS; PROVIDING ADDITIONAL

DEFINITIONS FOR COMMERCIAL AND RESIDENTIAL ACCOUNTS; CLARIFYING EXISTING REGULATIONS REGARDING COLLECTIONS, DISPOSAL, AND USE OF THE CITY LANDFILL; REQUIRING TRANSPORTED WASTE TO BE SECURED; ESTABLISHING NEW FEES FOR COLLECTION SERVICES AND WASTE DISPOSAL; RENUMBERING SECTIONS FOR CLARIFICATION; PROVIDING FOR A MAXIMUM PENALTY OF \$1,000.00; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember Harbour, seconded by Councilmember Myers, Councilmembers Marquez, Harbour, Myers, McLellan, McDonald and Benavides voting “aye” approving the above captioned ordinance. Councilmember Boyd, being opposed, voting “nay” for passage of same. Motion passed six to one.

CONSIDERATION AND APPROVAL OF A SITE PLAN FOR THE ADDITION OF A RETAIL STORE IN AN EXISTING PLANNED DEVELOPMENT LOCATED AT THE SOUTHEAST CORNER OF RANDOLPH BOULEVARD AND WASSON ROAD

Motion was made by Councilmember Myers, seconded by Councilmember McDonald, with all members of the Council voting “aye” approving the above captioned site plan.

CONSIDERATION AND APPROVAL OF AN INTERLOCAL AGREEMENT WITH HOWARD COUNTY FOR OWNERSHIP, CONSTRUCTION, OPERATION AND CLOSURE OF THE NEW BIG SPRING/HOWARD COUNTY LANDFILL

Motion was made by Councilmember Myers, seconded by Councilmember Harbour, with all members of the Council voting “aye” approving the above captioned agreement.

CONSIDERATION AND APPROVAL OF THE FIRE DEPARTMENT’S APPLICATION FOR A GRANT FROM THE TEXAS DEPARTMENT OF HEALTH SERVICES AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Myers, seconded by Councilmember Harbour, with all members of the Council voting “aye” approving the above captioned application.

CONSIDERATION AND APPROVAL OF AN AGREEMENT WITH KDC ASSOCIATES FOR BIG SPRING PROJECT AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember McDonald, seconded by Councilmember Harbour, with all members of the Council voting “aye” approving the above captioned agreement.

CONSIDERATION AND APPROVAL OF A PERFORMANCE AGREEMENT WITH BIG SPRING ECONOMIC DEVELOPMENT CORPORATION FOR FINANCIAL ASSISTANCE WITH PROFESSIONAL FEES FOR THE COMPREHENSIVE PLAN AND THE AIRPORT

MASTER PLAN AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Mayor Pro Tem Benavides, seconded by Councilmember Harbour, with all members of the Council voting “aye” approving the above captioned agreement.

CONSIDERATION AND APPROVAL OF A PERFORMANCE AGREEMENT WITH BIG SPRING ECONOMIC DEVELOPMENT CORPORATION FOR FINANCIAL ASSISTANCE FOR THE NORTH SECTOR SEWER EXPANSION PROJECT AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Mayor Pro Tem Benavides, seconded by Councilmember Myers, with all members of the Council voting “aye” approving the above captioned agreement.

CONSIDERATION AND APPROVAL OF THE BIG SPRING ECONOMIC DEVELOPMENT CORPORATION’S BUDGET AMENDMENT FOR THE CITY OF BIG SPRING INFRASTRUCTURE IMPROVEMENTS TO THE NORTH SECTOR AND THE CITY COMPREHENSIVE PLAN

Motion was made by Councilmember Myers, seconded by Mayor Pro Tem Benavides, with all members of the Council voting “aye” approving the above captioned agreement.

DISCUSSION AND CONSIDERATION REGARDING THE NAME OF THE NEW LANDFILL

Todd Darden, City Manager, explained the TCEQ requirement to have a name on the permit application to be filed for the new landfill and his recommendation was to name the new landfill the City of Big Spring/Howard County Big Sandy Draw Landfill. Motion was made by Councilmember Harbour, seconded by Councilmember Myers, with all members of the Council voting “aye” approving the new landfill to be named City of Big Spring/Howard County Big Sandy Draw Landfill.

APPROVAL OF INVESTMENT REPORT FOR THE QUARTER ENDING JUNE 31, 2014

Motion was made by Councilmember Harbour, seconded by Councilmember Marquez, with all members of the Council voting “aye” approving the above captioned investment report.

APPROVAL AND ACCEPTANCE OF THE MINUTES OF THE MEETING OF THE BIG SPRING ECONOMIC DEVELOPMENT CORPORATION HELD ON JULY 15, 2014

Motion was made by Councilmember Marquez, seconded by Councilmember Harbour, with all members of the Council voting “aye” approving the above captioned minutes.

CITY MANAGER'S REPORT

Mr. Darden reminded Council that one special meeting and two regular Council meetings in September have been changed from Tuesday to Thursday in order to meet deadlines to adopt the tax rate and budget. Mr. Darden also announced he would be taking some vacation days and that the City will be closed on Monday, September 1, 2014 in observance of Labor Day.

COUNCIL INPUT

Councilmember Marquez thanked everyone who came to the council meeting and encouraged citizens to call their Councilmember on any issues they may have.

Councilmember McDonald asked the Council who will be attending the annual TML Conference in October to each bring back one good idea for the City of Big Spring.

Councilmember Boyd reminded everyone that the November elections will be in three months and encouraged citizens to do their homework on the candidates and cast their votes.

EXECUTIVE SESSION

ADJOURN INTO EXECUTIVE SESSION IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTION 551.071(1)(A) TO CONSULT WITH THE CITY ATTORNEY ON PENDING LITIGATION AND UNDER SECTION 551.072 TO DISCUSS THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY AT 7:40 P.M.

RECONVENE IN OPEN SESSION AND TAKE ANY NECESSARY ACTION AT 8:20 P.M.

No action was taken.

ADJOURN

Mayor McLellan adjourned the meeting at 8:21 p.m.

CITY OF BIG SPRING, TEXAS

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, APPROVING A REZONE ON APPROXIMATELY 29.4 ACRES LOCATED IMMEDIATELY SOUTHWEST OF THE INTERSECTION OF US HIGHWAY 87 AND VILLAGE ROAD FROM SINGLE FAMILY DWELLING (SF-2) AND AGRICULTURAL (A) TO PLANNED DEVELOPMENT 8 – TRANSITION DISTRICT WITH AN UNDERLYING LIGHT COMMERCIAL (LC) DISTRICT; PROSCRIBING HEIGHT RESTRICTIONS, SCREENING SEPARATION BETWEEN ADJOINING RESIDENTIAL DISTRICTS, HEIGHT AND LUMINOSITY RESTRICTIONS FOR LIGHTING, RESTRICTING USES, REQUIRING A SETBACK FROM COMANCHE TRAIL LAKE, PROHIBITING OVERNIGHT PARKING OF COMMERCIAL TRUCKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS DISCUSSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the Planning and Zoning Commission gave its approval of the rezone of said 29.4 acres; and

WHEREAS, public hearings were held regarding the rezoning of said property as required by law;

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

SECTION 1. The rezone from Single Family Dwelling (SF-2) and Agriculture (AG) to Light Commercial (LC) with an overlaid Planned Development 8, Transition District including the following restrictions:

1. No more than two hotel structures may occupy the property.
2. One hotel may consist of 5 stories (ft) in height; the second hotel shall be limited to 3 stories in height or less. All additional structures shall not exceed three stories in height.
3. No freestanding sign shall exceed thirty-five (35) feet in height.
4. Any outdoor entertainment venues shall be located away from residential uses and districts.
5. Flashing signs shall be prohibited.
6. All exterior lighting shall be shielded and positioned in such a manner so as not to spill over onto any adjacent property.
7. No internally lit signage shall be allowed facing the lake, with exception to internal traffic directional signs which shall utilize low lighting.
8. Overnight parking of trucks exceeding 36,000 lbs or heavy construction equipment not related to construction of development of said property shall be prohibited.

9. Development shall be consistent yet with minor deviations as indicated on concept plan submitted to staff in August 2014 herein labeled "Exhibit A."
10. Prohibited uses are listed in "Exhibit A."
11. The minimum square footage for a one bedroom apartment shall be 600 square feet.
12. Minimum building setbacks shall be required as illustrated on the most recent site plan submitted to staff on September 4, 2014.
13. Landscaping shall be drought resistant and in accordance to The City of Big Spring, Texas Zoning Ordinance, Article 10 labeled "Landscaping Standards." Additionally, trees shall be 3-inches in caliber, and 6 feet tall at the time of planting. As each phase of development is planned, a submission of a landscaping plan as outlined in Article 10, Section 10-6 shall be provided to the City Planner or designee for review.
14. Materials for fencing between residential district and commercial uses will be determined at staff's discretion during the site review process(es).

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

SECTION 3. This ordinance shall take effect immediately from and after its publication and passage upon two readings in accordance with the provision of the Charter of the City of Big Spring, and it is accordingly so ordained.

SECTION 4. It is officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 4th day of September, 2014, with all members present voting "aye" for the passage of same.

PASSED AND APPROVED on second final reading at a regular meeting of the City Council on the 11th day of September, 2014, with all members present voting "aye" for the passage of same

Larry McLellan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary

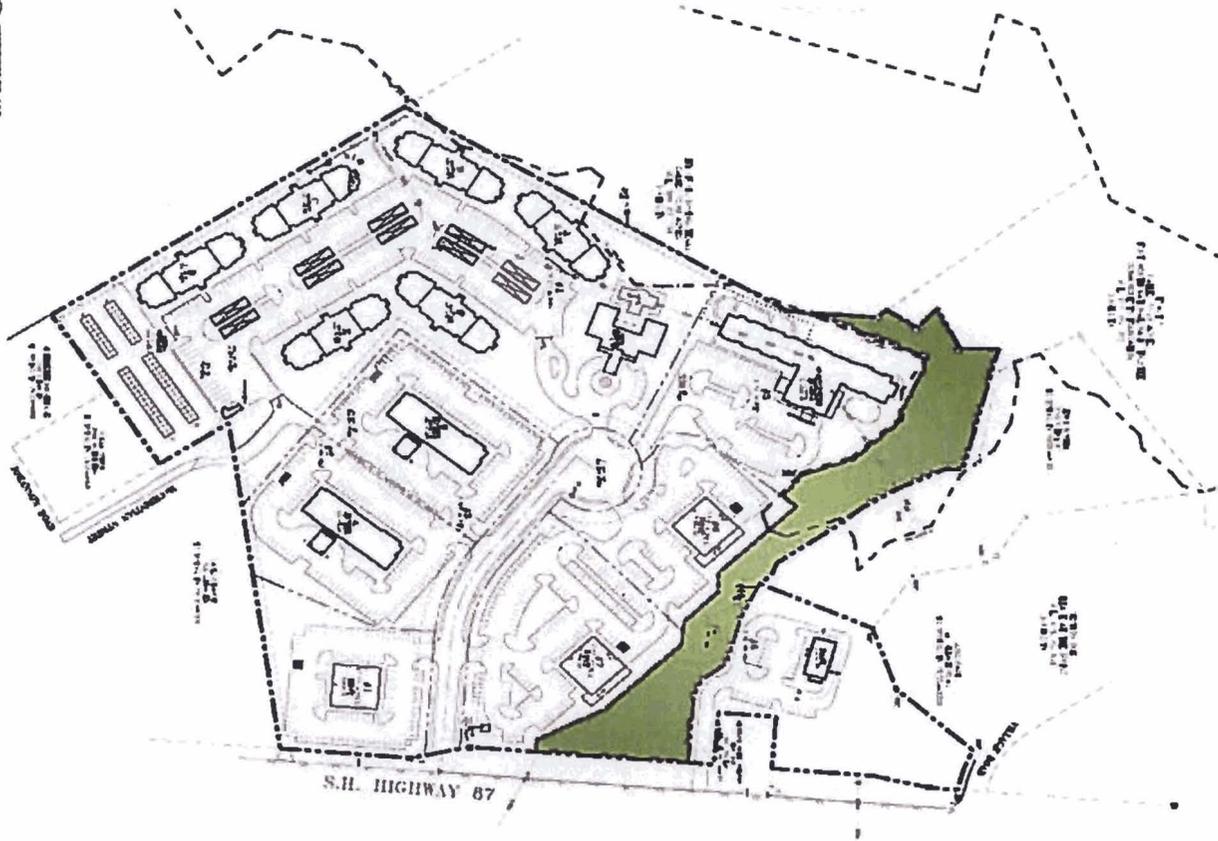
Exhibit A

The following uses or similar uses shall not be allowed unless otherwise noted:

