



CITY COUNCIL REGULAR AGENDA

Tuesday, September 10, 2024

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, September 10, 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 - Annual Budget for Fiscal Year 2024-2025 | | Smith |
| 7. PUBLIC HEARING - Proposed Tax Rate for Year 2024 | 8 | Smith |
| 8. PUBLIC HEARING - Regarding a Zone Change Z24-02: General Residential (GR) to Heavy Commercial (HC) for Property 297365, 2201 Old Bankhead Hwy (Old State Highway 80), Which is 2 Acres in SC 32 BK 33 1N 620, City of Big Spring, Howard County Texas | 9-12 | Bowles |
| 9. PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 910 E 15TH, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 6, BLOCK 37, COLE & STRAYHORN SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: B&C STARR, LLC | 13-52 | Hagen |
| 10. PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 501 DONLEY, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 12, BLOCK 16, BOYDSTUN SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: MANUEL ARRIAGA | 53-91 | Hagen |
| 11. PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 910 N RUNNELS, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: SE/4 OF SECTION 42, BLOCK 32, TOWNSHIP 1 NORTH, TRACT 21, WILLIAM B CURRIE SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: THE ESTATE OF TERRENCE YOUNG | 92-152 | Hagen |
| 12. PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 4110 MUIR, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 6, BLOCK 1, MUIR HEIGHTS SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: MARTIN P. CARRILLO | 153-187 | Hagen |

- | | | |
|---|---------|-------|
| 13. PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 707 WYOMING, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 10, BLOCK 3, BANKS SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: THE ESTATE OF WILL JOHNSON | 188-231 | Hagen |
| 14. Close Public Hearings | | Moore |

City Manager's Report

- | | | |
|---|--|--------|
| 15. City Manager's report on the following items: | | Darden |
| <ul style="list-style-type: none"> • Update - Large Item Pickup, District 3 - Sept. 18th • City Wishes to Express our Sincere Condolences to the Family of Battalion Chief Greg McAlister | | |

Consent Items

- | | | |
|---|---------|--------|
| 16. Approval of the City Council Minutes of the Regular Meeting of August 27, 2024. | 232-238 | Davis |
| 17. Final Reading of a Resolution Approving a Negotiated Settlement Between the Executive Committee of Cities Served by Atmos West Texas ("Cities") and Atmos Energy Corp., West Texas Division Regarding the Company's 2024 Rate Review Mechanism Filing; Declaring Existing Rates to be Unreasonable; Adopting Tariffs that Reflect Rate Adjustments Consistent with the Negotiated Settlement; Finding the Rates to be Set by the Attached Settlement Tarifs to be Just and Reasonable and in the Public Interest; Approving an Attachment Establishing a Benchmark for Pensions and Retiree Medical Benefits; Requiring the Company to Reimburse Cities' Reasonable Ratemaking Expenses; Determining that this Resolution was Passed in Accordance with the Requirements of the Texas Open Meetings Act; Adopting a Savings Clause; Declaring an Effective Date; and Requiring Delivery of this Resolution to the Company and the Cities' Legal Counsel | 239-250 | Medina |

Vouchers

- | | | |
|---------------------------|---------------|--------|
| 18. Vouchers for 08/29/24 | \$ 336,692.60 | Yanez |
| 19. Vouchers for 09/05/24 | \$ 440,237.41 | Hughes |

Bids

- | | | |
|---|---------|--------|
| 20. Consideration and Possible Action on Awarding a Bid for the Asbestos Abatement and Demolition of the Control Tower located at McMahon-Wrinkle Airport and Authorizing the City Manager or His Designee to Execute any Necessary Documents | 251-254 | Feeley |
| 21. Consideration and Possible Action on Awarding a Bid for the Construction of ADA Compliant Sidewalks for the New Playground at Comanche Trail Park and Authorizing the City Manager or His Designee to Execute any Necessary Documents | 255 | Medina |
| 22. Consideration and Possible Action on Awarding Annual Bids and Authorizing the City Manager or His Designee to Execute any Necessary Documents as Follows: | | Medina |
| a. Aluminum Sulfate | 256 | Medina |
| b. Anhydrous Ammonia | 257 | Medina |
| c. Liquid Chlorine | 258 | Medina |
| d. Polymer | 259 | Medina |
| e. Sodium Hydroxide | 260 | Medina |
| f. Sulfur Dioxide | 261 | Medina |
| g. Valves & Fittings | 262 | Medina |
| h. Sodium Permanganate | 263 | Medina |

New Business

- | | | |
|--|---------|-------------|
| 23. Consideration and Possible Action Regarding the Big Spring Economic Development Corporation's Annual Budget for 2024-2025 | 264-267 | Mark Willis |
| 24. First Reading of an Ordinance Approving and Adopting an Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2024 and Ending September 30, 2025; Providing for Severability; and Providing an Effective Date | 268-271 | Smth |
| 25. First Reading of an Ordinance Fixing and Levying Municipal Ad Valorem Taxes for Said City for the Year 2024 ; Directing the Assessment and Collection Thereof; Providing for | 272-275 | Smith |

Severability; and Establishing an Effective Date

"I Move that the Property Tax Rate be Increased by the Adoption of a Tax Rate of \$0.671465 per \$100 Taxable Assessed Valuation, Which is Effectively a 5.57% Increase in the Tax Rate."

- | | | | |
|-----|--|-------------|--------|
| 26. | First Reading of an Ordinance Ratifying the Property Tax Increase Reflected in the Fiscal Year 2024-2025 Budget that Will Require Raising More Revenue from Property Taxes than in the Prior Fiscal Year 2023-2024 Budget | 276-
277 | Smith |
| 27. | First Reading of an Ordinance Authorizing Z24-02 and Amending the Big Spring Zoning Ordinance by Rezoning Approximately 2 Acres Out of 2201 Old Bankhead Highway, Section 32, Block 33, City of Big Spring, Howard County, Texas from General Residential to Heavy Commercial; Providing for Repeal of Conflicting Legislation; Providing for Severability; Finding and Determining that the Meetings at Which the Ordinance was Discussed Were Open to the Public as Required by Law; and Providing an Effective Date | 278-
279 | Bowles |
| 28. | Boards and Committees
Consideration and Possible Action on the Below Listed Boards & Committees Regarding Expired Terms as of 9/30/24 & Vacancies: | 280-
282 | Moore |
| a. | <u>McMahon/Wrinkle Aviation Advisory Board</u>
Dist. 2 - Adriel Saldivar, Current Member
Dist. 3 - No Current Member
Dist. 4 - Shane Schaffner, Current Member
Dist. 6 - Steven Boatenhamer, Current Member | | |
| b. | <u>Board of Adjustments & Appeals</u>
Dist. 1 - No Current Member
Dist. 2 - Rosie Franco - Current Member
Dist. 3 - No Current Member
Dist. 4 - No Current Member
Dist. 5 - No Current Member
Dist. 6 - No Current Member | | |
| c. | <u>Planning & Zoning Commission</u>
Dist. 2 - TJ Stewart, Current Member
Dist. 4 - No Current Member
Dist. 6 - No Current Member | | |

- d. Zoning Board of Adjustments
 Dist. 2 - Julie Ramirez, Current Member
 Dist. 4 - No Current Member
 Dist. 6 - Mark Sheedy, Current Member
- e. Zoning Board of Adjustments - Alternates
 Dist. 2 - Jose Olivias, Current Member
 Dist. 3 - No Current Member
 Dist. 4 - Jan Hansen, Current Member
 Dist. 5 - No Current Member
 Dist. 6 - April Gutierrez, Current Member
 Mayor - No Current Member
- f. Animal Rescue & Adoption Committee
 Dist. 2 - Julia Hartman, Current Member
 Dist. 3 - No Current Member
 Dist. 4 - Jeff Lane, Current Member
 Dist. 6 - No Current Member
- g. Big Spring Economic Development Corporation
 Dist. 2 - Anna Scott, Current Member
 Dist. 3 - No Current Member
 Dist. 6 - Kevin Armstrong, Current Member

Council Input

29. Input Moore

Executive Session

- 30. ADJOURN into Executive Session in Matters Covered by Section 551.074, Texas Government Code, "Personnel Matters; Closed Meeting" to Deliberate the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline or Dismissal of the following:
 City Attorney
 City Manager
 Municipal Judge Moore
- 31. ADJOURN into Executive Session in Accordance with the Purposes Permitted by the Open Meetings Act, Section 551.071, Texas Government Code, "Consultation with Attorney; Closed Meeting," and the Texas Disciplinary Rules of Professional Conduct, to Provide Legal Advice and Counsel with Respect to Potential Litigation. Moore
- 32. Reconvene into Open Session and Take Any Necessary Moore

Action Regarding the Executive Sessions.

33. Adjourn

Moore

The City Council reserves the right to meet in executive session on any agenda item should the need arise pursuant to Chapter 551, Subchapter D of the Texas Government Code, or the Texas Disciplinary Rules of Professional Conduct.

I hereby certify that this agenda was posted on the official bulletin board at the City of Big Spring, City Hall Building, located outside 310 Nolan Street. Given by order of the City Council and **Posted on Friday, September 6, 2024 at 4:30 p.m.** in accordance with Title 5, Texas Government Code and Chapter 551.

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


Tami L. Davis, City Secretary

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

City of Big Spring, Texas
The Proposed Annual Budget for
October 1, 2024 to September 30, 2025

Tax Rate	Proposed FY 2024-25	Adopted FY 2023-24
Proposed Property Tax Rate	.671465	.636039
No New Revenue Rate (Effective Rate 2019-20)	.610843	.636039
M & O Tax Rate	.588350	.550269
Sales Tax Adjusted Voter Approval Rate (Rollback Rate 2019-20)	.696170	.716457
De minimis Rate	.648799	.670429
Debt Service Rate	.083115	.085770

The total amount of municipal debt obligations secured by property taxes for the City of Big Spring is \$4,325,000.



Memo

Meeting Date: September 10, 2024

To: Planning and Zoning Commission

From: Cameron Walker, Contract Planner

Subject: Request for zone change approval on the following property:
Being a 2.094-acre tract of land situated in the SW/4 of Section 32, Block 33, T-1-N, T. & P. R.R. Co. Survey, Abstract No. 597, Howard County, Texas.

Contact: Cameron Walker, Contract Planner, 432-349-5102

Analysis:

The property is currently undeveloped; it is zoned GR, General Residential and HC, Heavy Commercial District. The HC portion of the tract is located closer to the Old West Hwy 80 roadway. The rear of the property to the southeast is zoned for GR and is vacant. The HC portion is developed with a fuel tank, five electrical valves, an electrical box and a control house. It is fenced. The applicant, GenStack Power, LLC, wishes to use the GR portion of the tract to place electricity generators that will utilize diesel fuel. The property to the southeast and outside of the subject tract is vacant. Neighboring uses include a boarded up, damaged old house to the south and an electric generating station to the north.

Eight letters were mailed by staff to neighboring property owners within 200' of the land parcel; the notification complies with state law and the city's zoning regulations. Nine letters were sent out with one objection being returned. Staff recommends approval of the zone change application from General Residential District to Heavy Commercial District.

Attachments: Map highlighting subject property, zone change application & objection letter.

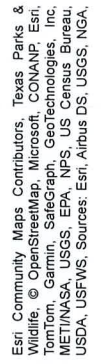
ETJ

☐ Howard County Parcels

☐ Howard County Parcels

☐ Howard County Parcels

A horizontal scale bar with tick marks. The top row of labels is 0, 0.03, 0.05, 0.1 mi. The bottom row of labels is 0, 0.04, 0.08, 0.16 km.





Zone Change Application

General Information

- Prior to the submittal of an application, the applicant is encouraged to schedule a pre-application meeting with City Staff.
- This application will not be scheduled for hearing until reviewed by the Director of Public Works or designee.

Request Type

☒ Straight Zoning

☐ Planned Development

☐ PD Amendment

☐ Specific Use Permit - SUP

Applicant Information

☒ Property Owner

☐ Authorized Representative

☐ Project Manager

Authorized Representatives/Project Managers must provide a notarized affidavit required including signature of legal owner(s)

Name: Troy Vaughn (Manager of GenStack Power LLC)

Phone Number: 469-600-8331

Mailing Address: 7301 State Highway 161, Suite 215 Irving, TX 75039

Email Address: tvaughn@principlesvc.com

Project Information To install 9.9 MW of Diesel Generators to act as a peaking power plant (minimal run time per year)

Name of Project (if applicable): **GS Big Spring**

Subject Property Address and/or Location (Use attachment, if necessary): 2201 Old Bankhead Highway

Legal Description (Use attachment, if necessary): SC 32 BK 33 1N 620 2 ACRES

Current Zoning: **GR**

Requested Zoning: **HC**

Comprehensive Plan Designation:

Existing Use of Property: **Diesel Generation of electricity**

Proposed Use of Property: Diesel Generation of electricity (storage of generators and peaking power)

I hereby certify that I am the owner or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect, the permit or approval may be revoked.

Signature: Troy L Vaughn

Date: 7/26/2024

OFFICE USE ONLY

Case Number:

Date of Application:

Date Fee Received (\$400.00):
Fee \$325.00 - SUP:

Affidavit attached?: ☐ Yes ☐ No ☐ N/A

P&Z Meeting Date:

City Council 1st Reading Date:

City Council 2nd Reading Date:

PLANNING & ZONING COMMISSION

Z24-02: General Residential (GR) to Heavy Commercial (HC) for property 297365 2201 Old Bankhead Hwy (Old State Highway 80) which is 2 acres in SC 32 BK 33 1N 620.

I DO NOT OBJECT ☐

I OBJECT ☒

COMMENTS:

- See Below -

NAME: Kenneth Birmelin

PHONE# (432) 816-1364

ADDRESS: 111 GRANT STREET Big Spring Texas 79720

Kenneth Birmelin 8/27/2024
Signature

(1) What kind of Commercial business?

(2) Air Quality (print out available?)

(3) How will this affect property taxes

(4) ~~Business~~ 80/West - Asphalt Roadway is still

Damaged; From The First Time They Moved Four Heavy Backup Generator's To - And Away From This Location.

I Honestly Don't Think "Old Highway 80" CAN withstand much more Heavy Equipment Damage - with only POT HOLE REPAIR'S been preformed;

(5) The Exhaust from Engine "START-UP", and Noise Levels and Vibration's Can Be Noticed - 2 block's AWAY.

(when More Than Two Engine's ARE STARTED at the SAME TIME.)

OLD STATE
HIGHWAY
80
(WEST)

910 E 15TH

Code Compliance Official: Shannon Fant

Exhibit A-1

STATE OF TEXAS

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COUNTY OF HOWARD

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**AFFIDAVIT OF SHANNON FANT
CONCERNING 910 E 15TH**

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

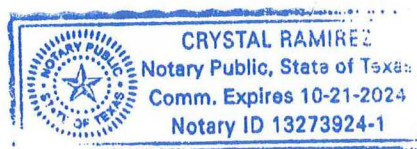
“My name is **Shannon Fant**. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

“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 **910 E 15TH**, 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 5th day of September, 2024.

Shannon Fant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024 by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit A-2

24-00000618

Property Details

Account		
Property ID:	279196	Geographic ID: B2880040000
Type:	Real	Zoning:
Property Use:		Condo:
Location		
Situs Address:	910 E 15TH	
Map ID:		Mapsco:
Legal Description:	LT 6 BK 37 COLE & STRAYHORN 50X140 748 ACQ 01252021 BLK/TRACT 37 0.161 ACRES	
Abstract/Subdivision:		
Neighborhood:	GOLD1	
Owner ?		
Owner ID:	436480	
Name:	B&C STARR, LLC	
Agent:		
Mailing Address:	1308 TUCSON BIG SPRING, TX 79720	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$37,199 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$5,786 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$42,985 (=)

Agricultural Value Loss: ?	\$0 (-)
Appraised Value:	\$42,985 (=)
Homestead Cap Loss: ?	\$0 (-)
Assessed Value:	\$42,985
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: B&C STARR, LLC **%Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.238916	\$42,985	\$42,985	\$102.70	
02B	CITY OF BIG SPRING	0.673163	\$42,985	\$42,985	\$289.36	
03B	BIG SPRING ISD	0.930900	\$42,985	\$42,985	\$400.15	
052	HOWARD COLLEGE	0.168395	\$42,985	\$42,985	\$72.38	

Total Tax Rate: 2.011374

Estimated Taxes With Exemptions: \$864.59

Estimated Taxes Without Exemptions: \$864.59

STATE OF TEXAS

COUNTY OF HOWARD

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CERTIFICATION
910 E 15TH 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.

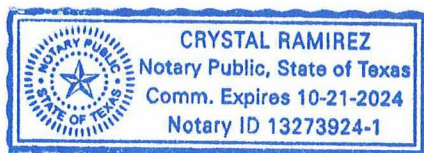
1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout 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 5 day of September, 2024.

Stant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024

by the above referenced Affiant.



Angie Bandy
Notary Public, State of Texas

Exhibit A-3



CASE NOTES

Page 1 of 1

Report Run On: Monday, 01 July 2024
08:28

Case # 24-00000618

Parcel # : 279196

Site Address: 910 E 15TH

Case Description: SUBSTANDARD BUILDING IN BACK YARD

Note Type	Note Code	Text	Created By	Begin Date	End Date
SITE VISIT		REINSPECTED THE PROPERTY NO CHANGES OR IMPROVEMENTS HAVE BEEN MADE AND NO CONTACT BACK FROM PROPERTY OWNER, WILL PROCEED TO LEGAL	Shannon Fant	06/27/24	
SITE VISIT		INSPECTED PROPERTY FOUND TO HAVE A SUBSTANDARD BUILDING IN THE BACK	Shannon Fant	04/30/24	

STATE OF TEXAS

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COUNTY OF HOWARD

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**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 April 30, 2024 and June 27, 2024, I inspected the property described as:

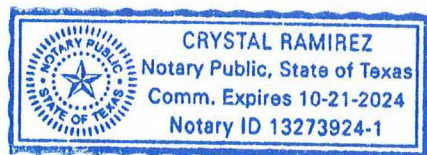
LOT 6, BLOCK 37, COLE & STRAYHORN SUBDIVISION, BIG SPRING,
HOWARD COUNTY, TEXAS also known as **910 E 15TH**, Big Spring, Texas.

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

SIGNED on the 5 day of September, 2024.

Shannon Fant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024
by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit A-4

