CITY COUNCIL REGULAR AGENDA

Tuesday, May 14, 2024

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, May 14, 2024, 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

Election Items

5.	Emergency Reading of a Resolution Canvassing the Returns and Declaring the Results of the General Election Held on the 4th Day of May, 2024, in the City of Big Spring, Texas; Finding and Determining that the Meeting at Which This Resolution was Discussed was Open to the Public as Required by Law; and Declaring an Emergency	6-7	Moore
6.	Recognition of Outgoing Council Member - Maury Smith		Moore
7.	Administer the Oath of Office to the Duly Elected Council Members for Districts Two, Four and Six		Judge Haynes
8.	Election of Mayor Pro Tem		Moore

Announcements, Presentations and Public Hearings

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

9.	**Open Public Hearings**		Moore
10.	PROCLAMATION - National Police Week	8	Moore
11.	PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1600 MAIN, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 12 BK 18 MCDOWELL HEIGHTS 55X140 575 ACQ 09162016 BLK/TRACT 32 1S 0.177 ACRES – OWNER: STEVE GIRBY	9-50	Hagen
12.	PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1217 W 3RD, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LTS 10-11 BK 2 PRICE 73X130 558 ACQ 040207 BLK/TRACT 2 0.218 ACRES – OWNER: CORINNE CASARES	51-87	Hagen
13.	PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1211 MAIN, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LTS 5-6 BK 4 HATHCOCK HEIGHTS 100X140 152 BLK/TRACT 4 0.321 ACRES ACQ 04012021 – OWNER: ALLEN PEARSON	88-133	Hagen
14.	**Close Public Hearings**		Moore

City Manager's Report

15. City Manager's report on the following items: — Darden

- Large Item Pickup, District 5 - May 15th
- Council Directive on Budget
- Seasonal Jobs
- Bert Andries Splash Pad Opening - May 18th
- Russ McEwen Aquatic Center Opening - June 1st

Consent Items

16. Approval of the City Council Minutes of the Regular Meeting of April 23, 2024 and of the Special Meeting of May 7, 2024. — 134-144 — Davis

17. Final Reading of an Ordinance Authorizing Z-24-01, Amending the Big Spring Zoning Ordinance by Rezoning Approximately 7.180 Acres out of Sec 9, Blk 32, T-1-S, T & P R.R. Co. Survey, City of Big Spring, Howard County, Texas From Sf-2, Single-Family Dwelling District to Planned Development for a Housing Development; Providing for Repeal of Conflicting Legislation; Providing for Severability; Finding and Determining That the Meetings at Which the Ordinance Was Discussed Were Open to the Public as Required by Law; and Providing an Effective Date. — 145-146 — Cameron Walker

18. Final Reading of an Ordinance Amending Chapter 50 of the Big Spring City Code Entitled "Utilities," Article VIII Entitled "Drought Contingency Plan," Providing for the Repeal of Conflicting Legislation; Providing for Severability; Finding and Determining that the Meetings at Which the Ordinance was Discussed were Open to the Public as Required by Law; and Providing an Effective Date — 147-164 — Bowles

Vouchers

19. Vouchers for 05/02/24 $ 923,325.89 — Tompkins
    Vouchers for 05/09/24 $ 893,134.97

Bids

20. Consideration and Possible Action on Awarding a Bid for a 9 Ton Deck Crane for the Wastewater Treatment Plant and Authorizing the City Manager or His Designee to Execute any Necessary Documents — 165 — Medina

21.	Consideration and Possible Action on Awarding a Bid for an Aircraft Tow Tractor for the Airpark and Authorizing the City Manager or His Designee to Execute any Necessary Documents	166-169	Feeley

New Business

22.	Consideration and Possible Action on an Agreement with Playground Solutions for an All Ages, All Activities Playground Recommended by the Dora Roberts Rehabilitation Center Board of Directors and Authorizing the City Manager or His Designee to Execute any Necessary Documents	170-181	Lewis
23.	Consideration and Possible Action Authorizing Event Funding Request from CVB for ACES Basketball Event	182-216	Lewis

Council Input

24.	Input		Moore
25.	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, May 10, 2024 at 5:00 p.m.** in accordance with Title 5, Texas Government Code and Chapter 551.

In addition, this agenda and supporting documents are posted on the City of Big Spring's Website, www.mybigspring.com, in accordance with legal requirements.

Tami L. Davis, City Secretary

THE MEETING FACILITY IS ACCESSIBLE TO DISABLED PERSONS. ANY DISABLED PERSON NEEDING SPECIAL ACCOMMODATION OR A HEARING IMPAIRED PERSON WISHING TO HAVE AN INTERPRETER SHOULD REQUEST SERVICES AT LEAST 48 HOURS PRIOR TO THE SCHEDULED MEETING BY CONTACTINGTAMI DAVIS AT 432-264-2513 OR EMAIL: TDAVIS@MYBIGSPRING.COM.

RESOLUTION NO._____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON THE 4TH DAY OF MAY, 2024, IN THE CITY OF BIG SPRING, TEXAS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS DISCUSSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EMERGENCY.

WHEREAS, heretofore, the Mayor of the City of Big Spring, Texas caused to be published a resolution announcing the general election for City Council Member District Four and for City Council Member District Six to be held on the 4th day of May, 2024, as required by City Charter and State law; and

WHEREAS, notice of said elections was duly given as required by law and as directed in said resolution as is shown by affidavit properly filed in the office of the City Secretary; and

WHEREAS, said elections was duly and legally held on the 4th day of May, 2024, in conformity with the election laws of the State of Texas and the City Charter, and the results of said election have been certified and returned by the proper judges and clerks thereof; and

WHEREAS, this Council has today considered the returns of said election; and

WHEREAS, it appears to the Council, and the Council so finds, that the Howard County Elections Administrator has tabulated the results of said election and certified the tabulation to the Council, and that the tabulation is correct;

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

SECTION 1. The tabulation of votes cast in the City Council general election held on the 4th day of May, 2024, made and certified by the Howard County Elections Administrator, is attached hereto as Exhibit A and made a part hereof. The City Council hereby determines that the tabulation is correct and adopts Exhibit A as the official tabulation of the votes cast at said election and that said tabulation be filed and recorded in the official records of the City as the official canvass of said election.

SECTION 2. In accordance with Exhibit A, the City Council determines that the official canvass of the returns of said elections reflects the following results:

A majority of the votes cast for said respective office and was duly elected to such office:

_____ Council Member District 4

_____ Council Member District 6

SECTION 3. It is hereby officially found and determined that the meeting at which this Resolution was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by law.

SECTION 4. The necessity of making an official canvass of votes cast in the aforesaid election and declaring the results of said election no earlier than the third (3rd) day and no later than the eleventh (11th) day after election day as required by Section 67.003 *Texas Election Code*, creates a public emergency and an imperative public necessity requiring the suspension of the Charter rule that no ordinance or resolution shall be passed finally on the date of its introduction but that such ordinance or resolution shall be read at two meetings of the City Council, and the Mayor having declared said emergency and necessity to exist, having requested the suspension of the Charter rule and that this ordinance take effect and be in full force and effect from and after its passage, IT IS ACCORDINGLY SO ORDAINED, this the 14th day of May, 2024.

PASSED AND APPROVED, on an emergency reading by the City Council of the City of Big Spring, Texas, this **14th** day of **May, 2024**, at a regular meeting of the City Council of the City of Big Spring, Texas, with all members present voting "aye" for the passage of same.

_____
Robert H. More III, Mayor

ATTEST:

_____
Tami L. Davis, City Secretary

PROCLAMATION DECLARING MAY 12 – 18, 2024 AS NATIONAL POLICE WEEK

To recognize National Police Week 2024 and to honor the service and sacrifice of those Law Enforcement Officers killed in the line of duty while protecting our communities and safeguarding our democracy.

WHEREAS, in 1962, President Kennedy proclaimed May 15th as National Peace Officers Memorial Day and the calendar week in which May 15 falls, as National Police Week;

WHEREAS, there are more than 800,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Big Spring Police Department;

WHEREAS, since the first recorded death in 1786, more than 26,500 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty, including 4 members of the Big Spring Police Department;

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, DC;

WHEREAS, 282 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including officers killed in 2023, and 146 officers killed in previous years;

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 36th Candlelight Vigil, on the evening of May 13, 2024;

WHEREAS, the Candlelight Vigil is part of National Police Week, which will be observed this year May 12 -18, 2024;

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff;

NOW THEREFORE, I Mayor Robert H. Moore III of the City of Big Spring, Texas do hereby proclaim the week of May 12-18, 2024, to be observed as National Police Week in the City of Big Spring, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

GIVEN UNDER MY HAND
and seal of the City of Big Spring, Texas
this 14th day of May, 2024

_____
Robert H. Moore III, Mayor

1600 MAIN

Code Enforcement Officer: Malissa Garcia

Exhibit A-1

STATE OF TEXAS §
§
COUNTY OF HOWARD §

AFFIDAVIT OF MALISSA GARCIA
CONCERNING 1600 MAIN

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 **1600 MAIN**, 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 8 day of May, 2024.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 8 day of May, 2024 by the above referenced Affiant.

Crystal Ramirez
Notary Public, State of Texas

Exhibit A-2

Property Details

Account		
Property ID:	283186	**Geographic ID:** B4320016100
Type:	Real	**Zoning:**
Property Use:		**Condo:**
Location		
Situs Address:	1600 MAIN	
Map ID:		**Mapsco:**
Legal Description:	LT 12 BK 18 MCDOWELL HEIGHTS 55X140 575 ACQ 09162016 BLK/TRACT 32 1S 0.177 ACRES	
Abstract/Subdivision:		
Neighborhood:	MCDW1	
Owner		
Owner ID:	418679	
Name:	GIRBY STEVE	
Agent:		
Mailing Address:	1204 BLACKMON AVE BIG SPRING, TX 79720	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	$12,167 (+)
Improvement Non-Homesite Value:	$0 (+)
Land Homesite Value:	$5,783 (+)
Land Non-Homesite Value:	$0 (+)
Agricultural Market Valuation:	$0 (+)
Market Value:	$17,950 (=)

Agricultural Value Loss:	$0 (-)
Appraised Value:	$17,950 (=)
Homestead Cap Loss:	$0 (-)
Assessed Value:	$17,950
Ag Use Value:	$0

VALUES DISPLAYED ARE 2024 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: GIRBY STEVE **%Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.238916	$17,950	$17,950	$42.89	
02B	CITY OF BIG SPRING	0.673163	$17,950	$17,950	$120.83	
03B	BIG SPRING ISD	0.930900	$17,950	$17,950	$167.10	
052	HOWARD COLLEGE	0.168395	$17,950	$17,950	$30.23	

Total Tax Rate: 2.011374

Estimated Taxes With Exemptions: $361.05

Estimated Taxes Without Exemptions: $361.05

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
1600 MAIN 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 8 day of May, 2024.

M Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 8 day of May, 2024 by the above referenced Affiant.

CRYSTAL RAMIREZ
Notary Public, State of Texas
Comm. Expires 10-21-2024
Notary ID 13273924-1

Notary Public, State of Texas

Exhibit A-3

BIG SPRING TEXAS

CASE NOTES

Report Run On: Tuesday, 09 April 2024 15:54

Case # 23-00000152 **Parcel # :** 283186

Site Address: 1600 MAIN

Case Description: back structure falling apart

Note Type	Note Code	Text	Created By	Begin Date	End Date
GENERAL		reinspected property and nothing has been done and i have had no contact with anybody from this property, will send ti legal for abatement hearing.	Malissa Garcia	04/04/24	
CORRECTIVE ACTION		structure needs to be removed or fixed there is no windows and doors and roof is falling apart. siding is also breaking off. deadline for compliance is seven (7) days from the date of mailing.	Malissa Garcia	09/14/23	
PHOTOS		took pictures of property	Malissa Garcia	09/14/23	
SITE VISIT		the house is missing windows and doors siding falling off. structure is not safe	Malissa Garcia	09/14/23	

STATE OF TEXAS §
§
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 September 14, 2023 and April 4, 2024, I inspected the property described as:

> LT 12 BK 18 MCDOWELL HEIGHTS 55X140 575 ACQ 09162016 BLK/TRACT 32 1S 0.177 ACRES Big Spring, Howard County, Texas, also known as **1600 MAIN**, Big Spring, Texas.

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

SIGNED on the 8 day of May, 2024.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 8 day of May, 2024 by the above referenced Affiant.

CRYSTAL RAMIREZ
Notary Public, State of Texas
Comm. Expires 10-21-2024
Notary ID 13273924-1

Notary Public, State of Texas

Exhibit A-4

23-00000152

23-00000152

23-00000152

23-00000152

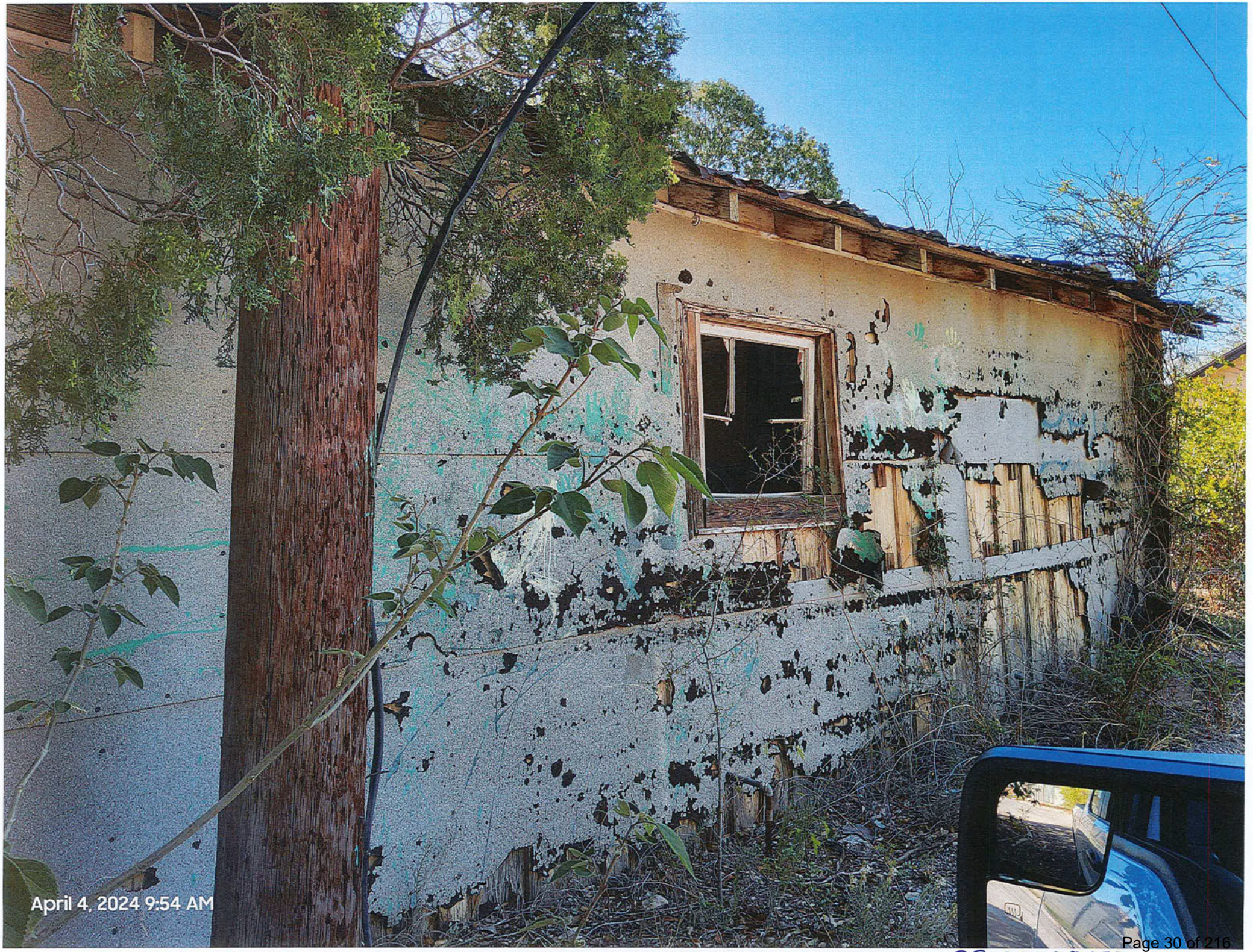
September 14, 2023 9:52 AM

23-00000152

23-00000152

23-00000152

23-00000152



23-00000152

23-00000152

23-00000152

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
NOTICE SENT BY MALISSA GARCIA

"The document in **Exhibit A-5** 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-5** is also attached.

SIGNED on the 8 day of May, 2024.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 8 day of May, 2024 by the above referenced Affiant.

CRYSTAL RAMIREZ
Notary Public, State of Texas
Comm. Expires 10-21-2024
Notary ID 13273924-1

Notary Public, State of Texas

Exhibit A-5

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

23-00000152

GIRBY STEVE
1204 BLACKMON AVE
BIG SPRING, TX 79720

Subject Property: 1600 MAIN , BIG SPRING, TX 00000
APN: 283186

Dear GIRBY STEVE

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

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.	structure needs to be removed or fixed there is no windows and doors and roof is falling apart. siding is also breaking off. deadline for compliance is seven (7) days from the date of mailing.

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 432.264.2506 or by email at mgarcia@mybigspring.com.

Thank you for helping to resolve this matter.

Sincerely,

M. Garcia

Malissa Garcia
Code Enforcement Officer

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

May 3, 2024

Steve Girby
1204 Blackmon Avenue
Big Spring, Texas 79720

Steve Girby
1600 Main Street
Big Spring, Texas 79720

Re: **1600 MAIN, BIG SPRING, TEXAS 79720**
LEGAL DESCRIPTION: LT 12 BK 18 MCDOWELL HEIGHTS 55X140 575 ACQ 09162016 BLK/TRACT 32 1S 0.177 ACRES, Howard County

Big Spring Code Compliance has determined that at the following structure(s): REAR 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: 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. 9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty	The building is neglected, damaged, dilapidated, unsecured, and abandoned so as to constitute an attractive nuisance. Hazardous condition.

construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease. 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.	
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:

DEMOLITION OR REPAIR

of REAR STRUCTURE.

