



## CITY COUNCIL REGULAR AGENDA

**Tuesday, March 28, 2023**

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, March 28, 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. <b>Public Comment</b> | 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 and Acceptance of the Big Spring Economic Development Corporation's Financial Statement for Year Ended September 30, 2022 by Bolinger, Segar, Gilbert & Moss                                                                                                        | Handout | David Copeland |
| 6.  | Presentation and Acceptance of the Comprehensive Annual Financial Report for Year Ended September 30, 2022 by Bolinger, Segar, Gilbert & Moss                                                                                                                                    | Handout | David Copeland |
| 7.  | <b>PUBLIC HEARING</b> - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1513 EAST 17TH STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: E/50 OF LT 20 BK 4 MAY THIXTON 50X150 924 ACQ 021700 BLK/TRACT 4 0.172 ACRES- OWNER: CHRISTINE WOODS BAKER | 10-78   | Hagen          |
| 8.  | <b>PUBLIC HEARING</b> - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1806 SETTLES, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: S/47.5 LT 7 ALL LT 8 BK 3 SETTLES (100X125.5) 1147 0.28 ACRES - OWNER: ELVIS EUGENE PAYNE                           | 79-133  | Hagen          |
| 9.  | <b>PUBLIC HEARING</b> - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 406 1/2 DOUGLAS, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 4 BK F EARLES 50X130 625 ACQ 110411 BLK/TRACT F 0.149 ACRES- OWNER: MARGIE ARSIAGA GARCIA                     | 134-195 | Hagen          |
| 10. | <b>PUBLIC HEARING</b> - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 108 LOCKHART, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 2 BK 6 LAKEVIEW 50X140 350 0.161 ACRES ACQ 06132022- OWNER: TIMOTHY EDWARD WILSON                                | 196-246 | Hagen          |
| 11. | <b>PUBLIC HEARING</b> - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1411 SETTLES, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 6 BK 1 SUNSET PLACE ANNEX 49X140 546 ACQ 012809 BLK/TRACT 1 0.145 ACRES- OWNER: ESTATE OF JOHNNY LEE PUGA        | 247-317 | Hagen          |

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| 12. | <b>PUBLIC HEARING</b> - Consideration and Possible Action<br>Concerning Abatement of Public Nuisance, at 408<br>DOUGLAS, BIG SPRING, TEXAS 79720 - LEGAL<br>ADDRESS: LT 5-6 BK F EARLES 5100X130 0.298 ACRES<br>2012 COMBINED ACCT B3810004100 626 627 ACQ<br>021810 BLK/TRACT F 0.298 ACRES- OWNER: ANDREA<br>MORENO MARSCH | 318-<br>369 | Hagen |
| 13. | <b>PUBLIC HEARING</b> - Consideration and Possible Action<br>Concerning Abatement of Public Nuisance, at 510 YOUNG,<br>BIG SPRING, TEXAS 79720 - LEGAL ADDRESS:LT 6 BK 6<br>PORTER 50X140 362 0.161 ACRES ACQ 121818-<br>OWNER:ROLLO AND CYNTHIA GURASS IRREVOCABLE<br>GRANDCHILDREN'S TRUST                                 | 370-<br>428 | Hagen |
| 14. | <b>PUBLIC HEARING</b> - Consideration and Possible Action<br>Concerning Abatement of Public Nuisance, at 1207 LAMAR<br>AVENUE, BIG SPRING, TEXAS 79720 - LEGAL<br>ADDRESS:LT 19 BK 10 MONTICELLO 60X125 298 ACQ<br>032309 BLK/TRACT 10 0.172 ACRES- OWNER:JULIA<br>JOHNSTON                                                  | 429-<br>469 | Hagen |
| 15. | <b>PUBLIC HEARING</b> - Consideration and Possible Action<br>Concerning Abatement of Public Nuisance, at 1105 NORTH<br>SCURRY, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS:<br>N/50 SE/4 OF BK 44 BAUER 50X140 059 0.161 ACRES-<br>OWNER:JOE DIAS AND ROSARIO DIAZ                                                               | 470-<br>517 | Hagen |
| 16. | <b>PUBLIC HEARING</b> - Consideration and Possible Action<br>Concerning Abatement of Public Nuisance, at 813 WEST<br>8TH STREET, BIG SPRING, TEXAS 79720 - LEGAL<br>ADDRESS: LT 2 BK 7 CEDAR CREST IRR 1139 0.2 ACRES<br>ACQ 08262020- OWNER:LUIS LLAMAS SOLIS                                                               | 518-<br>554 | Hagen |
| 17. | <b>PUBLIC HEARING</b> - Consideration and Possible Action<br>Concerning Abatement of Public Nuisance, at 1910 SCURRY<br>STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS:<br>LT 6 BK 19 COLLEGE HEIGHTS 50X140 934 ACQ 111299<br>BLK/TRACT 19 0.161 ACRES- OWNER: JERRY T WALTON<br>AND JUANITA H WALTON                      | 555-<br>589 | Hagen |
| 18. | <b>PUBLIC HEARING</b> - Consideration and Possible Action<br>Concerning Abatement of Public Nuisance, at 811 WEST<br>8TH STREET, BIG SPRING, TEXAS 79720 - LEGAL<br>ADDRESS: LESS 65X40 OF LT 1 BK 7 CEDAR CREST IRR<br>1137 ACQ 0422016 0.152 ACRES- OWNER: RAUL<br>MARQUEZ                                                 | 590-<br>615 | Hagen |

