



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

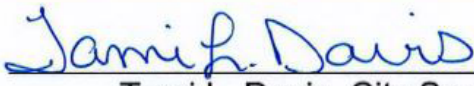
Executive Session

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.

506 SGT PAREDEZ

Code Compliance Official: Ashley Guerra

Exhibit E-1

STATE OF TEXAS

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COUNTY OF HOWARD

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**AFFIDAVIT OF ASHLEY GUERRA
CONCERNING 506 SGT PAREDEZ**

BEFORE ME, the undersigned authority, on this day, personally appeared **Ashley Guerra**, who, being by me duly sworn, deposed as follows:

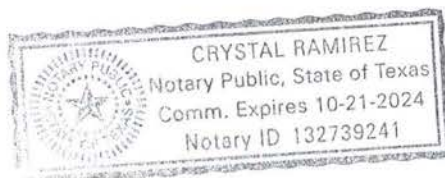
“My name is **Ashley Guerra**. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

“I am a Code Compliance Official for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **506 SGT PAREDEZ**, Big Spring, Texas. These are exact duplicates of original records. The records were made at or near the time of each act, event, or finding set forth. The records were made by, or from information transmitted by, persons with knowledge of the matters set forth. The records were kept in the course of regularly conducted business activity. It is the regular practice of the business activity to make the records.”

SIGNED on the 7 day of Sept, 2023.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September, 2023 by the above referenced Affiant.



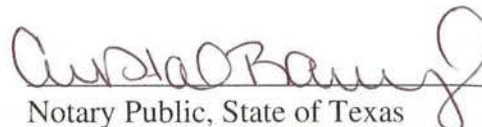

Notary Public, State of Texas

Exhibit E-2

Property Details

Account		
Property ID:	285266	Geographic ID: B4830082601
Type:	Real	Zoning:
Property Use:		Condo:
Location		
Situs Address:	506 SARGENT PAREDEZ	
Map ID:		Mapsc0:
Legal Description:	PART W/80 E/160 BK 100 ORIGINAL TOWN 80X69 PROPERTY LOCATED @ 505 NW 5TH 0174 BLK/TRACT 100 0.312 ACRES	
Abstract/Subdivision:		
Neighborhood:	TENN TENNYSON	
Owner ⓘ		
Owner ID:	20710	
Name:	NAVARETTE RAMONA ROLDAN	
Agent:		
Mailing Address:	1716 TRAWOOD EL PASO , TX 79925	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$11,154 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$3,520 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$14,674 (=)
Agricultural Value Loss: ⓘ	\$0 (-)
Appraised Value:	\$14,674 (=)
Homestead Cap Loss: ⓘ	\$0 (-)
Assessed Value:	\$14,674
Ag Use Value:	\$0

Property Taxing Jurisdiction

Owner: NAVARETTE RAMONA ROLDAN **%Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.238916	\$14,674	\$14,674	\$35.06	
02B	CITY OF BIG SPRING	0.673163	\$14,674	\$14,674	\$98.78	
03B	BIG SPRING ISD	0.930900	\$14,674	\$14,674	\$136.60	
052	HOWARD COLLEGE	0.168395	\$14,674	\$14,674	\$24.71	

Total Tax Rate: 2.011374

Estimated Taxes With Exemptions: \$295.15

Estimated Taxes Without Exemptions: \$295.15

STATE OF TEXAS

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COUNTY OF HOWARD

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**CERTIFICATION
506 SGT PAREDEZ CASE NOTES**

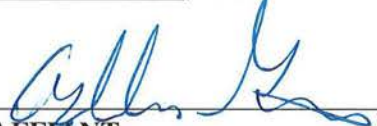
“This record, attached as **Exhibit E-3**, was made at or near the time by – or from information transmitted by a person or persons with the City with knowledge.

This record was kept in the course of a regularly conducted business activity of the Code Compliance Department of the City of Big Spring, Texas.

Making this record was a regular practice of that activity.

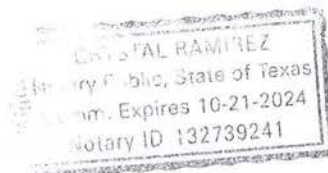
1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout certain data.
7. I used the proper procedures to obtain the readout.
8. The computer was in working order at the time I obtained the readout.
9. I recognize the attached **Exhibit E-3** as the readout.”

SIGNED on the 7 day of Sept., 2023,


AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September, 2023

by the above referenced Affiant.



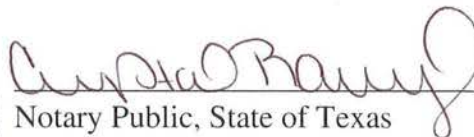

Notary Public, State of Texas

Exhibit E-3



CASE NOTES

Page 1 of 1

Report Run On: Tuesday, 22 August
2023 16:48

Case # 23-00000062

Parcel # : 285266

Site Address: 506 SARGENT PAREDEZ

Case Description: Substandard Structure

Note Type	Note Code	Text	Created By	Begin Date	End Date
GENERAL		on 4-5-23 notice a sub standard structure owner is Ramona Roldan Navarette sent out notice of violation on 8-22-23 house is falling apart house is hazardous and dangerous to the community	Ashley Guerra	08/22/23	
PHOTOS		photos	Ashley Guerra	08/22/23	
CORRECTIVE ACTION		house needs to be torn down it is hazardous and dangerous to the community . DEADLINE FOR COMPLIANCE SEVEN (7) DAYS FROM THE DATE OF MAILING	Ashley Guerra	08/22/23	

STATE OF TEXAS

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COUNTY OF HOWARD

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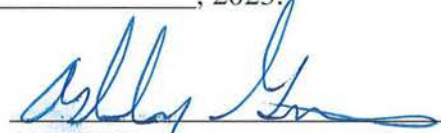
**CERTIFICATION OF
PHOTOGRAPHS BY ASHLEY GUERRA**

“With regard to the photographs in **Exhibits E-4** I am familiar with and recognize the scene depicted in the photographs. On April 5th, 2023 I inspected the property described as:

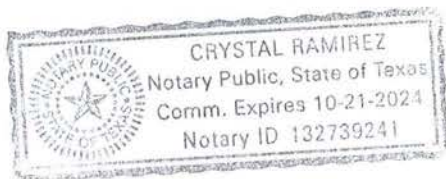
PART W/80 E/160 BK 100 ORIGINAL TOWN 80X69 PROPERTY LOCATED
@ 505 NW 5TH 0174 BLK/TRACT 100 0.312 ACRES Big Spring, Howard
County, Texas, also known as **506 SGT PAREDEZ**, Big Spring, Texas.

Each of the photographs is a fair and accurate depiction of the scene at the relevant time.”

SIGNED on the 7 day of Sept, 2023.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September 2023
by the above referenced Affiant.



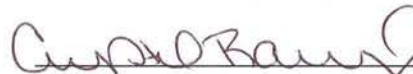

Notary Public, State of Texas

Exhibit E-4









4/ 5/2023 14:36



Exhibit E-5

STATE OF TEXAS

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COUNTY OF HOWARD

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**CERTIFICATION
NOTICE SENT BY ASHLEY GUERRA**

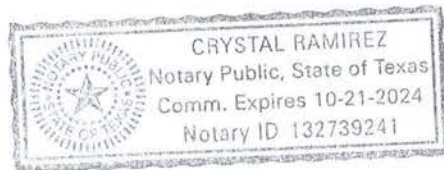
“The document in **Exhibit E-6** presents factual findings from a legally authorized investigation for code compliance. The document is a copy of the official record.”

Certified Mail Return for **Exhibit E-6** is also attached.

SIGNED on the 7 day of Sept., 2023.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 7th day of September, 2023
by the above referenced Affiant.



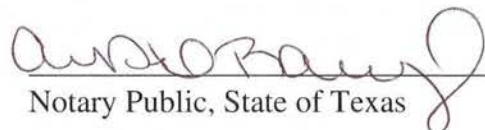

Notary Public, State of Texas

Exhibit E-6



City of Big Spring, TX
NOTIFICATION OF CODE VIOLATION

217 East 3rd St., Big Spring, TX 79720
Ph: 432-264-2504 Fax: 432-264-7024

FINAL NOTICE OF VIOLATION

23-00000062

NAVARETTE RAMONA ROLDAN
1716 TRAWOOD
EL PASO, TX 79925

Subject Property: 506 SARGENT PAREDEZ , BIG SPRING, TX 00000
APN: 285266

Dear NAVARETTE RAMONA ROLDAN

This is a follow-up notice regarding the subject address where code violations persist. As you are aware, on you were sent a notice regarding this matter.

Your property was recently reinspected and no progress was observed. You must make the following correction(s) by or contact Code Enforcement to get this matter resolved promptly.

Municipal Code	Description	Corrective Action
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SUBSTANDARD STRUCTURE	304.1.1 UNSAFE CONDITIONS. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 1.Structural members have deterioration or distress that appears to reduce their load-carrying capacity.2.The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations have deterioration or distress that appears to reduce their load-carrying capacity.3.Structures or components thereof have deterioration or distress that appears to reduce their load-carrying capacity.4.Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or watertight.5.Reserved.6.Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.7.Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.8.Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all nominal loads and resisting all load effects.9.Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects.10.Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.11.Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes, and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.12.Exterior stairs, decks, porches, balconies, and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.13.Chimneys, cooling towers, smokestacks, and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.	house needs to be torn down it is hazardous and dangerous to the community . DEADLINE FOR COMPLIANCE SEVEN (7) DAYS FROM THE DATE OF MAILING
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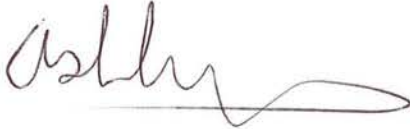
After , an inspection of your property will take place to verify compliance. Should this notice resolve the concern, no further action will be taken. However, please be advised, if a property owner or resident does not comply, further code enforcement action will be required.

Should you have questions regarding this notice, you may contact the undersigned at 432-264.2505 or by email at aguerra@mybigspring.com.

Thank you for helping to resolve this matter.

Sincerely,

Ashley Guerra
Code I

A handwritten signature in dark ink, appearing to read 'Ashley', followed by a long, horizontal, wavy flourish.



NOTICE OF VIOLATION AND NOTICE OF HEARING

Sent via: Certified Mail; Return Receipt Requested

August 31st, 2023

Estate of Ramona Roldan Navarette
506 Sgt Paradez St
Big Spring, TX 79720-1515

Estate of Ramona Roldan Navarette
505 NW 5th Street
Big Spring, TX 79720-1520

Estate of Ramona Roldan Navarette
1716 Trawood
El Paso, TX 79925-7372

Re: 506 SGT PAREDEZ, BIG SPRING, TEXAS 79720
LEGAL DESCRIPTION: PART W/80 E/160 BK 100 ORIGINAL TOWN 80X69
PROPERTY LOCATED @ 505 NW 5TH 0174 BLK/TRACT 100 0.312 ACRES,
HOWARD COUNTY

Big Spring Code Compliance has determined that at the following structure(s): Main Structure, at the property as stated above, is/are in violation of the following section(s) of the **Property Maintenance Code of Big Spring (PMC)**, constituting a nuisance:

VIOLATION	DESCRIPTION OF VIOLATION
111.1.5 HAZARDOUS STRUCTURE OR PREMISES. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described as follows shall be considered to be hazardous: 7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act. 11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or	The building has damage that has not been repaired. The building and portions thereof are severely dilapidated. Hazardous condition.

whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.	
304.1.1 UNSAFE CONDITIONS. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all nominal loads and resisting all load effects.	The roof appears to admit rain and has signs of deterioration. Unsafe condition.
304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.	The roof has defects that admit rain and is not sound and not tight.

The following actions are required to correct the violation(s) at the structure(s) as stated above:

Corrective Action Sought by Code Compliance

Secure and vacate the structure(s) until the violation(s) are resolved, and:

Demolish and Remove
of structure(s).

For further information about this notice, please contact the following person:

Issued by

Ashley Guerra

Name

Code Compliance Official

Title

+1 (432) 264-2505

Phone

aguerra@mybigspring.com

E-mail

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE.

Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due

notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE.

This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **5:30 PM, September 12, 2023** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

SECTION A-1.10. Rights of Parties

- (a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.
- (b) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.
- (c) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.
- (d) Rights of Parties. Each party shall have the following rights, among others:
 - 1. To call and examine witnesses on any matter relevant to the issues of the hearing;
 - 2. To introduce documentary and physical evidence;
 - 3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
 - 4. To impeach any witness regardless of which party first called him to testify;
 - 5. To rebut the evidence against him;

6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.

Section C-9.02 (c)The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

YOU HAVE A RIGHT TO APPEAL THE DECISION OF THE HEARING BOARD. If the Hearing Board enters an order to abate the violation(s) at the structure(s) at the property, the order is preliminary, allowing you to appeal the order to District Court within thirty (30) days pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall become the final order.

FAILURE TO COMPLY/ATTACHMENT OF LIEN. If the owner of a premises fails to comply with an order of the Board within the time prescribed, and the City conducts abatement or work, either through an available public agency or by contract or arrangement with private persons, and the cost of such abatement work shall be charged against the real estate upon which the nuisance is located and shall be a lien on such real estate.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,



Nick Reyna, Building/Code Official
City of Big Spring, Texas

Exhibit E-7



Code Enforcement

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON SEPTEMBER 12TH, 2023, AT 5:30 P.M., IN THE CITY OF BIG SPRING COUNCIL CHAMBERS AT 307 E 4TH ST., BIG SPRING, TEXAS 79720 TO CONSIDER ABATEMENT OF PUBLIC NUISANCES ON PROPERTIES IN THE CITY OF BIG SPRING, TEXAS. ALL INTERESTED PERSONS MAY SPEAK, THEN A DETERMINATION WILL BE MADE AND REMEDIAL ACTION ORDERED ON THE FOLLOWING PROPERTIES:

2006 JOHNSON, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: N/50 SE/4 OF BK 27 COLLEGE HEIGHTS 50X140 1212 ACQ 071709 BLK/TRACT 27 0.161 ACRES - OWNER: ERNESTO GONZALEZ AND MARIA RODRIGUEZ

506 SGT PAREDEZ, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: PART W/80 E/160 BK 100 ORIGINAL TOWN 80X69 PROPERTY LOCATED @ 505 NW 5TH 0174 BLK/TRACT 100 0.312 ACRES– OWNER: RAMONA ROLDAN NAVARETTE

900 NW 2ND ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 12 BK G MOORE IRR 84 0.316 ACRES– OWNER: JESSIE NELSON

900 NW 1ST ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 7 BK J MOORE IRR 087 ACQ 062707 BLK/TRACT J 0.306 ACRES – OWNER: PRESTON AND OLETHA JOHNSON

1209 W 2ND ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: PT LTS 4-5 BK 2 BOWSER 100X140 487 0.321 ACRES ACQ 07152020 – OWNER: LYNN LEANNE

605 S DOUGLAS , BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 10 BK 7 EARLES 50X130 879 ACQ 5282017 BLK/TRACT 7 0.149 ACRES – OWNER: SIMON CHAVEZ

801 PINE ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: SC 26 BK 33 1N 51X280 109.04 ACQ 03292017 BLK/TRACT 33 1N 0.33 ACRES– OWNER: MARIA BURCIAGA

901 NW 2ND ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LTS 1-2 BK J MOORE IRR 85 ACQ 06232015 BLK/TRACT J 0.518 ACRES – OWNER: ROYAL BRAWLEY

611 DOUGLAS, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 7 BK EARLES 50X130 876 AXQ 03062019 0.149 ACRES – OWNER: MASON NABAR HERNANDEZ

601 NW 5TH , BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: E/2 OF LT 17 BK 99 ORIGINAL TOWN 50X85 ACQ 060911 BLK/TRACT 99 0.098 ACRES– OWNER: OSCAR FLORES

THE CITY OF BIG SPRING HEARING BOARD MEETING IS AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT TAMI DAVIS AT 432-264-2513 OR AT 310 NOLAN, BIG SPRING, TEXAS 79720, AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING.

Nick Reyna

Nick Reyna, Building Official, City of Big Spring

605 S DOUGLAS

Code Enforcement Officer: Malissa Garcia

Exhibit I-1

STATE OF TEXAS

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COUNTY OF HOWARD

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**AFFIDAVIT OF MALISSA GARCIA
CONCERNING 605 S DOUGLAS**

BEFORE ME, the undersigned authority, on this day, personally appeared **Malissa Garcia**, who, being by me duly sworn, deposed as follows:

“My name is **Malissa Garcia**. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

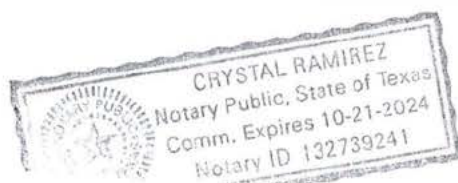
“I am a Code Enforcement Officer for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **605 S DOUGLAS**, Big Spring, Texas. These are exact duplicates of original records. The records were made at or near the time of each act, event, or finding set forth. The records were made by, or from information transmitted by, persons with knowledge of the matters set forth. The records were kept in the course of regularly conducted business activity. It is the regular practice of the business activity to make the records.”

SIGNED on the 7 day of September, 2023.

M. Garcia

AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September, 2023 by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit I-2

Property Details

Account		
Property ID:	286255	Geographic ID: B5640000900
Type:	Real	Zoning:
Property Use:		Condo:
Location		
Situs Address:	1612 STATE	
Map ID:		Mapsco:
Legal Description:	E/2 OF LTS 9-10 BK 1 STRIPLING 70X140 872 ACQ 09082015 BLK/TRACT 1 0.167 ACRES	
Abstract/Subdivision:		
Neighborhood:	GOLD	
Owner ⓘ		
Owner ID:	408404	
Name:	RIOS ROBERT	
Agent:		
Mailing Address:	1612 STATE ST BIG SPRING, TX 79720	
% Ownership:	100.0%	
Exemptions:	HS - HOMESTEAD For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$145,473 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$9,100 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$0 (+)

Market Value:	\$154,573 (=)
Agricultural Value Loss: ⓘ	\$0 (-)
Appraised Value:	\$154,573 (=)
Homestead Cap Loss: ⓘ	\$22,716 (-)
Assessed Value:	\$131,857
Ag Use Value:	\$0

VALUES DISPLAYED ARE 2023 PRELIMINARY VALUES AND ARE SUBJECT TO CHANGE PRIOR TO CERTIFICATION.

Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Property Taxing Jurisdiction

Owner: RIOS ROBERT %**Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.238916	\$154,573	\$105,486	\$252.02	
02B	CITY OF BIG SPRING	0.673163	\$154,573	\$105,486	\$710.09	
03B	BIG SPRING ISD	0.930900	\$154,573	\$65,486	\$609.61	
052	HOWARD COLLEGE	0.168395	\$154,573	\$105,486	\$177.63	

Total Tax Rate: 2.011374

Estimated Taxes With Exemptions: \$1,749.35

Estimated Taxes Without Exemptions: \$3,109.04

STATE OF TEXAS

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§

COUNTY OF HOWARD

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**CERTIFICATION
605 S DOUGLAS CASE NOTES**

“This record, attached as **Exhibit I-3**, was made at or near the time by – or from information transmitted by a person or persons with the City with knowledge.

This record was kept in the course of a regularly conducted business activity of the Code Compliance Department of the City of Big Spring, Texas.

Making this record was a regular practice of that activity.

1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout certain data.
7. I used the proper procedures to obtain the readout.
8. The computer was in working order at the time I obtained the readout.
9. I recognize the attached **Exhibit I-3** as the readout.”

SIGNED on the 7 day of September, 2023.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September, 2023

by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit I-3

06-02-2023 11:16 AM
TASK #: 116028
TASK CODE: REINSP ACCUMLTD ITEM
PROPERTY: 605 DOUGLAS ST

TASK NOTES REPORT

ORIG. DATE:
DUE DATE:

NOTES

Incident Notes:
THERE ARE ACCUMULATED ITEMS ON PROPERTY, A LARGE WOODEN CRATE WITH TRASH/DEBRIS, BRICKS, PALLETS, BUCKETS, FURNITURE SOFA IN FRONTYARD AND MISCELLANEOUS ITEMS IN BACKYARD, ALL IN PUBLIC VIEW. THIS NEEDS TO BE PICKED UP AND PROPERLY DISPOSED. IT IS ASKED THAT PROPERTY BE MAINTAINED ON A REGULAR BASIS.

Task #: 115823 - INSPECT ACCUMULATED - 5/19/2023
ON 5-15-23 @ 10:47 CODE ENFORCEMENT OFFICER ROY MARQUEZ INSPECTED PROPERTY FROM CITIZEN COMPLAINT FOR ACCUMULATED ITEMS. FOUND TRASH/DEBRIS BRICKS WOOD PALLETS BUCKETS IN FRONTYARD, TORN MATTRESSES, DEAD TREE LIMBS, TRASH/DEBRIS IN BACKYARD. PICTURES WERE TAKEN, LETTER WILL BE SENT.
ON 6-2-23 @ 10:29 CODE ENFORCEMENT OFFICER ROY MARQUEZ REINSPECTED PROPERTY FOR ACCUMULATED ITEMS VIOLATION, PROPERTY REMAINS IN SAME CONDITION, NO ATTEMPTS FOR OWNER TO ABATE. WILL SEND REQUEST COMPLAINT FOR ABATEMENT.

Task #: 115824 - ACCUMULATED ITEMS - 5/19/2023

Task #: 116028 - REINSP ACCUMLTD ITEM - 6/02/2023

06-02-2023 11:06 AM
TASK #: 115825
TASK CODE: INSPECT SUBSTANDARD
PROPERTY: 605 DOUGLAS ST

TASK NOTES REPORT

ORIG. DATE:
DUE DATE:

NOTES

Incident Notes:
THE STRUCTURE ON THIS PROPERTY DOES NOT MEET MINIMUM BUILDING STANDARDS.
IT HAS EXTENSIVE ROOF DAMAGE COVERED BY PLASTIC, MISSING SHINGLES,
DETERIORATION OF EAVES/OVERHANGS, BROKEN/MISSING STUCCO SIDING. THIS ALL
NEED TO BE BROUGHT UP TO CODE FOR THE CITY OF BIG SPRING.

Task #: 115825 - INSPECT SUBSTANDARD - 5/19/2023
ON 5-15-23 @ 10:47 CODE ENFORCEMENT OFFICER ROY MARQUEZ INSPECTED PROPERTY
FROM CITIZEN COMPLAINT FOR SUBSTANDARD STRUCTURE, FOUND ROOF, SHINGLE,
EAVE/OVERHANG, AND STUCCO SIDING DAMAGE. PICTURES WERE TAKEN, LETTER WILL
BE SENT.
ON 6-2-23 @ 10:29 CODE ENFORCEMENT OFFICER ROY MARQUEZ REINSPECTED
PROPERTY FOR SUBSTANDARD STRUCTURE VIOLATION, CONDITION OF STRUCTURE
REMAINS THE SAME, NO REPAIRS ARE BEING MADE AT THIS TIME. WILL SEND
REQUEST COMPLAINT TO COUNCIL FOR ABATEMENT.

Task #: 115826 - SUBSTANDARD BLD - 5/19/2023

STATE OF TEXAS

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COUNTY OF HOWARD

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**CERTIFICATION OF
PHOTOGRAPHS BY MALISSA GARCIA**

“With regard to the photographs in **Exhibits I-4** I am familiar with and recognize the scene depicted in the photographs. On May 15th, 2023 and June 2nd, 2023, I inspected the property described as:

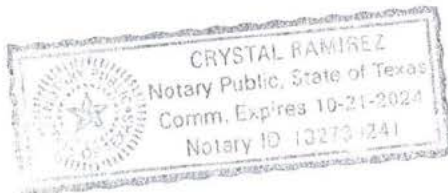
LT 10 BK 7 EARLES 50X130 879 ACQ 05282017 BLK/TRACT 7 0.149
ACRES Big Spring, Howard County, Texas, also known as **605 S DOUGLAS**,
Big Spring, Texas.

Each of the photographs is a fair and accurate depiction of the scene at the relevant time.”

