

CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
November 12, 2013 - 9:30 A.M.
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 information regarding the activities of the Downtown Solutions Committee.

AGENDA FOR CITY COUNCIL MEETING

November 12, 2013 – 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 Pat Bryant - Travis Baptist Church
2. Pledge of Allegiance

PRESENTATIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Presentation of the 2nd Securest Small City Award from Farmers Insurance.
 - b. Presentation of retirement commendation to Flora Ann Long and Ronnie R. Wilson.

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 October 22, 2013.
6. Consider a motion to receive for Information and possibly discuss third and fourth quarter Fiscal Year 2013 investment reports. (FINANCE)

7. Consider a resolution approving the City of Midland's Fiscal Year 2014 Investment Policy. (FINANCE) (2013 - 390)
8. Consider a resolution casting the City of Midland's votes for directors of the Midland Central Appraisal District for W. Wesley Perry and directing the City Manager to file the appropriate documents. (FINANCE) (2013 - 391)
9. Consider a resolution authorizing the City Treasurer to write off as uncollectible certain delinquent accounts for water, sewer, and garbage collection services. (FINANCE) (2013 - 392)
10. Consider a resolution authorizing the City Treasurer to write off as uncollectible certain delinquent accounts for miscellaneous accounts receivable and insufficient funds checks. (FINANCE) (2013 - 393)
11. Consider a resolution authorizing the City Treasurer to write off as uncollectible certain delinquent accounts for emergency medical services receivables. (FINANCE) (2013 - 394)
12. Consider a resolution authorizing the execution of a contract for the renovation of the Animal Services Building with Campbell Construction Company, of Midland, Texas, at a total cost of \$318,977.00; and appropriating funds. (PURCHASING) (2013 - 395)
13. Consider a resolution authorizing the purchase of ammunition of assorted types and in assorted quantities for the Midland Police Department from the respective low bidders, precision Delta Corporation, Bailey's House of Guns, GT Distributors, Incorporated, Defender Supply, L.L.C., and Simmons Gun Specialties, at an estimated total cost of \$127,942.99. (PURCHASING) (2013 - 396)
14. Consider a resolution approving the purchase of seven hundred (700) water meters with encoder registers, in various sizes, at a total cost of \$111,961.50; and six hundred (600) of the water meters are purchased from the bidders providing said water meters at the best value to the City of Midland instead of the low bidders, pursuant to Texas Local Government Code Section 252.043; and the City Council accepts the City Manager's recommendation not to award the bid to the low bidder. (PURCHASING) (2013 - 397)
15. Consider a resolution authorizing the execution of an Airport Fueling Agreement with Deer Horn Aviation LTD. Co. in order to store and dispense all forms of aviation propellants and fuels from fixed dispensers only to Deer Horn Aviation LTD. Co. Aircraft at the Midland International Airport, Midland, Midland County, Texas (AIRPORTS) (2013 - 398)

16. Consider a resolution authorizing the City Manager to execute a first amendment to Airport Fueling Agreement between the City of Midland, Texas and Ross Midland LLC, a Delaware Limited Liability Company; a consent to assignment in which the City of Midland, Texas consents to the assignment from Deer Horn Aviation LTD., Co., a New Mexico Limited Liability Company, to Ross Midland LLC, a Delaware Limited Liability Company; a Consent and Estoppel Certificate in favor of the lender providing a loan to Ross Midland LLC, a Delaware Limited Liability Company; a Memorandum of Lease for the Commercial Hangar Lease between the City of Midland, Texas and Ross Midland LLC, a Delaware Limited Liability Company; M memorandum of Lease for the Commercial Land and Fixed Base Operator Lease Agreement between the City of Midland, Texas and Ross Midland LLC, a Delaware Limited Liability Company; an Assignment and Assumption of Lease Agreement, and an Office and Hangar Sublease and Fueling Agreement between Deer Horn Aviation LTD., Co., a New Mexico Limited Liability Company, and Ross Midland LLC, a Delaware Limited Liability Company, while on file in the City Secretary's Office, are included for informational and filing purposes only and will not be executed by the City Manager on behalf of the City of Midland. (AIRPORTS) (2013 - 399)
17. Consider a resolution establishing the dates of the Regular City Council Meetings to be held during the Calendar Year 2014. (CITY MANAGER'S OFFICE) (2013 - 400)
18. Consider a resolution authorizing the execution of an Interlocal Agreement between the City of Midland, Texas, and Midland County, Texas, regarding various shared services such as ambulance, fire, jail, emergency dispatch, municipal court, health department, city elections, maintenance of city streets, municipal landfill, library and other services, as authorized by Chapter 791 of the Texas Local Government Code. (CITY MANAGER'S OFFICE) (2013 - 401)
19. Consider a resolution of the City Council of the City of Midland, Texas authorizing the Mayor to negotiate and execute a Letter of Intent among the cities of Abilene, Midland, and San Angelo, Texas for water supply development and delivery. (CITY MANAGER'S OFFICE) (2013 - 402)
20. Consider a resolution of the City of Midland, Texas, suspending the November 22, 2013, effective date of Atmos Energy Corp., West Texas Division ("Atmos West Texas") requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with the Steering Committee of Cities served by Atmos West Texas ("Cities") to hire legal and consulting services and to negotiate with the company and direct any necessary litigation and appeals; requiring reimbursement of cities' rate case expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and cities' legal counsel. (CITY MANAGER'S OFFICE) (2013 - 403)

21. Consider a resolution authorizing the execution of an Independent Professional Consultant Contract with Frances Stapp to provide curator management and other services to the Heritage District. (COMMUNITY SERVICES) (2013 - 404)
22. Consider a resolution authorizing the appropriation of funds in the amount of \$19,789.00 in reimbursement funds from the Texas Department of State Health to the Refugee Immunization Grant Project Number 7124. (COMMUNITY SERVICES) (2013 - 405)
23. Consider a resolution authorizing the Texas Housing Foundation to exercise its powers within the territorial boundaries of the City of Midland, Texas; and authorizing a Cooperation Agreement. (DEVELOPMENT SERVICES) (2013 - 406)
24. Consider a resolution granting a variance for Lots 12A-21A and 22, Block 3, Lots 1A-25A and 26, Block 6, Lots 1-9 and 17, Block 13, and Lots 11-20, Block 14, Adobe Meadows Addition, Section 6, City and County of Midland, Texas (Generally located on the east side of State Highway 349, north of the east extension of Mockingbird Lane), by permitting construction of residences where no portion of any structure is closer than 135.1 feet of an oil and gas well; and authorizing issuance of building permits. (DEVELOPMENT SERVICES) (2013 - 407)
25. Consider a resolution granting a variance for Lots 1-6, Block 10, Lots 1-3, Block 11, and Lots 23-25, 45-50 and 52-72, Block 15, Adobe Meadows Addition, Section 6, City and County of Midland, Texas (Generally located on the east side of State Highway 349, north of the east extension of Mockingbird Lane), by permitting construction of residences where no portion of any structure is closer than 195 feet of an oil and gas well; and authorizing issuance of building permits. (DEVELOPMENT SERVICES) (2013 - 408)
26. Consider a resolution authorizing the City Manager to advertise a request for proposals for development of the property described as Lots 7A and 13A, Block 27, Original Town Addition, Section 3, City and County of Midland, Texas (Commonly known as 301 North Colorado Street and 310 West Illinois Avenue); authorizing the City Manager to negotiate an agreement for such development; and providing that said agreement shall not become effective until approved by the City Council. (DOWNTOWN DEVELOPMENT) (2013 - 409)
27. Consider a resolution authorizing a the City Manager to negotiate and execute a Right-of-Way License between the City of Midland, Texas and Occidental Permian Manager, the general partner of Occidental Permian, LTD.; 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 a fresh water surface line 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, Section 8, Block "X", H.P. Hilliard Survey, Midland County, Texas. (DEVELOPMENT SERVICES) (2013 - 410)

28. Consider a 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 two (2) pipelines, 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, Section 10, Block 38, T-2-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 shall automatically renew at the end of the term for one additional twenty (20) year term upon 90 days written request prior to expiration. (DEVELOPMENT SERVICES) (2013 - 411)
29. Consider a resolution authorizing the acceptance of a 20-foot water and sewer line easement located in Section 19, Block 38, T-1-S, T&P RR Co. Survey, Midland, Midland County, Texas; and ordering recordation by the City Secretary. (ENGINEERING SERVICES) (2013 - 412)
30. Consider a motion on a request by West Company of Midland, for the Lost Mountain Addition – Section 4 to approve items requested for deferral and to waive the associated public improvement guarantee. The subject property is located adjacent to the future Green Tree Boulevard alignment approximately 1300' west of the future Garfield Street alignment. (ENGINEERING SERVICES)
31. Consider a resolution authorizing a Right-of-Way License between the City of Midland, Texas and Sunvit 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, Section 10, Block 38, T-2-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 shall automatically renew at the end of the term for one Additional twenty (20) year term upon 90 days written request prior to expiration. (DEVELOPMENT SERVICES) (2013 - 413)
32. Consider a resolution appointing individuals to serve as volunteers to enforce automobile parking restrictions as authorized by Chapter 681 of the Texas Transportation Code. (POLICE) (2013 - 414)

33. Consider a resolution authorizing the execution of Change Order Number Three with Red River Construction Company, Incorporated, adding \$36,704.52 for additional work to the existing contract for the airport and Paul Davis Well Sites Improvements Project; and appropriating \$36,705.00; the original contract was for \$3,877,740.00; this change order brings the total contract price to \$4,787,458.73. (UTILITIES) (2013 - 415)
34. Consider a resolution authorizing the execution of Change Order Number Two with Archer Western Contractors, L.L.C., adding \$102,768.64 for additional work to the existing contract for the Raw Water Project; and appropriating \$102,769.00; the original contract was for \$7,058,965.00; this change order brings the total contract price to \$7,428,711.80. (UTILITIES) (2013 - 416)

SECOND READINGS

35. 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 Lot 2A, Block 165, Wilshire Park Addition, Section 19, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Housing Development, to be used as an Amended Planned District (Generally located on the southeast corner of Leisure Drive and Beal Parkway); 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) (9197)
36. Consider an ordinance on second reading vacating and abandoning a 0.78-acre portion of drainage and utility easements located within Lot 1, Block 1, Horseshoe Addition, City and County of Midland, Texas (Generally located on the north side of West Interstate Highway 20, approximately 1,100 feet west of Cotton Flat Road); adopting the appraisal by the City Manager of \$9,286.97; waiving the fee for the cost of the easements; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9199)
37. Consider an ordinance on second reading vacating and abandoning a 0.64-acre portion of a dedicated 80-foot public right-of-way located within Section 35, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located at the northwest corner of Grassland Estates, Section 7); adopting the appraisal by the City Manager of \$226.00; waiving the fee for the cost of the right-of-way; retaining a public utility easement; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9200)
38. Consider an ordinance on second reading designating and approving parking spaces on a portion of the west side of Idlewilde Drive from a point 265 feet north of the north curb line of Princeton Avenue and continuing north a distance of 140 feet as reserved for the parking of motor vehicles operated by law

enforcement officers; 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. (ENGINEERING SERVICES) (9201)

PUBLIC HEARINGS

39. At approximately 10:30 A.M. hold a public hearing and consider an ordinance changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting a 4.57-acre tract of land out of Lots 1-3, and the vacated rights-of-way of Arapahoe Road and State Highway 349, Block 17, and Lots 1 and 2, Block 18, all out of 349 Ranch Estates, Section 3, City and County of Midland, Texas, which is presently zoned PD, Planned District for an Industrial District, in part, and LR-2, Local Retail District, in part, to be used as an Amended Planned District for an Industrial District (Generally located on the east side of Highway 349 on both sides of Arapahoe Road); 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) (9202)
40. At approximately 10:33 A.M. hold a public hearing and consider an ordinance changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting a 54.487-acre tract of land out of Section 12, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas, which is presently zoned AE, Agriculture Estate District, to be used as a PD, Planned District for a housing development (Generally located on the east side of State Highway 349, approximately 1,200 feet north of Mockingbird Lane); 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) (9203)
41. At approximately 10:36 A.M. hold a public hearing and consider an ordinance changing the zoning use classification of the property described as 0.553-acre portion of Tract 1, Town & Country Annex, City and County of Midland, Texas (Generally located on the south side of Andrews Highway, approximately 730 feet northeast of West Cuthbert Avenue), which is presently zoned PD, Planned District for an Office Center, by permitting said property to be used under a Specific Use Permit with Term for a Billboard; 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. (DEVELOPMENT SERVICES) (9204)

42. At approximately 10:39 A.M. hold a public hearing and consider an ordinance changing the zoning use classification of a 15.00-acre tract of land out of Section 1, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the north side of East Interstate Highway 20, approximately 1,300 feet west of South Fairgrounds Road), which is presently zoned BP, I-20 Business Park District, by permitting said property to be used under a Specific Use Permit Without Term for a Recreational Vehicle (RV) Park; 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. (DEVELOPMENT SERVICES) (9205)
43. At approximately 10:42 A.M hold a public hearing and consider an ordinance changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting a 3.98-acre tract of land and a 36.81-acre tract of land, all out of Section 25, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, which is presently zoned TH, Townhouse Dwelling District, in part, and 1F-3, One-Family Dwelling District, in part, to be used as a PD, Planned District for a Housing Development (Generally located on the west side of Holiday Hill Road, approximately 470 feet south of Briarwood Avenue); 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) (9206)
44. At approximately 10:45 A.M. hold a public hearing and consider an ordinance changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting Lots 4 and 5, Block 10, Northwood 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 north side of Mamies Circle, approximately 290 feet north of West Wadley Avenue); 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) (9207)
45. At approximately 10:48 a.m. hold a public hearing regarding a proposed oil and gas permit to Endeavor Energy Resources, L.P. (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Chaps A #6) located 655 feet from north line and 467 feet from east line, Section 9, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas. Generally located on the north side of the Passage Way, approximately 467 feet west of the extension of North Garfield Street.) This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES)

46. At approximately 10:51 a.m. hold a public hearing regarding a proposed oil and gas permit to High Sky Partners, LLC (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Mask No 1001) located 773 feet from south line and 825 feet from west line, Section 10, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located on the north side of the extension of Mockingbird Lane, approximately 825 feet west of the extension of North Garfield Street.) This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES)
47. At approximately 10:54 a.m. hold a public hearing regarding a proposed oil and gas permit to High Sky Partners, LLC (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Mask No 1002D) located 1176 feet from south line and 825 feet from west line, Section 10, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located on the north side of the extension of Mockingbird Lane, approximately 825 feet west of the extension of North Garfield Street.) This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES)
48. At approximately 10:57 a.m. hold a public hearing regarding a proposed oil and gas permit to High Sky Partners, LLC (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Mask No 1003) located 513 feet from south line and 1773 feet from west line, Section 10, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located on the north side of the extension of Mockingbird Lane, approximately 1773 feet west of the extension of North Garfield Street.) This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES)
49. At approximately 11:00 A.M. hold a public hearing and consider an ordinance changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting Lot 3, Block 2, Westridge Park Addition, Section 3, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Shopping Center, to be used as an LR-2, Local Retail District (Generally located on the southwest corner of the intersection of Andrews Highway and North Loop 250 West); 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) (9208)
50. At approximately 11:03 A.M. hold a public hearing and consider a resolution authorizing the temporary use of land for outdoor Christmas tree sales on Lot 1, Block 1, Scotsdale Addition, Section 2, City and County of Midland, Texas (Generally located on the west side of North Midland Drive, approximately 160 feet south of West Dengar Avenue); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2013 - 417)

MISCELLANEOUS

51. Consider an ordinance on third reading granting to Oncor Electric Delivery Company LLC, its successors and assigns, an electric power franchise to use the present and future streets, alleys, highways, public utility easements, public ways and public property of the City of Midland, Texas, providing for compensation therefor, providing for an effective date and a term of said franchise, providing for written acceptance of this franchise, providing for the repeal of all existing franchise ordinances to Oncor Electric Delivery Company LLC, its predecessors and assigns, and finding that the meeting at which this ordinance is passed is open to the public. (PURCHASING)(First reading held October 8, 2013.)(9196)
52. Discuss and consider a motion on a request by Spivey & Grigg, LLP for a Right of Way Use Permit for the purpose of closing (1) the intersection of Garfield Street and the Union Pacific Railroad Crossing and (2) the adjacent east and west bound lanes of the traffic on Front Street and Industrial Avenue on November 14, 2013 from 2:00 p.m. until 5:00 p.m. with City of Midland Police Department assistance. (CITY ATTORNEY)
53. Consider a resolution authorizing the issuance of a Building Permit for the installation of a Manufactured Home on Lot 12, Block 10, East Midland Addition, City and County of Midland, Texas (Commonly known as 1311 Walnut Lane); and providing that the issuance of said permit does not undertake to adjudicate property rights; said permit was denied by the Building Official and this resolution is an appeal to the Midland City Council. (DEVELOPMENT SERVICES) (2013 - 275)
54. Consider a resolution approving a preliminary plat of Daybreak Estates, being a plat of a 159.373-acre tract of land out of Section 12, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas (Generally located on the east side of Highway 349, approximately 1,200 feet north of Mockingbird Lane); said preliminary plat was denied by the City of Midland Planning and Zoning Commission and is on an appeal to the City Council. (DEVELOPMENT SERVICES) (2013 - 418)
55. Consider an ordinance establishing intersection stops 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. (ENGINEERING SERVICES) (9209)
56. Consider a motion making appointments to various Boards and Commissions.

EXECUTIVE SESSION

57. 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 551.071 Consultation with the City Attorney.
 - a.1. Discuss with the City Attorney and attorney(s) with the law firm of Cotton, Bledsoe, Tighe and Dawson contemplated litigation and City legal issues involved in litigation styled Catherine Stouffer, et al. v. Union Pacific Railroad, Inc. and Smith Industries, Inc., in the 116th Judicial District Court in Dallas County, Texas; Cause No. 12-15024.
 - a.2. Discuss a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code.
 - b. Section 551.087 Deliberate Economic Development Negotiations.
 - b.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.

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.