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| 19. | <b>PUBLIC HEARING</b> - Consideration and Possible Action<br>Concerning Abatement of Public Nuisance, at 1510 WOOD,<br>BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 14 BK<br>1A BELVUE 70X125 1304 ACQ 02122021 BLK/TRACT 1-A<br>0.201 ACRES- OWNER:JEREY WISER                         | 616-<br>642 | Hagen |
| 20. | <b>PUBLIC HEARING</b> - Consideration and Possible Action<br>Concerning Abatement of Public Nuisance, at 1513 WOOD,<br>BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 7 BK<br>2A BELVUE 50X125 1274 ACQ 02122021 0.143 ACRES-<br>OWNER: JEREY WISER                                       | 643-<br>668 | Hagen |
| 21. | <b>PUBLIC HEARING</b> - Consideration and Possible Action<br>Concerning Abatement of Public Nuisance, at 1514 WOOD,<br>BIG SPRING, TEXAS 79720 - LEGAL ADDRESS:LT 12 BK<br>1A BELVUE 70X125 1302 ACQ 02122021 0.201 ACRES-<br>OWNER: JEREY WISER                                       | 669-<br>694 | Hagen |
| 22. | <b>PUBLIC HEARING</b> - Consideration and Possible Action<br>Concerning Abatement of Public Nuisance, at 1109 EAST<br>4TH STREET, BIG SPRING, TEXAS 79720 - LEGAL<br>ADDRESS: LT 11 BK 19 BOYDSTUN 50X140 154 ACQ<br>040902 0.161 ACRES- OWNER:JOSEPH AND DOROTHY<br>L. DEERING        | 695-<br>759 | Hagen |
| 23. | <b>PUBLIC HEARING</b> - Consideration and Possible Action<br>Concerning Abatement of Public Nuisance, at 1607 EAST<br>3RD STREET, BIG SPRING, TEXAS 79720 - LEGAL<br>ADDRESS: ACRES 1.960, SC 44 BK 32 1N 049 BLK/TRACT<br>32 1N 1.96 ACRES ACQ 11262019- OWNER: CASEY<br>CAMPERS, LLC | 760-<br>785 | Hagen |
| 24. | <b>PUBLIC HEARING</b> - Consideration and Possible Action<br>Concerning Abatement of Public Nuisance, at 715 ANNA<br>STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS:<br>LT 8 BK 12 SETTLES HEIGHTS 56X140 145 ACQ<br>01102014 BLK/TRACT 12 0.18 ACRES- OWNER: ROSA<br>RODRIGUEZ       | 786-<br>820 | Hagen |
| 25. | <b>PUBLIC HEARING</b> - Consideration and Possible Action<br>Concerning Abatement of Public Nuisance, at 0 BIRDWELL<br>LANE, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: SC<br>44 BK 22 1N 593 BLK/TRACT 32 1N 4.76 ACRES ACQ<br>070220014- OWNER: BIG SPRING MULTI FAMILY#1 LP           | 821-<br>848 | Hagen |
| 26. | <b>PUBLIC HEARING</b> - Consideration and Possible Action<br>Concerning Abatement of Public Nuisance, at 1311                                                                                                                                                                          | 849-<br>885 | Hagen |

