



CITY COUNCIL REGULAR AGENDA

Tuesday, April 8, 2025

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, April 8, 2025, 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. PUBLIC HEARING - Regarding Amendments to the Zoning Regulations to Add "Indoor Gun Range" to the CA - Central Area District List of Permitted Uses | 6 | Bowles |
| 6. PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 803 W 9TH, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOTS 7-8, BLOCK 15, CEDAR CREST SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: MARSHALL HORN AND JOYCE HORN | 7-73 | Hagen |
| 7. PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 607 W 9TH, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LESS W/60 OF LOT 1, BLOCK 17, CEDAR CREST SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: ANTONIA BUSTAMANTE | 74-124 | Hagen |

City Manager's Report

- | | |
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| 8. City Manager's report on the following items: | Darden |
| <ul style="list-style-type: none">• Large Item Pickup, District 4 - April 16th• Update - Vector Fleet Reimbursement• Abatement Report• Legislative Update• City Holiday, Good Friday - April 18th | |

Consent Items

- | | | |
|---|---------|-------------|
| 9. Approval of the City Council Minutes of the Regular Meeting of March 25, 2025 | 125-130 | Davis |
| 10. Acknowledge Receipt of the Big Spring Economic Development Corporation Board of Director's Minutes for the Regular Meeting of February 18, 2025 | 131-132 | Mark Willis |
| 11. Final Reading of a Resolution to Accept a Grant Offered by the Texas Department of Transportation (TxDOT) for the Funding of the Design, Bid Phase and Reconstruction of Runway 06/24 at the McMahon-Wrinkle Airport and Industrial | 133-135 | Feeley |

Park; and Providing an Effective Date

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|---|---------|--------|
| 12. Final Reading of an Ordinance Amending Ordinance Number 028-2024 Which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025, by Increasing the Airpark Fund Budget for the Purpose of Appropriating \$145,000 for the Airpark's Cost Share of a \$2,900,000 Grant for the Design, Bid Phase and Reconstruction of Runway 06/24, From the Texas Department of Transportation on a 95/5 Cost Share; Providing for Severability; and Providing an Effective Date | 136-137 | Smith |
| 13. Final Reading of an Ordinance Amending Chapter 2 of the Big Spring City Code Entitled "Administration," Article VII "Boards and Commissions," 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 | 138-144 | Bowles |

Vouchers

- | | | |
|---------------------------|---------------|-----------|
| 14. Vouchers for 03/27/25 | \$ 203,124.39 | Hughes |
| 15. Vouchers for 04/04/25 | \$ 321,023.31 | Wilkerson |

Bids

- | | | |
|---|---------|--------|
| 16. Consideration and Possible Action to Award a Bid for the 2025 Seal Coat Project and Authorizing the City Manager or His Designee to Execute any Necessary Documents | 145-147 | Bowles |
| 17. Consideration and Possible Action to Award a Bid for a Sode Load Refuse Truck for the Sanitation Department and Authorizing the City Manager or His Designee to Execute any Necessary Documents | 148-150 | Medina |

New Business

- | | | |
|--|---------|--------|
| 18. First Reading of an Ordinance to Amend the Big Spring Zoning Regulations, Article 6 "District Regulations", Section 6-6 "Districts and Permitted Uses" by Adding "Shooting Range - Indoor Only" as a Permitted Use in the CA (Central Area District) in the City of Big Spring, Howard County, Texas; Providing for Severability; Providing for Publication; and Providing an Effective Date | 151-153 | Bowles |
|--|---------|--------|

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|---|---------|-------|
| 19. Consideration and Possible Action Authorizing an Event Funding Request from CVB to Friends of Historic Downtown Big Spring for a Cinco de Mayo Concert and Festival | 154 | Himes |
| 20. Discussion on Boards and Committees Created by the City Council of Big Spring Concerning Procedures for Appointing Members, Eligibility of Members, and Rules. | 155-156 | Moore |
| 21. Boards and Committees
Consideration and Possible Action on the Below Listed Board: | | Moore |
| <u>Planning & Zoning Commision</u>
Beth Henry - Mayor Appointment | | |

Council Input

- | | | |
|-----------|--|-------|
| 22. Input | | Moore |
|-----------|--|-------|

Executive Session

- | | | |
|---|--|-------|
| 23. ADJOURN into Executive Session in Accordance with the Purposes Permitted by the Open Meetings Act, Section 551.072, Texas Government Code, "Deliberation Regarding Real Property; Closed Meeting," to Deliberate the Purchase, Exchange, Lease, or Value of Real Property when Deliberation in an Open Meeting Would Have a Detrimental Effect on the Position of the Governmental Body in Negotiations with a Third Person.

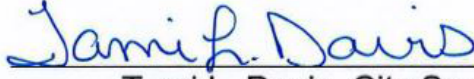
Parcel 4A and Parcel 1B as Depicted on the 2024 Airport Layout Plan, Big Spring McMahan-Wrinkle Airport | | Moore |
| 24. Reconvene into Open Session and Take Any Necessary Action Regarding the Executive Sessions. | | Moore |
| 25. Adjourn | | Moore |

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, April 4, 2025 at 4:45 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.



Memo

Meeting Date: April 8, 2025

To: Honorable Mayor and City Council

From: Shane Bowles, P.E., Director of Public Works

Subject: Approval of an amendment to the zoning regulations to add “Indoor Gun Range” to the CA, Central Area District list of permitted uses.

Location: CA, Central Area District only. Generally located in the downtown core.

Contact: Shane Bowles, P.E., Director of Public Works

Analysis:

A request has been received by city staff to amend the zoning regulations so that an indoor gun range would be a permitted use in the CA, Central Area District. Staff believe that this is a reasonable request because the requested use would provide an additional entertainment opportunity in the redeveloping downtown core of the city.

The Planning and Zoning Commission held a public hearing on April 1, 2025 and voted affirmatively to recommend the new listed use to be added into the CA, Central Area District permitted uses.

Staff recommends approval of the city-initiated code amendment.

Attachments: None

803 W 9TH

Code Compliance Official: Ashley Guerra

Exhibit A-1

STATE OF TEXAS

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COUNTY OF HOWARD

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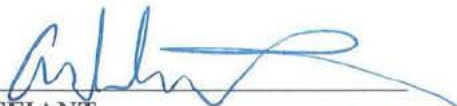
**AFFIDAVIT OF ASHLEY GUERRA
CONCERNING 803 W 9TH**

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

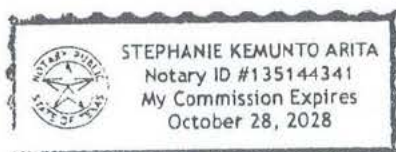
“My name is **Ashley Guerra**. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

“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 **803 W 9TH**, Big Spring, Texas. These are exact duplicates of original records. The records were made at or near the time of each act, event, or finding set forth. The records were made by, or from information transmitted by, persons with knowledge of the matters set forth. The records were kept in the course of regularly conducted business activity. It is the regular practice of the business activity to make the records.”

SIGNED on the 4 day of April, 2025.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 4th day of April, 2025 by the above referenced Affiant.




Notary Public, State of Texas

Exhibit A-2

Howard Property Search

Property Details

Account		
Property ID:	278552	Geographic ID: B2640011900
Type:	R	Zoning:
Property Use:		Condo:
Location		
Situs Address:	803 W 9TH	
Map ID:		Mapsco:
Legal Description:	LTS 7-8 BK 15 CEDAR CREST IRR 1155	
Abstract/Subdivision:		
Neighborhood:	(CDCS) CEDAR CREST	
Owner ⓘ		
Owner ID:	399714	
Name:	HORN MARSHALL WAYNE ET UX	
Agent:		
Mailing Address:	505 DALLAS BIG SPRING, TX 79720	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$1,975 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$9,440 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$11,415 (=)
Agricultural Value Loss: ⓘ	\$0 (-)

Appraised Value: ?	\$11,415 (=)
HS Cap Loss: ?	\$0 (-)
Circuit Breaker: ?	\$0 (-)
Assessed Value:	\$11,415
Ag Use Value:	\$0

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

Property Taxing Jurisdiction

Owner: HORN MARSHALL WAYNE ET UX **%Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.221030	\$11,415	\$11,415	\$25.23	
02B	CITY OF BIG SPRING	0.671465	\$11,415	\$11,415	\$76.65	
03B	BIG SPRING ISD	0.728300	\$11,415	\$11,415	\$83.14	
052	HOWARD COLLEGE	0.158693	\$11,415	\$11,415	\$18.11	

Total Tax Rate: 1.779488

Estimated Taxes With Exemptions: \$203.13

Estimated Taxes Without Exemptions: \$203.13

STATE OF TEXAS

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COUNTY OF HOWARD

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CERTIFICATION
803 W 9TH 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 4 day of April, 2025.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 4th day of April, 2025

by the above referenced Affiant.


Notary Public, State of Texas

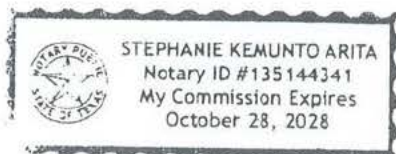


Exhibit A-3



CASE NOTES

Report Run On: Friday, 14 March
2025 15:49

Case # 25-00000103

Parcel # : 278552

Site Address: 803 W 9TH

Case Description: complaint on structure

Note Type	Note Code	Text	Created By	Begin Date	End Date
SITE VISIT		WENT BACK FOR A REINSPECT NO PROGRESS HAS BEEN MADE GOING TO PREPAIR TO SEND TO LEGAL .3-14-25	Ashley Guerra	03/14/25	
CORRECTIVE ACTION		DUE TO A COMPLAINT SERVED A WARRANT ON PROPERTY NOTICED STRUCTURES ARE NOT SOUND AND NEED TO BE BROUGHT UP TO CODE OR BROUGHT DOWN DEADLINE FOR COMPLAINEE (7) SEVEN DAYS FROM THE DATE OF MAILING	Ashley Guerra	02/03/25	
GENERAL		SENT OUT NOTICE OF VIOLATION 2-3-25	Ashley Guerra	02/03/25	
SITE VISIT		served a warrant on 10-18-23 noticed structure unsound there is main structure shed/garage another small structure going to send out notice	Ashley Guerra	10/18/23	

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 A-4** I am familiar with and recognize the scene depicted in the photographs. On October 18, 2023 and March 14, 2025, I inspected the property described as:

LOTS 7-8, BLOCK 15, CEDAR CREST SUBDIVISION Big Spring, Howard County, Texas, also known as **803 W 9TH**, Big Spring, Texas.

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

SIGNED on the 4 day of April, 2025.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 4th day of April, 2025
by the above referenced Affiant.