SIGNED on the 7 day of September, 2023.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September, 2023
by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit I-4

INSPECTION PICTURES
5-15-23



INSPECTION PICTURES
5-15-23



INSPECTION PICTURES
5-15-23



INSPECTION PICTURES
5-15-23



INSPECTION PICTURES
5-15-23



INSPECTION PICTURES
5-15-23



INSPECTION PICTURES
5-15-23



INSPECTION PICTURES
5-15-23



REINSPECTION PICTURES
6-2-23



REINSPECTION PICTURES
6-2-23



REINSPECTION PICTURES
6-2-23



REINSPECTION PICTURES
6-2-23



REINSPECTION PICTURES
6-2-23



REINSPECTION PICTURES
6-2-23



STATE OF TEXAS

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COUNTY OF HOWARD

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**CERTIFICATION
NOTICE SENT BY MALISSA GARCIA**

“The document in **Exhibit I-6** presents factual findings from a legally authorized investigation for code compliance. The document is a copy of the official record.”

Certified Mail Return for **Exhibit I-6** is also attached.

SIGNED on the 7 day of September, 2023.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September 2023
by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit I-6



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND NOTICE OF HEARING

Sent via: Certified Mail; Return Receipt Requested

June 30, 2023

Simon Chavez
605 South Douglas Street
Big Spring, Texas 79720-2234

Re: 605 South Douglas Street, BIG SPRING, TEXAS 79720
LEGAL DESCRIPTION: LT 10 BK 7 EARLES 50X130 879 ACQ 05282017
BLK/TRACT 7 0.149 ACRES, Howard County

Big Spring Code Compliance has determined that at the following structure(s): all structures on premises, at the property as stated above, is/are in violation of the following section(s) of the **Property Maintenance Code of Big Spring (PMC)**, constituting a nuisance:

VIOLATION	DESCRIPTION OF VIOLATION
111.1.5 HAZARDOUS STRUCTURE OR PREMISES. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described as follows shall be considered to be hazardous: 6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy. 7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.	Dilapidation, neglect of abandoned building. Clearly unsafe. Hazardous condition.
304.1.1 UNSAFE CONDITIONS. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or	The roof appears to admit rain and has signs of deterioration. Unsafe condition.

repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all nominal loads and resisting all load effects.	
304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.	The roof has defects that admit rain and is not sound and not tight.

The following actions are required to correct the violation(s) at the structure(s) as stated above:

Corrective Action Sought by Code Compliance

Secure and vacate the structure(s) until the violation(s) are resolved, and:

secure, demolish, remove structure(s).

For further information about this notice, please contact the following person:

Issued by

Malissa Garcia

Name

Code Enforcement Officer

Title

+1 (432) 264-2506

Phone

mgarcia@mybigspring.com

E-mail

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY

RESULT IN FINE. Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE.

This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Anneals). The hearing board will review the case and rule on the City's request to abate the

nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **5:30 PM, July 11, 2023** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

SECTION A-1.10. Rights of Parties

(a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.

(b) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.

(c) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.

(d) Rights of Parties. Each party shall have the following rights, among others:

1. To call and examine witnesses on any matter relevant to the issues of the hearing;
2. To introduce documentary and physical evidence;
3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
4. To impeach any witness regardless of which party first called him to testify;
5. To rebut the evidence against him;
6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.

Section C-9.02 (c) The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

YOU HAVE A RIGHT TO APPEAL THE DECISION OF THE HEARING BOARD. If the

Hearing Board enters an order to abate the violation(s) at the structure(s) at the property, the order is preliminary, allowing you to appeal the order to District Court within thirty (30) days pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall become the final order.

FAILURE TO COMPLY/ATTACHMENT OF LIEN. If the owner of a premises fails to comply with an order of the Board within the time prescribed, and the City conducts abatement or work, either through an available public agency or by contract or arrangement with private persons, and the cost of such abatement work shall be charged against the real estate upon which the nuisance is located and shall be a lien on such real estate.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

Malissa Garcia, Code Enforcement Officer
City of Big Spring, Texas



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

605 DOUGLAS

LT 10 BK 7 EARLES 50X130 879 ACQ 05282017 BLK/TRACT 7 0.149 ACRES

May 19, 2023

Case No.:72947

SIMON CHAVEZ
605 DOUGLAS ST
BIG SPRING TX 79720

Sent via: Certified US Mail

The City of Big Spring has determined that the following section of the **Property Maintenance Code (PMC) of Big Spring** has been violated, constituting a nuisance:

VIOLATION	Description of Violation
Property Maintenance Code Sec. 304.1.1 Unsafe Conditions	Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects.
Sec. 304.1.3 Unsafe Conditions	Structures or components thereof have deterioration or distress that appears to reduce their load-carrying capacity.

The following actions are required to correct these violations within the deadlines.

Corrective Action Required

Deadline for Compliance

Seven (7) days from date of mailing

THE STRUCTURE ON THIS PROPERTY DOES NOT MEET MINIMUM BUILDING STANDARDS. THE STRUCTURE NEEDS TO BE BROUGHT UP TO CODE. IT HAS EXTENSIVE ROOF DAMAGE COVERED BY PLASTIC, MISSING SHINGLES, EAVES, OVERHANG HAS DETERIORATION OF EAVES/OVERHANG, MISSING/DAMAGED WALL SIDING, AND HAS SIGNS OF DETERIORATION. IT IS DEEMED A SAFETY HAZARD.

For further information about this notice, please contact the following person:

Issued by

Roy Marquez
Name

Code Compliance
Department

432-264-2507

rmarquez@mybigspring.com

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE.

Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

FAILURE TO TAKE THE CORRECTIVE ACTION WITHIN THE DEADLINE MAY RESULT IN ABATEMENT BY THE CITY, CHARGING YOU AND/OR PROPERTY OWNER(S) WITH COSTS AND PENALTIES.

If you fail to take the corrective action within the deadlines stated above, the City may initiate Proceedings to Abate. This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 • Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

605 DOUGLAS ST

LT 10 BK 7 EARLES 50X130 879 ACQ 05282017 BLK/TRACT 7 0.149 ACRES

May 19, 2023

Case No: 72946

SIMON CHAVEZ
605 DOUGLAS ST
BIG SPRING TX 79720-2234

Sent via: First Class US Mail

The City of Big Spring has determined that the following section of the **Property Maintenance Code (PMC) of Big Spring** has been violated, constituting a nuisance:

VIOLATION

Description of Violation

Property Maintenance Code
Sec. 302.1 Sanitation

The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.

The following actions are required to correct these violations within the deadlines.

Corrective Action Required

Deadline for Compliance

THERE ARE ACCUMULATED ITEMS ON PROPERTY, A LARGE WOODEN CRATE WITH TRASH/DEBRIS, BRICKS, PALLETS, BUCKETS, FURNITURE SOFA IN FRONTYARD AND OLD MATTRESSES, DEAD TREE MATERIAL, TRASH/DEBRIS IN BACKYARD, ALL IN PUBLIC VIEW. THIS NEEDS TO BE PICKED UP AND PROPERLY DISPOSED. IT IS ASKED THAT PROPERTY BE MAINTAINED ON A REGULAR BASIS.

Seven (7) days from date of mailing

For further information about this notice, please contact the following person:

Issued by

Roy Marquez

Name

Code Compliance

Department

432.264.2507

Phone

rmarquez@mybigspring.com

E-mail

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY

RESULT IN FINE. Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

FAILURE TO TAKE THE CORRECTIVE ACTION WITHIN THE DEADLINE MAY RESULT IN ABATEMENT BY THE CITY, CHARGING YOU AND/OR PROPERTY OWNER(S) WITH COSTS AND PENALTIES. If you fail to take the corrective action within the deadlines stated above, the City may initiate Proceedings to Abate. This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

Code Compliance Officer
City of Big Spring, Texas



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 • Ph. 432-264-2505

NOTICE OF VIOLATION AND NOTICE OF HEARING

Sent via: Certified Mail; Return Receipt Requested

August 31st, 2023

Simon Chavez
605 S Douglas
Big Spring, Texas 79720

Re: 605 S DOUGLAS, BIG SPRING, TEXAS 79720
LEGAL DESCRIPTION: LT 10 BK 7 EARLES 50X130 879 ACQ 05282017
BLK/TRACT 7 0.149 ACRES, HOWARD COUNTY

Big Spring Code Compliance has determined that at the following structure(s): Main Structure, at the property as stated above, is/are in violation of the following section(s) of the **Property Maintenance Code of Big Spring (PMC)**, constituting a nuisance:

VIOLATION	DESCRIPTION OF VIOLATION
304.13.2. Openable windows. <i>Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.</i>	Windows are not accessible or easily openable when boarded. Boarded windows do not allow the capability to position them open with hardware.
Sec. 304.13 Window, skylight and door frames <i>Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.</i>	Windows that are not accessible are not considered to be in good repair or sound conditions. Boarded windows that do not meet these requirements should be replaced.
Sec. 304.6 Exterior Walls <i>Exterior walls shall be free from holes, breaks, and looses or rotting materials; and maintained weatherproof and properly surface coated wear to prevent deterioration.</i>	The structure visibly shows signs of rotting material, holes, breaks and uncoated surfaces. An exterior wall must be maintained and weatherproof. The exterior walls shall be properly coated to prevent any deterioration and deterioration must be repaired.

Sec. 304.7 Roofs and Drainage <i>The roof and flashings shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure, roof drains, gutters and down spouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.</i>	A roof must provide adequate coverage keeping the interior portion of the structure free from rain, drainage and obstructions. Any cracks, holes, leaks and obstructions to the roof shall be repaired.
--	--

The following actions are required to correct the violation(s) at the structure(s) as stated above:

Corrective Action Sought by Code Compliance

Secure and vacate the structure(s) until the violation(s) are resolved,
and:

Repair
of structure(s).

For further information about this notice, please contact the following person:

Issued by

<u>Malissa Garcia</u>	<u>Code Enforcement Officer</u>
<i>Name</i>	<i>Title</i>
<u>+1 (432) 264-2506</u>	<u>mgarcia@mybigspring.com</u>
<i>Phone</i>	<i>E-mail</i>

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE.

Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE.

This proceeding is held before a hearing board (either City Council or the Board of Adjustment and

Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **5:30 PM, September 12, 2023** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

SECTION A-1.10. Rights of Parties

(a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.

(b) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.

(c) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.

(d) Rights of Parties. Each party shall have the following rights, among others:

1. To call and examine witnesses on any matter relevant to the issues of the hearing;
2. To introduce documentary and physical evidence;
3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
4. To impeach any witness regardless of which party first called him to testify;
5. To rebut the evidence against him;
6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.

Section C-9.02 (c)The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

Hearing Board enters an order to abate the violation(s) at the structure(s) at the property, the order is preliminary, allowing you to appeal the order to District Court within thirty (30) days pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall become the final order.

FAILURE TO COMPLY/ATTACHMENT OF LIEN. If the owner of a premises fails to comply with an order of the Board within the time prescribed, and the City conducts abatement or work, either through an available public agency or by contract or arrangement with private persons, and the cost of such abatement work shall be charged against the real estate upon which the nuisance is located and shall be a lien on such real estate.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,



Nick Reyna Building/Code Official
City of Big Spring, Texas

Exhibit I-7



Code Enforcement

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON SEPTEMBER 12TH, 2023, AT 5:30 P.M., IN THE CITY OF BIG SPRING COUNCIL CHAMBERS AT 307 E 4TH ST., BIG SPRING, TEXAS 79720 TO CONSIDER ABATEMENT OF PUBLIC NUISANCES ON PROPERTIES IN THE CITY OF BIG SPRING, TEXAS. ALL INTERESTED PERSONS MAY SPEAK, THEN A DETERMINATION WILL BE MADE AND REMEDIAL ACTION ORDERED ON THE FOLLOWING PROPERTIES:

2006 JOHNSON, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: N/50 SE/4 OF BK 27 COLLEGE HEIGHTS 50X140 1212 ACQ 071709 BLK/TRACT 27 0.161 ACRES - OWNER: ERNESTO GONZALEZ AND MARIA RODRIGUEZ

506 SGT PAREDEZ, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: PART W/80 E/160 BK 100 ORIGINAL TOWN 80X69 PROPERTY LOCATED @ 505 NW 5TH 0174 BLK/TRACT 100 0.312 ACRES– OWNER: RAMONA ROLDAN NAVARETTE

900 NW 2ND ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 12 BK G MOORE IRR 84 0.316 ACRES– OWNER: JESSIE NELSON

900 NW 1ST ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 7 BK J MOORE IRR 087 ACQ 062707 BLK/TRACT J 0.306 ACRES – OWNER: PRESTON AND OLETHA JOHNSON

1209 W 2ND ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: PT LTS 4-5 BK 2 BOWSER 100X140 487 0.321 ACRES ACQ 07152020 – OWNER: LYNN LEANNE

605 S DOUGLAS , BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 10 BK 7 EARLES 50X130 879 ACQ 5282017 BLK/TRACT 7 0.149 ACRES – OWNER: SIMON CHAVEZ

801 PINE ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: SC 26 BK 33 1N 51X280 109.04 ACQ 03292017 BLK/TRACT 33 1N 0.33 ACRES– OWNER: MARIA BURCIAGA

901 NW 2ND ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LTS 1-2 BK J MOORE IRR 85 ACQ 06232015 BLK/TRACT J 0.518 ACRES – OWNER: ROYAL BRAWLEY

611 DOUGLAS, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 7 BK EARLES 50X130 876 AXQ 03062019 0.149 ACRES – OWNER: MASON NABAR HERNANDEZ

601 NW 5TH , BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: E/2 OF LT 17 BK 99 ORIGINAL TOWN 50X85 ACQ 060911 BLK/TRACT 99 0.098 ACRES– OWNER: OSCAR FLORES

THE CITY OF BIG SPRING HEARING BOARD MEETING IS AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT TAMI DAVIS AT 432-264-2513 OR AT 310 NOLAN, BIG SPRING, TEXAS 79720, AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING.

Nick Reyna

611 DOUGLAS

Code Enforcement Officer: Malissa Garcia

Exhibit H-1

STATE OF TEXAS

§

COUNTY OF HOWARD

§

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**AFFIDAVIT OF MALISSA GARCIA
CONCERNING 611 DOUGLAS**

BEFORE ME, the undersigned authority, on this day, personally appeared **Malissa Garcia**, who, being by me duly sworn, deposed as follows:

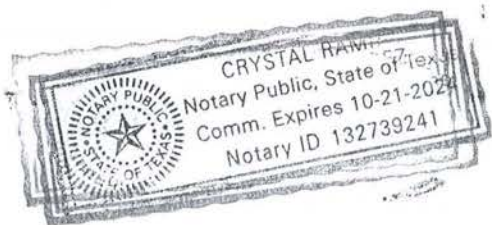
“My name is **Malissa Garcia**. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

“I am a Code Enforcement Officer for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **611 DOUGLAS**, Big Spring, Texas. These are exact duplicates of original records. The records were made at or near the time of each act, event, or finding set forth. The records were made by, or from information transmitted by, persons with knowledge of the matters set forth. The records were kept in the course of regularly conducted business activity. It is the regular practice of the business activity to make the records.”

SIGNED on the 7 day of September, 2023.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7th day of September 2023 by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit H-2

Property Details

Account		
Property ID:	280781	Geographic ID: B3180011100
Type:	Real	Zoning:
Property Use:		Condo:
Location		
Situs Address:	611 DOUGLAS	
Map ID:		Mapsco:
Legal Description:	LT 7 BK 7 EARLES 50X130 876 ACQ 03062019 0.149 ACRES	
Abstract/Subdivision:		
Neighborhood:	CDCS CEDAR CREST	
Owner ⓘ		
Owner ID:	424964	
Name:	HERNANDEZ MASON NABAR	
Agent:		
Mailing Address:	410 OWENS BIG SPRING, TX 79720	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$72,113 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$2,500 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$74,613 (=)

Agricultural Value Loss: ⓘ	\$0 (-)
Appraised Value:	\$74,613 (=)
Homestead Cap Loss: ⓘ	\$0 (-)
Assessed Value:	\$74,613
Ag Use Value:	\$0

VALUES DISPLAYED ARE 2023 PRELIMINARY VALUES AND ARE SUBJECT TO CHANGE PRIOR TO CERTIFICATION.

Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Property Taxing Jurisdiction

Owner: HERNANDEZ MASON NABAR **%Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.238916	\$74,613	\$74,613	\$178.26	
02B	CITY OF BIG SPRING	0.673163	\$74,613	\$74,613	\$502.27	
03B	BIG SPRING ISD	0.960900	\$74,613	\$74,613	\$716.96	
052	HOWARD COLLEGE	0.168395	\$74,613	\$74,613	\$125.64	

Total Tax Rate: 2.041374

Estimated Taxes With Exemptions: \$1,523.13

Estimated Taxes Without Exemptions: \$1,523.13

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

**CERTIFICATION
611 DOUGLAS CASE NOTES**

"This record, attached as **Exhibit H-3**, was made at or near the time by – or from information transmitted by a person or persons with the City with knowledge.

This record was kept in the course of a regularly conducted business activity of the Code Compliance Department of the City of Big Spring, Texas.

Making this record was a regular practice of that activity.

1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout certain data.
7. I used the proper procedures to obtain the readout.
8. The computer was in working order at the time I obtained the readout.
9. I recognize the attached **Exhibit H-3** as the readout."

SIGNED on the 7 day of September, 2023.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September, 2023

by the above referenced Affiant.

Crystal Ramirez
Notary Public, State of Texas

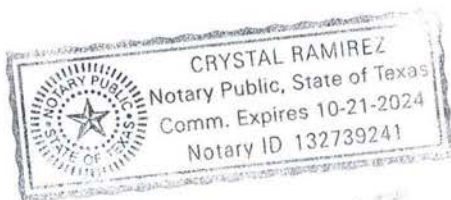


Exhibit H-3

05-04-2023 02:45 PM

TASK NOTES REPORT

TASK #: 115662
TASK CODE: INSPECT SUBSTANDARD
PROPERTY: 611 DOUGLAS ST

ORIG. DATE:
DUE DATE:

NOTES

Incident Notes:

Task #: 115662 - INSPECT SUBSTANDARD - 5/04/2023
4-17-2023 drove by there are broken windows, missing siding and holes in
the roof. grass is overgrown and needs to be mowed

Task #: 115663 - SUBSTANDARD BLD - 5/04/2023

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

**CERTIFICATION OF
PHOTOGRAPHS BY MALISSA GARCIA**

“With regard to the photographs in **Exhibits H-4** I am familiar with and recognize the scene depicted in the photographs. On April, 17th, 2023 I inspected the property described as:

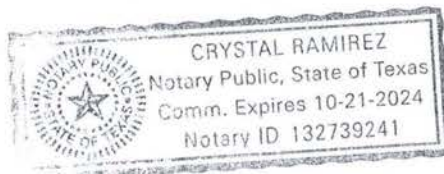
LT 7 BK 7 EARLES 50X130 876 ACQ 03062019 0.149 ACRES Big Spring,
Howard County, Texas, also known as **611 DOUGLAS**, Big Spring, Texas.

Each of the photographs is a fair and accurate depiction of the scene at the relevant time.”

SIGNED on the 7 day of September, 2023.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September, 2023
by the above referenced Affiant.

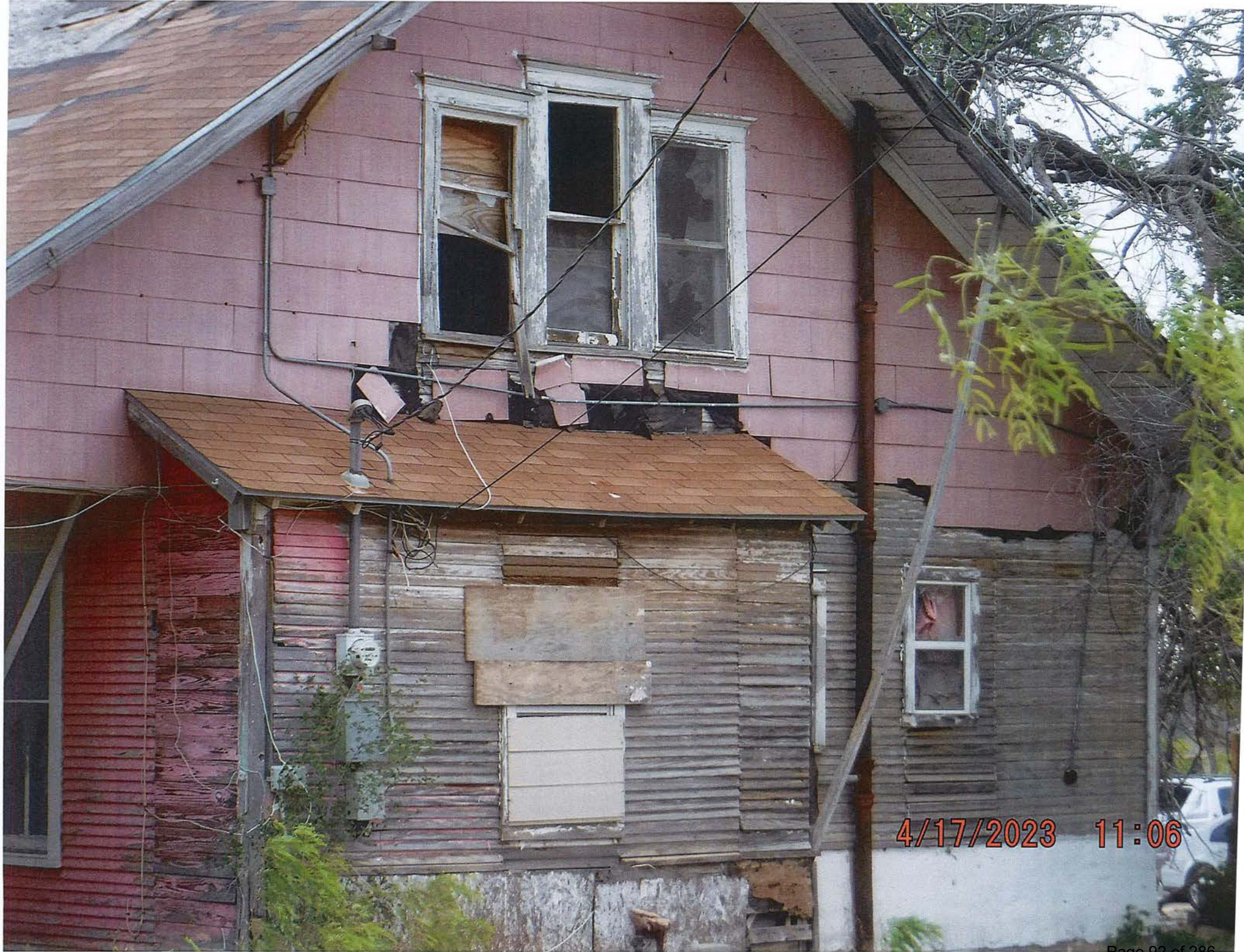


Crystal Ramirez
Notary Public, State of Texas

Exhibit H-4







4/17/2023 11:06







Exhibit H-5

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

**CERTIFICATION
NOTICE SENT BY MALISSA GARCIA**

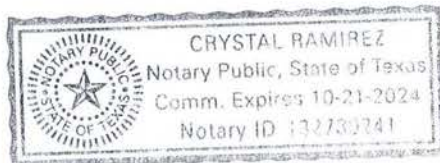
“The document in **Exhibit H-6** presents factual findings from a legally authorized investigation for code compliance. The document is a copy of the official record.”

Certified Mail Return for **Exhibit H-6** is also attached.

SIGNED on the 7 day of September, 2023.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September, 2023
by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit H-6



NOTICE OF VIOLATION AND NOTICE OF HEARING

Sent via: Certified Mail; Return Receipt Requested

August 31st, 2023

Mason Nabar Hernandez
410 Owens St
Big Spring, Texas 79720

Re: 611 DOUGLAS, BIG SPRING, TEXAS 79720
LEGAL DESCRIPTION: LT 7 BK 7 EARLES 50X130 876 ACQ 03062019 0.149
ACRES, HOWARD COUNTY

Big Spring Code Compliance has determined that at the following structure(s): Main Structure, at the property as stated above, is/are in violation of the following section(s) of the **Property Maintenance Code of Big Spring (PMC)**, constituting a nuisance:

VIOLATION	DESCRIPTION OF VIOLATION
304.13.2. Openable windows. <i>Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.</i>	Windows are not accessible or easily openable when boarded. Boarded windows do not allow the capability to position them open with hardware.
Sec. 304.13 Window, skylight and door frames <i>Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.</i>	Windows that are not accessible are not considered to be in good repair or sound conditions. Boarded windows that do not meet these requirements should be replaced.
Sec. 304.6 Exterior Walls <i>Exterior walls shall be free from holes, breaks, and looses or rotting materials; and maintained weatherproof and properly surface coated wear to prevent deterioration.</i>	The structure visibly shows signs of rotting material, holes, breaks and uncoated surfaces. An exterior wall must be maintained and weatherproof. The exterior walls shall be properly coated to prevent any deterioration and deterioration must be repaired.

