



CITY COUNCIL REGULAR MEETING

Tuesday, October 22, 2024

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, October 22, 2024, at 5:30 PM at the City Council Chambers Located at 307 East 4th Street, Big Spring, Texas. **We welcome the public to attend the meeting via telecommunication. Citizens will be able to view the City Council Meeting on Our Local Channel 17 through Suddenlink or on Our Website <http://mybigspring.com/224/Channel-17-Live>.**

CITY COUNCIL MEETING ETIQUETTE

Gentlemen are requested to remove their hats inside the City Council Chambers. As a courtesy to those in attendance, please place your cell phone on "Silent" or "Vibrate." Please, no talking during the meetings. Take all conversations outside so that others can hear.

Thank you!

Open Session

- | | |
|---|-------|
| 1. Call to Order | Moore |
| 2. Invocation | Moore |
| 3. Pledge of Allegiance to the United States Flag and to the Texas State Flag | Moore |

Public Comment

Public Comment – Members of the public are entitled to speak on any topic. Additionally, members of the public may comment on any action item before or during its consideration. Speakers are Requested to Stand at the Podium and State Their Name and Address. Speakers Should Fill out the Form at the Podium and Turn it into the City Secretary. Please Do Not Exceed Five (5) Minutes.

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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 805 E 18TH,
BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION:
TRACT 41X179, BLOCK 2, MANNING ADDITION, BIG
SPRING, HOWARD COUNTY, TEXAS – OWNER: JESSE
DARIO VARGAS | 6-40 | Hagen |
| 7. PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 502 NW 10TH,
BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT
11, BLOCK 38, BAUER SUBDIVISION, BIG SPRING,
HOWARD COUNTY, TEXAS – OWNER: THE ESTATE OF
PABLO JARA | 41-80 | 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 | 81-
127 | Hagen |
| 9. PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 508 N SAN
ANTONIO, BIG SPRING, TEXAS 79720 – LEGAL
DESCRIPTION: LOT 8, BLOCK 7, BAUER SUBDIVISION,
BIG SPRING, HOWARD COUNTY, TEXAS – OWNER:
CLAW SOLUTIONS TX LLC - 508 NS PROTECTED SERIES | 128-
162 | Hagen |
| 10. PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 708 OHIO, BIG
SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 2,
BLOCK 3, BANKS SUBDIVISION, BIG SPRING, HOWARD
COUNTY, TEXAS – OWNER: FRANKIE SIMMONS AND
THE ESTATE OF LAWRENCE SIMMONS | 163-
198 | Hagen |
| 11. Close Public Hearings | | Moore |

City Manager's Report

12. City Manager's report on the following items: Darden
- Update - Large Item Pickup, District 4
 - Month of October is Fire Prevention Month
 - New Codification Program with American Legal
 - Appraisal District Board Nominee
 - City Holiday - November 11th - Veteran's Day
 - Reminder - Two City Council Meetings on November 12, 2024

Consent Items

- | | | |
|--|---------|--------|
| 13. Approval of the City Council Minutes of the Regular Meeting of October 8, 2024. | 199-206 | Davis |
| 14. Final 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 | 207-208 | Medina |
| 15. Final 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 | 209-210 | Medina |
| 16. Final Reading of an Ordinance Establishing Compensation and Benefits for the Presiding Judge and Associate Judges of the Municipal Court of Big Spring, Texas | 211-212 | Moore |

Vouchers

- | | | |
|---------------------------|-----------------|------------|
| 17. Vouchers for 10/10/24 | \$ 1,029,165.67 | Willkerson |
| Vouchers for 10/18/24 | \$ 622,334.25 | |

Bids

- | | | |
|--|-----|--------|
| 18. Consideration and Possible Action on Awarding a Bid For Airport Remarketing Project at McMahon-Wrinkle Airport and Authorizing the City Manager or His Designee to Execute any Necessary Documents | 213 | Feeley |
| 19. Consideration and Possible Action on Awarding a Bid for a | 214 | Medina |

14-Yard Dump Truck for the Street Department and
Authorizing the City Manager or His Designee to Execute any
Necessary Documents

- | | | |
|--|-----|--------|
| 20. Consideration and Possible Action on Awarding a Bid for a Kubota Mid-Sized Utility Tractor for the Roy Anderson Sports Complex and Authorizing the City Manager or His Designee to Execute any Necessary Documents | 215 | Medina |
| 21. Consideration and Possible Action on Awarding a Bid for a Trimax 320 Snake Mower for the Roy Anderson Sports Complex and Authorizing the City Manager or His Designee to Execute any Necessary Documents | 216 | Medina |

New Business

- | | | |
|---|-----|--------|
| 22. Consideration and Possible Action on Accepting a Donation from Oxy Petroleum Corporation to the Fire Department | 217 | Holt |
| 23. Consideration and Possible Action on Accepting a Donation of a Greens Roller from the Mens Golf Association for the Golf Course | | Bowles |

Council Input

- | | | |
|-------------|--|-------|
| 24. Input | | Moore |
| 25. Adjourn | | Moore |

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

I hereby certify that this agenda was posted on the official bulletin board at the City of Big Spring, City Hall Building, located outside 310 Nolan Street. Given by order of the City Council and **Posted on Friday, October 18, 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.

805 E 18TH

Code Enforcement Officer: Jacob Leos

Exhibit A-1

STATE OF TEXAS

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COUNTY OF HOWARD

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**AFFIDAVIT OF JACOB LEOS
CONCERNING 805 E 18TH**

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:

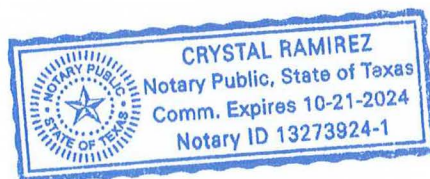
“I am a Code Enforcement Officer for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **805 E 18TH**, 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 18th day of October, 2024.



AFFIANT

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





Notary Public, State of Texas

Exhibit A-2

Property Details

Account

Property ID: 282989 Geographic ID: B4230001000

Type: R Zoning:

Property Use: Condo:

Location

Situs Address: 805 E 18TH,

Map ID: Mapsco:

Legal Description: TR 41X179 BK 2 MANNING 41X179 1026 BLK/TRACT 2 0.168 ACRES ACQ
03092020

Abstract/Subdivision:

Neighborhood: (GOLD2) GOLIAD 2

Owner ?

Owner ID: 439209

Name: VARGAS JESSE DARIO

Agent:

Mailing Address: 718 E 21ST ST
SAN ANGELO, TX 76903

% Ownership: 100.0%

Exemptions: For privacy reasons not all exemptions are shown online.

Property Values

Improvement Homesite Value: \$12,957 (+)

Improvement Non-Homesite Value: \$0 (+)

Land Homesite Value: \$6,038 (+)

Land Non-Homesite Value: \$0 (+)

Agricultural Market Valuation: \$0 (+)

Market Value: \$18,995 (=)

STATE OF TEXAS

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COUNTY OF HOWARD

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CERTIFICATION
805 E 18TH 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.

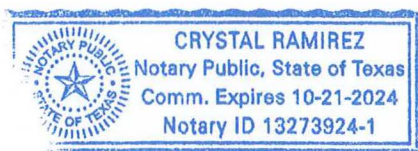
1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout 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 18th day of October, 2024.

AFFIANT 

SWORN TO AND SUBSCRIBED before me this 18th 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, 10 October
2024 09:12

Case # 24-00001720

Parcel # : 282989

Site Address: 805 E 18TH

Case Description: SUB - MO

Note Type	Note Code	Text	Created By	Begin Date	End Date
PHOTOS		INSPECTION PHOTOS BY CODE OFFICER LEOS	Jacob Leos	10/10/24	
GENERAL		NOTE: PROPERTY HAS BEEN ABATED FOR ACCUMULATION RECENTLY.	Jacob Leos	10/10/24	
GENERAL		MAILED OUT NOTICE OF VIOLATION.	Jacob Leos	10/10/24	
GENERAL		10/04/24 INSPECTION - SUB STANDARD VIOLATION INCLUDING NUMEROUS OPENINGS AROUND HOUSE STRUCTURE, DETIORATING PLYWOOD SHEETS COVERING BURNT OPENINGS IN BACK OF HOUSE. (PLYWOOD HAS NO SIGHTING FOR WEATHER PROTECTION) METAL SHEETS LOOSE AND BARELY COVERING MISSING WALLS IN BACK OF HOUSE. THERE HAS BEEN A HOUSE FIRE AT THIS PROPERTY PREVIOUSLY. SIGNS OF BURNT MATERIAL VISIBLE.	Jacob Leos	10/04/24	

STATE OF TEXAS

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COUNTY OF HOWARD

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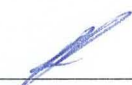
**CERTIFICATION OF
PHOTOGRAPHS BY JACOB LEOS**

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

TRACT 41X179, BLOCK 2, MANNING ADDITION Big Spring, Howard County, Texas, also known as **805 E 18TH**, Big Spring, Texas.

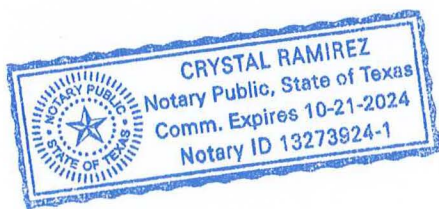
Each of the photographs is a fair and accurate depiction of the scene at the relevant time.”

SIGNED on the 18th day of October, 2024.



AFFIANT

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

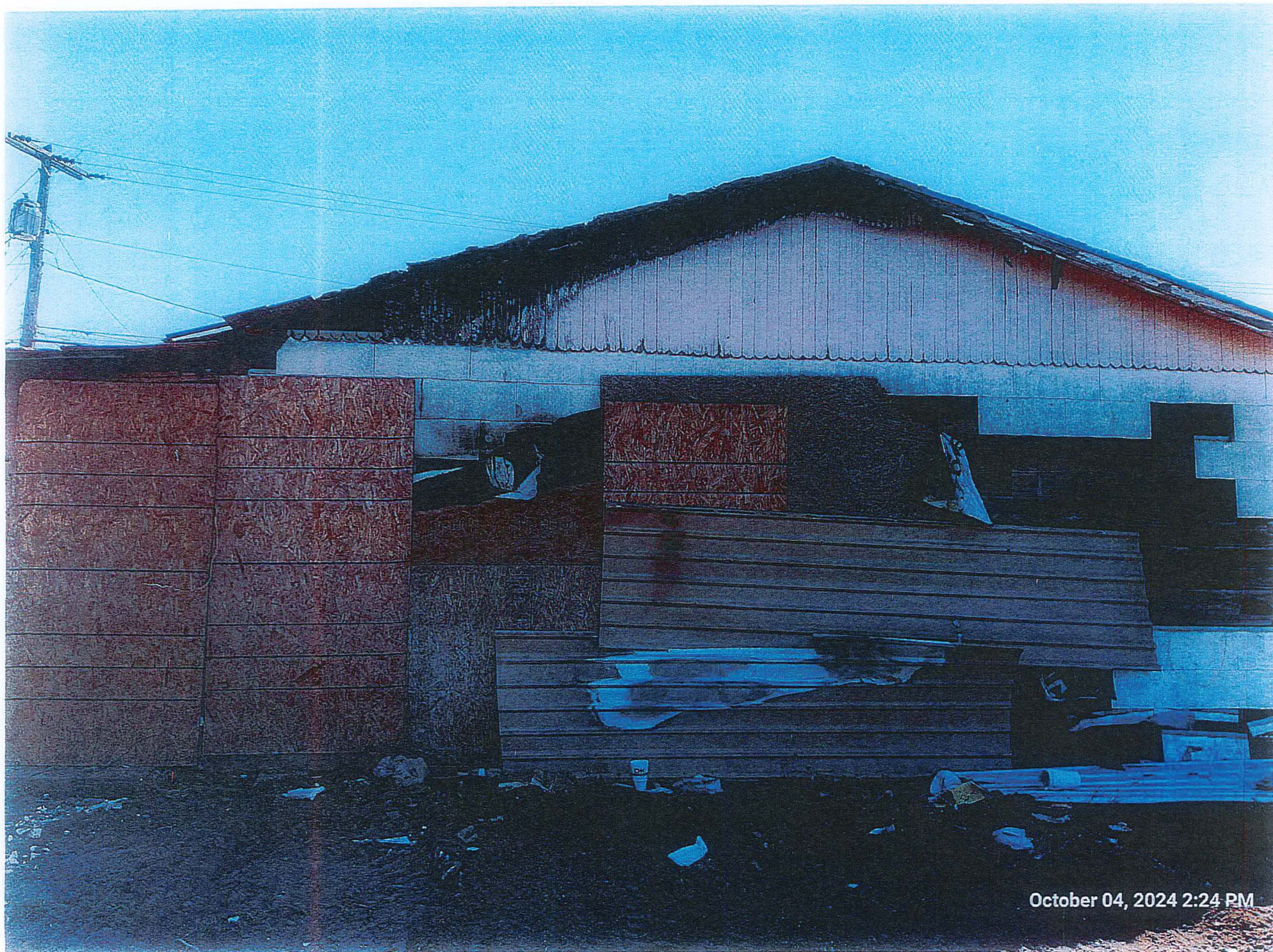




Notary Public, State of Texas

Exhibit A-4











October 04, 2024 2:31 PM



STATE OF TEXAS

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COUNTY OF HOWARD

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**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.”