24-0000618

Galaxy Tab S8+
April 30, 2024 9:07 AM



24-00000618

5-10-2024 10:07 AM
APR 30, 2024 9:07 AM



24-00000618

Galaxy Tab S8+
April 30, 2024 7:07 AM



24-0000018

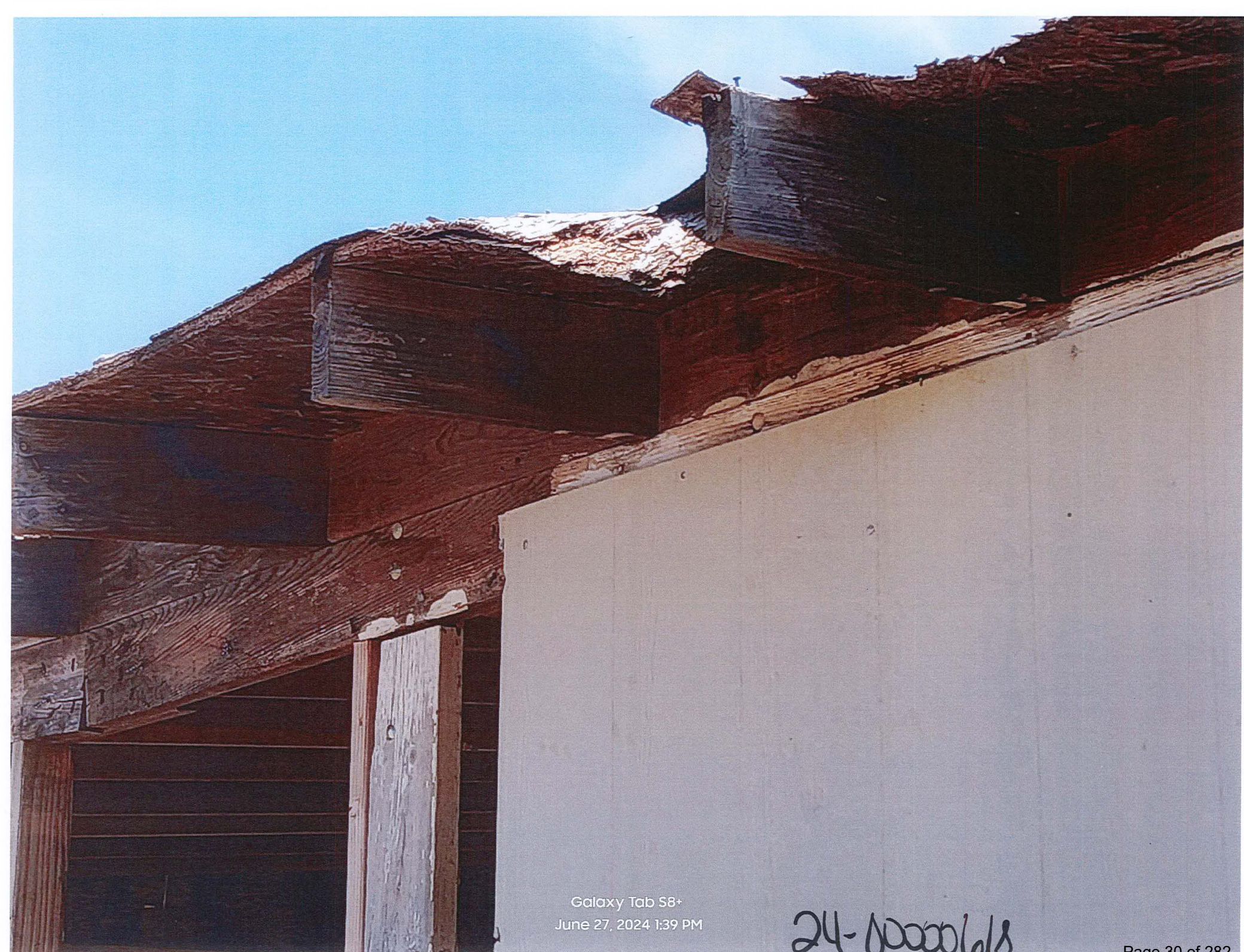
Galaxy Tab S8+
April 30, 2024 9:08 AM

24-00000618

Galaxy Tab S8+
June 27, 2024 1:39 PM

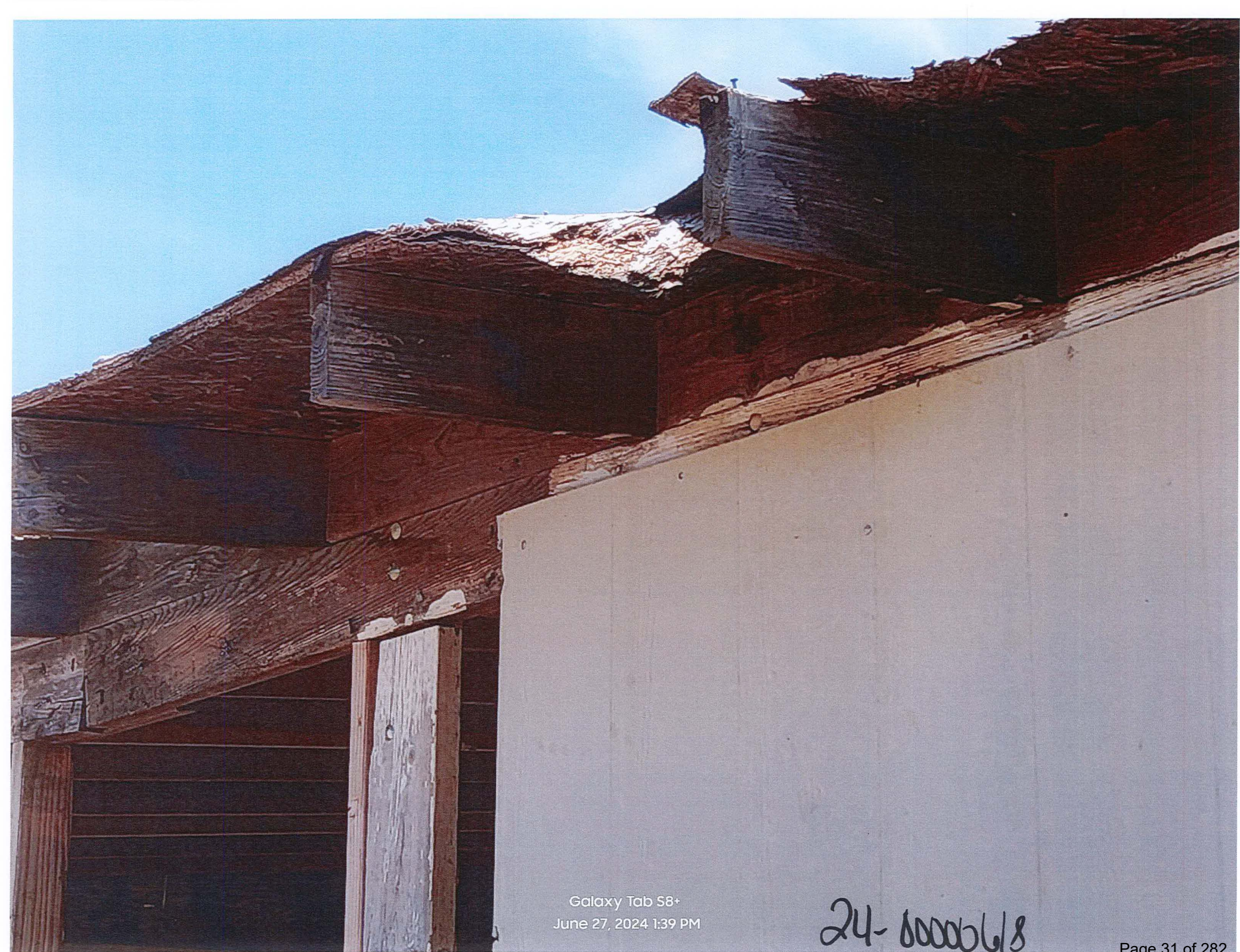


Galaxy Tab S8+
June 27, 2024 1:39 PM



Galaxy Tab S8+
June 27, 2024 1:39 PM

24-00000618



Galaxy Tab S8+
June 27, 2024 1:39 PM

24-00006618

24-0000668

Galaxy Tab S8+
June 27, 2024 1:39 PM

24-0000018

STATE OF TEXAS

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COUNTY OF HOWARD

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**CERTIFICATION
NOTICE SENT BY SHANNON FANT**

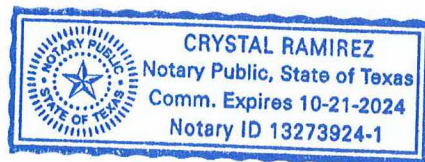
“The document in **Exhibit A-5** presents factual findings from a legally authorized investigation for code compliance. The document is a copy of the official record.”

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

SIGNED on the 5 day of September, 2024.

Shannon Fant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024
by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit A-5



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](https://www.mybigspring.com/ratkins@mybigspring.com)

May 03, 2024

1308 TUCSON
BIG SPRING, TX 79720

RE: Code Compliance Case No. 24-00000618

B&C STARR, LLC,

Location : 910 E 15TH , BIG SPRING TX

Complaint Description:

SUBSTANDARD BUILDING IN BACK YARD

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.

**THE STRUCTURE ON THIS PROPERTY DOES NOT MEET MINIMUM BUILDING STANDARDS.
THE STRUCTURE NEEDS TO BE BROUGHT UP TO BUILDING CODE OR
DEMOLISHED/REMOVED.**

DEADLINE FOR COMPLIANCE IS SEVEN DAYS FROM DATE OF MAILING. 05.03.2024



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 is not 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



Code Compliance

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

**NOTICE OF VIOLATION
AND NOTICE OF HEARING**

Sent via: Certified Mail; Return Receipt Requested

August 30, 2024

B&C STARR, LLC
1308 Tucson Rd.
Big Spring, Texas 79720

B&C STARR, LLC
910 E. 15th St.
Big Spring, Texas 79720

Billy Starr & Christina Menchaca
2509 E. 24th St.
Big Spring, Texas 79720

Ruperto Ramos Jr.
3702 Hamilton St.
Big Spring, Texas 79720

Re: 910 E 15TH, BIG SPRING, TEXAS 79720
LEGAL DESCRIPTION: LOT 6, BLOCK 37, COLE & STRAYHORN
SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS, Howard County

Big Spring Code Compliance has determined that at the following structure(s): BACK STRUCTURE CARPORT, 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	The structure has weather damage. The building is neglected, damaged, dilapidated and

conditions or defects described as follows shall be considered to be hazardous: 3. Any building, structure, or portion thereof that is dangerous. 6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy. 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.	unsecured so as to constitute an attractive nuisance. Hazardous condition.
304.1.1 UNSAFE CONDITIONS. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 1. Structural members have deterioration or distress that appears to reduce their load-carrying capacity. 3. Structures or components thereof have deterioration or distress that appears to reduce their load-carrying capacity. 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.	Weather damage appears to have affected the building's load-carrying capacity and deteriorated the structural members of the building. 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:

REPAIR OR DEMOLISH AND REMOVE
of BACK STRUCTURE CARPORT.

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

Issued by

Shannon Fant

Name

Code Compliance Official

Title

+1 (432) 264-2508

Phone

sfant@mybigspring.com

E-mail

The City's goal is voluntary compliance.

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

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

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

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

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

5:30 PM, September 10, 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,

A handwritten signature in blue ink, appearing to read 'Shannon Fant', is written over a horizontal line.

Shannon Fant, Code Compliance Official
City of Big Spring, Texas

9589 0710 5270 1749 6554 42

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 \$	8/30/2024
Extra Services & Fees (check box, add fee as appropriate)	Postmark Here
☐ Return Receipt (hardcopy) \$	
☐ Return Receipt (electronic) \$	
☐ Certified Mail Restricted Delivery \$	
☐ Adult Signature Required \$	
☐ Adult Signature Restricted Delivery \$	
Postage \$	910 E. 15TH
Total Postage and Fees \$	Final Notice
Sent To B3C STARR LLC	
Street and Apt. No., or PO Box No. 1308 Tucson Rd.	
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 1749 6554 59

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 \$	8/30/2024
Extra Services & Fees (check box, add fee as appropriate)	Postmark Here
☐ Return Receipt (hardcopy) \$	
☐ Return Receipt (electronic) \$	
☐ Certified Mail Restricted Delivery \$	
☐ Adult Signature Required \$	
☐ Adult Signature Restricted Delivery \$	
Postage \$	910 E. 15TH
Total Postage and Fees \$	Final Notice
Sent To B3C STARR, LLC	
Street and Apt. No., or PO Box No. 910 E. 15th 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 1749 6554 66

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 \$	8/30/2024
Extra Services & Fees (check box, add fee as appropriate)	Postmark Here
☐ Return Receipt (hardcopy) \$	
☐ Return Receipt (electronic) \$	
☐ Certified Mail Restricted Delivery \$	
☐ Adult Signature Required \$	
☐ Adult Signature Restricted Delivery \$	
Postage \$	910 E. 15TH
Total Postage and Fees \$	Final Notice
Sent To Billy Starr & Christina Menchaca	
Street and Apt. No., or PO Box No. 2509 E. 24th 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 1749 6554 73

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 \$	8/30/2024
Extra Services & Fees (check box, add fee as appropriate)	Postmark Here
☐ Return Receipt (hardcopy) \$	
☐ Return Receipt (electronic) \$	
☐ Certified Mail Restricted Delivery \$	
☐ Adult Signature Required \$	
☐ Adult Signature Restricted Delivery \$	
Postage \$	910 E. 15TH
Total Postage and Fees \$	Final Notice
Sent To Ruperto Ramos Jr.	
Street and Apt. No., or PO Box No. 3700 Hamilton St.	
City, State, ZIP+4® Big Spring, TX 79720	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

USPS Tracking®

FAQs >

Tracking Number:

9589071052701749655442

Remove X

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to an individual at the address at 12:54 pm on August 31, 2024 in BIG SPRING, TX 79720.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

BIG SPRING, TX 79720

August 31, 2024, 12:54 pm

See All Tracking History

Feedback

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

Text & Email Updates

▼

USPS Tracking Plus®

▼

Product Information

▼

See Less ^

Tracking Number:

9589071052701749655459

Remove X

[Copy](#)[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

Latest Update

Your item was returned to the sender on September 3, 2024 at 8:46 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

September 3, 2024, 8:46 am

Arrived at Post Office

BIG SPRING, TX 79720

September 3, 2024, 8:37 am

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

See More 

Tracking Number:

Remove 

9589071052701749655466

[Copy](#)[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

Latest Update

Your item was returned to the sender at 5:38 pm on August 31, 2024 in BIG SPRING, TX 79720 because the forwarding order for this address is no longer valid.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Alert

**Forward Expired**

BIG SPRING, TX 79720

August 31, 2024, 5:38 pm

[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)**See More** ▼**Tracking Number:****Remove** ✕**9589071052701749655473****Copy****Schedule a Redelivery** (<https://tools.usps.com/redelivery.htm>)**Latest Update**

We attempted to deliver your item at 1:09 pm on September 4, 2024 in BIG SPRING, TX 79720 and a notice was left because an authorized recipient was not available. You may arrange redelivery by using the Schedule a Redelivery feature on this page or may pick up the item at the Post Office indicated on the notice beginning September 5, 2024. If this item is unclaimed by September 19, 2024 then it will be returned to sender.

Get More Out of USPS Tracking:**USPS Tracking Plus®****Delivery Attempt: Action Needed****Notice Left (No Authorized Recipient Available)**

BIG SPRING, TX 79720

September 4, 2024, 1:09 pm

**Out for Delivery**

BIG SPRING, TX 79720

September 3, 2024, 8:48 am

**See All Tracking History**[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](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

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COUNTY OF HOWARD

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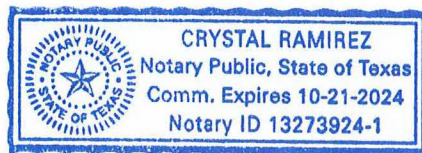
**CERTIFICATION
OF POSTING OF PUBLIC HEARING**

“The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for September 10, 2024, attached as **Exhibit A-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on August 30, 2024.”

SIGNED on the 5 day of September, 2024.

Stand
AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024
by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit A-6



Code Enforcement

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

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **SEPTEMBER 10TH, 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:

910 E 15TH, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 6, BLOCK 37, COLE & STRAYHORN SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: B&C STARR, LLC

501 DONLEY, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 12, BLOCK 16, BOYDSTUN SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: MANUEL ARRIAGA

910 N RUNNELS, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: SE/4 OF SECTION 42, BLOCK 32, TOWNSHIP 1 NORTH, TRACT 21, WILLIAM B CURRIE SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: THE ESTATE OF TERRENCE YOUNG

4110 MUIR, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 6, BLOCK 1, MUIR HEIGHTS SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: MARTIN P. CARRILLO

707 WYOMING, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 10, BLOCK 3, BANKS SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: THE ESTATE OF WILL JOHNSON

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.

RECENT ORDERS OF ABATEMENT

PUBLIC HEARINGS ON THE FOLLOWING LISTED PROPERTIES IN BIG SPRING, TEXAS, WERE HELD AND ORDERS WERE ISSUED AS FOLLOWS. A COMPLETE COPY OF EACH ORDER IS

AVAILABLE AT THE OFFICE OF THE CITY SECRETARY, 310 NOLAN, BIG SPRING, TEXAS 79720.

1211 LINDBERGH – LEGAL DESCRIPTION: LOT 17, BLOCK 4, WRIGHTS AIRPORT SUBDIVISION – AUGUST 27TH, 2024; REPAIR OR DEMOLISH AND REMOVE MAIN STRUCTURE.

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



August 30, 2024 11:06 AM

501 DONLEY

Code Compliance Official: Shannon Fant

Exhibit B-1

STATE OF TEXAS

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COUNTY OF HOWARD

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**AFFIDAVIT OF SHANNON FANT
CONCERNING 501 DONLEY**

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

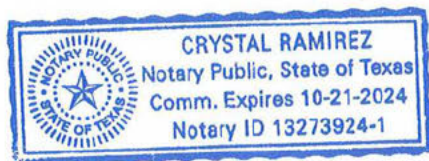
“My name is **Shannon Fant**. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

“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 **501 DONLEY**, 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 5 day of September, 2024.

Shannon Fant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024 by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit B-2

Property Details

Account		
Property ID:	277596	Geographic ID: B2400013500
Type:	Real	Zoning:
Property Use:		Condo:
Location		
Situs Address:	501 DONLEY	
Map ID:		Mapsco:
Legal Description:	LT 12 BK 16 BOYDSTUN 50X140 323 0.161 ACRES ACQ 07172017	
Abstract/Subdivision:		
Neighborhood:	BOYD	
Owner ⓘ		
Owner ID:	416396	
Name:	ARRIAGA MANUEL	
Agent:		
Mailing Address:	501 DONLEY BIG SPRING, TX 79720	
% Ownership:	100.00%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$36,681 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$3,507 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$40,188 (=)

Agricultural Value Loss: ⓘ	\$0 (-)
Appraised Value:	\$40,188 (=)
Homestead Cap Loss: ⓘ	\$0 (-)
Assessed Value:	\$40,188
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: ARRIAGA MANUEL **%Ownership:** 100.00%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.238916	\$40,188	\$40,188	\$96.02	
02B	CITY OF BIG SPRING	0.673163	\$40,188	\$40,188	\$270.53	
03B	BIG SPRING ISD	0.930900	\$40,188	\$40,188	\$374.11	
052	HOWARD COLLEGE	0.168395	\$40,188	\$40,188	\$67.67	

Total Tax Rate: 2.011374

Estimated Taxes With Exemptions: \$808.33

Estimated Taxes Without Exemptions: \$808.33

STATE OF TEXAS

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COUNTY OF HOWARD

**CERTIFICATION
501 DONLEY CASE NOTES**

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

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

Making this record was a regular practice of that activity.

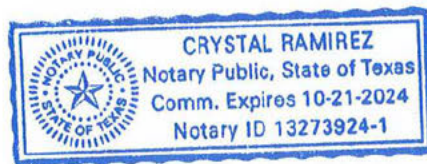
1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout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

SIGNED on the 5 day of September, 2024.

Stant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024

by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit B-3



CASE NOTES

Page 1 of 1

Report Run On: Monday, 15 July 2024
16:14

Case # 24-00001065

Parcel #: 277596

Site Address: 501 DONLEY

Case Description: SUBSTANDARD STRUCTURE IN BACKYARD

Note Type	Note Code	Text	Created By	Begin Date	End Date
SITE VISIT		REINSPECTED THE PROPERTY FOUND STRUCTURES IN THE BACKYARD HAS NOT HAD ANY IMPROVEMENT WILL SEND TO LEGAL	Shannon Fant	07/15/24	
GENERAL		MADE FOLDER WILL SEND TO THE LEGAL DEPT AS NO CONTACT HAS BEEN MADE WITH PROPERTY OWNER	Shannon Fant	07/15/24	
SITE VISIT		INSPECTED PROPERTY FOUND TO HAVE A SUBSTANDARD STRUCTURE IN BACKYARD WILL PROCEED WITH NOV WITH PROPERTY OWNER	Shannon Fant	07/01/24	

STATE OF TEXAS

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COUNTY OF HOWARD

**CERTIFICATION OF
PHOTOGRAPHS BY SHANNON FANT**

“With regard to the photographs in **Exhibits B-4** I am familiar with and recognize the scene depicted in the photographs. On July 1, 2024 and July 15, 2024, I inspected the property described as:

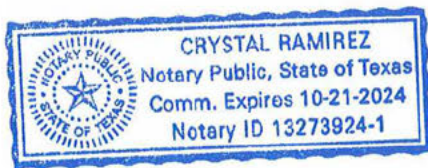
LOT 12, BLOCK 16, BOYDSTUN SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS, also known as **501 DONLEY**, Big Spring, Texas.

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

SIGNED on the 5 day of September, 2024.

Shannon Fant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024 by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit B-4



Galaxy Tab S8+
July 01, 2024 2:21 PM



Galaxy Tab S8+
July 01, 2024 2:21 PM



Galaxy Tab S8+
July 01, 2024 2:21 PM



Galaxy Tab S8+
July 01, 2024 2:22 PM



Galaxy Tab S6
Jul 01 2024 2:22 PM



Golden Thread 383
July 01, 2024 2:22 PM



Galaxy Tab S8
July 25, 2024 2:14 PM



STATE OF TEXAS

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COUNTY OF HOWARD

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**CERTIFICATION
NOTICE SENT BY SHANNON FANT**

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

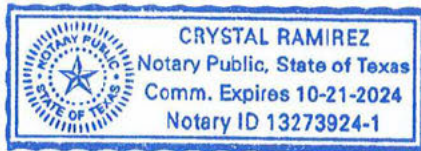
Certified Mail Return for **Exhibit B-5** is also attached.

SIGNED on the 5 day of September, 2024.

Shannon Fant

AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024
by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit B-5



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/
permits@mybigspring.com](https://www.mybigspring.com/permits@mybigspring.com)

July 02, 2024

501 DONLEY
BIG SPRING, TX 79720

RE: Code Compliance Case No. 24-00001065

ARRIAGA MANUEL,

Location : 501 DONLEY , BIG SPRING TX

Complaint Description:

SUBSTANDARD STRUCTURE IN BACKYARD

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.

DEADLINE FOR COMPLIANCE IS SEVEN DAYS FROM DATE OF MAILING



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/permits@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



Code Compliance

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

**NOTICE OF VIOLATION
AND NOTICE OF HEARING**

Sent via: Certified Mail; Return Receipt Requested

August 30, 2024

Manuel Arriaga
501 Donley
Big Spring, Texas 79720

Manuel Arriaga
1307 E. 3rd St.
Big Spring, Texas 79720

Inmanuel Arriaga
606 NW 8th St.
Big Spring, Texas 79720

Inmanuel Arriaga
2615 Albrook Dr.
Big Spring, Texas 79720

Re: 501 DONLEY, BIG SPRING, TEXAS 79720
LEGAL DESCRIPTION: LOT 12, BLOCK 16, BOYDSTUN SUBDIVISION, BIG
SPRING, HOWARD COUNTY, TEXAS, Howard County

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

VIOLATION	DESCRIPTION OF VIOLATION
111.1.5 HAZARDOUS STRUCTURE OR PREMISES. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described as follows shall be	The structure has weather damage. The building is neglected, damaged, dilapidated and unsecured so as to constitute an

considered to be hazardous: 3. Any building, structure, or portion thereof that is dangerous. 6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy. 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.	attractive nuisance. Hazardous condition.
304.1.1 UNSAFE CONDITIONS. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 1. Structural members have deterioration or distress that appears to reduce their load-carrying capacity. 3. Structures or components thereof have deterioration or distress that appears to reduce their load-carrying capacity. 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.	Weather damage appears to have affected the building's load-carrying capacity and deteriorated the structural members of the building. 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:

REPAIR OR DEMOLISH AND REMOVE
of BACK STRUCTURE.

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

Issued by

Shannon Fant	Code Compliance Official
<i>Name</i>	<i>Title</i>
+1 (432) 264-2508	sfant@mybigspring.com
<i>Phone</i>	<i>E-mail</i>

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY

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

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

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

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **5:30 PM, September 10, 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.