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

Issued by

Malissa Garcia	Code Enforcement Officer
Name	*Title*

+1 (432) 264-2506	mgarcia@mybigspring.com
Phone	*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, May 14, 2024** 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

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

9589 0710 5270 0707 0826 27

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

5/3/2024

Postmark Here

1600 MAIN
FINAL NOTICE

Sent To Steve Girby
Street and Apt. No., or PO Box No. 1600 Main Street
City, State, ZIP+4® Big Spring, Texas 79720

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

7022 0410 0001 0847 3687

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

5/3/2024

Postmark Here

FINAL NOTICE
1600 MAIN
SUB. STRUCTURE

Sent To Steve Girby
Street and Apt. No., or PO Box No. 1204 Blackmon Avenue
City, State, ZIP+4® Big Spring, Texas 79720

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

ALERT: SEVERE WEATHER IN THE SOUTH, SOUTHEAST, AND MIDWEST MAY IMPACT DELIVE...

USPS Tracking®

FAQs >

Remove X

Tracking Number:

9589071052700707082627

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

Your item was returned to the sender at 6:20 pm on May 6, 2024 in BIG SPRING, TX 79720 because the forwarding order for this address is no longer valid.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Feedback

Alert
Forward Expired
BIG SPRING, TX 79720
May 6, 2024, 6:20 pm

Arrived at USPS Regional Facility
MIDLAND TX DISTRIBUTION CENTER
May 3, 2024, 9:51 pm

What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates

USPS Tracking Plus®

Product Information

See Less

Tracking Number:

Remove X

70220410000108473687

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

Your item has been delivered to an agent for final delivery in BIG SPRING, TX 79720 on May 6, 2024 at 11:20 am.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered to Agent

Delivered to Agent for Final Delivery

BIG SPRING, TX 79720
May 6, 2024, 11:20 am

See All Tracking History

What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)

See More ⌄

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Steve Girby
1204 Blackmon Avenue
Big Spring, Texas 79720

9590 9402 3713 7335 4426 24

2. Article Number *(Transfer from service label)*

7022 0410 0001 0847 3687

COMPLETE THIS SECTION ON DELIVERY

[redacted]

☐ Agent
☐ Address

C. Date of Deliv

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☑ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☑ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Mail
- Mail Restricted Delivery
- 00)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restri Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmatio
- ☐ Signature Confirmatio Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Rece

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
OF POSTING OF PUBLIC HEARING

"The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for May 14, 2024, attached as **Exhibit A-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on May 2, 2024."

SIGNED on the 8 day of May, 2024.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 8 day of May, 2024 by the above referenced Affiant.

CRYSTAL RAMIREZ
Notary Public, State of Texas
Comm. Expires 10-21-2024
Notary ID 13273924-1

Notary Public, State of Texas

Exhibit A-6

BIG SPRING
TEXAS

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 **MAY 14TH, 2024,** 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:

1600 MAIN, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 12 BK 18 MCDOWELL HEIGHTS 55X140 575 ACQ 09162016 BLK/TRACT 32 1S 0.177 ACRES – OWNER: STEVE GIRBY

1217 W 3RD, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LTS 10-11 BK 2 PRICE 73X130 558 ACQ 040207 BLK/TRACT 2 0.218 ACRES – OWNER: CORINNE CASARES

2307 W OLD HWY 80, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: SC 32 BK 33 1N 621 BLK/TRACT 33 1N 1 ACRES ACQ02202019 – OWNER: KAYLA HANSON

1211 MAIN, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LTS 5-6 BK 4 HATHCOCK HEIGHTS 100X140 152 BLK/TRACT 4 0.321 ACRES ACQ 04012021 – OWNER: ALLEN PEARSON

1008 W 6TH, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: S/PART LTS 11-12 BK 9 JONES VALLEY 100X84 759 BLK/TRACT 9 0.193 ACRES ACQ 06302022 – OWNER: CINTHIA QUEZADA & FORTINO QUEZADA

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

BIG SPRING
TEXAS
Code Enforcement
May 2 2024 12:29 PM

1217 W 3RD

Code Compliance Official: Ashley Guerra

Exhibit B-1

STATE OF TEXAS §
§
COUNTY OF HOWARD §

AFFIDAVIT OF ASHLEY GUERRA
CONCERNING 1217 W 3RD

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 **1217 W 3RD**, 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 8 day of May, 2024.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 8 day of May, 2024 by the above referenced Affiant.

Notary Public, State of Texas

CRYSTAL RAMIREZ
Notary Public, State of Texas
Comm. Expires 10-21-2024
Notary ID 13273924-1

Exhibit B-2

Property Details

Account		
Property ID:	285680	**Geographic ID:** B5100002100
Type:	Real	**Zoning:**
Property Use:		**Condo:**
Location		
Situs Address:	1217 W 3RD	
Map ID:		**Mapsco:**
Legal Description:	LTS 10-11 BK 2 PRICE 73X130 558 ACQ 040207 BLK/TRACT 2 0.218 ACRES	
Abstract/Subdivision:		
Neighborhood:	LKVW2	
Owner		
Owner ID:	3994	
Name:	CASARES CORINNE	
Agent:		
Mailing Address:	1217 W 3RD BIG SPRING , TX 79720	
% Ownership:	100.0%	
Exemptions:	DP - DISABILITY HS - HOMESTEAD For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	$36,839 (+)
Improvement Non-Homesite Value:	$0 (+)
Land Homesite Value:	$16,425 (+)
Land Non-Homesite Value:	$0 (+)

Agricultural Market Valuation:	$0 (+)
Market Value:	$53,264 (=)
Agricultural Value Loss:	$0 (-)
Appraised Value:	$53,264 (=)
Homestead Cap Loss:	$28,419 (-)
Assessed Value:	$24,845
Ag Use Value:	$0

VALUES DISPLAYED ARE 2024 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: CASARES CORINNE **%Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.238916	$53,264	$19,845	$47.41	
02B	CITY OF BIG SPRING	0.673163	$53,264	$14,845	$99.93	
03B	BIG SPRING ISD	0.930900	$53,264	$0	$0.00	$0.00
052	HOWARD COLLEGE	0.168395	$53,264	$19,845	$33.42	

Total Tax Rate: 2.011374

Estimated Taxes With Exemptions: $180.76

Estimated Taxes Without Exemptions: $1,071.33

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
1217 W 3RD 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 8 day of May, 2024.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 8 day of May, 2024 by the above referenced Affiant.

CRYSTAL RAMIREZ
Notary Public, State of Texas
Comm. Expires 10-21-2024
Notary ID 13273924-1

Notary Public, State of Texas

Exhibit B-3

BIG SPRING TEXAS

CASE NOTES

Report Run On: Tuesday, 09 April 2024 14:24

Case # 24-00000382 **Parcel # :** 285680

Site Address: 1217 W 3RD

Case Description: SUBSTANDARD BUILDING

Note Type	Note Code	Text	Created By	Begin Date	End Date
SITE VISIT		REINSPECTED ON 4-9-24 NO PROGRESS HAS BEEN MADE	Ashley Guerra	04/09/24	
GENERAL		4-10-24 SENT TO LEGAL	Ashley Guerra	04/09/24	
CORRECTIVE ACTION		SIDE OF BUILDING FALLING OF FOUNDATION NEEDS TO BE BROUGHT UP TO CODE OR BOUGHT DOWN	Ashley Guerra	03/27/24	
GENERAL		SENT OUT NOTICE OF VIOLATION ON 3-27-24	Ashley Guerra	03/27/24	
SITE VISIT		AS DRIVING DOWN 3RD NOTICED A SUBSTANDARD BUILDING	Ashley Guerra	03/25/24	
PHOTOS		PHOTOS TAKEN ON 3-25-24	Ashley Guerra	03/25/24	

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 March 25, 2024 and April 9, 2024, I inspected the property described as:

> LTS 10-11 BK 2 PRICE 73X130 558 ACQ 040207 BLK/TRACT 2 0.218 ACRES Big Spring, Howard County, Texas, also known as **1217 W 3RD**, Big Spring, Texas.

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

SIGNED on the 8 day of May, 2024.

Ashley Guerra
AFFIANT

SWORN TO AND SUBSCRIBED before me this 8 day of May, 2024 by the above referenced Affiant.

CRYSTAL RAMIREZ
Notary Public, State of Texas
Comm. Expires 10-21-2024
Notary ID 13273924-1

Crystal Ramirez
Notary Public, State of Texas

Exhibit B-4

March 25, 2024 1:33 PM

Case # 24-0000382
March 25, 2024 1:34 PM

March 25, 2024 1:34 PM

Case # 24-00000382

PRICE
ST
300

Case# 24-0000382

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
NOTICE SENT BY ASHLEY GUERRA

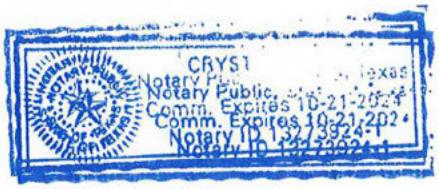
"The document in **Exhibit B-5** presents factual findings from a legally authorized investigation for code compliance. The document is a copy of the official record."

Certified Mail Return for **Exhibit B-5** is also attached.

SIGNED on the 8 day of May, 2024.

Ashley Guerra
AFFIANT

SWORN TO AND SUBSCRIBED before me this 8 day of May, 2024 by the above referenced Affiant.



Crystal Ramos
Notary Public, State of Texas

Exhibit B-5

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

3-27-24

NOTICE OF VIOLATION

24-00000382

CASARES CORINNE
1217 W 3RD
BIG SPRING, TX 79720

Subject Property: 1217 W 3RD , BIG SPRING, TX 00000
APN: 285680

Dear CASARES CORINNE

Municipal Code	Description	Corrective Action

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.	SIDE OF BUILDING FALLING OF FOUNDATION NEEDS TO BE BROUGHT UP TO CODE OR BOUGHT DOWN DEADLINE FOR COMPLIANCE (7) SEVEN DAYS FROM THE DATE OF MAILING 3-27-24

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

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

May 3, 2024

Corinne Casares
1217 W 3rd St.
Big Spring, Texas 79720

Goldome Credit Corporation
1910 Pacific Avenue
Dallas, Texas 75201-4529

Citizens Federal Credit Union
P.O. Box 425
Big Spring, Texas 79720

C T Corporation System
Registered Agent
Goldome Credit Corporation
350 North St. Paul St.
Dallas, Texas 75201

***Re:* 1217 W 3RD, BIG SPRING, TEXAS 79720**
LEGAL DESCRIPTION: LTS 10-11 BK 2 PRICE 73X130 558 ACQ 040207
BLK/TRACT 2 0.218 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
111.1.1 UNSAFE STRUCTURES. An unsafe structure is one that is found to be hazardous to the life, health, property, or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is dangerous.	The structure appears to be structurally unsound, which is dangerous and constitutes an unsafe structure.
111.1.5 HAZARDOUS STRUCTURE OR	The building is neglected, damaged,

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. 9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease. 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.	dilapidated and unsecured. The building is structurally unsound. 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: 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. 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.	The side of the building appears to be falling off. The foundation needs to be brought up to code. Unsafe condition.

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:

DEMOLITION OR REPAIR

of MAIN STRUCTURE.

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

Issued by

Ashley Guerra	Code Compliance Official
Name	*Title*
+1 (432) 264-2505	aguerra@mybigspring.com
Phone	*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, May 14, 2024** 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,

Ashley Guerra, Code Compliance Official
City of Big Spring, Texas

9589 0710 5270 0707 0826 34

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

5/3/2024

Postmark Here

1217 W 3RD

FINAL NOTICE

Sent To Corinne Casares
Street and Apt. No., or PO Box No. 1217 W 3rd St.
City, State, ZIP+4® Big Spring, Texas 79720

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0707 0826 58

U.S. Postal Service™
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- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

5/3/2024

Postmark Here

1217 W 3RD

FINAL NOTIE

Sent To Citizens Federal Credit Union
Street and Apt. No., or PO Box No. P.O. Box 425
City, State, ZIP+4® Big Spring, Texas 79720

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0707 0826 41

U.S. Postal Service™
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Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

5/3/2024

Postmark Here

1217 W 3RD

FINAL NOTICE

Sent To Goldome Credit Corporation
Street and Apt. No., or PO Box No. 1910 Pacific Avenue
City, State, ZIP+4® Dallas, Texas 75201-4529

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0707 0826 65

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

5/3/2024

Postmark Here

1217 W 3RD

FINAL NOTICE

Sent To C. T Corporation System, Registered Agent,
Street and Apt. No., or PO Box No. Goldome Credit Corporation, 350 North St. Paul St.
City, State, ZIP+4® Dallas, Texas 75201

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

ALERT: SEVERE WEATHER IN THE SOUTH, SOUTHEAST, AND MIDWEST MAY IMPACT DELIVE...

USPS Tracking®

FAQs >

Remove X

Tracking Number:

9589071052700707082634

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

Your item was delivered to an individual at the address at 2:20 pm on May 6, 2024 in BIG SPRING, TX 79720.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

BIG SPRING, TX 79720
May 6, 2024, 2:20 pm

See All Tracking History

What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates

USPS Tracking Plus®

Product Information

See Less ^

Feedback

Remove X

Tracking Number:

9589071052700707082658

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

Your item has been delivered to an agent for final delivery in BIG SPRING, TX 79720 on May 7, 2024 at 11:10 am.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered to Agent

Delivered to Agent for Final Delivery

BIG SPRING, TX 79720
May 7, 2024, 11:10 am

See All Tracking History

What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)

See More ∨

Remove ×

Tracking Number:

9589071052700707082641

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

Your package is moving within the USPS network and is on track to be delivered to its final destination. It is currently in transit to the next facility.

Get More Out of USPS Tracking:

USPS Tracking Plus®

- **Delivered**
- **Out for Delivery**
- **Preparing for Delivery**

Moving Through Network

In Transit to Next Facility

May 8, 2024

Departed USPS Regional Facility

DALLAS TX DISTRIBUTION CENTER
May 6, 2024, 3:45 am

See All Tracking History

What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)

See More

Remove X

Tracking Number:

9589071052700707082665

Copy **Add to Informed Delivery (https://informeddelivery.usps.com/)**

Latest Update

Your item has been delivered to an agent for final delivery in DALLAS, TX 75201 on May 6, 2024 at 9:25 am.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered to Agent

Delivered to Agent for Final Delivery

DALLAS, TX 75201
May 6, 2024, 9:25 am

See All Tracking History

What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)

See More

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Citizens Federal Credit Union
P.O. Box 425
Big Spring, Texas 79720

9590 9402 8872 4005 9998 43

2. Article Number *(Transfer from service label)*

9589 0710 5270 0707 0826 58

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X [redacted]

☐ Agent
☐ Addressee

B. Received by *(Printed Name)* Amanda Grisham

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☑ Adult Signature
☐ Adult Signature Restricted Delivery
☑ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
Mail Restricted Delivery
00)

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricte Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Corinne Casares
1217 W 3rd St.
Big Spring, Texas 79720

9590 9402 3713 7335 4425 87

2. Article Number *(Transfer from service label)*

9589 0710 5270 0707 0826 34

COMPLETE THIS SECTION ON DELIVERY

A. Signature [redacted]

☐ Agent
☐ Addressee

B. Received by *(Printed Name)* [redacted]

C. Date of Delivery 5-10-24

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☑ Adult Signature
☐ Adult Signature Restricted Delivery
☑ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
Mail
Mail Restricted Delivery
00)

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricte Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
OF POSTING OF PUBLIC HEARING

"The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for May 14, 2024, attached as **Exhibit B-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on May 2, 2024."

SIGNED on the 8 day of May, 2024.

Ashley M

AFFIANT

SWORN TO AND SUBSCRIBED before me this 8 day of May, 2024 by the above referenced Affiant.

Crystal Ramirez

Notary Public, State of Texas

CRYSTAL RAMIREZ
Notary Public, State of Texas
Comm. Expires 10-21-2024
Notary ID 13273924-1

Exhibit B-6

BIG SPRING
TEXAS

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 **MAY 14TH, 2024,** 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:

1600 MAIN, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 12 BK 18 MCDOWELL HEIGHTS 55X140 575 ACQ 09162016 BLK/TRACT 32 1S 0.177 ACRES – OWNER: STEVE GIRBY

1217 W 3RD, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LTS 10-11 BK 2 PRICE 73X130 558 ACQ 040207 BLK/TRACT 2 0.218 ACRES – OWNER: CORINNE CASARES

2307 W OLD HWY 80, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: SC 32 BK 33 1N 621 BLK/TRACT 33 1N 1 ACRES ACQ02202019 – OWNER: KAYLA HANSON

1211 MAIN, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LTS 5-6 BK 4 HATHCOCK HEIGHTS 100X140 152 BLK/TRACT 4 0.321 ACRES ACQ 04012021 – OWNER: ALLEN PEARSON

1008 W 6TH, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: S/PART LTS 11-12 BK 9 JONES VALLEY 100X84 759 BLK/TRACT 9 0.193 ACRES ACQ 06302022 – OWNER: CINTHIA QUEZADA & FORTINO QUEZADA

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

May 2, 2024 12:39 PM

1211 MAIN

Code Enforcement Officer: Malissa Garcia

Exhibit D-1

STATE OF TEXAS §
§
COUNTY OF HOWARD §

AFFIDAVIT OF MALISSA GARCIA CONCERNING 1211 MAIN

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 **1211 MAIN**, 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 8 day of May, 2024.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 8 day of May, 2024 by the above referenced Affiant.

