

February 9, 2010

The City Council convened in a Briefing Session in the Basement Conference Room, City Hall, Midland, Texas, at 8:45 a.m. on February 9, 2010, with the following members present:

W. Wesley Perry,
John H. James,
Jerry F. Morales,
W. Jeffrey Sparks,
Vicky Hailey,

Mayor
Mayor Pro Tem
Council member - At-Large
Council member - District 1
Council member - District 2

A. Scott Dufford, Council member - At-Large, and Michael B. Trost, Council member - District 4, joined the proceedings in progress.

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Staff members present:

Courtney Sharp,
Keith Stretcher,
Tommy Hudson,
Marcus Johnston,
Kaylah McCord,
Monette Burke,
Tina Jauz,

City Manager
City Attorney
Deputy City Manager
Assistant City Manager
City Secretary
Director, Community Services
Assistant to the City Mgr./Public Info. Officer

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The Council received a presentation from Vision 2020 Midland, represented by co-chairs Becky Ferguson and Charles Spence, along with a number of committee chairs.

Ms. Ferguson initiated the presentation with a video that traced earlier visioning efforts in the City beginning with Objectives for Midland in the 1960s, reviewed plans developed for each decade, and examined the progress made by the City in its efforts to realize those visions. Mr. Spence advised that Vision 2020 has been very fortunate to have extraordinary leadership on each of its task force committees, and he expressed appreciation for the City's leadership in this endeavor as well, citing its support for many of the elements woven into Vision 2020.

Each of the task force committee chairs or their representatives briefly reviewed their group's mission and results. Buddy Sipes of the Area Development Committee advised that his group focused on what Midland can do to help our region, keeping in mind that our trade area is extensive. Among the specific priorities identified by the committee were completion of a four-lane highway to Lamesa and improvements to emergency services. Kathy Schorr of the Arts Committee explained that this committee wanted to focus on downtown as the core for the City's arts presence, and developed goals to this end that included an arts and culture center in a renovated Yucca Theater, renovation of the County court building to house the Library and County Historical Commission, and development of a downtown "art-way". Emy Ulmschneider of the Conservation/Sustainability Committee reviewed goals built on Midland's heritage and legacy that include establishing a venue for educating our citizens regarding sustainable technology, expanding Midland's leadership in the renewable energy arena, and increasing conservation of our resources, with emphasis on water. Council member John James spoke for the Economic Development Committee, outlining several objectives that include development of a long-term water plan, convening a roundtable to identify the next economic driver for our community, and continuing support of energy and other industries that now sustain Midland. Mary Smith of the Education Committee advised that her group focused on providing opportunities for parental participation in education, and she reviewed specific goals aimed to ensure that children get off on the right foot and that their parents have opportunities to be involved throughout the education process. Cindy Lanning spoke on behalf of the Housing Committee, citing continued low numbers of affordable housing and changing demographics that led to a number of objectives that run the gamut from a focus on cluster housing to developing new ways of assisting with financing. The Committee also wanted to encourage use of sustainable building practices and housing for special populations. Ken Marks of the Parks and Sports Committee reviewed goals that build on the success of the Scharbauer Sports Complex by adding opportunities for use by the entire community, including addition of a multipurpose community center at the Sports Complex, and he outlined potential funding sources. Jim Nelson of the Quality of Place Committee emphasized that more than job availability is needed to bring people to Midland, and he discussed several goals that included a

multi-use central gathering destination in downtown, landscaping of high-traffic locations, city-wide free Wi-Fi, and promotion of diverse, family-oriented activities beyond traditional sports. Robin Donnelly outlined objectives of the Transportation Committee, which focused on addressing safety issues and reducing congestion through improvement/development of road, rail and airport infrastructure to accommodate growth and economic development. John Kennedy of the Youth Services Committee reviewed goals that utilize a virtual community center to promote early child development programs, parental involvement and childhood nutritional education. Blake Mendez described other Youth Services goals, including establishing a children's interactive science museum and expanding pediatric medical services. Mr. Spence spoke on behalf of the Facilities Committee, which developed goals to renovate the Yucca Theater, continue redevelopment of downtown Midland, establish a health care complex on the Midland College campus, expand and add Senior Center facilities, build waterparks, construct additional fire stations, and move forward to complete the wetlands and nature center project.