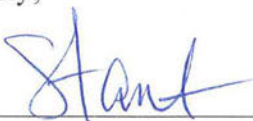
NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, 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,



Case Number: 24-00001065

Shannon Fant, Code Compliance Official
City of Big Spring, Texas

9589 0710 5270 1749 6554 80

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 \$	8/30/2024
Extra Services & Fees (check box, add fee as appropriate)	Postmark Here
☐ Return Receipt (hardcopy) \$	
☐ Return Receipt (electronic) \$	
☐ Certified Mail Restricted Delivery \$	
☐ Adult Signature Required \$	
☐ Adult Signature Restricted Delivery \$	
Postage \$	501 DONLEY
Total Postage and Fees \$	Final Notice

Sent To Manuel Arriaga
 Street and Apt. No., or PO Box No. 501 Donley 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 1749 6555 03

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 \$	8/30/2024
Extra Services & Fees (check box, add fee as appropriate)	Postmark Here
☐ Return Receipt (hardcopy) \$	
☐ Return Receipt (electronic) \$	
☐ Certified Mail Restricted Delivery \$	
☐ Adult Signature Required \$	
☐ Adult Signature Restricted Delivery \$	
Postage \$	501 DONLEY
Total Postage and Fees \$	Final Notice

Sent To Immanuel Arriaga
 Street and Apt. No., or PO Box No. 606 NW 8th 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 1749 6554 97

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 \$	8/30/2024
Extra Services & Fees (check box, add fee as appropriate)	Postmark Here
☐ Return Receipt (hardcopy) \$	
☐ Return Receipt (electronic) \$	
☐ Certified Mail Restricted Delivery \$	
☐ Adult Signature Required \$	
☐ Adult Signature Restricted Delivery \$	
Postage \$	501 DONLEY
Total Postage and Fees \$	Final Notice

Sent To Manuel Arriaga
 Street and Apt. No., or PO Box No. 1307 E. 3rd 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 1749 6555 10

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 \$	8/30/2024
Extra Services & Fees (check box, add fee as appropriate)	Postmark Here
☐ Return Receipt (hardcopy) \$	
☐ Return Receipt (electronic) \$	
☐ Certified Mail Restricted Delivery \$	
☐ Adult Signature Required \$	
☐ Adult Signature Restricted Delivery \$	
Postage \$	501 DONLEY
Total Postage and Fees \$	Final Notice

Sent To Immanuel Arriaga
 Street and Apt. No., or PO Box No. 2615 Albrook Dr.
 City, State, ZIP+4® Big Spring, TX 79720

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

Tracking Number:

Remove X

9589071052701749655480

Copy Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to an individual at the address at 12:31 pm on August 31, 2024 in BIG SPRING, TX 79720.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered
Delivered, Left with Individual

BIG SPRING, TX 79720
August 31, 2024, 12:31 pm

See All Tracking History

Feedback

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

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Tracking Number:

Remove X

9589071052701749655497

Latest Update

Your item was returned to the sender on September 3, 2024 at 9:21 am in BIG SPRING, TX 79720 because of an incomplete address.

Get More Out of USPS Tracking:
USPS Tracking Plus®

Alert
Insufficient Address
BIG SPRING, TX 79720
September 3, 2024, 9:21 am

Out for Delivery
BIG SPRING, TX 79720
September 3, 2024, 8:47 am

See All Tracking History

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

See More ▾

Tracking Number:

Remove ✕

9589071052701749655503

Copy

Schedule a Redelivery (<https://tools.usps.com/redelivery.htm>)

Latest Update

We attempted to deliver your item at 6:53 pm on September 3, 2024 in BIG SPRING, TX 79720 and a notice was left because an authorized recipient was not available. You may arrange redelivery by using the Schedule a Redelivery feature on this page or may pick up the item at the Post Office indicated on the notice beginning September 4, 2024. If this item is unclaimed by September 18, 2024 then it will be returned to sender.

Get More Out of USPS Tracking:
USPS Tracking Plus®

Delivery Attempt: Action Needed

Notice Left (No Authorized Recipient Available)

BIG SPRING, TX 79720

September 3, 2024, 6:53 pm

In Transit to Next Facility

September 2, 2024

[See All Tracking History](#)

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

[See More](#) ✓

Tracking Number:

[Remove](#) ✕

9589071052701749655510

[Copy](#)

[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

Latest Update

Your item was delivered to an individual at the address at 1:09 pm on September 3, 2024 in BIG SPRING, TX 79720.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

BIG SPRING, TX 79720

September 3, 2024, 1:09 pm

[See All Tracking History](#)

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

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§

COUNTY OF HOWARD

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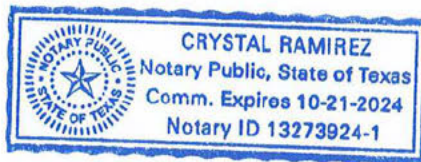
**CERTIFICATION
OF POSTING OF PUBLIC HEARING**

“The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for September 10, 2024, attached as **Exhibit B-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on August 30, 2024.”

SIGNED on the 5 day of September, 2024.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024
by the above referenced Affiant.




Notary Public, State of Texas

Exhibit B-6



Code Enforcement

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

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **SEPTEMBER 10TH, 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:

910 E 15TH, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 6, BLOCK 37, COLE & STRAYHORN SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: B&C STARR, LLC

501 DONLEY, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 12, BLOCK 16, BOYDSTUN SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: MANUEL ARRIAGA

910 N RUNNELS, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: SE/4 OF SECTION 42, BLOCK 32, TOWNSHIP 1 NORTH, TRACT 21, WILLIAM B CURRIE SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: THE ESTATE OF TERRENCE YOUNG

4110 MUIR, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 6, BLOCK 1, MUIR HEIGHTS SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: MARTIN P. CARRILLO

707 WYOMING, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 10, BLOCK 3, BANKS SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: THE ESTATE OF WILL JOHNSON

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.

RECENT ORDERS OF ABATEMENT

PUBLIC HEARINGS ON THE FOLLOWING LISTED PROPERTIES IN BIG SPRING, TEXAS, WERE HELD AND ORDERS WERE ISSUED AS FOLLOWS. A COMPLETE COPY OF EACH ORDER IS

AVAILABLE AT THE OFFICE OF THE CITY SECRETARY, 310 NOLAN, BIG SPRING, TEXAS 79720.

1211 LINDBERGH – LEGAL DESCRIPTION: LOT 17, BLOCK 4, WRIGHTS AIRPORT SUBDIVISION – AUGUST 27TH, 2024; REPAIR OR DEMOLISH AND REMOVE MAIN STRUCTURE.

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



910 N RUNNELS

Code Compliance Official: Shannon Fant

Exhibit C-1

STATE OF TEXAS

COUNTY OF HOWARD

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**AFFIDAVIT OF SHANNON FANT
CONCERNING 910 N RUNNELS**

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

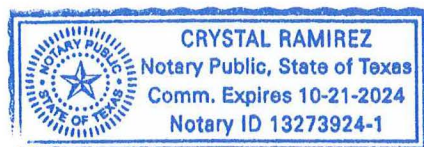
“My name is **Shannon Fant**. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

“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 **910 N RUNNELS**, 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 5 day of September, 2024.

Shannon Fant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024 by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit C-2

Property Details

Account		
Property ID:	294279	Geographic ID: 51442016500
Type:	Real	Zoning:
Property Use:		Condo:
Location		
Situs Address:	910 N RUNNELS	
Map ID:		Mapsco:
Legal Description:	SE/4 OF SC 42 BK 32 1N TR 21 WILLIAM B CURRIE 49 X 100.3 299 ACQ 052108 BLK/TRACT 32 1N 0.112 ACRES	
Abstract/Subdivision:		
Neighborhood:	NTSD	
Owner 		
Owner ID:	432790	
Name:	YOUNG TERRENCE	
Agent:		
Mailing Address:	109 NE 10TH ST BIG SPRING, TX 79720	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$31,917 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$2,156 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$34,073 (=)

Agricultural Value Loss: ?	\$0 (-)
Appraised Value:	\$34,073 (=)
Homestead Cap Loss: ?	\$0 (-)
Assessed Value:	\$34,073
Ag Use Value:	\$0

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

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

Property Taxing Jurisdiction

Owner: YOUNG TERRENCE **%Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.208716	\$34,073	\$34,073	\$71.12	
02B	CITY OF BIG SPRING	0.636039	\$34,073	\$34,073	\$216.72	
03B	BIG SPRING ISD	0.763200	\$34,073	\$34,073	\$260.05	
052	HOWARD COLLEGE	0.154789	\$34,073	\$34,073	\$52.74	

Total Tax Rate: 1.762744

Estimated Taxes With Exemptions: \$600.63

Estimated Taxes Without Exemptions: \$600.63

STATE OF TEXAS

§

§

COUNTY OF HOWARD

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CERTIFICATION
910 N RUNNELS 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.”

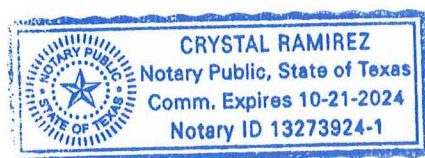
SIGNED on the 5th day of September, 2024.

Stant

AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024

by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit C-3



CASE NOTES

Page 1 of 1

Report Run On: Tuesday, 31 October
2023 11:43

Case # 23-00000098

Parcel # : 294279

Site Address: 910 N RUNNELS

Case Description: abandoned home for years, falling down, home unsafe.

Note Type	Note Code	Text	Created By	Begin Date	End Date
PHOTOS		UPDATED PHOTOS	Shannon Fant	10/31/23	
GENERAL		SERVED WARRANT ON 10.26.23 INSPECTED TOOK PICTURES OF BUILDING FOUND IT UNSAFE FOR LIVING AND NOT UP TO CODE.	Shannon Fant	10/31/23	
CORRECTIVE ACTION		THE STRUCTURE ON THIS PROPERTY DOES NOT MEET MINIMUM BUILDING STANDARDS. THE STRUCTURE NEEDS TO BE BROUGHT UP TO BUILDING CODE OR DEMOLISHED/ REMOVED DEADLINE FOR COMPLIANCE SEVEN (7) DAYS FROM DATE OF MAILING 10.31.23	Shannon Fant	10/31/23	
GENERAL		SS STRUCTURE NOT SECURE	Shannon Fant	10/09/23	



CASE NOTES

Page 1 of 1

Report Run On: Monday, 15 July 2024
16:27

Case # 23-00000098

Parcel # : 294279

Site Address: 910 N RUNNELS

Case Description: abandoned home for years, falling down, home unsafe.

Note Type	Note Code	Text	Created By	Begin Date	End Date
SITE VISIT		REINSPECTED PROPERTY ROOF IS BOWING WILL RESUBMIT FOR SUBSTANDARD STRUCTURE 1	Shannon Fant	07/15/24	
SITE VISIT		REFERRED AS A SUBSTANDARD 2	Shannon Fant	01/23/24	
PHOTOS		UPDATED PHOTOS	Shannon Fant	10/31/23	
GENERAL		SERVED WARRANT ON 10.26.23 INSPECTED TOOK PICTURES OF BUILDING FOUND IT UNSAFE FOR LIVING AND NOT UP TO CODE.	Shannon Fant	10/31/23	
CORRECTIVE ACTION		THE STRUCTURE ON THIS PROPERTY DOES NOT MEET MINIMUM BUILDING STANDARDS. THE STRUCTURE NEEDS TO BE BROUGHT UP TO BUILDING CODE OR DEMOLISHED/ REMOVED DEADLINE FOR COMPLIANCE SEVEN (7) DAYS FROM DATE OF MAILING 10.31.23	Shannon Fant	10/31/23	
GENERAL		SS STRUCTURE NOT SECURE	Shannon Fant	10/09/23	



CASE NOTES

Page 1 of 1

Report Run On: Monday, 15 July 2024
16:30

Case # 23-00000098

Parcel # : 294279

Site Address: 910 N RUNNELS

Case Description: abandoned home for years, falling down, home unsafe.

Note Type	Note Code	Text	Created By	Begin Date	End Date
SITE VISIT		REINSPECTED PROPERTY ROOF IS BOWING WILL RESUBMIT FOR SUBSTANDARD STRUCTURE 1	Shannon Fant	07/15/24	
SITE VISIT		REFERRED AS A SUBSTANDARD 2	Shannon Fant	01/23/24	
PHOTOS		UPDATED PHOTOS	Shannon Fant	10/31/23	
GENERAL		SERVED WARRANT ON 10.26.23 INSPECTED TOOK PICTURES OF BUILDING FOUND IT UNSAFE FOR LIVING AND NOT UP TO CODE.	Shannon Fant	10/31/23	
CORRECTIVE ACTION		THE STRUCTURE ON THIS PROPERTY DOES NOT MEET MINIMUM BUILDING STANDARDS. THE STRUCTURE NEEDS TO BE BROUGHT UP TO BUILDING CODE OR DEMOLISHED/ REMOVED DEADLINE FOR COMPLIANCE SEVEN (7) DAYS FROM DATE OF MAILING 10.31.23	Shannon Fant	10/31/23	
GENERAL		SS STRUCTURE NOT SECURE	Shannon Fant	10/09/23	

STATE OF TEXAS

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COUNTY OF HOWARD

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**CERTIFICATION OF
PHOTOGRAPHS BY SHANNON FANT**

“With regard to the photographs in **Exhibits C-4** I am familiar with and recognize the scene depicted in the photographs. On July 15, 2024, October 9, 2024, and October 27, 2024, I inspected the property described as:

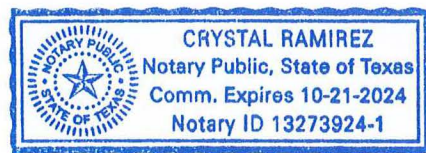
SE/4 OF SECTION 42, BLOCK 32, TOWNSHIP 1 NORTH, TRACT 21,
WILLIAM B CURRIE SUBDIVISION, BIG SPRING, HOWARD COUNTY,
TEXAS, also known as **910 N RUNNELS**, Big Spring, Texas.

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

SIGNED on the 5th day of September, 2024.

Shannon Fant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024
by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit C-4

Network: Oct 9, 2023 10:58:50 AM CDT
Local: Oct 9, 2023 10:58:50 AM CDT
32°15'46.052"N -101°28'48.738"W
910 North Runnels Street
Big Spring
Howard County
Texas



Network: Oct 9, 2023 10:58:55 AM CDT
Local: Oct 9, 2023 10:58:55 AM CDT
32°15'46.045"N 101°28'48.712"W
910 North Runnels Street
Big Spring
Howard County
Texas

Network: Oct 9, 2023 10:58:58 AM CDT
Local: Oct 9, 2023 10:58:58 AM CDT
32°15'46.044"N -101°28'48.708"W
910 North Runnels Street
Big Spring
Howard County
Texas



Network: Oct 9, 2023 10:59:00 AM CDT
Local: Oct 9, 2023 10:59:00 AM CDT
32°15'46.044"N -101°28'48.707"W
910 North Runnels Street
Big Spring
Howard County
Texas

Network: Oct 9, 2023 10:59:00 AM CDT
Local: Oct 9, 2023 10:59:00 AM CDT
32°15'46.044"N -101°28'48.707"W
910 North Runnels Street
Big Spring
Howard County
Texas

Network: Oct 27, 2023 2:12:49 PM CDT
Local: Oct 27, 2023 2:12:50 PM CDT
32°15'46.268"N -101°28'48.142"W
910 North Runnels Street
Big Spring
Howard County
Texas



Network: Oct 27, 2023 2:14:44 PM CDT
Local: Oct 27, 2023 2:14:45 PM CDT
32°15'46.023"N -101°28'48.044"W



Network: Oct 27, 2023 2:16:07 PM CDT
Local: Oct 27, 2023 2:16:08 PM CDT
32°15'46.224"N -101°28'47.913"W



Network: Oct 27, 2023 2:17:24 PM CDT
Local: Oct 27, 2023 2:17:24 PM CDT
32°15'46.154"N -101°28'47.771"W



Network: Oct 27, 2023 2:17:24 PM CDT
Local: Oct 27, 2023 2:17:24 PM CDT
32°15'46.154"N -101°28'47.771"W



Network: Oct 27, 2023 2:17:34 PM CDT
Local: Oct 27, 2023 2:17:35 PM CDT
32°15'46.152"N -101°28'47.766"W



Network: Oct 27, 2023 2:17:50 PM CDT
Local: Oct 27, 2023 2:17:51 PM CDT
32°15'46.156"N -101°28'47.757"W



Network: Oct 27, 2023 2:18:05 PM CDT
Local: Oct 27, 2023 2:18:05 PM CDT
32°15'46.157"N -101°28'47.755"W



Network: Oct 27, 2023 2:18:33 PM CDT
Local: Oct 27, 2023 2:18:33 PM CDT
32°15'46.163"N -101°28'47.753"W



Network: Oct 27, 2023 2:18:39 PM CDT
Local: Oct 27, 2023 2:18:39 PM CDT
32°15'46.163"N -101°28'47.754"W



Network: Oct 27, 2023 2:18:56 PM CDT
Local: Oct 27, 2023 2:18:57 PM CDT
32°15'46.191"N -101°28'47.822"W



Network: Oct 27, 2023 2:19:48 PM CDT
Local: Oct 27, 2023 2:19:49 PM CDT
32°15'46.276"N -101°28'48.132"W
910 North Runnels Street
Big Spring
Howard County
Texas



Network: Oct 27, 2023 2:20:00 PM CDT

Local: Oct 27, 2023 2:20:01 PM CDT

32°15'46.263"N -101°28'48.14"W

910 North Runnels Street

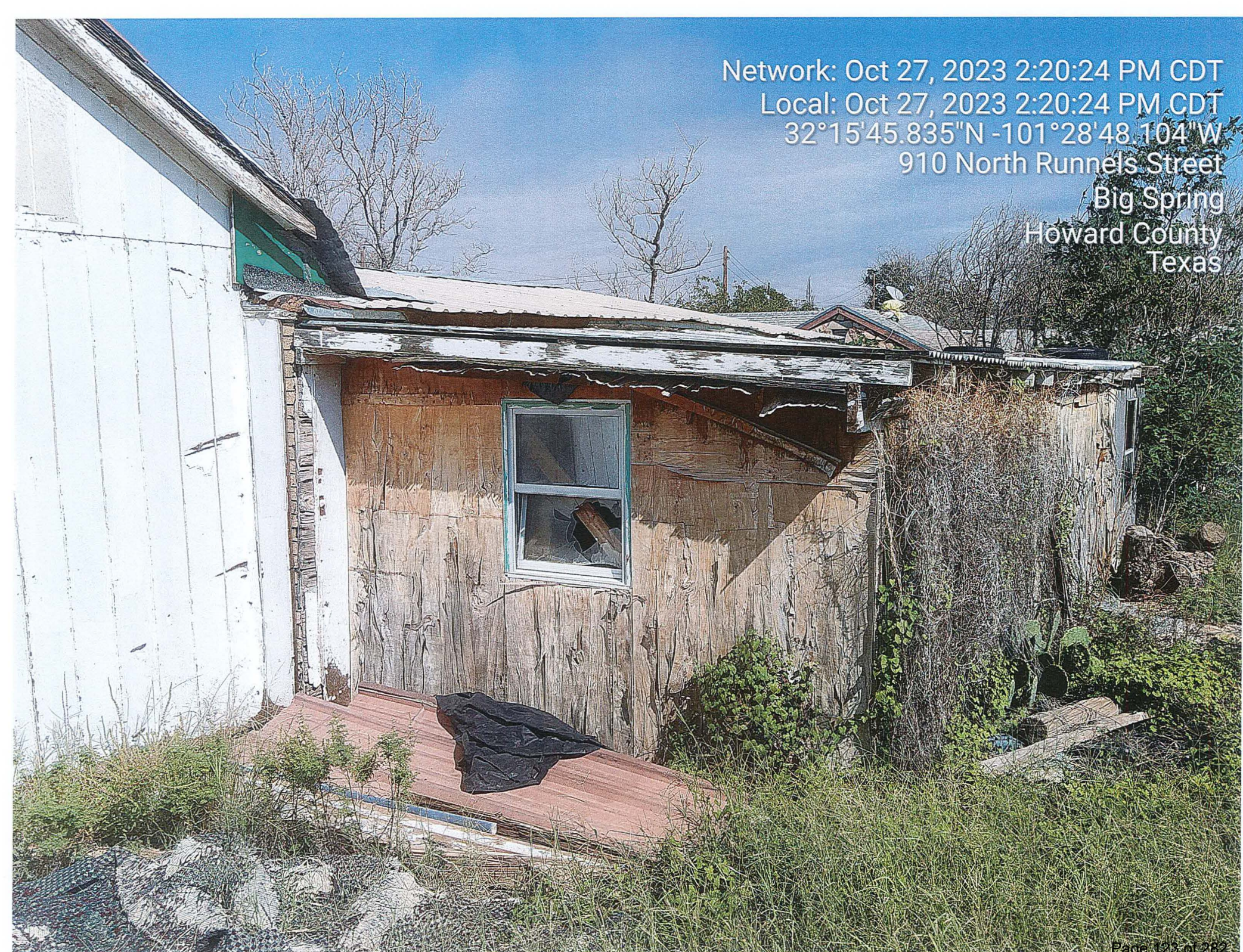
Big Spring

Howard County

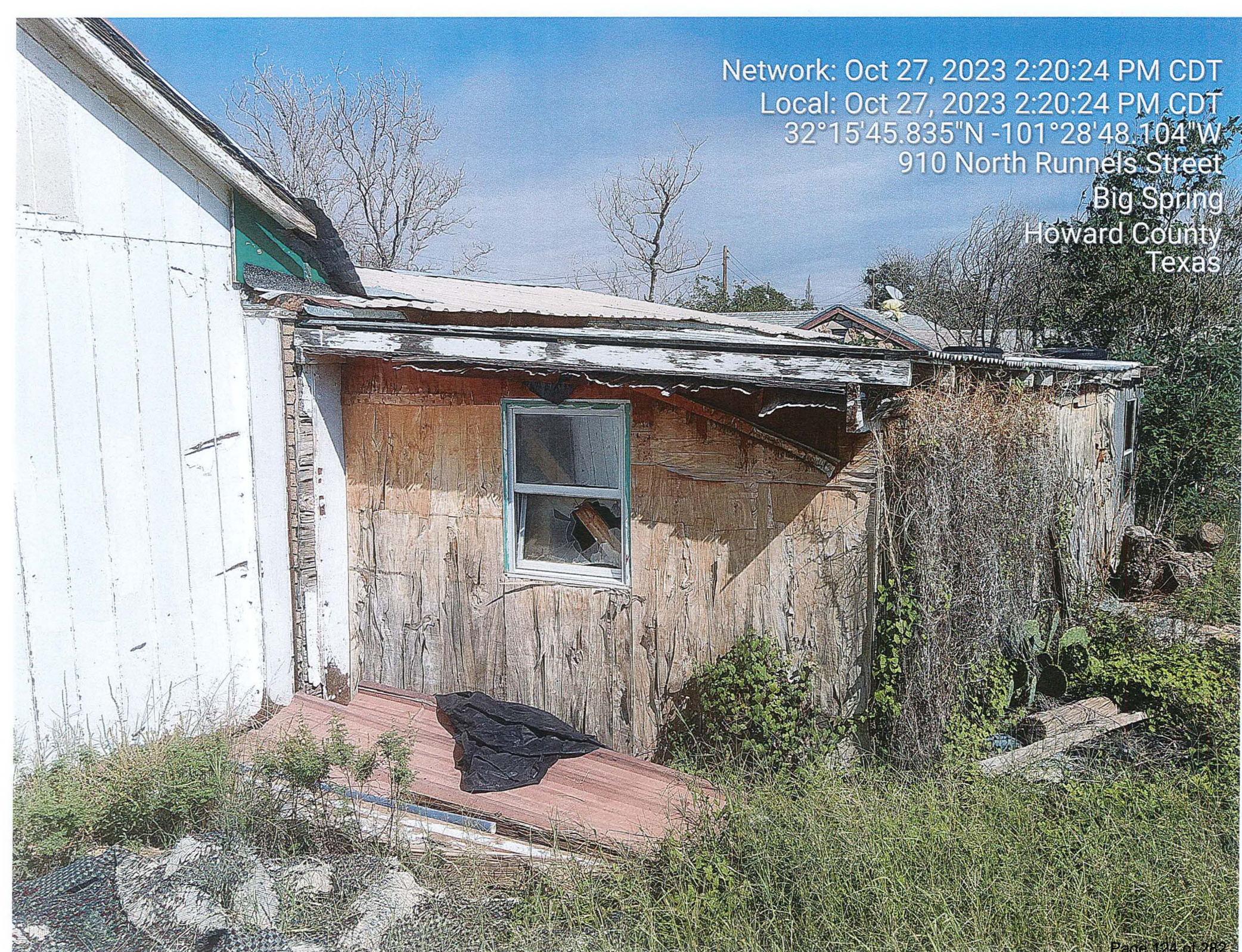
Texas



Network: Oct 27, 2023 2:20:24 PM CDT
Local: Oct 27, 2023 2:20:24 PM CDT
32°15'45.835"N -101°28'48.104"W
910 North Runnels Street
Big Spring
Howard County
Texas



