



CITY COUNCIL REGULAR MEETING

Tuesday, October 8, 2024

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, October 8, 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

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| 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.

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| 4. Public Comment | Moore |
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Announcements, Presentations and Public Hearings

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

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| 5. Open Public Hearings | | Moore |
| 6. PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 607 N SAN ANTONIO, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOTS 3-4, BLOCK 1, DENTON SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: THE ESTATE OF TIBURCIO A. TREVINO & CAROLINA E. TREVINO | 6-44 | Hagen |
| 7. PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 411 BENTON, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 7, BLOCK 2, PORTER SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: FRANK H. PARRAS | 45-101 | Hagen |
| 8. PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 706 N GOLIAD, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: SE/4 OF SECTION 42, BLOCK 32, TOWNSHIP 1 NORTH, TRACT 29, WILLIAM B CURRIE SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: CLINTON L. HUNTER & THE ESTATE OF KATHLEEN Y. HUNTER | 102-142 | Hagen |
| 9. Close Public Hearings | | Moore |

City Manager's Report

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| 10. City Manager's report on the following items: <ul style="list-style-type: none">• Large Item Pickup, District 4 - October 16, 2024• Graduation of Fire Cadets• Update - Community Services Director | Darden |
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Consent Items

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| 11. Approval of the City Council Minutes of the Regular Meeting of September 24, 2024. | 143-152 | Davis |
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| 12. Final Reading of an Ordinance Amending Chapter 40 of the Big Spring City Code Entitled "Parks, Recreation And Cultural Affairs," Article VII "Comanche Trail Golf Course," Section 40-234 Entitled "Golf Course Fees," by Adjusting Golf Course Fees and Section 40-235 Entitled "Tournaments" by Adjusting Tournament Fees; Providing for the Repeal of Conflicting Legislation; Providing for Severability; Finding and Determining that the Meetings at Which the Ordinance was Discussed were Open to the Public as Required by Law; and Providing an Effective Date. | 153-157 | Bowles |
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Vouchers

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| 13. Vouchers for 09/26/24 | \$ 167,825.71 | Hughes |
| 14. Vouchers for 10/04/24 | \$ 1,645,978.88 | Willkerson |

Bids

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| 15. Consideration and Possible Action on Awarding a Bid for the Demolition of the USAF Fire Station, Building 42 at McMahon-Wrinkle Airport and Authorizing the City Manager or His Designee to Execute any Necessary Documents | 158 | Feeley |
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New Business

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| 16. Acknowledge Receipt of the Quarterly Claims and Litigation Report from the City Attorney | | Hagen |
| 17. Consideration and Possible Action on an Interlocal Agreement for the Assessment and Collection of Taxes with Howard County and other Taxing Entities and Authorizing the Mayor to Execute any Necessary Documents | 159-167 | Smith |
| 18. Consideration and Possible Action Regarding the Purchase of a Bucket Truck From National Auto Fleet Group and Authorizing the City Manager or His Designee to Execute any Necessary Documents | 168-169 | Feeley |
| 19. 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, Authorizing the City Manager or His Designee to Execute any Necessary Documents, Superseding any Easement or Right-of-Way that was Granted or Authorized by the City Council during its Meeting Held on August 27, 2024. | 170-174 | Hagen |

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| 20. Consideration and Possible Action to Authorize the Termination of Adcomp Services for Municipal Court and Authorizing the City Manager to Sign Any Necessary Documents | 175 | Smith |
| 21. Consideration and Possible Action to Reschedule the Regular City Council Meetings on November 26, 2024 and December 24, 2024 | | Moore |
| 22. First Reading of an Ordinance Establishing the Pay Schedule for Classified Positions Within the Police Department Effective October 1, 2024; Providing for Repeal of Ordinances in Conflict Herewith; and Providing for an Effective Date | 176-177 | Medina |
| 23. First Reading of an Ordinance Establishing the Fire Department Pay Scale Effective October 1, 2024 in Accordance with Chapter 143 of the Texas Local Government Code; Providing for the Repeal of Ordinances in Conflict Herewith; and Providing for an Effective Date | 178-179 | Medina |

Council Input

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| 24. Input | | Moore |
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Executive Session

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| 25. 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:
Municipal Judge | | Moore |
| 26. ADJOURN into Executive Session in Accordance with the Purposes Permitted by the Open Meeting Act, Section 551.087, Texas Government Code, "Deliberation Regarding Economic Development Negotiations; Closed Meeting," and Section 551.073, Texas Government Code, "Deliberation Regarding Prospective Gifts," to Discuss and Deliberate Economic Development Negotiations and Prospective Gifts | | Moore |
| 27. 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 | | Moore |

Counsel with Respect to Potential Litigation.

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|---|---------|-------|
| 28. Reconvene into Open Session and Take Any Necessary Action Regarding the Executive Sessions | | Moore |
| 29. First Reading of an Ordinance Establishing Compensation and Benefits for the Presiding Judge and Associate Judges of the Municipal Court of Big Spring, Texas | 180-181 | Moore |
| 30. Adjourn the City Council meeting | | 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, October 4, 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.

607 N SAN ANTONIO

Code Enforcement Officer: Jacob Leos

Exhibit A-1

STATE OF TEXAS

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COUNTY OF HOWARD

**AFFIDAVIT OF JACOB LEOS
CONCERNING 607 N SAN ANTONIO**

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

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

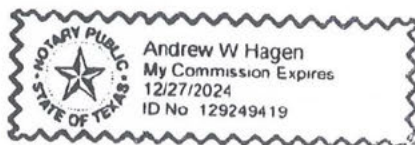
“I am a Code Enforcement Officer for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **607 N SAN ANTONIO**, 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 4th day of October, 2024.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 4 day of October, 2024 by the above referenced Affiant.





Notary Public, State of Texas

Exhibit A-2

Property Details

Account		
Property ID:	280397	Geographic ID: B3090000300
Type:	Real	Zoning:
Property Use:		Condo:
Location		
Situs Address:	607 N SAN ANTONIO	
Map ID:		Mapsco:
Legal Description:	LTS 3-4 BK 1 DENTON 100X140 209 0.321 ACRES	
Abstract/Subdivision:		
Neighborhood:	TENN	
Owner ?		
Owner ID:	292952	
Name:	TREVINO TIBURCIO ALVARADO	
Agent:		
Mailing Address:	607 N SAN ANTONIO BIG SPRING , TX 79720	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$12,557 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$3,496 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$16,053 (=)

STATE OF TEXAS

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COUNTY OF HOWARD

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CERTIFICATION
607 N SAN ANTONIO 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 4th day of October, 2024.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 4 day of October, 2024

by the above referenced Affiant.





Notary Public, State of Texas

Exhibit A-3



CASE NOTES

Page 1 of 1

Report Run On: Thursday, 26
September 2024 11:59

Case # 24-00000964

Parcel # : 280397

Site Address: 607 N SAN ANTONIO

Case Description: SUB (2 STRUCTURES) - MO

Note Type	Note Code	Text	Created By	Begin Date	End Date
GENERAL		9/26/24 DROPPED OFF CASE FILE TO STEPHANIE (LEGAL DEPT.) IN HER OFFICE.	Jacob Leos	09/26/24	
PHOTOS		REINSPECTION PHOTOS	Jacob Leos	09/23/24	
GENERAL		9/23/24 REINSPECTED PROPERTY. BOTH STRUCTURES ON PROPERTY ARE STILL SUBSTANDARD.	Jacob Leos	09/23/24	
GENERAL		NO CONTACT HAS BEEN MADE. WILL FOWARD CASE TO LEGAL DEPARTMENT TO PURSUE FURTHER LEGAL ACTION.	Jacob Leos	08/09/24	
GENERAL		MESSAGE RELAYED TO ME A FEW DAYS AGO FROM M. GARCIA VIA N. REYNA TO INCLUDE BOTH STRUCTURES FOR DEMO.	Jacob Leos	08/09/24	
GENERAL		6/21/24 NOTICE OF VIOLATION LETTER MAILED OUT	Jacob Leos	06/21/24	
GENERAL		BOTH STRUCTURES ON PROPERTY NEED TO BE REPAIRED AND BROUGHT UP TO CODE OR DEMOLISHED.	Jacob Leos	06/21/24	
PHOTOS		INSPECTION PHOTOS BY CODE OFFICER LEOS	Jacob Leos	06/19/24	
GENERAL		6/19/24 CODE OFFICER LEOS INSPECTED PROPERTY. IN VIOLATION OF SUB STANDARD STRUCTURE INCLUDING SMALL STRUCTURE AND MAIN STRUCTURE. THERE IS A SMALL SIDE STRUCTURE WITH OPEN ROOF AND MISSING WALLS. THE MAIN STRUCTURE HAS LARGE PORTION OF ROOF OF FRONT PORCH MISSING. NO SHINGLES NO BOARDS. FRONT AREA OF STRUCTURE LEANING/SLANTED AS IF FALLING DOWN. PORCH PILLARS ARE SLANTED. ANOTHER AREA OF HOUSE IS MISSING ROOF SHINGLES AND BOARDS AS WELL. OTHER SECTIONS OF ROOF SHOW SIGNS OF DETIORATION. WILL SEND NOTICE OF VIOLATION TO PROPERTY OWNER.	Jacob Leos	06/19/24	

STATE OF TEXAS

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COUNTY OF HOWARD

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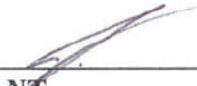
**CERTIFICATION OF
PHOTOGRAPHS BY JACOB LEOS**

“With regard to the photographs in **Exhibits A-4** I am familiar with and recognize the scene depicted in the photographs. On June 19, 2024 and June 27, 2024, I inspected the property described as:

LOTS 3-4, BLOCK 1, DENTON SUBDIVISION Big Spring, Howard County,
Texas, also known as **607 N SAN ANTONIO**, Big Spring, Texas.

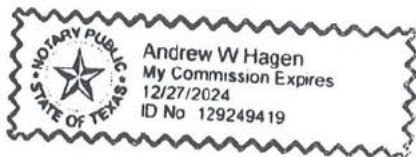
Each of the photographs is a fair and accurate depiction of the scene at the relevant time.”

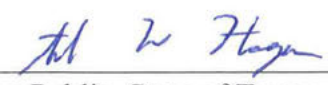
SIGNED on the 4th day of October, 2024.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 4 day of October, 2024
by the above referenced Affiant.





Notary Public, State of Texas

Exhibit A-4





















STATE OF TEXAS

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COUNTY OF HOWARD

**CERTIFICATION
NOTICE SENT BY JACOB LEOS**

“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 4th day of October, 2024.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 4 day of October, 2024
by the above referenced Affiant.



Notary Public, State of Texas

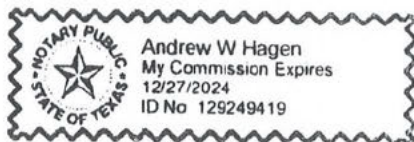


Exhibit A-5



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/permits@mybigspring.com>

June 21, 2024

607 N SAN ANTONIO
BIG SPRING, TX 79720

RE: Code Compliance Case No. 24-00000964

TREVINO TIBURCIO ALVARADO,

Location : 607 N SAN ANTONIO , BIG SPRING TX

Complaint Description:

SUB (2 STRUCTURES) - MO

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.

**ONE OR MORE STRUCTURE(S) ON THIS PROPERTY DOES NOT MEET MINIMUM BUILDING STANDARDS
THE STRUCTURE(S) NEEDS TO BE BROUGHT UP TO BUILDING CODE OR DEMOLISHED. DEADLINE
FOR COMPLIANCE IS 10 DAYS FROM DATE OF THIS LETTER.**

**MAIN STRUCTURE/HOUSE NEEDS:
FRONT PORCH OVERHANG REPAIRED INCLUDING ROOF REPAIR.
BACK PORCH OVERHANG REPAIRED INCLUDING ROOF REPAIR**

**BACK STRUCTURE/SHED NEEDS:
TO BE BROUGHT UP TO BUILDING CODE OR DEMOLISHED.**



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 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.

Regards,
Jacob Leos
Code Enforcement
432.264.2502



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

September 27, 2024

Estate of Tiburcio A. Trevino & Carolina E. Trevino
607 N. San Antonio St.
Big Spring, Texas 79720

Estate of Tiburcio A. Trevino & Carolina E. Trevino
c/o Tiburcio Trevino Jr.
602 NW 8th St.
Big Spring, Texas 79720

Estate of Tiburcio A. Trevino & Carolina E. Trevino
c/o Sylvia Trevino
403 S. Aylesford St.
Big Spring, Texas 79720

Estate of Tiburcio A. Trevino & Carolina E. Trevino
c/o Estate of Oscar Trevino
1104 Mount Vernon Ave.
Big Spring, Texas 79720

Re: 607 N SAN ANTONIO, BIG SPRING, TEXAS 79720

**LEGAL DESCRIPTION: LOTS 3-4, BLOCK 1, DENTON SUBDIVISION,
Howard County**

Big Spring Code Compliance has determined that at the following structure(s): MAIN STRUCTURE AND 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	The structures are in disrepair. The front porch of the Main Structure is leaning/slanted and appears to be caving in, making the structure dangerous and unsafe for its use and occupancy. The Main Structure has a large portion of roof of the front porch

clearly unsafe for its use and occupancy. 7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act. 9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease. 11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.	missing, Sections of the Main Structure are missing shingles, boards, and roofing. The front porch, back porch, roof and roofing of the Main Structure require repair. The Back Structure Shed is missing walls and has an open roof. It needs to be brought up to Code. The structures are neglected, damaged, dilapidated, unsecured, and abandoned so as to constitute an attractive nuisance. The Main Structure is dilapidated so as 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. 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. There is missing roofing. 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 MAIN STRUCTURE AND BACK STRUCTURE SHED.

