CITY COUNCIL REGULAR AGENDA

Tuesday, March 14, 2023

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, March 14, 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

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.

4. **Public Comment** — Moore

Announcements, Presentations and Public Hearings

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

5.	**Public Hearing** - Concerning Amendments to the Big Spring City Zoning Ordinance to Authorize the Public Works Director to Issue Permits for Carport Construction in the Front Yard Portion of a Lot Outside of the Required Front Yard Setback and Meeting Certain Conditions Without the Approval of the Zoning Board of Adjustments	9	Bowles

City Manager's Report

6.	City Manager's report on the following items: • Update on Large Item Pickup, District 2 - Feb. 15, 2023 • Large Item Pickup, District 3 - March 15, 2023 • Update on Card Board Recycling Project • Update on Street Lights on MLK Blvd. • Recognize the Following Employees for Recieving an Operator B License: **Chad Tidwell** - Water Treatment Manager; **Johnny Fisher** - Water Treatment Supervisor; and **Stetson Word** - Wastewater Supervisor • Interim Fire Chief • Boards and Committees Contact Information - See Attached • Condolences to Paschal Odom Family	10-11	Darden

Consent Items

7.	Approval of the City Council Minutes of the Regular Meeting of February 14, 2023, Special Meeting of February 23, 2023 and the Regular Meeting at the Special Joint Leadership Summit of February 28, 2023.	12-24	Davis
8.	Acknowledge Receipt of the Big Spring Economic Development Board Minutes of the Regular Meeting of January 17, 2023.	25-26	Mark Willis
9.	Final Reading of an Ordinance Amending Ordinance Number 038-2022 Which Adopted the Annual Budget for the City of	27-28	S. Smith

Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the Airpark Fund Budget for the Purpose of Adding the Debt Service Funds Back in the Budget; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Publication; and Providing an Effective Date

10. Final Reading of a Resolution Authorizing and Directing the Sale of the 11.06 Tract of Real Property at 1801 West Interstate 20, Big Spring, Texas 79720 to 3-D Development, LLC, and Entering into an Economic Development Incentive with the Buyer Under Chapter 380, Texas Local Government Code and Setting an Effective Date — 29-77 — Hagen

Vouchers

11. Vouchers for 02/17/23 $ 738,677.20 — Yanez
    Vouchers for 02/23/23 $ 395,813.32
    Manual Ck. $ 599,973.21

12. Vouchers for 03/03/23 $ 349,856.65 — Hughes
    Vouchers for 03/09/23 $ 1,278,961.96
    Drafts $ 62,991.99

Bids

13. Consideration and Possible Action on Awarding the Sale of Tax Properties by Texas Communities Group as Follows: — Darden

a. Parcel R000005589, 511 Galveston St. to Cinthia Quezada & Fortino Quezada in the amount of $1,150.00 — 78-85 — Darden

b. Parcel R000046922, 502 N. Goliad to Isaro Group, LLC in the Amount of $1,000.00 — 86-93 — Darden

14. Consideration and Possible Action on Awarding a Bid for a Splash Pad to be Constructed at Bert Andries Park and Authorizing the City Manager or His Designee to Execute any Necessary Documents — 94 — Lewis

15. Consideration and Possible Action on Awarding a Bid for 156-Stackable Lounge Chairs for the Russ McEwen Family Aquatic Center and Authorizing the City Manager or His Designee to Execute any Necessary Documents — 95 — Lewis

16. Consideration and Possible Action on Awarding a Bid for a Forklift for the Sanitation Department and Authorizing the City Manager or His Designee to Execute any Necessary — 96 — Medina

Documents

17.	Consideration and Possible Action on Awarding a Bid for a 25-Foot Lowboy Trailer for the Wastewater Treatment Plant and Authorizing the City Manager or His Designee to Execute any Necessary Documents	97	Medina
18.	Consideration and Possible Action on Awarding a Bid for a 16-Foot Trash Trailer for the Code Enforcement Department and Authorizing the City Manager or His Designee to Execute any Necessary Documents	98	Medina
19.	Consideration and Possible Action to Accept a Bid Award for the 2023 Seal Coat Project and Authorizing the City Manager or His Designee to Execute any Necessary Documents	99-100	Medina

New Business

20.	Consideration and Possible Action to Accept a Donation from Star Dodge/Ford and the Broughton Foundation for a Splash Pad at Bert Andries Park	101-102	Lewis
21.	First Reading of a Resolution Declaring the Unopposed Candidates in the May 6, 2023 General Election for City Council Member, District 1 and for City Council Member, District 3 to Office; Canceling the General Election for City Council Position for City Council Member, District 1 and for City Council Member, District 3; and Providing an Effective Date	103-106	Davis
22.	First Reading of a Resolution Joining with the State of Texas and Political Subdivisions of the State as a Party in the Texas Opioid Settlement Agreements Secured by the Office of the Attorney General Between the State of Texas and Allergan, CVS, Walgreens, and Walmart; Authorizing the City Manager to Execute Settlement Participation Forms; and Establishing an Effective Date	107-122	Darden
23.	First Reading of an Ordinance Amending the Big Spring Zoning Ordinance, Article 4 Entitled "Development Standards," Section 4-6 " Area Regulations For Accessory Buildings And Structures In Residential Districts," Subsection (E) To Revise Whom The Application Process Will Be Directed To; Providing For Severability; Providing For Publication; And Providing An Effective Date	123-124	Bowles
24.	First Reading of an Ordinance Amending Chapter 46 of the Big Spring City Code of Ordinances Entitled “Streets,	125-128	Bowles

