

January 12, 2010

The City Council convened in a Briefing Session in the Basement Conference Room, City Hall, Midland, Texas, at 9:01 a.m. on January 12, 2010, with the following members present:

W. Wesley Perry,	Mayor
A. Scott Dufford,	Mayor Pro Tem
Jerry F. Morales,	Council member - At-Large
W. Jeffrey Sparks,	Council member - District 1
Vicky Hailey,	Council member - District 2
John H. James,	Council member - District 3
Michael B. Trost,	Council member - District 4

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Staff members present:

Courtney Sharp,	City Manager
Keith Stretcher,	City Attorney
Tommy Hudson,	Deputy City Manager
Marcus Johnston,	Assistant City Manager
Kaylah McCord,	City Secretary
Rick Crownover,	Director, Development Services
René Franks,	City Engineer
Cameron Walker,	Planning Division Manager
Steve Thorpe,	Building Official
Bill Hodge,	GIS Manager
Sylvester Cantu,	Community Development Manager
Eric Johnson	Assistant Transportation Manager
Jim Compton,	Senior Planner
Brandon Melland,	Planner
Russ Conley,	Fire Chief
Jeff Meiner,	Assistant Fire Chief
Tina Jauz,	Assistant to the City Mgr./Public Info. Officer

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City Manager Courtney Sharp introduced a presentation from the City's Department of Development Services. Mr. Sharp stated that he wants Midland to be a benchmark city in Texas, and that a management priority is to make a good Development Services Department better by considering new and innovative ways to do business. He explained that Staff has been working to develop a plan and engaging the commercial development community in improving our process, with the objective of mitigating conflict between the developers' goal of making money and the City's need to assure long-term sustainability.

Development Services Director Rick Crownover reviewed efforts in working with the development community to date, identifying the most significant issues as time, which is equivalent to dollars for the developers, along with clarifying the process and improving communication. Mr. Crownover reviewed the current process for zone changes, noting that public hearing requirements and other prerequisite needs bring the time issue into play early on, although the various steps in the process overlap. He then outlined an improved process, beginning with an Initial Project Overview form that defines the significant elements of the project to assure that all parties have the same general understanding. This is followed by a Concept Plan review and checklist that establishes that the necessary communication has taken place and helps the applicant develop a realistic picture of all the elements and costs involved in the project. Mr. Crownover emphasized that this is a significant up-front step that should eliminate the late surprises that alienate applicants and slow the process. He stated that the next steps will be to implement tools to enhance the process and to continue to respond to customers' concerns and improve communication. The Development Services Director added that Staff would also like to acquire software within the next year or so that would allow customers to look at project status and would improve project routing internally, letting all interested parties know what is required to move forward. Mr. Crownover clarified that each application will be assigned to one person who will work with the applicant throughout the process, rather than sending the applicant from group to group.

Discussion of time issues followed, and the City Manager confirmed that incomplete initial drawings and other issues have often created delays, but that establishing the needs and

ground rules at the outset helps everyone and avoids misunderstandings. Council member James advocated establishing some time criteria for review of projects by City Staff, maintaining that the business community is entitled to know what to expect from the City. Bonding requirements were also addressed, and City Engineer René Franks advised that the bonding requirement is reduced once infrastructure is completed, if the developer so requests. Mayor Perry recommended establishing a process to let people know the requirements for development in the City's Extraterritorial Jurisdiction. The City Manager briefly addressed the status of the permit fee review, advising that the new Building Codes Review Committee will analyze the fees and develop recommendations.

Staff confirmed that residential development is handled somewhat differently, but that steps will be taken, when this effort is complete, to assist and expedite that process as well. Larry Bell of Parkhill, Smith & Cooper commented that the City has done a good job of bringing early clarity to what each project will require, and lauded the City's efforts to assure that expectations are clearly understood. Council member Sparks advocated communicating typical review time lines (without setting firm deadlines) to further assist developers in their planning. Council member Dufford lauded this effort as a significant step in establishing a new mindset relative to streamlining the development process.

The foregoing agenda item at the Briefing Session was discussed by the Council with no formal action taken. The Briefing Session was adjourned at 9:58 a.m.

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The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:06 a.m., January 12, 2010, with the following members present:

W. Wesley Perry,	Mayor
A. Scott Dufford,	Mayor Pro Tem
Jerry F. Morales,	Council member - At-Large
W. Jeffrey Sparks,	Council member - District 1
Vicky Hailey,	Council member - District 2
John H. James,	Council member - District 3
Michael B. Trost,	Council member - District 4

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Staff members present at the Council Table Annex:

Courtney Sharp,	City Manager
Keith Stretcher,	City Attorney
Tommy Hudson,	Deputy City Manager
Marcus Johnston,	Assistant City Manager

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The invocation was voiced by the Reverend Darrell Dunton, First Baptist Church of Midland.

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Mayor Perry led the Pledge of Allegiance to the Flag.

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Representatives of the Retired Senior Volunteer Program presented the City with a facsimile check in the amount of \$2,394,157.50, representing the contributions of 752 RSVP volunteers who contributed 118,230 hours of community service in 2009. Mayor Perry expressed appreciation for the work of this dedicated group of citizens.

Mayor Perry congratulated the Midland Police Department, which was nationally recognized for its efforts in coordinating the National Night Out event for 2009. The MPD placed 10th in Category 2, population 100,000 to 299,000. Chief Price Robinson introduced several team members whose hard work was critical to the success of National Night Out and thanked other individuals and entities in the City, including Target and Manor Park, for their sponsorship and support of this important community event.