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

Issued by

Jacob Leos

Name

Code Enforcement Officer

Title

+1 (432) 264-2502

Phone

jleos@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, October 8, 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,



Jacob Leos, Code Enforcement Officer
City of Big Spring, Texas

9589 0710 5270 1749 6559 54

**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 \$	9/27/24
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 \$	Postmark Here 607 N SAN ANTONIO
Total Postage and Fees \$	FINAL NOTICE
Sent To Estate of Tiburcio A. Trevino & Carolina E. Trevino Street and Apt. No., or PO Box No. 607 N. San Antonio St. City, State, ZIP+4® Big Springs, TX 79720	

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

9589 0710 5270 1749 6559 78

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
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OFFICIAL USE

Certified Mail Fee \$	9/27/2024
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 \$	Postmark Here 607 N. SAN ANTONIO
Total Postage and Fees \$	Final Notice
Sent To Estate of Tiburcio A. Trevino & Carolina E. Trevino Street and Apt. No., or PO Box No. c/o Tiburcio Trevino 607 NW 8th St. City, State, ZIP+4® Big Springs, TX 79720	

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

9589 0710 5270 1749 6559 61

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
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OFFICIAL USE

Certified Mail Fee \$	9/27/24
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 \$	Postmark Here 607 N SAN ANTONIO
Total Postage and Fees \$	Final Notice
Sent To Estate of Tiburcio A. Trevino & Carolina E. Trevino Street and Apt. No., or PO Box No. c/o Sylvia Trevino 403 S. Aylesford St. City, State, ZIP+4® Big Springs, TX 79720	

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

9589 0710 5270 1749 6559 85

**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 \$	9/27/2024
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 \$	Postmark Here 607 N. SAN ANTONIO
Total Postage and Fees \$	Final Notice
Sent To Estate of Tiburcio A. Trevino & Carolina E. Trevino Street and Apt. No., or PO Box No. c/o Estate of Oscar Trevino 1104 Mount Vernon Ave. City, State, ZIP+4® Big Springs, TX 79720	

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

Tracking Number:

Remove X

9589071052701749655954

Copy

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

Latest Update

Your item was delivered to an individual at the address at 3:31 pm on September 28, 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 28, 2024, 3:31 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)

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Feedback

Tracking Number:

Remove X

9589071052701749655978

Copy

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

Latest Update

Your item was delivered to the front desk, reception area, or mail room at 12:05 pm on September 30, 2024 in BIG SPRING, TX 79720.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Front Desk/Reception/Mail Room

BIG SPRING, TX 79720

September 30, 2024, 12:05 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 ∨

Tracking Number:

Remove ✕

9589071052701749655961

Copy

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

Latest Update

We attempted to deliver your item at 3:46 pm on October 1, 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 October 2, 2024. If this item is unclaimed by October 16, 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
October 1, 2024, 3:46 pm

 Held at Post Office, At Customer Request

BIG SPRING, TX 79720
September 28, 2024, 3:06 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 

9589071052701749655985

Copy

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

Latest Update

This is a reminder to arrange for redelivery of your item or your item will be returned to sender.

Get More Out of USPS Tracking:

USPS Tracking Plus[®]

Delivery Attempt

 Reminder to Schedule Redelivery of your item

October 3, 2024

 Notice Left (No Authorized Recipient Available)

BIG SPRING, TX 79720
September 28, 2024, 5:41 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 October 08, 2024, attached as **Exhibit A-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on September 27, 2024.”

SIGNED on the 4th day of October, 2024.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 4 day of October, 2024
by the above referenced Affiant.



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 **OCTOBER 8TH, 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, HOWARD COUNTY, TEXAS. ALL INTERESTED PERSONS MAY SPEAK, THEN A DETERMINATION WILL BE MADE AND REMEDIAL ACTION ORDERED ON THE FOLLOWING PROPERTIES:

607 N SAN ANTONIO – LEGAL DESCRIPTION: LOTS 3-4, BLOCK 1, DENTON SUBDIVISION
– OWNER: TIBURCIO ALVARADO TREVINO & CAROLINA E. TREVINO

411 BENTON – LEGAL DESCRIPTION: LOT 7, BLOCK 2, PORTER SUBDIVISION – OWNER:
FRANK H. PARRAS

706 N GOLIAD – LEGAL DESCRIPTION: SE/4 OF SECTION 42, BLOCK 32, TOWNSHIP 1 NORTH, TRACT 29, WILLIAM B CURRIE SUBDIVISION – OWNER: CLINTON L. HUNTER & THE ESTATE OF KATHLEEN Y. HUNTER

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, HOWARD COUNTY, 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.

605 JOHNSON – LEGAL DESCRIPTION: N/2 OF LOT 10 & S/2 OF LOT 11, BLOCK 47, ORIGINAL TOWN SUBDIVISION – SEPTEMBER 24TH, 2024; REPAIR OR DEMOLISH AND REMOVE REAR STRUCTURE.

705 WYOMING – LEGAL DESCRIPTION: LOT 9, BLOCK 3, BANKS SUBDIVISION – SEPTEMBER 24TH, 2024; REPAIR OR DEMOLISH AND REMOVE MAIN STRUCTURE.

102 LOCKHART – LEGAL DESCRIPTION: LOT 5, BLOCK 6, LAKEVIEW SUBDIVISION –
SEPTEMBER 24TH, 2024; REPAIR OR DEMOLISH AND REMOVE REAR STRUCTURE.

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



411 BENTON

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 411 BENTON**

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

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

“I am a Code Compliance Official for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **411 BENTON**, 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 4 day of October, 2024.

Shannon Fant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 4 day of October, 2024 by the above referenced Affiant.



A W Hagen
Notary Public, State of Texas

Exhibit B-2

Property Details

Account		
Property ID:	285609	Geographic ID: B5070001900
Type:	Real	Zoning:
Property Use:		Condo:
Location		
Situs Address:	411 BENTON	
Map ID:		Mapsco:
Legal Description:	LT 7 BK 2 PORTER 50X140 391 0.161 ACRES	
Abstract/Subdivision:		
Neighborhood:	BOYD	
Owner ?		
Owner ID:	21131	
Name:	PARRAS FRANK H	
Agent:		
Mailing Address:	615 HOLBERT BIG SPRING , TX 79720	
% Ownership:	100.00%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$270 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$3,507 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$3,777 (=)

Agricultural Value Loss: ⓘ	\$0 (-)
Appraised Value:	\$3,777 (=)
HS Cap Loss/Circuit Breaker: ⓘ	\$0 (-)
Assessed Value:	\$3,420
Ag Use Value:	\$0

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: PARRAS FRANK H **%Ownership:** 100.00%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.238916	\$3,777	\$3,420	\$8.17	
02B	CITY OF BIG SPRING	0.673163	\$3,777	\$3,420	\$23.02	
03B	BIG SPRING ISD	0.930900	\$3,777	\$3,420	\$31.84	
052	HOWARD COLLEGE	0.168395	\$3,777	\$3,420	\$5.76	

Total Tax Rate: 2.011374

Estimated Taxes With Exemptions: \$68.79

Estimated Taxes Without Exemptions: \$75.97

STATE OF TEXAS

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COUNTY OF HOWARD

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**CERTIFICATION
411 BENTON 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 4 day of October, 2024.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 4 day of October, 2024

by the above referenced Affiant.




Notary Public, State of Texas

Exhibit B-3



CASE NOTES

Page 1 of 1

Report Run On: Friday, 16 August
2024 13:07

Case # 24-00001117

Parcel # : 285609

Site Address: 411 BENTON

Case Description: SS BUILDING ON BACK FENCELINE

Note Type	Note Code	Text	Created By	Begin Date	End Date
GENERAL		NO RESPONSE FROM THE PROPERTY OWNER FOLDER IS READY TO SEND TO LEGAL ALONG WITH ACCUMULATION CASE	Shannon Fant	08/16/24	
SITE VISIT		REINSPECTED PROPRTY AFTER SENDING PROPERTY OWNER NOV AND HAD NO RESPONSE, WHEN REINSPECTING FOUND THAT THE PROPERTY STILL HAD SUBSTANDARD ON THE PROPERTY ALONG WITH THE ACCUMULATION WHICH IS OPEN AND WORKING AS WELL, TOOK PICTURES WILL PROCEED AND GET CASE READY FOR LEGAL	Shannon Fant	08/15/24	
SITE VISIT		INSPECTED PROPERTY FOUND SS BUILDING ON THE PROPERTY LOCATED ON BACK FENCE LINE BY ALLEY	Shannon Fant	07/09/24	

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 9, 2024, August 15, 2024, and September 5, 2024, I inspected the property described as:

LOT 7, BLOCK 2, PORTER SUBDIVISION Big Spring, Howard County, Texas,
also known as **411 BENTON**, Big Spring, Texas.

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

SIGNED on the 4 day of October, 2024.

Shannon Fant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 4 day of October, 2024
by the above referenced Affiant.



Andrew W Hagen
Notary Public, State of Texas

Exhibit B-4



Galaxy Tab S8+
July 09, 2024 10:58 AM





Galaxy Tab S8+
July 09, 2024 10:59 AM



Galaxy Tab S8+
July 09, 2024 10:59 AM



Galaxy Tab S8+
July 09, 2024 10:59 AM





Galaxy Tab S8+
July 09, 2024 10:59 AM



Galaxy Tab S8+
July 09, 2024 11:00 AM



Galaxy Tab S8
July 09, 2024 11:00 AM



Galaxy Tab S8+
July 09, 2024 11:00 AM



Galaxy Tab S8
July 09, 2024 11:00 AM



Galaxy Tab S8
July 09, 2024 11:01 AM



Galaxy Tab S8+
July 09, 2024 11:01 AM



Galaxy Tab S8+
August 15, 2024 1:01 PM



Galaxy Tab S8+
August 15, 2024 1:01 PM



Galaxy Tab S8+
August 15, 2024 1:02 PM



Galaxy Tab S8+
August 15, 2024 1:02 PM



Galaxy Tab S8+
August 15, 2024 1:03 PM



Galaxy Tab S8
August 16, 2024 1:03 PM



Galaxy Tab S8
August 15, 2024 1:03 PM



Galaxy Tab S8+
August 15, 2024 1:03 PM



Galaxy Tab S8
September 05, 2024 10:12 AM



Galaxy Tab S8+
September 05, 2024 10:12 AM



Galaxy Tab S8
September 05, 2024 10:12 AM



Galaxy Tab S8+

September 05, 2024 10:12 AM



Galaxy Tab S8+
September 05, 2024 10:13 AM



Galaxy Tab S8+

September 05, 2024 10:13 AM



Galaxy Tab S8
September 05, 2024 10:13 AM



Galaxy S23-05
September 05, 2024 10:13 AM

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 4 day of October, 2024.

Shannon Fant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 4 day of October, 2024
by the above referenced Affiant.



Andrew W Hagen
Notary Public, State of Texas

Exhibit B-5



City of Big Spring Code Compliance

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

NOTICE OF VIOLATION

Re: 411 BENTON BIG SPRING, TX 79720

Legal Description: LT 7 BK 2 PORTER 50X140 391 0.161 ACRES

Date 07/15/2024

Case No: 24-00001117

PARRAS FRANK H
615 HOLBERT
BIG SPRING, TX 79720

Dear PARRAS FRANK H

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:

DEADLINE FOR COMPLIANCE IS SEVEN DAYS FROM THE DATE OF MAILING 07.15.2024



City of Big Spring Code Compliance

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

NOTICE OF VIOLATION

Re: 411 BENTON BIG SPRING, TX 79720

Legal Description: LT 7 BK 2 PORTER 50X140 391 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:

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

Issued by:

Shannon Fant

Code Compliance

432.264.2508

sfant@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,

Shannon Fant - 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

September 27, 2024

Frank H. Parras
615 Holbert St.
Big Spring, Texas 79720

Frank H. Parras
411 S. Benton St.
Big Spring, Texas 79720

Re: 411 BENTON, BIG SPRING, TEXAS 79720

LEGAL DESCRIPTION: LOT 7, BLOCK 2, PORTER SUBDIVISION, Howard County

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

for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act. 11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.	
304.1.1 UNSAFE CONDITIONS. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 1. Structural members have deterioration or distress that appears to reduce their load-carrying capacity. 3. Structures or components thereof have deterioration or distress that appears to reduce their load-carrying capacity. 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.	Severe roof damage and weather damage appear 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 STRUCTURE ON BACK FENCELINE.

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, October 8, 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 that reads "M. Garcia". The signature is written in a cursive, flowing style.

Code Enforcement Officer Malissa Garcia signing on behalf of:
Shannon Fant, Code Compliance Official
City of Big Spring, Texas

9589 0710 5270 1749 6559 92

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$ _____	9/27/24 Postmark Here 411 BENTON 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 Street and Apt. No., or PO Box No. City, State, ZIP+4®	
Frank H. Parras 615 Holbert St. Big Spring, TX 79720	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

9589 0710 5270 1749 6560 05

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$ _____	9/27/2024 Postmark Here 411 BENTON 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 Street and Apt. No., or PO Box No. City, State, ZIP+4®	
Frank H. Parras 411s Benton St. Big Spring, TX 79720	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

Tracking Number:

Remove X

9589071052701749655992

[Copy](#)

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

Latest Update

Your item arrived at the Post Office at 8:27 am on September 30, 2024 in BIG SPRING, TX 79720.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Out for Delivery

Preparing for Delivery



Arrived at Post Office

BIG SPRING, TX 79720

September 30, 2024, 8:27 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

9589071052701749656005

Copy

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

Latest Update

Your item was delivered to the front desk, reception area, or mail room at 12:05 pm on September 30, 2024 in BIG SPRING, TX 79720.

Get More Out of USPS Tracking:

USPS Tracking Plus[®]

Delivered

Delivered, Front Desk/Reception/Mail Room

BIG SPRING, TX 79720

September 30, 2024, 12:05 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 October 08, 2024, attached as **Exhibit B-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on September 27, 2024.”

