

**CITY OF MIDLAND, TEXAS  
BRIEFING SESSION AGENDA  
January 28, 2014 - 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 Administrative Services on the City's Compensation and Classification Study.

AGENDA FOR CITY COUNCIL MEETING  
January 28, 2014 – 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. [Receive a presentation from Midland Retired Seniors Volunteer Program.](#)

**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 remarks to no more than three minutes per person.)

**CONSENT AGENDA**

5. Consider a motion approving the following minutes:
  - a. [Special meeting of January 13, 2014.](#)
  - b. [Regular meeting of January 14, 2014.](#)

6. Consider a resolution authorizing the execution of a contract with MUSCO Lighting LLC, of Oskaloosa, Iowa for labor, material, equipment and supervision necessary to purchase and install ball field lighting for Hogan Park Fields #1, #2, #8, and Simons Field through Buyboard at a total cost of \$773,400.00; this item was not bid but purchased through a Cooperative Purchasing Program; and appropriating funds. (PURCHASING) (2014-018)
7. Consider a resolution authorizing and directing the City Manager to issue a request for qualifications for a construction manager at risk for the new Municipal Court building. (PURCHASING) (2014-019)
8. Consider a resolution authorizing the execution of an amendment to Resolution No. 2012-244 authorizing the City Manager to execute and approve on behalf of the City of Midland all contracts and agreements with the State of Texas, represented by the Texas Department of Transportation and such other parties as shall be necessary for the implementation of the project described as Midland Airpark Hangar Expansion; and appropriating funds; said amendment to include constructing 12 T-hangars at the Midland Airpark Airport with drainage improvements to the existing hangars thereby increasing the total cost estimates for this project. (AIRPORTS) (2014-020)
9. Consider a resolution authorizing the execution of an amendment to the Non-Exclusive Commercial Fixed Base Operator Lease Agreement between the City of Midland, Texas and Basin Aviation, Incorporated, at Midland Airpark Airport. (AIRPORTS) (2014 - 021)
10. Consider a resolution approving the Midland Development Corporation's payment in the amount of \$53,643.20 to Crosswind Communications, LLC for promotional services. (CITY MANAGER'S OFFICE) (2014 - 022)
11. Consider a resolution approving the amended Fiscal Year 2013-2014 budget of the Midland Development Corporation, a Type A corporation as authorized by Chapter 504 of the Texas Local Government Code. (CITY MANAGER'S OFFICE) (2014 - 023)
12. Consider a resolution approving an Economic Development Agreement between the Midland Development Corporation and Orbital Outfitters, Ltd., as authorized by Chapter 501 of the Texas Local Government Code. (CITY MANAGER'S OFFICE) (2014 - 024)
13. Consider a resolution approving a Sublease Agreement between the Midland Development Corporation and Orbital Outfitters, Ltd. regarding certain real property located at Midland International Airport and described as a 1.28-acre tract of land located in Lot 1A, Block 13, Industrial Park Regional Air Terminal, Unit 12, Midland, Midland County, Texas. (CITY MANAGER'S OFFICE) (2014 - 025)

14. Consider a resolution authorizing the execution of a Lease Agreement with the Midland Development Corporation regarding certain real property at Midland International Airport and described as a 1.28-acre tract of land located in Lot 1A, Block 13, Industrial Park Regional Air Terminal, Unit 12, Midland, Midland County, Texas. (CITY MANAGER'S OFFICE) (2014 - 026)
15. Consider a resolution approving an amendment to the Declaration of Protective Covenants applicable to Entrada Enterprise Park located in Midland International Airport Industrial Park, Section 5, Midland, Midland County, Texas; and ordering recordation. (CITY MANAGER'S OFFICE) (2014 - 027)
16. Consider a resolution calling a special election for one City Council Member-at-Large; providing for use of accessible voting systems; establishing election precincts for said election; and establishing polling places for said election; said election shall be held on May 10, 2014, with early voting to begin on April 28, 2014. (CITY SECRETARY'S OFFICE) (2014 - 028)
17. Consider a resolution authorizing the execution of an agreement with the Midland-Odessa Urban Transit District, the City of Odessa, the City of Midland, and McDonald Transit Associates, Incorporated, related to the management and operation of a motorbus system in the City of Odessa and the City of Midland; and the City Manager and City Attorney are authorized to make non-substantive modifications to the agreement as long as the intent is not changed. (CITY MANAGER'S OFFICE) (2014 - 029)
18. Presentation of schedule for Fiscal Year 2014/2015 Community Development Block Grant (CDBG) Program Funding Cycle. (DEVELOPMENT SERVICES)

