



CITY COUNCIL SPECIAL AGENDA

Thursday, June 25, 2026

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Special Session on Thursday, June 25, 2026, at 5:30 PM at the City Council Chambers Located at 307 East 4th Street, Big Spring, Texas. **We welcome the public to attend the meeting via telecommunication. Citizens will be able to view the City Council Meeting on Our Local Channel 17 through Optimum or on Our Website <http://mybigspring.com/224/Channel-17-Live>.**

CITY COUNCIL MEETING ETIQUETTE

Gentlemen are requested to remove their hats inside the City Council Chambers. As a courtesy to those in attendance, please place your cell phone on "Silent" or "Vibrate." Please, no talking during the meetings. Take all conversations outside so that others can hear.

Thank you!

Open Session

1. Call to Order Moore

Consent Items

2. Final Reading of a Resolution Supporting the Nomination of Certain Census Tracts Located Within the City for Designation as Qualified Opportunity Zones; Authorizing the Submission of a Nomination of the Office of the Governor; Determining that the Meetings at Which the Resolution were Discussed were Open to the Public as Required by Law; and Establishing an Effective Date Sankey
3. Final Reading of a Resolution Finding That There is a Substantial Need For the Legal Services of Baron & Budd, P.C. and Cossich, Summich, Parsiola & Taylor LLC, Finding That the Legal Services Cannot be Adequately Performed by the Attorneys and Supporting Personnel of the Political Subdivision, and Finding That the Legal Services Cannot Reasonably be Obtained from Attorneys in Private Practice under a Contract Providing Only for the Payment of Hourly Fees for Reasons Prescribed Hereunder, Pursuant to Section 2254.1036(b) of the Texas Government Code; Providing for Hagen

the Repeal of Conflicting Legislation; Providing for Severability; and Finding and Determining That the Meetings at Which the Resolution Were Discussed Were Open to the Public as Required by Law; and Establishing An Effective Date.


4. Adjourn

Moore

The City Council reserves the right to meet in executive session on any agenda item should the need arise pursuant to Chapter 551, Subchapter D of the Texas Government Code, or the Texas Disciplinary Rules of Professional Conduct.

I hereby certify that this agenda was posted on the official bulletin board at the City of Big Spring, City Hall Building, located outside 310 Nolan Street. Given by order of the City Council and Posted on Friday, June 19, 2026 in accordance with Title 5, Texas Government Code and Chapter 551.

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



Tami L. Davis, City Secretary

THE MEETING FACILITY IS ACCESSIBLE TO DISABLED PERSONS. ANY DISABLED PERSON NEEDING SPECIAL ACCOMMODATION OR A HEARING IMPAIRED PERSON WISHING TO HAVE AN INTERPRETER SHOULD REQUEST SERVICES AT LEAST 48 HOURS PRIOR TO THE SCHEDULED MEETING BY CONTACTING TAMI DAVIS AT 432-264-2513 OR EMAIL: TDAVIS@MYBIGSPRING.COM.



Staff Report

To: The Honorable Mayor and City Council

From: The City Manager

Date: June 25, 2026

Subject: Final Reading of a Resolution Supporting the Nomination of Certain Census Tracts Located Within the City for Designation as Qualified Opportunity Zones; Authorizing the Submission of a Nomination of the Office of the Governor; Determining that the Meetings at Which the Resolution were Discussed were Open to the Public as Required by Law; and Establishing an Effective Date

RECOMMENDATION:

Staff recommends that the City Council adopt a resolution supporting the nomination of selected census tracts within the City of Big Spring for designation as Qualified Opportunity Zones under the federal Opportunity Zone 2.0 program, and authorize the City Manager or designee to submit the nomination packet to the Office of the Governor, Economic Development & Tourism Office, prior to the June 26, 2026 deadline.

Designation as an Opportunity Zone will enhance the City's ability to attract private investment, promote economic development, and support redevelopment efforts in targeted areas, including key sites identified for future growth. Adoption of the resolution demonstrates local support, which is a significant factor in the state's evaluation of nominations.

BACKGROUND:

The federal Opportunity Zone program was established to encourage long-term private investment in low-income and economically distressed communities through the use of federal tax incentives. In 2025, Congress adopted the One Big Beautiful Bill Act, which made the Opportunity Zone program permanent and created a new designation cycle referred to as "Opportunity Zone 2.0."

