CITY COUNCIL REGULAR AGENDA

Tuesday, June 25, 2024

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, June 25, 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

Announcements, Presentations and Public Hearings

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

5.	**Open Public Hearings**		Moore
6.	**PUBLIC HEARING** - Regarding an Application for an Ambulance Transfer Permit for Non-Emergency Ambulance Services in the City of Big Spring by Tac Med, Inc., and Consideration to Determine Whether Public Convenience and Necessity will be Served by Issuance of Such Permit, in Accordance with § 28-156, "Hearing," Article VI, "Private Ambulance Services," Chapter 28, "Health," Big Spring City Code.		Hagen
7.	**PUBLIC HEARING** - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1314 STATE PARK, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 1 BK 3 MOUNTAIN VIEW 60.7X140 2011 COMBINED ACCT B4650002201 196 ACQ 04012019 0.196 ACRES – OWNER: ESTATE OF ESTER O. CHAVARRIA	5-42	Hagen
8.	**PUBLIC HEARING** - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 411 OWENS, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 7 BK 1 PORTER 50X140 369 0.161 ACRES – OWNER: STEVEN LOPEZ	43-102	Hagen
9.	**Close Public Hearings**		Moore

City Manager's Report

10.	City Manager's report on the following items: • Update - Large Item Pickup, District 6 • Pops In The Park - July 3rd • Street Closure - Comanche Trail Park • City Holiday - July 4th		Darden

Consent Items

11.	Approval of the City Council Minutes of the Regular Meeting of June 11, 2024.	103-109	Davis
12.	Acknowledge Receipt of the Big Spring Economic	110-	Mark Willis

	Development Corporation Board of Director's Minutes of the Regular Meeting of May 21, 2024	111	
13.	Final Reading of a Resolution Reauthorizing the Tax Abatement Guidelines and Criteria; Providing for Severability; and Providing an Effective Date.	112-128	Medina
14.	Final Reading of a Resolution Amending Article VIII of the City's Personnel Police Leave to Implement the Requirements of Section 614.015, Local Government Code, Establishing a Mental Health Leave Policy for City of Big Spring Peace Officers; Providing for the Repeal of Conflicting Legislation; Providing for Severability; and Finding and Determining that the Meetings at Which the Resolution Were Discussed Were Open to the Public as Required by Law; and Establishing an Effective Date	129-133	Williams

Vouchers

15.	Vouchers for 06/14/24	$	542,683.61	Moreno

New Business

16.	First Reading of a Resolution Providing For the City's Approval or Disapproval of the Howard Central Appraisal District's Fiscal Year 2025 Budget; and Finding and Determining that the Meetings at Which the Resolution Were Discussed Were Open to the Public as Required by Law	134-143	Darden
17.	Consideration and Possible Action to Grant an Ambulance Transfer Permit, for Non-Emergency Ambulance Services in the City of Big Spring, to Tac Med, Inc., and Determining the Existence of Public Convenience and Necessity that will be Served by Issuance of Such Permit, in Accordance with § 28-157, "Granting or Denial of Permit," Article VI, "Private Ambulance Services," Chapter 28, "Health," Big Spring City Code and Authorizing the Mayor to Execute any Necessary Documents	144-148	Hagen
18.	Consideration and Possible Action to Accept a Donation of Properties Listed as Lots 8, 9 and 10, Block 12, Original Town, Big Spring, Texas		Darden

Council Input

19.	Input		Moore

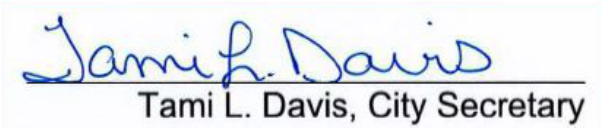
Executive Session

20.	Adjourn into Executive Session in Accordance with the Purposes Permitted by the Open Meeting Act, Section 551.087, Texas Government Code, "Deliberation Regarding Economic Development Negotiations; Closed Meeting" to Discuss and Deliberate Economic Development Negotiations	Moore
21.	Reconvene into Open Session and Take Any Necessary Action on Executive Sessions	Moore
22.	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, June 21, 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.



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.

1314 STATE PARK

Code Compliance Official: Ashley Guerra

Exhibit C-1

STATE OF TEXAS §
§
COUNTY OF HOWARD §

AFFIDAVIT OF ASHLEY GUERRA
CONCERNING 1314 STATE PARK

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 **1314 STATE PARK**, 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 18 day of June, 2024.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 18 day of June, 2024 by the above referenced Affiant.

NOTARY PUBLIC • STATE OF TEXAS •
Andrew W Hagen
My Commission Expires
12/27/2024
ID No 129249419

Notary Public, State of Texas

Exhibit C-2

Property Details

Account		
Property ID:	284103	**Geographic ID:** B4650002200
Type:	Real	**Zoning:**
Property Use:		**Condo:**
Location		
Situs Address:	1314 STATE PARK	
Map ID:		**Mapsco:**
Legal Description:	LT 1 BK 3 MOUNTAIN VIEW 60.7X140 2011 COMBINED ACCT B4650002201 196 ACQ 04012019 0.196 ACRES	
Abstract/Subdivision:		
Neighborhood:	WRGT2	
Owner		
Owner ID:	435000	
Name:	CHAVARRIA ESTER O	
Agent:		
Mailing Address:	PO BOX 1094 BIG SPRING, TX 79721	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	$33,333 (+)
Improvement Non-Homesite Value:	$0 (+)
Land Homesite Value:	$2,347 (+)
Land Non-Homesite Value:	$0 (+)
Agricultural Market Valuation:	$0 (+)
Market Value:	$35,680 (=)

Agricultural Value Loss:	$0 (-)
Appraised Value:	$35,680 (=)
Homestead Cap Loss:	$0 (-)
Assessed Value:	$35,680
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: CHAVARRIA ESTER O **%Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.238916	$35,680	$35,680	$85.25	
02B	CITY OF BIG SPRING	0.673163	$35,680	$35,680	$240.18	
03B	BIG SPRING ISD	0.930900	$35,680	$35,680	$332.15	
052	HOWARD COLLEGE	0.168395	$35,680	$35,680	$60.08	

Total Tax Rate: 2.011374

Estimated Taxes With Exemptions: $717.66

Estimated Taxes Without Exemptions: $717.66

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
1314 STATE PARK CASE NOTES

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

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

Making this record was a regular practice of that activity.

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

SIGNED on the 18 day of June, 2024.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 18 day of June, 2024 by the above referenced Affiant.

NOTARY PUBLIC · STATE OF TEXAS ·
Andrew W Hagen
My Commission Expires
12/27/2024
ID No 129249419

Notary Public, State of Texas

Exhibit C-3

CASE NOTES

Report Run On: Monday, 03 June 2024 14:05

Case # 24-00000848 **Parcel # :** 284103

Site Address: 1314 STATE PARK

Case Description: substandard structure

Note Type	Note Code	Text	Created By	Begin Date	End Date
SITE VISIT		went by property for a reinspect no progress has been made prepairing to send to legal	Ashley Guerra	06/03/24	
CORRECTIVE ACTION		Back Structure needs to be brought down its Dangerous to the nabor hood . Deadline for compliance (7) Seven days from the date of mailing	Ashley Guerra	06/03/24	
GENERAL		sent out notice of violation on 3-11-24	Ashley Guerra	03/11/24	
SITE VISIT		DO TO A COMPLAINT WENT BY AND NOTICED A SUBSTANDARD STRUCTURE photos taken on march 1st	Ashley Guerra	03/01/24	

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION OF PHOTOGRAPHS BY ASHLEY GUERRA

"With regard to the photographs in **Exhibits C-4** I am familiar with and recognize the scene depicted in the photographs. On March 1, 2024 and June 3, 2024, I inspected the property described as:

> LT 1 BK 3 MOUNTAIN VIEW 60.7X140 2011 COMBINED ACCT B4650002201 196 ACQ 04012019 0.196 ACRES Big Spring, Howard County, Texas, also known as **1314 STATE PARK**, Big Spring, Texas.

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

SIGNED on the 18 day of June, 2024.

Ashley G
AFFIANT

SWORN TO AND SUBSCRIBED before me this 18 day of June, 2024 by the above referenced Affiant.

NOTARY PUBLIC STATE OF TEXAS
Andrew W Hagen
My Commission Expires
12/27/2024
ID No 129249419

Andrew W Hagen
Notary Public, State of Texas

Exhibit C-4

24-00000848

24-00000848

24-00000848
March 01 2024 1:59 P

24-00000848

ROYAL

24-00000848
June 03 2024 10:51 A

24-00000848
June 03, 2024 10:51 A

Case number: 24-00000848

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
NOTICE SENT BY ASHLEY GUERRA

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

SIGNED on the 18 day of June, 2024.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 18 day of June, 2024 by the above referenced Affiant.

NOTARY PUBLIC STATE OF TEXAS
Andrew W Hagen
My Commission Expires
12/27/2024
ID No 129249419

Notary Public, State of Texas

Exhibit C-5

City of Big Spring Code Compliance

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

NOTICE OF VIOLATION

Re: 1314 STATE PARK BIG SPRING,TX00000
Legal Description: LT 1 BK 3 MOUNTAIN VIEW 60.7X140 2011 COMBINED ACCT B4650002201 196 ACQ 04012019 0.196 ACRES

Date 03/11/2024 **Case No:24-00000848**

CHAVARRIA ESTER O
PO BOX 1094
BIG SPRING, TX 79721

Dear CHAVARRIA ESTER O
The City of Big Spring has determined that the following section of the **2021 property Maintenance Code of Big Spring** has been violated, constituting a nuisance:

Violation:
SUBSTANDARD STRUCTURE

Description of Violation:

City of Big Spring Code Compliance

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

NOTICE OF VIOLATION

Re: 1314 STATE PARK BIG SPRING,TX00000
Legal Description: LT 1 BK 3 MOUNTAIN VIEW 60.7X140 2011 COMBINED ACCT B4650002201 196 ACQ 04012019 0.196 ACRES

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.

Corrective Action:

Back Structure needs to be brought down its Dangerous to the nabor hood .
Deadline for compliance (7) Seven days from the date of mailing

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

Issued by:

Ashley Guerra	Code Compliance
432-264.2505	aguerra@mybigspring.com
Phone	Email Address

If this matter has been taken care of please notify this office at **(432)264-2504**
It is the sincere hope of the City that you will cooperate with us in helping to make Big Spring an attractive, healthful place in which to live.

Sincerely,

Ashley Guerra - Code Compliance

NOTICE OF VIOLATION

Re: 1314 STATE PARK BIG SPRING,TX00000
Legal Description: LT 1 BK 3 MOUNTAIN VIEW 60.7X140 2011 COMBINED ACCT B4650002201 196 ACQ 04012019 0.196 ACRES

Case number: 24-00000848

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

June 13, 2024

Estate of Ester O. Chavarria
P.O. Box 1094
Big Spring, Texas 79721

Estate of Ester O. Chavarria
1314 State Park Drive
Big Spring, Texas 79720

Moren Rentals, LLC
3300 Gail Hwy
Big Spring, Texas 79720-0278

Richard Moren
1300 Blackmon Avenue
Big Spring, Texas 79720

Re: **1314 STATE PARK, BIG SPRING, TEXAS 79720**
LEGAL DESCRIPTION: LT 1 BK 3 MOUNTAIN VIEW 60.7X140 2011 COMBINED ACCT B4650002201 196 ACQ 04012019 0.196 ACRES, Howard County

Big Spring Code Compliance has determined that at the following structure(s): TWO (2) REAR STRUCTURES, 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: 3. Any building, structure, or portion thereof that is dangerous.	The buildings are neglected, damaged, dilapidated, unsecured and abandoned so as to constitute an attractive nuisance. Hazardous condition.

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. 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: 1. Structural members 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. 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.	The structural members of the building have deteriorated so as to reduce their load-carrying capacity. Exterior walls are not plumb and free of holes, cracks or breaks. The roof appears to admit rain and has signs of deterioration. Unsafe condition.
304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.	The roof has defects that admit rain and is not sound and not tight.