## **SECOND READINGS**

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 40.498-acre tract of land out of Sections 37, 38 and 48, Block 40, T-1-S, T&P RR Co. Survey, a 5.954-acre tract of land out of Section 37, Block 40, T-1-S, T&P RR Co. Survey, and a 0.270-acre tract of land out of Section 37, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, which is presently zoned FD, Future Development District, in part, and PD, Planned District for a Housing Development, in part, to be used as an Amended Planned District for a Housing Development (Generally located on the east side of the south extension of Avalon Drive, approximately 700 feet south of Hall of Fame Boulevard); 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) (First reading held on November 26, 2013) (9210)

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 21.85-acre tract of land out of Section 11, 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 west side of North State Highway 349, west of Pueblo); 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 on January 14, 2014) (9218)
21. 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 2 and 3, Block 1, the Vineyard Addition, Section 3, City and County of Midland, Texas, which is presently zoned O-1, Office District, to be used as a PD, Planned District for an Office Center (Generally located on the west side of Holiday Hill Road, approximately 800 feet north of Sherwood 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) (First Reading Held on January 14, 2014) (9219)
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 1A, Block 2, Gateway Plaza, Section 3, 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 southeast corner of the intersection of Liberty Drive and Starboard 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) (First Reading Held on January 14, 2014 ) (9220)
23. Consider an ordinance on second reading vacating and abandoning a 0.126-acre portion of Holiday Hill Road right-of-way adjacent to Lot 1, Block 2, Grandridge Park Addition, Section 1, City and County of Midland, Texas (Generally located on the west side of the intersection of Holiday Hill Road and North Loop 250 West); adopting the appraisal by the City Manager of \$8,235.00; retaining a General Public Utility Easement; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (First Reading Held on January 14, 2014) (9221)

24. Consider an ordinance on second reading amending Title III, "Departments", Chapter 1, "Water Department", Section 2, "Rates," of the City Code of Midland, Texas, so as to change the rates charged for water and sewer services; containing a cumulative clause; containing a savings and severability clause; and ordering publication; and the City Manager shall notify all customers outside the City limits as required by state law; and rescinding Ordinance Number 9214 on the date this ordinance becomes effective. (UTILITIES)(First Reading Held on January 14, 2014) (9222)

## **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 302.19-acre tract of land which is presently zoned AE, Agriculture Estate District, to be used as a PD, Planned District for a Housing Development; by permitting a 15.83-acre tract of land which is presently zoned AE, Agriculture Estate District, to be used as an O-1, Office District; said tracts being out of Section 12, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the east side of State Highway 349, approximately 840 feet north of Arapahoe 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) (9223)
26. 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 Lots 1-12, Block 40, Belmont Addition, City and County of Midland, Texas, which is presently zoned MH, Manufactured Home Dwelling District, in part, and LR-2, Local Retail District, in part, to be used as a PD, Planned District for a Shopping Center (Generally located on the southeast corner of the intersection of Rankin Highway and West Gist 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) (9224)
27. At approximately 10:36 A.M. hold a public hearing and consider a request for the annexation of a 37.09-acre tract of land out of Sections 7 and 8, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally on the northeast corner of the intersection of FM 1788 and Loop 40.) (DEVELOPMENT SERVICES)
28. At approximately 10:39 A.M. hold a public hearing and consider a request for the annexation of Lot 3, Block 5, Pecan Acres Addition, Section 5 and of Lots 4A and 4B, Block 5, Pecan Acres Addition, Section 7, Midland County, Texas.

(Generally located on the north side of Trenton Drive, approximately 550 feet east of Trobaugh Boulevard.) (DEVELOPMENT SERVICES)

29. At approximately 10:42 A.M. hold a public hearing regarding a proposed oil and gas permit to Callon Petroleum Operating Company (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Pecan Acres 23 #7) located 660 feet from south line and 1911 feet from east line, Section 23, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of Golden Gate Drive, approximately 660 feet north of Briarwood Avenue.) (DEVELOPMENT SERVICES)

## **DEVELOPMENT SERVICES**

30. Consider an ordinance amending Title IV, "Building Regulations", Chapter 1, "Building Code", of the City Code of the City of Midland, Texas, and adopting the 2012 International Building Code as the Building Code of the City of Midland, Texas, for the purpose of regulating the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition of buildings and structures or any appurtenance connected or attached to such building or structure; providing for the inspection of said buildings or structures, providing for the issuance of permits for the construction, alteration, repair, equipment, use and occupancy, removal and demolition of said buildings or structures and collection of inspection fees therefor; establishing minimum floor elevations for certain structures; requiring cash deposits to insure site clearance after removal or demolition of structures; containing a cumulative clause; containing a savings and severability clause; providing for a maximum fine or penalty of two thousand (\$2000.00) dollars; and establishing an effective date of April 1, 2014; and ordering publication. (DEVELOPMENT SERVICES) (9225)
31. Consider an ordinance amending Title IV, "Building Regulations", Chapter 3, "Plumbing Code", of the City Code of the City of Midland, Texas, and adopting the 2012 International Plumbing Code as the Plumbing Code of the City of Midland for the purpose of regulating the installation, alteration, and maintenance of all piping and plumbing within the corporate limits of the City of Midland; providing for the inspection of said piping and plumbing; providing for the issuance of permits for the installation of said piping and the collection of inspection fees therefor; providing for the bonding of persons engaged in the business of installing, repairing and maintaining said piping or plumbing; providing for appeals; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2000.00); establishing an effective date of April 1, 2014; and ordering publication. (DEVELOPMENT SERVICES) (9226)
32. Consider an ordinance amending Title IV, "Building Regulations", Chapter 4, "Gas Code", of the City Code of the City of Midland, Texas, and adopting the 2012 International Fuel Gas Code as the Gas Code of the City of Midland;