SIGNED on the 4 day of October, 2024.

Stant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 4 day of October, 2024
by the above referenced Affiant.



Andrew W Hagen
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 **OCTOBER 8TH, 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, HOWARD COUNTY, TEXAS. ALL INTERESTED PERSONS MAY SPEAK, THEN A DETERMINATION WILL BE MADE AND REMEDIAL ACTION ORDERED ON THE FOLLOWING PROPERTIES:

607 N SAN ANTONIO – LEGAL DESCRIPTION: LOTS 3-4, BLOCK 1, DENTON SUBDIVISION
– OWNER: TIBURCIO ALVARADO TREVINO & CAROLINA E. TREVINO

411 BENTON – LEGAL DESCRIPTION: LOT 7, BLOCK 2, PORTER SUBDIVISION – OWNER:
FRANK H. PARRAS

706 N GOLIAD – LEGAL DESCRIPTION: SE/4 OF SECTION 42, BLOCK 32, TOWNSHIP 1 NORTH, TRACT 29, WILLIAM B CURRIE SUBDIVISION – OWNER: CLINTON L. HUNTER & THE ESTATE OF KATHLEEN Y. HUNTER

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, HOWARD COUNTY, 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.

605 JOHNSON – LEGAL DESCRIPTION: N/2 OF LOT 10 & S/2 OF LOT 11, BLOCK 47, ORIGINAL TOWN SUBDIVISION – SEPTEMBER 24TH, 2024; REPAIR OR DEMOLISH AND REMOVE REAR STRUCTURE.

705 WYOMING – LEGAL DESCRIPTION: LOT 9, BLOCK 3, BANKS SUBDIVISION – SEPTEMBER 24TH, 2024; REPAIR OR DEMOLISH AND REMOVE MAIN STRUCTURE.

102 LOCKHART – LEGAL DESCRIPTION: LOT 5, BLOCK 6, LAKEVIEW SUBDIVISION –
SEPTEMBER 24TH, 2024; REPAIR OR DEMOLISH AND REMOVE REAR STRUCTURE.

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



September 27, 2024 8:46 AM

706 N GOLIAD

Code Compliance Official: Shannon Fant

Exhibit C-1

STATE OF TEXAS

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COUNTY OF HOWARD

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**AFFIDAVIT OF SHANNON FANT
CONCERNING 706 N GOLIAD**

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

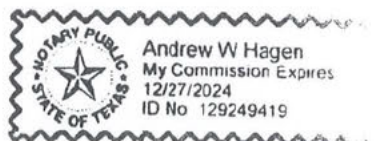
“My name is **Shannon Fant**. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

“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 **706 N GOLIAD**, 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 4 day of October, 2024.

Shannon Fant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 4 day of October, 2024 by the above referenced Affiant.



Andrew W Hagen
Notary Public, State of Texas

Exhibit C-2

Property Details

Account		
Property ID:	294358	Geographic ID: 51442024100
Type:	Real	Zoning:
Property Use:		Condo:
Location		
Situs Address:	706 N GOLIAD	
Map ID:		Mapsco:
Legal Description:	SE/4 OF SC 42 BK 32 1N TR 29 WILLIAM B CURRIE 82X105 608 ACQ 092313 BLK/TRACT 32 1N 0.198 ACRES	
Abstract/Subdivision:		
Neighborhood:	NTSD	
Owner ⓘ		
Owner ID:	401070	
Name:	HUNTER KATHLEEN Y	
Agent:		
Mailing Address:	706 N GOLIAD BIG SPRING, TX 79720	
% Ownership:	100.0%	
Exemptions:	HS - HOMESTEAD For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$22,001 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$3,608 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$0 (+)

Market Value:	\$25,609 (=)
Agricultural Value Loss: ⓘ	\$0 (-)
Appraised Value:	\$25,609 (=)
Homestead Cap Loss: ⓘ	\$14,814 (-)
Assessed Value:	\$10,795
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: HUNTER KATHLEEN Y %**Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.208716	\$25,609	\$5,795	\$12.10	
02B	CITY OF BIG SPRING	0.636039	\$25,609	\$5,795	\$36.86	
03B	BIG SPRING ISD	0.763200	\$25,609	\$0	\$0.00	
052	HOWARD COLLEGE	0.154789	\$25,609	\$5,795	\$8.97	
ZZZ	CREDIT	0.000000	\$0	\$0	\$0.00	

Total Tax Rate: 1.762744

Estimated Taxes With Exemptions: \$57.93

Estimated Taxes Without Exemptions: \$451.42

STATE OF TEXAS

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COUNTY OF HOWARD

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CERTIFICATION
706 N GOLIAD CASE NOTES

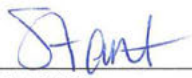
“This record, attached as **Exhibit C-3**, was made at or near the time by – or from information transmitted by a person or persons with the City with knowledge.

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 4 day of October, 2024.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 4 day of October, 2024

by the above referenced Affiant.




Notary Public, State of Texas

Exhibit C-3



CASE NOTES

Page 1 of 1

Report Run On: Tuesday, 13 August
2024 14:28

Case # 24-00000058

Parcel # : 294358

Site Address: 706 N GOLIAD

Case Description: SUBSTANDARD STRUCTURE

Note Type	Note Code	Text	Created By	Begin Date	End Date
SITE VISIT		DEMO PERMIT EXPIRES AUGUST 17 2024 WILL NOT EXTEND DUE TO THIS CASE BEING OPENED FROM FEB.	Shannon Fant	06/27/24	
SITE VISIT		REINSPECTED THE PROPERTY SHED IN THE REAR IS SUBSTANDARD AND THERE IS NO PROGRESS WILL PROCEED	Shannon Fant	06/03/24	
PHOTOS		photos	Felix Rodriguez	02/15/24	
CORRECTIVE ACTION		THE STRUCTURE ON THE BACK SIDE OF THE 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 (7) DAYS FROM THE DATE OF MAILING 02.06.2024	Shannon Fant	02/06/24	
SITE VISIT		INSPECTED PROPERTY FOUND BACK STRUCTURE TO BE SUBSTANDARD ROOF IS COLLAPSING IN AND IS SEVEARLY WEATHER DAMAGED	Shannon Fant	02/05/24	

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 C-4** I am familiar with and recognize the scene depicted in the photographs. On February 5, 2024, February 15, 2024, June 3, 2024, and September 5, 2024, I inspected the property described as:

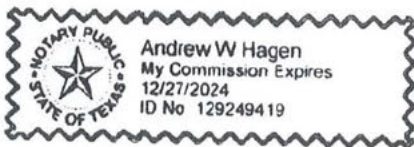
SE/4 OF SC 42 BK 32 1N TR 29 WILLIAM B CURRIE 82X105 608 ACQ
092313 BLK/TRACT 32 1N 0.198 ACRES Big Spring, Howard County, Texas,
also known as **706 N GOLIAD**, Big Spring, Texas.

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

SIGNED on the 4 day of October, 2024.

Shannon Fant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 4 day of October, 2024
by the above referenced Affiant.



Andrew W Hagen
Notary Public, State of Texas

Exhibit C-4



Galaxy Tab S8+
February 05, 2024 1:58 PM



Galaxy Tab S8+
February 05, 2024 1:59 PM



Galaxy Tab S8+
February 05, 2024 2:00 PM



February 15, 2024 2:14 PM

Page 116 of 181

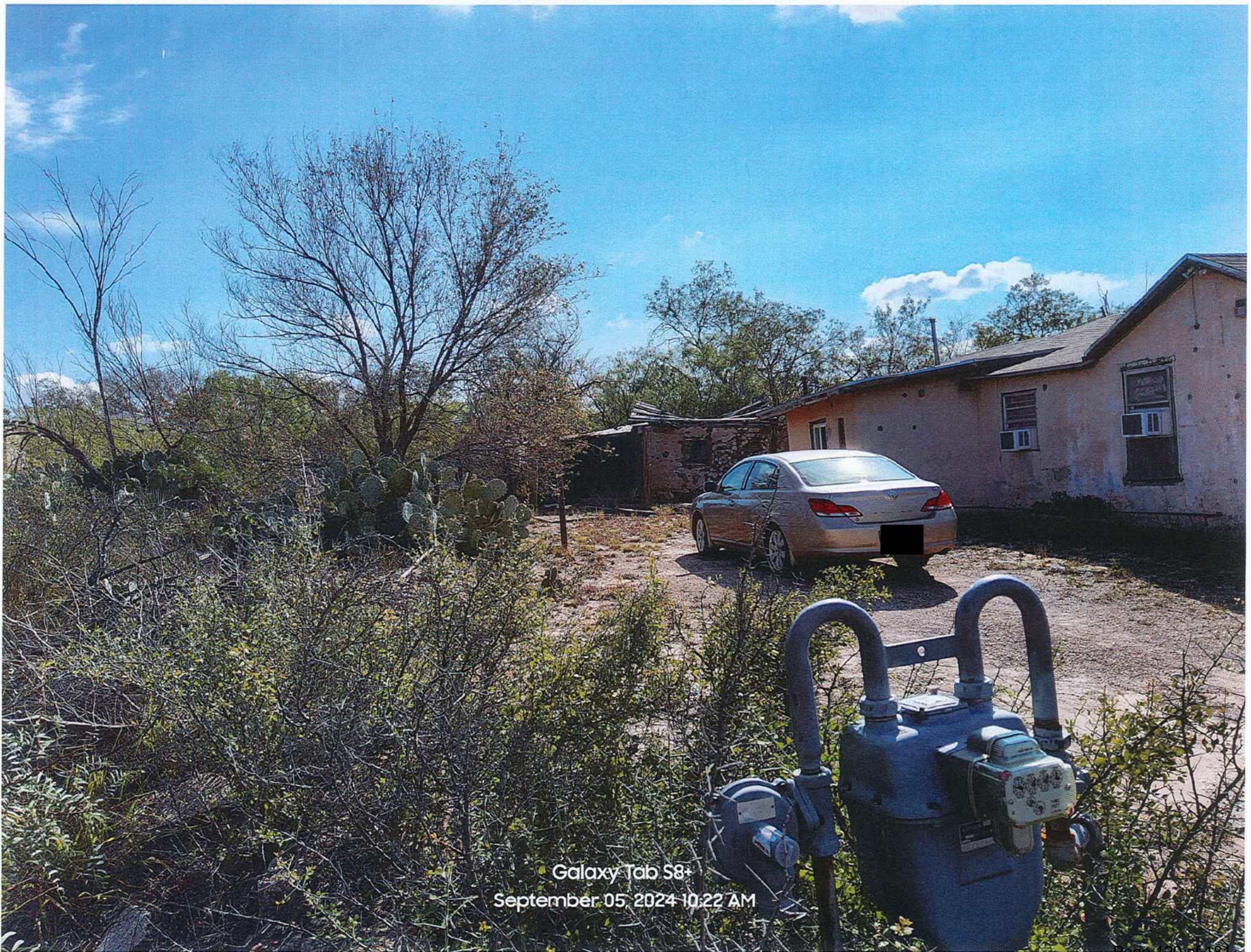


Galaxy Tab S8+
June 03, 2024 11:29 AM





Galaxy Tab S8+
June 03, 2024 11:29 AM



Galaxy Tab S8+
September 05, 2024 10:22 AM



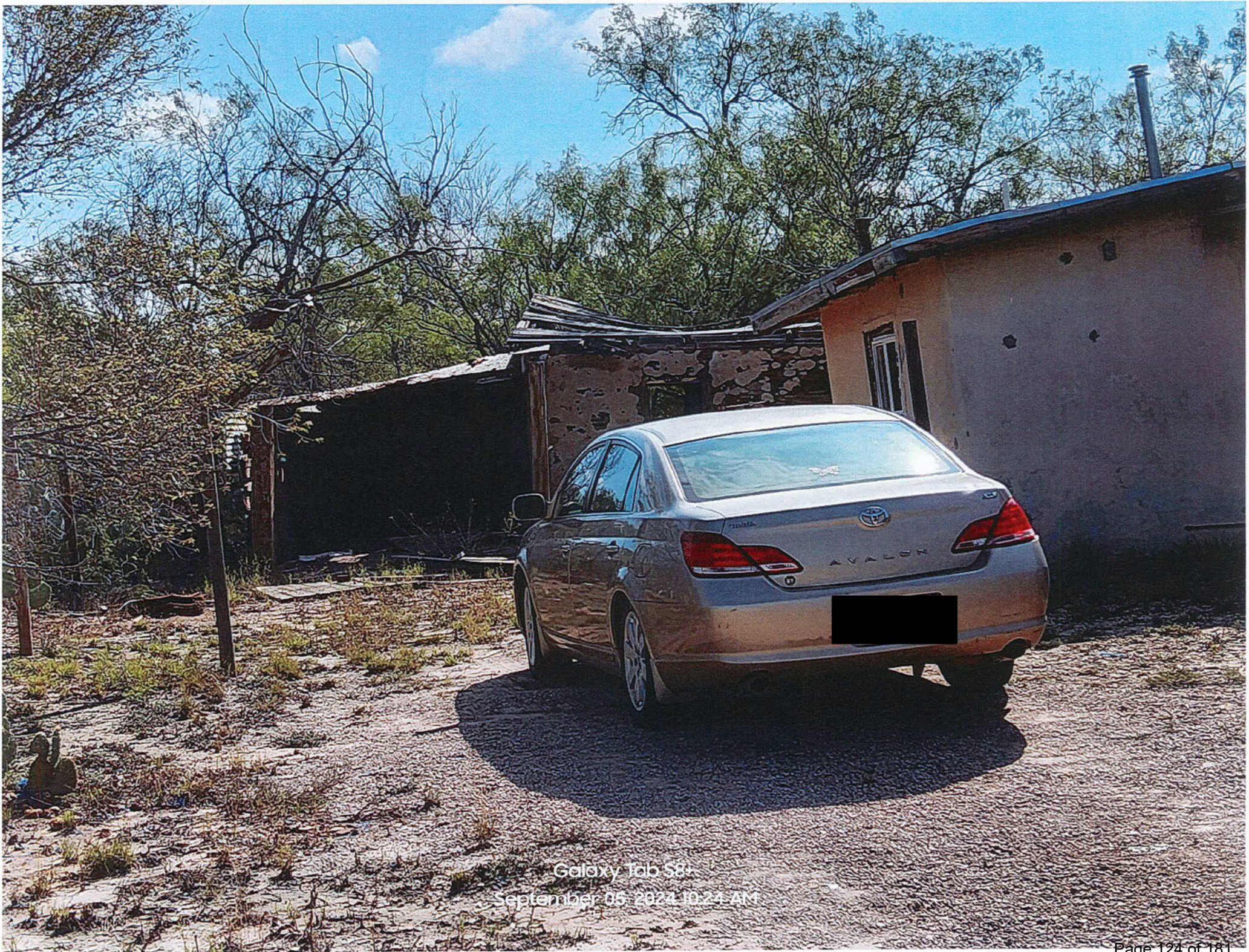
Galaxy Tab S8+
September 05, 2024 10:23 AM





Galaxy Tab S8+

September 06, 2024 10:23 AM



Galaxy Tab S8
September 05, 2024 10:24 AM

STATE OF TEXAS

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COUNTY OF HOWARD

**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 4 day of October, 2024.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 4 day of October, 2024
by the above referenced Affiant.