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

Corrective Action Sought by Code Compliance

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

DEMOLISH AND REMOVE

of TWO (2) REAR STRUCTURES.

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, June 25, 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.

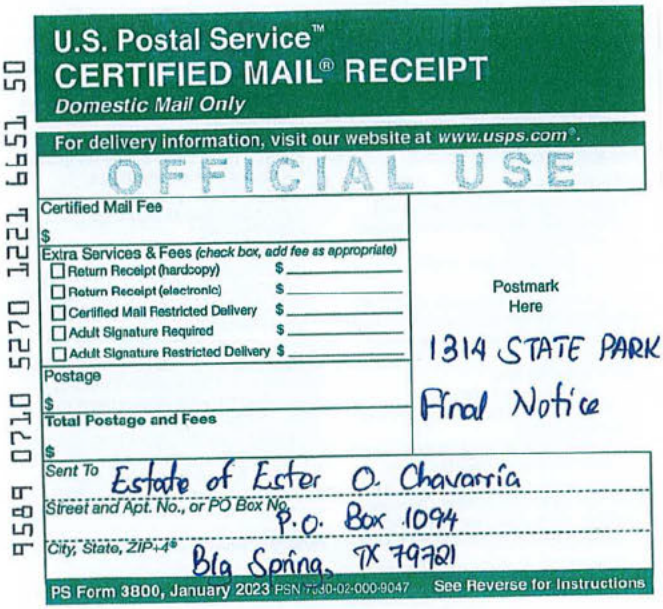
TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

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



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
$

Postmark Here

1314 STATE PARK
Final Notice

Sent To Estate of Ester O. Chavarria
Street and Apt. No., or PO Box No. P.O. Box 1094
City, State, ZIP+4® Big Spring, TX 79721

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

9589 0710 5270 1221 6651 50

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
$

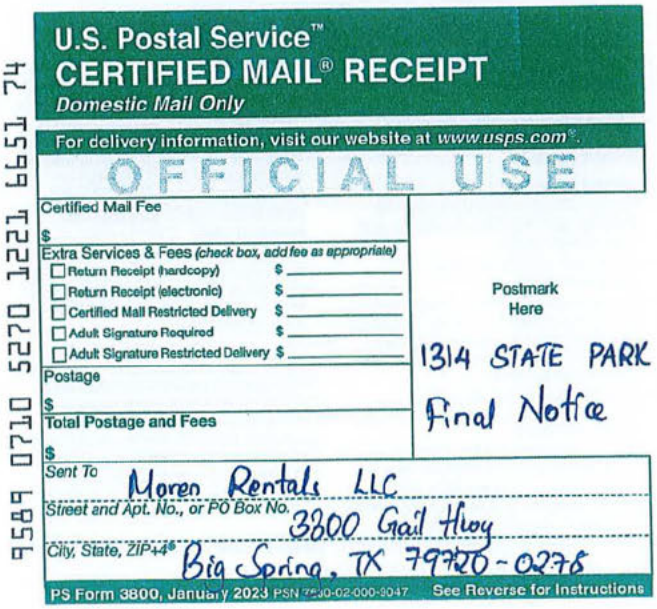
Postmark Here

1314 STATE PARK
Final Notice

Sent To Estate of Ester O. Chavarria
Street and Apt. No., or PO Box No. 1314 State Park Dr.
City, State, ZIP+4® Big Spring, TX 79720

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

9589 0710 5270 1221 6651 67



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
$

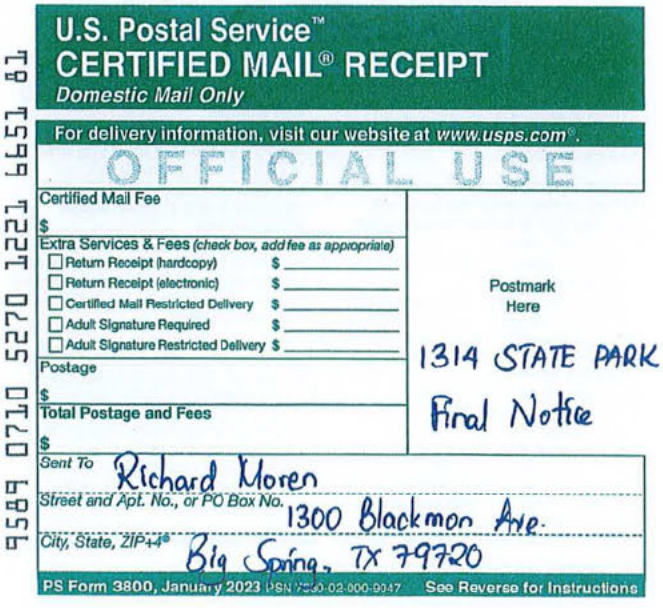
Postmark Here

1314 STATE PARK
Final Notice

Sent To Moren Rentals LLC
Street and Apt. No., or PO Box No. 3800 Gail Hwy
City, State, ZIP+4® Big Spring, TX 79720-0278

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

9589 0710 5270 1221 6651 74



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
$

Postmark Here

1314 STATE PARK
Final Notice

Sent To Richard Moren
Street and Apt. No., or PO Box No. 1300 Blackmon Ave.
City, State, ZIP+4® Big Spring, TX 79720

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

9589 0710 5270 1221 6651 81

FAQs >

Remove ×

Tracking Number:

9589071052701221665150

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

Latest Update

This is a reminder to pick up your item before June 29, 2024 or your item will be returned on June 30, 2024. Please pick up the item at the BIG SPRING, TX 79721 Post Office.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Feedback

Delivery Attempt
Reminder to pick up your item before June 29, 2024
BIG SPRING, TX 79721
June 20, 2024

Available for Pickup
BIG SPRING
501 S MAIN ST
BIG SPRING TX 79720-9998
M-F 0800-1700; SAT 0900-1200
June 15, 2024, 8:21 am

Arrived at Post Office
BIG SPRING, TX 79720
June 15, 2024, 8:20 am

Arrived at USPS Regional Facility
MIDLAND TX DISTRIBUTION CENTER
June 14, 2024, 9:17 pm

Hide Tracking History

Text & Email Updates

USPS Tracking Plus®

Product Information

See Less

Remove ×

Tracking Number:

9589071052701221665167

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

Latest Update

Your item was returned to the sender on June 15, 2024 at 2:24 pm in BIG SPRING, TX 79720 because the address was vacant or the business was no longer operating at the location and no further information was available.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Alert
Vacant
BIG SPRING, TX 79720
June 15, 2024, 2:24 pm

Out for Delivery
BIG SPRING, TX 79720
June 15, 2024, 7:13 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:

9589071052701221665174

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

Latest Update

Your item was delivered to an individual at the address at 9:12 am on June 15, 2024 in BIG SPRING, TX 79720.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

BIG SPRING, TX 79720
June 15, 2024, 9:12 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:

9589071052701221665181

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

Latest Update

Your item was returned to the sender on June 15, 2024 at 11:04 am in BIG SPRING, TX 79720 because the address was vacant or the business was no longer operating at the location and no further information was available.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Alert

BIG SPRING, TX 79720
June 15, 2024, 11:04 am

Out for Delivery
BIG SPRING, TX 79720
June 15, 2024, 7:12 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

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 June 25, 2024, attached as **Exhibit C-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on June 14, 2024."

SIGNED on the 18 day of June, 2024.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 18 day of June, 2024 by the above referenced Affiant.

NOTARY PUBLIC STATE OF TEXAS
Andrew W Hagen
My Commission Expires
12/27/2024
ID No 129249419

Notary Public, State of Texas

Exhibit C-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 **JUNE 25TH, 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:

411 OWENS, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 7 BK 1 PORTER 50X140 369 0.161 ACRES – OWNER: STEVEN LOPEZ

1001 N GREGG, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LTS 5-6 BK 40 BAUER 100X140 199 200 ACQ 081905 BLK/TRACT 40 0.322 ACRES – OWNER: GILA A. DAVIS

1314 STATE PARK, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 1 BK 3 MOUNTAIN VIEW 60.7X140 2011 COMBINED ACCT B4650002201 196 ACQ 04012019 0.196 ACRES – OWNER: ESTER O. CHAVARRIA

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
June 14, 2024 2:24 PM

411 OWENS

Code Compliance Official: Shannon Fant

Exhibit A-1

STATE OF TEXAS §
§
COUNTY OF HOWARD §

AFFIDAVIT OF SHANNON FANT CONCERNING 411 OWENS

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

"My name is **Shannon Fant**. 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 **411 OWENS**, 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 18 day of June, 2024.

S Fant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 18th day of June, 2024 by the above referenced Affiant.

NOTARY PUBLIC STATE OF TEXAS
Andrew W Hagen
My Commission Expires
12/27/2024
ID No 129249419

Notary Public, State of Texas

Exhibit A-2

Property Details

Account		
Property ID:	285595	**Geographic ID:** B5070000600
Type:	Real	**Zoning:**
Property Use:		**Condo:**
Location		
Situs Address:	411 OWENS	
Map ID:		**Mapsco:**
Legal Description:	LT 7 BK 1 PORTER 50X140 369 0.161 ACRES	
Abstract/Subdivision:		
Neighborhood:	BOYD	
Owner		
Owner ID:	860863	
Name:	LOPEZ STEVEN	
Agent:		
Mailing Address:	612 STATE ST BIG SPRING, TX 79720	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	$85 (+)
Improvement Non-Homesite Value:	$1,576 (+)
Land Homesite Value:	$0 (+)
Land Non-Homesite Value:	$3,507 (+)
Agricultural Market Valuation:	$0 (+)
Market Value:	$5,168 (=)

Agricultural Value Loss:	$0 (-)
Appraised Value:	$5,168 (=)
Homestead Cap Loss:	$0 (-)
Assessed Value:	$5,168
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: LOPEZ STEVEN **%Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.238916	$5,168	$5,168	$12.35	
02B	CITY OF BIG SPRING	0.673163	$5,168	$5,168	$34.79	
03B	BIG SPRING ISD	0.930900	$5,168	$5,168	$48.11	
052	HOWARD COLLEGE	0.168395	$5,168	$5,168	$8.70	

Total Tax Rate: 2.011374

Estimated Taxes With Exemptions: $103.95

Estimated Taxes Without Exemptions: $103.95

Case number: 24-00000047

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
411 OWENS 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 18 day of June, 2024.

Stant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 18 day of June, 2024 by the above referenced Affiant.

NOTARY PUBLIC STATE OF TEXAS
Andrew W Hagen
My Commission Expires
12/27/2024
ID No 129249419

A. W. Hagen
Notary Public, State of Texas

Exhibit A-3

BIG SPRING TEXAS

CASE NOTES

Report Run On: Thursday, 25 April 2024 11:59

Case # 24-00000047 **Parcel # :** 285595

Site Address: 411 OWENS

Case Description: PROPERTY HAS THREE STRUCTURES ON PROPERTY THAT ARE SUBSTANDARD

Note Type	Note Code	Text	Created By	Begin Date	End Date
SITE VISIT		INSPECTED PROERTY FOUND THAT THERE HAS NOT BEEN ANY UPDATES OR CHANGES WILL PROCEED	Shannon Fant	04/17/24	
SITE VISIT		drove by and structures were still up and nothing has been done	Malissa Garcia	02/23/24	
PHONE CALL		STEVEN LOPEZ CALLED AND WAS UPSET THAT HE WAS MAILED A NOV AND SAID HE WAS UPSET ABOUT THE DUMP CHARGING SO MUCH AND HE IS GOING TO START WORKING ON PROPERTY ON THE WEEKENDS SAID HE WANTS TO SIGN FOR THE CITY WAIVER	Shannon Fant	02/07/24	
SITE VISIT		INSPECTED THE PROPERTY FOUND THE PROPERTY HAS THREE SUBSTANDARD BUILDINGS ON THE PROPERTY. WHILE TAKING PICS AND INSPECTING SPOKE WITH OWNERS WIFE AND EXPLAINED WHAT I WAS DOING AND EXPLAINED HER OPTIONS TO AVOID ANY FURTHER ACTION, SHE SAID SHE WOULD SPEAK WITH HER HUSBAND AND SON AND TO GO AHEAD WITH WHAT I NEEDED TO DO AND I COULD GO ON PROPERTY TO TAKE FURTHER PICS IF NEEDED.	Shannon Fant	02/05/24	
CORRECTIVE ACTION		THERE ARE THREE STRUCTURES ON THIS PROPERTY THAT DOES NOT MEET MINIMUM BUILDING STANDARDS. THE THREE STRUCTURES NEED TO BE BROUGHT UP TO BUILDING CODE OR DEMOLISHED OR REMOVED. DEADLINE FOR COMPLIANCE IS SEVEN (7) DAYS FROM THE DATE OF MAILING. 02.05.2024	Shannon Fant	02/05/24	

Case number: 24-00000047

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION OF PHOTOGRAPHS BY SHANNON FANT

"With regard to the photographs in **Exhibits A-4** I am familiar with and recognize the scene depicted in the photographs. On February 1, 2024 and February 23, 2024 and April 17, 2024, I inspected the property described as:

> LT 7 BK 1 PORTER 50X140 369 0.161 ACRES Big Spring, Howard County, Texas, also known as **411 OWENS**, Big Spring, Texas.