Mayor Perry presented a proclamation proclaiming January 12, 2010, as "Doreen Richardson Day" in recognition of the many contributions Ms. Richardson has made to the community as

executive director of Keep Midland Beautiful and to congratulate her on receiving the top award given to an affiliate director at the annual Keep America Beautiful national conference. The proclamation was accepted by Ms. Richardson, who expressed appreciation for the opportunity to work with people who care about keeping Midland beautiful and in turn recognized several individuals who have made significant contributions to that effort.

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Mayor Perry opened the floor for public comments to allow individuals to address the City Council on city-related issues and projects. There were no requests by citizens to speak.

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A motion was made by Council member Dufford for the approval of the Consent Agenda, listed as Item Nos. 5 through 26, with the exception of Item Nos. 8, 18, 19, 22 and 25, which were temporarily pulled from the agenda.

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(Consent): The minutes of the regular City Council meeting of December 8, 2009 were approved by motion as submitted.

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(Consent): Resolution No. 2010-001 was adopted casting the City of Midland's votes for directors of the Midland Central Appraisal District and directing the City Manager to file the appropriate documents. Caption of said resolution is as follows:

RESOLUTION NO. 2010-001
RESOLUTION CASTING THE CITY OF MIDLAND'S VOTES FOR
DIRECTORS OF THE MIDLAND CENTRAL APPRAISAL
DISTRICT AND DIRECTING THE CITY MANAGER TO FILE THE
APPROPRIATE DOCUMENTS

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(Consent): Resolution No. 2010-002 was adopted authorizing the execution of a purchase agreement for an annual supply of ready-mix concrete and stabilized caliche from Troy Vines, Incorporated, of Midland, Texas, at a total cost of \$54,010.00. Caption of said resolution is as follows:

RESOLUTION NO. 2010-002
RESOLUTION AUTHORIZING THE EXECUTION OF A
PURCHASE AGREEMENT FOR AN ANNUAL SUPPLY OF
READY-MIX CONCRETE AND STABILIZED CALICHE FROM
TROY VINES, INCORPORATED, OF MIDLAND, TEXAS, AT A
TOTAL COST OF \$54,010.00

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(Consent): Resolution No. 2010-003 was adopted approving a contract with Key Enterprises, Incorporated, of Odessa, Texas, for the 2010 Tradewinds Boulevard Waterline Project at a total cost of \$239,017.70. Caption of said resolution is as follows:

RESOLUTION NO. 2010-003
RESOLUTION APPROVING A CONTRACT WITH KEY
ENTERPRISES, INCORPORATED, OF ODESSA, TEXAS, FOR
THE 2010 TRADEWINDS BOULEVARD WATERLINE PROJECT
AT A TOTAL COST OF \$239,017.70

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(Consent): Resolution No. 2010-004 was adopted authorizing the execution of an agreement for the purchase of fertilizer of assorted types and in assorted volumes for operations at the Spraberry Farm, from Helena Chemical of Stanton, Texas, at an estimated total cost of \$150,000.00. Caption of said resolution is as follows:

RESOLUTION NO. 2010-004

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR THE PURCHASE OF FERTILIZER OF ASSORTED TYPES AND IN ASSORTED VOLUMES FOR OPERATIONS AT THE SPRABERRY FARM, FROM HELENA CHEMICAL OF STANTON, TEXAS, AT AN ESTIMATED TOTAL COST OF \$150,000.00

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(Consent): Resolution No. 2010-005 was adopted approving the purchase of two hundred (200) three cubic yard refuse container bottoms and one hundred (100) three-and-one-half cubic yard refuse containers with lids from Fuqua Industries, Incorporated, of Rio Vista, Texas; and fifty (50) four cubic yard refuse containers with lids and three hundred and fifty (350) three cubic yard refuse containers with lids from Roll-Offs USA, Incorporated, of Durant, Oklahoma, at a total cost of \$196,950.00. Caption of said resolution is as follows:

RESOLUTION NO. 2010-005

RESOLUTION APPROVING THE PURCHASE OF TWO HUNDRED (200) THREE CUBIC YARD REFUSE CONTAINER BOTTOMS AND ONE HUNDRED (100) THREE-AND-ONE-HALF CUBIC YARD REFUSE CONTAINERS WITH LIDS FROM FUQUA INDUSTRIES, INCORPORATED, OF RIO VISTA, TEXAS; AND FIFTY (50) FOUR CUBIC YARD REFUSE CONTAINERS WITH LIDS AND THREE HUNDRED AND FIFTY (350) THREE CUBIC YARD REFUSE CONTAINERS WITH LIDS FROM ROLL-OFFS USA, INCORPORATED, OF DURANT, OKLAHOMA, AT A TOTAL COST OF \$196,950.00

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(Consent): Resolution No. 2010-006 was adopted adopting a Voluntary Separation Incentive Program for City of Midland employees with at least five (5) years of service as of January 1, 2010; providing that notice of said program shall be given to all eligible employees; authorizing the execution of separation agreements; and providing that participation shall be limited to a maximum of twenty (20) employees. Caption of said resolution is as follows:

RESOLUTION NO. 2010-006

RESOLUTION ADOPTING A VOLUNTARY SEPARATION INCENTIVE PROGRAM FOR CITY OF MIDLAND EMPLOYEES WITH AT LEAST FIVE (5) YEARS OF SERVICE AS OF JANUARY 1, 2010; PROVIDING THAT NOTICE OF SAID PROGRAM SHALL BE GIVEN TO ALL ELIGIBLE EMPLOYEES; AUTHORIZING THE EXECUTION OF SEPARATION AGREEMENTS; AND PROVIDING THAT PARTICIPATION SHALL BE LIMITED TO A MAXIMUM OF TWENTY (20) EMPLOYEES

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(Consent): The Council approved a motion authorizing the execution of a public improvement development agreement with Midland County Hospital District, for Midland Memorial Hospital Section 2 (located at Andrews Highway and Illinois); said agreement being authorized by Section 395.081 of the Texas Local Government Code.