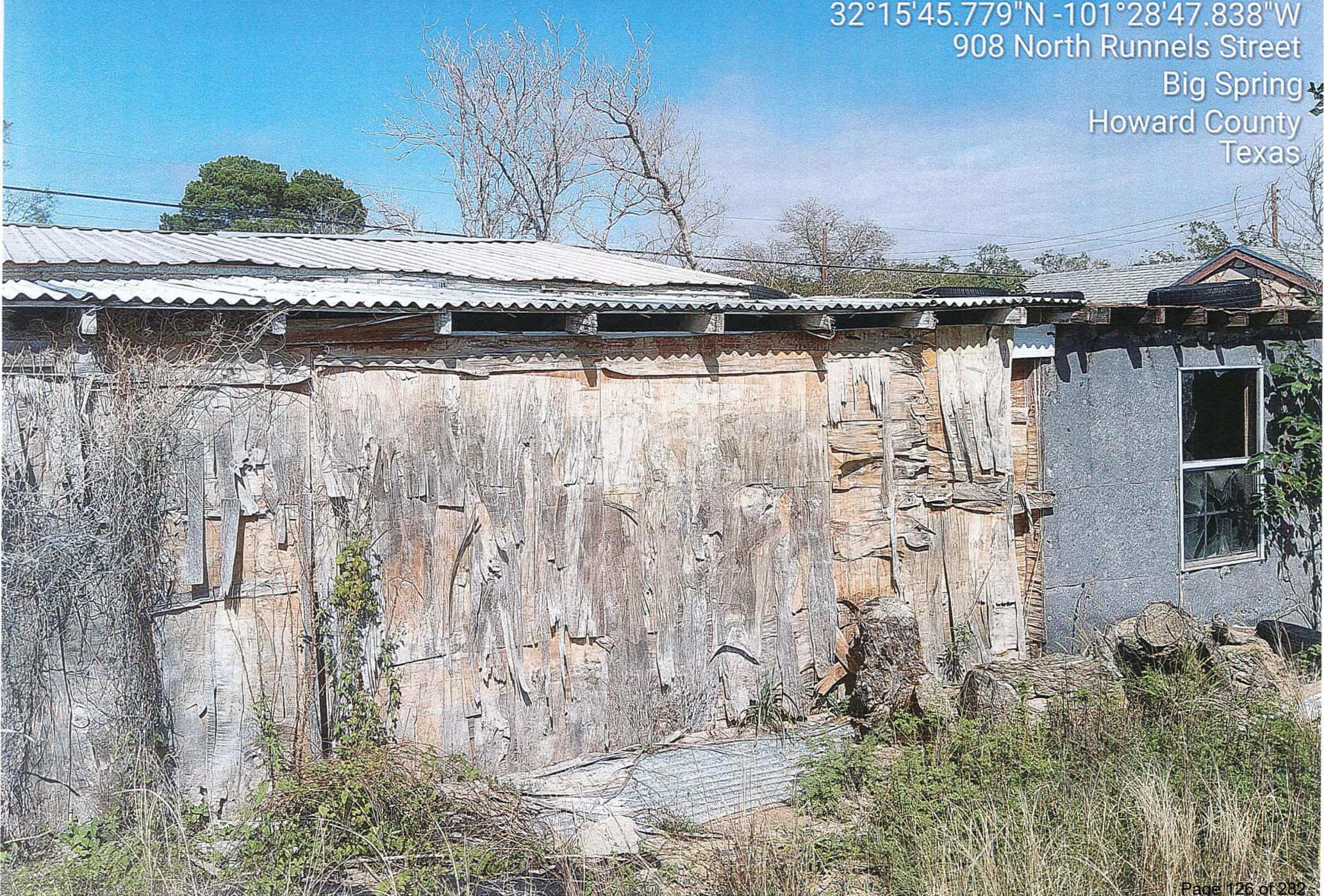
Network: Oct 27, 2023 2:20:24 PM CDT
Local: Oct 27, 2023 2:20:24 PM CDT
32°15'45.835"N -101°28'48.104"W
910 North Runnels Street
Big Spring
Howard County
Texas



Network: Oct 27, 2023 2:20:24 PM CDT
Local: Oct 27, 2023 2:20:24 PM CDT
32°15'45.835"N -101°28'48.104"W
910 North Runnels Street
Big Spring
Howard County
Texas



Network: Oct 27, 2023 2:20:38 PM CDT
Local: Oct 27, 2023 2:20:38 PM CDT
32°15'45.779"N -101°28'47.838"W
908 North Runnels Street
Big Spring
Howard County
Texas



Network: Oct 27, 2023 2:20:59 PM CDT
Local: Oct 27, 2023 2:20:59 PM CDT
32°15'45.93"N -101°28'47.409"W
908 North Runnels Street
Big Spring
Howard County
Texas







Galaxy Tab S8+
July 15, 2024 2:29 PM





Galaxy Tab S8+
July 15, 2024 2:30 PM



Galaxy Tab S8+
July 15, 2024 2:30 PM

STATE OF TEXAS

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COUNTY OF HOWARD

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**CERTIFICATION
NOTICE SENT BY SHANNON FANT**

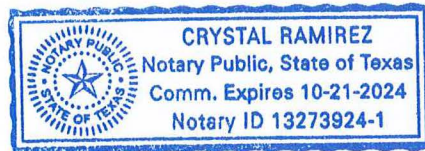
“The document in **Exhibit C-5** presents factual findings from a legally authorized investigation for code compliance. The document is a copy of the official record.”

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

SIGNED on the 5 day of September, 2024.

Shant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024
by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit C-5



City of Big Spring, TX
NOTIFICATION OF CODE VIOLATION
217 East 3rd St., Big Spring, TX 79720
Ph: 432-264-2504 Fax: 432-264-7024

NOTICE OF VIOLATION

23-00000098

YOUNG TERRENCE
109 NE 10TH ST
BIG SPRING, TX 79720

Subject Property: 910 N RUNNELS , BIG SPRING, TX 00000
APN: 294279

Dear YOUNG TERRENCE

This is a notice regarding the subject address where code violations persist.

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

Municipal Code	Description	Corrective Action
----------------	-------------	-------------------

SUBSTANDARD STRUCTURE	304.1.1 UNSAFE CONDITIONS. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 1.Structural members have deterioration or distress that appears to reduce their load-carrying capacity.2.The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations have deterioration or distress that appears to reduce their load-carrying capacity.3.Structures or components thereof have deterioration or distress that appears to reduce their load-carrying capacity.4.Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or watertight.5.Reserved.6.Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.7.Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.8.Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all nominal loads and resisting all load effects.9.Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects.10.Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.11.Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes, and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.12.Exterior stairs, decks, porches, balconies, and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.13.Chimneys, cooling towers, smokestacks, and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.	THE STRUCTURE ON THIS PROPERTY DOES NOT MEET MINIMUM BUILDING STANDARDS. THE STRUCTURE NEEDS TO BE BROUGHT UP TO BUILDING CODE OR DEMOLISHED/ REMOVED DEADLINE FOR COMPLIANCE SEVEN (7) DAYS FROM DATE OF MAILING 10.31.23
--------------------------	--	--

After , an inspection of your property will take place to verify compliance. Should this notice resolve the concern, no further action will be taken. However, please be advised, if a property owner or resident does not comply, further code enforcement action will be required.

Should you have questions regarding this notice, you may contact the undersigned at 432.264.2508 or by email at sfant@mybigspring.com.

Thank you for helping to resolve this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Shannon Fant", written over the word "Sincerely,".

Shannon Fant
Code



Code Compliance

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

**NOTICE OF VIOLATION
AND NOTICE OF HEARING**

Sent via: Certified Mail; Return Receipt Requested

August 30, 2024

Estate of Terrence Young
109 NE 10th St.
Big Spring, Texas 79720

Estate of Terrence Young
910 N. Runnels St.
Big Spring, Texas 79720

Re: 910 N RUNNELS, BIG SPRING, TEXAS 79720
LEGAL DESCRIPTION: SE/4 OF SECTION 42, BLOCK 32, TOWNSHIP 1
NORTH, TRACT 21, WILLIAM B CURRIE SUBDIVISION, BIG SPRING,
HOWARD COUNTY, TEXAS, Howard County

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

VIOLATION	DESCRIPTION OF VIOLATION
111.1.5 HAZARDOUS STRUCTURE OR PREMISES. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described as follows shall be considered to be hazardous: 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,	The roof of the Main Structure is in disrepair and appears to be caving in, making the structure dangerous and unsafe for its use and occupancy. The structure is neglected, damaged, dilapidated, unsecured, and abandoned so as to constitute an attractive nuisance. The Structure is dilapidated so as

dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act. 9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease. 11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.	to be unfit for human habitation. Hazardous condition.
304.1.1 UNSAFE CONDITIONS. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 1. Structural members have deterioration or distress that appears to reduce their load-carrying capacity. 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 appear to have deteriorated. Exterior walls are not plumb and free of holes, cracks or breaks and loose or rotting materials. The roof appears to be bowing in. The roof appears to admit rain and has signs of deterioration. Unsafe condition.

304.6 Exterior walls. Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.	The exterior walls are broken/damaged and have left gaps and openings into the structure.
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.
304.13 Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight	The structure has broken windows.

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

Corrective Action Sought by Code Compliance

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

REPAIR OR DEMOLISH AND REMOVE
of MAIN STRUCTURE.

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

Issued by

Shannon Fant

Name

Code Compliance Official

Title

+1 (432) 264-2508

Phone

sfant@mybigspring.com

E-mail

The City's goal is voluntary compliance.

**FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY
RESULT IN FINE.** Failure to take the corrective action regarding the nuisance(s) by the

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

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

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

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **5:30 PM, September 10, 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,

A handwritten signature in blue ink, appearing to read 'Shannon Fant', written over a horizontal line.

Shannon Fant, Code Compliance Official
City of Big Spring, Texas

9589 0710 5270 1749 6555 34

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT

Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$
- ☐ Return Receipt (electronic) \$
- ☐ Certified Mail Restricted Delivery \$
- ☐ Adult Signature Required \$
- ☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

\$

Sent To

Estate of Terrence Young
Street and Apt. No., or PO Box No. 109 NE 10th St.
City, State, ZIP+4® Big Spring, TX 79720

8/30/2024

Postmark
Here

910 N. RUNNELS

Final Notice

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

9589 0710 5270 1749 6555 41

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

\$

Sent To

Estate of Terrence Young
Street and Apt. No., or PO Box No. 910 N. Runnels St.
City, State, ZIP+4® Big Spring, TX 79720

8/30/2024

Postmark
Here

910 N RUNNELS

Final Notice

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

Tracking Number:

Remove X

9589071052701749655534

Copy Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was returned to the sender on September 3, 2024 at 8:47 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
September 3, 2024, 8:47 am

Arrived at Post Office

BIG SPRING, TX 79720
September 3, 2024, 8:37 am

Feedback

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

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Tracking Number:

Remove X

9589071052701749655541

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was returned to the sender on September 3, 2024 at 8:48 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

September 3, 2024, 8:48 am

Arrived at Post Office

BIG SPRING, TX 79720

September 3, 2024, 8:37 am

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

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COUNTY OF HOWARD

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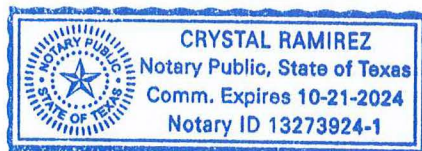
**CERTIFICATION
OF POSTING OF PUBLIC HEARING**

“The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for September 10, 2024, attached as **Exhibit C-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on August 30, 2024.”

SIGNED on the 5th day of September, 2024.

Stant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024
by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit C-6



Code Enforcement

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

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **SEPTEMBER 10TH, 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:

910 E 15TH, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 6, BLOCK 37, COLE & STRAYHORN SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: B&C STARR, LLC

501 DONLEY, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 12, BLOCK 16, BOYDSTUN SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: MANUEL ARRIAGA

910 N RUNNELS, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: SE/4 OF SECTION 42, BLOCK 32, TOWNSHIP 1 NORTH, TRACT 21, WILLIAM B CURRIE SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: THE ESTATE OF TERRENCE YOUNG

4110 MUIR, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 6, BLOCK 1, MUIR HEIGHTS SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: MARTIN P. CARRILLO

707 WYOMING, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 10, BLOCK 3, BANKS SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: THE ESTATE OF WILL JOHNSON

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.

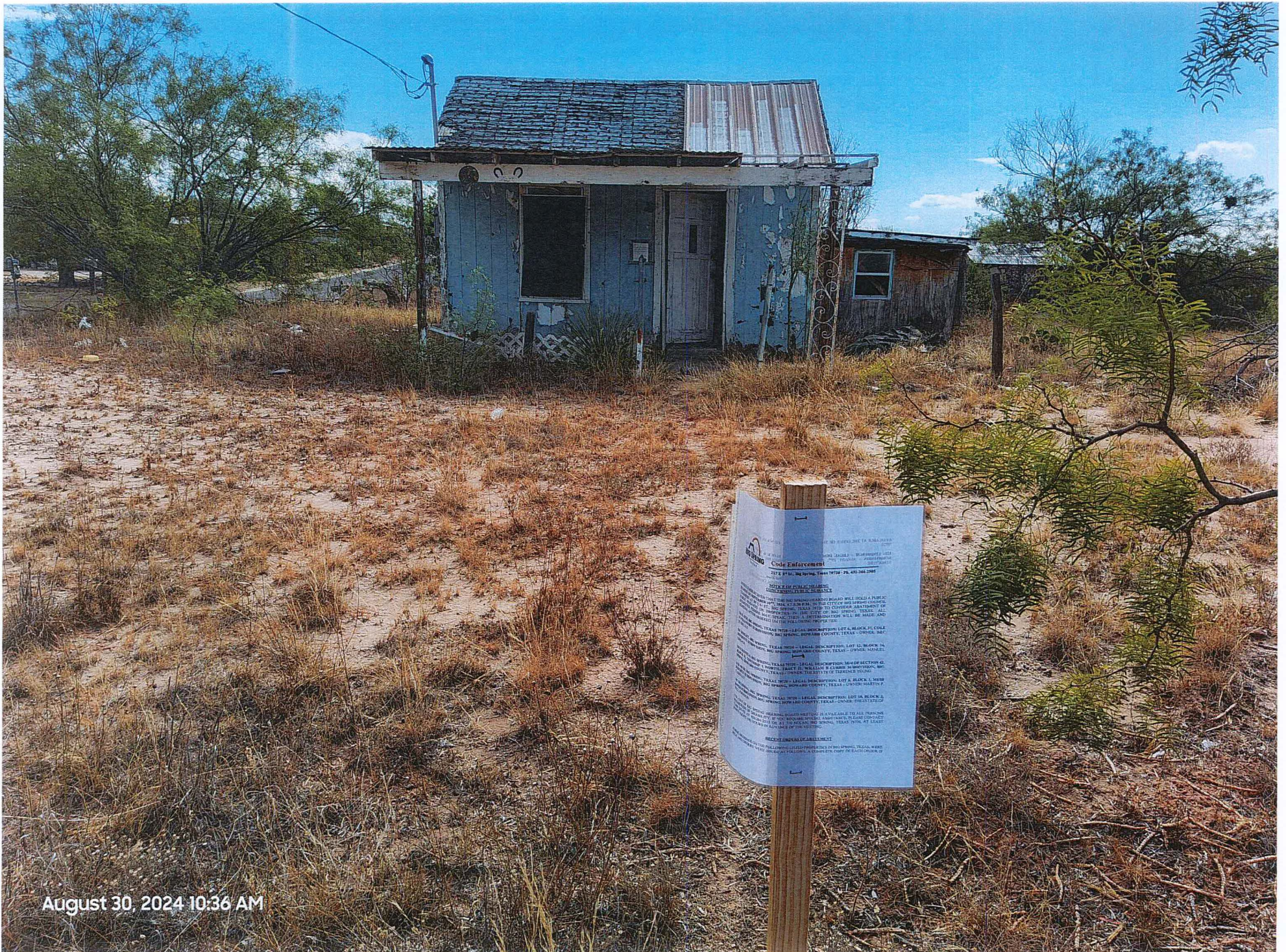
RECENT ORDERS OF ABATEMENT

PUBLIC HEARINGS ON THE FOLLOWING LISTED PROPERTIES IN BIG SPRING, TEXAS, WERE HELD AND ORDERS WERE ISSUED AS FOLLOWS. A COMPLETE COPY OF EACH ORDER IS

AVAILABLE AT THE OFFICE OF THE CITY SECRETARY, 310 NOLAN, BIG SPRING, TEXAS 79720.

1211 LINDBERGH – LEGAL DESCRIPTION: LOT 17, BLOCK 4, WRIGHTS AIRPORT SUBDIVISION – AUGUST 27TH, 2024; REPAIR OR DEMOLISH AND REMOVE MAIN STRUCTURE.

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



August 30, 2024 10:36 AM

4110 MUIR

Code Enforcement Officer: Malissa Garcia

Exhibit D-1

STATE OF TEXAS

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COUNTY OF HOWARD

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**AFFIDAVIT OF MALISSA GARCIA
CONCERNING 4110 MUIR**

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

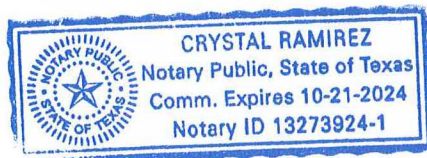
“My name is **Malissa Garcia**. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

“I am a Code Enforcement Officer for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **4110 MUIR**, 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 5 day of September, 2024.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024 by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit D-2

Property Details

Account		
Property ID:	284142	Geographic ID: B4680000600
Type:	Real	Zoning:
Property Use:		Condo:
Location		
Situs Address:	4110 MUIR	
Map ID:		Mapsco:
Legal Description:	LT 6 BK 1 MUIR HEIGHTS 60X127 413 BLK/TRACT 331S 0.175 ACRES	
Abstract/Subdivision:		
Neighborhood:	SBHT	
Owner ?		
Owner ID:	434997	
Name:	CARRILLO MARTIN P	
Agent:		
Mailing Address:	1600 16TH ST BROWNWOOD, TX 76801	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$97,461 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$8,004 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$105,465 (=)

Agricultural Value Loss: ⓘ	\$0 (-)
Appraised Value:	\$105,465 (=)
Homestead Cap Loss: ⓘ	\$0 (-)
Assessed Value:	\$105,465
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: CARRILLO MARTIN P %**Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.238916	\$105,465	\$105,465	\$251.97	
02B	CITY OF BIG SPRING	0.673163	\$105,465	\$105,465	\$709.95	
03B	BIG SPRING ISD	0.930900	\$105,465	\$105,465	\$981.77	
052	HOWARD COLLEGE	0.168395	\$105,465	\$105,465	\$177.60	

Total Tax Rate: 2.011374

Estimated Taxes With Exemptions: \$2,121.29

Estimated Taxes Without Exemptions: \$2,121.29

STATE OF TEXAS

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COUNTY OF HOWARD

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CERTIFICATION
4110 MUIR CASE NOTES

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

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

Making this record was a regular practice of that activity.

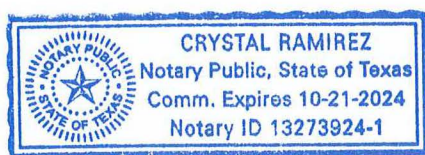
1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout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

SIGNED on the 5 day of September, 2024.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024

by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit D-3



CASE NOTES

Page 1 of 1

Report Run On: Monday, 24 June
2024 14:18

Case # 24-00000294

Parcel # : 284142

Site Address: 4110 MUIR

Case Description: structure in the back of property is falling apart

Note Type	Note Code	Text	Created By	Begin Date	End Date
SITE VISIT		will move forward with this property	Malissa Garcia	06/11/24	
SITE VISIT		reinspected, shed in the back still has not been brought down and removed. will contact owner to let them know i will move forward with this.	Malissa Garcia	05/15/24	
GENERAL		3/20/24 WILL SEND OUT NOTICE OF VIOLATION	Malissa Garcia	03/20/24	
PHOTOS		took photos of property and there is a shed in the back of property missing walls and falling apart.	Malissa Garcia	03/18/24	
CORRECTIVE ACTION		there is a structure in the back of this property that is missing walls and roof. it is falling apart and needs to be repaired or demolished.	Malissa Garcia	03/18/24	

STATE OF TEXAS

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COUNTY OF HOWARD

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**CERTIFICATION OF
PHOTOGRAPHS BY MALISSA GARCIA**

“With regard to the photographs in **Exhibits D-4** I am familiar with and recognize the scene depicted in the photographs. On March 13, 2024 and June 11, 2024, I inspected the property described as:

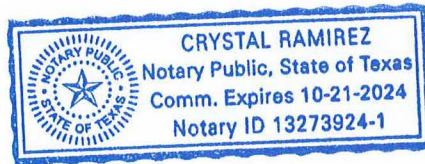
LOT 6, BLOCK 1, MUIR HEIGHTS SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS, also known as **4110 MUIR**, Big Spring, Texas.