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

SIGNED on the 18 day of June, 2024.

Shant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 18 day of June, 2024 by the above referenced Affiant.

NOTARY PUBLIC STATE OF TEXAS
Andrew W Hagen
My Commission Expires
12/27/2024
ID No 129249419

Andrew W Hagen
Notary Public, State of Texas

Exhibit A-4

Galaxy Tab S8
February 01, 2024 3:18 PM

KEEP OUT
Galaxy Tab S8+
February 01 2024 3:18 PM

Galaxy Tab S8+
February 01, 2024 3:19 PM

Galaxy Tab S8+
February 01, 2024 3:19 PM

Galaxy Tab S8+
February 01, 2024 3:29 PM

Galaxy Tab S8+
February 01, 2024 3:30 PM

Galaxy Tab S8+
February 01, 2024 3:30 PM

Galaxy Tab S8+
February 01, 2024 3:30 PM

February 23, 2024 9:50 AM

February 23 2024 9:50 AM

February 23, 2024 9:51 AM

February 23, 2024 9:51 AM

February 23, 2024 9:51 AM

February 23, 2024 9:51 AM

February 23, 2024 9:51 AM

February 23, 2024 9:52 AM

February 23, 2024 9:52 AM

February 23, 2024 9:52 AM

February 23, 2024 9:52 AM

February 23, 2024 9:52 AM

Galaxy Tab S8+
April 17, 2024 11:23 AM

Galaxy Tab S8+
April 17, 2024 11:23 AM

Galaxy Tab S8+
April 17, 2024 11:23 AM

Galaxy Tab S8+
April 17, 2024 11:23 AM

Galaxy Tab S8+
April 17, 2024 11:23 AM

Galaxy Tab S8
April 17, 2024 11:23 AM

Galaxy Tab S8+
April 17, 2024 11:23 AM

Galaxy Tab S8+
April 17, 2024 11:24 AM

Galaxy Tab S8+
April 17, 2024 11:24 AM

Galaxy Tab S8+
April 17, 2024 11:24 AM

Galaxy Tab S8+
April 17, 2024 11:24 AM

Case number: 24-00000047

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
NOTICE SENT BY SHANNON FANT

"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 18 day of June, 2024.

Shant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 18 day of June, 2024 by the above referenced Affiant.

NOTARY PUBLIC STATE OF TEXAS
Andrew W Hagen
My Commission Expires
12/27/2024
ID No 129249419

Andrew W Hagen
Notary Public, State of Texas

Exhibit A-5

BIG SPRING
TEXAS

City of Big Spring, TX

217 East 3rd St.
Big Spring, TX 79720
Phone: 432-264-2504
Fax: 432-264-7024
https://www.mybigspring.com/
ratkins@mybigspring.com

612 STATE ST
BIG SPRING, TX 79720

RE: Code Compliance Case No. 24-00000047

LOPEZ STEVEN,

Location : 411 OWENS , BIG SPRING TX

Complaint Description:

PROPERTY HAS THREE STRUCTURES ON PROPERTY THAT ARE SUBSTANDARD

Property Maintenance Code Sec. 304.1.1 Premises and exterior property of structure is not maintained and is determined to be as unsafe, does not meet minimum building standards and needs to be brought up to building code.

City of Big Spring, TX

217 East 3rd St.
Big Spring, TX 79720
Phone: 432-264-2504
Fax: 432-264-7024
https://www.mybigspring.com/
ratkins@mybigspring.com

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.

Regards,
Shannon Fant
Code Enforcement
432.264.2508

Case number: 24-00000047

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

June 13, 2024

Steven Lopez
612 State St.
Big Spring, Texas 79720

Steven Lopez
411 Owens St.
Big Spring, Texas 79720

Attorney General
Child Support Office
6302 Iola Ave., Suite 500
Lubbock, Texas 79424-2764

Office of the Attorney General
Bankruptcy & Collections Division
300 W. 15th St., MC 008
Austin, Texas 78701

Re: **411 OWENS, BIG SPRING, TEXAS 79720**
LEGAL DESCRIPTION: LT 7 BK 1 PORTER 50X140 369 0.161 ACRES, Howard County

Big Spring Code Compliance has determined that at the following structure(s): THREE (3) SUBSTANDARD STRUCTURES, 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:	The buildings are neglected, damaged, dilapidated, unsecured, and abandoned so as to constitute an attractive nuisance. Hazardous condition.

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. 7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act. 11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or 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: 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. 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.	The structural members of the buildings have deteriorated so as to reduce their load-carrying capacity. The roofing 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	The roof of the buildings have defects that admit rain and is not sound and not tight.

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 THREE (3) SUBSTANDARD STRUCTURES.

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

Issued by

Shannon Fant	Code Compliance Official
Name	*Title*
+1 (432) 264-2508	sfant@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, June 25, 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,

M. Garcia

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

9589 0710 5270 1221 6651 05

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
$

Postmark Here

411 OWENS
Final Notice

Sent To Steven Lopez
Street and Apt. No., or PO Box No. 612 State St.
City, State, ZIP+4® Big Spring, TX 79720

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

9589 0710 5270 1221 6651 12

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
$

Postmark Here

411 OWENS
Final Notice

Sent To Steven Lopez
Street and Apt. No., or PO Box No. 411 Owens St.
City, State, ZIP+4® Big Spring, TX 79720

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

9589 0710 5270 1221 6651 36

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
$

Postmark Here

411 OWENS
Final Notice

Sent To Office of the AG, Bankruptcy & Collections
Street and Apt. No., or PO Box No. 300 W. 15th St., MC 008
City, State, ZIP+4® Austin, TX 78701

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

9589 0710 5270 1221 6651 29

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
$

Postmark Here

411 OWENS
Final Notice

Sent To Att AG, Child Support Office
Street and Apt. No., or PO Box No. 6302 Iola Ave, Ste 500
City, State, ZIP+4® Lubbock, TX 79424-2764

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

FAQs >

Remove ×

Tracking Number:

9589071052701221665105

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

Latest Update

Your item was delivered to a parcel locker at 5:50 pm on June 15, 2024 in BIG SPRING, TX 79720.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Parcel Locker
BIG SPRING, TX 79720
June 15, 2024, 5:50 pm

See All Tracking History

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

Feedback

Text & Email Updates ⌄

USPS Tracking Plus® ⌄

Product Information ⌄

See Less ^

Remove ×

Tracking Number:

9589071052701221665112

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

Latest Update

Your item was returned to the sender on June 15, 2024 at 9:20 am in BIG SPRING, TX 79720 because the address was vacant or the business was no longer operating at the location and no further information was available.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Alert
Vacant
BIG SPRING, TX 79720
June 15, 2024, 9:20 am

Out for Delivery
BIG SPRING, TX 79720
June 15, 2024, 7:13 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:

9589071052701221665129

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

Latest Update

Your item was delivered to an individual at the address at 11:56 am on June 17, 2024 in LUBBOCK, TX 79424.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered, Left with Individual
LUBBOCK, TX 79424
June 17, 2024, 11:56 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:

9589071052701221665136

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
June 20, 2024

Departed USPS Regional Facility
AUSTIN TX DISTRIBUTION CENTER
June 18, 2024, 8:46 am

See All Tracking History

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

See More

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

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 June 25, 2024, attached as **Exhibit A-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on June 14, 2024."

SIGNED on the 18 day of June, 2024.

Stant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 18 day of June, 2024 by the above referenced Affiant.

NOTARY PUBLIC STATE OF TEXAS
Andrew W Hagen
My Commission Expires
12/27/2024
ID No 129249419

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 **JUNE 25TH, 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:

411 OWENS, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 7 BK 1 PORTER 50X140 369 0.161 ACRES – OWNER: STEVEN LOPEZ

1001 N GREGG, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LTS 5-6 BK 40 BAUER 100X140 199 200 ACQ 081905 BLK/TRACT 40 0.322 ACRES – OWNER: GILA A. DAVIS

1314 STATE PARK, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LT 1 BK 3 MOUNTAIN VIEW 60.7X140 2011 COMBINED ACCT B4650002201 196 ACQ 04012019 0.196 ACRES – OWNER: ESTER O. CHAVARRIA

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

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, June 11, 2024, with the following members present in person:

COUNCIL MEMBER HOMER WILKERSON
MAYOR PRO TEM TROY TOMPKINS
MAYOR ROBERT MOORE
COUNCIL MEMBER CODY HUGHES
COUNCIL MEMBER DANIEL MORENO
COUNCIL MEMBER NICK ORNELAS

Same and constituting a quorum, for which four Council Members 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
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
David Allman, HIllside Christian Church, gave the invocation.

Pledge of Allegiance to the United States Flag and to the Texas State Flag
Mayor Moore led the Pledge of Alleginance to the United States Flag and to the Texas State Flag.

Public Comment

Public Comment

No public comments were made at this time.

Announcements, Presentations and Public Hearings

Open Public Hearings

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

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

NAYS: None **0**

MOTION PASSED

PUBLIC HEARING - Tax Abatement Guidelines

No comments were made at this time.

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1109 RUNNELS, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LTS 3-4 "A" BK 27 FAIRVIEW HEIGHTS 50X140 024 ACQ 062113 BLK/TRACT 27 0.161 ACRES – OWNER: JOE OLIVIO

MOTION WAS MADE BY Council Member Hughes to abate the above captioned property (1109 Runnels), seconded by Council Member Ornelas.

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

NAYS: None **0**

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1311 W 2ND, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: W/50 W/100 OF BK 3 BOWSER 50X162 478 BLK/TRACT 3 0.186 ACRES – OWNER: ESTATE OF THE LATE ULYSSES MATHEWS AND THE LATE JEWEL LEE MATHEWS

MOTION WAS MADE BY Mayor Moore to abate the above captioned property (1311 W. 2nd), seconded by Council Member Wilkerson.

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

NAYS: None **0**

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of

Public Nuisance, at 1011 W 7TH, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LESS S/50 OF LTS 1-2 BK 13 JONES VALLEY 100X90 833 0.207 ACRES ACQ 100213 – OWNER: SERVANDO GUTIERREZ

MOTION WAS MADE BY Council Member Hughes to abate the above captioned property (1011 W. 7th), seconded by Council Member Ornelas.

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

NAYS: None **0**

MOTION PASSED

Close Public Hearings

MOTION WAS MADE BY Mayor Moore to close the above captioned public hearings, seconded by Mayor Pro Tem Tompkins.

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

NAYS: None **0**

MOTION PASSED

City Manager's Report

City Manager's report on the following items:

- Large Item Pickup, District 6 - June 19th
- Update - Dora Robert's Rehab Playground
- Update - Amphitheater Renovation Project

Todd Darden, City Manager, reported on the above captioned items as follows: Large item pickup for District 6 is scheduled for June 19th; The Dora Robert's Rehab Playground has begun with construction; and the amphitheater renovation project has completed the first phase with a cover over the stage area.

Consent Items

Approval of the City Council Minutes of the Regular Meeting of May 28, 2024.

