CITY COUNCIL REGULAR AGENDA

Tuesday, May 13, 2025

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, May 13, 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.

4. **Public Comment** — Moore

Announcements, Presentations and Public Hearings

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

5.	PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1103 W 5TH, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOTS 5-6, BLOCK 17, JONES VALLEY SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: THE ESTATE OF L. W. GREENHILL	6-63	Hagen
6.	PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 2106 NOLAN, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 4, BLOCK 39, COLLEGE HEIGHTS SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: EDDIE ALVARADO	64-138	Hagen

City Manager's Report

7. City Manager's report on the following items: — Darden

- Large Item Pickup, District 5 - May 21st
- Update - Tire Drive
- Update - Cinco De Mayo
- Update - Fun Day on the Run Way
- City Holiday - Monday, May 26th Memorial Day

Consent Items

8.	Approval of the City Council Minutes of the Regular Meeting of April 22, 2025	139-145	Davis
9.	Acknowledge Receipt of the McMahon-Wrinkle Aviation Advisory Board Minutes for the Regular Meeting of February 20, 2025	146-147	Feeley
10.	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 Utility Fund Budget for the Purpose of Installing a Drive-Up Service Window for Customer Convenience; Providing for Severability; and Providing an Effective Date	148-150	Smith

11.	Final Reading of an Ordinance Amending Chapter 2 of The Big Spring City Code Entitled “Administration,” Article VII “Boards and Commissions,” Division 4 “Parks and Recreation Board,” Section 2-295 By Deleting Subsection (E) to Activate the Parks and Recreation Board; 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.			151-152 Ornelas
12.	Final Reading of an Ordinance Amending Chapter 1 of the Big Spring City Code; Section 1-2 Entitled “Definitions and Rules Of Construction” to Define “Sport Shooting Range” to Conform to the Definition Under State Law, and Amending Chapter 38 of the Big Spring City Code, Section 38-1 Entitled “Firearms, Discharge Prohibited” and Section 38-6 Entitled “BB-Guns, Air Guns, Slingshots, Etc" to Continue to Prohibit Discharge Of Firearms, Air Guns, And Slingshots Within City Limits, and to Make Discharge of Such Only at Sport Shooting Ranges Exceptions to the Violations; 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; Providing for Publication; and Providing an Effective Date.			153-156 Williams

Vouchers

13.	Vouchers for 04/25/25	$	563,317.46	Wilkerson
14.	Vouchers for 05/02/25	$	280,699.50	Tompkins
	Vouchers for 05/07/25	$	867,249.83	

Bids

15.	Consideration and Possible Action to Award a Bid for a Double Drum Asphalt Paving Roller for the Street Department and Authorizing the City Manager or His Designee to Execute any Necessary Documents			157-158 Medina
16.	Consideration and Possible Action to Award a Bid for a Zero Turn Mower for the Airpark Department and Authorizing the City Manager or His Designee to Execute any Necessary Documents			159-160 Medina

New Business

17.	Emergency Reading of a Resolution Canvassing the Returns and Declaring the Results of the General Election Held on the 3rd Day of May, 2025, in the City of Big Spring, Texas; Finding and Determining that the Meeting at Which this Resolution was Discussed was Open to the Public as Required by Law; and Declaring an Emergency	161-162	Moore
18.	Recognition of Outgoing Council Member - Troy Tompkins		Moore
19.	Administer the Oath of Office to the Duly Elected Council Members for the Mayor and District Five		Judge Haynes
20.	Election of Mayor Pro Tem		Moore
21.	First Reading of an Ordinance Adopting Section 2-1 "Exemption of City Property from Execution," in Chapter 2 of the Big Spring City Code Entitled "Administration," to Exempt City Property from Execution; Moving Section 2-137 on Exemption of the City on Garnishment to Section 2-2; 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	163-165	Darden
22.	Consideration and Possible Action to Approve an Agreement with Jacob Martin for the Birdwell Lane Rebuild Project and Authorizing the City Manager or his Designee to Execute any Necessary Documents.	166-167	Bowles
23.	Consideration and Possible Action Regarding the Purchase of a Public Utility Easement for Drainage at 3909 Dixon Street, Lots 13 and 14, Block 1, Suburban Heights Addition, Big Spring, Howard County, Texas, and Authorizing the City Manager or His Designee to Execute any Necessary Documents.		Darden
24.	**Boards and Committees** Consideration and Possible Action on the Below Listed Board: <u>Planning & Zoning Commision</u> Eric Escamilla - District 6 Appointment		Moore

Council Input

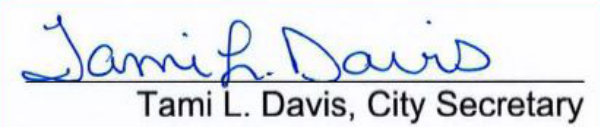
25. Input — Moore

26. 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, May 9, 2025 at 4:30 p.m.** in accordance with Title 5, Texas Government Code and Chapter 551.

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



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

1103 W 5TH

Code Compliance Official: Ashley Guerra

Exhibit A-1

STATE OF TEXAS §
§
COUNTY OF HOWARD §

AFFIDAVIT OF ASHLEY GUERRA
CONCERNING 1103 W 5TH

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 **1103 W 5TH**, 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 8 day of May, 2025.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 8th day of May, 2025 by the above referenced Affiant.

STEPHANIE KEMUNTO ARITA
Notary ID #135144341
My Commission Expires
October 28, 2028

Notary Public, State of Texas

Exhibit A-2

Howard Property Search

Property Details

Account		
Property ID:	282240	**Geographic ID:** B4020013800
Type:	R	**Zoning:**
Property Use:		**Condo:**
Location		
Situs Address:	1103 W 5TH	
Map ID:		**Mapsco:**
Legal Description:	LT 5-6 BK 17 JONES VALLEY 100X140 2001 COMBINE ACCTS B4020013800 & 13900 761 762 BLK/TRACT 17 0.321 ACRES	
Abstract/Subdivision:		
Neighborhood:	(LKVW2) LAKEVIEW 2	
Owner		
Owner ID:	407532	
Name:	GREENHILL L W	
Agent:		
Mailing Address:	1603 OWENS BIG SPRING, TX 79720	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	$5,201 (+)
Improvement Non-Homesite Value:	$0 (+)
Land Homesite Value:	$3,146 (+)
Land Non-Homesite Value:	$0 (+)
Agricultural Market Valuation:	$0 (+)
Market Value:	$8,347 (=)
Agricultural Value Loss:	$0 (-)

Appraised Value:	$8,347 (=)
HS Cap Loss:	$0 (-)
Circuit Breaker:	$0 (-)
Assessed Value:	$8,347
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: GREENHILL L W **%Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.221030	$8,347	$8,347	$18.45	
02B	CITY OF BIG SPRING	0.671465	$8,347	$8,347	$56.05	
03B	BIG SPRING ISD	0.728300	$8,347	$8,347	$60.79	
052	HOWARD COLLEGE	0.158693	$8,347	$8,347	$13.25	

Total Tax Rate: 1.779488

Estimated Taxes With Exemptions: $148.54

Estimated Taxes Without Exemptions: $148.54

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
1103 W 5TH 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 8 day of May, 2025.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 8th day of May, 2025 by the above referenced Affiant.

Stephanie Kemunto Arita
Notary Public, State of Texas

STEPHANIE KEMUNTO ARITA
Notary ID #135144341
My Commission Expires
October 28, 2028

Exhibit A-3

BIG SPRING TEXAS

CASE NOTES

Report Run On: Monday, 14 April 2025 08:22

Case # 24-00000932 **Parcel # :** 282240

Site Address: 1103 W 5TH

Case Description: SS X4

Note Type	Note Code	Text	Created By	Begin Date	End Date
GENERAL		SENT TO LEGAL ON 4-14-25	Ashley Guerra	04/14/25	
GENERAL		SPOKE WITH ANGELA AND MARIA WE ARE GOING TO PUT AI AND SUBSTANDARD TOGETHER AS ONE BILL	Ashley Guerra	04/14/25	
SITE VISIT		PROPERTY OWNER MEET WITH ME AND TOLD ME SHE WOULD LIKE ME TO TAKE PROPERTY TO ABATEMENT	Ashley Guerra	04/04/25	
SITE VISIT		fire report	Ashley Guerra	01/07/25	
GENERAL		SENT OUT NOTICE OF VIOLATON ON 6-12-24	Ashley Guerra	06/12/24	
SITE VISIT		DUE TO A COMPLAINT WENT TO PROPERTY NOTICED A SUBSTANDARD STRUCTURE X3 GOING TO FIND PICTURES FROM WARRENT THAT WAS SERVED ON PROPERTY NOW THAT SOME WEEDS ARE CUT YOU CAN SEE SOME OF STRUCTURES A LITTLE MORE .	Ashley Guerra	06/11/24	
CORRECTIVE ACTION		THERE ARE 3 SUBSTANDARD STRUCTURES ON THIS PROPERTY THAT NEEDS TO BE BROUGHT UP TO CODE OR BROUGHT DOWN DEADLINE FOR COMPLIANCE (7) SEVEN DAYS FROM THE DATE OF MAILING	Ashley Guerra	06/11/24	

STATE OF TEXAS §
§
COUNTY OF HOWARD §

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 June 11, 2024 and April 2, 2025, I inspected the property described as:

> LOTS 5-6, BLOCK 17, JONES VALLEY SUBDIVISION Big Spring, Howard County, Texas, also known as **1103 W 5TH**, Big Spring, Texas.