Concluding the presentation, Joan Baskin of the Executive Committee addressed Midland's evolution, citing the far-reaching vision of those who came before us and pointing out that this is a continuation of that legacy through the dreams of today's creative citizens. Ms. Baskin added that this is a blueprint but that we are all the contractors, and she urged the City to seek private partnerships to support and bring these goals to fruition. Vision 2020 representatives responded to several Council questions.

The foregoing agenda item at the Briefing Session was discussed by the Council with no formal action taken. The Briefing Session was adjourned at 10:00 a.m.

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The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:10 a.m., February 9, 2010, with the following members present:

W. Wesley Perry,	Mayor
John H. James,	Mayor Pro Tem
A. Scott Dufford,	Council member - At-Large
Jerry F. Morales,	Council member - At-Large
W. Jeffrey Sparks,	Council member - District 1
Vicky Hailey,	Council member - District 2
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 Paul Byrom, First Baptist Church of Midland.

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Mayor Perry led the Pledge of Allegiance to the Flag.

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A motion was made by Council member James for the approval of the Consent Agenda, listed as Item Nos. 4 through 19, with the exception of Item Nos. 8, 10 and 19, which were temporarily pulled from the agenda.

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(Consent): The minutes of the regular City Council meeting of January 26, 2010 were approved by motion as submitted.

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(Consent): Resolution No. 2010-039 was adopted electing not to nominate a candidate to fill a vacancy on the Board of Directors of the Midland Central Appraisal District pursuant to Section 6.01(L) of the Texas Tax Code; and directing the City Manager to file the appropriate documents. Caption of said resolution is as follows:

RESOLUTION NO. 2010-039
RESOLUTION ELECTING NOT TO NOMINATE A CANDIDATE TO FILL A VACANCY ON THE BOARD OF DIRECTORS OF THE MIDLAND CENTRAL APPRAISAL DISTRICT PURSUANT TO SECTION 6.01(L) OF THE TEXAS TAX CODE; AND DIRECTING THE CITY MANAGER TO FILE THE APPROPRIATE DOCUMENTS

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(Consent): Resolution No. 2010-040 was adopted authorizing the execution of an agreement with CK Farms of Midland, Texas, for the disposal of effluent and/or sludge at the City's Plant Farm at an annual cost of \$175,000.00; the agreement ends on November 30, 2012, with a five-year renewal to be exercised with approval of the City Council; CK Farms was the low bidder. Caption of said resolution is as follows:

RESOLUTION NO. 2010-040
RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CK FARMS OF MIDLAND, TEXAS, FOR THE DISPOSAL OF EFFLUENT AND/OR SLUDGE AT THE CITY'S PLANT FARM AT AN ANNUAL COST OF \$175,000.00; THE AGREEMENT ENDS ON NOVEMBER 30, 2012, WITH A FIVE-YEAR RENEWAL TO BE EXERCISED WITH APPROVAL OF THE CITY COUNCIL; CK FARMS WAS THE LOW BIDDER

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(Consent): Resolution No. 2010-041 was adopted authorizing the execution of an agreement with Mesa Irrigation, of Lamesa, Texas, for the purchase and installation of two (2) pivot irrigation systems at Spraberry Farm at a cost of \$117,054.00; Mesa Irrigation was the sole bidder. Caption of said resolution is as follows:

RESOLUTION NO. 2010-041
RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MESA IRRIGATION, OF LAMESA, TEXAS, FOR THE PURCHASE AND INSTALLATION OF TWO (2) PIVOT IRRIGATION SYSTEMS AT SPRABERRY FARM AT A COST OF \$117,054.00; MESA IRRIGATION WAS THE SOLE BIDDER