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 Utility Fund Budget for the Purpose of Conducting an Inventory of All Service Lines in Response to the Lead Copper Rule Established in 2021 to Meet an October 16, 2024 Deadline;

Providing for Severability; Providing for Publication; and Providing an Effective Date.

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 Airpark Fund Building Account for the Purpose of Replacing the Hangar Doors at the Hanger 25 Museum; Providing for Severability; Providing for Publication; and Providing an Effective Date.

Final Reading of an Ordinance Granting a Partial Ad Valorem Tax Exemption for Tax Year 2024 for the Homestead of any Married or Unmarried Adult; Finding and Determining That the Meetings at Which the Ordinance was Discussed were Open to the Public as Required by Law; Providing for Severability; Providing for Repeal of Conflicting Ordinances; Providing for Publication; and Providing an Effective Date

Final Reading of an Ordinance Approving a Final Plat of Kentwood Addition (Unit 6), Being a Replat of Lots 11-20, Block 19 and Part of Lot 12, Block 22 of the Kentwood Addition (Unit 2), also Being a 7.248-Acre Tract out of Section 9, Block 32, T-1-S, T & P R.R. Co. Survey, Howard County Texas; 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

Final Reading of a Resolution to Authorize the Filing of a Grant Application with the Permian Basin Regional Planning Commission for a Regional Solid Waste Program Grant Authorizing the Director of Public Works to Act on Behalf of the City of Big Spring in All Matters Related to the Application; and Pledging That if a Grant is Received City of Big Spring Will Comply with the Grant Requirements of the Permian Basin Regional Planning Commission, the Texas Commission on Environmental Quality and the State of Legislation; Providing for the Repeal of Conflicting Legislation; Providing for Severability; and Finding and Determining That the Meetings at Which the Resolution were Discussed were Open to the Public as Required by Law; and Establishing an Effective Date.

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

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

NAYS: None **0**

MOTION PASSED

Vouchers

Vouchers for 05/17/24 $ 844,035.61

Vouchers for 05/23/24 $ 591,967.36
Vouchers for 05/30/24 $ 334,236.81

Mayor Pro Tem Tompkins reviewed the above captioned vouchers.

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

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

NAYS: None **0**

MOTION PASSED

Vouchers for 06/06/24 $ 614,323.30

Council Member Moreno reviewed the above captioned vouchers.

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

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

NAYS: None **0**

MOTION PASSED

Bids

Consideration and Possible Action on Awarding a Bid for Two (2) Vertical Turbine Pumps and Motors for the Water Treatment Plant and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Council Member Hughes to award the above captioned bid to JCH in the total amount of $270,820.00, seconded by Council Member Ornelas.

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

NAYS: None **0**

MOTION PASSED

New Business

First Reading of a Resolution Reauthorizing the Tax Abatement Guidelines and Criteria; Providing for Severability; and Providing an Effective Date.

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

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

Moreno
NAYS: None **0**

MOTION PASSED

First Reading of a Resolution Amending Article VIII of the City's Personnel Police Leave to Implement the Requirements of Section 614.015, Local Government Code, Establishing a Mental Health Leave Policy for City of Big Spring Peace Officers; Providing for the Repeal of Conflicting Legislation; Providing for Severability; and Finding and Determining that the Meetings at Which the Resolution Were Discussed Were Open to the Public as Required by Law; and Establishing an Effective Date

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

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

NAYS: None **0**

MOTION PASSED

Consideration and Possible Action to Authorize the Mayor to Execute a Tax Deed for the Sale of Real Property Located on Lot 15, Block 1, Muir Heights, Big Spring, Commonly Known as 4109 Parkway, Which is Held by the City of Big Spring, in Trust, to Dominique Williams for the Sum of Five Thousand One Dollars and 00/100 ($5,001.00).

Consideration and Possible Action to Authorize the Mayor to Execute a Tax Deed for the Sale of Real Property Located on Lot 10, Block 3, College Heights, Big Spring, Texas 79720, Commonly Known as 1805 Runnels, Which is Held by the City of Big Spring, in Trust, to Snyder WM QSR Venture LLC, for the Sum of Twenty Five Thousand One Hundred Dollars and 00/100 ($25,100.00).

MOTION WAS MADE BY Council Member Hughes to approve the two above captioned sale of real property (4109 Parkway & 1805 Runnels), seconded by Council Member Wilkerson.

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

NAYS: None **0**

MOTION PASSED

Consideration and Possible Action to Authorize Acquisition of Two Public Utility Right-of-Way Easements for Installation of a New Sewer Line from Along the South Service Road of I-20, Authorizing the City Attorney to Modify the Necessary Documents before Execution, and Authorizing the Mayor to Execute the Necessary Documents.

MOTION WAS MADE BY Council Member Hughes to approve the above captioned right-of-way easements, seconded by Council Member Ornelas.

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

NAYS: None **0**

MOTION PASSED

Consideration and Possible Action Approving a Temporary Water Pipeline Right-of-Way License Agreement with Oxy USA 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 right-of-way agreement, seconded by Council Member Wilkerson.

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

NAYS: None **0**

MOTION PASSED

Council Input

Input

No Council input at this time.

Adjourn

Mayor Moore adjourned the City Council Meeting at 6:01 p.m.

_____

Robert H. Moore III, Mayor

ATTEST:

_____

Tami L. Davis, City Secretary

Minutes of the Board of Director's Regular Meeting
BIG SPRING ECONOMIC DEVELOPMENT CORPORATION
Tuesday, May 21, 2024, 5:15 p.m.
Offices of the Big Spring Economic Development Corporation
215 West Third Street, Big Spring, Texas

The Regular Meeting of the Board of Directors of the Big Spring Economic Development Corporation was called to order at 5:15 p.m. Tuesday, May 21, 2024, in the offices of the Big Spring Economic Development Corporation. The following notice was sent on May 17, 2024, to Board of Directors, the news media, and duly posted on May 17, 2024, by Teresa Morris in compliance with the Open Meeting's Act by posting it on the outside door of the Big Spring Economic Development Corporation and on the outside of City Hall.

"The Board of Directors of the Big Spring Economic Development Corporation will hold a Regular Board Meeting on Tuesday, May 21, 2024, at 5:15 p.m. in the offices of the Big Spring Economic Development Corporation, 215 West Third Street, Big Spring, Texas. The purpose of the meeting is Public Comment, Action on Minutes of the April 16, 2024, Regular Meeting, Consideration/Action to Approve April Investment Report and Financials, , Executive Session, Action as a Result of Executive Session, Directors Report, Board Comment, and Adjourn".

Directors Present:
Ms. Anna Scott- President
Mr. Cody Williams- Vice President
Mr. Joel De La Garza- Secretary/Treasurer
Mr. Brent Strande

Directors Absent:
Mr. Kevin Armstrong
Mr. Raul Benavides

Staff Present:
Mr. Mark Willis, Ms. Teresa Morris

Guests that signed in:

AGENDA ITEM #1 – Call to Order/Invocation and Pledge:
Ms. Scott called the meeting to order at 5:15 p.m. Ms. Scott led the invocation and pledge.

AGENDA ITEM #2- Public Comment:
None

AGENDA ITEM #3- Action on Minutes of the April 16, 2024 Regular Meeting:
Ms. Scott presented the Minutes. The motion to accept the Minutes was made by Mr. Williams seconded by Mr. De La Garza. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion.

AGENDA ITEM #4- Consideration/Action to Approve April Investment Report and Financials
Mr. De La Garza presented the investment report and financials, and Mr. De La Garza made a motion to approve seconded by Mr. Strande. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion.

ACTION ITEM #5- Directors Report:
Projects: The Big Spring EDC has completed the purchase of 127 acres that will expand the Crossroads Business Park, giving the EDC more latitude in providing incentives to get base value established in the coming TIRZ district. Contracts associated with the Crossroads Business Park are nearing completion and bids for the water tower project on the Airpark that will support the park are in. The EDC has sent a contract draft to a potential Airpark tenant, offering an incentive package. EDC staff have met with two prospects interested in Crossroads Business Park locations. The EDC staff have had further discussions with landowners west of the City who are interested in exploring infrastructure extensions.
Meetings: The EDC Director attended the High Ground organization Board of Directors meeting, the I-27 planning meeting in Midland, did 2 monthly radio interviews, attended the monthly Airpark Advisory Board meeting, participated in 4 City staff meetings, participated in two City Council meetings. The EDC Associate Director attended the High Ground site selector summit, Clean Power trade show, TEDC

Women's summit, Chamber of Commerce Business Roundtable monthly meeting. Staff continues to work with Howard County and Howard College on projects in the County. The next Board meeting is tentatively scheduled June 18th.

AGENDA ITEM #6- Adjourn into Executive Session in Accordance with Texas Government Code, Section 551.087
Ms. Scott adjourned the Board into Executive Session at 5:20 pm., May 21, 2024
Ms. Scott called the Executive Session to order at 5:21 pm., May 21, 2024
Ms. Scott adjourned out of executive session at 5:35 pm., May 21, 2024
Ms. Scott reconvened into open session at 5:37 pm., May 21, 2024

AGENDA ITEM #7- Action as a Result of Executive Session:
Motion to authorize the President and Secretary/Treasurer to sign the Performance Agreement between the Big Spring EDC and ABS Wind USA LLC. Contingent upon the signature of the amended lease agreement between ABS Wind and the McMahon Wrinkle Airport and Industrial Park was made by Mr. Williams, seconded by Mr. De La Garza. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion.

AGENDA ITEM #8-Board Comments: None

AGENDA ITEM #9- Adjourn:
Ms. Scott called for a motion to adjourn. The motion to adjourn was made by Mr. Strande, seconded by Mr. Williams. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion. The meeting adjourned at 5:39 pm on May 21, 2024.

Ms. Anna Scott, President

ATTEST:

Mr. ~~Joel De La Garza, Secretary/Treasurer~~
Cody Williams, Vice President

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, REAUTHORIZING THE TAX ABATEMENT GUIDELINES AND CRITERIA; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 312.002 of the Tex. Tax Code authorizes the governing body of municipality to enter into tax abatement agreements under established tax abatement guidelines and criteria; and

WHEREAS, the governing body is required under Ch. 312 to reauthorize these guidelines and criteria every two years following a public hearing; and

WHEREAS, the City Council held a public hearing regarding the above-described guidelines and criteria at a regular meeting on June 11th,2024 ; and

WHEREAS, the City Council wishes to renew the City's eligibility to participate in tax abatement and; therefore, reauthorizes these Tax Abatement Guidelines and Criteria;

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

SECTION 1. The City Council hereby amends the Tax Abatement Guidelines, attached as Attachment 1, and incorporated herein as if copied verbatim.

SECTION 2. The Tax Abatement Committee shall ensure that these guidelines and criteria are implemented.

SECTION 3. Any prior resolution that is inconsistent with this Resolution is hereby repealed and declared to be of no further force or effect.

SECTION 4. This Resolution shall take effect immediately after passage in accordance with the provisions of the Charter of the City of Big Spring.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **11th** day of **June**, **2024** with all members of the Council voting "aye" for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the **25th** day of **June**, **2024** with all members of the Council voting "aye" for the passage of same.

ATTEST: _____
Robert H. Moore, III, Mayor

_____
Tami L. Davis, City Secretary

Attachment 1

CITY OF BIG SPRING, TEXAS
TAX ABATEMENT GUIDELINES AND CRITERIA

The purpose of this document (these "Guidelines and Criteria") is to establish guidelines, criteria, and a uniform policy of tax abatement for owners or lessees of eligible facilities willing to execute tax abatement contracts designed to provide long-term significant positive economic impact to the community by utilizing the area contractors and work force to the maximum extent feasible, and by developing, redeveloping, and improving property. In the event of a conflict or inconsistency between the provisions of these Guidelines and Criteria and those of Chapter 312 of the Texas Tax Code, the terms of the Texas Tax Code shall control.

Notwithstanding the criteria set forth herein, the Big Spring City Council reserves the right to negotiate the terms of any Abatement Agreement in order to compete favorably with other communities and may include provisions that are more or less restrictive than these Guidelines and Criteria if deemed necessary.