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

SIGNED on the 8 day of May, 2025.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 8th day of May, 2025 by the above referenced Affiant.

Notary Public, State of Texas

STEPHANIE KEMUNTO ARITA
Notary ID #135144341
My Commission Expires
October 28, 2028

Exhibit A-4












April 02, 2025 3:22 PM


April 02, 2025 3:22 PM


April 02, 2025 3:24 PM


April 02, 2025 3:24 PM


April 02, 2025 3:24 PM



April 02, 2025 3:25 PM




24-00000932
April 02, 2025 3:25 PM


24-00000932
April 02, 2025 3:25 PM


April 02, 2025 3:26 PM


April 02, 2025 3:26 PM

24-00000932




April 02, 2025 3:27 PM


April 02, 2025 3:27 PM


April 02, 2025 3:27 PM

Exhibit A-5

INCIDENT

Incident Number	Incident Date	NFIRS Number	Incident Type
241229-084327-BSFD	12/29/2024	0002353	(121) - Fire in mobile home used as fixed residence

FDID	Station	Shift	District
KW601	Station 1	A-Shift	District 1

Initial Dispatch Code

Alarms	Working Fire?	COVID-19 was a factor	Critical Incident	Critical Incident Team
	Yes	No, COVID-19 was not a factor		

Temporary Resident Involvement

Hazardous Materials Released

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

AID

Aid Given/Received
(N) - None

LOCATION

Location Type
(1) - Street address

Address
1101 w. 5th, Big Spring, Texas, 79720

Cross Street, USNG, or Directions	Latitude	Longitude	Census Tract

Detector Alerted Occupant

Property Use	Mixed Use
(400) - Residential, other	

TIMES

PSAP Received	Dispatch Notified Time	Alarm Time
12:24:00, 12/29/2024	12:24:00, 12/29/2024	12:24:00, 12/29/2024

Arrival Time	Water on Fire Time	At Patient Time
12:32:00, 12/29/2024	12:32:00, 12/29/2024	

Loss Stop Time	Controlled Time	Last Unit Cleared Time
13:00:00, 12/29/2024	13:00:00, 12/29/2024	14:24:00, 12/29/2024

TIMES

Total On Scene Time	Total Incident Time
1 hrs 52 mins 0 sec	2 hrs 0 mins 0 sec

COUNTS

Counts Include Aid Received?

No

Suppression:		EMS:		Other:	
Apparatus	Personnel	Apparatus	Personnel	Apparatus	Personnel
3	10	0	0	1	1

LOSS

Property:		Content:	
Estimated Property Losses		Estimated Content Losses	
$5000		$5000	
Estimated Property Value		Estimated Content Value	
$		$	

PERSON/OWNER

Person:

Name	Business Name	Phone
[redacted]	[redacted]	[redacted]

Address

[redacted]

Name	Business Name	Phone
[redacted]	[redacted]	[redacted]

Address

[redacted]

AUTHORIZATION

Report Writer:

Name	Employee Number	Assignment	Authorization Date
GROVE, KEVIN	2032	Ladder 1	12/29/2024

Officer in Charge:

Name	Employee Number	Assignment	Authorization Date
Newman, Tye	1332	B1	12/29/2024

Quality Control:

Name	Authorization Date

INCIDENT NARRATIVE

B1, L1, E4, E5, responded to 6th and Galveston for a structure fire. Scene was a single story residential. 2 vehicles, a trailer, camper, and miscellaneous items were fully involved in the front yard. E4 was first on scene and made initial attack with a 1 1/2in Jump line then added an addition 1 3/4 in 200ft cross lay. L1 arrived on scene and made hydrant connection at 7th and Presidio then performed a forward lay to the scene. B1 arrived on scene and assumed command. E5 arrived on scene and performed fire suppression on the brush and exposures that were igniting with a 1 3/4 cross lay. Scene was controlled and there was no loss of life. House on residence was protected. Fire was suppressed and overhaul was performed. The house was condemned and vacant. The fire appears to have started on the front right interior of the camper on the property. The tax payer of the property where informed. FF personnel were informed of a squatter that has been living in the camper. After suppression and overhaul FF personnel went to station 1 for decontamination and setup. Fire units were placed back in service.

Created By: GROVE, KEVIN

Unit Reports

LADDER 1

Use	Responding From	Priority
(1) - Suppression	City of Big Spring	Emergent

Response Delays: None/No Delay

Dispatch Time	Enroute Time	Arrival Time
12:24:00, 12/29/2024	12:24:00, 12/29/2024	12:32:00, 12/29/2024

At Patient Time	Clear Time	In District Time
	14:24:00, 12/29/2024	

Actions Taken: Fire control or extinguishment, other

Person 1: GROVE, KEVIN

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

Fire Products Exposed To:

PPE Worn During Incident:

PPE Malfunction?	Barrier Breach	Black Soot Around Nose	Black Soot Around Mouth
No	No	No	No

Decontamination Procedures Completed:

Person 2: HICKSON, DOUG

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

Fire Products Exposed To:

PPE Worn During Incident:

Person 2: HICKSON, DOUG

PPE Malfunction?	Barrier Breach	Black Soot Around Nose	Black Soot Around Mouth
No	No		No

Decontamination Procedures Completed

Person 3: King, Kaysen

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

Fire Products Exposed To

PPE Worn During Incident

PPE Malfunction?	Barrier Breach	Black Soot Around Nose	Black Soot Around Mouth
No	No		No

Decontamination Procedures Completed

Unit Narrative

Ladder 1 arrived on scene and performed a forward lay from hydrant on 7th and Persidio to the scene.

Created By: GROVE, KEVIN

ENGINE 4

Use	Responding From	Priority
(1) - Suppression		

Response Delays

Dispatch Time	Enroute Time	Arrival Time
12:24:00, 12/29/2024	12:24:00, 12/29/2024	12:32:00, 12/29/2024

At Patient Time	Clear Time	In District Time
	14:24:00, 12/29/2024	

Actions Taken:
Fire control or extinguishment, other

Personnel
Jeffery Wilkins, Clyde Dent, ANTHONY RIOS, Miles McCloy

Unit Narrative

Engine 4 arrived first on scene and performed fire attack with 1 1/2 in jumpline and 1 3/4 crosslay

Created By: GROVE, KEVIN

ENGINE 5

Use	Responding From	Priority
(1) - Suppression		

ENGINE 5

Response Delays

Dispatch Time	Enroute Time	Arrival Time
12:24:00, 12/29/2024	12:24:00, 12/29/2024	12:32:00, 12/29/2024
At Patient Time	**Clear Time**	**In District Time**
	14:24:00, 12/29/2024	

Actions Taken:
Fire control or extinguishment, other

Personnel
James Phelps, MATTHEW ALLMAND, Landon Bailey

Unit Narrative

Engine 5 arrived on scene and performed fire suppression with 1 3/4 in cross lay

Created By: GROVE, KEVIN

BATTALION 1

Use	Responding From	Priority
(0) - Other	City of Big Spring	Emergent

Response Delays
None/No Delay

Dispatch Time	Enroute Time	Arrival Time
12:24:00, 12/29/2024	12:24:00, 12/29/2024	12:32:00, 12/29/2024
At Patient Time	**Clear Time**	**In District Time**
	14:24:00, 12/29/2024	

Actions Taken:
Fire control or extinguishment, other

Person 1: Newman, Tye

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

Fire Module

SITE INFO

Alarms	Acres Burned	Resident Units In Bldg	Buildings Involved
		Not residential	

Hydrant Identifier	Estimated Water Usage
Green top at 7th and Presidio	

ON-SITE MATERIALS

Material ID 1	Storage Use ID 1
(810) - Motor vehicles and parts, other	(U) - Undetermined

IGNITION

Area of Origin
(00) - Other area of fire origin

Heat Source
(40) - Hot or smoldering object, other

Item First Ignited
(15) - Interior wall covering excluding drapes, etc.

Fire Confined to Item?

Type of Material First Ignited
(UU) - Undetermined

Cause of Ignition
(2) - Unintentional

Factors Contributing to Ignition 1
(UU) - Undetermined

Human Factors Contributing to Ignition
(3) - Unattended or unsupervised person

Est. Age of Person Involved

Gender of Person Involved

MOBILE PROPERTY

Mobile Property Involved
(3) - Involved in ignition and burned

Type
(14) - Motor home, camper, bookmobile.

Make
(OO) - Other Make

Model

Year

License Plate Number

State

VIN

Car Stolen?

STRUCTURE

Structure Type
(2) - Fixed portable or mobile structure

Stories Above Grade	Stories Below Grade	Building Status
1	0	(6) - Vacant and unsecured

Length	Width	Total Square Feet	Story of Fire Origin
10 ft	5 ft	50 sq ft	1

Fire Spread
(5) - Beyond building of origin

Item Contributing Most to Flame Spread

Type of Material

Number of Stories with Damage

Minor Damage	Significant Damage	Heavy Damage	Extreme Damage	Total Stories

PROTECTIVE SYSTEMS

Presence of Detector	Detector Type
(N) - None present	

Power Supply	Detector Operations

Effectiveness (/Failure Reason)

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

System Operation	# of Sprinklers	Reason for System Failure

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
NOTICE SENT BY ASHLEY GUERRA

"The document in **Exhibit A-6** 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-6** is also attached.

