

**MIDLAND CITY COUNCIL
MINUTES
August 30, 2016**

BRIEFING SESSION

The City Council convened in a Briefing Session in the basement conference room, City Hall, Midland, Texas, at ____ a.m. on August 30, 2016.

Council Members present: Mayor Jerry F. Morales, Mayor Pro Tem J.Ross Lacy (District 4), Council Member Scott Dufford (At-Large), Council Member Spencer Robnett (At-Large), Council Member Jeff Sparks (District 1), Council Member John B. Love III (District 2), and Council Member Sharla Hotchkiss (District 3).

Council Members absent: None.

Staff members present: City Manager Courtney Sharp, City Attorney John Ohnemiller, Deputy City Manager Tommy Hudson, Assistant City Manager Frank Salvato, City Secretary Amy Turner, Police Chief Price Robinson, Fire Chief Robert Isbell, Utilities Director Laura Wilson, Administrative Services Director Catherine Clifton, Finance Director Pam Simecka, Development Services Director Charles Harrington, Community Services Director Tina Jauz, Engineering Services Director Jose Ortiz, Director of Airports Justine Ruff, General Services Director Fred Reyes, Planning Division Manager Jessica Carpenter, Building Official Steve Thorpe, and Public Information Officer Sara Bustilloz.

The foregoing agenda items were discussed by the City Council with no formal action taken. The Briefing Session was adjourned at ____ a.m.

REGULAR SESSION

The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at ____ a.m., August 30, 2016.

Council Members present: Mayor Jerry F. Morales, Mayor Pro Tem J.Ross Lacy (District 4), Council Member Scott Dufford (At-Large), Council Member Spencer Robnett (At-Large), Council Member Jeff Sparks (District 1), Council Member John B. Love III (District 2), and Council Member Sharla Hotchkiss (District 3).

Staff members present at the annex table: City Manager Courtney Sharp, City Attorney John Ohnemiller, Deputy City Manager Tommy Hudson, and Assistant City Manager Frank Salvato.

The Agenda Items were heard in the following order:

OPENING ITEMS

1. Invocation -
2. Pledge of Allegiance

PUBLIC HEARINGS

Pam final public hearing on budget last two on tax increase. open for questions. none.

Mayor Morales oph 10:05 a.m. cph

3. Hold a Public Hearing to gather citizen input on the proposed 2016-2017 budget. (FINANCE)

MISCELLANEOUS

4. Consider an Ordinance providing funds for the Fiscal Year beginning October 1, 2016 and ending September 30, 2017 (FINANCE)

ORDINANCE NO. 9596

AN ORDINANCE OF THE CITY OF MIDLAND PROVIDING FUNDS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016, AND ENDING SEPTEMBER 30, 2017, BY APPROVING THE BUDGET FOR SAID PERIOD AND APPROPRIATING AND SETTING ASIDE THE NECESSARY FUNDS OUT OF THE GENERAL AND OTHER REVENUES AND UNAPPROPRIATED FUND BALANCE OF THE CITY OF MIDLAND FOR SAID FISCAL YEAR FOR THE MAINTENANCE AND OPERATION OF THE VARIOUS DEPARTMENTS AND FOR VARIOUS ACTIVITIES AND IMPROVEMENTS TO THE CITY; AND ORDERING PUBLICATION

Mayor MOrales read the caption of Ordinance BNo. 9596.

Pam Simecka ord deals with approval of the actual budget document. Any changes that need to make.

Council Member Dufford moved approval of the first of two readings of Ordinance No. 9596 in accordance with the Charter of the City of Midland ; seconded by Council Member Hotchkiss.

Dufford if change to effective plus 3% how would handle that? suggest taking out of street to balance budget. Like effective plus 3 reasonable to give operating capital to continue with street program but no so low have to make up the next year. Doen that twice and both time always had to go back and maker higher adjustments and it avgs out to eff plus 3.