Only that increase in the fair market value of the property that directly results from the development, redevelopment, or improvement specified in the contract will be eligible for abatement, and then only to the extent that such increase exceeds any reduction in the fair market value of the other property of the applicant located within the jurisdiction creating the Reinvestment Zone.

This policy is effective as of _____, 20__ and shall at all times be kept current with regard to the needs of the City and reflective of the official views of the Big Spring City Council.

TAX ABATEMENT COMMITTEE-SECTION 1

A. A Tax Abatement Advisory Committee exists which is composed of at least, but not limited to, one representative of the City of Big Spring City Council, one representative of the Howard County Commissioner's Court, one representative of Howard College Board of Trustees, and three members appointed by the Big Spring Economic Development Corporation which shall include a Certified Public Accountant, a Developer, and a representative of the financial community. The Chief Appraiser of the Howard County Tax Appraisal District and the Executive Director of Big Spring Economic Development Corporation serve as ex-officio members of the Committee. Members are appointed for terms of one year to run from July 1 to June 30. The Committee will make recommendations regarding contract terms and adoption or rejection of all tax abatement applications that are submitted to the City. No action or recommendation of the Tax Abatement Advisory Committee shall limit the discretion of the Council to consider, adopt, modify or decline any request for the creation of a Reinvestment Zone or tax abatement request.

B. It is within the purview of the Council to grant tax abatement on the same or similar terms and conditions as the other taxing units having jurisdiction over a property. However, nothing herein shall limit the discretion of the City Council to consider, adopt, modify or decline any tax abatement request.

C. The adoption of these guidelines and criteria by the Council does not:

(1) limit the discretion of the Council to decide whether to enter into a specific tax abatement agreement;

(2) limit the discretion of the Council to delegate to City employees the authority to determine whether the Council should consider a particular application or request for tax abatement; or

(3) create any property, contract, or other legal right in any person to have the Council consider or grant a specific application or request for tax abatement.

DEFINITIONS-SECTION 2

"Abatement" means tax abatement, or the full or partial exemption from ad valorem taxes of certain property in a Reinvestment Zone designated in the City of Big Spring, Texas.

"Abatement Agreement" means a contractual agreement between a property owner and/or lessee and the City of Big Spring for tax abatement.

"Base year value" means the assessed value of any eligible Real Property or Tangible Personal Property as of January 1 of the year in which an Abatement Agreement for that Real Property or Tangible Personal Property is executed.

"Council or **City Council"** means the City Council of Big Spring, Texas.

"City" means Big Spring, Texas.

"Deferred Maintenance" means improvements necessary for continued operation which do not improve productivity or alter the process technology.

"Eligible Property" means new, expanded, or modernized buildings, facilities, structures, fixed machinery and equipment, site improvements, and other forms of Tangible Personal Property, that are reasonably likely as a result of granting Abatement to contribute to the retention or expansion of primary employment or to attract investment that would be a benefit to, and contribute to the economic development of, the City of Big Spring. The term, "Eligible Property" shall not include property described by Section 312.211(a) of the Texas Tax Code.

"Expansion" means the addition of buildings, structures, machinery, equipment, Tangible Personal Property, or payroll for purposes of increasing production capacity.

"Modernization" means a complete or partial demolition of existing facilities and the complete or partial reconstruction or installation of new facilities of similar or expanded production capacity. Modernization may result from the construction, alteration, or installation of buildings, structures, machinery, or equipment, or both.

"Productive Life" means the number of years a property improvement is expected to be in service.

"Real Property" means any piece of land or condominium interest.

"Reinvestment Zone" is Real Property designated as a Reinvestment Zone under Chapter 312 of the Texas Tax Code or other Texas law.

"Tangible Personal Property" is any personal property, including, without limitation, any piece of machinery or equipment or any appliance that is used in any improvements or placed on any Real Property.

ABATEMENT AUTHORIZED - SECTION 3

A. **Eligibility.** Upon application, Eligible Property may be considered for Abatement as hereinafter provided.

B. **Creation of New Values.** Abatement may only be granted for the additional value of eligible property improvements made subsequent to and specified in an Abatement Agreement between the City of Big Spring and the property owner or lessee, subject to such limitations as the Council may require.

C. **Eligible Property.** Subject to the limitations hereof, Abatement may be extended to the value of Eligible Property.

D. **Ineligible Property.** The following types of property shall be fully taxable and ineligible for Abatement: Deferred Maintenance; property to be rented or leased (except as provided in this Section 3; and property which has a productive life of less than two times the term of the Abatement Agreement.

E. **Owned/Leased Facilities.** If taxes are abated on leased Eligible Property, the Abatement Agreement shall be executed by both the lessor and lessee of such property. This does not apply to the lease of individual units of a multi-family residence or a shopping center.

F. **Economic Qualification.** In order to be Eligible Property and considered for Abatement, Tangible Personal Property or Real Property:

(1) Must be reasonably expected to have an increase in positive net economic benefit to the City over the life of the Abatement. This includes but is not limited to new payroll and/or capital improvements. The creation of new jobs will also factor into the decision to grant an Abatement; and

(2) Must not be expected to solely or primarily have the effect of transferring employment from one part of Howard County to another without a super-majority vote of approval from the Council.

G. **Standards for Tax Abatement.** The following factors, among others, shall be considered in determining whether to grant Abatement:

(1) Value of existing improvements, if any;

(2) Type and value of proposed improvements;

(3) Productive Life of proposed improvements;

(4) Number and term of existing jobs to be retained by proposed improvements;

(5) Number, term and type of new jobs to be created by proposed improvements;

(6) Amount of local payroll to be created;

(7) Whether the new jobs to be created will be filled by persons residing or projected to reside within affected taxing jurisdictions;

(8) Amount of local sales taxes and/or hotel-motel taxes to be generated directly;

(9) Amount that the property tax base valuation will be increased during the term of Abatement and after Abatement;

(10) The costs to be incurred by the City to provide facilities or services directly resulting from new improvements;

(11) The amount of ad valorem taxes to be paid to the City during the Abatement period considering (a) existing values, (b) the percentage of new value abated, (c) the Abatement period, and (d) property value after expiration of the Abatement period;

(12) The population growth of the City that occurs directly as a result of new improvements;

(13) The types and values of public improvements, if any, to be made by an applicant seeking Abatement;

(14) Whether the proposed improvements compete with existing businesses to the detriment of the local economy;

(15) The impact on existing business;

(16) The attraction of other new businesses to the area;

(17) The overall compatibility with any zoning ordinances or comprehensive plan for the area;

(18) Whether the project has obtained any necessary permits from applicable environmental agencies;

(19) Whether the requesting entity is receiving federal or state tax credits or subsidies.

(20) Whether the abatement would establish a competitive disadvantage to existing businesses in the taxing area.

All applications for Abatement shall be reviewed on their merits utilizing the factors provided above, among others. After such review, Abatement may be denied entirely or may be granted to the extent deemed appropriate after full evaluation.

H. **Denial of Abatement.** Neither a Reinvestment Zone nor Abatement Agreement shall be authorized if it is determined that:

(1) There would be substantial adverse effect on the provision of government services or tax base;

(2) The applicant has insufficient financial capacity;

(3) The planned or potential use of the property would constitute a hazard to public safety, health, or morals;

(4) The planned or potential use of the property would be likely to cause a violation of any local, state or federal code or law; or

(5) The Reinvestment Zone or Abatement Agreement is deemed inappropriate for any other reason by the Council.

I. **Taxability.** Notwithstanding the terms of any Abatement Agreement, taxes shall be payable as follows:

(1) The value of any Real Property or Tangible Personal Property not subject to Abatement shall be fully taxable;

(2) Ineligible property as provided in Section 3 hereof shall be fully taxable;

(3) The base year value of property comprising the Eligible Property but existing before any Abatement Agreement is executed shall be fully taxable; and

(4) The additional value of new Eligible Property shall be fully taxable at the beginning of the first tax year after the Abatement ends.

The Big Spring City Council, as a part of the approval of Abatement or during the duration of Abatement, may at its discretion require the entity or entities requesting or receiving Abatement to provide a performance bond naming the City as the recipient. Should the entity or entities

requesting or receiving Abatements default on its contractual obligation to perform as agreed in the Abatement Agreement, City personnel will use the performance bond to offset any or all property taxes that would have been collected had the Abatement not been in place.

REINVESTMENT ZONE - SECTION 4

No Real Property or Tangible Personal Property is eligible for Abatement unless such Real Property or Tangible Personal Property is located in a Reinvestment Zone designated in accordance with Chapter 312 of the Texas Tax Code or other relevant Texas law.

APPLICATION - SECTION 5

A. **Applicant.** Any present or potential owner or lessee of taxable property in the City limits may request the creation of a Reinvestment Zone and/or tax abatement by filing with the City Manager a written application in a form substantially similar to that attached hereto as Exhibit A.

B. **Application.** At a minimum, the application shall consist of: a general description of the new improvements to be undertaken; a descriptive list of the improvements for which tax abatement is requested; a list of the kind, number and location of all proposed improvements of the property; a map and property description; and a time schedule for undertaking and completing the proposed improvements. In the case of modernization, a statement of the assessed value of the facility, separately stated for real and personal property, shall be given for the tax year immediately preceding the application. The Council may require such financial and other information as deemed appropriate for evaluating the financial capacity and other factors pertaining to the applicant to be included with the application. The completed application must be accompanied by the payment of a non-refundable application fee of ONE THOUSAND AND 00/100 DOLLARS ($1,000.00), although that fee may be waived by the Council. All checks in payment of the administrative fee should be made payable to the City of Big Spring.

C. **Notice.** City personnel shall provide written notice to the presiding officer of the governing body of each taxing unit in which the property to be subject to a proposed Abatement Agreement is located, along with notice published in a newspaper of general circulation within such taxing jurisdiction, not later than the thirtieth day before a public hearing relating to a proposed Abatement Agreement. Before acting upon the application, the Council shall, through public hearing, afford the applicant and the designated representative of any governing body referenced hereinabove opportunity to show cause why the Abatement should or should not be granted.

D. **Joint Application.** If any other taxing entity within the City limits designates a Reinvestment Zone within its boundaries and enters into or proposes to enter into an Abatement Agreement with a present or potential owner of a taxable property, such present or potential owner of taxable property may request Abatement from the City by following the same application process described herein.

AGREEMENT - SECTION 6

A. After application approval, the Council shall formally pass a resolution and execute an Abatement Agreement with the owner of the Eligible Property and lessee as required which shall:

(1) include a list of the kind, number, and location of all proposed improvements to the property;

(2) provide access to and authorize inspection of the property by the taxing unit to ensure compliance with the Abatement Agreement;

(3) limit the use of the property as allowed under Chapter 312 of the Texas Tax Code;

(4) provide for recapturing property tax revenues that are lost if the owner fails to make the improvements as provided by the Abatement Agreement;

(5) include each term that was agreed upon with the property owner and require the owner to annually certify compliance with the terms of the Abatement Agreement to each taxing unit; and

(6) allow the taxing unit to cancel or modify the Abatement Agreement at any time if the property owner fails to comply with the terms of that agreement.

RECAPTURE - SECTION 7

Any Abatement Agreement made pursuant to these Guidelines and Criteria shall provide for the recapture of all taxes previously abated in the event the applicant breaches the terms that agreement.

ADMINISTRATION - SECTION 8

A. The Chief Appraiser of the Howard County Appraisal District will annually determine an assessment of the real and personal property comprising the Eligible Property located in a Reinvestment Zone. Each year, the company or individual receiving Abatement shall furnish the Appraiser with such information as may be necessary for the Abatement. Once value has been established, the Chief Appraiser will notify the City Manager of the amount of the assessment.

B. The City may execute a contract with any other jurisdiction(s) to inspect the Eligible Property to determine if the terms and conditions of the Abatement Agreement are being met. The Abatement Agreement shall stipulate that employees and/or designated representatives of the City will have access to the Eligible Property during the term of the Abatement to determine whether the terms and conditions of the Abatement Agreement are being met. All inspections will be made only after the giving of twenty-four (24) hours prior notice and will only be conducted in such manner as to not unreasonably interfere with the construction and/or operation of an affected facility. All inspections will be made with one or more representatives of the company or individual and in accordance with its safety standards.