SIGNED on the 8 day of May, 2025.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 8th day of May, 2025 by the above referenced Affiant.

Notary Public, State of Texas

STEPHANIE KEMUNTO ARITA
Notary ID #135144341
My Commission Expires
October 28, 2028

Exhibit A-6

City of Big Spring Code Compliance

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

NOTICE OF VIOLATION

Re: 1103 W 5TH BIG SPRING,TX00000
Legal Description: LT 5-6 BK 17 JONES VALLEY 100X140 2001 COMBINE ACCTS B4020013800 & 13900 761 762 BLK/TRACT 17 0.321 ACRES

Date 04/14/2025 **Case No:24-00000932**

GREENHILL L W
1603 OWENS
BIG SPRING, TX 79720

Dear GREENHILL L W
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: 1103 W 5TH BIG SPRING,TX00000

Legal Description: LT 5-6 BK 17 JONES VALLEY 100X140 2001 COMBINE ACCTS B4020013800 & 13900 761 762 BLK/TRACT 17 0.321 ACRES

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

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

Corrective Action:

THERE ARE 3 SUBSTANDARD STRUCTURES ON THIS PROPERTY THAT NEEDS TO BE BROUGHT UP TO CODE OR BROUGHT DOWN

DEADLINE FOR COMPLIANCE (7) SEVEN DAYS FROM THE DATE OF MAILING

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

Issued by:

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

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

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

Sincerely,

City of Big Spring Code Compliance

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

NOTICE OF VIOLATION

Re: 1103 W 5TH BIG SPRING,TX00000
Legal Description: LT 5-6 BK 17 JONES VALLEY 100X140 2001 COMBINE ACCTS B4020013800 & 13900 761 762 BLK/TRACT 17 0.321 ACRES

Ashley Guerra - Code Compliance

Case number: 24-00000932

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION AND NOTICE OF HEARING

Sent via: Certified Mail; Return Receipt Requested

May 2, 2025

Estate of L. W. Greenhill
1603 Owens St.
Big Spring, Texas 79720

Estate of L. W. Greenhill
1103 W 5th St.
Big Spring, Texas 79720

Re: **1103 W 5TH, BIG SPRING, TEXAS 79720**
LEGAL DESCRIPTION: LOTS 5-6, BLOCK 17, JONES VALLEY SUBDIVISION, Howard County

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

VIOLATION	DESCRIPTION OF VIOLATION
111.1.5 HAZARDOUS STRUCTURE OR PREMISES. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described as follows shall be considered to be hazardous: 3. Any building, structure, or portion thereof that is dangerous. 6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy. 7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their	The main structure had fire damage that has not been repaired. The structures are in disrepair and need to be brought up to Code. The structures are neglected, damaged, dilapidated, unsecured,

danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act. 8. Any building or structure has been constructed, exists, or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety. 9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease. 10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the code official to be a threat to life or health. 11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.	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 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 roof appears to admit rain and has signs of deterioration. Unsafe condition. The structures have extreme weather damage. The exterior walls are deteriorated and not free from holes, cracks, and breaks. The exterior walls are dilapidated from loose and rotting materials. The structures are missing some roofing components and appear to admit rain.
304.6 Exterior walls.	Exterior walls have

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.	extreme weather damage and are dilapidated.
304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.	The roof has defects that admit rain and is not sound and not tight.

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

Corrective Action Sought by Code Compliance

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

REPAIR OR DEMOLISH AND REMOVE

THREE SUBSTANDARD STRUCTURES COMPRISING THE MAIN STRUCTURE, A CARPORT STRUCTURE, AND A SHED STRUCTURE.

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

Issued by

Ashley Guerra	Code Compliance Official
Name	*Title*
+1 (432) 264-2505	aguerra@mybigspring.com
Phone	*E-mail*

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE. Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action

that the City may perform and cannot result in a lien.

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

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **5:30 PM, May 13, 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 2278 6315 56

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

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

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

Postage
$

Total Postage and Fees
$

5/2/25

Postmark Here

1103 W 5TH
Final Notice

Sent To Estate of L.W. Greenhill
Street and Apt. No., or PO Box No. 1603 Owens St.
City, State, ZIP+4® Big Spring, TX 79720

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

9589 0710 5270 2278 6315 63

U.S. Postal Service™
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OFFICIAL USE

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

Postage
$

Total Postage and Fees
$

5/2/25

Postmark Here

1103 W 5TH
Final Notice

Sent To Estate of L.W. Greenhill
Street and Apt. No., or PO Box No. 1103 W. 5th St.
City, State, ZIP+4® Big Spring, TX 79720

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

USPS Tracking®

FAQs >

Remove ×

Tracking Number:

9589071052702278631556

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

Latest Update

We attempted to deliver your item at 5:12 pm on May 5, 2025 in BIG SPRING, TX 79720 and a notice was left because an authorized recipient was not available. You may arrange redelivery by using the Schedule a Redelivery feature on this page or may pick up the item at the Post Office indicated on the notice beginning May 6, 2025. If this item is unclaimed by May 20, 2025 then it will be returned to sender.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivery Attempt: Action Needed
Notice Left (No Authorized Recipient Available)
BIG SPRING, TX 79720
May 5, 2025, 5:12 pm

Arrived at USPS Regional Facility
MIDLAND TX DISTRIBUTION CENTER
May 3, 2025, 10:49 am

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

Text & Email Updates

Schedule Redelivery

USPS Tracking Plus®

Feedback

Product Information

See Less

Remove

Tracking Number:

9589071052702278631563

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

Latest Update

Your item was returned to the sender on May 5, 2025 at 2:11 pm in BIG SPRING, TX 79720 because the address was vacant or the business was no longer operating at the location and no further information was available.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Alert
Vacant
BIG SPRING, TX 79720
May 5, 2025, 2:11 pm

Arrived at USPS Regional Facility
MIDLAND TX DISTRIBUTION CENTER
May 3, 2025, 10:49 am

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

See More

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
OF POSTING OF PUBLIC HEARING

"The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for May 13, 2025, attached as **Exhibit A-7**, was posted on or near the front door of each dwelling unit listed in the attached notice on April 22, 2025."

SIGNED on the 8 day of May, 2025.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 8th day of May, 2025 by the above referenced Affiant.

Notary Public, State of Texas

STEPHANIE KEMUNTO ARITA
Notary ID #135144341
My Commission Expires
October 28, 2028

Exhibit A-7

BIG SPRING
TEXAS

Code Enforcement

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

NOTICE OF PUBLIC HEARING
CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **MAY 13TH, 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:

1103 W 5TH – LEGAL DESCRIPTION: LOTS 5-6, BLOCK 17, JONES VALLEY SUBDIVISION – OWNER: ESTATE OF L. W. GREENHILL

2106 NOLAN – LEGAL DESCRIPTION: LOT 4, BLOCK 39, COLLEGE HEIGHTS SUBDIVISION – OWNER: EDDIE ALVARADO

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


April 22, 2025 3:47 PM

2106 NOLAN

Code Enforcement Officer: Malissa Garcia

Exhibit B-1

STATE OF TEXAS §
§
COUNTY OF HOWARD §

AFFIDAVIT OF MALISSA GARCIA
CONCERNING 2106 NOLAN

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

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

"I am a Code Enforcement Officer for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **2106 NOLAN**, 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 8 day of May, 2025.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 8th day of May, 2025 by the above referenced Affiant.

STEPHANIE KEMUNTO ARITA
Notary ID #135144341
My Commission Expires
October 28, 2028

Stephanie Kemunto Arita
Notary Public, State of Texas

Exhibit B-2

Property Details

Account		
Property ID:	279571	**Geographic ID:** B2910033800
Type:	Real	**Zoning:**
Property Use:		**Condo:**
Location		
Situs Address:	2106 NOLAN	
Map ID:		**Mapsco:**
Legal Description:	LT 4 BK 39 COLLEGE HEIGHTS 50X140 1239 ACQ 103113 0.161 ACRES ACQ 01232020	
Abstract/Subdivision:		
Neighborhood:	MCDW2	
Owner		
Owner ID:	11143	
Name:	ALVARADO EDDIE	
Agent:		
Mailing Address:	1500 LINCOLN BIG SPRING , TX 79720	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	$5,722 (+)
Improvement Non-Homesite Value:	$0 (+)
Land Homesite Value:	$5,260 (+)
Land Non-Homesite Value:	$0 (+)
Agricultural Market Valuation:	$0 (+)
Market Value:	$10,982 (=)

Agricultural Value Loss:	$0 (-)
Appraised Value:	$10,982 (=)
Homestead Cap Loss:	$0 (-)
Assessed Value:	$10,812
Ag Use Value:	$0

VALUES DISPLAYED ARE 2024 PRELIMINARY VALUES AND ARE SUBJECT TO CHANGE PRIOR TO CERTIFICATION.