Crystal Ramirez
Notary Public, State of Texas

CRYSTAL RAMIREZ
Notary Public, State of Texas
Comm. Expires 10-21-2024
Notary ID 13273924-1

Exhibit D-2

Property Details

Account		
Property ID:	281507	**Geographic ID:** B3690001700
Type:	Real	**Zoning:**
Property Use:		**Condo:**
Location		
Situs Address:	1211 MAIN	
Map ID:		**Mapsco:**
Legal Description:	LTS 5-6 BK 4 HATHCOCK HEIGHTS 100X140 152 BLK/TRACT 4 0.321 ACRES ACQ 04012021	
Abstract/Subdivision:		
Neighborhood:	MCDW1	
Owner		
Owner ID:	436186	
Name:	PEARSON ALLEN	
Agent:		
Mailing Address:	1101 S. MAIN STREET BIG SPRING, TX 79720	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	$37,253 (+)
Improvement Non-Homesite Value:	$0 (+)
Land Homesite Value:	$10,487 (+)
Land Non-Homesite Value:	$0 (+)
Agricultural Market Valuation:	$0 (+)
Market Value:	$47,740 (=)

Agricultural Value Loss:	$0 (-)
Appraised Value:	$47,740 (=)
Homestead Cap Loss:	$0 (-)
Assessed Value:	$45,820
Ag Use Value:	$0

VALUES DISPLAYED ARE 2024 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: PEARSON ALLEN **%Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.238916	$47,740	$45,820	$109.47	
02B	CITY OF BIG SPRING	0.673163	$47,740	$45,820	$308.44	
03B	BIG SPRING ISD	0.930900	$47,740	$45,820	$426.54	
052	HOWARD COLLEGE	0.168395	$47,740	$45,820	$77.16	

Total Tax Rate: 2.011374

Estimated Taxes With Exemptions: $921.61

Estimated Taxes Without Exemptions: $960.23

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
1211 MAIN 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 8 day of May, 2024.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 8 day of May, 2024 by the above referenced Affiant.

CRYSTAL RAMIREZ
Notary Public, State of Texas
Comm. Expires 10-21-2024
Notary ID 13273924-1

Notary Public, State of Texas

Exhibit D-3

CASE NOTES

Report Run On: Thursday, 09 May 2024 17:08

Case # 24-00000090 **Parcel # :** 281507

Site Address: 1211 MAIN

Case Description: structures is falling down

Note Type	Note Code	Text	Created By	Begin Date	End Date
SITE VISIT		reinspected property and will send to legal. nobody has made contact about this property	Malissa Garcia	04/10/24	
GENERAL		sent out notice of violation on 2-29-24	Ashley Guerra	02/29/24	
PHOTOS		structure is bowing in and roof has holes	Malissa Garcia	02/26/24	
CORRECTIVE ACTION		structure has holes in the roof and roof is bowing in. door ways are caving in	Malissa Garcia	02/26/24	

STATE OF TEXAS §
§
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 February 7, 2024 and March 8, 2024, I inspected the property described as:

> LTS 5-6 BK 4 HATHCOCK HEIGHTS 100X140 152 BLK/TRACT 4 0.321 ACRES ACQ 04012021 Big Spring, Howard County, Texas, also known as **1211 MAIN**, Big Spring, Texas.

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

SIGNED on the 8 day of May, 2024.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 8 day of May, 2024 by the above referenced Affiant.

CRYSTAL RAMIREZ
Notary Public, State of Texas
Comm. Expires 10-21-2024
Notary ID 13273924-1

Notary Public, State of Texas

Exhibit D-4

PRIVATE
PROPERTY
NO TRESPASSING
February 7, 2024 3:56 PM

24-00000990

24-000000090

24-00000090

24-00000090

24-00000090

February 7, 2024 3:59 PM

24-00000090

24-00000090

24-00000090

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24-00000090

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
NOTICE SENT BY MALISSA GARCIA

"The document in **Exhibit D-5** 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-5** is also attached.

SIGNED on the 8 day of May, 2024.

M Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 8 day of May, 2024 by the above referenced Affiant.

CRYSTAL RAMIREZ
Notary Public, State of Texas
Comm. Expires 10-21-2024
Notary ID 13273924-1

Notary Public, State of Texas

Exhibit D-5

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

2-29-24

NOTICE OF VIOLATION

24-00000090

PEARSON ALLEN
1101 MAIN
BIG SPRING, TX 79720

Subject Property: 1211 MAIN , BIG SPRING, TX 00000
APN: 281507

Dear PEARSON ALLEN

Municipal Code	Description	Corrective Action

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.	structure has holes in the roof and roof is bowing in. door ways are caving in deadline for compliance (7) seven days from the date of mailing 2-29-24

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 432.264.2506 or by email at mgarcia@mybigspring.com.

Thank you for helping to resolve this matter.

Sincerely,

M. Garcia

Malissa Garcia
Code Enforcement Officer

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

May 3, 2024

Allen Pearson
1101 S. Main Street
Big Spring, Texas 79720

Allen Pearson
1211 S. Main Street
Big Spring, Texas 79720

***Re:* 1211 MAIN, BIG SPRING, TEXAS 79720**
LEGAL DESCRIPTION: LTS 5-6 BK 4 HATHCOCK HEIGHTS 100X140 152 BLK/TRACT 4 0.321 ACRES ACQ 04012021, 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
111.1.1 UNSAFE STRUCTURES. An unsafe structure is one that is found to be hazardous to the life, health, property, or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is dangerous.	The structure is not structurally sound and is dangerous thus constituting an unsafe structure.
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: 3. Any building, structure, or portion thereof that is dangerous. 6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.	The roof appears to be bowing in and the doorways appear to be caving in. Hazardous condition.

8. Any building or structure has been constructed, exists, or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.	
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. 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. 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.	The roof appears to be bowing in and the doorways appear to be caving in. The roof appears to admit rain and has signs of deterioration. The deck/porch does not appear to be structurally sound. 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	The roof has defects that admit rain and is not sound and not tight.

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 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:

DEMOLITION OR REPAIR

of MAIN STRUCTURE.

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

Issued by

Malissa Garcia	Code Enforcement Officer
Name	*Title*
+1 (432) 264-2506	mgarcia@mybigspring.com
Phone	*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, May 14, 2024** 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

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

9589 0710 5270 0707 0827 33

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

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Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

5/3/2024

Postmark Here

1211 MAIN

FINAL NOTICE

Sent To Allen Pearson

Street and Apt. No., or PO Box No. 1211 S. Main Street

City, State, ZIP+4® Big Spring, Texas 79720

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0707 0827 26

U.S. Postal Service™
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Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

5/3/2024

Postmark Here

1211 MAIN

FINAL NOTICE

Sent To Allen Pearson

Street and Apt. No., or PO Box No. 1101 S. Main Street

City, State, ZIP+4® Big Spring, Texas 79720

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

ALERT: SEVERE WEATHER IN THE SOUTH, SOUTHEAST, AND MIDWEST MAY IMPACT DELIVE...

USPS Tracking®

FAQs >

Remove X

Tracking Number:

9589071052700707082726

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

Your item was delivered to an individual at the address at 11:36 am on May 6, 2024 in BIG SPRING, TX 79720.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Feedback

Delivered

Delivered, Left with Individual

BIG SPRING, TX 79720
May 6, 2024, 11:36 am

See All Tracking History

What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates

USPS Tracking Plus®

Product Information

See Less ^

Remove X

Tracking Number:

9589071052700707082733

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

Your item was delivered to an individual at the address at 11:36 am on May 6, 2024 in BIG SPRING, TX 79720.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

BIG SPRING, TX 79720
May 6, 2024, 11:36 am

See All Tracking History

What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)

See More

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Allen Pearson
1101 S. Main Street
Big Spring, Texas 79720

9590 9402 8872 4005 9999 11

2. Article Number (Transfer from service label)

9589 0710 5270 0707 0827 26

COMPLETE THIS SECTION ON DELIVERY

A [redacted]
X [redacted]
☐ Agent
☐ Addressee

B. Received by (Printed Name) Allen Pearson
C. Date of Delivery 5-6-24

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☑ Adult Signature
☐ Adult Signature Restricted Delivery
☑ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Mail
Mail Restricted Delivery
00)

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricte Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Allen Pearson
1211 S. Main Street
Big Spring, Texas 79720

9590 9402 8872 4005 9999 28

2. Article Number (Transfer from service label)

9589 0710 5270 0707 0827 33

COMPLETE THIS SECTION ON DELIVERY

[redacted]
☐ Agent
☐ Addressee

B. Received by (Printed Name) Allen Pearson
C. Date of Delivery 5-6-24

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☑ Adult Signature
☐ Adult Signature Restricted Delivery
☑ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Mail
Mail Restricted Delivery
00)

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricte Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
OF POSTING OF PUBLIC HEARING

"The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for May 14, 2024, attached as **Exhibit D-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on May 2, 2024."

SIGNED on the 8 day of May, 2024.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 8 day of May, 2024 by the above referenced Affiant.

CRYSTAL RAMIREZ
Notary Public, State of Texas
Comm. Expires 10-21-2024
Notary ID 13273924-1

Crystal Ramirez
Notary Public, State of Texas

Exhibit D-6

BIG SPRING
TEXAS

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 **MAY 14TH, 2024,** 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:

1600 MAIN, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 12 BK 18 MCDOWELL HEIGHTS 55X140 575 ACQ 09162016 BLK/TRACT 32 1S 0.177 ACRES – OWNER: STEVE GIRBY

1217 W 3RD, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LTS 10-11 BK 2 PRICE 73X130 558 ACQ 040207 BLK/TRACT 2 0.218 ACRES – OWNER: CORINNE CASARES

2307 W OLD HWY 80, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: SC 32 BK 33 1N 621 BLK/TRACT 33 1N 1 ACRES ACQ02202019 – OWNER: KAYLA HANSON

1211 MAIN, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LTS 5-6 BK 4 HATHCOCK HEIGHTS 100X140 152 BLK/TRACT 4 0.321 ACRES ACQ 04012021 – OWNER: ALLEN PEARSON

1008 W 6TH, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: S/PART LTS 11-12 BK 9 JONES VALLEY 100X84 759 BLK/TRACT 9 0.193 ACRES ACQ 06302022 – OWNER: CINTHIA QUEZADA & FORTINO QUEZADA

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

PRIVATE
PROPERTY
NO TRESPASSING
May 2, 2024 12:27 PM

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, April 23, 2024, with the following members present in person:

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

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	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
Glenn Farris, Crossroads Baptist Association, 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

Public Comment

Public Comment

Several citizens spoke on the following issues: mandatory spay & neuter pets if they are picked up by animal control; one citizen was fined to clean up their property when they never received a notice; and one citizen thanked the council for their dedication and work.

Mayor Moore presented Council Member McDonald with a plaque and thanked her for her work and dedication on the City Council as this was her last meeting to serve on the Council as a representative for District Four.

Announcements, Presentations and Public Hearings

MOTION WAS MADE BY Mayor Moore to open the below listed presentations and public hearings, seconded by Mayor Pro Tem Ornelas.

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

NAYS: None **0**

MOTION PASSED

Report Regarding an Update on Animal Control and Introduction of the Adoption Coordinator, Dakota Stotyn

Chad Williams, Police Chief, introduced the new Adoption Coordinator, Dakota Stotyn with the Animal Control Department and reported some accomplishments she has made at the animal shelter: Created a shelter Facebook page to help with pet adoptions; Networking with other rescue shelters; A new bath station to help care for the animals; Working with local business to have some adoption events this summer; and Ms. Stotyn has an office located at the animal shelter and is available at all times.

Presentation on Final Report for Recommendations for Rebuilding Dora Roberts Community Center by Convention and Visitors Bureau Board

Drew Mouton, President of the Convention and Visitors Bureau Board, reported the committee's recommendations to rebuild the community center which include the following; Great location by the lake and should be rebuilt on the same location; A ballroom approximately 7,800 sq. ft.; A large meeting room approximately 3,000 sq. ft. that can be divided into 2 smaller rooms; A lecture hall with theater seating; Additional parking; Outdoor patio; Fully equipped kitchen; Plenty of restrooms; A dressing room; and a loading dock. The committee also recommends for the City to hire an experienced architect for this project.

PUBLIC HEARING - Regarding a Zone Change Z24-01, Being of Blocks 19 and 22 of Kentwood Addition (Unit No. 2) and 7.180 Acres Out of Section No. 9, Block 32, T-1-S, T&P RR Co. Survey, Abstract No. 156, City of Big Spring, Howard County, TX, From

SF-2, Single-Family Dwelling District to PD, Planned Development for Housing Development

Cameron Walker, Contract Planner, explained the above captioned zone change to provide custom lots for residential use.

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1510 W 1ST, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 2-4 BK 4 BROWN 150X130 212 211 210 0.447 ACRES ACQ 06052015 – OWNER: NOEL ALLEN

MOTION WAS MADE BY Mayor Pro Tem Ornelas to approve the above captioned abatement order for the property of 1510 W. 1st, seconded by Council Member Smith.

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

NAYS: None **0**

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 2507 PEACH, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 4 BK 2 LINCOLN 50X140 640 0.161 ACRES – OWNER: R. T. JOHNSON

MOTION WAS MADE BY Mayor Pro Tem Ornelas to approve the above captioned abatement order for the property of 2507 Peach, seconded by Council Member McDonald.

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

NAYS: None **0**

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 706 NW 5TH, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 4 BK 7 BAUER 50X130 708 ACQ 031506 BLK/TRACT 7 0.149 ACRES – OWNER: LIONEL PEREZ & JUANA PEREZ

MOTION WAS MADE BY Mayor Pro Tem Ornelas to approve the above captioned abatement order for the property of 706 NW 5th, seconded by Council Member Hughes.

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

NAYS: None **0**

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 2508 PEACH, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 5 BK 3 LINCOLN 50X140 631 BLK/TRACT 3 0.161 ACRES ACQ 10212015 – OWNER: NORA GARCIA

MOTION WAS MADE BY Council Member McDonald to approve the above captioned abatement order for the property of 2508 Peach, seconded by Mayor Pro Tem Ornelas.

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

NAYS: None **0**

MOTION PASSED

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

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

NAYS:None **0**

MOTION PASSED

City Manager's Report

City Manager's report on the following items:

- Update - Large Item Pickup, District 4

Todd Darden, City Manager, reported that the large item pickup for District 4 picked up 7.7 tons of items. Mr. Darden also thanked Council Member McDonald for serving on the council and has enjoyed working with her.

Consent Items

Approval of the City Council Minutes of the Regular Meeting of April 9, 2024.

Acknowledge Receipt of the Big Spring Economic Development Corporation Board of Directors Minutes for the Regular Meeting of March 19, 2024

Acknowledge Receipt of the Convention and Visitors Bureau Board Minutes for the Regular Meeting of March 20, 2024

Acknowledge Receipt of the McMahon-Wrinkle Aviation Advisory Board Minutes for the Regular Meeting of February 15, 2024

Acknowledge Receipt of the Planning and Zoning Commission Minutes of the Regular Meeting of December 5, 2023

Final Reading of an Ordinance Amending Ordinance Number 049-2023 Which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2023 and Ending September 30, 2024 by Increasing the General Fund Budget for the Purpose of Subscribing to Software that will Ensure Compliance with GASB 87 and 96, for the Management of Leases and Software Subscriptions; Providing for Severability; Providing for Publication; and Providing an Effective Date.

MOTION WAS MADE BY Council Member McDonald to approve the above captioned minutes and ordinance, seconded by Council Member Hughes.

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

NAYS: None **0**

MOTION PASSED

Vouchers

Vouchers for 04/11/24	$	1,072,086.68
Vouchers for 04/18/24	$	406,449.38

Council Member McDonald reviewed the above captioned vouchers.

MOTION WAS MADE BY Council Member McDonald to approve the above captioned vouchers, seconded by Council Member Hughes.

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

NAYS: None **0**

MOTION PASSED

Bids

Consideration and Possible Action on Awarding a Bid for the 2024 Seal Coat Project and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Mayor Moore to award the above captioned bid to Ronald R. Wagner & Co. in the amount of $499,178.08, seconded by Council Member Hughes.

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

Smith
NAYS: None **0**

MOTION PASSED

New Business

Acknowledge Receipt of the Quarterly Financial Report and of the Investment Report for the Quarter Ending March 31, 2024

Sandy Smith, Finance Director, presented the above captioned reports to the Council. No action was necessary.

First Reading of an Ordinance Authorizing Z-24-01, Amending the Big Spring Zoning Ordinance by Rezoning Approximately 7.180 Acres out of Sec 9, Blk 32, T-1-S, T & P R.R. Co. Survey, City of Big Spring, Howard County, Texas From Sf-2, Single-Family Dwelling District to Planned Development for a Housing Development; Providing for Repeal of Conflicting Legislation; Providing for Severability; Finding and Determining That the Meetings at Which the Ordinance Was Discussed Were Open to the Public as Required by Law; and Providing an Effective Date.

MOTION WAS MADE BY Council Member McDonald to approve the above captioned ordinance, seconded by Council Member Smith.

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

NAYS: None **0**

MOTION PASSED

First Reading of an Ordinance Amending Chapter 50 of the Big Spring City Code Entitled "Utilities," Article VIII Entitled "Drought Contingency Plan," Providing for the Repeal of Conflicting Legislation; Providing for Severability; Finding and Determining that the Meetings at Which the Ordinance was Discussed were Open to the Public as Required by Law; and Providing an Effective Date

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

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

NAYS: None **0**

MOTION PASSED

Consideration and Possible Action Regarding an Interlocal Agreement with Howard County for Emergency Ambulance Service and Authorizing the Mayor or His Designee to Execute Any Necessary Documents

MOTION WAS MADE BY Council Member Tompkins to approve the above

captioned agreement, seconded by Council Member Hughes.