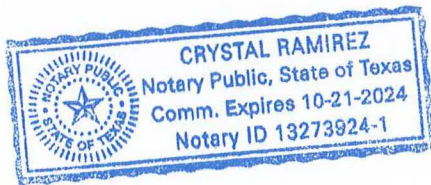
Certified Mail Return for **Exhibit A-5** is also attached.

SIGNED on the 18th day of October, 2024.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 18 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>

October 10, 2024

718 E 21ST ST
SAN ANGELO, TX 76903

RE: Code Compliance Case No. 24-00001720

VARGAS JESSE DARIO,

Location : 805 E 18TH , BIG SPRING TX

Complaint Description:

SUB

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

DEADLINE FOR COMPLIANCE IS 7 DAYS FROM DATE OF THIS NOTICE.

HOUSE STRUCTURE ON PROPERTY NEEDS TO BE BROUGHT UP TO CODE OR DEMOLISHED AND REMOVED FROM PROPERTY.



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 not capable of supporting all nominal loads and resisting all load effects. 9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects. 10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects. 11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes, and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects. 12. Exterior stairs, decks, porches, balconies, and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects. 13. Chimneys, cooling towers, smokestacks, and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.



Regards,
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

October 11, 2024

Jesse Dario Vargas
718 E. 21st St.
San Angelo, Texas 76903

Jesse Dario Vargas
805 E. 18th St.
Big Spring, Texas 79720

Re: 805 E 18TH, BIG SPRING, TEXAS 79720
LEGAL DESCRIPTION: TRACT 41X179, BLOCK 2, MANNING ADDITION,
Howard County

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

VIOLATION	DESCRIPTION OF VIOLATION
111.1.5 HAZARDOUS STRUCTURE OR PREMISES. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described as follows shall be considered to be hazardous: 3. Any building, structure, or portion thereof that is dangerous. 6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy. 7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to	Sub-standard violations including numerous openings around house structure and deteriorating plywood sheets covering burnt openings in the back of the house. Additionally, the plywood has no sighting for weather protection. The structure has loose metal sheets barely covering missing walls in the back of the house. The building had fire damage that

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. 8. Any building or structure has been constructed, exists, or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety. 9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease. 10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the code official to be a threat to life or health. 11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.	has not been repaired. Signs of burnt material visible. The structure is neglected, damaged, dilapidated, unsecured, and abandoned so as to constitute an attractive nuisance. The structure is dilapidated so as to be unfit for human habitation. Hazardous condition.
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.	The structural members appear to have deteriorated. The roof has holes. The roof appears to admit rain and has signs of deterioration. Unsafe condition.

8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all nominal loads and resisting all load effects.	
304.7 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
MAIN STRUCTURE.**

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 22, 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.

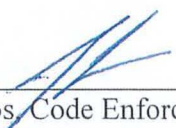
TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

Case number: 24-00001720

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 0422 7430 18

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 \$	10/11/2024
Extra Services & Fees (check box, add fee as appropriate)	Postmark Here
☐ Return Receipt (hardcopy) \$	
☐ Return Receipt (electronic) \$	
☐ Certified Mail Restricted Delivery \$	
☐ Adult Signature Required \$	
☐ Adult Signature Restricted Delivery \$	
Postage \$	805 E 18TH
Total Postage and Fees \$	Final Notice
Sent To Jesse Dorio Vargas	(SUB)
Street and Apt. No., or PO Box No.	718 E. 21st St.
City, State, ZIP+4®	San Angelo, TX 76903
PS Form 3800, January 2023 PSN 7520-02-000-9047 See Reverse for Instructions	

9589 0710 5270 0422 7430 25

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 \$	10/11/2024
Extra Services & Fees (check box, add fee as appropriate)	Postmark Here
☐ Return Receipt (hardcopy) \$	
☐ Return Receipt (electronic) \$	
☐ Certified Mail Restricted Delivery \$	
☐ Adult Signature Required \$	
☐ Adult Signature Restricted Delivery \$	
Postage \$	805 E 18TH
Total Postage and Fees \$	Final Notice
Sent To Jesse Dorio Vargas	
Street and Apt. No., or PO Box No.	805 E 18TH
City, State, ZIP+4®	Big Spring, TX 79720
PS Form 3800, January 2023 PSN 7520-02-000-9047 See Reverse for Instructions	

Tracking Number:

Remove X

9589071052700422743018

Copy

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

Latest Update

We were unable to attempt delivery of your item on October 16, 2024 at 11:55 am in SAN ANGELO, TX 76903 due to interference by an animal. Your item will go out for delivery on the next delivery day as conditions permit.

Get More Out of USPS Tracking:
USPS Tracking Plus[®]

Alert
Delivery Exception, Animal Interference
SAN ANGELO, TX 76903
October 16, 2024, 11:55 am

In Transit to Next Facility
October 15, 2024

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 ^

Remove X

Tracking Number:

9589071052700422743025

Copy

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

Latest Update

Your item was returned to the sender on October 15, 2024 at 5:10 pm in BIG SPRING, TX 79720 because the address was vacant or the business was no longer operating at the location and no further information was available.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Alert

Vacant

BIG SPRING, TX 79720
October 15, 2024, 5:10 pm

Notice Left (No Authorized Recipient Available)

BIG SPRING, TX 79720
October 15, 2024, 5:09 pm

See All Tracking History

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

See More v

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**

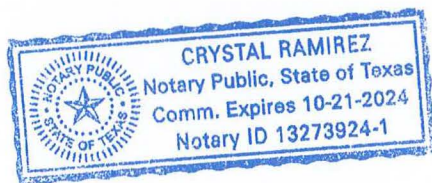
“The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for October 22, 2024, attached as **Exhibit A-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on October 11, 2024.”

SIGNED on the 18th day of October, 2024.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 18 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 22ND, 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:

805 E 18TH – LEGAL DESCRIPTION: TRACT 41X179, BLOCK 2, MANNING ADDITION – OWNER: JESSE DARIO VARGAS

502 NW 10TH – LEGAL DESCRIPTION: LOT 11, BLOCK 38, BAUER SUBDIVISION – OWNER: PABLO JARA

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

508 N SAN ANTONIO – LEGAL DESCRIPTION: LOT 8, BLOCK 7, BAUER SUBDIVISION – OWNER: CLAW SOLUTIONS TX LLC - 508 NS PROTECTED SERIES

708 OHIO – LEGAL DESCRIPTION: LOT 2, BLOCK 3, BANKS SUBDIVISION – OWNER: FRANKIE SIMMONS AND ESTATE OF LAWRENCE SIMMONS

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

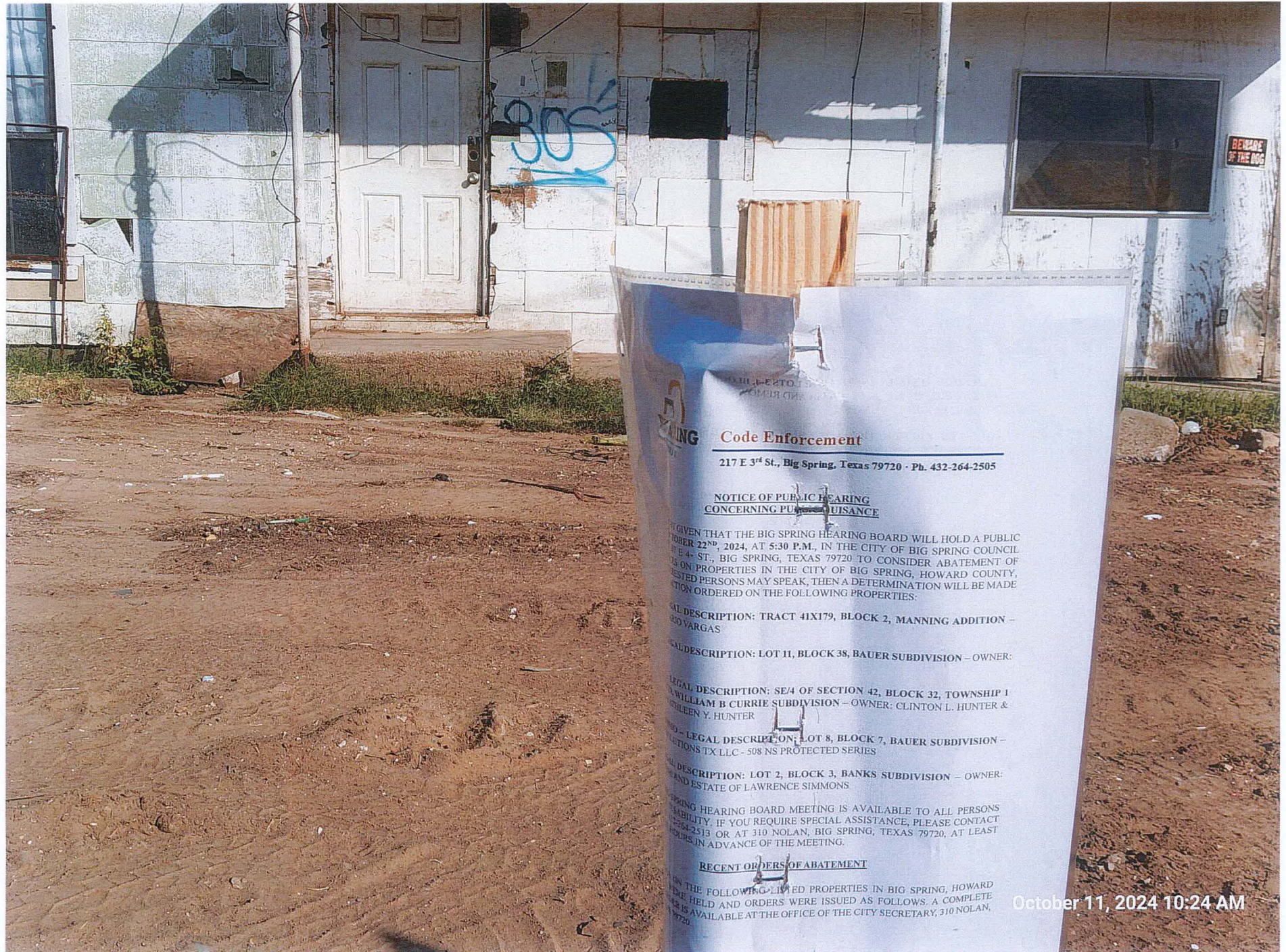
PUBLIC HEARINGS ON THE FOLLOWING LISTED PROPERTIES IN BIG SPRING, HOWARD COUNTY, TEXAS, WERE HELD AND ORDERS WERE ISSUED AS FOLLOWS. A COMPLETE COPY OF EACH ORDER IS AVAILABLE AT THE OFFICE OF THE CITY SECRETARY, 310 NOLAN, BIG SPRING, TEXAS 79720.

