

**CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
Tuesday, March 9, 9:30 a.m.**

**Martin Luther King Jr. Community Center
2300 Butternut Lane
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. Receive and discuss a presentation from The Hispanic Cultural Center of Midland regarding a naming rights agreement with the West Texas Ford Dealers, regarding property at Hogan Park.

AGENDA FOR CITY COUNCIL MEETING
Tuesday, March 9, 2010 – 10:00 a.m.
Auditorium – Martin Luther King Jr., Community Center
2300 Butternut Lane
Midland, Texas

The Midland City Council agenda is posted for public notice at least 72 hours prior to the Tuesday meetings. All requests to be placed on the Council agenda by the public must be submitted to the City Manager, in writing, at least one week before the Council meetings. Such written requests must be in sufficient detail to identify the subject matter as well as the contact person who will represent the matter before the Council. The City Council reserves the right to not consider matters over which the City has no jurisdiction.

★ These items are related to achieving City Council's Policy Agenda for 2009:

Infrastructure
Housing
Economic Development
Funding

1. Invocation – Deacon Victor Lopez, Our Lady of Guadalupe

INVOKED

2. Pledge of Allegiance

PLEDGED

MISCELLANEOUS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:

a. Presentation of Proclamation to Midland Memorial Hospital for DVT Awareness.

PRESENTED

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.

COMMENTS RECEIVED

FIRST READING

5. Continue consideration of an ordinance vacating and abandoning a 0.038-acre portion of Northrup Drive Right-of-Way and a 0.024-acre portion of the north/south alley, both being adjacent to Lot 4, Block 2, Grandview, Section 4, and a 0.055-acre portion of Northrup Drive Right-of-Way adjacent to the remainder of Tract 11, Grandview, and to Lot 3, Block 2, Grandview, Section 3, and a 1.260-acre portion of Culver Drive Right-of-Way adjacent to Lots 1-11, Block 8, West Way, City and County of Midland, Texas (generally located adjacent to Midland Christian School); adopting the appraisal by the City Manager of \$134,991.00; and ordering recordation by the City Secretary.

APPROVED

CONSENT AGENDA

- 6a. Consider a motion approving minutes of the February 23, 2010, Regular City Council Meeting.

APPROVED

- 6b. Consider a motion approving minutes of the February 24-25, 2010, Special City Council Meeting.

APPROVED

7. Receive for information and possibly discuss First Quarter Fiscal Year 2010 Investment Report.

RECEIVED

8. Consider a resolution authorizing the purchase of seven thousand five hundred (7,500) gallons of liquid copper for treating City of Midland drinking water, from the lowest bidder, Chameleon Industries, Incorporated, for a total price of \$116,250.00.

APPROVED

- ★ 9. Consider a resolution approving a contract with Reese Albert, Incorporated, of Midland, Texas, for the Mulberry Target Area Street and Alley Improvements Projects CD35/7009, 7029 and 8879, at a total cost of \$734,431.25.

[Related to Council Priority: Infrastructure]

APPROVED

- ★ 10. Consider a resolution approving a contract with Key Enterprises, Incorporated, of Odessa, Texas, for the Mulberry and San Juan Target Areas Water & Sewer Improvements 2009 Project, at a total cost of \$314,980.00; and appropriating funds.

[Related to Council Priority: Infrastructure]

APPROVED

- ★ 11. Consider a resolution authorizing the City Manager or his designee to negotiate a contract with Priority Power Management, for the City's electric supply.

[Related to Council Priority: Funding]

APPROVED

- 12. Consider a resolution approving the personnel policies of the Midland Development Corporation.

APPROVED

- ★ 13. Consider a resolution approving an amendment to the Economic Development Agreement between the Midland Development Corporation and the Midland Community College District, as authorized by chapter 501 of the Texas Local Government Code.

[Related to Council Priority: Economic Development]

APPROVED

- ★ 14. Consider a resolution approving a second amendment to the Economic Development Agreement between the Midland Development Corporation and Trace Engines, L.P., as authorized by Chapter 501 of the Texas Local Government Code; said amendment reduces the company's job creation obligation from one hundred fourteen (114) full-time jobs to twenty-five (25) full-time jobs.

[Related to Council Priority: Economic Development]

DEFERRED

- ★ 15. Consider a resolution approving an amendment to the Economic Development Agreement between the Midland Development Corporation and Sentry Pumping Units International, Inc., as authorized by Chapter 501 of the Texas Local Government Code.

[Related to Council Priority: Economic Development]

DEFERRED

- ★ 16. Consider a resolution approving an amendment to the Economic Development Agreement between the Midland Development Corporation and Natural Gas Services Group, Inc., as authorized by Chapter 501 of the Texas Local Government Code.

[Related to Council Priority: Economic Development]

DEFERRED

17. Consider a resolution approving plans and specifications and authorizing advertisement for bids for renovations at the Midland Senior Center; and there is currently \$250,000.00 allocated for this project.

APPROVED

- ★ 18. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the purchase and installation of sport lighting on Softball Field No. 7 at Ulmer Park, Baseball Field No. 7 at Hogan Park, and the athletic area at Bradford Park.

[Related to Council Priority: Infrastructure]

APPROVED

- ★ 19. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the Jal Draw Channel Lining Project; said project will be

for the installation of a concrete block retaining wall on Jal Draw between Garfield Street and Ward Street.

[Related to Council Priority: Infrastructure]

APPROVED

- ★ 20. Consider a resolution adopting the City of Midland Citizen Participation Plan for Community Development and Housing Funds.