Under this program, the Governor of Texas is authorized to nominate eligible census tracts for designation as Qualified Opportunity Zones, with final approval by the U.S. Department of the Treasury. The State of Texas, through the Office of the Governor's Economic Development & Tourism Office, is currently accepting nominations from cities, counties, and economic development organizations, with a submission deadline of June 26, 2026.

Staff has identified eligible census tracts within the City of Big Spring that present opportunities for economic development, redevelopment, and private investment. Designation of these areas as Opportunity Zones would enhance the City's ability to attract capital investment for priority sites, including undeveloped land, downtown areas, and other strategic locations. Submission of a nomination requires demonstration of local support, which is reflected through adoption of the proposed resolution.

FISCAL IMPACT:

There is no direct fiscal impact associated with adoption of this resolution. Participation in the Opportunity Zone nomination process does not obligate the City to provide funding or incentives, but may enhance the

City's ability to attract future private investment and expand the local tax base.

ATTACHMENTS:

OZ_2.0_FAQ_, resolution opportunity zones, map

REPORT PREPARED BY:

Andrew Hagen

APPROVED BY:

OPPORTUNITY ZONES FAQs



Texas Economic Development & Tourism Office | Office of the Governor

What is Opportunity Zone 2.0?

Opportunity Zone 2.0 is the new, permanent version of the Qualified Opportunity Zone program established by Congress in 2025 through the One Big Beautiful Bill Act. The program is designed to promote long-term private investment in economically distressed communities through federal tax incentives.

What are the benefits of Opportunity Zone 2.0?

Opportunity Zone 2.0 provides federal tax incentives to encourage private investment in designated areas. These incentives are intended to support business development, job creation, and long-term economic growth in qualifying communities. Specific tax benefits are administered by the Internal Revenue Service (IRS), and investors should consult tax professionals for guidance.

Who administers Opportunity Zone 2.0?

Opportunity Zone 2.0 is authorized under federal law and administered at the federal level by the U.S. Department of the Treasury and the Internal Revenue Service. States are responsible for nominating eligible census tracts for designation in accordance with federal guidelines. In Texas, that will be through the Texas Economic Development and Tourism Office, in the Governor's Office.

What census tracts are eligible?

A census tract is eligible for consideration if it meets **one** of the following criteria:

- The tract has a median family income that is **70% or less** of the applicable area or statewide median family income; **or**
- The tract has a poverty rate of **20% or greater** and a median family income that is **125% or less** of the applicable area or statewide median family income.

Under Opportunity Zone 2.0, the **contiguous tract rule has been eliminated**. Each tract must independently meet the eligibility criteria to be nominated.

If a tract does not meet these requirements, can it still be nominated?

No. Eligibility for nomination is limited to census tracts that satisfy the statutory criteria established under Opportunity Zone 2.0. Tracts that do not meet these thresholds are ineligible for designation and cannot be submitted for consideration.

Will 2018 Opportunity Zone automatically qualify again?

No. Opportunity Zones designated in 2018 will **not automatically carry over** into Opportunity Zone 2.0. Existing zones remain in effect through **December 31, 2028**. New Opportunity Zone 2.0 designations, effective **January 1, 2027**, will be based on updated eligibility criteria. Census tracts previously designated under Opportunity Zone 1.0 must independently meet the eligibility requirements of Opportunity Zone 2.0 in order to be nominated again.

How many tracts can Texas nominate?

Each governor may nominate up to **25% of the state's eligible census tracts** for designation as Opportunity Zones every ten years.

How long do Opportunity Zone designations last?

Each designated Opportunity Zone remains in effect for **10 years**. Designations are updated on a **10-year cycle**, beginning with the first Opportunity Zone 2.0 designations becoming active on **January 1, 2027** and ending 10 years later on **January 1, 2037**.

How can I nominate a tract for Opportunity Zone 2.0?

Entities interested in nominating a tract should coordinate with their local **economic development organization (EDO) or county judge**. Eligible entities may complete and submit the official nomination packet, available [here](#). Nominations will begin **July 1, 2026**.

When will the OZ 2.0 eligible tract list be finalized?

The U.S. Department of the Treasury is expected to release the official list of eligible census tracts in **Spring 2026**. The Texas Economic Development & Tourism Office, within the Office of the Governor, will provide updates as new information becomes available.

How can I determine if a census tract may be eligible?