607 N SAN ANTONIO – LEGAL DESCRIPTION: LOTS 3-4, BLOCK 1, DENTON SUBDIVISION
– OCTOBER 8TH, 2024; REPAIR OR DEMOLISH AND REMOVE MAIN STRUCTURE AND BACK
STRUCTURE SHED; NINETY (90) DAYS.

411 BENTON – LEGAL DESCRIPTION: LOT 7, BLOCK 2, PORTER SUBDIVISION – OCTOBER
8TH, 2024; REPAIR OR DEMOLISH AND REMOVE STRUCTURE ON BACK FENCELINE; THIRTY
(30) DAYS.

Nick Reyna

Nick Reyna, Building Official, City of Big Spring



Code Enforcement

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

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCE

IT IS GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **October 22nd, 2024, AT 5:30 P.M.**, IN THE CITY OF BIG SPRING COUNCIL CHAMBERS, 310 NOLAN, BIG SPRING, TEXAS 79720 TO CONSIDER ABATEMENT OF NUISANCES ON PROPERTIES IN THE CITY OF BIG SPRING, HOWARD COUNTY, TEXAS. IF INTERESTED PERSONS MAY SPEAK, THEN A DETERMINATION WILL BE MADE BY THE HEARING BOARD ORDERED ON THE FOLLOWING PROPERTIES:

LEGAL DESCRIPTION: TRACT 41X179, BLOCK 2, MANNING ADDITION - OWNER: JESSE VARGAS

LEGAL DESCRIPTION: LOT 11, BLOCK 38, BAUER SUBDIVISION - OWNER: JESSE VARGAS

LEGAL DESCRIPTION: SE 1/4 OF SECTION 42, BLOCK 32, TOWNSHIP 1 NORTH, RANGE 14E, COUNTY OF HOWARD, TEXAS - OWNER: CLINTON L. HUNTER & KATHLEEN Y. HUNTER

LEGAL DESCRIPTION: LOT 8, BLOCK 7, BAUER SUBDIVISION - OWNER: JESSE VARGAS
LEGAL DESCRIPTION: TRACT 41X179, BLOCK 2, MANNING ADDITION - OWNER: JESSE VARGAS

LEGAL DESCRIPTION: LOT 2, BLOCK 3, BANKS SUBDIVISION - OWNER: JESSE VARGAS
LEGAL DESCRIPTION: LOT 11, BLOCK 38, BAUER SUBDIVISION - OWNER: JESSE VARGAS

THE PUBLIC HEARING BOARD MEETING IS AVAILABLE TO ALL PERSONS INTERESTED IN THE PROPERTIES. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT THE CITY SECRETARY, 310 NOLAN, BIG SPRING, TEXAS 79720, AT LEAST 48 HOURS IN ADVANCE OF THE MEETING.

RECENT ORDERS OF ABATEMENT

ON THE FOLLOWING LISTED PROPERTIES IN BIG SPRING, HOWARD COUNTY, TEXAS, THE HEARING BOARD HAS HELD AND ORDERS WERE ISSUED AS FOLLOWS. A COMPLETE LIST OF ORDERS IS AVAILABLE AT THE OFFICE OF THE CITY SECRETARY, 310 NOLAN, BIG SPRING, TEXAS 79720.

October 11, 2024 10:24 AM

502 NW 10TH

Code Compliance Official: Ashley Guerra

Exhibit B-1

STATE OF TEXAS

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COUNTY OF HOWARD

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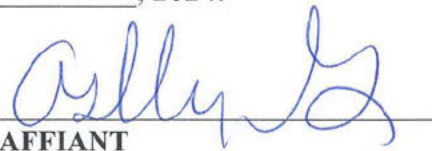
**AFFIDAVIT OF ASHLEY GUERRA
CONCERNING 502 NW 10TH**

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

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

“I am a Code Compliance Official for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **502 NW 10TH**, 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 17 day of Oct., 2024.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of October, 2024 by the above referenced Affiant.


Notary Public, State of Texas

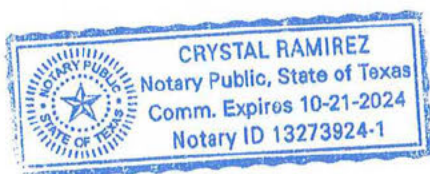


Exhibit B-2

Property Details

Account

Property ID:	277223	Geographic ID:	B2280035400
Type:	R	Zoning:	
Property Use:		Condo:	

Location

Situs Address:	502 NW 10TH,
Map ID:	Mapscs:
Legal Description:	LT 11 BK 38 BAUER 50X140 221 BLK/TRACT 38 0.161 ACRES
Abstract/Subdivision:	
Neighborhood:	(BAUR) BAUER

Owner ⓘ

Owner ID:	310107
Name:	JARA PABLO
Agent:	
Mailing Address:	4825 BERMUDA
	SAN ANGELO , TX 76904
% Ownership:	100.0%
Exemptions:	For privacy reasons not all exemptions are shown online.

Property Values

Improvement Homesite Value:	\$18,792 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$1,753 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$20,545 (=)

Agricultural Value Loss:	\$0 (-)
Appraised Value:	\$20,545 (=)
HS Cap Loss:	\$0 (-)
Circuit Breaker:	\$0 (-)
Assessed Value:	\$20,545
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.

STATE OF TEXAS

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COUNTY OF HOWARD

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CERTIFICATION
502 NW 10TH 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.

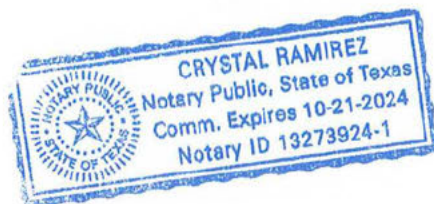
1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout 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 17 day of Oct, 2024.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 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: Thursday, 10 October
2024 08:55

Case # 24-00000972

Parcel #: 277223

Site Address: 502 NW 10TH

Case Description: SUBSTANDARD STRUCTURE

Note Type	Note Code	Text	Created By	Begin Date	End Date
SITE VISIT		WENT BACK FOR A REINSPECT AND NO PROGRESS HAS BEEN MADE PREPAIRING TO SEND TO LEGAL 9-12-24	Ashley Guerra	09/12/24	
PHONE CALL		██████████ CALLED PHONE NUMBER ASKED FOR MORE TIME ON PROPERTY GOING TO GIVE HIM THE MONTH HE ASKED FOR PROPERTY IS HIS MOTHERS HOUSE AND HE IS TRYING TO FIND SOMONE TO COMPLETE THE ROOF . REINSPECT ON 7-25-24	Ashley Guerra	06/25/24	
CORRECTIVE ACTION		THERE IS A SUBSTANDARD STRUCTURE ON PROPERTY THAT NEEDS TO BE BROUGHT DOWN OR BROUGHT UP TO CODE DEADLINE FOR COMPLIANCE (7) SEVEN DAYS FROM THE DATE OF MAILING .	Ashley Guerra	06/20/24	
SITE VISIT		WAS IN THE AREA ON 6-20-24 NOTICED A SUBSTANDARD STRUCTURE	Ashley Guerra	06/20/24	
GENERAL		SENT OUT NOTICE OF VIOLATION ON 6-20-24	Ashley Guerra	06/20/24	

STATE OF TEXAS

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COUNTY OF HOWARD

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**CERTIFICATION OF
PHOTOGRAPHS BY ASHLEY GUERRA**

“With regard to the photographs in **Exhibits B-4** I am familiar with and recognize the scene depicted in the photographs. On June 20, 2024 and September 12, 2024, I inspected the property described as:

LOT 11, BLOCK 38, BAUER SUBDIVISION Big Spring, Howard County,
Texas, also known as **502 NW 10TH**, Big Spring, Texas.

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

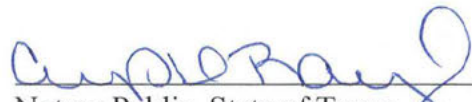
SIGNED on the 17 day of Oct, 2024.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of October, 2024
by the above referenced Affiant.





Notary Public, State of Texas

Exhibit B-4

Case # 24-00000 972



June 20, 2024 9:53 AM

Case # 24-00000972



June 20, 2024 9:53 AM

Case # 24-00080972



Case# 24-00000972



Case # 24-00000972



June 20, 2024 9:54 AM

Case# 24-00000972



June 20, 2024 9:54 AM

Case# 24-00000972



June 20, 2024 9:56 AM

Case # 24-00000972





STATE OF TEXAS

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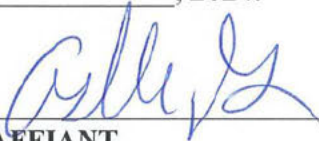
COUNTY OF HOWARD

CERTIFICATION
NOTICE SENT BY ASHLEY GUERRA

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

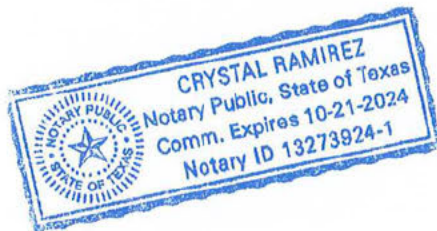
Certified Mail Return for **Exhibit B-5** is also attached.

SIGNED on the 17 day of Oct, 2024.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of OCTOBER, 2024
by the above referenced Affiant.





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: 502 NW 10TH BIG SPRING, TX 00000

Legal Description: LT 11 BK 38 BAUER 50X140 221 BLK/TRACT 38 0.161 ACRES

Date 10/10/2024

Case No: 24-00000972

JARA PABLO
4825 BERMUDA
SAN ANGELO, TX 76904

Dear JARA PABLO

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:

304.1.1 UNSAFE CONDITIONS. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

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



City of Big Spring Code Compliance

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

NOTICE OF VIOLATION

Re: 502 NW 10TH BIG SPRING, TX 00000

Legal Description: LT 11 BK 38 BAUER 50X140 221 BLK/TRACT 38 0.161 ACRES

Corrective Action:

THERE IS A SUBSTANDARD STRUCTURE ON PROPERTY THAT NEEDS TO BE BROUGHT DOWN OR BROUGHT UP TO CODE DEADLINE FOR COMPLIANCE (7) SEVEN DAYS FROM THE DATE OF MAILING .

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

Issued by:

Ashley Guerra

Code Compliance

432-264.2505

aguerra@mybigspring.com

Phone

Email Address

If this matter has been taken care of please notify this office at (432)264-2504

It is the sincere hope of the City that you will cooperate with us in helping to make Big Spring an attractive, healthful place in which to live.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ashley Guerra", is written over a light blue horizontal line.

Ashley Guerra - 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

October 11, 2024

The Estate of Pablo Jara
4825 Bermuda
San Angelo, Texas 76904

The Estate of Pablo Jara
502 NW 10th St.
Big Spring, Texas 79720

H. B. Zachry Company, LLC
14410 Wurzbach Pkwy, Ste. 120
San Antonio, Texas 78216-2743

Bexar Canyon Management, Inc.
(formerly H. B. Zachry Company)
P.O. Box 240130
San Antonio, Texas 78224-0130

Bexar Canyon Management, Inc.
(formerly H. B. Zachry Company)
c/o C T Corporation System
1999 Bryan St., Ste. 900
Dallas, Texas 75201-3136

Re: 502 NW 10TH, BIG SPRING, TEXAS 79720
LEGAL DESCRIPTION: LOT 11, BLOCK 38, BAUER SUBDIVISION, Howard
County

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

VIOLATION	DESCRIPTION OF VIOLATION
111.1.5 HAZARDOUS STRUCTURE OR PREMISES. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described as follows shall be considered to be hazardous: 3. Any building, structure, or portion thereof that is dangerous. 6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy. 7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or 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.	The structure has roof damage and weather damage. The building is neglected, damaged, dilapidated and unsecured so as to constitute an attractive nuisance. Hazardous condition.
304.1.1 UNSAFE CONDITIONS. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 1. Structural members have deterioration or distress that appears to reduce their load-carrying capacity. 3. Structures or components thereof have deterioration or distress that appears to reduce their	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.

