

CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
February 26, 2013 - 9:00 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. Discussion regarding City's Water Conservation Plan.
2. Presentation of the 2012 Midland Police Department Traffic Contact report by Dr. Alex del Carmen of Del Carmen Consulting, LLC.

AGENDA FOR CITY COUNCIL MEETING
February 26, 2013 – 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 Doug Lamb, Fannin Terrace Baptist Church](#)
2. [Pledge of Allegiance](#)

PRESENTATIONS

3. [Presentation of special events, organizations, individuals, or periods of time including, but not limited to:](#)
 - a. [Presentation to the Midland Police Department for earning their 7th Accreditation Award from the Commission on Accreditation for Law Enforcement Agencies, Inc.](#)

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.](#)

CONSENT AGENDA

5. [Consider a motion approving the following minutes:](#)
 - a. [Regular Meeting of February 12, 2013.](#)
6. [Consider a resolution providing for the redemption of the outstanding City of Midland, Texas, Waterworks and Sewer System Junior Lien Revenue Bonds, Series 1999; and resolving other matters incident and related to the redemption of such bonds. \(FINANCE\) \(2013 - 062\)](#)

7. Consider a resolution rescinding Resolution Number 2013-016 awarding a bid to Waldrop Construction, for the construction of a new maintenance building addition, new storage building and soil storage bins at the Scharbauer Sports Complex; and approving plans and specifications; and authorizing the re-advertisement of bids. (GENERAL SERVICES) (2013 - 063)
8. Consider a resolution awarding a contract for the construction of the Lamesa Road Traffic Signal Improvements Project to Willis Electric Company, LP, of Abilene, Texas, at a total cost of \$335,310.00; and appropriating funds; and a ten percent contingency. (GENERAL SERVICES) (2013 - 064)
9. Consider a resolution awarding a contract for the construction of the Lamesa Road Pedestrian Access Project to Entrench, Incorporated, at a total cost of \$795,268.00; and a fifteen percent contingency. (GENERAL SERVICES) (2013 - 065)
10. Consider a resolution awarding a 2-year Renewable Service Contract for Dry Cleaning Services to the sole bidder, F&D Incorporated, dba Comet Cleaners and Laundry, of Midland, Texas, at a total cost of \$278,568.00. (GENERAL SERVICES) (2013 - 066)
11. Consider a resolution authorizing issuance of a Request for Qualifications for firms to provide Professional Consulting Services for a Classification and Compensation Study for the City of Midland. (GENERAL SERVICES) (2013 - 067)
12. Consider a resolution authorizing the execution of a Land Lease Agreement with Patterson Aviation, LLC for hangar development located on a 0.30 acre tract of land located in Lot 4B, Block 11, Midland International Airport, Industrial Park Addition, Section 6, an addition to the City of Midland, Midland County, Texas. (AIRPORTS) (2013 - 068)
13. Consider a resolution approving a Sublease Agreement between XCOR Aerospace, Inc. and Trace Engines, L.P. regarding certain city-owned real property located in Lot 1, Block 13, Industrial Park Regional Air Terminal, Unit 12, Midland, Midland County, Texas. (CITY MANAGER'S OFFICE) (2013 - 069)
14. Consider a resolution approving the City of Midland as a sponsor for the Annual United Blood Services Bloodgusher Run to take place at the Scharbauer Sports Complex. (COMMUNITY SERVICES) (2013 - 070)
15. Consider a resolution authorizing the execution of a Right-of-Way License with Atlas Mid-Continent Pipeline Westtex LLC for the installation, operation and maintenance of an oil and gas pipeline to be constructed across City property located in Sections 4, 9, 16 and 21, Block 37, T-3-S, T&P RR Co. Survey, Midland County, Texas. (ENGINEERING SERVICES) (2013 - 071)

16. [Consider a resolution authorizing the execution of an Encroachment on Easement Agreement with Oncor Electric Delivery Company LLC \("Oncor"\) in order for the construction of a water main along County Road 1250. \(ENGINEERING SERVICES\) \(2013 - 072\)](#)
17. [Consider a resolution authorizing the execution of a Professional Services Agreement with Dunaway Associates, LP for engineering services in connection with the extension and widening of Mockingbird Lane between Holiday Hill Road and Midland Drive; and appropriating funds therefor in the amount of \\$457,355.00. \(ENGINEERING SERVICES\) \(2013 - 073\)](#)
18. [Consider a resolution authorizing the City Manager to advertise a Request for Qualifications for Professional Services for the Development of a Traffic Study; authorizing the City Manager to negotiate a Professional Services Agreement for said services; and providing that said agreement shall not become effective until approved by the City Council. \(ENGINEERING SERVICES\) \(2013 - 074\)](#)
19. [Consider a resolution approving an amendment to the Economic Development Agreement between the Midland Development Corporation and Agri-Empresa, LLC for the construction of an Intermodal Rail Facility on an 81.04-acre tract of land located in Section 11, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas, as authorized by Chapter 501 of the Texas Local Government Code. \(ENGINEERING SERVICES\) \(2013 - 075\)](#)
20. [Consider a resolution approving an amendment to the Economic Development Agreement between the Midland Development Corporation and the City of Midland for the Market Street Paving and Water Line Extension Project, as authorized by Chapter 501 of the Texas Local Government Code. \(ENGINEERING SERVICES\) \(2013 - 076\)](#)
21. [Consider a resolution accepting additional grant funding from the Southwest Border High Intensity Drug Trafficking Areas Program in the amount of \\$69,984.00; these funds will be directed to the Fiscal Year 2013 High Intensity Drug Trafficking Areas Grant Project 7107; and appropriating funds. \(POLICE\) \(2013 - 077\)](#)
22. [Presentation of the 2012 Midland Police Department Traffic Contact report by Dr. Alex del Carmen of Del Carmen Consulting, LLC \(POLICE\)](#)