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

24-00000058

HUNTER KATHLEEN Y
706 N GOLIAD
BIG SPRING, TX 79720

Subject Property: 706 N GOLIAD , BIG SPRING, TX 79720
APN: 294358

Dear HUNTER KATHLEEN Y

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

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

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

SUBSTANDARD STRUCTURE	304.1.1 UNSAFE CONDITIONS. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 1.Structural members have deterioration or distress that appears to reduce their load-carrying capacity.2.The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations have deterioration or distress that appears to reduce their load-carrying capacity.3.Structures or components thereof have deterioration or distress that appears to reduce their load-carrying capacity.4.Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or watertight.5.Reserved.6.Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.7.Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.8.Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all nominal loads and resisting all load effects.9.Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects.10.Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.11.Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes, and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.12.Exterior stairs, decks, porches, balconies, and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.13.Chimneys, cooling towers, smokestacks, and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.	THE STRUCTURE ON THE BACK SIDE OF THE 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 (7) DAYS FROM THE DATE OF MAILING 02.06.2024
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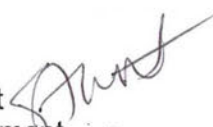
After , an inspection of your property will take place to verify compliance. Should this notice resolve the concern, no further action will be taken. However, please be advised, if a property owner or resident does not comply, further code enforcement action will be required.

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

Thank you for helping to resolve this matter.

Sincerely,

Shannon Fant
Code Enforcement

A handwritten signature in black ink, appearing to read 'Shannon Fant', is written over the printed name.



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

September 27, 2024

Clinton Lee Hunter & Estate of Kathleen Y. Hunter
706 N. Goliad
Big Spring, Texas 79720

Re: 706 N GOLIAD, BIG SPRING, TEXAS 79720
LEGAL DESCRIPTION: SE/4 OF SC 42 BK 32 1N TR 29 WILLIAM B CURRIE
82X105 608 ACQ 092313 BLK/TRACT 32 1N 0.198 ACRES, Howard County

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

VIOLATION	DESCRIPTION OF VIOLATION
111.1.5 HAZARDOUS STRUCTURE OR PREMISES. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described as follows shall be considered to be hazardous: 3. Any building, structure, or portion thereof that is dangerous. 6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy. 7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act. 11. Any portion of a building remains on a site after the	The structure has severe roof damage and weather damage. The building is neglected, damaged, dilapidated and unsecured so as to constitute an attractive nuisance. Hazardous condition.

demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.	
304.1.1 UNSAFE CONDITIONS. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 1. Structural members have deterioration or distress that appears to reduce their load-carrying capacity. 3. Structures or components thereof have deterioration or distress that appears to reduce their load-carrying capacity. 7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects. 8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all nominal loads and resisting all load effects.	Severe roof damage and weather damage appear 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:

**DEMOLITION OR REPAIR
of REAR 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, October 8, 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,



Code Enforcement Officer Malissa Garcia signing on behalf of:
Shannon Fant, Code Compliance Official
City of Big Spring, Texas

9589 0710 5270 1749 6560 12

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee	9/27/24 Postmark Here 706 N. GOLIAD Final Notice
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Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy) \$ ☐ Return Receipt (electronic) \$ ☐ Certified Mail Restricted Delivery \$ ☐ Adult Signature Required \$ ☐ Adult Signature Restricted Delivery \$	
Postage	
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Total Postage and Fees	
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Sent To Clinton Lee Hunter & Estate of Kathleen Y.	
Street and Apt. No., or PO Box No. 706 N. Goliad	
City, State, ZIP+4® Bea Springs, TX 79726	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

Tracking Number:

Remove X

9589071052701749656012

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

Latest Update

Your item was delivered to an individual at the address at 12:43 pm on September 28, 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 28, 2024, 12:43 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 ^

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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 October 08, 2024, attached as **Exhibit C-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on September 27, 2024.”

SIGNED on the 4 day of October, 2024.

Stant

AFFIANT

SWORN TO AND SUBSCRIBED before me this 4 day of October, 2024
by the above referenced Affiant.



Al W Hagen
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 **OCTOBER 8TH, 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, HOWARD COUNTY, TEXAS. ALL INTERESTED PERSONS MAY SPEAK, THEN A DETERMINATION WILL BE MADE AND REMEDIAL ACTION ORDERED ON THE FOLLOWING PROPERTIES:

607 N SAN ANTONIO – LEGAL DESCRIPTION: LOTS 3-4, BLOCK 1, DENTON SUBDIVISION
– OWNER: TIBURCIO ALVARADO TREVINO & CAROLINA E. TREVINO

411 BENTON – LEGAL DESCRIPTION: LOT 7, BLOCK 2, PORTER SUBDIVISION – OWNER:
FRANK H. PARRAS

706 N GOLIAD – LEGAL DESCRIPTION: SE/4 OF SECTION 42, BLOCK 32, TOWNSHIP 1 NORTH, TRACT 29, WILLIAM B CURRIE SUBDIVISION – OWNER: CLINTON L. HUNTER & THE ESTATE OF KATHLEEN Y. HUNTER

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, HOWARD COUNTY, 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.

605 JOHNSON – LEGAL DESCRIPTION: N/2 OF LOT 10 & S/2 OF LOT 11, BLOCK 47, ORIGINAL TOWN SUBDIVISION – SEPTEMBER 24TH, 2024; REPAIR OR DEMOLISH AND REMOVE REAR STRUCTURE.

705 WYOMING – LEGAL DESCRIPTION: LOT 9, BLOCK 3, BANKS SUBDIVISION – SEPTEMBER 24TH, 2024; REPAIR OR DEMOLISH AND REMOVE MAIN STRUCTURE.

102 LOCKHART – LEGAL DESCRIPTION: LOT 5, BLOCK 6, LAKEVIEW SUBDIVISION –
SEPTEMBER 24TH, 2024; REPAIR OR DEMOLISH AND REMOVE REAR STRUCTURE.

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



September 27, 2024 8:22 AM

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

The City Council of the City of Big Spring, Texas, met in a Regular Meeting in the City Council Chambers located at 307 E. 4th St., Big Spring, Texas, at 5:30 PM, September 24, 2024, with the following members present in person:

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

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

TODD DARDEN	City Manager
JOHN MEDINA	Assistant City Manager
ANDREW HAGEN	City Attorney
SHANE BOWLES	Public Works Director
CHAD WILLIAMS	Police Chief
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

Don Smith gave the invocation.

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

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

Public Comment

Public Comment

There were no comments made at this time.

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 2606 CHANUTE, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 25, BLOCK 2, CAPEHART SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: MAX F. MOORE & M. KAY MOORE
No action was taken on the above captioned abatement.

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1101 N GOLIAD, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: SE/4 OF SECTION 42, BLOCK 32, TOWNSHIP 1 NORTH, TRACT 8, WILLIAM B CURRIE SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: CARLOS P. GARCIA & VALERIE GARCIA
No action was taken on the above captioned abatement.

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 605 JOHNSON, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: N/2 OF LOT 10 & S/2 OF LOT 11, BLOCK 47, ORIGINAL TOWN SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: JOSE FRANCISCO MARTINEZ & IRELA NOHEMI MARTINEZ

MOTION WAS MADE BY Mayor Moore to approve the above captioned abatement for the address of 605 Johnson, seconded by Council Member Ornelas.

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 705 WYOMING, BIG SPRING, TEXAS 79720 – LEGAL

DESCRIPTION: LOT 9, BLOCK 3, BANKS SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: THE ESTATE OF DOROTHY GREEN

MOTION WAS MADE BY Council Member Hughes to approve the above captioned abatement for the address of 705 Wyoming, 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

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 102 LOCKHART, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 5, BLOCK 6, LAKEVIEW SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: GARY RAWLS

MOTION WAS MADE BY Mayor Moore to approve the above captioned abatement for the address of 102 Lockhart, seconded by Council Member Hughes.

YEAS: Mayor Moore, Council Member Ornelas, Council Member Yanez, Council Member Hughes, Council Member Wilkerson, Council Member Moreno 6
NAYS: Mayor Pro Tem Tompkins 1

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1406 LEXINGTON, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 8 LESS S/25' & LOT 9, BLOCK 2, SUNSET PLACE ANNEX SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: ANDREA LEEANN HILARIO

No action was taken on the above captioned abatement.

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, Council Member Hughes, Council Member Wilkerson, Mayor Pro Tem Tompkins, Council Member Moreno 7
NAYS: None 0

MOTION PASSED

City Manager's Report

City Manager's report on the following items:

- Update - Large Item Pickup, District 3

Todd Darden, City Manager, reported on the above captioned items as follows: Large item pick up for District 3 picked up 11 1/2 tons of items; There will be a graduation ceremony for 7 Fire Fighter graduates on Monday September 30 in the City Council Chambers; Updated the citizens on the water conditions due to the recent rains we have had.

Consent Items

Approval of the City Council Minutes of the Special Meeting of September 9, 2024 and of the Regular Meeting of September 10, 2024.

Acknowledge Receipt of the Big Spring Economic Development Corporation Board of Director's Minutes for the Regular Meeting of August 20, 2024

Acknowledge Receipt of the Planning & Zoning Commission Minutes for the Regular Meeting of April 16, 2024

Final 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

Final 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

MOTION WAS MADE BY Mayor Pro Tem Tompkins to approve above captioned minutes and the second and final reading of the above captioned ordinances, 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

Other Business

Final 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
MOTION WAS MADE BY Mayor Moore to approve the second and final reading of the above captioned ordinance on the annual budget with the exception of the CVB budget, 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

MOTION WAS MADE BY Council Member Ornelas to approve the second and final reading of the CVB budget as part of the above captioned ordinance on the annual budget, seconded by Council Member Diane Yanez.

YEAS: Nick Ornelas, Diane Yanez, Cody Hughes, Homer Wilkerson, Troy 6
Tompkins, Daniel Moreno
NAYS: None 0
ABSTAINED: Mayor Moore 1

MOTION PASSED

Final 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 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."

MOTION WAS MADE BY Council Member Hughes to approve the second and final reading of the above captioned ordinance by moving 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 5.57% increase in the tax rate, seconded by Council Member Ornelas.

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

Vouchers

Vouchers for 08/29/24 \$ 336,692.60

Council Member Hughes reviewed the above captioned vouchers for Council Member Yanez.

MOTION WAS MADE BY Council Member Hughes to approve the above

captioned vouchers, 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

Vouchers for 09/12/24 \$ 953,162.12

Vouchers for 09/20/24 \$ 596,645.80

Council Member Hughes reviewed the above captioned vouchers.

MOTION WAS MADE BY Council Member Hughes to approve the above captioned vouchers, 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

Bids

Consideration and Possible Action on Awarding a Bid for Downtown Janitorial Services 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 Manny's Janitorial Service in the amount of \$48,486.00, seconded by Mayor Pro Tem Tompkins.

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 Accepting a Donation from the Dora Roberts Rehabilitation Center

MOTION WAS MADE BY Council Member Hughes to accept the above captioned donation of 13 pieces of exercise equipment and a one-time cash donation of \$160,250.96, 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 to Accept a Donation from Surge Energy to the Big Spring Police Department

MOTION WAS MADE BY Council Member Ornelas to accept the above captioned donation of a Prowler Edition Club Car, 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 Authorizing an Event Funding Request from CVB for Howard College Basketball Classic

MOTION WAS MADE BY Council Member Hughes to approve the above captioned request, 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 Regarding the Purchase of a Public Utility Easement for Drainage at 3909 Dixon Street, Lots 13 and 14, Block 1, Suburban Heights Addition, Big Spring, Howard County, Texas, and Authorizing the City Manager or His Designee to Execute any Necessary Documents.

MOTION WAS MADE BY Council Member Hughes to approve the above captioned utility easement purchase in the amount of \$5,000.00, seconded by Mayor Pro Tem Tompkins.

**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

First Reading of an Ordinance Amending Chapter 40 of the Big Spring City Code Entitled "Parks, Recreation And Cultural Affairs," Article VII "Comanche Trail Golf Course," Section 40-234 Entitled "Golf Course Fees," by Adjusting Golf Course Fees and Section 40-235 Entitled "Tournaments" by Adjusting Tournament Fees; Providing for the Repeal of Conflicting Legislation; Providing for Severability; Finding and Determining that the Meetings at Which the Ordinance was Discussed were Open to the Public as Required by Law; and Providing an Effective Date.

