

**CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
Tuesday, September 28, 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. Presentation from the Sanitation Division including but not limited to discussions on solid waste collections and landfill operations.

AGENDA FOR CITY COUNCIL MEETING
Tuesday, September 28, 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.

1. Invocation – Reverend Billy Ashley, Bethel Missionary Baptist 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 a Proclamation for Breast Cancer Awareness.
 - b. Presentation of a Proclamation in support of the Humane Coalition.

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 September 14, 2010, Regular City Council Meeting.

6. Consider a resolution approving the fiscal year 2010-2011 budget of the Midland Development Corporation, a Type A Corporation as authorized by Chapter 504 of the Texas Local Government Code.
7. Consider a resolution approving the fiscal year 2010-2011 annual budget for the Midland Football/Soccer and Baseball Complex Development Corporation, a Type B Corporation as authorized by Chapter 505 of the Texas Local Government Code.
8. Consider a resolution approving the purchase of a used asphalt grinder, for recycling asphalt, from Getz Recycling Equipment, L.L.C., of Buffalo, Missouri, at a total cost of \$150,000.00; Getz Recycling Equipment, L.L.C., was not the low bidder.
9. Consider a resolution authorizing the appropriation of Federal Aviation Grant #50 proceeds along with the airport's matching share to scheduled 2010 airport improvement projects; authorizing the reimbursement of airport funds.
10. Consider a resolution authorizing the execution of a contract with Jones Bros. of Odessa, Texas, for the project described as the Northwest Taxiway Extension (7038) at the Midland International Airport; the Council previously authorized advertisement for bids for the project; the City's share is \$73,586.00 for the Northwest Taxiway Extension Project.
11. Consider a resolution authorizing the execution of Amendment Number 12 to the Professional Services Agreement with Parkhill, Smith & Cooper, Incorporated, with such amendment authorizing the inclusion of an executive apron reconstruction project at the Midland International Airport; the City share for the Northwest Taxiway Extension project is \$190,000.00 and the Federal Aviation Administration share is \$3,610,000.00.
12. 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 \$23,533.00; said funds represent

reimbursement from Atmos for consulting/legal fees associated with the steering committee's analysis of their rate review mechanism costs; there is no impact to the general fund.

13. Consider a resolution accepting \$325,000.00 in grant funds from the Fiscal Year 2010 Congressionally Selected Awards Grant Program; and appropriating said funds to Project No. 7055.
14. Consider a resolution authorizing the execution of a contract with the Midland Hispanic Chamber of Commerce to promote the City's growth and development and promote tourism and the convention and hotel industry in the City.
15. Consider a resolution authorizing the execution of an agreement with the Arts Assembly of Midland for the encouragement, promotion, improvement and application of the arts in the City; and allocating \$105,000.00.
16. Consider a resolution authorizing the execution of a contract with Midland Teen Court, Incorporated, for the operation of a Teen Court Program.
17. Consider a resolution authorizing the execution of an agreement with the Permian Basin Community Centers for Mental Health, Mental Retardation, and Substance Abuse Services.
18. Consider a resolution authorizing the execution of a contract with Keep Midland Beautiful, Incorporated, for litter reduction, education, and beautification programs.
19. Consider a resolution authorizing the execution of a contract with Crime Stoppers of Midland, Incorporated, for the operation of a Crime Stoppers Program which will allow citizens to assist in the detection and resolution of crimes.

20. Consider a resolution authorizing an agreement with the Commemorative Air Force, Incorporated, to promote tourism and the hotel industry in the City.

21. Consider a resolution authorizing the execution of a contract with the Midland Chamber of Commerce to promote tourism and the convention and hotel industry in the City.

22. Consider a resolution authorizing the execution of a contract with the Midland Chamber of Commerce for the management of the Midland Center and Centennial Plaza.

23. Consider a resolution authorizing the execution of a contract with the Midland Community College District to promote economic growth and development.

24. Consider a resolution authorizing the execution of a contract with COM Aquatics, Incorporated, for advertising, promotion and solicitation of aquatic activities in Midland.

25. Consider a resolution authorizing the execution of a contract with the Museum of the Southwest to promote tourism and the convention and hotel industry in the City of Midland.

26. Consider a resolution authorizing the execution of a contract with the Permian Basin Petroleum Museum, Library and Hall of Fame, Incorporated, for advertising, promotion and solicitation of oil industry activities in the City of Midland.

27. Consider a resolution authorizing the execution of a contract with the Midland Softball Association for the promotion and solicitation of softball activities.