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

NAYS: None **0**

MOTION PASSED

Consideration and Possible Action on an Agreement with the YMCA (Young Men's Christian Association of Big Spring) for Lifeguard Services for the 2024 Season at the Russ McEwen Aquatic Center and Authorizing the City Manager or His Designee to Execute any Necessary Documents

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

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

NAYS: None **0**

MOTION PASSED

Consideration and Possible Action of a Fourth Amendment to the Administrative Services Agreement with TX Health Benefits Pool Regarding the Access Guidance Services Program and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Council Member McDonald to approve the above captioned amendment, seconded by Council Member Smith.

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

NAYS: None **0**

MOTION PASSED

Consideration and Possible Action to Approve a City of Big Spring Wellbore Right of Way License Agreement # 6-B with OXY USA, Inc., and Authorizing the City Manager or His Designee to Execute any Necessary Documents

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

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

NAYS: None **0**

MOTION PASSED

Consideration and Possible Action to Approve an Agreement with Asbestos & Environmental Consulting, LLC for Asbestos Abatement of Three Buildings Located at

the McMahon Wrinkle Airpark and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Council Member McDonald to approve the above captioned agreement, seconded by Council Member Hughes.

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

NAYS: None **0**

MOTION PASSED

Council Input

Input

All Council Members expressed their appreciation for Council Member McDonald for her dedication and work as a member of the Council.

Adjourn

Mayor Moore adjourned the City Council meeting at 7:19 p.m.

_____

Robert H. Moore III, Mayor

ATTEST:

_____

Tami L. Davis, City Secretary

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

The City Council of the City of Big Spring, Texas, met in a Special Meeting in the City Council Chambers located at 307 E. 4th St., Big Spring, Texas, at 5:30 PM, May 7, 2024, with the following members present in person:

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

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	Fire Chief
SANDY SMITH	Finance Director
HAYLEY LEWIS	Community Services Director
TAMI DAVIS	City Secretary

Open Session

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

Bids

Consideration and Possible Action on Awarding a Bid for a Private EMS Contract and Authorizing the City Manager or His Designee to Negotiate and Execute any Necessary Documents

MOTION WAS MADE BY Mayor Moore to award the above captioned bid to Allegiance for a total amount of 4780,000.00 for 12 months, seconded by Council Member Hughes.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, Council Member Hughes, Council Member McDonald, Council Member Tompkins, Council Member Smith **7**

NAYS: None **0**

MOTION PASSED

New Business

Emergency Reading of an Ordinance Amending Ordinance Number 049-2023 Which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2023 and Ending September 30, 2024 by Increasing the Emergency Medical Services Fund Budget for the Purpose of Entering into an Agreement with an Outside Emergency Medical Services Company for the Provision of Emergency Medical Services to the Citizens of Big Spring and Howard County; Providing for Severability; Providing for Publication; and Providing for an Effective Date

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

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, Council Member Hughes, Council Member McDonald, Council Member Tompkins, Council Member Smith **7**

NAYS: None **0**

MOTION PASSED

Executive Session

Adjourn into Executive Session in Accordance with the Purposes Permitted by the Open Meetings Act, Section 551.072 Texas Government Code, "Deliberation Regarding Real Property; Closed Meeting," to Deliberate the Purchase, Exchange, Lease, or Value of Real Property when Deliberation in an Open Meeting Would have a Detrimental Effect on the Position of the Governmental Body in Negotiations with a Third Person.

MOTION WAS MADE BY Mayor Moore to adjourn into the above captioned executive session at 5:57 p.m., seconded by Council Member Smith.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, Council Member Hughes, Council Member McDonald, Council Member Tompkins, Council Member Smith **7**

NAYS: None **0**

MOTION PASSED

Reconvene into Open Session and Take any Necessary Action on Executive Session Items

Mayor Moore reconvened the City Council meeting at 6:14 p.m.

MOTION WAS MADE BY Mayor Moore to authorize the City Manager to offer the property of 903 E. 13th Street to the current occupants for the sum of back taxes that are due, seconded by Council Member McDonald.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, Council Member Hughes, Council Member McDonald, Council Member Tompkins, Council Member Smith	**7**
NAYS: None	**0**

MOTION PASSED

Adjourn

Mayor Moore adjourned the special City Council meeting at 6:16 p.m.

_____

Robert H. Moore III, Mayor

ATTEST:

_____

Tami L. Davis, City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AUTHORIZING Z-24-01, AMENDING THE BIG SPRING ZONING ORDINANCE BY REZONING APPROXIMATELY 7.180 ACRES OUT OF SEC 9, BLK 32, T-1-S, T & P R.R. CO. SURVEY, CITY OF BIG SPRING, HOWARD COUNTY, TEXAS FROM SF-2, SINGLE-FAMILY DWELLING DISTRICT TO PLANNED DEVELOPMENT FOR A HOUSING DEVELOPMENT; PROVIDING FOR REPEAL OF CONFLICTING LEGISLATION; PROVIDING FOR SEVERABILITY; FINDING AND DETERMINING THAT THE MEETINGS AT WHICH THE ORDINANCE WAS DISCUSSED WERE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission held public hearings during regular meetings on April 16, 2024 and gave its final recommendation for approval of this zone change from SF-2, Single-Family Dwelling District to Planned Development for a Housing Development; and

WHEREAS, the City Council held a public hearing during a regular meeting on April 23, 2024; and

WHEREAS, the City Council has considered this request and has determined that approval is in the best interest of the City;

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

SECTION 1. The City Council hereby authorizes Z-24-01, a rezone of 7.180 acres lying in and being Section 9, Block 32, T-1-S, T&P RR Co. Survey in Big Spring, Howard County, Texas from SF-2, Single-Family Dwelling District to Planned Development for a Housing Development and such changes are hereby approved as an amendment to the Zoning Ordinance subject to the following minimum requirements:

1. The underlying zoning for the described property shall remain SF-2, Single-Family Dwelling District except that the minimum lot size shall be 6,250 square feet; the maximum lot coverage shall not exceed fifty (50) percent; and that the minimum lot width shall not be less than fifty (50) feet.

2. The plat for the property shall conform to the above development standards and shall serve as the site plan for the development.

SECTION 2. The City of Big Spring Zoning Map shall be amended to reflect the zoning designation of the above-described property as Planned Development (PD).

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. 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 5. 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 6. This Ordinance is ordered to be codified.

SECTION 7. This Ordinance shall become effective upon its second publication according to law.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **23rd** day of **April, 2024,** 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 **14th** day of **May, 2024,** with all members present voting "aye" for the passage of same.

_____
Robert H. Moore, III, Mayor

ATTEST:

_____
Tami L. Davis, City Secretary

ORDINANCE NO. _____

FIRST READING OF AN ORDINANCE AMENDING CHAPTER 50 OF THE BIG SPRING CITY CODE ENTITLED "UTILITIES," ARTICLE VIII ENTITLED "DROUGHT CONTINGENCY PLAN," PROVIDING FOR THE REPEAL OF CONFLICTING LEGISLATION; PROVIDING FOR SEVERABILITY; FINDING AND DETERMINING THAT THE MEETINGS AT WHICH THE ORDINANCE WAS DISCUSSED WERE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City provided opportunity for public input in the development of this Plan by the following means:

- Providing written notice of the proposed Plan and the opportunity to comment on the Plan by newspaper and posted notice;
- Posting the draft Plan on the community website and/or social media;
- Providing the draft Plan to anyone requesting a copy;
- Holding a public meeting regarding the Plan on 4/23/2024. Public notice of this meeting was provided on the community website and in local newspapers;
- Adopting the Plan at a public Council meeting on 5/14/2024;
- Public notices of this meeting were provided on the community website and live audio was available during the meeting;

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

SECTION 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2. The Big Spring City Code, Chapter 50 entitled “Utilities,” Article VIII entitled “Drought Contingency Plan,”, is hereby amended in part as stated in Exhibit A, attached and incorporated herein.

NOTE* Language to be added appears underlined and language to be deleted is ~~stricken~~.

SECTION 3. 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 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. 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 6. This Ordinance is ordered to be codified.

SECTION 7. The City Secretary is hereby authorized and directed to cause the publication of this ordinance in accordance with 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 at a regular meeting of the City Council on the **23rd** day of **April, 2024** 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 **14th** day of **May, 2024** with all members of the Council voting "aye" for the passage of same.

_____
Robert H. Moore III, Mayor

ATTEST:

_____
Tami L. Davis, City Secretary

Exhibit A

Big Spring City Code

Chapter 50 – Utilities

ARTICLE VII. DROUGHT CONTINGENCY PLAN

DIVISION 1. GENERALLY

Sec. 50-211. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Commercial and institutional water use means water use which is integral to the operations of commercial and nonprofit establishments and governmental entities such as retail establishments, hotels and motels, restaurants and office buildings.

Conservation means those practices, techniques and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer means any person, company or organization using water supplied by the city.

DCP means Drought Contingency Plan.

Domestic water use means water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

~~*Even-numbered address* means street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8, and locations without addresses.~~

Industrial water use means the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use means water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks and rights-of-way and medians.

Non-essential water use means water uses that are neither essential nor required for the protection of public, health, safety and welfare, including:

(1) Irrigation of landscape areas, including parks, athletic fields and golf courses, except otherwise provided under this DCP.

(2) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle.

(3) Use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surfaced areas.

(4) Use of water to wash down buildings or structures for purposes other than immediate fire protection.

(5) Flushing gutters or permitting water to run or accumulate in any gutter or street.

(6) Use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools.

(7) Use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life.

(8) Failure to repair a controllable leak within a reasonable period after having been given notice directing the repair of such leak.

(9) Use of water from hydrants for construction purposes or any other purposes other than firefighting.

~~*Odd-numbered address* means street addresses, box numbers or rural postal route numbers ending in 1, 3, 5, 7 or 9.~~

Recreational/aesthetic water use means water use for non-consumptive, pleasure; ornamental or decorative purposes such as swimming/wading pools, fountains, reflecting pools and water gardens.

Sec. 50-212. Declaration of policy, purpose and intent.

In cases of extreme drought, periods of abnormally high usage, system contamination, or extended reduction in ability to supply water due to equipment failure, temporary restrictions may be instituted to limit non-essential water usage. The purpose of the Drought Contingency Plan (DCP) is to encourage customer conservation in order to maintain supply, storage, or pressure or to comply with the requirements of a court, government agency or other authority.

Sec. 50-213. Public education.

(a) Retail customer/public education. The city will periodically provide the public with information about the DCP, including information about the conditions under which each stage of the DCP is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of:

(1) Distribution of a fact sheet explaining elements of the DCP.

(2) Annual distribution of educational materials, timed to correspond with peak summer demand periods.

(3) Articles will be published in the Big Spring newspaper. These publications will correspond to the mail-outs or more often.

(b) Wholesale water customer education. The city will periodically provide wholesale water customers with information about the DCP, including information about the conditions under which each stage of the DCP is to be initiated or terminated and the drought response

measures to be implemented in each stage. This information will be provided by means of periodically including information about the DCP with invoices for water sales.

Sec. 50-214. Notice requirements.

(a) *Retail customer/public.* Public notification of the initiation or termination of drought response stages shall be by means of public notification in a newspaper of general circulation and announcements on radio and/or television. The public will be informed, in advance if possible, of the expected or actual conditions and will be given detailed instructions. They will be kept informed concerning the status (i.e., holding, improving, getting worse, etc.). Also, water conservation information will be provided.

(b) *Wholesale customers.* Customer notification of the initiation or termination of drought response stages will be made by mail or telephone. The news media will also be informed.

DIVISION 2. VIOLATIONS AND EXCEPTIONS

Sec. 50-237. Violations.

(a) *Retail customers/public.*

(1) No person shall knowingly or intentionally allow the use of water from the city for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this DCP, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by the city in accordance with provisions of this DCP.

(2) Any person, including a person classified as a water customer of the city, in apparent control of the property where a violation occurs or originates, shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children, and proof that a violation committed by a child occurred on property within the parent's control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he proves that he had previously directed the child not to use the water as it was used in violation of this DCP and that the parent could not have reasonably known of the violation.

(3) Any person who violates this DCP is guilty of a misdemeanor. If a person is convicted of three or more distinct violations of this DCP, the administrator shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occurred. Services discontinued under such circumstances shall be restored only upon payment of a reconnection charge, established by city policy and any other costs incurred by the city in discontinuing service and all assessed fines. In addition, suitable assurance must be given to the city that the same action shall not be

repeated while the DCP is in effect. Compliance with this DCP may also be sought through injunctive relief in the district court.

(4) The code enforcement official, utility supervisor, or police officer of the city designated by the city manager may issue a citation to a person he reasonably believes to be in violation of this division. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him to appear in the municipal court on the date shown on the citation for which the date shall not be less than three days nor more than five days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in municipal court to enter a plea of guilty or not guilty for the violation of this DCP. If the alleged violator fails to appear in municipal court, a warrant for his arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in municipal court before all other cases.

(b) *Wasting of water prohibited.* It shall be unlawful for any person to permit, or to allow any other person under his control or authority to permit, water to run or accumulate in any gutter or street within the city. It shall be a defense to prosecution for such violation that the running or accumulating water is the result of an emergency such as extinguishing a fire or the result of a water leak that has been reported to the city within a reasonable time.

(c) *Wholesale customers.* During any period when pro rata allocation of available water supplies is in effect, the city shall discontinue water delivery when the allocated quantity of water is reached.

Sec. 50-238. Exemptions or variances.

(a) *Grant or refusal upon request.* The city manager or his designee may grant any customer an exemption or variance from the drought contingency plan for good cause upon written request. A customer who is refused an exemption or variance may appeal such action in writing to the city council. The city will treat all customers equally concerning exemptions and variances. No exemption or variance shall be retroactive or otherwise justify any violation of this plan occurring prior to the issuance of the variance.

(1) *Retail customers/public.* The city may, in writing, grant a temporary variance for existing water uses otherwise prohibited under this DCP if it is determined that failure to grant such variance would cause an undue hardship or an emergency condition adversely affecting the public health, sanitation, or safety and if one or more of the following conditions are met:

a. Compliance with this DCP cannot be technically accomplished during the duration of the water supply shortage or other condition for which the plan is in effect.

b. Alternative methods can be implemented which will achieve the same level of reduction in water use.

1. Persons requesting an exemption from the provisions of this division shall file a written petition for variance with the city. All petitions for variances shall be reviewed by the city manager, or his designee, and shall include the following:
    i. Name and address of the petitioner.
    ii Purpose of water use.
    iii. Specific provisions of the DCP from which the petitioner is requesting relief.
    iv. Detailed statement as to how the specific provision of the plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this division.
    v. Description of the relief requested.
    vi. Period of time for which the variance is sought.
    vii. Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this DCP and the compliance date.
    viii. Other pertinent information.
2. Variances granted by the city shall be subject to the following conditions, unless expressly waived or modified by the city manager or his designee:
    i. Variances granted shall include a specific duration.
    ii. Variances granted shall expire when the DCP is no longer in effect, unless the petitioner has failed to meet specified requirements.

(2) *Wholesale customers.* The city may, in writing, grant a temporary variance to the pro rata water allocation policies provided by this DCP if it is determined that failure to grant such variance would cause an undue hardship or emergency condition adversely affecting the public health, sanitation or safety, and if one or more of the following conditions are met:

a. Compliance with this DCP cannot be technically accomplished during the duration of the water supply shortage or other condition for which the DCP is in effect.

b. Alternative methods can be implemented which will achieve the same level of reduction in water use. Persons requesting an exemption from the provisions of this DCP shall file a petition for variance with the city within five days after pro rata allocation has been invoked. All petitions for variances shall be reviewed by the city manager and shall include the following:
    1. Name and address of the petitioner.
    2. Detailed statement with supporting data and information as to how the pro rata allocation of water under the policies and procedures established in the plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this division.

3. Description of the relief requested.
4. Period of time for which the variance is sought.
5. Alternative measures the petitioner is taking or proposes to take to meet the intent of this DCP and the compliance date.
6. Other pertinent information. Variances granted by the city shall be subject to the following conditions, unless expressly waived or modified by the city manager or his designee:
    (i) Variances granted shall include a specific duration.
    (ii) Variances granted shall expire when the plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

(b) No variances shall be retroactive or otherwise justify any violation of this DCP occurring prior to the issuance of the variance.

DIVISION 3. RESPONSE STAGES

Sec. 50-270. General regulations.

(a) The city shall monitor water supply and/or demand conditions on a weekly (or more often) basis and shall determine when conditions warrant initiation or termination of each stage of the DCP.

(b) Unless there is an immediate and extreme reduction in water production, or other absolute necessity to declare an emergency or severe condition, the city will initially declare Stage II restrictions. If, after a reasonable period of time, demand is not reduced enough to alleviate outages, reduce the risk of outages, or comply with restrictions required by a court, government agency or other authority, Stage III may be implemented with Stage IV to follow if necessary.

(c) Under normal circumstances, the CRMWD provides raw water to the city from a combination of five sources:
    (1) The Ivie Reservoir;
    (2) The Spence Reservoir;
    (3) Lake Thomas;
    (4) Moss Lake; and
    (5) The Martin County Well Field. The Martin County Well Field is used intermittently. The CRMWD sets the ratio based on reservoir level, source water quality, economics and needs of its member cities and customer cities.

(d) CRMWD has the capacity to deliver up to 21 mgd of water from Lake Thomas and up to 40 mgd of Spence Reservoir water from Moss Lake to the 15 mg reservoir located at the city pump station north of the city. CRMWD can gravity flow up to 11 mgd of Ivie/Martin County water to this 15 mg reservoir from the west.

(e) A 27-inch concrete cylinder line conveys water from the 15 mg reservoir to the Big Spring Roy C. Hester Water Treatment Plant. This line currently operates by gravity with a capacity of 12 mgd, but can be boosted to increase the capacity. The water treatment plant has a normal capacity of 12 mgd that can be pushed to 13 mgd for short periods of time.

Sec. 50-271. Stage I; customer awareness.

(a) *Supply-based triggers.* Wholesale supplier's (CRMWD) drought Stage I.