MOTION WAS MADE BY Mayor Pro Tem Tompkins to approve the above

captioned ordinance, 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

Council Input

Input

Mayor Pro Tem Tompkins thanked the staff for fixing the drainage on Dixon St.

Executive Session

MOTION WAS MADE BY Mayor Moore to adjourn into the below listed executive sessions at 6:00 p.m., 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

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

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.

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.

Reconvene into Open Session and Take Any Necessary Action Regarding the Executive Sessions

Mayor Moore reconvened into open session at 7:06 p.m. with the following motions regarding the evaluations:

MOTION WAS MADE BY Mayor Moore to appoint Andrew Hagen as City Attorney, Todd Darden as City Manager and Mandy Hanyes as the Municipal Judge for 2 years, 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

MOTION WAS MADE BY Mayor Moore to approve and add Amendment #2 as presented to the City Manager's contract, seconded by Mayor Pro Tem Troy Tompkins.

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

NAYS:0 0

MOTION PASSED

MOTION WAS MADE BY Mayor Moore to approve a 5% raise to the salary of the City Manager and City Attorney, 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

Council Member Tompkins directed the staff to bring back an ordinance regarding the salary of the Municipal Judge to be set as \$85,000 annually plus the vehicle allowance.

No action was taken on the remaining executive sessions.

Adjourn

Mayor Moore adjourned the City Council meeting at 7:13 p.m.

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary



MEMORANDUM

To: Mayor Robert H. Moore, III, and Members of the Big Spring City Council
CC: Todd Darden, City Manager
From: Shane Bowles, Public Works Director
Date: Tuesday, September 20, 2024
Subject: Golf Course Rates

Action Requested: Approve an Ordinance adjusting fees for the Comanche Trails Golf Course

Background Information: The City of Big Spring has completed a price comparison with surrounding municipal golf courses and has compared our rates to justify a fee adjustment.

Staff recommendation: Staff are looking to update our current rate structure at the Comanche Trails Golf Course, to provide enough funding to keep up the only golf course in Howard County and surrounding areas. This additional funding will not only help maintain our existing course, but aid in future capital projects needed on the course. By comparing our fees with the surrounding area, we have found we are below the average on our annual fees by 30% to 40%. This adjustment would bring us back to advent.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS AMENDING CHAPTER 40 OF THE BIG SPRING CITY CODE ENTITLED “PARKS, RECREATION AND CULTURAL AFFAIRS,” ARTICLE VII “COMANCHE TRAIL GOLF COURSE,” SECTION 40-234 ENTITLED “GOLF COURSE FEES,” BY ADJUSTING GOLF COURSE FEES AND SECTION 40-235 ENTITLED “TOURNAMENTS” BY ADJUSTING TOURNAMENT FEES; PROVIDING FOR THE REPEAL OF CONFLICTING LEGISLATION; PROVIDING FOR SEVERABILITY; FINDING AND DETERMINING THAT THE MEETINGS AT WHICH THE ORDINANCE WAS DISCUSSED WERE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. The Big Spring City Code, Chapter 40 entitled “Parks, Recreation and Cultural Affairs,” Article VII entitled “Comanche Trail Golf Course,” Sections 40-234 and 40-235, are hereby amended in part as follows:

Sec. 40-234. Golf course fees.

The following fees shall be paid for the use of the municipal golf course:

(1) *Daily green fees:*

Weekday	\$25.00-\$27.00
Weekday—Senior citizen age 65 or over	\$20.00-\$22.00
Weekday—Junior golfer (17 or younger)	\$15.00-\$17.00
Weekend and holiday	\$30.00 \$32.00

Twilight discount—A 50 percent discount to all daily green fees applies if play starts after 4:00 p.m. during daylight saving time or after 3:00 p.m., during any period when daylight savings time is not in effect.

(2) *Annual green fees:*

- a. May be purchased anytime of the year at the golf course.

~~Annual green fees shall run from April 1st through March 31st of each year and shall permit unlimited play. No annual green fees shall be sold after April 10th except in conjunction with initial applications for annual memberships received after April 10th in which case the fees may be prorated for the months remaining in the annual membership. Junior Golf Team Memberships that are purchased through the school shall be valid beginning September 1st of the school year and~~

expire August 31 the following year. This includes the use of the driving range during class times but only while under the instruction of a coach.

Individual	\$850.00 <u>\$1200.00</u>
Individual—Senior (65 years of age or older)	\$675.00 <u>\$900.00</u>
Individual—Junior (17 or younger)	\$165.00 <u>\$200.00</u>
Individual—Junior Golf Team	\$165.00 <u>\$200.00</u>
Family	\$1,400.00 <u>\$1,800.00</u>
Family—Senior (65 or older)	\$1,200.00 <u>\$1,400.00</u>

- b. Definitions. The following words, terms and phrases, when used in this subsection (2), shall have the meanings ascribed to them in this subsection (2)b, except where the context clearly indicates a different meaning:

Family play is a family membership defined as four members of a family living in the same household.

Unlimited play means that a golfer can play on the course anytime it is open for business and he or she has a scheduled- tee time. Please note that when tournaments are scheduled, the course is not considered open for business.

(3) *Shed fees:*

Annual cart shed rental	\$540.00 <u>\$720.00</u>
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- a. All golf cart sheds shall be rented on an annual basis only. The rental period will be in effect from October 1 through September 30 of each year. Cart shed rental fees become delinquent on October 10.
- b. All cart shed renters must have a current annual membership and a current annual trail fee in the cart shed renter's name.

- (4) *Cart trail fees:* There shall be a privilege fee assessed for the use of private carts on Comanche Trail Municipal Golf Course. This amount is payable by either an annual or daily fee. ~~The annual private cart privilege fee shall be in effect from April 1 through March 31 of each year. Private cart privilege fees shall be delinquent on April 10.~~

Annual private cart fee	\$300.00
(Must have a current annual membership)	
Daily private cart fee	\$12.50 for 1 rider
	\$25.00 for 2 riders

- (5) *Miscellaneous:* For the purposes of this subsection only: "retiree" or "retirees" shall be limited to those former employees who retired from the City of Big Spring with each of

the following: a service retirement with the City of Big Spring, and 20 years of service or more with the City of Big Spring.

- a. Annual green fees for city employees and retirees shall be \$185.00 annually. This fee will allow the employee or retiree and one designated family member living in the same household to play the course.
- b. Golf course employees are not subject to green fees.
- c. The city manager, or his designee, may grant reciprocal course courtesy agreements to visiting golf professionals and/or superintendents.

(6) *Driving range fees:*

- a. The driving range fees shall be as follows:

Large bucket of range balls (around 75 balls)	\$6.00
Small bucket of range balls (around 45 balls)	\$4.00

Annual driving range fee	\$250.00
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(This is for 12 months of unlimited usage of the driving range along with an unlimited supply of driving range balls with the provision that all balls and buckets will remain the property of the city golf course.)

Sec. 40-235. Tournaments.

Tournaments shall be permitted at the Comanche Trail Golf Course under the following rules:

- (a) Each tournament must be approved by the golf course superintendent at least 60 days prior to the requested tournament date;
- (b) Shotgun starts shall only be permitted for tournaments with at least 60 participants, except as stated in subsection (c);
- (c) Tournaments with less than 60 participants shall be required to schedule tee times at least ten minutes apart. A shotgun start for a tournament of less than 60 participants shall be permitted only if the participants have paid the 60 participant fee minimum; in the event that the tournament has more than 60 participants, the fee will be reduced to \$40 per round of golf played.
- (d) All participants in any tournament will be required to pay all fees associated with normal use of the golf course. Participants in school sponsored tournaments will be charged the junior twilight fee, regardless of when the tournament is held;

- (e) The golf course superintendent shall decide all regulations for tournaments, and shall have the power to schedule any tournament, and to deny any tournament request; and
- (f) Those denied a tournament or are aggrieved by a tournament schedule or regulation by the golf course superintendent may appeal to city council by written request to the city secretary, which shall have the power to waive subsections (a) and (e) by resolution for a particular tournament.

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

SECTION 2. 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 3. Should any one or more sections or clauses of this Ordinance be adjudged unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

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

SECTION 5. This Ordinance is ordered to be codified.

SECTION 6. This Ordinance shall become effective upon its second publication according to law.

SECTION 7. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and of the United States of America.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **24th** day of **September, 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 **8th** day of **October, 2024** with all members of the Council voting “aye” for the passage of same.

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary



MEMORANDUM

Date: October 8, 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 VEIT National, for the demolition of Building 42 the original USAF Fire Station on McMahon-Wrinkle Airport

The City's received bids for the demolition of the original USAF Fire Station, Building 42 at McMahon-Wrinkle Airport. The bid opening occurred on September 24, 2024, with the following five (5) bids received:

Bid Tabulation Demolition of Building 42			
<i>Company</i>	<i>Bid Amount</i>	<i>Work Days</i>	<i>Bond</i>
Midessa Materials/Const	\$ 111,137	45	Y
American Abatement	\$ 115,843	15	Y
Veit National	\$ 38,731	5	Y
VANCO	\$ 54,769	15	Y
Midwest Wrecking	\$ 94,840	21	Y

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 VEIT National to demolish the facility.

AGREEMENT FOR THE ASSESSMENT AND COLLECTION OF TAXES

STATE OF TEXAS :

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF HOWARD :

This agreement entered into this ____ day of _____, 20____, by and between Big Spring Independent School District (hereinafter referred to as BSISD), City of Big Spring (hereinafter referred to as City), Howard County Junior College District (hereinafter referred to as College), Forsan Independent School District (hereinafter referred to as FISD), Coahoma Independent School District (hereinafter referred to as CISD), and the County of Howard (hereinafter referred to as the County), all of Howard County, Texas.

WHEREAS BSISD, City, College, FISD, and CISD are Taxing Units (hereinafter sometimes referred to as Taxing Units) located within the "County" and

WHEREAS BSISD, City, College, FISD, and CISD are desirous of contracting with the County to provide all services necessary for the assessment and collection of property taxes for the Taxing Units; and

WHEREAS, the County is able and willing to perform said tax assessment and collection services and is desirous of contracting with the Taxing Units to provide said services;

NOW THEREFORE, the parties hereto agree as follows:

A.

The County, acting by and through its duly authorized officers, does hereby agree to perform all tax assessment and collection services pursuant to Chapters 26, 31, 32, 33, and 34 of the Property Tax Code for the Benefit of the Taxing Units for the term of this agreement save and except those functions which must be performed by each Taxing Units' governing body.

B.

1. The term of this agreement shall be for a period of two years, beginning on the __1st__ day of October, 2024__.

2. Any party to this agreement may terminate its interest in this agreement by giving at least 90 days written notice to the other parties.

3. Whenever notice of any kind is authorized or required to be made by one party or the other under the terms hereof, such notice shall be given by United States registered or certified mail, postage prepaid, return receipt requested and addressed to the other party as set out below, or to such other address as may hereafter be designated in writing:

COUNTY

County Judge
Howard County Courthouse
Big Spring, Texas 79720

BSISD

President
Big Spring Independent School District
Board of Trustees
Big Spring, Texas 79720

CITY

City Mayor
City of Big Spring

Big Spring, Texas 79720

COLLEGE

President
Howard County Junior College District
Board of Trustees
Big Spring, Texas 79720

FISD

President
Forsan Independent School District
Board of Trustees
Forsan, Texas 79733

CISD

President
Coahoma Independent School District
Board of Trustees
Coahoma, Texas 79511

4. The County agrees to assume responsibility for the collection of all property taxes owing to each Taxing Unit, including:

- a. Taxes assessed that have not become delinquent;
- b. Delinquent Taxes;
- c. Statutory penalty and interest associated with delinquent taxes.

County shall not accept payment of taxes for any single Tax Unit for any tax year unless County also proportionately collects taxes owed for that tax year to all Units for which County collects taxes. Provided, however notwithstanding the foregoing, if a taxpayer is unable to pay one time all delinquent taxes owed for a tax year to Taxing Units for which County collects taxes, County shall accept partial delinquent tax payments from that taxpayer and apportion such partial payment proportionately among all Taxing Units.

5. The County shall have the responsibility of promulgating and producing all notices, statements, and forms necessary for the provision of assessment and collection services.

6. The County shall have the responsibility of providing an attorney or attorneys for any and all legal representation that may become necessary for the effective collection of delinquent taxes owed to the Taxing Units. The County Tax Assessor-Collector and County Tax Assessor-Collector's deputies shall provide said attorney or attorneys with all records and assistance in a timely manner deemed necessary by said attorney(s) for collection of delinquent taxes. Each Taxing Unit shall pay its portion of the fees owed to such attorney, based upon the amount of delinquent taxes collected by the attorney for that Unit.

7. The County shall advise each Unit of all cases when investigation reveals taxpayers to be financially unable to pay their delinquent taxes.

8. The Howard County Tax Assessor Collector shall annually calculate a tax rate for each Unit according to the provisions of Texas Property Tax Code Article 26.04. It is the intent and understanding of all parties to this contract that Texas Property Tax Code Article 26.04(c) confers a ministerial (clerical) duty upon the designated official, in this case, the Howard County Tax Assessor Collector that is, the Howard County Tax Assessor Collector shall calculate the tax rate without discretion, strictly in accordance with the instructions of each applicable Unit. It is the further intent and understanding of all parties to this contract that each respective Unit possesses the sole power to exercise its discretion under Section 26.04. Should injunctive relief be sought to stop the imposition of a particular year's tax plan, the Unit agrees to hold the county harmless for its action in preparing the Section 26.04 notice. Each Unit shall designate the office or employee who shall publish the tax rate and the other information required to be published by Article 26.04 of the Tax code.