1. Auto repair
2. Auto parts sales
3. Gasoline/service center
4. Handicraft shop
5. Pawn shop
6. Print shop
7. Radio & TV tower
8. Liquor store
9. Auto rental
10. Auto sales
11. Auto paint & auto body shop
12. Bus station
13. Cabinet or upholstery
14. Cleaning/dying plant
15. Feed store
16. Flea market
17. Laundry plant
18. Newspaper printing
19. Plumbing shop
20. Roller or ice skating
21. Used goods retail
22. Shop or yard for local, state or federal equipment
23. Tool or trailer sales
24. Wholesale office and sample room
25. Public storage (private storage is allowed)

EXHIBIT B

A SITE PLAN



DEVELOPMENT SYNOPSIS			
PARCELS	TOTAL ACRES	APPROX. ACRES	TOTAL SQ. FT.
1	RESTAURANT	1.17	6,200
2	RESTAURANT	2.43	13,400
3	RESTAURANT	1.98	11,000
4	RESTAURANT	0.13	700
5	RESTAURANT	1.72	9,500
6	RESTAURANT	1.68	9,300
7	RESTAURANT	2.47	13,700
8	RESTAURANT	2.43	13,400
9	OFFICE/RETAIL	2.58	14,300
	PARK	1.88	10,500
	TOTAL	18.01	100,000



MUSTANG RIDGE
PLANNED DEVELOPMENT PLAN
 TEXAS STATE HIGHWAY 87
 HOWARD COUNTY, TEXAS

REVISION	NO.	DATE	BY	DESCRIPTION

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS REPEALING AND REPLACING CHAPTER ELEVEN OF THE BIG SPRING CODE OF ORDINANCES ENTITLED, “GARBAGE AND OTHER REFUSE” BY AMENDING EXISTING DEFINITIONS; PROVIDING ADDITIONAL DEFINITIONS FOR COMMERCIAL AND RESIDENTIAL ACCOUNTS; CLARIFYING EXISTING REGULATIONS REGARDING COLLECTIONS, DISPOSAL, AND USE OF THE CITY LANDFILL; REQUIRING TRANSPORTED WASTE TO BE SECURED; ESTABLISHING NEW FEES FOR COLLECTION SERVICES AND WASTE DISPOSAL; RENUMBERING SECTIONS FOR CLARIFICATION; PROVIDING FOR A MAXIMUM PENALTY OF \$1000.00; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council finds it to be in the public interest to regulate the use, placement, maintenance and fees associated with the landfill located within the City of Big Spring; and

WHEREAS, the City Council finds that the public health, safety, and general welfare will best be served by the following regulations;

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

SECTION 1. THAT the City of Big Spring Ordinance Chapter 11 entitled, “Garbage and Other Refuse”, shall hereby be repealed and replaced with a new Chapter 11 to read in its entirety as follows:

GARBAGE AND OTHER REFUSE

CHAPTER 11

Article 1. In General

Sec. 11-1. Definitions.

For the purposes of this Chapter, the following words and phrases shall have the meaning herein ascribed to them:

- (A) “Garbage” shall include, among other similar matter, all animal or vegetable matter, such as waste materials and refuse from kitchens, residences, grocery stores, butcher shops, restaurants, cafes, hotels, and rooming and boarding houses.

- (B) “Municipal Solid Waste” or “M.S.W.” shall include solid waste resulting from or incidental to municipal, community, commercial, institutional and recreational activities.
- (C) “Hazardous Waste” shall mean any solid waste identified or listed as hazardous waste by the United States Environmental Protection Agency (USEPA).
- (D) “Industrial Solid Waste” shall include any solid waste resulting from and/or incidental to any process of industry, manufacturing, mining or agricultural operations, including:
 - (1) *CLASS I* – toxic, corrosive, flammable, strong sanitized or irritant that presents a danger to human life;
 - (2) *CLASS II* – waste that is not Class I or III; or
 - (3) *CLASS III* – inert or insoluble materials such as rock, brick, glass, dirt, or plastics.
- (E) “Special Waste” shall include:
 - (1) Small quantities of Hazardous Waste;
 - (2) Health Care Facility waste (i.e. medical waste);
 - (3) Municipal water and waste water sludge;
 - (4) Septic tank waste;
 - (5) Grease and grit trap waste;
 - (6) Slaughter house waste;
 - (7) Dead animals;
 - (8) Used acid batteries;
 - (9) Oil filters;
 - (10) ACM or PCB materials;
 - (11) White goods which contained Freon, unless certified free by a licensed service person; and
 - (12) Any other waste requiring special handling.

- (F) “Commercial Account” shall mean a municipal solid waste collection account for a business, such as hotels, restaurants, industrial/manufacturing operation, prisons, hospitals, nursing homes, apartment complexes, mobile home parks, recreational vehicle parks, etc.
- (G) “Debris” shall include dirt, concrete, rocks, bricks, construction material or other similar wastes.
- (H) “Trash” shall include any household trash and any refuse other than garbage, debris or brush, as herein defined.
- (I) “Brush/Trimming” shall mean tree and shrub trimmings and grass clippings.
- (J) “Residential Account” shall mean an account for municipal solid waste collection for residential units, single family dwellings, and multiple family dwellings, etc.

Sec. 11-2. Proper Disposal/Transportation of Waste.

- (A) Each owner, occupant, tenant or lessee owning and/or occupying any residence, building, house or structure within the corporate limits of the city as a place of residence or as a place of business is hereby required to place all trash and/or garbage being disposed of from the premises in plastic trash bags or other appropriate disposable containers that are secured to prevent scattering of refuse. The bags or disposable containers shall be placed unbroken in the city furnished containers.
- (B) It is hereby declared to be unlawful for any person to place any garbage or trash on the ground, in an open box or container, to store the same in any receptacle other than containers meeting the requirements of this Chapter, or to place garbage or trash in city furnished containers not otherwise assigned for their individual use.
- (C) Commercial and Residential Account holders shall not share the same container.
- (D) It is hereby declared unlawful for any person to place Brush/Trimming, rocks, dirt, construction material or any other material listed in Section 11-4 in any city furnished container.
- (E) It shall be unlawful for any person or persons, firm or corporation, to fail to properly secure loose garbage, trash or other waste for transporting by way of tarpaulin, net, or other means to effectively prevent the blowing or spilling of waste onto streets, highways, or thoroughfares within the city.

Sec. 11-3. Unauthorized Usage of City Furnished Containers.

It is hereby unlawful for any person or persons, firm or corporation, to place or remove, or cause to be placed or removed, garbage or refuse in a container not specifically assigned to that person, firm or corporation.

Sec. 11-4. Waste Not Collected by City Sanitation Department.

The following material shall not be collected by the City Sanitation Department and therefore shall not be placed in city furnished containers:

- (A) Manure from private stables;
- (B) Offal and refuse from animals and fowl;
- (C) Night soil;
- (D) Dead animals and fowl;
- (E) Building/construction materials;
- (F) Furniture;
- (G) Brush/trimmings; and
- (H) All other waste not mentioned in Section 11-1, hereinafter called "Refuse."

The above described waste shall be kept in a suitable receptacle separate from the containers furnished by the city and shall not be dumped in the alleys or retained on the premises so as to become a nuisance, and the same shall be properly disposed of by the owner thereof.

Sec. 11-5. Collection by City Generally; Exception.

- (A) All residential, business and commercial establishments within the corporate limits of the city shall be required to subscribe to the City's M.S.W. collection and disposal service and pay the charges provided therefore by this Chapter.
- (B) The collection of M.S.W. in the city shall be a part of the duties of the City Sanitation Department, the employees of which shall make periodic M.S.W. pickups throughout the city from the M.S.W. containers provided by the city and/or citizens of the city as required by this Chapter.
- (C) It shall be unlawful for any person, firm or corporation, other than employees of the City Sanitation Department, to collect M.S.W. in the city, unless otherwise approved by the Public Works Director.

- (D) Exception: The private collection of brush, shrubs, leaves, grass and tree trimmings and cutting of such for hire, or otherwise, shall be allowed notwithstanding the provisions of this Section. Provided however, such brush, shrubs, grass, and tree trimmings and cuttings shall be transported in a covered vehicle to the City Landfill located at 4100 E FM 700.

Sec. 11-6. Collection of City Furnished Containers.

- (A) The city will, in selected locations as determined by the Sanitation Department and approved by the Public Works Director, place containers of varying capacity for the collection of garbage and trash. Each person, firm or corporation shall be notified by the Sanitation Department of the container location assigned to that person, firm or corporation. The use of other containers is not permitted. The Sanitation Department shall place the appropriate sized containers throughout the city in such a manner to adequately serve all residential and commercial accounts. If the volume of garbage from any one commercial account is sufficient to justify a separate container for that establishment, the Sanitation Department shall so place a container at that location. Notwithstanding conflicting provisions herein and subject to the approval of the Public Works Director or his designee, Commercial Account holders may place garbage containers at designated locations.
- (B) The City of Big Spring shall provide individual roll-out trash containers to Residential Account holders where it is impractical to service the collection of solid waste through the utilization of 1 ½ yards or larger containers. The account holder shall be responsible for the safe keeping of the container. The containers must be rolled out on the morning of the scheduled pick up and returned to a place of safe keeping after it has been serviced by the Sanitation Department. If an individual roll out container is lost or destroyed, the account holder will be required to pay the full cost of a replacement container.
- (C) It shall be unlawful for any person, firm or corporation to block access to solid waste containers placed by the Sanitation Department in a manner that hinders the collection of solid waste. In the event a solid waste container is located in a street within ten (10) feet of the driveway of the residence to which it is assigned, there is a rebuttable presumption that the container was placed by the authority of the Public Works Director or his designee. Violations of this Section shall be punishable by a fine in accordance with Section 11-17 of this chapter.

Sec. 11-7. Physical Accessibility of City Furnished Containers.

If any person is not physically capable of accessing a city furnished 1 ½ or 3 yard container for proper disposal of garbage or trash, that person may request that an individual roll-out trash container be provided for their individual use. Requests shall be made in writing to the Public Works Director and a statement from a licensed physician, that of which shall be updated annually, is

required. Failure to update the required physician's statement on an annual basis will result in the removal of the container.

Sec. 11-8. Existing Customers Outside City Limits.

Customers, commercial or residential, that are current customers as of the effective date of this ordinance shall continue to receive service until such account is terminated by the customer or by the city for non-payment. No new accounts outside the city limits shall be permitted.

Article 2. Garbage Collection and Landfill Fees

Sec. 11-9. Fees

(A) Residential Rates – picked up once a week only

- | | | |
|-----|--|----------|
| (1) | Single family dwelling units | \$ 19.10 |
| (2) | Additional roll out for single family dwelling units | \$ 15.50 |
| (3) | Additional requested pick-ups of containers | \$ 10.00 |

Before a sanitation truck is dispatched for an additional pick-up request, the account holder (or his/her designated representative) must:

- (a) be present at the pick-up location at the time of pick-up; or
- (b) execute an “Additional Pick-up Request Form” at the Landfill Office.

(B) Commercial Rates

- | | | |
|-----|---------------------------|----------|
| (1) | One collection each week: | |
| (a) | 1.5 cu. yd. Container | \$ 32.85 |
| (b) | 3 cu. yd. Container | \$ 42.19 |
| (2) | Two collections weekly: | |
| (a) | 1.5 cu. yd. Container | \$ 65.70 |
| (b) | 3 cu. yd. Container | \$ 84.38 |

- (3) Four collections weekly:
 - (a) 1.5 cu. yd. Container \$ 131.40
 - (b) 3 cu. yd. Container \$ 168.76
- (4) Roll-off container service:
 - (a) 30 yd. Container \$ 15.00/day
 - (b) Landfill charge \$ 45.00/ton
 - (c) Scheduled collection service charge (Mon.-Fri.) \$ 150.00
 - (d) Delay charge - (Scheduled collection requiring more than 1 hour) \$ 50.00/half hr
 - (e) Unscheduled collection service charge \$ 250.00
 - (f) Delay charge – (Unscheduled collection requiring more than 1 hour) \$100.00/half hr
- (5) Private Owned Compactor Service:
 - (a) Service charge (scheduled except Wed.) \$ 125.00
 - (b) Service charge (unscheduled except Sat. and Sun.) \$ 250.00
- (C) Landfill Entry/Use Fee/Proof of Residence – All City of Big Spring and Howard County Residents:
 - (1) Landfill entry requires two (2) forms of proof of residence. (Drivers License & utility bill – addresses/name/photo must match) Non City of Big Spring/Howard County waste is not accepted at the landfill.
 - (2) Landfill Charges
 - (a) Limb/Brush/Clippings disposal \$ 45.00/ton
 - (b) Large items or additional household trash \$ 45.00/ton
 - (c) Uncovered Load \$ 15.00

(3) Private Compactor Service – M.S.W. \$ 45.00/ton

(4) Special Waste \$ 100.00/ton

The City Manager’s written approval is required prior to receipt of any waste that, by its physical nature, requires special handling by site personnel.