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(Consent): Resolution No. 2010-042 was adopted authorizing the execution of a contract with MuniServices, L.L.C., for auditing and consultation services regarding Hotel/Motel Occupancy Tax Funds; estimated time and expense for completion of the contract is three (3) years with an annual cost of \$9,200.00. Caption of said resolution is as follows:

RESOLUTION NO. 2010-042
RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH MUNISERVICES, L.L.C., FOR AUDITING AND CONSULTATION SERVICES REGARDING HOTEL/MOTEL OCCUPANCY TAX FUNDS; ESTIMATED TIME AND EXPENSE FOR COMPLETION OF THE CONTRACT IS THREE (3) YEARS WITH AN ANNUAL COST OF \$9,200.00

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(Consent): Resolution No. 2010-043 was adopted authorizing the acceptance of a donation from the Midland Citizens Fire Academy Alumni Association to help purchase a thermal imaging camera; and allocating funds. Caption of said resolution is as follows:

RESOLUTION NO. 2010-043
RESOLUTION AUTHORIZING THE ACCEPTANCE OF A DONATION FROM THE MIDLAND CITIZENS FIRE ACADEMY

ALUMNI ASSOCIATION TO HELP PURCHASE A THERMAL IMAGING CAMERA; AND ALLOCATING FUNDS

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(Consent): Resolution No. 2010-044 was adopted approving plans and specifications and authorizing advertisement for bids for the Airport and Paul Davis Well Sites Improvements Project. Caption of said resolution is as follows:

RESOLUTION NO. 2010-044
RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE AIRPORT AND PAUL DAVIS WELL SITES IMPROVEMENTS PROJECT

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(Consent): Resolution No. 2010-045 was adopted authorizing the execution of a right of way license with Atlas Mid-Continent Pipeline WestTex, L.L.C., for the installation, operation and maintenance of an oil and gas pipeline to be constructed across City property near the Water Pollution Control Plant, in Section 44, Block 38, T-1-S, T&P RR. Co. Survey, Midland County, Texas. Caption of said resolution is as follows:

RESOLUTION NO. 2010-045
RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT OF WAY LICENSE WITH ATLAS MID-CONTINENT PIPELINE WESTTEX, L.L.C., FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF AN OIL AND GAS PIPELINE TO BE CONSTRUCTED ACROSS CITY PROPERTY NEAR THE WATER POLLUTION CONTROL PLANT, IN SECTION 44, BLOCK 38, T-1-S, T&P RR. CO. SURVEY, MIDLAND COUNTY, TEXAS

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(Consent): Resolution No. 2010-046 was adopted authorizing the execution of a surface use agreement with Chesapeake Operating, Incorporated, for the installation, operation and maintenance of an oil and gas pipeline, plus the continued operation and maintenance of an oil and gas well and tank battery located on City property within Spraberry Farm, in Section 16, Block 37, T-3-S, T&P RR. Co. Survey, Midland County, Texas. Caption of said resolution is as follows:

RESOLUTION NO. 2010-046
RESOLUTION AUTHORIZING THE EXECUTION OF A SURFACE USE AGREEMENT WITH CHESAPEAKE OPERATING, INCORPORATED, FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF AN OIL AND GAS PIPELINE, PLUS THE CONTINUED OPERATION AND MAINTENANCE OF AN OIL AND GAS WELL AND TANK BATTERY LOCATED ON CITY PROPERTY WITHIN SPRABERRY FARM, IN SECTION 16, BLOCK 37, T-3-S, T&P RR. CO. SURVEY, MIDLAND COUNTY, TEXAS

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(Consent): Resolution No. 2010-047 was adopted authorizing the execution of a discharge license agreement with Permian Septic Service, Incorporated, for the disposal of treated wastewater from a single 2,500-gallon tank located at 1901 South Midkiff Road, by means of a pre-treatment system. Caption of said resolution is as follows:

RESOLUTION NO. 2010-047
RESOLUTION AUTHORIZING THE EXECUTION OF A DISCHARGE LICENSE AGREEMENT WITH PERMIAN SEPTIC SERVICE, INCORPORATED, FOR THE DISPOSAL OF TREATED WASTEWATER FROM A SINGLE 2,500-GALLON TANK LOCATED AT 1901 SOUTH MIDKIFF ROAD, BY MEANS OF A PRE-TREATMENT SYSTEM

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(Consent): Resolution No. 2010-048 was adopted approving the Midland Development Corporation's supplemental appropriation of \$30,335 from the Fiscal Year 2008-2009 budget to be used for promotional purposes, as authorized by Chapter 504 of the Texas Local Government Code. Caption of said resolution is as follows:

RESOLUTION NO. 2010-048
RESOLUTION APPROVING THE MIDLAND DEVELOPMENT CORPORATION'S SUPPLEMENTAL APPROPRIATION OF \$30,335 FROM THE FISCAL YEAR 2008-2009 BUDGET TO BE USED FOR PROMOTIONAL PURPOSES, AS AUTHORIZED BY CHAPTER 504 OF THE TEXAS LOCAL GOVERNMENT CODE

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(Consent): Resolution No. 2010-049 was adopted authorizing the City Manager to negotiate and execute a land lease agreement between Enterprise Rent A Car Company of Texas and the City of Midland for the tract described as Lot 2A, Block 5, Air Terminal Unit 11, Industrial Park Regional Terminal at the Midland International Airport. Caption of said resolution is as follows:

RESOLUTION NO. 2010-049
RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A LAND LEASE AGREEMENT BETWEEN ENTERPRISE RENT A CAR COMPANY OF TEXAS AND THE CITY OF MIDLAND FOR THE TRACT DESCRIBED AS LOT 2A, BLOCK 5, AIR TERMINAL UNIT 11, INDUSTRIAL PARK REGIONAL TERMINAL AT THE MIDLAND INTERNATIONAL AIRPORT

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(Consent): Resolution No. 2010-050 was adopted ratifying the City Manager's execution of a mutual confidentiality agreement between the City of Midland and Texas Disposal Systems, Inc., Texas Landfill Management, L.L.C. and affiliates ("TDS"). Caption of said resolution is as follows:

RESOLUTION NO. 2010-050
RESOLUTION RATIFYING THE CITY MANAGER'S EXECUTION OF A MUTUAL CONFIDENTIALITY AGREEMENT BETWEEN THE CITY OF MIDLAND AND TEXAS DISPOSAL SYSTEMS, INC., TEXAS LANDFILL MANAGEMENT, L.L.C. AND AFFILIATES ("TDS")

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

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

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Consideration was given to a resolution authorizing the purchase of twenty (20) police package automobiles for the Municipal Court and the Police Department from Sam Packs 5 Star Ford of Carrollton, Texas, at a total cost of \$455,241.00.

Asked the reasons that the police vehicles could not be purchased from a local vendor, Facilities and Fleet Management Director Mark Phillips explained that the City must give any vendor who is interested the opportunity to bid, regardless of the bidder's location. Mr. Phillips stated that although Staff would like to purchase locally, the only local dealer who normally bids the police vehicles is not able to provide certain necessary equipment as economically as some vendors elsewhere who specialize in installing it themselves. Mr. Phillips also noted that the City cannot divide up bids to achieve a desired outcome, and he cited a change in the law that no longer allows a 5% variance from the low bid to favor a local source for purchases greater

than \$100,000. Asked if there is a cost related to a longer delivery interval, Mr. Phillips advised that normally there is no cost impact unless significant repair is needed to an existing vehicle during that period.

Resolution No. 2010-051 was adopted authorizing the purchase of twenty police package automobiles from Sam Packs 5 Star Ford of Carrollton, Texas. Caption and action had on said resolution are as follows:

RESOLUTION NO. 2010-051
RESOLUTION AUTHORIZING THE PURCHASE OF TWENTY
(20) POLICE PACKAGE AUTOMOBILES FOR THE MUNICIPAL
COURT AND THE POLICE DEPARTMENT FROM SAM PACKS
5 STAR FORD OF CARROLLTON, TEXAS, AT A TOTAL COST
OF \$455,241.00

On motion of Council member Morales, seconded by Council member Dufford, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the 9th day of February, A.D., 2010, by the following vote:

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

* * *

Consideration was given to a resolution establishing Project Number 8931 "Half, Ratliff and Taylor Parks Improvements Project" for renovation of playground equipment in those three neighborhood parks; and appropriating \$300,000.00 therefor.