Sec. 304.7 Roofs and Drainage <i>The roof and flashings shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure, roof drains, gutters and down spouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.</i>	A roof must provide adequate coverage keeping the interior portion of the structure free from rain, drainage and obstructions. Any cracks, holes, leaks and obstructions to the roof shall be repaired.
--	--

The following actions are required to correct the violation(s) at the structure(s) as stated above:

Corrective Action Sought by Code Compliance

Secure and vacate the structure(s) until the violation(s) are resolved, and:

Repair
of structure(s).

For further information about this notice, please contact the following person:

Issued by

Malissa Garcia

Name

Code Officer

Title

432-264-2506

Phone

mgarcia@mybigspring.com

E-mail

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE.

Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE.

This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the

nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **5:30 PM, September 12, 2023** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

SECTION A-1.10. Rights of Parties

- (a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.
- (b) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.
- (c) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.
- (d) Rights of Parties. Each party shall have the following rights, among others:
 - 1. To call and examine witnesses on any matter relevant to the issues of the hearing;
 - 2. To introduce documentary and physical evidence;
 - 3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
 - 4. To impeach any witness regardless of which party first called him to testify;
 - 5. To rebut the evidence against him;
 - 6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.

Section C-9.02 (c)The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

YOU HAVE A RIGHT TO APPEAL THE DECISION OF THE HEARING BOARD. If the

Hearing Board enters an order to abate the violation(s) at the structure(s) at the property, the order is preliminary, allowing you to appeal the order to District Court within thirty (30) days pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall become the final order.

FAILURE TO COMPLY/ATTACHMENT OF LIEN. If the owner of a premises fails to comply with an order of the Board within the time prescribed, and the City conducts abatement or work, either through an available public agency or by contract or arrangement with private persons, and the cost of such abatement work shall be charged against the real estate upon which the nuisance is located and shall be a lien on such real estate.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,



Nick Reyna Building/Code Official
City of Big Spring, Texas

Exhibit H-7



Code Enforcement

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON SEPTEMBER 12TH, 2023, AT 5:30 P.M., IN THE CITY OF BIG SPRING COUNCIL CHAMBERS AT 307 E 4TH ST., BIG SPRING, TEXAS 79720 TO CONSIDER ABATEMENT OF PUBLIC NUISANCES ON PROPERTIES IN THE CITY OF BIG SPRING, TEXAS. ALL INTERESTED PERSONS MAY SPEAK, THEN A DETERMINATION WILL BE MADE AND REMEDIAL ACTION ORDERED ON THE FOLLOWING PROPERTIES:

2006 JOHNSON, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: N/50 SE/4 OF BK 27 COLLEGE HEIGHTS 50X140 1212 ACQ 071709 BLK/TRACT 27 0.161 ACRES - OWNER: ERNESTO GONZALEZ AND MARIA RODRIGUEZ

506 SGT PAREDEZ, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: PART W/80 E/160 BK 100 ORIGINAL TOWN 80X69 PROPERTY LOCATED @ 505 NW 5TH 0174 BLK/TRACT 100 0.312 ACRES– OWNER: RAMONA ROLDAN NAVARETTE

900 NW 2ND ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 12 BK G MOORE IRR 84 0.316 ACRES– OWNER: JESSIE NELSON

900 NW 1ST ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 7 BK J MOORE IRR 087 ACQ 062707 BLK/TRACT J 0.306 ACRES – OWNER: PRESTON AND OLETHA JOHNSON

1209 W 2ND ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: PT LTS 4-5 BK 2 BOWSER 100X140 487 0.321 ACRES ACQ 07152020 – OWNER: LYNN LEANNE

605 S DOUGLAS , BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 10 BK 7 EARLES 50X130 879 ACQ 5282017 BLK/TRACT 7 0.149 ACRES – OWNER: SIMON CHAVEZ

801 PINE ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: SC 26 BK 33 1N 51X280 109.04 ACQ 03292017 BLK/TRACT 33 1N 0.33 ACRES– OWNER: MARIA BURCIAGA

901 NW 2ND ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LTS 1-2 BK J MOORE IRR 85 ACQ 06232015 BLK/TRACT J 0.518 ACRES – OWNER: ROYAL BRAWLEY

611 DOUGLAS, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 7 BK EARLES 50X130 876 AXQ 03062019 0.149 ACRES – OWNER: MASON NABAR HERNANDEZ

601 NW 5TH , BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: E/2 OF LT 17 BK 99 ORIGINAL TOWN 50X85 ACQ 060911 BLK/TRACT 99 0.098 ACRES– OWNER: OSCAR FLORES

THE CITY OF BIG SPRING HEARING BOARD MEETING IS AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT TAMI DAVIS AT 432-264-2513 OR AT 310 NOLAN, BIG SPRING, TEXAS 79720, AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING.

Nick Reyna

Nick Reyna, Building Official, City of Big Spring

900 NW 1ST

Code Enforcement Officer: Malissa Garcia

Exhibit D-1

STATE OF TEXAS

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COUNTY OF HOWARD

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**AFFIDAVIT OF MALISSA GARCIA
CONCERNING 900 NW 1ST**

BEFORE ME, the undersigned authority, on this day, personally appeared **Malissa Garcia**, who, being by me duly sworn, deposed as follows:

“My name is **Malissa Garcia**. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

“I am a Code Enforcement Officer for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **900 NW 1ST**, Big Spring, Texas. These are exact duplicates of original records. The records were made at or near the time of each act, event, or finding set forth. The records were made by, or from information transmitted by, persons with knowledge of the matters set forth. The records were kept in the course of regularly conducted business activity. It is the regular practice of the business activity to make the records.”

SIGNED on the 7 day of September, 2023.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September, 2023 by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit D-2

Property Details

Account		
Property ID:	284034	Geographic ID: B4530009000
Type:	Real	Zoning:
Property Use:		Condo:
Location		
Situs Address:	900 NW 1ST	
Map ID:		Mapsco:
Legal Description:	LT 7 BK J MOORE IRR 087 ACQ 062707 BLK/TRACT J 0.306 ACRES	
Abstract/Subdivision:		
Neighborhood:	TENN TENNYSON	
Owner 		
Owner ID:	407171	
Name:	JOHNSON PRESTON & JOHNSON OLETHA	
Agent:		
Mailing Address:	900 NW 1ST BIG SPRING, TX 79720	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$11,837 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$4,136 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$15,973 (=)
Agricultural Value Loss: ?	\$0 (-)
Appraised Value:	\$15,973 (=)
Homestead Cap Loss: ?	\$0 (-)
Assessed Value:	\$15,973
Ag Use Value:	\$0

VALUES DISPLAYED ARE 2023 PRELIMINARY VALUES AND ARE SUBJECT TO CHANGE PRIOR TO CERTIFICATION.

Property Taxing Jurisdiction

Owner: JOHNSON PRESTON & JOHNSON OLETHA %**Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.238916	\$15,973	\$15,973	\$38.16	
02B	CITY OF BIG SPRING	0.673163	\$15,973	\$15,973	\$107.52	
03B	BIG SPRING ISD	0.930900	\$15,973	\$15,973	\$148.69	
052	HOWARD COLLEGE	0.168395	\$15,973	\$15,973	\$26.90	

Total Tax Rate: 2.011374

Estimated Taxes With Exemptions: \$321.27

Estimated Taxes Without Exemptions: \$321.27

STATE OF TEXAS

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COUNTY OF HOWARD

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CERTIFICATION
900 NW 1ST CASE NOTES

“This record, attached as **Exhibit D-3**, was made at or near the time by – or from information transmitted by a person or persons with the City with knowledge.

This record was kept in the course of a regularly conducted business activity of the Code Compliance Department of the City of Big Spring, Texas.

Making this record was a regular practice of that activity.

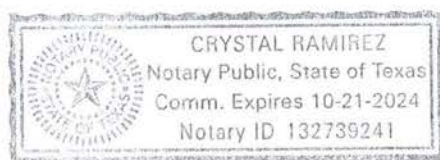
1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout certain data.
7. I used the proper procedures to obtain the readout.
8. The computer was in working order at the time I obtained the readout.
9. I recognize the attached **Exhibit D-3** as the readout.”

SIGNED on the 7 day of September, 2023.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September, 2023

by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit D-3

05-22-2023 10:03 AM

TASK NOTES REPORT

TASK #: 115844

ORIG. DATE:

TASK CODE: INSPECT SUBSTANDARD

DUE DATE:

PROPERTY: 900 NW 1ST

NOTES

Incident Notes:

Task #: 115844 - INSPECT SUBSTANDARD - 5/22/2023

Task #: 115845 - SUBSTANDARD BLD - 5/22/2023

4-26-2023 Drove by and notice this property with no windows and doors and
the roof is starting to bow in. this property needs to be fixed or demoed.

STATE OF TEXAS

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§

COUNTY OF HOWARD

§

**CERTIFICATION OF
PHOTOGRAPHS BY MALISSA GARCIA**

“With regard to the photographs in **Exhibits D-4** I am familiar with and recognize the scene depicted in the photographs. On April, 26, 2023 I inspected the property described as:

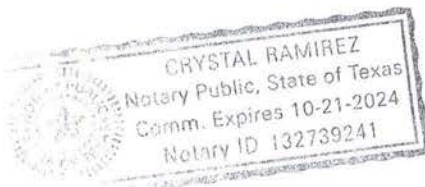
LT 7 BK J MOORE IRR 087 ACQ 062707 BLK/TRACT J 0.306 ACRES Big Spring, Howard County, Texas, also known as **900 NW 1ST**, Big Spring, Texas.

Each of the photographs is a fair and accurate depiction of the scene at the relevant time.”

SIGNED on the 7 day of September, 2023.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September, 2023
by the above referenced Affiant.



Austro Rangel
Notary Public, State of Texas

Exhibit D-4



4/26/2023 15:14



4/26/2023 15:13







4/26/2023 15:13

Exhibit D-5

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

**CERTIFICATION
NOTICE SENT BY MALISSA GARCIA**

“The document in **Exhibit D-6** presents factual findings from a legally authorized investigation for code compliance. The document is a copy of the official record.”

Certified Mail Return for **Exhibit D-6** is also attached.

SIGNED on the 7 day of September, 2023.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September, 2023
by the above referenced Affiant.

Cynthia Bailey
Notary Public, State of Texas

Exhibit D-6



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 • Ph. 432-264-2505

NOTICE OF VIOLATION AND NOTICE OF HEARING

Sent via: Certified Mail; Return Receipt Requested

August 31, 2023

Preston and Oletha Johnson
900 NW 1ST
Big Spring, Texas 79720

Preston and Oletha Johnson
4625 Aspen Lane
Taylorsville, UT 84123

Re: 900 NW 1ST, BIG SPRING, TEXAS 79720

**LEGAL DESCRIPTION: LT 7 BK J MOORE IRR 087 ACQ 062707 BLK/TRACT
J 0.306 ACRES, HOWARD COUNTY**

Big Spring Code Compliance has determined that at the following structure(s): Main Structure, at the property as stated above, is/are in violation of the following section(s) of the **Property Maintenance Code of Big Spring (PMC)**, constituting a nuisance:

VIOLATION	DESCRIPTION OF VIOLATION
111.1.5 HAZARDOUS STRUCTURE OR PREMISES. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described as follows shall be considered to be hazardous: 11. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.	The building has damage that has not been repaired. The building and portions thereof are severely dilapidated. Hazardous condition.
304.1.1 UNSAFE CONDITIONS. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage,	The roof appears to admit rain and has signs of deterioration. Unsafe condition.

or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all nominal loads and resisting all load effects.	
304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.	The roof has defects that admit rain and is not sound and not tight.

The following actions are required to correct the violation(s) at the structure(s) as stated above:

Corrective Action Sought by Code Compliance

Secure and vacate the structure(s) until the violation(s) are resolved, and:

Demolish and Remove
of structure(s).

For further information about this notice, please contact the following person:

Issued by

Malissa Garcia

Name

Code Enforcement Officer

Title

+1 (432) 264-2506

Phone

mgarcia@mybigspring.com

E-mail

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY

RESULT IN FINE. Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE.

This proceeding is held before a hearing board (either City Council or the Board of Adjustment and

Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **5:30 PM, September 12, 2023** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

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(a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.

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(c) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.

(d) Rights of Parties. Each party shall have the following rights, among others:

1. To call and examine witnesses on any matter relevant to the issues of the hearing;
2. To introduce documentary and physical evidence;
3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
4. To impeach any witness regardless of which party first called him to testify;
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6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.

Section C-9.02 (c)The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

YOU HAVE A RIGHT TO APPEAL THE DECISION OF THE HEARING BOARD. If the Hearing Board enters an order to abate the violation(s) at the structure(s) at the property, the order is preliminary, allowing you to appeal the order to District Court within thirty (30) days pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall become the final order.

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NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

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CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,



Nick Reyna, Building/Code Official
City of Big Spring, Texas

Exhibit D-7



Code Enforcement

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON SEPTEMBER 12TH, 2023, AT 5:30 P.M., IN THE CITY OF BIG SPRING COUNCIL CHAMBERS AT 307 E 4TH ST., BIG SPRING, TEXAS 79720 TO CONSIDER ABATEMENT OF PUBLIC NUISANCES ON PROPERTIES IN THE CITY OF BIG SPRING, TEXAS. ALL INTERESTED PERSONS MAY SPEAK, THEN A DETERMINATION WILL BE MADE AND REMEDIAL ACTION ORDERED ON THE FOLLOWING PROPERTIES:

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900 NW 2ND ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 12 BK G MOORE IRR 84 0.316 ACRES– OWNER: JESSIE NELSON

900 NW 1ST ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 7 BK J MOORE IRR 087 ACQ 062707 BLK/TRACT J 0.306 ACRES – OWNER: PRESTON AND OLETHA JOHNSON

1209 W 2ND ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: PT LTS 4-5 BK 2 BOWSER 100X140 487 0.321 ACRES ACQ 07152020 – OWNER: LYNN LEANNE

605 S DOUGLAS , BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 10 BK 7 EARLES 50X130 879 ACQ 5282017 BLK/TRACT 7 0.149 ACRES – OWNER: SIMON CHAVEZ

801 PINE ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: SC 26 BK 33 1N 51X280 109.04 ACQ 03292017 BLK/TRACT 33 1N 0.33 ACRES– OWNER: MARIA BURCIAGA

901 NW 2ND ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LTS 1-2 BK J MOORE IRR 85 ACQ 06232015 BLK/TRACT J 0.518 ACRES – OWNER: ROYAL BRAWLEY

611 DOUGLAS, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 7 BK EARLES 50X130 876 AXQ 03062019 0.149 ACRES – OWNER: MASON NABAR HERNANDEZ

601 NW 5TH , BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: E/2 OF LT 17 BK 99 ORIGINAL TOWN 50X85 ACQ 060911 BLK/TRACT 99 0.098 ACRES– OWNER: OSCAR FLORES

THE CITY OF BIG SPRING HEARING BOARD MEETING IS AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT TAMI DAVIS AT 432-264-2513 OR AT 310 NOLAN, BIG SPRING, TEXAS 79720, AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING.

Nick Reyna

Nick Reyna, Building Official, City of Big Spring

900 NW 2ND ST

Code Enforcement Officer: Malissa Garcia

Exhibit C-1

STATE OF TEXAS

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COUNTY OF HOWARD

**AFFIDAVIT OF MALISSA GARCIA
CONCERNING 900 NW 2ND ST**

BEFORE ME, the undersigned authority, on this day, personally appeared **Malissa Garcia**, who, being by me duly sworn, deposed as follows:

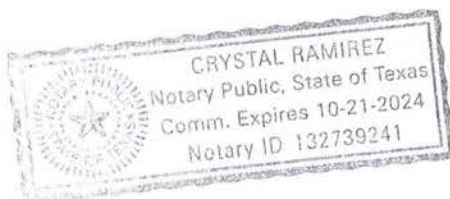
“My name is **Malissa Garcia**. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

“I am a Code Enforcement Officer for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **900 NW 2ND ST**, Big Spring, Texas. These are exact duplicates of original records. The records were made at or near the time of each act, event, or finding set forth. The records were made by, or from information transmitted by, persons with knowledge of the matters set forth. The records were kept in the course of regularly conducted business activity. It is the regular practice of the business activity to make the records.”

SIGNED on the 7 day of September, 2023.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September, 2023 by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit C-2

Property Details

Account		
Property ID:	284003	Geographic ID: B4530006100
Type:	Real	Zoning:
Property Use:		Condo:
Location		
Situs Address:	900 NW 2ND	
Map ID:		Mapsco:
Legal Description:	LT 12 BK G MOORE IRR 084 0.316 ACRES	
Abstract/Subdivision:		
Neighborhood:	TENN TENNYSON	
Owner ⓘ		
Owner ID:	440691	
Name:	NELSON JESSIE	
Agent:		
Mailing Address:	BOYD NELSON 4022 MISTY GLADE SAN ANTONIO, TX 78247	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$4,268 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$4,268 (=)
Agricultural Value Loss: ⓘ	\$0 (-)
Appraised Value:	\$4,268 (=)
Homestead Cap Loss: ⓘ	\$0 (-)
Assessed Value:	\$4,268
Ag Use Value:	\$0

VALUES DISPLAYED ARE 2023 PRELIMINARY VALUES AND ARE SUBJECT TO CHANGE PRIOR TO CERTIFICATION.

Property Taxing Jurisdiction

Owner: NELSON JESSIE %**Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.238916	\$4,268	\$4,268	\$10.20	
02B	CITY OF BIG SPRING	0.673163	\$4,268	\$4,268	\$28.73	
03B	BIG SPRING ISD	0.930900	\$4,268	\$4,268	\$39.73	
052	HOWARD COLLEGE	0.168395	\$4,268	\$4,268	\$7.19	

Total Tax Rate: 2.011374

Estimated Taxes With Exemptions: \$85.85

Estimated Taxes Without Exemptions: \$85.85

STATE OF TEXAS

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COUNTY OF HOWARD

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CERTIFICATION
900 NW 2ND ST CASE NOTES

“This record, attached as **Exhibit C-3**, was made at or near the time by – or from information transmitted by a person or persons with the City with knowledge.

This record was kept in the course of a regularly conducted business activity of the Code Compliance Department of the City of Big Spring, Texas.

Making this record was a regular practice of that activity.

1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout certain data.
7. I used the proper procedures to obtain the readout.
8. The computer was in working order at the time I obtained the readout.
9. I recognize the attached **Exhibit C-3** as the readout.”

SIGNED on the 7 day of September, 2023.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7th day of September, 2023

by the above referenced Affiant.

Crystal Ramirez
Notary Public, State of Texas

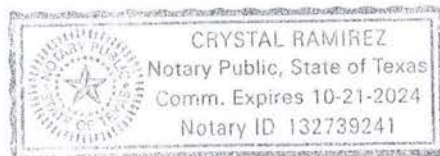


Exhibit C-3

NOTES

Incident Notes:

Task #: 115829 - INSPECT SUBSTANDARD - 5/19/2023

Task #: 115830 - SUBSTANDARD BLD - 5/19/2023
4-26-2023 Drove by and notice this house has no windows or doors and the roof is bowing in. this property needs to be fixed or demoed

STATE OF TEXAS

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COUNTY OF HOWARD

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**CERTIFICATION OF
PHOTOGRAPHS BY MALISSA GARCIA**

“With regard to the photographs in **Exhibits C-4** I am familiar with and recognize the scene depicted in the photographs. On April, 26th, 2023 I inspected the property described as:

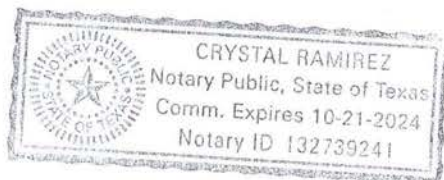
LT 12 BK G MOORE IRR 084 0.316 ACRES Big Spring, Howard County,
Texas, also known as **900 NW 2ND ST**, Big Spring, Texas.

Each of the photographs is a fair and accurate depiction of the scene at the relevant time.”

SIGNED on the 7 day of September, 2023.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7th day of September, 2023
by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit C-4





4/26/2023 15:16



4/26/2023 15:19



4/26/2023 15:18



STED
RESPASSING
KEEP OUT

4/26/2023 15:17

STATE OF TEXAS

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COUNTY OF HOWARD

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**CERTIFICATION
NOTICE SENT BY MALISSA GARCIA**

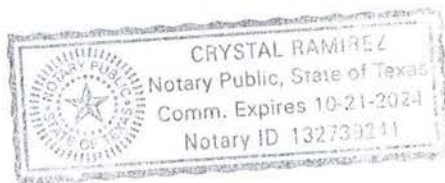
“The document in **Exhibit C-6** presents factual findings from a legally authorized investigation for code compliance. The document is a copy of the official record.”

Certified Mail Return for **Exhibit C-6** is also attached.

SIGNED on the 7 day of September, 2023.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September, 2023
by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit C-6



NOTICE OF VIOLATION AND NOTICE OF HEARING

Sent via: Certified Mail; Return Receipt Requested

August 31, 2023

Estate of Jessie Nelson
Boyd Nelson
4022 Misty Glade
San Antonio, TX 78247

Re: 900 NW 2ND ST, BIG SPRING, TEXAS 79720
LEGAL DESCRIPTION: LT 12 BK G MOORE IRR 084 0.316 ACRES, HOWARD COUNTY

Big Spring Code Compliance has determined that at the following structure(s): Main Structure, at the property as stated above, is/are in violation of the following section(s) of the **Property Maintenance Code of Big Spring (PMC)**, constituting a nuisance:

VIOLATION	DESCRIPTION OF VIOLATION
111.1.5 HAZARDOUS STRUCTURE OR PREMISES. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described as follows shall be considered to be hazardous: 7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.	The building has damage that has not been repaired. The building and portions thereof are severely dilapidated. Hazardous condition.
304.1.1 UNSAFE CONDITIONS. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all	The roof appears to admit rain and has signs of deterioration. Unsafe condition.

nominal loads and resisting all load effects.	
304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.	The roof has defects that admit rain and is not sound and not tight.

The following actions are required to correct the violation(s) at the structure(s) as stated above:

Corrective Action Sought by Code Compliance

Secure and vacate the structure(s) until the violation(s) are resolved, and:

Demolish and Remove
of structure(s).

For further information about this notice, please contact the following person:

Issued by

<u>Malissa Garcia</u>	<u>Code Enforcement Officer</u>
<i>Name</i>	<i>Title</i>
<u>+1 (432) 264-2506</u>	<u>mgarcia@mybigspring.com</u>
<i>Phone</i>	<i>E-mail</i>

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE. Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE. This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the

amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **5:30 PM, September 12, 2023** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

SECTION A-1.10. Rights of Parties

- (a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.
- (b) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.
- (c) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.
- (d) Rights of Parties. Each party shall have the following rights, among others:
 - 1. To call and examine witnesses on any matter relevant to the issues of the hearing;
 - 2. To introduce documentary and physical evidence;
 - 3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
 - 4. To impeach any witness regardless of which party first called him to testify;
 - 5. To rebut the evidence against him;
 - 6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.

Section C-9.02 (c)The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

YOU HAVE A RIGHT TO APPEAL THE DECISION OF THE HEARING BOARD. If the Hearing Board enters an order to abate the violation(s) at the structure(s) at the property, the order is preliminary, allowing you to appeal the order to District Court within thirty (30) days

pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall become the final order.