(b) Stage I will begin: Every April 1. No notice to TCEQ required.

(~~b~~c) Stage I will end: Every September 30. No notice to TCEQ required.

(d) Water supply system is unable to deliver water due to the failure or damage of major water system components, supply source becomes contaminated, power outage, grid failure, natural disaster, or extreme weather event.

(~~c~~e) City measures. Stage I public notification will be designed to increase customer awareness of water conservation and encourage the most efficient use of water. A copy of the current public notification on water conservation awareness shall be kept on file available for inspection by the TCEQ.

(~~d~~f) Voluntary water use restrictions. Water customers are requested to voluntarily limit the use of water for non-essential purposes and practice water conservation.

Sec. 50-272. Stage II; ~~voluntary~~ mandatory water conservation.

Target: Achieve a five percent reduction in total water use. The water utility will implement Stage II when any one of the selected triggers is reached:

(1) *Supply-based triggers.* Wholesale supplier's (CRMWD) drought Stage II.

(2) *Demand- or capacity-based triggers.*

a. Water ~~treatment~~ demand as percent of capacity equals or exceeds ~~95~~ 85 percent (~~11.4~~ 10.2mgd based on 12 mgd safe capacity) ~~for seven consecutive days~~on a rolling three-day average basis; ~~or~~

b. The water supply is still adequate, but the water levels or reservoir capacities are low enough that there is a real possibility that the supply situation may become critical if the drought or emergency continues. Historically, this occurs at approximately 41 percent of full capacity of combined reservoirs. Upon initiation and termination of Stage II, the city will provide public notification to its customers, both retail/public and wholesale. No notice to TCEQ required; or~~.~~

c. Water supply system is unable to deliver water due to the failure or damage of major water system components, supply source becomes contaminated, power outage, grid failure, natural disaster, or extreme weather event.

(3) *Requirements for termination.* Stage II of the DCP may end when all of the conditions listed as triggering events have ceased to exist for a period of four consecutive days. Upon termination of Stage II, Stage I becomes operative.

(4) *City measures.*

a. Visually inspect lines and repair leaks on a daily basis.

b. Review customer use records monthly and follow-up on unusually high usage.

c. Reduce or discontinue flushing of water mains.

d. Reduce or discontinue irrigation of public landscaped area.

(5) ~~*Voluntary*~~ *Mandatory water use restrictions (retail customers).* *TCEQ NOTIFICATION REQUIRED*

a. Irrigation of landscaped areas by any means including, but not limited to, hose-end sprinklers, automatic irrigation systems, hand-held hoses or drip irrigation systems shall be limited to twice per week. Residential and non-residential water customers are prohibited from watering between 10:00 AM and 6:00 PM, limited to their trash day plus three days. However, irrigation of landscaped areas is permitted at any time if it is by means of a handheld hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system. Use of a handheld hose, bucket or watering can shall be actively monitored by a responsible person. If there is no street address associated with the property, or if there is more than one street address associated with a single contiguous property, the watering days are Wednesday and Saturday.~~Restricted days/hours: Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for water customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9) and to irrigate only between the hours of 12:00 midnight until 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at any time if it is by means of a hand-held hose, a faucet-filled bucket or watering can of five gallons or less, or drip irrigation system.~~

b. Water customers are requested to refrain from washing cars.

c. Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

(6) *Voluntary water use restrictions (wholesale customers).*

a. The city will contact wholesale water customers to discuss water supply and/or demand conditions and will request that the wholesale water customers initiate voluntary measures to reduce water use (e.g., implement Stage II of the customer's drought contingency plan).

b. The city will provide a weekly report to news media with information regarding current water supply and/or demand conditions, projected water supply and demand conditions if drought conditions persist, and consumer information on water conservation measures and practices.

Sec. 50-273. Stage III; mandatory water use restrictions.

Target: Achieve a ten percent reduction in total water use. The water utility will implement Stage III when any one of the selected triggers is reached:

(1) *Supply-based triggers.* Notification is received from CRMWD initiation of Stage III of the CRMWD's DCP pursuant to the requirements specified in the city's wholesale water purchase contract.

(2) *Demand- or capacity-based triggers.*

a. Water demand as percent of system capacity equals or exceeds 90 percent (10.8 mgd based on 12 mgd safe capacity) on a rolling three-day average basis; ~~Water demand for 15 consecutive days reaches or exceeds 95 percent of the system's safe capacity (95 percent of 12 mgd equals 11.4 mgd), beyond which the failure of a pump or some other piece of equipment could cause a serious disruption of service to part or all of the system; or~~

b. Reservoir levels are low enough to disrupt some major economic activity or cause unacceptable damage to a vital ecosystem. Historically, this occurs when the reservoirs are at approximately 16.5 percent of combined full capacity. Upon initiation and termination of Stage III, the city will provide notification to both retail/public and wholesale customers,~~.~~ Notice to TCEQ required; or

c. Water supply system is unable to deliver water due to the failure or damage of major water system components, supply source becomes contaminated, power outage, grid failure, natural disaster, or extreme weather event.

(3) *Requirements for termination.* Stage III of the DCP may end when all of the conditions listed as triggering events have ceased to exist for a period of four consecutive days. Upon termination of Stage III, Stage II becomes operative.

(4) *City measures.*

a. Visually inspect lines and repair leaks on a regular basis

b. Reduce or discontinue flushing of water mains except for dead-end mains.

c. Reduce or discontinue irrigation of public landscaped areas.

(5) *Mandatory water use restrictions (retail customers/public).* *TCEQ NOTIFICATION REQUIRED*

a. Irrigation of landscaped areas by any means including, but not limited to, hose-end sprinklers, automatic irrigation systems, hand-held hoses or drip irrigation systems shall be limited to once per week. Residential and non-residential water customers are prohibited from watering between 9:00 AM and 7:00 PM, limited to their trash day. limited to However, irrigation of landscaped areas is permitted at any time if it is by means of a handheld hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system. Use of a handheld hose, bucket or watering can shall be actively monitored by a responsible person. If there is no street address associated with the property, or if there is more than one street address associated with a single contiguous property, the watering day is

Wednesday.~~limited to the specific days and times of the week designated by the city except that watering by means of a faucet filled bucket or watering can of five gallons or less is allowed on any day between the hours of 6:00 p.m. and 10:00 p.m.~~

b. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle is prohibited at all times except on the immediate premises of a commercial car wash or commercial service station. Washing of vehicles by so-called "mobile-wash" vendors is also allowed so long as it is performed in compliance with all other applicable rules and local laws. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public necessitate frequent vehicle cleansing, such as for garbage trucks and vehicles used to transport food and perishables.

c. Use of water to fill, refill, or add to any commercial or filtered indoor or outdoor swimming pool or Jacuzzi-type pool is allowed only between the hours of 6:00 p.m. and 8:00 a.m. on any day. Use of water to fill, refill or add to any non-filtered wading or kiddie pool is allowed only during the days and times designated by the city for other outside watering.

d. Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.

e. Use of water from fire hydrants or flush valves shall be limited to firefighting and related activities or other activities necessary to maintain public health, safety and welfare. Use of water necessary for construction purposes may be allowed under special permit from the city.

f. Use of water for the irrigation of golf courses, parks, and green belt area is prohibited except on designated watering days and times. However, if such area utilizes a water source other than potable water provided by the city, the facility shall not be subject to these regulations.

g. All restaurants are prohibited from serving water to its patrons except when requested.

h. The following uses of water are defined as non-essential and are prohibited:

    1. Wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;

    2. Use of water to wash down buildings or structures for purposes other than immediate fire protection;

    3. Use of water other than well water for dust control;

    4. Flushing gutters or permitting water to run or accumulate in any gutter or street;

    5. Failure to repair a controllable leak within a reasonable period after having been given notice directing the repair of such leak.

(6) *Mandatory water use restrictions (wholesale customers).* *TCEQ NOTIFICATION REQUIRED*

a. The city will initiate weekly contact with wholesale water customers to discuss water supply and/or demand conditions and the possibility of pro rata curtailment of water diversions and/or deliveries.

b. The city will request wholesale water customers to initiate mandatory measures to reduce non-essential water use (e.g., implement Stage III of the wholesale customer's drought contingency plan).

c. The city will initiate preparations for the implementation of pro rata curtailment of water diversions and/or deliveries by preparing a monthly water usage allocation baseline for each wholesale customer.

d. The city will provide a weekly report to news media with information regarding current water supply and/or demand conditions, projected water supply and demand conditions if drought conditions persist, and consumer information on water conservation measures and practices.

Sec. 50-274. Stage IV; critical water use restrictions.

Target: Achieve a minimal use of 35 percent reduction in total water use. The water utility will implement Stage IV when any one of the selected triggers is reached:

(1) *Supply-based triggers.* Notification is received from CRMWD requesting initiation of drought Stage IV.

(2) *Demand- or capacity- based triggers.*

a. Water levels are low enough in the distribution storage reservoirs to hinder adequate fire protection; or

b. Water demand as percent of system capacity equals 95 percent (11.4 mgd based on 12 mgd safe capacity) on a single day; or ~~Water demand is exceeding the system's safe capacity (12 mgd) for ten consecutive days, thus presenting the real danger of a major system failure. Upon initiation and termination of Stage IV, the utility will provide public notification to its customers, both retail/public and wholesale. Notice to TCEQ required.~~

c. Water supply system is unable to deliver water due to the failure or damage of major water system components, supply source becomes contaminated, power outage, grid failure, natural disaster, or extreme weather event.

(3) *Requirements for termination.* Stage IV of the DCP may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of four consecutive days. Upon termination of Stage IV, Stage III becomes operative.

(4) *City measures.*

a. The city shall visually inspect lines and repair leaks on a daily basis.

b. Reduce or discontinue flushing of water mains.

c. Begin water rationing if needed.

(5) *Mandatory water use restrictions (retail customers/public).* *TCEQ NOTIFICATION REQUIRED*

a. All requirements of Stage III shall remain in effect during Stage IV except:

1. Irrigation of landscaped areas shall be prohibited.

2. Washing of any motor vehicle, motorbike, boat, trailer, airplane or other vehicle shall be prohibited.

3. The watering of golf course tees, fairways or greens is prohibited unless the golf course utilizes a water source other than potable water provided by the city.

4. The filling, refilling or adding water to swimming pools, wading pools and Jacuzzi-type pools shall be prohibited.

5. The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

(6) *Mandatory water use restrictions (wholesale customers).* *TCEQ NOTIFICATION REQUIRED*

a. The city will assess the severity of the problem and identify the actions needed and time required to solve the problem.

b. The city will inform the utility director or other responsible official of each wholesale water customer by telephone or in person and suggest actions, as appropriate, to alleviate problems (e.g., notification of the public to reduce water use until service is restored).

c. If appropriate, the city will notify county and/or state emergency response officials for assistance.

d. Undertake necessary actions, including repairs and/or cleanup as needed.

e. Prepare a post-event assessment report on the incident and critique of emergency response procedures and actions.

Sec. 50-275. Reserved. ~~Stage V; system outage or supply contamination.~~

~~(a) *Target: Achieve a minimal use of water.* The city will implement Stage V when any one of following triggers is reached:~~

~~(1) *Supply based triggers.* Notification is received from CRMWD requesting initiation of Stage V of the DCP pursuant to requirements specified in the city's wholesale water purchase contract.~~

~~(2) *Demand or capacity-based triggers.*~~

~~a. A major water line breaks or equipment or system failure occurs which causes loss of ability to provide water service.~~

~~b. Contamination of water supply occurs.~~

~~(b) *Notice.* Upon initiation and termination of Stage V, the city will provide public notification to its customers, both retail/public and wholesale. Notify TCEQ Regional Office immediately.~~

~~(c) *Requirements for termination.* Stage V of the DCP may be rescinded when all of the conditions listed as triggering events have ceased to exist. Upon termination of Stage V, another stage of the DCP may be operative based on the discretion of the city.~~

~~(d) *City measures.*~~

~~(1) Discontinue flushing of water mains.~~

~~(2) Discontinue irrigation of public landscaped areas.~~

~~(3) Begin water rationing if necessary.~~

~~(4) Distribute water-boil notices if necessary.~~

~~(5) Seek another source of water.~~

~~(e) *Mandatory water use restrictions (retail customers/public).* All requirements of Stage IV will be implemented.~~

~~(f) *Mandatory water use restrictions (wholesale customers).*~~

~~(1) Assess the severity of the problem and identify the actions needed and time required to solve the problem.~~

~~(2) Inform the utility director or other responsible official of each wholesale water customer by telephone or in person and suggest actions, as appropriate, to alleviate problems (e.g., notification of the public to reduce water use until service is restored).~~

~~(3) If appropriate, notify county and/or state emergency response officials for assistance.~~

~~(4) Undertake necessary actions, including repairs and/or cleanup as needed.~~

~~(5) Prepare a post-event assessment report on the incident and critique of emergency response procedures and actions.~~

DIVISION 4. WATER RATIONING

Sec. 50-299. Water rationing allocation plan.

In the event that a triggering condition for Stage IV or Stage V conditions exists and the water shortage conditions threaten public health, safety and welfare, the city is hereby authorized to ration water according to the following water allocation plan:

(1) *Retail customers/public; priority.* The city will have the authority to stop industrial and commercial water uses so that remaining water is available for essential health- and safety-related uses. The priority list for water use during a severe drought will be the following:

a. Priority 1. Hospitals.

b. Priority 2. Residential.

c. Priority 3. Schools.

d. Priority 4. Fire protection.

e. Priority 5. Industrial.

f. Priority 6. Commercial.

g. Priority 7. Recreation/aesthetics.

(2) *Pro rata water allocation for wholesale customers.* The city will include in contracts references to pro rata water allocation as per Texas Water Code 11.039. In the event that the triggering criteria specified in this DCP for Stage IV—Critical Water Use Restriction ~~or for Stage V—System Outage or Supply Contamination Conditions~~ have been met, the city manager or his designee is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code § 11.039 and according to the following water allocation policies and procedures:

a. A wholesale customer's monthly allocation shall be a percentage of the customer's water usage baseline. The percentage will be set by resolution of the city based on the city manager's, or his designee's, assessment of the severity of the water shortage condition and the need to curtail water diversions and/or deliveries to

each wholesale customer shall be limited to the allocation established for each month.

b. A monthly water usage allocation shall be established by the city manager, or his designee, for each wholesale customer. The wholesale customer's water usage baseline will be computed on the average water usage by month for the ~~1997~~2018—2022~~2001~~ periods as shown in the example given below. If the wholesale water customer's billing history is less than five years, the monthly average for the period for which there is a record shall be used for any monthly period for which no billing history exists.

	2018	2019	2020	2021	2022	Sum	Ave	Allocation	Monthly Allocation
Jan	133	137	146	148	156	719	144	75%	108
Feb	115	122	133	133	147	650	130	75%	98
March	130	150	146	149	159	734	147	75%	110
April	130	167	168	157	187	808	162	75%	122
May	160	152	179	183	171	845	169	75%	127
June	226	184	172	205	249	1,035	207	75%	155
July	235	274	232	914	246	1,301	260	75%	195
Aug	222	203	206	337	309	1,277	255	75%	191
Sept	199	160	196	229	198	982	196	75%	147
Oct	165	172	197	165	185	884	177	75%	133
Nov	139	142	149	153	162	745	149	75%	112
Dec	142	143	150	156	165	755	151	75%	113
Total	1,995	2,006	2,072	2,330	2,333	10,735	2,147		

	~~19 97~~	~~19 98~~	~~19 99~~	~~20 00~~	~~20 01~~	~~Su m~~	~~A ve~~	~~Al lo ca ti~~	~~M on thl~~
~~Jan~~	~~133~~	~~137~~	~~146~~	~~148~~	~~156~~	~~719~~	~~144~~	~~75%~~	~~108~~
~~Feb~~	~~115~~	~~122~~	~~133~~	~~133~~	~~147~~	~~650~~	~~130~~	~~75%~~	~~98~~
~~March~~	~~130~~	~~150~~	~~146~~	~~149~~	~~159~~	~~734~~	~~147~~	~~75%~~	~~110~~
~~April~~	~~130~~	~~167~~	~~168~~	~~157~~	~~187~~	~~808~~	~~162~~	~~75%~~	~~122~~
~~May~~	~~160~~	~~152~~	~~179~~	~~183~~	~~171~~	~~845~~	~~169~~	~~75%~~	~~127~~
~~June~~	~~226~~	~~184~~	~~172~~	~~205~~	~~249~~	~~1,035~~	~~207~~	~~75%~~	~~155~~
~~July~~	~~235~~	~~274~~	~~232~~	~~314~~	~~246~~	~~1,301~~	~~260~~	~~75%~~	~~195~~
~~Aug~~	~~222~~	~~203~~	~~206~~	~~337~~	~~309~~	~~1,277~~	~~255~~	~~75%~~	~~191~~
~~Sept~~	~~199~~	~~160~~	~~196~~	~~229~~	~~198~~	~~982~~	~~196~~	~~75%~~	~~147~~
~~Oct~~	~~165~~	~~172~~	~~197~~	~~165~~	~~185~~	~~884~~	~~177~~	~~75%~~	~~133~~
~~Nov~~	~~139~~	~~142~~	~~149~~	~~153~~	~~162~~	~~745~~	~~149~~	~~75%~~	~~112~~
~~Dec~~	~~142~~	~~143~~	~~150~~	~~156~~	~~165~~	~~755~~	~~151~~	~~75%~~	~~113~~
~~Total~~	~~1,995~~	~~2,006~~	~~2,072~~	~~2,330~~	~~2,333~~	~~10,735~~	~~2,147~~		

c. The city manager or his designee shall provide notice, by certified mail, to each wholesale customer informing them of their monthly water usage allocations and shall notify the news media and the executive director of the state natural resource conservation commission upon initiation of pro rata water allocation.

d. Upon request of the customer or at the initiative of the city manager, or his designee, the allocation may be reduced or increased if:

1. The designated period does not accurately reflect the wholesale customer's normal water usage;

2. The customer agrees to transfer part of its allocation to another wholesale customer; or

3. Other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the city council.

DIVISION 5. ADMINISTRATION

Sec. 50-317. Authorization.