Parks and Recreation Manager Scott Swigert responded to questions from Council member Sparks regarding the use of the funds and utilization issues, advising that the entire amount will be used for renovation purposes, including replacing playground equipment, enhancing ADA compliance and installing safer playground surfaces. Asked if Staff has contacted the Boys and Girls Club, which has facilities adjacent to two of the parks, Mr. Swigert indicated that they have not talked specifically with that organization but that residents in the ZIP Code are routinely contacted and asked about their needs in connections with these types of projects. Mr. Swigert also confirmed plans to renovate three parks per year on a rotating basis.

Resolution No. 2010-052 was adopted establishing the described project for renovation of playground equipment, and appropriating funds therefor. Caption and action had on said resolution are as follows:

RESOLUTION NO. 2010-052
RESOLUTION ESTABLISHING PROJECT NUMBER 8931
"HALFF, RATLIFF AND TAYLOR PARKS IMPROVEMENTS
PROJECT" FOR RENOVATION OF PLAYGROUND EQUIPMENT
IN THOSE THREE NEIGHBORHOOD PARKS; AND
APPROPRIATING \$300,000.00 THEREFOR

On motion of Council member Sparks, seconded by Council member Dufford, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the 9th day of February, A.D., 2010, by the following vote:

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

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Consideration was given to approving a lease and services agreement between the Midland Development Corporation and the Midland Chamber of Commerce.

Following a brief discussion regarding the compensation set out by the agreement, Resolution No. 2010-053 was adopted approving the described agreement between the MDC and the Midland Chamber of Commerce. Caption and action had on said resolution are as follows:

RESOLUTION NO. 2010-053
RESOLUTION APPROVING A LEASE AND SERVICES
AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT
CORPORATION AND THE MIDLAND CHAMBER OF
COMMERCE

On motion of Council member Dufford, seconded by Council member Hailey, the above and foregoing resolution was adopted by the City Council of the City of Midland at a regular meeting on the 9th day of February, A.D., 2010, by the following vote:

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

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Consideration was given to an ordinance making certain transfers in various funds of the 2008-2009 Fiscal Year Budget and making certain budget amendments; and ordering recordation.

Finance Director Bob McNaughton advised that this is a routine activity, normally done annually, to clean up the budget for the year ending in 2009, and he provided details.

Ordinance No. 8781 was adopted on the first of two readings making certain transfers in various funds of the 2008-2009 FY budget and making certain budget amendments. Caption and action had on said ordinance are as follows:

ORDINANCE NO. 8781
AN ORDINANCE MAKING CERTAIN TRANSFERS IN VARIOUS
FUNDS OF THE 2008-2009 FISCAL YEAR BUDGET AND
MAKING CERTAIN BUDGET AMENDMENTS; AND ORDERING
RECORDATION

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 9th day of February, 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

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Consideration was given to an ordinance establishing Project Number 8932 "Commons Fence Area Project;" establishing Project Number 8933 "Citibank Ball Park Infield Improvements Project;" amending the official municipal budget for Fiscal Year 2009-2010 in order to meet unforeseen conditions which could not by reasonably diligent thought and attention have been included in the original budget for the 2009-2010 Fiscal Year; and appropriating \$290,000.00 to fund the projects established herein.