FAILURE TO COMPLY/ATTACHMENT OF LIEN. If the owner of a premises fails to comply with an order of the Board within the time prescribed, and the City conducts abatement or work, either through an available public agency or by contract or arrangement with private persons, and the cost of such abatement work shall be charged against the real estate upon which the nuisance is located and shall be a lien on such real estate.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,



Nick Reyna, Building/Code Official
City of Big Spring, Texas

Exhibit C-7



Code Enforcement

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON SEPTEMBER 12TH, 2023, AT 5:30 P.M., IN THE CITY OF BIG SPRING COUNCIL CHAMBERS AT 307 E 4TH ST., BIG SPRING, TEXAS 79720 TO CONSIDER ABATEMENT OF PUBLIC NUISANCES ON PROPERTIES IN THE CITY OF BIG SPRING, TEXAS. ALL INTERESTED PERSONS MAY SPEAK, THEN A DETERMINATION WILL BE MADE AND REMEDIAL ACTION ORDERED ON THE FOLLOWING PROPERTIES:

2006 JOHNSON, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: N/50 SE/4 OF BK 27 COLLEGE HEIGHTS 50X140 1212 ACQ 071709 BLK/TRACT 27 0.161 ACRES - OWNER: ERNESTO GONZALEZ AND MARIA RODRIGUEZ

506 SGT PAREDEZ, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: PART W/80 E/160 BK 100 ORIGINAL TOWN 80X69 PROPERTY LOCATED @ 505 NW 5TH 0174 BLK/TRACT 100 0.312 ACRES– OWNER: RAMONA ROLDAN NAVARETTE

900 NW 2ND ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 12 BK G MOORE IRR 84 0.316 ACRES– OWNER: JESSIE NELSON

900 NW 1ST ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 7 BK J MOORE IRR 087 ACQ 062707 BLK/TRACT J 0.306 ACRES – OWNER: PRESTON AND OLETHA JOHNSON

1209 W 2ND ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: PT LTS 4-5 BK 2 BOWSER 100X140 487 0.321 ACRES ACQ 07152020 – OWNER: LYNN LEANNE

605 S DOUGLAS , BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 10 BK 7 EARLES 50X130 879 ACQ 5282017 BLK/TRACT 7 0.149 ACRES – OWNER: SIMON CHAVEZ

801 PINE ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: SC 26 BK 33 1N 51X280 109.04 ACQ 03292017 BLK/TRACT 33 1N 0.33 ACRES– OWNER: MARIA BURCIAGA

901 NW 2ND ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LTS 1-2 BK J MOORE IRR 85 ACQ 06232015 BLK/TRACT J 0.518 ACRES – OWNER: ROYAL BRAWLEY

611 DOUGLAS, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 7 BK EARLES 50X130 876 AXQ 03062019 0.149 ACRES – OWNER: MASON NABAR HERNANDEZ

601 NW 5TH , BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: E/2 OF LT 17 BK 99 ORIGINAL TOWN 50X85 ACQ 060911 BLK/TRACT 99 0.098 ACRES– OWNER: OSCAR FLORES

THE CITY OF BIG SPRING HEARING BOARD MEETING IS AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT TAMI DAVIS AT 432-264-2513 OR AT 310 NOLAN, BIG SPRING, TEXAS 79720, AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING.

Nick Reyna
Nick Reyna, Building Official, City of Big Spring

2006 Johnson St

Code Enforcement Officer: Malissa Garcia

Exhibit A-1

STATE OF TEXAS

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COUNTY OF HOWARD

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**AFFIDAVIT OF MALISSA GARCIA
CONCERNING 2006 Johnson St**

BEFORE ME, the undersigned authority, on this day, personally appeared **Malissa Garcia**, who, being by me duly sworn, deposed as follows:

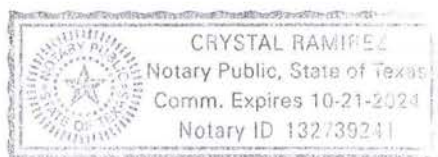
“My name is **Malissa Garcia**. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

“I am a Code Enforcement Officer for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **2006 Johnson St**, Big Spring, Texas. These are exact duplicates of original records. The records were made at or near the time of each act, event, or finding set forth. The records were made by, or from information transmitted by, persons with knowledge of the matters set forth. The records were kept in the course of regularly conducted business activity. It is the regular practice of the business activity to make the records.”

SIGNED on the 7 day of September, 2023.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September, 2023 by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit A-2

Property Details

Account		
Property ID:	279449	Geographic ID: B2910022300
Type:	Real	Zoning:
Property Use:		Condo:
Location		
Situs Address:	2006 JOHNSON	
Map ID:		Mapsco:
Legal Description:	N/50 SE/4 OF BK 27 COLLEGE HEIGHTS 50X140 1212 ACQ 071709 BLK/TRACT 27 0.161 ACRES	
Abstract/Subdivision:		
Neighborhood:	MCDW	
Owner ⓘ		
Owner ID:	10368	
Name:	GONZALES ERNESTO & RODRIGUEZ MARIA	
Agent:		
Mailing Address:	4900 N SALEM BIG SPRING , TX 79720	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$25,918 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$3,500 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$29,418 (=)
Agricultural Value Loss:	\$0 (-)
Appraised Value:	\$29,418 (=)
Homestead Cap Loss:	\$0 (-)
Assessed Value:	\$29,418
Ag Use Value:	\$0

VALUES DISPLAYED ARE 2023 PRELIMINARY VALUES AND ARE SUBJECT TO CHANGE PRIOR TO CERTIFICATION.

Property Taxing Jurisdiction

Owner: GONZALES ERNESTO & RODRIGUEZ MARIA %**Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.238916	\$29,418	\$29,418	\$70.28	
02B	CITY OF BIG SPRING	0.673163	\$29,418	\$29,418	\$198.03	
03B	BIG SPRING ISD	0.930900	\$29,418	\$29,418	\$273.85	
052	HOWARD COLLEGE	0.168395	\$29,418	\$29,418	\$49.54	

Total Tax Rate: 2.011374

Estimated Taxes With Exemptions: \$591.70

Estimated Taxes Without Exemptions: \$591.70

STATE OF TEXAS

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COUNTY OF HOWARD

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CERTIFICATION
2006 Johnson St CASE NOTES

“This record, attached as **Exhibit A-3**, was made at or near the time by – or from information transmitted by a person or persons with the City with knowledge.

This record was kept in the course of a regularly conducted business activity of the Code Compliance Department of the City of Big Spring, Texas.

Making this record was a regular practice of that activity.

1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout certain data.
7. I used the proper procedures to obtain the readout.
8. The computer was in working order at the time I obtained the readout.
9. I recognize the attached **Exhibit A-3** as the readout.”

SIGNED on the 7 day of September, 2023.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September, 2023

by the above referenced Affiant.

Crystal Ramirez
Notary Public, State of Texas

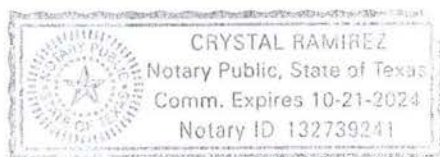


Exhibit A-3



Work Flow

Name: CITATION	Assigned To: CODE COMPLIANCE	Due Date:
Status: PENDING	Status Date: 08/22/2023 Status By:	
Name: INITIAL CASE VERIFICATION	Assigned To: CODE COMPLIANCE	Due Date:
Status: IN PROGRESS	Status Date: 08/22/2023 Status By: Malissa Garcia	
Name: NOV/CORRECTION SENT TO PROPERTY OWNER	Assigned To: CODE COMPLIANCE	Due Date:
Status: PENDING	Status Date: 08/22/2023 Status By:	
Name: RE-INSPECTION OF PROPERTY	Assigned To: CODE COMPLIANCE	Due Date:
Status: PENDING	Status Date: 08/22/2023 Status By:	

STATE OF TEXAS

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COUNTY OF HOWARD

**CERTIFICATION OF
PHOTOGRAPHS BY MALISSA GARCIA**

“With regard to the photographs in **Exhibits A-4** I am familiar with and recognize the scene depicted in the photographs. On August 28, 2023 I inspected the property described as:

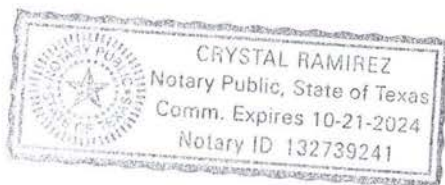
N/50 SE/4 OF BK 27 COLLEGE HEIGHTS 50X140 1212 ACQ 071709
BLK/TRACT 27 0.161 ACRES Big Spring, Howard County, Texas, also known
as **2006 Johnson St**, Big Spring, Texas.

Each of the photographs is a fair and accurate depiction of the scene at the relevant time.”

SIGNED on the 7 day of September, 2023.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September, 2023
by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit A-4



August 22, 2023 2:50 PM



August 22, 2023 2:50 PM

Exhibit A-5



INCIDENT

Incident Number 220413-173015-BSFD	Incident Date 04/13/2022	NFIRS Number 0000642	Incident Type (122) - Fire in motor home, camper, recreational vehicle	
FDID KW601	Station Station 2	Shift A-Shift	District District 2	
Initial Dispatch Code _____				
Alarms _____	Working Fire? Yes	COVID-19 was a factor Unknown	Critical Incident _____	Critical Incident Team _____
Temporary Resident Involvement _____				
Hazardous Materials Released _____				
Action Taken 1 (11) - Extinguishment by fire service personnel				

AID

Aid Given/Received
(N) - None

LOCATION

Location Type
(4) - Rear of

Address
2006 JOHNSON, Big Spring, Texas, 79720

Cross Street, USNG, or Directions _____	Latitude _____	Longitude _____	Census Tract _____
--	-------------------	--------------------	-----------------------

Detector Alerted Occupant

Property Use (419) - 1 or 2 family dwelling	Mixed Use _____
---	--------------------

TIMES

PSAP Received _____	Dispatch Notified Time _____	Alarm Time 03:11:00, 04/13/2022
Arrival Time 03:11:00, 04/13/2022	Water on Fire Time _____	At Patient Time _____
Loss Stop Time _____	Controlled Time _____	Last Unit Cleared Time 04:17:00, 04/13/2022

 TIMES

Total On Scene Time

1 hrs 6 mins 0 sec

Total Incident Time

 COUNTS

Counts Include Aid Received?

No

Suppression:

Apparatus

0

Personnel

0

EMS:

Apparatus

0

Personnel

0

Other:

Apparatus

1

Personnel

3

 LOSS

Property:

Estimated Property Losses

5000

Estimated Property Value

5000

Content:

Estimated Content Losses

None

Estimated Content Value

None

 PERSON/OWNER

Owner:

Name

Business Name

Phone

Insurance Company

Total Insurance Amount

Address

 AUTHORIZATION

Report Writer:

Name

Phillips, Ron

Employee Number

0432

Assignment

2

Authorization Date

04/14/2022

Officer in Charge:

Name

Phillips, Ron

Employee Number

0432

Assignment

Authorization Date

04/14/2022

Quality Control:

Name

Authorization Date

 INCIDENT NARRATIVE

ARRIVED ON SCENE TO FIND A MOTOR HOME IN THE BACK YARD FULLY ENGULFED IN FLAMES. THE FIRE WAS EXTINGUISHED WITHOUT ANY UNUSUAL CIRCUMSTANCES. A NEIGHBOR IN THE AREA TOLD BC BEDELL THAT THERE HAD BEEN A TALL SKINNY BLACK PERSON STAYING IN THE RV FOR THE LAST WEEK. THE OWNER OF THE PROPERTY WAS PREVIOUSLY DECEASED. R2PHILLIPS, PHELPS, LOUDERMILKE3DAVILLA, FANGMAN, MARSHALLE5ADAMS, REYNA, HALEM5ROSAS, GROVEBRUSH 1PEDERSON, RAGLE

Created By: Phillips, Ron

Unit Reports

RESCUE 2

Use (0) - Other Responding From _____ Priority _____

Response Delays _____

Dispatch Time 03:11:00, 04/13/2022 Enroute Time 03:11:00, 04/13/2022 Arrival Time 03:11:00, 04/13/2022

At Patient Time _____ Clear Time 04:17:00, 04/13/2022 In District Time _____

Actions Taken: _____

Personnel

Ron Phillips, James Phelps, PRESTON LOUDERMILK

Fire Module

SITE INFO

Alarms _____ Acres Burned _____ Resident Units In Bldg Not residential Buildings Involved _____

Hydrant Identifier _____ Estimated Water Usage _____

IGNITION

Area of Origin (UU) - Undetermined

Heat Source (UU) - Undetermined

Item First Ignited (UU) - Undetermined Fire Confined to Item? _____

Type of Material First Ignited _____

Cause of Ignition (5) - Cause under investigation

Factors Contributing to Ignition 1 (UU) - Undetermined

Human Factors Contributing to Ignition (N) - None

Est. Age of Person Involved _____ Gender of Person Involved _____

MOBILE PROPERTY

Mobile Property Involved (3) - Involved in ignition and burned

MOBILE PROPERTY

Type
(00) - Mobile property, other

Make (AC) - Acura	Model	Year
License Plate Number	State	VIN
		Car Stolen?

STRUCTURE

Structure Type
(2) - Fixed portable or mobile structure

Stories Above Grade 1	Stories Below Grade 0	Building Status (U) - Undetermined
Length 30 ft	Width 8 ft	Total Square Feet 240 sq ft
		Story of Fire Origin 1

Fire Spread
(4) - Confined to building of origin

Item Contributing Most to Flame Spread	Type of Material
--	------------------

Number of Stories with Damage

Minor Damage	Significant Damage	Heavy Damage	Extreme Damage	Total Stories
--------------	--------------------	--------------	----------------	---------------

PROTECTIVE SYSTEMS

Presence of Detector (U) - Undetermined	Detector Type
--	---------------

Power Supply	Detector Operations
--------------	---------------------

Effectiveness (/Failure Reason)

Presence of Auto Extinguishing System (N) - None Present	System Type
---	-------------

System Operation	# of Sprinklers	Reason for System Failure
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 INCIDENT

Incident Number <u>230513-060617-BSFDq</u>		Incident Date <u>05/13/2023</u>		NFIRS Number <u>0000903</u>		Incident Type <u>(11) - Building fire</u>	
FDID <u>KW601</u>	Station <u>Station 2</u>			Shift <u>C-Shift</u>	District <u>District 2</u>		
Initial Dispatch Code <u></u>							
Alarms <u></u>	Working Fire? <u>Yes</u>	COVID-19 was a factor <u>No, COVID-19 was not a factor</u>		Critical Incident <u></u>		Critical Incident Team <u></u>	
Temporary Resident Involvement <u></u>							
Hazardous Materials Released <u></u>							
Action Taken 1 <u>(11) - Extinguishment by fire service personnel</u>							
Action Taken 2 <u>(12) - Salvage & overhaul</u>							

 AID

Aid Given/Received
(N) - None

 LOCATION

Location Type
(1) - Street address

Address
2006 Johnson, Big Spring, Texas, 79720

Cross Street, USNG, or Directions <u></u>	Latitude <u></u>	Longitude <u></u>	Census Tract <u></u>
--	---------------------	----------------------	-------------------------

Detector Alerted Occupant

Property Use <u>(419) - 1 or 2 family dwelling</u>	Mixed Use <u></u>
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 TIMES

PSAP Received <u>00:06:00, 05/13/2023</u>	Dispatch Notified Time <u>00:06:00, 05/13/2023</u>	Alarm Time <u>00:06:00, 05/13/2023</u>
Arrival Time <u>00:13:00, 05/13/2023</u>	Water on Fire Time <u>00:16:00, 05/13/2023</u>	At Patient Time <u></u>
Loss Stop Time <u></u>	Controlled Time <u></u>	Last Unit Cleared Time <u>02:02:00, 05/13/2023</u>
Total On Scene Time <u>1 hrs 49 mins 0 sec</u>	Total Incident Time <u>1 hrs 56 mins 0 sec</u>	

 COUNTS

Counts Include Aid Received?

No

Suppression:

Apparatus 2
Personnel 5

EMS:

Apparatus 1
Personnel 2

Other:

Apparatus 2
Personnel 4 LOSS

Property:

Estimated Property Losses
20000Estimated Property Value
20000

Content:

Estimated Content Losses
500Estimated Content Value
500 PERSON/OWNER

Person:

Name	Business Name	Phone
		
Address		
		

 AUTHORIZATION

Report Writer:

Name	Employee Number	Assignment	Authorization Date
<u>Davenport, Steve</u>	<u>0602</u>	<u>Lt</u>	<u>05/13/2023</u>

Officer in Charge:

Name	Employee Number	Assignment	Authorization Date
<u>Davenport, Steve</u>	<u>0602</u>	<u>Lt</u>	<u>05/13/2023</u>

Quality Control:

Name	Authorization Date
<u></u>	<u></u>

 INCIDENT NARRATIVE

E2, E3, E5, M5, B1 responded to 2006 Jonson for report of structure fire. UOA found single story, single family residence with heavy smoke and fire present on the alpha, bravo sides. pulled 200' 1/3/4" attack line to alpha bravo corner to protect south exposure. E3 arrived and pulled a second hand line and began water application through window to the north of the front door. E5 laid 5" line from hydrant to E2 manifold for water supply. E5 then began removing boards from the remaining front windows and doors. all doors and widows were secured and boarded with exception of the back door. occupant states he was using a "handmade" candle in back bed room. heaviest charring present in that room. e5 crew used 2nd hand line and made entry through front door to gain access to back room. exterior siding was removed in multiple locations to gain access to smoldering foam insulation. extinguishment was completed and overhaul was started on all remaining hot spots. all tools and personnel accounted for. all units back in service. after rehabing trucks, e2 returned to the scene to check for any hot spots. none were found.

Created By: Davenport, Steve

 Unit Reports

ENGINE 2

Use _____ Responding From _____ Priority _____
 (0) - Other _____

Response Delays _____

Dispatch Time _____ Enroute Time _____ Arrival Time _____
 00:06:00, 05/13/2023 00:06:00, 05/13/2023 00:13:00, 05/13/2023

At Patient Time _____ Clear Time _____ In District Time _____
 02:02:00, 05/13/2023

Actions Taken: _____

Person 1: Davenport, Steve

Patient Contact? _____ PPE Worn During Exposure _____

Fire Products Exposed To _____

PPE Worn During Exposure _____

PPE Malfunction? _____ Barrier Breach _____ Black Soot Around _____ Black Soot Around _____
 Nose Mouth

Decontamination Procedures Completed _____

Person 2: McCullough, Justin

Patient Contact? _____ PPE Worn During Exposure _____

Fire Products Exposed To _____

PPE Worn During Exposure _____

PPE Malfunction? _____ Barrier Breach _____ Black Soot Around _____ Black Soot Around _____
 Nose Mouth

Decontamination Procedures Completed _____

Person 3: WESTBROOK, ASHTON

Patient Contact? _____ PPE Worn During Exposure _____

Fire Products Exposed To _____

PPE Worn During Exposure _____

Person 3: WESTBROOK, ASHTON

PPE Malfunction?

Barrier Breach

Black Soot Around
NoseBlack Soot Around
Mouth

Decontamination Procedures Completed

ENGINE 5

Use

Responding From

Priority

(1) - Suppression

Response Delays

Dispatch Time

00:06:00, 05/13/2023

Enroute Time

00:06:00, 05/13/2023

Arrival Time

00:13:00, 05/13/2023

At Patient Time

Clear Time

02:02:00, 05/13/2023

In District Time

Actions Taken:

Person 1: Haney, Shawn T.

Patient Contact?

PPE Worn During Exposure

Fire Products Exposed To

PPE Worn During Exposure

PPE Malfunction?

Barrier Breach

Black Soot Around
NoseBlack Soot Around
Mouth

Decontamination Procedures Completed

Person 2: Brinson, Connor

Patient Contact?

PPE Worn During Exposure

Fire Products Exposed To

PPE Worn During Exposure

PPE Malfunction?

Barrier Breach

Black Soot Around
NoseBlack Soot Around
Mouth

Decontamination Procedures Completed

Person 3: RIOS, ANTHONY

Patient Contact? PPE Worn During Exposure

Fire Products Exposed To

PPE Worn During Exposure

PPE Malfunction?

Barrier Breach

Black Soot Around
NoseBlack Soot Around
Mouth

Decontamination Procedures Completed

ENGINE 3Use
(1) - Suppression

Responding From

Priority

Response Delays

Dispatch Time

00:06:00, 05/13/2023

Enroute Time

00:06:00, 05/13/2023

Arrival Time

00:13:00, 05/13/2023

At Patient Time

Clear Time

02:02:00, 05/13/2023

In District Time

Actions Taken:

Person 1: SANCHEZ, MATTHEW

Patient Contact? PPE Worn During Exposure

Fire Products Exposed To

PPE Worn During Exposure

PPE Malfunction?

Barrier Breach

Black Soot Around
NoseBlack Soot Around
Mouth

Decontamination Procedures Completed

Person 2: GILBERT, DERRICK

Patient Contact? PPE Worn During Exposure

Fire Products Exposed To

PPE Worn During Exposure

Person 2: GILBERT, DERRICK

PPE Malfunction?

Barrier Breach

Black Soot Around
NoseBlack Soot Around
Mouth

Decontamination Procedures Completed

MEDIC 5

Use

Responding From

Priority

(2) - EMS

Response Delays

Dispatch Time

Enroute Time

Arrival Time

00:06:00, 05/13/2023

00:06:00, 05/13/2023

00:13:00, 05/13/2023

At Patient Time

Clear Time

In District Time

02:02:00, 05/13/2023

Actions Taken:

Person 1: LIGHT, THOMAS

Patient Contact?

PPE Worn During Exposure

Fire Products Exposed To

PPE Worn During Exposure

PPE Malfunction?

Barrier Breach

Black Soot Around
NoseBlack Soot Around
Mouth

Decontamination Procedures Completed

Person 2: NORMAN, CHANDLER

Patient Contact?

PPE Worn During Exposure

Fire Products Exposed To

PPE Worn During Exposure

PPE Malfunction?

Barrier Breach

Black Soot Around
NoseBlack Soot Around
Mouth

Decontamination Procedures Completed

BATTALION 1

Use (0) - Other _____ Responding From _____ Priority _____

Response Delays _____

Dispatch Time 00:06:00, 05/13/2023 Enroute Time 00:06:00, 05/13/2023 Arrival Time 00:13:00, 05/13/2023

At Patient Time _____ Clear Time 02:02:00, 05/13/2023 In District Time _____

Actions Taken: _____

Person 1: SPARKS, JAKE

Patient Contact? _____ PPE Worn During Exposure _____

Fire Products Exposed To _____

PPE Worn During Exposure _____

PPE Malfunction? _____ Barrier Breach _____ Black Soot Around Nose _____ Black Soot Around Mouth _____

Decontamination Procedures Completed _____

** Fire Module**** SITE INFO**

Alarms _____ Acres Burned _____ Resident Units In Bldg 1 Buildings Involved 1

Hydrant Identifier _____ Estimated Water Usage _____

** IGNITION**

Area of Origin (22) - Bedroom - 5+ persons; including barrack/dormitory _____

Heat Source (66) - Candle _____

Item First Ignited (UU) - Undetermined _____ Fire Confined to Item? _____

Type of Material First Ignited _____

Cause of Ignition (2) - Unintentional _____

IGNITION

Factors Contributing to Ignition 1

(12) - Heat source too close to combustibles.

