



CITY COUNCIL REGULAR AGENDA

Tuesday, January 24, 2023

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, January 24, 2023, 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 Suddenlink 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

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| 1. Call to Order | Moore |
| 2. Invocation | Moore |
| 3. Pledge of Allegiance to the United States Flag and to the Texas State Flag | Moore |

Public Comment

Public Comment – Members of the public are entitled to speak on any topic. Additionally, members of the public may comment on any action item before or during its consideration. Speakers are Requested to Stand at the Podium and State Their Name and Address. Speakers Should Fill out the Form at the Podium and Turn it into the City Secretary. Please Do Not Exceed Five (5) Minutes.

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| 4. Public Comment | Moore |
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Announcements, Presentations and Public Hearings

Public Hearings – The Council will take Input on Items Requiring Public Hearing Items **Prior** to any Action.

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| 5. | Presentation - Receiving the Accepted Donation from Scott Emerson to the Animal Control Shelter | | Moore |
| 6. | PUBLIC HEARING – Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1400 STATEPARK DRIVE, BIG SPRING, TEXAS 79720 – LTS 5-6, BK 2 MOUNTAINVIEW ADDITION – OWNER: EARL D KOLDEN, 1400 STATEPARK DRIVE, BIG SPRING, TEXAS 79720 | 11-77 | Hagen |
| 7. | PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 2509 OLD HWY 80, BIG SPRING, TEXAS 79720 - LTS 8-9, BK 4, LINCOLN ADDITION - OWNER: LEONOR RIOS, 2509 OLD HWY 80, BIG SPRING, TEXAS 79720 | 78-126 | Hagen |
| 8. | PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 2714 LYNN, BIG SPRING, TEXAS 79720 - LTS 12, BK 10, KENTWOOD ADDITION - OWNER: DONALD DEEN BOOTH, 2509 OLD HWY 80, BIG SPRING, TEXAS 79720 | 127-194 | Hagen |
| 9. | PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 209 CIRCLE DRIVE, BIG SPRING, TEXAS 79720 - 2 ACRES TR OF SC 44, BK 32 IN 60X140 579 BLK - OWNER: ARBOH GROUP, LLC, 209 CIRCLE DRIVE, BIG SPRING, TEXAS 79720 | 195-236 | Hagen |
| 10. | PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 510 SOUTH BENTON, BIG SPRING, TEXAS 79720 - LT 6, BK4, PORTER ADDITION - OWNER: THOMAS DOROTHY, 510 SOUTH BENTON, BIG SPRING, TEXAS 79720 | 237-279 | Hagen |
| 11. | PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 109 NE 10th STREET, BIG SPRING, TEXAS 79720 - SE/4 OF SC 42, BK32, WILLIAM B CURRIE ADDITION - OWNER: DAVID WARD, 109 NE 10TH STREET, BIG SPRING, TEXAS 79720 | 280-321 | Hagen |
| 12. | PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 201 NE 2ND | 322-370 | Hagen |

**STREET, BIG SPRING, TEXAS 79720 - LT 6, BK 116,
ORIGINAL TOWN ADDITION - OWNER: FRANK GARZA
JR, 201 NE 2ND STREET, BIG SPRING, TEXAS 79720**

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| 13. | PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 203 NE 2ND
STREET, BIG SPRING, TEXAS 79720 - LT 5, BK 116,
ORIGINAL TOWN ADDITION - OWNER: PHILLIP
MENDOZA JR, 203 NE 2ND STREET, BIG SPRING, TEXAS
79720 | 371-
404 | Hagen |
| 14. | PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 1604 EAST
16TH STREET, BIG SPRING, TEXAS 79720 - W/2 OF LT 5,
BK 4, MAY THIXTON ADDITION - OWNER: TANYA GEAN
JEWETT, 1604 EAST 16TH STREET, BIG SPRING, TEXAS
79720 | 405-
459 | Hagen |
| 15. | PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 702 EAST
15TH STREET, BIG SPRING, TEXAS 79720 - LT 2, BK 19,
COLE AND STRAYHORN ADDITION - OWNER: OSCAR H
HERNANDEZ, 702 EAST 15TH STREET, BIG SPRING,
TEXAS 79720 | 460-
514 | Hagen |
| 16. | PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 1001
SYCAMORE, BIG SPRING, TEXAS 79720 - LT 1, BK 1,
HIGHLAND PARK ADDITION - OWNER: AARON MICHAEL
GARRISON, 1001 SYCAMORE, BIG SPRING, TEXAS
79720 | 515-
571 | Hagen |

