MIDLAND CITY COUNCIL
MINUTES
September 10, 2013

BRIEFING SESSION

The City Council convened in a Briefing Session in the basement conference room, City Hall, Midland, Texas, at ___ a.m. on September 10, 2013.

Council Members present: Mayor W. Wesley Perry, Council Member Jerry Morales (At-Large), Council Member Scott Dufford (At-Large), Mayor Pro Tem Jeff Sparks (District 1), Council Member John Love (District 2), Council Member John James (District 3), and Council Member Michael Trost (District 4).

Council Members absent: None.

Staff members present: City Manager Courtney Sharp, City Attorney Keith Stretcher, Deputy City Manager Tommy Hudson, Assistant City Manager Jim Nichols, City Secretary Amy Turner, Police Chief Price Robinson, General Services Director Robert Patrick, Fire Chief Robert Patrick, Utilities Director Stuart Purvis, Administrative Services Director Catherine Clifton, Finance Director Bob McNaughton, Community Services Director Tina Jauz, Acting Engineering Director David Beard, Planning Division Manager Cameron Walker, Building Official Steve Thorpe, GIS Manager Bill Hodge, Public Information Officer Sara Higgins, Multimedia Developer Ryan Stout, and Community Development Manager Sylvester Cantu.

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., September 10, 2013.

Council Members present: Mayor W. Wesley Perry, Council Member Jerry Morales (At-Large), Council Member Scott Dufford (At-Large), Mayor Pro Tem Jeff Sparks (District 1), Council Member John Love (District 2), Council Member John James (District 3), and Council Member Michael Trost (District 4).

Staff members present at the annex table: City Manager Courtney Sharp, City Attorney Keith Stretcher, Deputy City Manager Tommy Hudson, and Assistant City Manager Jim Nichols.

The Agenda Items were heard in the following order:

OPENING ITEMS

cto 10:06 a.m.

Tommy Hudson delivered invocation.

1. Invocation - Pastor Randy Thomas, St. Paul United Methodist Church

2. Pledge of Allegiance

PRESENTATIONS

John James presented to Admin Prof

Morales presented Christmas in Action proclamation.

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

   a. Presentation of a Proclamation for Direct Support Professionals / Personal Attendants Recognition Week.

   b. Presentation of a Proclamation for Christmas in Action Day.

PUBLIC COMMENT

Ryder Warren, Midland ISD Superintendant, beginning of school report. 23,394 children in schools. Moved in 47 new portable classrooms into community. Commend staff City staff for working with MISD staff to make happen. Hired 400 new teachers brought into community. Normal summers lose about 10-15% through attrition had to hire an additional 200 on top of. Started year lacking 11 teachers. Will continue hiring process. Not going to hire a warm body but want to hire good teachers. Henderson Elementary. Had meetin with principal and have process to take kids back homedown to 10 minutes. Redesigned drop off and pick up. Formed partnership with church to allow staff to park in their lot and will begin construction on new parking lot. Not one comment about any parents misbehaving or parking in front of driveways. Appreciate partnership with City. James thanks for Henderson issue. Have not heard anything and it seemed like things moving much more efficiently. Worked together on West Texas Communities Scharborough grant program. Warren 280 teachers paid up to $500 monthly grant for housing. When able to announce Scharbauer foundation adn west texas fhold apts immediately picked up another 100 staf members. Morales continuous need to fund? Warren yes actually petitioned another charitable foundation to hlep out support staff. Got about $1500 support staff lunch room, bus drivers, custodians who deal with same issues. Hospital project 18 teachers in hospital living in west campus. A month away from order first 25-30 modular homes. Extended invitation to town hall meetings about what Midland expectations for secondary schools. Will mail Courntey invitations and asked Council to join as well.Would like to have another meeting with all taxing entities after completion of town hall meetings.

Rachel Stone 1902 N Pecos, talk about trash City is growing and KMB does awesome job. Noticing the trash bags everywhere for months. Would like someone to look into it espeially around loop. Don't want City looking like that.

no other closed

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

Council Member Love moved to approve Consent Agenda items 5 - 32 excluding a, 6, 15, 27, 31, a, b, 33, 34, 35, 36; seconded by Council Member James.

The motion carried by the following vote: AYE: Love, Morales, Trost, Dufford, James, Sparks. NAY: None. ABSTAIN: None. ABSENT: Perry.

5. Approved a motion approving the following minutes:

Council Member Love moved to approve Consent Agenda items 5 - 36 excluding 5a, 6, 15, 27, 31a, 31b, 33, 34, 35, 36; seconded by Council Member James.

a. Regular meeting of August 20, 2013.

Council Member Morales moved to approve Regular meeting of August 20, 2013.; seconded by Council Member Love.

The motion carried by the following vote: AYE: Love, Morales, Trost, Dufford, James. NAY: None. ABSTAIN: Sparks. ABSENT: Perry.

b. Regular meeting of August 26, 2013.

c. Regular meeting of August 27, 2013.

6. Approved a resolution rejecting the single bid received from Campbell Construction for the Animal Services Building Renovation Project and authorizing re-advertisement for bids for the Community Services Department. (GENERAL SERVICES)

RESOLUTION NO. 2013 - 278

RESOLUTION REJECTING THE SINGLE BID RECEIVED FOR BID NUMBER 6606-13 FOR THE ANIMAL SERVICES BUILDING RENOVATION PROJECT; AND AUTHORIZING THE CITY MANAGER TO RE-BID SAID PROJECT

Trost drastic need for renovations how long for rebid. Regina have out in 17 days. Usually take a little longer to give contractor to bid. Trost looking at nother 6 months to get started. Tina anticipate to bring results back to first meeting in October.