(5) Environmental Fee: \$ 1.25
(Assessed to each residential or commercial unit)

Sec. 11-10. Failure to Pay.

The charge fixed in this Article for the removal and disposal of M.S.W. at the City Landfill shall be entered by the Finance Director as a charge against each owner, occupant or lessee on the water and wastewater account of the city. Should any person fail or refuse to pay the charges fixed against him/her residence or place of business when due, the city shall be authorized to cut off and disconnect the water and wastewater services to the responsible party’s place of residence or business against which M.S.W. service fees have been fixed and assessed, and, in addition thereto, shall be authorized to discontinue M.S.W. services until said fees have been paid in full.

Sec. 11-11. No Credit for Vacancy of Premises.

No credit will be given on the M.S.W. service charges fixed by this Article to any owner, occupant or lessee of any residence or place of business for vacancy thereof, unless the city is notified in writing at least ten (10) days in advance to discontinue water, wastewater and M.S.W. service to said premises.

Sec 11-12 – Sec 11-13. Reserved.

Article 3. Permits

Sec. 11-14. Permit for Private Collectors.

(A) **Permit Required**

No person except the duly authorized agents and employees of the city or those persons exempted by Section 11-4 and private collectors permitted under this article shall collect, remove and dispose of M.S.W., empty M.S.W. receptacles, or convey or transport garbage or M.S.W. on the streets, alleys and public thoroughfares of the city, for compensation.

(B) Application

Any private collector desiring a permit to bring M.S.W. into the City Landfill from outside the city limits shall make application therefore to the City Manager or his authorized representative.

Such application shall provide:

- (1) The name and address of the applicant;
- (2) The trade name under which the applicant does or proposes to do business;
- (3) The number of vehicles to be used in said business;
- (4) Whether or not the applicant has been convicted of the violation of any federal, state or municipal law;
- (5) Whether or not the applicant, or any person with whom he has been associated or employed, has a claim or judgment against him/her for damages resulting from the negligent operation of a vehicle;
- (6) The financial ability and responsibility of the applicant and proof of applicant's ability to respond to damages in the event damage occurs to persons or property by reason of the negligent operation of a vehicle on the streets and/or public thoroughfares of the city;
- (7) The nature and character of the service the applicant proposes to render;
- (8) The experience applicant has had in rendering said service;
- (9) Patrons for whom applicant proposes to render this service and any other information the City Manager may require.

(C) Applicant to Furnish List of Customers.

No applicant shall be issued a permit under this article unless a customer list has been provided to the City Manager, or his authorized representative. Any addition or deletion of customers after the permit is issued shall be promptly reported to the City Manager, or his authorized representative. Failure to report changes to the customer listing shall be grounds for revocation of the permit.

(D) Permit Fee.

The fee for a permit required by this Article shall be Four-Hundred dollars (\$400.00) per collection vehicle. Such fee shall be payable in advance before a permit is issued

and may be prorated upon approval of the Public Works Director or his designee. In addition to the permit fee, a disposal fee of Forty-Five dollars (\$45.00) per ton, and other surcharges as prescribed in this chapter, shall be assessed as required.

(E) Investigation.

Upon receipt of an application for a permit required by this article, the City Manager, or his designee, shall make or cause to be made an investigation to determine if the applicant is a fit and proper person to conduct said business and whether or not the public convenience and necessity require the granting of said permit.

(F) Permit to be Attached to Vehicle or Carried on Person; Inspection.

Every permit issued under this article shall be attached to the vehicle used for the collection and removal of M.S.W. or shall be in the possession of the person rendering said service, and shall be subject to inspection at all times.

(G) Permit Not Transferable.

No permit issued under this Article shall be transferable.

(H) Expiration/Renewal.

A permit issued under this Article shall expire on September Thirtieth (30th) of each year and shall be renewed by payment of the required aforementioned fees and compliance with all other provisions of this Article.

(I) Revocation.

A permit issued under this Article may be revoked by the City Manager at any time if such action is deemed to be in the best interest of the public.

Article 4. Enforcement

Sec. 11-15. Inspections by Manager; Authority to Enforce.

It is hereby made the duty of the Manager of the M.S.W. Collection Department, or his designee, to make regular inspection trips to determine whether garbage is being properly disposed of and to further determine if containers of the kind required by this Chapter have been obtained by the persons required to use the same under this Chapter. It is hereby made the duty of said Manager, or his designee, to file a complaint against any person violating any provision of this Chapter in order that said person may be prosecuted therefore.

Sec. 11-16. Penalty.

Any person or persons, firm or corporation who violates any of the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than five dollars (\$5.00) nor more than one thousand dollars (\$1000.00) for each offense, and each violation hereof shall be deemed a separate offense and each day's continuance or failure to comply herewith shall constitute a separate and distinct offense for each of said days.

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

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

SECTION 4. THAT this ordinance shall take effect on October 1, 2014, following its passage in accordance with the provisions of the Charter of the City of Big Spring, and it is accordingly so ordained.

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.

SECTION 6. THAT it is officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 26th day of **August, 2014**, 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 9th day of **September, 2014**, with all members voting "aye" for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary

**Convention and Visitors Bureau Committee
Minutes from Wednesday, May 7, 2014
City Council Chambers**

Present: Todd Darden, Carmen Harbour, Jacob Cerda, Don Moore, Amy Jacobs
Staff: Debbie Wegman, Hayley Lewis
Absent: Marcus Fernandez, Troy Tompkins
Guests: Randy McKinney, Jan Foresyth, Stacey Slaten.

Due to Mr. Marcus Fernandez's absence, Jacob Cerda conducted the meeting.

Mr. Cerda called the meeting to order at 4:35 p.m.

Approval of minutes

The minutes from the meeting of April 2, 2014 were reviewed. Motion was made by Carmen Harbor to approve the minutes as written. Motion was seconded by Amy Jacobs and passed unanimously.

Review & Discussion of Event Funding Report & Budget

Debbie Wegman provided a report for the committee

Discussion of Follow-up Reports

- a. Big Spring Pow-Wow: Randy McKinney was present to answer any questions. Estimated attendance of the Pow Wow was 1,200 people and volunteers were estimated at 150. 50-60 hotel rooms were used for 2 nights; \$4,994.47 was returned to the CVB. 11th Annual Pow Wow is planned to be held in Big Spring again in 2015.

Consideration of Event Funding Requests

- a. ACES Rewards & Hidden Gems Basketball Event- Roy Green was not present but Debbie Wegman said she could call if there were any questions she could not answer. 60 rooms are planned on being used for the event that will be held from June 26-29, 2014. Mr. Green has held similar events (under a different name) in Big Spring for the past 6 years and always brings in a large number of out of town participants. They are asking for \$11,000. Todd Darden made a motion to approve the request for \$11,000. Motion was seconded by Don Moore and passed unanimously.
- b. Howard College Educational & Community Events- Jan Foresyth and Stacey Slaten were present to request \$2,000 to purchase equipment to be used with various educational events throughout the year. The request was not complete and additional information was needed before a decision could be made. Debbie Wegman suggested that Jan Foresyth and Stacey Slaten set up a meeting to discuss the event further so that a complete request can be submitted.

Other

- a. Texas Plains Trail Board Meeting – June 19, 2014- The Texas Plains Trail Board Meeting will be hosted in Big Spring on June 19, 2014 at the Hotel Settles. Debbie Wegman asked the board for permission to spend \$840 on the event venue and food for the board meeting. Motion was made by Todd Darden to approve the request of \$840. Motion was seconded by Carmen Harbour and passed unanimously.

Financials

The financial reports for March 2014 were provided. Hotel tax revenue report, comparison report of local hotels, data from the state comptroller, and an occupancy report were also provided.

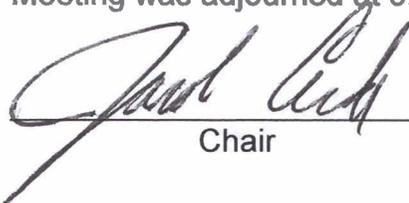
CVB Coordinator Report

Debbie Wegman wanted to remind the board that the 7th Annual Comanche Warrior Triathlon will be held on September 6, 2014. Letters for sponsors have been sent out.

Members Comments

Todd Darden asked to check into prices of an event tent that could possibly be rented out for various events around town.

Meeting was adjourned at 5: 21 p.m.



 Chair

06/4/14

 Date

**Convention and Visitors Bureau Committee
Minutes from Wednesday, June 4, 2014
City Council Chambers**

Present: Carmen Harbour, Bobby McDonald, Todd Darden, Jacob Cerda, Troy Tompkins

Staff: Debbie Wegman, Hayley Lewis

Absent: Amy Jacobs, Don Moore

Guests: Christy Broman, Linda Burchett, Deborah Rupard, Ramon Holguin

Debbie Wegman called the meeting to order at 4:30 p.m.

Welcome of New Board Member- Mr. Bobby McDonald was welcomed to the board.

- a. **Elect New Chairman-** Bobby McDonald nominated Troy Tompkins. Jacob Cerda Nominated Carmen Harbour. Carmen Harbour was elected by a 3 person vote.

Approval of minutes

The minutes from the meeting of May 7, 2014 were reviewed. Motion was made by Troy Tompkins to approve the minutes as written. Motion was seconded by Jacob Cerda and passed unanimously.

Review of Event Funding Report- The event funding balance was provided to committee members.

Consideration of Funding Requests

- a. **12th Annual Funtastic Fourth-** A supplement to the original request was provided. Ramon Holguin was present to request additional funds for their event on June 27-28. Due to a larger event and less sponsors they are requesting additional funds to cover the bigger stage and light production along with bigger name entertainment. 10,000 post cards and posters have been passed out to various 7-11's throughout the surrounding towns. An estimated 20,000-24,000 people were downtown during last year's event. Todd Darden made a motion to approve the funding request for \$20,000. Motion was seconded by Bobby McDonald and passed unanimously.

Financials

The financial reports for April 2014 were provided. Hotel tax revenue report, comparison report of local hotels, data from the state comptroller, and an occupancy report were also provided.

CVB Coordinator Report

Debbie Wegman will attend a meeting in Austin for the Texas Historical Commission. She is also working on new event funding forms for next fiscal year. Todd Darden suggested writing a proposal for the new ideas for the next meeting.

Preliminary information from the architect has been received regarding the spring renovation.

Meeting was adjourned at 5:01pm



Carmen Harbour, Chair



Date

**Convention and Visitors Bureau Committee
Minutes from Wednesday, July 2, 2014
City Council Chambers**

Present: Bobby McDonald, Todd Darden, Jacob Cerda, Troy Tompkins, Don Moore,
Staff: Debbie Wegman, Hayley Lewis
Absent: Carmen Harbour, Amy Jacobs
Guests: Jan Foresyth, Terry Wofford, AJ Weaver

Due to Mrs. Harbour's absence; Troy Tompkins conducted the meeting.

Mr. Troy Tompkins called the meeting to order at 4:31 p.m.

Approval of minutes

The minutes from the meeting of June 4, 2014 were reviewed. Motion was made by Todd Darden to approve the minutes as written. Motion was seconded by Bobby McDonald and passed unanimously.

Review of Event Funding Report

The event funding balance was provided to committee members.

Consideration of Event Funding Requests

- a. Howard College Educational and Community Events- Jan Foresyth was present to request funding for Howard College Educational and Community Events. The funding is to purchase the equipment for an art workshop. The workshops will be a three day event in October, April, and June. Motion was made by Todd Darden to approve the request for \$2,188. Motion was seconded by Troy Tompkins and passed unanimously.
- b. USHGA National Competition- Terry Wofford was present to request funding for the National Hang gliding competition to be held from August 2-9, 2014. There will be close to 50 participants that will also bring in additional people for support groups. Motion was made by Troy Tompkins for approve the request for \$6,400. Motion was seconded by Jacob Cerda and passed unanimously.
- c. Ports to Plains Directors Board Meeting- Gloria McDonald was present to request funding for the Ports to Plains Directors Board Meeting. The meeting will be held at the Hotel Settles: Alon, Red Mesa, and Economic Development Corporation will also be sponsoring the board meeting. There are 24 hotel rooms booked for the event. Motion was made by Bobby McDonald to approve the request for \$360. Motion was seconded by Don Moore and passed unanimously.
- d. Big Spring Super Sprint and Kids Triathlon- Craig Felty was not present but this is the second year for the event to be held on July 12, 2014, and approxiametly 10-20 rooms will be utilized. Motion was made by Todd Darden to approve the request for \$5,000. Motion was seconded by Bobby McDonald and passed unanimously.