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

Property Taxing Jurisdiction

Owner: ALVARADO EDDIE **%Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.238916	$10,982	$10,812	$25.83	
02B	CITY OF BIG SPRING	0.673163	$10,982	$10,812	$72.78	
03B	BIG SPRING ISD	0.930900	$10,982	$10,812	$100.65	
052	HOWARD COLLEGE	0.168395	$10,982	$10,812	$18.21	

Total Tax Rate: 2.011374

Estimated Taxes With Exemptions: $217.47

Estimated Taxes Without Exemptions: $220.89

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
2106 NOLAN 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 8 day of May, 2025.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 8th day of May, 2025 by the above referenced Affiant.

Stephanie Kemunto Arita
Notary Public, State of Texas

STEPHANIE KEMUNTO ARITA
Notary ID #135144341
My Commission Expires
October 28, 2028

Exhibit B-3

BIG SPRING TEXAS

CASE NOTES

Report Run On: Thursday, 16 May 2024 10:59

Case # 24-00000204 **Parcel # :** 279571

Site Address: 2106 NOLAN

Case Description: structure is missing a wall and foundation is cracked

Note Type	Note Code	Text	Created By	Begin Date	End Date
SITE VISIT		reinspected property and nothing has been done and nobody has made contact with me or anybody in the office	Malissa Garcia	05/16/24	
CORRECTIVE ACTION		front structure is falling apart and open to the elements on the sides of the house. [redacted]. Structure needs to be repaired or demoed. DEADLINE FOR COMPLIANCE (7) SEVEN DAYS FROM THE DATE OF MAILING.	Malissa Garcia	05/16/24	
PHOTOS		took photos of structure	Malissa Garcia	03/08/24	

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION OF
PHOTOGRAPHS BY MALISSA GARCIA

"With regard to the photographs in **Exhibits B-4** I am familiar with and recognize the scene depicted in the photographs. On March 4, 2024, May 15, 2024, and March 6, 2025, I inspected the property described as:

> LOT 4, BLOCK 39, COLLEGE HEIGHTS SUBDIVISION Big Spring, Howard County, Texas, also known as **2106 NOLAN**, Big Spring, Texas.

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

SIGNED on the 8 day of May, 2025.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 8th day of May, 2025 by the above referenced Affiant.

STEPHANIE KEMUNTO ARITA
Notary ID #135144341
My Commission Expires
October 28, 2028