Notary Public, State of Texas

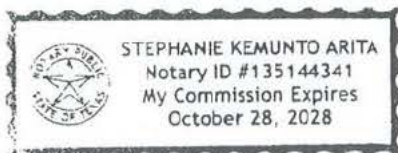


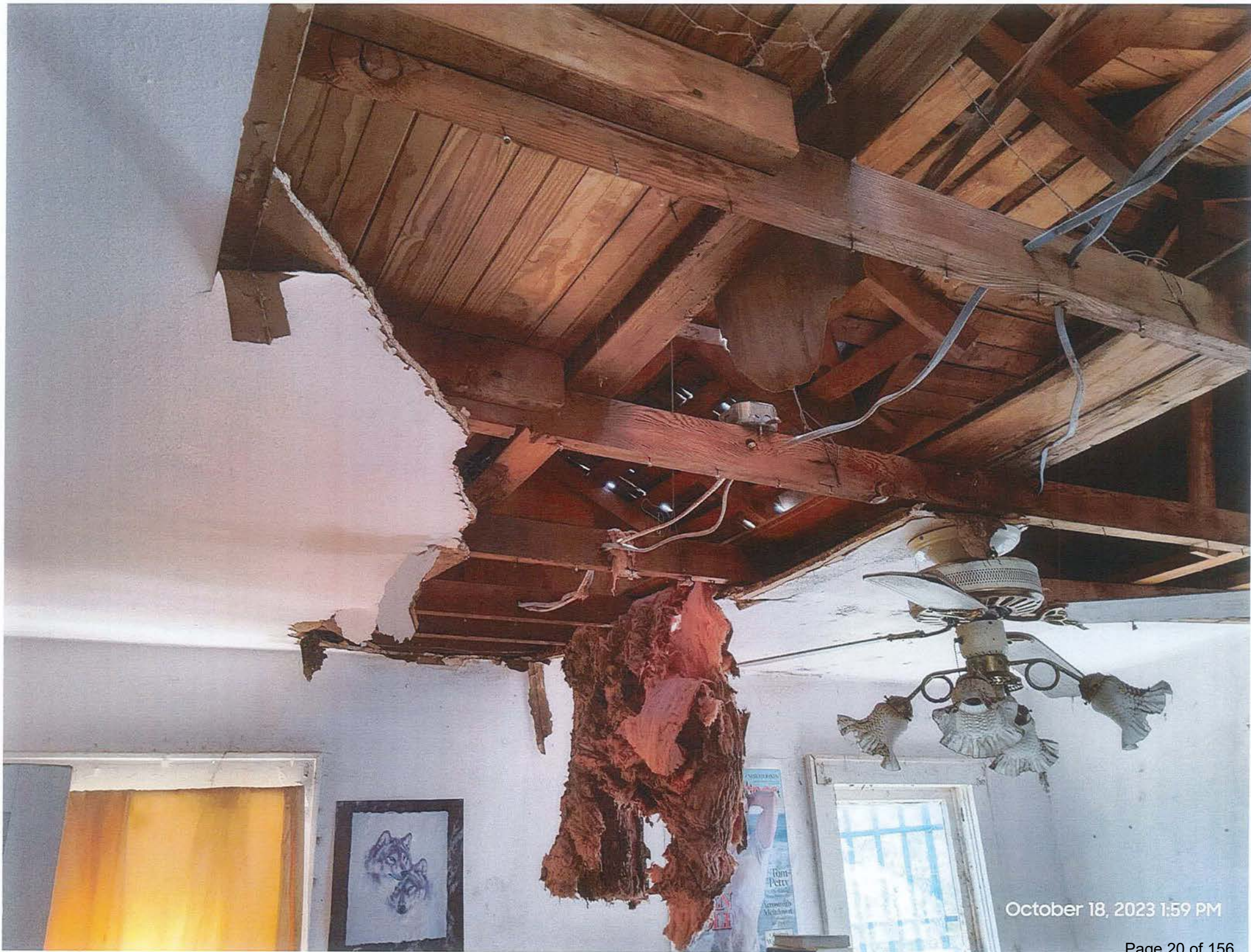
Exhibit A-4



October 18, 2023 1:58 PM



October 18, 2023 1:58 PM



October 18, 2023 1:59 PM



October 18, 2021 1:59 PM



October 18, 2023 1:59



October 18, 2023 1:59 PM



October 18, 2023 2:00 PM



October 18, 2023 2:00 PM



October 18, 2023 2:00 PM



October 18, 2023 2:02 PM

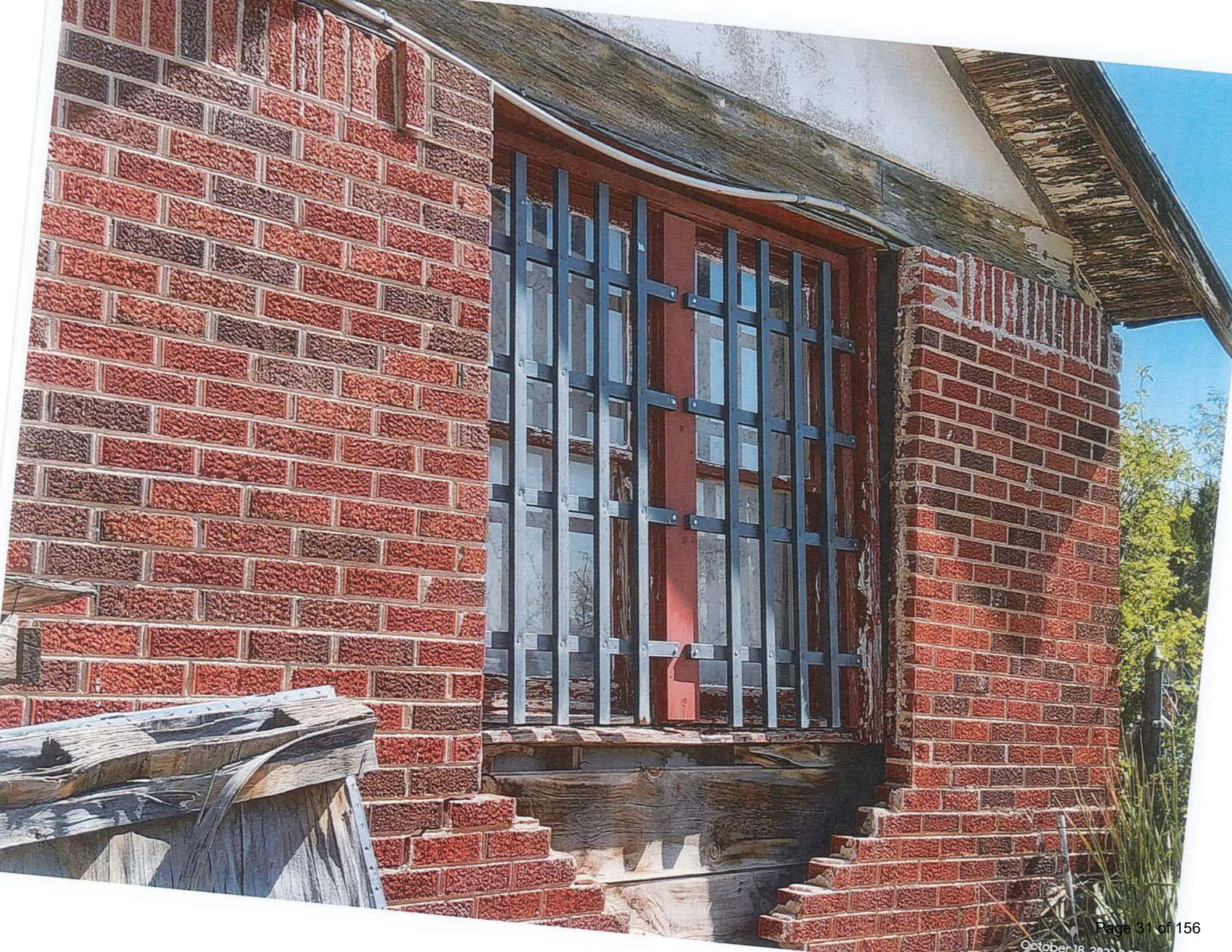


October 18, 2023 2:02 PM



October 18, 2023 2:06 PM







October 18, 2023 2:05 PM





October 18, 2023 2:05 PM







October 18, 2023 2:05 PM















October 18, 2023 2:08 PM









October 18, 2023 2:09 PM

25-00000103



March 14, 2025 2:17 PM

25-00000103



March 14, 2025 2:16 PM

25-00000103



March 14, 2025 2:19 PM



March 14, 2025 2:19 PM

STATE OF TEXAS

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COUNTY OF HOWARD

**CERTIFICATION
NOTICE SENT BY ASHLEY GUERRA**

“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.”

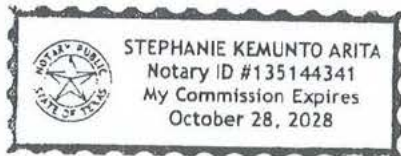
Certified Mail Return for **Exhibit A-5** is also attached.

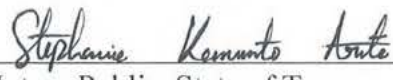
SIGNED on the 4 day of April, 2025.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 4th day of April, 2025
by the above referenced Affiant.





Notary Public, State of Texas

Exhibit A-5



City of Big Spring Code Compliance

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

NOTICE OF VIOLATION

Re: 803 W 9TH BIG SPRING, TX 00000

Legal Description: LTS 7-8 BK 15 CEDAR CREST IRR 1155

Date 02/03/2025

Case No: 25-00000103

HORN MARSHALL WAYNE ET UX
505 DALLAS
BIG SPRING, TX 79720

Dear HORN MARSHALL WAYNE 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:

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: 803 W 9TH BIG SPRING, TX 00000

Legal Description: LTS 7-8 BK 15 CEDAR CREST IRR 1155

Corrective Action:

DUE TO A COMPLAINT SERVED A WARRANT ON PROPERTY NOTICED STRUCTURES ARE NOT SOUND AND NEED TO BE BROUGHT UP TO CODE OR BROUGHT DOWN DEADLINE FOR COMPLAINT (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

March 28, 2025

Marshall Wayne Horn & Joyce Elaine Horn
505 Dallas St.
Big Spring, Texas 79720

Marshall Wayne Horn & Joyce Elaine Horn
803 W 9th St.
Big Spring, Texas 79720

Harold L. Allen (Trustee, Deceased)
Estate of Betty Ruth Allen
Estate of Robert E. Gutte
117 Harris Road
Jacksonville, Arkansas 72076

Randa Lynn McBryde
900 Abrams St.
Big Spring, Texas 79720
cc: Robert Miller, Attorney Ad Litem
608 Scurry St.
Big Spring, Texas 79720

Amanda Davis & David Davis
900 Abrams St.
Big Spring, Texas 79720
cc: Reina Cisneros, Attorney
Cisneros Law Firm PLLC
200 W. 3rd St.
Big Spring, Texas 79720

Re: 803 W 9TH, BIG SPRING, TEXAS 79720

**LEGAL DESCRIPTION: LOTS 7-8, BLOCK 15, CEDAR CREST SUBDIVISION,
Howard County**

Big Spring Code Compliance has determined that at the following structure(s): **MAIN STRUCTURE, located mostly on 803 W 9TH** (Legal Description: Lots 7-8, Block 15, Cedar Crest Subdivision – Owner: Marshall Wayne Horn And Joyce Elaine Horn), **and partially on 900 Abrams** (Legal Description: Lot 1 & N/30 Of Lot 2, Block 15, Cedar Crest Subdivision – Owner: Randa Lynn McBryde), 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 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 is in disrepair and needs to be brought up to Code. The structure is neglected, damaged, dilapidated, unsecured, and abandoned so as to constitute an attractive nuisance. Hazardous condition.
304.1.1 UNSAFE CONDITIONS. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 1. Structural members have deterioration or distress that appears to reduce their load-carrying capacity. 3. Structures or components thereof have deterioration or distress that appears to reduce their load-carrying capacity. 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	The structural members appear to have deteriorated. There is missing roofing. The roof appears to admit rain and has signs of deterioration. The exterior walls have holes, cracks, breaks, loose and rotting materials. Unsafe condition.

all load effects. 8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all nominal loads and resisting all load effects.	
304.6 Exterior walls. Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.	Exterior walls have holes and gaps that require repair.
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 holes and gaps from missing and dilapidated roofing components.
304.13 Windows, skylight and door frames. Every window, skylight and door frame shall be kept in sound condition, good repair and weather tight.	The Main Structure has some broken windows.