Financials

The financial reports for May 2014 were provided. Hotel tax revenue report, comparison report of local hotels, data from the state comptroller, and an occupancy report were also provided.

Other

- a. Review of Draft of new Funding Request & Formula- Debbie Wegman provided a draft of new Funding Request forms for the committee members. After discussion, Mrs. Wegman asked the committee members to take the draft home and e-mail back any questions or suggestions.
- b. Discussion of meeting with Kelly Cook- Kelly Cook is the architect that will be used for the renovation of the spring. Debbie Wegman has set up a special meeting for Kelly Cook to come speak to the CVB Committee about his future plans.

CVB Coordinator Report

Debbie Wegman hosted the Texas Plains Trail Board meeting at Hotel Settles and provided the publicity that was given on the event to committee members.

Members Comments

Todd Darden stated that the CVB will provide funding to the Heritage Museum and the Potton House in the next fiscal year.

Todd Darden also announced that Debbie Wegman will now be the Community Services Director and has taken on overseeing the Senior Center as well as current responsibilities.

Meeting was adjourned at 5:18pm



Chair

08/15/2014

Date

City of Big Spring
Big Spring McMahon-Wrinkle Airport and Industrial Park
Development Board Meeting Minutes
June 19, 2014

The Big Spring Airport and Industrial Park Development Board met in Regular Session at 5:30 p.m., on Thursday, June 19, 2014 at the Airport Terminal conference room, 3200 Rickabaugh Drive, Big Spring, Texas. Phillip Welch called the meeting to order at 5:32 p.m. with the following members in attendance:

Phillip Welch, Chairman
Wayne Dawson, Safety Officer
Ned Crandall

Willie Rangel
Jane Armstrong

Also in attendance:

Jim Little, Airport Director
Bobby McDonald, City Council Member
Johnny Womack
Alan Greer, Freese&Nichols
Danny Webb, Trace Engines
Jim Raettig

Karen Reagan, Director's Assistant
Michael Cahill, Maintenance Manager
Gordon Browning
Brandon Gonzales, Freese&Nichols
Rodney Patridge, Trace Engines

Item # 1

Call to Order

Phillip Welch called the meeting to order at 5:32 p.m.

Item # 2

Review and approve minutes from May 22, 2014 meeting

Motion to approve made by Jane Armstrong, seconded by Wayne Dawson, with all members voting "aye" for acceptance of the minutes as written.

Item # 3

Big Spring Economic Development Corporation Update

Terry Wegman was absent this evening. Jim told the board Terry had various projects going at this time that would be addressed in the Director's Report.

Item # 4

Airport Director Update

Jim updated the board that all working positions have been filled. He introduced the new Maintenance Manager, Michael Cahill. Also, he stated that the oil and gas drilling check has been received. The Fuel Tank Farm has been installed, and we are currently waiting on electricity and telephone service. Jim then reported that the Airport Apron is finished with a working punch list of items, and the Railroad Spur Development with Hi-Crush is complete. The EDC is working with COLO Railroad Builders for additional extension. Jim briefed the board on the status of the Parachute Building Demolition status noting advertisements in the paper on June 8 & 15 and a "walk- thru" on Wednesday, June 18, 2014; the project will be re-advertised and rescheduled due to a lack of turn out for the mandatory "walk-thru" for bidders. For Aircraft Hangar Availability, Jim said there are still negotiations between the large corporate jet owners with a meeting planned for next week. The National Hang Gliding Competition will be held August 3-9, 2014. Director's

Travel will be October 2-4 for the TML Conference in Houston, TX. For Show and Tell, Jim briefed the board on a visit from the AOPA President & CEO, Mark Baker, and his aircraft, a Howard 500.

Item # 5

Fly-In June 7, Critique

The board discussed the Fly-In and the number of planes and cars present with a question as to the possibility of changing the month the event occurs.

Item # 6

Other Events and Activities

There were none at this time.

Item # 7

Presentation by Freese and Nichols & Consideration of Adoption of the Proposed Airport Sector Plan

Alan Greer presented the Airport Board with a Proposed Airport Sector Plan which included the airport and surrounding areas. The plan presented possible routes of rail traffic as well as industrial traffic. It included an additional entrance to the airport. New Industrial, Light Commercial, and Light Industrial areas were highlighted around the current airport with a possible extension of industrial on the Eastern side which would involve the movement of a taxiway and T-hangars. The board expressed its concerns with the possibility of giving up aeronautical space. Jim confirmed that any change to Airport land and zoning must be approved by the FAA.

The board voted to recommend the adoption of the proposed Airport Sector Plan with Ned Crandall making a motion to accept and Willie Rangel making a second, with all members voting in favor.

Item # 8

Board Member Updates

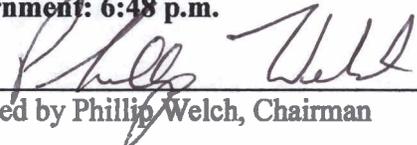
Wayne Dawson announced the next Pilot Safety Meeting would be in August with Phillip Welch giving a presentation on ForeFlight.

Item # 8

Next Meeting Date

July 17, 2014

Adjournment: 6:48 p.m.



Approved by Phillip Welch, Chairman

8-21-14
Date

**McMahon-Wrinkle Airport & Industrial Park
Development Board Meeting
June 19, 2014**

Notice is hereby given that the McMahon-Wrinkle Airport & Industrial Park Development Board of the City of Big Spring, Texas, will meet in Regular Session on Thursday, June 19, 2014 at 5:30pm. The meeting will be held at the Air Terminal located at 3200 Rickabaugh Drive West, Big Spring, Texas.

Section I

- A. Call to Order

Section II

- A. Review and approve minutes from May 22, 2014 meeting.

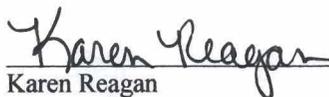
Section III

- A. Big Spring Economic Development Corporation Update
- B. Airport Director Update
- C. Fly-In June 7, Critique
- D. Other Events and Activities
- E. Presentation by Freese and Nichols & Consideration of Adoption of the Proposed Airport Sector Plan

Section IV

- A. Board Member Updates
- B. Next Meeting Date: July 17, 2014

I hereby certify that this notice was posted on the bulletin boards at the Big Spring City Hall Building, 310 Nolan Street, Big Spring, Texas by Monday, June 16, 2014 before 4:30 pm.



Karen Reagan
Airpark Secretary

THIS MEETING FACILITY IS ACCESSIBLE TO DISABLED PERSONS. ANY DISABLED PERSON NEEDING SPECIAL ACCOMMODATIONS OR HEARING IMPAIRED PERSONS WISHING TO HAVE AN INTERPRETER SHOULD CONTACT KAREN REAGAN @ 432-264-2362. 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 boards at the Big Spring Municipal Building, 310 Nolan Street, Big Spring, Texas on _____, 2014 at _____ p.m.

By: _____
City Secretary's Office
City of Big Spring

CITY OF BIG SPRING
PLANNING AND ZONING COMMISSION MINUTES
June 3, 2014

Terry McDaniel, Chairperson, called the Planning and Zoning Commission Meeting to order at 5:30 P.M. on Tuesday, June 3, 2014 in the City Council Chambers, 307 E. 4th Street. The following members were in attendance:

Terry McDaniel
Peggy Hopper
Lupe Dominguez

Kevan Schooler
Dale Avant

Junior Yanez
Aubrey Weaver

Also in Attendance: Johnny Womack, Public Works Director, Terri Telchik – Admin. Asst., Tom Dixon – Planner, Kimberly Pilgrim – Admin. Sec., and members of city staff/council.

ITEM II

Public hearing to consider a replat of Government Heights to Bauer Addition of Lots 4-9, Block 35, and part of an abandoned alley, Government Heights to Bauer Addition, being 1.102 acres located west of US Hwy 87 (Gregg Street) and south of North 10th Street. Zoned: Light Commercial. Applicant: Kistenmacher Engineering Group

Public hearing was opened by motion from Schooler and seconded by Hopper with all members present voting “aye” for same.

The board heard from Tom Dixon regarding the proposed use of the location. There was no public comment heard.

Public hearing was closed by motion from Hopper and seconded by Avant with all members present voting “aye” for same.

ITEM III

Consideration for the approval of minutes for April 1, 2014 Planning & Zoning meeting

Schooler made motion to approve minutes, seconded by Avant with all members present voting “aye” to approve minutes.

ITEM IV

Discussion and consideration of Government Heights to Bauer Addition a replat of Lots 4-9, Block 35, and part of an abandoned alley, Government Heights to Bauer Addition, being 1.102 acres located west of US Hwy 87 (Gregg Street) and south of North 10th Street. Zoned: Light Commercial. Applicant: Kistenmacher Engineering Group

Notation was made that all easements are clear and shows the area ideal for redevelopment. Dominguez made a motion to approve the replat, seconded by Schooler with all members present voting “aye” to approve the same.

ITEM IV

Citizen Input

Mr. McDaniel addressed the room and welcomed the addition of the new planner, Tom Dixon and stated that Terri Telchik had resigned from the board and was being replaced by Kim Pilgrim effective immediately.

ITEM V

A motion was made by Schooler and seconded by Hopper to adjourn the meeting with all members present voting “aye” for the same.



Terry McDaniel, Chairperson

City of Big Spring
Planning and Zoning Commission Minutes
June 17, 2014

Terry McDaniel, Chairperson, called the Planning and Zoning Commission Meeting to order at 5:30 P.M. on Tuesday, June 17, 2014 in the City Council Chambers, 307 E. 4th Street. The following members were in attendance:

Terry McDaniel
Kevan Schooler
Lupe Dominguez

Peggy Hopper
Aubrey Weaver Jr.
Dale Avant

Also in attendance:

Johnny Womack, Public Works Director
Gordon Browning, Contract Planner
Thomas Hodges, Building Official

Kay Pilgrim, Administrative Secretary
Alan Greer, Freese & Nichols
Brandon Gonzales, Freese & Nichols

ITEM I

Public Hearing to consider and make a recommendation to the City Council for the North Sector Land Use Plan map. Location is defined as the area north of the I-20 freeway extending from State Highway 350 west to Old Mill Road, then westward along State Highway 176 to the alignment of the US 87 reliever route, then north along the US 87 reliever route alignment to the City of Big Spring's extraterritorial jurisdiction boundary, then extending northward and then eastward in an arc along the same extraterritorial jurisdiction boundary to FM Road 669, then south along FM Road 669 to State Highway 350, then south along State Highway 350 to I-20.

Public hearing was opened by motion from Hopper, seconded by Avant with all members present voting "aye" for same.

The board heard from members of the public, including concerns for having a buffer zone around the Big Spring Gin against residential area and land area near Highway 87 to remain zoned as Light Commercial.

Public Hearing was closed by motion from Weaver and seconded by Hopper with all members present voting "aye" for the same.

ITEM II

Discussion to consider and make a recommendation to the City Council for the North Sector Land Use Plan map. Location is defined as the area north of the I-20 freeway extending from State Highway 350 west to Old Mill Road, then westward along State Highway 176 to the alignment of the US 87 reliever route, then north along the US 87 reliever route alignment to the City of Big Spring's extraterritorial jurisdiction boundary, then extending northward and then eastward in an arc along the same extraterritorial jurisdiction boundary to FM Road 669, then south along FM Road 669 to State Highway 350, then south along State Highway 350 to I-20.

Recommendation was made by Peggy Hopper that the plan be sent forward to City Council for consideration with alterations, including having a buffer zone around the Big Spring Gin against residential area and land area

near Highway 87 to remain zoned as Light Commercial. Recommendation was seconded by Schooler with all members present voting “aye” for the same.

ITEM III

A motion was made by McDaniel and seconded by Avant to adjourn the meeting with all members present voting “aye” for the same.