Stephanie Kemunto Arita
Notary Public, State of Texas

Exhibit B-4



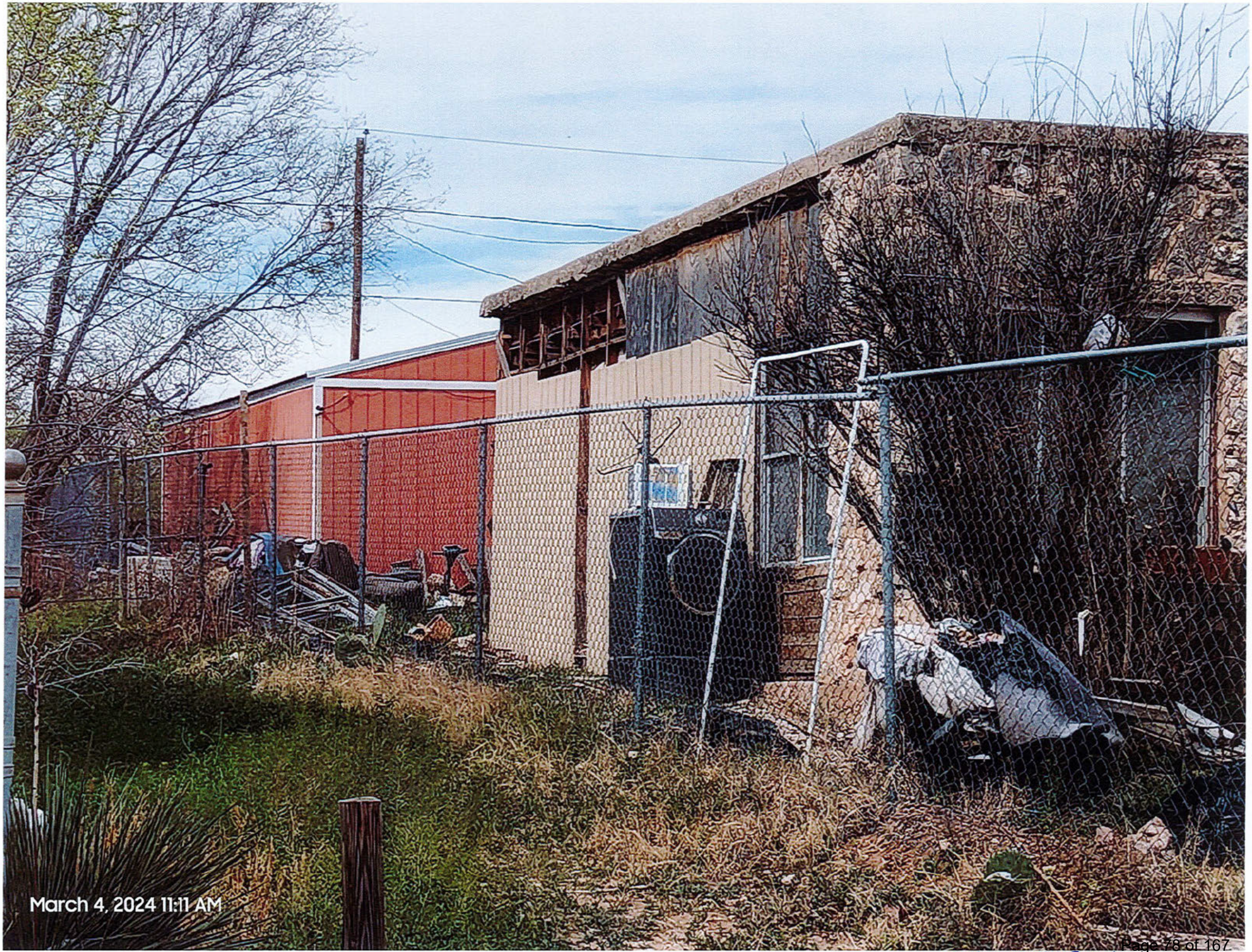
24-00000204



24-00000204



24-00000204



24-00000204



24000000204



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24-00000209



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24-00000204



24-00000209



24-00000204



24-000002041



24-00000209



24-00000204



24-00000209



24-00000204



24-00000204



24-000000204



24-00000204



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24-00000204



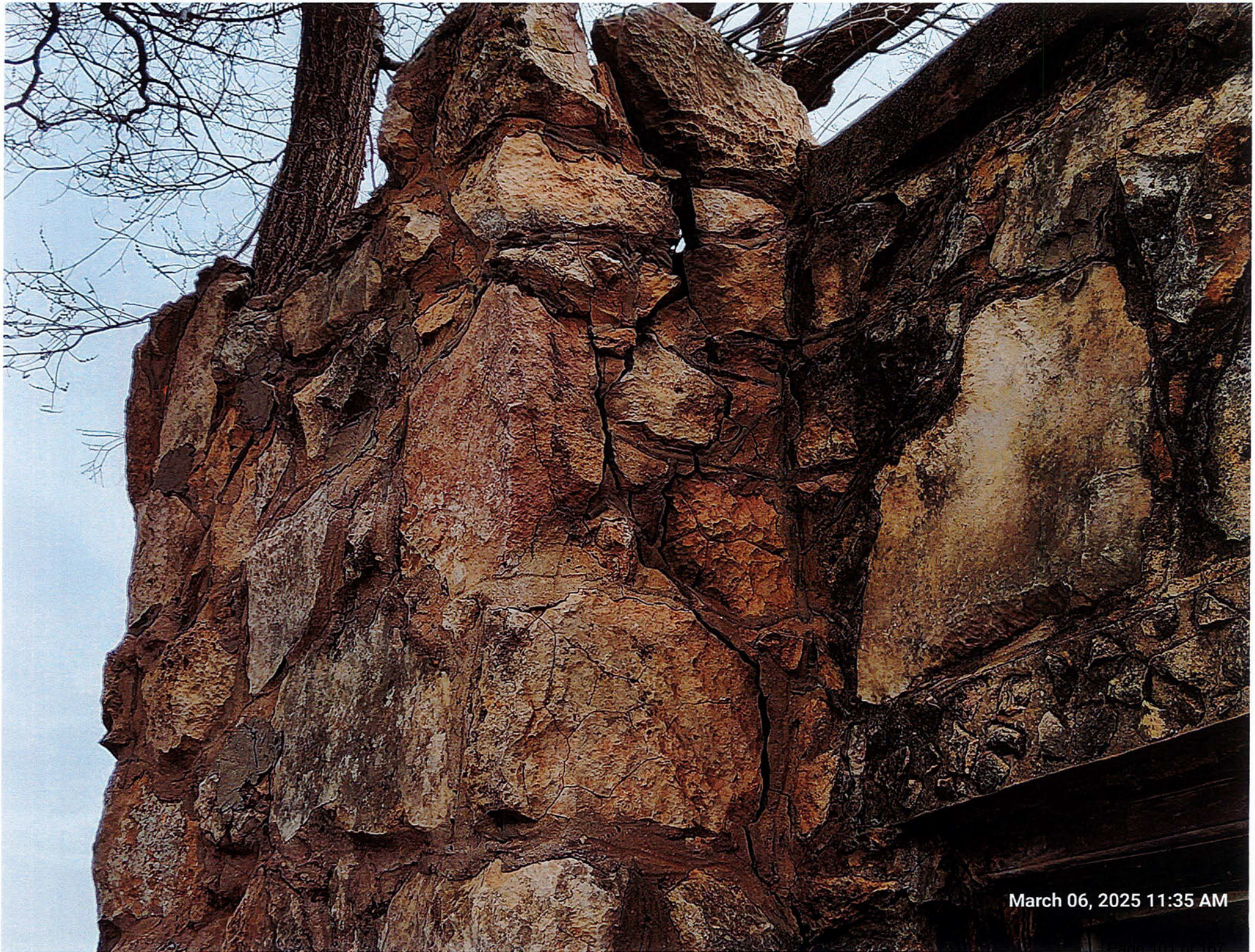
24-00000204



24-00000204



24-00000264


March 06, 2025 11:35 AM



24-00000204


March 06, 2025 11:36 AM



24-00000281



24-00000204



24-600000204



24-00000204



24-00000204



24-00000204



24-00000284



24-00000204



24-00000204



24-00000204



24-00000204



24-00000204



24-000002209



24-00000209



24-00000204



24-00000204



24-00000204



24-00000 204

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
NOTICE SENT BY MALISSA GARCIA

"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 8 day of May, 2025.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 8th day of May, 2025 by the above referenced Affiant.

Stephanie Kemunto Arita
Notary Public, State of Texas

STEPHANIE KEMUNTO ARITA
Notary ID #135144341
My Commission Expires
October 28, 2028

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: 2106 NOLAN BIG SPRING,TX00000
Legal Description: LT 4 BK 39 COLLEGE HEIGHTS 50X140 1239 ACQ 103113 0.161 ACRES ACQ 01232020

Date 05/16/2024 **Case No:24-00000204**

ALVARADO EDDIE
1500 LINCOLN
BIG SPRING, TX 79720

Dear ALVARADO EDDIE
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: 2106 NOLAN BIG SPRING,TX00000

Legal Description: LT 4 BK 39 COLLEGE HEIGHTS 50X140 1239 ACQ 103113 0.161 ACRES ACQ 01232020

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

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

Corrective Action:

front structure is falling apart and open to the elements on the sides of the house. There has been no water account on this properly since 11/13/2008. Structure needs to be repaired or demoed.

DEADLINE FOR COMPLIANCE (7) SEVEN DAYS FROM THE DATE OF MAILING.

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

Issued by:

Malissa Garcia	Code Compliance
432.264.2506	mgarcia@mybigspring.com
Phone	Email Address

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

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

Sincerely,

M. Garcia

Malissa Garcia - Code Compliance

Case number: 24-00000204

BIG SPRING TEXAS

Code Compliance

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

NOTICE OF VIOLATION AND NOTICE OF HEARING

Sent via: Certified Mail; Return Receipt Requested

May 2, 2025

Eddie Alvarado
1500 Lincoln Ave.
Big Spring, Texas 79720

Eddie Alvarado
2106 Nolan St.
Big Spring, Texas 79720

***Re:* 2106 NOLAN, BIG SPRING, TEXAS 79720**
LEGAL DESCRIPTION: LOT 4, BLOCK 39, COLLEGE HEIGHTS SUBDIVISION, Howard County

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

VIOLATION	DESCRIPTION OF VIOLATION
111.1.5 HAZARDOUS STRUCTURE OR PREMISES. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described as follows shall be considered to be hazardous: 3. Any building, structure, or portion thereof that is dangerous. 6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy. 7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor	The structure in the back 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. The structure is deteriorated and open to the elements on the sides of the house. Hazardous condition.

for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act. 11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.	
304.1.1 UNSAFE CONDITIONS. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 1. Structural members have deterioration or distress that appears to reduce their load-carrying capacity. 3. Structures or components thereof have deterioration or distress that appears to reduce their load-carrying capacity. 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.	The structure has cracks, holes, and gaps in its exterior walls.
304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.	The roof has defects that admit rain and is not sound and not tight.

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

Corrective Action Sought by Code Compliance

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

REPAIR OR DEMOLISH AND REMOVE

MAIN STRUCTURE.

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

Issued by

Malissa Garcia	Code Enforcement Officer
Name	*Title*
+1 (432) 264-2506	mgarcia@mybigspring.com
Phone	*E-mail*

The City's goal is voluntary compliance.

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

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

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **5:30 PM, May 13, 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,

M. Garcia

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

9589 0710 5270 2278 6315 70

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Domestic Mail Only

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

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

Postage
$

Total Postage and Fees
$

5/2/25

Postmark Here

2106 NOLAN
Final Notice

Sent To Eddie Alvarado
Street and Apt. No., or PO Box No. 1500 Lincoln Ave.
City, State, ZIP+4® Big Spring, TX 79720

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

9589 0710 5270 2278 6315 87

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

Postage
$

Total Postage and Fees
$

5/2/25

Postmark Here

2106 NOLAN
Final Notice

Sent To Eddie Alvarado
Street and Apt. No., or PO Box No. 2106 Nolan St.
City, State, ZIP+4® Big Spring, TX 79720

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

USPS Tracking®

FAQs >

Remove ×

Tracking Number:

9589071052702278631570

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

Latest Update

We attempted to deliver your item at 3:10 pm on May 5, 2025 in BIG SPRING, TX 79720 and a notice was left because an authorized recipient was not available. You may arrange redelivery by using the Schedule a Redelivery feature on this page or may pick up the item at the Post Office indicated on the notice beginning May 6, 2025. If this item is unclaimed by May 20, 2025 then it will be returned to sender.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Feedback

Delivery Attempt: Action Needed
Notice Left (No Authorized Recipient Available)
BIG SPRING, TX 79720
May 5, 2025, 3:10 pm

Arrived at USPS Regional Facility
MIDLAND TX DISTRIBUTION CENTER
May 3, 2025, 10:42 am

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

Text & Email Updates ⌄

Schedule Redelivery ⌄

USPS Tracking Plus® ⌄

Product Information

See Less

Remove

Tracking Number:

9589071052702278631587

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

Latest Update

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

Get More Out of USPS Tracking:

USPS Tracking Plus®

Moving Through Network

In Transit to Next Facility
May 5, 2025

Notice Left (No Authorized Recipient Available)
BIG SPRING, TX 79720
May 5, 2025, 6:36 pm

See All Tracking History

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

See More

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
OF POSTING OF PUBLIC HEARING

"The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for May 13, 2025, attached as **Exhibit B-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on April 22, 2025."

SIGNED on the 8 day of May, 2025.

M. Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 8th day of May, 2025 by the above referenced Affiant.

Stephanie Kemunto Arita
Notary Public, State of Texas

STEPHANIE KEMUNTO ARITA
Notary ID #135144341
My Commission Expires
October 28, 2028

STEPHANIE KEMUNTO ARITA
Notary ID #135144341
My Commission Expires
October 28, 2028

Exhibit B-6

BIG SPRING
TEXAS

Code Enforcement

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

NOTICE OF PUBLIC HEARING
CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **MAY 13TH, 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:

1103 W 5TH – LEGAL DESCRIPTION: LOTS 5-6, BLOCK 17, JONES VALLEY SUBDIVISION – OWNER: ESTATE OF L. W. GREENHILL

2106 NOLAN – LEGAL DESCRIPTION: LOT 4, BLOCK 39, COLLEGE HEIGHTS SUBDIVISION – OWNER: EDDIE ALVARADO

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


April 22, 2025 3:57 PM

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, April 22, 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
CHAD WILLIAMS	Police Chief
JAY HOLT	Fire Chief
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

Ricky Cartensen, First Methodist Church, gave the invocation.

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

Mayor Pro Tem Tompkins led the Pledge of Allegiance to the United States Flag and to the Texas State Flag.

Public Comment

Public Comment

There were no public comments at this time.

Announcements, Presentations and Public Hearings

Mayor Moore opened the below listed presentations and public hearing at 5:33 p.m.

Presentation and Acceptance of the Big Spring Economic Development Corporation's Financial Statement (Audit) for Year Ended September 30, 2024 by Bolinger, Segar, Gilbert & Moss L.L.P.

Presentation and Acceptance of the Comprehensive Annual Financial Report for Year Ended September 30, 2024 by Bolinger, Segar, Gilbert & Moss L.L.P.

David Copeland with Bolinger, Segar, Gilbert & Moss presented the above captioned Annual Financial Reports for the Big Spring Economic Development Corporation and the City of Big Spring. Council Members accepted the above captioned reports. No action was necessary.

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 410 OWENS, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LOT 6, BLOCK 2, PORTER SUBDIVISION, BIG SPRING, HOWARD COUNTY, TEXAS – OWNER: MAX HERNANDEZ

MOTION WAS MADE BY Mayor Moore to abate the structure in the rear side of the property at the above listed property (410 Owens), seconded by Council Member Ornelas.

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

Mayor Moore closed the above captioned presentations and public hearing at 6:03 p.m.