9. Each year the County Tax Assessor Collector shall prepare a proposed budget for the operation of the County Tax Assessor Collector's office for the assessment and collection of taxes for the following fiscal year of the County (September 1 through August 31) and shall submit copies to each Taxing Unit before March 15. The Tax Assessor Collector shall include in the budget a list showing each proposed position, the proposed salary for the position, all the benefits proposed for the position, each proposed capital expenditure, and an estimate of the amount of the budget that will be allocated to each Taxing Unit.

10. a. The County commissioners shall hold a public hearing to consider the budget. The secretary of the County Commissioners shall deliver to the presiding officer of the governing body of each Taxing Unit for whom the County assesses and collects taxes, not later than the 10th day before the date of the hearing, a written notice of the date, time, and place fixed for the hearing. The County Commissioners shall complete their hearings, make any amendments to the proposed budget they desire, and finally approve a budget before June 15. If the governing body of any taxing entity objects to said budget, it shall adopt a resolution disapproving said budget and file the resolution with the secretary of the County Commissioner's prior to the County's final approval of same. Any new or amended budget shall also be subject to the foregoing approval procedure.

b. The County Commissioners may amend the approved budget at any time, but the secretary of the County Commissioners must deliver a written copy of a proposed amendment to the presiding officer of each governing body for whom the County assesses and collects taxes not later than the 30th day before the date County Commissioners act on it.

11. Each Taxing Unit for whom the County assesses and collects taxes, including Howard County, is allocated and will bear a portion of the Tax Assessor Collector's budget.

Fifty percent (50%) of the Tax Assessor collector's budget shall be allocated among the Taxing Units in the proportion that each Taxing Unit's total dollar amount of property taxes imposed in the county for the tax year in which the budget proposal is prepared, bears to the total dollar amount of property taxes imposed in the County by all Taxing Units for whom the County assesses and collects taxes for that year.

Fifty percent (50%) of the Tax Assessor Collector's budget shall be allocated among the Taxing Units in the proportion that the number of parcels in the County upon which each Taxing Unit imposes property taxes for the tax year in which the budget proposal is prepared, bears to the aggregate number of parcels in the County upon which all Taxing Units impose property taxes for the year.

In other words, fifty percent (50%) of the Tax Assessor Collector's budget shall be allocated on a tax dollar basis and fifty percent (50%) on a tax parcel basis.

12. a. Each Taxing Unit shall pay its allocation in twelve equal payments to be made at the end of each calendar month and first payment shall be made before November 1 of the year in which the budget takes effect. A payment is delinquent if not paid on the date it is due. A delinquent payment incurs a penalty of 5 percent (5%) of the amount of the payment and accrues interest at an annual rate of 10 percent (10%). If the budget is amended, any change in the amount of a Unit's allocation is apportioned among the payments remaining.

b. Payments shall be made to a depository designated by the County Commissioners.

13. Notwithstanding the foregoing allocation and payments, within sixty (60) days of the end of each contract year (the contract year is the period from October 1 through September 30) the County shall re-calculate costs for assessing and collecting taxes on the following basis and shall furnish a written copy of the re-calculation and the audit described below to each Tax Unit.

a. Each Taxing Unit for whom the County assesses and collects taxes, including Howard County, shall be allocated a portion of the amount of actual audited expenditures (based on an audit performed by an independent auditor who is a C.P.A.) to assess and collect taxes for the County's budget year ending just before the end of said contract year equal to the proportion that the total dollar amount of all property taxes, including penalty and interest, for all tax years actually collected during the contract year by the County for the Unit bears to the sum of the total dollar amount of all property taxes, including penalty and interest, for all tax years actually collected during the contract year by the County for all Taxing Units for whom the County assessed and collects taxes.

b. If any Tax Unit's portion of the expenditures, as determined under Paragraph 13A, is less than the payment already made by that Tax Unit pursuant to Paragraph 12 above, then the County shall refund the difference to that Tax Unit within ten (10) days of computing and allocation in Paragraph 12; if any Tax Units' portion of the expenditures, as determined under Paragraph 12a, is more than said payment, then that Tax Unit shall pay the difference to County within ten (10) days after that Tax Unit receives from County a written copy of said reallocation.

14. The County agrees to remit to each Tax Unit the tax monies collected between October 1 and February 15 by the County on behalf of the Unit within ten (10) working days of the day on which said taxes monies are collected.

Between February 16 and September 30 remittance shall be made within two (2) working days of the day on which said tax monies are collected. All tax monies collected by the County on behalf of the Unit shall be deposited on a daily basis in the County's interest bearing account as provided by the County's depository. To reduce collection fees cost, interest earned on said account will be paid to County and applied to the expenses of the Tax Assessor Collector's office. Reports of collections made in the months of October through January shall be on the twenty-fifth (25th) day of the month following the month that is the subject of the report. Reports of collections made in all other months are due on the fifteenth (15th) day of the month following the month that is the subject of the report, as required by Section 31.10(a) of the Property Tax Code. The County shall prepare and submit to each Unit an annual report made under oath accounting for all tax monies of each Unit collected or delinquent on property tax by each Unit during the preceding twelve (12) month period. Annual reports shall be due on the sixteenth (16th) day following the last day of each Unit's fiscal year, as required by Section 31.10(b) of the Property Tax Code.

15. County understands and agrees that Taxing Units are relying on the County's covenant herein to remit all tax monies to the Units on a timely basis and that the Tax Units would not enter into this contract without said covenants. If County fails to remit any tax monies to the Units within the time limits specified above, then County shall pay to the respective Unit as compensation and difference between the interest each Unit could have earned on said tax monies if said tax monies had been remitted to the invested by such Unit within the time limits specified above and any interest paid to such Unit pursuant to Paragraph 14 above.

The interest that such Unit could have earned shall be deemed to be the interest that the Unit could have earned on said tax monies at the highest rate of interest provided in such Unit's contract with its depository.

16. In addition to any other reports and records which county is herein required to furnish Units and any other notices County is required to prepare and mail, County shall furnish each respective Unit at the time shown on Exhibits A, the reports and prepare and mail the notices shown on Exhibit A which is attached hereto and incorporated by reference as if repeated verbatim.

17. At the request of any person, the County Tax Assessor Collector shall issue a tax certificate showing the amount of delinquent taxes, penalties, and interest due a Taxing Unit which is a party to this contract on a property according to the Unit's current tax records. The collector shall charge a fee of \$10.00 for each certificate issued. Provided, however, the collector shall be authorized to issue one combined certificate. Fees shall be retained by the County to help defray collection fees.

18. Bonds in the amount set by each Taxing Unit will be furnished by each representative Unit. Said bonds shall cover the County Tax Assessor Collector and all deputies and shall comply with the provision of 6.29 of the Texas Property Tax Code. The premium for each bond shall be budgeted and said by each entity to which the bond is payable. The County Tax Assessor Collector shall adopt and follow strict internal controls in carrying out the provisions of this contract.

19. The County Tax Assessor Collector shall prepare and mail annual tax statements by October 1 or as soon thereafter as practicable, but in any event no later than October 15.

20. Each party to this agreement shall appoint at least one elected or administrative official to serve on an unofficial "Tax Liaison Committee" which shall meet from time to time (approximately quarterly) to receive periodic reports from the Howard County Tax Assessor Collector and the delinquent tax attorney(s) and to relay the

information gained at such meetings to their respective governing bodies. All items regarding this contract requiring input from the Taxing Units shall be presented to this committee and then referred to each Taxing Unit's governing body for consideration.

21. The Units and the County all understand and agree that this agreement constitutes the entire agreement between the parties and shall not be amended or modified by written instrument signed by all parties.

Executed this _____ day of _____, 20____.

ACCEPTED:

COUNTY OF HOWARD

By: _____
County Judge

ACCEPTED:

BIG SPRING INDEPENDENT SCHOOL
DISTRICT

By: _____
President of the Board of Trustees

ACCEPTED:

CITY OF BIG SPRING

By: _____
Mayor

ACCEPTED:

HOWARD COUNTY JUNIOR COLLEGE
DISTRICT

By: _____
President of the Board of Trustees

ACCEPTED:

FORSAN INDEPENDENT SCHOOL DISTRICT

By: _____
President of the Board of Trustees

ACCEPTED:

COAHOMA INDEPENDENT SCHOOL DISTRICT

By: _____
President of the Board of Trustees

JOINT TAX COLLECTION

CONTRACT INFORMATION

BIG SPRING INDEPENDENT SCHOOL DISTRICT
FORSAN INDEPENDENT SCHOOL DISTRICT
AND COAHOMA INDEPENDENT SCHOOL DISTRICT

REPORTS AND/OR CALCULATIONS AND PROCEDURES REQUIRED OF THE
TAX COLLECTION OFFICE

Annual Report of Property Values

Report to State Comptroller Regarding Bank Franchise Tax Information

Calculation of Effective Tax Rate

Monthly Report to Governing Bodies:

- Current Collections per month beginning each September
- Delinquent Collections per month
- Total Collections per month
- Percentage of roll collected with comparative data for comparable prior year monthly dates

Annual Report to Governing Bodies:

- Cumulative tax collection data for the year shown on the monthly report

Monthly Report to Administration:

Year to date Recap reporting:

- Each year outstanding taxes are owing
- Original tax owing at beginning of year
- Adjustments
- Adjusted Tax
- Taxes paid
- Discounts
- Penalty and interest
- Costs
- Collections
- Uncollected Tax

Deposit information

Deposits should be made to either or both the General Fund (Local Maintenance) and/or interest and Sinking as required by law. Adequate deposit information should be supplied so that taxes can be properly credited to the records of each school district.

Other Reports and Procedures as may be required:

EXHIBIT "A"

State and local requirements change periodically and these changes should be mutually accomplished between parties to the contract.

Report of Value Lost due to Freezes

Report for State Survey of Delinquent Property Taxes

Delinquent Tax Statement for all Tax Years Delinquent

Tax Assessor Collector shall present to each School Board on September 1 of each year, a printed, certified, current tax roll.

Immediately after June 30 of each year, the Tax Assessor Collector shall report to each School Board the amount of current taxes remaining unpaid and going to the delinquent tax roll. The Tax Assessor Collector shall update this report on August 31 of each year.

JOINT TAX COLLECTION
HOWARD COUNTY JUNIOR COLLEGE DISTRICT

REPORTS, CALCULATIONS AND PROCEDURES REQUIRED OF THE
TAX COLLECTION OFFICE

Monthly Reports:

- Current collections each month
- Delinquent collections each month
- Collections of penalties, interest each month
- Error listing each month
- Adjustments to tax roll, including values affecting real and personal property
- Supplemental adjustments (additions)

Quarterly Reports:

- Outstanding delinquent taxes by year
- Outstanding current taxes
- Delinquent tax records in readable computer form, a minimum of four times a year or at the request of the

College

Annual:

- Cumulative tax collection data for the year as shown on the monthly report
- Tax roll for each tax year prepared and submitted to the College within twenty (20) days or receiving notice of tax rate from College as provided in 26.09 of Texas Property Tax Code for approval, including taxpayer name, tax amount, appraisal value
- Tax Code for approval, including taxpayer name, tax amount, appraised value
- Calculation of effective tax rate as required by law
- Delinquent tax statements for all tax years delinquent
- Annual tax statements shall be prepared and mailed by October 1 each year but in any event no later than October 15
- Other reports require by law or requested by Taxing Unit

JOINT TAX COLLECTIONS

CITY OF BIG SPRING

REPORTS, CALCULATIONS AND PROCEDURES REQUIRED OF THE
TAX COLLECTION OFFICE

Monthly Reports:

- Current collections each month
- Delinquent collections each month
- Collections of penalties, interest each month
- Error Listing each month
- Adjustments to tax roll, including values affecting real and personal property
- Supplemental adjustments (additions)

Quarterly Reports:

- Outstanding delinquent taxes by year
- Outstanding current taxes
- Delinquent tax records in readable computer form, a minimum of four times a year at the request of the

City

Daily:

Detail listing of collections on behalf of Taxing Unit, including account number, statement (receipt) number and amount of taxes paid

Annual:

- Cumulative tax collections data for the year as shown on the monthly report
- Tax roll each tax year prepared and submitted to City Council within twenty (20) days of receiving notice of tax rate from City as provided in 26.09 of Texas Property Tax Code for approval, including taxpayer name, tax amount, appraised value
- Calculation of effective tax rate as required by law
- Delinquent tax statements for all years delinquent
- Annual tax statements shall be prepared and mailed by October 1 each year but in any event no later than October 15
- Other reports required by law or requested by Taxing Unit



CITY OF
Big Spring

MEMORANDUM

Date: October 8, 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 the acquisition of a bucket truck from National Auto Fleet Group for Airpark to serve the department and city needs

Airpark has received a cost proposal for a Versalift SST-40-EIH Ford 550, Diesel 4X4 Bucket Truck with a 40 foot boom the unit will be replacing the city's existing bucket truck unit #8715. The existing bucket truck is a 2001 Ford F450 that has a 28-foot boom, and it currently has 131,324 miles. The lifetime maintenance cost thus far for maintaining the vehicle was \$20,158.89 dollars. The vehicle has outlived its service life, and it currently has significant mechanical concerns including:

- The Hydraulic Hoses on the bucket are deteriorated, worn and leaking. All hoses need replacement.
- The engine has several oil leaks, and it is currently leaking excessive amounts of oil while idling and running. The engine will need to be replaced in the future.
- The boom moves slowly due to the PTO pump needing replacement. The boom also has excessive movement.
- The power steering hoses are leaking.

Vector has estimated the cost to repair the unit at \$30,000 dollars.

The city received a quote from National Auto Fleet Group who is a Sourcewell Contract 091521-NAF vehicle provider as a result the purchase does not need to be competitively bid. The original quote was for \$172,663.60 including taxes and National Auto Fleet Group, to help reduce the cost of the acquisition has agreed to remove the vehicle from the contract obligations under Sourcewell and offer it to the city at \$153,958.48.