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.	
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
MAIN STRUCTURE.**

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

Issued by

Ashley Guerra

Name

Code Compliance Official

Title

+1 (432) 264-2505

Phone

aguerra@mybigspring.com

E-mail

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY

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

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

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **5:30 PM, October 22, 2024** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

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

SECTION A-1.10. Rights of Parties

- (a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.
- (b) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.
- (c) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.

- (d) Rights of Parties. Each party shall have the following rights, among others:
1. To call and examine witnesses on any matter relevant to the issues of the hearing;
 2. To introduce documentary and physical evidence;
 3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
 4. To impeach any witness regardless of which party first called him to testify;
 5. To rebut the evidence against him;
 6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.

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

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

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

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

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

the Code Compliance Officer who sent this notice.

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

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

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

Sincerely,

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

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

9589 0710 5270 0422 7430 32

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee

\$

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

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

Postage

\$

Total Postage and Fees

\$

Sent To

The Estate of Pablo Jara

Street and Apt. No., or PO Box No. 4825 Bermuda

City, State, ZIP+4® San Antonio, TX 78204

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

10/11/2024

Postmark
Here

502 NW 10TH

Final Notice

9589 0710 5270 0422 7430 56

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

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

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

Postage

\$

Total Postage and Fees

\$

Sent To

H.B. Zachry Company, LLC

Street and Apt. No., or PO Box No. 14410 Wireback Pkwy, Ste 120

City, State, ZIP+4® San Antonio, TX 78216-2743

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

10/11/2024

Postmark
Here

502 NW 10TH

Final Notice

9589 0710 5270 0422 7430 49

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

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

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

Postage

\$

Total Postage and Fees

\$

Sent To

The Estate of Pablo Jara

Street and Apt. No., or PO Box No. 502 NW 10TH

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

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

10/11/2024

Postmark
Here

502 NW 10TH

Final Notice

9589 0710 5270 0422 7430 63

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee

\$

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

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

Postage

\$

Total Postage and Fees

\$

Sent To

Bexar Canyon Management, Inc.

Street and Apt. No., or PO Box No. P.O. Box 240130

City, State, ZIP+4® San Antonio, TX 78224-0130

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

10/11/2024

Postmark
Here

502 NW 10TH

Final Notice

9589 0710 5270 0422 7430 70

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee

\$

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

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

Postage

\$

Total Postage and Fees

\$

Sent To

Bexar Canyon Management do CT.

Street and Apt. No., or PO Box No. 1999 Bryon St., Ste. 900

City, State, ZIP+4® Dallas, TX 75201-3136

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

10/11/2024

Postmark
Here

502 NW 10TH

Final Notice

Tracking Number:

Remove X

9589071052700422743032

Copy

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

Latest Update

Your item was delivered to an individual at the address at 5:00 pm on October 15, 2024 in SAN ANGELO, TX 76904.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

SAN ANGELO, TX 76904
October 15, 2024, 5:00 pm

See All Tracking History

Feedback

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

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Tracking Number:

Remove X

9589071052700422743049

Copy

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

Latest Update

Your item was returned to the sender on October 15, 2024 at 8:51 am in BIG SPRING, TX 79720 because the address was vacant or the business was no longer operating at the location and no further information was available.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Alert

Vacant

BIG SPRING, TX 79720

October 15, 2024, 8:51 am

Out for Delivery

BIG SPRING, TX 79720

October 15, 2024, 6:10 am

[See All Tracking History](#)

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

[See More](#) ▼

Tracking Number:

[Remove](#) ✕

9589071052700422743056

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 10:48 am on October 16, 2024 in SAN ANTONIO, TX 78216.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Front Desk/Reception/Mail Room

SAN ANTONIO, TX 78216

October 16, 2024, 10:48 am

[See All Tracking History](#)

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

[See More](#) ✓

Tracking Number:

[Remove](#) ✕

9589071052700422743063

[Copy](#)

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

Latest Update

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

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Out for Delivery

Preparing for Delivery

Moving Through Network

In Transit to Next Facility

October 16, 2024

Arrived at USPS Regional Facility

SAN ANTONIO TX DISTRIBUTION CENTER

October 14, 2024, 9:56 am

[See All Tracking History](#)

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

See More ▼

Tracking Number:

Remove X

9589071052700422743070

Copy

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

Latest Update

Your item was picked up at a postal facility at 9:24 am on October 15, 2024 in DALLAS, TX 75201.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Individual Picked Up at Postal Facility

DALLAS, TX 75201

October 15, 2024, 9:24 am

[See All Tracking History](#)

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

See More ▼

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

[FAQs](#)

STATE OF TEXAS

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COUNTY OF HOWARD

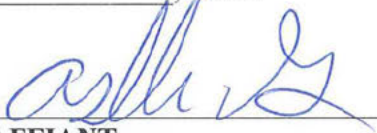
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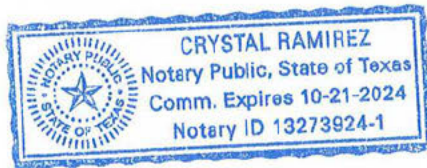
**CERTIFICATION
OF POSTING OF PUBLIC HEARING**

“The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for October 22, 2024, attached as **Exhibit B-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on October 11, 2024.”

SIGNED on the 17 day of Oct, 2024.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of October, 2024
by the above referenced Affiant.



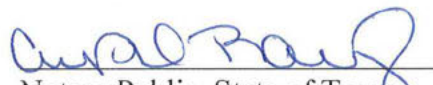

Notary Public, State of Texas

Exhibit B-6



Code Enforcement

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

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **OCTOBER 22ND, 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:

805 E 18TH – LEGAL DESCRIPTION: TRACT 41X179, BLOCK 2, MANNING ADDITION – OWNER: JESSE DARIO VARGAS

502 NW 10TH – LEGAL DESCRIPTION: LOT 11, BLOCK 38, BAUER SUBDIVISION – OWNER: PABLO JARA

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

508 N SAN ANTONIO – LEGAL DESCRIPTION: LOT 8, BLOCK 7, BAUER SUBDIVISION – OWNER: CLAW SOLUTIONS TX LLC - 508 NS PROTECTED SERIES

708 OHIO – LEGAL DESCRIPTION: LOT 2, BLOCK 3, BANKS SUBDIVISION – OWNER: FRANKIE SIMMONS AND ESTATE OF LAWRENCE SIMMONS

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.

607 N SAN ANTONIO – LEGAL DESCRIPTION: LOTS 3-4, BLOCK 1, DENTON SUBDIVISION
– OCTOBER 8TH, 2024; REPAIR OR DEMOLISH AND REMOVE MAIN STRUCTURE AND BACK
STRUCTURE SHED; NINETY (90) DAYS.

411 BENTON – LEGAL DESCRIPTION: LOT 7, BLOCK 2, PORTER SUBDIVISION – OCTOBER
8TH, 2024; REPAIR OR DEMOLISH AND REMOVE STRUCTURE ON BACK FENCELINE; THIRTY
(30) DAYS.

Nick Reyna

Nick Reyna, Building Official, City of Big Spring



October 11, 2024 10:01 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:

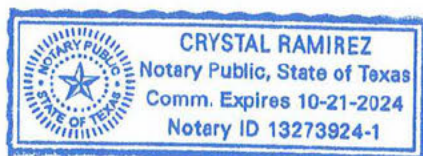
“I am a Code Compliance Official for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created 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 17 day of October, 2024.

Shannon Fant

AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of October, 2024 by the above referenced Affiant.



Crystal Ramirez
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:		Mapsc0:	
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.

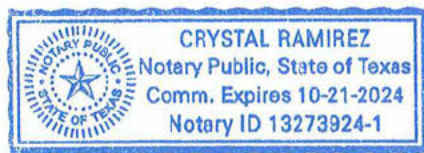
1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout 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 17 day of October, 2024.

Stant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of October, 2024

by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit C-3



CASE NOTES

Page 1 of 1

Report Run On: Tuesday, 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:

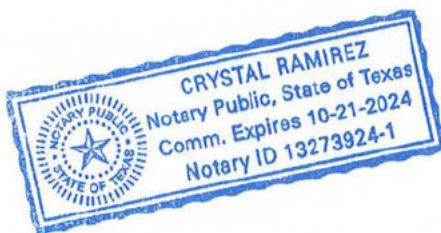
SE/4 OF SC 42 BK 32 1N TR 29 WILLIAM B CURRIE 82X105 608 ACQ
092313 BLK/TRACT 32 1N 0.198 ACRES Big Spring, Howard County, Texas,
also known as **706 N GOLIAD**, Big Spring, Texas.

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

SIGNED on the 17 day of October, 2024.

Shannon Fant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of October, 2024
by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit C-4





