

**CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
February 11, 2014 - 9:00 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 a presentation from Brad Barnett regarding Midland Center parking options.
2. Receive a presentation from Community Services regarding the installation of a Splashpad, a Capital Project at the Scharbauer Sports Complex.
3. Receive a presentation from Freese and Nichols regarding the South Midland Mobility Study.
4. Receive a presentation from the Utilities Department regarding the Wastewater Treatment Overview.

AGENDA FOR CITY COUNCIL MEETING

February 11, 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 - Pastor Wayne Keller, Alamo Heights Baptist Church](#)
2. [Pledge of Allegiance](#)

PRESENTATIONS

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

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. [Regular meeting of January 28, 2014.](#)
 - b. [Special meeting of January 29, 2014.](#)
6. [Consider a resolution authorizing the execution of a Professional Services Agreement with Jeffrey D. Blume, Limited of Magnolia, Texas at a total cost of \\$133,000.00 for architectural and engineering services for Hogan Park Golf Course improvements and renovations for the Community Services Department; and appropriating funds. \(PURCHASING\) \(2014 - 030\)](#)

7. Consider a resolution approving the purchase of one (1) Python PHP 5000 Integrated Asphalt Patching Unit for the Garage Division from Global Environmental Products through the Houston-Galveston Area Council at a total cost of \$292,966.50; this item was not bid but purchased through a Council of Governments; and appropriating funds. (PURCHASING) (2014 - 031)
8. Consider a resolution approving the purchase of one (1) complete Type 1 Ambulance in the amount of \$182,350.00 and remounting a Type 1 Ambulance Body on a Dodge Ram 4500 Diesel DRW cab and chassis in the amount of \$79,775.00 for a total cost of \$262,125.00 for the Garage Division from Dallas Dodge Chrysler Jeep through the Houston-Galveston Area Council at a total cost of \$262,125.00; this item was not bid but purchased through a Council of Governments; and appropriating funds. (PURCHASING) (2014 - 032)
9. Consider a resolution approving the purchase of fifty (50) bunker coats and fifty (50) bunker pants for the Fire Department from Dooley Tackaberry, Inc. through Buyboard at a total cost of \$95,900.00; this item was not bid but purchased through a Cooperative Purchasing Program. (PURCHASING) (2014 - 033)
10. Consider a resolution authorizing the execution of a contract with Kraftsman, L.P., of Spring, Texas for labor, material, equipment and supervision necessary for the turnkey installation of a splashpad at the Scharbauer Sports Complex through Buyboard at a total cost of \$405,750.52; this item was not bid but purchased through a Cooperative Purchasing Program. (PURCHASING) (2014 - 034)
11. Consider a resolution approving the purchase of Thirty Alpha FMX 2000-SNMP UPS battery backup systems for the Transportation Division from Paradigm Traffic Systems, Inc. through Buyboard at a total cost of \$124,200.00; this item was not bid but purchased through a Cooperative Purchasing Program. (PURCHASING) (2014 - 035)
12. Consider a resolution authorizing the execution of a sports agreement with West Texas BMX to administer programs, special events and services related to West BMX racing and riding. (COMMUNITY SERVICES) (2014 - 036)
13. Consider a resolution authorizing the execution of a sports agreement with the Texas Cricket Club to administer programs, special events and services related to cricket. (COMMUNITY SERVICES) (2014 - 037)
14. Consider a resolution authorizing the execution of a sports agreement with City of Midland Aquatics, Incorporated, to administer programs, special events, and other services related to swimming in the City of Midland; and the contract covers the Doug Russell Pool. (COMMUNITY SERVICES) (2014 - 038)

15. Consider a resolution authorizing the execution of a sports agreement with the Greater Midland Football League to administer programs, special events and services related to football. (COMMUNITY SERVICES) (2014 - 039)
16. Consider a resolution authorizing the execution of a sports agreement with Midland Softball Association, Incorporated, to administer programs, special events and services related to softball for adults ages fifteen (15) and older. (COMMUNITY SERVICES) (2014 - 040)
17. Consider a resolution authorizing the execution of a sports agreement with Midland Junior Baseball Association, Incorporated, to administer programs, special events and services related to baseball for men ages nineteen and younger. (COMMUNITY SERVICES) (2014 - 041)
18. Consider a resolution authorizing the execution of a sports agreement with Midland Soccer Association, Incorporated, to administer programs, special events and services related to soccer for adults and youth. (COMMUNITY SERVICES) (2014 - 042)
19. Consider a resolution authorizing the execution of a sports agreement with Midland United Girls Softball Association, Incorporated to administer programs, special events and services related to softball for girls. (COMMUNITY SERVICES) (2014 - 043)
20. Consider a resolution authorizing the execution of a Professional Services Agreement with Dunaway Associates, LP for engineering services in connection with the widening of Fairgrounds Road from Pine Avenue to Loop 250; appropriating funds for said Fairgrounds Road Project in the amount of \$4,000,000; and authorizing payment for said professional services in the amount of \$99,825.00. (ENGINEERING SERVICES) (2014 - 044)
21. Consider a resolution authorizing the second renewal of the contract with TEC Excavation, Inc. for the Water, Wastewater and Fire Hydrant Taps Project for one (1) additional six (6) month term; and appropriating \$500,000 therefor. (ENGINEERING SERVICES) (2014 - 045)
22. Consider a resolution authorizing the execution of an amendment to the six-month right of way license with Dawson Geophysical Company, for seismic testing across City-owned property in Block 38-T2-S, Sections 4, 5, 8, 9 and 10, Midland County, Texas, near the water pollution control plant; said amendment will authorize a six month extension to the original right of way license which was effective October 9, 2013 and ending April 8, 2014. (UTILITIES) (2014 - 046)

