AGENDA FOR CITY COUNCIL MEETING
January 09, 2018 – 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 - Monsignor Larry J. Droll, Saint Ann's Catholic Church

2. Pledge of Allegiance

PRESENTATIONS

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

    a. Recognition of 2017 Christmas Parade Float Winners

    b. Presentation of a Proclamation for Crime Stoppers Month

CONSENT AGENDA

4. Consider a motion approving the following minutes:

    a. Regular meeting of December 12, 2017

5. Consider a resolution authorizing the City Treasurer to write off as uncollectible certain delinquent accounts for Emergency Medical Services receivables and Health Department receivables. (FINANCE) (2018 - 001)

6. Consider a resolution authorizing the City Treasurer to write off as uncollectible certain delinquent accounts for miscellaneous accounts receivable and insufficient funds checks. (FINANCE) (2018 - 002)

7. Consider resolution authorizing the City Treasurer to write off as uncollectible certain delinquent accounts for water, sewer, and sanitation services. (FINANCE) (2018 - 003)

8. Consider a resolution awarding a contract for the Fiscal Year 2018 Hot In Place Asphalt Recycling Project to the sole bidder, Cutler Repaving, Inc. of Lawrence, Kansas, at a total cost not to exceed $1,442,945.00; and authorizing payment therefor. (PURCHASING) (2018 - 004)

9. Consider a resolution awarding a contract for the Fiscal Year 2018 Micro-Surfacing Project to Intermountain Slurry Seal, Inc. of North Salt Lake City, Utah, at a total cost of $2,082,880.65; and authorizing payment therefor. (PURCHASING) (2018 - 005)

10. Consider a resolution approving the purchase of one (1) 2018 GapVax MC1311-3s3x Combination Jet/Vacuum Unit for the Garage Division from Lonestar Freightliner Group, LLC, through Buyboard at a total cost of $385,733.00. (PURCHASING) (2018 - 006)

11. Consider a resolution approving the purchase of one (1) Toro GM4000 Tractor Deck Mower for the Garage Division from Professional Turf Products, L.P., through Buyboard at a total cost of $57,911.56. (PURCHASING) (2018 - 007)

12. Consider a resolution approving the purchase of three (3) utility service bodies and one (1) platform body for the Garage Division from Fabco Industries, LLC, through Buyboard at a total cost of $77,532.25. (PURCHASING) (2018 - 008)

13. Consider a resolution authorizing the purchase of one (1) three-cubic yard wheel loader for the Garage Division from Beard Equipment Co., Inc., of Midland, Texas, at a total cost of $142,900.00. (PURCHASING) (2018 - 009)

14. 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, GT Distributors, Inc., and Kiesler Police Supply, at a total cost of $86,786.94. (PURCHASING) (2018 - 010)

15. Consider a resolution authorizing the execution of a contract for the purchase and installation of four pivot irrigation systems and parts for use at the Spraberry Farm to the sole bidder, Lamesa Irrigation Company, of Lamesa, Texas, at a total cost of $349,352.74. (PURCHASING) (2018 - 011)

16. Consider a resolution authorizing the appropriation of $820,415.00 from the Hotel Motel Fund (090) to the Midland Center Project (800979) for the installation of a media mesh panel and the construction of a splash pad pump room for said project. (COMMUNITY SERVICES) (2018 - 012)

17. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and RSP Permian, LLC, regarding City-owned property described as Section 1, Block X, H.P. Hilliard Survey, Midland County, Texas. (ENGINEERING SERVICES) (2018 - 013)

SECOND READINGS

18. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 4A, Block 28, Plantation Hills, Section 21, City and County of Midland, Texas (Generally located on the north side of West Loop 250 North, approximately 505 feet west of North Garfield Street), which is presently zoned PD, Planned District for a Shopping Center, 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. (DEVELOPMENT SERVICES)(First reading held December 12, 2017)(9721)

19. 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 2.943-acre tract of land out of Lots 1 and 2, Block 162, Wilshire Park Addition, Section 9, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Housing Development, to be used as a PD, Planned District for a Shopping Center (Generally located northwest of the intersection of Beal Parkway and Leisure Drive); 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)(First reading held December 12, 2017)(9722)

20. Consider an ordinance on second reading changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting a 6.161-acre tract of land out of Blocks 162 and 163, Wilshire Park Addition, Section 9, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Housing Development, to be used as a PD, Planned District for a Shopping Center (Generally located on the west side of Beal Parkway, approximately 395 feet south of Thomason Drive); 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)(First reading held December 12, 2017)(9723)

PUBLIC HEARINGS

21. Hold a public hearing and consider an ordinance granting a special exception for Lot 21, Block 4, Woodland Park Addition, Section 4, City and County of Midland, Texas (Generally located northwest of the intersection of Almont Place and Gunnison Drive), by permitting a reduced rear yard setback; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars ($2,000.00); ordering

recordation by the City Secretary in the Deed Records of Midland County, Texas; and ordering publication. (DEVELOPMENT SERVICES) (9724)

