

**MIDLAND CITY COUNCIL
MINUTES
August 22, 2011**

REGULAR SESSION

The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 9:02 a.m., August 22, 2011.

Council Members present: Mayor W. Wesley Perry, Mayor Pro Tem Michael Trost (District 4), Council Member Jerry Morales (At-Large), Council Member Vicky Hailey (District 2), and Council Member John James (District 3), and Council Member Jeff Sparks (District 1).

Council Members absent: Council Member Scott Dufford (At-Large)

Staff members present at the annex table: City Manager Courtney Sharp, City Attorney Keith Stretcher, Deputy City Manager Tommy Hudson, and Assistant City Manager Jim Nichols.

1. Consider budget for Fiscal Year 2011-2012.

City Secretary Turner read the caption of Ordinance No. 8930.

Council Member James moved to approve the second and final reading of Ordinance No. 8930 in accordance with the Charter of the City of Midland; seconded by Council Member Trost. The motion carried by the following vote: AYE: Morales, Trost, Hailey, Perry, James, and Sparks. NAY: None. ABSTAIN: None. ABSENT: Dufford. Caption of said ordinance is as follows:

ORDINANCE NO. 8930

AN ORDINANCE OF THE CITY OF MIDLAND PROVIDING FUNDS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011, AND ENDING SEPTEMBER 30, 2012, BY APPROVING THE BUDGET FOR SAID PERIOD AND APPROPRIATING AND SETTING ASIDE THE NECESSARY FUNDS OUT OF THE GENERAL AND OTHER REVENUES AND UNAPPROPRIATED FUND BALANCE OF THE CITY OF MIDLAND FOR SAID FISCAL YEAR FOR THE MAINTENANCE AND OPERATION OF THE VARIOUS DEPARTMENTS AND FOR VARIOUS ACTIVITIES AND IMPROVEMENTS TO THE CITY; AND ORDERING PUBLICATION. (First reading held August 16, 2011.)

2. Consider fixing the tax levy for the City of Midland, Texas, for the Fiscal Year beginning on October 1, 2011 and ending on September 30, 2012.

City Secretary Turner read the caption of Ordinance No. 8931.

Council Member Sparks moved that the property tax rate be increased by the adoption of a tax rate of \$0.47054, which is effectively a 1.09 percent increase in the tax rate and for approval of the second and final reading of Ordinance No. 8931 in accordance with the Charter of the City of Midland; seconded by Council Member James. The motion carried by the following vote: AYE: Morales, Trost, Hailey, Perry, James, and Sparks. NAY: None. ABSTAIN: None. ABSENT: Dufford. Caption of said ordinance is as follows:

ORDINANCE NO. 8931

AN ORDINANCE ON SECOND READING FIXING THE TAX LEVY FOR THE CITY OF MIDLAND, TEXAS, FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2011 AND ENDING ON SEPTEMBER 30, 2012.

3. Consider approving the Fiscal Year 2011-2012 budget of the Midland Development Corporation.

Council Member James moved to adopt Resolution No. 2011-188; seconded by Council Member Trost. The motion carried by the following vote: AYE: Morales, Trost, Hailey, Perry, James, and Sparks. NAY: None. ABSTAIN: None. ABSENT: Dufford. Caption of said resolution is as follows:

RESOLUTION NO. 2011-188

A RESOLUTION APPROVING THE FISCAL YEAR 2011-2012 BUDGET OF THE MIDLAND DEVELOPMENT CORPORATION, A TYPE A CORPORATION AS AUTHORIZED BY CHAPTER 504 OF THE TEXAS LOCAL GOVERNMENT CODE.

4. Consider approving the Fiscal year 2011-2012 annual budget for the Midland Football/Soccer and Baseball Complex Development Corporation.

Council Member James moved to adopt Resolution No. 2011-189; seconded by Council Member Trost. The motion carried by the following vote: AYE: Morales, Trost, Hailey, Perry, James, and Sparks. NAY: None. ABSTAIN: None. ABSENT: Dufford. Caption of said resolution is as follows:

RESOLUTION NO. 2011-189

A RESOLUTION APPROVING THE FISCAL YEAR 2011-2012 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.

5. Consider authorizing the negotiation and execution of an agreement with PetSmart Charities, Inc. and the Midland Humane Coalition, Inc.

Council Member Trost moved to authorize the City Manager and the City Attorney to negotiate and execute an agreement with PetSmart Charities, Inc. and the Midland Humane Coalition, Inc., regarding terms to assist local animal and welfare organizations in the placing of adoptable dogs and cats in the Charities Adoption Center located at PetSmart store #191 at 4206 W. Loop 250 N., Midland, Texas 79707; seconded by Council Member Hailey.

LuAnn Morgan, 609 Meadow Park, noted this agreement takes a big burden off of the City of Midland. She noted that their first facility was opened in Fort Worth and that they have reduced euthanasia of healthy, adoptable pets by 100%. The construction should take approximately 50 days and their grand opening is scheduled for November 12th. She spoke about their upcoming fundraiser in October called the Fur Ball.

The motion carried by the following vote: AYE: Morales, Trost, Hailey, Perry, James, and Sparks. NAY: None. ABSTAIN: None. ABSENT: Dufford. Caption of said resolution is as follows:

All of the business at hand having been completed, the meeting adjourned at 9:09 a.m.

PASSED AND APPROVED the 13th day of September, 2011.

W. Wesley Perry, Mayor

ATTEST:

Amy M. Turner, City Secretary