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

Corrective Action Sought by Code Compliance

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

REPAIR OR DEMOLISH AND REMOVE

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, April 8, 2025** 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

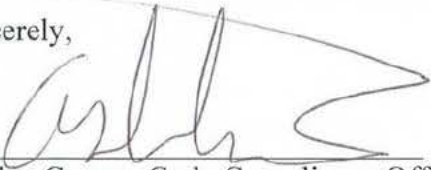
the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property 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://codelibrary.amlegal.com/codes/bigspringtx>. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

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

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

9589 0710 5270 1979 8842 23

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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 \$

3/28/2025

Postmark
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803 W. 9TH

Final Notice

Postage

Marshall Wayne Horn & Joyce Elaine
 Horn
 505 Dallas St.
 Big Spring, Texas 79720

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

9589 0710 5270 1979 8842 47

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3/28/2025

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803 W. 9TH

Final
 Notice

Harold L. Allen (Trustee, Deceased)
 Estate of Betty Ruth Allen
 Estate of Robert E. Gutte
 117 Harris Road
 Jacksonville, Arkansas 72076

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

9589 0710 5270 1979 8842 54

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3/28/2025

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803 W. 9TH

Final
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Postage

Randa Lynn McBryde
 900 Abrams St.
 Big Spring, Texas 79720

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

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3/28/2025

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803 W. 9TH

Final
 Notice

Amanda Davis & David Davis
 900 Abrams St.
 Big Spring, Texas 79720

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

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☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

3/28/2025

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803 W. 9TH

Final
 Notice

Robert Miller, Attorney Ad Litem
 608 Scurry St.
 Big Spring, Texas 79720

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

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

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

Postage

3/28/2025

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803 W. 9TH

Final
Notice

Marshall Wayne Horn & Joyce Elaine
Horn
803 W 9th St.
Big Spring, Texas 79720

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

9589 0710 5270 1979 8842 85

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☐ Adult Signature Required \$ _____
☐ Adult Signature Restricted Delivery \$ _____

Postage

3/28/2025

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803 W. 9TH

Final
Notice

Reina Cisneros, Attorney
Cisneros Law Firm PLLC
200 W. 3rd St.
Big Spring, Texas 79720

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

ALERT: SEVERE WEATHER IN THE SOUTHEAST AND CENTRAL U.S AND WINTER STORMS IN ...

USPS Tracking®[FAQs >](#)

Tracking Number:

Remove X

9589071052701979884230[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

April 3, 2025

Arrived at USPS Regional Facility

MIDLAND TX DISTRIBUTION CENTER

April 2, 2025, 1:08 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

9589071052701979884223

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Latest Update

Your item was delivered to an individual at the address at 12:37 pm on March 29, 2025 in BIG SPRING, TX 79720.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

BIG SPRING, TX 79720

March 29, 2025, 12:37 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

Tracking Number:

Remove X

9589071052701979884247

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Latest Update

Your item was delivered to an individual at the address at 11:16 am on April 1, 2025 in JACKSONVILLE, AR 72076.

Get More Out of USPS Tracking:**USPS Tracking Plus®****Delivered****Delivered, Left with Individual**

JACKSONVILLE, AR 72076

April 1, 2025, 11:16 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

9589071052701979884254[Copy](#)[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)**Latest Update**

Your item was delivered to an individual at the address at 3:54 pm on March 29, 2025 in BIG SPRING, TX 79720.

Get More Out of USPS Tracking:**USPS Tracking Plus®****Delivered****Delivered, Left with Individual**

BIG SPRING, TX 79720

March 29, 2025, 3:54 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

9589071052701979884278[Copy](#)[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

Latest Update

Your item was delivered to an individual at the address at 3:54 pm on March 29, 2025 in BIG SPRING, TX 79720.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

BIG SPRING, TX 79720

March 29, 2025, 3:54 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](#) ✕

9589071052701979884285

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

Latest Update

Your item was delivered to an individual at the address at 10:33 am on March 31, 2025 in BIG SPRING, TX 79720.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

BIG SPRING, TX 79720

March 31, 2025, 10:33 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](#) ▼

[Remove](#) ✕

Tracking Number:

9589071052701979884261

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

Latest Update

We now anticipate delivery of your package the next business day. We apologize for the delay.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Alert

Awaiting Delivery

March 29, 2025, 9:48 pm

Out for Delivery

BIG SPRING, TX 79720

March 29, 2025, 8:29 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

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 April 08, 2025, attached as **Exhibit A-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on March 28, 2025."

SIGNED on the 4 day of April, 2025.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 4th day of April, 2025
by the above referenced Affiant.



Notary Public, State of Texas

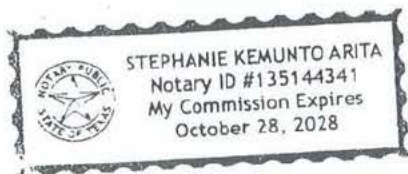


Exhibit A-6



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 **APRIL 8TH, 2025, 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:

THE STRUCTURE LOCATED MOSTLY ON **803 W 9TH – LEGAL DESCRIPTION: LOTS 7-8, BLOCK 15, CEDAR CREST SUBDIVISION** – OWNER: MARSHALL WAYNE HORN AND JOYCE ELAINE HORN, AND PARTIALLY ON **900 ABRAMS – LEGAL DESCRIPTION: LOT 1 & N/30 OF LOT 2, BLOCK 15, CEDAR CREST SUBDIVISION** – OWNER: RANDA LYNN MCBRYDE

607 W 9TH – LEGAL DESCRIPTION: LESS W/60 OF LOT 1, BLOCK 17, CEDAR CREST SUBDIVISION – OWNER: ANTONIA BUSTAMANTE

THE CITY OF BIG SPRING HEARING BOARD MEETING IS AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT TAMI DAVIS AT 432-264-2513 OR AT 310 NOLAN, BIG SPRING, TEXAS 79720, AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING.

Nick Reyna

Nick Reyna, Building Official, City of Big Spring



March 28, 2025 8:59 AM

607 W 9TH

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 607 W 9TH**

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:

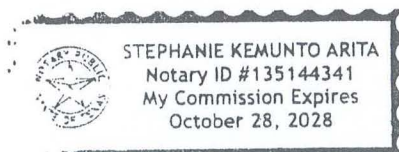
“I am a Code Compliance Official for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **607 W 9TH**, Big Spring, Texas. These are exact duplicates of original records. The records were made at or near the time of each act, event, or finding set forth. The records were made by, or from information transmitted by, persons with knowledge of the matters set forth. The records were kept in the course of regularly conducted business activity. It is the regular practice of the business activity to make the records.”

SIGNED on the 4 day of April, 2025.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 4th day of April, 2025 by the above referenced Affiant.





Notary Public, State of Texas

Exhibit B-2

Howard Property Search

Property Details

Account		
Property ID:	278563	Geographic ID: B2640013000
Type:	R	Zoning:
Property Use:		Condo:
Location		
Situs Address:	607 W 9TH	
Map ID:		Mapsco:
Legal Description:	LESS W/60 OF LT 1 BK 17 CEDAR CREST IRR 1172 ACQ 052406 BLK/TRACT 17 0.232 ACRES	
Abstract/Subdivision:		
Neighborhood:	(CDCS) CEDAR CREST	
Owner ?		
Owner ID:	440228	
Name:	BUSTAMANTE ANTONIA	
Agent:		
Mailing Address:	PO BOX 1125 BIG SPRING, TX 79721	
% Ownership:	100.0%	
Exemptions:	DPS - HS - For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$46,097 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$10,106 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$56,203 (=)

Agricultural Value Loss: ⓘ	\$0 (-)
Appraised Value: ⓘ	\$56,203 (=)
HS Cap Loss: ⓘ	\$3,477 (-)
Circuit Breaker: ⓘ	\$0 (-)
Assessed Value:	\$52,726
Ag Use Value:	\$0

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

Property Taxing Jurisdiction

Owner: BUSTAMANTE ANTONIA %Ownership: 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.221030	\$56,203	\$30,181	\$66.71	
02B	CITY OF BIG SPRING	0.671465	\$56,203	\$37,181	\$249.66	
03B	BIG SPRING ISD	0.728300	\$56,203	\$0	\$0.00	\$0.00
052	HOWARD COLLEGE	0.158693	\$56,203	\$42,181	\$66.94	

Total Tax Rate: 1.779488

Estimated Taxes With Exemptions: \$383.31

Estimated Taxes Without Exemptions: \$1,000.13

STATE OF TEXAS

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COUNTY OF HOWARD

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CERTIFICATION
607 W 9TH CASE NOTES

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

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

Making this record was a regular practice of that activity.

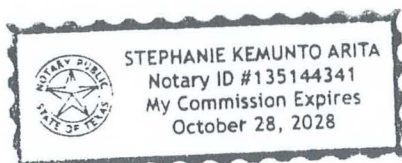
1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout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

SIGNED on the 4 day of April, 2025.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 4th day of April, 2025

by the above referenced Affiant.




Notary Public, State of Texas

Exhibit B-3



CASE NOTES

Report Run On: Friday, 14 March
2025 16:00

Case # 24-00001531

Parcel # : 278563

Site Address: 607 W 9TH

Case Description: HAD A COMPLAINT ON PROPERTY .WENT BY NOTICED A SUBSTANDARD SHED ON REAR OF PROPERTY GOING TO REQUEST A WARRANT FOR MAIN STRUCTURE

Note Type	Note Code	Text	Created By	Begin Date	End Date
SITE VISIT		DID A REINSPECT NO PROGRESS HAS BEEN MADE .GOING TO PREPAIR TO SEND TO LEGAL	Ashley Guerra	03/13/25	
CORRECTIVE ACTION		property is in bad conditon and needs to be brought up to code or brought down This notice is for main structure and shed/garage deadline for compliance (7) seven days from the date of mailing	Ashley Guerra	02/03/25	
GENERAL		SERVED A WARRENT ON THE PROTERTY ON 10-29-24	Ashley Guerra	02/03/25	
GENERAL		SENT OUT NOTICE OF VIOLATION ON 2-3-25	Ashley Guerra	02/03/25	
SITE VISIT		ON 9-20-24 GOT A COMPLAINT WENT BY PROPERTY NOTICED A SUBSTANDARD REAR STRUCTURE GARAGE GOING TO GET A WARRENT TO CHECK THE MAIN STRUCTURE	Ashley Guerra	09/20/24	

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 September 20, 2024, October 29, 2024, and March 14, 2025, I inspected the property described as:

LESS W/60 OF LOT 1, BLOCK 17, CEDAR CREST SUBDIVISION Big Spring, Howard County, Texas, also known as **607 W 9TH**, Big Spring, Texas.

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

SIGNED on the 4 day of April, 2025.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 4th day of April, 2025
by the above referenced Affiant.