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



Galaxy Tab S8
February 05, 2024 2:03 PM

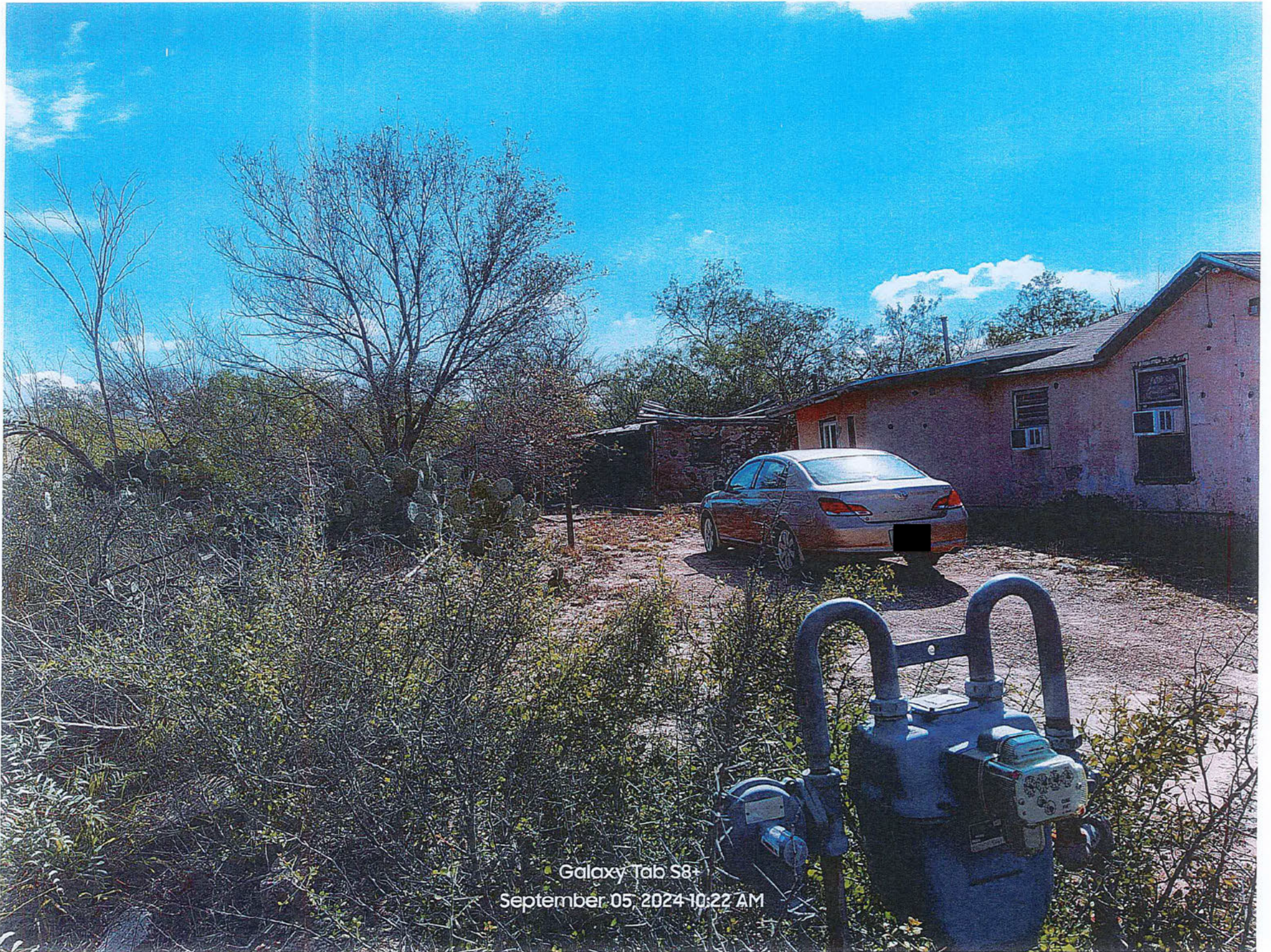


February 15, 2024 2:14 PM

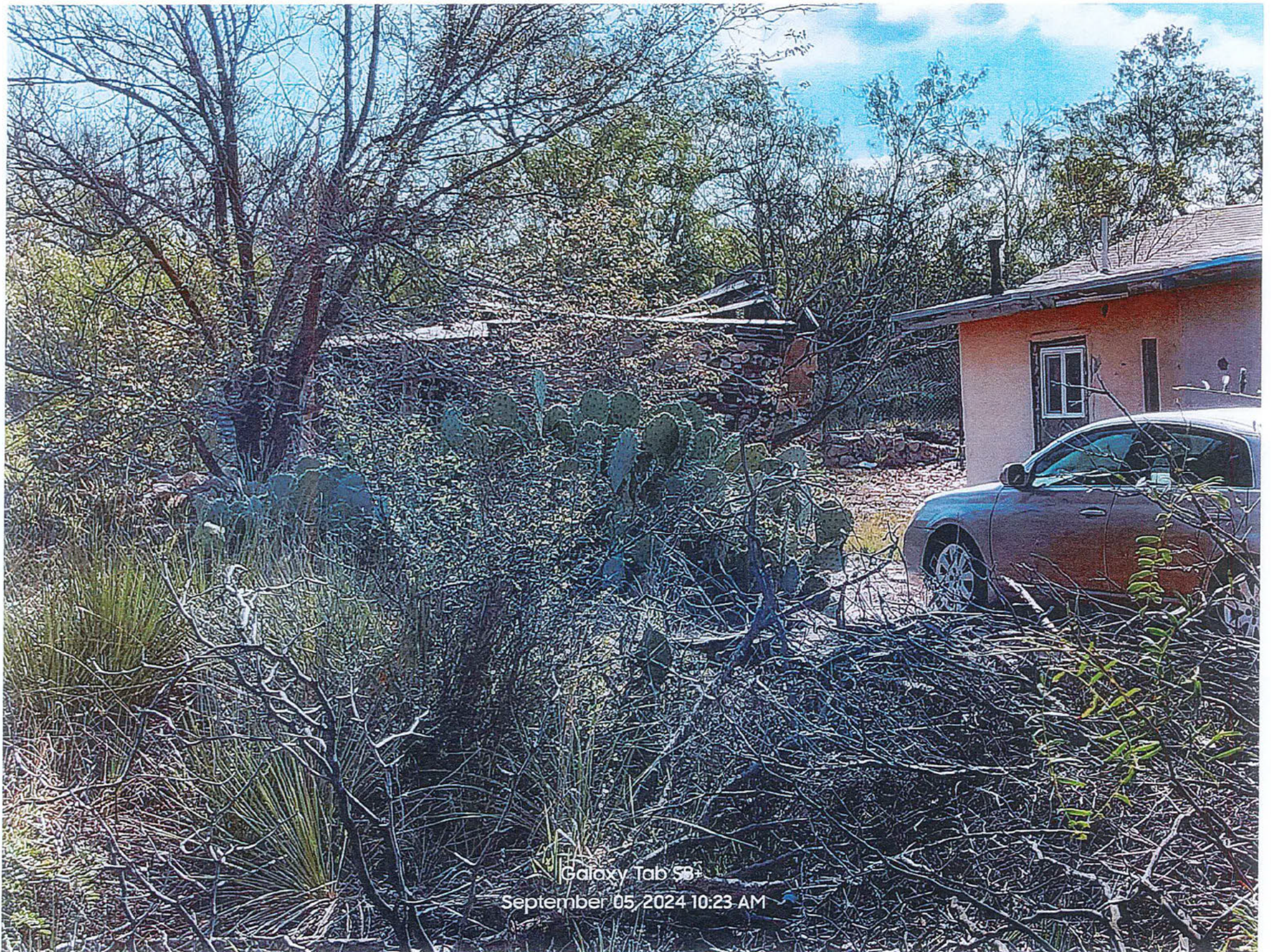








Galaxy Tab S8+
September 05, 2024 10:22 AM





Galaxy Tab S6
September 05, 2024 10:23 AM



Galaxy Tab S8+
September 06, 2024 10:23 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 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 17 day of October, 2024.

Shant
AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of October, 2024
by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit C-5



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

NOTICE OF VIOLATION

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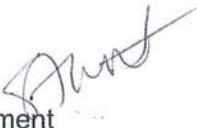
SUBSTANDARD STRUCTURE	304.1.1 UNSAFE CONDITIONS. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 1.Structural members have deterioration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



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

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

The City's goal is voluntary compliance.

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

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

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



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

October 11, 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**

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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.
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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 22, 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 0422 7430 87

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	10/11/2024
Extra Services & Fees (check box, add fee as appropriate)	Postmark
☐ Return Receipt (hardcopy)	Here
☐ Return Receipt (electronic)	
☐ Certified Mail Restricted Delivery	
☐ Adult Signature Required	706 N GOLIAD
☐ Adult Signature Restricted Delivery	Final Notice
Postage	
Total Postage and Fees	
Sent To	Clinton Lee Hunter & Estate of Kathleen
Street and Apt. No., or PO Box No.	706 N Goliad
City, State, ZIP+4®	Bla Spring, TX 79720
PS Form 3800, January 2023 (9999-0000-0000) See Reverse for Instructions	

Tracking Number:

Remove X

9589071052700422743087

Copy

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

Latest Update

We attempted to deliver your item at 1:36 pm on October 15, 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 16, 2024. If this item is unclaimed by October 30, 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 15, 2024, 1:36 pm

No Access to Delivery Location
BIG SPRING, TX 79720
October 12, 2024, 10:39 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

▼

Schedule Redelivery

▼

USPS Tracking Plus®



Product Information



See Less

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

**CERTIFICATION
OF POSTING OF PUBLIC HEARING**

“The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for 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 October 11, 2024.”

SIGNED on the 17 day of October, 2024.

Stant

AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of October, 2024
by the above referenced Affiant.



Crystal Ramirez
Notary Public, State of Texas

Exhibit C-6



Code Enforcement

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

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **OCTOBER 22ND, 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:

805 E 18TH – LEGAL DESCRIPTION: TRACT 41X179, BLOCK 2, MANNING ADDITION – OWNER: JESSE DARIO VARGAS

502 NW 10TH – LEGAL DESCRIPTION: LOT 11, BLOCK 38, BAUER SUBDIVISION – OWNER: PABLO JARA

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

508 N SAN ANTONIO – LEGAL DESCRIPTION: LOT 8, BLOCK 7, BAUER SUBDIVISION – OWNER: CLAW SOLUTIONS TX LLC - 508 NS PROTECTED SERIES

708 OHIO – LEGAL DESCRIPTION: LOT 2, BLOCK 3, BANKS SUBDIVISION – OWNER: FRANKIE SIMMONS AND ESTATE OF LAWRENCE SIMMONS

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.

607 N SAN ANTONIO – LEGAL DESCRIPTION: LOTS 3-4, BLOCK 1, DENTON SUBDIVISION
– OCTOBER 8TH, 2024; REPAIR OR DEMOLISH AND REMOVE MAIN STRUCTURE AND BACK
STRUCTURE SHED; NINETY (90) DAYS.

411 BENTON – LEGAL DESCRIPTION: LOT 7, BLOCK 2, PORTER SUBDIVISION – OCTOBER
8TH, 2024; REPAIR OR DEMOLISH AND REMOVE STRUCTURE ON BACK FENCELINE; THIRTY
(30) DAYS.

Nick Reyna

Nick Reyna, Building Official, City of Big Spring



508 N SAN ANTONIO

Code Compliance Official: Ashley Guerra

Exhibit D-1

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

**AFFIDAVIT OF ASHLEY GUERRA
CONCERNING 508 N SAN ANTONIO**

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

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

“I am a Code Compliance Official for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **508 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 17 day of Oct, 2024.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of October, 2024 by the above referenced Affiant.




Notary Public, State of Texas

Exhibit D-2

Property Details

Account

Property ID:	276932	Geographic ID: B2280007200
Type:	R	Zoning:
Property Use:		Condo:

Location

Situs Address:	508 N SAN ANTONIO,
Map ID:	Mapsco:
Legal Description:	LT 8 BK 7 BAUER 50X140 705 ACQ 10212016 BLK/TRACT 7 0.161 ACRES
Abstract/Subdivision:	
Neighborhood:	(BAUR) BAUER
Owner ⓘ	
Owner ID:	864522
Name:	CLAW SOLUTIONS TX LLC - 508 NS PROTECTED SERIES
Agent:	
Mailing Address:	1100 INLAND GRNS AUSTIN, TX 78758
% Ownership:	100.0%
Exemptions:	HS - For privacy reasons not all exemptions are shown online.

Property Values

Improvement Homesite Value:	\$20,890 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$1,753 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$22,643 (=)

Agricultural Value Loss:	\$0 (-)
Appraised Value:	\$22,643 (=)
HS Cap Loss:	\$0 (-)
Circuit Breaker:	\$0 (-)
Assessed Value:	\$22,643
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.

STATE OF TEXAS

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COUNTY OF HOWARD

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CERTIFICATION
508 N SAN ANTONIO CASE NOTES

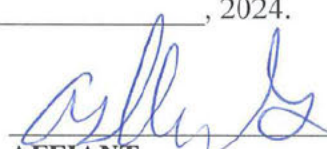
“This record, attached as **Exhibit D-3**, was made at or near the time by – or from information transmitted by a person or persons with the City with knowledge.

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

Making this record was a regular practice of that activity.

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

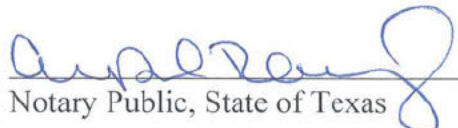
SIGNED on the 17 day of Oct., 2024.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of October, 2024

by the above referenced Affiant.