Terry McDaniel, Chairperson



**Planning and Zoning Commission Minutes
July 01, 2014**

Terry McDaniel, Chairperson, called the Planning and Zoning Commission Meeting to order at 5:32 P.M. on Tuesday, July 01, 2014 in the City Council Chambers, 307 E. 4th Street. The following members were in attendance:

Terry McDaniel
Kevan Schooler
Lupe Dominguez

Peggy Hopper
Aubrey Weaver Jr.
Dale Avant

Also in attendance:

Johnny Womack, Public Works Director
Gordon Browning, Contract Planner
Thomas Hodges, Building Official
Jim Little, Airport Director

Kay Pilgrim, Administrative Secretary
Alan Greer, Freese & Nichols
Dan Sefco, Freese & Nichols

ITEM I

Public Hearing to consider the proposed Airport Sector Plan for the City of Big Spring, the area being considered is generally defined as the area south of IH-20, west of the west City Limit line, west of Air Base Road, Simler Drive and Wasson Road, north and east of the alignment of the proposed US 87 Reliever Route containing approximately 7000 acres on the west side of the City Big Spring. Applicant: City of Big Spring

Public hearing was opened by motion from Schooler, seconded by Hopper with all members present voting “aye” for same.

The board heard from Alan Greer and Dan Sefco of Freese and Nichols describing the proposed Airport Sector Plan.

Public Hearing was closed by motion from Hopper and seconded by Avant with all members present voting “aye” for the same.

ITEM II

Consideration for the approval of minutes for June 17, 2014, Planning & Zoning meeting

Dominguez made motion to approve minutes, seconded by Avant with all members present voting “aye” to approve minutes. Motion passed.

ITEM III

Discussion and consideration of the proposed Airport Sector Plan for the City of Big Spring, the area being considered is generally defined as the area south of IH-20, west of the west City Limit line, west of Air Base Road, Simler Drive and Wasson Road, north and east of the alignment of the proposed US 87 Reliever Route containing approximately 7000 acres on the west side of the City Big Spring.

Recommendation was made by Schooler that the plan be sent forward to City Council for consideration. Recommendation was seconded by Hopper with all members present voting “aye” for the same.

ITEM IV

Commission and staff discussed possibility of streamlining application process.

ITEM V

A motion was made by Hopper and seconded by Weaver to adjourn the meeting with all members present voting “aye” for the same.



Terry McDaniel, Chairperson



**Planning and Zoning Commission Minutes
July 15, 2014**

Terry McDaniel, Chairperson, called the Planning and Zoning Commission Meeting to order at 5:31 P.M. on Tuesday, July 15, 2014 in the City Council Chambers, 307 E. 4th Street. The following members were in attendance:

Terry McDaniel
Kevan Schooler
Lupe Dominguez

Peggy Hopper
Aubrey Weaver Jr.
Junior Yanez

Also in attendance:

Johnny Womack, Public Works Director
Linda Sjogren, City Attorney

Kay Pilgrim, Administrative Secretary
Drew Wegman, Wegman Homes

ITEM I

Consideration for the approval of minutes for June 03, 2014, Planning & Zoning meeting

Schooler made motion to approve minutes, seconded by Weaver with all members present voting “aye” to approve minutes. Motion passed.

ITEM II

Consideration for the approval of minutes for July 01, 2014, Planning & Zoning meeting

Schooler made motion to approve minutes, seconded by Dominguez with all members present voting “aye” to approve minutes. Motion passed.

ITEM III

Public hearing to consider a preliminary plat of University Gardens #2, being 10.049 acres located southwest of Baylor Blvd, between Dartmouth Avenue and Kentucky Way. Zoned: SF-2 (Single Family Dwelling District). Applicant: Wegman Homes.

Public hearing was opened by motion from Schooler, seconded by Weaver with all members present voting "aye" for same.

The board heard from Drew Wegmans describing the proposed University Gardens #2 preliminary plat.

Public Hearing was closed by motion from Hopper and seconded by Avant with all members present voting "aye" for the same.

ITEM IV

Commission and staff discussed the Texas Open Meeting and Records Act.

ITEM V

Commission and staff discussed the Planning and Zoning Commission's role in the development process.

ITEM VI

A motion was made by Hopper and seconded by Weaver to adjourn the meeting with all members present voting "aye" for the same.



Terry McDaniel, Chairperson

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, APPROVING AND ADOPTING AN ANNUAL BUDGET FOR THE CITY OF BIG SPRING, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015

WHEREAS, the City Manager of the City of Big Spring has prepared, at the direction of the City Council, the annual budget of the City of Big Spring, Texas, for the fiscal year beginning October 1, 2014 and ending September 30, 2015; and

WHEREAS, public notices of a public hearing upon this budget have been duly and legally made as required by law; and

WHEREAS, after due deliberation, study and consideration of the proposed budget as submitted by the City Manager, the City Council of the City of Big Spring is of the opinion that the same should be approved and adopted;

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

SECTION 1: That the budget of the City of Big Spring, Texas for the fiscal year commencing October 1, 2013, and ending September 30, 2014, be revised in accordance with the expenditures estimated for said fiscal year as indicated in the documents setting forth the budget for the fiscal year commencing October 1, 2014 and terminating September 30, 2015.

SECTION 2: That the annual budget of the City of Big Spring, Texas for the fiscal year commencing October 1, 2014, and ending September 30, 2015 as submitted by the City Manager is hereby approved and adopted and that a true and correct copy of the budget herein approved and adopted shall be filed for record in the office of the City Secretary and that same shall constitute a part of the public records of the City of Big Spring, Texas.

SECTION 3: That the City Manager is granted the authority to revise line item accounts within a department budget so long as the total departmental budget is not increased, unless the City Council has approved increases in a departmental budget at a scheduled Council meeting. The City Manager will notify the City Council of any such revisions that exceed \$1,000.00.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 11th day of September, 2014, 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 25th day of September, 2014, with all members present voting “aye” for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, FIXING AND LEVYING MUNICIPAL AD VALOREM TAXES FOR SAID CITY FOR THE YEAR 2014 AND DIRECTING THE ASSESSMENT AND COLLECTION THEREOF

WHEREAS, the City Council finds that the tax for the year 2014, hereinafter levied for current expenses of the City and general improvement of the City and its property, must be levied to provide the revenue requirements of the budget for the ensuing year; and,

WHEREAS, the City Council finds that taxes for year 2014, hereinafter levied therefore, are necessary to pay interest and to provide the required sinking fund on outstanding bonds of the City issued for municipal purposes;

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

SECTION 1: For the current expenses of the City and general improvement of the City and its property, i.e., for maintenance and operation, there is hereby levied and ordered to be assessed and collected for the year 2014 on all property situated within the limits of said City and not exempted from taxation by valid laws, ad valorem tax at the rate of 63.9934 cents (\$0.639934) on each one hundred dollars (\$100.00) valuation of said property. Said rate represents 58.9277 cents levied for maintenance and operations of General Fund, and 5.0657 cents for task force operations.

SECTION 2: For the purpose of paying interest and providing a sinking fund for the payment of each issue of bonds issued for various municipal purposes and described in the schedule set out in Section Three, including the various installments of principal falling due during the ensuing year on serial bonds issued for said purposes, there is hereby levied and ordered to be assessed and collected for the year 2014 on all property situated within the limits of said city and not exempted from taxation by valid laws, an ad valorem tax for each of the issues of bonds described in said section at the respective rates shown in the right hand column of said section opposite the descriptions of said issues, said rates being expressed in amounts on one hundred dollars (\$100.00) valuation of said property, the sum of said respective levies being 21.6706 cents (\$0.216706) on each one hundred dollars (\$100.00) valuation of said property for said bond issues, and the amounts of levies therefore being as shown in said Section Three.

SECTION 3: Schedule of Bond Issues and Amounts of the Tax Levies Thereof:

<u>Purpose of Issue</u>	<u>Date of Issue</u>	<u>Tax Rate Per \$100 Valuation</u>
General Obligation Bonds	2007	16.5914¢

Certificates of Obligation	2007	.5150¢
Certificates of Obligation	2010	<u>4.5642¢</u>
Total requirements for outstanding bonds		21.6706¢

SECTION 4:

- a) THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE; AND
- b) THE TAX RATE WILL EFFECTIVELY BE RAISED BY 13.9% AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$104.59.

PASSED AND APPROVED on first reading at a special meeting of the City Council on the 11th day of September, 2014, with all members of the Council present voting "aye" for passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 25th day of September, 2014, with all members of the Council present voting "aye" for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS GRANTING A PARTIAL RESIDENCE HOMESTEAD EXEMPTION FOR TAX YEAR 2014; AND GRANTING A PARTIAL RESIDENCE HOMESTEAD EXEMPTION TO ANY INDIVIDUAL WHO IS DISABLED OR AGE 65 OR OLDER

WHEREAS, the City Council finds that it would be in the best interest of the public welfare for the City Council to grant the residence homestead exemptions provided in Article 8, Section 1-b of the Texas Constitution and §11.13 of the Texas Property Tax Code;

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

SECTION 1: As authorized by Article 8 Section 1-b (e) of the Texas Constitution and §11.13 (n) of the Texas Property Tax code the City Council hereby exempts from Municipal Ad Valorem Taxation twenty percent (20%) of the market value of the residence homestead of a married or unmarried adult, including one living alone, for the tax year 2014. However, as provided in said constitutional provision, the amount of the exemption authorized pursuant to this section may not be less than Five Thousand Dollars (\$5,000.00) unless the legislature by general law prescribes other monetary restrictions on the amount of this exemption. Also, as prescribed in said constitutional provisions an eligible adult is entitled to receive other applicable exemptions provided by law. Further, as provided in said constitution provision, where Ad Valorem Tax has previously been pledged for the payment of debt, the City of Big Spring may continue to levy and collect the tax against the value of the homesteads exempted under this section until the debt is discharged if the cessation of the levy would impair the obligation of the contract by which the debt was created.

SECTION 2: In addition to the exemption in Section 1 above, and as authorized by Article 8, Section 1-b of the Texas constitution and §11.13 (d), (e), and (f) of the Texas Property Tax Code, the City Council hereby exempts from Municipal Ad Valorem Taxation Five Thousand and no/100 Dollars (\$5,000.00) of the appraised value of the residence homestead of an individual who is age sixty-five (65) or older or is disabled. (See said §11.13 for definitions and restrictions.) An eligible disabled individual who is sixty-five (65) years of age or over may not receive both a disabled and an age 65 exemption in the same year but may choose either one; notwithstanding the foregoing, where any ad valorem tax has heretofore been pledged for payment of any debt, the taxing officers of the City shall have authority to continue to levy and collect the tax against said homestead property at the same rate as the tax so pledged until the debt is discharged if cessation of the levy would impair the obligation of the contract by which the debt was created.

The exemption provided by this Section 2 may be repealed or decreased in amount by the City Council. In the case of decrease, the amount of the exemption may not be reduced to less than \$3,000.00 of the market value.

SECTION 3: Joint or community owners may not each receive the same exemption by Section 1 or Section 2 above for the same residence homestead in the same year.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 11th day of September 2014, 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 25th day of September 2014, with all members present voting “aye” for passage of same.

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS PROVIDING FOR AN ADDITIONAL TWENTY PERCENT (20%) PENALTY TO DEFRAY COSTS OF COLLECTING DELINQUENT TAXES THAT REMAIN DELINQUENT ON JULY 1 OF THE YEAR IN WHICH THEY BECOME DELINQUENT, AND PROVIDING FOR PUBLICATION

WHEREAS, the City of Big Spring has contracted with an attorney pursuant to Section 6.30 of the Texas Property Tax Code to represent the City to enforce the collection of delinquent taxes;

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

SECTION 1: Pursuant to Section 33.07 of the Texas Property Tax Code, ad valorem taxes that remain delinquent on July 1 of the year in which they become delinquent incur an additional penalty, which shall be 20% of the amount of taxes, penalty, and interest due.

SECTION 2: Pursuant to Section 33.07 (b) of the Texas Property Tax Code, a tax lien attaches to the property on which the tax is imposed to secure payment of said additional penalty.

SECTION 3: Pursuant to Section 33.07 (c) of the Texas Property Tax Code, the City of Big Spring, Texas, shall not recover attorney's fees in a suit to collect delinquent taxes subject to said additional penalty.

SECTION 4: Pursuant to Section 33/07 (d) of the Texas Property Tax Code, the City of Big Spring tax collector shall deliver notice of delinquency and of said additional penalty to the property owner no less than 30 and no more than 60 days before July 1.