The resources used for this acquisition will come from the Capital Account for Vehicle Purchases Account 410-021-610-6401.

Staff recommends approval of this acquisition.



Versalift SST-40-EIH Ford F550 - Diesel 4x4

Item # (100_04304)

CHASSIS SPECS

ENGINE

6.7L V-8 PowerStroke Diesel

TRANSMISSION

10 Speed Automatic w/ Overdrive

BRAKE SYSTEM

Anti-Lock 4-Wheel Disc Brakes

FUEL TANK

40 Gallon Capacity

Small DEF Tank

FRONT AXLE

7,500 Lbs.

4.88 Ratio

Tires: 225/70R19.5 Traction

7,500 lbs Coil Spring Suspension-

REAR AXLE

14,706 Lbs.

4.88 Ratio

Tires: 225/70R19.5 Traction

15,000 Lb. Leafspring Suspension

FRONT BUMPER

Chromed Steel

GVWR

19,500 lbs

INTERIOR FEATURES

40/20/40 Split Bench Seat

SYNC External Memory Control

Power Equipment Group

Telescoping Power Heated Mirrors

AM/FM/MP3 Stereo Radio

Bluetooth

Back Up Camera

BODY FEATURES

16 Ga. Galvanneal Body Materials.

12 Ga. Hot Rolled Treadplate Floor.

12 Ga. Hot Rolled Treadplate Compartment Tops.

Stainless Steel Rod And Socket Type Door Latches.

Chain Stops On All Doors.

Double Panel Body Doors.

Rubber Rolled Crown Type Fenders.

(Installed With Cutouts)

Master Door Lock System.

Front Bulk Head - Bolt On

Shelving / Hooks

Streetside Compartmentation:

(1) Vertical

In #2 Vertical - Full Size Gripstrut Access Steps

To Bed Area

(1) Horizontal

(1) Rear Vertical

Full Size Gripstrut Shelf With Rear Dropdown

Access Door.

Curbside Compartmentation:

(2) Vertical

Full Size Gripstrut Access Steps To Bed Area.

(1) Horizontal

(1) Rear Vertical.

Full Size Tailshelf With 7-Lamp Light Bar

Installed At Rear.

Rear Lighting LED In Tailshelf.

Rubber Mounted Recessed Rear Lighting Kit With

Harness - Installed

Wheel Chock Storage:

Two Built Into Body Wheelwells Curbside.

4 Outrigger Pads & Storage.

Tailgate:

Removable Composite Wood Tailgate Installed

At Rear Of Load Space.

Removable Composite Wood Sidegate.

Single Top Mount Amber Strobe Light.

Grab Handles:

Two (2) Bolt-On Type

Paint:

Powder Coat Body And Inside Of Compartments

Paint White.

Non-Skid Applied To Bed Area Floor,

Compartment Tops And Tailshelf - Roll-On

Type (Not A Bedliner)

Rubberized Protective Undercoating.

EQUIPMENT SPECS

FEATURES

Standard SST-40-EIH Insulated Telescopic/Articulating Aerial Device

4-AXIS Right Hand Control

180 Degree Platform Rotator (Reduces Maximum Platform Capacity By 50 Lbs.)

Hydraulic Tool Power At Upper Controls (Throttle Control Or Priority Flow Control Required)

Full Hydraulic Controls On The Turret With Stow/Unstow

(Platform Leveling) At Turret

Closed 24 x 30 x 42 15 In. High Step To Curb Side

Platform Cover, Nylon/Vinyl, 24 x 30 In.

Basket Liner With Step

Continuous Rotation (Must Add Collector Ring Assy)

Increase To 400 Lbs. Will Affect Total Weight Required For Stability

Standard Chassis Pedestal, 47 In. Height

Man 2 SPD Throttle (Auto Trans) Idle/1200 RPM

Emergency 12V DC Hydraulic System (Requires 1 Slip Ring)

Lift Throttle (Required With Two Speed Or Priority Flow)

Start/Stop Is Standard (Requires 1 Slip Ring)

Collector Ring, 5-Pass

Chassis Insulating System (Lower Boom Insert) Provides 12" Insulation Gap In All

Positions

Rubber Tube Platform Rest (5 In. Max)

Sample Photo



PRICE: \$155,876 USD

Ex Works: Kansas City, MO

Price is Subject To Change Without Notice And Is Not Guaranteed Due To Fluctuation In Material Or Component Prices, Including Manufacturer's Surcharges.

Sample 60 Month Lease Payment: \$2,521 Subject To Approval
For More Details Call Custom Truck Capital (833) CTC-FIN1

QUOTE NUMBER: LE4.26-E_21

EXPIRATION DATE: 12-31-24

888-684-8146 www.customtruck.com

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DISCLAIMER: Specifications are believed to be correct, but may contain errors and/or omissions. Pictures are representative and may not be identical.



Staff Report

To: The Honorable Mayor and City Council

From: The City Manager

Date: October 8, 2024

Subject: 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, Authorizing the City Manager or His Designee to Execute any Necessary Documents, Superseding any Easement or Right-of-Way that was Granted or Authorized by the City Council during its Meeting Held on August 27, 2024.

RECOMMENDATION:

BACKGROUND:

The easement approved at the August 27, 2024 City Council meeting had an exhibit different than the one requested. This item would provide more than one easement in making the correction.

FISCAL IMPACT:

\$0

ATTACHMENTS:

Easement; WO#25218385; City of Big Spring, WO 25218385 Easement 8-13

REPORT PREPARED BY:

Andrew Hagen, City Attorney

APPROVED BY:

PT#: 2024-
District: **WEST**
WO #: 25218385
ER #:

EASEMENT AND RIGHT OF WAY

STATE OF TEXAS

§

COUNTY OF HOWARD

§

ss

KNOW ALL MEN BY THESE PRESENTS:

That **City of Big Spring**, hereinafter called "Grantor", whether one or more, for and in consideration of Ten Dollars (\$10.00) and other valuable consideration to Grantor in hand paid by **Oncor Electric Delivery Company LLC, a Delaware limited liability company**, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202-1234. hereinafter referred to as "Grantee", has granted, sold and conveyed and by these presents does grant, sell and convey unto said Grantee, its successors and assigns, an easement and right-of-way for overhead and/or underground electric supply and communications facilities, consisting of a variable number of wires and cables, supporting structures, surface mounted equipment, conduits and all necessary or desirable appurtenances over, under, through, across and upon Grantor's land described as follows:

SEE EXHIBIT "C" (ATTACHED)

Grantor recognizes that the general course of said lines, or the metes and bounds as described above, is based on preliminary surveys only, and Grantor hereby agrees that the easement and right-of-way and its general dimensions hereby granted shall apply to the actual location of said lines when constructed.

Together with the right of ingress and egress along and upon said easement and right-of-way and over and across Grantor's adjoining properties for the purpose of and with the right to construct, maintain, operate, repair, remove, replace, reconstruct, abandon in place, and to change the size and capacity of said facilities; the right to relocate said facilities in the same relative direction of said facilities; the right to relocate said facilities in the same relative position to any adjacent road if and as such is widened in the future; the right to lease wire space for the purpose of permitting others to string or lay wire or cable along said facilities; the right to prevent excavation within the easement area; the right to prevent construction of, within the easement area, any and all buildings, structures or other obstructions which, in the sole judgment of Grantee, may endanger or interfere with the efficiency, safety, and/or convenient operation of said facilities and their appurtenances and the right to trim or remove trees or shrubbery within, but not limited to, said easement area, including by use of herbicides or other similar chemicals approved by the U.S. Environmental Protection Agency, to the extent in the sole judgment of Grantee, as may be necessary to prevent possible interference with the operation of said facilities or to remove possible hazard thereto. Grantor shall not make changes in grade, elevation or contour of the land or impound water within the easement area as described above without prior written consent of Grantee.

Grantor reserves the right to use the land within the above described easement area for purposes not inconsistent with Grantee's use of such property, provided such use shall not, in the sole judgment of Grantee, interfere with the exercise by Grantee of the rights hereby granted.

TO HAVE AND TO HOLD the above described easement and right-of-way unto the said Grantee, its successors and assigns, until all of said electric lines and facilities shall be abandoned, and in that event said easement and right-of-way shall cease and all rights herein granted shall terminate and revert to Grantor or Grantor's heirs, successors or assigns, and legal representatives, to warrant and forever defend the above described easement and right-of-way unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this _____ day of _____, 2024.

GRANTOR: City of Big Spring

By: Shannon Thomason
Title: Mayor

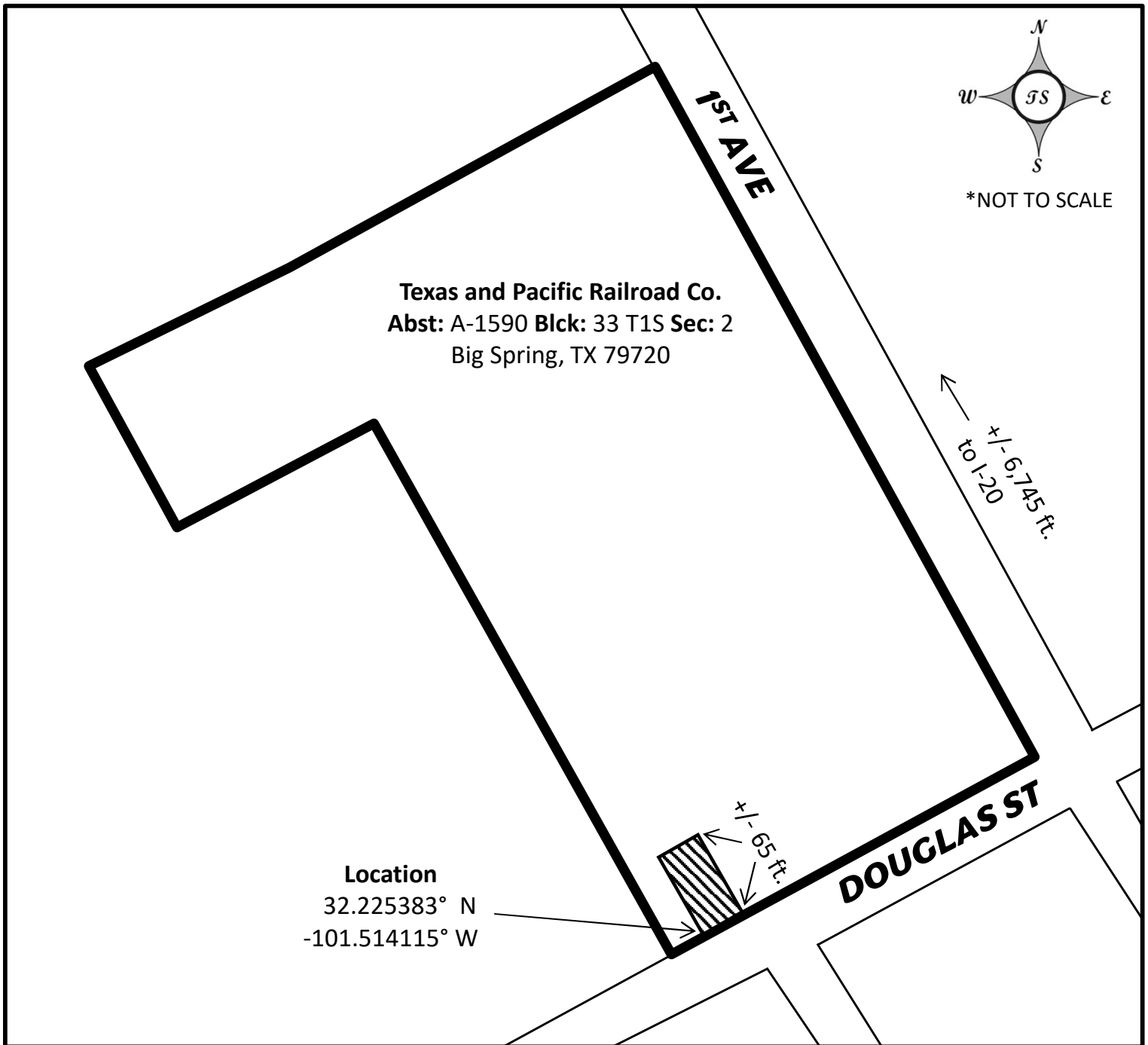
STATE OF **TEXAS** §
 §
COUNTY OF **HOWARD** §

BEFORE ME, the undersigned authority, on this day personally appeared **Shannon Thomason**, as **Mayor** of the **City of Big Spring**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, in the capacity therein stated and he/she is authorized to do so.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2024.

Notary Public in and for the State of Texas

Exhibit "A"



The intent of this Exhibit is for the Grantor to recognize that the general course of said easement area as described above agrees that the easement and right-of-way and its general dimensions hereby granted shall apply to the actual location of said line(s) when constructed.