Council Member Morales moved to adopt Resolution No. 2013 - 278; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Love, Morales, Trost, Dufford, James, Sparks. NAY: None. ABSTAIN: None. ABSENT: Perry.

7. Approved a resolution approving the sole source purchase of 9 - Edge 2-4N-TX Camera Processors, 8 - Vector Detector Assemblies, 4 - Vector 2 channel processors and 1 - Vector setup tool iPad from Iteris, Inc. of Santa Ana, California for the Transportation Division. (GENERAL SERVICES)

RESOLUTION NO. 2013 - 279

RESOLUTION AUTHORIZING THE PURCHASE OF NINE (9) EDGE 2-4N-TX CAMERA PROCESSORS, EIGHT (8) VECTOR DETECTOR ASSEMBLIES, FOUR (4) VECTOR 2 CHANNEL PROCESSORS, AND ONE (1) VECTOR SETUP TOOL IPAD, FROM ITERIS, INCORPORATED, OF SANTA ANA, CALIFORNIA, FOR THE TRANSPORTATION DIVISION; SAID PURCHASE WAS NOT BID BUT PURCHASED AS A SOLE SOURCE; AND THE COSTS FOR THE RADIOS SHALL BE APPROXIMATELY $80,900.00

8. Approved a resolution approving plans and specifications and authorizing advertisement for bids for concession stand expansion and rebidding the indoor batting cage facility at the Scharbauer Sports Complex for the Community Services Department. (GENERAL SERVICES)

RESOLUTION NO. 2013 - 280

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS FOR CONCESSION STAND EXPANSION AND AN INDOOR BATTING CAGE FACILITY AT THE SCHARBAUER SPORTS COMPLEX

9. Approved a resolution appropriating funds for the reimbursement of the Airport's share of approved Passenger Facility Charge (PFC) projects. (AIRPORTS)

RESOLUTION NO. 2013 - 281

RESOLUTION AUTHORIZING THE APPROPRIATION OF PASSENGER FACILITY CHARGE (PFC) FUNDS IN THE AMOUNT OF $311,483.00 TO REIMBURSE THE AIRPORT OPERATING FUND FOR THE EXPENDITURE OF FUNDS ON PFC ELIGIBLE PROJECTS AT THE MIDLAND INTERNATIONAL AIRPORT; AUTHORIZING THE REIMBURSEMENT OF AIRPORT FUNDS

10. Approved a resolution authorizing a contract with Midland Crime Stoppers, Inc. in the amount of $30,000 for the operation of a Crime Stoppers Program. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2013 - 282

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH CRIME STOPPERS OF MIDLAND,INCORPORATED, FOR THE OPERATION OF A CRIME STOPPERS PROGRAM WHICH WILL ALLOW CITIZENS TO ASSIST IN THE DETECTION AND RESOLUTION OF CRIMES

11. Approved a resolution authorizing a contract with Keep Midland Beautiful in the amount of $100,000 for litter reduction, education, and beautification programs in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2013 - 283

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH KEEP MIDLAND BEAUTIFUL, INCORPORATED, FOR LITTER REDUCTION, EDUCATION,

AND BEAUTIFICATION PROGRAMS

12. Approved a resolution authorizing a contract with Midland Teen Court, Inc. in the amount of $27,500 for a Teen Court Program. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2013 - 284
RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH MIDLAND TEEN COURT, INCORPORATED, FOR THE OPERATION OF A TEEN COURT PROGRAM

13. Approved a resolution authorizing a contract with Permian Basin Community Centers in the amount of $75,000 for mental health, mental retardation and substance abuse services. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2013 - 285
A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE PERMIAN BASIN COMMUNITY CENTERS FOR MENTAL HEALTH, MENTAL RETARDATION, AND SUBSTANCE ABUSE SERVICES.

14. Approved a resolution authorizing a contract with Midland College in the amount of $70,000 to promote growth and development in the City. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2013 - 286
A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH MIDLAND COLLEGE TO PROMOTE ECONOMIC GROWTH AND DEVELOPMENT.

16. Approved a resolution authorizing a contract with COM Aquatics in the amount of $27,000 for advertising, promotion and solicitation of aquatic activities in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2013 - 288
RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH COM AQUATICS, INCORPORATED, FOR ADVERTISING, PROMOTION AND SOLICITATION OF AQUATIC ACTIVITIES IN MIDLAND

17. Approved a resolution authorizing a contract with the Downtown Midland Management District in the amount of $50,000 to promote tourism and the hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2013 - 289
RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE DOWNTOWN MIDLAND MANAGEMENT DISTRICT TO PROMOTE TOURISM AND THE CONVENTION AND HOTEL INDUSTRY IN DOWNTOWN MIDLAND; CITY TO AWARD THE SUM OF $50,000.00 FROM HOTEL/MOTEL FUNDS

18. Approved a resolution authorizing a contract with the George W. Bush Childhood Home, Inc. in the amount of $12,000 to promote tourism and the hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2013 - 290

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE GEORGE W. BUSH CHILDHOOD HOME, INCORPORATED, TO PROMOTE TOURISM AND THE CONVENTION AND HOTEL INDUSTRY IN THE CITY OF MIDLAND

19. Approved a resolution authorizing a contract with the Midland Chamber of Commerce in the amount of $741,050 for the management of the Midland Center and Centennial Plaza. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2013 - 291

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE MIDLAND CHAMBER OF COMMERCE FOR THE MANAGEMENT OF THE MIDLAND CENTER AND CENTENNIAL PLAZA

20. Approved a resolution authorizing a contract with the Midland Soccer Association in the amount of $20,000 to promote tourism and the hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2013 - 292

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE MIDLAND SOCCER ASSOCIATION FOR THE PROMOTION AND SOLICITATION OF SOCCER ACTIVITIES

21. Approved a resolution authorizing a contract with the Midland Softball Association in the amount of $126,850 to promote tourism and the hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2013 - 293

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE MIDLAND SOFTBALL ASSOCIATION FOR THE PROMOTION AND SOLICITATION OF UNITED STATES SPECIALTY SPORTS ASSOCIATION (USSSA) ACTIVITIES.