City Manager’s Report

City Manager's report on the following items:

- Update - Large Item Pickup, District 4
- I-27 Report
- Code Enforcement Report

- Fun Day on the Run Way - April 26th
- Tire Drive - May 3rd
- Early Voting Started

Todd Darden, City Manager, reported on the above captioned items as follows: Large item pickup for District 4 picked up 4 tons of items; A few staff members attended a ceremony opening up 4.2 miles of I-27 south of Lubbock; A hand out was given to the Council on the process of abatements; An event called Fun Day on the Run Way will be at the McMahon Wrinkle Airport on April 26th from 10 -1; A tire drive will be held at the Big Sandy Landfill on May 3rd; and also early voting has started for Council Member District 5.

Consent Items

Approval of the City Council Minutes of the Regular Meeting of April 8, 2025

Approval to Amend City Council Minutes of the Regular Meeting of October 22, 2024

Final 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

MOTION WAS MADE BY Mayor Pro Tem Tompkins to approve the above captioned minutes 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 04/11/25	$	848,946.99
Vouchers for 04/17/25	$	335,099.06

Council Member Wilkerson reviewed the above captioned vouchers.

MOTION WAS MADE BY Council Member Wilkerson 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 **7**

NAYS: None **0**

MOTION PASSED

Bids

Consideration and Possible Action on Awarding a Bid for 2 Replacement HVAC Systems For West Side Day Care and Authorizing the City Manager or His Designee to Execute any Necessary Documents.

MOTION WAS MADE BY Council Member Wilkerson to award the above captioned bid to SKC A/C LLC in the amount of $25,995.00, 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 **7**

NAYS: None **0**

MOTION PASSED

Consideration and Possible Action to Award a Bid for a Sideload Rollout Refuse Truck for the Sanitation Department and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Council Member Hughes to award the above captioned bid to Bond Equipment in the amount of $406,006.00, seconded by Council Member Wilkerson.

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

NAYS: None **0**

MOTION PASSED

New Business

Acknowledge Receipt of the Quarterly Claims and Litigation Report from the City Attorney Sent on April 8, 2025

City Council Members acknowledged the above captioned report from the City Attorney. No action necessary.

Acknowledge Receipt of the Second Quarter Financial Report

Acknowledge Receipt of the Second Quarter FY 2024-2025 Investment Report

City Council Members acknowledged receipt of the above captioned reports by the Finance Director. No action necessary.

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 Utility Fund Budget for the Purpose of Installing a Drive-Up Service Window for Customer Convenience; 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 Wilkerson.

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

NAYS: None **0**

MOTION PASSED

First Reading of an Ordinance Amending Chapter 2 of The Big Spring City Code Entitled “Administration,” Article VII “Boards and Commissions,” Division 4 “Parks and Recreation Board,” Section 2-295 By Deleting Subsection (E) to Activate the Parks and Recreation Board; 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 Ornelas to approve the above captioned ordinance, seconded by Council Member Yanez.

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

NAYS: None **0**

MOTION PASSED

First Reading of an Ordinance Amending Chapter 1 of the Big Spring City Code; Section 1-2 Entitled “Definitions and Rules Of Construction” to Define “Sport Shooting Range” to Conform to the Definition Under State Law, and Amending Chapter 38 of the Big Spring City Code, Section 38-1 Entitled “Firearms, Discharge Prohibited” and Section 38-6 Entitled “BB-Guns, Air Guns, Slingshots, Etc" to Continue to Prohibit Discharge Of Firearms, Air Guns, And Slingshots Within City Limits, and to Make Discharge of Such Only at Sport Shooting Ranges Exceptions to the Violations; 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; Providing for Publication; and Providing an Effective Date.

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

Consideration and Possible Action to Approve a Third Amendment to Oil & Gas Lease between the City of Big Spring and HighPeak Energy Assets, LLC, to Amend that

Certain Oil & Gas Lease Recorded in Volume 1829, Page 559, Official Public Records of Howard County, and Authorizing the City Manager or His Designee to Execute Any Necessary Documents.

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

Consideration and Possible Action to Delegate Authority to the City Manager to Negotiate and Execute a Contract for Architectural Services with Chapman Harvey Architects, Inc.

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

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

NAYS: Council Member Ornelas **1**

MOTION PASSED

Consideration and Possible Action to Move the Big Spring Vietnam Veterans Memorial from SWCID Land to Airpark Land.

MOTION WAS MADE BY Mayor Moore to approve the above captioned move of the Vietnam Veterans Memorial from its current location to the McMahon Wrinkle Airpark, seconded by Council Member Ornelas.

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

NAYS: None **0**

MOTION PASSED

Council Input

Input

All Council Members thanked and expressed their appreciation to Mayor Pro Tem Tompkins for serving on the Council as this was his last full meeting.
Council Member Ornelas thanked the police department for helping the family of Mr. Rodiguez.
Council Member Yanez thanked the staff for working on adding a drive thru window at water office.
Council Member Hughes thanked the water office staff for their assistance.
Council Member Moreno thanked the citizens for their help with the Vietnam

Veterans Memorial.
Mayor Pro Tem Tompkins thanked citizens in District 5 for allowing him to serve and he has enjoyed working with the Council and agrees with Council Member Ornelas on working harder on getting citizens to serve on Boards and Committees.

Adjourn
Mayor Moore adjourned the City Council meeting at 6:58 p.m.

_____
Robert H. Moore III, Mayor

ATTEST:

_____
Tami L. Davis, City Secretary

McMahon-Wrinkle Aviation Advisory Board Meeting Minutes
February 20, 2025

The McMahon-Wrinkle Aviation Advisory Board met in Regular Session at 5:30 p.m., on Thursday, February 20, 2025 at the Airport Terminal conference room, 3200 Rickabaugh Drive, Big Spring, Texas. Steven Boatenhamer called the meeting to order at 5:30 p.m. with the following members in attendance:

Steven Boatenhamer Russ Rutledge

Jonathan Ray Adriel Saldivar

Also in attendance: Mike Feeley Andriana Olvera

Absent: Bob Miller Shane Schaffner

Item # 1
Call to Order
Steven Boatenhamer called the meeting to order at 5:30 p.m.

Item # 2
Review and approve minutes from January 16, 2025, meeting.
Motion to approve made by Jonathan Ray seconded by Russ Rutledge with all members voting "aye" for acceptance of the minutes as written.

Item # 3
Public Comment
There were no public comments at this time.

Item # 4
Airport Director's Report
Mike began updating the board on the former U.S. Flight Academy building. Abatement has begun and is almost completed. All other surrounding buildings will be abated as well. A request for proposal will be made for demolition to follow. Next on the agenda was the Veteran's Memorial project. A meeting was held on February 19th that included the Hangar 25 Board, SWID, Howard College, the CVB and the Vietnam Memorial Board. The project will be brought to the city council for authorization to move forward. Next, Mike updated the board on the Hangar 25 Air Museum. A new contract was delivered on February 20th. The contract is for 10 years with 2- 5 year options. The contract includes a loaner agreement for the statics as well as the requirement for hangar keepers insurance. They will also be required to maintain all aircraft and give the city permission to audit on an annual basis. The plan is to build a covering on the

south side of the museum to provide protection for the outdoor statics. The next project discussed was the training facility that was recently abated. Dora Roberts Rehabilitation Center has donated all their fitness equipment. The facility will serve as a police and fire fitness center. Dora Roberts also donated $165,000 for rubber flooring. City council has already approved to move forward with hiring an architect to design the facility, The cost of the architect is $90,000. This cost includes bid, construction oversight and project management. Mike then went on to give a status on the striping and marking project. The project will begin on March 10th. During this time runway 17/35 will be closed for 7 days while 6/24 will remain open. Next on the agenda is the pavement assessment. The project is underway and the weight baring capability is expected by mid-March. Lastly Mike discussed GEO. A fee was negotiated that if GEO opens both facilities GEO will pay 1.5 million towards the general fund and if only one facility is opened they will pay 1 million. They also asked for a cost estimate to park 3- 737's on the apron. The cost for upgrades is approximately13 million.

Item # 5
Next Meeting Date is March 20, 2025

Adjournment: 7:00 P.M.

Approved by Steven Boatenhamer, Chairman

24APR25
Date

Memorandum

Date: April 22, 2025

From: Sandy Smith, Finance Director

To: Mayor and City Council

Re: Installation of a Drive-Up Service Window

To offer better customer service for our utility customers, we are proposing the installation of a drive-up service window on the east side of the Water Office. We have had numerous high wind days that necessitate locking the front door for safety reasons, and a drive-up window would enhance ADA accessibility.

The project will involve the removal of the existing window and a rebrick of the opening before the installation of the new drive-up window. The awning over the driveway will also have to be extended to cover the window and the kiosk.

The cost estimate for this project is as follows:

Cost of QSP-713S Mini Combo Pkg (32 ¼"w x 49 ¼"h)	$ 8,000.00
Cost of window installation	$ 2,000.00
Cost for removal of the existing window and brickwork	$15,000.00
Total Estimated Cost	$25,000.00

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 UTILITY FUND BUDGET FOR THE PURPOSE OF INSTALLING A DRIVE-UP SERVICE WINDOW FOR CUSTOMER CONVENIENCE; 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 Utility 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 Utility 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 $25,000.00 to Department 405-002-735-6201-000 Buildings – Special Projects for the purpose of installing a drive-up service window for customer convenience. The net increase will be funded through the fund balance.