City Manager's Report

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| 17. | City Manager's report on the following items: | Darden |
| | <ul style="list-style-type: none">• Update on Large Item Pickup, District 1 - Jan. 18, 2023• Update on the Animal Shelter• Update on the Warning Siren - Station 4• Update on Right-of-Way Cleanup on MLK• Howard County Day - January 26, 2023• EDA Grant Kickoff Meeting• COVID Update | |

Consent Items

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| 18. Approval of the City Council Minutes of the Regular Meeting of January 10, 2023. | 572-582 | Davis |
| 19. Acknowledge Receipt of the Big Spring Economic Development Corporation Board of Director's Minutes for the Regular Meetings of November 15, 2022 and December 20, 2022. | 583-586 | Mark Willis |
| 20. Final Reading of an Ordinance Amending Ordinance Number 038-2022 which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the General Fund Budget for the Purpose of Purchasing Rescue Equipment (Boots) for the Fire Department; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Publication; and Providing an Effective Date | 587-589 | Ferguson |
| 21. Final Reading of an Ordinance Amending Ordinance Number 038-2022 which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the EMS Fund Budget for the Purpose of Additional Education for the EMS Department; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Publication; and Providing an Effective Date | 590-592 | Ferguson |
| 22. Final Reading of an Ordinance Amending Ordinance Number 038-2022 Which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the Landfill Enterprise Fund Budget for the Purpose of Wood Chipping at the Big Sandy Landfill; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Publication; and Providing an Effective Date | 593-594 | Bowles |
| 23. Final Reading of an Ordinance of the City Council of the City of Big Spring, Texas Amending Chapter 2 of the Big Spring City Code Entitled "Administration," Article VII "Boards and Commissions," Division 5 "Traffic Commission," Section 2-300 by Amending Subsection (D) and Adding a New Subsection (E); in Order to Render Inactive the Said Board and Release the Members of the Board for Potential Consideration for Service on Other Boards; Providing for Severability; and Providing for an Effective Date | 595-596 | Bowles |

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| 24. Final Reading of an Ordinance of the City of Big Spring, Texas Amending Chapter 28, "Health," of the Big Spring Code, Article V, "Municipal Ambulance Services," Section 28-135 Entitled "Ambulance Fees" to Update Fees For Basic Ambulance Services; Providing for Severability; Providing for Publication; and Providing an Effective Date. | 597-612 | Ferguson |
| 25. Final Reading of a Resolution of the City Council of the City of Big Spring, Texas, Amending Resolution 031-2022 to Authorize and Appoint the City Manager to Submit an Application to the Public Safety Office for the "Bullet-Resistant Shield Grant Program, FY2023" to Secure Funding for 30 Street Level Bullet-Resistant Shields; Provide Written Assurance that in an Event of Loss or Misuse of Grant Funds the City Council Will Return All Funds to the Office of the Governor; and Providing for an Effective Date | 613-614 | Williams |
| 26. Final Reading of a Resolution Calling for a General Election to be Held on May 6, 2023 for the Purpose of Electing One Person to Serve as City Council Member for District One and One Person to Serve as City Council Member for District Three; Providing for the Conduct of the Election; Designating Several Polling Places Within the City; Authorizing the Mayor to Execute Notice and Have the Notice Posted for the Purpose of Notifying the Public of Said Election; and Providing for Severability | 615-616 | Davis |

Vouchers

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| 27. Vouchers for 01/12/23 | \$ 3,670,953.84 | Ornelas |
| Vouchers for 01/19/23 | \$ 691,372.03 | |
| Manual Ck. | \$ 256,338.11 | |