22. Approved a resolution authorizing a contract with the Museum of the Southwest in the amount of $35,000 to promote tourism and the hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2013 - 294

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE MUSEUM OF THE SOUTHWEST TO PROMOTE TOURISM AND THE CONVENTION AND HOTEL INDUSTRY IN THE CITY OF MIDLAND

23. Approved a resolution authorizing a contract with the Permian Basin Petroleum Museum in the amount of $20,916 to promote tourism and the hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2013 - 295

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE PERMIAN BASIN PETROLEUM MUSEUM, LIBRARY AND HALL OF FAME, INCORPORATED, FOR ADVERTISING, PROMOTION AND SOLICITATION OF OIL INDUSTRY ACTIVITIES IN THE CITY OF MIDLAND.

24. Approved a resolution authorizing the execution of a Professional Services Agreement between the City of Midland, Texas, and Midland Sports, Incorporated, in the amount of $98,000, for professional marketing, promotion, and management services at the Scharbauer Sports Complex. (COMMUNITY SERVICES)

RESOLUTION NO. 2013 - 296

RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF MIDLAND, TEXAS AND MIDLAND SPORTS, INCORPORATED IN THE AMOUNT OF $98,000.00, FOR PROFESSIONAL MARKETING, PROMOTION, AND MANAGEMENT SERVICES AT THE SCHARBAUER SPORTS COMPLEX

25. Approved a resolution authorizing the execution of a Community Development Block Grant contract with Community and Senior Services of Midland, Incorporated, for the Southeast Senior Center Nutrition Program in the amount of $45,000.00; the program will be provided daily in coordination with other activities; the purpose of this program is to promote better mental and physical health for seniors through nutritional means and socialization; the program will begin on October 1, 2013 and end on September 30, 2014. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2013 - 297

RESOLUTION AUTHORIZING THE EXECUTION OF A COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT WITH COMMUNITY AND SENIOR SERVICES OF MIDLAND, INCORPORATED, FOR THE SOUTHEAST SENIOR CENTER NUTRITION PROGRAM IN THE AMOUNT OF $45,000.00; THE PROGRAM WILL BE PROVIDED DAILY IN COORDINATION WITH OTHER ACTIVITIES; THE PURPOSE OF THIS PROGRAM IS TO PROMOTE BETTER MENTAL AND PHYSICAL HEALTH FOR SENIORS THROUGH NUTRITIOUS MEALS AND SOCIALIZATION; THE PROGRAM WILL BEGIN ON OCTOBER 1, 2013 AND END ON SEPTEMBER 30, 2014

26. Approved a resolution authorizing the execution of a Community Development Block Grant contract with Casa de Amigos for the Home Cleaning Program in the amount of $30,000.00; the purpose of this program is to provide home cleaning services to 200 senior citizens and handicapped households; the program will begin on October 1, 2013 and end on September 30, 2014. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2013 - 298

RESOLUTION AUTHORIZING THE EXECUTION OF A COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT WITH CASA DE AMIGOS FOR A HOME CLEANING PROGRAM IN THE AMOUNT OF $30,000.00; THE PURPOSE OF THIS PROGRAM IS TO PROVIDE HOME CLEANING SERVICES TO 200 INDIGENT SENIOR CITIZENS AND HANDICAPPED HOUSEHOLDS; THE PROGRAM WILL BEGIN ON OCTOBER 1, 2013 AND END ON SEPTEMBER 30, 2014

28. Approved a resolution authorizing the execution of a Public Improvement Development Agreement with West Terminal Addition, Inc. (Steve Sanchez) for the future design and construction of a water main extension along the west side of FM 1788 to serve the West Terminal Addition - Section 2; said agreement being authorized by Section 395.081 of the Texas Local Government Code. (ENGINEERING SERVICES)

RESOLUTION NO. 2013 - 300

RESOLUTION AUTHORIZING THE EXECUTION OF A PUBLIC IMPROVEMENT DEVELOPMENT AGREEMENT WITH DJK, INC. FOR WATER MAIN IMPROVEMENTS TO WEST TERMINAL ADDITION, SECTION 2; AND APPROPRIATING FUNDS THEREFOR; SAID AGREEMENT BEING AUTHORIZED BY SECTION 395.081 OF THE TEXAS LOCAL GOVERNMENT CODE

29. Approved a resolution authorizing the execution of a Public Improvement Development Agreement with Sonoma Housing Advisors, LLC (James R. Fisher) in the amount of $50,000 for the future design and construction of paving improvements to serve the Tahoe Lakes Addition. The subject property is generally located along the east side of Lamesa Rd. approximately 1,800' north of I-20. Said agreement being authorized by Section 395.081 of the Texas Local Government Code. (ENGINEERING SERVICES)

RESOLUTION NO. 2013 - 301

RESOLUTION AUTHORIZING THE EXECUTION OF A PUBLIC IMPROVEMENT DEVELOPMENT AGREEMENT WITH CHICORY COURT MIDLAND, LP FOR PAVING IMPROVEMENTS TO LATTA STREET; AND APPROPRIATING FUNDS THEREFOR; SAID AGREEMENT BEING AUTHORIZED BY SECTION 395.081 OF THE TEXAS LOCAL GOVERNMENT CODE

