

**CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
October 09, 2012 - 9:00 A.M.**

City Hall - Basement 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 a presentation from Kelly Cook on the City's Parks & Recreation Master Plan.
2. Receive update from Keep Midland Beautiful.
3. Receive update from Danny Holeva regarding Celebration of the Arts.

AGENDA FOR CITY COUNCIL MEETING
October 09, 2012 – 10:00 AM
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.

OPENING ITEMS

1. Invocation - Reverend Tony Connor, Cowboy Church of the American West
2. Pledge of Allegiance

PRESENTATIONS

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

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 the following minutes:
 - a. Regular meeting of September 25, 2012.
6. Consider a resolution authorizing the execution of a contract with Action Wrecker, Incorporated, for wrecker and impound services for the City of Midland. (GENERAL SERVICES) (2012 - 334)
7. Consider a resolution approving plans and specifications and authorizing advertisement for bids to sandblast/powerwash, prime and paint the steel structures at Grande Communications Stadium and Citibank Ballpark. (GENERAL SERVICES) (2012 - 335)

8. Consider a resolution authorizing the appropriation of funds for the Home Investment Partnership Program Reservation System Participant Program for home buyer assistance. (DEVELOPMENT SERVICES) (2012 - 336)
9. Consider a resolution authorizing the execution of an Interlocal Cooperation Contract between the City of Midland, the Midland Development Corporation ("MDC"), the Downtown Midland Management District ("DMMD") and the Midland Tax Increment Reinvestment Zone Number One ("TIRZ") regarding the City of Midland's employment of a Downtown Development Coordinator; as authorized by Chapter 791 of the Texas Local Government Code. (DOWNTOWN DEVELOPMENT) (2012 - 337)
10. Consider a resolution accepting a grant award from the Texas "J" Regional Advisory Council in the amount of \$9,563.00, for funds to be used by the Midland Fire Department for training equipment and supplies. (FIRE) (2012 - 338)
11. Consider a resolution authorizing the acceptance of a donation from the Midland Citizens Fire Academy Alumni Association for a fire safety trailer in order to teach fire prevention programs. (FIRE) (2012 - 339)
12. Consider a resolution authorizing the execution of an Interlocal Agreement between the City of Midland and the City of Big Spring, with a corresponding bill of sale, regarding the sale to Big Spring of four (4) used flygt pumps. (UTILITIES) (2012 - 340)

SECOND READINGS

13. 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 14.05-acre tract of land out of Section 19, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, and more specifically described in Section One hereof, which is presently zoned PD, Planned District for Housing Development, to be used as an Amended Planned District (Generally located at the south side of West Wadley Avenue, approximately 450 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. (DEVELOPMENT SERVICES) (9062)
14. 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 1.99-acre tract of land out of Section 3, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, and more specifically described in Section One hereof, which is presently zoned LR-2, Local Retail District, to be

used as a PD, Planned District for a Shopping Center (Generally located on the north side of Crump Street, approximately 300 feet west of Rankin Highway); 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. (DEVELOPMENT SERVICES) (9072)

PUBLIC HEARINGS

15. At approximately 10:30 A.M. hold a public hearing and consider a request by Bluestem Energy Holdings, LLC (Evans F 1) for a Permit to Drill an Oil & Gas Well within the City Limits, located 2314 feet from north line and 2340 feet from west line, Section 8, Block X, H.P. Hilliard Survey, Midland County, Texas. (Generally located on the east side of the North Midland Drive, approximately ½ mile north of Mockingbird Lane.) (DEVELOPMENT SERVICES)
16. At approximately 10:33 A.M. hold a public hearing and consider on a request by Rust Oil Corporation (Smith-Hughes "9" No. 1) for a Permit to Drill an Oil & Gas Well within the City Limits, located 2173 feet from south line and 1651 feet from east line of Section 9, Section X, H.P. Hilliard Survey, Midland County, Texas. (Generally located on the west side of the extension of North Garfield Street, approximately ½ mile north of Mockingbird Lane.) (DEVELOPMENT SERVICES)
17. At approximately 10:36 A.M. hold a public hearing and consider a request for the annexation of a 286.79-acre tract of land out of Sections 11 and 12, Block 40, T-2-S, T&P RR Co., Survey, Midland County, Texas. (Generally located on the northeast corner of the intersection of West Interstate 20 and South County Road 1250.) (DEVELOPMENT SERVICES)
18. At approximately 10:39 A.M. hold a public hearing and consider a request for the annexation of a 75.90-acre tract of land out of Sections 37 and 38, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the southwest corner of the intersection of Tradewinds Boulevard and Deauville Boulevard.) (DEVELOPMENT SERVICES)
19. At approximately 10:42 A.M. hold a public hearing and consider a request for the annexation of a 30.98-acre tract of land out of Section 35, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the east side of State Highway 158, approximately ½ mile northwest of State Highway 191.) (DEVELOPMENT SERVICES)
20. At approximately 10:45 A.M. hold a public hearing and consider a request for the annexation of a 193.29-acre tract of land out of Sections 11 and 12, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the south side of East Interstate Highway 20, south of South Loop 250 West.) (DEVELOPMENT SERVICES)

21. At approximately 10:51 A.M. hold a public hearing and consider a resolution authorizing the temporary use of land for an outdoor tent sale 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. (DEVELOPMENT SERVICES) (2012 - 341)

MISCELLANEOUS

22. Consider a resolution approving an Economic Development Agreement between the Midland Development Corporation and Agri-Empresa, LLC for the construction of an intermodal rail facility on an 81.04-acre tract of land located in Section 11, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas, as authorized by Chapter 501 of the Texas Local Government Code; and authorizing payment therefor. (CITY MANAGER'S OFFICE) (2012 - 342)
23. Consider a motion making appointments to various Boards and Commissions.

EXECUTIVE SESSION

24. 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 551.072 Deliberation Regarding Real Property.
 - a.1. Deliberate the purchase, exchange and value of real property described as Lots 1 through 6, Block 38, Original Town Addition, an addition to the City of Midland, Texas.
 - a.2. Deliberate the sale, exchange and value of real property consisting of all of Block 50, Original Town Addition, an addition to the City of Midland, Midland County, Texas.
 - a.3. Deliberate the purchase, exchange and value of real property in Block 39, Original Town Addition, an addition to the City of Midland, Midland County, Texas.
 - a.4. Deliberate the purchase, exchange and value of real property being all of Block 55, Original Town Addition, an addition to the City of Midland, Midland County, Texas.
 - a.5. Deliberate the sale, exchange and value of real property described as Lots 1, 2, 3, 4, 5, and 6, Block 41, Original Town Addition, an addition to the City of Midland, Midland County, Texas.

b. Section 551.087 Deliberation Regarding Economic Development Negotiations

- b.1. Discuss business prospects that the City of Midland and/or the Midland Development Corporation 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

MEETING ASSISTANCE INFORMATION: The Midland City Hall and Council Chamber are wheelchair accessible. If you need special assistance to participate in this meeting, please contact the City Secretary's Office at (432) 685-7430. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.