Bids

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| 28. Consideration and Possible Action on Awarding the Sale of Tax Properties by Texas Communities Group as Follows (Items 29-34): | | Darden |
| 29. Parcel R000002408, 603 E. 16th Street to Rosa Elia Avila in the amount of \$1,550.00 | 617-624 | Darden |
| 30. Parcel R000008301, 601 Goliad Street to Land4Less in the amount of \$908.00 | 625-631 | Darden |
| 31. Parcel R000008783 & R000008784, 209 NE 2nd Street to | 632- | Darden |

Kevin Quezada in the amount of \$300.00	639	
32. Parcel R000008938, 1900 Wasson Road to Cinthia & Fortino Quezada in the amount of \$3,055.00	640-647	Darden
33. Parcel R0000010059, 108 N. Benton Street to Rosa Elia Avila in the amount of \$2,500.00	648-655	Darden
34. Parcel R0000010060, 200 N. Benton Street to Rosa Elia Avila in the amount of \$2,500.00	656-663	Darden
35. Consideration and Possible Action on Awarding a Bid for a John Deere Z950m Zero Turn Mower for the Parks Department and Authorizing the City Manager or His Designee to Execute any Necessary Documents	664	Medina
36. Consideration and Possible Action on Awarding a Bid for a John Deere Gator for the Cemetery Department and Authorizing the City Manager or His Designee to Execute any Necessary Documents	665	Medina
37. Consideration and Possible Action on Awarding a Bid for a Vertical Baler for the Sanitation Department and Authorizing the City Manager or His Designee to Execute any Necessary Documents	666	Medina
38. Consideration and Possible Action on Awarding a Bid for Golf Carts and Range Picker for the Golf Course and Authorizing the City Manager or His Designee to Execute any Necessary Documents	667-668	Medina

New Business

39. City Manager Appointment to the Civil Service Commission - Raul Marquez Jr.		Darden
40. Acknowledge Receipt of the Investment Report for the Quarter Ending December 30, 2022	669-670	S. Smith
41. Acknowledge Receipt of the Quarterly Financial Report	671-689	S. Smith
42. Consideration and Possible Action Authorizing Event Funding Requests from CVB for Together Trail Race.	690-697	Lewis
43. First Reading of a Resolution Authorizing Continued Participation with the Steering Committee of Cities Served by Oncor; and Authorizing the Payment of Ten Cents Per Capita	698-710	Medina

to the Steering Committee to Fund Regulatory and Legal Proceedings and Activities Related to Oncor Electric Delivery Company, LLC.; and Providing an Effective Date

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| 44. | First Reading of a Resolution of the City Council of the City Of Big Spring, Texas Supporting the Proposed Project for the Texas Department Of Housing And Community Affairs 2023 Competitive (9%) Housing Tax Credit ("HTC"), "The Trails at Big Spring" Project in the City of Big Spring and Pledging \$250 in Permit, Inspection, and Water and Wastewater Tapping Fees Towards the Project; and Providing an Effective Date | 711-
716 | Bowles |
| 45. | First Reading of a Resolution to Disallow the Concealed or Open Carrying of a Handgun by a Holder of a License to Carry into the Room or Rooms in which any Meeting of the City Council is Meeting | 717-
719 | Moore |
| 46. | First Reading of an Ordinance Amending Ordinance Number 038-2022 which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the General Fund Budget for the Purpose of Purchasing a Zero Turn Mower for the Parks Department; Providing for Severability; Providing for Publication; and Providing an Effective Date | 720-
721 | Lewis |
| 47. | First Reading of an Ordinance Amending Ordinance Number 038-2022 which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the General Fund Budget for the Purpose of Ongoing Litigation; Providing for Severability; Providing for Publication; and Providing an Effective Date | 722-
723 | Medina |
| 48. | First Reading of an Ordinance Amending Ordinance Number 038-2022 which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Transferring Funds within the Airpark Fund Budget for the Purpose of Purchasing a HVAC Unit for the Airpark Terminal Building; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Publication; and Providing an Effective Date | 724-
726 | Feeley |
| 49. | First Reading of an Ordinance Amending Chapter 2 of the Big Spring City Code Entitled "Administration," Article VII "Boards and Commissions," Division 2 "Aviation Advisory | 727-
728 | Feeley |