Responding to an inquiry from Council member Dufford regarding the ordinance language, City Attorney Keith Stretcher explained that a finding of "unforeseen conditions" is necessary to adjust the budget. Parks and Recreation Manager Scott Swigert provided additional information, advising that the two projects involved were selected from an array of needs through the efforts of the 4B Board of Directors. Mr. Swigert reviewed the purpose of each project and explained the advantages of the proposed commons area fence. Council member Dufford advocated planning ahead and establishing funding for projects of this type before undertaking the capital investment, and he questioned the urgency of the fencing project. Council member Sparks expressed concern that this project may excessively limit the use of the commons area. Nancy Swallow, Scharbauer Sports Complex Director for the Midland Chamber of Commerce, provided details regarding the fence construction. She advised that the proposed fence would enhance the facility as a festival venue and that the walkways will remain open at all times when there is no festival in progress.

Expressing doubt that the project would pay for itself, Council member Dufford moved to amend the proposed ordinance by deleting Project Number 8932 "Commons Fence Area Project".

Council member Sparks seconded the motion, and the amendment was approved by the following vote:

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

Mayor Perry clarified that if additional information is developed that justifies considering the fence project further, the item can be brought back in via amendment on second reading.

Ordinance No. 8782 was adopted as amended on the first of two readings establishing Project Number 8933 "Citibank Ball Park Infield Improvements Project"; amending the official municipal budget for Fiscal Year 2009-2010 in order to meet unforeseen conditions; and appropriating funds. Caption and action had on said ordinance are as follows:

ORDINANCE NO. 8782
AN ORDINANCE ESTABLISHING PROJECT NUMBER 8933
"CITIBANK BALL PARK INFIELD IMPROVEMENTS PROJECT";
AMENDING THE OFFICIAL MUNICIPAL BUDGET FOR FISCAL
YEAR 2009-2010 IN ORDER TO MEET UNFORSEEN
CONDITIONS WHICH COULD NOT BY REASONABLY
DILIGENT THOUGHT AND ATTENTION HAVE BEEN
INCLUDED IN THE ORIGINAL BUDGET FOR THE 2009-2010
FISCAL YEAR; AND APPROPRIATING \$140,000.00 TO FUND
THE PROJECTS ESTABLISHED HEREIN

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 9th day of February, 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

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Ordinance No. 8783 was adopted without discussion on the first of two readings, amending the boundaries of Districts Two and Four where citizens will elect City Council members to serve on the City Council of Midland, Texas. Caption and action had on said ordinance are as follows:

ORDINANCE NO. 8783
AN ORDINANCE AMENDING THE BOUNDARIES OF
DISTRICTS TWO AND FOUR WHERE CITIZENS WILL ELECT
CITY COUNCIL MEMBERS TO SERVE ON THE CITY COUNCIL
OF MIDLAND, TEXAS

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 9th day of February, 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

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No appointments were made to Boards and Commissions.

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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.

Clayton Hooper, representing a neighborhood committee of residents in the area of Midland Christian School, referred to a recent request by the School to vacate several right-of-way tracts, including a portion of Culver Drive. Mr. Hooper advised that the committee has met with

School representatives and that the meeting was very helpful in bringing together both parties to better understand each other's needs and positions. He noted that they have scheduled another meeting on February 22 to help find common ground, and expressed gratitude to the City Council for facilitating this communication.

Rheta Page, whose mother lives near Midland Christian School at 2105 Hughes, advised that the Council will need a large building when it again addresses the requested vacation at its March meeting. Ms. Page stated that the neighbors are angry and want to meet with Council members to further express their objections to closing Culver.

There were no other requests by citizens to speak.

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Mayor Perry announced that pursuant to Texas Government Code Section 551.101, the Council would now hold an Executive Session which is closed to the public, to discuss the following matters as permitted under the following Texas Government Code Sections:

Personnel Matters Under Section 551.074

Deliberate the appointment, employment, duties, and compensation of a City Secretary.

Interview candidates for the position of City Secretary.

and the Council retired from the Council Chamber at 11:00 a.m. to the Basement Conference Room to hold such session in conjunction with lunch. Mayor Perry announced at the same time that the meeting would reconvene and adjourn at that location.

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Mayor Perry reconvened the meeting in the Basement Conference Room at 2:21 p.m. with the same members present.

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All of the business at hand having been completed, the meeting adjourned at 2:21 p.m.