MADISON, BIG SPRING, TEXAS 79720 - LEGAL  
ADDRESS: LT 19 BK 8 WRIGHTS AIRPORT (50X130) 632  
ACQ 12302016 BLK/TRACT 8 0.149 ACRES-  
OWNER:SHEREDA MINTZ

### **City Manager's Report**

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| 27. City Manager's report on the following items:                                                                                                                                                               | 886 | Darden |
| <ul style="list-style-type: none"><li>• Update on Large Item Pickup, District 3 - March 15, 2023</li><li>• Update on Animal Shelter</li><li>• Seasonal Jobs open for Golf Course &amp; Aquatic Center</li></ul> |     |        |

### **Consent Items**

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| 28. Approval of the City Council Minutes of the Regular Meeting of March 14, 2023 and the Special Meeting of March 20, 2023.                                                                                                                                                                                                                                                                  | 887-902 | Davis       |
| 29. Acknowledge Receipt of the Big Spring Economic Development Board Minutes of the Regular Meeting of February 21, 2023.                                                                                                                                                                                                                                                                     | 903-904 | Mark Willis |
| 30. Final 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                         | 905-908 | Davis       |
| 31. Final 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 | 909-924 | Darden      |
| 32. Final 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                                                                                                         | 925-926 | Bowles      |

Directed To; Providing For Severability; Providing For  
Publication; And Providing An Effective Date

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| 33. | Final Reading of an Ordinance Amending Ordinance Number 927-<br>038-2022 Which Adopted the Annual Budget for the City of 929<br>Big Spring, Texas for the Fiscal Year Beginning October 1,<br>2022 and Ending September 30, 2023 by Increasing the<br>General Fund Budget for the Purpose of the 2022-23<br>Sealcoat Project; Providing for Severability; Providing for<br>Publication; and Providing an Effective Date                                  | Medina |
| 34. | Final Reading of an Ordinance Amending Ordinance Number 930-<br>038-2022 Which Adopted the Annual Budget for the City of 932<br>Big Spring, Texas for the Fiscal Year Beginning October 1,<br>2022 and Ending September 30, 2023 by Increasing the<br>General Fund Budget for the Purpose of Purchasing a Forklift<br>for the Cardboard Recycling Program; Providing for<br>Severeability; Providing for Publication; and Providing an<br>Effective Date | Medina |

**Old Business**

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| 35. | <b>TABLED</b> - Final Reading of a Resolution Authorizing and 933-<br>Directing the Sale of the 11.06 Acre Tract of Real Property at 983<br>1801 West Interstate 20, Big Spring, Texas 79720 to 3-D<br>Development, LLC and Entering into an Economic<br>Development Incentive with the Buyer Under Chapter 380,<br>Texas Local Government Code and Setting an Effective Date                                                                                                                                                                                                                                                                                                 | Hagen  |
| a.  | Amendment to Resolution 984-<br>1032                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Hagen  |
| 36. | Final Reading of an Ordinance of the City of Big Spring 1033-<br>Adopting the 2021 Edition of the International Fire Code, 1042<br>Regulating and Governing the Safegaurding of Life and<br>Property from Fire and Explosion Hazards Arising from the<br>Storage, Handling and Use of Hazardous Substances,<br>Materials and Devices, and from Conditions Hazardous to<br>Life or Property in the Occupancy of Buildings and Premises<br>in the City of Big Spring, Texas; Providing for the Issuance of<br>Permits and Collection of Fees Therefor; Repealing Section<br>24-1 of the Big Spring City Code and All Other Ordinances or<br>Parts of Laws in Conflict Therewith | Darden |
| a.  | Amendment to Fire Code ordinance 1043-<br>1049                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Darden |

