

**CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
Tuesday, May 11, 2010 8:30 a.m.
City Hall Conference Room
300 North Loraine
Midland, Texas**

These items, as well as any other items on the regular posted agenda for the City Council Meeting on this date, may be discussed:

1. Receive information on estimated additional costs associated with the implementation of the CGI-AMS Advantage software upgrade project.
2. Receive information on Code Enforcement Procedure regarding inspections, junk vehicles, and weed violations.

AGENDA FOR CITY COUNCIL MEETING
Tuesday, May 11, 2010 – 10:00 a.m.
Council Chamber – City Hall

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

★ 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 Resolution of Commendation to retiring City employee Matt Kerley.
PRESENTED
 - b. Presentation of a Proclamation for Travel and Tourism Week.
PRESENTED
 - c. Presentation of a Proclamation for Building Safety Month.
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.

CONSENT AGENDA

5. Consider a motion approving minutes of the April 27, 2010, Regular City Council Meeting.

APPROVED

6. Receive for information and possibly discuss Second Quarter Fiscal Year 2010 Investment Report.

APPROVED

7. Consider a resolution authorizing the execution of an agreement with Facility Solutions Group, Incorporated, for retrofit lighting in City facilities at a cost of \$149,760.44; Facility Solutions Group, Incorporated, was the low bidder.

APPROVED

8. Consider a resolution authorizing the execution of an agreement with The Bosworth Company, LTD., for heating, ventilation and air conditioning system retrofit upgrades in fifteen (15) City-owned buildings, at a cost of \$562,972.04; The Bosworth Company, LTD., was the only bidder.

APPROVED

9. Consider a resolution approving plans and specifications and authorizing advertisement for bids for additional heating, ventilation and air conditioning systems retrofit work at the Midland International Airport.

APPROVED

10. Consider a resolution authorizing the execution of a professional Services agreement with ClearHealth, Incorporated, for the acquisition and implementation of an Electronic Public Health Medical Records System at a cost of \$57,800.00.

APPROVED

11. Consider a resolution authorizing the execution of Amendment Number 11 to the professional services agreement with Parkhill, Smith & Cooper, Incorporated, with such amendment authorizing the inclusion of a Northwest Taxiway Extension Project, and the Wildlife Hazard Assessment; the City share for the Northwest Taxiway Extension Project is \$4,250.00 and the Federal Aviation Administration share is \$80,750.00; and appropriating necessary funds.

APPROVED

12. Consider a resolution of the City Council of the City of Midland, Texas, providing a sunset date of September 30, 2010, for the Community Development Block Grant (“CDBG”) Target Selection Committee.

APPROVED

13. Consider a resolution of the City Council of the City of Midland, Texas, extending the term of the Water Resources Committee until September 30, 2012.

APPROVED

14. Consider a resolution authorizing the execution of a First Amended Combined Joint Election and Election Services Agreement with Midland County, Midland Independent School District, Greenwood Independent School District, the Midland County Hospital District, and the Midland Community College District.

APPROVED

15. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the Martin Luther King Jr. Community Center Renovation Project.

APPROVED

16. Consider a resolution authorizing the acceptance of the Neighborhood Stabilization Program funds that the Midland County Housing Authority will receive from the Texas Department of Rural Affairs; the Neighborhood Stabilization Program funds will consist of \$50,000.00; said funds will serve as reimbursement of City funds on dilapidated structure removal; authorizing the execution of acceptance documents; and appropriating grant funds therefor.

APPROVED

17. Consider a resolution authorizing the Midland Fire Department to file an application with the United States Government for the 2010 Assistance to Firefighters Grant; said funds will be used to replace firefighter protective clothing that is more than ten years old; said grant is a matching funds grant in which the

Assistance to Firefighters Grant would fund 80% of the total amount (\$300,000.00) and the City of Midland would fund 20% (\$75,000.00) of the total amount.