Notary Public, State of Texas

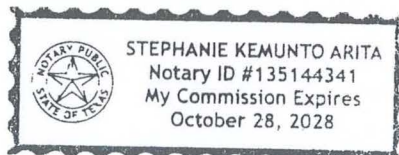


Exhibit B-4



September 20, 2024 10:12 AM

24-00001531



September 20, 2024 10:13 AM

24-00001531



September 20, 2024 10:13 AM

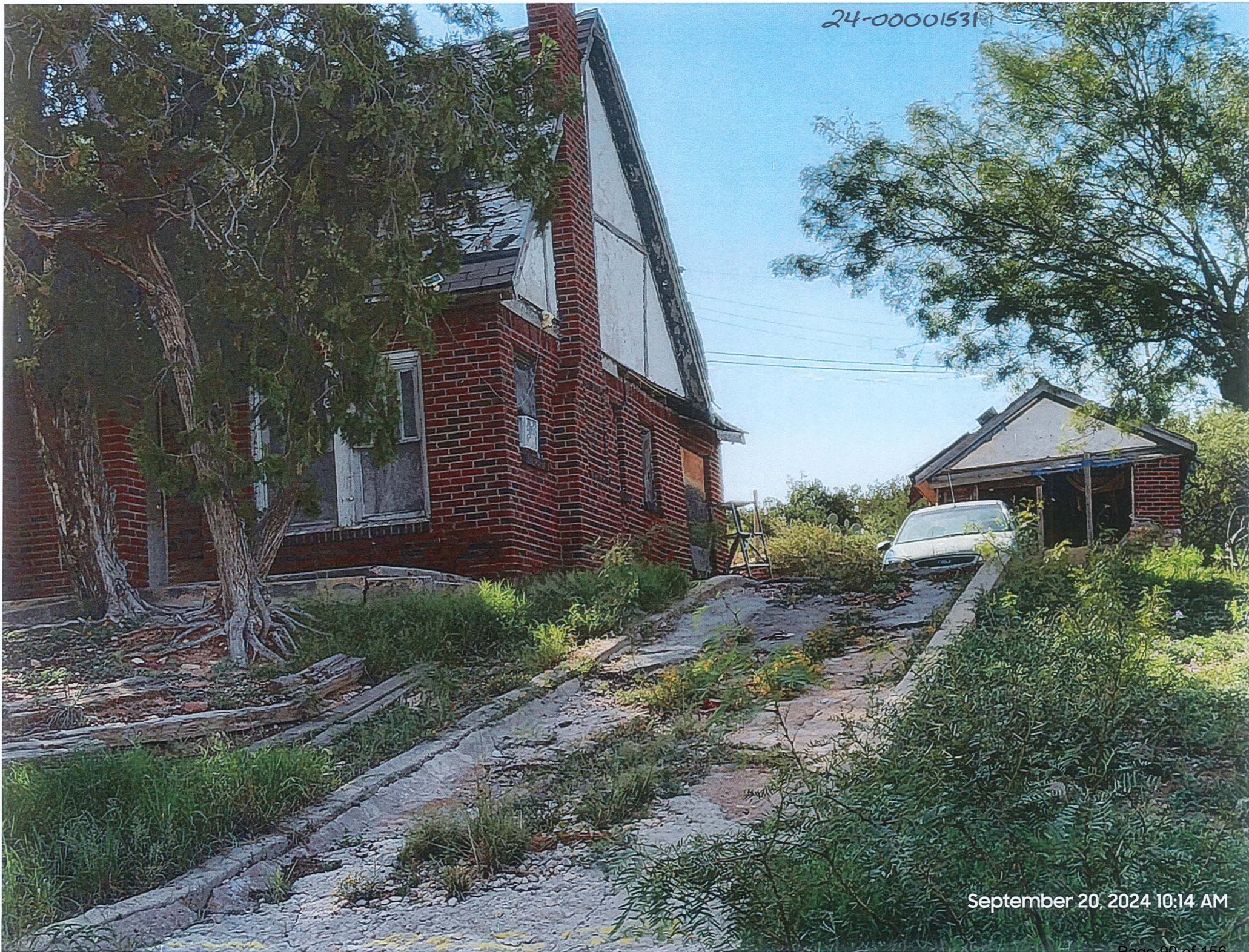


September 20, 2024 10:13 AM



September 20, 2024 10:15 AM

24-00001531



September 20, 2024 10:14 AM



September 20, 2024 10:14 AM

24-00001531



September 20, 2024 10:15 AM

24-00001531



October 29, 2024 3:15 PM

24-00001531



October 29, 2024 3:15 PM

24-00001531



October 2, 2024 3:15:11

24-00001531



October 29, 2024 3:15 PM



October 29, 2024 3:16 PM



October 27, 2024 1:57 PM

24-00001531



October 29, 2024 3:17 PM

24-00001531



October 29, 2024 3:18 PM

24-00001531



October 29, 2024 3:21 PM



October 29, 2024 3:21 PM

24-00001531



March 14, 2025 2:16 PM

24-00001531



March 14, 2025 2:16 PM

24 - 00001531



March 14, 2025 2:17 PM

24-00001531



March 14, 2025 2:17 PM

24-00001531



March 14, 2025 2:17 PM

STATE OF TEXAS

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COUNTY OF HOWARD

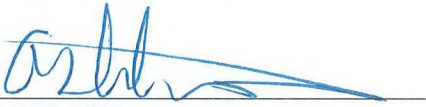
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**CERTIFICATION
NOTICE SENT BY ASHLEY GUERRA**

“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 4 day of April, 2025.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 4th day of April, 2025
by the above referenced Affiant.


Notary Public, State of Texas

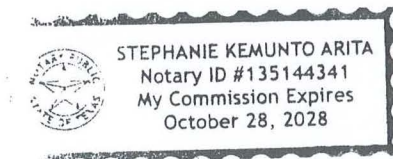


Exhibit B-5



City of Big Spring Code Compliance

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

NOTICE OF VIOLATION

Re: 607 W 9TH BIG SPRING, TX 00000

Legal Description: LESS W/60 OF LT 1 BK 17 CEDAR CREST IRR 1172 ACQ 052406 BLK/TRACT 17 0.232 ACRES

Date 02/03/2025

Case No: 24-00001531

BUSTAMANTE ANTONIA
PO BOX 1125
BIG SPRING, TX 79721

Dear BUSTAMANTE ANTONIA

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: 607 W 9TH BIG SPRING, TX 00000

Legal Description: LESS W/60 OF LT 1 BK 17 CEDAR CREST IRR 1172 ACQ 052406 BLK/TRACT 17 0.232 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:

property is in bad condition and needs to be brought up to code or brought down This notice is for main structure and shed/garage deadline for compliance (7) seven days from the date of mailing

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

Issued by:

Ashley Guerra

Code Compliance

432-264.2505

aguerra@mybigspring.com

Phone

Email Address

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

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

Sincerely,

Ashley Guerra - Code Compliance



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

March 28, 2025

Antonia Bustamante
P.O. Box 1125
Big Spring, Texas 79721

Antonia Bustamante
607 W 9th St.
Big Spring, Texas 79720

Re: 607 W 9TH, BIG SPRING, TEXAS 79720
LEGAL DESCRIPTION: LESS W/60 OF LOT 1, BLOCK 17, CEDAR CREST
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	The structure is in disrepair and needs to be brought up to Code. The structure is neglected, damaged, dilapidated, unsecured, and abandoned so as to constitute an attractive nuisance. Hazardous condition.

building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act. 11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.	
304.1.1 UNSAFE CONDITIONS. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 1. Structural members have deterioration or distress that appears to reduce their load-carrying capacity. 3. Structures or components thereof have deterioration or distress that appears to reduce their load-carrying capacity. 7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects. 8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all nominal loads and resisting all load effects.	The structural members appear to have deteriorated. There is missing roofing. The roof appears to admit rain and has signs of deterioration. The exterior walls have holes, cracks, breaks, loose and rotting materials. Unsafe condition.
304.6 Exterior walls. Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.	Exterior walls have holes and gaps that require repair.
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 holes and gaps from missing and dilapidated roofing components.
304.13 Windows, skylight and door frames.	The Main Structure has some

Every window, skylight and door frame shall be kept in sound condition, good repair and weather tight.
--

broken windows.

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

Corrective Action Sought by Code Compliance

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

REPAIR OR DEMOLISH AND REMOVE

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, April 8, 2025** 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.

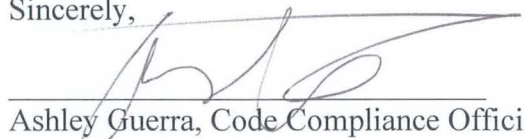
NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, 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://codelibrary.amlegal.com/codes/bigspringtx>. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,



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

9589 0710 5270 1979 8843 08

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Domestic Mail Only

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

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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 \$

3/28/2025
 Postmark Here
 607 W. 9TH
 Final Notice

Antonia Bustamante
 607 W 9th St.
 Big Spring, Texas 79720

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

9589 0710 5270 1979 8842 92

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

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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 \$

3/28/2025
 Postmark Here
 607 W. 9TH.
 Final Notice

Antonia Bustamante
 P.O. Box 1125
 Big Spring, Texas 79721

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

ALERT: SEVERE WEATHER IN THE SOUTHEAST AND CENTRAL U.S AND WINTER STORMS IN ...

USPS Tracking®

FAQs >

Tracking Number:

Remove X

9589071052701979884308

Copy

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

Latest Update

Your item was returned to the sender on March 29, 2025 at 8:29 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

March 29, 2025, 8:29 am

Arrived at USPS Regional Facility

MIDLAND TX DISTRIBUTION CENTER

March 28, 2025, 7:31 pm

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**9589071052701979884292**[Copy](#)[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

Latest Update

Your item was returned to the sender on March 29, 2025 at 7:06 am in BIG SPRING, TX 79720 because the addressee moved and left no forwarding address.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Alert

Moved, Left no Address

BIG SPRING, TX 79720
March 29, 2025, 7:06 am

Available for Pickup

BIG SPRING
501 S MAIN ST
BIG SPRING TX 79720-9998
M-F 0800-1700; SAT 0900-1200
March 29, 2025, 7:04 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](#) v

Track Another Package

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 April 08, 2025, attached as **Exhibit B-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on March 28, 2025.”

SIGNED on the 4 day of April, 2025.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 4th day of April, 2025
by the above referenced Affiant.



Notary Public, State of Texas

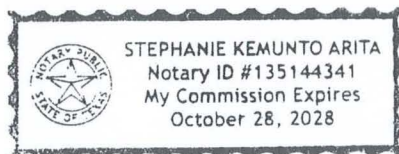


Exhibit B-6



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 **APRIL 8TH, 2025, 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:

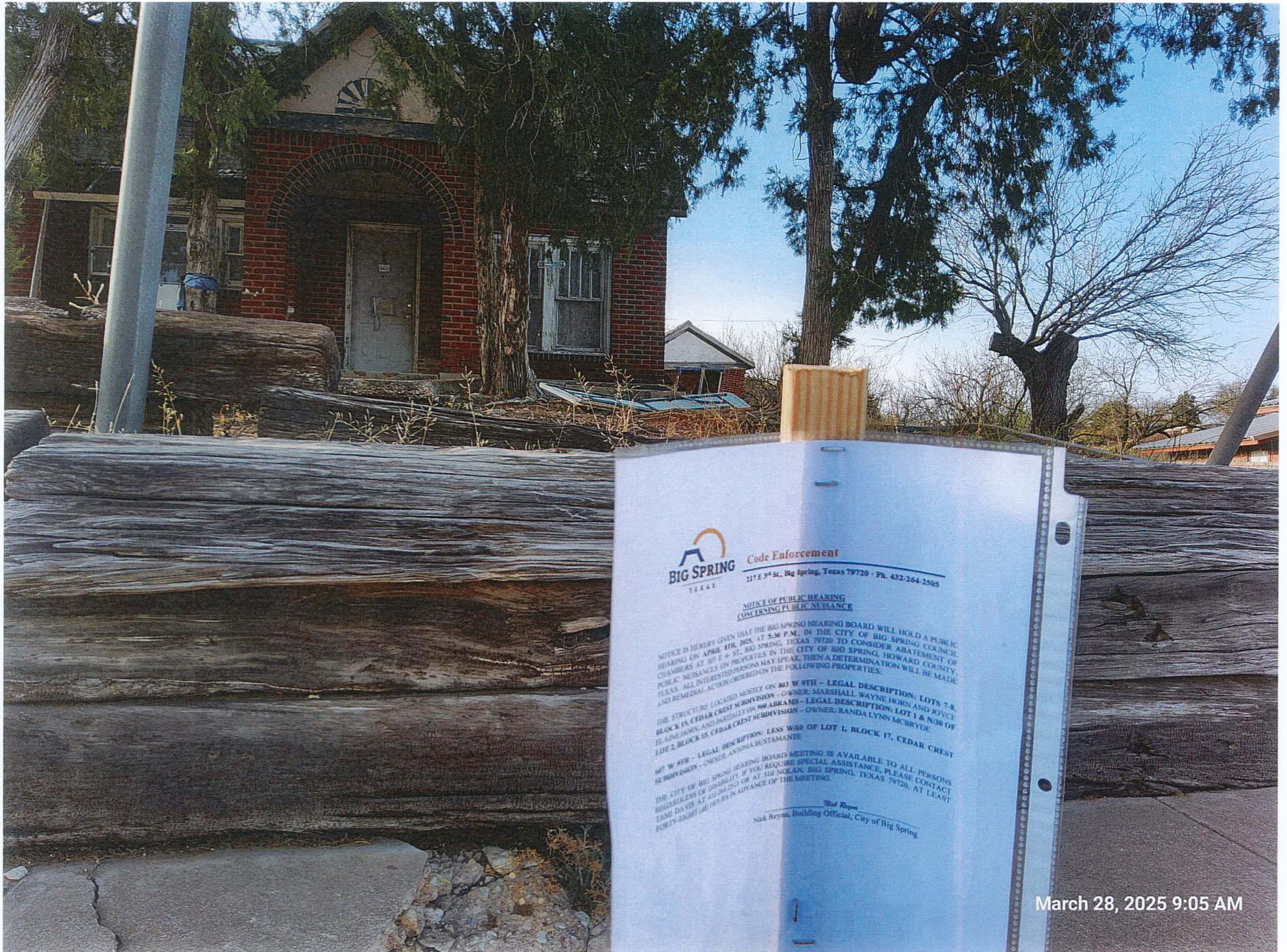
THE STRUCTURE LOCATED MOSTLY ON **803 W 9TH – LEGAL DESCRIPTION: LOTS 7-8, BLOCK 15, CEDAR CREST SUBDIVISION** – OWNER: MARSHALL WAYNE HORN AND JOYCE ELAINE HORN, AND PARTIALLY ON **900 ABRAMS – LEGAL DESCRIPTION: LOT 1 & N/30 OF LOT 2, BLOCK 15, CEDAR CREST SUBDIVISION** – OWNER: RANDA LYNN MCBRYDE

607 W 9TH – LEGAL DESCRIPTION: LESS W/60 OF LOT 1, BLOCK 17, CEDAR CREST SUBDIVISION – OWNER: ANTONIA BUSTAMANTE

THE CITY OF BIG SPRING HEARING BOARD MEETING IS AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT TAMI DAVIS AT 432-264-2513 OR AT 310 NOLAN, BIG SPRING, TEXAS 79720, AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING.