30. Approved a resolution authorizing the execution of an addendum to the Public Improvement Development Agreement with Vineyard Reserve, LLC for development of Vineyard Addition; and appropriating funds in the amount of $78,750 therefor; said agreement being authorized by Section 395.081 of the Texas Local Government Code. (ENGINEERING SERVICES)

RESOLUTION NO. 2013 - 302

RESOLUTION AUTHORIZING THE EXECUTION OF AN ADDENDUM TO THE PUBLIC IMPROVEMENT DEVELOPMENT AGREEMENT WITH VINEYARD RESERVE, LLC FOR DEVELOPMENT OF VINEYARD ADDITION; AND APPROPRIATING FUNDS IN THE AMOUNT OF $78,750 THEREFOR; SAID AGREEMENT BEING AUTHORIZED BY SECTION 395.081 OF THE TEXAS LOCAL GOVERNMENT CODE

32. Approved a resolution authorizing staff to execute a change order to the Water, Wastewater, and Fire Hydrant Taps project with TEC Excavation in the amount of $120,000. (ENGINEERING SERVICES)

RESOLUTION NO. 2013 - 304

RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NUMBER ONE WITH TEC EXCAVATION, INC. REGARDING THE WATER, WASTEWATER AND FIRE HYDRANT TAPS PROJECT; SAID CHANGE ORDER TO PROVIDE FOR ADDITIONAL WORK; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT IN THE AMOUNT OF $120,000.00

15. Approved a resolution authorizing a contract with the Arts Council of Midland in the amount of $100,000 for the encouragement, promotion, improvement, and education of arts in the City. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2013 - 287

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE ARTS COUNCIL OF MIDLAND FOR THE ENCOURAGEMENT, PROMOTION, IMPROVEMENT AND APPLICATION OF THE ARTS IN THE CITY

Trost asked for Arts Council to give info.

Laura Roman, Danny Holeva Chair, Ex Dir. presented request to Arts originally proposed in grant $125,000. Believe it is rec of h/m to grant $100,000. Made in march and put out subgrant request. This year received grant request from local arts org $239,762.92. Would respectfully request an additional amount over $100,000 rec made by h/m committee. Trost of those applications have they been vetted? Roman remember whole purpose of grant is so org don't come individually. Service provide to arts council to see enrichment of arts overall. 16 org applied for subgrants 20 total. Providing cultural events that richly want in community. Hav eput requirement on there that we're looking for in apps that quality of project, community inv outreach, fiscal respon, and community out reach how they encourage out of town attendance. Each has to be available to public and encourag eout of town attendance and enrich community. Morales if grant $125,000 will that meet all of your needs. Laura will only fund up to 50% of program cost are any events or programs things not having to come up with support . Sparks last year Laura $115,000. Trost do all of these deserving? Danny all have public component. Have committee that sees grant we have repeated committee members cros section of community to make rec to us. Board hs final decision. As long as involved with subgrant very rarely granted $0. Trost think arts is essential to life blood of City. rec give $150,000

Dufford unappropriatedfund balance what is amount? Bob $6M.

James if additional $25 granted how many of subgrantees are simply getting mroe than what got last year and how many brought in as new grantees. Laura hard to say new people look each year. Don't want to have that approach can tell you that generally what ahppens they try to give something to everybody. No one excluded . Danny would divide it evenly they are ranked from top to bottom probably not even distribution. James hopethat with added request not just be one group tha tnow gets a whole bunch of $ as opposed to some other groups brought into program. Laura can only fund 40% of total request. Only able to fund 60% won't see any organizations. Danny never seen a committee say it is difficult to make recommendation. Dufford favor of aadding $25,000 from una p

Council Member James moved to adopt Resolution No. 2013 - 287 with amendment of amount of $125,000; seconded by Council Member Dufford.

additional $25 come from h/m unappropriated fund balance.

The motion carried by the following vote: AYE: Love, Morales, Trost, Dufford, James, Sparks. NAY: None. ABSTAIN: None. ABSENT: Perry.

27. Consider a Resolution Authorizing a Right-of-Way Agreement and Surface Use Agreement with Vitol. (ENGINEERING SERVICES)

RESOLUTION NO. 2013 - 299

RESOLUTION AUTHORIZING A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF

MIDLAND, TEXAS AND VITOL MIDSTREAM PIPELINE LLC; SAID RIGHT-OF-WAY LICENSE IS FOR ENTERING THE CITY OF MIDLAND'S RIGHT-OF-WAY FOR THE PURPOSE OF PLACING, INSTALLING, CONSTRUCTING, OPERATING, REPAIRING, MAINTAINING, REPLACING AND REMOVING ONE (1) PIPELINE, FOR THE TRANSPORTATION OF OIL AND GAS MATERIALS AND TO HAVE THE RIGHT OF INGRESS AND EGRESS AT CONVENIENT POINTS FOR SUCH PURPOSE; THE PIPELINE IS LOCATED WITHIN THE CITY OF MIDLAND RIGHT-OF-WAY, SECTIONS 4, 9, 16, AND 21, BLOCK 37, T-3-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS; THE LICENSE TERM IS FOR TWENTY (20) YEARS, COMMENCING WITH THE DATE OF THIS LICENSE AND MAY RENEW AT THE END OF THE TERM FOR ONE ADDITIONAL TWENTY (20) YEAR TERM UPON 90 DAYS WRITTEN REQUEST PRIOR TO EXPIRATION

Love Bill Hodge asked project be pulled. Bill Hodge, GIS Division manager, reported that Vitol Midstream hs requested the item be pulled and moved to next meeting.