Lacy disagree with taking from, mill and overlay. in 2013 7.3 using excess then 3.4 in 2014 and 3.6 in 2015 then 3.8 keep saying rasiing taxing to pay for infrstructure but not doing that. budget is balooning faster than growing. budget up 52% and pop up 20%. Dufford where decided to cut? Lacy cut 917,000 that sports complex takes out of GF and put into road operation amint. Courtn budget presented was eff plus 3 that money was not allocated. no cuts have to ta make. Mayor eff plus 3 still allows to catch and get 4b to have discuss support putting 900,000 into street maintenance. Dufford assuming 916,000 but don't know. . Mayor doing exactly what targeted by going after

road infrastructure. Lacy want to ensure that spend every dollar that we budget in roads. Rather take money out of unappropriated fund balance. Pam in current 5 mill and over lay 1.3 for seal crack. 4b meet on 7th of September to make rec 9/13 action item from this body to address o7m, Agenda will be before final ote on budget so it can be adjusted. Dufford if can transfer money then okay with that. Robnett what about 9.5 M is any of that reimbursable. City Manager don't think so. Courtney talked about timing also on 9/13 when vote use 4b dollars required by statute to not ?? for 60 days. have to hold off from 60 days opportunity to citizens to petition together. should that happen just go back into aunapprop fund balance to fund that way. Love if for any reason in fails the money proposing to pull 900,000 will be able to obtain from gf bal. Courtney what hearing on budget itself 917,000 budgeted out of GF to go to sports complex. Assuming amendment will be made to tkae that funding and approp to street. Changes to 4b policy that will allow o7m to be paid out by 4b sales tax. If dont' happen it would go from gf unapp fund bal to pay 4b.

Mayor at airport police and fire, can any money be reimbursed from airport to city. Courtney over years gf has subsidized public safety at airport. Couple years ago decided to start bumpign that up. don't want to do that all at once to trigger faa audit.

Lacy staff needs \$10 M year to keep up with street maintenence.

Love state of texas projects population int x will double by 2040./ Part has to do with freight. tx econ engine of us export and import more than anybody. TXDOT coordinating with local MPO to ensure infrastructure can handle. Need to anticipate future problem. appears this body afpprove eff plus 3 have serious problem coming down need to mae sure have nec infrastrutree to handle fright and keep prices lwo for midlanders. Morales hit back in 2013 when oil over 100. Love sitll coming.

Dufford no way of knowi ng if get extra 900,000 out o4b. correct. John 4b has to take action then y60 day waiting period.

The motion carried by the following vote: AYE: Hotchkiss, Morales, Dufford, Robnett. NAY: Love, Lacy. ABSTAIN: None. ABSENT: Sparks.

5. Consider an Ordinance on first reading Fixing the Tax Levy for the City of Midland, Texas for the Fiscal Year 2016-2017 (FINANCE)

ORDINANCE NO. 9597

AN ORDINANCE FIXING THE TAX LEVY FOR THE CITY OF MIDLAND, TEXAS, FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2016 AND ENDING ON SEPTEMBER 30, 2017

Mayor Morales read the caption of Ordinance No. 9597.

Council Member Robnett moved that the property tax rate be increased by the adoption of a tax rate of \$0.399679, which is effectively a 3.00 percent increase in the tax rate and approve the first of two readings of Ordinance No. 9597 in accordance with the Charter of the City of Midland; seconded by Council Member Dufford.

Courtney state law requires governing law requires vote on budget and tax rate. if proposing to go over effective rate haas to have 60% of governing body.

Love not in favor rather see much higher. going to vote against it in light of 60% rule.

dies lack of second

lacy .03888038 effective dies.

The motion carried by the following vote: AYE: Hotchkiss, Love, Morales, Dufford, Robnett. NAY: Lacy. ABSTAIN: None. ABSENT: Sparks.

EXECUTIVE SESSION

recess to executive session at 10:32 a.m.

6. 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:

- a. Section §551.087 Deliberate Economic Development Negotiations.

- a.1. 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.

All of the business at hand having been completed, the meeting adjourned at ____ p.m.

PASSED AND APPROVED the __ day of ____, 2016.

Jerry F. Morales, Mayor

ATTEST:

Amy M. Turner, City Secretary