SECTION 2. The remaining portions of Ordinance Number 28-2024 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 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," DIVISION 4 "PARKS AND RECREATION BOARD," SECTION 2-295 BY DELETING SUBSECTION (E) TO ACTIVATE THE PARKS AND RECREATION BOARD; 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;

NOW, THEREFORE, 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 4 entitled "Parks and Recreation Board" Section 2-295, is hereby amended in part as follows:

Sec 2-295. – Parks and recreation board.

. . .

~~(e) Notwithstanding this section, the parks and recreation board shall be inactive.~~

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

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. This Ordinance is ordered to be codified.

SECTION 7. This Ordinance shall take effect immediately after passage in accordance with the provisions of the Charter of the City of Big Spring, and it is accordingly so ordained.

SECTION 8. 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

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS AMENDING CHAPTER 1 OF THE BIG SPRING CITY CODE; SECTION 1-2 ENTITLED "DEFINITIONS AND RULES OF CONSTRUCTION" TO DEFINE "SPORT SHOOTING RANGE" TO CONFORM TO THE DEFINITION UNDER STATE LAW, AND AMENDING CHAPTER 38 OF THE BIG SPRING CITY CODE, SECTION 38-1 ENTITLED "FIREARMS, DISCHARGE PROHIBITED" AND SECTION 38-6 ENTITLED "BB-GUNS, AIR GUNS, SLINGSHOTS, ETC" TO CONTINUE TO PROHIBIT DISCHARGE OF FIREARMS, AIR GUNS, AND SLINGSHOTS WITHIN CITY LIMITS, AND TO MAKE DISCHARGE OF SUCH ONLY AT SPORT SHOOTING RANGES EXCEPTIONS TO THE VIOLATIONS; 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; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, Texas state law limits how a municipality may regulate sport shooting ranges by ordinance, Sections 229.001 and 250.001, Texas Local Government Code; and

WHEREAS, Texas state law recognizes defenses to accusations such as self-defense and defense of others, and such defenses are applicable to municipal ordinance violations under Section 1.03(b), Texas Penal Code; 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;

NOW, THEREFORE, 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 1 entitled "General Provisions," Section 1-2 entitled "Definitions and Rules of Construction," hereby amended by inserting the following definition in the appropriate order.

Sport shooting range. The term "sport shooting range" means a business establishment, private club, or association that operates an area for the discharge or other use of firearms for silhouette, skeet, trap, black powder, target, self-defense, or similar recreational shooting. This definition

shall be interpreted to conform with the definition of the term given in Section 250.001, Texas Local Government Code.

SECTION 3. The Big Spring City Code, Chapter 38, "Offenses and Miscellaneous Provisions," Article I, "In General," Section 38-1, "Firearms, discharge prohibited," is hereby amended as follows.

It shall be unlawful for any person to discharge any gun, pistol or firearm of any kind within the city limits. This section shall not apply to peace officers acting in the line of duty. It is an exception to the application of this section that the person discharged the firearm at a sport shooting range. This ordinance does not negate legal defenses if available such as self-defense or defense of others.

~~It shall be unlawful for any person to discharge any gun, pistol or firearm of any kind within the city limits. This section shall not apply to licensed shooting galleries or to police officers acting in the line of duty, nor shall this section apply to persons exercising the legal right of self-defense or defense of others.~~

SECTION 4. The Big Spring City Code, Chapter 38, "Offenses and Miscellaneous Provisions," Article I, "In General," Section 38-6, "BB-guns, air guns, slingshots, etc.," is hereby amended as follows.

Sec. 38-6. Air guns, slingshots, etc.

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

Air gun means any gun that discharges a pellet, BB, or paintball by means of compressed air, gas propellant, or a spring. This definition shall be interpreted to conform with the definition of the term given in Section 229.001, Texas Local Government Code.

Slingshot means a forked stick or forked piece of wood, plastic or other hard material, with a rubber band or other type of elastic material capable of shooting, discharging, or catapulting hard objects.

(b) It shall be unlawful for any person to shoot or in any manner whatsoever discharge an air gun within the corporate limits of the city. It is an exception to the application of this subsection that the person discharged the air gun at a sport shooting range.

(c) Shooting slingshots. It shall be unlawful for any person to shoot a slingshot, or catapult or discharge therefrom any object, within the corporate limits of the city. It is an exception to the application of this subsection that the person discharged the slingshot at a sport shooting range.

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

~~*Pellet gun, air gun, air pistol* or *BB-gun* means a gun that discharges shots, pellets, BB's, or any other solid objects by means of compressed air, compressed gas, springs, or other similar means.~~

~~*Slingshot* means a forked stick or forked piece of wood, plastic or other hard material, with a rubber band or other type of elastic material capable of shooting, discharging, or catapulting hard objects.~~

~~(b) *Shooting guns.* It shall be unlawful for any person to shoot or in any manner whatsoever discharge any kind, brand, or type of pellet gun, air gun, air pistol, or BB-gun within the corporate limits of the city.~~

~~(c) *Shooting slingshots.* It shall be unlawful for any person to shoot a slingshot, or catapult or discharge therefrom any object, within the corporate limits of the city.~~

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

SECTION 5. 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 6. 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 7. 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 8. The City Secretary is hereby authorized and directed to cause the publication of this ordinance in accordance with law.

SECTION 9. This Ordinance shall become effective upon its second publication according to law.

SECTION 10. This Ordinance is ordered to be codified.

SECTION 11. 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

MEMORANDUM

Date: May 9, 2025

To: Mayor Robert H. Moore, Big Spring City Council, and Todd Darden, City Manager

From: Albert Belez, Purchasing Agent

Subject: Purchase Approval – Double Drum Asphalt Paving Roller

Action Requested: We are seeking the City Council's approval to purchase one (1) Double Drum Asphalt Paving Roller for the Streets Department.

Background Information: This unit will replace the 2012 Bomag Roller BW 120 AD-4 model, which has accumulated 1231 hours of operation, with a life-to-date repair cost of $29,931.72.

Financial Considerations:

Expenditure amount requested:	$ 59,971
What fund/department account will this amount be drawn from?	General Fund/ 320-Streets
Budget?	$95,000
Would this expenditure be made within the budget for the current fiscal year?	Yes
Does this commit the City to spending funds beyond the current fiscal year? Explain.	No

Vendor Bids/Quotations: We received two formal quotes. Yellowhouse Machinery from Midland, Texas provided a quote of $59,971.00, while Warren CAT from Odessa, Texas submitted a quote of $75,845.00. The quote from Yellowhouse Machinery is Sourcewell cooperative pricing.

Staff Opinion as to Feasibility and Timeline: Staff suggest approving the lowest bid of $59,971.00 from Yellowhouse of Midland to proceed with the purchase of this paving roller. The expected delivery period is 7 to 14 days, and the vendor indicates that with adequate maintenance, this unit may last between 10 to 12 years.

DETAILED SPECIFICATIONS

Technical Data		BOMAG BW 120 AD-5
Weights		
Operating weight w. ROPS CECE	kg	2.750
Average static linear load CECE	kg/cm	11,5
Grossweight	kg	3.650
Dimensions		
Working width	mm	1.200
Track radius, inner	mm	2.450
Driving Characteristics		
Speed	km/h	0- 10,0
Working speed with vibration	km/h	0- 10,0
Max. gradeability without/with vibr.	%	40/30
Drive		
Engine manufacturer		Kubota
Engine type		D1803
Emission stage		Stage V / TIER4f
Exhaust gas aftertreatment		DPF
Cooling		water
Number of cylinders		3
Performance ISO 14396	kW	24,6
Performance SAE J 1995	hp	33,0
Speed	min-1	2.600
Speed adjustment 1	min-1	2.500
Speed adjustment 2	min-1	2.600
Electric equipment	V	12
Driven drum		front + rear
Brakes		
Service brake		hydrost.
Parking brake		hydromec.
Steering		
Steering system		oscil.artic.
Steering method		hydrost.
Steering / oscillating angle +/-	grad	32/10
Crab walk	mm	0- 50
Exciter system		
Vibrating drum		front + rear
Drive system		hydrost.
Frequency	Hz	63/67
Amplitude	mm	0,50
Centrifugal force	kN	36/41
Sprinkler System		
Type of sprinkling		pressure
Capacities		
Fuel	l	35,0
Water	l	205,0

Technical modifications reserved. Machines may be shown with options.



MEMORANDUM

Date: May 8, 2025

To: Mayor Robert H. Moore, Big Spring City Council, and Todd Darden, City Manager

From: Albert Belez, Purchasing Agent

Subject: Purchase Approval – Approve purchase of 1–54" Zero Turn Mower

Action Requested: We request the City Council's authorization to acquire a one (1) 54" Zero Turn Mower for the Airpark Department.

Background Information: This unit will replace a 2015 STT2V-25 KBD model which has accumulated 980 hours of operation. The estimated lifetime repair expense for this unit is $12,769.06. The unit's engine has a cracked head which requires a new engine, and the mower deck needs to be rebuilt, which includes replacing spindles, bearings, pulleys, and belts. The projected cost for repairing this unit is approximately $6,000.00.