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

SIGNED on the 5 day of September, 2024.

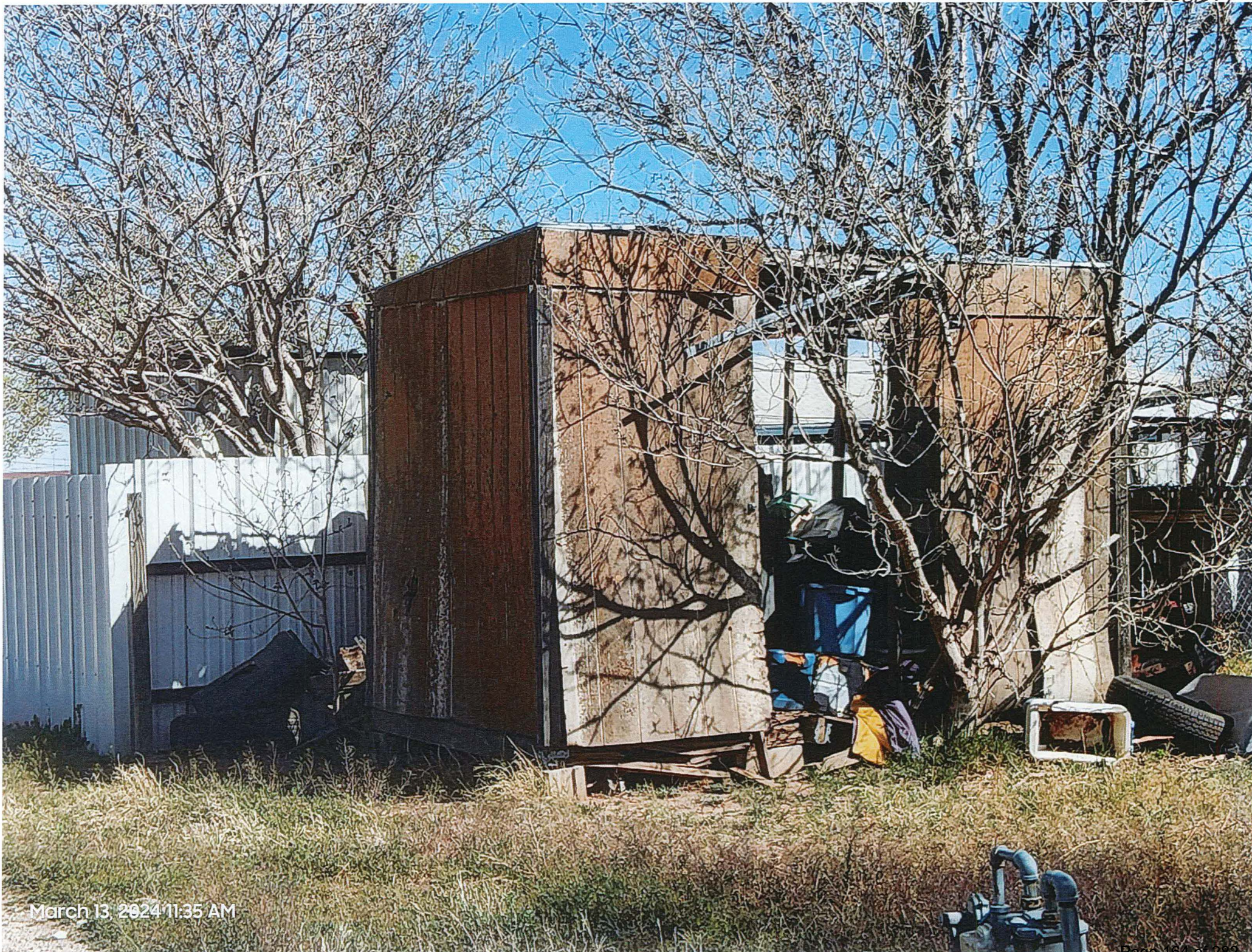
M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024 by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit D-4



March 13, 2024 11:35 AM



March 13, 2024 11:35 AM



March 13, 2024 11:46 AM



March 13, 2024 11:47 AM



June 11, 2024 10:17 AM

June 11, 2024 10:18 AM





June 11, 2024 10:18 AM



June 11, 2024 10:18 AM

Exhibit D-5



City of Big Spring Code Compliance

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

NOTICE OF VIOLATION

Re: 4110 MUIR BIG SPRING, TX00000

Legal Description: LT 6 BK 1 MUIR HEIGHTS 60X127 413 BLK/TRACT 331S 0.175 ACRES

Date 06/24/2024

Case No:24-00000294

CARRILLO MARTIN P
1600 16TH ST
BROWNWOOD, TX 76801

Dear CARRILLO MARTIN P

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: 4110 MUIR BIG SPRING, TX00000

Legal Description: LT 6 BK 1 MUIR HEIGHTS 60X127 413 BLK/TRACT 331S 0.175 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 is 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:

there is a structure in the back of this property that is missing walls and roof. it is falling apart and needs to be repaired or demolished. For further information about this notice, please contact the following person:

Issued by:

Malissa Garcia

Code Compliance

432.264.2506

mgarcia@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,

Malissa Garcia - Code Compliance



Code Compliance

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

**NOTICE OF VIOLATION
AND NOTICE OF HEARING**

Sent via: Certified Mail; Return Receipt Requested

August 30, 2024

Martin P. Carrillo
1600 16th St.
Brownwood, Texas 76801

Martin P. Carrillo & Rebecca Carrillo
4110 Muir St.
Big Spring, Texas 79720

Re: 4110 MUIR, BIG SPRING, TEXAS 79720
LEGAL DESCRIPTION: LOT 6, BLOCK 1, MUIR HEIGHTS SUBDIVISION,
BIG SPRING, HOWARD COUNTY, TEXAS, Howard County

Big Spring Code Compliance has determined that at the following structure(s): BACK STRUCTURE SHED, 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. 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	The structure has weather damage. The building is neglected, damaged, dilapidated and unsecured so as to constitute an attractive nuisance. Hazardous condition.

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.	
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. 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 is not capable of supporting all nominal loads and resisting all load effects.	Weather damage appears to have affected the building's load-carrying capacity and deteriorated the structural members of the building. 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:

REPAIR OR DEMOLISH AND REMOVE
of BACK STRUCTURE SHED.

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

Issued by

Malissa Garcia

Name

Code Enforcement Officer

Title

+1 (432) 264-2506

Phone

mgarcia@mybigspring.com

E-mail

The City's goal is voluntary compliance.

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

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

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

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

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **5:30 PM, September 10, 2024** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

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

SECTION A-1.10. Rights of Parties

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

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

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

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

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

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

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

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

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

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

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

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

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

Sincerely,


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

9589 0710 5270 1749 6555 58

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 \$	8/30/2024 Postmark Here 4110 MUIR Final Notice
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 \$	
Sent To <u>Martin P. Carrillo</u>	
Street and Apt. No., or PO Box No. <u>1600 16th St.</u>	
City, State, ZIP+4® <u>Brownwood, TX 76801</u>	

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

9589 0710 5270 1749 6555 65

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

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

OFFICIAL USE

Certified Mail Fee \$	8/30/2024 Postmark Here 4110 MUIR Final Notice
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 \$	
Sent To <u>Martin P. Carrillo & Rebecca Carrillo</u>	
Street and Apt. No., or PO Box No. <u>4110 Muir St.</u>	
City, State, ZIP+4® <u>Big Spring, TX 79720</u>	

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

Tracking Number:

Remove X

9589071052701749655558

Copy Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to an individual at the address at 1:40 pm on September 3, 2024 in BROWNWOOD, TX 76801.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

BROWNWOOD, TX 76801
September 3, 2024, 1:40 pm

See All Tracking History

Feedback

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

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Tracking Number:

Remove X

9589071052701749655565

Latest Update

We attempted to deliver your item at 3:38 pm on September 4, 2024 in BIG SPRING, TX 79720 and a notice was left because an authorized recipient was not available. You may arrange redelivery by using the Schedule a Redelivery feature on this page or may pick up the item at the Post Office indicated on the notice beginning September 5, 2024. If this item is unclaimed by September 19, 2024 then it will be returned to sender.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivery Attempt: Action Needed

Notice Left (No Authorized Recipient Available)

BIG SPRING, TX 79720
September 4, 2024, 3:38 pm

No Access to Delivery Location

BIG SPRING, TX 79720
August 31, 2024, 6:18 pm

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

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COUNTY OF HOWARD

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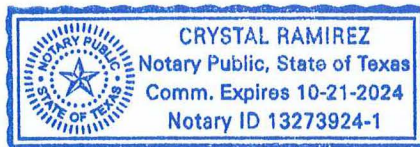
**CERTIFICATION
OF POSTING OF PUBLIC HEARING**

“The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for September 10, 2024, attached as **Exhibit D-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on August 30, 2024.”

SIGNED on the 5 day of September, 2024.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024
by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit D-6



Code Enforcement

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

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **SEPTEMBER 10TH, 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:

910 E 15TH, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 6, BLOCK 37, COLE & STRAYHORN SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: B&C STARR, LLC

501 DONLEY, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 12, BLOCK 16, BOYDSTUN SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: MANUEL ARRIAGA

910 N RUNNELS, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: SE/4 OF SECTION 42, BLOCK 32, TOWNSHIP 1 NORTH, TRACT 21, WILLIAM B CURRIE SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: THE ESTATE OF TERRENCE YOUNG

4110 MUIR, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 6, BLOCK 1, MUIR HEIGHTS SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: MARTIN P. CARRILLO

707 WYOMING, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 10, BLOCK 3, BANKS SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: THE ESTATE OF WILL JOHNSON

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.

RECENT ORDERS OF ABATEMENT

PUBLIC HEARINGS ON THE FOLLOWING LISTED PROPERTIES IN BIG SPRING, TEXAS, WERE HELD AND ORDERS WERE ISSUED AS FOLLOWS. A COMPLETE COPY OF EACH ORDER IS

AVAILABLE AT THE OFFICE OF THE CITY SECRETARY, 310 NOLAN, BIG SPRING, TEXAS 79720.

1211 LINDBERGH – LEGAL DESCRIPTION: LOT 17, BLOCK 4, WRIGHTS AIRPORT SUBDIVISION – AUGUST 27TH, 2024; REPAIR OR DEMOLISH AND REMOVE MAIN STRUCTURE.

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



August 30, 2024 11:24 AM

707 WYOMING

Code Compliance Official: Ashley Guerra

Exhibit E-1

STATE OF TEXAS

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COUNTY OF HOWARD

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**AFFIDAVIT OF ASHLEY GUERRA
CONCERNING 707 WYOMING**

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

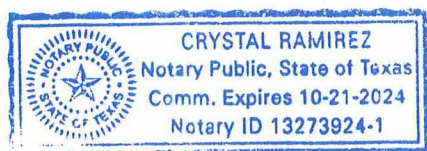
“My name is **Ashley Guerra**. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

“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 **707 WYOMING**, 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 5 day of Sep, 2024.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024 by the above referenced Affiant.




Notary Public, State of Texas

Exhibit E-2

Property Details

Account		
Property ID:	276807	Geographic ID: B2190003000
Type:	Real	Zoning:
Property Use:		Condo:
Location		
Situs Address:	707 WYOMING	
Map ID:		Mapsco:
Legal Description:	LT 10 BK 3 BANKS 50X140 149 0.161 ACRES	
Abstract/Subdivision:		
Neighborhood:	NTPK	
Owner ?		
Owner ID:	419030	
Name:	JOHNSON WILL	
Agent:		
Mailing Address:	707 WYOMING ST BIG SPRING, TX 79720	
% Ownership:	100.00%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$37,468 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$877 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$38,345 (=)

Agricultural Value Loss:?	\$0 (-)
Appraised Value:	\$38,345 (=)
HS Cap Loss/Circuit Breaker: ?	\$0 (-)
Assessed Value:	\$38,345
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: JOHNSON WILL %Ownership: 100.00%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.238916	\$38,345	\$38,345	\$91.61	
02B	CITY OF BIG SPRING	0.673163	\$38,345	\$38,345	\$258.12	
03B	BIG SPRING ISD	0.930900	\$38,345	\$38,345	\$356.95	
052	HOWARD COLLEGE	0.168395	\$38,345	\$38,345	\$64.57	

Total Tax Rate: 2.011374

Estimated Taxes With Exemptions: \$771.25

Estimated Taxes Without Exemptions: \$771.25

STATE OF TEXAS

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COUNTY OF HOWARD

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CERTIFICATION
707 WYOMING CASE NOTES

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

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

Making this record was a regular practice of that activity.

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

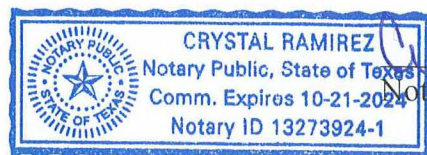
SIGNED on the 5 day of Sept, 2024.

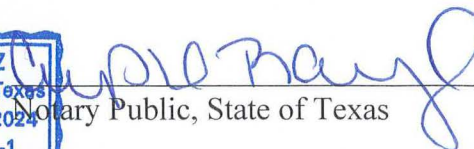


AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024

by the above referenced Affiant.





Notary Public, State of Texas

Exhibit E-3



CASE NOTES

Page 1 of 1

Report Run On: Thursday, 08 August
2024 15:30

Case # 24-00001151 **Parcel # :** 276807

Site Address: 707 WYOMING

Case Description: WAS WORKING PRO0PERTY NOTICED SUBSTANDARD STRUCTURE LOOKS TO BE BURNT

Note Type	Note Code	Text	Created By	Begin Date	End Date
GENERAL		PREPAIRING TO SEND OVER TO LEGAL 8-8-24	Ashley Guerra	08/08/24	
GENERAL		FIRE REPORT	Ashley Guerra	08/08/24	
PHOTOS		updated photos taken on 8-8-2024 first set of pictures where blurry .	Ashley Guerra	08/08/24	
SITE VISIT		Spoke with siblings of the deceased parents of the home they wanted to come in and sign wavier but they are not listed as the owners per legal team Andrew so siblings agreed to let this go through council so that burnt structure can be brought down .	Ashley Guerra	08/06/24	
GENERAL		SENT OUT NOTICE OF VIOLATION ON 7-19-24	Ashley Guerra	07/19/24	
SITE VISIT		ON 7-16 -24 WAS WORKING PROPERTY PROPERTY LOOKS TO BE BURNT GOING TO PULL FIRE REPORT TO ADD TO CASE	Ashley Guerra	07/16/24	
CORRECTIVE ACTION		PROPERTY HAS A BURNT SUBSTANDARD STRUCTURE ON PROPERTY NEEDS TO BE BROUGHT UP TO CODE OR BROUGHT DOWN DEADLINE FOR COMPLIANCE (7) SEVEN DAYS FROM THE DATE OF MAILING .	Ashley Guerra	07/16/24	

STATE OF TEXAS

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COUNTY OF HOWARD

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**CERTIFICATION OF
PHOTOGRAPHS BY ASHLEY GUERRA**

“With regard to the photographs in **Exhibits E-4** I am familiar with and recognize the scene depicted in the photographs. On July 16, 2024 and August 8, 2024, I inspected the property described as:

LOT 10, BLOCK 3, BANKS SUBDIVISION, BIG SPRING, HOWARD
COUNTY, TEXAS, also known as **707 WYOMING**, Big Spring, Texas.

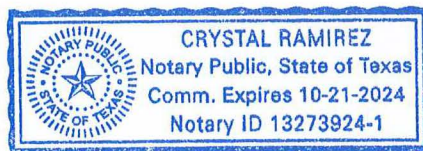
Each of the photographs is a fair and accurate depiction of the scene at the relevant time.”

SIGNED on the 5 day of Sep., 2024.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024
by the above referenced Affiant.





Notary Public, State of Texas

Exhibit E-4

24-00001151



July 16, 2024 9:38 AM

24-00001151

July 16, 2024 9:38 AM

24-00001151

July 16, 2024 9:38 AM

24-00001151



August 08, 2024 10:37 AM



24-00001151



August 09, 2024 10:46 AM

24-00001131



August 08, 2024 10:38 AM

STATE OF TEXAS

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COUNTY OF HOWARD

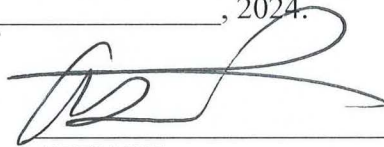
§

CERTIFICATION
NOTICE SENT BY ASHLEY GUERRA

“The document in **Exhibit E-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 E-5** is also attached.

SIGNED on the 5 day of Sept, 2024.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024
by the above referenced Affiant.

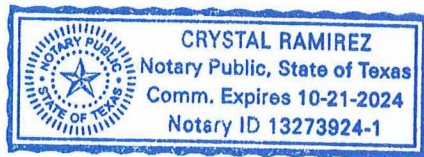

Notary Public, State of Texas

Exhibit E-5



City of Big Spring Code Compliance

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

NOTICE OF VIOLATION

Re: 707 WYOMING BIG SPRING, TX 00000

Legal Description: LT 10 BK 3 BANKS 50X140 149 0.161 ACRES

Date 08/06/2024

Case No: 24-00001151

JOHNSON WILL
707 WYOMING ST
BIG SPRING, TX 79720

Dear JOHNSON WILL

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: 707 WYOMING BIG SPRING, TX 00000

Legal Description: LT 10 BK 3 BANKS 50X140 149 0.161 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 is 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:

PROPERTY HAS A BURNT SUBSTANDARD STRUCTURE ON PROPERTY
NEEDS TO BE BROUGHT UP TO CODE OR BROUGHT DOWN
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



City of Big Spring Code Compliance

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

NOTICE OF VIOLATION

Re: 707 WYOMING BIG SPRING, TX00000

Legal Description: LT 10 BK 3 BANKS 50X140 149 0.161 ACRES



Code Compliance

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

**NOTICE OF VIOLATION
AND NOTICE OF HEARING**

Sent via: Certified Mail; Return Receipt Requested

August 30, 2024

Estate of Will Johnson
707 Wyoming St.
Big Spring, Texas 79720

Re: 707 WYOMING, BIG SPRING, TEXAS 79720
LEGAL DESCRIPTION: LOT 10, BLOCK 3, BANKS SUBDIVISION, BIG
SPRING, HOWARD COUNTY, TEXAS, Howard County

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

VIOLATION	DESCRIPTION OF VIOLATION
111.1.5 HAZARDOUS STRUCTURE OR PREMISES. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described as follows shall be considered to be hazardous: 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	The building had fire damage that has not been repaired. The roof of the Main Structure is in disrepair and appears to be caving in, making the structure dangerous and unsafe for its use and occupancy. The structure is neglected, damaged, dilapidated, unsecured, and abandoned so as to constitute an attractive nuisance. The Structure is dilapidated so as to be unfit for human habitation. Hazardous condition.

an unlawful act. 8. Any building or structure has been constructed, exists, or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety. 9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease. 10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the code official to be a threat to life or health. 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	The structural members appear to have deteriorated. Exterior walls are not plumb and free of holes, cracks or breaks and loose or rotting materials. The roof appears to be bowing in. The roof appears to admit rain and has signs of deterioration. Unsafe condition.

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.	
304.6 Exterior walls. Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.	The exterior walls are broken/damaged and have left gaps and openings into the structure.
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.
304.13 Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight	The structure has broken windows.

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

Corrective Action Sought by Code Compliance

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

REPAIR OR DEMOLISH AND REMOVE

of structure(s).

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

Issued by

Ashley Guerra
Name

Code Compliance Official
Title

+1 (432) 264-2505

Phone

aguerra@mybigspring.com

E-mail

The City's goal is voluntary compliance.

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

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

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

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

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **5:30 PM, September 10, 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.

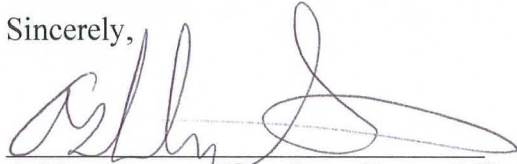
NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, 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,

A handwritten signature in black ink, appearing to read 'Ashley Guerra', written over a horizontal line.

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

9589 0710 5270 1749 6555 72

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	
\$	

8/30/2024

Postmark
Here

707 WYOMING

Final Notice

Sent To	Estate of Will Johnson
Street and Apt. No., or PO Box No.	707 Wyoming St.
City, State, ZIP+4®	Blg Springs TX 79720

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

Tracking Number:

Remove X

9589071052701749655572

Copy Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was forwarded to a different address at 8:48 am on September 3, 2024 in BIG SPRING, TX. This was because of forwarding instructions or because the address or ZIP Code on the label was incorrect.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Feedback

Alert

Forwarded

BIG SPRING, TX
September 3, 2024, 8:48 am

Arrived at Post Office

BIG SPRING, TX 79720
September 3, 2024, 8:37 am

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

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

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

§

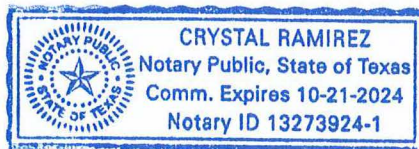
**CERTIFICATION
OF POSTING OF PUBLIC HEARING**

“The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for September 10, 2024, attached as **Exhibit E-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on August 30, 2024.”

SIGNED on the 5 day of Sept., 2024.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of September, 2024
by the above referenced Affiant.



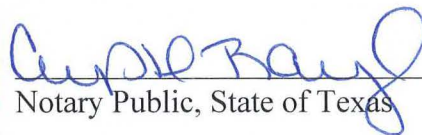

Notary Public, State of Texas

Exhibit E-6



Code Enforcement

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

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **SEPTEMBER 10TH, 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:

910 E 15TH, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 6, BLOCK 37, COLE & STRAYHORN SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: B&C STARR, LLC

501 DONLEY, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 12, BLOCK 16, BOYDSTUN SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: MANUEL ARRIAGA

910 N RUNNELS, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: SE/4 OF SECTION 42, BLOCK 32, TOWNSHIP 1 NORTH, TRACT 21, WILLIAM B CURRIE SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: THE ESTATE OF TERRENCE YOUNG

4110 MUIR, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 6, BLOCK 1, MUIR HEIGHTS SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: MARTIN P. CARRILLO

707 WYOMING, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 10, BLOCK 3, BANKS SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: THE ESTATE OF WILL JOHNSON

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.