Human Factors Contributing to Ignition

(2) - Possibly impaired by alcohol or drugs

Est. Age of Person Involved

Gender of Person Involved

STRUCTURE

Structure Type

(1) - Enclosed building

Stories Above Grade

1

Stories Below Grade

0

Building Status

(3) - Idle, not routinely used

Length

Width

Total Square Feet

900 sq ft

Story of Fire Origin

1

Fire Spread

(4) - Confined to building of origin

Item Contributing Most to Flame Spread

Type of Material

Number of Stories with Damage

Minor Damage

Significant Damage

Heavy Damage

Extreme Damage

Total Stories

PROTECTIVE SYSTEMS

Presence of Detector

(N) - None present

Detector Type

Power Supply

Detector Operations

Effectiveness (/Failure Reason)

Presence of Auto Extinguishing System

(N) - None Present

System Type

System Operation

of Sprinklers

Reason for System Failure



217 East 3rd St.
Big Spring, TX 79720
432-264-2504
<https://www.mybigspring.com/>
msanchez@mybigspring.com

CASE # 23-00000057

Complaint Type: SUBSTANDARD BUILDING(S) Date Submitted: 08/22/2023
Complaint Status: OPEN Date Closed:

Location

Street: 2006 JOHNSON Location:
City: BIG SPRING St: TX Zip: 00000 Intersection:

Violator Information

Name:
Address: Phone:
Email:

Nature Of Complaint

SUBSTANDARD STRUCTURE THAT HAS FIRE DAMAGE

Parcel Information

Parcel #	Parcel Address	Owner Name	Owner Address
279449	2006 JOHNSON BIG SPRING, TX 00000	GONZALES ERNESTO & RODRIGUEZ MARIA	4900 N SALEM BIG SPRING, TX 79720

Details

Name	Value	Name	Value
FINAL NOV COMPLIANCE DUE DATE			



Violations

Code:	SUBSTANDARD STRUCTURE	Description:	Property Maintenance Code Sec. 304.1.1 Premises and exterior property of structure is not maintained and is determined to be as unsafe, does not meet minimum building standards and needs to be brought up to building code.
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304.1.1 UNSAFE CONDITIONS. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

1.Structural members have deterioration or distress that appears to reduce their load-carrying capacity.2.The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations have deterioration or distress that appears to reduce their load-carrying capacity.3.Structures or components thereof have deterioration or distress that appears to reduce their load-carrying capacity.4.Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or watertight.5.Reserved.6.Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.7.Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.8.Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all nominal loads and resisting all load effects.9.Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects.10.Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.11.Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes, and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.12.Exterior stairs, decks, porches, balconies, and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.13.Chimneys, cooling towers, smokestacks, and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**CERTIFICATION
NOTICE SENT BY MALISSA GARCIA**

“The document in **Exhibit A-6** presents factual findings from a legally authorized investigation for code compliance. The document is a copy of the official record.”

Certified Mail Return for **Exhibit A-6** is also attached.

SIGNED on the 7 day of September, 2023.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September, 2023
by the above referenced Affiant.

[Signature]
Notary Public, State of Texas

Exhibit A-6



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND NOTICE OF HEARING

Sent via: Certified Mail; Return Receipt Requested

August 31, 2023

Ernesto Gonzales and Maria Rodriguez
4900 Salem
Big Spring, Texas 79720

Re: 2006 JOHNSON ST, BIG SPRING, TEXAS 79720
LEGAL DESCRIPTION: N/50 SE/4 OF BK 27 COLLEGE HEIGHTS 50X140 1212
ACQ 071709 BLK/TRACT 27 0.161 ACRES, HOWARD COUNTY

Big Spring Code Compliance has determined that at the following structure(s): Main Structure, at the property as stated above, is/are in violation of the following section(s) of the **Property Maintenance Code of Big Spring (PMC)**, constituting a nuisance:

VIOLATION	DESCRIPTION OF VIOLATION
111.1.5 HAZARDOUS STRUCTURE OR PREMISES. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described as follows shall be considered to be hazardous: 11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.	The building had fire damage to the roof that has not been repaired. Hazardous condition.
304.1.1 UNSAFE CONDITIONS. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all nominal loads and resisting all load effects.	The roof appears to admit rain and has signs of deterioration. Unsafe condition.
304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or	The roof has defects that admit rain and is not sound and not tight.

interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.	
--	--

The following actions are required to correct the violation(s) at the structure(s) as stated above:

Corrective Action Sought by Code Compliance

Secure and vacate the structure(s) until the violation(s) are resolved,
and:

Demolish and Remove
of structure(s).

For further information about this notice, please contact the following person:

Issued by

Malissa Garcia

Name

Code Enforcement Officer

Title

+1 (432) 264-2506

Phone

mgarcia@mybigspring.com

E-mail

The City's goal is voluntary compliance.

**FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY
RESULT IN FINE.**

Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

**YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS
TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE.**

This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for

5:30 PM, September 12, 2023 at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

SECTION A-1.10. Rights of Parties

(a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.

(b) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.

(c) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.

(d) Rights of Parties. Each party shall have the following rights, among others:

1. To call and examine witnesses on any matter relevant to the issues of the hearing;
2. To introduce documentary and physical evidence;
3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
4. To impeach any witness regardless of which party first called him to testify;
5. To rebut the evidence against him;
6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.

Section C-9.02 (c)The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

YOU HAVE A RIGHT TO APPEAL THE DECISION OF THE HEARING BOARD. If the Hearing Board enters an order to abate the violation(s) at the structure(s) at the property, the order is preliminary, allowing you to appeal the order to District Court within thirty (30) days pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall become the final order.

FAILURE TO COMPLY/ATTACHMENT OF LIEN. If the owner of a premises fails to comply with an order of the Board within the time prescribed, and the City conducts abatement or work, either through an available public agency or by contract or arrangement with private persons, and the cost of such abatement work shall be charged against the real estate upon which the nuisance is located and shall be a lien on such real estate.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,



Nick Reyna, Building / Code Official
City of Big Spring, Texas

Exhibit A-7



Code Enforcement

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON SEPTEMBER 12TH, 2023, AT 5:30 P.M., IN THE CITY OF BIG SPRING COUNCIL CHAMBERS AT 307 E 4TH ST., BIG SPRING, TEXAS 79720 TO CONSIDER ABATEMENT OF PUBLIC NUISANCES ON PROPERTIES IN THE CITY OF BIG SPRING, TEXAS. ALL INTERESTED PERSONS MAY SPEAK, THEN A DETERMINATION WILL BE MADE AND REMEDIAL ACTION ORDERED ON THE FOLLOWING PROPERTIES:

2006 JOHNSON, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: N/50 SE/4 OF BK 27 COLLEGE HEIGHTS 50X140 1212 ACQ 071709 BLK/TRACT 27 0.161 ACRES - OWNER: ERNESTO GONZALEZ AND MARIA RODRIGUEZ

506 SGT PAREDEZ, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: PART W/80 E/160 BK 100 ORIGINAL TOWN 80X69 PROPERTY LOCATED @ 505 NW 5TH 0174 BLK/TRACT 100 0.312 ACRES– OWNER: RAMONA ROLDAN NAVARETTE

900 NW 2ND ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 12 BK G MOORE IRR 84 0.316 ACRES– OWNER: JESSIE NELSON

900 NW 1ST ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 7 BK J MOORE IRR 087 ACQ 062707 BLK/TRACT J 0.306 ACRES – OWNER: PRESTON AND OLETHA JOHNSON

1209 W 2ND ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: PT LTS 4-5 BK 2 BOWSER 100X140 487 0.321 ACRES ACQ 07152020 – OWNER: LYNN LEANNE

605 S DOUGLAS , BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 10 BK 7 EARLES 50X130 879 ACQ 5282017 BLK/TRACT 7 0.149 ACRES – OWNER: SIMON CHAVEZ

801 PINE ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: SC 26 BK 33 1N 51X280 109.04 ACQ 03292017 BLK/TRACT 33 1N 0.33 ACRES– OWNER: MARIA BURCIAGA

901 NW 2ND ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LTS 1-2 BK J MOORE IRR 85 ACQ 06232015 BLK/TRACT J 0.518 ACRES – OWNER: ROYAL BRAWLEY

611 DOUGLAS, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 7 BK EARLES 50X130 876 AXQ 03062019 0.149 ACRES – OWNER: MASON NABAR HERNANDEZ

601 NW 5TH , BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: E/2 OF LT 17 BK 99 ORIGINAL TOWN 50X85 ACQ 060911 BLK/TRACT 99 0.098 ACRES– OWNER: OSCAR FLORES

THE CITY OF BIG SPRING HEARING BOARD MEETING IS AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT TAMI DAVIS AT 432-264-2513 OR AT 310 NOLAN, BIG SPRING, TEXAS 79720, AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING.

Nick Reyna

Nick Reyna, Building Official, City of Big Spring

1209 W 2ND

Code Compliance Official: Ashley Guerra

Exhibit B-1

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

**AFFIDAVIT OF ASHLEY GUERRA
CONCERNING 1209 W 2ND**

BEFORE ME, the undersigned authority, on this day, personally appeared **Ashley Guerra**, who, being by me duly sworn, deposed as follows:

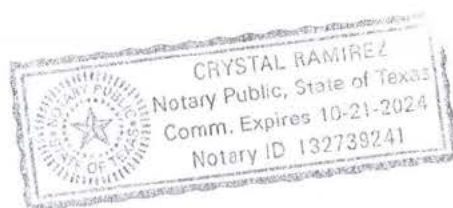
“My name is **Ashley Guerra**. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

“I am a Code Compliance Official for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **1209 W 2ND**, Big Spring, Texas. These are exact duplicates of original records. The records were made at or near the time of each act, event, or finding set forth. The records were made by, or from information transmitted by, persons with knowledge of the matters set forth. The records were kept in the course of regularly conducted business activity. It is the regular practice of the business activity to make the records.”

SIGNED on the 7 day of Sept. 2023.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September 2023 by the above referenced Affiant.



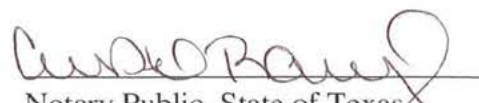

Notary Public, State of Texas

Exhibit B-2

Property Details

Account

Property ID:	277448	Geographic ID: B2370001300
Type:	Real	Zoning:
Property Use:		Condo:

Location

Situs Address:	1209 W 2ND
Map ID:	Mapscot
Legal Description:	PT LTS 4-5 BK 2 BOWSER 100X140 487 0.321 ACRES ACQ 07152020
Abstract/Subdivision:	
Neighborhood:	LKVW

Owner ⓘ

Owner ID:	433060
Name:	LYNN LEANNE
Agent:	
Mailing Address:	1209 W 2ND ST. BIG SPRING, TX 79720
% Ownership:	100.0%
Exemptions:	HS - HOMESTEAD For privacy reasons not all exemptions are shown online.

Property Values

Improvement Homesite Value:	\$35,157 (+)
Improvement Non-Homesite Value:	\$11,850 (+)
Land Homesite Value:	\$2,640 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$0 (+)

Market Value:	\$49,647 (=)
Agricultural Value Loss: ⓘ	\$0 (-)
Appraised Value:	\$49,647 (=)
Homestead Cap Loss: ⓘ	\$0 (-)
Assessed Value:	\$49,647
Ag Use Value:	\$0

VALUES DISPLAYED ARE 2023 PRELIMINARY VALUES AND ARE SUBJECT TO CHANGE PRIOR TO CERTIFICATION.

Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Property Taxing Jurisdiction

Owner: LYNN LEANNE %**Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.238916	\$49,647	\$42,088	\$100.55	
02B	CITY OF BIG SPRING	0.673163	\$49,647	\$42,088	\$283.32	
03B	BIG SPRING ISD	0.930900	\$49,647	\$11,850	\$110.31	
052	HOWARD COLLEGE	0.168395	\$49,647	\$42,088	\$70.87	

Total Tax Rate: 2.011374

Estimated Taxes With Exemptions: \$565.05

Estimated Taxes Without Exemptions: \$998.58

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

**CERTIFICATION
1209 W 2ND CASE NOTES**

“This record, attached as **Exhibit B-3**, was made at or near the time by – or from information transmitted by a person or persons with the City with knowledge.

This record was kept in the course of a regularly conducted business activity of the Code Compliance Department of the City of Big Spring, Texas.

Making this record was a regular practice of that activity.

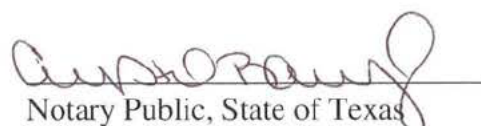
1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout certain data.
7. I used the proper procedures to obtain the readout.
8. The computer was in working order at the time I obtained the readout.
9. I recognize the attached **Exhibit B-3** as the readout.”

SIGNED on the 7 day of Sept, 2023.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September, 2023

by the above referenced Affiant.


Notary Public, State of Texas

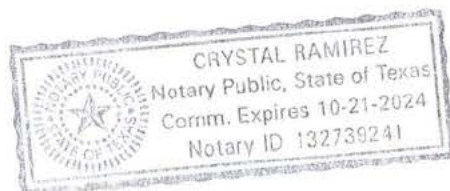


Exhibit B-3

08-08-2023 10:46 AM
TASK #: 116437
TASK CODE: INSPECT WEEDL LOT
PROPERTY: 1209 W 2ND ST

TASK NOTES REPORT

ORIG. DATE:
DUE DATE:

NOTES

Incident Notes:

Task #: 116437 - INSPECT WEEDL LOT - 7/13/2023
on 7-12-23 went to 1209 w 2nd due to a complaint
upon arival we had wl and sub structure
notice of violation was sent out for weeded lot on 7-13-23
owner called and said she would have it mowed i gave her the two weeks
that she asked for .front yard was mowed but the back yard wasnt complete
Owner is Leanne Dovie Lynn
There is 2 structures on property only one structure is substandard went
back for reinspection on 8-4-23 front yard is mowed but back yard isnt
complete
sent to legal so legal can send out sub structure notice of violation on
8-8-23

Task #: 116438 - WEEDY LOT LTR - 7/13/2023

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

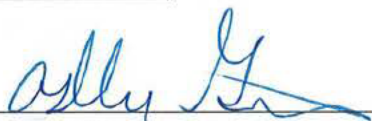
**CERTIFICATION OF
PHOTOGRAPHS BY ASHLEY GUERRA**

“With regard to the photographs in **Exhibits B-4** I am familiar with and recognize the scene depicted in the photographs. On JULY 12th, 2023 and AUGUST 4th, 2023, I inspected the property described as:

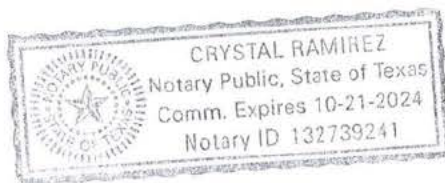
PT LTS 4-5 BK 2 BOWSER 100X140 487 0.321 ACRES ACQ 07152020 Big Spring, Howard County, Texas, also known as **1209 W 2ND**, Big Spring, Texas.

Each of the photographs is a fair and accurate depiction of the scene at the relevant time.”

SIGNED on the 7 day of Sept, 2023.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 7th day of September, 2023 by the above referenced Affiant.



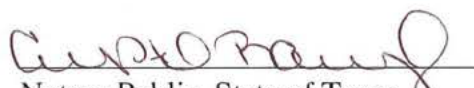

Notary Public, State of Texas

Exhibit B-4



7/12/2023 13:00



7/12/2023 13:00









8/ 4/2023 6:53





8/ 4/2023 6:52



Exhibit B-5

STATE OF TEXAS

COUNTY OF HOWARD

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**CERTIFICATION
NOTICE SENT BY ASHLEY GUERRA**

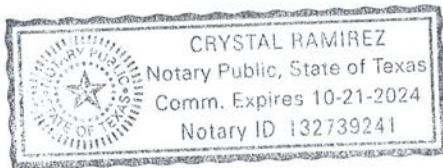
"The document in **Exhibit B-6** presents factual findings from a legally authorized investigation for code compliance. The document is a copy of the official record."

Certified Mail Return for **Exhibit B-6** is also attached.

SIGNED on the 7 day of Sept, 2023.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of September, 2023
by the above referenced Affiant.



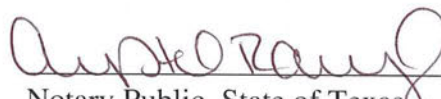

Notary Public, State of Texas

Exhibit B-6



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

1209 W 2ND ST
Lot: 4-5 BK: 2 BOWSER 487

July 13, 2023

Case No: 73255

LEANNE DOVIE LYNN
1209 W 2ND ST
BIG SPRING TX 79720-2003

The City of Big Spring has determined that the following section(s) of the **Property Maintenance Code (PMC) of Big Spring** have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Property Maintenance Code Sec. 302.4 Weeds	Premises and exterior property not maintained free from weeds or plant growth in excess of 12 inches (not including shrubs, trees or cultivated flowers).

The following actions are required to correct these violations within the deadlines.

Corrective Action Required	Deadline for Compliance
High weeds and grass needs to be mowed to the center of the easement including alley and curb line. This is the only notice you will receive for the next 12 months. If problem persists, criminal charges will be filed. (cut grass front and back yard)	

Seven (7) days from
date of mailing

For further information about this notice, please contact the following person:

Issued by

ASHLEY GUERRA

Name

Code Compliance

Department

432-264-2505

Phone

aguerra@mybigspring.com

E-mail

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE.

Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

FAILURE TO TAKE THE CORRECTIVE ACTION WITHIN THE DEADLINE MAY RESULT IN ABATEMENT BY THE CITY, CHARGING YOU AND/OR PROPERTY OWNER(S) WITH COSTS AND PENALTIES.

If you fail to take the corrective action within the deadlines stated above, the City may proceed with abatement (taking the corrective action for you). If so, the City will send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

ANNUAL NOTICE FOR WEEDS. If a violation covered by this notice occurs before the first anniversary of the date of this notice, and the City had not been informed in writing by the owner of an ownership change, then the City, without further notice, may take the corrective action and charge the abatement costs to the owner and file the lien as above.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the

property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

A handwritten signature in black ink, appearing to read "Ashley G.", with a long horizontal flourish extending to the right.

Code Compliance
City of Big Spring, Texas



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 • Ph. 432-264-2505

NOTICE OF VIOLATION AND NOTICE OF HEARING

Sent via: Certified Mail; Return Receipt Requested

August 31, 2023

Leanne Dovie Lynn
1209 W 2nd St
Big Spring, Texas 79720

Leanne Dovie Lynn
1207 W 2nd St
Big Spring, Texas 79720

Re: 1209 W 2ND, BIG SPRING, TEXAS 79720

**LEGAL DESCRIPTION: PT LTS 4-5 BK 2 BOWSER 100X140 487 0.321 ACRES
ACQ 07152020, HOWARD COUNTY**

Big Spring Code Compliance has determined that at the following structure(s): Main Structure, at the property as stated above, is/are in violation of the following section(s) of the **Property Maintenance Code of Big Spring (PMC)**, constituting a nuisance:

VIOLATION	DESCRIPTION OF VIOLATION
111.1.5 HAZARDOUS STRUCTURE OR PREMISES. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described as follows shall be considered to be hazardous: 11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.	The building had fire damage to the roof that has not been repaired. Hazardous condition.
304.1.1 UNSAFE CONDITIONS. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without	The roof appears to admit rain and has signs of deterioration. Unsafe condition.

proper anchorage and in capable of supporting all nominal loads and resisting all load effects.	
304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.	The roof has defects that admit rain and is not sound and not tight.

The following actions are required to correct the violation(s) at the structure(s) as stated above:

Corrective Action Sought by Code Compliance

Secure and vacate the structure(s) until the violation(s) are resolved, and:

Demolish and Remove
of structure(s).

For further information about this notice, please contact the following person:

Issued by

Ashley Guerra

Name

Code Compliance Official

Title

+1 (432) 264-2505

Phone

aguerra@mybigspring.com

E-mail

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE.

Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE.

This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you

and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **5:30 PM, September 12, 2023** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

SECTION A-1.10. Rights of Parties

- (a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.
- (b) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.
- (c) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.
- (d) Rights of Parties. Each party shall have the following rights, among others:
 - 1. To call and examine witnesses on any matter relevant to the issues of the hearing;
 - 2. To introduce documentary and physical evidence;
 - 3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
 - 4. To impeach any witness regardless of which party first called him to testify;
 - 5. To rebut the evidence against him;
 - 6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.

Section C-9.02 (c)The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

YOU HAVE A RIGHT TO APPEAL THE DECISION OF THE HEARING BOARD. If the Hearing Board enters an order to abate the violation(s) at the structure(s) at the property, the

order is preliminary, allowing you to appeal the order to District Court within thirty (30) days pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall become the final order.

FAILURE TO COMPLY/ATTACHMENT OF LIEN. If the owner of a premises fails to comply with an order of the Board within the time prescribed, and the City conducts abatement or work, either through an available public agency or by contract or arrangement with private persons, and the cost of such abatement work shall be charged against the real estate upon which the nuisance is located and shall be a lien on such real estate.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,



Nick Reyna Building / Code Official
City of Big Spring, Texas

Exhibit B-7



Code Enforcement

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON SEPTEMBER 12TH, 2023, AT 5:30 P.M., IN THE CITY OF BIG SPRING COUNCIL CHAMBERS AT 307 E 4TH ST., BIG SPRING, TEXAS 79720 TO CONSIDER ABATEMENT OF PUBLIC NUISANCES ON PROPERTIES IN THE CITY OF BIG SPRING, TEXAS. ALL INTERESTED PERSONS MAY SPEAK, THEN A DETERMINATION WILL BE MADE AND REMEDIAL ACTION ORDERED ON THE FOLLOWING PROPERTIES:

2006 JOHNSON, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: N/50 SE/4 OF BK 27 COLLEGE HEIGHTS 50X140 1212 ACQ 071709 BLK/TRACT 27 0.161 ACRES - OWNER: ERNESTO GONZALEZ AND MARIA RODRIGUEZ

506 SGT PAREDEZ, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: PART W/80 E/160 BK 100 ORIGINAL TOWN 80X69 PROPERTY LOCATED @ 505 NW 5TH 0174 BLK/TRACT 100 0.312 ACRES– OWNER: RAMONA ROLDAN NAVARETTE

900 NW 2ND ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 12 BK G MOORE IRR 84 0.316 ACRES– OWNER: JESSIE NELSON

900 NW 1ST ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 7 BK J MOORE IRR 087 ACQ 062707 BLK/TRACT J 0.306 ACRES – OWNER: PRESTON AND OLETHA JOHNSON

1209 W 2ND ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: PT LTS 4-5 BK 2 BOWSER 100X140 487 0.321 ACRES ACQ 07152020 – OWNER: LYNN LEANNE

605 S DOUGLAS , BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 10 BK 7 EARLES 50X130 879 ACQ 5282017 BLK/TRACT 7 0.149 ACRES – OWNER: SIMON CHAVEZ

801 PINE ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: SC 26 BK 33 IN 51X280 109.04 ACQ 03292017 BLK/TRACT 33 IN 0.33 ACRES– OWNER: MARIA BURCIAGA

901 NW 2ND ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LTS 1-2 BK J MOORE IRR 85 ACQ 06232015 BLK/TRACT J 0.518 ACRES – OWNER: ROYAL BRAWLEY

611 DOUGLAS, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 7 BK EARLES 50X130 876 AXQ 03062019 0.149 ACRES – OWNER: MASON NABAR HERNANDEZ

601 NW 5TH , BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: E/2 OF LT 17 BK 99 ORIGINAL TOWN 50X85 ACQ 060911 BLK/TRACT 99 0.098 ACRES– OWNER: OSCAR FLORES

THE CITY OF BIG SPRING HEARING BOARD MEETING IS AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT TAMI DAVIS AT 432-264-2513 OR AT 310 NOLAN, BIG SPRING, TEXAS 79720, AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING.

Nick Reyna



HOWARD CENTRAL APPRAISAL DISTRICT

Clarissa Teichman, RPA
Chief Appraiser

September 5, 2023

It is time for the tax units of Howard County to elect members to the Appraisal District's Board of Directors. As the election administrator for this process, I must notify you of the timetable, each tax unit's votes based on the 2022 tax levies, and give your tax unit the right to nominate a member or members to the board. Please see that this is passed on to your Presiding Officer-a requirement of law.

Per state law, we have five members of the Board of Directors. There are no staggered terms, so all board member positions are up for election. Your tax unit has the right to nominate, by resolution of your governing body, up to five people. There is no requirement for you to nominate anyone if you do not want to do so. Any person living in Howard County and who has been a resident of this county for the past two years is eligible to serve. Employees of tax units other than elected officials are not eligible for board service.

The members of the current Board are not automatically nominated so if your tax unit wishes to re-nominate them, please feel free to do so or nominate anyone else that you wish. The board members who are willing to continue to serve are:

Scott Emerson
Craig Wyrick
Michael Dawson
Noel Hoff
Jordan Partee

The nominations should be returned to me at the appraisal district address by October 15, 2023. I will prepare a ballot and return it to your tax unit. Your tax unit will then be able to cast votes for as many nominees as they wish or cast all votes for a single nominee. The actual vote must be done by resolution of your tax unit in an open meeting between October 31 and December 15. The resolution should be returned to me as soon as it is completed. The successful board members will be announced by December 20 and will be sworn in at the first meeting in 2024.

I have enclosed a resolution that you may use for the nominations process. If you have any questions about the elections process, feel free to contact me.

