



CITY COUNCIL REGULAR AGENDA

Tuesday, September 12, 2023

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, September 12, 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. Presentation on TMRS (Texas Municipal Retirement System) | | Medina |
| 6. PUBLIC HEARING - Proposed Tax Rate for Year 2023 | | S. Smith |
| 7. PUBLIC HEARING - Annual Budget for Fiscal Year 2023-2024 | | S. Smith |
| 8. PUBLIC HEARING - To Consider a Change to the City's Zoning Regulation Article 6, District Regulations, Section 6-6 Districts and Permitted Uses, Residential Districts, Regarding Lot Coverage | | Bowles |
| 9. PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 506 SGT PAREDEZ, BIG SPRING, TEXAS 79720 - LEGAL DESCRIPTION: PART W/80 E/160 BK 100 ORIGINAL TOWN 80X69 PROPERTY LOCATED @ 506 NW 5TH 0174 BLK/TRACT 100 0.312 ACRES - OWNER: RAMONA ROLDAN NAVARETTE | 9-36 | Hagen |
| 10. PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 605 S DOUGLAS, BIG SPRING, TEXAS 79720 - LEGAL DESCRIPTION: E/2 OF LTS 9-10 BK 1 STRIPLING 70X140 872 ACQ 09082015 BLK/TRACT 1 0.167 ACRES- OWNER: ROBERT RIOS | 37-78 | Hagen |
| 11. PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 611 DOUGLAS, BIG SPRING, TEXAS 79720 - LEGAL DESCRIPTION: LT 7 BK 7 EARLES 50X130 876 ACQ 03062019 0.149 ACRES- OWNER: MASON NABAR HERNANDEZ | 79-104 | Hagen |
| 12. PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 900 NW 1ST, BIG SPRING, TEXAS 79720 - LEGAL DESCRIPTION: LT 7 BK J MOORE IRR 087 ACQ 062707 BLK/TRACT J 0.306 ACRES- OWNER: PRESTON & OLETHA JOHNSON | 105-129 | Hagen |
| 13. PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 900 NW 2ND, | 130-153 | Hagen |

BIG SPRING, TEXAS 79720 - LEGAL DESCRIPTION: LT 12
BK G MOORE IRR 084 0.316 ACRES- OWNER: JESSIE
NELSON

- | | | |
|--|-------------|-------|
| 14. PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 2006
JOHNSON, BIG SPRING, TEXAS 79720 - LEGAL
DESCRIPTION: N/50 SE/4 OF BK 27 COLLEGE HEIGHTS
50X140 1212 AXQ 071709 BLK/TRACT 27 0.161 ACRES-
OWNER: ERNESTO GONZALES AND MARIA RODRIGUEZ | 154-
189 | Hagen |
| 15. PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 1209 W 2ND,
BIG SPRING, TEXAS 79720 - LEGAL DESCRIPTION: PT
LTS 4-5 BK 2 BOWSER 100X140 487 0.321 ACRES ACQ
07152020 - OWNER: LEANNE DOVIE LYNN | 190-
221 | Hagen |

City Manager's Report

- | | | |
|--|-------------|--------|
| 16. City Manager's report on the following items: | 222-
223 | Darden |
| <ul style="list-style-type: none"> • Large Item Pickup, District 3, September 20th • Howard Central Appraisal District Board of Directors
Nominations - Due October 15th • Downtown Revitalization Program on Main Street is
Complete | | |

Consent Items

- | | | |
|--|-------------|--------|
| 17. Approval of the City Council Minutes of the Regular Meeting
of August 22, 2023. | 224-
230 | Davis |
| 18. Acknowledge Receipt of the Planning & Zoning Commission
Minutes for the Regular Meeting of July 20, 2023 | 231-
232 | Bowles |
| 19. Final Reading of a Resolution Approving a Negotiated
Settlement Between the Executive Committee of Cities
Served by Atmos West Texas ("Cities") and Atmos Energy
Corp., West Texas Division Regarding the Company's 2023
Rate Review Mechanism Filing; Declaring Existing Rates to
be Unreasonable; Adopting Tariffs that Reflect Rate
Adjustments Consistent with the Negotiated Settlement;
Finding the Rates to be Set by the Attached Settlement
Tariffs to be Just and Reasonable and in the Public Interest; | 233-
242 | Medina |

Approving an Attachment Establishing a Benchmark for Pensions and Retiree Medical Benefits; Requiring the Company to Reimburse Cities' Reasonable Ratemaking Expenses; Determining that this Resolution was Passed in Accordance with the Requirements of the Texas Open Meetings Act; Adopting a Savings Clause; Declaring an Effective Date; and Requiring Delivery of this Resolution to the Company and the Cities' Legal Counsel

Vouchers

20.	Vouchers for 08/23/23	\$	377,929.90	Yanez
	Vouchers for 08/31/23	\$	317,580.31	
	Drafts	\$	760,534.13	
21.	Vouchers for 09/07/23	\$	880,338.87	Hughes
	Drafts	\$	806,359.73	

Bids

22.	Consideration and Possible Action on Awarding a Bid for the 2023 Tank Cleanings and Rehabilitation Project and Authorizing the City Manager or His Designee to Execute Any Necessary Documents	243-244	Bowles
23.	Consideration and Possible Action on Awarding Annual Bids and Authorizing the City Manager or His Designee to Execute any Necessary Documents as Follows:		Medina
a.	Aluminum Sulfate	245	Medina
b.	Anhydrous Ammonia	246	Medina
c.	Downtown Janitorial Services	247	Medina
d.	Liquid Chlorine	248	Medina
e.	Polymer	249	Medina
f.	Sodium Hydroxide	250	Medina
g.	Sodium Permanganate	251	Medina
h.	Sulfur Dioxide	252	Medina
i.	Valves and Fittings	253	Medina