28. Consider a resolution authorizing the execution of a contract with the Midland Soccer Association for the promotion and solicitation of soccer activities.
29. Consider a resolution authorizing the execution of a contract with the Midland Cole Theatre, Incorporated for the promotion of the theatre arts in the City.
30. Consider a resolution authorizing the execution of an agreement with Rock the Desert, to promote tourism and the convention and hotel industry in the City of Midland.
31. Consider a resolution authorizing the execution of a contract with the George W. Bush Childhood Home, Incorporated, to promote tourism and the convention and hotel industry in the City of Midland.
32. Consider a resolution appropriating \$6,900 to the Midland Draw Right of Way Acquisition Project (8941) for the purchase of portions of Lots 12, 13 and 14, Block 11, Trueland Addition, City and County of Midland, Texas.
33. Consider a resolution authorizing advertisement for sealed bids for the sale of real property described as Lot 8, Block 21, Midland Heights Addition, (generally known as 1208 West New Jersey Street), City of Midland, Midland County, Texas; the minimum bid shall start at \$79,270.00, the fair market value as assessed by the Midland Central appraisal district; authorizing the City Manager to procure an agent for services related to the sale of said property.
34. Consider a resolution accepting a grant in the amount of \$31,067.00 from the Texas Department of Transportation in order to conduct a Fiscal Year 2010-2011 Comprehensive Special Traffic Enforcement program for intersection traffic control enforcement and driving while intoxicated enforcement; said grant award requires a City cash match in the amount of \$5,135.00; providing that the grant funds shall be used to pay overtime and benefits to police officers working on said program; authorizing the execution of acceptance document ; and appropriating grant funds.

35. Consider a resolution authorizing a Second Amendment to the existing Professional Services Agreement with Arcadis U.S., Incorporated; appropriating \$115,000 for construction of access roads and the sampling of existing water wells in the Paul Davis Well Field; authorizing payment in an amount not to exceed \$50,000 for drainage plan review services; the original agreement price was \$175,800; this Second Amendment will bring the total agreement price to \$760,600.

36. Consider a resolution approving plans and specifications and authorizing advertisement for competitive bids for the Northwest Tower and Water Lines - Phase 2 Project; said project will include construction of a new twenty-four-inch water line to service the Northwest Elevated Tower.

37. Consider a resolution authorizing the execution of a Right of Way License Agreement with Atlas Mid-Continent Pipeline Westtexas, L.L.C., for the continued operation and maintenance of an oil and gas pipeline at the City's plant effluent farm, in Section 10, Block 38, T-2-S, T&P RR. Co. Survey, Midland County, Texas.

38. Consider a resolution approving the budget of the Midland Emergency Communication District for the fiscal year ending September 30, 2011.

39. Reappointing Police Chief Price Robinson to the Board of Managers of the Midland Emergency Communication District; and providing that the term of office shall be from November 1, 2010 to November 1, 2012.

40. Consider a resolution authorizing the execution of a lease agreement with the Hispanic Cultural Center of Midland regarding a City owned building located in Hogan Park.

SECOND READINGS

41. 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 Lot 1, Block 13, Superior Addition, Section 2, City and County of Midland, Texas,

which is presently zoned PD, Planned District for an office center, to be used as an Amended Planned District (Generally located on the southwest corner of the intersection of Andrews Highway and Denton 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. (First reading held September 14, 2010.)

42. Consider an ordinance amending Title IV, "Building Regulations", Chapter 11, "Residential Code", of the City Code of the City of Midland, Texas, and adopting the 2009 Edition of the International Residential Code, as the residential building code for the City of Midland, Texas, for the purpose of regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses in the City of Midland, Texas, providing for the issuance of permits, the review of plans, the inspection of footings and foundations and framing, the collection of inspection fees therefor; containing a cumulative clause; containing a savings and severability clause; providing for a maximum fine or penalty of two thousand dollars (\$2,000.00); ordering publication; and establishing an effective date October 11, 2010. (First reading held September 14, 2010.)

MISCELLANEOUS

43. Continued consideration of an ordinance granting a special exception for Lot 18, Block 136, replat of Blocks 131, 135, 136 and the north half of Block 134, Wilshire Park, City and County of Midland, Texas (Generally located on the northside of Monty Drive, approximately 200 feet east of Midland Drive), by permitting a metal skin exterior on a detached accessory structure that exceeds 12 feet in height and 420 square feet in area; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); ordering recordation by the Interim City Secretary in the deed records of Midland County, Texas; and ordering publication. (Continued from September 14, 2010)
44. Consider a motion making appointments to various Boards and Commissions.
45. Recess to the conference room for lunch.

46. 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:

Respectfully submitted,

Courtney B. Sharp
City Manager