Council Member Dufford moved to defer to next council meeting; seconded by Council Member Morales.

The motion carried by the following vote: AYE: Love, Morales, Trost, Dufford, James, Sparks. NAY: None. ABSTAIN: None. ABSENT: Perry.

31. Consider

Approved a motion on a request by West Engineering Company of Midland, Inc. for the Southern Addition—Section 8, to approve items requested for deferral in the amount of $8667.00, and to enter into an agreement to accept funds in lieu of constructing public infrastructure. The subject property is generally located on the east side of South Fort Worth Street, approximately 50 feet south of Washington Avenue.

Love pulled due to info from applicant regarding sidewalks. Is he requesting deferall or put in sidewalks. Beard applicant will put in sidewalks. Sparks the sidewalk he is not deferring. David correct deferal is for paving.

Dvid part A is deferall B is approving method of collecting.

Council Member Morales moved to approve a motion on a request by West Engineering Company of Midland, Inc. for the Southern Addition—Section 8, to approve items requested for deferral in the amount of $8667.00, and to enter into an agreement to accept funds in lieu of constructing public infrastructure. The subject property is generally located on the east side of South Fort Worth Street, approximately 50 feet south of Washington Avenue.; seconded by Council Member Trost.

The motion carried by the following vote: AYE: Love, Morales, Trost, Dufford, James, Sparks. NAY: None. ABSTAIN: None. ABSENT: Perry.

Approved a resolution authorizing the execution of a Public Improvement Development Agreement with Ralph Olano for the future design and construction of paving improvements to serve the Southern Addition — Section 8; and appropriating funds therefor; said agreement being authorized by Section 395.081 of the Texas Local Government Code.

RESOLUTION NO. 2013 - 303

RESOLUTION AUTHORIZING THE EXECUTION OF A PUBLIC IMPROVEMENT DEVELOPMENT AGREEMENT WITH RAFAEL OLANO FOR PAVING IMPROVEMENTS TO SOUTH FORT WORTH STREET; AND APPROPRIATING FUNDS THEREFOR; SAID AGREEMENT BEING AUTHORIZED BY SECTION 395.081 OF THE TEXAS LOCAL GOVERNMENT CODE

Council Member Love moved to adopt Resolution No. 2013 - 303; seconded by Council Member James.

The motion carried by the following vote: AYE: Love, Morales, Trost, Dufford, James, Sparks. NAY: None. ABSTAIN: None. ABSENT: Perry.

33. Consider a Resolution Approving a Discharge License Baker Hughes, Inc. (UTILITIES)

RESOLUTION NO. 2013 - 305

RESOLUTION AUTHORIZING THE EXECUTION OF A SANITARY SEWER DISCHARGE LICENSE AGREEMENT WITH BAKER HUGHES, INCORPORATED, FOR THE PURPOSE OF DISCHARGING TREATED WASTEWATER AT 2065 MARKET STREET, BUILDING A, MIDLAND, TEXAS

Love pulled due to error. Holly Rosas on item 33-36 in regard to discharge license in packet under page 2 part 2 par 2 typo error should read 71 cents per thousand as opposed to 74 cents per thousand.

Council Member Trost moved to adopt Resolution No. 2013 - 305; seconded by Council Member James.

sprkas hen vote on 33-36 wil lvote for 71 cents not 74

The motion carried by the following vote: AYE: Love, Morales, Trost, Dufford, James, Sparks. NAY: None. ABSTAIN: None. ABSENT: Perry.

34. Consider a Resolution Approving a Discharge License Baker Hughes, Inc. (UTILITIES)

RESOLUTION NO. 2013 - 306

RESOLUTION AUTHORIZING THE EXECUTION OF A SANITARY SEWER DISCHARGE LICENSE AGREEMENT WITH BAKER HUGHES, INCORPORATED, FOR THE PURPOSE OF DISCHARGING TREATED WASTEWATER AT 2101 MARKET STREET, BUILDING B, MIDLAND, TEXAS

Council Member James moved to adopt Resolution No. 2013 - 306; seconded by Council Member Trost.

The motion carried by the following vote: AYE: Love, Morales, Trost, Dufford, James, Sparks. NAY: None. ABSTAIN: None. ABSENT: Perry.

35. Consider a Resolution Approving a Discharge License Baker Hughes, Inc. (UTILITIES)

RESOLUTION NO. 2013 - 307

RESOLUTION AUTHORIZING THE EXECUTION OF A SANITARY SEWER DISCHARGE LICENSE AGREEMENT WITH BAKER HUGHES, INCORPORATED, FOR THE PURPOSE OF DISCHARGING TREATED WASTEWATER AT 2103 MARKET STREET, BUILDING C, MIDLAND, TEXAS

Council Member James moved to adopt Resolution No. 2013 - 307; seconded by Council Member Morales.

The motion carried by the following vote: AYE: Love, Morales, Trost, Dufford, James, Sparks. NAY: None. ABSTAIN: None. ABSENT: Perry.

36. Consider a Resolution Approving a Discharge License Baker Hughes, Inc. (UTILITIES)

RESOLUTION NO. 2013 - 308

RESOLUTION AUTHORIZING THE EXECUTION OF A SANITARY SEWER DISCHARGE LICENSE AGREEMENT WITH BAKER HUGHES, INCORPORATED, FOR THE PURPOSE OF DISCHARGING TREATED WASTEWATER AT 2105 MARKET STREET, BUILDING D, MIDLAND, TEXAS

Council Member Love moved to adopt Resolution No. 2013 - 308; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Love, Morales, Trost, Dufford, James, Sparks. NAY: None. ABSTAIN: None. ABSENT: Perry.