SECTION 5: The City Secretary shall, after passage of this ordinance, publish the caption of this ordinance as required by law.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 11th day of September, 2014, 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 25th day of September, 2014, with all members present voting "aye" for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, ESTABLISHING THE PAY SCHEDULE FOR CLASSIFIED POSITIONS WITHIN THE POLICE DEPARTMENT FOR THE FISCAL YEAR 2014-15; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council desires to amend the Police Department pay plan for fiscal year 2014-15;

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 Police Department as shown in Exhibit "A", which is attached hereto and incorporated herein for all purposes as if copied herein verbatim, is adopted as the pay schedule for the classified positions within the Police Department of the City of Big Spring for fiscal year 2014-15. In the event the City Council does not take action to amend the pay schedule in the years following 2014-15, the pay plan provided shall remain in effect for subsequent years.

SECTION 2: Repeal

That, all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3: Effective Date

That, this ordinance shall be in force and effect beginning October 1, 2014.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 11th day of September, 2014, 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 ____ day of September 2014, with all members voting "aye" for the passage of the same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary

Exhibit A

City of Big Spring Police Department Pay Plan FY 14-15

<u>Rank</u>	<u>Grade & Step</u>	<u>Old Pay Rate</u>	<u>New Pay Rate</u>	<u>Bi-weekly</u>	<u>HCP</u>	<u>Narcotics Pay Rate</u>	<u>Narcotics Bi-weekly</u>
Non-Cert Police Officer	P0-01	20.024	20.424	\$ 1,633.92			
Police Officer	P1-01	21.040	21.461	\$ 1,716.88	\$ 1.037		
Corporal	P2-01	22.658	23.111	\$ 1,848.88	\$ 1.650	23.689	\$ 1,895.12
Corporal 1 st Class	P3-01	24.400	24.888	\$ 1,991.04	\$ 1.777	25.510	\$ 2,040.80
Senior Corporal	P4-01	25.635	26.148	\$ 2,091.84	\$ 1.260	26.802	\$ 2,144.16
Sergeant	P5-01	26.934	27.473	\$ 2,197.84	\$ 1.325		
Sergeant 1 st Class	P6-01	29.731	30.326	\$ 2,426.08	\$ 2.853		
Master Sergeant	P7-01	31.237	31.862	\$ 2,548.96	\$ 1.536	31.862	\$ 2,548.96
Lieutenant	P8-01	32.817	33.473	\$ 2,677.84	\$ 1.611		
Senior Lieutenant	P9-01	37.130	37.873	\$ 3,029.84	\$ 4.400		

Additional Assignment Pay

Narcotics Officers One Step Increase except Master Sergeant

Includes authorized personnel only, specifically:

- (1) Master Sergeant P7-01
- (1) Corporal P2-02
- (1) Corporal - 1st Class P3-02
- (1) Senior Corporal P4-02

Emergency Management Director \$200.00 per month

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, ESTABLISHING THE FIRE DEPARTMENT PAY SCALE FOR PAY THE FISCAL YEAR 2014-15 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 October 1, 2014 to September 30, 2015; and to provide for certificate, education and paramedic 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 copied herein verbatim, is adopted as the pay scale for the Fire Department of the City of Big Spring for October 1, 2014 through September 30, 2015. Assignment, education and paramedic pay are authorized as provided in Exhibit "A." In the event the City Council does not take action to amend the assignment, education and paramedic pay in the years following 2014-15, the assignment, education and paramedic pay provided shall remain in effect for subsequent years.

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

SECTION 3: Effective Date. THAT, this ordinance shall be in force and effect beginning October 1, 2014.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 11th day of September, 2014, with all members of the Council voting "aye" for passage of the same.

PASSED AND APPROVED on second reading at a regular meeting of the City Council on the _____ day of September, 2014, with all members of the Council voting "aye" for passage of the same

Larry McLellan, Mayor

ATTEST:

Tami Davis, Assistant City Secretary

Exhibit A

	STEP	SHIFT	JOB DESCRIPTION	CODE	CURRENT HOURLY	NEW HOURLY
BASE PAY	1	SHIFT	CADET		\$12.680	\$12.934
		DAY			\$17.752	\$18.107
	1	SHIFT	FIRE FIGHTER	FF S	\$13.628	\$13.901
	2	DAY		FF D	\$19.079	\$19.461
	1	SHIFT	APPARATUS ENGINEER	APENG S	\$15.064	\$15.365
	2	DAY		APENG D	\$21.090	\$21.512
	1	SHIFT	LIEUTENANT	LT S	\$16.998	\$17.338
	2	DAY		LT D	\$23.798	\$24.274
	1	SHIFT	DEPUTY CHIEF	DC S	\$20.451	\$20.860
	2	DAY		DC D	\$28.634	\$29.207
PARA CERT.	1	SHIFT	EMERGENCY MED TECH PARAMEDIC	EMTP S	\$2.131	\$2.131
	2	DAY		EMTP D	\$2.985	\$2.985
EDUCATION	1	SHIFT	ASSOCIATE DEGREE	ASSOC S	\$0.428	\$0.428
	2	DAY		ASSOC D	\$0.600	\$0.600
	1	SHIFT	BACHELORS DEGREE	BACH S	\$0.870	\$0.870
	2	DAY		BACH D	\$1.218	\$1.218
ASSIGNMENT PAY	1	SHIFT	INSTRUCTOR - TDH	INST-TDH S	\$0.888	\$0.888
	2	DAY		INST-TDH D	\$1.244	\$1.244
	1	SHIFT	INSTRUCTOR - INTERMEDIATE TCFP	INST-TCFP S	\$0.888	\$0.888
	2	DAY		INST-TCFP D	\$1.244	\$1.244
	1	SHIFT	FIRE INVESTIGATOR or INSPECTOR	INV-INSP S	\$0.455	\$0.455
	2	DAY		INV-INSP D	\$0.636	\$0.636
	1	SHIFT	ARSON INVESTIGATOR	ARSON S	\$0.908	\$0.908
	2	DAY		ARSON D	\$1.261	\$1.261
	1	SHIFT	TRAINING OFFICER	TRANOFF S	\$0.861	\$0.861
	2	DAY		TRANOFF D	\$1.206	\$1.206
1	SHIFT	FIRE MARSHAL	FIRE MARSH S	\$2.548	\$2.548	
2	DAY		FIRE MARSH D	\$3.567	\$3.567	
1	SHIFT	HEALTH INSPECTOR	FIRE MARSH S	\$0.861	\$0.861	
2	DAY		FIRE MARSH D	\$1.206	\$1.206	

**TEXAS DEPARTMENT OF TRANSPORTATION
GRANT FOR ROUTINE AIRPORT MAINTENANCE PROGRAM**

(State Assisted Airport Routine Maintenance)

TxDOT CSJ No.: M1508BGSP

Part I - Identification of the Project

TO: The City of Big Spring, Texas

FROM: The State of Texas, acting through the Texas Department of Transportation

This Grant is made between the Texas Department of Transportation, (hereinafter referred to as the "State"), on behalf of the State of Texas, and the City of Big Spring, Texas, (hereinafter referred to as the "Sponsor").

This Grant Agreement is entered into between the State and Sponsor shown above, under the authority granted and in compliance with the provisions of the Transportation Code Chapter 21.

The project is for **airport maintenance** at the Big Spring McMahon-Wrinkle Airport.

Part II - Offer of Financial Assistance

1. For the purposes of this Grant, the annual routine maintenance project cost, Amount A, is estimated as found on Attachment A, Scope of Services, attached hereto and made a part of this grant agreement.

State financial assistance granted will be used solely and exclusively for airport maintenance and other incidental items as approved by the State. Actual work to be performed under this agreement is found on Attachment A, Scope of Services. State financial assistance, Amount B, will be for fifty percent (50%) of the eligible project costs for this project or \$50,000.00, whichever is less, per fiscal year and subject to availability of state appropriations.

Scope of Services, Attachment A, of this Grant, may be amended, subject to availability of state funds, to include additional approved airport maintenance work. Scope amendments require submittal of an Amended Scope of Services, Attachment A.

Services will not be accomplished by the State until receipt of Sponsor's share of project costs.

Only work items as described in Attachment A, Scope of Services of this Grant are reimbursable under this grant.

Work shall be accomplished by August 31, 2015, unless otherwise approved by the State.

2. The State shall determine fair and eligible project costs for work scope. Sponsor's share of estimated project costs, Amount C, shall be as found on Attachment A and any amendments.

It is mutually understood and agreed that if, during the term of this agreement, the State determines that there is an overrun in the estimated annual routine maintenance costs, the State may increase the grant to cover the amount of the overrun within the above stated percentages and subject to the maximum amount of state funding.

The State will not authorize expenditures in excess of the dollar amounts identified in this Agreement and any amendments, without the consent of the Sponsor.

3. Sponsor, by accepting this Grant certifies and, upon request, shall furnish proof to the State that it has sufficient funds to meet its share of the costs. The Sponsor grants to the State the right to audit any books and records of the Sponsor to verify expended funds.

Upon execution of this Agreement and written demand by the State, the Sponsor's financial obligation (Amount C) shall be due in cash and payable in full to the State. State may request the Sponsor's financial obligation in partial payments. Should the Sponsor fail to pay their obligation, either in whole or in part, within 30 days of written demand, the State may exercise its rights under Paragraph V-3. Likewise, should the State be unwilling or unable to pay its obligation in a timely manner, the failure to pay shall be considered a breach and the Sponsor may exercise any rights and remedies it has at law or equity.

The State shall reimburse or credit the Sponsor, at the financial closure of the project, any excess funds provided by the Sponsor which exceed Sponsor's share (Amount C).

The Sponsor specifically agrees that it shall pay any project costs which exceed the amount of financial participation agreed to by the State. It is further agreed that the Sponsor will reimburse the State for any payment or payments made by the State which are in excess of the percentage of financial assistance (Amount B) as stated in Paragraph II-1.

5. Scope of Services may be accomplished by State contracts or through local contracts of the Sponsor as determined appropriate by the State. All locally contracted work must be approved by the State for scope and reasonable cost. Reimbursement requests for locally contracted work shall be submitted on forms provided by the State and shall include copies of the invoices for materials or services. Payment shall be made for no more than 50% of allowable charges.

The State will not participate in funding for force account work conducted by the Sponsor.

6. This Grant shall terminate upon completion of the scope of services.

Part III - Sponsor Responsibilities

1. In accepting this Grant, if applicable, the Sponsor guarantees that:
 - a. it will, in the operation of the facility, comply with all applicable state and federal laws, rules, regulations, procedures, covenants and assurances required by the State in connection with this Grant; and
 - b. the Airport or navigational facility which is the subject of this Grant shall be controlled by the Sponsor for a period of at least 20 years; and
 - c. consistent with safety and security requirements, it shall make the airport or air navigational facility available to all types, kinds and classes of aeronautical use without discrimination between such types, kinds and classes and shall provide adequate public access during the period of this Grant; and
 - d. it shall not grant or permit anyone to exercise an exclusive right for the conduct of aeronautical activity on or about an airport landing area. Aeronautical activities include, but are not limited to scheduled airline flights, charter flights, flight instruction, aircraft sales, rental and repair, sale of aviation petroleum products and aerial applications. The landing area consists of runways or landing strips, taxiways, parking aprons, roads, airport lighting and navigational aids; and
 - e. it shall not enter into any agreement nor permit any aircraft to gain direct ground access to the sponsor's airport from private property adjacent to or in the immediate area of the airport. Further, Sponsor shall not allow aircraft direct ground access to private property. Sponsor shall be subject to this prohibition, commonly known as a "through-the-fence operation," unless an exception is granted in writing by the State due to extreme circumstances; and
 - f. it shall not permit non-aeronautical use of airport facilities without prior approval of the State; and
 - g. the Sponsor shall submit to the State annual statements of airport revenues and expenses when requested; and
 - h. all fees collected for the use of the airport shall be reasonable and nondiscriminatory. The proceeds from such fees shall be used solely for the development, operation and maintenance of the airport or navigational facility; and
 - i. an Airport Fund shall be established by resolution, order or ordinance in the

treasury of the Sponsor, or evidence of the prior creation of an existing airport fund or a properly executed copy of the resolution, order, or ordinance creating such a fund, shall be submitted to the State. The fund may be an account as part of another fund, but must be accounted for in such a manner that all revenues, expenses, retained earnings, and balances in the account are discernible from other types of moneys identified in the fund as a whole. All fees, charges, rents, and money from any source derived from airport operations must be deposited in the Airport Fund and shall not be diverted to the general revenue fund or any other revenue fund of the Sponsor. All expenditures from the Airport Fund shall be solely for airport purposes. Sponsor shall be ineligible for a subsequent grant or loan by the State unless, prior to such subsequent approval of a grant or loan, Sponsor has complied with the requirements of this subparagraph; and

- j. the Sponsor shall operate runway lighting at least at low intensity from sunset to sunrise; and
- k. insofar as it is reasonable and within its power, Sponsor shall adopt and enforce zoning regulations to restrict the height of structures and use of land adjacent to or in the immediate vicinity of the airport to heights and activities compatible with normal airport operations as provided in Tex. Loc. Govt. Code Ann. Sections 241.001 et seq. (Vernon and Vernon Supp.). Sponsor shall also acquire and retain aviation easements or other property interests in or rights to use of land or airspace, unless sponsor can show that acquisition and retention of such interest will be impractical or will result in undue hardship to Sponsor. Sponsor shall be ineligible for a subsequent grant or loan by the State unless Sponsor has, prior to subsequent approval of a grant or loan, adopted and passed an airport hazard zoning ordinance or order approved by the State.

mowing services will not be eligible for state financial assistance. Sponsor will be responsible for 100% of any mowing services.