RECENT ORDERS OF ABATEMENT

PUBLIC HEARINGS ON THE FOLLOWING LISTED PROPERTIES IN BIG SPRING, TEXAS, WERE HELD AND ORDERS WERE ISSUED AS FOLLOWS. A COMPLETE COPY OF EACH ORDER IS

AVAILABLE AT THE OFFICE OF THE CITY SECRETARY, 310 NOLAN, BIG SPRING, TEXAS 79720.

1211 LINDBERGH – LEGAL DESCRIPTION: LOT 17, BLOCK 4, WRIGHTS AIRPORT SUBDIVISION – AUGUST 27TH, 2024; REPAIR OR DEMOLISH AND REMOVE MAIN STRUCTURE.

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



Exhibit E-7



INCIDENT

Incident Number <u>240627-071923-BSFD</u>	Incident Date <u>06/27/2024</u>	NFIRS Number <u>0001992</u>	Incident Type <u>(111) - Building fire</u>
FDID <u>KW601</u>	Station <u>Station 1</u>	Shift <u>B-Shift</u>	District <u>District 4</u>

Initial Dispatch Code

Alarms _____	Working Fire? <u>Yes</u>	COVID-19 was a factor <u>No, COVID-19 was not a factor</u>	Critical Incident _____	Critical Incident Team _____
-----------------	-----------------------------	---	----------------------------	---------------------------------

Temporary Resident Involvement
None

Hazardous Materials Released

Action Taken 1
(10) - Fire control or extinguishment, other

AID

Aid Given/Received
(N) - None

LOCATION

Location Type
(1) - Street address

Address
707 Wyoming, Big Spring, Texas, 79720

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

Detector Alerted Occupant

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

TIMES

PSAP Received _____	Dispatch Notified Time _____	Alarm Time <u>09:59:00, 06/27/2024</u>
Arrival Time <u>10:07:00, 06/27/2024</u>	Water on Fire Time _____	At Patient Time _____
Loss Stop Time _____	Controlled Time _____	Last Unit Cleared Time <u>11:36:00, 06/27/2024</u>

 TIMES

Total On Scene Time
1 hrs 29 mins 0 sec

Total Incident Time
1 hrs 37 mins 0 sec

 COUNTS

Counts Include Aid Received?

No

Suppression:

Apparatus
3

Personnel
6

EMS:

Apparatus
0

Personnel
0

Other:

Apparatus
2

Personnel
1

 LOSS**Property:**

Estimated Property Losses
\$30000

Estimated Property Value
\$

Content:

Estimated Content Losses
\$30000

Estimated Content Value
\$

 PERSON/OWNER**Person:**

Name

Business Name

Phone

Address

 VEHICLE**Vehicle 1:**

Vehicle Type

(11) - Automobile, passenger car, ambulance, race car

Make (FO) - Ford

Model

Year
2008

Color
Silver

VIN
3FAHP07Z08R236832

License Plate

State

Expires

Odometer

Reported Stolen?

Extrication Needed?

Extrication Time

Persons Involved

Insured Name

Policy Type

Policy Number

Claim Number

Insurance Company Name

Insurance Co. Phone

Insurance Co. Email

Insurance Company Address

Insurance Agent

 VEHICLE

Law Enforcement Officer

Police Report/File Number

Number of Occupants

Number of Injuries

Number of Fatalities

Supplies Used

Notes

 AUTHORIZATION
Report Writer:

Name

WESTBROOK, ASHTON

Employee Number

2120

Assignment

Authorization Date

06/27/2024

Officer in Charge:

Name

WESTBROOK, ASHTON

Employee Number

2120

Assignment

LADDER 1

Authorization Date

06/27/2024

Quality Control:

Name

Authorization Date

 INCIDENT NARRATIVE

Dispatch toned out the Fire Department in reference to a fire in the rear of a building. The responding units were Engine 3, Ladder 1, Bat 1, fire marshal and engine 5.

Engine 3 was first on scene. Engine 3 began attacking the fire with pre connect 200ft of 3/4in hose. On arrival heavy smoke and fire could be scene coming from the rear of the building. The fire had spread to a vehicle that was parked just a few feet from the rear door. Once ladder 1 was on scene a second line was pulled of 200ft 3/4in hose. The fire was attached at the rear. Both the vehicle and structure were extinguished using 2000 gallons of water. The fire was only in the rear room but had spread through the roof at the rear and rear sidings. Engine 5 made entry through the front while ventilating the structure. No fire was present in the forward rooms of the house. No persons were in the structure at the time of the fire. Once the fire was extinguished. The hose was broken down and put back on the engine. Overhaul was performed to ensure no more fire was present. Once all tools were put back on the engine, everyone cleared the scene to resupply and then returned to service.

Created By: WESTBROOK, ASHTON

**Unit Reports****BATTALION 1**

Use

(0) - Other

Responding From

Priority

Emergent

Response Delays

None/No Delay

Dispatch Time

09:59:00, 06/27/2024

Enroute Time

09:59:00, 06/27/2024

Arrival Time

10:07:00, 06/27/2024

At Patient Time

Clear Time

11:36:00, 06/27/2024

In District Time

Actions Taken:

Incident command

Personnel
CHRIS GLENN

FIRE MARSHALL

Use	Responding From	Priority
(0) - Other		
Response Delays		
Dispatch Time	Enroute Time	Arrival Time
09:59:00, 06/27/2024	09:59:00, 06/27/2024	10:07:00, 06/27/2024
At Patient Time	Clear Time	In District Time
	11:36:00, 06/27/2024	
Actions Taken:		
Information, investigation & enforcement, other		
Personnel Count		
0		

LADDER 1

Use	Responding From	Priority
(1) - Suppression	City of Big Spring	Emergent
Response Delays		
None/No Delay		
Dispatch Time	Enroute Time	Arrival Time
09:59:00, 06/27/2024	09:59:00, 06/27/2024	10:07:00, 06/27/2024
At Patient Time	Clear Time	In District Time
	11:36:00, 06/27/2024	
Actions Taken:		
Fire control or extinguishment, other		
Personnel		
ASHTON WESTBROOK, Clyde Dent, COLBY DARROW		

ENGINE 3

Use	Responding From	Priority
(1) - Suppression	City of Big Spring	Emergent
Response Delays		
None/No Delay		
Dispatch Time	Enroute Time	Arrival Time
09:59:00, 06/27/2024	09:59:00, 06/27/2024	10:07:00, 06/27/2024
At Patient Time	Clear Time	In District Time
	11:36:00, 06/27/2024	
Actions Taken:		
Fire control or extinguishment, other		
Personnel		
James Phelps, JOSH JENNINGS, ANTHONY RIOS		

ENGINE 5

Use (1) - Suppression	Responding From City of Big Spring	Priority Emergent
Response Delays None/No Delay		
Dispatch Time 09:59:00, 06/27/2024	Enroute Time 09:59:00, 06/27/2024	Arrival Time 10:07:00, 06/27/2024
At Patient Time	Clear Time 11:36:00, 06/27/2024	In District Time
Actions Taken: Fire control or extinguishment, other		
Personnel Count 0		

 Fire Module SITE INFO

Alarms	Acres Burned	Resident Units In Bldg 1	Buildings Involved
Hydrant Identifier	Estimated Water Usage		

 ON-SITE MATERIALS

Material ID 1 (NNN) - None	Storage Use ID 1
-------------------------------	------------------

 IGNITION

Area of Origin (09) - Egress/exit, other	
Heat Source (UU) - Undetermined	
Item First Ignited (10) - Structural component or finish, other	Fire Confined to Item?
Type of Material First Ignited (60) - Wood or paper, processed, other	
Cause of Ignition (2) - Unintentional	
Factors Contributing to Ignition 1 (30) - Electrical failure, malfunction, other	
Human Factors Contributing to Ignition (N) - None	
Est. Age of Person Involved	Gender of Person Involved

 STRUCTURE

Structure Type
(1) - Enclosed building

Stories Above Grade 1	Stories Below Grade 0	Building Status (2) - In normal use	
Length	Width	Total Square Feet 1200 sq ft	Story of Fire Origin 1

Fire Spread
(5) - Beyond building of origin

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

Number of Stories with Damage

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

 PROTECTIVE SYSTEMS

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

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

Effectiveness (/Failure Reason)

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

System Operation	# of Sprinklers	Reason for System Failure
------------------	-----------------	---------------------------

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

The City Council of the City of Big Spring, Texas, met in a REGULAR AGENDA in the City Council Chambers located at 307 E. 4th St., Big Spring, Texas, at 5:30 PM, August 27, 2024, with the following members present in person:

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

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
JAY HOLT	Fire Chief
MIKE FEELEY	Airpark Director
SANDY SMITH	Finance 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

Jess Colegrove gave the invocation.

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

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

Public Comment

Public Comment

Scott Emerson thanked the city staff and other citizens that helped clean up the Benton St. overpass.

Announcements, Presentations and Public Hearings

Open Public Hearings

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

**YEAS: Mayor Moore, Council Member Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member Wilkerson, Mayor Pro Tem
Tompkins, Council Member Moreno**

NAYS: None 0

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1211 LINDBERGH, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 17, BLOCK 4, WRIGHTS AIRPORT SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: LOUIS SILVA & ALICE SILVA

MOTION WAS MADE BY Mayor Moore to abate the above captioned property (1211 Lindbergh), seconded by Council Member Ornelas.

**YEAS: Mayor Moore, Council Member Ornelas, Council Member Wilkerson, 7
Council Member Hughes, Council Member Yanez, Mayor Pro Tem Tompkins,
Council Member Moreno**

NAYS: None 0

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1401 W 5TH, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: SECTION 32, BLOCK 33, TOWNSHIP 1 NORTH, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: ESTATE OF ELEAZAR GARZA & SARAH PAT GARZA

No action was necessary for the above captioned property (1401 W. 5th).

Close Public Hearings

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

**YEAS: Mayor Moore, Council Member Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member Wilkerson, Mayor Pro Tem
Tompkins, Council Member Moreno**

NAYS: None 0

MOTION PASSED

City Manager's Report

City Manager's report on the following items:

- Update - Large Item Pickup, District 2
- Boards & Committees
- City Holiday - September 2nd, Labor Day

Todd Darden, City Manger, reported on the above captioned items as follows: Large Item Pickup for District 2 picked up 8 tons of items; Boards and Committes will have some expired members on September 30, 2024 and will be on the next agenda; City offices will be closed on September 2nd for Labor Day.

Consent Items

Approval of the City Council Minutes of the Regular Meeting of August 13, 2024.

Acknowledge Receipt of the Big Spring Economic Development Corporation Board of Director's Minutes of the Regular Meeting of July 16, 2024.

Acknowledge Receipt of the McMahon-Wrinkle Aviation Advisory Board Minutes of the Regular Meetings of May 16, 2024 and July 18, 2024.

Final Reading of a Resolution to Enter into the Cyber Liability and Data Breach Response Interlocal Agreement with Texas Municipal League Intergovernmental Risk Pool; Delagating Authority to Select the Fund Contact; 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 and resolution, seconded by Council Member Hughes.

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

NAYS: None

7

0

MOTION PASSED

Vouchers

Vouchers for 08/15/24	\$	185,942.06
Vouchers for 08/22/24	\$	912,901.61

Council Member Yanez reviewed the above captioned vouchers.

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

**YEAS: Mayor Moore, Council Member Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member Wilkerson, Mayor Pro Tem**

Tompkins, Council Member Moreno

NAYS: None 0

MOTION PASSED

Bids

Consideration and Possible Action on Awarding a Bid for the Asbestos Abatement at the Flight Academy located at McMahon-Wrinkle Airpark 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 1 Priority Environmental Services in the amount of \$51,444.00, seconded by Council Member Yanez.

**YEAS: Mayor Moore, Council Member Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member Wilkerson, Mayor Pro Tem**

Tompkins, Council Member Moreno

NAYS: None 0

MOTION PASSED

Consideration and Possible Action on Awarding a Bid for the Asbestos Abatement at the Training Center Located at McMahon-Wrinkle Airpark and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Council Member Yanez to award the above captioned bid to 1 Priority Environmental Services in the amount of \$14,212.00, seconded by Council Member Hughes.

**YEAS: Mayor Moore, Council Member Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member Wilkerson, Mayor Pro Tem**

Tompkins, Council Member Moreno

NAYS: None 0

MOTION PASSED

Consideration and Possible Action on Awarding a Bid for the Development of Covered Parking for Airport Fuel Trucks at McMahon-Wrinkle Airport 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 RW Fence and Fab in the amount of \$14,950.00, seconded by Council Member Yanez.

**YEAS: Mayor Moore, Council Member Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member Wilkerson, Mayor Pro Tem**

Tompkins, Council Member Moreno
NAYS: None

0
MOTION PASSED

New Business

Consideration and Possible Action on Big Spring Economic Development Corporation's 2023-2024 Annual Report and 2024-2025 Plan of Work

Mark Willis, Executive Director, presented the above captioned reports. No action was taken.

Consideration and Possible Action of Placing a Proposal on the September 10, 2024 City Council Agenda to Adopt the Proposed Tax Rate of \$0.671465.

MOTION WAS MADE BY Mayor Pro Tem Tompkins to approve placing the proposed tax rate of \$0.671465 on the next City Council agenda, seconded by Council Member Wilkerson.

YEAS: Mayor Moore, Council Member Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member Wilkerson, Mayor Pro Tem
Tompkins, Council Member Moreno
NAYS: None 0

MOTION PASSED

Consideration and Possible Action to Call for Public Hearings on the 2024-25 Annual Budget and the Proposed Tax Rate to be Held on Tuesday, September 10, 2024 at 5:30 p.m. in the City Council Chambers Located at 307 East 4th Street, Big Spring, TX.

MOTION WAS MADE BY Mayor Pro Tem Tompkins to approve calling for the above captioned public hearings on the budget and tax rate, seconded by Council Member Hughes.

YEAS: Mayor Moore, Council Member Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member Wilkerson, Mayor Pro Tem
Tompkins, Council Member Moreno
NAYS: None 0

MOTION PASSED

Consideration and Possible Action to Grant an Easement and Right-of-Way to Oncor Electric Delivery Company, LLC on the North Side of Douglas Street, and the West Side of 1st Avenue, Big Spring, Texas and Authorizing the City Manager or His Designee to Execute any Necessary Documents

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

YEAS: Mayor Moore, Council Member Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member Wilkerson, Mayor Pro Tem
Tompkins, Council Member Moreno

NAYS: None

0

MOTION PASSED

Consideration and Possible Action to Approve an Agreement with Timeclock Plus, LLC for Software Licenses, Hardware Support and Maintenance for a Three-Year Term and Authorizing the City Manager or His Designee to Execute any Necessary Documents

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

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

7

NAYS: None

0

MOTION PASSED

Consideration and Possible Action to Extend the Real Estate Service Agreement with Texas Communities Group, LLC to September 30, 2025 and Authorizing the Mayor to Execute any Necessary Documents.

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

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

7

NAYS: None

0

MOTION PASSED

First Reading of a Resolution Approving a Negotiated Settlement Between the Executive Committee of Cities Served by Atmos West Texas ("Cities") and Atmos Energy Corp., West Texas Division Regarding the Company's 2024 Rate Review Mechanism Filing; Declaring Existing Rates to be Unreasonable; Adopting Tariffs that Reflect Rate Adjustments Consistent with the Negotiated Settlement; Finding the Rates to be Set by the Attached Settlement Tariffs to be Just and Reasonable and in the Public Interest; Approving an Attachment Establishing a Benchmark for Pensions and Retiree Medical Benefits; Requiring the Company to Reimburse Cities' Reasonable Ratemaking Expenses; Determining that this Resolution was Passed in Accordance with the Requirements of the Texas Open Meetings Act; Adopting a Savings Clause; Declaring an Effective Date; and Requiring Delivery of this Resolution to the Company and the Cities' Legal Counsel

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

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

7

NAYS: None

0

MOTION PASSED

Council Input

Input

There was no council input at this time.

Executive Session

Adjourn into Executive Session in Accordance with the Purposes Permitted by the Open Meetings Act, Section 551.071, Texas Government Code, "Consultation with Attorney; Closed Meeting," and the Texas Disciplinary Rules of Professional Conduct, to Provide Legal Advice and Counsel with Respect to Potential Litigation.

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

MOTION WAS MADE BY Mayor Moore to adjourn into the above captioned executive sessions at 6:02 p.m., seconded by Council Member Hughes.

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

7

NAYS: None

0

MOTION PASSED

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

Mayor Moore reconvened into open session at 6:50 p.m. No action was taken.

Adjourn

Mayor Moore adjourned the City Council meeting at 6:52 p.m.

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary



INTEROFFICE MEMORANDUM

Date: August 27, 2024
TO: Mayor Robert H. Moore and Big Spring City Council
CC: Todd Darden, City Manager
From: John Medina, Assistant City Manager
Subject: Atmos West-Tex 2024 Rate Review Mechanism (RRM) Settlement

Background and Summary

The City, along with 70 other West Texas cities served by Atmos Energy Corporation, West Texas Division (“Atmos West Texas” or “Company”), is a member of Cities Served by Atmos West Texas (“Cities”). In 2007, the Cities and Atmos West Texas settled a rate application filed by the Company pursuant to Section 104.301 of the Texas Utilities Code for an interim rate adjustment commonly referred to as a GRIP filing (arising out of the Gas Reliability Infrastructure Program legislation). That settlement created a substitute rate review process, referred to as Rate Review Mechanism (“RRM”), as a substitute for future filings under the GRIP statute.

Since 2007, there have been several modifications to the original RRM Tariff. The most recent iteration of an RRM Tariff was reflected in an ordinance adopted by Cities in 2018. On or about April 1, 2024, the Company filed a rate request pursuant to the RRM Tariff adopted by Cities. The Company claimed that its cost of service in a test year ending December 31, 2023, entitled it to a \$6.7 million increase to the WTX Cities. This was reduced to \$5.8 million due to limitations in the RRM tariff.

After a review of Cities’ consultants’ report and negotiations with Cities’ representatives, Atmos agreed to a rate increase of \$4.3 million plus revenue related taxes within the Cities, with an Effective Date of October 1, 2024.

Rate Tariffs

Atmos generated rate tariffs associated with the Resolution/Ordinance. These tariffs are Attachment 1 to this Staff Report. Atmos also provided proof of revenues associated with the new rates. The Cities’ consultants have confirmed the accuracy of the proof.

Bill Impact

The impact of this increase in revenues to an average residential customer's bill is an increase of approximately \$1.27 per month. Atmos provided a bill impact estimate for each customer class reflecting the new rates. Comparison of the new rates to rates in effect for areas not under the RRM process reveals that settling Cities will maintain an economic monthly advantage over rates in effect in Lubbock, and environs.

Cities' Objection to The Section 104.301 GRIP Process

Cities strongly opposed the GRIP process because it constitutes piecemeal ratemaking by ignoring declining expenses and increasing revenues and rewarding the Company for increasing capital investment. The GRIP process does not allow any review of the reasonableness of capital investment and does not allow cities to participate in the Railroad Commission's review of annual GRIP filings or allow Cities to recover their rate case expenses. The Railroad Commission undertakes a mere administrative review of GRIP filings (instead of a full hearing), and rate increases go into effect without any material adjustments. In the Executive Committee's view, the GRIP process unfairly raises customers' rates without any regulatory oversight. In contrast, the RRM process has allowed for a more comprehensive rate review and annual evaluation of expenses and revenues, as well as capital investment.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE EXECUTIVE COMMITTEE OF CITIES SERVED BY ATMOS WEST TEXAS (“CITIES”) AND ATMOS ENERGY CORP., WEST TEXAS DIVISION REGARDING THE COMPANY’S 2024 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE CITIES’ REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE CITIES’ LEGAL COUNSEL.

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

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

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

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

WHEREAS, on about April 1, 2024, Atmos West Texas filed its 2024 RRM rate request with Cities based on a test year ending December 31, 2023; and

WHEREAS, Cities coordinated its review of the Atmos West Texas 2024 RRM filing through its Executive Committee, assisted by Cities’ attorneys and consultants, to resolve issues identified in the Company’s RRM filing; and

WHEREAS, the Executive Committee, as well as Cities' counsel and consultants, recommends that Cities approve an increase in base rates for Atmos West Texas of \$4.3 million with an Effective Date of October 1, 2024; and

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

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

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

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

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

SECTION 2. That, without prejudice to future litigation of any issue identified by Cities, the City Council finds that the settled amount of an increase in revenues of \$ 4.3 million for Cities represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos West Texas within the municipal limits arising from Atmos West Texas' 2024 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

SECTION 3. That the existing rates for natural gas service provided by Atmos West Texas are unreasonable. The new tariffs, attached hereto and incorporated herein as Attachment 1, are just and reasonable, and are designed to allow Atmos West Texas to recover annually an additional \$4.3 million in revenue from customers in Cities, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

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

SECTION 5. That Atmos West Texas shall reimburse the reasonable ratemaking expenses of the Cities in processing the Company's 2024 RRM filing.

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

SECTION 7. It is hereby officially found and determined that the meetings at which this Resolution was adopted were open to the public and that public notice of the time, place and purpose of said meetings were given as required by law.

SECTION 8. Should any one or more sections or clauses of this Resolution be adjudged unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

SECTION 9. That consistent with the City Ordinance that established the RRM process, this Resolution shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after October 1, 2024.

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

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 27th day of August, 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 10th day of September, 2024 with all members of the Council voting “aye” for the passage of same.

Robert H. Moore III, Mayor

ATTEST:

APPROVED AS TO FORM:

Tami L. Davis, City Secretary

Andrew W. Hagen, City Attorney

**WEST TEXAS DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	RESIDENTIAL GAS SERVICE	
APPLICABLE TO:	WEST TEXAS CITIES SERVICE AREA – Inside City Limits (ICL)	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2024	

Availability

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

Monthly Rate

Charge	Amount
Customer Charge	\$ 19.69
Consumption Charge	\$ 0.43304 per Ccf

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

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

The West Texas Division Rider TAX applies to this schedule.

The West Texas Division Rider FF applies to this schedule.

The West Texas Division Rider RRM applies to this schedule.

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

**WEST TEXAS DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	COMMERCIAL GAS SERVICE	
APPLICABLE TO:	WEST TEXAS CITIES SERVICE AREA – Inside City Limits (ICL)	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2024	

Availability

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

Monthly Rate

Charge	Amount
Customer Charge	\$ 67.39
Consumption Charge	\$ 0.21728 per Ccf

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

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

The West Texas Division Rider TAX applies to this schedule.