The official list of **eligible census tracts has not yet been released**. In the interim, a predictive mapping tool identifying potentially eligible tracts is available [here](#) to assist communities with preliminary planning and evaluation.

How will tracts be selected?

Tracts submitted via the nomination packet will be evaluated using a scoring framework that considers:

- **Project viability**
- **Demonstrated local support**
- **Geographic balance across the state**

How many tracts can a community submit?

The number of nominations the local economic development groups or county judges can submit for consideration is based on the number of eligible tracts in the county. See schedule below:

Number of Eligible Tracts	Percentage of Eligible Tracts to Submit for Consideration
1 to 50	100%
51 to 100	90%
101 to 200	80%
201 to 300	70%
301 and over	60%

www.texas.gov/development |

[@TEXASgov](https://twitter.com/TEXASgov) #FedPROV

Who should I contact with questions about Opportunity Zone 2.0?

For questions regarding Opportunity Zone 2.0, please contact the Texas Economic Development & Tourism Office’s Opportunity Zone team at oppzone2.0@gov.texas.gov.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, SUPPORTING THE NOMINATION OF CERTAIN CENSUS TRACTS LOCATED WITHIN THE CITY FOR DESIGNATION AS QUALIFIED OPPORTUNITY ZONES; AUTHORIZING THE SUBMISSION OF A NOMINATION TO THE OFFICE OF THE GOVERNOR; DECLARING AN EMERGENCY; DETERMINING THAT THE MEETINGS AT WHICH THE RESOLUTION WERE DISCUSSED WERE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Opportunity Zone program was established under federal law to encourage long-term private investment in economically distressed communities through the designation of certain census tracts as Qualified Opportunity Zones; and

WHEREAS, the federal Opportunity Zone program, originally established by the federal Tax Cuts and Jobs Act of 2017, was renewed and made a permanent component of the Internal Revenue Code by the One Big Beautiful Bill Act (Public Law 119-21), enacted July 4, 2025, which establishes the next-generation Opportunity Zone framework commonly referred to as “Opportunity Zone 2.0”; and

WHEREAS, Opportunity Zone 2.0 provides for the periodic designation of eligible low-income census tracts as Qualified Opportunity Zones on a recurring ten-year cycle beginning in 2027, and authorizes the Governor of the State of Texas to nominate eligible census tracts for certification by the United States Department of the Treasury in order to promote long-term private investment, economic development, and job creation in distressed communities; and

WHEREAS, the State of Texas, through the Office of the Governor, Economic Development & Tourism Office, is authorized to nominate eligible census tracts for designation as Qualified Opportunity Zones for certification by the United States Department of the Treasury; and

WHEREAS, the City of Big Spring, Texas (the “City”), has identified certain census tracts located within its jurisdiction that may meet the eligibility criteria for designation and that present significant opportunities for economic development, redevelopment, job creation, and private investment; and

WHEREAS, the City desires to support the nomination of such census tracts to enhance the City’s ability to attract private capital and stimulate economic growth; and

WHEREAS, the City, in coordination with the Big Spring Type A Economic Development Corporation and other local and regional partners, is committed to encouraging appropriate development and investment within these areas;

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

SECTION 1. The facts and matters set forth in the preamble of this Resolution are hereby found to be true and correct.

SECTION 2. The City Council hereby supports the nomination of the following census tracts for designation as Qualified Opportunity Zones:

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SECTION 3. The City Council hereby authorizes and directs the City Manager, or the City Manager’s designee, to prepare and submit, or cause to be submitted, a nomination package to the Office of the Governor, Economic Development & Tourism Office, for consideration of the above-referenced census tracts as Qualified Opportunity Zones.

SECTION 4. The City expresses its intent to support economic development and redevelopment projects within the nominated census tracts and, where appropriate, to consider the use of available economic development tools and incentives, including but not limited to those authorized under Chapter 380, Texas Local Government Code, subject to future approval by the City Council in accordance with applicable law.

SECTION 5. Nothing in this Resolution shall be construed as a commitment by the City to provide funding, incentives, or approvals for any specific project, and all such matters shall remain subject to separate review and approval by the City Council.

SECTION 6. The City Council hereby finds and determines that an emergency exists in that the deadline for submission of nominations to the Office of the Governor for designation of Qualified Opportunity Zones is imminent, and that timely action is necessary to enable the City to participate in the Opportunity Zone 2.0 program and to promote economic development, job creation, and investment within the City; therefore, this Resolution shall take effect immediately upon its passage and approval, and the rule requiring two readings is hereby suspended.