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(Consent): Resolution No. 2010-007 was adopted authorizing the execution of a public improvement development agreement with Johnny C. Reyes for development of Green Acres Addition, City and County of Midland, Texas (generally located on Business Interstate 20 between Chukar Lane and Todd Drive); and authorizing payment in the amount of \$4,600 therefor; said agreement being authorized by Section 395.081 of the Texas Local Government Code. Caption of said resolution is as follows:

RESOLUTION NO. 2010-007

RESOLUTION AUTHORIZING THE EXECUTION OF A PUBLIC IMPROVEMENT DEVELOPMENT AGREEMENT WITH JOHNNY C. REYES FOR DEVELOPMENT OF GREEN ACRES ADDITION,

CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED BUSINESS INTERSTATE 20 BETWEEN CHUKAR LANE AND TODD DRIVE); AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$4,600 THEREFOR; SAID AGREEMENT BEING AUTHORIZED BY SECTION 395.081 OF THE TEXAS LOCAL GOVERNMENT CODE

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(Consent): The Council approved a motion on a request by West Company of Midland, Inc. for Fender Addition, Section 2, to approve a deferral of street paving, water and sewer and to waive the associated public improvement guarantee. This subdivision is located at the northeast corner of Gist Ave. and East Industrial Loop in our Extraterritorial Jurisdiction.

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(Consent): Resolution No. 2010-008 was adopted authorizing the City Manager to execute a professional services agreement with Realtex Appraisal Company, for appraisal services associated with the purchase of real property with Community Development Block Grant funds for use as affordable residential housing; said property to be appraised is in the Glenn Frances and Glenmore Heights Addition, City of Midland, Midland County, Texas. Caption of said resolution is as follows:

RESOLUTION NO. 2010-008
RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH REALTEX APPRAISAL COMPANY, FOR APPRAISAL SERVICES ASSOCIATED WITH THE PURCHASE OF REAL PROPERTY WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR USE AS AFFORDABLE RESIDENTIAL HOUSING; SAID PROPERTY TO BE APPRAISED IS IN THE GLENN FRANCES AND GLENMORE HEIGHTS ADDITION, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

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(Consent): Resolution No. 2010-009 was adopted authorizing the City Manager to execute a professional services agreement with Barlow Appraisal Associates, for appraisal review services associated with the purchase of real property with Community Development Block Grant Funds for use as affordable residential housing; said property to be appraised is in the Glenn Frances and Glenmore Heights Addition, City of Midland, Midland County, Texas. Caption of said resolution is as follows:

RESOLUTION NO. 2010-009
RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH BARLOW APPRAISAL ASSOCIATES, FOR APPRAISAL REVIEW SERVICES ASSOCIATED WITH THE PURCHASE OF REAL PROPERTY WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR USE AS AFFORDABLE RESIDENTIAL HOUSING; SAID PROPERTY TO BE APPRAISED IS IN THE GLENN FRANCES AND GLENMORE HEIGHTS ADDITION, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

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(Consent): Resolution No. 2010-010 was adopted accepting additional grant funds from the Southwest Border High Intensity Drug Trafficking Areas Program in the amount of \$17,718.00; said funds were recently awarded to the Midland Police Department for the purpose of enhancing and coordinating drug control efforts among federal, state, and local law enforcement agencies to better combat drug trafficking; \$11,718.00 will be directed to the '07 High Intensity Drug Trafficking Areas Project 8869 and \$6,000.00 to the High Intensity Drug Trafficking Areas Project 7010; and appropriating funds. Caption of said resolution is as follows:

RESOLUTION NO. 2010-010
RESOLUTION ACCEPTING ADDITIONAL GRANT FUNDS FROM THE SOUTHWEST BORDER HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM IN THE AMOUNT OF

\$17,718.00; SAID FUNDS WERE RECENTLY AWARDED TO THE MIDLAND POLICE DEPARTMENT FOR THE PURPOSE OF ENHANCING AND COORDINATING DRUG CONTROL EFFORTS AMONG FEDERAL, STATE, AND LOCAL LAW ENFORCEMENT AGENCIES TO BETTER COMBAT DRUG TRAFFICKING; \$11,718.00 WILL BE DIRECTED TO THE '07 HIGH INTENSITY DRUG TRAFFICKING AREAS PROJECT 8869 AND \$6,000.00 TO THE HIGH INTENSITY DRUG TRAFFICKING AREAS PROJECT 7010; AND APPROPRIATING FUNDS

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(Consent): Resolution No. 2010-011 was adopted accepting a donation of \$5,000.00 from the Yarborough Foundation; the donated funds will be deposited in the Invest-In-A-Vest Project to purchase bulletproof vests for the Midland Police Department. Caption of said resolution is as follows:

RESOLUTION NO. 2010-011
RESOLUTION ACCEPTING A DONATION OF \$5,000.00 FROM THE YARBOROUGH FOUNDATION; THE DONATED FUNDS WILL BE DEPOSITED IN THE INVEST-IN-A-VEST PROJECT TO PURCHASE BULLET PROOF VESTS FOR THE MIDLAND POLICE DEPARTMENT

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(Consent): Resolution No. 2010-012 was adopted authorizing the execution of a professional services agreement with Arcadis U.S., Incorporated, for performance of a groundwater assessment at Spraberry Farm in response to inquiries from the Texas Commission on Environmental Quality regarding the City's effluent farming operations; and appropriating \$175,800.00 for said professional services. Caption of said resolution is as follows:

RESOLUTION NO. 2010-012
RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH ARCADIS U.S., INCORPORATED, FOR PERFORMANCE OF A GROUNDWATER ASSESSMENT AT SPRABERRY FARM IN RESPONSE TO INQUIRIES FROM THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY REGARDING THE CITY'S EFFLUENT FARMING OPERATIONS; AND APPROPRIATING \$175,800.00 FOR SAID PROFESSIONAL SERVICES

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(Consent): Resolution No. 2010-013 was adopted authorizing the execution of a right of way license with Atlas Pipeline Mid-Continent Westex, L.L.C., for the installation, operation and maintenance of an oil and gas pipeline to be constructed across City property within Spraberry Farm, in Section 14, Block 37, T-3-S, T&P RR. Co. Survey, Midland County, Texas. Caption of said resolution is as follows:

RESOLUTION NO. 2010-013
RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT OF WAY LICENSE WITH ATLAS PIPELINE MID-CONTINENT WESTEX, L.L.C., FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF AN OIL AND GAS PIPELINE TO BE CONSTRUCTED ACROSS CITY PROPERTY WITHIN SPRABERRY FARM, IN SECTION 14, BLOCK 37, T-3-S, T&P RR. CO. SURVEY, MIDLAND COUNTY, TEXAS

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(Consent): Resolution No. 2010-014 was adopted establishing fees in association with Title VI, "Police Regulations", Chapter 1, "General Offenses", Section 23, "Oil and Gas Well Permits issued on or after January 1, 2010"; said resolution shall establish fees for an oil and gas permit application; and establish a fee for a request for inspection and extension of a previously issued oil and gas well permit; and establish a fee for an amendment to an oil and gas well permit; and establishing a fee for an application to transfer an oil and gas well permit and a takings determination; and establishing an appeal procedure. Caption of said resolution is as follows:

RESOLUTION NO. 2010-014

RESOLUTION ESTABLISHING FEES IN ASSOCIATION WITH TITLE VI, "POLICE REGULATIONS". CHAPTER 1, "GENERAL OFFENSES", SECTION 23, "OIL AND GAS WELL PERMITS ISSUED ON OR AFTER JANUARY 1, 2010"; SAID RESOLUTION SHALL ESTABLISH FEES FOR AN OIL AND GAS PERMIT APPLICATION; AND ESTABLISH A FEE FOR A REQUEST FOR INSPECTION AND EXTENSION OF A PREVIOUSLY ISSUED OIL AND GAS WELL PERMIT; AND ESTABLISH A FEE FOR AN AMENDMENT TO AN OIL AND GAS WELL PERMIT; AND ESTABLISHING A FEE FOR AN APPLICATION TO TRANSFER AN OIL AND GAS WELL PERMIT AND A TAKINGS DETERMINATION; AND ESTABLISHING AN APPEAL PROCEDURE

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The foregoing motion for the approval of the Consent Agenda was seconded by Council member Trost, and carried by the following vote:

Council members voting "AYE": Dufford, Trost, Morales, Hailey, Perry, James and Sparks
Council members voting "NAY": None

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Consideration was given to a resolution approving plans and specifications and authorizing advertisement for bids for the replacement of lighting in twenty-nine City buildings, and the replacement of heating, ventilation & air conditioning units in twelve (12) City buildings, said work to be paid for with grant funds from the United States Department of Energy.

Asked by Council member Dufford how much energy-related savings can be expected, Facilities and Fleet Management Director Mark Phillips estimated savings of about \$213,000 the first year, and about \$130,000 thereafter. Mr. Phillips advised that this work is paid for directly by a special federal grant available only to municipalities who go through an extensive process to qualify, and he confirmed that there will be no out-of-pocket cost to the City.

Resolution No. 2010-015 was adopted approving plans and specifications and authorizing advertisement for bids for the replacement of lighting and/or replacement of heating, ventilation and air conditioning units in certain City buildings. Caption and action had on said resolution are as follows:

RESOLUTION NO. 2010-015

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE REPLACEMENT OF LIGHTING IN TWENTY-NINE CITY BUILDINGS, AND THE REPLACEMENT OF HEATING, VENTILATION & AIR CONDITIONING UNITS IN TWELVE (12) CITY BUILDINGS, SAID WORK TO BE PAID FOR WITH GRANT FUNDS FROM THE UNITED STATES DEPARTMENT OF ENERGY

On motion of Council member Trost, seconded by Council member Morales, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the 12th day of January, A.D., 2010, by the following vote:

Council members voting "AYE": Trost, Morales, Hailey, Perry, Dufford, James and Sparks
Council members voting "NAY": None

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Consideration was given to a resolution authorizing the execution of a workforce housing incentive agreement with R.W. Owens Corporation; the Workforce Housing Incentive Program is established to encourage the development of single family housing sold through Midland Neighborhood Housing Services to Community Development Block Grant eligible buyers; said agreement being authorized by Section 380.001 of the Texas Local Government Code to

promote state or local economic development and stimulate business and commercial activity in the City of Midland.

Council member Hailey requested additional information, asking if this incentive falls under the City's current workforce housing program. Community Development Manager Sylvester Cantu explained that this is a formal agreement with a private contractor setting out the range of fees that will be waived or reimbursed, as part of the overall program currently in place. Asked to clarify the "modular home" concept, Mr. Cantu advised that these are structures largely built offsite under State oversight and that they satisfy the City's building standards.