Nick Reyna

Nick Reyna, Building Official, City of Big Spring



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 APRIL 8TH, 2025, AT 2:00 P.M. IN THE CITY OF BIG SPRING, COUNCIL CHAMBERS AT 301 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.

THE STRUCTURE LOCATED MOSTLY ON 803 W 9TH - LEGAL DESCRIPTION: LOTS 7-8, BLOCK 15, CEDAR CREST SUBDIVISION - OWNER: MARSHALL WAYNE HORN AND JOYCE ELAINE HORN; AND PARTIALLY ON 900 ABBREWS - LEGAL DESCRIPTION: LOT 1 & 2 OF LOT 2, BLOCK 15, CEDAR CREST SUBDIVISION - OWNER: SANDA LYNN MCBRYDE

907 W 9TH - LEGAL DESCRIPTION: LESS 3000 OF LOT 1, BLOCK 17, CEDAR CREST SUBDIVISION - OWNER: ANTONIA BUSTAMANTE

THE CITY OF BIG SPRING HEARING BOARD MEETING IS AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT TASH DAVIS AT 432-264-2502 OR AT 110 NOLAN, BIG SPRING, TEXAS 79720, AT LEAST FORTY EIGHT (48) HOURS IN ADVANCE OF THE MEETING.

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

March 28, 2025 9:05 AM

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

The City Council of the City of Big Spring, Texas, met in a Regular Meeting in the City Council Chambers located at 307 E. 4th St., Big Spring, Texas, at 5:30 PM, March 25, 2025, with the following members present in person:

MAYOR ROBERT MOORE
COUNCIL MEMBER NICK ORNELAS
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
MIKE FEELEY	Airpark Director
SANDY SMITH	Finance Director
SUSAN HIMES	Community Services Director
TAMI DAVIS	City Secretary
MANDY HAYNES	Municipal Judge

Open Session

Call to Order

Mayor Moore called the City Council Meeting to order at 5:30 p.m.

Invocation

Chase Pinkerton, Christ Fellowship Church, gave the invocation.

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

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

Public Comment

Public Comment

Scott Emerson suggested to the Council to consider making the Benton Street Bridge a pedestrian bridge to walk across and name it after Nati Saldivar.

Announcements, Presentations and Public Hearings

Open Public Hearings and Presentation

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

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

NAYS: None 0

MOTION PASSED

Presentation Regarding Vector Fleet Management Annual Review

Terry Good, Director of Operations with Vector Fleet Management, gave a brief presentation over their performance as the City's vehicle maintenance contractor.

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 711 ANNA, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 6 BK 12 SETTLES HEIGHTS BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: MARIA DE LA CRUZ

MOTION WAS MADE BY Council Member Hughes to abate the above captioned property (711 Anna), seconded by Mayor Pro Tem Tompkins.

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

NAYS: None 0

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 700 E 15TH, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 1 BLOCK 19 COLE & STRAYHORN BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: DAVID ORTIZ GONZALES JR

MOTION WAS MADE BY Council Member Wilkerson to abate the above captioned property (700 E. 15th St.), seconded by Council Member Yanez.

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

NAYS: None 0

MOTION PASSED

Close Public Hearings and Presentation

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

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

7

NAYS: None

0

MOTION PASSED

City Manager's Report

City Manager's report on the following items:

- Update - Large Item Pickup, District 3
- City Picnic - March 28th

Todd Darden, City Manager, reported on the above captioned items as follows: Large item pickup for District 3 picked up 9 tons of items; and the annual city picnic will be on Friday, March 28th and invited the Council to attend.

Consent Items

Approval of the City Council Minutes of the Regular Meeting of March 11, 2025

Final Reading of an Ordinance Amending Chapter 36 of the Big Spring City Code Entitled "Nuisances," Article Iv "Abandoned, Inoperative or Junked Motor Vehicles"; to Include Junked Travel/Camper Trailers and Make Additional Amendments; Providing for the Repeal of Conflicting Legislation; Providing for Severability; Finding and Determining that the Meetings at which the Ordinance was Discussed were Open to the Public as Required by Law; and Providing an Effective Date.

Final Reading of a Resolution to Authorize the Implementation of a Pilot Program for Lateral Recruitment and Hiring of Police Officers; Providing for the Repeal of Conflicting Legislation; Providing for Severability; and Finding and Determining that the Meetings at Which the Resolution were Discussed were Open to the Public as Required by Law; and Establishing an Effective Date

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

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

7

NAYS: None

0

MOTION PASSED

Vouchers

Vouchers for 03/14/25 \$ 479,386.18

Vouchers for 03/21/25	\$	500,241.75
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Council Member Hughes reviewed the above captioned vouchers.

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

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

Tompkins, Council Member Moreno

NAYS: None **0**

MOTION PASSED

Bids

Consideration and Possible Action on Awarding a Bid for an Equipment Barn at the Roy Anderson Sports Complex and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Council Member Ornelas to award the above captioned bid to RW Fence in the amount of \$46,100.00, seconded by Council Member Yanez.

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

Tompkins, Council Member Moreno

NAYS: None **0**

MOTION PASSED

New Business

First Reading of a Resolution to Accept a Grant Offered by the Texas Department of Transportation (TxDOT) for the Funding of the Design, Bid Phase and Reconstruction of Runway 06/24 at the McMahon-Wrinkle Airport and Industrial Park; and Providing an Effective Date

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

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

Tompkins, Council Member Moreno

NAYS: None **0**

MOTION PASSED

First Reading of an Ordinance Amending Ordinance Number 028-2024 Which Adopted

the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025, by Increasing the Airpark Fund Budget for the Purpose of Appropriating \$145,000 for the Airpark's Cost Share of a \$2,900,000 Grant for the Design, Bid Phase and Reconstruction of Runway 06/24, From the Texas Department of Transportation on a 95/5 Cost Share; Providing for Severability; and Providing an Effective Date

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

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

NAYS: None 0

MOTION PASSED

First Reading of an Ordinance Amending Chapter 2 of the Big Spring City Code Entitled "Administration," Article VII "Boards and Commissions," 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 Ornelas.

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

NAYS: None 0

MOTION PASSED

Consideration and Possible Action to Approve a Lease Agreement with Fortitude Mining, LLC and a Termination of Lease and Release with Foundry Digital LLC both at Building 1B at 1600 First Avenue, Big Spring McMahon-Wrinkle Airport and Industrial Park, Big Spring, Texas and Authorizing the City Manager or His Designee to Execute any Necessary Documents

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

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

NAYS: None 0

MOTION PASSED

Council Input

Input

Mayor Moore expressed some problems with older kids breaking a few items on

the new All Ages All Abilities playground at Comanche Trail Park and asked the public to help take care of it; He also gave a brief overview on some of the new Texas Legislative Bills that are being considered and expressed some of his concerns of the effect that some of the bills could impose on cities. Mayor Pro Tem Tompkins thanked Mike Feeley for the great job he is doing for the airpark; asked about the cost savings on the different trash trucks - side load vs. a front load; and asked for cameras to be placed at the new playground Council Member Moreno was in favor of the Benton St. Bridge becoming a pedestrian bridge

Adjourn

Mayor Moore adjourned the City Council meeting at 6:27 p.m.

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary

Minutes of the Board of Director's Regular Meeting
BIG SPRING ECONOMIC DEVELOPMENT CORPORATION
Tuesday, February 18, 2025, 5:15 p.m.
Offices of the Big Spring Economic Development Corporation
215 West Third Street, Big Spring, Texas

The Regular Meeting of the Board of Directors of the Big Spring Economic Development Corporation was called to order at 5:15 p.m. Tuesday, February 18, 2025, in the offices of the Big Spring Economic Development Corporation. The following notice was sent on February 14, 2025, to Board of Directors, the news media, and duly posted on February 14, 2025, by Teresa Morris in compliance with the Open Meeting's Act by posting it on the outside door of the Big Spring Economic Development Corporation and on the outside of City Hall.

"The Board of Directors of the Big Spring Economic Development Corporation will hold a Regular Board Meeting on Tuesday, February 18, 2025, at 5:15 p.m. in the offices of the Big Spring Economic Development Corporation, 215 West Third Street, Big Spring, Texas. The purpose of the meeting is Public Comment, Consideration/Action to Approve the 2023-2024 Annual Audit, Action on Minutes of the January 27, 2025, Regular Meeting, Consideration/Action to Approve December and January Investment Report and Financials, Directors Report, Executive Session, Action as a Result of Executive Session, Board Comment, and Adjourn".

Directors Present:

Ms. Anna Scott- President
Mr. Brent Strande- Vice President
Mr. Kevin Armstrong- Secretary/Treasurer
Mr. Terry McDaniel

Directors Absent:

Mr. Raul Benavides
Mr. Cody Williams

Staff Present:

Mr. Mark Willis,
Ms. Teresa Morris

Guests that signed in:

AGENDA ITEM #1 – Call to Order/Invocation and Pledge:

Ms. Scott called the meeting to order at 5:15 p.m. Mr. McDaniel led the invocation and pledge.

AGENDA ITEM #2- Public Comment:

None

AGENDA ITEM #3- Consideration/Action to Approve the 2023-2024 Annual Audit:

Mr. Copeland presented the 2023-2024 Annual Audit. Mr. Strande made a motion to approve, seconded by Mr. Armstrong. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion.

AGENDA ITEM #4- Action on Minutes of the January 27, 2025, Regular Meeting:

Ms. Scott presented the Minutes. Mr. Armstrong made a motion to approve seconded by Mr. Strande. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion.

AGENDA ITEM #5- Consideration/Action to Approve December and January Investment Report and Financials

Mr. Armstrong presented the investment report and financials. Mr. McDaniel made a motion to approve seconded by Mr. Strande. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion.

ACTION ITEM #6- Consideration/Action to Approve Request for Quotes for Monument Sign:

Ms. Morris presented the RFQ's for the monument sign. Mr. Armstrong made a motion to approve the quote for \$24,810.00 from 3+ Imprints seconded by Mr. McDaniel. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion.

ACTION ITEM #7- Directors Report:

Projects: Bids for the infrastructure work to serve the Crossroads Business Park were unsealed on February 13th. The final property abatement proposal for the Samsung battery storage was approved by the Howard College Trustees Monday, January 27th, completing that incentive package. Staff continue to work with potential prospects concerning rail and property around the airport. Staff are awaiting details from ABS Wind to complete a new incentive package to reflect some changes in the company's expansion plans.

Meetings: The EDC Director attended the monthly County Group meeting, two radio interviews, participated in 2 City staff meetings, participated in two City Council meetings.

The EDC Director attended the ICSC retail conference, focusing less on the retailers there than the firms that provide the due diligence studies on property to be developed. The EDC Associate Director coordinated Howard County Day at the Capitol in Austin, which was outstanding. Staff continues to participate in the School to Industry program lead by the Chamber with efforts with Howard College, all three school districts, and local businesses. The EDC Director participated in the High Ground Austin Allies legislative trip to Austin. The next Board meeting is tentatively scheduled for March 18th.