SECOND READINGS

37. Consider an ordinance on second reading on a request by Timothy Rogers & Sandra Javelly for a Specific Use Permit with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on a 929 square feet portion of Lots 7 through 9, Block 58, Original Town, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of W. Wall Street and N. Pecos Street.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9177

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS A 929 SQUARE FOOT PORTION OF LOTS 7-9, BLOCK 58, ORIGINAL TOWN, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF WEST WALL STREET AND NORTH PECOS 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

Deputy City Secretary Reyes read the caption of Ordinance No.

Council Member Love moved to approve the second and final reading of Ordinance No. 9177 in accordance with the Charter of the City of Midland; seconded by Council Member Morales.

The motion carried by the following vote: AYE: Love, Morales, Trost, Dufford, James, Sparks. NAY: None. ABSTAIN: None. ABSENT: Perry.

38. Consider an ordinance on second reading on a request by Jay Stewart for a zone change from PD, Planned District for a Housing Development on Lot 2, and from LR-2, Local Retail District, on Lot 4, to PD, Planned District for a Housing Development, all out of Block 8, Westridge Park Addition, Section 23; City and County of Midland, Texas. (Generally located near the southwest corner of the intersection of Deauville Boulevard and Tradewinds Boulevard.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9178

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOTS 2 AND 4, BLOCK 8, WESTRIDGE PARK ADDITION, SECTION 23, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR HOUSING DEVELOPMENT, IN PART, AND LR-2, LOCAL RETAIL DISTRICT, IN PART, TO BE USED AS A PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED NEAR THE SOUTHWEST CORNER OF THE INTERSECTION OF DEAUVILLE BOULEVARD AND TRADEWINDS BOULEVARD); 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

Deputy City Secretary Reyes read the caption of Ordinance No.

Council Member Love moved to approve the second and final reading of Ordinance No. 9178 in accordance with the Charter of the City of Midland; seconded by Council Member Morales.

The motion carried by the following vote: AYE: Love, Morales, Trost, Dufford, James, Sparks. NAY: None. ABSTAIN: None. ABSENT: Perry.

39. Consider an ordinance on second reading establishing a maximum two-hour limit on parking during weekdays between the hours of 8:00 A.M. and 6:00 P.M. on a portion of the south side of Ohio Avenue from the west curb line of Colorado Street west to the north/south alley. (ENGINEERING SERVICES)

ORDINANCE NO. 9179

AN ORDINANCE PROVIDING THE MAXIMUM TIME LIMIT FOR PARKING ON A PORTION OF THE SOUTH SIDE OF OHIO AVENUE FROM THE WEST CURB LINE OF COLORADO STREET WEST TO THE NORTH/SOUTH ALLEY TO TWO HOURS; AUTHORIZING AND DIRECTING THE TRAFFIC ENGINEER TO ERECT APPROPRIATE SIGNS; DECLARING ANY VEHICLE IN VIOLATION OF THE

PROVISIONS OF THIS ORDINANCE A NUISANCE AND PROVIDING FOR THE REMOVAL OF SAME; 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

Deputy City Secretary Reyes read the caption of Ordinance No.

Council Member James moved to approve the second and final reading of Ordinance No. 9179 in accordance with the Charter of the City of Midland; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Love, Morales, Trost, Dufford, James, Sparks. NAY: None. ABSTAIN: None. ABSENT: Perry.

PUBLIC HEARINGS

40. At approximately 10:30 A.M. hold a public hearing and consider an ordinance on a request by Development Contractors for a zone change from AE, Agriculture Estate, to LR-2, Local Retail District on a 9.10-acre tract of land (Tract 1) and to PD, Planned District for a Housing Development on a 57.51-acre tract of land (Tract 2), all out of Section 19, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the north side of EAST Loop 250 North, approximately ¼ mile east of North Fairgrounds Road.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9180

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING A 9.10-ACRE TRACT OF LAND WHICH IS PRESENTLY ZONED AE, AGRICULTURE ESTATE DISTRICT, TO BE USED AS AN LR-2, LOCAL RETAIL DISTRICT; BY PERMITTING A 57.51-ACRE TRACT OF LAND WHICH IS PRESENTLY ZONED AE, AGRICULTURE ESTATE DISTRICT, TO BE USED AS A PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT; SAID TRACTS BEING OUT OF SECTION 19, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF EAST LOOP 250 NORTH, APPROXIMATELY 1/4 OF A MILE EAST OF NORTH FAIRGROUNDS ROAD); 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

Martin Ziewick gave a brief overview of the item noting residential subdivision that would be utilized as 1F3 single family underlying ozning. Penidng approval cons prel plat as well.

Sparks on plat Loop 250 shrunk wont be encroaching in future row. Martin prel plat sent to Texas DOT did not comment on nee dfor more row.

Love is everything north of loop 25 district 1. martin correct.

spark opened the public hearing at 11:09 a.m.

John Newton, Newton Engineering to address questions or concerns. 4908 N Midkiff.

James if at some point state or some other entity said loop 250 needed to be alittle bid wider aare you ope to grabbing row that looks like it or is that a non-starter for new. John at this time haven't requested any but would address at that time. there are no plans fo rextending it at this time. Mr. newton not encroaching on their current row. Sparks driving now on loop what would be surface road. Courtney not to speak for them but they have all row they need.

There being no one else wishing to speak, the public hearing was closed at 11:11 a.m.