Resolution No. 2010-016 was adopted authorizing a workforce housing incentive agreement with R.W. Owens Corporation, as authorized by Section 380.001 of the Texas Local Government Code. Caption and action had on said resolution are as follows:

RESOLUTION NO. 2010-016
RESOLUTION AUTHORIZING THE EXECUTION OF A
WORKFORCE HOUSING INCENTIVE AGREEMENT WITH R.W.
OWENS CORPORATION; THE WORKFORCE HOUSING
INCENTIVE PROGRAM IS ESTABLISHED TO ENCOURAGE
THE DEVELOPMENT OF SINGLE FAMILY HOUSING SOLD
THROUGH MIDLAND NEIGHBORHOOD HOUSING SERVICES
TO COMMUNITY DEVELOPMENT BLOCK GRANT ELIGIBLE
BUYERS; SAID AGREEMENT BEING AUTHORIZED BY
SECTION 380.001 OF THE TEXAS LOCAL GOVERNMENT
CODE TO PROMOTE STATE OR LOCAL ECONOMIC
DEVELOPMENT AND STIMULATE BUSINESS AND
COMMERCIAL ACTIVITY IN THE CITY OF MIDLAND

On motion of Council member Hailey, seconded by Council member Trost, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the 12th day of January, A.D., 2010, by the following vote:

Council members voting "AYE": Hailey, Trost, Morales, Perry, Dufford, James
and Sparks
Council members voting "NAY": None

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Consideration was given to 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.

Asked for details, the Community Development Manager advised that this is the first project of this nature involving a rebuilt home under our Owner-occupied Housing Rehabilitation Loan Program. Mr. Cantu explained that the family failed to complete its obligation to repay the loan, and that sale of the home by the City, as first lienholder, appears to be the most practical alternative. He cited other alternatives that can be pursued if needed and confirmed that the City is still owed about \$13,000 plus expenses, noting that any recovered costs will go back into the same CDBG program from which the loan was made.

Resolution No. 2010-017 was adopted authorizing advertisement for sealed bids for the sale of the described real property and stipulating the minimum bid. Caption and action had on said resolution are as follows:

RESOLUTION NO. 2010-017
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

On motion of Council member Hailey, seconded by Council member Morales, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the 12th day of January, A.D., 2010, by the following vote:

Council members voting "AYE": Hailey, Morales, Trost, Perry, Dufford, James and Sparks
Council members voting "NAY": None

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Consideration was given to a resolution authorizing a Seventh Amendment to the existing professional services agreement with Camp Dresser & McKee, Incorporated; and appropriating \$1,068,658.00 therefor; the original agreement was for \$980,019.00; this seventh amendment will bring the total agreement price to \$6,814,476.00.

Council member Morales requested additional information, asking why the City is responsible for paying the \$275,924 for additional work required under the Water Purification Plant project. Utilities Director Stuart Purvis advised that some of the oversight costs to resolve contractor questions, such as additional verification work and extended inspection costs, are costs that the City must absorb. Council member Morales agreed that the dollars are not substantial relative to the overall project cost, but noted that this cost has mounted substantially over time as changes have been made. Mr. Purvis explained that the professional services contract with Camp Dresser & McKee was made about seven years ago to handle multiple projects that had accumulated over an extended period and have had to be funded individually through the years. He advised that the City has realized substantial efficiencies by using one firm and amending the contract on an ongoing basis, adding that the amendments do not constitute cost overruns.

Resolution No. 2010-018 was adopted authorizing a seventh amendment to the existing professional services agreement with Camp Dresser & McKee, and appropriating funds. Caption and action had on said resolution are as follows:

RESOLUTION NO. 2010-018
RESOLUTION AUTHORIZING A SEVENTH AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH CAMP DRESSER & MCKEE, INCORPORATED; AND APPROPRIATING \$1,068,658.00 THEREFOR; THE ORIGINAL AGREEMENT WAS FOR \$980,019.00; THIS SEVENTH AMENDMENT WILL BRING THE TOTAL AGREEMENT PRICE TO \$6,814,476.00

On motion of Council member Morales, seconded by Council member Trost, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the 12th day of January, A.D., 2010, by the following vote:

Council members voting "AYE": Morales, Trost, Hailey, Perry, Dufford, James and Sparks
Council members voting "NAY": None

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Mayor Perry turned the proceedings over to Mayor Pro Tem Dufford prior to the Council addressing the next matter on the agenda, advising that he lives near the property involved and would abstain from deliberation and voting on that item.

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Resolution No. 2010-019 was adopted authorizing the office of the City Attorney to file all documents, employ all necessary experts and make all necessary appearances to represent the City of Midland in a lawsuit styled Jud Walton v. City of Midland; 238th Judicial District Court, Midland County, Texas; Cause No. CV47184; and authorizing the payment of all costs. Caption and action had on said resolution are as follows:

RESOLUTION NO. 2010-019
RESOLUTION AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO FILE ALL DOCUMENTS, EMPLOY ALL NECESSARY EXPERTS AND MAKE ALL NECESSARY APPEARANCES TO REPRESENT THE CITY OF MIDLAND IN A LAWSUIT STYLED JUD WALTON V. CITY OF MIDLAND; 238TH JUDICIAL DISTRICT COURT, MIDLAND COUNTY, TEXAS; CAUSE NO. CV47184; AND AUTHORIZING THE PAYMENT OF ALL COSTS

On motion of Council member Hailey, seconded by Council member Sparks, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the 12th day of January, A.D., 2010, by the following vote:

Council members voting "AYE": Hailey, Sparks, Morales, Trost, Dufford and James
Council members "ABSTAINING": Perry
Council members voting "NAY": None

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Mayor Pro Tem Dufford returned control of the meeting to Mayor Perry.