[Related to Council Priority: Housing]

APPROVED

21. Consider a resolution approving the Professional Firefighters Association of Midland's application to solicit charitable contributions in roadways on behalf of the Muscular Dystrophy Association by participating in the "Fill-the-Boot" Fundraiser; this is authorized by Section 552.0071 of the Texas Transportation Code; the dates and times of the solicitation are April 22, 23, and 24, 2010 from 8:00a.m. to 6:00 p.m., alternate dates due to inclement weather are June 3, 4, and 5 from 8:00a.m. to 6:00 p.m.; the intersection locations at which the solicitations shall occur are Midkiff Road and Wadley Avenue, Midland Drive and Loop 250, Midland Drive and Andrews Highway, and Rankin Highway and Longview Avenue; there will be fifteen (15) solicitors involved in solicitations at each location.

APPROVED

22. Consider a resolution authorizing the execution of Change Order Number Five with Cajun Constructors, Incorporated, adding \$184,857.00 for additional work to the existing contract for improvements at the City of Midland Water Purification Plant; and appropriating funds; the original contract was for \$20,804,000.00; this fifth change order brings the total contract price to \$21,565,111.00.

APPROVED

23. Consider a resolution authorizing an operating certificate for Midessa Transportation, L.L.C., to operate a taxicab business; setting forth conditions accompanying the certificate; and establishing the terms of the certificate.

APPROVED

24. Consider a resolution authorizing the City Manager to approve a Naming Rights Agreement between the Hispanic Cultural Center of Midland and the West Texas Ford Dealers regarding property in Hogan Park.

APPROVED

25. Consider a resolution authorizing the execution of a General Warranty Deed for the transfer of Lots Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12), Block Twenty Three (23), resurvey of Midland Heights Addition, an addition to the City of Midland, Midland County, Texas, to the Midland Community Development Corporation, in accordance with Section 253.011 and Section 272.001 of the Texas Local Government Code; authorizing the City Manager to execute all documents necessary to transfer ownership; the transfer of this property is not subject to the notice, bidding, and obtaining fair market value requirements of state law; and the closing costs shall be paid from funds available in the City's General Liability Fund.

APPROVED

SECOND READINGS

26. Consider an ordinance on a second reading changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting Lot 6, Block 1, Amaron Addition, Section 7, City and County of Midland, Texas, which is presently zoned PD, Planned District for a shopping center, to be used as an amended Planned District (generally located on the northwest corner of the intersection of Interstate 20 and Camp 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.

APPROVED

27. Consider an ordinance on a second reading changing the zoning use classification of the property described as Lot 1 and the north 30 feet of Lot 2, Block 60½, Original Town, and a 10 foot by 80 foot portion of Carrizo Street, City and County of Midland, Texas (generally located on the southeast corner of the intersection of South "A" Street and West Wall Street), which is presently zoned C-1, Central Area District, by permitting said property to be used under a specific use permit with term for the sale of all alcoholic beverages in a restaurant for on-premises consumption; 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.

APPROVED

28. Consider an ordinance establishing intersection stop signs at various locations within the City of Midland, Texas; requiring and authorizing the posting of appropriate signs at intersections; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two hundred dollars (\$200.00); and ordering publication

APPROVED

PUBLIC HEARINGS

29. At approximately 10:30 a.m. hold a public hearing and consider an ordinance amending Title XI, "Planning and Development", Chapter 2, "Plats and Subdivisions", Section 5, "Requirements for Public Improvements, Reservation and Design", Subsection (B), "Lot Design and Improvements", Paragraph 8, "Site Plan Approval", of the City Code of Midland, Texas, so as to add the IP-1, Industrial Park District to the zoning districts exempted under Subparagraph 8(a), and so as to delete Subparagraphs 8(c)-(g); containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2000.00); and ordering publication.

APPROVED

30. At approximately 10:33 a.m. hold a public hearing and consider an ordinance granting a special exception for the west 40 feet of Lot 2 and east 20 feet of Lot 3, Block 70, West End Addition, City and County of Midland, Texas (generally located on the south side of West Illinois Avenue, approximately 60 feet west of North "K" Street), by permitting an encroachment into the required front yard setback for construction of a carport; 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 City Secretary in the deed records of Midland County, Texas; and ordering publication.

APPROVED

- ★ 31. At approximately 10:36 a.m. hold a public hearing on amending the City of Midland 2009/2010 Action Plan to the City of Midland Consolidated Plan for Community Development and Housing Funds.

[Related to Council Priority: Housing]

HELD

32. At approximately 10:39 a.m. hold a public hearing and consider resolution authorizing the temporary use of land for a carnival on Lot 1, Block 17, Skyline Terrace, Unit 2, City and County of Midland, Texas (generally located on the southwest corner of the intersection of West Loop 250 North and North Midkiff

Road); and making said permit subject to certain special conditions and restrictions contained herein.

APPROVED

DEVELOPMENT SERVICES

33. Consider an ordinance amending the Fire District so as to delete therefrom Lot 1, Block 10, Trueland Addition, Section 2, City and County of Midland, Texas (generally described as 2107 North Fairgrounds Road); directing the building official to amend the fire district map; containing a cumulative clause; and containing a savings and severability clause.

APPROVED

MISCELLANEOUS

34. Presentation and discussion of the 2009 Annual Accident Report.

PRESENTED

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

APPOINTMENTS MADE

36. Recess for lunch.
37. Pursuant to Texas Government Code §551.101, the Council will hold an Executive Session which is closed to the public to discuss the following matters as permitted under the following Texas Government Code Sections:

Section 551.087 Deliberation Regarding Economic Development Negotiations

Discuss business prospects that the City seeks to have locate, stay, or expand in or near the City of Midland, Texas, and discuss possible incentives.

Respectfully submitted,

Courtney B. Sharp
City Manager