Financial Considerations:

Expenditure amount requested:	$9,380.49
What fund/department account will this amount be drawn from?	Airpark Fund/610
Budget:	$15,000
Would this expenditure be made within the budget for the current fiscal year?	Yes
Does this commit the City to spending funds beyond the current fiscal year? Explain.	No

Vendor Bids/Quotations: We obtained three formal quotes. South Plains Implement from Big Spring provided a quote totaling $9,380.49. Kubota from Lubbock, Texas submitted a quote of $11,625.58. Bobcat from Midland, Texas submitted a quote of $15,090.95.

Staff Opinion as to Feasibility and Timeline: Staff recommend approving the lowest bid of $9,380.49 from South Plains Implement located in Big Spring to proceed with the purchase of this mower. The expected delivery period is 30 to 45 days. The vendor indicates that with adequate maintenance, this unit may last between 10 to 12 years.

DETAILED SPECIFICATIONS

John Deere Z735M ZTrak™ Zero Turn Mower

Engine power	25 hp18.6 kW
Engine model number	HTR810
Forward speed	0-9.5 mph0-15.3 km/h
Front caster tires	13x6.5-6
Drive tires	23x9.5-12 (48-in. decks)23X10.5-12 (54- and 60-in. decks)
Seat back height	High back with adjustable armrests, 22.5 in.57.1 cm
Width of cut	48 in.122 cm54 in.137 cm60 in.152 cm
Mulching system	Optional MulchControl™ attachment
Warranty	4 year/750-hour bumper-to-bumper* (*Term limited to years or hours used, whichever comes first, and varies by model. See the LIMITED WARRANTY FOR NEW JOHN DEERE TURF AND UTILITY EQUIPMENT at JohnDeere.com or JohnDeere.ca/TUWarranty for details.)
Battery, Charger, Engine	
Power	25 hp18.6 kW
Model number	HTR810
Displacement	49.4 cu in.810 cc
Cylinders	V-twin
Lubrication	Full pressure with replaceable filter, capacity, 2 U.S. qt1.9 L
Type	Overhead valve
Battery	12 V340 CCA
Choke/speed control	Separate control levers
Cooling method	Air
Fuel tank capacity	8 U.S. gal.30.2 L
Fuel gauge	Fuel level sight line
DRIVE TRAIN	
Dual hydros	Hydro-gear ZT3200 with 1-in. (2.54-cm) axles
Hydraulic pumps	
Wheel motors	
Battery	
Charger	
Transmission	
Travel Speed	
Forward speed	0-9.5 mph0-15.3 km/h
Reverse speed	0-4 mph0-6.4 km/h
Speed and direction control	Twin premium levers
Control adjustment	2-height/18 positions
Chassis	
Frame	Heavy-duty frame tubing
Primer/paint	E-coat/powder
Front caster tires	13x6.5-6



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON THE 3rd DAY OF MAY, 2025, IN THE CITY OF BIG SPRING, TEXAS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS DISCUSSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EMERGENCY.

WHEREAS, heretofore, the Mayor of the City of Big Spring, Texas caused to be published a resolution announcing the general election for City Council Member District Five to be held on the 3rd day of May, 2025, as required by City Charter and State law; and

WHEREAS, notice of said election was duly given as required by law and as directed in said resolution as is shown by affidavit properly filed in the office of the City Secretary; and

WHEREAS, said election was duly and legally held on the 3rd day of May, 2025, in conformity with the election laws of the State of Texas and the City Charter, and the results of said election have been certified and returned by the proper judges and clerks thereof; and

WHEREAS, this Council has today considered the returns of said election; and

WHEREAS, it appears to the Council, and the Council so finds, that the Howard County Elections Administrator has tabulated the results of said election and certified the tabulation to the Council, and that the tabulation is correct;

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

SECTION 1. The tabulation of votes cast in the City Council general election held on the 3rd day of May, 2025, made and certified by the Howard County Elections Administrator, is attached hereto as Exhibit A and made a part hereof. The City Council hereby determines that the tabulation is correct and adopts Exhibit A as the official tabulation of the votes cast at said election and that said tabulation be filed and recorded in the official records of the City as the official canvass of said election.

SECTION 2. In accordance with Exhibit A, the City Council determines that the official canvass of the returns of said elections reflects the following results:

A majority of the votes cast for said respective office and was duly elected to such office:

_____ Council Member District 5

SECTION 3. It is hereby officially found and determined that the meeting at which this Resolution was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by law.

SECTION 4. The necessity of making an official canvass of votes cast in the aforesaid election and declaring the results of said election no earlier than the third (3rd) day and no later than the eleventh (11th) day after election day as required by Section 67.003 *Texas Election Code*, creates a public emergency and an imperative public necessity requiring the suspension of the Charter rule that no ordinance or resolution shall be passed finally on the date of its introduction but that such ordinance or resolution shall be read at two meetings of the City Council, and the Mayor having declared said emergency and necessity to exist, having requested the suspension of the Charter rule and that this resolution take effect and be in full force and effect from and after its passage, IT IS ACCORDINGLY SO RESOLVED, this the 13th day of May, 2025.

PASSED AND APPROVED, on an emergency reading at a regular meeting of the City Council, on the **13th** day of **May, 2025**, with all members of the Council present voting "aye" for the passage of same.

_____
Robert H. More III, Mayor

ATTEST:

_____
Tami L. Davis, City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS ADOPTING SECTION 2-1 "EXEMPTION OF CITY PROPERTY FROM EXECUTION," IN CHAPTER 2 OF THE BIG SPRING CITY CODE ENTITLED "ADMINISTRATION," TO EXEMPT CITY PROPERTY FROM EXECUTION; MOVING SECTION 2-137 ON EXEMPTION OF THE CITY ON GARNISHMENT TO SECTION 2-2 ; 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, a judicial enforcement of a money judgment can include seizure and sale of property, which is known as execution; and

WHEREAS, state law recognizes that a home rule municipality may "provide that any property owned or held by the municipality is not subject to any kind of execution," Section 51.076(b), Texas Local Government Code,

WHEREAS, adopting this ordinance pursuant to state law and the home rule authority of the City 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;

WHEREAS, City Council finds it necessary to adopt the following ordinance;

NOW, THEREFORE, 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. Chapter 2 of the Big Spring Code entitled "Administration," Article I entitled "In General," is hereby amended in part to adopt Section 2-1, entitled "Exemption of city from execution" to read in its entirety as follows:

Big Spring City Code
Chapter 2, Administration
Article I, In General

Sec. 2-1. Exemption of city property from execution

Any property owned or held by the City of Big Spring is not subject to any kind of execution.

SECTION 3. In Chapter 2 of the Big Spring Code entitled "Administration," Article V entitled "Finance," Division 1 entitled "Finance," Section 2-137, entitled "Exemption of city from garnishment" is hereby moved in its entirety to Article I entitled "In General," renumbered to Section 2-2, inserted immediately following Section 2-1 adopted hereinbefore, and amended as follows:

Big Spring City Code
Chapter 2, Administration
Article I, In General
Article V, Finance
Division 1, Generally
. . .

Sec. 2-2 ~~2-137~~. Exemption of city from garnishment.

~~Pursuant to V.T.C.A., Local Government Code § 101.023, n~~ No fund of the city shall be subject to garnishment and neither the city nor any of its officers or agents shall ever be required to answer in any garnishment proceedings.
. . .

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

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

SECTION 5. 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 6. 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 7. This Ordinance shall become effective upon its second publication according to law.

SECTION 8. This Ordinance is ordered to be codified.

SECTION 9. 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

BIG SPRING
TEXAS

MEMORANDUM

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

CC: Todd Darden, City Manager

From: Shane Bowles, Public Works Director

Date: Tuesday, May 13, 2025

Subject: Birdwell Lane Street Rebuild

Action Requested: Allow the City of Big Spring to enter into an agreement with Jacob Martin for Birdwell Lane Road Reconstruction

Background Information: The City of Big Spring has set aside money to rebuild Birdwell Lane. The major road has many failed subgrade areas as well as potholes.

Financial Considerations:

Expenditure amount requested:	$2,000,000
What fund/department account will this amount be drawn from?	General Fund 320
Revenue generated:	N/A
Would this expenditure be made within the budget for the current fiscal year?	No
Does this commit the City to spending funds beyond the current fiscal year? Explain.	This project will be a two-year project. The City of Big Spring will dedicate $1,000,000 per year

Vendor Bids/Quotations: There was a request for qualifications and Jacob & Martin was selected as the engineering firm.

Staff Opinion as to Feasibility and Timeline: This is to be completed by mid-summer 2026.

Staff recommendation: It is our recommendation to allow the City Manager or his designee to negotiate a contract with Jacob Martin to begin engineering on the rebuild of Birdwell Lane.

Staff Report

To: The Honorable Mayor and City Council
From: The City Manager
Date: May 13, 2025
Subject: Boards and Committees
Consideration and Possible Action on the Below Listed Board:

<u>Planning & Zoning Commision</u>
Eric Escamilla - District 6 Appointment

RECOMMENDATION:

BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:
None

REPORT PREPARED BY:
Name1, Title
E-mail address
Phone #

APPROVED BY:
Department Head (optional)
Todd Darden, City Manager