C. A designated representative of the City shall annually evaluate property subject to Abatement to ensure compliance with the Abatement Agreement.

D. The City of Big Spring shall notify the Chief Appraiser of Howard County of the establishment of any Reinvestment Zone or approval of any Abatement Agreement.

E. The Chief Appraiser of Howard County shall deliver to the State Comptroller before July 1 of the year following the year in which a Reinvestment Zone is created or an Abatement Agreement is executed a general description of the zone, the relevant Guidelines and Criteria, and a copy of each Abatement Agreement to which the City is a party.

F. For each of the first three tax years following the expiration of an Abatement Agreement, the chief appraiser shall deliver to the comptroller a report containing the appraised value of the property that was the subject of that agreement.

ASSIGNMENT - SECTION 9

Abatement may be transferred and assigned by the holder to a new owner or lessee of the same Eligible Property only upon the approval by resolution of the City Council subject to the financial capacity of the proposed assignee and provided that all conditions and obligations in the Abatement Agreement are guaranteed by the execution of a new agreement with the City. No assignment or transfer shall be approved if the parties to the existing Abatement Agreement, the new owner or new lessee are liable to any jurisdiction for outstanding taxes or other obligations. Approval shall not be unreasonably delayed or withheld.

SUNSET PROVISION - SECTION 10

These Guidelines and Criteria are effective upon the date of their adoption and will remain in force for two years, unless amended by three-quarters vote of the Big Spring City Council, at which time all Reinvestment Zones and Tax Abatement Agreements created pursuant to these provisions will be reviewed to determine whether the goals have been achieved. Based on that review, the Guidelines and Criteria will be modified, renewed, or eliminated.

[Signature Page Follows]

Adopted _____, 20__

Big Spring City Council:

_____	_____
Nick Ornelas District 1	Diana Yanez. District 2
_____	_____
Cody Hughes District 3	Homer Wilkerson District 4
_____	_____
Troy Tompkins District 5	Daniel Moreno District 6

_____
Robert H. Moore, Mayor

Exhibit A
Application
for
Tax Abatement

Application for Tax Abatement

City of Big Spring, Texas

Property Redevelopment & Tax Abatement Act
(Tex. Tax Code Chapter 312)

I. APPLICABLE INFORMATION

Application Date: _____

Is $1000 application fee included? Yes ____ No ____

Applicant Company: _____

Mailing Address: _____
_____
_____

Telephone Number: _____

Fax Number: _____

Applicant's Representative for contact regarding abatement request:

Name: _____

Mailing Address: _____
_____
_____

Telephone Number: _____

Fax Number: _____

II. PROPERTY AND PROJECT DESCRIPTION

This application is for a: New facility ____ Expansion ____ Modernization ____

Check the following target industry applicable to your company:

____ Aquaculture/Agriculture Facility	____ Research Facility
____ Distribution C enter Facility	____ Regional Service Facility
____ Manufacturing Facility	____ Office Building
____ Regional Entertainment/Tourism Facility	____ Wind Energy Facility
____ Historic Building in Designated Area	____ Other Basic Facility

Legal description of property to be considered for Tax Abatement/Reinvestment Zone (may be attached as Exhibit A):

Describe the proposed improvements for which abatement is requested (may be attached as Exhibit B):

Description of activities, products, or services to be produced and/or provided at project location:

Current Assessed Value: Real Property: $_____
Personal Property: $_____

Estimated start date of construction/site improvements:

Projected date of occupancy/commencement of operations at project site:

Requested level of Tax Abatement (%, years):

Will the project be entirely located within a currently existing reinvestment zone? __Yes __No

III. EMPLOYMENT IMPACT OF PROJECT

Projected number of new jobs created by the project: Full-time: ___ Part-Time: ___

Types of jobs to be created:

Estimated average annual salary of new jobs: $_____

Total estimated annual payroll for all new jobs: $_____

Number of jobs expected to be filled by local residents:

Number of jobs that will be transferred from other locations in Howard County:

IV. FISCAL IMPACT OF PROJECT

A. PROPERTY IMPROVEMENTS

Estimated Value of Eligible Property for ad valorem tax purposes: $_____

B. NET ECONOMIC BENEFIT

Estimated net economic benefit to the City of Big Spring: $_____

C. INFRASTRUCTURE IMPROVEMENTS

Will any infrastructure improvements be requested of the City of Big Spring for this project?

Yes ____ No ____

V. CERTIFICATION

I certify the information contained in this application (including all exhibits and addendum) to be true and correct to the best of my knowledge. I further certify that I have read the "Tax Abatement Guidelines and Criteria" for the City of Big Spring and agree to comply with the guidelines and criteria stated therein.

_____ _____

Signature Title

_____ _____

Printed Name Date

Exhibit A

Legal Description of Property to be considered for
Reinvestment Zone/Tax Abatement

Exhibit B

Proposed Improvements to be considered for
Tax Abatement

RESOLUTION NO. _____

A RESOLUTION OF THE CITY CONCIL OF THE CITY OF BIG SPRING, TEXAS AMENDING ARTICLE VIII OF THE CITY'S PERSONNEL POLICY – LEAVE - TO IMPLEMENT THE REQUIREMENTS OF SECTION 614.015, LOCAL GOVERNMENT CODE, ESTABLISHING A MENTAL HEALTH LEAVE POLICY FOR CITY OF BIG SPRING PEACE OFFICERS; PROVIDING FOR THE REPEAL OF CONFLICTING LEGISLATION; PROVIDING FOR SEVERABILITY; AND FINDING AND DETERMINING THAT THE MEETINGS AT WHICH THE RESOLUTION WERE DISCUSSED WERE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND ESTABLISHING AN EFFECTIVE DATE;

WHEREAS, the City of Big Spring Texas is a home rule municipality located in Howard County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas under its Home Rule Authority; and

WHEREAS, the Texas Legislature enacted Section 614.015 to the Texas Local Government Code and requiring political subdivisions to develop and implement a paid mental health leave policy for certain public safety personnel employed by the political subdivision who experience a traumatic event in the scope of that employment;

WHEREAS, City Council finds it necessary and proper to adopt this resolution

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

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

SECTION 2. The attached Exhibit A, titled "Mental Health Leave for Peace Officers," is hereby adopted in compliance with the requirements of Section 614.015, Texas Local Government Code.

SECTION 3. All resolutions or parts of resolutions and minute orders in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4. Should any one or more sections or clauses of this Resolution be adjudged unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

SECTION 5. It is hereby officially found and determined that the meetings at which this Resolution was adopted were open to the public and that public notice of the time, place and purpose of said meetings were given as required by law.

SECTION 6. This Resolution shall become effective immediately.

SECTION 7. This Resolution 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 **11th** day of **June, 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 **25th** day of **June, 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

MENTAL HEALTH LEAVE FOR PEACE OFFICERS POLICY

Insert the following Section 12 into Chapter VIII of the City of Big Spring Personnel Policies

Section 12. Peace Officer Mental Health Leave

A. POLICY

The purpose of this policy is to provide guidance in following Chapter 614.015 of the Government Code regarding the use of mental health leave for authorized peace officers employed by law enforcement agencies. Mental health leave will support staff in maintaining a healthy state of mind while at work and at home. The City of Big Spring recognizes that mental health is just as important as maintaining physical health. The City supports establishing a workplace that is comfortable, healthy, safe, and supportive.

B. APPLICABILITY

This policy applies to all appropriately licensed peace officers employed by the City of Big Spring. The Police Chief and Human Resources Director will be responsible for communicating and implementing this policy as applicable.

C. DEFINITIONS

Law Enforcement Agency: An agency of the state or an agency of a political subdivision of the state authorized by law to employ peace officers.

Peace Officer: An individual having met all requirements established by law and possessing the necessary licenses under the law; completed the basic licensing course; the state licensing examination; and thereafter having been appointed by Big Spring Police Department to serve as an officer.

Course and Scope of Employment: An activity of any kind or character that has to do with and originates in the work, business, trade, or profession of the employer and that is performed by an employee while engaged in or about the furtherance of the affairs or business of the employer. (Section 401.011(12) of the Texas Labor Code)

Identified Traumatic Event: A reasonable traumatic event occurring in the course and scope of employment which results in an adverse effect on the mental health of a peace officer resulting in the documented need for mental health leave.

D. CONDITIONS

The use of mental health leave may be granted after a peace officer experiences a traumatic event in the course and scope of employment. Traumatic events that may occur within a peace officer's career can have varying degrees of severity and effect on any one individual. Each employee may experience the same type of traumatic event differently. Below is a non-exhaustive list of possible examples of traumatic events in the course and scope of employment that can have an effect on an employee's mental health.

- Major disasters which may include response to weather related events involving multiple casualties; or explosions with multiple casualties; or search and recovery missions involving multiple casualties;

- Incidents involving multiple casualties which may include shootings or traffic accidents;

- Line of duty death or suicide of a department member;

- Death of a child resulting from violence or neglect;

- Officer(s) involved shooting of a person.

When such a traumatic event does occur while in the course and scope of employment, it is important for management staff to recognize the fact that some employees may be negatively affected and need to be away from work to appropriately process the traumatic incident and perhaps seek mental health assistance from a professional. In addition, it is important to provide support for employees.

An officer shall be allowed up to 3 days (24 hours) of paid mental health leave per identified traumatic event.

E. ANONYMITY

The agency will keep requests to take mental health leave and any medical information related to mental health leave under this policy confidential to the extent allowed by law and separate from the employee's general personnel file. The agency cannot guarantee anonymity of information that is otherwise public or necessary to carry out the agency's duties under the law.

F. EFFECT ON PAID LEAVE BALANCES

The agency will not reduce an eligible employee's personal Vacation, Sick, or Compensatory Time earned, or other paid leave balance for mental health leave taken in accordance with this policy.

G. EMPLOYEE RESPONSIBILITIES

After experiencing an identified traumatic event while in the course and scope of employment, it is prudent for the affected employee to openly communicate his/her current mental/physical status to their supervisor. Employees should be open to suggestions by their supervisor in using mental health leave and/or seeking assistance from a crisis intervention

professional. Communications/conversations regarding the affected employee's health status will be kept confidential by the supervisor and any other need-to-know management staff as required by state and federal law.

H. CHIEF OF POLICE OR HUMAN RESOURCES DIRECTOR RESPONSIBILITIES

Management/supervisors should privately meet with any individual who has experienced a traumatic event while in the course and scope of employment. Supervisors should ensure the employee will be supported as much as possible after experiencing the event. In addition, it is important for supervisors to determine if there is a need for the employee to use mental health leave. If a supervisor determines the employee may need advice and help from a crisis intervention professional, this should occur as quickly as possible. Any employee who requests mental health leave and/or the assistance of a crisis intervention professional after experiencing a traumatic event should be granted the request. Regarding the mental health leave, it is at the discretion of command staff in determining how long the initial mental health leave should be if medical documentation is unavailable. If additional mental health leave beyond that initially granted by command staff is needed, the supervisor will require medical documentation from the individual's treating medical provider to substantiate the need for such additional leave.

I. DOCUMENTING MENTAL HEALTH LEAVE

Once an employee has been granted use of mental health leave, the supervisor will notify Human Resources. The maximum number of mental health days an individual may use is 3 days (24 hours) per Identified Traumatic Event. If additional days beyond 3 are necessary, the employee must use accrued leave unless the leave is determined to be covered under workers' compensation. Request for additional leave must be substantiated in writing by the employee's treating medical provider. In addition, the employee will be required to submit to a fitness for duty examination before being allowed to return to work.

Mental health leave will run concurrently with FMLA where FMLA is available.