Deputy City Secretary Reyes read the caption of Ordinance No.

Council Member Trost moved approval of the first of two readings of Ordinance No. 9180 in accordance with the Charter of the City of Midland; seconded by Council Member Love.

The motion carried by the following vote: AYE: Love, Morales, Trost, Dufford, James, Sparks. NAY: None. ABSTAIN: None. ABSENT: Perry.

41. At approximately 10:33 A.M. hold a public hearing and consider an ordinance on a request by Brent Shields for a zone change from PD, Planned District for a Shopping Center to LR-2, Local Retail District on Lot 5, Block 2, Westridge Park Addition, Section 8, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of Andrews Highway and Tradewinds Boulevard.) (DEVELOPMENT SERVICES)

ORDINANCE NO. 9181

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 5, BLOCK 2, WESTRIDGE PARK ADDITION, SECTION 8, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR A SHOPPING CENTER, TO BE USED AS AN LR-1, LOCAL RETAIL DISTRICT (GENERALLY LOCATED ON THE SOUTHEAST CORNER OF ANDREWS HIGHWAY AND TRADEWINDS BOULEVARD); 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

Senior Planner Jim Compton gave an overview of the item noting this is a planned district and the prvious site plan ws for filling station. came second time to changes of site plan. third proposal to change site plan rec applicant change to lr2 which also allows for lr2 relieved of requirement to prepare site plans. Chapter 10 now outlines exterior building at staff level. During pc meeting allows car wash and might be existing owners complain. Lr1 district will still accomodate developers needs with disallowing car wash.

Love the applicant has changed hismind 3 different times why are we giving away PD oversight not comfortable giving it up. Jim rpsents about 7/10of acre in a large development. Staff makes dozens of decisions a day about these types of things that council doesn't need to be Council approval. sparks have confident htat staff would make appropriate decision which is why changed form lr1 to lr2. Courtney from staff's standpoint try to make it as easy on the devleopment community as possible. It is self imposed changes and it delays the process. This was one way staf though we could make rec to help benefit developer. Not going to get heartburt if want to keep it as pd.

Jim any of the uses woulde be appropr. LR1 expect to see retail store, not large enough for conv store but for a fueling station not going to get very large retial. Morales when does traffic study come in play. Jim on something larger with 2500 vehicels per day. Sharp county approved city wide traffic study and that is a one intersection that will be studied.

sparks opened the public hearing at 11:21 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Deputy City Secretary Reyes read the caption of Ordinance No.

Council Member Dufford moved approval of the first of two readings of Ordinance No. 9181 in accordance with the Charter of the City of Midland; seconded by Council Member James.

Trost not what like to see in location.

Love not opposed to fueling station just to PD oversight.

The motion carried by the following vote: AYE: Morales, Dufford, James, Sparks. NAY: Love, Trost. ABSTAIN: None. ABSENT: Perry.

MISCELLANEOUS

42. Approved a resolution authorizing the Mayor to negotiate and execute a contract with the Midland Hispanic Chamber of Commerce to promote growth and development in the City. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2013 - 309

RESOLUTION AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE A CONTRACT WITH THE MIDLAND HISPANIC CHAMBER OF COMMERCE TO PROMOTE THE CITY'S GROWTH AND DEVELOPMENT

Sparks has come up and time or two and Hispanic Chamber has refresh memories about hwat about. James perhaps point of order further clarification is more in order surprised on agenda. Courtney history of advisory board rec $0 funding at last budget hearing. After adopt budget Sdeptember is when bring all outside agencies for consideration to get contract sofr September go into affect October 1. Knowing funding fiscal year funding for hispanic chamber is October 1. bring forward for consideration to mke determination prior to October 1.

Morales though other than Council Member Dufford concern about pending audit turned in continue doing same plan as last year. Assuming they turn in theri finnacials in additional to new records in amount of $60,000 per year.

Courtney required last year is staffmet with Hispanic Chamber to several board members staff did get financials up to date and could understand. Required to submit monthly financials reviewed by 3 different folks CS, Finance Director, Courtney Sharp. financials are in good shape. Their audit should be done in next month or so. At any point in time if not comfortable won't get paid.

Sprka scould have motino to table until next meeting and give council chance to weigh in for what it looks like to make a proposal with stipulations would like to see.

Love despite previous problems in pst emboldened by stepshispanic chamber taken to rectify problems good job in recen thistory to remedy and uspport program. Was stopped in HEB by prominent lawyer and a graduate of program and emphaticlaly stated he would not be where is todya if not for program. Would be willing to support up to $100,000.

Council Member James moved to defer item to next Council Meeting; seconded by Council Member Trost.

Dufford hopes this is not every year and hopes it comes in consent agenda. From now on unless correct order and its been audited don't. Sparks may not be exact where like but made reat strides.

James need to give certainty to business and should not getmoney monthly. Morales don't hvae any issues and ready to vote on.

Trost talked with Hispanic Chamber and spoke with Amy in past. I hear Courtney saying to us they are comfortable with what they do if continue path would you say fund it. Dufford is Mayor comfortable with authorizing and deferring is a good idea. Courtney have you had discussion with Mayor? courtney no. Staff is okay with funding.

James recommended checks and balance system this year and back in same posisiton and this what Mr. Dufford is trying to underscore. If don't do smart work today will be in same position this year. Everybody sat in meeting. In hismind no one institutionalized. Happy to visit if that is whatit takes to get done what needs to get done. Trost facing a glich along the way.

The motion Failed by the following vote: AYE: Trost, Dufford, James. NAY: Love, Morales, Sparks. ABSTAIN: None. ABSENT: Perry.