SECTION 7. This Resolution shall take effect immediately upon its passage and approval.

SECTION 8. It is hereby officially found and determined that the meetings at which this Resolution was adopted were open to the public and that public notice of the time, place and purpose of said meetings were given as required by law.

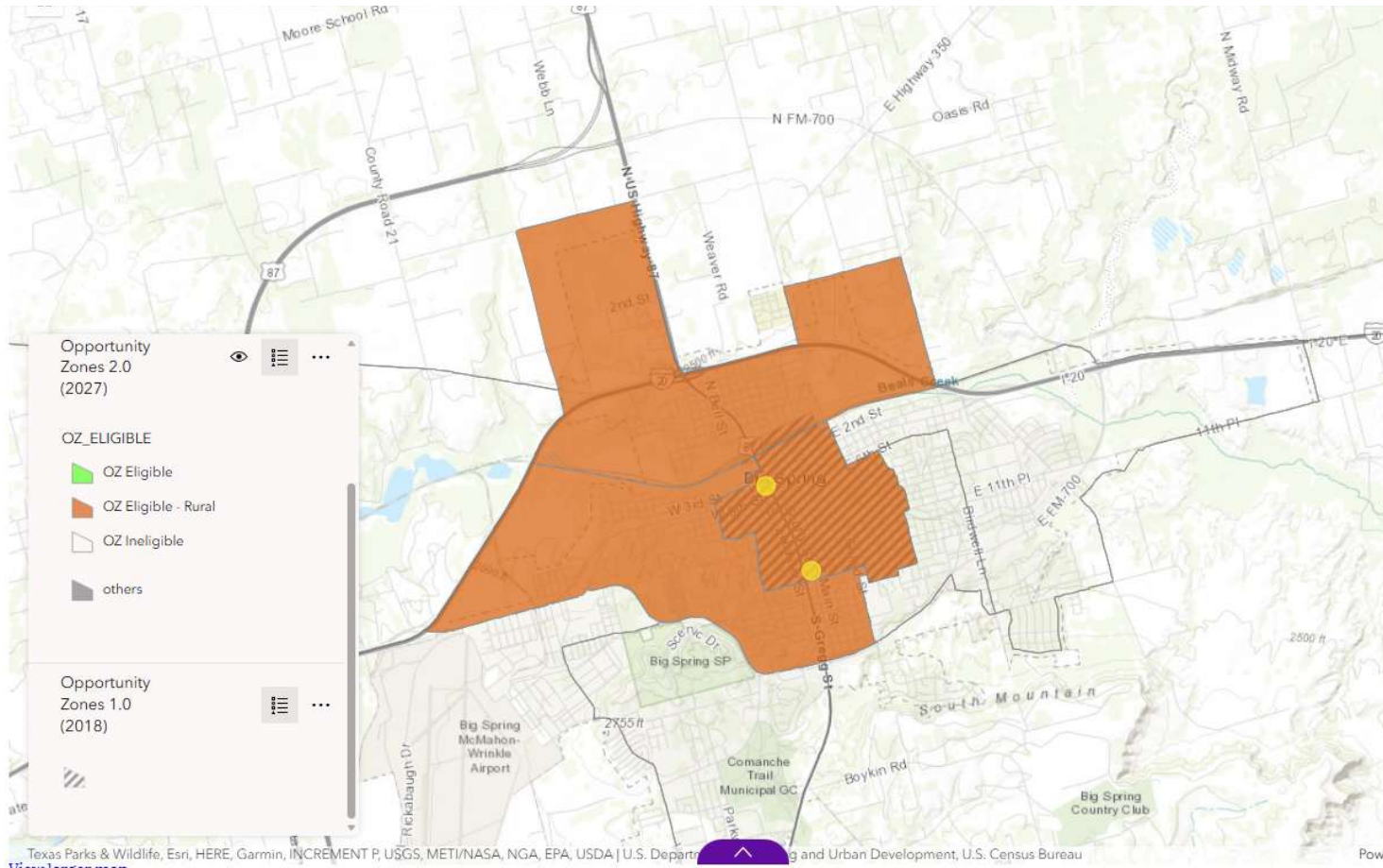
SECTION 9. This Resolution shall become effective immediately.