Notary Public, State of Texas



Exhibit D-3



CASE NOTES

Page 1 of 1

Report Run On: Thursday, 10 October
2024 11:04

Case # 24-00000102

Parcel #: 276932

Site Address: 508 N SAN ANTONIO

Case Description: substandard building in back yard

Note Type	Note Code	Text	Created By	Begin Date	End Date
SITE VISIT		PROPERTY WAS BROUGHT DOWN TO THE GROUND BUT NEVER CLEANED UP GOING TO PREPAIR TO SEND TO LEGAL 9-12-24	Ashley Guerra	09/12/24	
SITE VISIT		went by on 5-6-24 building is on ground going to give some time to clean up	Ashley Guerra	05/06/24	
GENERAL		NEW OWNER CAME IN AND PAID FOR PERMIT HOUSE WILL BE ON THE GROUND BY END OF THE DAY	Ashley Guerra	03/25/24	
GENERAL		[REDACTED] CAME INTO OFFICE AND IS GOING TO BY THIS PROPERTY I KNOW THERE WAS A WAVIER SIGNED AND PROPERTY IS GOING TO BE SOLD NEW OWNER SAID IT WILL BE DOWN WITHIN 2 WEEKS . I AM GRANTING HIM 4-3-24	Ashley Guerra	03/20/24	
GENERAL		RELEASE AND WAIVER 3-5-24 NAME IS [REDACTED]	Ashley Guerra	03/08/24	
GENERAL		sent out notive of violation on 2-28-24	Ashley Guerra	02/28/24	
PHOTOS		photos taken on feb 27.2024	Ashley Guerra	02/27/24	
GENERAL		drove by noticed a substandard building in back yard	Ashley Guerra	02/27/24	
CORRECTIVE ACTION		There is a substandered building in your back yard that needs to be brought down	Ashley Guerra	02/27/24	

STATE OF TEXAS

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COUNTY OF HOWARD

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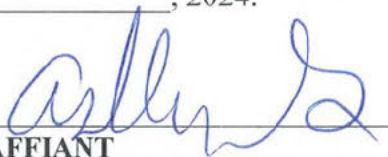
**CERTIFICATION OF
PHOTOGRAPHS BY ASHLEY GUERRA**

“With regard to the photographs in **Exhibits D-4** I am familiar with and recognize the scene depicted in the photographs. On February 27, 2024 and September 12, 2024, I inspected the property described as:

LOT 8, BLOCK 7, BAUER SUBDIVISION Big Spring, Howard County, Texas,
also known as **508 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 17 day of Oct, 2024.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of October, 2024
by the above referenced Affiant.



Notary Public, State of Texas



Exhibit D-4





September 12, 2024 3:32 PM

STATE OF TEXAS

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§
§

COUNTY OF HOWARD

CERTIFICATION
NOTICE SENT BY ASHLEY GUERRA

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

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

SIGNED on the 17 day of Oct, 2024.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of October, 2024
by the above referenced Affiant.





Notary Public, State of Texas

Exhibit D-5



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

2-28-24

NOTICE OF VIOLATION

24-00000102

WATSON AUTRY CROSBY
120 AIRBASE RD #1803
BIG SPRING, TX 79720

Subject Property: 508 N SAN ANTONIO , BIG SPRING, TX 00000
APN: 276932

Dear WATSON AUTRY CROSBY

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.

There is a substandard building in your back yard that needs to be brought down

DEADLINE
FOR
COMPLIANCE
(7) SEVEN
DAYS FROM
THE DATE OF
MAILING
2-28-24

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

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

Thank you for helping to resolve this matter.

Sincerely,

Ashley Guerra
Code



City of Big Spring Code Compliance

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

NOTICE OF VIOLATION

Re: 508 N SAN ANTONIO BIG SPRING, TX 00000

Legal Description: LT 8 BK 7 BAUER 50X140 705 ACQ 10212016 BLK/TRACT 7 0.161 ACRES

Date 10/10/2024

Case No: 24-00000102

WATSON AUTRY CROSBY
120 AIRBASE RD #1803
BIG SPRING, TX 79720

Dear WATSON AUTRY CROSBY

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:

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.



City of Big Spring Code Compliance

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

NOTICE OF VIOLATION

Re: 508 N SAN ANTONIO BIG SPRING, TX 00000

Legal Description: LT 8 BK 7 BAUER 50X140 705 ACQ 10212016 BLK/TRACT 7 0.161 ACRES

Corrective Action:

There is a substandard building in your back yard that needs to be brought down

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

Issued by:

Ashley Guerra

Code Compliance

432-264.2505

aguerra@mybigspring.com

Phone

Email Address

If this matter has been taken care of please notify this office at (432)264-2504

It is the sincere hope of the City that you will cooperate with us in helping to make Big Spring an attractive, healthful place in which to live.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ashley Guerra".

Ashley Guerra - 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

October 11, 2024

Claw Solutions TX LLC – 508 NS Protected Series
1100 Inland Grns
Austin, Texas 78758

Claw Solutions TX LLC – 508 NS Protected Series
508 N. San Antonio
Big Spring, Texas 79720

Claw Solutions TX LLC
3225 McLeod Dr., Ste. 100
Las Vegas, NV 89121-2257

Claw Solutions TX LLC
c/o Anderson Registered Agent
440 Louisiana, Suite 952
Houston, TX 77002

Re: 508 N SAN ANTONIO, BIG SPRING, TEXAS 79720
LEGAL DESCRIPTION: LOT 8, BLOCK 7, BAUER SUBDIVISION, 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,	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.

is clearly unsafe for its use and occupancy. 7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act. 11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.	
304.1.1 UNSAFE CONDITIONS. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 1. Structural members have deterioration or distress that appears to reduce their load-carrying capacity. 3. Structures or components thereof have deterioration or distress that appears to reduce their load-carrying capacity. 7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects. 8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all nominal loads and resisting all load effects.	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
REAR STRUCTURE.

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

Issued by

Ashley Guerra

Name

Code Compliance Official

Title

+1 (432) 264-2505

Phone

aguerra@mybigspring.com

E-mail

The City's goal is voluntary compliance.

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

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

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

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

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **5:30 PM, October 22, 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".

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

9589 0710 5270 0422 7430 94

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

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☐ 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®

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

10/11/2024

Postmark

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508 N SAN ANTONIO

Final Notice

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508 N SAN ANTONIO

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Total Postage and Fees

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City, State, ZIP+4®

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

10/11/2024

Postmark

Here

508 N SAN ANTONIO

Final Notice

USPS Tracking®

FAQs >

Tracking Number:

Remove X

9589071052700422743094

Copy

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

Latest Update

We attempted to deliver your item at 1:39 pm on October 16, 2024 in AUSTIN, TX 78758 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 17, 2024. If this item is unclaimed by October 31, 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)

AUSTIN, TX 78758

October 16, 2024, 1:39 pm

Held at Post Office, At Customer Request

AUSTIN, TX 78758

October 15, 2024, 3:42 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



Schedule Redelivery	▼
USPS Tracking Plus®	▼
Product Information	▼
See Less ^	

Tracking Number: Remove X

9589071052700422743100

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

Latest Update

Your item arrived at our USPS facility in EL PASO TX DISTRIBUTION CENTER on October 16, 2024 at 1:34 pm. The item is currently in transit to the destination.

Get More Out of USPS Tracking:
USPS Tracking Plus®

Moving Through Network

●

Arrived at USPS Regional Facility
EL PASO TX DISTRIBUTION CENTER
October 16, 2024, 1:34 pm

●

Forward Expired
BIG SPRING, TX 79720
October 12, 2024, 3:06 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 X

9589071052700422743117

Copy

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

Latest Update

Your item arrived at our USPS facility in LAS VEGAS NV DISTRIBUTION CENTER on October 15, 2024 at 12:43 pm. The item is currently in transit to the destination.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Out for Delivery

Preparing for Delivery

Moving Through Network

Arrived at USPS Regional Facility

LAS VEGAS NV DISTRIBUTION CENTER

October 15, 2024, 12:43 pm

In Transit to Next Facility

October 14, 2024

See All Tracking History

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

See More ∨

Tracking Number:

Remove ✕

9589071052700422743124

Copy

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

Latest Update

Your item was delivered to an individual at the address at 12:47 pm on October 16, 2024 in HOUSTON, TX 77002.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

HOUSTON, TX 77002

October 16, 2024, 12:47 pm

See All Tracking History

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

See More ▼

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

STATE OF TEXAS

§

§

COUNTY OF HOWARD

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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 22, 2024, attached as **Exhibit D-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on October 11, 2024.”

SIGNED on the 12 day of Oct, 2024.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of October, 2024
by the above referenced Affiant.




Notary Public, State of Texas

Exhibit D-6



Code Enforcement

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

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **OCTOBER 22ND, 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:

805 E 18TH – LEGAL DESCRIPTION: TRACT 41X179, BLOCK 2, MANNING ADDITION – OWNER: JESSE DARIO VARGAS

502 NW 10TH – LEGAL DESCRIPTION: LOT 11, BLOCK 38, BAUER SUBDIVISION – OWNER: PABLO JARA

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

508 N SAN ANTONIO – LEGAL DESCRIPTION: LOT 8, BLOCK 7, BAUER SUBDIVISION – OWNER: CLAW SOLUTIONS TX LLC - 508 NS PROTECTED SERIES

708 OHIO – LEGAL DESCRIPTION: LOT 2, BLOCK 3, BANKS SUBDIVISION – OWNER: FRANKIE SIMMONS AND ESTATE OF LAWRENCE SIMMONS

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.

607 N SAN ANTONIO – LEGAL DESCRIPTION: LOTS 3-4, BLOCK 1, DENTON SUBDIVISION
– OCTOBER 8TH, 2024; REPAIR OR DEMOLISH AND REMOVE MAIN STRUCTURE AND BACK
STRUCTURE SHED; NINETY (90) DAYS.

411 BENTON – LEGAL DESCRIPTION: LOT 7, BLOCK 2, PORTER SUBDIVISION – OCTOBER
8TH, 2024; REPAIR OR DEMOLISH AND REMOVE STRUCTURE ON BACK FENCELINE; THIRTY
(30) DAYS.

Nick Reyna

Nick Reyna, Building Official, City of Big Spring



708 OHIO

Code Compliance Official: Ashley Guerra

Exhibit E-1

STATE OF TEXAS

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COUNTY OF HOWARD

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**AFFIDAVIT OF ASHLEY GUERRA
CONCERNING 708 OHIO**

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

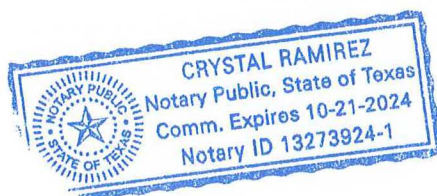
“My name is **Ashley Guerra**. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

“I am a Code Compliance Official for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **708 OHIO**, 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 17 day of Oct, 2024.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of October, 2024 by the above referenced Affiant.




Notary Public, State of Texas

Exhibit E-2

Property Details

Account

Property ID:	276799	Geographic ID:	B2190002100
Type:	R	Zoning:	
Property Use:		Condo:	

Location

Situs Address:	708 OHIO,
Map ID:	Mapsco:
Legal Description:	LT 2 BK 3 BANKS 50X140 141 0.161 ACRES
Abstract/Subdivision:	
Neighborhood:	(NTPK) NORTHPARK

Owner ⓘ

Owner ID:	430917
Name:	SIMMONS LAWRENCE ET UX
Agent:	
Mailing Address:	9633 W FERRIS BRANCH BLVD APT 24 DALLAS, TX 75243
% Ownership:	100.0%
Exemptions:	For privacy reasons not all exemptions are shown online.

Property Values

Improvement Homesite Value:	\$14,965 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$1,052 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$16,017 (=)

Agricultural Value Loss: ⓘ	\$0 (-)
Appraised Value:	\$16,017 (=)
HS Cap Loss: ⓘ	\$0 (-)
Circuit Breaker: ⓘ	\$0 (-)
Assessed Value:	\$16,017
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.

STATE OF TEXAS

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COUNTY OF HOWARD

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**CERTIFICATION
708 OHIO CASE NOTES**

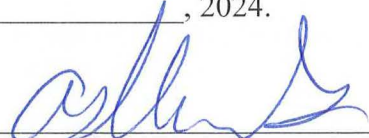
“This record, attached as **Exhibit E-3**, was made at or near the time by – or from information transmitted by a person or persons with the City with knowledge.

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

Making this record was a regular practice of that activity.