The mayor, or his designee, is hereby authorized and directed to implement the applicable provisions of this DCP upon determination that such implementation is necessary to protect public health, safety and welfare. The mayor, or his designee, shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this DCP.

Sec. 50-318. Application.

The provisions of this DCP shall apply to all persons, customers, and property utilizing water provided by the city. The terms "person" and "customer," as used in the DCP, include individuals, corporations, partnerships, associations and all other legal entities.

Sec. 50-319. Plan review.

The DCP will be reviewed every five years. The DCP will be updated as appropriate based on new or updated information, such as the adoption of revision of the regional water plan.

Sec. 50-320. Coordination with Regional Water Planning Group and Stakeholders.

The city will submit copies of this Plan and a cover letter to the Region F Water Planning Group and the Colorado River Municipal Water District (CRMWD)

INTEROFFICE MEMORANDUM

Date:	May 8, 2024
To:	Mayor Robert H. Moore and Big Spring City Council
CC:	Todd Darden, City Manager
From:	Albert Belez, Purchasing Agent
Subject:	Request for Approval – 1- 9 Ton Deck Crane

At the request of the City's Wastewater Treatment Plant, the Purchasing Department sought out pricing and availability for 1 (one) -9-ton deck crane. We received 1 formal quote from Kirby Smith Machinery of Arlington, TX in the amount of $218,455. The submitted quote is a Buyboard Cooperative quote.

Funding
The funds are budgeted in the Utility Fund. This item has an approved budget of $250,000. If approved, the purchase would be $31,545 under budget.

Justification
The Wastewater Treatment Plant needs to crane to pull pumps that are located underground. We currently are having to rent a crane at an additional cost to the city.

Staff Recommendation
Due to the uncertainty in the supply chain, city staff would respectfully request that the Council accept the formal quote from Kirby Smith Machinery and proceed with the purchase. This unit is currently available and could be delivered within a week of ordering.

CITY OF
Big Spring

MEMORANDUM

Date:	May 14, 2024
To:	Mayor Moore, Big Spring City Council Members and Todd Darden, City Manager
From:	Mike Feeley A.A.E., Airport Director
Re:	Consideration for repurposing available resources in the City Council Adopted annual 2023-24 Airpark budget for the purpose of acquiring an aircraft tow tractor to be used associated with the city's Fixed Base Operations at McMahon-Wrinkle Airport

Staff is proposing that City Council authorize the repurposing of available resources in the City Council Adopted annual 2023-24 Airpark budget for the purpose of acquiring an aircraft tow tractor to associated with the city's Fixed Base Operations at McMahon-Wrinkle Airport.

Staff budgeted $160,000 dollars for the acquisition of a Bucket Truck for the Airpark in the current annual operating budget. Staff decided to not purchase a Bucket Truck in the current fiscal year due to excessive manufacturer lead time requirements for vehicle availability and reflective delays in anticipated delivery of the vehicle.

On January 9, 2024, the City Council approved an appropriation for the city to assume Fixed Base Operator (FBO) services at McMahon-Wrinkle Airport. One line item in that appropriation was the purchase of a tow tractor for enhancing FBO Operations. The amount of the line item as estimated by staff was $25,000. Since there are already available funds in the capital account for vehicle purchases because of not moving forward with the acquisition of a bucket truck, staff are proposing to repurpose a portion of those funds for the tow tractor acquisition.

Staff received three different bids for tow tractors and although similar they did not all meet the specifications the staff was seeking. As a result, staff are recommending that the City Council authorize the acquisition of a Best Tugs Model B-18, which is capable of towing aircraft up to 18,000 lbs. The purchase price for the B-18 at $27,483.69 is slightly higher than the staff's original estimate of $25,000. Although the purchase amount for this acquisition is within the City Manager's authority to approve, staff wanted to ensure the City Council was aware of this proposed repurposing of available funds in the current operating budget for vehicle acquisitions. Please see the attached quote and specifications for the B-18.

BEST TUGS, LLC
252 W 3560 N
Spanish Fork, UT 84660
800-914-2003
sales@besttugs.com

Proforma Invoice

BEST TUGS
Because Your Plane Deserves It

ADDRESS
Mike Feeley Big Springs Airport 1911 Apron Dr, Big Spring, TX 79720

SHIP TO
Mike Feeley Big Springs Airport 1911 Apron Dr, Big Spring, TX 79720

PROFORMA INVOICE #	DATE	EXPIRATION DATE
13228	04/25/2024	06/30/2024

ACTIVITY	QTY	RATE	AMOUNT
Tug:Tug, B18 C Bravo B18 HD Commercial tug	1	22,500.00	22,500.00
FBO Discount Discount for FBO's. See below for items included. Led light $195 Cirrus Adapter $450 Cessna Wheel Pant Adapter $450 Retractable gear Adapter $450 PA46 Adapter $450 (attaches at axle for squat switch safety) Dual Jump Start Cords with Standard and Piper attachment. $395	1	0.00	0.00
Jumpstart, 28.5V GPU boost Jump Start 12/24V with Continuous power and Buss Tie boost to 12/28.5V Continuous power supply requires 110V and can supply avionics for extended time.	1	3,500.00	3,500.00

Shipping: Forklift required to offload tug.

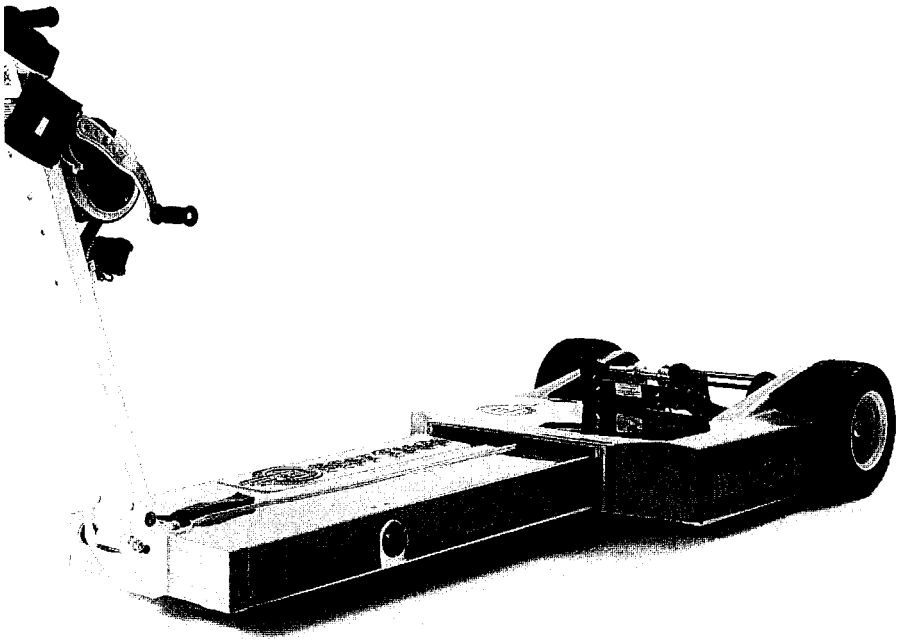
SUBTOTAL	26,000.00
TAX	0.00
SHIPPING	1,483.69
TOTAL	**$27,483.69**

Accepted By

Accepted Date

B18

The Bravo line has the sleek, smart, and safe design. Created by pilots, for pilots. Every Bravo comes standard with plane-specific software, intuitive controls, torque control, smart charge technology.



Maximum Towing Capacity
18,000 LBS

Top speed
2.3 MPH

110-240V Smart Charger

Length*
136" (collapsed 104")

Width*
42"

Height*
39" (collapsed 24")

Weight*
1,200 LBS

User Manual

Customizations

Crated
107 x44 x 37
*1,300 LBS

***can vary based on accessories**

Request a Quote

Compatible Aircraft

Aviat

Beechcraft
Bonanza
Baron
Duchess
Duke
Queen Air
King Air
90
200
250
350
350ER
360
360ER

Cessna
172
177
182
206
208
210
310
350
400
TTX
421
Citation
Mustang
525
CJ

CJ2
CJ3
CJ3+
CJ4
M2

Cirrus
SR20
SR22
SR22T
SF50

Cub
Crafters

Daher
Kodiak
TBM 700
TBM 850
TBM 900
TBM910
TBM 930
TBM 940

Vans
RV-10

Piper
PA-12
PA-14
PA-18
PA-20
PA-28
PA-32
PA-32R
PA-30
PA-34
PA-46
PA-60
Aerostar
Malibu
Meridian
M350
M500
M600

L-39

Mooney
M20C
M20R
Acclaim

Phenom
100
300

Piaggio
Avanti

Pilatus
PC-7
PC-9
PC-12
PC-24

Diamond
DA-20
DA-40
DA-42
DA-62

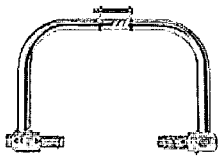
Eclipse
500

Epic
LT
E1000

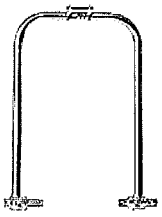
Honda Jet

Other aircraft may be compatible

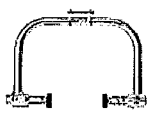
Bravo Products



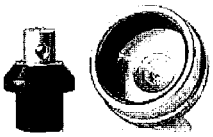
Standard Quick Lock Fork
$325.00



Long Quick Lock Fork
$325.00



DA40 Quick Lock Fork w/ F adapters
$325.00



C and D Adapter
$85.00

252 West 3560 North
Spanish Fork, UT 84660

Manuals | BestTugs Warranty | Contact | Videos

Give us a Call

(801)855-7757

Hours: 9am-5pm M-F MST

BIG SPRING
TEXAS

COMMUNITY SERVICES MEMO

Date: 05/14/2024

To: Mayor and City Council

City Manager

From: Hayley Lewis, Community Services Director

Subject: Dora Roberts Rehabilitation Center All Ages, All Activities Playground

The City was generously donated $750,000.00 from the Dora Roberts Rehabilitation Center Board of directors and directed to build an All Ages, All Activities Playground. The Dora Roberts Rehabilitation Center Board of Directors has already approved the budget along with the playground layout provided by Playground Solutions and is now asking for City Councils approval to move forward with the project.

Staff is recommending City Council enter into an agreement with Playgrounds Solutions to complete an All Ages, All Activities Playground inside of Comanche Trail Park and authorize the City Manager or his designee to execute any necessary documents.

STEVE THOMPSON
24048ST-B

COMANCHE TRAIL PARK

PLAYGROUND SOLUTIONS OF TEXAS

STEVE THOMPSON
24048ST-B

COMANCHE TRAIL PARK

PLAYGROUND SOLUTIONS OF TEXAS

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PLAYGROUND SOLUTIONS OF TEXAS

STEVE THOMPSON
24048ST-B

COMANCHE TRAIL PARK

PLAYGROUND SOLUTIONS OF TEXAS

PLAYGROUND SOLUTIONS OF TEXAS

INSTALLATION TERMS AND CONDITIONS

Access:
The equipment installation site must be accessible and in close proximity for vehicles and machinery, as well as tractor trailers for unloading of safety surfacing if ordered. In the event this equipment is used at your site, please note that there may be signs of access afterwards. Walk in the Park will try to keep this to a minimum. Please note, Walk in the Park is not responsible for repairing sod, repairing or replacing concrete, curbs, or sidewalks due to damage caused by machinery accessing the site through and over these items, unless specifically spelled out in the above quotation. If the site is not accessible, please notify Walk in the Park as soon as possible.

Rock Clause:
We reserve the right to charge for additional manpower and equipment rental if we are unable to drill necessary holes with a skid-steer mounted auger. Should this need arise, we will notify you of the situation and show you the underground conditions before any additional charges are incurred.

AND/OR

Drilling:
We reserve the right to charge for additional time if pier driller encounters delays due to underground conditions. Should the need arise, we will notify you of the situation and show you the underground conditions before any additional charges are incurred.

Mobilization:
Price includes one mobilization. Walk in the Park reserves the right to bill for remobilization if another visit to the jobsite is required due to work stoppage caused by the customer or another party.

Permits:
It is the responsibility of the customer/general contractor to assess requirements for any and all necessary building permits before any work is done. Walk in the Park is NOT responsible for obtaining building permits unless specifically requested. If no line item for permits is listed above, they are not included in the scope of this project. Any work stoppage that occurs due to lack of permits may result in additional mobilization charges.

Utilities:
It is the customer's responsibility to locate any private utility lines not located through the Texas811 agency. Those not located are irrigation (sprinkler), site drainage (PVC pipe and french drains), or other private lines including gas, water, etc. The location of lines should be clearly marked and/or relocated as necessary. Walk in the Park cannot be responsible for repairing or replacing unmarked private utilities damaged during installation.

Certified Payroll:
If Certified Payroll, Davis/Bacon Wage Act or minimum wage rates are needed for this project, an additional administrative processing fee is required.

Taxes:
Pricing does not include any sales tax that might be associated with this install.

Trash:
It is the customer's responsibility to dispose of any trash created from this install. WITP will break down all packing materials as much as possible. If a dumpster is provided, WITP will place trash in dumpster. Haul off of trash is available for an additional amount.

Layout:
Setting of control points and on site elevation benchmarks by others.

Progress:
Projects over $20,000 may require progress billing. If progress is delayed due to customer request or weather for more than a week, Walk in the Park will invoice for all work completed.

Security:
Customer is responsible for site security during install process. Equipment will be wrapped in caution tape. Orange fencing and/or chain link panels are available at an additional charge.

CUSTOMER SIGNATURE _____

PRINTED NAME _____

DATE OF ACCEPTANCE OF TERMS _____

Playground Solutions of Texas, Inc
PO Box 92458
Southlake, TX 76092

469-375-4590
info@pstxi.com
http://pstxi.com

Estimate

Name / Address

City of Big Spring - Comanche Trail Park
310 Noaln Street
Big Spring, TX 79720

Ship To

City of Big Spring - Comanche Trail Park
James Weaver
100 Whipkey
Big Spring, TX 79720

Estimate #	240426
Date	5/1/2024
Exp Date	5/31/2024

Terms	Job Number
Net 30	240426

Product	Description	Qty	Rate	Amount
BuyBoard	BUYBOARD CONTRACT NO.679-22 EFFECTIVE 10/1/2022 - 9/30/2024		0.00	0.00
24048ST-B	CUSTOM STRUCTURE	1	286123.00	286,123.00
ZZXX0260	BELT SEAT W/SILVER SHIELD CHAIN FOR 8ft TOP RAIL	4	170.00	680.00
ZZXX0660	CONCERTO SMALL CABASA	1	1,178.00	1,178.00
ZZXX0661	CONCERTO MEDIUM CABASA	1	1,318.00	1,318.00
ZZXX0664	CONCERTO 3 CONGAS	1	2,900.00	2,900.00
ZZXX0666	CONCERTO VIBES	1	5,929.00	5,929.00
ZZXX0667	CONCERTO CHIMES	1	5,945.00	5,945.00
ZZXX0892	ACCESSIBLE SWING SET-8ft TOP RAIL	2	1,537.00	3,074.00
ZZXX0931	5in OD 2 - UNIT STEEL ARCH SWING - 8ft TOP RAIL	1	3,091.00	3,091.00
ZZXX0933	5in OD STEEL ARCH SWING 2 - BAY UNIT ADD - A - BAY	2	2,028.00	4,056.00
ZZXX0971	NACIA LAYOUT 1	1	29,120.00	29,120.00
ZZXX0972	NAICA 6.0V 24.4 x 18.1 x8.7	1	50,440.00	50,440.00

ACCEPTED BY: _____

ACCEPTED DATE:_____

Subtotal	
Sales Tax (0.0%)	
TOTAL	

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Estimate

Name / Address

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310 Noaln Street
Big Spring, TX 79720

Ship To

City of Big Spring - Comanche Trail Park
James Weaver
100 Whipkey
Big Spring, TX 79720

Estimate #	240426
Date	5/1/2024
Exp Date	5/31/2024

Terms	Job Number
Net 30	240426

Product	Description	Qty	Rate	Amount
ZZXX0980	CHROMA WHEEL - NAICA ONLY	1	5,720.00	5,720.00
ZZX0981	RAPPLE POLE	1	936.00	936.00
ZZXX0984	BASE CAMP	1	9,256.00	9,256.00
ZZXX0985	SLITHER SLIDE ENTRANCE/EXIT-NET ENTRY	1	6,942.00	6,942.00
ZZXX1402	6ft PICNIC TABLE	2	1,493.00	2,986.00
ZZXX1411	6ft BENCH	4	667.00	2,668.00
ZZXX1474	TRASH CAN w/LID & LINER	3	880.00	2,640.00
ZZXX0084	UNITY RING	1	8,580.00	8,580.00
Q-068963	4 POST HIP 401 LENGTH 40ft x WIDTH 25ft in by 12ft ENTRY	1	9,041.50	9,041.50
Q-068964	4 POST HIP 401 LENGTH 40ft x WIDTH 24ft by 12ft ENTRY	1	8,930.00	8,930.00
Q-069330	SINGLE POST PYRAMID CANTILEVER 124 LENGTH 16ft WIDTH 16ft by 8ft	2	5,525.55	11,051.10
Q-068965	OVERSIZED HIP 451 LENGTH 45ft x WIDTH35ft by 14ft ENTRY	1	20,416.00	20,416.00
SED DRAWINGS-USA ...	SEALED ENGINEERED DRAWINGS	4	867.00	3,468.00

ACCEPTED BY: _____

ACCEPTED DATE:_____

Subtotal	
Sales Tax (0.0%)	
TOTAL	

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Southlake, TX 76092

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Estimate

Name / Address

City of Big Spring - Comanche Trail Park
310 Noaln Street
Big Spring, TX 79720

Ship To

City of Big Spring - Comanche Trail Park
James Weaver
100 Whipkey
Big Spring, TX 79720

Estimate #	240426
Date	5/1/2024
Exp Date	5/31/2024

Terms	Job Number
Net 30	240426

Product	Description	Qty	Rate	Amount
BONDFLEX PIP/TURF	PIP AND TURF SURFACING	8,350	26.46	220,941.00
DISCOUNTS GIVEN	DISCOUNTS GIVEN	-1	151275.03	-151,275.03
SHIPPING	SHIPPING	1	38,772.48	38,772.48
INSTALLATION	INSTALLATION	1	154790.91	154,790.91
INSTALLATION TERMS	INSTALLATION TERMS Acceptance of this proposal includes acceptance of attached Terms and Conditions Form ITCAC 02/24/2020.		0.00	0.00

ACCEPTED BY: _____

ACCEPTED DATE:_____

Subtotal	$749,717.96
Sales Tax (0.0%)	$0.00
TOTAL	$749,717.96

BIG SPRING
TEXAS

COMMUNITY SERVICES MEMORANDUM

Date: 05/14/2024

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 $2,500 for event funding for the ACES Hidden Gems Basketball Tournament hosted by Coach Roy Green to take place at the Howard College and Big Spring High School June 20-23, 2024. Coach Roy Green has hosted this event in Big Spring for many years and it is a very successful event for Big Spring.