While utilizing mental health leave, employees will continue to earn all benefits, seniority, and applicable special pays.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY CONCIL OF THE CITY OF BIG SPRING, TEXAS PROVIDING FOR THE CITY'S APPROVAL OR DISAPPROVAL OF THE HOWARD CENTRAL APPRAISAL DISTRICT'S FISCAL YEAR 2025 BUDGET; AND FINDING AND DETERMINING THAT THE MEETINGS AT WHICH THE RESOLUTION WERE DISCUSSED WERE OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Big Spring is a taxing unit participating in the Howard Central Appraisal District ("HCAD") and is entitled to vote on the appointment of HCAD's board members; and

WHEREAS, the Howard Central Appraisal District ("HCAD") has submitted its fiscal year 2025 budget to the Mayor for consideration by City Council; and

WHEREAS, at their meeting on June 12, 2024, the HCAD Board of Directors voted to approve HCAD's budget for fiscal year 2025, the minutes from that meeting pending approval at a subsequent meeting; and

WHEREAS, if a majority of taxing units entitled to vote on the appointment of board members disapprove of HCAD's budget by resolution within 30 days of its adoption, HCAD must adopt a new budget within 30 days of the disapproval under Section 6.06(b), Texas Tax Code; and

WHEREAS, the City Council finds it to be in the public interest to either approve or disapprove of said proposed budget as indicated below;

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

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

SECTION 2. The City Council of Big Spring hereby _____ (APPROVES OR DISAPPROVES) the Howard Central Appraisal District's proposed fiscal year 2025 budget, as set forth in Exhibit A.

SECTION 3. The City Secretary is directed to promptly file a copy of this official resolution with the secretary of the Board of Directors of the Howard Central Appraisal District.

SECTION 4. It is hereby officially found and determined that the meetings at which this Resolution was adopted were open to the public and that public notice of the time, place and purpose of said meetings were given as required by law.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **25th** day of **June, 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 **9th** day of **July, 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

HOWARD CENTRAL APPRAISAL DISTRICT

2025

ADOPTED BUDGET

5-08-2025

Howard County Appraisal District

	2021 Budget	2022 Budget	2023 Budget	2024 Budget	2025 Working Budget
Income					
Tax Units	$ 1,083,902	$ 1,073,984	$ 1,108,089	$ 1,145,923	$ 1,181,081
Misc. Inc		$ 1,500			
Board Authorized Carryover from Surplus		$ 325,825			
Total	$ 1,083,902	$ 1,401,309	$ 1,108,089	$ 1,145,923	$ 1,181,081
Aerial Photography	$ 54,098	$ 54,598	$ 59,000	$ 59,000	$ 59,000
Appraisal Review Board	$ 4,475	$ 6,227	$ 10,000	$ 10,000	$ 10,000
Audit	$ 6,500	$ 6,750	$ 7,500	$ 6,500	$ 7,000
Board of Directors Expense	$ 1,382	$ 1,411	$ 6,000	$ 6,000	$ 6,000
Books and Subscriptions	$ 1,420	$ 3,593	$ 4,000	$ 4,000	$ 7,000
Building Rent	$ 22,155	$ 19,200	$ 19,200	$ 19,200	$ 19,200
Comp Eq, Maint, Website, Back up, Verizon	$ -	$ -	$ 5,000	$ 73,000	$ 80,000
Computer Equipment Maintenance	$ 2,174	$ 19,158	$ 15,000	-	$ -
Computer Software	$ 29,450	$ 170,714	$ 32,000	$ 52,000	$ 57,000
Contract Services	$ 225,000	$ 168,050	$ 175,000	$ 205,000	$ 240,000
Computer-Website Hosting-backups	$ 5,400	$ 14,393	$ 14,000	-	$ -
Custodial Service	$ -	$ 2,875	$ 3,900	$ 3,900	$ 3,900
Deed Information	$ 1,100	$ 1,500	$ 1,500	$ 13,500	$ 13,500
Dues and Licenses	$ 4,296	$ 2,878	$ 3,000	$ 3,000	$ 3,000
Education/Travel	$ 5,477	$ 5,765	$ 7,000	$ 18,000	$ 10,000
Insurance	$ 1,595	$ 3,043	$ 1,500	$ 6,000	$ 10,000
Legal Fees	$ 21,173	$ 16,224	$ 30,000	$ 10,000	$ 10,000
Legal Notices and Ads	$ 2,397	$ 2,906	$ 3,000	$ 3,200	$ 4,000
Public Relations	$ 12,777	$ 13,482	$ 15,000	$ 5,000	$ 5,000
Personnel Costs					
Salaries	$ 337,162	$ 352,026	$ 442,491	$ 390,359	$ 402,070
Medicare	$ 3,945	$ 4,742	$ 6,416	$ 5,660	$ 5,830
Retirement	$ 20,043	$ 14,635	$ 42,346	$ 37,084	$ 35,181
Health Insurance	$ 61,599	$ 73,183	$ 92,736	$ 92,320	$ 95,200
Workmans Comp/Unemployment	$ 2,147	$ 2,234	$ 8,100	$ 7,200	$ 7,200
Postage-Mailing costs	$ 20,458	$ 44,759	$ 32,000	$ 52,000	$ 37,000
Supplies-copier and supplies	$ 9,816	$ 22,359	$ 24,000	$ 24,000	$ 24,000
Vehicle Expense	$ 5,603	$ 6,628	$ 15,000	$ 10,000	$ 5,000
New Vehicle Savings	$ 2,412	$ 2,800	$ 2,800	$ 14,000	$ 14,000
Telephone	$ 4,679	$ 4,695	$ 6,600	$ 6,000	$ 6,000
Other Operation Costs	$ 9,647	$ 4,385	$ 10,000	$ 10,000	$ 5,000
Capital Expenditures	$ 9,687	$ 5,739	$ 14,000	-	-
Board Restricted legal-software sinking fund		$ 325,825			
Total	$ 888,067	$ 1,376,777	$ 1,108,089	$ 1,145,923	$ 1,181,081

Personnel Costs

Position	Salaries	Retirement	Medicare	Health Ins.	Misc. Emp. Tax
Chief Appraiser	$ 88,055	$ 7,705	$ 1,277	$ 11,900	$ 900
Deputy Chief Appraiser	$ 65,245	$ 5,709	$ 946	$ 11,900	$ 900
Administrative Assistant	$ 42,626	$ 3,730	$ 618	$ 11,900	$ 900
Appraiser	$ 45,279	$ 3,962	$ 657	$ 11,900	$ 900
Senior Appraiser	$ 46,340	$ 4,055	$ 672	$ 11,900	$ 900
Deed Clerk	$ 39,930	$ 3,494	$ 579	$ 11,900	$ 900
Clerical-ARB Coordinator	$ 38,721	$ 3,388	$ 561	$ 11,900	$ 900
Receptionist	$ 35,874	$ 3,139	$ 520	$ 11,900	$ 900
	$ 402,070	$ 35,181	$ 5,830	$ 95,200	$ 7,200

INCOME EXPLANATIONS

	2021	2022	2023	2024	2025
Tax Unit Payments	$ 1,083,902	$ 1,073,984	$ 1,108,089	$ 1,145,923	$ 1,181,081

This amount is calculated after taking the budgeted amount of expenses and subtracting any anticipated income such as interest earned or copy costs or other fees paid by the public.

Misc. Income	2021	2022	2023	2024	2025
	$ 3,653	$ -	$ 1,500		

The District invests its funds and receives a small amount of interest. Also income from copies of public information.

Board Authorized Surplus Retention	2021	2022	2023	2024	2025
			$ 325,825		

EXPENSE EXPLANATIONS

	2021	2022	2023	2024	2025
Aerial Photography	$ 54,098	$ 54,598	$ 59,000	$ 59,000	$ 59,000

The district contracts with EagleView, an oblique photography provider who flies the county every two years to provide updated aerial photography to assist appraisers in finding improvements that need to be added to the appraisal roll.

	2021	2022	2023	2024	2025
Appraisal Review Board	$ 4,475	$ 6,227	$ 10,000	$ 10,000	$ 10,000

The appraisal review board is a group of citizens who hear protests of property owners. They are appointed by the District Judge for two year terms and are paid $125 per day of service. In addition, they are required by state law to attend training sessions for which they are paid per diem and travel costs.

	2021	2022	2023	2024	2025
Audit	$ 6,500	$ 6,750	$ 7,500	$ 6,500	$ 7,000

Auditor recommended to account for a possible 3-5% increase.
The District funds are required to be audited annually by state law. The audit must be completed within 150 days of the end of the fiscal year. Copies of the audit are distributed to the tax units which pay the costs of the District operations. The Board of Directors may distribute excess funds back to the tax units as a refund in proportion to the way those funds were paid.

Board of Directors Exp.	2021	2022	2023	2024	2025
	$ 1,382	$ 1,411	$ 6,000	$ 6,000	$ 6,000

This account pays for the board of directors to attend conferences, along with travel and hotel for these conferences.

	2021	2022	2023	2024	2025
Books and Subscriptions	$ 1,420	$ 3,593	$ 4,000	$ 4,000	$ 7,000

Quickbooks and Papervision were moved to subscriptions: $1300 for Quickbooks and $1700 for Papervision.

The district purchases cost manuals and textbooks from several sources and updates that information annually.

	2021	2022	2023	2024	2025
Building Rental	$ 22,155	$ 19,200	$ 19,200	$ 19,200	$ 19,200

The district rents space from Howard County

	2021	2022	2023	2024	2025
Comp Equip/Maint/Website	$ 2,174	$ 19,158	$ 15,000	$ 73,000	$ 80,000

This account is now a combination of computer maintenance, equipment, website hosting, backups, and mapping.
This District contrtacts with BIS to maintain the computer equipment and internal network including website maintenance and mapping.
BIS gave an estimate of $8,500 more than last year.

	2021	2022	2023	2024	2025
Computer Software	$ 29,450	$ 170,714	$ 32,000	$ 52,000	$ 57,000

The appraisal district uses Harris Govern for its computer assisted mass appraisal software. This cost includes mobile software and updates required by state law and on-line assistance for staff. Harris Govern will cost $5,000 more for ADA and AOA intergrations with BIS.

	2021	2022	2023	2024	2025
Contract Services	$ 225,000	$ 168,050	$ 175,000	$ 205,000	$ 240,000

This account includes utility and complex property appraisals. The company providing these services is Thomas Y. Pickett.
TYP costs is predicted to increase $35,000 this year due to the vast increase in mineral accounts.

	2021	2022	2023	2024	2025
Computer backups, website hosting	$ 5,400	$ 14,393	$ 14,000	-	$ -

This account has been combined with the websites design, backup of data, mapping, and maint. of computer equipment account above.

	2021	2022	2023	2024	2025
Custodial Service	$ -	$ 2,875	$ 3,900	$ 3,900	$ 3,900

The district hires outside companies or individuals to clean the office.

	2021	2022	2023	2024	2025
Deed Information	$ 1,100	$ 1,500	$ 1,500	$ 13,500	$ 13,500

Deed takeoff information is provided to the deeds clerk so that the employee does not have to go to the County Clerk's office to get filed instruments. Our new Just Appraised software was free for the first year (2023), then $12,000 annually after that.

	2021	2022	2023	2024	2025
Dues and Licenses	$ 4,296	$ 2,878	$ 3,000	$ 3,000	$ 3,000

The district is a member of the Texas Association of Appraisal Districts which gives employees a reduced rate on education as well as other member services such as representation and information on legislation impacting appraisal districts.
This account also pays for license costs for employees required to register with the Texas Department of Licensing and regulation.

	2021	2022	2023	2024	2025
Education/Travel	$ 5,477	$ 5,765	$ 7,000	$ 18,000	$ 10,000

Education and Travel accounts have been combined. Less not that all appraisers have RPA.
This account covers the cost of tuition, travel, and per diem costs for employees to attend required schools to maintain their license.

	2021	2022	2023	2024	2025
Insurance	$ 1,595	$ 3,043	$ 1,500	$ 6,000	$ 10,000

This account is for all insurances besides health: car, office, and board member liability. The district has its contents insured with the TML.

Legal Fees	2021	2022	2023	2024	2025
	$ 21,173	$ 16,224	$ 30,000	$ 10,000	$ 10,000

This account is to pay for litigation costs.

Legal Notices and Advertisements	2021	2022	2023	2024	2025
	$ 2,397	$ 2,906	$ 3,000	$ 3,200	$ 4,000

Actual cost of legal notices and advertisements for last year was $3800
The district is required to publish various notices in the newspaper to make citizens aware of their rights and deadlines.