Council Member Love moved to adopt Resolution No. 2013 - 309; seconded by Council Member Morales.

James vote against because not consistent with actions of body. Idea is to have Midland Incubato rprogram here for long term. This has nothing to do but giving Myaor uathority that he hasno sense. Vote against.

Love is that accurate that body decided staff said come back in October. James there is spirit of our intent if staff said come back in October and we didn't say no don't that is considered spirit and intent. Love asked Keith to answer. Stretcher Council speaks through resolutions, minutes and motion. don't think legal question.

Sparks recommend some consideration of giving Mayor and number and someone could offer an amendment with annual number on what dollar figure this year.

Sparks if defeated. Any coujncil member can request it be placed on next agenda.

The motion Failed by the following vote: AYE: Love, Morales. NAY: Trost, Dufford, James, Sparks. ABSTAIN: None. ABSENT: Perry.

43. Approved a motion on a proposed preliminary plat of Sunset Ridge Addition, being a 66.61-acre tract of land out of Section 19, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the north side of E. Loop 250 North, approximately ¼ mile east of N. Fairgrounds Road.) (DEVELOPMENT SERVICES)

Planner Martin Ziewick, relatedpreliminary plat to zoning just off of E250 north proposed approx 200 individual lots do have 2 collector street with means of egress and ingres with 70 feet dedicated row. all lots front entry only and proposed 7 lots for retail on frontgae with joint access agreement for single shared driveway. Any preliminary plats over 25 acres or mroe without public site is required to brought before council for approval. common areas on se and nw corner and western length. Common areas for drainage. avail to ans questions.

Sparks unpaved alleys and will be required to have front entry only of all lots but garbage pick up in unpaved alley. martin, correct. Sharp unless development proposes rear entry garages is what triggers paving alley. Dufford cheaper to maintain unpaved alley? Courtney if requirement to pave alley have to pave to City standards and City takes over maintenance. From staf fperspective prefer paved alleys. Could talk to developer but added expense to developer. Dufford howmany other subidvisions approved. Jim norm rather than exeception. Courtney recently no alleys is a philosophical question do we want to stick with alleys or not require alleys knowing we hav ecurb side pick up.

Council Member Love moved to approve a motion on a proposed preliminary plat of Sunset Ridge Addition, being a 66.61-acre tract of land out of Section 19, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the north side of E. Loop 250 North, approximately ¼ mile east of N. Fairgrounds Road.); seconded by Council Member Trost.

Will not see item again. Martin way subidivison code set up developers can provide paved or unpaved.

Trost what about utilities? Martin developer will extend utilities east from Fairgrounds. Trost need tdo approve because expense of utilities from fairgrounds will open whole area to development.

The motion carried by the following vote: AYE: Love, Morales, Trost, Dufford, James, Sparks. NAY: None. ABSTAIN: None. ABSENT: Perry.

44. Consider an ordinance on a request for the vacation of portions of rights-of-way being 0.703-acres of Baca Circle, 0.103-acres of Baca Street, 0.181-acres of Cerrillos Avenue, 0.57-acres of Cerrillos Court, 0.123-acres of Conquistador Court, 0.014-acres of Gallop Court, 0.002-acres of Guadalupe Street, 0.614-acres of Magellan Street, 0.409-acres of

San Francisco Avenue, 0.079-acres of St. Michael Court and 1.301-acres of adjacent alleys, all contained within Adobe Meadows, Sections 1, 3, 4 and 5, City and County of Midland, Texas.(Generally located on the east side of State Hwy 349, north of east extension of Mockingbird Lane.) (DEVELOPMENT SERVICES)

Martin Ziewick this property located north on Highway 349. Zone cases will come before council on 24th agenda. amoutn vacating equal to requesting so asking to waive. Sparks since looking at not selling row back but trading for row that they are saying they are going to offer back in next request. It seems like it would be nice to see preliminary plat of what they have palnned so that is just form. I understand we will get it done right but is his personal preference. Martin stfaf ws working with it and approved at 9/10 P&Z meeting in order to have available would hve to double advertise which were unable to do. To help developer meet their timelines trying to help as much as possible.

Deputy City Secretary Reyes read the caption of Ordinance No.

Council Member Dufford moved approval of the first of two readings of Ordinance No. 9182 in accordance with the Charter of the City of Midland; seconded by Council Member Love.

James to Martin thanks to time and service to COM.

The motion carried by the following vote: AYE: Love, Morales, Trost, Dufford, James, Sparks. NAY: None. ABSTAIN: None. ABSENT: Perry.

45. Consider 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 scho9183ol 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.8920; 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. (ENGINEERING SERVICES)

ORDINANCE NO. 9182

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. 9042; 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

Transportation Manager Gary Saunders gave an overview of the item noting it was an ord repealing existing ord to remove Premier Charter High School on nw corner of golf course big spring moved to golf spring midland drive. cleans up and takes off ord.

Deputy City Secretary Reyes read the caption of Ordinance No.

Council Member Morales moved approval of the first of two readings of Ordinance No. 9183 in accordance with the Charter of the City of Midland; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Love, Morales, Trost, Dufford, James, Sparks. NAY: None. ABSTAIN: None. ABSENT: Perry.

46. Approved a motion making appointments to various Boards and Commissions.

EXECUTIVE SESSION

47. 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:

sparks noted would not have exec session. would recessmeeting to basement to consider board/commission appointments. recess at 12:16 p.m.

All of the business at hand having been completed, the meeting adjourned at ___ _.m.

PASSED AND APPROVED the __ day of ____, ___.

W. Wesley Perry, Mayor

ATTEST:

Amy M. Turner, City Secretary