	Sidewalks, and Other Places", Article V Entitled "Street Names and Building Numbers", Division 2 Entitled "Renaming Streets", Section 46-235 Entitled "Purpose; Application and Review of Name Change; Criteria for Street Names"; to Not Require a Hearing Before the Traffic Commission; and to Require a Hearing Before the Planning and Zoning Commission; Providing for Severability; and Providing an Effective Date		
a.	Amendment with Clarifying Language	129	
25.	First Reading of an Ordinance of the City of Big Spring Adopting the 2021 Edition of the International Fire Code, Regulating and Governing the Safegaurding of Life and Property from Fire and Explosion Hazards Arising from the Storage, Handling and Use of Hazardous Substances, Materials and Devices, and from Conditions Hazardous to Life or Property in the Occupancy of Buildings and Presmises in the City of Big Spring, Texas; Providing for the Issuance of Permits and Collection of Fees Therefor; Repealing Section 24-1 of the Big Spring City Code and All Other Ordinances or Parts of Laws in Conflict Therewith	130-139	Darden
26.	First Reading of an Ordinance of the City Council Amending Chapter 2 of the Code of Ordinances Entitled "Administration," Article III, Entitled "Officers and Employees," Section 2-57 Entitled "Adoption of Civil Service for Firefighters and Civil Service Positions," Subsection (c) by Reducing by Attrition Only Firefighters; Providing for Severability; and Providing an Effective Date	140-141	Hagen
27.	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 the 2022-23 Sealcoat Project; Providing for Severability; Providing for Publication; and Providing an Effective Date	142-144	Medina
28.	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 Forklift for the Cardboard Recycling Program; Providing for Severeability; Providing for Publication; and Providing an Effective Date	145-147	Medina

29.	First Reading an Ordinance Amending Ordinance Number 038-2022 Which Adopted the Annual Operating Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023, Increasing the Operating Account for the Airpark Master Plan Project by Transferring from a Capital Account to Operating Funds for the Purpose of Funding the Master Plan Effort in its Entireity; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Publication; and Providing an Effective Date	148-151	Feeley
30.	First Reading of an Ordinance to Rename the Structural Standards Ordinance by Renaming it the Structural Standards and Nuisance Abatement Ordinance, and to Amend the Ordinance by Dividing it into Three Subchapters, Subchapter A being Applicable to Each Type of Abatement Procedure, Subchapter B being Applicable to Sanitation and Exterior Premises Rules and Orders Abatement Procedures, and Subchapter C for the Abatement of Atructures Falling below Minimum Standards, Adopting Other Changes to the Ordinance, Providing for Severability, and Providing an Effective Date	152-164	Hagen
31.	Consideration and Possible Action to approve an Agreement for Engineering Services with Jacob Martin, 2023 Crack Seal Project and Authorizing the City Manager or His Designee to Execute any Necessary Documents	165-179	Medina
32.	Consideration and Possible Action to approve an Agreement for Engineering Services with Jacob Martin, 2023 Seal Coat Project and Authorizing the City Manager or His Designee to Execute any Necessary Documents	180-196	Medina
33.	Consideration and Possible Action to Authorize the City Attorney to Negotiate the Contract with Oasis Waterplaygrounds Inc for the Splash Pad at Bert Andries Park and Authorizing the City Manager to have Final Approval for the City of Big Spring for such Contract and to Execute any Necessary Documents.		Lewis
34.	Consideration and Possible Consideration for an Agreement with YMCA for Lifeguard Services at the Aquatic Center, 2023 season and authorize the City Manager to execute the necessary documents	197-207	Lewis

35. Boards & Committees — Moore

a. **McMahon/Wrinkle Aviation Advisory Board** — Moore
Joseph Harrison - Nominated by Council Member McDonald (Dist. 4)
(Replacing Jim Little - No Longer Wanting to Serve)

Council Input

36. Input — Moore

Executive Session

37. 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. City of Big Spring, Texas v. Fabian Scott Butler (11-21-00026-CV). — Moore

38. **RECONVENE** into Open Session and Take any Necessary Action on Executive Session Items — Moore

39. **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, March 10, 2023 at 4:30 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 CONTACTINGTAMI DAVIS AT 432-264-2513 OR EMAIL: TDAVIS@MYBIGSPRING.COM.