Was Mapping-Now Public Relations Account in 2024	2021	2022	2023	2024	2025
	$ 12,777	$ 13,482	$ 15,000	$ 5,000	$ 5,000

The Account has been combined with all other BIS services and this is now the Public Relations Line.
This account is used for connecting with the community. Booth equipment and space rentals come from this account.

Payroll Expenses-includes salaries, medicare, retirement and health insurance.		2021	2022	2023	2024	2025
	Salaries	$ 337,162	$ 352,026	$ 442,491	$ 390,359	$ 402,070

This proposed number includes a 3% increase in salaries.
This covers the salaries of 8 people in the office and are reflective of the professional requirements of licensed appraisers and managers.

Medicare	2021	2022	2023	2024	2025
	3,945.00	4,742.00	6,416.00	5,660.00	5,830.00

This accounts funds the appraisal district part of medicare tax.

Retirement	2021	2022	2023	2024	2025
	$ 22,027	$ 14,635	$ 42,346	$ 37,084	$ 35,181

The District is a member of the Texas County and District Retirement System which invests contributions on behalf of the employees. 7% is withheld from salaries and matched by the District. TCDRS is one of the four state retirement systems and is a Defined Contribution Plan. Prior to 2020, the district provided a more costly private retirement plan

Health Insurance	2021	2022	2023	2024	2025
	$ 61,599	$ 73,183	$ 92,736	$ 92,320	$ 95,200

This proposed number includes plan P621CHC that decreases out of pocket expenses for the employees.
This account funds a health care program for the employees. With the uncertainty of the health care industry, this amount reflects current spending plus a contengency.

Workman's Comp/Unemployment	2021	2022	2023	2024	2025
	$ 2,147	$ 2,234	$ 8,100	$ 7,200	$ 7,200

Worker's Comp Insurance, long-term disability, and other employee costs are included in this category. Disability if provided because the district has never participated in social security so the employees are not covered by SS disability.

Postage-Mailing costs	2021	2022	2023	2024	2025
	$ 20,458	$ 44,759	$ 32,000	$ 52,000	$ 37,000

Due to no longer needing to send TNT postcards, postage costs were decreased $15,000.
This covers postage costs for the mailing of notices and other required mailings. The amount increase is due to the increase in mainly mineral accounts. The number provided includes mailing estimates for TYP and our in house accounts. The district uses Variverge for all bulk mailings and Pitney-Bowes for all in house mailings.

Supplies-copier and supplies	2021	2022	2023	2024	2025
	$ 9,816	$ 22,359	$ 24,000	$ 24,000	$ 24,000

This account pays for copies, copy supplies, and printing paper, pens, clips, and other office supplies.

Vehicle Expense	2021	2022	2023	2024	2025
	$ 5,603	$ 6,628	$ 15,000	$ 10,000	$ 5,000

This account pays for fuel, oil changes, tires, and any other maintenance on the truck.

Was Insurance-Now New Vehicle Savings	2021	2022	2023	2024	2025
	$ 2,412	$ 2,800	$ 2,800	$ 14,000	$ 14,000

All Insurances were combined on another account above. This is now a new vehicle savings account.
Every year $14,000 goes into a savings account to be used when a new vehicle is needed.

Telephone	2021	2022	2023	2024	2025
	$ 4,679	$ 4,695	$ 6,600	$ 6,000	$ 6,000

This item covers the cost of telephone and long distance and connection with the Internet

Other Operation Costs	2021	2022	2023	2024	2025
	$ 9,647	$ 4,385	$ 10,000	$ 10,000	$ 5,000

Travel was combined with education. This is now the Other Operation costs line. This account is used on items difficult to categorize.

Capital Expenditures	2021	2022	2023	2024	2025
	$ 9,687	$ 5,739	$ 14,000	-	-

Board Restricted Legal-Software Sinking Fund	2021	2022	2023	2024	2025
			$ 325,825		

Funds from the prior budget are retained in order to purchase computer software or to pay for unforeseen legal costs due to litigation by major taxpayers.

PROPOSED ALLOCATION OF COST OF HOWARD COUNTY APPRAISAL DISTRICT

Tax Unit	2023 Levy	% of Total	Total Allocation-2024	Proposed Allocation-2025
Howard County	$ 22,154,854	0.1662722	$ 190,535	$ 196,381
Howard College	$ 16,420,428	0.1232353	$ 141,218	$ 145,551
Big Spring City	$ 8,591,016	0.0644756	$ 73,884	$ 76,151
Coahoma City	$ 246,859	0.0018527	$ 2,123	$ 2,188
Forsan City	$ 24,625	0.0001848	$ 212	$ 218
Big Spring ISD	$ 33,534,131	0.2516737	$ 288,399	$ 297,247
Coahoma ISD	$ 15,275,683	0.114644	$ 131,373	$ 135,404
Forsan ISD	$ 7,366,801	0.0552879	$ 63,356	$ 65,299
Permian UWD	$ 142,759	0.0010714	$ 1,228	$ 1,265
Sands ISD	$ 25,585,279	0.1920176	$ 220,037	$ 226,788
Borden County ISD	$ 1,521,975	0.0114224	$ 13,089	$ 13,491
Stanton ISD	$ 2,380,069	0.0178624	$ 20,469	$ 21,097
Total Levy/Total Budget	$ 133,244,479	1	$ 1,145,923	$ 1,181,081

BIG SPRING
TEXAS

State of Texas

County of **Howard**

Application for Permit to Operate a Private Ambulance Service

Name of Applicant: **Tac Med, Inc.**

Applicant Primary Place of Business Street Address: **1608 FM 700, Ste C**
Big Spring, TX 79720

Applicant Primary Place of Business Telephone: **432-333-4700**

Name of Owner/Corporate owners: **Loretta Cantu**

Owner's Address: [redacted]

Requested Date of Issuance of Permit: 6/7/2024

Application for: ☐ Emergency Ambulance Permit ☑ Transfer Ambulance Permit

1. Has the applicant been convicted of a felony or misdemeanor involving moral turpitude within the last ten years? ☐ Yes ☑ No
2. Has any individual, firm, partnership, association, or corporation holding any ownership interest in the applicant been convicted of a felony or misdemeanor involving moral turpitude within the last ten years? ☐ Yes ☑ No
3. Does applicant employ any driver for an ambulance authorized by this permit who was convicted of a felony or misdemeanor involving moral turpitude within the last ten years? ☐ Yes ☑ No
4. By signature below, the Applicant acknowledges that if any answer to questions 1, 2, or 3 is or becomes "Yes" during the permit's duration, the City of Big Spring will have grounds for revocation or suspension of the ambulance operator's permit under the ordinance.
5. Does the Applicant state that it has obtained or will obtain liability insurance by an insurance company licensed to do business in the State of Texas of not less than $50,000 for any one accident and not less than $25,000 for injury to any one person? ☑ Yes ☐ No
   Please attach proof of insurance, or provide to City Manager prior to commencing operations under the permit, if granted.
6. Has the Applicant has been issued a permit or license as an emergency medical services provider by the Texas Department of State Health Services pursuant to Chapter 733, Texas Health and Safety Code? ☑ Yes ☐ No
7. State the applicant's DSHS licensed EMS provider license number: [redacted]

8. Emergency Ambulance Permit Only. By signature below, Applicant states Applicant is willing and able to provide emergency ambulance service on a continuous 24-hour basis, furnishing proof of intent and ability to do so. (Optional: Attach documentation.)
9. Emergency Ambulance Permit Only. (List number of vehicles- describe medical service(s), including the make, model, and year of manufacture, license number for current year, VIN number and type of emergency service vehicle (ALS, BLS or MICU))

   _____

   _____

   _____

   (Attach additional sheet(s) as necessary.)
   If the application is made before one or more of such ambulances have been acquired by the applicant, then furnish to the City Manager before issuance of a permit for such vehicle.
10. The initial fee for an ambulance permit is $250.00. A check or money order may be attached to this application.

_____ 6/7/2024
Applicant Signature Date

Loretta Cantu
Print Name

Sworn to and subscribed before me on the 7 day of June, 2024, by Loretta Cantu (name of signer).

(Personalized Seal)

EDUARDO CANTU
Notary Public, State of Texas
Comm. Expires 11-03-2027
Notary ID 128790398

_____
Notary Public's Signature

Official Use Only:

At a public hearing held on this day by the City Council of Big Spring, having heard all of the relevant and material evidence presented by the Applicant and the Applicant's witnesses, and by any persons or witnesses heard on the application, with the burden of proof on Applicant, by clear and convincing evidence, City Council finds and determines that the public convenience and necessity ☐ **will** ☐ **will not** be served by the issuance of the ambulance operator's permit for a period of one year.

Decided by the City Council on this the _____ day of _____, 20__.

_____
Robert H. Moore, III, Mayor

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 6/07/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME:	
Cindy Elbert Insurance Services Inc 15182 North 75th Ave, Ste 100 Peoria, AZ 85381	PHONE (A/C, No, Ext): 602-942-3900	FAX (A/C, No): 602-942-4300
	E-MAIL ADDRESS: info@AmbulanceInsurance.com	

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Capitol Specialty Ins, Co	10328
INSURER B : RLI Insurance Company	13056
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
Tac Med, Inc.

PO Box 1646
Mission, TX 78573

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY [ ] PRO-JECT [ ] LOC OTHER:			MM20202125-05	1/24/2024	1/24/2025	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 100,000 $ 5,000 $ 1,000,000 $ 3,000,000 $ 1,000,000
B	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY X HIRED AUTOS ONLY X SCHEDULED AUTOS X NON-OWNED AUTOS ONLY			CAP9508665	1/24/2024	1/24/2025	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $
	UMBRELLA LIAB [ ] OCCUR EXCESS LIAB [ ] CLAIMS-MADE DED [ ] RETENTION $						EACH OCCURRENCE AGGREGATE	$ $
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N [ ] (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N / A					[ ] PER STATUTE [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ $ $
A	Professional Liability Claims Made Retro 1/24/22			MM20202125-05	1/24/2024	1/24/2025	$1,000,000 Each Claim $3,000,000 Aggregate	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Verification of Insurance

CERTIFICATE HOLDER

City of Big Spring
Attn: City Manager
310 Nolan St
Big Spring, TX 79720

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Cindy Elbert

© 1988-2015 ACORD CORPORATION. All rights reserved.

The ACORD name and logo are registered marks of ACORD

TEXAS
Health and Human Services

Texas Department of State Health Services

This certifies that

TAC MED INC

License Number: [redacted]

has submitted acceptable evidence of compliance with the Texas Health and Safety Code, Chapter 773, the Texas EMS Act, and is hereby granted a License as a **TEXAS EMERGENCY MEDICAL SERVICES PROVIDER**. This License is not transferable and is valid only for use by the provider named above.

Expiration Date: 3/31/2026

If you have a complaint about the services you have received from this EMS Provider or if you have a reason to believe that a violation of Texas EMS regulations has occurred, please report your concerns to the Texas Department of State Health Services at:

1-800-452-6086 or by email to **EMS_Complaint@dshs.texas.gov**

Document Number: 8909

Tac Med Inc
PO Box 1646
Mission, TX 78572

Plains Capital Bank
111322994

8932

Check date: 06/07/24

Pay to the order of: CITY OF BIG SPRING $ **********250.00

Two Hundred Fifty And 00/100 Dollars********

CITY OF BIG SPRING
310 NOLAN STREET
BIG SPRING, TX 79720

[redacted]

From: Tac Med Inc
To: CITY OF BIG SPRING
Account:

Check Date: 06/07/24
Check Number: 8932

Payable Detail

Date	Reference	PO Number	Amount	Discount	Amount Paid
06/07/24	PERMIT 2024		250.00	0.00	250.00

Payment Detail

Date	Reference	Type	Discount	Amount Paid
06/07/24	8932	AP check	0.00	250.00

YTD Amount Billed	YTD Disc Taken	YTD Amount Paid
250.00	0.00	250.00

Current Pay 250.00

REORDER FORM #339LG1