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| 37. | Final 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 | 1050-1062 | Hagen  |
| a.  | Amendment to Ordinance Renaming the Structural Standards Ordinance to the Structural Standards and Nuisance Abatement Ordinance and Amending Said Ordinance                                                                                                                                                                                                                                                                                                                                                                                                                               | 1063      | Hagen  |
| 38. | Final Reading of an Ordinance Amending Chapter 46 of the Big Spring City Code of Ordinances Entitled "Streets, 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 Require a Hearing Before the Planning and Zoning Commission; Providing for Severability; and Providing an Effective Date                                                                                                             | 1064-1067 | Bowles |

### **Vouchers**

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| 39. | Vouchers for 03/16/23 | \$ 445,293.32 | Hughes |
|     | Vouchers for 03/23/23 | \$ 821,538.88 |        |
|     | Drafts                | \$ 808,903.56 |        |

### **Bids**

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| 40. | Consideration and Possible Action on Awarding a Bid for Replacing Astroturf on the Lazy River at the Russ McEwen Family Aquatic Center and Authorizing the City Manager or His Designee to Execute any Necessary Documents | 1068 | Lewis  |
| 41. | Consideration and Possible Action on Awarding a Bid for a Manufactured Home for Moss Lake and Authorizing the City Manager or His Designee to Execute any Necessary Documents                                              | 1069 | Medina |
| 42. | Consideration and Possible Action on Awarding a Bid for (3) Three 30 Yard Containers for the City's Cardboard Recycling Program and Authorizing the City Manager or His Designee                                           | 1070 | Medina |

to Execute any Necessary Documents

**New Business**

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| 43. Consideration and Possible Action Authorizing Event Funding Requests from CVB for Southwest Hoops                                                                                                                                                                                                                                                                                                                                                                                                     | 1071-1079 | Lewis  |
| 44. First Reading of an Ordinance Amending the Subdivision Ordinance , Article IV "Standards, Specifications, and Other Provisions", Section 8 Entitled "Sidewalks", by Requiring Sidewalks to Have a Minimum Width of Five Feet, Requiring that New Sidewalks be Installed as a Condition of a Certificate of Occupancy with Certain Exceptions; Providing for Repeal of Conflicting Ordinances; Providing a Savings and Severability Clause; Providing for Publication; and Providing an Effective Date | 1080-1082 | Bowles |
| 45. 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 Sanitation Enterprise Fund Budget for the Purpose of the Purchase of Three 30 Yard Roll-Off Containers for the Cardboard Recycling Program; Providing for Severability; Providing for Publication; and Providing an Effective Date                                   | 1083-1084 | Bowles |
| 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 HUD Code Manufactured Home for Moss Lake; Providing for Severability; Providing for Publication; and Providing an Effective Date                                                                                 | 1085-1086 | Bowles |
| 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 Purpose of Building a Splash Pad at Bert Andries Park; Providing for Severability; Providing for Publication; and Providing an Effective Date                                                                                                | 1087-1088 | Lewis  |

**Council Input**

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| 48. Input |  | Moore |
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### **Executive Session**

49. **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
50. **RECONVENE** into Open Session and Take any Necessary Action on Executive Session Item Moore
51. **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 24, 2023 at 4:00 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](http://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](mailto:TDAVIS@MYBIGSPRING.COM).