AGENDA ITEM #8- Adjourn into Executive Session in Accordance with Texas Government Code, Section 551.087 to Discuss or Deliberate Prospect Activity and Texas Government Code.

Ms. Scott adjourned the Board into Executive Session at 5:37 pm, February 18, 2025. Ms. Scott called the Executive Session to order at 5:38 pm. Ms. Scott adjourned out of executive session at 5:57 pm, February 18, 2025. Ms. Scott reconvened into open session at 5:58 pm., February 18, 2025.

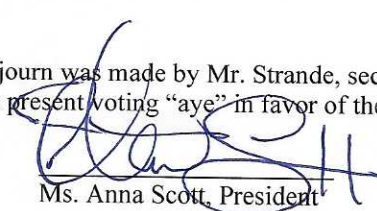
AGENDA ITEM #9- Action as a Result of Executive Session: None

AGENDA ITEM #10-Board Comments:

The Board expressed their appreciation for the staff for the work they do.

AGENDA ITEM #11- Adjourn:

Ms. Scott called for a motion to adjourn. The motion to adjourn was made by Mr. Strande, seconded by Mr. McDaniel. The motion passed 4 to 0 with all members present voting "aye" in favor of the motion. The meeting adjourned at 6:00 pm on February 18, 2025.


Ms. Anna Scott, President

ATTEST:


Mr. Kevin Armstrong, Secretary/Treasurer



CITY OF
Big Spring

MEMORANDUM

Date: March 25, 2025

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

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

Re: Acceptance of a Grant from the Texas Department of Transportation for the Design, Bid Phase and Reconstruction of Runway 06/24 at McMahon-Wrinkle Airport

The Texas Department of Transportation has advised staff that a grant for the design, bid phase services and reconstruction of Runway 06/24, subject to the State Aviation Commission's approval, in this fiscal year. The project is in the preliminary design phase with construction scheduled for next fiscal year. Woolpert, our aviation engineering consultant, has been collaborating with staff to facilitate the recommended design for the proposed repairs and they are currently awaiting the geotechnical results from our Airfield Pavement Study, which is in progress.

The grant will be on a 95/5 cost share with an estimated cost of \$2,900,000 dollars resulting in the city share being \$145,000 and the State/FAA share being \$2,755,000.

Staff are requesting that the City Council authorize the City Manager to execute the grant, when offered, if this request is approved by the City Council the funds for this effort will be appropriated from the Airpark Fund Balance and placed in the Runways and Airfield Lighting Account 410-210-610-6229. Staff recommend approval of this request as it will facilitate necessary improvements to the crosswind runway 06/24 and help to ensure the continued improvements at McMahon-Wrinkle Airport.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS TO ACCEPT A GRANT OFFERED BY THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) FOR THE FUNDING OF THE DESIGN, BID PHASE AND RECONSTRUCTION OF RUNWAY 06/24 AT THE McMAHON-WRINKLE AIRPORT AND INDUSTRIAL PARK; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Big Spring intends to make certain improvements to the McMahon-Wrinkle Airport and Industrial Park; and

WHEREAS, the general description of the project is described as: Design, Bid Phase Services and Reconstruction of Runway 06/24; and

WHEREAS, the City of Big Spring intends to request financial assistance from the Texas Department of Transportation (TxDOT) for these improvements; and

WHEREAS, the total design and construction project costs available is \$2,900,000.00 and the City of Big Spring will be responsible for at least 5% of the total project costs of \$145,000.00;

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

SECTION 1. The City of Big Spring hereby directs the City Manager to execute on behalf of the City of Big Spring, at the appropriate time, and with the appropriate authorizations of this governing body, all agreements with the Texas Department of Transportation (TxDOT), and such other parties as shall be necessary and appropriate for the implementation of the improvements to the McMahon-Wrinkle Airport and Industrial Park.

SECTION 2. This Resolution shall become effective immediately upon its passage.

PASSED AND APPROVED on the first reading at a regular meeting of the City Council on the _____ day of _____, **2025**, withal members present voting “aye” for passage of same.

PASSED AND APPROVED on the second and final reading at a regular meeting of the City Council on the _____ day of _____, **2025**, with all members present voting “aye” for passage of the same.

Robert H. Moore, Mayor

ATTEST:

Tami L. Davis, City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AMENDING ORDINANCE NUMBER 028-2024 WHICH ADOPTED THE ANNUAL BUDGET FOR THE CITY OF BIG SPRING, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024 AND ENDING SEPTEMBER 30, 2025 BY INCREASING THE AIRPARK FUND BUDGET FOR THE PURPOSE APPROPRIATING \$145,000 FOR THE AIRPARK'S SHARE OF A \$2,900,000 GRANT FOR THE DESIGN, BID PHASE AND RECONSTRUCTION OF RUNWAY 06/24, FROM THE TEXAS DEPARTMENT OF TRANSPORTATION ON A 95/5 COST SHARE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS the City Council adopted the annual 2024-25 budget for the City of Big Spring, Texas on September 24, 2024 ("Budget"); and

WHEREAS the City Manager and the Finance Director recommend that the City Council increase the Airpark Fund budgeted expenditures and amend the Budget previously approved;

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

SECTION 1. The Airpark Fund Budget of the Annual Budget for the City of Big Spring, Texas for the Fiscal Year beginning October 1, 2024 and ending September 30, 2025 is hereby increased by the amount of \$145,000.00 to account 410-021-610-6229-000, for the purpose of appropriating the Airpark's share of a \$2,900,000 grant for the design, bid phase and reconstruction of Runway 06/24, from the Texas Department of Transportation on a 95/5 cost share. The net increase will be funded through the fund balance.

SECTION 2. The remaining portions of Ordinance Number 028-2024 shall remain in full force and effect.

SECTION 3. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose, the reminder of this ordinance shall not be affected thereby.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 5. This ordinance shall be in full force and effective from and after its publication as required by law.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the ____ day of _____, **2025** with all members of the Council present voting “aye” for the passage of same.

PASSED AND APPROVED on second and final reading at a second regular meeting of the City Council on the ____ day of _____, **2025** with all members of the council present voting “aye” for the passage of same.

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS AMENDING CHAPTER 2 OF THE BIG SPRING CITY CODE ENTITLED "ADMINISTRATION," ARTICLE VII "BOARDS AND COMMISSIONS," PROVIDING FOR THE REPEAL OF CONFLICTING LEGISLATION; PROVIDING FOR SEVERABILITY; FINDING AND DETERMINING THAT THE MEETINGS AT WHICH THE ORDINANCE WAS DISCUSSED WERE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Big Spring is a Texas home-rule municipality; and

WHEREAS, adopting this ordinance is in the public interest and is necessary to protect health, life and property, and to preserve the good government, order, and security of the municipality and its inhabitants;

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

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

SECTION 2. The Big Spring City Code, Chapter 2 entitled "Administration," Article VII entitled "Boards and Commissions," Division 1 entitled "Generally" Section 2-241, is hereby amended in part as follows:

Sec. 2-241. Appointments to and removals from boards and committees created by acts of city council.

(a) The word "board," "boards," "committee," "committees," "commission" or "commissions," as used in this division, shall be construed to mean any managerial, administrative or quasi-judicial body of persons which has an advisory or deliberative character and whose members are appointed by or serve at the pleasure of the city council.

(b) This division applies to the boards, committees, and commissions ("boards") for which city council adopts it. This section applies to no other board.

(c) The provisions of this division shall govern and control the rules, procedures, and operation of all boards; provided, however, where prevailing law or another city ordinance conflicts or is inconsistent with any provision of this division, this division shall not be applicable.

(d) Each board created by an act of city council shall have seven members.

(e) Each councilmember may nominate one member of the board subject to the confirmation by majority vote of the council.

(f) Each board member shall represent the interests of the City of Big Spring first.

(g) Eligibility requirements. To be eligible to serve on a board, a person shall:

1. Be 18 years or older; and
2. Be a registered voter in Howard County, Texas; and
3. ~~Unless appointed prior to June 1, 2021, r~~ Represent a specific city council district or the city by:

i. Being a registered voter in the district represented by the council member making the nomination, or in the City of Big Spring for a board member nominated by the mayor; or

ii. Owning 50 percent or more of one or more parcels of taxable real property in the district represented by the councilmember making the nomination, or in the City of Big Spring for a board member nominated by the mayor (mineral rights do not meet this requirement); or

iii. Being a holder of water service from the City of Big Spring with a service address in the district represented by the councilmember making the nomination, or in the City of Big Spring for a board member nominated by the mayor, or owning a business which is a water customer when the person owns 50 percent or more of the business.

4. A current city councilmember may not serve on a board to which this section applies, ~~unless appointed prior to June 1, 2021.~~

5. A person may not serve on more than one board at the same time.

6. No person may serve on a board if they are related to a city councilmember of the city council of the City of Big Spring within the third degree of consanguinity or within the second degree of affinity, as defined by V.T.C.A., Government Code, ch. 573, ~~unless appointed prior to June 1, 2021.~~

(h) A board member who ceases to meet the eligibility requirements is considered to have automatically vacated the office.

(i) A vacancy that arises shall be filled by nomination by the city councilmember representing the district that the board seat represents, or by the mayor in the case of the mayor's board seat, subject to confirmation by a majority of city council.

(j) Each board member serves a term ending on September 30, three years, except as otherwise specified, after the councilmember's Charter-specified general election date for the councilmember's current term.

(k) An appointment to a vacancy on a board fills the unexpired term of the board member, if any.

(l) A board member whose seat is not filled by official action of city council 60 days after the end of the term of the board member shall be deemed to be reappointed.

(m) When a vacancy or an opportunity to make an appointment to a full term arises on a board that has any additional requirement for eligibility of members, such as a board that requires certain professions to be represented, any nomination to the board shall first fulfill any said additional requirement.

(n) A voting board member may be removed at any time and for any reason by city council.

~~—(o) The mayor and/or the mayor's designate shall serve ex officio on each board.~~

~~—(p) The city manager and/or the city manager's designate shall serve ex officio on each board.~~

SECTION 3. The Big Spring City Code, Chapter 2 entitled “Administration,” Article VII entitled “Boards and Commissions,” Division 1 entitled “Generally” Section 2-242, is hereby amended in part as follows:

Sec. 2-242. Rules and procedures for boards and committees.

(a) The quorum of a board necessary to meet and deliberate shall be four members.

(b) A majority of a quorum present shall be necessary to transact business.

(c) The following shall apply to a board other than to an advisory board:

(1) The Texas Open Meetings Act;

(2) The Texas Public Information Act; and

(3) Ethical disclosure requirements including under V.T.C.A., Local Government Code ch. 171.

(d) The board shall elect its own chair and vice chair.

(e) The board shall follow the rules contained in the current edition of Robert's Rules of Order Newly Revised when they are applicable and in which they are not inconsistent with prevailing law or this division, and any special rules of order the board may adopt. The following special rules are adopted:

(1) The board shall be a small board under Robert's Rules, except that motions shall require a second.

(2) The mayor, the mayor's designate, the city manager, the city manager's designate, and the city attorney shall have the right to speak at board meetings.

(f) Meetings may adopt a regular schedule or be called by action of the board. Additional meetings may be called by the chair, the vice chair, or the city manager.

(g) The city manager or the city manager's designate shall take minutes or direct a city employee to do so.

(h) The board shall transmit its minutes to city council once per quarter or more often for acknowledgement, except if it has not met in a given quarter.

(i) Once per quarter, the chair or another board member shall present an oral or written report to city council in addition to the board's minutes, except if it has not met in a given quarter.

(j) The board may recommend to city council such policies within the scope of the board as it may deem necessary or advisable.

SECTION 4. The Big Spring City Code, Chapter 2 entitled “Administration,” Article VII entitled “Boards and Commissions,” Division 2 entitled “Aviation Advisory Board” Section 2-261, is hereby amended in part as follows:

DIVISION 2. AVIATION ADVISORY BOARD

Sec. 2-261. Aviation advisory board.

...

