

**CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
Tuesday, June 8, 2010 8:30 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, June 8, 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 Long, Fellowship Community Church
2. Pledge of Allegiance

MISCELLANEOUS

3. Presentation of special events, organizations, individuals, or periods of time.

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 May 25, 2010, Regular City Council Meeting.

- 5b. Consider a motion approving minutes of the June 1, 2010, Special City Council Meeting.

6. Consider a resolution authorizing the execution of an amendment to City's Depository Agreement entered July 9, 2008.

7. Consider a resolution rejecting all bids received for Bid Number 0163-10R Firefighter Bunker Gear Uniforms.

8. Consider a resolution authorizing the execution of a contract for the turnkey installation of sports lighting at Ulmer Park, Hogan Park, and Bradford Park, with Corey Sly Electrical Service, Incorporated, of Midland, Texas, at an estimated cost of \$177,177.35; and appropriating funds.

9. Consider a resolution approving the purchase of two (2) self-contained compactors, two (2) 30 cubic-yard enclosed recycle roll-off containers, and three (3) 30 cubic-yard open-top roll-off containers, from Roll-Offs USA, Incorporated, of Durant, Oklahoma, at a total cost of \$53,384.00.

10. Consider a resolution authorizing the execution of a contract to construct a concrete block retaining wall in the Jal Draw between Garfield Street and Ward Street with Price Construction, Ltd., at an estimated cost of \$1,626,400.00 including contingencies.

11. Consider a resolution authorizing the execution of a contract for the construction of new sidewalks in the San Juan Target Area with Onyx Contractors Operations,

L.P., of Midland, Texas, at an estimated cost of \$70,393.61 including contingencies.

12. Consider a resolution allocating \$82,517.00 for the City Facilities Renovation Project (Project 8881); and these funds are used to repair and replace various City facilities.

13. Consider a resolution authorizing the acceptance of the Midland Development Corporation's dedication of a 45.76-acre tract of land located in Sections 11 and 12, Block 40, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas, for drainage purposes; directing the City Manager to obtain a deed from the Midland Development Corporation; authorizing the execution of all documents necessary for the acceptance of said property; authorizing payment for closing costs; and ordering recordation.

14. Consider a resolution authorizing the Community Development Manager to purchase real property located at Lots 9 through 14, Block 1, Glenn Frances Addition, City and County of Midland, Texas; Lots 2 through 8, Block 3, Glenn Frances Addition, City and County of Midland, Texas; Lots 1 through 8, Block 4, Glenn Frances Addition, City and County of Midland, Texas; Lots 1 through 9, Block 5, Glenmore Heights Addition, City and County of Midland, Texas; and Lots 3 through 10, Block 4, Glenmore Heights Addition, City and County of Midland, Texas; appointing an authorized acquisition official pursuant to U.S. Code of Federal Regulations, Title 49, Section 24.102; authorizing the initiation of negotiations for the purchase of said properties; authorizing administrative settlements for the purchase of said properties pursuant to U.S. Code of Federal Regulations, Title 49, Section 24.102 (I); finding that residential ownership and development is a public purpose; specifically declaring by affirmative action that it is necessary to acquire the above described property for a public purpose.

15. Consider a resolution accepting a cash donation of \$35,000 from the "Bad Boy Blast" fund-raising project sponsored by Halliburton and Conoco-Phillips; the donated funds will be used to purchase law enforcement equipment, supplies, and technology; and appropriating said funds.

16. Consider a resolution accepting a dedication of streets and alleyways, and the area designated common area “B”, located in Superior Addition, Section 3, City and County of Midland, Texas; and ordering recordation.

17. Consider a resolution approving an amendment to the economic development agreement between the Midland Development Corporation and Permian Plaza, LLC, as authorized by Chapter 501 of the Texas Local Government Code.

SECOND READINGS

18. Consider an ordinance on second reading 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 Interstate 20); 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. First reading held May 25, 2010.

19. Consider an ordinance on second reading 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. First reading held May 25, 2010.

20. Consider an ordinance on second reading 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. First reading held May 25, 2010.

PUBLIC HEARINGS

21. At approximately 10:30 a.m. hold a public hearing and consider a resolution authorizing the temporary use of land for a church fair on Lots 8 and 13A, Block 7, Glendale, Section 2, City and County of Midland, Texas (Generally located near the northeast corner of the intersection of Garden Lane and North Tyler Street); and making said permit subject to certain special conditions and restrictions contained herein.

22. At approximately **7:00 p.m.** hold a public hearing on the 2010/2011 Community Development Block Grant Program and the 2010-2014 Consolidated Plan.

MISCELLANEOUS

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

24. Receive update from McDonald Transit on operations of the Midland Odessa Urban Transit District (EZ Rider).

25. Recess to the conference room for lunch.

26. 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 551.071, Consultation with the City Attorney

Discuss Chapters 49, 51 and 54 of the Texas Water Code.

Discuss Section 42.042 of the Texas Local Government Code.

Discuss matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code.

Respectfully submitted,

Courtney B. Sharp
Manager