providing minimum standards, provisions and requirements for gas piping and appliances; providing for the issuance of permits for the installation of said piping and appliances and the collection of inspection fees therefor; providing for bonding of persons engaged in the business of installing, repairing and maintaining said piping and appliances; regulating use of existing piping and appliances; providing for certificates of approval for piping work; providing for appeals; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); establishing an effective date of April 1, 2014; and ordering publication. (DEVELOPMENT SERVICES) (9227)

33. Consider an ordinance amending Title IV, "Building Regulations", Chapter 10, "Mechanical Code", of the City Code of Midland, Texas, and adopting the 2012 International Mechanical Code as the Mechanical Code of the City of Midland for the purpose of providing minimum standards, provisions and requirements for safe installation and maintenance of mechanical systems within the corporate limits of the City of Midland, Texas; providing for the inspection of said mechanical systems; providing for the issuance of permits for the installation of said mechanical systems and the collection of inspection fees therefor; providing for appeals; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2000.00); establishing an effective date of April 1, 2014; and ordering publication. (DEVELOPMENT SERVICES) (9228)
34. Consider an ordinance amending Title IV, "Building Regulations", Chapter 11, "Residential Code", of the City Code of the City of Midland, Texas, and adopting the 2012 edition of the International Residential Code, as the Residential Building Code for the City of Midland, Texas, for the purpose of regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, Addition to, use or maintenance of one-and two-family dwellings and townhouses in the City of Midland, Texas, providing for the issuance of permits, the review of plans, the inspection of footings and foundations and framing, the collection of inspection fees therefor; containing a cumulative clause; containing a savings and severability clause; providing for a maximum fine or penalty of two thousand dollars (\$2,000.00); ordering publication; and establishing an effective date of April 1, 2014. (DEVELOPMENT SERVICES) (9229)

## **MISCELLANEOUS**

35. Consider an ordinance authorizing the issuance of "City of Midland, Texas, Tax and Limited Pledge Revenue Certificates of Obligation, Series 2014"; levying an ad valorem tax upon all taxable property within the City and providing for a limited pledge of the net revenues of the City's Waterworks and Sewer System for the payment of said Certificates; prescribing the terms and details of such Certificates and resolving other matters incident and related to the issuance,

sale, security, payment and delivery of said Certificates, including the approval of a Paying Agent/Registrar Agreement and the approval and distribution of an Official Statement pertaining thereto; and providing an effective date. (FINANCE) (9230)

36. Consider an ordinance authorizing the issuance of "City of Midland, Texas, General Obligation Refunding Bonds, Series 2014"; specifying the terms and features of said bonds; levying a continuing direct annual ad valorem tax for the payment of said bonds; providing for the redemption of certain outstanding obligations of the City; 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 the approval and distribution of an Official Statement; and providing an effective date. (FINANCE) (9231)
37. Consider a motion approving a proposed preliminary plat of The Pines at Mira Vista, being a 21.85-acre tract of land out of Section 11, Block "X", H. P. Hilliard Survey, City and County of Midland, Texas. (Generally located on the west side of N. State Hwy 349, west of Pueblo.) (DEVELOPMENT SERVICES)
38. Consider a motion appointing a Mayor Pro Tempore.
39. Consider a motion making an appointment to the Tax Increment and Reinvestment Zone Board, Midland Development Corporation, Planning and Zoning Commission and consider motions making appointments to all other boards and commissions.

## **EXECUTIVE SESSION**

40. 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 Manager, the City Attorney, the City Secretary, the Municipal Court Presiding Judge and the Municipal Court Associate Judge.
  - b. Section 551.072 Deliberation Regarding Real Property.
    - b.1. Discuss the purchase, exchange, lease or value of real property described as Lot 1 less 7.87 acres, Block 1, Westridge Park Addition, Section 1, an addition to the City of Midland, Midland County, Texas.

- c. [Section 551.071 Consultation with the City Attorney](#)
  - c.1. [Discuss contemplated litigation involving approximately 508 acres of real property located in Section 28, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas.](#)

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.