Thank You,

Clarissa Teichman, Chief Appraiser

2024 Calculation of Votes for Board of Directors Election

Tax Unit	2022 Levy-Hood Co.	Levy % for Appraisal	Vote Allocation
Howard County	\$ 20,725,997	0.1646	\$ 823
Howard College	\$ 14,608,290	0.1160	\$ 580
Big Spring City	\$ 8,555,513	0.0679	\$ 340
Coahoma City	\$ 225,225	0.0018	\$ 9
Forsan City	\$ 24,079	0.0002	\$ 1
Big Spring ISD	\$ 37,737,790	0.2997	\$ 1,499
Coahoma ISD	\$ 13,281,590	0.1055	\$ 527
Forsan ISD	\$ 8,891,752	0.0706	\$ 353
Permian UWD	\$ 129,734	0.0010	\$ 5
Sands ISD	\$ 17,246,579	0.1370	\$ 685
Borden County ISD	\$ 1,977,898	0.0157	\$ 79
Stanton ISD	\$ 2,505,877	0.0199	\$ 100
	\$ 125,910,324	1.0000	\$ 5,000

STATE OF TEXAS :
COUNTY OF HOWARD :
CITY OF BIG SPRING :

The City Council of the City of Big Spring, Texas, met in a REGULAR AGENDA in the City Council Chambers located at 307 E. 4th St., Big Spring, Texas, at 5:30 PM, August 22, 2023, with the following members present in person:

COUNCIL MEMBER TROY TOMPKINS
COUNCIL MEMBER GLORIA MCDONALD
MAYOR ROBERT MOORE
COUNCIL MEMBER MAURY SMITH
MAYOR PRO TEM NICK ORNELAS
COUNCIL MEMBER CODY HUGHES

Same and constituting a quorum, for which four Councilmembers must be present; and the following staff in person;

TODD DARDEN	City Manager
JOHN MEDINA	Assistant City Manager
ANDREW HAGEN	City Attorney
SHANE BOWLES	Public Works Director
CHAD WILLIAMS	Police Chief
JAY HOLT	Interim Fire Chief
MIKE FEELEY	Airpark Director
SANDY SMITH	Finance Director
HAYLEY LEWIS	Community Services Director
TAMI DAVIS	City Secretary
MANDY HAYNES	Municipal Judge

Open Session

Call to Order

Mayor Moore called the City Council meeting to order at 5:30 p.m.

Invocation

Joel Delagarza gave the invocation.

Pledge of Allegiance to the United States Flag and to the Texas State Flag

Mayor Moore led the pledge of allegiance to the United States Flag and to the Texas State Flag.

Public Comment

Public Comment

There were no public comments at this time.

Announcements, Presentations and Public Hearings

MOTION WAS MADE BY Mayor Moore to open the public hearings listed below, seconded by Council Member Smith.

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Hughes, 6
Council Member McDonald, Council Member Tompkins, Council Member 0
Smith**

NAYS: None

MOTION PASSED

Each public hearing listed below regarding the abatements were presented to the Council with an abatement order and pictures.

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 201 CHANNING, BIG SPRING, TEXAS 79720 - LEGAL
DESCRIPTION: S/27 W/90 OF LT 1 BK 1 ROSEMONT 27X90 060 0.056 ACRES ACQ 062813- OWNER: CURTIS FLEWELLEN

MOTION WAS MADE BY Council Member Smith to abate the above captioned property (201 Channing), seconded by Council Member McDonald.

**YEAS: Mayor Moore, Council Member Hughes, Council Member Tompkins, 6
Mayor Pro Tem Ornelas, Council Member Smith, Council Member McDonald 0
NAYS: None**

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1807 W 3RD, BIG SPRING, TEXAS 79720 - LEGAL
DESCRIPTION: PART NW/4 OF SC 32 BK 33 1N 604 ACQ 100307 BLK/TRACT 33 1N 0.466 ACRES - OWNER: VARGAS GALINDO

MOTION WAS MADE BY Mayor Pro Tem Ornelas to abate the above captioned property (1807 W. 3rd St.), seconded by Council Member Hughes.

**YEAS: Mayor Moore, Council Member Hughes, Council Member Tompkins, 6
Mayor Pro Tem Ornelas, Council Member Smith, Council Member McDonald 0
NAYS: None**

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 106 ALGERITA , BIG SPRING, TEXAS 79720 - LEGAL

DESCRIPTION: LT 3 BK 7 LAKEVIEW 50X140 341 0.161 ACRES ACQ 03042020-
OWNER: PHILLIP DON LESLEY

MOTION WAS MADE BY Council Member McDonald to abate the above captioned property (106 Algerita), seconded by Council Member Smith.

**YEAS: Mayor Moore, Council Member Hughes, Council Member Tompkins, 6
Mayor Pro Tem Ornelas, Council Member Smith, Council Member McDonald 0
NAYS: None**

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1601 HARDING, BIG SPRING, TEXAS 79720 - LEGAL
DESCRIPTION: LT 1 BK 1 AVION 525X150 441 BLK/TRACT 1 0.179 ACRES -
OWNER: VIRGINIA PEREZ AND ESTATE OF ROBERTO D. PEREZ

MOTION WAS MADE BY Mayor Pro Tem Ornelas to abate the above captioned property (1601 Harding), seconded by Council Member McDonald.

**YEAS: Mayor Moore, Council Member Hughes, Council Member Tompkins, 6
Mayor Pro Tem Ornelas, Council Member Smith, Council Member McDonald 0
NAYS: None**

MOTION PASSED

MOTION WAS MADE BY Mayor Moore to close the above captioned public hearings, seconded by Council Member Hughes.

**YEAS: Mayor Moore, Council Member Hughes, Council Member Tompkins, 6
Mayor Pro Tem Ornelas, Council Member Smith, Council Member McDonald 0
NAYS: None**

MOTION PASSED

City Manager's Report

City Manager's report on the following items:

- Update on Large Item Pickup, District 2
- City Holiday - September 4, Labor Day
- Board Members Needed - See Attached List

Todd Darden, City Manager, reported on the above captioned items as follows; Large item pickup picked up 6.4 tons; City holiday on September 4th in observance of labor day; Board members needed and a list is attached to the agenda; also work on fire hydrants is about to begin.

Consent Items

Approval of the City Council Minutes of the Regular Meeting of August 8, 2023.

Acknowledge Receipt of the Big Spring Economic Development Corporation Board of Director's Minutes of the Regular Meeting of July 24, 2023

Final Reading of an Ordinance Amending the Big Spring City Code Chapter 48, "Traffic and Vehicles," Article V, "Vehicle Impoundment," Section 48-157 "Impoundment and Redemption Fees," to Increase Administrative Fees on a Driver or Owner of Any Vehicle or Property Impounded Prior to the Release of the Vehicle from \$150.00 to \$250.00; and Article VI, "Tow Trucks," Section 48-206 "License and Permit Fees," by Reducing the Annual License Fee of Towing Companies Performing Nonconsent Tows to \$15.00; 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 an Effective Date

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 Airpark Fund Budget for the Purpose of Purchasing an Ice Machine; Providing for Severability; Providing for Publication; and Providing an Effective Date

Final Reading of a Resolution Amending Resolution 005-2023 and the Underlying Real Estate Purchase Agreement with 3-D Development, LLC to Replace the Right of Re-Entry with a Surety Bond; Providing for Repeal of Conflicting Resolutions; Finding and Determining that the Meetings at Which the Resolution Were Discussed Were Open to the Public as Required by Law; Providing a Savings and Severability Clause; and Establishing an Effective Date

MOTION WAS MADE BY Mayor Pro Tem Ornelas to approve the above captioned minutes, ordinances and resolution, seconded by Council Member Smith.

YEAS: Mayor Moore, Council Member Hughes, Council Member Tompkins, 6

Mayor Pro Tem Ornelas, Council Member Smith, Council Member McDonald 0

NAYS: None

MOTION PASSED

Vouchers

Vouchers for 08/10/23	\$	901,787.35
Vouchers for 08/17/23	\$	839,566.34
Drafts	\$	808,571.52

Council Member Yanez reviewed the above captioned vouchers.

MOTION WAS MADE BY Mayor Pro Tem Ornelas to approve the above captioned vouchers, seconded by Council Member Hughes.

YEAS: Mayor Moore, Council Member Hughes, Council Member Tompkins, 6

Mayor Pro Tem Ornelas, Council Member Smith, Council Member McDonald 0

NAYS: None

MOTION PASSED

New Business

Consideration and Possible Action of Placing a Proposal on the September 12, 2023 City Council Agenda to Adopt the De Minimis Tax Rate of \$0.670429.

MOTION WAS MADE BY Council Member Smith to approve the above captioned proposal, seconded by Mayor Pro Tem Ornelas.

YEAS: Mayor Moore, Council Member Hughes, Council Member Tompkins, 6

Mayor Pro Tem Ornelas, Council Member Smith, Council Member McDonald 0

NAYS: None

MOTION PASSED

Call for Public Hearing on the Proposed 2023-24 Annual Budget to be Held on Tuesday, September 12, 2023 at 5:30 p.m. in the City Council Chambers Located at 307 East 4th Street, Big Spring, TX

Call for Public Hearing on the Proposed Tax Rate to be Held on Tuesday, September 12, 2023 at 5:30 p.m. in the City Council Chambers Located at 307 East 4th Street, Big Spring, TX

MOTION WAS MADE BY Council Member Hughes to approve both of the above captioned calling for a public hearing (Annual Budget & Tax Rate), seconded by Mayor Pro Tem Ornelas.

YEAS: Mayor Moore, Council Member Hughes, Council Member Tompkins, 6

Mayor Pro Tem Ornelas, Council Member Smith, Council Member McDonald 0

NAYS: None

MOTION PASSED

First 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; 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

MOTION WAS MADE BY Mayor Moore to approve the above captioned resolution, seconded by Council Member Hughes.

YEAS: Mayor Moore, Council Member Hughes, Council Member Tompkins, 6

Mayor Pro Tem Ornelas, Council Member Smith, Council Member McDonald 0

NAYS: None

MOTION PASSED

Consideration and Possible Action on Extending the Current Mutual of Omaha LTD Contract Aligning with Other Employee Benefits and Awarding a Renewal Date of January 1, 2024 for LTD Insurance to Mutual of Omaha and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Council Member Smith to approve the extension of the above captioned contract, seconded by Council Member Hughes.

YEAS: Mayor Moore, Council Member Hughes, Council Member Tompkins, 6

Mayor Pro Tem Ornelas, Council Member Smith, Council Member McDonald 0

NAYS: None

MOTION PASSED

Discussion and Possible Action Concerning the Howard County 911 Emergency Communications District to Cast One Vote or Two Votes to Remove One or Two Municipal Members from the Board of Managers, and to Cast One Vote or Two Votes to Appoint One or Two Municipal Members to the Board of Managers.

Current Members: Phil Witten & Debra Wallace

MOTION WAS MADE BY Mayor Moore to remove Phil Whitten and Debra Wallace from the Howard County 911 Emergency Communications District Board, seconded by Council Member McDonald.

YEAS: Mayor Moore, Council Member Hughes, Council Member Tompkins, 5

Council Member Smith, Council Member McDonald 1

NAYS: Mayor Pro Tem Ornelas

MOTION PASSED

After a brief discussion, MOTION WAS MADE BY Council Member Tompkins to undo the above captioned vote to remove the two members, seconded by Council Member Hughes.

YEAS: Mayor Moore, Council Member Hughes, Council Member Tompkins, 5

Mayor Pro Tem Ornelas, Council Member McDonald 1

NAYS: Council Member Smith

MOTION PASSED

MOTION WAS MADE BY Mayor Moore to keep the two members (Phil Whitten & Debra Wallace) on the 911 Emergency Communications District Board, seconded by Council Member Smith.

**YEAS: Mayor Moore, Council Member Hughes, Council Member Tompkins, 6
Mayor Pro Tem Ornelas, Council Member Smith, Council Member McDonald 0**

NAYS: None

MOTION PASSED

Council Input

Input

Mayor Pro Tem Ornelas thanked Mike Feeley and his staff for work on the Blow out at the Bunker event; Work on 3rd & 4th Streets will take 3 or 4 months; question on accumulated items and would like to see more of them back on the agenda.

Council Member McDonald also thanked Mike Feeley for the Blow out at the Bunker event;

Adjourn

Mayor Moore adjourned the City Council Meeting at 6:19 p.m.

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary

STATE OF TEXAS :
COUNTY OF HOWARD :
CITY OF BIG SPRING :

The Planning and Zoning Commission of the City of Big Spring, Texas, met in a REGULAR Session in the City Council Chambers located at 307 E. 4th St., Big Spring, Texas, at 5:30 PM, July 20, 2023, with the following board members:

DALE AVANT	CHAIR
TERRY MCDANIEL	CO-CHAIR
KELLY HARRIS	MEMBER
KEVAN SCHOOLER	MEMBER
TJ STEWART	MEMBER

Same and constituting a quorum, for which four board members must be present; and the following were in person;

DALE AVANT	CHAIR
TERRY MCDANIEL	CO-CHAIR
KEVAN SCHOOLER	MEMBER
KELLEY HARRIS	MEMBER
T.J. STEWART	MEMBER

Open Session

Call to Order

Chairperson Avant called the meeting to order at 5:30 pm.

Announcements, Presentations and Public Hearings

Notice of Possible Quorum

Consent Items

Approval of the Planning and Zoning Commission Meeting Minutes from the regular meeting held on May 16, 2023.

Member Schooler made a motion to approve, 2nd by Member Stewart.
5 ayes 0 nays

New Business

Discussion to amend the City of Big Spring Zoning Code to allow electric battery storage operations within the city limits. To discuss a definition for energy storage and create a zoning in which the use is allowed.

Cameron Walker explained the item and expressed he was against it.

Mason Parker explained his project and disagreement with Cameron Walker.

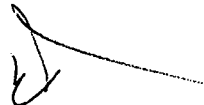
Shane Bowles and Joe Cazares expressed their views about the citizens' safety.

After a great discussion with the P&Z Commission, the Commission decided not to add this item to the City Code at this time.

Commissioners Input

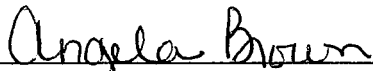
Move to adjourn by Member McDaniel, 2nd by Member Stewart

5 ayes 0 nays



Dale Avant, Chair

ATTEST:



Angela Brown, Public Works Coordinator

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, 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; 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.

WHEREAS, the City of Big Spring, Texas (“City”) is a gas utility customer of Atmos Energy Corp., West Texas Division (“Atmos West Texas” or “Company”), and a regulatory authority with an interest in the rates and charges of Atmos West Texas; and

WHEREAS, the City is a member of Cities Served by Atmos West Texas (“Cities”), a coalition of similarly situated cities served by Atmos West Texas that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos West Texas service area; and

WHEREAS, Cities and the Company worked collaboratively to develop a new Rate Review Mechanism (“RRM”) tariff that allows for an expedited rate review process by Cities as a substitute to the Gas Reliability Infrastructure Program (“GRIP”) process instituted by the Legislature, and that will establish rates for Cities based on the system-wide cost of serving the Atmos West Texas service area; and

WHEREAS, the RRM tariff was adopted by the City in a rate ordinance in 2018; and

WHEREAS, on about March 31, 2023, Atmos West Texas filed its 2023 RRM rate request with Cities based on a test year ending December 31, 2022; and

WHEREAS, Cities coordinated its review of the Atmos West Texas 2023 RRM filing through its Executive Committee, assisted by Cities’ attorneys and consultants, to resolve issues identified in the Company’s RRM filing; and

WHEREAS, the Executive Committee, as well as Cities' counsel and consultants, recommends that Cities approve an increase in base rates for Atmos West Texas of \$8.4 million with an Effective Date of October 1, 2023; and

WHEREAS, the attached tariffs (Attachment 1) implementing new rates are consistent with the recommendation of the Cities' Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Attachment 2) and

WHEREAS, the RRM Tariff contemplates reimbursement of Cities' reasonable expenses associated with RRM applications;

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

SECTION 1. That the findings set forth in this Resolution are hereby in all things approved.

SECTION 2. That, without prejudice to future litigation of any issue identified by Cities, the City Council finds that the settled amount of an increase in revenues of \$ 8.4 million for Cities represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos West Texas within the municipal limits arising from Atmos West Texas' 2023 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

SECTION 3. That the existing rates for natural gas service provided by Atmos West Texas are unreasonable. The new tariffs, attached hereto and incorporated herein as Attachment 1, are just and reasonable, and are designed to allow Atmos West Texas to recover annually an additional \$8.4 million in revenue from customers in Cities, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

SECTION 4. That the ratemaking treatment for pensions and retiree medical benefits in Atmos West Texas' next RRM filing shall be as set forth on Attachment 2, attached hereto and incorporated herein.

SECTION 5. That Atmos West Texas shall reimburse the reasonable ratemaking expenses of the Cities in processing the Company's 2023 RRM filing.

SECTION 6. All provisions of any resolution in conflict with this Resolution are hereby repealed to the extent they are in conflict. Any remaining portions of said resolutions shall remain in full force and effect.

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. 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 9. That consistent with the City Ordinance that established the RRM process, this Resolution shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after October 1, 2023.

SECTION 10. That a copy of this Resolution shall be sent to Atmos West Texas, care of Philip Littlejohn, Vice President of Rates and Regulatory Affairs, West Texas Division, 6606 66th Street, Lubbock, Texas 79424, and Thomas Brocato, General Counsel to Cities, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **22nd** day of **August 2023** with all members of the Council voting “aye” for the passage of same.

PASSED AND APPROVED on second reading at a regular meeting of the City Council on the **12th** day of **September 2023** with all members of the Council voting “aye” for the passage of same.

Robert H. Moore III, Mayor

ATTEST:

APPROVED AS TO FORM:

Tami L. Davis, City Secretary

Andrew W. Hagen, City Attorney

**WEST TEXAS DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	RESIDENTIAL GAS SERVICE	
APPLICABLE TO:	WEST TEXAS CITIES SERVICE AREA – Inside City Limits (ICL)	
EFFECTIVE DATE:	Bills Rendered on and after 10/01/2023	

Availability

This schedule is applicable to general use by Residential customers for heating, cooking, refrigeration, water heating and other similar type uses. This schedule is not available for service to premises with an alternative supply of natural gas.

Monthly Rate

Charge	Amount
Customer Charge	\$ 18.97
Consumption Charge	\$ 0.42269 per Ccf ¹

The West Texas Division Gas Cost Adjustment Rider applies to this schedule.

The West Texas Division Weather Normalization Adjustment Rider applies to this schedule.

The West Texas Division Rider TAX applies to this schedule.

The West Texas Division Rider FF applies to this schedule.

The West Texas Division Rider RRM applies to this schedule.

Miscellaneous Charges: Plus an amount for miscellaneous charges calculated in accordance with the applicable rider(s).

¹ The consumption charge includes the base rate amount of \$0.40426 per Ccf and Securitization Regulatory Asset amounts related to financing costs in the amount of \$0.01843 per Ccf until recovered.

**WEST TEXAS DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	COMMERCIAL GAS SERVICE	
APPLICABLE TO:	WEST TEXAS CITIES SERVICE AREA – Inside City Limits (ICL)	
EFFECTIVE DATE:	Bills Rendered on and after 10/01/2023	

Availability

This schedule is applicable to Commercial customers, including hospitals and churches, for heating, cooking, refrigeration, water heating and other similar type uses. This schedule is not available for service to premises with an alternative supply of natural gas.

Monthly Rate

Charge	Amount
Customer Charge	\$ 63.83
Consumption Charge	\$ 0.22465 per Ccf ¹

The West Texas Division Gas Cost Adjustment Rider applies to this schedule.

The West Texas Division Weather Normalization Adjustment Rider applies to this schedule.

The West Texas Division Rider TAX applies to this schedule.

The West Texas Division Rider FF applies to this schedule.

The West Texas Division Rider RRM applies to this schedule.

Miscellaneous Charges: Plus an amount for miscellaneous charges calculated in accordance with the applicable rider(s).

Presumption of Plant Protection Level

For service under this Rate Schedule, plant protection volumes are presumed to be 10% of normal, regular, historical usage as reasonably calculated by the Company in its sole discretion. If a customer believes it needs to be modeled at an alternative plant protection volume, it should contact the company at wtx.plantprotection@atmosenergy.com.

¹ The consumption charge includes the base rate amount of \$0.20622 per Ccf and Securitization Regulatory Asset amounts related to financing costs in the amount of \$0.01843 per Ccf until recovered.

**WEST TEXAS DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	INDUSTRIAL GAS SERVICE	
APPLICABLE TO:	WEST TEXAS CITIES SERVICE AREA – Inside City Limits (ICL)	
EFFECTIVE DATE:	Bills Rendered on and after 10/01/2023	

Availability

This schedule is applicable to the sales to any industrial or commercial customer whose predominant use of natural gas is other than space heating, cooking, water heating or other similar type uses. Service under this schedule is available to eligible customers following execution of a contract specifying the maximum hourly load. This schedule is not available for service to premises with an alternative supply of natural gas.

Monthly Rate

Charge	Amount
Customer Charge	\$ 720.80
Consumption Charge	\$ 0.13550 per Ccf ¹

The West Texas Division Gas Cost Adjustment Rider applies to this schedule.

The West Texas Division Rider TAX applies to this schedule.

The West Texas Division Rider FF applies to this schedule.

The West Texas Division Rider RRM applies to this schedule.

Miscellaneous Charges: Plus an amount for miscellaneous charges calculated in accordance with the applicable rider(s).

Presumption of Plant Protection Level

For service under this Rate Schedule, plant protection volumes are presumed to be 10% of normal, regular, historical usage as reasonably calculated by the Company in its sole discretion. If a customer believes it needs to be modeled at an alternative plant protection volume, it should contact the company at wtx.plantprotection@atmosenergy.com.

¹ The consumption charge includes the base rate amount of \$0.11707 per Ccf and Securitization Regulatory Asset amounts related to financing costs in the amount of \$0.01843 per Ccf until recovered.

**WEST TEXAS DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	PUBLIC AUTHORITY GAS SERVICE	
APPLICABLE TO:	WEST TEXAS CITIES SERVICE AREA – Inside City Limits (ICL)	
EFFECTIVE DATE:	Bills Rendered on and after 10/01/2023	

Availability

This schedule is applicable to general use by Public Authority type customers, including public schools, for heating, cooking, refrigeration, water heating and other similar type uses. This schedule is not available for service to premises with an alternative supply of natural gas.

Monthly Rate

Charge	Amount
Customer Charge	\$ 177.26
Consumption Charge	\$ 0.19805 per Ccf ¹

The West Texas Division Gas Cost Adjustment Rider applies to this schedule.

The West Texas Division Weather Normalization Adjustment Rider applies to this schedule.

The West Texas Division Rider TAX applies to this schedule.

The West Texas Division Rider FF applies to this schedule.

The West Texas Division Rider RRM applies to this schedule.

Miscellaneous Charges: Plus an amount for miscellaneous charges calculated in accordance with the applicable rider(s).

¹ The consumption charge includes the base rate amount of \$0.17962 per Ccf and Securitization Regulatory Asset amounts related to financing costs in the amount of \$0.01843 per Ccf until recovered.

**WEST TEXAS DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	TRANSPORTATION SERVICE	
APPLICABLE TO:	WEST TEXAS CITIES SERVICE AREA – Inside City Limits (ICL)	
EFFECTIVE DATE:	Bills Rendered on and after 10/01/2022	Page 78

Application

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., West Texas Division Distribution System for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility with an estimated annual usage greater than 100,000 Ccf per meter.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's bill will be calculated by adding the following Customer and Ccf charges to the amounts and quantities due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 720.80 per month
Consumption Charge	\$ 0.11707 per Ccf

Upstream Transportation Cost Recovery: The customer is responsible for all upstream transportation costs.

Retention Adjustment: Plus a quantity of gas equal to the Company's most recently calculated financial L&U percentage for the twelve months ended September multiplied by the gas received into Atmos Energy Corporation's West Texas Division for transportation to the customer.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Miscellaneous Charges: Plus an amount for miscellaneous charges calculated in accordance with the applicable rider(s).

The West Texas Division Rider RRM applies to this schedule.

Conversions: Units may be converted from Ccf to Mcf or Mmbtu as necessary to comply with the underlying transportation agreement.