The West Texas Division Rider FF applies to this schedule.

The West Texas Division Rider RRM applies to this schedule.

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

Presumption of Plant Protection Level

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

**WEST TEXAS DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	INDUSTRIAL GAS SERVICE	
APPLICABLE TO:	WEST TEXAS CITIES SERVICE AREA – Inside City Limits (ICL)	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2024	

Availability

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

Monthly Rate

Charge	Amount
Customer Charge	\$ 772.87
Consumption Charge	\$ 0.12145 per Ccf

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

The West Texas Division Rider TAX applies to this schedule.

The West Texas Division Rider FF applies to this schedule.

The West Texas Division Rider RRM applies to this schedule.

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

Presumption of Plant Protection Level

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

**WEST TEXAS DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	TRANSPORTATION SERVICE	
APPLICABLE TO:	WEST TEXAS CITIES SERVICE AREA – Inside City Limits (ICL)	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2024	

Application

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

Type of Service

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

Monthly Rate

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

Charge	Amount
Customer Charge per Meter	\$ 772.87 per month
Consumption Charge	\$ 0.12145 per Ccf

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

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

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

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

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

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

The West Texas Division Rider RRM applies to this schedule.

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

**WEST TEXAS DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	TRANSPORTATION SERVICE	
APPLICABLE TO:	WEST TEXAS CITIES SERVICE AREA – Inside City Limits (ICL)	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2024	

Imbalance Fees

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

Monthly Imbalance Fees

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

Curtailment Overpull Fee

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

Replacement Index

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

Agreement

A transportation agreement is required.

Notice

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

Special Conditions

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

**WEST TEXAS DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	PUBLIC AUTHORITY GAS SERVICE	
APPLICABLE TO:	WEST TEXAS CITIES SERVICE AREA – Inside City Limits (ICL)	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2024	

Availability

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

Monthly Rate

Charge	Amount
Customer Charge	\$ 186.36
Consumption Charge	\$ 0.19014 per Ccf

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

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

The West Texas Division Rider TAX applies to this schedule.

The West Texas Division Rider FF applies to this schedule.

The West Texas Division Rider RRM applies to this schedule.

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

ATMOS ENERGY CORPORATION
WEST TEXAS CITIES ("WTX CITIES") RATE REVIEW MECHANISM
PENSIONS AND RETIREE MEDICAL BENEFITS FOR APPROVAL
TEST YEAR ENDING DECEMBER 31, 2023

Line No.	Description	Shared Services		WTX			Total
		Pension Account Plan	Post-Employment Benefit Plan	Pension Account Plan	Post-Employment Benefit Plan	Supplemental Executive Benefit Plan	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
1	Proposed Benefits Benchmark -						
	Fiscal Year 2024 Willis Towers Watson Report	\$ 1,401,099	\$ (1,145,631)	\$ 468,105	\$ (1,406,456)	\$ 40,864	
2	Allocation Factor	8.87%	8.87%	96.01%	96.01%	96.01%	
3	Proposed Benefits Benchmark Costs (Excluding Removed Cost Centers)						
	Allocated to West Texas (Ln 1 x Ln 2)	\$ 124,299	\$ (101,635)	\$ 449,415	\$ (1,350,301)	\$ 39,232	
4	O&M and Capital Factor	100.00%	100.00%	100.00%	100.00%	100.00%	
5	Proposed Benefits Benchmark Costs To Approve						
	(Excluding Removed Cost Centers) (Ln 3 x Ln 4)	\$ 124,299	\$ (101,635)	\$ 449,415	\$ (1,350,301)	\$ 39,232	\$ (838,990)
6							
7							
8	Summary of Expense Costs to Approve:						
9							
10	O&M Expense Factor (WP_F-2.3, Ln 2)	82.59%	82.59%	48.44%	48.44%	100.00%	
11							
12	Total Pension Account Plan	\$ 102,660		\$ 217,683			\$ 320,343
13	Total Post-Employment Benefit Plan		\$ (83,941)		\$ (654,044)		(737,985)
14	Total Supplemental Executive Benefit Plan					\$ 39,232	39,232
15	Total (Sum Ln 12 through Ln 14)	\$ 102,660	\$ (83,941)	\$ 217,683	\$ (654,044)	\$ 39,232	\$ (378,410)



CITY OF
Big Spring

MEMORANDUM

Date: September 10, 2024

To: Mayor Moore, Big Spring City Council Members and Todd Darden, City Manager

From: Mike Feeley A.A.E., Airport Director

Re: Authorization for an award of a bid from Advanced Environmental Services, for the abatement and demolition of the USAF Air Traffic Control Tower on McMahon-Wrinkle Airport

The City's consultant Asbestos and Environmental Consulting, LLC (AEC) posted bids for the abatement of environmental concerns associated with the USAF Air Traffic Control Tower at McMahon-Wrinkle Airport. The base bid was to mitigate asbestos concerns with the facility and the bid additive was to subsequently demolish the facility after the environmental concerns were addressed.

The bid opening occurred on August 22, 2024, with the following there (3) bids received:

USAF Air Traffic Control Tower Abatement and Demolition			
<i>Contractor</i>	<i>Base Bid</i>	<i>Alternate 1</i>	<i>Bid Total</i>
1Priority Enviromenal	\$ 89,900	\$ 43,750	\$ 133,650
Advanced Environmental	\$ 45,800	\$ 39,200	\$ 85,000
VANCO Insulation	\$ 36,180	\$ 81,250	\$ 117,430

The resources used for this development will come from the Maintenance of Buildings Account 410-021-610-5311 (current balance \$385,000 as appropriated for this purpose).

Based on the bids received, staff recommends awarding this project to Advanced Environmental Services for the services associated with the Base Bid and Alternate 1 to abate and demolish the facility.



August 25, 2024
VIA EMAIL

John Medina
Assistant City Manager
City of Big Spring

RE: Bid Opening Recommendation
Asbestos Abatement of Control Tower
Bid 24-022

Dear Mr. Medina:

Asbestos and Environmental Consulting, LLC (AEC) assisted with the Bid Opening for the above-reference project on August 22, 2024. The Base bid is for asbestos abatement of the site. The additive alternate is to demolish the facility down to the concrete slab.

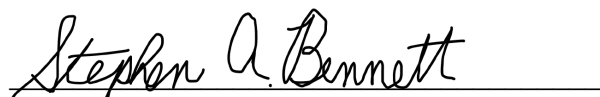
Three contractors submitted bids for the project. Submitted bids ranged from \$85,000 to \$133,650 for the base bid plus additive alternate.

I recommend the City of Big Spring award the project (base bid plus additive alternate) to Advanced Environmental Services for their low bid submitted of \$85,000.

The sign-in sheet and the bid summary sheet are attached to this letter.

Please contact me if you have any questions.

Sincerely,



Stephen A. Bennett, PE, AIC
Principal
Asbestos and Environmental Consulting, LLC
PO Box 64086
Lubbock, TX 79464
M (806) 786-6935
email: sabennett626@gmail.com

cc: Mr. Albert Belez, Purchasing, City of Big Spring

attachments: Sign-in sheet, Bid Tabulation

Asbestos and Environmental Consulting, LLC.

P.O. Box 64086
Lubbock, TX 79464

BID OPEN TAB

CITY OF BIG SPRING
ASBESTOS ABATEMENT OF CONTROL TOWER
BID 24-022

August 22, 2024
3:00PM

CONTRACTOR	BID BOND	BASE BID (abatement)		ADDITIVE ALTERNATE 1 (demolition)		BID TOTAL
		Amount	Days	Amount	Days	
1 Priority Environmental Services, LLC	y	\$89,900.00	17	\$43,750.00	14	\$133,650.00
Advanced Environmental Services	y	\$45,800.00	15	\$39,200.00	5-6	\$85,000.00
VANCO Insulation, Inc	y	\$36,180.00	10	\$81,250.00	10	\$117,430.00

SIGN IN SHEET

CITY OF BIG SPRING
ASBESTOS ABATEMENT OF CONTROL TOWER
BID 24-022August 22, 2024
3:00pm

NAME	Company	Contact Information
Albert Baez	COBS	432-264-2388
Steve Bennett	AEC	(806) 786-6935
John Medina	COBS	432 264 2345
Shane Banks	COBS	432-264-2500
Wendy	COBS	432 466 3385



MEMORANDUM

To: Mayor Robert H. Moore, III, and Members of the Big Spring City Council

CC: Todd Darden, City Manager

From: Albert Belez/ Purchasing Agent

Date: Thursday September 4,2024

Subject: Award Bid for Concrete Sidewalk and Pads

Action Requested: Award bid for concrete services

Background Information: Dora Roberts Rehab Center Donated \$750K for an inclusive playground at Comanche Trail Park. As part of the City's participation \$50,000 was budgeted for sidewalks and other concrete work around the new playground.

Financial Considerations:

Expenditure amount requested:	\$26,000
What fund/department account will this amount be drawn from?	General Fund Parks Department
Budgeted Amount	\$50,000
Would this expenditure be made within the budget for the current fiscal year?	Yes
Does this commit the City to spending funds beyond the current fiscal year? Explain.	No

Vendor Bids/Quotations: We received 2 (two) formal quotes for 2 (two) 16' x 16' x 4" shade structure pads, 350' x 5' x 4" sidewalks and 1 (one) 14' x 5' steps. Quality Concrete submitted a bid in the amount of \$26,000. Gonzales Concrete submitted a bid in the amount of \$26,500.

Staff recommendation: It is our recommendation to award the bid for concrete services to Quality Concrete.



MEMORANDUM

To: Mayor Robert H. Moore, III, and Members of the Big Spring City Council
CC: Todd Darden, City Manager
From: Albert Belez/ Purchasing Agent
Date: Thursday, September 4, 2024
Subject: Award Annual Bid No. 25-001 Aluminum Sulfate

Action Requested: Award Annual Bid No. 25-001 Aluminum Sulfate

Background Information: Annual Bid Request for Aluminum Sulfate used at the Water Treatment Department to treat water purchased from CRMWD.

Financial Considerations:

Expenditure amount requested:	\$225,000
What fund/department account will this amount be drawn from?	Water & Sewer Fund Water Treatment Department
Revenue generated:	N/A
Would this expenditure be made within the budget for the current fiscal year?	No
Does this commit the City to spending funds beyond the current fiscal year? Explain.	No. FYI 2024-25 Budget based on consumption
Difference in Cost vs. Current cost	No change from previous year

Vendor Bids/Quotations: We received 3 (three) formal bids and 2 (two) “NO BID” responses. Chemtrade Chemicals submitted a bid of \$299,500. USALCO submitted a bid of \$390,054.65. Chameleon Industries Inc. submitted a bid of \$225,000. Univar Solutions and Pennco submitted “NO BID” letters.

Staff Opinion as to Feasibility and Timeline: This is a yearly contract for Aluminum Sulfate.

Staff recommendation: It is our recommendation to award the bid for Aluminum Sulfate to Chameleon Industries, Inc.



MEMORANDUM

To: Mayor Robert H. Moore, III, and Members of the Big Spring City Council
CC: Todd Darden, City Manager
From: Albert Belez/ Purchasing Agent
Date: Thursday, September 4, 2024
Subject: Award Annual Bid No. 25-002 Anhydrous Ammonia

Action Requested: Award Annual Bid No. 25-002 Anhydrous Ammonia

Background Information: Annual Bid Request for Aluminum Ammonia used by the Water Treatment Department to treat water purchased from CRMWD.

Financial Considerations:

Expenditure amount requested:	\$90,000
What fund/department account will this amount be drawn from?	Water & Sewer Fund Water Treatment Department
Revenue generated:	N/A
Would this expenditure be made within the budget for the current fiscal year?	No
Does this commit the City to spending funds beyond the current fiscal year? Explain.	No. FY 2024-25 Budget based on consumption
Difference in Cost vs. Current cost	There will be a 2.67% increase from the previous year

Vendor Bids/Quotations: We received 1 (one) formal bid and 1 “NO BID” response. Univar Solutions submitted the ‘NO BID” response and PVS DX Inc. submitted a bid in the amount of \$90,000

Staff Opinion as to Feasibility and Timeline: This is a yearly contract for Anhydrous Ammonia.

Staff recommendation: It is our recommendation to award the bid for Anhydrous Ammonia to PVS DX Inc.



MEMORANDUM

To: Mayor Robert H. Moore, III, and Members of the Big Spring City Council
CC: Todd Darden, City Manager
From: Albert Belez/ Purchasing Agent
Date: Thursday, September 4,2024
Subject: Award Annual Bid No. 25-003 Liquid Chlorine

Action Requested: Award Annual Bid No. 25-003 Liquid Chlorine

Background Information: Annual Bid Request for Liquid Chlorine used by the Water and Wastewater Treatment Departments.

Financial Considerations:

Expenditure amount requested:	\$318,370
What fund/department account will this amount be drawn from?	Water & Sewer Fund Water & Wastewater Treatment Departments
Revenue generated:	N/A
Would this expenditure be made within the budget for the current fiscal year?	No
Does this commit the City to spending funds beyond the current fiscal year? Explain.	No. FYI 2024-25 Budget based on consumption
Difference in Cost vs. Current cost	There will be a .41% increase from the previous year

Vendor Bids/Quotations: We received 1 (one) formal bid and 1 “NO BID” response. Univar Solutions submitted the ‘NO BID” response and PVS DX Inc. submitted a bid in the amount of \$318,370

Staff Opinion as to Feasibility and Timeline: This is a yearly contract for Liquid Chlorine.

Staff recommendation: It is our recommendation to award the bid for Liquid Chlorine to PVS DX Inc.



MEMORANDUM

To: Mayor Robert H. Moore, III, and Members of the Big Spring City Council
CC: Todd Darden, City Manager
From: Albert Belez/ Purchasing Agent
Date: Thursday September 4, 2024
Subject: Award Annual Bid No. 25-004 Polymer

Action Requested: Award Annual Bid No. 25-004 Polymer

Background Information: Annual Bid Request for Polymer used by the Water and Wastewater Treatment Departments.

Financial Considerations:

Expenditure amount requested:	\$71,600
What fund/department account will this amount be drawn from?	Water & Sewer Fund Water & Wastewater Treatment Departments
Revenue generated:	N/A
Would this expenditure be made within the budget for the current fiscal year?	No
Does this commit the City to spending funds beyond the current fiscal year? Explain.	No. FYI 2024-25 Budget based on consumption
Difference in Cost vs. Current cost	There will be a 3.24% decrease from the previous year

Vendor Bids/Quotations: We received 1 (one) formal bid and 1 “NO BID” response. Univar Solutions submitted the ‘NO BID” response and Polydyne Inc. submitted a bid in the amount of \$71,600.00

Staff Opinion as to Feasibility and Timeline: This is a yearly contract for Polymer.

Staff recommendation: It is our recommendation to award the bid for Polymer to Polydyne Inc.



MEMORANDUM

To: Mayor Robert H. Moore, III, and Members of the Big Spring City Council
CC: Todd Darden, City Manager
From: Albert Belez/ Purchasing Agent
Date: Thursday, September 4,2024
Subject: Award Annual Bid No. 25-005 Sodium Hydroxide

Action Requested: Award Annual Bid No. 25-005 Sodium Hydroxide

Background Information: Annual Bid Request for Sodium Hydroxide used by the Water Treatment Department to treat water purchased from CRMWD.

Financial Considerations:

Expenditure amount requested:	\$18,090
What fund/department account will this amount be drawn from?	Water & Sewer Fund Water Treatment Department
Revenue generated:	N/A
Would this expenditure be made within the budget for the current fiscal year?	No
Does this commit the City to spending funds beyond the current fiscal year? Explain.	No. FYI 2024-25 Budget based on consumption
Difference in Cost vs. Current cost	There will be a 50.02% decrease from the previous year

Vendor Bids/Quotations: We received 2 (two) formal bids and 1 (one) 'NO BID' response. Pennco submitted a "NO BID" response. PVS DX Inc. submitted a bid in the amount of \$30,495. Univar Solutions submitted a bid in the amount of \$18,090.

Staff Opinion as to Feasibility and Timeline: This is a yearly contract for Sodium Hydroxide.

Staff recommendation: It is our recommendation to award the bid for Sodium Hydroxide to Univar Solutions.



MEMORANDUM

To: Mayor Robert H. Moore, III, and Members of the Big Spring City Council
CC: Todd Darden, City Manager
From: Albert Belez/ Purchasing Agent
Date: Thursday September 4,2024
Subject: Award Annual Bid No. 25-006 Sulfur Dioxide

Action Requested: Award Annual Bid No. 25-006 Sulfur Dioxide

Background Information: Annual Bid Request for Sulfur Dioxide used for Water and Wastewater Treatment Departments.

Financial Considerations:

Expenditure amount requested:	\$45,000
What fund/department account will this amount be drawn from?	Water & Sewer Fund Water & Wastewater Treatment Departments
Revenue generated:	N/A
Would this expenditure be made within the budget for the current fiscal year?	No
Does this commit the City to spending funds beyond the current fiscal year? Explain.	No. FYI 2024-25 Budget based on consumption
Difference in Cost vs. Current cost	No change from previous year

Vendor Bids/Quotations: We received 1 (one) formal bid and 1 (one) “NO BID” response. PVS DX INC. submitted a bid in the amount of \$45,000 and Univar Solutions submitted a “NO BID” letter.

Staff Opinion as to Feasibility and Timeline: This is a yearly contract for Sulfur Dioxide.

Staff recommendation: It is our recommendation to award the bid for Sulfur Dioxide to PVS DX INC.



MEMORANDUM

To: Mayor Robert H. Moore, III, and Members of the Big Spring City Council
CC: Todd Darden, City Manager
From: Albert Belez/ Purchasing Agent
Date: Thursday September 4, 2024
Subject: Award Annual Bid No. 25-007 Valves and Fittings

Action Requested: Award Annual Bid No. 25-007 Valves and Fittings

Background Information: Annual Bid Request for Valves and Fittings that are used in the repairs of water and sewer lines used primarily by the Distribution and Collections department. This annual bid would also cover materials used by other departments as well.

Financial Considerations:

Expenditure amount requested:	\$672,577.89
What fund/department account will this amount be drawn from?	Water & Sewer Fund Multiple Departments
Revenue generated:	N/A
Would this expenditure be made within the budget for the current fiscal year?	No
Does this commit the City to spending funds beyond the current fiscal year? Explain.	No. FYI 2024-25 Budget based on consumption
Difference in Cost vs. Current cost	There will be a 3.20% decrease from the previous year

Vendor Bids/Quotations: We received one bid from Core and Main for \$672,577.89

Staff Opinion as to Feasibility and Timeline: This is a yearly contract for Valves and Fittings.

Staff recommendation: It is our recommendation to award the bid for Valves and Fittings to Core and Main.



MEMORANDUM

To: Mayor Robert H. Moore, III, and Members of the Big Spring City Council
CC: Todd Darden, City Manager
From: Albert Belez/ Purchasing Agent
Date: Thursday September 4,2024
Subject: Award Annual Bid No. 25-012 Sodium Permanganate

Action Requested: Award Annual Bid No. 25-012 Sodium Permanganate

Background Information: Annual Bid Request Sodium Permanganate used by the Water Treatment Department to treat water purchased from CRMWD.

Financial Considerations:

Expenditure amount requested:	\$144,060
What fund/department account will this amount be drawn from?	Water & Sewer Fund Water Treatment Department
Revenue generated:	N/A
Would this expenditure be made within the budget for the current fiscal year?	No
Does this commit the City to spending funds beyond the current fiscal year? Explain.	No. FYI 2024-25 Budget based on consumption
Difference in Cost vs. Current cost	There will be a 33.98% decrease from the previous year

Vendor Bids/Quotations: We received 3 (three) formal bids. Chemrite, Inc. submitted a bid in the amount of \$144,060. Shannon Chemical submitted a bid in the amount of \$239,705.90. Univar Solutions submitted a bid in the amount of \$ 177,800.

Staff Opinion as to Feasibility and Timeline: This is a yearly contract for Sodium Permanganate.

Staff recommendation: It is our recommendation award the bid for Sodium Permanganate to Chemrite Inc.