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

SIGNED on the 17 day of Oct, 2024.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of October, 2024

by the above referenced Affiant.

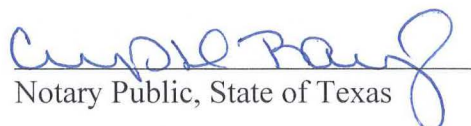

Notary Public, State of Texas



Exhibit E-3



CASE NOTES

Page 1 of 1

Report Run On: Thursday, 10 October
2024 10:56

Case # 24-00000321

Parcel # : 276799

Site Address: 708 OHIO

Case Description: SUBSTANDARD CAR PORT

Note Type	Note Code	Text	Created By	Begin Date	End Date
SITE VISIT		PREPAIRING TO SEND TO LEGAL NO PROGRESS HAS BAEEN MADE 9-12-24	Ashley Guerra	09/12/24	
CORRECTIVE ACTION		HOUSE NEEDS TO BE BROUGHT UP TO CODE OR BROUGHT DOWN .	Ashley Guerra	03/19/24	
SITE VISIT		SUBSTANDARD HOUSE THAT NEEDS TO COME DOWN NABORS ARE COMPLAINING ABOUT PROPERTY NOT BEING MAINTAINED CARPORT IS FALLING AND OWNER ISNT KEEPING UP WITH PROPERTY .	Ashley Guerra	03/19/24	
PHOTOS		PHOTOS TAKEN ON MARCH 19 2024	Ashley Guerra	03/19/24	
GENERAL		SENT OUT NOTICE OF VIOLATION 3-19-24	Ashley Guerra	03/19/24	

STATE OF TEXAS

§

§

COUNTY OF HOWARD

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**CERTIFICATION OF
PHOTOGRAPHS BY ASHLEY GUERRA**

“With regard to the photographs in **Exhibits E-4** I am familiar with and recognize the scene depicted in the photographs. On March 19, 2024 and September 12, 2024, I inspected the property described as:

LOT 2, BLOCK 3, BANKS SUBDIVISION Big Spring, Howard County, Texas,
also known as **708 OHIO**, Big Spring, Texas.

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

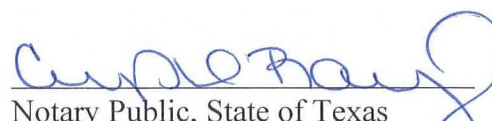
SIGNED on the 17 day of Oct, 2024.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of October, 2024
by the above referenced Affiant.





Notary Public, State of Texas

Exhibit E-4



March 19, 2024 11:29 AM



March 19, 2024 11:29 AM



September 12, 2024 3:56 PM



September 12, 2024 3:56 PM

24-
Case # 00000321



STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

CERTIFICATION
NOTICE SENT BY ASHLEY GUERRA

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

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

SIGNED on the 17 day of Oct, 2024.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of October, 2024
by the above referenced Affiant.





Notary Public, State of Texas

Exhibit E-5



City of Big Spring Code Compliance

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

NOTICE OF VIOLATION

Re: 708 OHIO BIG SPRING, TX 00000

Legal Description: LT 2 BK 3 BANKS 50X140 141 0.161 ACRES

Date 10/10/2024

Case No: 24-00000321

SIMMONS LAWRENCE ET UX
9633 W FERRIS BRANCH BLVD APT
24
DALLAS, TX 75243

Dear SIMMONS LAWRENCE ET UX

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

Violation:

SUBSTANDARD STRUCTURE

Description of Violation:



City of Big Spring Code Compliance

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

NOTICE OF VIOLATION

Re: 708 OHIO BIG SPRING, TX 00000

Legal Description: LT 2 BK 3 BANKS 50X140 141 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 not capable of supporting all nominal loads and resisting all load effects. 9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects. 10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects. 11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes, and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects. 12. Exterior stairs, decks, porches, balconies, and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects. 13. Chimneys, cooling towers, smokestacks, and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

Corrective Action:

HOUSE NEEDS TO BE BROUGHT UP TO CODE OR BROUGHT DOWN .

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

Issued by:

Ashley Guerra

Code Compliance

432-264.2505

aguerra@mybigspring.com

Phone

Email Address

If this matter has been taken care of please notify this office at (432)264-2504

It is the sincere hope of the City that you will cooperate with us in helping to make Big Spring an attractive, healthful place in which to live.

Sincerely,

Ashley Guerra - Code Compliance



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

October 11, 2024

Frankie Simmons & The Estate of Lawrence Simmons
9633 W. Ferris Branch Blvd., Apt. 24
Dallas, Texas 75243

Frankie Simmons & The Estate of Lawrence Simmons
708 Ohio
Big Spring, Texas 79720

Federal National Mortgage Association
(a/k/a "Fannie Mae") (as lienholder)
Granite Park VII
5600 Granite
Plano, Texas 75024

Federal National Mortgage Association
(a/k/a "Fannie Mae") (as lienholder)
Midtown Center
1100 15th Street NW
Washington, D.C. 20005

Re: 708 OHIO, BIG SPRING, TEXAS 79720
LEGAL DESCRIPTION: LOT 2, BLOCK 3, BANKS SUBDIVISION, Howard
County

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

VIOLATION	DESCRIPTION OF
-----------	----------------

	VIOLATION
111.1.5 HAZARDOUS STRUCTURE OR PREMISES. For the purpose of this code, any structure or premises that has any or all of the 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. 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.	The structures are in disrepair. The roof of the Main Structure appears to be caving in and the carport appears to be structurally unsound, making the structures dangerous and unsafe for its use and occupancy. There are holes in the roofing of the structures. The structures are neglected, damaged, dilapidated, and unsecured, so as to constitute an attractive nuisance. The 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	The structural members appear to have deteriorated. The roofing of both structures have holes. The roof appears to admit rain and has signs of deterioration. Unsafe condition.

that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all nominal loads and resisting all load effects.	
304.7 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
MAIN STRUCTURE AND CARPORT.**

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

Issued by

Ashley Guerra

Name

Code Compliance Official

Title

+1 (432) 264-2505

Phone

aguerra@mybigspring.com

E-mail

The City's goal is voluntary compliance.

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

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

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

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

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **5:30 PM, October 22, 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 style and is positioned above a horizontal line.

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

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

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

OFFICIAL USE

Certified Mail Fee

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

Postage

\$
Total Postage and Fees

\$
Sent To Frankie Simmons & Estate of Lawrence S.
Street and Apt. No., or PO Box No. 9633 W. Ferris Branch Blvd.
City, State, ZIP+4® Apt 94 Dallas, TX 75243

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

10/11/2024

Postmark
Here

708 OHIO
Final Notice

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

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

OFFICIAL USE

Certified Mail Fee

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

Postage

\$
Total Postage and Fees

\$
Sent To Fannie Mae
Street and Apt. No., or PO Box No. Granite Park VII, 5600 Granite
City, State, ZIP+4® Plano, TX 75024

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

10/11/2024

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708 OHIO
Final Notice

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

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

Postage

\$
Total Postage and Fees

\$
Sent To Fannie Mae
Street and Apt. No., or PO Box No. Midtown Centers 1100 15th Street NW
City, State, ZIP+4® Washington, D.C. 20005

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

10/11/2024

Postmark
Here

708 OHIO
Final Notice

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

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

OFFICIAL USE

Certified Mail Fee

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

Postage

\$
Total Postage and Fees

\$
Sent To Frankie Simmons & Estate of Lawrence S.
Street and Apt. No., or PO Box No. 708 Ohio
City, State, ZIP+4® Big Spring, TX 79720

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

10/11/2024

Postmark
Here

708 OHIO
Final Notice

Tracking Number:

Remove X

9589071052700422743131

Copy

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

Latest Update

Your item was returned to the sender on October 15, 2024 at 7:54 am in DALLAS, TX 75243 because of an incomplete address.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Alert

Insufficient Address

DALLAS, TX 75243
October 15, 2024, 7:54 am

Departed USPS Regional Facility

DALLAS TX DISTRIBUTION CENTER
October 14, 2024, 1:49 am

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 ^

Remove X

Tracking Number:

9589071052700422743148

Copy

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

Latest Update

Your item arrived at our USPS facility in EL PASO TX DISTRIBUTION CENTER on October 16, 2024 at 1:35 pm. The item is currently in transit to the destination.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Moving Through Network

Arrived at USPS Regional Facility

EL PASO TX DISTRIBUTION CENTER

October 16, 2024, 1:35 pm

Vacant

BIG SPRING, TX 79720

October 12, 2024, 3:21 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>)

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Remove X

Tracking Number:

9589071052700422743155

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Latest Update

Your item was delivered to an individual at the address at 9:48 am on October 15, 2024 in PLANO, TX 75024.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

PLANO, TX 75024

October 15, 2024, 9:48 am

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Tracking Number:

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9589071052700422743162

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Latest Update

Your item arrived at the WASHINGTON, DC 20005 post office at 12:04 pm on October 15, 2024 and is ready for pickup. Your item may be picked up at SECTION 4 CARRIER ANNEX, 900 BRENTWOOD RD NE, WASHINGTON, DC 200189993.

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USPS Tracking Plus®

Available for Pickup

Available for Pickup

SECTION 4 CARRIER ANNEX
900 BRENTWOOD RD NE
WASHINGTON DC 20018-9993
October 15, 2024, 12:04 pm

Arrived at Post Office

WASHINGTON, DC 20018
October 15, 2024, 10:52 am

See All Tracking History

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

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FAQs

STATE OF TEXAS

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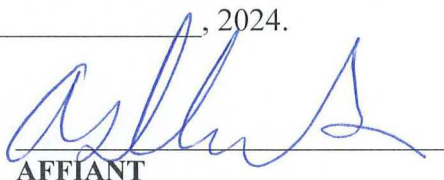
COUNTY OF HOWARD

§

**CERTIFICATION
OF POSTING OF PUBLIC HEARING**

“The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for October 22, 2024, attached as **Exhibit E-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on October 11, 2024.”

SIGNED on the 17 day of Oct, 2024.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 17 day of October, 2024
by the above referenced Affiant.



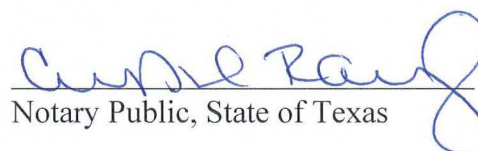

Notary Public, State of Texas

Exhibit E-6



Code Enforcement

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

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **OCTOBER 22ND, 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:

805 E 18TH – LEGAL DESCRIPTION: TRACT 41X179, BLOCK 2, MANNING ADDITION – OWNER: JESSE DARIO VARGAS

502 NW 10TH – LEGAL DESCRIPTION: LOT 11, BLOCK 38, BAUER SUBDIVISION – OWNER: PABLO JARA

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

508 N SAN ANTONIO – LEGAL DESCRIPTION: LOT 8, BLOCK 7, BAUER SUBDIVISION – OWNER: CLAW SOLUTIONS TX LLC - 508 NS PROTECTED SERIES

708 OHIO – LEGAL DESCRIPTION: LOT 2, BLOCK 3, BANKS SUBDIVISION – OWNER: FRANKIE SIMMONS AND ESTATE OF LAWRENCE SIMMONS

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.

607 N SAN ANTONIO – LEGAL DESCRIPTION: LOTS 3-4, BLOCK 1, DENTON SUBDIVISION
– OCTOBER 8TH, 2024; REPAIR OR DEMOLISH AND REMOVE MAIN STRUCTURE AND BACK
STRUCTURE SHED; NINETY (90) DAYS.

411 BENTON – LEGAL DESCRIPTION: LOT 7, BLOCK 2, PORTER SUBDIVISION – OCTOBER
8TH, 2024; REPAIR OR DEMOLISH AND REMOVE STRUCTURE ON BACK FENCELINE; THIRTY
(30) DAYS.