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Ordinance No. 8772 was adopted on second and final reading changing the zoning use classification of Lots 1-3 and the east 7 feet of Lot 4, Block 106, Resurvey Block 106, West End Addition, City and County of Midland, Texas (generally located on the southwest corner of the intersection of West Indiana Avenue and South "I" Street), which is presently zoned 1F-1, One-Family Dwelling District, by permitting said property to be used under a specific use permit without term for an accessory building to be used for living or sleeping quarters; 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. Caption and action had on said ordinance are as follows:

ORDINANCE NO. 8772
AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF LOTS 1-3 AND THE EAST 7 FEET OF LOT 4, BLOCK 106, RESURVEY BLOCK 106, WEST END ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF WEST INDIANA AVENUE AND SOUTH "I" STREET) WHICH IS PRESENTLY ZONED 1F-1, ONE-FAMILY DWELLING DISTRICT, BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT WITHOUT TERM FOR AN ACCESSORY BUILDING TO BE USED FOR LIVING OR SLEEPING QUARTERS; 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

The above and foregoing ordinance was read and finally adopted, in accordance with the Charter of the City of Midland, by the following vote upon motion of Council member Hailey, seconded by Council member Morales, on the 12th day of January, A.D., 2010, at a regular meeting of the City Council.

Council members voting "AYE": Hailey, Morales, Trost, Perry, Dufford, James and Sparks
Council members voting "NAY": None

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Ordinance No. 8773 was adopted on second and final reading adopting a site plan for Lot 9, Block 28, Wydehood Estates, Section 21, City and County of Midland, Texas (generally located on the east side of Sunmore Circle, approximately 270 feet east of Sunburst Drive); subject to the following conditions and restrictions; 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. Caption and action had on said ordinance are as follows:

ORDINANCE NO. 8773
AN ORDINANCE ADOPTING A SITE PLAN FOR LOT 9, BLOCK 28, WYDEWOOD ESTATES, SECTION 21, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF SUNMORE CIRCLE, APPROXIMATELY 270 FEET EAST OF SUNBURST DRIVE); SUBJECT TO THE FOLLOWING

CONDITIONS AND RESTRICTIONS; 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

The above and foregoing ordinance was read and finally adopted, in accordance with the Charter of the City of Midland, by the following vote upon motion of Council member Hailey, seconded by Council member Trost, on the 12th day of January, A.D., 2010, at a regular meeting of the City Council.

Council members voting "AYE": Hailey, Trost, Morales, Perry, Dufford, James and Sparks
Council members voting "NAY": None

* * *

Ordinance No. 8774 was adopted on second and final reading vacating and abandoning a 443 square foot portion of a 25-foot drainage easement out of the SW/4 of Lot 4, Block 34, Crestgate Addition, Section 32, City and County of Midland, Texas (generally located between Eagle Cove and Cardinal Lane, approximately 265 feet west of North Midkiff Road); adopting the appraisal by the City Manager of \$203.00; waiving the fee for the cost of the right-of-way; and ordering recordation by the City Secretary. Caption and action had on said ordinance are as follows:

ORDINANCE NO. 8774
AN ORDINANCE VACATING AND ABANDONING A 443 SQUARE FOOT PORTION OF A 25-FOOT DRAINAGE EASEMENT OUT OF THE SW/4 OF LOT 4, BLOCK 34, CRESTGATE ADDITION, SECTION 32, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED BETWEEN EAGLE COVE AND CARDINAL LANE, APPROXIMATELY 265 FEET WEST OF NORTH MIDKIFF ROAD); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$203.00; WAIVING THE FEE FOR THE COST OF THE RIGHT-OF-WAY; AND ORDERING RECORDATION BY THE CITY SECRETARY

The above and foregoing ordinance was read and finally adopted, in accordance with the Charter of the City of Midland, by the following vote upon motion of Council member Hailey, seconded by Council member Morales, on the 12th day of January, A.D., 2010, at a regular meeting of the City Council.

Council members voting "AYE": Hailey, Morales, Trost, Perry, Dufford, James and Sparks
Council members voting "NAY": None

* * *

Ordinance No. 8775 was adopted on second and final reading amending Title VI, "Police Regulations", Chapter 1, "General Offenses", of the City Code of Midland, Texas, by establishing Section 24, "Use of Engine Brake Prohibited", so as to prohibit the use of such brakes within the City limits; 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. Caption and action had on said ordinance are as follows:

ORDINANCE NO. 8775
AN ORDINANCE AMENDING TITLE VI, "POLICE REGULATIONS", CHAPTER 1, "GENERAL OFFENSES", OF THE CITY CODE OF MIDLAND, TEXAS, BY ESTABLISHING SECTION 24, "USE OF ENGINE BRAKE PROHIBITED", SO AS TO PROHIBIT THE USE OF SUCH BRAKES WITHIN THE CITY LIMITS; 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

The above and foregoing ordinance was read and finally adopted, in accordance with the Charter of the City of Midland, by the following vote upon motion of Council member Dufford,

seconded by Council member Sparks, on the 12th day of January, A.D., 2010, at a regular meeting of the City Council.

Council members voting "AYE": Dufford, Sparks, Morales, Trost, Hailey, Perry
and James
Council members voting "NAY": None

* * *

Ordinance No. 8776 was adopted on second and final reading amending Title X, "Traffic Regulations", Chapter Four, "Traffic Control Devices", Section 11, "School Zones and Crossings", of the Midland City Code, so as to designate each school zone and school crossing within the City and regulate the speed and movement of traffic therein; authorizing and directing the traffic engineer to install appropriate signs and markings; repealing Ordinance No. 8755; 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. Caption and action had on said ordinance are as follows:

ORDINANCE NO. 8776
AN ORDINANCE AMENDING TITLE X, "TRAFFIC REGULATIONS", CHAPTER FOUR, "TRAFFIC CONTROL DEVICES", SECTION 11, "SCHOOL ZONES AND CROSSINGS", OF THE MIDLAND CITY CODE, SO AS TO DESIGNATE EACH SCHOOL ZONE AND SCHOOL CROSSING WITHIN THE CITY AND REGULATE THE SPEED AND MOVEMENT OF TRAFFIC THEREIN; AUTHORIZING AND DIRECTING THE TRAFFIC ENGINEER TO INSTALL APPROPRIATE SIGNS AND MARKINGS; REPEALING ORDINANCE NO. 8755; 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

The above and foregoing ordinance was read and finally adopted, in accordance with the Charter of the City of Midland, by the following vote upon motion of Council member Dufford, seconded by Council member Hailey, on the 12th day of January, A.D., 2010, at a regular meeting of the City Council.