Big Spring Economic Development Corporation
Budget Worksheet

	Actual 2022-2023	Projected 2023-2024	Budget 2024-2025
Beginning Fund Balance	7,244,746	8,759,494	9,372,805
Revenues			
Loan Proceeds		0	0
Special Revenue	7,399	1,782	1,000
Sales Tax Revenue	3,259,073	2,800,000	2,750,000
Interest Income	112,333	100,000	100,000
Rental Income	7,600	7,600	5,500
Chamber Reimbursement	4,708	3,783	4,300
Property Sale		908,355	0
Total Income	3,391,112	3,821,520	2,860,800
Expense			
Personal Services	294,728	313,535	341,204
Facilities	22,463	16,907	28,510
Office	7,589	4,759	14,200
Contractual Services	48,319	73,800	159,600
Insurance	11,135	10,121	12,205
Meetings/Workshops	17,943	15,413	27,000
Professional Development	3,320	4,000	5,000
Promotion	19,468	30,000	50,000
Economic Development	48,229	73,805	778,200
Type B Projects	750,000	750,000	750,000
Interest Paid	103,169	89,199	75,928
Capital Outlay		1,276,669	65,000
Reduction in Long Term Debt	550,000	550,000	550,000
Total Expense	1,876,364	3,208,209	2,856,846
Net Income	1,514,748	613,311	3,954
Ending Fund Balance	8,759,494	9,372,805	9,376,758
(Unreserved & Undesignated)			

**Big Spring Economic Development Corporation
Budget Worksheet**

		Actual	Projected	Budget	Budget
		Oct '23 - May 24	Oct '23 - Sept 24	Oct '23 - Sept 24	Oct '24 - Sept 25
Income					
	Loan Proceeds	0.00	0.00	0.00	0.00
	Special Revenue	1,190.53	1,782.00	600.00	1,000.00
	Sales Tax Revenue	2,266,832.66	2,800,000.00	2,500,000.00	2,750,000.00
	Interest Income	92,813.59	100,000.00	100,000.00	100,000.00
	Rental Income	5,300.00	7,600.00	7,600.00	5,500.00
	Chamber Reimbursement	3,280.98	3,782.75	4,300.00	4,300.00
	Property Sale	908,355.00	908,355.00	908,355.00	0.00
	Total Income	3,277,772.76	3,821,519.75	3,520,855.00	2,860,800.00
Expense					
	Personal Services				
	Salaries	148,145.84	222,218.75	222,218.75	242,394.71
	Payroll Taxes	2,231.36	3,347.00	3,347.00	3,653.92
	Retirement	36,762.64	55,144.00	55,144.00	61,151.14
	Employee Insurance	15,729.36	23,594.00	23,594.00	24,773.00
	Car Allowance	5,600.00	8,400.00	8,400.00	8,400.00
	Workers Compensation	554.00	831.00	831.00	831.00
	Total Personal Services	209,023.20	313,534.75	313,534.75	341,203.77
	Facilities				
	Repairs and Maint	3,886.76	5,182.35	15,000.00	15,000.00
	Telephone	3,119.69	4,159.59	5,010.00	5,010.00
	Utilities	5,674.13	7,565.51	8,500.00	8,500.00
	Total Facilities	12,680.58	16,907.44	28,510.00	28,510.00
	Office				
	Supplies	1,753.75	2,338.33	5,000.00	5,000.00
	Computer	787.77	1,050.36	5,000.00	5,000.00
	Postage/Shipping	10.20	13.60	200.00	200.00
	Personal Mileage	1,017.77	1,357.03	4,000.00	4,000.00
	Total Office	3,569.49	4,759.32	14,200.00	14,200.00
	Contractual Services				
	Legal Fees	1,300.00	640.00	10,000.00	10,000.00
	Accounting Fees	11,400.00	13,000.00	13,000.00	13,500.00
	Janitorial Services	3,150.00	5,400.00	5,500.00	5,500.00
	Contract Labor	0.00	0.00	1,500.00	1,500.00
	Professional Services	28,900.00	33,000.00	30,000.00	100,000.00
	Property Tax	14.31	14.31	-	100.00

**Big Spring Economic Development Corporation
Budget Worksheet**

		Oct '23 - May 24	Oct '23 - Sept 24	Oct '23 - Sept 24	Oct '24 - Sept 25
	Dues & Subscriptions	16,309.50	21,746.00	29,000.00	29,000.00
	Total Contractual Services	61,073.81	73,800.31	89,000.00	159,600.00
	Insurance				
	Property Insurance	7,143.38	6,452.34	8,530.00	8,530.00
	Officer's Liab Insurance	2,551.50	2,726.46	3,000.00	3,100.00
	Surety Bond	0.00	942.68	540.00	575.00
	Total Insurance	9,694.88	10,121.48	12,070.00	12,205.00
	Meetings/Workshops				
	Big Spring Day	0.00	0.00	-	7,000.00
	Ag Expo	0.00	0.00	-	-
	Meetings & Workshops	11,560.03	15,413.37	20,000.00	20,000.00
	Total Meetings/Workshops	11,560.03	15,413.37	20,000.00	27,000.00
	Professional Development	1,225.00	4,000.00	5,000.00	5,000.00
	Promotion				
	Promotion	16,995.00	30,000.00	30,000.00	50,000.00
	Entrepenuer Challenge	0.00		-	-
	Total Promotion	16,995.00	30,000.00	30,000.00	50,000.00
	Economic Development				
	Leading EDG	27,000.00	27,000.00	27,000.00	29,000.00
	EDA Grant Matching	0.00	0.00	400,000.00	400,000.00
	Workforce	300.00	2,000.00	15,000.00	15,000.00
	Prospect Activity	16,530.13	30,000.00	65,000.00	55,000.00
	127 Acre Infrastructure			244,200.00	244,200.00
	ABS Wind				20,000.00
	Ports to Plains	-	14,804.70	15,000.00	15,000.00
	Total Economic Development	43,830.13	73,804.70	766,200.00	778,200.00
	Type B Projects	750,000.00	750,000.00	750,000.00	750,000.00
	Interest Paid	61,589.02	89,199.02	89,732.50	75,927.50
	Capital Outlay				
	Property Improvements	0.00	0.00	-	60,000.00
	Building	0.00	0.00		
	Land Acquisition	0.00	1,276,668.71	1,275,800.00	-

**Big Spring Economic Development Corporation
Budget Worksheet**

			Oct '23 - May 24	Oct '23 - Sept 24	Oct '23 - Sept 24	Oct '24 - Sept 25
		Equipment	0.00	0.00	5,000.00	5,000.00
		Total Capital Outlay	-	1,276,668.71	1,280,800.00	65,000.00
		Reduction of Long Term Debt	550,000.00	550,000.00	550,000.00	550,000.00
		Total Expense	1,731,241.14	3,208,209.10	3,949,047.25	2,856,846.27
		Net Income	1,546,531.62	613,310.65	(428,192.25)	3,953.73



Memorandum

Date: 09/10/2024

From: Sandy Smith, Finance Director

To: Mayor and City Council

Re: 2024-2025 Budget Changes

The following changes were made to the 2024-25 Budget that was originally presented to the Council during the budget work sessions:

1. General Fund:

- a. Dept 230 - Fire Marshall: corrected Department Salaries from \$0.10 to \$98,89
- b. Dept 300 – Streets - Page 281: added the street seal coat/crack seal and street rebuild to the capital asset descriptions.
- c. Dept 370 – Parks: account 002-027-370-6226 Miscellaneous Structures – added \$50,000 for ADA compliant sidewalks for the new playground.
- d. Dept 375 – Sports Complex:
 - i. Account 002-027-375-5521 – added \$20,000 for the grounds consultant to get the fields up to tournament standards and provide training for the Sports Complex staff.
 - ii. Account 002-027-375-5035 – increased the overtime budget from \$3,159 to \$6,000 for field maintenance and tournament play.

2. Fund 110 – Auditorium: account 110-040-530-6317 decreased from \$700,000 to \$334,569. The HVAC at the Auditorium was complete.

3. Fund 405 –

- a. Dept 705 - Water Treatment Plant: Account 405-021-705-6213
 - i. Pumphouse was reduced from \$100,000 to \$60,000
 - ii. Mini-Split was increased from \$20,000 to \$60,000
- b. Dept 710 – Distribution & Collection:

- i. Revised Budget FY 23-24 Account 405-021-710-6401 Added \$30,000 for F-250 Crew Cab, due to the repairs needed to the current crew truck. This is the downpayment. The remainder will be financed through Enterprise Fleet.
 - ii. 405-021-710-5515 – increased by \$10,000 for lease payments for the F-250 Truck.
- 4. Fund 410 – Airpark Fund:
 - a. Account 410-021-610-5900-002 Fuel Sales – increased to \$328,100 to account for the new FBO service
 - b. Account 410-4736 – Fuel Flowage Fees – increased to \$519,000
- 5. Fund 430 – Emergency Medical Services: the salary accounts were increased due to the expedited hire of new personnel.

		As		
		Presented	Revised	Difference
430-012-260-5010-000	SALARIES	780,090	992,750	212,660
430-012-260-5021-000	TERMINATION PAY	0	0	0
430-012-260-5022-000	VACATION BUY BACK	5,000	5,000	0
430-012-260-5035-000	OVERTIME	25,000	25,000	0
430-012-260-5045-000	LONGEVITY	3,500	3,500	0
430-012-260-5050-000	RETIREMENT	154,826	195,295	40,469
430-012-260-5060-000	GROUP INSURANCE	131,000	184,500	53,500
430-012-260-5065-000	WORKERS' COMPENSATION	74,382	74,382	0
430-012-260-5070-000	RETIREMENT-DEFERRED COMP	44,829	56,546	11,717
430-012-260-5075-000	LIFE & DISABILITY INSURANCE	9,516	9,516	0
430-012-260-5080-000	MEDICARE	11,797	14,881	3,084
430-012-260-5085-000	UNEMPLOYMENT TAXES	1,404	1,404	0
		1,241,344	1,562,774	321,430

- 6. Fund 440 – Sanitation: Page 283, capital item was listed as a Sanitation truck, should have been listed as a trash vacuum.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, APPROVING AND ADOPTING AN ANNUAL BUDGET FOR THE CITY OF BIG SPRING, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024 AND ENDING SEPTEMBER 30, 2025; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Manager of the City of Big Spring has prepared, at the direction of the City Council, the annual budget of the City of Big Spring, Texas, for the fiscal year beginning October 1, 2024 and ending September 30, 2025; and

WHEREAS, public notices of a public hearing upon this budget have been duly and legally made as required by law; and

WHEREAS, after due deliberation, study and consideration of the proposed budget as submitted by the City Manager, the City Council of the City of Big Spring is of the opinion that the same should be approved and adopted;

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

SECTION 1. That the budget of the City of Big Spring, Texas for the fiscal year commencing October 1, 2023, and ending September 30, 2024, be revised in accordance with the expenditures estimated for said fiscal year as indicated in the documents setting forth the budget for the fiscal year commencing October 1, 2024 and terminating September 30, 2025.

SECTION 2. That the annual budget of the City of Big Spring, Texas for the fiscal year commencing October 1, 2024, and ending September 30, 2025 as submitted by the City Manager is hereby approved and adopted and that a true and correct copy of the budget herein approved and adopted shall be filed for record in the office of the City Secretary and that same shall constitute a part of the public records of the City of Big Spring, Texas.

SECTION 3. That the City Manager is granted the authority to revise line item accounts within a department budget so long as the total departmental budget is not increased, unless the City Council has approved increases in a departmental budget at a scheduled Council meeting. The City Manager will notify the City Council of any such revisions that exceed \$1,000.00.

SECTION 4. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 6. This ordinance shall take effect on October 1, 2024.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **10th** day of **September, 2024**, with all members present voting “aye” for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the **24th** day of **September, 2024**, with all members present voting “aye” for the passage of same.

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary



Memorandum

Date: 09/10/2024

From: Sandy Smith, Finance Director

To: Mayor and City Council

Re: 2023-2024 Proposed Tax Rate

The proposed tax rates for 2024-2025 have been delivered to the City by the Tax Assessors office. The council took a record vote on August 27, 2024, to proceed with the tax rate of .671465 for Fiscal Year 2024-2025. It is estimated that the General Fund will receive \$7,905,954 in tax revenue for the j2024-25 Fiscal year.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, FIXING AND LEVYING MUNICIPAL AD VALOREM TAXES FOR SAID CITY FOR THE YEAR 2024; DIRECTING THE ASSESSMENT AND COLLECTION THEREOF; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Big Spring, Texas is an incorporated Home Rule city dependent upon taxes to provide services to its citizens; and

WHEREAS, all notification and public hearing requirements have been satisfied; and

WHEREAS, the City Council finds it necessary to levy taxes for the 2024-25 fiscal year; and

WHEREAS, the tax rate being considered is last year's tax rate; and

WHEREAS, this tax rate will raise more taxes for maintenance and operations than last year's tax rate. The tax rate will effectively be raised by 5.57% percent and will raise taxes for maintenance and operations on a \$100,000 home by approximately \$55.70.

WHEREAS, the City Council finds that the tax for the year 2024, hereinafter levied for current expenses of the City and general improvement of the City and its property, must be levied to provide the revenue requirements of the budget for the ensuing year; and,

WHEREAS, the City Council finds that taxes for year 2024, hereinafter levied therefore, are necessary to pay interest and to provide the required sinking fund on outstanding bonds of the City issued for municipal purposes;

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

SECTION 1. The facts and recitations in the preamble to this ordinance are hereby found and declared to be true and correct, and are incorporated herein and expressly made a part hereof, as if copied verbatim.

SECTION 2. The City Council hereby finds that the City has complied with all of the prerequisites necessary to the levying of a tax rate for this City for the year 2024, and does hereby levy and adopt the tax rate on One Hundred Dollars (\$100) valuation for the tax year 2025 as follows:

\$0.588350 for the purpose of maintenance and operation
\$0.083115 for the principal and interest on debt of this city as set out in Section 5

\$0.671465 **Total Tax Rate**

SECTION 3. For the current expenses of the City and general improvement of the City and its property, i.e., for maintenance and operation, the City Council hereby levies and orders to be assessed and collected for the year 2025 on all property situated within the limits of said City and not exempted from taxation by valid laws, ad valorem tax at the rate of 58.835 cents (\$0.58835) on each One Hundred Dollars (\$100.00) valuation of said property.

SECTION 4. For the purpose of paying interest and providing a sinking fund for the payment of each issue of bonds issued for various municipal purposes and described in the schedule set out in Section 5, including the various installments of principal falling due during the ensuing year on serial bonds issued for said purposes, the City Council hereby levies and orders to be assessed and collected for the year 2024 on all property situated within the limits of said city and not exempted from taxation by valid laws, an ad valorem tax for each of the issues of bonds described in said section at the respective rates shown in the right hand column of said section opposite the descriptions of said issues, said rates being expressed in amounts on one hundred dollars (\$100.00) valuation of said property, the sum of said respective levies being 08.3115 cents (\$0.083115) on each One Hundred Dollars (\$100.00) valuation of said property for said bond issues, and the amounts of levies therefore being as shown in said Section 3.

SECTION 5. Schedule of Bond Issues and Amounts of the Tax Levies Thereof:

<u>Purpose of Issue</u>	<u>Date of Issue</u>	<u>Tax Rate Per \$100 Valuation</u>
Certificates of Obligation	2020	2.0778¢
General Obligation Bonds	2016	<u>6.2337¢</u>
Total requirements for outstanding bonds		8.3115¢

SECTION 6. The City Council hereby finds and determines that the meeting at which this Ordinance was passed was open to the public as required by law.

SECTION 7. If any section, paragraph, clause, phrase, or provision of this ordinance shall be adjudged invalid or found to be unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part of provision thereof, other than the part so declared to be invalid or found to be unconstitutional.

SECTION 8. The ordinance shall become effect immediately upon adoption on second reading.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **10th** day of **September, 2024**, with all members of the Council present voting “aye” for passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the **24th** day of **September, 2024**, with all members of the Council present voting “aye” for the passage of same.

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, RATIFYING THE PROPERTY TAX INCREASE REFLECTED IN THE FISCAL YEAR 2024-2025 BUDGET THAT WILL REQUIRE RAISING MORE REVENUE FROM PROPERTY TAXES THAN IN THE PRIOR FISCAL YEAR 2023-2024 BUDGET.

WHEREAS, the City Council has, on the same date as and prior to its consideration and adoption of this Ordinance, adopted by separate Ordinance the budget of the City of Big Spring for the Fiscal Year 2024–2025;

WHEREAS, the Fiscal Year 2024-2025 budget will require raising more revenue from property taxes than in the prior budget of the City of Big Spring for Fiscal Year 2023-2024; and

WHEREAS, Section 102.007 (c) of the Texas Local Government Code provides that adoption of a budget that will require raising more revenue from property taxes than in the previous year does require a separate vote of the City Council to ratify the property tax increase reflected in the budget; and that a vote under this subsection is in addition to and separate from the vote to adopt the budget or a vote to set the tax rate; and

WHEREAS, in order to comply with that provision, it is necessary for the City Council to adopt this Ordinance;

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

SECTION 1. In accordance with the requirements of Section 102.007 (c), Texas Local Government Code, the property tax increase reflected in the Fiscal Year 2024-2025 Budget that will require raising more revenue from property taxes than in the prior approved budget for Fiscal Year 2023-2024 budget is hereby ratified.

SECTION 2. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4. This ordinance shall take effect on October 1, 2024.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 10th day of September, 2024, with all members present voting “aye” for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 24th day of September, 2024, with all members present voting “aye” for the passage of same.

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AUTHORIZING **Z24-02, AMENDING THE BIG SPRING ZONING ORDINANCE BY REZONING APPROXIMATELY **2** ACRES OUT OF PROPERTY 297365 2201 OLD BANKHEAD HWY SEC 32, BLK 33 1N 620, CITY OF BIG SPRING, HOWARD COUNTY, TEXAS FROM , GENERAL RESIDENTIAL TO HEAVY COMMERCIAL; PROVIDING FOR REPEAL OF CONFLICTING LEGISLATION; PROVIDING FOR SEVERABILITY; FINDING AND DETERMINING THAT THE MEETINGS AT WHICH THE ORDINANCE WAS DISCUSSED WERE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Planning and Zoning Commission held public hearings during regular meetings on September 3rd, 2024 and gave its final recommendation for approval of this zone change from GR General Residential to Heavy Commercial Property for Commercial Development; and

WHEREAS, the City Council held a public hearing during a regular meeting on September 10th, 2024; and

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

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

SECTION 1. The City Council hereby authorizes Z24-02, a rezone of 2.094 acres lying in and being at property 2201 Old Bankhead Hwy, Big Spring, Texas, with the legal description of the southwest quarter of Section 32, Block 33, Township 1 North, T. & P. R.R. Co. Survey, Abstract No. 597, Howard County, Texas, and further described in a deed in Howard County Records located in volume 2237, page 69, from GR General Residential to Heavy Commercial Property for Commercial Development and such changes are hereby approved as an amendment to the Zoning Ordinance subject to the following minimum requirements: The underlying zoning for the described property shall change from GR, General Residential to that of Heavy Commercial. The plat for the property shall conform to the above-described development standards and shall serve as the site plan for the development.

SECTION 2. The City of Big Spring Zoning Map shall be amended to reflect the zoning designation of the above-described property as HC – Heavy Commercial.

SECTION 3. Should any one or more sections or clauses of this Ordinance be adjudged unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

SECTION 4. All provisions of any ordinance, rule, regulation, or order of the City in conflict with this Ordinance are hereby repealed to the extent they are in conflict.

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

SECTION 6. Neither this Ordinance, nor Ordinance 024-2024 (zoning case Z-24-01) will be codified.

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

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **10th** day of **September 2024**, with all members present voting "aye" for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the **24th** day of **September 2024**, with all members present voting "aye" for the passage of same.

Robert H. Moore, III, Mayor

ATTEST:

Tami L. Davis, City Secretary

Highlighted names have or will expire.



Board Name: McMAHON/WRINKLE AVIATION
ADVISORY BOARD
Term Three Years
Expires 09-30-XX

Name	Appointed	Reappointed	Term Expires	District
Johnathan Ray	10/11/2022	9/26/2023	9/30/2026	1
Adriel Saldivar	7/12/2022		9/30/2024	2
				3
Shane Schaffner	9/26/2023		9/30/2024	4
Russ Rutledge	4/25/2023		9/30/2025	5
Steven Boatenhamer	5/9/2023		9/30/2024	6
Robert D. Miller	9/12/2023		9/30/2025	Mayor

One (1) opening - Districts 3

Board Name: BOARD OF ADJUSTMENTS & APPEALS
Term Three Years
Expires 09-30-XX

Name	Appointed	Reappointed	Term Expires	District
John Flores (Construction Field)	11/9/2021		9/30/2023	1
Rosie Franco	1/11/2022		9/30/2024	2
				3
Dale Coates (Mechanical Contractor)	2/22/2005	9/24/2019	9/30/2022	5
Tommy Corwin (Construction Field)	2/22/2005	9/24/2019	9/30/2022	5
Walter Brumley, Jr.(Electrician)	9/26/2017	9/8/2020	9/30/2023	6
Steve Herrin	9/12/2023		9/30/2025	Mayor

Three (3) openings - Need Districts 3, 4 and 5

Board Name: PLANNING & ZONING COMMISSION
Term Three Years
Expires 09-30-XX

Name	Appointed	Reappointed	Term Expires	District
Dale Avant	9/24/2013	9/12/2023	9/30/2026	1
TJ (Thomas Jesse)Stewart	7/13/2021		9/30/2024	2
Kelley Harris	9/26/2017	9/12/2023	9/30/2026	3
				4
Felix Holguin	5/28/2024		9/30/2025	5
Aubrey Weaver, Jr	9/24/2013	9/24/2019	9/30/2022	6
Terry McDaniel	10/25/2022		9/30/2025	Mayor

Two (2) openings - Need Districts 4 and 6.

Moved Kelley Harris from Dist. 4 to Dist. 3 - moved to different dist.

Board Name:

ZONING BOARD OF ADJUSTMENTS

Term

Three Years

Expires

09-30-XX

Name	Appointed	Reappointed	Term Expires	District
Debbie Ramirez	7/12/2022	9/26/2023	9/30/2026	1
Julie Ramirez	7/12/2022		9/30/2024	2
Carrie Rodman	9/24/2013	9/26/2023	9/30/2026	3
Sherry Wiggington - Resigned 10-9-23	11/9/2021		9/30/2024	4
Veronica Zuniga	11/9/2021	12/13/2022	9/30/2025	5
Mark Sheedy	8/9/2022		9/30/2024	6
Jeanie Knocke	10/26/2021	10/25/2022	9/30/2025	Mayor

One (1) opening - District 4

Board Name:

ALTERNATES

ZONING BOARD OF ADJUSTMENTS

Term

Three Years

Expires

09-30-XX

Name	Appointed	Reappointed	Term Expires	District
Maria Padilla	3/22/2022	9/26/2023	9/30/2026	1
Jose Olivias	5/23/2023		9/30/2024	2
				3
Jan Hansen	7/12/2022		9/30/2024	4
				5
April Gutierrez	6/14/2022		9/30/2024	6
				Mayor

Four (4) openings - Need Districts 3, 5 & Mayor.

Board Name:ANIMAL RESCUE AND ADOPTION
COMMITTEE**Term****Expires**

09-30-XX

Name	Appointed	Reappointed	Term Expires	District
Amanda Williams	8/10/2021	9/26/2023	9/30/2026	1
Julia Hartman	7/13/2021		9/30/2024	2
Amy French	1/11/2022		9/30/2023	3
Jeff Lane	4/11/2023		9/30/2024	4
Brittany Hankins	7/28/2021	9/26/2023	9/30/2025	5
				6
Jill Wilbanks	9/12/2023		9/30/2025	Mayor

Two (2) openings - Need Districts 3 & 6

Board Name:BIG SPRING ECONOMIC DEVELOPMENT
CORPORATION**Term**

Three Years

Expires

09-30-XX

Name	Appointed	Reappointed	Term Expires	District
Cody Williams	10/26/2021	9/26/2023	9/30/2026	1
Anna Scott	12/13/2022		9/30/2024	2
				3
Raul Benavides	9/27/2022	9/27/2022	9/30/2025	4
Brent Strande	10/24/2023		9/30/2025	5
Kevin Armstrong	5/9/2023		9/30/2024	6
Joel Delagarza	9/12/2023		9/30/2025	Mayor

One (1) openings - Need District 3

Updated as of 05/29/2024