

**CITY OF MIDLAND, TEXAS  
BRIEFING SESSION AGENDA  
Tuesday, February 23, 2010 8:30 a.m.  
City Hall Conference Room  
300 North Loraine  
Midland, Texas**

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These items, as well as any other items on the regular posted agenda for the City Council Meeting on this date, may be discussed:

1. Receive a report from Animal Services on current projects.
2. Receive a presentation from Priority Power on long term power supply and the purchase of electricity for the City.

AGENDA FOR CITY COUNCIL MEETING  
Tuesday, February 23, 2010 – 10:00 a.m.  
Council Chamber – City Hall

The Midland City Council agenda is posted for public notice at least 72 hours prior to the Tuesday meetings. All requests to be placed on the Council agenda by the public must be submitted to the City Manager, in writing, at least one week before the Council meetings. Such written requests must be in sufficient detail to identify the subject matter as well as the contact person who will represent the matter before the Council. The City Council reserves the right to not consider matters over which the City has no jurisdiction.

★ These items are related to achieving City Council's Policy Agenda for 2009:

Infrastructure  
Housing  
Economic Development  
Funding

1. Invocation – Reverend Larry L. Long, Fellowship Community Church
  
2. Pledge of Allegiance

**MISCELLANEOUS**

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
  - a. Presentation of the 15<sup>th</sup> Annual Distinguished Budget Preparation Award.
  
  - b. Presentation of Resolution of Commendation to retiring City employee Claude Jewett.

**PUBLIC COMMENT**

4. Receive public comments where individuals may address the City Council on City related issues and projects. Any deliberation of or decision by the City Council regarding the item being discussed shall be limited to a motion to place the item on the agenda for a subsequent meeting.

**CONSENT AGENDA**

- 5a. Consider a motion approving minutes of the February 9, 2010, Regular City Council Meeting.
  
- 5b. Consider a motion approving minutes of the February 12, 2010, Special City Council Meeting.
  
- 5c. Consider a motion approving minutes of the February 16, 2010, Special City Council Meeting.
  
6. Consider a resolution approving the purchase of automobiles, pickups with regular cabs, pickups with extended cabs and four-wheel drive vehicles of various types, from Rogers Ford of Midland, Texas, and Planet Ford of Spring, Texas, at a total cost of \$328,411.00; and several lower bids are rejected because the bids did not meet specifications.

- ★7. Consider a resolution approving plans and specifications prepared by Parkhill, Smith and Cooper, Incorporated, and authorizing advertisement for bids for the Midland International Airport Project described as Terminal Building Renovation Project (7004).

***[Related to Council Priority: Infrastructure]***

- ★8. Consider a resolution authorizing the execution of a professional services agreement with Parkhill, Smith & Cooper, Incorporated, of Midland, Texas, for professional architectural and engineering services at the Scharbauer Sports Complex at an estimated cost of \$12,500.00 plus associated expenses.

***[Related to Council Priority: Infrastructure]***



9. Consider a resolution authorizing an application submitted by Midland-Charger Properties, L.P., for Home Investment Partnership Program Funds from the Texas Department of Housing and Community Affairs to help with the cost associated with the construction of affordable low income housing for senior citizens.

***[Related to Council Priority: Housing]***

10. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the West Wall Streetscape Project; said improvements are to be adjacent to the property formerly occupied by the Midland Savings Building; and the anticipated cost for the project is \$62,500.00; said project will be for the construction of sidewalks and tree wells and the planting of additional trees.
11. Consider a motion on a request by S.W. Howell Engineering, Inc. for CJP Subdivision, to approve a deferral of water and sewer, and to waive the associated public improvement guarantee. This subdivision is generally located about one mile west of Farm to Market Road 1788 on Interstate 20. Total value of deferrals is \$152,020.00.
12. Consider a motion on a request by Shumann Engineering Co., Inc., for Cloverdale East Section 2, to approve a deferral of water and sewer, and to waive the associated public improvement guarantee. Cloverdale East Section 2 is located approximately one half mile east of Highway 158 on Interstate 20. The distance to a water line is 2000 feet. The distance to a sewer line is 2500 feet. Total value of deferrals is \$249,180.00.



13. Consider a resolution authorizing the City Manager to execute a purchase agreement with Stone Strong of Texas, Incorporated, for the purchase of precast concrete retaining wall blocks for use in the Jal Draw Channel Lining Project at a cost of \$17.50 per square foot for an approximate total cost of \$1,050,000.00; this item was not bid but purchased as a sole source; the purchase agreement contains a cost escalation clause; and allocating funds.