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 $58,700 for the remainder of the fiscal year.

Event	Hotel Rooms	$150	50% of Hotel Revenue	Advertising	Total	Requesting	Staff Recommendation
ACES Basketball Event	25	$3,750.00	$1,875.00	$3,000.00	$4,875.00	$8,500.00	**$2,500.00**

Event Funding:	Advertising:	
$1,500.00	$1,000.00	**$2,500.00**

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

2002-2003 Funded Events		
Event	**Funded**	**Date Issued**
Howard College	$1,800.00	10/31/2002
Big Spring Bowl-a-Rama	$200.00	11/7/2002
Southwest Health Professional	$400.00	2/3/2003
Chamber Charitable Trust #1	$5,000.00	4/3/2003
Chamber of Commerce	$800.00	5/8/2003
Howard College	$2,690.00	5/8/2003
Big Spring Cowboy Reunion	$3,000.00	5/15/2003
Downtown Revitilization Association	$5,000.00	6/4/2003
Bobby McDonald	$5,000.00	6/17/2003
Mustang Draw Woodcarvers	$500.00	8/28/2003
Totals:	$24,390.00	

2003-2004 Funded Events						
Event	**Received**	**Event Date**	**Decision: Date**	**Requested**	**Funded**	**P.O./ Date Issued**
Totals:				$0.00	$0.00	

Notes	Follow Up	$ Returned

2004-2005 Funded Events						
Event	**Received**	**Event Date**	**Decision: Date**	**Requested**	**Funded**	**P.O./ Date Issued**
Totals:				$0.00	$0.00	

Notes	Follow Up	$ Returned

2005-2006 Funded Events						
Event	**Received**	**Event Date**	**Decision: Date**	**Requested**	**Funded**	**P.O./ Date Issued**
Totals:				$0.00	$0.00	

Notes	Follow Up	$ Returned

2006-2007 Funded Events						
Event	**Received**	**Event Date**	**Decision: Date**	**Requested**	**Funded**	**P.O./ Date Issued**
Totals:				$0.00	$0.00	

Notes	Follow Up	$ Returned

2007-2008 Funded Events						
Event	**Received**	**Event Date**	**Decision: Date**	**Requested**	**Funded**	**P.O./ Date Issued**
Totals:				$0.00	$0.00	

Notes	Follow Up	$ Returned

2008-2009 Funded Events						
Event	**Received**	**Event Date**	**Decision: Date**	**Requested**	**Funded**	**P.O./ Date Issued**
Totals:				$0.00	$0.00	

Notes	Follow Up	$ Returned

2009-2010 Funded Events						
Event	**Received**	**Event Date**	**Decision: Date**	**Requested**	**Funded**	**P.O./ Date Issued**
Totals:				$0.00	$0.00	

Notes	Follow Up	$ Returned

2010-2011 Funded Events						
Event	**Received**	**Event Date**	**Decision: Date**	**Requested**	**Funded**	**P.O./ Date Issued**
Totals:				$0.00	$0.00	

Notes	Follow Up	$ Returned

2011-2012 Funded Events						
Event	**Received**	**Event Date**	**Decision: Date**	**Requested**	**Funded**	**P.O./ Date Issued**
Totals:				$0.00	$0.00	

Notes	Follow Up	$ Returned

2012-2013 CVB Funded Events					
Event	**Received**	**Event Date**	**Decision: Date**	**Requested**	**Funded**
West Texas Tournament at the Crossroads	1/2/2013	02/28/13-03/02/13	Approved: 1/9/13	$14,025.00	$14,025.00
Big Spring PowWow	1/3/2013	04/20-21/2013	Approved: 1/9/13	$7,100.00	$7,100.00
Big Spring Super Sprint and Kids' Triathlon	1/4/2013	7/20/2013	Approved:1/9/13	$2,800.00	$2,800.00
Big Spring Film Society	1/31/2013	05/11/2013 & 7/19/2013	Approved: 2/6/13	$3,950.00	$3,950.00
West Texas Disc Golf Champion's Tournament	2/2/2012	04/13-14/2013	Approved: 2/6/13	$2,000.00	$2,000.00
Howard College Rodeo	2/28/2013	04/11-13/2013	Approved: 3/13/13	$34,830.00	$15,000.00
UpNext Basketball	3/25/2013	08/9-10/2013	Approved:4/3/13	$8,500.00	$8,500.00
Funtastic Fourth	4/26/2013	6/29-30/2013	Approved: 5/1/13	$14,400.00	$14,400.00
USHGA National Competition	6/4/2013	08/04-10/2013	Approved: 7/10/13	$6,400.00	$6,400.00
West Texas Rod Run and Sonic Cruise	7/23/2013	08/30-31/2013	Approved:8/6/13	$4,000.00	$4,000.00
Comanche Warrior Triathlon		9/7/2013			$10,667.18
16th of September Festival(ALSA)	7/1/2013	9/20-21/2013	Approved: 8/6/13	$5,000.00	$5,000.00
Howard College Men's Basketball Classic	7/23/2013	11/16-17/2013	Approved:8/6/13	$2,200.00	$2,200.00
Crimson Soul Concert		3/1/2013			$9,300.00
Trout Stocking		1/3/2013			$2,500.00
Under West Texas Skies		7/19/2013			$1,369.92
Totals:				$105,205.00	$109,212.10
2012-2013 Budget	$125,000.00				
Remaining Balance	$15,787.90				

P.O.	Notes	Follow Up	$ Returned
255333	Best Western: 5 rooms for 2 nights. La Quinta: 10 rooms for 2 nights. La Quinta: 4 rooms for 3 nights. Holiday Inn: 5 rooms for 2 nights	9/9/2013	n/a
255332	Plaza Inn: 23 rooms	9/16/2013	$2,127.67
255331			
264157		11/4/2013	$689.80
264158	25 hotel rooms	7/25/2013	n/a
264200	Holiday Inn: 24 rooms	10/1/2013	n/a
264453		9/10/2013	n/a
264465	Holiday Inn: 5 rooms Fri, 2 rooms Sat. La Quinta: 4 rooms Fri & Sat. Days Inn: 2 rooms Fri & 3 rooms Sat. Hotel Settles: 2 rooms Sat.	12/11/2013	$14,400.00
264357	49 Contestants stayed 8-9 nights, Approximately 392 rooms	12/9/2013	$1,558.02
264410		11/21/2013	n/a
	$3,991 Revenue, $4,750 Sponsorship		$8,741.00
264408		11/7/2013	n/a
264411	Best Western: 9 rooms, Hampton Inn: 11 rooms	11/21/2013	n/a
264151 255350 264173	Ticket sales - $3150		$3,150.00
245642			
264436 264437			
			$30,666.49

2013-2014 Funded Events						
Event	Received	Event Date	Decision: Date	Requested	Funded	P.O./ Date Issued
Permian Historical Society Fall Meeting	9/13/2013	10/26/2013	Approved: 10/2/13	$680.00	$680.00	26450110 10/8/13
Big Spring Kennel Club Dog Show	10/15/2013	5/3-4/14	Approved:10/15/2013	$7,650.00	$7,650.00	264578 11/18/13
Cinco de Mayo	1/9/2013	5/2-3/14	Approved: 12/3/2013	$52,885.00	$25,000.00	264617 12/13/13
Trout Stocking	12/30/2013	n/a	12/30/2013	$2,500.00	$2,500.00	264638 12/31/13
West Texas Tournament at the Crossroads	12/30/2013	02/13-15/2013 & 02/27-03/01/2014	Approved:01/08/14	$25,160.00	$25,160.00	264655 01/09/14
Inflatable Archway	1/16/2014	n/a	1/16/2014	$3,245.00	$3,245.00	cc 1/16/14
Funtastic Fourth	1/27/2014	06/27-28/2014	Approved: 02/05/14	$40,500.00	$19,400.00	264694 02/06/14
10th Annual Big Spring PowWow	1/30/2014	04/05-06/2014	Approved: 02/05/15	$7,100.00	$7,100.00	264691 02/06/14
September 16th Festival	1/31/2014	09/19-20/14	Approved: 02/05/16	$10,000	$10,000.00	264692 02/06/14
Howard College Rodeo	3/10/2014	04/10-12/14	Approved: 04/02/14	$26,780.00	$20,000	251560 4/2/2014
ACES Rewards & Hidden Gems Basketball Event	5/7/2014	06/26-29/14	Approved: 05/07/14	$11,000.00	$11,000.00	251905 5/7/2014
Funtastic Fourth	5/26/2014	06/27-28/2014	Approved: 6/4/2014	$21,100.00	$20,000.00	251942 6/9/2014
Howard College Art Dept	4/28/2014	October, April, June	Approved:07/02/14	$2,188.00	$2,188.00	262881 7/7/2014
Big Spring Super Sprint and Kids Triathlon	6/6/2014	7/12/2014	Approved:07/02/15	$5,000.00	$5,000.00	262880 7/7/2014
USHG National Hanggliding Championship	6/18/2014	08/02-09/14	Approved:07/02/16	$6,400.00	$6,400.00	262882 7/7/2014
Ports to Plains Directors Board Meeting	6/15/2014	7/16/2014	Approved:07/02/17	$360.00	$360.00	262879 7/7/2014
Texas Plains Trail Board Meeting	5/7/2014	6/19/2014	Approved 05/07/14	$840.00	$840.00	cc 6/26/14
West Texas Disc Golf Champions Tournament	7/25/2014	10/04-05/2014	Approved 08/15/14	$4,000.00	$4,000.00	
Rod Run & Sonic Cruise	7/30/2014	08/29-30/2014	Approved 08/15/14	$2,478.00	$2,478.00	
1st Annual Block Party	7/21/2014	10/16/2014		$15,950.00		
Totals:				$245,816.00	$173,001.00	

2013-2014 Budget	$125,000.00		
Budget Adjustment	$30,000.00		
Reimbursement Received	$20,084.27		
Total Available Funding	$175,084.27	Triathlon Sponsorships	$4,250.00
Total Funded YTD	$173,001.00		
Available Balance	$2,083.27		
Pending Requests	$15,950.00		
Pending Balance	-$13,866.73		
Funded 2012-2013	$2,200.00		
Potential Balace	-$16,066.73		

Notes	Follow Up	$ Returned
10 rooms at Hotel Settles, 4 rooms at other hotels	12/5/2013	$0.00
	8/15/2014	$0.00
Annual trout stocking in Comanche Trail Lake	n/a	n/a
	9/10/2014	$0.00
Inflatable Archway for triathlon and various events	n/a	n/a
	9/10/2014	$0.00
$2,100 to be billed by Howard College(paid 05/02/14)	5/7/2015	$4,994.47
		$4,994.47

2014-2015 Funded Events									
Event	Received	Event Date	Decision: Date	Requested	Funded	P.O./ Date Issued	Notes	Follow Up	$ Returned
1st Annual Quanah Parker Memorial	7/21/2014	10/15/2014	9/10/2014	$15,950.00	$15,950.00	10/1/2014		2/4/2015	$3,057.54
Funtastic Fourth	10/30/2014	06/26-27/15	11/5/2014	$61,500.00	$35,000.00	11/10/2014			
6th Annual Tournament at the Crossroads	11/24/2014	03/05-07/15	12/3/2014	$26,300.00	$26,300.00	12/9/2014			
Cinco de Mayo	11/24/2014	05/01-02/15	12/3/2014	$23,000.00	$23,000.00	12/9/2014			
11th Annual Big Spring Powwow	12/19/2014	04/25-26/15	1/7/2015	$7,100.00	$7,100.00	1/13/2015		6/3/2015	$5,333.09
16th of September Festival	1/30/2015	TBD	2/4/2015	$6,500.00	$6,500.00	2/10/2015			
Howard College Rodeo	3/26/2015	04/9-11/15	4/1/2015	$20,000.00	$20,000.00	4/7/2015		7/1/2015	$0.00
Big Spring Cowboy Reunion and Rodeo	3/27/2015	6/18-20/15	4/1/2015	$38,420.00	$38,420.00	4/7/2015			
ACES Hidden Gems Basketball	3/27/2015	6/25-28/15	4/1/2015	$19,500.00	$12,000.00	4/7/2015			
Funtastic Fourth	10/30/2014	06/26-27/15	6/3/2015	$26,500.00	$9,000.00	6/8/2015			
Super Sprint Triathlon	5/28/2015	7/11/2015	6/5/2015	$5,000.00	$5,000.00	6/8/2015			
Perryman Consultant per Todd Darden					$5,059.89				
Pops in the Park	6/24/2015	7/3/2015		$12,500.00	$12,500.00	7/7/2015			
Rod Run and Sonic Cruise	7/27/2015	9/4-5/15		$6,687.15					
Big Spring Symphony Concerts	7/27/2015	9/26,12/19,4/25		$20,000.00					
Howard County Fair	7/230/15	9/24-26/15		$6,000.00					
Totals:				$294,957.15	$215,829.89				

2014-2015 Budget	$200,000.00
Event Funding Refund	$16,846.09
Pending Transfer from 110-040-560-6626	$10,000.00
Total Available Funding	$226,846.09
Total Funded YTD	$215,829.89
Available Balance	$11,016.20
Requested This Month	$32,687.15
Pending Balance	-$21,670.95

Potential Event Funding To Consider	Received	Event Date	Amount
West Texas Disc Golf Champions Tournament	7/25/2014	10/04-05/2014	$4,000.00
			$4,000.00

2015-2016 Funded Events								
Event	**Received**	**Event Date**	**Decision: Date**	**Requested**	**Funded**	**P.O./ Date Issued**	**Notes**	**Follow Up**
2nd Annual Quanah Parker Memorial	4/30/2015	10/16/2015	6/4/2015	$55,000.00	$25,000.00	10/1/2015		
Big Spring Symphony Orchestra	7/27/2015	9/26/15,12/9/15,4/23/16	8/5/2015	$20,000.00	$17,665.00	10/1/2015	$2,335 issued on 8/5/15	7/6/2016
Howard College Basketball Classic	9/17/2015	11/13-14/15	10/6/2015	$4,560.00	$4,560.00	10/15/2015		1/6/2016
Funtastic Fourth	10/23/2015	6/24-25/16	12/2/2015	$55,900.00	$28,375.00	12/10/2015		9/7/2016
Howard College Rodeo	11/23/2015	4/8-9/16	1/6/2015	$37,500.00	$25,000.00	1/12/2016		7/16/2016
Funtastic Fourth Advertising	12/15/2015	6/24-25/16	1/6/2015	$24,496.12	$10,000.00	1/12/2016	Advertising	9/7/2016
Big Spring Rodeo	2/9/2016	6/16-18/16	3/2/2016	$19,100.00	$19,100.00	3/8/2016	Includes Advertising	9/7/2016
Howard County Fair	2/17/2016	9/22-24/16	3/2/2016	$14,900.00	$14,900.00	3/8/2016	Includes Advertising	12/7/2016
Cinco de Mayo	3/7/2016	5/8/2016	4/5/2016	$20,000.00	$11,500.00	4/14/2016	Includes Advertising	
16th of Septhember Festival	4/20/2016	9/17/2016	5/4/2016	$15,000.00	$15,000.00	5/9/2016	Includes Advertising	12/7/2016
West Texas Rod Run	6/29/2016	9/2-3/16	7/6/2016	$7,000.00	$4,500.00	7/12/2016	Includes Advertising	
Big Spring Super Sprint and Kids Triathlon	6/29/2016	7/9/2016	7/6/2016	$500.00	$500.00	7/12/2016		
				$273,956.12	$176,100.00			

Totals:	
2015-2016 Budget	$200,000.00
Event Funding Refund	$5,408.59
Total Available Funding	$205,408.59
Total Funded YTD	$171,100.00
Available Balance	$34,308.59
Requested This Month	$0.00
Pending Balance	$34,308.59