New Business

- | | | |
|--|---------|---------------|
| 24. Consideration and Possible Action Regarding the Howard County 9-1-1 Communications District's Proposed Budget for 2023-2024 | 254-256 | Jenna Jenkins |
| 25. Consideration and Possible Action Authorizing Event Funding Request from CVB for Howard College Basketball Classic | 257-264 | Lewis |
| 26. First Reading of an Ordinance Fixing and Levying Municipal Ad Valorem Taxes for Said City for the Year 2023; Directing the Assessment and Collection Thereof; Providing for Severability; and Establishing an Effective Date | 265-268 | S. Smith |
| 27. First Reading of an Ordinance Approving and Adopting an Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2023 and Ending September 30, 2024; Providing for Severability; Providing for Publication; and Providing an Effective Date | 269-272 | S. Smith |
| 28. First Reading of an Ordinance Due to Increased Costs of Operating the Water Utilities by Amending Chapter 50 of the Code of Ordinance Entitled "Utilities," Article iv Entitled "Utility Service Charges," Section 50-92 Entitled "Charges for Water Rate" Subsection B; Providing for Publication; and Providing an Effective Date | 273-277 | S. Smith |
| 29. First Reading of an Ordinance Directing the City Manager to Direct the Placement of Stop Signs for a Three-Way Stop at Coronado Avenue and Craigmont Drive, and Four-Way Stops at Crestline Road and Avondale Drive, and at Melrose Lane and Belvedere Road; Providing for the Penalty Under State Law; Providing for Severability; Finding and Determining that the Meetings at Which the Ordinance was Discussed were Open to the Public as Required by State Law; Providing for Publication; and Providing an Effective Date | 278-280 | Bowles |
| 30. First Reading of an Ordinance Amending the Big Spring City Code, Article VI "Tow Trucks," Chapter 48 "Traffic and Vehicles," Section 48-206 "License and Permit Fees," to Increase the Annual License Fee of Towing Companies Performing Nonconsent Tows to \$100.00 Per Year or "\$200.00 Per Year for a Rotation Permit; Providing for Repeal of Conflicting Ordinances; Providing for a Severability Clause; Finding and Determining that the Meetings at Which the Ordinance was Discussed were Open to the Public as Required by Law; Providing for Publication; and Establishing | 281-282 | Williams |

an Effective Date

- | | | |
|---|-------------|--------|
| 31. First Reading of an Ordinance Amending the Big Spring Zoning Ordinance Article 6 "District Regulation," Section 6-6 Districts and Permitted Uses, to 50% of the Total Lot Area that May be Covered by the Combined Area of the Main Buildings and Accessory Buildings for the Following Districts; A, Agriculture District, Currently 20%; SF-1, Single-Family Dwelling District, Currently 35%; SF-2, Single-Family Dwelling District, Currently 35%; SF-3, Single-Family Dwelling District, Currently 35%; 2F, Two-Family Dwelling District, Currently 40%; GR, General Residential District, Currently 45%; Providing for the Repeal of Conflicting Ordinances; Providing for a Severability Clause; Finding and Determining that the Meetings at Which the Ordinance was Discussed were Open to the Public as Required by Law; and Establishing an Effective Date | 283-
285 | Bowles |
| 32. Consideration and Possible Action of an Amendment to an Oil & Gas Lease with HighPeak Energy Assets, LLC and Authoring the City Manager to Negotiate and Execute any Necessary Documents | | Hagen |
| 33. Consideration and Possible Action to Authorize the City Manager to negotiate and execute a five-year lease with ABS Wind USA LLC for Building 75 and premises at Big Spring Wrinkle McMahon Airport plus two renewal terms of five years each. | | Feeley |
| 34. Board Appointments | | Moore |
| a. <u>Board of Adjustments & Appeals</u>
Steve Herrin - Nominated by Mayor Moore | | Moore |
| b. <u>McMahon/Wrinkle Aviation Advisory Board</u>
Robert D. Miller - Nominated by Mayor Moore | | Moore |
| c. <u>Animal Rescue & Adoption Committee</u>
Jill Wilbanks - Nominated by Mayor Moore | | Moore |
| d. <u>Big Spring Economic Development Corporation</u>
Joel Delagarza - Nominated by Mayor Moore | | Moore |
| e. <u>Planning & Zoning Commission</u>
Dale Avant - Reappoint for District 1
Kelley Harris - Reappoint and Change from District 4 to District 3 | | Moore |

Council Input

35. Input Moore

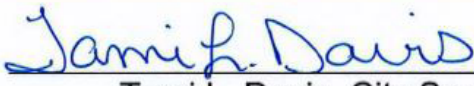
Executive Session

36. **ADJOURN** into Executive Session in Matters Covered by Texas Government Code Section 551.074 "Personnel Matters; Closed Meeting" to Deliberate the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline or Dismissal of the following: Moore
 City Attorney
 City Manager
 Municipal Judge
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 Potential Litigation. Moore
38. **Reconvene** into Open Session and Take Any Necessary Action Regarding the Executive Sessions. 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, September 8, 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 CONTACTING TAMI
DAVIS AT 432-264-2513 OR EMAIL: TDAVIS@MYBIGSPRING.COM.