(d) The airpark director or ~~his the airpark's~~ designee, ~~and the executive director of the Big Spring Economic Development Corporation or executive director's designee~~ shall be an additional non-voting ex-officio members.

...

SECTION 5. The Big Spring City Code, Chapter 2 entitled “Administration,” Article VII entitled “Boards and Commissions,” Division 5 entitled “Traffic Commission” Section 2-300, is hereby amended in part as follows:

DIVISION 5. TRAFFIC COMMISSION

Sec. 2-300. Traffic commission.

(a) Created; organization; term. There is hereby established in and for the city a traffic commission for the purpose of acting in an advisory capacity to the city council on matters concerning traffic within the corporate limits of the city. In addition to the seven members stated in this subsection, the city manager shall appoint a non-voting, ~~ex-officio~~ member to serve as staff liaison who shall advise and assist the commission in its various functions. The city manager shall also designate a staff person to act as a secretary who will keep the minutes and other official records of the commission.

...

SECTION 6. The Big Spring City Code, Chapter 2 entitled “Administration,” Article VII entitled “Boards and Commissions,” Division 8 entitled “Board of Adjustments and Appeals” Section 2-311, and Section 2-312 are hereby amended in part as follows:

DIVISION 8. BOARD OF ADJUSTMENTS AND APPEALS

Sec. 2-311. Appointments.

There is hereby established a board called the board of adjustments and appeals, which shall consist of seven members, one alternate member and three non-voting ex-officio members, appointed by a majority vote of the city council. The board of adjustments and appeals shall also include the duties of the plumbing, gas, electrical, fire and mechanical board of adjustments and appeals.

Sec. 2-312. Membership and terms.

(a) Members. The board of adjustments and appeals shall consist of seven members, one alternate member and only three ~~non-voting ex-officio~~ members.

...

(b) . . . (7) Three ~~non-voting ex-officio~~ members:

- a. One representative of Atmos Energy.
- b. One representative of TXU Electric.
- c. One city fire official as designated by the fire chief.

SECTION 7. The Big Spring City Code, Chapter 2 entitled "Administration," Article VII entitled "Boards and Commissions," Division 9 entitled "Zoning Board of Adjustment" Section 2-311, is hereby amended in part as follows:

DIVISION 9. ZONING BOARD OF ADJUSTMENT

Sec. 2-314. Organization and procedure.

(a) Organization. There is hereby created a zoning board of adjustment consisting of seven members, removable for cause by the appointing authority upon written charges and after public hearing. All cases to be heard by the zoning board of adjustment will always be heard by a minimum of at least ~~three-fourths two-thirds~~ of the members.

(b) Any member of the council shall have the right to speak at meetings.

(c) Section 2-241 shall apply to this board, ~~except that the members of the boards as of June 1, 2021 shall retain their current terms according to their appointments under the prior language of the zoning ordinance 5-2, regardless of section 2-241 eligibility requirements relating to city council district, unless removed earlier by city council. Subsequent appointments to the boards shall be pursuant to section 2-241, except that members shall serve two-year terms.~~

(d) There shall be seven alternate members for the zoning board of adjustment. Each alternate member shall be nominated and appointed in the same manner as a regular member. An alternate member is subject to the same eligibility requirements as a regular member. An alternate member serves for the same period as a regular member and is subject to removal in the same manner as a regular member. A vacancy among the alternate members is filled in the same manner as a vacancy among the regular members.

(e) An alternate member of the zoning board of adjustment shall only serve in the place of a regular member upon:

(1) The absence of the regular member of the board who was nominated from the same council member seat as was the alternate, and

(2) The request of the mayor or the city manager.

(f) A regular or alternate member of the zoning board of adjustment may only be removed for cause, as found by city council, on a written charge after a public hearing.

~~—(g)—Each member of city council are second alternate members. Second alternates are not subject to appointment, eligibility, or removal rules. Second alternates serve on the zoning board of adjustment when both the appointed board member and the first alternate nominated from that council member's seat are not present.~~

~~—(h)—Any member of city council shall serve as the third alternate member of all appointed members of the board when the appointed board member, the first alternate, and the second alternate are not present and a quorum for a scheduled meeting cannot be met. Third alternates are not subject to appointment, eligibility, or removal rules. If one or more council member from different seats wishes to serve, the council members will take turns based on seniority on council, or if still tied, a coin flip.~~

SECTION 8. The Big Spring City Code, Chapter 2 entitled “Administration,” Article VII entitled “Boards and Commissions,” Division 10 entitled “Convention and Visitors Bureau Board” Section 2-315, is hereby amended in part as follows:

DIVISION 10. CONVENTION AND VISITORS BUREAU BOARD

Sec. 2-315. Convention and visitors bureau board.

...

(b) The community services director and the director of finance of the city shall serve as additional non-voting ex-officio members of the board.

...

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

SECTION 9. All provisions of any ordinance, rule, regulation, or order of the City in conflict with this Ordinance are hereby repealed to the extent they are in conflict.

SECTION 10. Should any one or more sections or clauses of this Ordinance be adjudged unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

SECTION 11. It is hereby officially found and determined that the meetings at which this Ordinance was adopted were open to the public and that public notice of the time, place and purpose of said meetings was given as required by law.

SECTION 12. This Ordinance is ordered to be codified.

SECTION 13. This Ordinance shall become effective upon its second publication according to law.

SECTION 14. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and of the United States of America.

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

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

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary



INTEGRITY
EXCELLENCE
TRUST

April 2, 2025

Mr. John Medina
Assistant City Manager
City of Big Spring
310 Nolan Street
Big Spring, Texas 79720

RE: 2025 Seal Coat - Letter of Recommendation for Award

Sent: Via Email

Dear Mr. Medina:

On March 26, 2025 the City of Big Spring received bids for the 2025 Seal Coat project. Two bids were received for this project. A bid tabulation sheet summarizing the bids is included as an attachment to this letter. The low bid was \$732,671.68 submitted by Ronald R. Wagner & Co., LP out of Kendalia, Texas. Jacob and Martin has evaluated the low bid for conformity with the advertisement for bids and checked the references of the apparent low bidder. Based on our evaluation of the bids, it is recommended that the contract be awarded to Ronald R. Wagner & Co., LP for the total amount of \$732,671.68. If the City Council agrees with the recommendation for award, Jacob and Martin will prepare contract documents for execution by the Contractor and the City. Feel free to contact me if you have any questions.

Sincerely,

Kirt Harle, P.E.

JACOB | MARTIN



info@jacobmartin.com
www.jacobmartin.com



3465 Curry Lane
Abilene, TX 79606
325.695.1070

1508 Santa Fe, Suite 203
Weatherford, TX 76086
817.594.9880

4920 S. Loop 289, Suite 104
Lubbock, TX 79414
806.368.6375

City of Big Spring
2025 Seal Coat
Bid Date: March 26, 2025 at 3:00 PM
JM Project Number: 25147
Local
Bid Tabulation



Engineer: Jacob & Martin, LLC
Abilene, Texas

For all Labor, Materials, Equipment, and Incidentals to Furnish and Install the
Following:

Ronald R. Wagner & Co., LP	Clark Construction of Texas, Inc.
2443 HWY 473	111 Elk Dr.
Kendalia, TX 78027	Victoria, TX 77904
<u>TOTAL BASE BID</u>	\$ 732,671.68
	\$ 779,805.70

Bid Tabulation

Engineer: Jacob & Martin, LLC
Abilene, Texas

For all Labor, Materials, Equipment, and Incidentals to Furnish and Install the
Following:

Item #	Item Description	Quantity	Unit	Ronald R. Wagner & Co., LP		Clark Construction of Texas, Inc.	
				Unit Price	Total	Unit Price	Total
1	Mobilization, Bonds, and Insurance (Shall not exceed 10% of total Base Bid)	1	LS	\$ 48,355.00	\$ 48,355.00	\$ 35,000.00	\$ 35,000.00
2	Sweeping	202,106	SY	\$ 0.15	\$ 30,315.90	\$ 0.05	\$ 10,105.30
3	AC 20 STR Asphalt	84,885	GAL	\$ 4.20	\$ 356,517.00	\$ 4.92	\$ 417,634.20
4	Grade 4 Type PB Aggregate	1,837	CY	\$ 161.94	\$ 297,483.78	\$ 172.60	\$ 317,066.20
TOTAL BASE BID (Items 1 - 4)				\$ 732,671.68		\$ 779,805.70	



MEMORANDUM

Date: April 3, 2025
To: Mayor Robert H. Moore, Big Spring City Council, and Todd Darden, City Manager
From: Albert Belez, Purchasing Agent
Subject: Purchase Approval – Side Load Refuse Truck

Action Requested: We are seeking the City Council's approval to purchase one 30-yard West Texas side load refuse truck for the Sanitation Department.

Background Information: This unit is set to take the place of a 2017 Peterbilt 320 West Texas side load refuse truck, which has been operational for seven years. Throughout its life cycle, the total repair expenses for Unit 9566 amount to \$238,705.55.

Financial Considerations:

Expenditure amount requested:	\$ 320,909.65
What fund/department account will this amount be drawn from?	Sanitation Fund/330
Budgeted	\$400,000
Would this expenditure be made within the budget for the current fiscal year?	No
Does this commit the City to spending funds beyond the current fiscal year?	No

Vendor Bids/Quotations: We obtained two formal quotations. Rush Truck Centers provided a quote totaling \$320,909.65, which is based on an HGAC cooperative pricing contract. Meanwhile, Bruckner's Truck and Equipment, located in Odessa, submitted a quote amounting to \$345,523.19.

Budget: The approved budget indicates that a total of \$400,000 has been designated for this project.

Staff Opinion as to Feasibility and Timeline: The staff recommends accepting the lowest bid from Rush Truck Centers and moving forward with the acquisition of the side loader refuse truck. The anticipated delivery time exceeds 200 days due to supply chain uncertainties.

DETAILED SPECIFICATIONS

UNIT

MODEL: PETERBILT 520

TYPE: FULL TRUCK

DESCRIPTION 1: 52 RH DRIVE



DESCRIPTION 2: SEC BODY ASL

CHASSIS

FR AXLE LOAD (LBS) 20000

RR AXLE LOAD (LBS) 46000

G.C.W. (LBS) 66000

ROAD CONDITIONS:

CLASS A (HIGHWAY) 100

CLASS B (HWY/MTN) 0

CLASS C (OFF-HWY) 0

CLASS D (OFF-ROAD) 0

MAXIMUM GRADE: 6

WHEELBASE (IN): 207

OVERHANG (IN): 54

FR AXLE TO BOC (IN): 0.1

CAB TO AXLE (IN): 206.9

CAB TO EOF (IN): 260.9

OVERALL COMB. LENGTH (IN): 318.3

APPLICATION

INTENDED SERV: REFUSE/ OH HIGHWAY

COMMODITY REFUSE, SCRAP, RECYCLING

BODY

TYPE: AUTOMATED SIDE LOADER/ PUSH OUT

LENGTH (FT) :24

HEIGHT (FT): 13.5

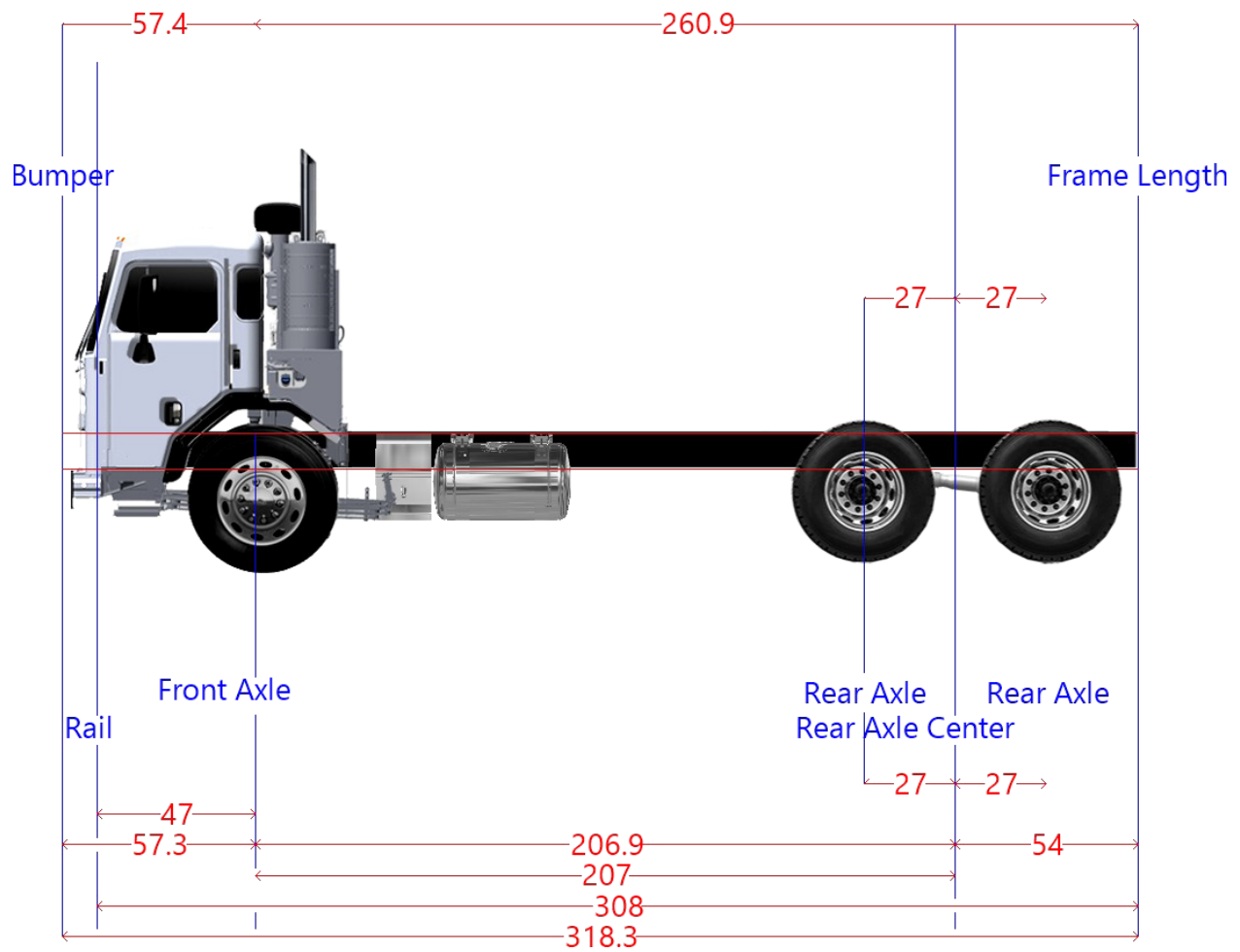
MAX LADEN WEIGHT (LBS) 15000

RESTICTIONS

LENGTH (FT) 40

WIDTH (FT): 102

HEIGHT (FT). 13.5



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, TO AMEND THE BIG SPRING ZONING REGULATIONS, ARTICLE 6 “DISTRICT REGULATIONS”, SECTION 6-6 “DISTRICTS AND PERMITTED USES BY ADDING “SHOOTING RANGE—INDOOR ONLY” AS A PERMITTED USE IN THE CA, CENTRAL AREA DISTRICT IN THE CITY OF BIG SPRING, HOWARD COUNTY, TEXAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Big Spring is a Texas home-rule municipality; and

WHEREAS, the Planning and Zoning Commission held a public hearing during a regular meeting on April 1, 2025 and gave its final recommendation for approval to amend the city’s zoning regulations by adding “Shooting Range—Indoor Only” to Article 6 – District Regulations, Section 6-6 – Districts and Permitted Uses, CA, Central Area District (a)(2); and

WHEREAS, the Planning and Zoning Commission considered the preliminary report; and

WHEREAS, the Planning and Zoning Commission voted 5-0 to approve the preliminary report; and

WHEREAS, the City Council held a public hearing during a regular meeting on April 8, 2025; and

WHEREAS, the Planning and Zoning Commission presented its final report recommending to the City Council for consideration concerning shooting ranges be a permitted use in the Central Area (CA) District; and

WHEREAS, City Council wishes to accept the recommendation of the Planning and Zoning Commission; and

WHEREAS, adopting this ordinance is in the public interest and is necessary to protect public health, safety, morals, and the general welfare, and to protect and preserve places and areas of historical, cultural, or architectural importance and significance;

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

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

SECTION 2. The Big Spring Zoning Ordinance, Article 6 “District Regulations,” Article 6-6 “Districts and Permitted Uses,” subsection entitled “CA, Central Area District,” is hereby amended as follows:

CA, Central Area District

(a) *Use.* A building or premises shall be used only for the following uses.

...

(2) Airport landing field or heliport, amusements (commercial indoor or outdoor), animal clinic or hospital (without outside runs or pens), antique shop, auto repair (minor), auto parts sales (new), bakery (retail or wholesale), building material sales, cafeteria, carwash, clothing manufacturer or light compounding or fabrication, custom personal service, dry cleaning, florist, fraternal organization, lodge or civic club, gasoline/service center, greenhouse or plant nursery, handicraft shop, hauling or storage company, heavy machinery sales and storage, home or treatment center for care of alcoholic, narcotic, or psychiatric patients, hotel or motel, household appliance sales, service and repair, laundry or cleaning self-service, mortuary or funeral parlor, office supply sales, motor freight terminal, paint shop, parking lot (commercial—autos only), parking lot (commercial—autos and trucks), pawn shop, pharmacy, places of entertainment or eating serving alcoholic beverages, plaza, print shop, radio and television tower (monopole only), railroad freight terminal, railroad passenger station, railroad team track, restaurant with or without drive-in service, retail sale of alcoholic beverages for off-premises consumption, retail stores and shops (other), wireless communication tower, or shooting range—indoor only.

SECTION 3. All provisions of any ordinance, rule, regulation, or order of the City in conflict with this Ordinance are hereby repealed to the extent they are in conflict.

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

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

SECTION 6. The City Secretary is hereby authorized and directed to cause the publication of this ordinance in accordance with law.

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

SECTION 8. This Ordinance is ordered to be codified.

SECTION 10. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and of the United States of America.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the ____ day of _____, ____, 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



COMMUNITY SERVICES MEMORANDUM

Date: 04/08/2025

To: Mayor and City Council, and Todd Darden, City Manager

From: James Womble, Tourism Coordinator

Subject: Event Funding Request

The Friends of Historic Downtown Big Spring is hosting a community-centered Cinco de Mayo celebration in Downtown Big Spring. Headlining the event is Stefani Montiel, accompanied by Grupo Entrego, La Anarquía, and Zuperado. The festival will feature food trucks, market vendors, a DJ, children's activities, a car show, and a cornhole tournament. In coordination with the Convention & Visitors Bureau, the downtown area will be enhanced with festive banners, and the organization is targeting marketing efforts in Midland/Odessa, San Angelo, and Lubbock to help drive regional attendance.

We respectfully request the City Council to approve the staff recommendation of \$8,000 for event funding for the Cinco De Mayo Festival hosted by Friends of Historic Big Spring to take place Downtown on May 3rd, 2025. This is the first time Friends of Historic Downtown Big Spring has requested funding from the CVB. They have blocked off 30 hotel rooms and plan to advertise in the surrounding region.

This event meets the stipulations required by THLA to receive HOT funds and will be funded by the Convention and Visitors Bureau Event Funding budget.

Sec. 2-241. Appointments to and removals from boards and committees created by acts of city council.

(a) The word "board," "boards," "committee," "committees," "commission" or "commissions," as used in this division, shall be construed to mean any managerial, administrative or quasi-judicial body of persons which has an advisory or deliberative character and whose members are appointed by or serve at the pleasure of the city council.

(b) This division applies to the boards, committees, and commissions ("boards") for which city council adopts it. This section applies to no other board.

(c) The provisions of this division shall govern and control the rules, procedures, and operation of all boards; provided, however, where prevailing law or another city ordinance conflicts or is inconsistent with any provision of this division, this division shall not be applicable.

(d) Each board created by an act of city council shall have seven members.

(e) Each councilmember may nominate one member of the board subject to the confirmation by majority vote of the council.

(f) Each board member shall represent the interests of the City of Big Spring first.

(g) Eligibility requirements. To be eligible to serve on a board, a person shall:

1. Be 18 years or older; and

2. Be a registered voter in Howard County, Texas; and

3. Unless appointed prior to June 1, 2021, represent a specific city council district or the city by:

i. Being a registered voter in the district represented by the council member making the nomination, or in the City of Big Spring for a board member nominated by the mayor; or

ii. Owning 50 percent or more of one or more parcels of taxable real property in the district represented by the councilmember making the nomination, or in the City of Big Spring for a board member nominated by the mayor (mineral rights do not meet this requirement); or

iii. Being a holder of water service from the City of Big Spring with a service address in the district represented by the councilmember making the nomination, or in the City of Big Spring for a board member nominated by the mayor, or owning a business which is a water customer when the person owns 50 percent or more of the business.

4. A current city councilmember may not serve on a board to which this section applies, unless appointed prior to June 1, 2021.

5. A person may not serve on more than one board at the same time.

6. No person may serve on a board if they are related to a city councilmember of the city council of the City of Big Spring within the third degree of consanguinity or within the second degree of affinity, as defined by V.T.C.A., Government Code, ch. 573, unless appointed prior to June 1, 2021.

(h) A board member who ceases to meet the eligibility requirements is considered to have automatically vacated the office.

(i) A vacancy that arises shall be filled by nomination by the city councilmember representing the district that the board seat represents, or by the mayor in the case of the mayor's board seat, subject to confirmation by a majority of city council.

(j) Each board member serves a term ending on September 30, three years after the councilmember's Charter-specified general election date for the councilmember's current term.

(k) An appointment to a vacancy on a board fills the unexpired term of the board member, if any.

(l) A board member whose seat is not filled by official action of city council 60 days after the end of the term of the board member shall be deemed to be reappointed.

(m) When a vacancy or an opportunity to make an appointment to a full term arises on a board that has any additional requirement for eligibility of members, such as a board that requires certain professions to be represented, any nomination to the board shall first fulfill any said additional requirement.

(n) A voting board member may be removed at any time and for any reason by city council.

(o) The mayor and/or the mayor's designate shall serve ex-officio on each board.

(p) The city manager and/or the city manager's designate shall serve ex-officio on each board.

(Ord. No. 024-2021, § 1, 6-8-2021; Ord. No. 032-2021, § 1, 7-13-2021)

Sec. 2-242. Rules and procedures for boards and committees.

- (a) The quorum of a board necessary to meet and deliberate shall be four members.
 - (b) A majority of a quorum present shall be necessary to transact business.
 - (c) The following shall apply to a board other than to an advisory board:
 - (1) The Texas Open Meetings Act;
 - (2) The Texas Public Information Act; and
 - (3) Ethical disclosure requirements including under V.T.C.A., Local Government Code ch. 171.
 - (d) The board shall elect its own chair and vice chair.
 - (e) The board shall follow the rules contained in the current edition of Robert's Rules of Order Newly Revised when they are applicable and in which they are not inconsistent with prevailing law or this division, and any special rules of order the board may adopt. The following special rules are adopted:
 - (1) The board shall be a small board under Robert's Rules, except that motions shall require a second.
 - (2) The mayor, the city manager and the city attorney shall have the right to speak at board meetings.
 - (f) Meetings may adopt a regular schedule or be called by action of the board. Additional meetings may be called by the chair, the vice chair, or the city manager.
 - (g) The city manager or the city manager's designate shall take minutes or direct a city employee to do so.
 - (h) The board shall transmit its minutes to city council once per quarter or more often for acknowledgement, except if it has not met in a given quarter.
 - (i) Once per quarter, the chair or another board member shall present an oral or written report to city council in addition to the board's minutes, except if it has not met in a given quarter.
 - (j) The board may recommend to city council such policies within the scope of the board as it may deem necessary or advisable.
- (Ord. No. 024-2021, § 1, 6-8-2021; Ord. No. 032-2021, § 2, 7-13-2021)