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 Lot 4A, Block 52, Belmont Addition, Section 12, City and County of Midland, Texas, which is presently zoned LR-2, Local Retail District, to be used](#)

as a PD, Planned District for a Shopping Center (Generally located on the north side of West Longview Avenue, approximately 790 feet east of Rankin Highway); 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) (9109)

24. 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 3.54-acre tract of land out of Section 6, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas, and more specifically described in Section One hereof, which is presently zoned LR-2, Local Retail District, to be used as a PD, Planned District for a Shopping Center (Generally located between Holiday Hill Road and Spence Drive, approximately 200 feet north of Briarwood Avenue; said 3.54-acre tract is out of the north half of Lot 30, Block 5, Greathouse Addition, Section 6, but said Lot 30 has not been replatted); 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) (9110)
25. 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 4.356-acre tract of land within Blocks 54 and 55 and the adjacent vacated street and alley rights-of-way, Belmont Addition, City and County of Midland, Texas, and more specifically described in Section One hereof, which is presently zoned 1F-3, One-Family Dwelling District, to be used as a PD, Planned District for a Shopping Center (Generally located on the northeast corner of Longview Avenue and Baird Street); 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) (9111)
26. 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 34.79-acre tract of land out of Section 13, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, which is presently zoned FD, Future Development District, to be used as an O-1, Office District (Generally located on the west side of Holiday Hill Road, approximately 800 feet north of Sherwood 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) (9112)

27. Consider an ordinance on second reading changing the zoning use classification of Lot 19, Block 3, Baumann Heights 1st Section, City and County of Midland, Texas (Generally located on the south side of West Louisiana Avenue, approximately 630 feet east of North Midkiff Road), 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) (9113)
28. Consider an ordinance on second reading making certain transfers in various funds of the 2011-2012 Fiscal Year Budget and making certain budget amendments; and ordering recordation. (FINANCE) (9115)

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 1A, Block 7, Westridge Park Addition, Section 22, 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 northwest corner of the intersection of Deauville Boulevard and Catalina 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) (9116)
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 Lot 2A, Block 7, Westridge Park Addition, Section 22, 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 west side of Catalina Drive, approximately 320 feet south of Andrews Highway); 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) (9117)
31. At approximately 10:36 a.m. hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Lot 8A, Block 3, Westridge Park Addition, Section 8, City and County of Midland, Texas

(Generally located on the northeast corner of the intersection of Catalina Drive and Deauville Boulevard), 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 bar 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) (9118)

32. At approximately 10:39 a.m. hold a public hearing and consider a resolution authorizing the execution of a Temporary Right-of-Way License Agreement with Oncor Electric Delivery Company, L.L.C., for the installation and maintenance of underground electrical power lines across the southwest portion of Windlands Park in Midland, Texas; said underground electrical power lines will link the City's Windlands Park Water Reclamation Facility to the nearest existing utility poles which are approximately eight-hundred-thirty feet (830') west of the facility . (UTILITIES) (2013 - 078)
33. At approximately 10:42 a.m. hold a public hearing and consider an ordinance changing the zoning use classification of Lot 5, Block 6, Fannin Terrace Addition, Section 3, City and County of Midland, Texas (Generally located on the south side of Shandon Avenue, approximately 180 feet east of Lanham Street), 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) (9119)

MISCELLANEOUS

34. Consider a motion directing staff to begin the process of annexation for a 105-acre tract of land located in Section 38, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of Avalon Drive, approximately 1,000 feet south of Deauville Boulevard.) (DEVELOPMENT SERVICES)
35. Presentation of the 2012 Annual Accident Report (ENGINEERING SERVICES)
36. Consider an ordinance establishing intersection stops at various locations within the City of Midland, Texas; requiring and authorizing the posting of appropriate signs at intersections; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two hundred dollars (\$200.00); and ordering publication. (ENGINEERING SERVICES) (9120)

37. Consider a motion making appointments to various Boards and Commissions.

EXECUTIVE SESSION

38. 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, and value of real property described as 2.0 acres more or less, Block 055, All, Original Town, 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.