Council members voting "AYE": Dufford, Hailey, Morales, Trost, Perry, James
and Sparks
Council members voting "NAY": None

* * *

Ordinance No. 8777 was adopted on second and final reading amending Title VII, "Fire Regulations", Chapter 3, "Fireworks", Section 3, "Nuisance Declared", of the Municipal Code of the City of Midland, Texas, so as to delete the language referring to fireworks stands as they relate to annexation; containing a cumulative clause; containing a savings and severability clause; providing for a maximum fine or penalty of two thousand dollars (\$2,000.00); and ordering publication. Caption and action had on said ordinance are as follows:

ORDINANCE NO. 8777
AN ORDINANCE AMENDING TITLE VII, "FIRE REGULATIONS", CHAPTER 3, "FIREWORKS", SECTION 3, "NUISANCE DECLARED", OF THE MUNICIPAL CODE CITY OF MIDLAND, TEXAS, SO AS TO DELETE THE LANGUAGE REFERRING TO FIREWORKS STANDS AS THEY RELATE TO ANNEXATION; 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

The above and foregoing ordinance was read and finally adopted, in accordance with the Charter of the City of Midland, by the following vote upon motion of Council member Dufford, seconded by Council member Hailey, on the 12th day of January, A.D., 2010, at a regular meeting of the City Council.

Council members voting "AYE": Dufford, Hailey, Morales, Trost, Perry, James and Sparks
Council members voting "NAY": None

* * *

Consideration was given to an ordinance amending the Fire District so as to delete therefrom Lot 6A, Block 25, Crestgate Addition, Section 35, City and County of Midland, Texas (generally described as 3317 Caldera Boulevard); directing the Building Official to amend the Fire District Map; containing a cumulative clause; and containing a savings and severability clause.

Building Official Steve Thorpe advised that the developer of this property wishes to construct a wood-framed, brick veneer office building, but that the proposed development cannot be approved unless it is removed from the Fire District, which prohibits combustible construction. Mr. Thorpe added that the City has typically granted similar requests for such construction in this area, and recommended approval.

Ordinance No. 8778 was adopted on the first of two readings amending the Fire District so as to delete therefrom the described property. Caption and action had on said ordinance are as follows:

ORDINANCE NO. 8778
AN ORDINANCE AMENDING THE FIRE DISTRICT SO AS TO DELETE THEREFROM LOT 6A, BLOCK 25, CRESTGATE ADDITION, SECTION 35, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY DESCRIBED AS 3317 CALDERA BOULEVARD); DIRECTING THE BUILDING OFFICIAL TO AMEND THE FIRE DISTRICT MAP; CONTAINING A CUMULATIVE CLAUSE; AND CONTAINING A SAVINGS AND SEVERABILITY CLAUSE

The above and foregoing ordinance was duly proposed, read and adopted on first reading in accordance with the Charter of the City of Midland, the 12th day of January, A.D., 2010; and passed to second reading on motion of Council member Hailey, seconded by Council member Morales, by the following vote:

Council members voting "AYE": Hailey, Morales, Trost, Perry, Dufford, James and Sparks
Council members voting "NAY": None

* * *

Consideration was given to an ordinance vacating and abandoning a 0.55-acre portion of the north/south 80-foot general utility and drainage easement adjacent to the west half of Block 29 and the east half of Block 30, Original Town, City and County of Midland, Texas (generally located along the former Pecos Street right-of-way between Ohio Street and Illinois Avenue); adopting the appraisal by the City Manager of \$48,000.00; and ordering recordation by the City Secretary.

Planning Division Manager Cameron Walker recalled action taken in 2008 to vacate this block of Pecos, noting that the City retained a utility and drainage easement throughout the 80-foot by 300-foot former street. Mr. Walker advised that the developer of the property is now requesting vacation of the easement, proposing to offset the vacated land with easements, dedicated via the platting process, of enough land to accommodate the utility and drainage needs associated with this development. He reviewed the basis for determination of the market value, based on the difference between the value of the vacated easement and the land to be dedicated for this purpose, and he advised that the developers are currently platting the property.

Asked the time frame for construction of the parking garage, applicant representative Mark Wellen advised that the construction contract is in place and work is about to get underway, and he reviewed plans for completion of the main building of the complex as well.

Ordinance No. 8779 was adopted on the first of two readings vacating and abandoning a 0.55-acre portion of the described easement. Caption and action had on said ordinance are as follows:

ORDINANCE NO. 8779

AN ORDINANCE VACATING AND ABANDONING A 0.55-ACRE PORTION OF THE NORTH/SOUTH 80-FOOT GENERAL UTILITY AND DRAINAGE EASEMENT ADJACENT TO THE WEST HALF OF BLOCK 29 AND THE EAST HALF OF BLOCK 30, ORIGINAL TOWN, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ALONG THE FORMER PECOS STREET RIGHT-OF-WAY BETWEEN OHIO STREET AND ILLINOIS AVENUE); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$48,000.00; AND ORDERING RECORDATION BY THE CITY SECRETARY

The above and foregoing ordinance was duly proposed, read and adopted on first reading in accordance with the Charter of the City of Midland, the 12th day of January, A.D., 2010; and passed to second reading on motion of Council member Hailey, seconded by Council member Sparks, by the following vote:

Council members voting "AYE": Hailey, Sparks, Morales, Trost, Perry, Dufford
and James
Council members voting "NAY": None

* * *

Community Development Manager Sylvester Cantu presented the Draft Citizen Participation Plan for Community Development and Housing Funds. Mr. Cantu explained that it was necessary to tighten up the provisions of the existing Plan and revise the criteria for initiating budget changes. He advised that the improved Plan must now be publicized to encourage participation, after which it will be brought back to the Council for approval.

