

CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
January 24, 2017 - 9:30 AM
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 General Services regarding update on the Midland Center Project and overview of Guaranteed Maximum Price (GMP).

AGENDA FOR CITY COUNCIL MEETING
January 24, 2017 – 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 - Pastor Robert Pase, Grace Lutheran 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 a Proclamation to Downtown Midland Management District celebrating Mardi Gras.

CONSENT AGENDA

4. Consider a motion approving the following minutes:
 - a. Special meeting of January 5, 2017.
 - b. Special meeting of January 9, 2017.
 - c. Regular meeting of January 10, 2017.
5. Consider a resolution authorizing the execution of a Professional Services Agreement with Silverwing Enterprises, LLC, to provide professional services in support of the operation of the Spaceport located at Midland International Air and Space Port; and appropriating funds. (AIRPORTS) (2017 - 018)
6. Consider a resolution denying the effective date and the proposed change of rates of Sharyland Utilities, L.P. and Sharyland Distribution & Transmission Services, L.L.C. (collectively, "Sharyland"); requiring reimbursement of reasonable rate case expenses; finding that the meeting at which this resolution

is passed is open to the public as required by law; and authorizing and directing the City Secretary to send a copy of this resolution to Sharyland and Lloyd Gosselink Rochelle & Townsend, P.C. (CITY MANAGER'S OFFICE) (2017 - 019)

7. Consider a resolution approving a Third Amendment to the Promotional Agreement between the Midland Development Corporation and Permian Basin Public Telecommunications, Inc., to advertise or publicize the City of Midland for the purpose of developing new and expanded business enterprises. (CITY MANAGER'S OFFICE) (2017 - 020)
8. Consider a resolution approving an Economic Development Agreement between the Midland Development Corporation and the City of Midland for improvements to Wadley Avenue, as authorized by Chapter 501 of the Texas Local Government Code. (ENGINEERING SERVICES) (2017 - 021)
9. Consider a resolution authorizing the City Manager to acquire, on behalf of the City of Midland, any real property interests necessary or appropriate, by any instruments of conveyance necessary or appropriate, for the use and benefit of the public for street, road, pedestrian access, drainage and public utility purposes, and for any other ancillary public use as is usual and customary in connection therewith from a point on State Highway 158 approximately 0.25 miles southeast of the intersection of State Highway 158 and North County Road 1247 to a point approximately 600 feet west of the intersection of Wadley Avenue and Callaway Drive; authorizing the City Manager to obtain appraisals, negotiate, execute and file all documents necessary to acquire said real property interests, purchase title insurance policies and hold the closings for said acquisitions; appropriating funds; authorizing payment for said real property interests, appraisals, title insurance policies and closing costs; and ordering the City Secretary to record, or ensure that the title company has recorded, all instruments of conveyance. (ENGINEERING SERVICES) (2017 - 022)
10. Consider a motion approving a contract with Wayne Needham DBA Ultimate Calf Roping in the amount of \$12,500 to promote tourism and the hotel industry in Midland from funds available and as approved in the Fiscal Year 2016-2017 Budget (Hotel-Motel Fund/Non Departmental). (CITY SECRETARY'S OFFICE) (005-2017)
11. Consider a motion authorizing the submission of the Schedule for CDBG Application Cycle, 2017-2018 Action Plan. (DEVELOPMENT SERVICES) (006-2017)

12. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and Navitas Midstream Midland Basin, LLC, regarding city-owned property described as Section 30, Block 36, Township 3 South, B. Lee Survey, Abstract No. 957, Midland County, Texas. (ENGINEERING SERVICES) (2017 - 023)
13. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and Enlink Crude Pipeline, LLC, regarding City-owned property described as Sections 9 and 10, Block 38, Township 2 South, T&P RR Co. Survey, Midland County, Texas. (ENGINEERING SERVICES) (2017 - 024)
14. Consider a resolution appropriating proceeds from the sealed bid sale of old service weapons and court awarded weapons to the Police Equipment and Technology Project (800820) for the replacement of Midland Police Department Duty Weapons. (POLICE) (2017 - 025)

SECOND READINGS

15. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 1A, Block 29, Homestead Addition, Section 8, City and County of Midland, Texas (Generally located southwest of the intersection of North Colorado Street and West Louisiana Avenue), 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. (DEVELOPMENT SERVICES)(First reading held January 10, 2017.)(9628)
16. 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 Lots 32B1 and 32B2, Block 39, Fairmont Park Addition, Section 48, 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 east side of West Loop 250 North, approximately 490 feet north of Tremont Avenue); 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 January 10, 2017.)(9629)

17. Consider an ordinance on second reading changing the zoning use classification of the property described as a 5,141-square foot portion of Lot 1, Block 8, Polo Park Addition, Section 3, City and County of Midland, Texas (Generally located southeast of the intersection of North Garfield Street and Castleford Road), 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 January 10, 2017.)(9630)
18. Consider an ordinance on second reading vacating and abandoning a 0.196-acre service access and utility easement and a 0.034-acre water line easement located in Lot 1, Block 10, Arbor Park Addition, Section 5, City and County of Midland, Texas (Generally located southwest of the intersection of Sunshine Parkway and Idlewilde Drive); adopting the appraisal by the City Manager of \$24,720.30; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES)(First reading held January 10, 2017.)(9631)
19. Consider an ordinance on second reading granting a special exception for Lots 1-4, 7 and 8, Block 2, Ball Park Addition, City and County of Midland, Texas (Generally located southwest of the intersection of West Indiana Avenue and Baldwin Street), by permitting off-site parking benefitting Lots 16-18, Block A, Garrett Place Addition, City and County of Midland, Texas (Generally located on the north side of West Indiana Avenue, approximately 160 feet east of Carlton Street); 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)(First reading held January 10, 2017.)(9634)
20. Consider an ordinance on second reading making certain amendments to the 2015-2016 Fiscal Year Budget so as to increase amounts appropriated to certain funds. (FINANCE)(First reading held January 10, 2017.)(9635)

MISCELLANEOUS

21. Consider a motion directing staff to begin the annexation of a 36.36-acre tract of land out of Section 35, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the north side of Brandy Hill Road,

approximately 330 feet east of State Highway 158. (DEVELOPMENT SERVICES) (007-2017)

22. Consider a motion directing staff to begin the annexation of a 120.625-acre tract of land out of Section 38, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the west side of Arlington Road.) (DEVELOPMENT SERVICES) (008-2017)
23. Consider a resolution approving plans and specifications and accepting a guaranteed maximum price of \$33,132,612.00 for the construction of the Midland Convention Center from Lee Lewis Construction, Inc.; authorizing the City Manager to execute a contract for the construction of the Midland Convention Center with Lee Lewis Construction, Inc.; authorizing the City Manager to negotiate and execute all related agreements; and appropriating funds therefor. (PURCHASING) (2017 - 026)
24. Consider a resolution authorizing the execution of a contract with Hayward Baker, Inc., for the Midland Center Design & Build Shoring Project at a total cost of \$173,000.00; and providing \$43,250.00 in contingency funding therefor. (PURCHASING) (2017 - 027)
25. Consider an ordinance ordering a Special Election to be held on May 6, 2017, for the purpose of voting for or against the extension of the imposition of the sales and use tax within the City of Midland at the rate of one-quarter (1/4) of one percent (1%), which is currently used for the Scharbauer Sports Complex Football/Soccer Stadium and Baseball Stadium, and related infrastructure, pursuant to Texas Local Government Code, Chapter 505, as amended ("Chapter 505"), in order to undertake projects authorized by Chapter 505; setting forth said projects herein; making provision for the conduct of such election; and setting forth other matters incident and related to such election. (CITY SECRETARY'S OFFICE) (9636)
26. Consider a motion authorizing the negotiation and execution of a fourth amendment to the Master Development Agreement between the City of Midland, the Midland Development Corporation, and HSR Realty No. 1 Development, LLC. (CITY MANAGER'S OFFICE) (009-2017)
27. Consider a motion making appointments to various boards and commissions

PUBLIC COMMENT

28. 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

29. 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.
 - b. Section §551.074 Personnel Matters
 - b.1. Deliberate the employment, evaluation, and duties of the City Manager, City Attorney, City Secretary, Municipal Court Presiding Judge, and Municipal Court Associate Judge.

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.