Board" Section 2-261 by Adding a New Subsection (G) in Order to Render Inactive the Said Board and Release the Members of the Board for Potential Consideration for Service on Other Boards; Providing for Severability; and Providing an Effective Date

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| 50. | First Reading of an Ordinance Repealing Subsection 12-44(4) of the Big Spring City Code and Substituting a New Section 12-50 of Chapter 12 of the Big Spring City Code to Adopt with Amendments the 2023 National Electrical Code; Providing for a Penalty; Providing for Severability; Providing for Repeal; and Providing an Effective Date. | 729-743 | Bowles |
| 51. | Consideration and Possible Action to Approve an Aircraft Disposal and Settlement Agreement with the Owner of an Inoperable Cessna Aircraft at the Big Spring Wrinkle-McMahon Airport and Authorizing the City Manager or His Designee to Execute any Necessary Documents | 744-746 | Feeley |
| 52. | Consideration and Possible Action to Approve a Water Supply Agreement Between the City of Big Spring and the City of Coahoma and Authorizing the Mayor or His Designee to Execute any Necessary Documents | 747-756 | Darden |

Council Input

53. Input

Executive Session

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| 54. | <p>Adjourn into Executive Session in Accordance with the Purposes Permitted by the Open Meetings Act: Section 551.071, Texas Government Code, to Receive Attorney Advice and Consultation; and Section 551.072 Texas Government Code, "Deliberation Regarding Real Property; Closed Meeting," to Deliberate the Purchase, Exchange, Lease, or Value of Real Property when Deliberation in an Open Meeting Would Have a Detrimental Effect on the Position of the Governmental Body in Negotiations with a Third Person:</p> <ul style="list-style-type: none"> • Lease of Permian Holdings, LP, of 5 Acres at Big Spring Wrinkle McMahon Airport; • Leases of Municipal Corrections Finance, L.P. (Geo), 3700 Wright Ave ("Airpark"), 3711 Wright Ave. ("Cedar Hill") and 2001 Rickabaugh Ave. ("Flightline"), | Moore |
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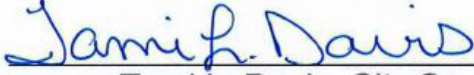
Big Spring, Texas

55. **Adjourn** into Executive Session in Accordance with the Purposes Permitted by the Open Meetings Act, Section 551.071, Texas Government Code, "Consultation with Attorney; Closed Meeting," and the Texas Disciplinary Rules of Professional Conduct, to Provide Legal Advice and Counsel with Respect to Litigation and Potential Litigation.
56. **Adjourn** into Executive Session in Accordance with the Purposes Permitted by the Open Meetings Act, Section 551.087, Texas Government Code, "Deliberation Regarding Economic Development Negotiations; Closed Meeting" to Discuss and Deliberate Economic Development Negotiations: Moore
- Development Agreement for Southeast Corner of East Marcy Drive and South Goliad Street
57. **Reconvene** into Open Session and Take any Necessary Action on Executive Session Items Moore
- a. Consideration and Possible Action to approve Estoppel and Recognition Agreements among City of Big Spring, Landlord, Municipal Corrections Finance, L.P., Alter Domus Products Corp., and Ankura Trust Company Relating to Leases at 3700 Wright Ave ("Airpark"), 3711 Wright Ave. ("Cedar Hill"), and 2001 Rickabaugh Ave ("Flightline"), Big Spring, Texas. Hagen
- b. Consideration and Possible Approval for an Amendment to Flightline Lease with Geo to allow the City to Re-Lease the Firing Range to another Party. Hagen
58. **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, January 20, 2023 at 6:20 p.m.** 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.