SECOND READINGS

23. 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 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)
24. Consider an ordinance on second reading 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)
25. Consider an ordinance on second reading 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)

26. [Consider an ordinance on second reading 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. \(DEVELOPMENT SERVICES\) \(9227\)](#)
27. [Consider an ordinance on second reading 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. \(DEVELOPMENT SERVICES\) \(9228\)](#)
28. [Consider an ordinance on second reading 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. \(DEVELOPMENT SERVICES\) \(9229\)](#)

PUBLIC HEARINGS

29. [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 Lot 2, Block 2, Pavilion Park, Section 1, and Lot 3, Block 2, Pavilion Park, Section 2, City and County of Midland, Texas, which is presently zoned O-1, Office District, in part, and PD, Planned District for Housing Development, in part, to be used as a PD, Planned District for a Housing Development (Generally located near the southeast corner of the intersection of North Big Spring Street and Pavilion 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) (9232)

30. 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 2A and 3A, Block 7, Claydesta Plaza, Section 4, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Transition District, to be used as an Amended Planned District (Generally located near the northwest corner of the intersection of West Wadley Avenue and Desta 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) (9233)
31. At approximately 10:36 A.M. hold a public hearing and consider an ordinance changing the name of the Guadalupe Street to "Stonebridge Drive" adjacent to Lots 14 and 15, Block 2, and Lot 1, Block 3, Adobe Meadows, Section 2, City and County of Midland, Texas, and to Lot 13A Block 2, and Lot 2A, Block 3, Adobe Meadows, Section 6, City and County of Midland, Texas; changing the name of Lamesa Road to "Stonebridge Drive" adjacent to Lots 2, 4 and 5, Block 1, Lot 3, Block 2, Lots 1 and 11, Block 3, Lot 1, Block 4, and Lots 1, 14, 15 and 21, Block 9, Pavilion Park, Section 2, City and County of Midland, Texas; said streets are generally located on the north and south sides of East Mockingbird Lane, east of North Big Spring Street; 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) (9234)

MISCELLANEOUS

32. Consider an ordinance making certain transfers in various funds of the 2012-2013 Fiscal Year Budget and making certain budget amendments; and ordering recordation. (FINANCE) (9235)
33. Receive a presentation from Colby Denison with Denison Development and Construction, Incorporated, and discuss Affordable Housing, including a discussion of Low Income Housing Tax Credits from the Texas Department of

Housing and Community Affairs and discuss a Revitalization Plan and the needs of certain areas in Midland. Also, the Council may discuss the Texas Department of Housing and Community Affairs 2014 qualified application plan including a resolution of support. (CITY ATTORNEY'S OFFICE)

34. Consider an ordinance amending the official Municipal Budget for Fiscal Year 2013-2014 in order to provide additional funds to the Downtown Midland Management District for a Fourth of July event in downtown Midland; the additional funding provided will help promote tourism in the City of Midland; and authorizing the City Manager to execute an agreement with the Downtown Midland Management District. (CITY SECRETARY'S OFFICE) (9236)
35. Consider a motion appealing the Building Official's denial of a sign permit application by Alamo Heights Baptist Church located on 1305 N. Midland Drive. (Generally located on the southwest corner of the intersection of Princeton Avenue and Midland Drive.) (DEVELOPMENT SERVICES)
36. Consider an ordinance vacating and abandoning a 0.14-acre north/south alley adjacent to Lots 1-12, Block 40, Belmont Addition, City and County of Midland, Texas (Generally located on the east side of Rankin Highway, between West Gist Avenue and West Stokes Avenue); adopting the appraisal by the City Manager of \$12,196.00; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9237)
37. The City Council shall consider a motion on whether the financial backing, financial term sheet and/or commitment submitted by or on behalf of 301 Ventures, L.L.C. complies with the Agreement between the City of Midland and 301 Ventures, L.L.C. The evidence of adequate financial backing of the individual or entity constructing the Fuel Hotel was to be provided to the City of Midland by February 1, 2014. This evidence was to include current documentation from a bank or other lending institution stating that they are providing a specific funding level to support the hotel project without disclaimers, caveats, or exceptions. 301 Ventures, L.L.C. is sometimes referred to as Texas 301 Ventures, L.L.C. in the contract documents. (DOWNTOWN DEVELOPMENT)
38. Consider a motion making appointments to the Midland-Odessa Urban Transit District Board, the Midland Development Corporation, the Tax Increment Reinvestment Zone Board, Midland Spaceport Development Corporation and consider motions appointing individuals to all other boards and commissions.

EXECUTIVE SESSION

39. 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 551.072 Deliberation Regarding Real Property.
 - a.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.

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.