- 2. The Sponsor, to the extent of its legal authority to do so, shall save harmless the State, the State's agents, employees or contractors from all claims and liability due to activities of the Sponsor, the Sponsor's agents or employees performed under this agreement. The Sponsor, to the extent of its legal authority to do so, shall also save harmless the State, the State's agents, employees or contractors from any and all expenses, including attorney fees which might be incurred by the State in litigation or otherwise resisting claim or liabilities which might be imposed on the State as the result of those activities by the Sponsor, the Sponsor's agents or employees.
- 3. The Sponsor's acceptance of this Offer and ratification and adoption of this Grant shall be evidenced by execution of this Grant by the Sponsor. The Grant shall comprise a contract, constituting the obligations and rights of the State of Texas and the Sponsor with respect to the accomplishment of the project and the operation and maintenance of the airport.

If it becomes unreasonable or impractical to complete the project, the State may void this agreement and release the Sponsor from any further obligation of project costs.

4. Upon entering into this Grant, Sponsor agrees to name an individual, as the Sponsor's Authorized Representative, who shall be the State's contact with regard to this project. The Representative shall receive all correspondence and documents associated with this grant and shall make or shall acquire approvals and disapprovals for this grant as required on behalf of the Sponsor, and coordinate schedule for work items as required.
5. By the acceptance of grant funds for the maintenance of eligible airport buildings, the Sponsor certifies that the buildings are owned by the Sponsor. The buildings may be leased but if the lease agreement specifies that the lessee is responsible for the upkeep and repairs of the building no state funds shall be used for that purpose.
6. Sponsor shall request reimbursement of eligible project costs on forms provided by the State. All reimbursement requests are required to include a copy of the invoices for the materials or services. The reimbursement request will be submitted no more than once a month.
7. The Sponsor's acceptance of this Agreement shall comprise a Grant Agreement, as provided by the Transportation Code, Chapter 21, constituting the contractual obligations and rights of the State of Texas and the Sponsor with respect to the accomplishment of the airport maintenance and compliance with the assurances and conditions as provided. Such Grant Agreement shall become effective upon the State's written Notice to Proceed issued following execution of this agreement.

PART IV - Nomination of the Agent

1. The Sponsor designates the State as the party to receive and disburse all funds used, or to be used, in payment of the costs of the project, or in reimbursement to either of the parties for costs incurred.
2. The State shall, for all purposes in connection with the project identified above, be the Agent of the Sponsor. The Sponsor grants the State a power of attorney to act as its agent to perform the following services:
 - a. accept, receive, and deposit with the State any and all project funds granted, allowed, and paid or made available by the Sponsor, the State of Texas, or any other entity;
 - b. enter into contracts as necessary for execution of scope of services;
 - c. if State enters into a contract as Agent: exercise supervision and direction of the project work as the State reasonably finds appropriate. Where there is an

irreconcilable conflict or difference of opinion, judgment, order or direction between the State and the Sponsor or any service provider, the State shall issue a written order which shall prevail and be controlling;

- d. receive, review, approve and pay invoices and payment requests for services and materials supplied in accordance with the State approved contracts;
- e. obtain an audit as may be required by state regulations; the State Auditor may conduct an audit or investigation of any entity receiving funds from TxDOT directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the State Auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.
- f. reimburse sponsor for approved contract maintenance costs no more than once a month.

PART V - Recitals

- 1. This Grant is executed for the sole benefit of the contracting parties and is not intended or executed for the direct or incidental benefit of any third party.
- 2. It is the intent of this grant to not supplant local funds normally utilized for airport maintenance, and that any state financial assistance offered under this grant be in addition to those local funds normally dedicated for airport maintenance.
- 3. This Grant is subject to the applicable provisions of the Transportation Code, Chapters 21 and 22, and the Airport Zoning Act, Tex. Loc. Govt. Code Ann. Sections 241.001 et seq. (Vernon and Vernon Supp.). Failure to comply with the terms of this Grant or with the rules and statutes shall be considered a breach of this contract and will allow the State to pursue the remedies for breach as stated below.
 - a. Of primary importance to the State is compliance with the terms and conditions of this Grant. If, however, after all reasonable attempts to require compliance have failed, the State finds that the Sponsor is unwilling and/or unable to comply with any of the terms of this Grant, the State, may pursue any of the following remedies: (1) require a refund of any financial assistance money expended pursuant to this Grant, (2) deny Sponsor's future requests for aid, (3) request the Attorney General to bring suit seeking reimbursement of any financial assistance money expended on the project pursuant to this Grant, provided however, these remedies shall not limit the State's authority to enforce its rules, regulations or

orders as otherwise provided by law, (4) declare this Grant null and void, or (5) any other remedy available at law or in equity.

- b. Venue for resolution by a court of competent jurisdiction of any dispute arising under the terms of this Grant, or for enforcement of any of the provisions of this Grant, is specifically set by Grant of the parties in Travis County, Texas.
4. The State reserves the right to amend or withdraw this Grant at any time prior to acceptance by the Sponsor. The acceptance period cannot be greater than 30 days after issuance unless extended by the State.
5. This Grant constitutes the full and total understanding of the parties concerning their rights and responsibilities in regard to this project and shall not be modified, amended, rescinded or revoked unless such modification, amendment, rescission or revocation is agreed to by both parties in writing and executed by both parties.
6. All commitments by the Sponsor and the State are subject to constitutional and statutory limitations and restrictions binding upon the Sponsor and the State (including Sections 5 and 7 of Article 11 of the Texas Constitution, if applicable) and to the availability of funds which lawfully may be applied.

Part VI - Acceptances

Sponsor

The City of Big Spring, Texas, does ratify and adopt all statements, representations, warranties, covenants, agreements, and all terms and conditions of this Grant.

Executed this _____ day of _____, 20__.

The City of Big Spring, Texas
Sponsor

Witness Signature

Sponsor Signature

Witness Title

Sponsor Title

Certificate of Attorney

I, _____, acting as attorney for the City of Big Spring, Texas, do certify that I have fully examined the Grant and the proceedings taken by the Sponsor relating to the acceptance of the Grant, and find that the manner of acceptance and execution of the Grant by the Sponsor, is in accordance with the laws of the State of Texas.

Dated at _____, Texas, this _____ day of _____, 20__.

Witness Signature

Attorney's Signature

Witness Title

Acceptance of the State

Executed by and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs and grants heretofore approved and authorized by the Texas Transportation Commission.

STATE OF TEXAS
TEXAS DEPARTMENT OF TRANSPORTATION

By: _____

Date: _____

**Attachment A
Scope of Services
TxDOT CSJ No.:M1508BGSP**

Eligible Scope Item:	Estimated Costs Amount A	State Share Amount B	Sponsor Share Amount C
GENERAL MAINTENANCE	\$64,000.00	\$32,000.00	\$32,000.00
Special Project	\$0.00	\$0.00	\$0.00
Special Project	\$0.00	\$0.00	\$0.00
Special Project	\$0.00	\$0.00	\$0.00
Special Project	\$0.00	\$0.00	\$0.00
Special Project	\$0.00	\$0.00	\$0.00
TOTAL	\$64,000.00	\$32,000.00	\$32,000.00

Accepted by: The City of Big Spring, Texas

Signature

Title: _____

Date: _____

GENERAL MAINTENANCE: As needed, Sponsor may contract for services/purchase materials for routine maintenance/improvement of airport pavements, signage, drainage, AWOS systems, approach aids, lighting systems, utility infrastructure, fencing, herbicide/application, sponsor owned and operated fuel systems, hangars, terminal buildings and security systems; professional services for environmental compliance, approved project design. Special projects to be determined and added by amendment.

Only work items as described in Attachment A, Scope of Services of this Grant are reimbursable under this grant.

CERTIFICATION OF AIRPORT FUND

TxDOT CSJ No.: M1508BGSP

The City of Big Spring does certify that an Airport Fund has been established for the Sponsor, and that all fees, charges, rents, and money from any source derived from airport operations will be deposited for the benefit of the Airport Fund and will not be diverted for other general revenue fund expenditures or any other special fund of the Sponsor and that all expenditures from the Fund will be solely for airport purposes. The fund may be an account as part of another fund, but must be accounted for in such a manner that all revenues, expenses, retained earnings, and balances in the account are discernible from other types of moneys identified in the fund as a whole.

The City of Big Spring, Texas
(Sponsor)

By: _____

Title: _____

Date: _____

Certification of State Single Audit Requirements

I, _____, do certify that the City of Big Spring will comply with all
(Designated Representative)
requirements of the State of Texas Single Audit Act if the City of Big Spring spends or receives more than the threshold amount in any grant funding sources during the most recently audited fiscal year. And in following those requirements, the City of Big Spring will submit the report to the audit division of the Texas Department of Transportation. If your entity did not meet the threshold in grant receivables or expenditures, please submit a letter indicating that your entity is not required to have a State Single Audit performed for the most recent audited fiscal year.

Signature

Title

Date

DESIGNATION OF SPONSOR'S AUTHORIZED REPRESENTATIVE

TxDOT CSJ Number: M1508BGSP

The City of Big Spring designates, _____
(Name, Title)

as the Sponsor's authorized representative, who shall receive all correspondence and documents associated with this grant and who shall make or shall acquire approvals and disapprovals for this grant as required on behalf of the Sponsor.

The City of Big Spring, Texas
(Sponsor)

By: _____

Title: _____

Date: _____

DESIGNATED REPRESENTATIVE

Mailing Address: _____

Overnight Mailing Address: _____

Telephone/Fax Number: _____

Email address: _____



Texas Department of Transportation

AVIATION DIVISION

125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • 512/416-4500 • FAX 512/416-4510

September 2, 2014

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

TxDOT CSJ No.: M1508BGSP
Fund Source: 4041500927

Dear Mr. Darden:

A FY2015 Routine Airport Maintenance Grant is enclosed for the Big Spring McMahon-Wrinkle Airport. The City of Big Spring has participated in the Routine Airport Maintenance Program in past years, and the 2015 grant is provided to continue your maintenance efforts.

The TxDOT CSJ No. M1508BGSP grant for airport maintenance between the City of Big Spring, as airport sponsor, and the Texas Department of Transportation is attached as an Adobe Acrobat document.

The amount of the FY2015 grant is based on previous year grant expenditures - if the amount needs to be adjusted, please let me know. An airport General Maintenance description has been included on Attachment-A Scope of Services so that grant funds can be used for these types of items without having to amend the grant as projects come up. Amendments can be done at your request any time after execution to add special projects or to increase the grant amount.

Please print out the grant and however many additional copies the City of Big Spring may need for retained paper records and execute the Agreement, complete the Certifications, and return the accepted grant as soon as possible. It will be necessary for your attorney to endorse your acceptance of the Agreement to assure that it has been accepted in accordance with local laws. The Grant Agreement and Certifications should have original signatures for acceptance.

TxDOT will be retaining the grant file electronically and will not retain a paper record copy of your executed grant.

If you do not need a paper copy of the executed grant returned to you, please scan the fully signed and witnessed grant document and e-mail it to me at megan.caffall@txdot.gov. I will have the grant executed by the state and return an electronic copy of the executed grant to you by e-mail.