***[Related to Council Priority: Infrastructure]***

- ★ 14. Consider a resolution approving plans and specifications and authorizing advertisement for competitive bids for the Replacement of Primary Clarifier Effluent Lines Project; said project will replace the effluent lines from the three primary clarifiers at the Water Pollution Control Plant.

***[Related to Council Priority: Infrastructure]***

15. Consider a resolution appropriating funds from the general liability self-insurance fund unappropriated fund balance to the Atmos Rate Review Mechanism Project (8923) in the amount of \$15,212.00.

**SECOND READINGS**

16. Consider an ordinance making certain transfers in various funds of the 2008-2009 Fiscal Year Budget and making certain budget amendments; and ordering recordation.
17. Consider an ordinance establishing Project Number 8933 “Citibank Ball Park Infield Improvements Project”; amending the official municipal budget for fiscal year 2009-2010 in order to meet unforeseen conditions which could not by reasonably diligent thought and attention have been included in the original budget for the 2009-2010 fiscal year; and appropriating \$140,000.00 to fund the projects established herein.
18. Consider an ordinance amending the boundaries of Districts Two and Four where citizens will elect City Council members to serve on the City Council of Midland, Texas.

**PUBLIC HEARINGS**

19. At approximately 11:00 A.M. hold a public hearing and consider an ordinance changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting Lot 6, Block 1, Amaron Addition, Section 7, City and County of Midland, Texas, which is presently zoned PD, Planned District for a shopping center, to be used as an amended Planned District (generally located on the northwest corner of the intersection of Interstate 20 and Camp Street); providing for such use to be subject to certain special conditions and restrictions as set out herein; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); and ordering publication.
  
20. At approximately 11:03 A.M. hold a public hearing and consider an ordinance changing the zoning use classification of the property described as a 3.5-acre portion of Tract 6 and a 0.39-acre portion of Tract 7, Johnson Moran, and Lot 2, Block 8, Town and Country Annex, Section 3, City and County of Midland, Texas (generally located west of the intersection of Andrews Highway and Cuthbert Avenue), which is presently zoned 1F-1, One-Family Dwelling District, by permitting said property to be used under a specific use permit with term for a daycare center; making said permit subject to certain conditions and restrictions contained herein; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); and ordering publication.
  
21. At approximately 11:06 A.M. hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Lot 1 and the north 30 feet of Lot 2, Block 60½, Original Town, and a 10 foot by 80 foot portion of Carrizo Street, City and County of Midland, Texas (generally located on the southeast corner of the intersection of South "A" Street and West Wall Street), which is presently zoned C-1, Central Area District, by permitting said property to be used under a specific use permit with term for the sale of all alcoholic beverages in a restaurant for on-premises consumption; making said permit subject to certain conditions and restrictions contained herein; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); and ordering publication.
  
22. At approximately 11:09 A.M. hold a public hearing and consider a resolution authorizing the temporary use of land for outdoor plant sales on Lot 1, Block 17, Skyline Terrace, Unit 2, City and County of Midland, Texas (generally located on

the southwest corner of the intersection of West Loop 250 North and North Midkiff Road); and making said permit subject to certain special conditions and restrictions contained herein.

**DEVELOPMENT SERVICES**

23. Consider an ordinance vacating and abandoning an 80-foot by 140-foot portion of Adams Street Right-of-Way located between Lot 1, Block 55, East Midland Addition, Section 12, and Lot 1, Block 56, East Midland Addition, City and County of Midland, Texas (generally located between Cherry Lane and Garden Lane); adopting the appraisal by the City Manager of \$1,120.00; and ordering recordation by the City Secretary.
  
24. Consider an ordinance establishing intersection stop signs at various locations within the City of Midland, Texas; requiring and authorizing the posting of appropriate signs at intersections; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two hundred dollars (\$200.00); and ordering publication.

**MISCELLANEOUS**

25. Consider a motion authorizing the appointment of an individual to the position of Interim City Secretary of the City of Midland, and authorizing the execution of an employment agreement with the selected individual.
  
26. Presentation and discussion of the 2009 Midland Police Department Traffic Contact Report.
  
27. Consider a motion making appointments to various Boards and Commissions.
  
28. Recess to the conference room for lunch.

29. Pursuant to Texas Government Code §551.101, the Council will hold an Executive Session which is closed to the public to discuss the following matters as permitted under the following Texas Government Code Sections:

**Personnel Matters, Section 551.074**

Deliberate the appointment, employment, duties and compensation of an Interim City Secretary.

**Deliberation Regarding Real Property, Section 551.072**

Deliberate the purchase, exchange and value of real property described as Lots 7 through 12, Block 23, Resurvey of Midland Heights Addition according to the plat filed in Volume 18, Page 581 of the Deed Records of Midland County, Texas.

Respectfully submitted,

Courtney B. Sharp  
City Manager