**WEST TEXAS DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	TRANSPORTATION SERVICE	
APPLICABLE TO:	WEST TEXAS CITIES SERVICE AREA – Inside City Limits (ICL)	
EFFECTIVE DATE:	Bills Rendered on and after 10/01/2022	Page 79

Imbalance Fees

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

Monthly Imbalance Fees

Customer shall pay Company a monthly imbalance fee at the end of each month as defined in the applicable Transportation Agreement,

Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the "Index" price reported for the month of delivery in Inside FERC's Gas Market Report under the heading "West Texas Waha".

Replacement Index

In the event the "Index" price reported for the month of delivery in Inside FERC's Gas Market Report under the heading "West Texas Waha" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement

A transportation agreement is required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive transportation service under this tariff, customer must have the type of meter, instrumentation, and communication required by Company. Customer must pay Company all costs associated with the acquisition and installation of the required equipment.

ATMOS ENERGY CORPORATION
WEST TEXAS CITIES ("WTX CITIES") RATE REVIEW MECHANISM
PENSIONS AND RETIREE MEDICAL BENEFITS FOR APPROVAL
TEST YEAR ENDING DECEMBER 31, 2022

Line No.	Description	Shared Services		WTX			Total
		Pension Account Plan	Post-Employment Benefit Plan	Pension Account Plan	Post-Employment Benefit Plan	Supplemental Executive Benefit Plan	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
1	Proposed Benefits Benchmark -						
	Fiscal Year 2023 Willis Towers Watson Report	\$ 1,434,339	\$ (518,336)	\$ 458,605	\$ (1,044,309)	\$ 39,846	
2	Allocation Factor	8.40%	8.40%	96.32%	96.32%	96.32%	
3	Proposed Benefits Benchmark Costs (Excluding Removed Cost Centers)						
	Allocated to West Texas (Ln 1 x Ln 2)	\$ 120,490	\$ (43,542)	\$ 441,726	\$ (1,005,872)	\$ 38,379	
4	O&M and Capital Factor	100.00%	100.00%	100.00%	100.00%	100.00%	
5	Proposed Benefits Benchmark Costs To Approve						
	(Excluding Removed Cost Centers) (Ln 3 x Ln 4)	\$ 120,490	\$ (43,542)	\$ 441,726	\$ (1,005,872)	\$ 38,379	\$ (448,819)
6							
7							
8	Summary of Expense Costs to Approve:						
9							
10	O&M Expense Factor (WP_F-2.3, Ln 2)	78.00%	78.00%	52.86%	52.86%	100.00%	
11							
12	Total Pension Account Plan	\$ 93,985		\$ 233,517			\$ 327,502
13	Total Post-Employment Benefit Plan		\$ (33,964)		\$ (531,751)		(565,715)
14	Total Supplemental Executive Benefit Plan					\$ 38,379	38,379
15	Total (Sum Ln 12 through Ln 14)	\$ 93,985	\$ (33,964)	\$ 233,517	\$ (531,751)	\$ 38,379	\$ (199,834)



INTEGRITY
EXCELLENCE
TRUST

September 6, 2023

Mr. John Medina
Assistant City Manager
City of Big Spring
310 Nolan Street
Big Spring, Texas 79720

RE: 2023 Tank Cleanings and Rehabilitation
Letter of Recommendation for Award

Sent: Via Email

Dear Mr. Medina:

On August 30, 2023 the City of Big Spring received bids for the 2023 Tank Cleanings and Rehabilitation project. Three bids were received for this project. A bid tabulation sheet summarizing the bids is included as an attachment to this letter. The low total base bid was \$257,178.00 submitted by Riley Industrial Services, Inc. out of Farmington, New Mexico. Jacob and Martin has evaluated the low bid for conformity with the advertisement for bids and checked the references of the apparent low bidder. Based on our evaluation of the bids, it is recommended that the contract be awarded to Riley Industrial Services, Inc. for the total amount of \$257,178.00. If the City Council agrees with the recommendation for award, Jacob and Martin will prepare contract documents for execution by the Contractor and the City. Feel free to contact me if you have any questions.

Sincerely,

Kirt Harle, P.E.

JACOB | MARTIN



info@jacobmartin.com
www.jacobmartin.com



3465 Curry Lane
Abilene, TX 79606
325.695.1070

1508 Santa Fe, Suite 203
Weatherford, TX 76086
817.594.9880

4920 S. Loop 289, Suite 104
Lubbock, TX 79414
806.368.6375

City of Big Spring
2023 Tank Cleaning and Rehabilitation
Bid Date: August 30, 2023
JM Project Number: 23264
Local Funding



Bid Tabulation

Engineer: Jacob & Martin, LLC
Abilene, Texas

For all Labor, Materials, Equipment, and Incidentals to Furnish and Install the Following:	Riley Industrial Services, Inc.		D&M Tank, LLC		Viking Painting, LLC	
	2615 San Juan Blvd.		6901 Mansfield Cardinal Rd.		10905 Harrison St.	
	Farmington, NM 87401		Kennedale, TX 76060		La Vista, NE 68128	
		Total		Total		Total
TOTAL BASE BID (Items 1 -12)						
		\$ 257,178.00			\$ 496,685.00	\$ 670,900.00



INTEROFFICE MEMORANDUM

Date: September 12, 2023
To: Mayor Robert H. Moore, City Council Members, and Todd Darden, City Manager
From: John Medina, Assistant City Manager
Subject: Request for Bid Award - Aluminum Sulfate

On Friday, August 18, 2023, at the request of the City's Water Treatment Plant, the City of Big Spring accepted sealed bids for **Aluminum Sulfate**. We contacted eleven (11) vendors and received responses from five (5). A bid tabulation sheet has been prepared and is attached to this memo for your consideration in making the award.

Recommendation: The staff recommends the bid be awarded to Chameleon Industries of Mesquite, Texas for \$225,000.00 over twelve (12) months.

Note: Last year's bid was \$252,500.00. Chameleon Industries' bid for this year will reflect a decrease of \$27,500.00, or 12.22%.

It is also important to note, Chameleon Industries' bid was not the lowest submitted bid. However, upon further review, Chameleon Industries is the only vendor that can meet the required delivery specifications.

Aluminum Sulfate (Bid No: 24-001) Bid Tabulation

COMPANY NAME	UNIT COST	TOTAL PRICE
Chameleon Industries	\$450.00	\$225,000.00
Pencco Inc.	\$412.50	\$206,250.00
Usalco	\$780.00	\$390,000.00
Chemtrade	\$599.00	\$299,500.00
Univar	\$418.00	\$209,000.00



INTEROFFICE MEMORANDUM

Date: September 12, 2023
To: Mayor Robert H. Moore, City Council Members, and Todd Darden, City Manager
From: John Medina, Assistant City Manager
Subject: Request for Bid Award - Anhydrous Ammonia

On Friday, August 18, 2023, at the request of the City's Water Treatment Plant, the City of Big Spring accepted sealed bids for **Anhydrous Ammonia**. We contacted eleven (11) vendors and received responses from two (2). A bid tabulation sheet has been prepared and is attached to this memo for your consideration in making the award.

Recommendation: The staff recommends the bid be awarded to DPC Industries, of Sweetwater, Texas for \$87,600.00 over twelve (12) months.

Note: It is important to note that the bid from DPC Industries is \$5,600.00 higher than last year. That reflects a 6.39 % increase.

Anhydrous Ammonia (Bid No: 24-002) Bid Tabulation

COMPANY NAME	UNIT COST	TOTAL PRICE
DPC Industries	\$4,380.00	\$87,600.00
Univar	No Bid	No Bid



INTEROFFICE MEMORANDUM

Date: September 12, 2023
To: Mayor Robert H. Moore, City Council Members, and Todd Darden, City Manager
From: John Medina, Assistant City Manager
Subject: Request for Bid Award - Downtown Janitorial Services

On Friday, August 18, 2023, the City of Big Spring's Purchasing Department sought out pricing and availability for janitorial services for the cleaning of multiple city facilities. The City's purchasing department sent out 10 (ten) requests for bid and only received 1 (one) formal bid. The submitted quote was from Manny's Janitorial Services of Big Spring, Texas.

Recommendation: At this time, the staff would like to respectfully request that council accept the formal bid from Manny's Janitorial Service in the amount of \$48,486.00. This service would be for the next 12 months.

Note: It is also important to note that the formal quote from Manny's Janitorial Services will reflect an increase of \$8,586.12 from the previous year. That would be an increase of 21.519%.



INTEROFFICE MEMORANDUM

Date: September 12, 2023
To: Mayor Robert H. Moore, City Council Members, and Todd Darden, City Manager
From: John Medina, Assistant City Manager
Subject: Request for Bid Award - Liquid Chlorine

On Friday, August 18, 2023, at the request of the City's Water Treatment Plant, the City of Big Spring accepted sealed bids for **Liquid Chlorine**. We contacted six (6) vendors and received responses from two (2). A bid tabulation sheet has been prepared and is attached to this memo for your consideration in making the award.

Recommendation: The staff recommends the bid be awarded to DPC Industries, of Sweetwater, Texas for \$317,070.00 over twelve (12) months.

Note: Last year's awarded bid was \$305,370.00. This year, DPC Industries' bid is \$11,700.00 higher than last year. This reflects an increase of 3.83 % from last year.

Liquid Chlorine (Bid No: 24-003) Bid Tabulation

COMPANY NAME	UNIT COST	TOTAL PRICE
DPC industries	\$2,439.00	\$317,070.00
UNIVAR	No Bid	No Bid



INTEROFFICE MEMORANDUM

Date: September 12, 2023
To: Mayor Robert H. Moore, City Council Members, and Todd Darden, City Manager
From: John Medina, Assistant City Manager
Subject: Request for Bid Award - Polymer

On Friday, August 18, 2023, at the request of the City's Water Treatment Plant, the City of Big Spring accepted sealed bids for **Polymer**. We contacted eleven (11) vendors and received responses from three (3). A bid tabulation sheet has been prepared and is attached to this memo for your consideration in making the award.

Recommendation: The staff recommends the bid be awarded to Polydyne, Inc. of Riceboro, Georgia for \$74,000.00 over twelve (12) months.

Note: There was no increase from last year's bid, but it is important to note the bid from Polydyne Inc. was not the lowest submitted bid. However, upon further review, Polydyne Inc. is the only vendor that can meet the required delivery specifications.

Polymer (Bid No: 24-004) Bid Tabulation

COMPANY NAME	UNIT COST	TOTAL PRICE
UNIVAR	No Bid	No Bid
Befour Chemicals	\$1.84/ LB	\$73,600.00
Polydyne, Inc.	\$1.85/LB	\$74,000.00



INTEROFFICE MEMORANDUM

Date: September 12, 2023
To: Mayor Robert H. Moore, City Council Members, and Todd Darden, City Manager
From: John Medina, Assistant City Manager
Subject: Request for Bid Award - Sodium Hydroxide

On Friday, August 18, 2023, at the request of the City's Water Treatment Plant, the City of Big Spring accepted sealed bids for **Sodium Hydroxide**. We contacted eleven (11) vendors and received responses from two (2). A bid tabulation sheet has been prepared and is attached to this memo for your consideration in making the award.

Recommendation: The staff recommends the bid be awarded to DPC Industries, of Sweetwater, Texas for \$44,325.00 over twelve (12) months.

Note: It is important to note, DPC Industries was not the lowest bid, but DPC Industries is the only vendor that can meet the required delivery specifications. The submitted cost from DPC Industries reflects a difference of \$8,925.00 from the previous year. This is a 16.75% decrease from last year.

Sodium Hydroxide (Bid No: 24-005) Bid Tabulation

COMPANY NAME	UNIT COST	TOTAL PRICE
DPC Industries	\$0.2954/ LB	\$44,325.00
UNIVAR	\$0.2413/ LB	\$36,195.00



INTEROFFICE MEMORANDUM

Date: September 12, 2023
To: Mayor Robert H. Moore, City Council Members, and Todd Darden, City Manager
From: John Medina, Assistant City Manager
Subject: Request for Bid Award - Sodium Permanganate

On Friday, August 18, 2023, at the request of the City's Water Treatment Plant, the City of Big Spring accepted sealed bids for **Sodium Permanganate**. We contacted eleven (11) vendors and received responses from two (2). A bid tabulation sheet has been prepared and is attached to this memo for your consideration in making the award.

Recommendation: The staff recommends the bid be awarded to Shannon Chemical Corporation of Malvern, Pennsylvania for \$218,201.90 over twelve (12) months.

Note: It is important to note, the submitted bid from Shannon Chemical is \$42,198.10 lower than the second submitted bid. The submitted bid from Shannon Chemical also reflects a \$39,029.90 difference and is 15.173% less than last year.

Sodium Permanganate (Bid No: 24-012) Bid Tabulation

COMPANY NAME	UNIT COST	TOTAL PRICE
Univar	\$3,720	\$260,400.00
Shannon Chemical Corporation	\$3,117.17	\$218,201.90



INTEROFFICE MEMORANDUM

Date: September 12, 2023
To: Mayor Robert H. Moore, City Council Members, and Todd Darden, City Manager
From: John Medina, Assistant City Manager
Subject: Request for Bid Award - Sulfur Dioxide

On Friday, August 18, 2023, at the request of the City's Water Treatment Plant, the City of Big Spring accepted sealed bids for **Sulfur Dioxide**. We contacted fourteen (14) vendors and received responses from two (2). A bid tabulation sheet has been prepared and is attached to this memo for your consideration in making the award.

Recommendation: The staff recommends the bid be awarded to DPC Industries, of Sweetwater, Texas for \$45,000.00 over twelve (12) months.

Note: The quote submitted by DPC Industries had an increase of \$2,000.00 from the previous year's award bid of \$43,000.00. This reflects a 4.444 % increase.

Sulfur Dioxide (Bid No: 24-006) Bid Tabulation

COMPANY NAME	UNIT COST	TOTAL PRICE
DPC Industries	\$2,250	\$45,000
Univar	No Bid	No Bid



INTEROFFICE MEMORANDUM

Date: September 12, 2023
To: Mayor Robert H. Moore, City Council Members, and Todd Darden, City Manager
From: John Medina, Assistant City Manager
Subject: Request for Bid Award - Valves and Fittings

On Friday, August 18, 2023, at the request of the City's Distribution and Collections Department, the City of Big Spring accepted sealed bids for Valves and Fittings. We contacted seven (7) vendors and received responses from three (3). A bid tabulation sheet has been prepared and is attached to this memo for your consideration in making the award.

Recommendation: The staff recommends the bid be awarded to Core & Main, of San Angelo, Texas for \$694,080.37 over twelve (12) months.

Note: Last year's bid was \$688,835.57. The quote submitted by Core & Main has an increase of \$5,244.80 from the previous year. This reflects a .761% increase.

Valves and Fittings (Bid No: 24-007) Bid Tabulation

Company Name	Total Price
Benchmark Supply	\$767,254.29
Core & Main	\$694,080.37
APSCO/Abilene Plumbing Supply	\$780,024.93

Howard County 911 Communication District

Budget Study 2022/2023

<i>ESTIMATED EXPENDITURES</i>	
PERSONNEL SERVICES	
Salaries/Benefits	\$31,000.00
Contract Labor (HCSO)	\$65,552.00
Contract Labor (HCSO dispatch)	\$18,500.00
TOTAL	\$115,052.00
Supplies & Materials	
Janitorial Supplies	\$2,500.00
Office Supplies	\$1,500.00
Printing (Fax)	\$400.00
Postage	\$250.00
Maps & Materials	\$0.00
TOTAL	\$4,650.00
Capital Projects	
New Equipment PSAP'S	
Dispatch Center Equipment	\$5,000.00
GIS Equipment	\$1,600.00
Computers/ Software	\$3,000.00
TOTAL	\$9,600.00

Howard County 911 Communication District

Budget Study 2023/2024

2023/2024

<i>ESTIMATED EXPENDITURES</i>	
PERSONNEL SERVICES	
Salaries/Benefits	\$25,200.00
Contract Labor (HCSO)	\$5,974.00
Contract Labor (HCSO dispatch)	\$0.00
TOTAL	\$31,174.00
Supplies & Materials	
Janitorial Supplies	\$500.00
Office Supplies	\$1,000.00
Printing (Fax)	\$400.00
Postage	\$250.00
Maps & Materials	\$0.00
TOTAL	\$2,150.00
Capital Projects	
New Equipment PSAP'S	
Dispatch Center Equipment	\$5,000.00
GIS Equipment	\$1,600.00
Computers/ Software	\$3,000.00
TOTAL	\$9,600.00

2022/2023**Contractual Services**

Legal Services	\$2,500.00
Accounting Services	\$4,800.00
Professional (Audit)	\$4,500.00
TOTAL	\$11,800.00

Lease Payments

Equipment	
911 Service/Equipment	\$15,000.00
Maintenance Recorders	\$4,000.00
TOTAL	\$19,000.00

Travel/Auto/Memberships

Auto Allowance	\$9,000.00
Professional Development/Travel	\$5,000.00
Registration Fees	\$750.00
Dues/Subscriptions	\$450.00
TOTAL	\$15,200.00

Utilities

Office Telephone	\$1,600.00
Electric / Water/ Internet	\$27,000.00
Cellular Telephone/NET CARD	\$600.00
Building Cost	\$29,100.00
TOTAL	\$58,300.00

2023/2024**Contractual Services**

Legal Services	\$2,500.00
Accounting Services	\$9,600.00
Professional (Forensic Audit)	\$12,300.00
TOTAL	\$24,400.00

Lease Payments

Equipment	
911 Service/Equipment	\$15,000.00
Maintenance Recorders	\$4,000.00
TOTAL	\$19,000.00

Travel/Auto/Memberships

Auto Allowance	\$0.00
Professional Development/Travel	\$2,500.00
Registration Fees	\$750.00
Dues/Subscriptions	\$450.00
TOTAL	\$3,700.00

Utilities

Office Telephone	\$1,600.00
Electric / Water/ Internet	\$27,000.00
Cellular Telephone/NET CARD	\$600.00
Building Cost	\$24,172.00
TOTAL	\$53,372.00

2022/2023**Insurance**

Health Insurance Director	\$0.00
Liability / Property Insurance (District)	\$5,800.00
TOTAL	\$5,800.00

Advertising

Classified	\$100.00
Public Information	
Public Education	\$3,000.00
TOTAL	\$3,100.00

Total Expenditures	\$242,502.00
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Revenues

Wireline	\$105,000.00
Wireless	\$175,000.00
Interest	\$850.00
Total	\$280,850.00

Revenues	\$280,850.00
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Balance	\$38,348.00
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Other Monies

Total Expenditures	\$242,502.00
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Tex Pool	\$10,667.00
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Total	\$10,667.00
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2023/2024**Insurance**

Health Insurance Director	\$0.00
Liability / Property Insurance (District)	\$6,300.00
TOTAL	\$6,300.00

Advertising

Classified	\$100.00
Public Information	
Public Education	\$1,500.00
TOTAL	\$1,600.00

Total Expenditures	\$151,296.00
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Revenues

Wireline	\$105,000.00
Wireless	\$175,000.00
Interest	\$500.00
Total	\$280,500.00

Revenues	\$280,500.00
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Total Expenditures	\$151,296.00
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Balance	\$129,204.00
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Investment TexPool	
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Total	\$10,520.00
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COMMUNITY SERVICES MEMORANDUM

Date: 09/12/2023
To: Mayor and City Council
Todd Darden, City Manager
From: Hayley Lewis, Community Services Director
Subject: Event Funding Request

We are respectfully requesting City Council approve the staff recommendation of \$4,500 for event funding for the Howard College Basketball Classic hosted by Howard College to take place at Dorothy Garrett Coliseum on December 1-2, 2023. This is the second time, the last request was in 2015, for Howard College Basketball Classic from the CVB and they bring in around 26 hotel rooms.

This event meets the stipulations required by THLA to receive HOT funds and will be funded by the Convention and Visitors Bureau Event Funding budget.

If approved, the event funding budget will have a balance of \$7,450 for the remainder of the fiscal year.

CVB Event Funding - Cover Sheet

Event:	Howard College Men's Basketball Classic
Event Date:	12/1-2/2023
Sponsoring Organization:	Howard College
Date Request Received:	9/12/2023
Amount Requested:	\$4,560.00
Staff Recommendation	\$4,500.00
Action:	
Estimated Hotel Rooms on Application:	26
Hotel Rooms on Previous Year:	26

5 Year Requests

Date Requested	Event Date	\$ Funded	Follow Up	Profit/Loss	Hotel Rooms
9/17/2015	11/13-14/15	\$4,560.00	11/17/2015	-44.99	26
9/12/2023	12/1-2/2023				

Previous Requests

Date Requested	Event Date	\$ Funded	Date Approved	Follow-up	\$ Returned
7/23/2013	11/16-17/2013	\$2,200.00	8/9/2013	11/21/2013	n/a



Application

Date: 8/14/2023

Organization Information

Name of Organization:

Howard College

Address:

1001 Birdwell Lane

City, State, Zip:

Big Spring, TX, 79720

Contact Name: Kyle Cooper Contact Phone Number: 641-530-4760

Contact Email: Kcooper@howardcollege.edu

Second Contact Name: Tara Liske Second Contact Email: _____

Second Contact Phone Number: 325-665-8987

Web Site Address for Event or Sponsoring Entity _____

Non-Profit or For-Profit status: Non-Profit Tax ID #: 756001827

Purpose of your organization:

To develop and prepare young adults for a specific career while teaching them skills that will help make them successful in life

Event Information

Name of Event Howard College Men's Basketball Classic

Date of Event December 1st, 2nd

Primary Location of Event: Dorothy Garrett Coliseum

THLA Event Funding Formula:

of Hotel Rooms 26 X \$150 (amount per room) = \$ 3,900 X %50 of Hotel Revenue =

\$ 1,950

Outside of Howard County Advertising: \$ _____

Total Amount Requested: \$ 4,560



How will the funds be used:

Funds will be used to pay for referees, Game day staff, Hotels and Game Guarantees

Description of Activities Planned (include schedule of events, samples of posters, flyers, ads, etc.) Games schedules below.

12/1 - 5pm Midland vs University of Southwest, 7pm Howard vs Cochise

12/2 - 2pm Midland vs Cochise, 6pm Howard vs University of Southwest

Questions for All Funding Request Categories:

1. How many years have you held this Event 0

2. Expected Attendance: 600

3. How many people attending the Event will use Big Spring hotels? 80

Number of nights the visitors will stay (approximate): 2

4. Do you reserve a room block for this event at an area hotel and if so, for how many rooms and at which hotels:

Yes we will reserve a block of rooms at The Settles and also The Hampton Inn. We will reserve 15 Rooms at each and let those people attending pick which they prefer.

5. Will you negotiate a special rate or hotel/event package to attract overnight stays?

Yes at Hampton Inn and The Settles.

6. How will you measure the impact of your event on area hotel activity (e.g.; room block usage information, survey of hoteliers, etc.)?

The event we expect to have a great impact in a positive way on area hotel Activity. Having 3 Teams Not from here with friends and family here for the event will bring a positive impact.

7. Please list other organization, government entities, and grants that have offered financial support to your project:

This is the only one for this event and we greatly need and appreciate the support.

8. Will the event charge admission? Do you anticipate a net profit from the event? If there is a net profit, what is the anticipated amount and how will it be used?

Yes we plan to charge \$5 admission. No we do not anticipate a net profit from the event.



9. Please list all promotion efforts your organization is coordinating and the amount financially committed to each media outlet:

Local:

Out of Area:

Newspaper: <u>Big Spring Herald</u>	
Radio: <u>KBYG & KBST</u>	
Tv:	
Other Paid Advertising:	

Number of Press Releases to Media 10

Number Direct Mailings to out-of-town recipients 0

Other Promotions Will push event hard through radio, TV, Email and Social Media.

10. Will you include a link to the CVB or other source on your promotional handouts and in your website? Yes

11. What new marketing initiatives will you utilize to promote hotel and convention activity for this event? Also include any marketing outside of Howard County.

We will use our social media platforms to push the event as much as possible which will help with marketing outside of Howard County.

