

**CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
Tuesday, May 25, 2010 9:00 a.m.
City Hall Conference Room
300 North Loraine
Midland, Texas**

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. Present and discuss the 2010-2011 City Council Strategic Goals.

AGENDA FOR CITY COUNCIL MEETING
Tuesday, May 25, 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 – Pastor Art Perkins, The Gathering at Midland

2. Pledge of Allegiance

MISCELLANEOUS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Recognition of City staff for their rescue efforts during the recent storms and floods.

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

5. Consider a motion approving minutes of the May 11, 2010, Regular City Council Meeting.

6. Consider a resolution authorizing an amendment to the existing consulting agreement with CGI Technologies and Solutions, Incorporated; and appropriating \$500,000.00 therefor; the original agreement was for \$2,150,000.00; this amendment will bring the total agreement price to \$2,650,000.00.

7. Consider a resolution approving the purchase of a 2011 Western Star 4900SA Chassis Truck with a Vactor 2115P-15 Combo Sewer Cleaner through the Houston-Galveston Area Council of Governments (HGAC) at a total cost of \$320,031.00; and this item was not bid but purchased through a Council of Governments.

8. Consider a resolution approving the 2010-2011 City of Midland Strategic Plan.

9. Consider a resolution authorizing the execution of a Public Improvement Development Agreement with Innovative Land Development for development of Stonebridge Addition, City and County of Midland, Texas (generally located north of Loop 250 and east of North Lamesa Road); and appropriating funds in the amount of \$262,900 therefor; said agreement being authorized by Section 395.081 of the Texas Local Government Code.

10. Consider a resolution authorizing the execution of an agreement for the temporary closure of State Right-of-Way with the State of Texas for use of a state-owned highway, including Spur 269 between Main Street and Colorado Street, for the purpose of the Shades of Blues Fest Special Event.

11. Consider a resolution authorizing the City of Midland to file a joint application with Midland County for Fiscal Year 2010 Justice Assistance Grant Funds Program totaling \$42,231.00; and authorizing the execution of an agreement regarding the division of said grant funds; the City of Midland will receive \$25,339.00 (60%) and

Midland County will receive \$16,892.00 (40%) of the grant funds respectively; this agreement does not supersede, modify or amend any other prior agreements.

12. Consider a resolution approving a grant application by the Midland Police Department for a Federal Bulletproof Vest Partnership Grant with said funds to be used for the purchase of replacement vests.
13. Consider a resolution authorizing the City of Midland to apply for a grant in the amount of \$15,000.00 offered by the Texas Alcoholic Beverage Commission to enforce underage drinking laws; there are no matching funds required.
14. Consider a resolution authorizing the execution of a Discharge License Agreement with Borets Weatherford US, Incorporated, for the disposal of treated wastewater from pressure testing and electronic submersible pumps located at 2222 Commerce Drive, Midland, Texas, by means of a pre-treatment system.
15. Consider a resolution appropriating \$3,000.00 to the Midland Draw Right of Way Acquisition Project (8941) for the purchase of portions of Lots 10 and 11, Block 11, Trueland Addition, City and County of Midland, Texas.
16. Consider a motion approving an amendment to the VALIC and Nationwide Retirement Solutions plan documents to allow employees to be able to take loans against their deferred compensation accounts and authorizing the City Manager, or his designee, to execute all documents necessary therefor.
17. Consider a resolution approving the renewal of the A-1 Permian Basin Taxicab Franchise.

SECOND READINGS

18. Consider an ordinance on a second reading amending Title II, "Commissions and Boards", Chapter 8, "Midland Crime Prevention Commission", of the City Code of Midland, Texas, by establishing Section 5, "Sunset Provision", so as to sunset the

Midland Crime Prevention Commission effective September 30, 2010; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2000.00); and ordering publication.

PUBLIC HEARINGS

19. At approximately 10:30 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 a 24.94-acre tract of land (“Tract 1”) out of Section 1, Block 40, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas, and more specifically described in section one hereof, which is presently zoned IP-1, Industrial Park District, to be used as an MF-1, Multiple-Family Dwelling District; by permitting a 6.86-acre tract of land (“Tract 2”) out of Section 1, Block 40, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas, and more specifically described in section two hereof, which is presently zoned IP-1, Industrial Park District, to be used as an LR-2, Local Retail District; by permitting a 6.18-acre tract of land (“Tract 3”) out of Section 1, Block 40, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas, and more specifically described in section three hereof, which is presently zoned IP-1, Industrial Park District, to be used as an O-1, Office District; by permitting a 5.17-acre tract of land (“Tract 4”) out of Section 1, Block 40, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas, and more specifically described in section four hereof, which is presently zoned IP-1, Industrial Park District, to be used as a PD, Planned District for a transition district; said tracts all being generally located on the northwest corner of Loop 250 West and West Highway 80 (Business Interstate20); 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 10:33 a.m. hold a public hearing concerning a requested annexation of a 79.808-acre tract of land out of Section 37, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of Tradewinds Boulevard, north of Champions Drive.)

21. At approximately 10:36 a.m. hold a public hearing concerning a requested annexation of a 27.04-acre tract of land out of Section 24, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the north side of Briarwood Avenue west of Holiday Hill Road.)

DEVELOPMENT SERVICES

22. Hold a work session on the preliminary distribution of 2010-2011 Community Development Block Grant Funds and the 2010-2014 Consolidated Plan.

23. Consider an ordinance establishing intersection stops 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.

24. Consider an ordinance amending the Fire District so as to delete therefrom Lot 18, Block 14, Briarwood Addition, Section 17, City and County of Midland, Texas (generally described as 4600 Oriole Drive); directing the Building Official to amend the Fire District map; containing a cumulative clause; and containing a savings and severability clause.

MISCELLANEOUS

25. Consider a motion making appointments to various Boards and Commissions.

26. Recess to the conference room for lunch.

27. 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:

Section 551.087 Deliberation Regarding Economic Development Negotiations

Discuss business prospects that the City seeks to have locate, stay, or expand in or near the City of Midland, Texas, and discuss possible incentives.

Section 551.071, Consultation with the City Attorney

Discuss Texas Ethics Commission Advisory Opinion No. 484.

Discuss litigation styled Diane Sanchez, et al. v. City of Midland, Texas; Matt Fraley; and Michael Hedrick; U.S. District Court for the Western District of Texas; Cause No. MO-08-CV-115.

Respectfully submitted,

Courtney B. Sharp
City Manager