APPROVED

18. Consider a resolution approving the 2009 International Building Code, with amendments; the 2009 International Mechanical Code, with amendments; the 2009 International Plumbing Code, with amendments; the 2009 International Fuel Gas Code, with amendments; the 2009 International Energy Efficiency Code, with amendments; the 2009 International Residential Code, with amendments; and the 2008 National Electrical Code as public records; and providing that all codes shall be put on file in the office of the City Secretary for a minimum of thirty (30) days before any action is taken by the City Council.

APPROVED

19. Consider a resolution appointing Jeff Meiner to the Board of Managers of the Midland Emergency Communication District; and providing that the term of office shall be from May 12, 2010 to November 1, 2012.

APPROVED

SECOND READINGS

20. Consider an ordinance on second reading changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting a 0.681-acre tract of land out of Section 19, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, which is presently zoned O-1, Office District, to be used as a PD, Planned District for a Housing Development (Generally located on the north side of Preston Drive, approximately 300 feet east of Sunburst Drive); 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

21. Consider an ordinance on second reading amending the official Municipal Budget for Fiscal Year 2009-2010 in order to provide additional funds to the Sports and Entertainment Association of Midland and the Midland RockHounds; the additional funding provided to the Sports and Entertainment Association of Midland will help promote tourism in the City of Midland; the additional funds provided to the Midland RockHounds will allow the City to partner with the RockHounds in order to host an Independence Day Community Fireworks Display open to the public; and ordering recordation; and declaring an emergency.

APPROVED

22. Consider an ordinance on second reading amending Title V, “Business Regulations”, Chapter 10, “Sidewalk Sales and Selling from Fixed Locations”, Section 2, “Permit and License Required If Selling From a Fixed Location”, and Section 9, “Duty of Police”, so as to allow licensed food vendors to sell food at a location adjacent to Centennial Plaza; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of five hundred dollars (\$500.00); and ordering publication.

APPROVED

PUBLIC HEARINGS

23. At approximately 10:30 a.m. hold a public hearing and consider a resolution authorizing the temporary use of land for a mobile food vendor in a fixed location on the north 77 feet of the south 310.4 feet of the east half of Block 1, Lilly Heights, City and County of Midland, Texas (Generally located on the west side of North Midkiff Road, approximately 240 feet north of West Cuthbert); and making said permit subject to certain special conditions and restrictions contained herein.

APPROVED

24. At approximately 7:00 p.m. hold a public hearing on the 2010/2011 Community Development Block Grant Program.

HELD

MISCELLANEOUS

25. Consider a resolution authorizing the execution of an addendum to the agreement with the Midland Chamber of Commerce to promote tourism and the convention and hotel industry in the City of Midland.

APPROVED

26. Consider a resolution authorizing the execution of an agreement with the Midland Sports, Inc. (Midland RockHounds) to promote tourism in the City of Midland.

APPROVED

27. Receive for information and provide direction for sunsetting the City Development Advisory Committee.

DIRECTED NOT TO SUNSET

28. Consider an ordinance amending Title II, “Commissions and Boards”, Chapter 8, “Midland Crime Prevention Commission”, of the City Code of Midland, Texas, by establishing Section 5, “Sunset Provision”, so as to sunset the Midland Crime Prevention Commission effective September 30, 2010; 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

29. Consider an ordinance amending Title VI, “Police Regulations”, Chapter 2, “Animals and Fowl”, Section 7, “License and Fees, Issuance of Tags, Penalties”, Subsection (J) of the Midland City Code, relating to the wearing of valid license tags by animals; and adding a new Section 21, “Penalties, Requirement of Culpability”, to Title VI, “Police Regulations”, Chapter 2, “Animals and Fowl”, of the Midland City Code; containing a cumulative clause and expressly repealing any ordinance or portion thereof in conflict with this ordinance; containing a savings and severability clause; providing for a maximum penalty or fine of five hundred dollars (\$500.00); and ordering publication.

DEFERRED

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

APPOINTMENTS MADE

31. Recess to the conference room for lunch.
32. 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