* * *

A public hearing was held and consideration given to an ordinance changing the zoning use classification of Lot 1, Block 5, Pecan Acres, Section 4, City and County of Midland, Texas (generally located on the north side of Trenton Drive, approximately 170 feet east of Trobaugh Road), which is presently zoned AE, Agriculture Estate District, by permitting said property to be used under a specific use permit without term for an accessory building to be used for living or sleeping quarters; 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.

The Planning Division Manager reviewed the request, explaining that the applicants wish to construct a single-story, 2,400 square-foot accessory building on this seven-acre property in the AE District, with about 1,000 square feet to be used for living quarters for a family member and the remainder for a workshop. Mr. Walker reviewed the site plan, adding that the proposal is in line with the city's existing policies regarding this type of request, and confirmed that there have been no letters of objection. Staff concurred with the Planning Commission's recommendation for approval. Mr. Walker also noted that a provision in the draft ordinance allowing the accessory building to be as large as 3,200 square feet was in error.

Mayor Perry opened the public hearing.

There being no one present wishing to speak either for or against said request, Mayor Perry closed the public hearing.

Council member Dufford moved to amend the proposed ordinance to provide that the accessory building will not exceed 2,400 square feet. The motion was seconded by Council member Morales and approved by the following vote:

Council members voting "AYE": Dufford, Morales, Trost, Hailey, Perry, James
and Sparks
Council members voting "NAY": None

Ordinance No. 8780 was adopted as amended on the first of two readings, approving the requested specific use permit without term for an accessory building to be used for living or sleeping quarters on the described property. Caption and action had on said ordinance are as follows:

ORDINANCE NO. 8780
AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF LOT 1, BLOCK 5, PECAN ACRES, SECTION 4, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF TRENTON DRIVE, APPROXIMATELY 170 FEET EAST OF TROBAUGH ROAD), WHICH IS PRESENTLY ZONED AE, AGRICULTURE ESTATE DISTRICT, BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT WITHOUT TERM FOR AN ACCESSORY BUILDING TO BE USED FOR LIVING OR SLEEPING QUARTERS; 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

The above and foregoing ordinance was duly proposed, read and adopted as amended on first reading in accordance with the Charter of the City of Midland, the 12th day of January, A.D., 2010; and passed to second reading on motion of Council member Dufford, seconded by Council member Hailey, by the following vote:

Council members voting "AYE": Dufford, Hailey, Morales, Trost, Perry, James and Sparks

Council members voting "NAY": None

* * *

Consideration was given to a motion appointing a Mayor Pro Tempore.

Following brief discussion, Council member Dufford made a motion to appoint Council member John James as Mayor Pro Tempore. The motion was seconded by Council member Morales and approved by the following vote:

Council members voting "AYE": Dufford, Morales, Trost, Hailey, Perry and Sparks

Council members "ABSTAINING": James

Council members voting "NAY": None

* * *

Consideration was given to a motion making appointments to various Boards and Commissions.

Nominations were submitted and discussed. Upon motion by Council member Dufford, seconded by Council member Hailey, the following persons were unanimously appointed to the Boards and Commissions as set forth below:

PARKS AND RECREATION COMMISSION

Charles A. Spence - appointed to unexpired term Term Expires
Sept 30 2010

MIDLAND DEVELOPMENT CORPORATION

Douglas Henson - reappointed Term Expires
January 14 2013
J. David Mims - reappointed Term Expires
January 14 2013

ZONING BOARD OF ADJUSTMENT
AND AIRPORT ZONING BOARD OF ADJUSTMENT

Ken Morgan - appointed to unexpired term Term Expires
Sept 30 2010
Carla Repman - appointed to unexpired term Term Expires
Sept 30 2011

HOUSING AUTHORITY COMMISSION

James A. Blischke - appointed (from Alternate) Term Expires
Oct 2011

MIDLAND-ODESSA URBAN TRANSIT DISTRICT BOARD

Willie Tarleton - reappointed Term Expires
Sept 30 2011

PERSONNEL BOARD OF APPEALS

Michael Trost	-	appointed to replace LuAnn Morgan	<u>Term Expires</u> N/A
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The discussion that followed focused on the purpose of the Joint Economic Development Task Force and Higher Education Facilities Corporation. The City Attorney advised that he would visit with Midland Christian School officials regarding potential new board members for the latter. Regarding the Midland Housing Finance Corporation board, Council member Hailey advised that Damon Blakeley moved away some time ago, and that Jasper McKee has not attended a meeting during the past year; it was agreed that both seats are now vacant and replacement members need to be found.

Further discussion was held regarding potential nominees for the Planning and Zoning Commission. Upon motion by Council member Trost, seconded by Council member James, the following person was unanimously appointed to the Planning and Zoning Commission:

PLANNING AND ZONING COMMISSION

Karen York	-	appointed to unexpired term	<u>Term Expires</u> Sept 30 2012
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Pursuant to Texas Government Code Section 551.101, Mayor Perry called an Executive Session which is closed to the public. Stating that there were no items on the agenda for such session, Mayor Perry announced that the Executive Session would not be held.

* * *

All of the business at hand having been completed, the meeting adjourned at 11:32 a.m.