This event is: ☐ Regional ☒ Statewide ☐ National ☐ International

Does this event fall under the Texas Hotel Lodging Two Part Test:

1. Heads in Beds?

a. Yes

b. No

☐ Convention Centers/Visitor Information Center ☐ Registration of Convention Delegates

☐ Advertising ☐ Promotions of Arts ☐ Historical Restoration or Preservation ☐ Sporting Events

☐ Transportation ☐ Signage

I have read and I understand the requirements of the Convention and Visitors Bureau event funding application. I understand that failure to submit a follow up report within 90 days could possibly result in my event not receiving funds in the following year. Kc Initial

Kyle Cooper
Signature

8/28/2023
Date

Kyle Cooper
Printed Name



Pre Event

REVENUE:

Start up Revenue (from previous proceeds, other sponsors, etc.)

Please list all sponsors individually

Projected

Admissions Fees/ Ticket Sales	\$195	
Booth Sales	0	
Souvenir Sales	0	
Concessions	\$100	
Donations	0	
Fundraising	0	

Total Projected Revenue

\$295.00 \$

EXPENSES:

Table officials	\$600	
Game Officials	\$2,100	
Hospitality Room	\$300	
Custodial Clean up	\$300	
Security \$80 x 4	\$320	
Team Meals (2 post game meals)	\$400	
Stat Crew	\$240	
Team Guarantee (\$1,500 Cochise)	\$1,500	
Hotels	\$1,600	

Total Projected Expenses

\$7,360 \$

Projected Profit (Loss)

\$7,065 \$

Event	Received	Event Date	Decision Date	Requested	Total Amount Approved	Event Funding	Advertising	Follow Up	Hotel Rooms
Oktoberfest	8/9/2022	10/22/2022	10/11/2022	\$13,000.00	\$12,800.00	\$7,800.00	\$5,000.00	10/31/2022	94
Crossroads Comic and Toy Show	9/22/2022	10/22-23/2022	10/11/2022	\$3,000.00	\$2,000.00	\$1,500.00	\$500.00		
Together Trail Race	1/17/2023	2/11/2023	1/24/2023	\$2,550.00	\$2,500.00	\$750.00	\$1,750.00	3/6/2023	9
Texas Junior Disc Open	2/2/2023	6/24-25/2023	2/14/2023	\$3,750.00	\$3,750.00	\$3,750.00			
Southwest Hoops Big Spring Classic	3/3/2023	04/21-23 & 05/19-21/2023	3/28/2023	\$12,000.00	\$12,000.00	\$12,000.00			
Hidden Gems Basketball Tournament	5/11/2023	06/1-4/2023	Canceled 5/12/23						
Howard College Basketball Classic	9/12/2023	12/1-2/2023	9/12/2023	\$4,560.00					

\$34,300.00 \$33,050.00 \$25,800.00 \$7,250.00

Totals:

2021-2022 Event Funding Budget \$45,000.00

Total Funded YTD \$33,050.00

Available Balance \$11,950.00

Requested This Month \$4,560.00

Pending Balance \$7,390.00

Staff Recommendation \$4,500.00

Pending Balance using Staff Recommendation \$7,450.00

Potential Events	Received	Event date	Amount Funded	Hotel Rooms
A Joyful Season	10/26/2021	4/30-5/1/2022 & 11/5-6/2022	\$2,500.00	40
Pops in the Park	6/28/2022	7/3/2022	\$3,000.00	40

\$5,500.00

Event Funding September 12, 2023

Event	Hotel Rooms	\$150	50% of Hotel Revenue	Advertising	Total	Requesting	Staff Recommendation
Howard College Basketball Classic	26	\$3,900.00	\$1,950.00	\$2,610.00	\$4,560.00	\$4,560.00	\$4,500.00

Event Funding:	Advertising:	\$4,500.00
\$3,000.00	\$2,000.00	

Event Funding Cap

300+ room nights	\$ 25,000.00
200-300	\$ 20,000.00
150-200	\$ 17,000.00
100-150	\$ 15,000.00
75-100	\$ 10,000.00
50-75	\$ 7,000.00
25-50	\$ 5,000.00
11 to 25	\$ 2,500.00
Less than 10	\$ 1,000.00



Memorandum

Date: 09/12/2023

From: Sandy Smith, Finance Director

To: Mayor and City Council

Re: 2023-2024 Proposed Tax Rate

The proposed tax rates for the 2023-2024 have been delivered to the City by the Tax Assessors office. The rate that staff is proposing to use this year is the De Minimis Rate of \$0.670429. This rate is allowed by State Statute for cities with a population less than 30,000. It adds up to an additional \$500,000 to the operations and maintenance budgets. It is estimated that the General Fund will receive an additional \$472,041 revenue.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, 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.

WHEREAS, the City of Big Spring, Texas is an incorporated Home Rule city dependent upon taxes to provide services to its citizens; and

WHEREAS, all notification and public hearing requirements have been satisfied; and

WHEREAS, the City Council finds it necessary to levy taxes for the 2023-24 fiscal year; and

WHEREAS, the tax rate being considered is last year's tax rate; and

WHEREAS, this tax rate will raise more taxes for maintenance and operations than last year's tax rate. The tax rate will effectively be raised by 5.4069 percent and will raise taxes for maintenance and operations on a \$100,000 home by approximately \$54.07.

WHEREAS, the City Council finds that the tax for the year 2023, hereinafter levied for current expenses of the City and general improvement of the City and its property, must be levied to provide the revenue requirements of the budget for the ensuing year; and,

WHEREAS, the City Council finds that taxes for year 2023, hereinafter levied therefore, are necessary to pay interest and to provide the required sinking fund on outstanding bonds of the City issued for municipal purposes;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AS FOLLOWS, THAT:

SECTION 1. The facts and recitations in the preamble to this ordinance are hereby found and declared to be true and correct, and are incorporated herein and expressly made a part hereof, as if copied verbatim.

SECTION 2. The City Council hereby finds that the City has complied with all of the prerequisites necessary to the levying of a tax rate for this City for the year 2023, and does hereby levy and adopt the tax rate on One Hundred Dollars (\$100) valuation for the tax year 2024 as follows:

\$0.584659	for the purpose of maintenance and operation
<u>\$0.085770</u>	for the principal and interest on debt of this city as set out in Section 5

<u>\$0.670429</u>	<u>Total Tax Rate</u>
--------------------------	------------------------------

SECTION 3. For the current expenses of the City and general improvement of the City and its property, i.e., for maintenance and operation, the City Council hereby levies and orders to be assessed and collected for the year 2024 on all property situated within the limits of said City and not exempted from taxation by valid laws, ad valorem tax at the rate of 58.4659 cents (\$0.584659) on each One Hundred Dollars (\$100.00) valuation of said property.

SECTION 4. For the purpose of paying interest and providing a sinking fund for the payment of each issue of bonds issued for various municipal purposes and described in the schedule set out in Section 5, including the various installments of principal falling due during the ensuing year on serial bonds issued for said purposes, the City Council hereby levies and orders to be assessed and collected for the year 2023 on all property situated within the limits of said city and not exempted from taxation by valid laws, an ad valorem tax for each of the issues of bonds described in said section at the respective rates shown in the right hand column of said section opposite the descriptions of said issues, said rates being expressed in amounts on one hundred dollars (\$100.00) valuation of said property, the sum of said respective levies being 08.5770 cents (\$0.085770 on each One Hundred Dollars (\$100.00) valuation of said property for said bond issues, and the amounts of levies therefore being as shown in said Section 3.

SECTION 5. Schedule of Bond Issues and Amounts of the Tax Levies Thereof:

<u>Purpose of Issue</u>	<u>Date of Issue</u>	<u>Tax Rate Per \$100 Valuation</u>
Certificates of Obligation	2020	2.13493¢
General Obligation Bonds	2016	<u>6.42207¢</u>
Total requirements for outstanding bonds		8.57700¢

SECTION 6. The City Council hereby finds and determines that the meeting at which this Ordinance was passed was open to the public as required by law.

SECTION 7. If any section, paragraph, clause, phrase, or provision of this ordinance shall be adjudged invalid or found to be unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part of provision thereof, other than the part so declared to be invalid or found to be unconstitutional.

SECTION 8. The ordinance shall become effect immediately upon adoption on second reading.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **12th** day of **September, 2023**, with all members of the Council present voting “aye” for passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 26th day of September, 2023, with all members of the Council present voting “aye” for the passage of same.

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary



Memorandum

Date: 09/12/2023

From: Sandy Smith, Finance Director

To: Mayor and City Council

Re: 2023-2024 Budget Changes

The following changes were made to the 2023-24 Budget that was originally presented to the Council during the budget work sessions:

1. General Fund Non-Departmental:
 - a. Contributions to Meals on Wheels and Howard County Resources were removed.
 - b. The contribution to the State Park was transferred to the CVB budget.
2. Due to the fire at DRCC, staff recommends that the Senior Center Program be discontinued. Upon evaluation of the program, it seems that the program was under-utilized by the public, and the cost/meal analysis revealed a cost of around \$48/meal. Because there are other organizations providing the same services, there will not be a loss of program services.
3. Since the General Fund has been subsidizing the Senior Center by \$288,000/year, it is staff's suggestion that we increase the \$150,000 that was previously added to the budget to the \$288,000 since it has been determined that the DRCC has asbestos and will need to be abated prior to demolition.
4. Water and Sewer Fund – ARPA projects (Fund 409) were added to Fund 405 to reflect the total project costs. (The Annual Audit also adds these funds together, so we are trying to be consistent with the Audit)
5. Airpark fund: moved the Reliever Route project from the Revised Budget to the Proposed Budget.
6. Every fund that utilizes the City's radio system has a pro-rata share of the \$100,000 transfer to the Radio Communication Fund (Fund 185) for payment to Howard County.

7. The Street Department has been budgeted \$180,000 for a dump truck. A truck has been found, but we are underbudget by \$30,000. It is staff recommendation that we increase the budget to accommodate the purchase of the dump truck.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, 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

WHEREAS, the City Manager of the City of Big Spring has prepared, at the direction of the City Council, the annual budget of the City of Big Spring, Texas, for the fiscal year beginning October 1, 2023 and ending September 30, 2024; and

WHEREAS, public notices of a public hearing upon this budget have been duly and legally made as required by law; and

WHEREAS, after due deliberation, study and consideration of the proposed budget as submitted by the City Manager, the City Council of the City of Big Spring is of the opinion that the same should be approved and adopted;

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

SECTION 1. That the budget of the City of Big Spring, Texas for the fiscal year commencing October 1, 2022, and ending September 30, 2023, be revised in accordance with the expenditures estimated for said fiscal year as indicated in the documents setting forth the budget for the fiscal year commencing October 1, 2023 and terminating September 30, 2024.

SECTION 2. That the annual budget of the City of Big Spring, Texas for the fiscal year commencing October 1, 2023, and ending September 30, 2024 as submitted by the City Manager, with changes as stated in Exhibit A, is hereby approved and adopted and that a true and correct copy of the budget herein approved and adopted shall be filed for record in the office of the City Secretary and that same shall constitute a part of the public records of the City of Big Spring, Texas.

SECTION 3. That the City Manager is granted the authority to revise line item accounts within a department budget so long as the total departmental budget is not increased, unless the City Council has approved increases in a departmental budget at a scheduled Council meeting. The City Manager will notify the City Council of any such revisions that exceed \$1,000.00.

SECTION 4. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 6. The City Secretary is hereby authorized and directed to publish the caption of this ordinance as required by law.

SECTION 7. This ordinance shall take effect on October 1, 2023.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **12th** day of **September, 2023**, with all members present voting “aye” for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the **26th** day of **September, 2023**, with all members present voting “aye” for the passage of same.

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary



MEMORANDUM

FROM: John Medina, Assistant City Manager
TO: Mayor Robert H. Moore, City Council Members, and City Manager
RE: Ordinance to Amend Water Fees
DATE: September 12, 2023, Regular Council Meeting

ISSUE

Colorado River Municipal Water District (CRMWD) has submitted their annual budget notice to member cities. The District's Board of Directors adopted the fiscal year 2024 operation and maintenance budget with an increase of 3.52%. The City of Big Spring rates from CRMWD will change as follows:

	FY2023	FY2024
Raw Water Fee Per 1,000 Gallon	\$ 0.17	\$ 0.27
Monthly Fixed Charge	\$ 264,930	\$ 248,872
CRMWD Monthly Credit	\$ (12,630)	\$ (11,488)

RECOMMENDATION

Staff recommends a 5% water rate increase to generate revenue to support the necessary CRMWD increase and chemical increases over the past two years. This ordinance requires two readings.

BACKGROUND

The City provides water and sewer service through an enterprise fund. The water and sewer facilities, processes, equipment, and personnel costs are sustained by revenues from the fees generated by the system, not by general government revenues.

The City continues to plan and budget for major capital projects in the Water and Sewer Fund in Fiscal Year 2024 and beyond. These projects include the Water Meter Replacement Program budgeted at \$350,000, water system improvements budgeted at \$1M, and the Water and Wastewater Treatment System Upgrades budgeted at \$1.5M. Multiple year capital improvements of \$5.85M these budgeted amounts span the FY2024 – FY2025.

Results show that water rates must be increased to cover current operating costs and related debt service. The updated model shows that an increase of 5% in water rates will provide revenues sufficient to meet the needs of the water fund. Therefore, staff recommends these rate changes for FY 2024.

It is very important to note that this work will need to be updated on an annual basis due to changing schedules and costs for capital projects, actual results for water and sewer sales, actual operating costs to maintain the system, and the availability of intergovernmental sources to fund portions of the capital projects.

The following chart shows the current and proposed rates and fees:

Tiers	Current	Proposed	Increase
Base	\$ 30.00	\$ 30.00	
0-2k	\$ 1.50	\$ 1.50	\$ -
3-10k	\$ 4.37	\$ 4.59	\$ 0.22
11-20k	\$ 6.49	\$ 6.82	\$ 0.32
21-50k	\$ 6.81	\$ 7.15	\$ 0.34
50K+	\$ 7.15	\$ 7.50	\$ 0.36

Those on a fixed income utilizing 2,000 gallons or less will see no increase.

The proposed rates will increase the monthly bill by \$1.76 for a customer whose monthly water usage is 8,000 gallons. This is considered the “median” or average use customer.

The proposed rates will increase the monthly bill by \$5.74 for a customer whose monthly water usage is 22,000 gallons. This is considered a high use customer with irrigation system.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, DUE TO INCREASED COSTS OF OPERATING THE WATER UTILITIES, AMENDING CHAPTER 50 OF THE CODE OF ORDINANCES ENTITLED “UTILITIES,” ARTICLE IV ENTITLED “UTILITY SERVICE CHARGES,” SECTION 50-92 ENTITLED “CHARGES FOR WATER RATES” SUBSECTION B; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, “a municipality may purchase, construct, or operate a utility system inside or outside the municipal boundaries and may regulate the system in a manner that protects the interests of the municipality....” Section 552.001(b), Texas Local Government Code; and

WHEREAS, water rates charged by a municipality must be “fair, just, and reasonable,” Section 13.042(a), Texas Water Code; and

WHEREAS, the costs of running the water system have increased, and the City Council recognizes the need to balance costs and ongoing capital needs with revenue; and

WHEREAS, water services provided outside the corporate limits of the municipality are charged at double the base rate and usage rate under Big Spring City Code Section 50-30; and

WHEREAS, City Council finds that the water rates as changed in this ordinance are fair, just, and reasonable;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS AS FOLLOWS, THAT:

SECTION 1. The Big Spring Code of Ordinances, Chapter 50 entitled “Public Utilities,” Article IV entitled “Utility Service Charges,” Section 50-92 entitled “Charges for Water Rates,” Subsection (B) is hereby amended as follows:

Sec. 50-92. - Charges for water rates.

...

(B) Water Usage Rate Table:

Inside city limits – Residential

0-2,000 gallons	\$1.50 per thousand gallons
3,000-10,000 gallons	\$4.38 \$4.60 per thousand gallons
11,000-20,000 gallons	\$6.49 \$6.82 per thousand gallons
21,000-50,000 gallons	\$6.81 \$7.15 per thousand gallons
>50,000 gallons	\$7.15 \$7.50 per thousand gallons

Inside city limits – Commercial

0-50,000 gallons	\$4.92 <u>\$5.17</u> per thousand gallons
51,000-100,000 gallons	\$6.17 <u>\$6.48</u> per thousand gallons
>100,000 gallons	\$6.57 <u>\$6.90</u> per thousand gallons

...

NOTE: Language to be added appears underlined and language to be deleted is ~~stricken~~.

SECTION 3. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 5. The City Secretary is hereby directed to cause the caption and the fees associated with this ordinance to be published as provided by law.

SECTION 6. Pursuant to Section 13.043, Texas Water Code, the City Manager or his designee shall immediately provide individual written notice to each ratepayer eligible to appeal who resides outside the boundaries of the municipality or the political subdivision. The notice must include, at a minimum, the effective date of the new rates, the new rates, and the location where additional information on rates can be obtained. The City Manager or his designee may provide the notice electronically if the utility or political subdivision has access to a ratepayer's e-mail address.

SECTION 8. After two readings and upon adoption in accordance with the provisions of the Charter of the City of Big Spring, this ordinance shall take effect for the October 2022 monthly utility billing cycle.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 12th day of September, 2023, with all Councilmembers present voting "aye" for passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 26th day of September, 2023, with all Councilmembers present voting “aye” for passage of same.

Robert H. Moore, III, Mayor

ATTEST:

Tami L. Davis, City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, AUTHORIZING AND DIRECTING THE 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.

WHEREAS, the City Council of Big Spring, being the governing body of the City of Big Spring, a home rule city of the State of Texas, has previously adopted ordinances, rules and regulations governing the location of traffic control devices within the City and the designation of intersections; and

WHEREAS, sections 311.001, 544.002, and 542.202 of the Texas Transportation Code provide grants of authority to the City of Big Spring in addition to that arising by its status as a home rule city and any other applicable law to place traffic control devices and designate intersections on public highways, streets, and alleys of the municipality; and

WHEREAS, City Council finds it to be in the best interest of the public health, safety, and welfare of the citizens of the City of Big Spring to adopt this Ordinance;

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

SECTION 1. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. The City Council hereby designates intersections as stated in the attached Exhibit A, and authorizes and directs the City Manager or his designee to place such traffic control devices as required therein.

SECTION 3. The penalty for a violation of this ordinance shall be as mandated by state law.

SECTION 4. Should any one or more sections or clauses of this Ordinance be adjudged unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

SECTION 5. All provisions of any ordinance, rule, regulation, or order of the City in conflict with this Ordinance are hereby repealed to the extent they are in conflict.

SECTION 6. It is hereby officially found and determined that the meetings at which this Ordinance was adopted were open to the public and that public notice of the time, place and

purpose of said meetings was given as required by law.

SECTION 7. Upon final passage and approval of this Ordinance, the City Secretary is hereby directed to twice publish the caption of the Ordinance that summarizes the purpose of the Ordinance and the penalty for violating the ordinance as required by law.

SECTION 8. This Ordinance shall become effective upon its second publication according to law.

SECTION 9. This Ordinance 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 first reading of a regular meeting of the City Council on the **12th** day of **September, 2023**, with all members present voting "aye" for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the **26th** day of **September, 2023**, with all members present voting "aye" for the passage of same.

Robert H. Moore, III, Mayor

ATTEST:

Tami Davis, City Secretary

Exhibit A

STOP signs on the N and S and W corners of 2700 Coronado Avenue and 600 Craigmont Drive, three-way stop intersection.

STOP signs on the N and S and E and W corners of 2700 Crestline Road and 800 Avondale Drive, four-way stop intersection.

STOP signs on the N and S and E and W corners of 2900 Melrose Lane and 800 Belvedere Road, four-way stop intersection.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, 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 AN EFFECTIVE DATE

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

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

SECTION 1. Section 48-206, "License and permit fees," Article VI, "Tow Trucks," Chapter 48, "Traffic and Vehicles," Big Spring City Code, is hereby amended to read in its entirety as follows:

To cover the cost of any expenses incurred by the city police department in the processing of applications and other administrative services under this article, each tow company shall pay a license fee of \$100.00 per year and each tow company which applies for a rotation permit shall pay a permit fee of \$200.00 per year. All licenses and permits issued hereunder shall expire the first Monday of October of each year at 8:00 a.m. and shall not be prorated.

~~To cover the cost of any expenses incurred by the city police department in the processing of applications and other administrative services under this article, each tow company that performs nonconsent tows shall pay a license fee of \$15.00 per year. All licenses and permits issued hereunder shall expire the first Monday of October of each year at 8:00 a.m. and shall not be prorated.~~

NOTE* Language to be added appears underlined and language to be deleted is ~~stricken~~.

SECTION 2. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 3. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby.

SECTION 4. It is hereby officially found and determined that the meetings at which this Ordinance was adopted were open to the public and that public notice of the time, place and purpose of said meetings was given as required by law.

SECTION 5. Upon final passage and approval of this Ordinance, the City Secretary is hereby directed to publish the caption of the ordinance that summarizes the purpose of the ordinance and the penalty for violating the ordinance twice as required by law.

SECTION 6. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 7. This Ordinance shall become effective upon its publication according to law.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **12th** day of **September, 2023** with all members of the Council voting “aye” for the passage of same.

PASSED AND APPROVED on second reading at a regular meeting of the City Council on the **26th** day of **September, 2023** with all members of the Council voting “aye” for the passage of same.

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY BIG SPRING, TEXAS AMENDING THE BIG SPRING ZONING ORDINANCE, ARTICLE 6 “DISTRICT REGULATIONS,” 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.

WHEREAS, the Planning and Zoning Commission held a public hearing on August 22, 2023 to discuss potential amendments to the city’s zoning regulations concerning additional lot coverage in certain residential zoning districts; and

WHEREAS, the Planning and Zoning Commission submitted its final report to the City Council; and

WHEREAS, the Planning and Zoning Commission recommends the following amendments to the City of Big Spring Zoning Ordinance;

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

SECTION 1. The Big Spring Zoning Ordinance, Article 6, Section 6-6 District Regulations and Article 7, Special Applications are hereby amended by amending certain subsections listed above to permit increased lot coverage in listed residential zoning districts.

Zoning Ordinance of Big Spring, Texas
Article 6. – District Regulations
Section 6-6. – Districts and Permitted Uses
Residential Districts

A, Agricultural District

...

(f) Lot coverage. In no case shall more than fifty percent (50%) ~~twenty percent (20%)~~ of the total lot area be covered by the combined area of the main buildings and accessory

buildings.

SF-1, Single-Family Dwelling District.

...

(f) Lot coverage. In no case shall more than fifty percent (50%) ~~thirty-five percent (35%)~~ of the total lot area be covered by the combined area of the main buildings and accessory buildings.

SF-2, Single-Family Dwelling District.

...

(f) Lot coverage. In no case shall more than fifty percent (50%) ~~thirty-five percent (35%)~~ of the total lot area be covered by the combined area of the main buildings and accessory buildings.

SF-3, Single-Family Dwelling District.

...

(f) Lot coverage. In no case shall more than fifty percent (50%) ~~thirty-five percent (35%)~~ of the total lot area be covered by the combined area of the main buildings and accessory buildings.

...

2F, Two-Family Dwelling District.

...

(f) Lot Coverage. In no case shall more than fifty percent (50%) ~~forty percent (40%)~~ of the total lot area be covered by the combined area of the main buildings and accessory buildings.

GR, General Residential District.

...

(f) Lot Coverage. In no case shall more than fifty percent (50%) ~~forty-five percent (45%)~~ of the total lot area be covered by the combined area of the main buildings and accessory buildings.

...

NOTE* Language to be added appears underlined and language to be deleted is ~~stricken~~.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3. Should any one or more sections or clauses of this Ordinance be adjudged unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

SECTION 4. It is hereby officially found and determined that the meetings at which this

Ordinance was adopted were open to the public and that public notice of the time, place and purpose of said meetings was given as required by law.

SECTION 5. Upon final passage and approval of this Ordinance, the City Secretary is hereby directed to twice publish the caption of the ordinance that summarizes the purpose of the ordinance and the penalty for violating the ordinance as required by law.

SECTION 6. This Ordinance shall become effective upon its second publication according to law.

SECTION 7. This Ordinance 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 first reading at a regular meeting of the City Council on the **12th** day of **September, 2023** with all members of the Council voting “aye” for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the **26th** day of **September, 2023** with all members of the Council voting “aye” for the passage of same.

Robert H. Moore, III, Mayor

ATTEST:

Tami L. Davis, City Secretary