Mr. Todd Darden
Page 2
September 2, 2014

If you need a paper cop(ies) of the executed grant, please return all copies of the fully signed and witnessed documents to:

**Mailing Address - TxDOT Aviation Division
125 E. 11th Street
Austin, Texas 78701-2483.**

**Overnight Address - TxDOT Aviation Division
150 E. Riverside Dr., 5th Floor South Tower,
Austin TX 78704**

If you have any questions, or need additional information please contact me at 1-800-687-4568 or megan.caffall@txdot.gov. The Texas Department of Transportation Aviation Division appreciates your participation in preserving and improving the Texas Airport System, and looks forward to working with you at the Big Spring McMahon-Wrinkle Airport.

Sincerely,



Megan Caffall
RAMP Program Manager

cc: Juan Marfil, Abilene District
Enclosures

RELEASE AND SETTLEMENT AGREEMENT
BETWEEN THE GEO GROUP, INC. AND
THE CITY OF BIG SPRING, TEXAS

This Release and Settlement Agreement (“Settlement Agreement”) is made and entered into as of _____, 2014 (“Effective Date”) by and on behalf of The GEO Group, Inc., as successor in interest to Cornell Companies, Inc. (“GEO”) and The City of Big Spring, Texas, a Texas home-rule municipality, (“City”) on behalf of themselves and their respective agents, servants, employees, officers, directors, administrators, shareholders and/or assigns. GEO and City are referred to herein collectively as the “Party” or “Parties”.

WHEREAS, the Parties entered into an Agreement (“Facilities Operating Agreement”), dated May 1, 2008, with respect to various aspects of the operation of the Interstate Unit, the Airpark Unit, the Flightline Unit and the Cedar Hill Unit (BSCC Unit IV), all of which are facilities that make up the Big Spring Correctional Center (hereinafter the "BSCC Facilities"); and

WHEREAS, the City and GEO are Parties to multiple lease agreements related to the BSCC Facilities that are the subject of this Settlement Agreement, as amended and modified, as more fully described in Exhibit #1 hereto (hereinafter the "Lease Agreements"); and

WHEREAS, a dispute has arisen between the Parties regarding consumer price index increases under the Lease Agreements and the Facilities Operating Agreement prior to the date of this Settlement Agreement (the “Dispute”); and,

WHEREAS, the Parties have agreed to resolve the Dispute on the terms and conditions contained in this Settlement Agreement.

NOW THEREFORE, intending to be legally bound, the Parties hereby agree as follows:

1. Settlement Payment: GEO shall pay City the increased rates as outlined below commencing on January 1, 2015:
 - a. Interstate Unit - \$8,633.96 monthly rental
 - b. Airpark Unit –
 - i. Base Lease - \$1,974.10 monthly rental
 - ii. Secondary Sublease - \$8,633.96 monthly rental
 - c. Flightline Unit –
 - i. Base Lease - \$1,014.66 monthly rental
 - ii. Secondary Sublease - \$8,633.96 monthly rental
 - d. Cedar Hills Unit – Base Lease - \$2,153.17 monthly rental
 - e. \$0.75 per inmate/day – Facilities Operating Agreement

Nothing contained herein shall waive any rental on inmate per day increases that shall become effective after the date of this Settlement Agreement.

2. Release: In consideration for the Settlement Payment, City does, on behalf of itself and its past, present and future directors, officers, employees, affiliated entities, heirs, successors and/or assigns, hereby release, acquit, and forever discharge GEO, its affiliated and subsidiary entities, and their respective past, present and future directors, officers, employees, agents, successors and/or assigns from any and all claims, demands, causes of actions, payments, taxes, fees, penalties, expenses, and other obligations, of whatever kind or character, known or unknown, existing now or at any time in the future, including attorney's fees, with respect to or arising out of the Dispute and specifically for any monies that City might seek to be reimbursed for retroactively for each of the Lease Agreements and the Facilities Operating Agreement.
3. Entire Agreement:
 - a. This Settlement Agreement constitutes the complete understanding between the Parties regarding the Dispute. No other promises, representations, or agreements shall be binding unless signed by these Parties.
 - b. This Settlement Agreement cannot be altered, amended, or modified in any respect, except by a writing duly executed by all Parties to the Settlement Agreement.
4. Execution in Counterparts: It is understood and agreed that this Settlement Agreement may be executed in identical counterparts each of which shall be deemed an original.
5. Authorization to Act: The Parties warrant that they are authorized and empowered to execute this Settlement Agreement on their own behalf and on behalf of any person or entity for which they have signed the Settlement Agreement.
6. Voluntary Act: The Parties acknowledge that they have read this Settlement Agreement and agree to the terms as set forth in it. Parties further acknowledge that they have had an opportunity to consult with legal counsel and any other advisers they wish of their own choice with respect to the contents hereof and are signing this Settlement Agreement of their own free will.
7. No Waiver. Failure by either Party to enforce any provision of this Settlement Agreement shall not be deemed a waiver of future enforcement of that or any other provision, and no waiver of one breach shall constitute a waiver of subsequent breaches.
8. Governing Law. This Settlement Agreement is governed by the laws of the State of Texas. In any dispute arising out of the subject matter of this Settlement Agreement, venue shall be exclusively in Howard County, Texas. In any such action, the prevailing Party shall be entitled to receive reimbursement from the non-prevailing Party of any and all reasonable attorney's fees and other costs incurred in commencing or defending such suit, and in enforcing and collection of any judgment.

EXHIBIT 1
LEASE AGREEMENTS

1. Interstate Lease – dated July 1, 1996 for the property described as Lot 1, Block 1 of Mid-Tex Subdivision (1801 W. I-20, Big Spring, TX). Initial term expires 6/30/2016.
2. Airpark Base Lease – dated August 8, 1990 for the property described as a 14.688 Acre Tract of land out of Sections 2 and 11, Block 33, T-1-S, T & P RR Co. Survey in Howard County, Texas, Big Spring Airport (3700 Wright Ave., Big Spring, TX). Expires 8/7/2030 under Addendum dated November, 26, 1990.
3. Airpark Secondary Sublease Agreement – dated July 9, 1996 for the property described as a 14.688 Acre Tract of Land out of Sections 2 and 11, Block 33, T-1-S, T & P RR Co. Survey in Howard County, Texas, Big Spring Airport. Expires 8/7/2015.
4. Flightline Base Lease – dated February 5, 1994 for the property described as a 22.798 Acre Tract out of W/2 of Section 3, Block 33, T-1-S, T & P RR Co. Survey in Howard County, Texas (2001 Rickabaugh Dr., Big Spring, TX). 1st extended term expires 2/14/2019.
5. Flightline Secondary Sublease Agreement – dated July 9, 1996 for the property described as a 22.798 Acre Tract out of W/2 of Section 3, Block 33, T-1-S, T & P RR Co. Survey in Howard County, Texas. Initial term expires 2/14/2019.
6. Cedar Hill Unit Lease – dated June 10, 1997 for the property described as a 30.0 acre tract of land out of 59.78 Acre Tract out of Section 11, Block 33, T-1-S, T & P RR Co. Survey, Howard County, Texas. (3711 Wright Ave., Big Spring, TX). Initial term expires 6/9/2027.

RELEASE AND SETTLEMENT AGREEMENT
BETWEEN THE GEO GROUP, INC.
AND THE CITY OF BIG SPRING, TEXAS

This Release and Settlement Agreement (“Agreement”) is made and entered into as of _____, 2014 by and on behalf of The GEO Group, Inc. as successor in interest to Cornell Companies, Inc. (“GEO) and The City of Big Spring, Texas, a Texas home-rule municipality (“City”) on behalf of themselves and their respective agents, servants, employees, officer, directors, administrators, shareholders and/or assigns. GEO and City are referred to herein collectively as the “Party” or “Parties”.

WHEREAS, GEO operates the Big Spring Correctional Center (“Center”) located at 1701 Apron Drive, Big Spring, Texas; and,

WHEREAS, the City provides utilities to include water to the Center; and,

WHEREAS, a dispute has arisen between the Parties regarding retroactive payment (August 2013 through April 2014) for water usage at the Center (“Dispute”); and,

WHEREAS, the Parties have agreed to resolve the Dispute on the terms and conditions contained herein.

NOW THEREFORE, intending to be legally bound, the Parties hereby agree as Follows:

1. Settlement Payment: GEO shall pay the City in twelve (12) equal installments of \$21,790.57 on a monthly basis commencing on January 1, 2015.
2. Release: In consideration for the Settlement Payment, City does hereby release, acquit, and forever discharge GEO, from any and all claims, demands, causes of actions, payments, taxes, fees penalties, expenses, and other obligations , known or unknown, existing now or at any time in the future, with respect to or arising out the Dispute.
3. Entire Agreement: This Agreement constitutes the complete understanding between the Parties. No other promises, representations, or agreements shall be binding unless signed by these Parties. Further this Agreement cannot be altered, amended or modified in any respect, except by a writing duly executed by all Parties to the Agreement.
4. Governing Law; Venue: This Settlement Agreement is governed by the laws of the State of Texas. In any dispute arising out of the subject matter of this Settlement Agreement venue shall be exclusively in Howard County, Texas. In any such action, the prevailing party shall be entitled to receive reimbursement from the non-prevailing party of any and all reasonable attorney’s fees and other costs incurred in commencing or defending such suit, and in enforcing and collection of any judgment.

IN WITNESS WHEREOF, and intending to be legally bound hereby, the Parties have executed the foregoing Release and Settlement Agreement.

THE GEO GROUP, INC.

Amber D. Martin, Executive Vice President,
Contract Administration

Date: _____

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF HOWARD §

Before me, the undersigned, a Notary Public on this day personally appeared Amber D. Martin, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledge to me that the same was the act of the said THE GEO GROUP, INC., a corporation, and that she had executed the same as the act of such corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office, this _____ day of _____, 20____

Notary Public, State of Texas

CITY OF BIG SPRING, TEXAS, a Texas
Home-Rule Municipality

Larry McLellan, Mayor

Date: _____

ATTEST:

Tami Davis, Assistant City Secretary



**APPLICATION FOR NON-EMERGENCY
AMBULANCE OPERATOR'S PERMIT**

COMPLETE ALL INFORMATION

NAME OF COMPANY: Lonestar Ambulance 1, LLC dba Allegiance Amb.
 COMPANY ADDRESS: Po Box 2775 Georgetown TX 78628
 EMAIL ADDRESS: MINGRAHAM@ALLEGIANCE-AMBULANCE.COM
 TELEPHONE NUMBER: 855-935-2424 CELL PHONE: 254-913-9668
 NAME OF OWNER/MANAGER: Mike Ingraham UP Safety & Compliance
 NAME AND TITLE OF APPLICANT (IF DIFFERENT FROM ABOVE): Same
 TEXAS DEPT OF STATE HEALTH SERVICES PROVIDER LICENSE NO.: (ATTACH COPY OF LICENSE): 1000327
 INSURANCE CARRIER (ATTACH CERTIFICATE OF INSURANCE): Accord
 POLICY NUMBER: MAPK08365901 OR

"I will obtain insurance as required by state and local law upon issuance of the permit and will submit a copy of the certificate of insurance prior to operating ambulance services." MI (Applicant Initials)

LIST OF ALL AMBULANCES TO BE PERMITTED FOR NON-EMERGENCY SERVICE*:

YEAR	MAKE	MODEL	VEHICLE IDENTIFICATION NUMBER	LICENSE PLATE
	ATTACHED AS PART OF Insurance list AND HIGHLIGHTED			ATT A
	DSHS LIST ATTACHED showing info added TO STATE LIST			ATT B

*Attach additional sheets if necessary

"I hereby affirm that I have not been convicted of a felony or of a misdemeanor involving moral turpitude within the last ten (10) years and that I will not hire or allow a driver for any ambulance operated under this

permit who has been so convicted. I understand that violation of this provision shall be grounds for suspension or revocation of the permit."

"I SWEAR THAT THE INFORMATION PROVIDED IN THIS APPLICATION IS TRUE AND CORRECT."

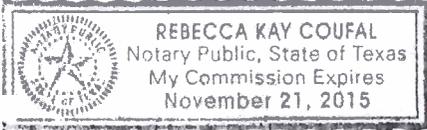
[Signature]
Signature

8-3-2014
Date

MINORAHAM VP Safety + Compliance
Printed Name & Title

STATE OF TEXAS §
COUNTY OF Willkenson §

Before me, Rebecca Coufal, on this 3 day of August 2014 personally appeared MIKE JOBRANAM, proved to me through Know to Me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she is authorized to act on behalf of Alexandru Ambrian in the capacity stated and that he/she executed the same for the purposes and consideration therein expressed.



Rebecca Coufal
Notary Public, State of Texas

FOR OFFICE USE ONLY

Application Received _____ Date of Public Hearing _____ Application Approved/Denied on _____
Permit Number _____