Nick Reyna

Nick Reyna, Building Official, City of Big Spring



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, October 8, 2024, with the following members present in person:

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

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

Thadius McAlister gave the invocation.

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

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

Public Comment

Public Comment

There were no public comments made at this time.

Announcements, Presentations and Public Hearings

Open Public Hearings

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

**YEAS: Mayor Moore, Council Member Yanez, Council Member Hughes, 5
Council Member Wilkerson, Council Member Moreno**

NAYS: None 0

MOTION PASSED

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

MOTION WAS MADE BY Mayor Moore to approve the above captioned abatement for 607 N. San Antonio with a 90 day extension, seconded by Council Member Yanez.

**YEAS: Mayor Moore, Council Member Yanez, Council Member Hughes, 4
Council Member Wilkerson**

NAYS: None 0

ABSTAINED: Council Member Moreno 1

MOTION PASSED

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

MOTION WAS MADE BY Council Member Hughes to approve the above captioned abatement for 411 Benton, seconded by Council Member Wilkerson.

**YEAS: Mayor Moore, Council Member Yanez, Council Member Hughes, 5
Council Member Wilkerson, Council Member Moreno**

NAYS: None 0

MOTION PASSED

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

No action was taken on the above captioned abatement and will be moved to the next City Council meeting on October 22, 2024.

Close Public Hearings

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

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

Council Member Wilkerson, Council Member Moreno

NAYS: None 0

MOTION PASSED

City Manager's Report

City Manager's report on the following items:

- Large Item Pickup, District 4 - October 16, 2024
- Graduation of Fire Cadets
- Update - Community Services Director

Todd Darden, City Manager, reported on the above captioned items as follows: Large item pickup for District 4 will be on October 16, 2024; The Fire Department had 8 fire graduates from the fire academy; and a new Community Services Director, Susan Himes, has been hired and will begin work on Monday, October 14, 2024.

Consent Items

Approval of the City Council Minutes of the Regular Meeting of September 24, 2024.

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

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

Council Member Wilkerson, Council Member Moreno

NAYS: None 0

MOTION PASSED

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.

MOTION WAS MADE BY Council Member Hughes to approve the above

captioned ordinance, seconded by Council Member Yanez.

YEAS: Mayor Moore, Council Member Yanez, Council Member Hughes, 4
Council Member Wilkerson

NAYS: Council Member Moreno 1

MOTION PASSED

Vouchers

Vouchers for 09/26/24 \$ 167,825.71

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 Yanez, Council Member Hughes, 5
Council Member Wilkerson, Council Member Moreno

NAYS: None 0

MOTION PASSED

Vouchers for 10/04/24 \$ 1,645,978.88

Council Member Wilkerson reviewed the above captioned vouchers.

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

YEAS: Mayor Moore, Council Member Yanez, Council Member Hughes, 5
Council Member Wilkerson, Council Member Moreno

NAYS: None 0

MOTION PASSED

Bids

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

MOTION WAS MADE BY Council Member Hughes to award the above captioned bid to Veit National in the amount of \$38,731.00, seconded by Council Member Wilkerson.

YEAS: Mayor Moore, Council Member Yanez, Council Member Hughes, 5
Council Member Wilkerson, Council Member Moreno

NAYS: None 0

MOTION PASSED

New Business

Acknowledge Receipt of the Quarterly Claims and Litigation Report from the City Attorney

Council Members acknowledged receipt of the above captioned report. No action needed.

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

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

**YEAS: Mayor Moore, Council Member Yanez, Council Member Hughes, 5
Council Member Wilkerson, Council Member Moreno**

NAYS: None 0

MOTION PASSED

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

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

**YEAS: Mayor Moore, Council Member Yanez, Council Member Hughes, 5
Council Member Wilkerson, Council Member Moreno**

NAYS: None 0

MOTION PASSED

Consideration and Possible Action to Grant an Easement and Right-of-Way to Oncor Electric Delivery Company, LLC on the North Side of Douglas Street, and the West Side of 1st Avenue, Big Spring, Texas, 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.

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

**YEAS: Mayor Moore, Council Member Yanez, Council Member Hughes, 5
Council Member Wilkerson, Council Member Moreno**

NAYS: None 0

MOTION PASSED

Consideration and Possible Action to Authorize the Termination of Adcomp Services for Municipal Court and Authorizing the City Manager to Sign Any Necessary Documents

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

**YEAS: Mayor Moore, Council Member Yanez, Council Member Hughes, 5
Council Member Wilkerson, Council Member Moreno**

NAYS: None 0

MOTION PASSED

Consideration and Possible Action to Reschedule the Regular City Council Meetings on November 26, 2024 and December 24, 2024

Council Member Tompkins joined the meeting at this time.

MOTION WAS MADE BY Mayor Moore to reschedule the second regular City Council meeting on November 26, 2024 to immediately follow the first scheduled City Council meeting on November 12, 2024 and also reschedule the second regular City Council meeting on December 24, 2024 to immediately follow the first scheduled City Council meeting on December 10, 2024, seconded by Council Member Yanez.

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

NAYS: None **0**

MOTION PASSED

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

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

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

NAYS: None **0**

MOTION PASSED

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

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

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

NAYS: None **0**

MOTION PASSED

Council Input

Input

Council Member Yanez thanked staff for cleaning up the cemetery and asked citizens to clean up after they have an event at any of the parks.

Executive Session

MOTION WAS MADE BY Mayor Moore to adjourn into the executive sessions listed below at 6:19 p.m., seconded by Council Member Hughes.

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

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:

Municipal Judge

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

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 7:07 p.m.

First Reading of an Ordinance Establishing Compensation and Benefits for the Presiding Judge and Associate Judges of the Municipal Court of Big Spring, Texas

MOTION WAS MADE BY Mayor Moore to approve the above captioned ordinance setting the Municipal Court Judge salary at 93,622 plus car allowance, seconded by Council Member Wilkerson.

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

NAYS: None **0**

MOTION PASSED

No action was taken on the other executive session items.

Adjourn the City Council meeting

Mayor Moore adjourned the City Council meeting at 7:09 p.m.

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, 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 8th day of October, 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 8th day of October, 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
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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 \$93,622.00 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 8th day of October, 2024 with all members of the Council present voting “aye” for the passage of same.

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

Robert H. Moore, III, Mayor

ATTEST:

Tami L. Davis, City Secretary



CITY OF
Big Spring

MEMORANDUM

Date: October 22, 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 Hi-Lite Airfield Services, for the Airfield Pavement
Remarking project at McMahon-Wrinkle Airport

The City's aviation consultant Woolpert posted bids for the Airfield Remarking Project at McMahon-Wrinkle Airport. The bid opening occurred on September 26, 2024, with the following three (3) bids received:

Hi-Lite Airfield Services LLC: **\$614,242.50**

Maxwell Asphalt Inc.: \$780,335

C.R. Contracting Inc.: \$1,415,900

The resources used for this development will come from the Runways and Airfield Lighting Account 410-021-610-6229 (current balance \$112,000 as appropriated for this purpose). Note: This project is being accomplished through a 90/10 Cost Share Reimbursable Agreement with the Texas Department of Transportation Aviation Division.

Based on the bids received, staff recommends awarding this project to Hi-Lite Airfield Services LLC for the services associated with their bid to provide the services associated with this effort.



MEMORANDUM

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

CC: Todd Darden, City Manager

From: Albert Belez/ Purchasing Agent

Date: Tuesday October 18, 2024

Subject: Approve Purchase of 14-yard dump truck

Action Requested: Approve purchase of 14-yard dump truck

Background Information: This unit will replace a 2009 Freightliner dump truck with 78,000 miles and a lifetime cost for repairs of \$71,000. The unit is currently down with various issues that will cost an estimated \$25,000 for the known issues to be repaired. This unit is scheduled to be retired.

Financial Considerations:

Expenditure amount requested:	\$ 183,120.19
What fund/department account will this amount be drawn from?	General Fund / 320-Streets
Revenue generated:	N/A
Would this expenditure be made within the budget for the current fiscal year?	Yes
Does this commit the City to spending funds beyond the current fiscal year? Explain.	No

Vendor Bids/Quotations: We received a quote from Bruckner's Truck in the amount of \$198,674.89. We also received a quote from Rush Truck Center in the amount of \$183,120.19. The unit quoted by Bruckner's did not meet the required specifications. The quote from Rush Truck Center is a cooperative quote. This purchase will be under budget for \$16,878.81.

Staff Opinion as to Feasibility and Timeline: Due to the uncertainty of the supply chain, the city staff would like to request that the council approve the purchase of the dump truck. It is important to note that the chassis is currently on the ground and could be delivered within 2 months if not sooner.

Staff recommendation: It is our recommendation to award the bid for the purchase of a 14-yard dump truck in the amount of \$183,120.19 to Rush Truck Center out of Odessa TX.



MEMORANDUM

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

CC: Todd Darden, City Manager

From: Albert Belez/ Purchasing Agent

Date: Thursday October 17, 2024

Subject: Approve Purchase of mid-sized utility tractor

Action Requested: Approve purchase of a L4802HST Kubota mid-sized utility tractor

Background Information: This unit was budgeted to be used primarily by staff at the Roy Anderson Sport Complex for mowing and moving material around the sports complex. It will be used with a Trimax mowing deck that will greatly improve mowing time, allowing staff to attend to other maintenance duties.

Financial Considerations:

Expenditure amount requested:	\$ 36,789.65
What fund/department account will this amount be drawn from?	General Fund/ 375-Sports Complex
Revenue generated:	N/A
Would this expenditure be made within the budget for the current fiscal year?	Yes
Does this commit the City to spending funds beyond the current fiscal year? Explain.	No

Vendor Bids/Quotations: We received a formal quote from Kubota in the amount of \$36,789.65. The quote does reflect State cooperative pricing. The budgeted amount for this unit is \$33,000.

Staff Opinion as to Feasibility and Timeline: Currently, the golf course is using this same unit. City staff and the staff at the city's service center both feel that this unit is a great fit for the intended application.

Staff recommendation: It is our recommendation to award the bid to Kaige Kubota out of Odessa in the amount of \$36,789.65.



MEMORANDUM

To: Mayor Robert H. Moore, III, and Members of the Big Spring City Council
CC: Todd Darden, City Manager
From: Albert Belez/ Purchasing Agent
Date: Thursday October 17, 2024
Subject: Approve Purchase of Trimax 320 Snake Mower

Action Requested: Approve purchase of a Trimax 320 Snake Mower

Background Information: This unit is being request by staff at the Roy Anderson Sport Complex. This would be an added unit a Trimax mowing deck that will greatly improve mowing time, allowing staff to attend to other maintenance duties.

Financial Considerations:

Expenditure amount requested:	\$ 44,378.81
What fund/department account will this amount be drawn from?	General Fund/ 375-Sports Complex
Revenue generated:	N/A
Would this expenditure be made within the budget for the current fiscal year?	Yes
Does this commit the City to spending funds beyond the current fiscal year? Explain.	No

Vendor Bids/Quotations: We received a formal quote from Trimax Mowing Systems. The submitted quote is in the amount of \$44,375.81. The quote does reflect Texas cooperative pricing.

Staff Opinion as to Feasibility and Timeline: Currently, the golf course is using this same unit. City staff and the staff at the city's service center both feel that this unit is a great fit for the intended application. It is also important that this unit would be available with in a month of approval.

Staff recommendation: It is our recommendation to proceed with the purchase of the 320 snake mower in the amount of \$44,378.81 from Trimax out of Georgia.

Big Spring Fire Department

Memorandum

To: Todd Darden

CC: John Medina, Tami Davis, Sandy Smith

From: Jay Holt, Fire Chief

Date: October 15, 2024

Big Spring Fire Department is requesting approval to accept a \$10,00.00 donation given by Occidental Petroleum Corporation. This donation was given to us for the purpose of purchasing equipment. We would like to thank OXY for their generous donation and recommend that council approve this donation.