Grantor(s): Foundry Digital

Instrument #: _____

Volume: _____

Page: _____

Survey: T&P RR CO

Abstract: A-1590

City: Big Spring

County: Howard

WR/WO: 25218385

District: West

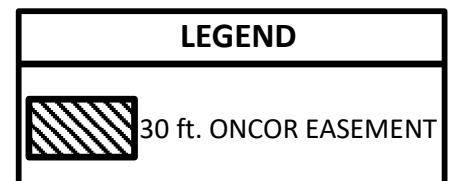
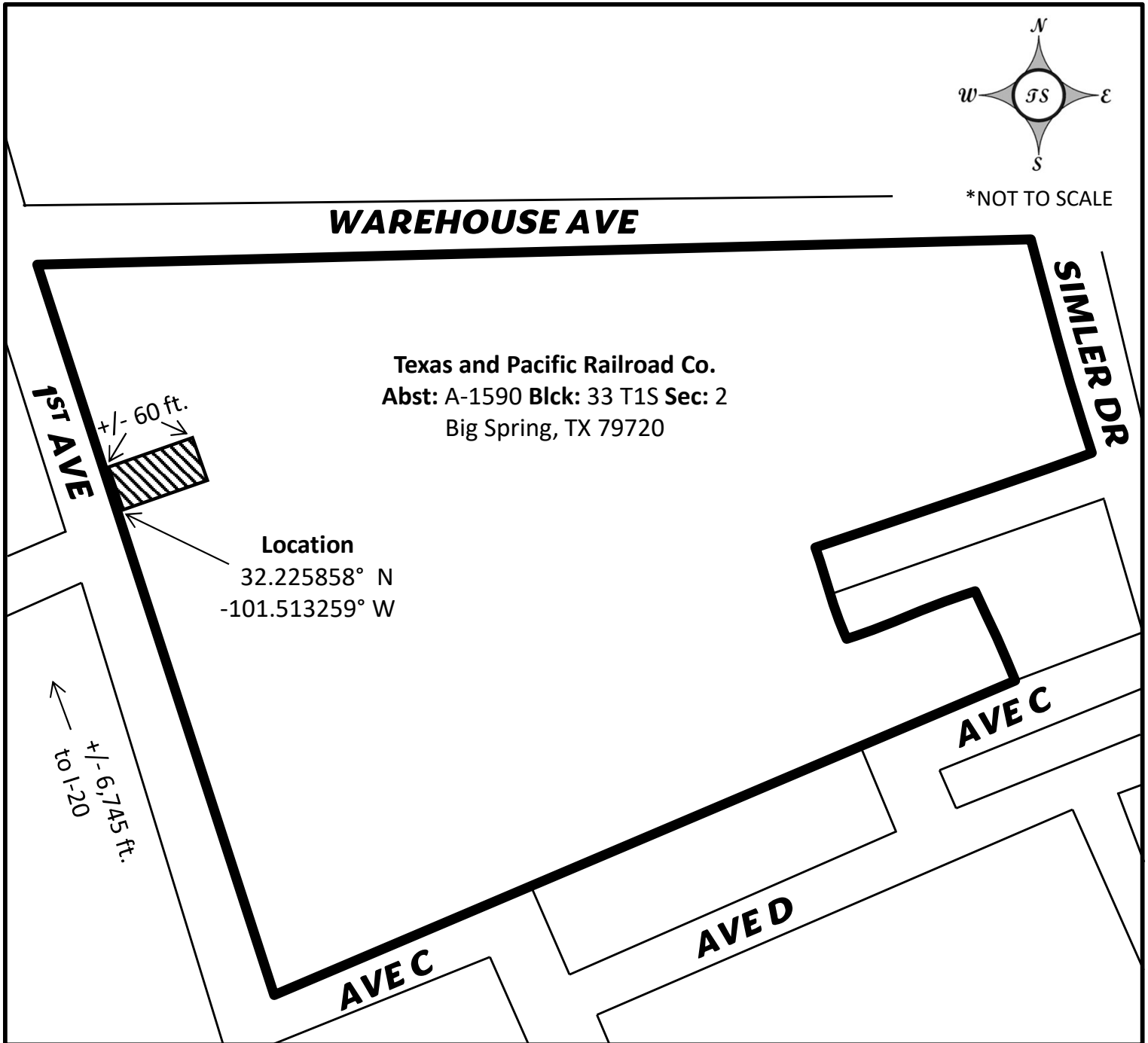


Exhibit "A"



The intent of this Exhibit is for the Grantor to recognize that the general course of said easement area as described above agrees that the easement and right-of-way and its general dimensions hereby granted shall apply to the actual location of said line(s) when constructed.

Grantor(s): Federal Prison

Instrument #: _____

Volume: _____

Page: _____

Survey: T&P RR CO

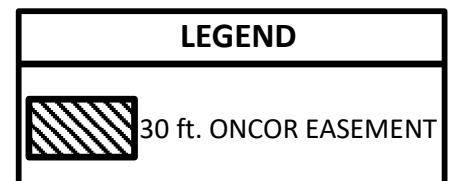
Abstract: A-1590

City: Big Spring

County: Howard

WR/WO: 25218385

District: West





Via Certified Mail, Return Receipt Requested

October 9, 2024

AdComp Systems Inc.
1720 S. Edmonds Lane Suite 201
Lewisville, Texas 75067

Dear Sir:

Please be advised that as concerns the “AdComp Systems Payments & Technology Services Authorization Agreement,” as it concerns Municipal Court, and only Municipal Court, the City of Big Spring wishes to terminate services at this time.

The City is pleased to continue use of AdComp kiosk services for utilities.

Thank you for your past assistance. We look forward to continued service from AdComp as stated above.

Yours truly,

Todd Darden
City Manager

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, ESTABLISHING THE PAY SCHEDULE FOR CLASSIFIED POSITIONS WITHIN THE POLICE DEPARTMENT EFFECTIVE OCTOBER 1, 2024; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council desires to amend the Police Department pay plan for fiscal year 2024-2025;

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

SECTION 1: Enacted

THAT, the pay schedule for the Police Department as shown in Exhibit “A”, which is attached hereto and incorporated herein for all purposes as if copied herein verbatim, is adopted as the pay schedule for the classified positions within the Police Department of the City of Big Spring effective October 1, 2024. In the event the City Council does not take action to amend the pay schedule in the years following 2024, the pay plan provided shall remain in effect for subsequent years.

SECTION 2: Repeal

That, all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3: Effective Date

That, this ordinance shall be in force and effect beginning October 1, 2024.

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

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

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary

Exhibit A

City of Big Spring Police Department Pay Plan Effective October 1, 2024

POSITION	GRADE	STEPS						
		1	2	3	4	5	6	7
Certified Police Officer	P1	30.591	31.356	32.140	32.944	33.768	34.612	35.477
Corporal	P2	32.427	33.238	34.069	34.921	35.794	36.689	37.606
Sr Corporal	P3	34.372	35.231	36.112	37.015	37.940	38.889	39.861
Sergeant	P4	38.621	39.587	40.577	41.591	42.631	43.697	44.789
Master Sergeant	P5	40.938	41.961	43.010	44.085	45.187	46.317	47.475
Sr Lieutenant	P6	48.077	49.279	50.511	51.774	53.068	54.395	55.755

Non-Cert Police Officer	109	25.256
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Additional Assignment Pay

Night Shift Differential	5% Hourly Increase from 6:00 pm to 6:00 am
Instructor	5% Hourly Increase when teaching
Field Training (FTO)	\$50/day, bi-weekly as it occurs
SWAT	\$325/month

Monthly Incentive Pay

Education Monthly Pay

Associates	\$	100.00
Bachelors	\$	200.00

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, ESTABLISHING THE FIRE DEPARTMENT PAY SCALE EFFECTIVE OCTOBER 1, 2024, IN ACCORDANCE WITH CHAPTER 143 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council desires to amend the Fire Department pay plan effective October 1, 2024; and to provide for certificate, education, and paramedic pay;

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

SECTION 1. The pay schedule for the Fire Department as shown in Exhibit “A,” which is attached hereto and incorporated herein for all purposes as if copied herein verbatim, is adopted as the pay scale for the Fire Department of the City of Big Spring effective October 1, 2024. Assignment, education and paramedic pay are authorized as provided in Exhibit “A.” In the event the City Council does not take action to amend the assignment, education, and paramedic pay in the years following 2024, the assignment, education, and paramedic pay provided shall remain in effect for subsequent years.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3. This ordinance shall be in force and effect beginning October 1, 2024.

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

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

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary

Exhibit A

City of Big Spring Fire Department Pay Plan Effective October 1, 2024

POSITION	GRADE	STEPS					
		1	2	3	4	5	6
Certified Fire Fighter DAY	F1	27.236	27.917	28.615	29.330	30.063	30.815
Certified Fire Fighter SHIFT	F1	19.454	19.940	20.439	20.950	21.474	22.011
Apparatus Engineer DAY	F2	30.602	31.367	32.151	32.955	33.779	34.623
Apparatus Engineer SHIFT	F2	21.858	22.404	22.964	23.538	24.126	24.729
Captain DAY	F3	34.856	35.727	36.620	37.536	38.474	39.436
Captain SHIFT	F3	24.897	25.519	26.157	26.811	27.481	28.168
Battalion Chief/Marshal DAY	F4	37.260	38.192	39.147	40.126	41.129	42.157
Battalion Chief/Marshal SHIFT	F4	26.614	27.279	27.961	28.660	29.377	30.111

Cadets	108	23.826
--------	-----	--------

PARA CERT.	1	SHIFT	EMERGENCY MED TECH PARAMEDIC	EMTP S	\$2.131
	2	DAY	EMERGENCY MED TECH PARAMEDIC	EMTP D	\$2.985
EDUCATION	1	SHIFT	ASSOCIATE DEGREE	ASSOC S	\$0.428
	2	DAY	ASSOCIATE DEGREE	ASSOC D	\$0.600
	1	SHIFT	BACHELORS DEGREE	BACH S	\$0.870
	2	DAY	BACHELORS DEGREE	BACH D	\$1.218
ASSIGNMENT PAY	1	SHIFT	EMS INSTRUCTOR - TDH	INST-TDH S	\$0.888
	2	DAY	INSTRUCTOR - TDH	INST-TDH D	\$1.244
	1	SHIFT	FIRE INSTRUCTOR - INTERMEDIATE TCFP	INST-TCFP S	\$0.888
	2	DAY	INSTRUCTOR - INTERMEDIATE TCFP	INST-TCFP D	\$1.244
	1	SHIFT	FIRE INVESTIGATOR or INSPECTOR	INV-INSP S	\$0.455
	2	DAY	FIRE INVESTIGATOR or INSPECTOR	INV-INSP D	\$0.636
	1	SHIFT	ARSON INVESTIGATOR	ARSON S	\$0.908
	2	DAY	ARSON INVESTIGATOR	ARSON D	\$1.261
	1	SHIFT	TRAINING OFFICER	TRANOFF S	\$1.206
	2	DAY	TRAINING OFFICER	TRANOFF D	\$1.206
	1	SHIFT	FIRE MARSHAL	FIRE MARSH S	\$8.410
	2	DAY	FIRE MARSHAL	FIRE MARSH D	\$8.410
	1	SHIFT	HEALTH INSPECTOR	FIRE MARSH S	\$0.861
	2	DAY	HEALTH INSPECTOR	FIRE MARSH D	\$1.206

Emergency Management Coordinator \$300.00 per month

ORDINANCE _____

AN ORDINANCE ESTABLISHING COMPENSATION AND BENEFITS FOR THE PRESIDING JUDGE AND ASSOCIATE JUDGES OF THE MUNICIPAL COURT OF BIG SPRING, TEXAS

WHEREAS, Section 2, Article X of the Charter of the City of Big Spring states that the presiding judge and any judges will “receive such salary as may be fixed by ordinance,”

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

SECTION 1. The City Council of Big Spring, Texas establishes the compensation for the Judges of the Municipal Court as stated herein.

SECTION 2.

- (a) Compensation for the Presiding Judge appointed by City Council shall be \$85,000.00 per annum. The Presiding Judge shall receive an automobile allowance of \$600.00 per month unless the City provides a vehicle to Presiding Judge in which case the Presiding Judge will not receive an automobile allowance. The compensation shall be remitted through the standard payroll policies of the City. The Presiding Judge shall be an exempt employee under the federal Fair Labor Standards Act.
- (b) Judicial education for the presiding judge shall be paid according to the agreement between the City and the Presiding Judge.
- (c) The Presiding Judge shall be an at-will employee of the City of Big Spring.
- (d) The Presiding Judge is a “department head” under Section 5, Article VI of the Charter of the City of Big Spring.
- (e) The Presiding Judge shall be subject to the Personnel Policies, except as agreed in writing.
- (f) The Presiding Judge shall not be subject to the administrative directives of the City Manager except as agreed in writing or as the Presiding Judge may elect.

SECTION 3.

- (a) Upon completing all judicial education specified in the Texas Rules of Judicial Education, Rule 5 for a given year, an Associate Judge appointed by City Council shall certify to the City of Big Spring that such judicial education has been completed, and the City shall pay the Associate Judge a flat payment of \$1,000.00 in compensation for the Associate Judge’s time.
- (b) For an Associate Judge's judicial education as state law requires, City shall pay for an Associate Judge's enrollment and hotel expenses to one conference in Texas annually, and for one new judges conference, if applicable. If an Associate Judge is an attorney, City shall pay continuing legal education (CLE) fees associated with the required judicial education.

- (c) Except as stated in subsections (a) and (b), an Associate Judge shall not receive further compensation for judicial education, nor shall the Associate Judge receive reimbursement of other expenses related to judicial education.
- (d) Compensation for an Associate Judge shall be \$48.00 per hour.
- (e) An Associate Judge shall be an independent contractor of the City of Big Spring. An Associate Judge shall not be a City employee.
- (f) As an Associate Judge is not an employee of the City, the Associate Judge shall not be subject to Section 5, Article VI of the Charter of the City of Big Spring.
- (g) The Associate Judge shall not be subject to the Personnel Policies, or administrative directives of the City Manager, except as agreed in writing.

SECTION 4. This Ordinance supersedes Ordinance 045-2022 and all prior conflicting ordinances and orders by motion of the City Council of Big Spring.

SECTION 5. This Ordinance shall take effect immediately.

SECTION 6. The City Manager or his designee is directed to take the necessary administrative actions to implement these compensation adjustments.

SECTION 7. This Ordinance will not be codified.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the ____ day of _____, _____ with all members of the Council voting “aye” for the passage of same.

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

Robert H. Moore, III, Mayor

ATTEST:

Tami L. Davis, City Secretary