22. 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 2E, Block 33, Correction Plat Northgate Addition, Section 21, 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 West Loop 250 North, approximately 695 feet west of North Midland Drive); 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) (9725)

23. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Lot 2E, Block 33, Correction Plat Northgate Addition, Section 21, City and County of Midland, Texas (Generally located on the north side of West Loop 250 North, approximately 695 feet west of North Midland Drive), which is presently zoned PD, Planned District for a Shopping Center, 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. (DEVELOPMENT SERVICES) (9726)

24. Hold a public hearing regarding the proposed granting of Oil and Gas Permits to Permian Deep Rock Oil Co., LLC, for the drilling of oil gas wells, being Charger #H145WA located 109 feet from the south line and 1,320 feet from the west line, Charger #H145SS located 109 feet from the south line and 1,350 feet from the west line, Charger #H150LS located 109 feet from the south line and 1,020 feet from the west line and Charger #H150MS located 109 feet from the south line and 1,050 feet from the west line Section 3, Block 39, T-2-S, T&P RR. CO. Survey, City and County of Midland, Texas. (Said wells sharing a pad site area that is generally located between 1,082 and 1,412 feet east of South Garfield Street and 326 feet north of West County Road 111.) This is a public hearing only. (DEVELOPMENT SERVICES) (001-2018)

25. 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 1, Block 2, Bent Tree Addition, Section 2, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Transition District, to be used as an O-1, Office District (Generally located southeast of the intersection of North Midkiff Road and Bluebird 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) (9727)

MISCELLANEOUS

26. Consider an ordinance making certain amendments to the 2017-2018 Fiscal Year Budget for municipal purposes so as to increase amounts appropriated to certain funds. (FINANCE) (9728)

27. Consider an ordinance authorizing the issuance of "City of Midland, Texas, General Obligation Improvement and Refunding Bonds, Series 2018A," specifying the terms and features of said bonds; levying a continuing direct annual ad valorem tax for the payment of said bonds; and resolving other matters incident and related to the issuance, sale, payment and delivery of said bonds, including the approval and execution of a Paying Agent/Registrar Agreement and a Purchase Agreement, and the approval and distribution of a Preliminary Official Statement and an Official Statement pertaining thereto; and providing an effective date. (FINANCE) (9729)

28. Consider an ordinance authorizing the issuance of "City of Midland, Texas, General Obligation Refunding Bonds, Taxable Series 2018B," specifying the terms and features of said bonds; levying a continuing direct annual Ad Valorem Tax for the payment of said bonds; and resolving other matters incident and related to the issuance, sale, payment and delivery of said bonds, including the approval and execution of a Paying Agent/Registrar Agreement and a Purchase Agreement, and the approval and distribution of a Preliminary Official Statement and an Official Statement pertaining thereto; and providing an effective date. (FINANCE) (9730)

29. Review the Specific Use Permit with Term for the sale of all alcoholic beverages for on-premises consumption in a nightclub on the property described as being an 8,590-square foot portion of Lot 18, Block 1, Providence Park, Section 2, City and County of Midland, Texas (generally located northwest of the intersection of West Wadley Avenue and North Midkiff Road) and consider a possible motion to direct the Director of Development Services to propose an amendment to said permit to be processed in accordance with the procedures established by Title XI of the City Code and applicable state law. (DEVELOPM ENT SERVICES) (002-2018)

30. Review the Specific Use Permit with Term for the sale of all alcoholic beverages for on-premises consumption in a lounge on the property described as a 3, 210-square foot portion of Lot 33C, Block 3, Briarwood Addition, Section 16, City and County of Midland, Texas (generally located on Briarwood Avenue, approximately 185 feet west of North Midland Drive) and consider a possible motion to direct the Director of Development Services to propose an amendment to said permit to be processed in accordance with the procedures established by

Title XI of the City Code and applicable state law. (DEVELOPMENT SERVICES) (003-2018)

31. Review the Specific Use Permit with Term for the sale of all alcoholic beverages for on-premises consumption in a nightclub on the property described as Lot 1, Block 2, Bankhead Addition, Section 2, City and County of Midland, Texas (generally located northwest of the intersection of South Midkiff Road and Bankhead Highway) and consider a possible motion to direct the Director of Development Services to propose an amendment to said permit to be processed in accordance with the procedures established by Title XI of the City Code and applicable state law. (DEVELOPMENT SERVICES) (004-2018)

32. Consider a motion appointing a Mayor Pro Tempore.

33. Consider a motion making appointments to various Boards & Commissions.

PUBLIC COMMENT

34. Receive public comments where individuals may address the City Council on City related issues and projects not on the present agenda. 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. (Please limit comments to three minutes or less.)

EXECUTIVE SESSION

35. 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.

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.