Potential Events		
	$0.00	
	$34,308.59	

2016-2017 Funded Events

Event	Received	Event Date	Decision: Date	Requested	Funded	Date Issued	Notes	Follow Up	Follow Up DUE
Hotel Settles: Laugh, Dance, and Putt April Fools Weekend (previously Cinco de Mayo)	9/7/2016	04/01-03/17	10/5/2016	$11,700.00	$9,525.00	10/11/2016	Includes Advertising	6/7/2017	7/3/2017
City RockFest 2017	9/22/2016	2/18/2017	10/5/2016	$5,880.00	$5,255.00	10/112016	Includes Advertising	5/3/2017	5/18/2017
Funtastic Fourth	9/29/2016	6/23-24/2016	10/5/2016	$42,000.00	$28,781.00	10/11/2016	Includes Advertising	10/4/2017	9/25/2017
Howard College Rodeo	1/19/2017	04/06-08/2017	2/1/2017	$25,000.00	$18,750.00	2/7/2017		7/2/2017	7/6/2017
Big Spring Cowboy Reunion and Rodeo	1/26/2017	06/15-17/2017	2/1/2017	$23,500.00	$14,325.00	2/7/2017	Includes Advertising	10/4/2017	9/15/2017
Howard County Fair	1/25/2017	09/28-30/2017	2/1/2017	$19,300.00	$11,175.00	2/7/2017	Includes Advertising	12/5/2017	12/28/2017
ACES Nation Youth Initiative Project	1/26/2017	06/22-25/2017	2/1/2017	$20,000.00	$15,750.00	2/7/2017	Includes Advertising	10/4/2017	9/22/2017
Clay Walker Concert	3/28/2017	9/30/2017	4/12/2017	$10,000.00	$7,500.00	4/12/2017	Includes Advertising	12/21/2017	12/2/2017
Juneteenth Celebration	5/12/2017	6/17/2017	6/7/2017	$3,500.00	$3,500.00	6/13/2017		10/4/2017	9/18/2017
Webb Reunion	5/30/2017	9/15-17/17	6/7/2017	$2,000.00	$2,000.00	6/13/2017		10/4/2017	12/15/2017
West Texas Disc Golf Championship Tournament	8/24/2017	10/7-8/2017	9/6/2017	$6,750.00	$6,750.00	9/6/2017		8/30/2018	1/7/2018
				$169,630.00	$123,311.00				

Totals:	
2016-2017 Event Funding Budget	$125,000.00
Total Funded YTD	$123,311.00
Available Balance	$1,689.00
Requested This Month	$6,750.00
Pending Balance	-$5,061.00
Staff Recommendation	$6,750.00
Pending Balance using Staff Recommendation	-$5,061.00

Potential Events			Amount Funded	Amount Reduced by 25%
Total			$0.00	$0
Pending Balance if we fund last years events			($5,061.00)	($5,061.00)
Pending Balance using Staff Recommendation				($5,061.00)

Event	Received	Event Date	Decision Date	Requested	Total Amount Approved	Event Funding	Advertising	Follow Up	Follow Up DUE
A Joyful Season	9/20/2017	11/4-5 & 4/28-29	10/4/2017	$8,500.00	$8,500.00	$3,000.00	$5,500.00	7/30/2018	7/30/2018
Summer Fest	9/27/2017	5/18-19/2018	10/4/2017	$10,225.00	$10,225.00	$6,225.00	$4,000.00	8/20/2018	8/20/2018
Funtastic Fourth	10/26/2017	6/29-30/2018	11/1/2017	$42,000.00	$27,900.00	$20,400.00	$7,500.00		9/29/2018
Bruce Wood Dance Company	12/21/2017	3/23-25-18	1/10/2018	$9,515.00	$9,515.00	$6,750.00	$2,765.00	5/24/2018	6/25/2018
Big Spring Music and Arts Fall Festival	1/2/2018	10/19-20/2018	2/21/2018	$16,875.00	$16,875.00	$9,375.00	$7,500.00	canceled	1/20/2019
BAD Events Concert Series	1/22/2018	05/12 & 09/29/18	2/21/2018	$21,250.00	$21,250.00	$11,250.00	$10,000.00	11/7/2018	12/1/2019
Howard College Rodeo	1/26/2018	04/12-14/2018	2/21/2018	$26,250.00	$17,063.00	$17,063.00		6/27/2018	7/14/2018
Big Spring Rodeo	3/5/2018	06/21-23/18	4/4/2018	$19,708.00	$19,708.00	$11,625.00	$8,083.00	9/21/2018	9/21/2018
Howard County Fair	3/15/2018	09/21-23/18	4/4/2018	$15,725.00	$15,725.00	$10,725.00	$5,000.00		12/21/2018
Southwest Hoops	2/21/2018	04/21-22 & 05/04-05	4/4/2018	$8,000.00	$8,000.00	$8,000.00		8/4/2018	8/4/2018
Death Valley High Concert	6/1/2018	6/25/2018	6/6/2018	$20,000.00	$4,225.00	$2,225.00	$2,000.00	9/25/2018	9/25/2018
16th of September	6/20/2018	9/7-8/18	7/11/2018	$13,750.00	$5,000.00	$4,000.00	$1,000.00		12/8/2018
Art Walk	7/3/2018	8/4, 9/1, 10/6	7/11/2018	$10,800.00	$5,000.00	$3,000.00	$2,000.00		1/6/2018
West Texas Rod Run	7/19/2018	08/31-9/01/2018	8/1/2018	$1,875.00	$1,000.00	$375.00	$625.00		12/31/2018
				$198,048.00	$169,986.00		$52,348.00		

Totals:	
2017-2018 Event Funding Budget	$125,000.00
Webb Reunion reimbursement	$2,000.00
SM Energy Christmas Tree Donation	$5,000.00
KBEST Christmas Tree Star Reimbursement	$475.96
Budget Amednment	$50,000.00
Total:	$182,475.96

Total Funded YTD	$169,986.00
CVB Christmas Tree	$12,446.40
Available Balance	$43.56

Requested This Month	$0.00
Pending Balance	$43.56

Staff Recommendation	$0.00
Pending Balance using Staff Recommendation	$43.56

Potential Events	Received	Event date	Amount Funded	Formula Amount
Total			#REF!	#REF!
Pending Balance if we fund last years events			#REF!	#REF!
Pending Balance using Staff Recommendation				#REF!

Event	Received	Event Date	Decision Date	Requested	Total Amount Approved	Event Funding	Advertising	Follow Up	Follow Up DUE
First Nazarene Church Drive Thru Nativity	8/24/2018	12/7-9/2018	10/3/2018	$1,500.00	$1,000.00	$300.00	$700.00	1/9/2019	3/9/2019
West Texas Disc Golf Champions Tournament	9/12/2018	10/6-7/2018	10/3/2018	$6,225.00	$6,225.00	$6,225.00	$0.00	11/7/2018	1/7/2019
The Train Car Tracks	10/18/2018	Various Dates	11/7/2018	$24,330.00	$20,000.00	$13,670.00	$6,330.00	2/3/2020	2/12/2020
West Texas Disc Golf Champions Tournament	10/23/2018	10/5-6/19	12/5/2018	$5,325.00	$5,325.00	$5,325.00	$0.00	1/9/2020	1/1/2020
BAD Events Concert Series	11/26/2018	Various Dates	12/5/2018	$49,500.00	$17,000.00	$13,500.00	$3,500.00	not given	1/1/2020
Funtastic Fourth	11/27/2018	6/28-29/19	12/5/2018	$30,000.00	$20,000.00	$13,000.00	$7,000.00	10/2/2019	9/29/2019
Big Spring Rodeo	11/28/2018	6/20-22/19	12/5/2018	$22,125.00	$17,000.00	$13,125.00	$3,875.00	10/2/2019	9/22/2019
Howard County Fair	12/20/2018	9/20-22/19	1/9/2019	$19,350.00	$17,000.00	$12,000.00	$5,000.00	1/9/2020	12/22/2019
West Texas Trail Alliance	1/28/2019	3/1/2019	2/6/2019	$3,750.00	$3,750.00	$3,750.00	$0.00	8/7/2019	6/1/2019
Howard College Rodeo	1/29/2018	4/11-13/2019	2/6/2019	$26,250.00	$25,000.00	$26,250.00	$0.00	8/7/2019	7/13/2019
Cowboys and Heels Trade Show	2/27/2019	3/9-10/2019	3/6/2019	$10,000.00	$3,875.00	$2,625.00	$1,000.00	8/7/2019	6/10/2019
Big Spring Classic-Southwest Hoops	2/27/2019	3/22-24 & 5/18-19/19	3/6/2019	$8,000.00	$8,000.00	$8,000.00		9/4/2019	8/19/2019
Big Spring Film Festival	4/24/2019	2020	5/1/2019	$27,000.00	$5,920.00	$4,500.00	$1,420.00		7/26/2020
Funtastic Fourth (amended)	5/1/2019	6/28-29/2019	6/5/2019	$10,000.00	$0.00			10/2/2019	9/29/2019
BAD Events Concert Series (amended)	5/1/2019	Various Dates	6/5/2019	$32,500.00	$5,000.00	$5,000.00		not given	1/1/2020
Oktober Fest	8/27/2019	10/28/2019	9/4/2019	$13,000.00	$13,000.00	$9,000.00	$4,000.00	2/3/2020	1/28/2020
					$206,355.00	$168,095.00	$117,770.00	$28,825.00	

Totals:

2018-2019 Event Funding Budget	$160,000.00
Refunded Amount	$16,875.00
Total	$176,875.00
Total Funded YTD	$168,095.00
Available Balance	$8,780.00
Requested This Month	
Pending Balance	$8,780.00
Staff Recommendation	
Pending Balance using Staff Recommendation	$8,780.00

Potential Events	Received	Event date	Amount Funded	Formula Amount	Hotel Rooms
A Joyful Season	9/20/2017	11/4-5 & 4/28-29	$8,500.00	$0.00	12
Big Spring Music and Arts Fall Festival	1/2/2018	10/19-20/2018	$16,875.00	$0.00	125
MJM Promotions	6/1/2018	6/25/2018	$4,225.00	$0.00	10
16th of September	6/20/2018	9/7-8/18	$5,000.00	$0.00	150
Art Walk	7/3/2018	8/4, 9/1, 10/6	$5,000.00	$0.00	120
West Texas Rod Run	7/19/2018	08/31-9/01/2018	$1,000.00	$0.00	5
Total			$40,600.00	$0.00	
Pending Balance if we fund last years events			($31,820.00)	$8,780.00	
Pending Balance using Staff Recommendation				$8,780.00	

Event	Received	Event Date	Decision Date	Requested	Total Amount Approved	Event Funding	Advertising	Follow Up	Follow Up DUE
Cowboys and Heels Trade Show**	9/6/2019	11/9-10,12/7/19,3/7-8	10/2/2019	$17,625.00	$7,000.00	$5,625.00	$1,375.00	not given	6/8/2020
A Joyful Season	9/24/2019	10/19-20/19 7/25-26/20 *	10/2/2019	$6,000.00	$2,500.00	$900.00	$1,600.00		12/20/2020
Big Spring Rodeo & Reunion	10/25/2019	6/17-19/2021	11/6/2019	$26,000.00	$17,000.00	$13,275.00	$3,725.00	10/19/2021	9/19/2021
BSISD Crossroads Tournament	10/29/2019	3/5-7/2020 *	11/6/2019	$2,000.00	$2,000.00	$2,000.00	$0.00		6/7/2020
Funtastic Fourth	11/7/2019	6/2-26/2021 *	12/4/2019	$20,000.00	$20,000.00	$17,000.00	$3,000.00		10/17/2021
Live Drive Thru Nativity	11/7/2019	12/13-15/19	12/4/2019	$1,000.00	$1,000.00	$300.00	$700.00	3/4/2020	3/15/2020
Texas LULAC District Meeting	11/22/2019	3/6-7/2020	12/4/2019	$8,500.00	$8,500.00	$7,000.00	$1,500.00	6/8/2020	6/7/2020
West TX Disc Golf Champion's Tournament	1/17/2020	10/2-4/2020	2/5/2020	$10,200.00	$10,200.00	$10,200.00	$10,200.00		12/29/2020
Howard College Rodeo*	1/27/2020	4/16-18/2020 *	2/5/2020	$26,250.00	$25,000.00	$25,000.00	$25,000.00		7/16/2020
Big Spring Classic-Southwest Hoops *	2/25/2020	04/3-5 & 05/15-17/2020 *	3/4/2020	$10,000.00	$10,000.00	$10,000.00	$0.00		8/17/2020
Howard County Fair	2/25/2020	09/18-20/2020*	3/4/2020	$19,875.00	$17,000.00	$9,500.00	$7,500.00		12/21/2021
Libertarian Party Texas Convention	7/22/2020	07/31/2020-08/02/2020	7/27/2020	$10,000.00	$6,000.00	$6,000.00	$0.00		11/2/2020
				$157,450.00	$126,200.00	$106,800.00	$54,600.00		

Totals:

2019-2020 Adjusted Event Funding Budget	$120,000.00
Returned Funds	$35,000.00
Total	$155,000.00
Total Funded YTD	$126,200.00
Available Balance	$28,800.00
Requested This Month	$0.00
Pending Balance	$28,800.00
Staff Recommendation	$0.00
Pending Balance using Staff Recommendation	$28,800.00

Potential Events	Received	Event date	Amount Funded	Cap	Hotel Rooms
Big Spring Film Festival	4/24/2019	2020	$5,920.00	$7,000.00	60
Oktober Fest	8/27/2019	10/28/2019	$13,000.00	$15,000.00	120
			$18,920.00	$22,000.00	
Pending Balance if we fund last years events			$9,880.00	$6,800.00	
Pending Balance using Staff Recommendation				$6,800.00	

*** = cancelled event due to COVID-19**

*= returned funds

**=Follow up was not returned.

Event	Received	Event Date	Decision Date	Requested	Total Amount Approved	Event Funding	Advertising	Follow Up	Follow Up DUE
Live Drive Thru Nativity	9/21/2020	12/11-13/2020	10/7/2020	$1,000.00	$1,000.00	$300.00	$700.00	2/22/2021	3/12/2021
Oktoberfest	9/30/2020	10/24/2020	10/7/2020	$13,000.00	$13,000.00	$9,825.00	$3,175.00	11/12/2020	1/24/2021
Howard College Rodeo	1/25/2021	04/8-10/2021	2/3/2021	$26,250.00	$25,000.00	$25,000.00	$0.00		7/8/2021
West TX Disc Golf Champion's Tournament	1/28/2021	10/1-3/2021	3/3/2021	$11,400.00	$11,400.00	$11,400.00	$0.00		1/3/2022
Southwest Hoops, Big Spring Classic, Shootout	3/19/2021	4/30-5/1; 6/19-20 & 6/25-27	4/7/2021	$18,000.00	$18,000.00	$18,000.00	$0.00		9/27/2021

		$69,650.00	$68,400.00	$64,525.00	$3,875.00

Totals:

2020-2021 Event Funding Budget	$75,000.00
Reimbursement from BS Film	$5,238.07
	$80,238.07
Total Funded YTD	$68,400.00
Available Balance	$11,838.07
Requested This Month	$0.00
Pending Balance	$11,838.07
Staff Recommendation	$0.00
Pending Balance using Staff Recommendation	$11,838.07

Potential Events	Received	Event date	Amount Funded	Cap	Hotel Rooms
A Joyful Season	9/24/2019	10/19-20/19 7/25-26/20 *	$2,500.00	$2,500.00	12
Texas LULAC District Meeting	11/22/2019	3/6-7/2020	$8,500.00	$15,000.00	100

	$11,000.00	$17,500.00
Pending Balance if we fund last years events	$838.07	($5,661.93)
Pending Balance using Staff Recommendation		($5,661.93)

*** = cancelled event due to COVID-19**

*= returned funds

Event	Received	Event Date	Decision Date	Requested	Total Amount Approved	Event Funding	Advertising	Follow Up
Oktoberfest	9/23/2021	10/16/2021	10/6/2021	$13,000.00	$7,000.00	$2,000.00	$5,000.00	
Live Drive Through Nativity	9/28/2021	12/10-12/2021	10/6/2021	$1,000.00	$1,000.00	$300.00	$700.00	
Big Spring Classic & Big Spring Shoot Out	10/12/2021	4/29-5/1/2022 & 6/17-19/2022	11/3/2021	$12,000.00	$12,000.00	$12,000.00	$0.00	
A Joyful Season	10/26/2021	4/30-5/1/2022 & 11/5-6/2022	11/3/2021	$2,500.00	$2,500.00	$1,500.00	$1,000.00	
Coach Roy Training/ACES	5/10/2022	06/02-05/2022	5/10/2022	$20,000.00	$7,000.00	$4,125.00	$2,875.00	
2022 Points-to-Plains Alliane Conference	5/17/2022	09/14-16/2022	5/24/2022	$5,000.00	$5,000.00	$5,000.00		
Pops in the Park	6/28/2022	7/3/2022		$3,000.00				
				$56,500.00	$34,500.00	$24,925.00	$9,575.00	

Totals:

2021-2022 Event Funding Budget	$120,000.00
	$120,000.00
Total Funded YTD	$34,500.00
Available Balance	$85,500.00
Requested This Month	$3,000.00
Pending Balance	$82,500.00
Staff Recommendation	$3,000.00
Pending Balance using Staff Recommendation	$82,500.00

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				12/6/2023	30
				$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	Received	Event Date	Decision Date	Requested	Total Amount Approved	Event Funding	Advertising	Follow Up	Hotel Rooms
Oktoberfest	9/27/2023	10/27/2023	10/10/2023	$13,000.00	$12,800.00	$7,800.00	$5,000.00		
Together Trail Race	11/14/2023	2/17/2024	12/11/2023	$2,475.00	$1,000.00	$325.00	$675.00		
ACES Basketball Event	5/1/2024	6/20-23/2024	5/24/2024	$8,500.00					
				$15,475.00	$13,800.00	$8,125.00	$5,675.00		

Totals:

2023-2024 Event Funding Budget	$75,000.00
Total Funded YTD	$13,800.00
Available Balance	$61,200.00
Requested This Month	$8,500.00
Pending Balance	$52,700.00
Staff Recommendation	$2,500.00
Pending Balance using Staff Recommendation	$58,700.00

Potential Events	Received	Event date	Amount Funded	Hotel Rooms
Texas Junior Disc Open	2/2/2023	6/24-25/2023	$3,750.00	50
Southwest Hoops Big Spring Classic	3/3/2023	04/21-23 & 05/19-21/2023	$12,000.00	280
Howard College Basketball Classic	9/12/2023	12/1-2/2023	$4,500.00	26
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
			$25,750.00	