PASSED AND APPROVED on emergency reading at a regular meeting of the City Council on the ____ day of _____, _____, with all members of the Council voting “aye” for the passage of same.

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary



RESOLUTION NO. _____

A RESOLUTION OF THE CITY CONCIL OF THE CITY OF BIG SPRING, TEXAS FINDING THAT THERE IS A SUBSTANTIAL NEED FOR THE LEGAL SERVICES OF BARON & BUDD, P.C. AND COSSICH, SUMMICH, PARSIOLA & TAYLOR LLC, FINDING THAT THE LEGAL SERVICES CANNOT BE ADEQUATELY PERFORMED BY THE ATTORNEYS AND SUPPORTING PERSONNEL OF THE POLITICAL SUBDIVISION, AND FINDING THAT THE LEGAL SERVICES CANNOT REASONABLY BE OBTAINED FROM ATTORNEYS IN PRIVATE PRACTICE UNDER A CONTRACT PROVIDING ONLY FOR THE PAYMENT OF HOURLY FEES FOR REASONS PRESCRIBED HEREUNDER, PURSUANT TO SECTION 2254.1036(b) OF THE TEXAS GOVERNMENT CODE; PROVIDING FOR THE REPEAL OF CONFLICTING LEGISLATION; PROVIDING FOR SEVERABILITY; AND FINDING AND DETERMINING THAT THE MEETINGS AT WHICH THE RESOLUTION WERE DISCUSSED WERE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND ESTABLISHING AN EFFECTIVE DATE;

WHEREAS, various settlements agreements have arisen out of or in connection to the Aqueous Film Forming Foam Products (“AFFF”) Liability Litigation (MDL 2873) in the Federal District Court for the District of South Carolina against certain manufacturer(s) of AFFF products containing perfluoroalkyl substances (“PFAS”);

WHEREAS, the City of Big Spring is a potential eligible public water system claimant under one or more settlements agreements in the AFFF Liability Litigation (MDL 2873);

WHEREAS, Baron & Budd, P.C. and Cossich, Sumich, Parsiola & Taylor LLC are well-qualified law firms with demonstrated competence, qualifications and experience in PFAS-related litigation and compensation and which have formed a partnership for the provision of legal services in connection with the submission of settlement claim forms and the collection of compensation owed to eligible claimants under various settlement agreements entered into with manufacturer(s) of PFAS-containing products pursuant to the AFFF Products Liability Litigation (MDL 2873);

WHEREAS, the City of Big Spring wishes to enter into a contingent fee contract with Baron & Budd, P.C. and Cossich, Sumich, Parsiola & Taylor LLC, to represent the City in the submission of settlement claim forms and the collection of compensation owed to the City of Big Spring for PFAS-related claims concerning its public drinking water system;

WHEREAS, the City Council of Big Spring finds it necessary to pass this resolution as an emergency measure in order to expediently procure the legal services of Baron & Budd, P.C. and Cossich, Sumich, Parsiola & Taylor LLC so as to meet the July 31, 2026, deadline for submission of the settlement claim forms; and

WHEREAS, City Council finds it advisable to proceed as follows;

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

SECTION 1. The facts and matters set forth in the preamble of this Resolution are hereby found to be true and correct.

SECTION 2. There is a substantial need for the legal services. The following justifications are provided in support thereof:

- (i) Baron & Budd, P.C. have been competently representing plaintiffs in lawsuits and class actions against major corporations for more than 45 years of practice and have been competently acting as class counsel in PFAS-related litigation and settlement. The firm is currently one of four class counsels directly involved in representing the various plaintiffs, being various municipalities and public water systems, in the Aqueous Film Forming Foam Products Liability Litigation (MDL 2873) where Scott Summy, head of the firm's water contamination litigation group, is serving as co-lead counsel and to which the compensation sought in this matter relates.
- (ii) Cossich, Sumich, Parsiola & Taylor LLC have been competently representing thousands of plaintiffs in class action suits and have been competently acting as part of the team of architects of the DuPont settlement structure, which is one of the various settlement agreements in the Aqueous Film Forming Foam Products Liability Litigation (MDL 2873) for which compensation is sought in this matter. Cossich, Sumich, Parsiola & Taylor LLC is a competent, qualified, and experienced litigation law firm with expertise in PFAS-related litigation and compensation.
- (iii) The City of Big Spring, Texas is pursuing the legal services of Baron & Budd, P.C. and Cossich, Sumich, Parsiola & Taylor LLC to collect compensation owed to the City of Big Spring, Texas pursuant to various settlement agreements entered into with manufacturers of PFAS-containing products pursuant to the Aqueous Film Forming Foam Products Liability Litigation (MDL 2873). The desired outcome of the legal services would be for the City of Big Spring, Texas to collect the maximum compensation that the City is owed in as short a time period as is possible.
- (iv) To prepare, collate, and file the necessary settlement claim forms for compensation owed to the City of Big Spring from certain manufacturer(s) of aqueous film forming foam containing perfluoroalkyl substances as provided under various settlement agreements pursuant to Aqueous Film Forming Foam Products Liability Litigation (MDL 2873), a contingent fee contract with Baron & Budd, P.C. and Cossich, Sumich, Parsiola & Taylor LLC is in the best interests of the residents of the City of Big Spring, Texas.
- (v) To collect, in as short a time as possible, the maximum compensation owed to the City of Big Spring from certain manufacturer(s) of aqueous film forming foam containing perfluoroalkyl substances as provided under various settlement agreements

pursuant to Aqueous Film Forming Foam Products Liability Litigation (MDL 2873), a contingent fee contract with Baron & Budd, P.C. and Cossich, Sumich, Parsiola & Taylor LLC is in the best interests of the residents of the City of Big Spring, Texas.

SECTION 3. The legal services cannot be adequately performed by the attorneys and supporting personnel of the City of Big Spring. The following justifications are provided in support thereof:

- (i) The legal services desired by the City of Big Spring, Texas that are the subject of the contract cannot be adequately performed by the attorneys and supporting personnel of the City of Big Spring, Texas because the City of Big Spring, Texas presently does not have on staff an attorney admitted to practice before the United States District Court for the District of South Carolina.
- (ii) Filing of an application for admission to practice in federal district court or a Pro Hac Vice motion to permit appearance by an attorney not admitted to practice before a specific court may be subject to processing timelines, which may impede the ability of the City of Big Spring to submit its settlement claim forms before the impending claim submission deadline of July 31, 2026 (which may or may not be subject to change).
- (iii) In order to meet the requirements and criteria necessary for a successful claim, it would be necessary to prioritize the proper preparation, collation, and submission of the settlement claim documents and all supporting and attendant documentation in accordance with any requirements stipulated in the lawsuit or required by the claims administrator, which would inherently limit the ability of the City of Big Spring's attorney and supporting legal personnel to participate in matters unrelated to the AAAF products liability litigation, including providing legal services in support of the day-to-day functions and operations of the City of Big Spring.
- (iv) For the preceding reasons and possible other legitimate reasons, it is prudent that the City of Big Spring enter into a contingent fee contract to procure legal services of Baron & Budd, P.C. and Cossich, Sumich, Parsiola & Taylor LLC to represent the City in the submission of settlement claim forms and the collection of compensation owed to the City of Big Spring for PFAS-related claims concerning its public drinking water system.

SECTION 4. The legal services cannot reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because the political subdivision does not have funds to pay the estimated amounts required under a contract providing only for the payment of hourly fees. The following justifications are provided in support thereof:

- (i) The legal services desired by the City of Big Spring, Texas that are the subject of the contract cannot be reasonably obtained from attorneys in private practice under a contract providing for the payment of hourly fees without contingent because the matter will require a significant time investment and is anticipated to be ongoing for

several years after the July 31, 2026 deadline with possible submission of supplemental claim forms and supporting documentation on future PFAS testing and detections, and the City of Big Spring, Texas does not have funds in its budget to pay the estimated ongoing hourly fees and other costs incurred to implement an effective claim submission and compensation collection program under a contract providing only for the payment of hourly fees and costs.

SECTION 5. All resolutions or parts of resolutions and minute orders in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 6. Should any one or more sections or clauses of this Resolution be adjudged unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

SECTION 7. It is hereby officially found and determined that the meetings at which this Resolution was adopted were open to the public and that public notice of the time, place and purpose of said meetings were given as required by law.

SECTION 8. This Resolution shall become effective immediately.

SECTION 9. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and of the United States of America.

PASSED AND APPROVED on emergency reading at a regular meeting of the City Council on the _____ day of _____, _____, with all members present voting “aye” for passage of the same.

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary