

**CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
January 27, 2015 - 9:30 A.M.
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 and discuss a presentation from Vandergriff Group Architects regarding the demolition, and potential future uses of the old Midland County Courthouse, the Midland Executive Center and the Mid-America Building.

AGENDA FOR CITY COUNCIL MEETING
January 27, 2015 – 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 - Senior Pastor Larry Long, Fellowship Community Church.
2. Pledge of Allegiance

PRESENTATIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Recognize members from Transportation, Midland Fire Department, Midland County Emergency Management and Greenwood Volunteer Fire Department for their efforts in extinguishing a fire at the Midland Landfill.

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. (Please limit comments to three minutes or less.)

CONSENT AGENDA

5. Consider a motion approving the following minutes:
 - a. Regular meeting of January 13, 2015.
6. Consider a resolution authorizing the appropriation of Airport Operational Funds

in order to pay for project items that Federal funds cannot cover and reducing the amount of Federal funds attached to such project items; and appropriating the City's ten percent (10%) matching share of \$50,999.50 to the emergency roadway and gate rehabilitation project (7082) at Midland International Air and Space Port. (FINANCE) (2015 - 017)

7. Consider a resolution authorizing the execution of a contract for Elevator/Escalator Maintenance at the Midland International Air and Space Port with Schindler Elevator Corporation of Fort Worth, Texas, at a total cost of \$89,400.00. (PURCHASING) (2015 - 018)
8. Consider a resolution approving plans and specifications and authorizing advertisement for bids for demolition of the former Midland County Courthouse (located on Block 55, Original Town, City and County of Midland, Texas), the Midland Executive Center (located on Lot 13A, Block 27, Original Town, Section 3, City and County of Midland, Texas), and the Mid-America Building (located on Lot 7A, Block 27, Original Town, Section 3, City and County of Midland, Texas.) (PURCHASING) (2015 - 019)
9. Consider a resolution approving the purchase of two (2) roll off hoist bodies from Dickson Equipment Company, Incorporated, at a total cost of \$84,579.50; and Dickson Equipment Company, Incorporated, was the sole bidder. (PURCHASING) (2015 - 020)
10. Consider a resolution authorizing the purchase of eleven (11) heavy duty cab and chassis from Freightliner of Odessa, Texas, at a total cost of \$940,099.00. (PURCHASING) (2015 - 021)
11. Consider a resolution authorizing the City Manager to advertise a Request for Qualifications for Professional Services for up to three firms to assist the Engineering Services Department on an as-needed basis with tasks related to the City's engineering review and project development process, and dealing with development, engineering, administration, and capital improvements projects; authorizing the City Manager to negotiate professional services agreements for said services; and providing that said agreements shall not become effective until approved by the City Council. (PURCHASING) (2015 - 022)
12. Consider a resolution authorizing payment to Vineyard Reserve, LLC in the amount of \$416,181.61; said amount being owed in accordance with certain Public Improvement Development Agreements and a Letter Agreement between the City of Midland and Vineyard Reserve, LLC, and between the City of Midland and Fasken Land and Minerals, Ltd.; Vineyard Reserve, LLC and Fasken Land and Minerals, Ltd. being affiliated entities. (ENGINEERING SERVICES) (2015 - 023)

13. Consider a motion on request by Schumann Engineering Co. Inc. to defer public improvements requested for Midland Hills Addition, and to discount the associated construction costs by \$174,186.00, an amount equal to the full cost of construction. The subject property is generally located on East County Road 60 approximately ½ mile east of the intersection with North County Road 1150. (ENGINEERING SERVICES)
14. Consider a motion on request by Schumann Engineering Co. Inc. to defer public improvements for Dunham Acres Addition, and to discount the associated construction costs by \$160,500.00, an amount equal to the full cost of construction. The subject property is generally located on West State Highway 80, approximately ¾ miles west of the intersection with FM 1788. (ENGINEERING SERVICES)
15. Consider a resolution accepting a Fiscal Year 2015 Grant Award from the Southwest Border High Intensity Drug Trafficking Areas Program in the amount of \$30,496.00; this grant will be utilized for the purpose of enhancing and coordinating drug control efforts among Federal, State, and Local Law Enforcement Agencies to better combat drug trafficking; and appropriating funds. (POLICE) (2015 - 024)
16. Consider a resolution authorizing an Operating Certificate for LBMT, LLC, to operate a limousine business; setting forth conditions accompanying the certificate; and establishing the terms of the certificate. (POLICE) (2015 - 025)

SECOND READINGS

17. Consider an ordinance on second reading changing the zoning use classification of the property described as latitude 31.99248 and longitude -102.08063 out of Section 34, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the south side of West Front Street, approximately 75 feet southeast of South "B" Street), which is presently zoned C-3, Commercial District, 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)(First reading held January 13, 2015)(9389)
18. Consider an ordinance on second reading changing the zoning use classification of the property described as a 3,738 square foot portion of Lot 2, Block 11, Gardens Addition, City and County of Midland, Texas (Generally located on the north side of West Michigan Avenue, and southwest of Andrews Highway), which is presently zoned LR-2, Local Retail District, in part, and PD, Planned District for a Transition District, in part, 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 13, 2015)(9391)

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 57.76-acre tract of land out of Section 29, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, which is presently zoned AE, Agriculture Estate District, to be used as a CE, Country Estate District (Generally located on the east side of Todd Drive, 0.75 miles south of East Loop 250 North); 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 13, 2015)(9393)
20. Consider an ordinance on second reading adopting a site plan for Lot 1, Block 2, Southwest Crossing Addition, City and County of Midland, Texas (Generally located southwest of the intersection of Antelope trail and Cholla Road); subject to certain conditions and restrictions; 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 13, 2015)(9395)
21. Consider an ordinance on second reading adopting a site plan for Lot 1C, Block 4, Gateway Plaza Addition, Section 8, City and County of Midland, Texas (Generally located on the west side of Tradewinds Boulevard, approximately 1,500 feet north of West Business Interstate 20); subject to certain conditions and restrictions; 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 13, 2015)(9396)
22. 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 1R, Block 17, Skyline Terrace Addition, Unit 2, 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 southwest of the intersection of West Loop 250 North and North Midkiff 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. (DEVELOPMENT SERVICES)(First reading held January 13, 2015)(9397)

23. Consider an ordinance on second reading changing the name of Coyote Drive, adjacent to Lots 25 through 49, Block 5, Lone Star Trails Addition, Section 2, City and County of Midland, Texas (Generally located approximately 1,500 feet east of North State Highway 349, at the east end of Maverick Lane), to "Cowboy Drive"; containing a cumulative clause; containing a savings and severability clause; and directing the City Secretary to send the Midland Emergency Communications District a certified copy of this ordinance. (DEVELOPMENT SERVICES)(First reading held January 13, 2015)(9398)
24. Consider an ordinance on second reading making certain transfers in various funds of the 2013-2014 Fiscal Year Budget and making certain budget amendments; and ordering recordation. (FINANCE)(First reading held January 13, 2015)(9403)

PUBLIC HEARINGS

25. 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 10.66-acre tract of land out of Section 9, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Housing Development, to be used as a 1F-1, One-Family Dwelling District (Generally located northeast of the intersection of Mockingbird Lane and Mayfield Place); 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) (9404)
26. At approximately 10:33 A.M. hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Lot 2, Block 17, Northwest Acres Addition, City and County of Midland, Texas (Generally located on the north side of Humble Avenue, approximately 300 feet east of Western Drive), which is presently zoned 1F-1, One-Family Dwelling District, by permitting said property to be used under a Specific Use Permit without Term for an Accessory Building to be used for living or sleeping quarters; 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) (9405)
27. At approximately 10:36 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 2.83-acre tract of land out of Section 9, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas, which is presently zoned 1F-1, One-Family Dwelling District, to be used as an O-1, Office District (Generally located northeast of the intersection of Whitman Drive and 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) (9406)

MISCELLANEOUS

28. Consider a motion to approve a proposed Preliminary Plat on North Midkiff Addition, Section 2, being a replat of Lot 1, Block 1, North Midkiff Addition and a 23.02-acre tract of land out of Section 9, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas (Generally located northeast of the intersection of Mockingbird Lane and Mayfield Place.) (DEVELOPMENT SERVICES)
29. Consider a motion appealing the Building Official's denial of a Sign Permit application by Sid Norton Odessa Sign Solution located on 4709 N. Midkiff Road, City and County of Midland, Texas (Generally located on the west side of North Midkiff Road, approximately 600-feet north of West Loop 250 North.) (DEVELOPMENT SERVICES)
30. Consider an ordinance amending Title III, "Departments", Chapter 1, "Water Department", Section 27, "Septage Waste Hauler Discharges and Fees", of the City Code of Midland, Texas, so as to regulate the discharge of domestic septage at the City's water pollution control plant; incorporating a thirty cents (\$0.30) per gallon septage hauler's discharge fee; providing for a maximum penalty or fine of one thousand dollars (\$1,000.00); containing a cumulative clause; containing a savings and severability clause; and ordering publication. (UTILITIES) (9407)
31. Consider a motion appointing a Mayor Pro-Tem. (CITY SECRETARY'S OFFICE)
32. Consider a motion making appointments to various Boards and Commissions.

EXECUTIVE SESSION

33. 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 551.074, Personnel Matters.
 - a.1. Deliberate the employment, evaluation, compensation, and duties of the City Attorney.
 - 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.

c. Section 551.072, Deliberation Regarding Real Property.

- c.1. Discuss the sale, exchange, lease or value of real property described as Block 55, Original Town Addition, City and County of Midland, Texas. Block 55 is the site of the former Midland County Courthouse. The Council will discuss the proposed sale of said real property to the Midland Development Corporation and/or Hotel Santa Rita No. 1 Midland Partners, LLC, a Texas limited liability company.

Respectfully Submitted,

Courtney B. Sharp
City Manager

MEETING ASSISTANCE INFORMATION: The Midland City Hall and Council Chamber is 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.