CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
March 20, 2012 - 9:00 a.m.
Council Chamber - City Hall
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 the appointment of a member to the Midland Central Appraisal District Board.

2. Receive and discuss presentation regarding amending the City of Midland Thoroughfare Plan.

3. Presentation and Discussion regarding the Drought Contingency Plan and Water Restrictions.

AGENDA FOR CITY COUNCIL MEETING
March 20, 2012 – 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 Terry Rothermich, Memorial Christian Church - Disciples of Christ

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 for Midland High School Robotics.

   b. Presentation of a Proclamation for the 90 Day RVLUTION Day.

   c. Presentation of a Proclamation for the Midland Association of Retired School Personnel.

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 Minutes of February 28, 2012

   b. Special Minutes of February 29, 2012

   c. Special Minutes of March 1-2, 2012

6. Consider a resolution approving and authorizing advertisement of request for proposals for depository and other commercial banking services; the City of Midland is engaging in a request for proposals to select a bank to perform as the primary depository for the investment of City funds and source of commercial banking services, and to select a bank or banks to serve as a secondary depository or depositories for the investment of the City funds; proposals for consideration must be received by the City Secretary by 4:00 p.m. on April 17, 2012; and it is anticipated that recommendations shall be made to the Council on May 22, 2012. (Finance) (Resolution No. 2012 - 067)

7. Receive for information and possibly discuss First Quarter Fiscal Year 2011-2012 Investment Report. (Finance)

8. Consider a resolution authorizing the execution of a purchase agreement for an annual supply of ready-mix concrete and stabilized caliche from Troy Vines, Incorporated, of Midland, Texas, at a total cost of $65,040.00. (General Services) (Resolution No. 2012 - 068)

9. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the construction of a pavilion at Hogan Park; said pavilion is the final component of the renovations at Hogan Park. (General Services) (Resolution No. 2012 - 069)

10. Consider a resolution authorizing the execution of an agreement with Pools by Ranae, Inc., dba Bluescape Pools by Ranae, in order to resurface the interior of the Washington Park Aquatic Center pools in the amount of $70,047.00; and appropriating funds. (General Services) (Resolution No. 2012 - 070)

11. Consider a resolution authorizing the execution of an interlocal participation agreement with the local government purchasing cooperative for the City's participation in a purchasing program; and the local government purchasing cooperative is operating as the Buyboard. (General Services) (Resolution No. 2012 - 071)

12. Consider a resolution authorizing the City Manager to execute a letter of agreement with ONCOR Electric Delivery Company LLC, a Delaware Limited Liability Company for additional electric facilities sufficient to provide electric service for units at Midland Airport Hangar Project at Windecker and Airways; and authorizing payment in the amount of $54,276.00 which was previously appropriated. (General Services) (Resolution No. 2012 - 072)

13. Consider a resolution authorizing the execution of a land lease agreement with Absolute Investments, Inc. for hangar development located on a 0.46 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. (Airport) (Resolution No. 2012 - 073)

14. Consider a resolution authorizing the City Manager to execute a consent agreement between Security Bank, the City of Midland, Texas and Good Luck Investments, L.L.C., as authorized by Article 8(K) of Good Luck Investments L.L.C.'s lease agreement in order to allow Security Bank to encumber Good Luck Investments L.L.C.'s lease hold interest by pledging said lease as collateral for a loan to construct a hangar on the premises at the Midland International Airport. (Airport) (Resolution No. 2012 - 074)

15. Consider a resolution authorizing issuance of a request for proposals for an uninterrupted power system for the Public Safety Communication Center; and this item shall prevent equipment from shutting down in a power outage. (Communication and Information Systems) (Resolution No. 2012 - 075)

16. Consider a resolution approving the purchase of up to two hundred (200) computers through the Texas Department of Information Resources at a total cost of $601,250.00; and this item was not bid but purchased through a State of Texas Cooperative Program. (Communications and Information Systems) (Resolution No. 2012 - 076)

17. Consider a resolution authorizing the transfer of Lot 2, Block 3, Glenn Frances Addition, City and County of Midland; Lots 9A, 10A, 11A, 12A, 13A, 14A and 14B, Block 1, Glenn Frances Addition Section 2, City and County of Midland; Lots 3A, 4A, 5A, 6A, 7A, 8A and 8B, Block 3 Glenn Frances Addition Section 2, City and County of Midland; Lots 3, 4, and 5, Block 6, Glenn Frances Addition Section 2, an addition to the City of Midland, Midland County, Texas, to Midland Habitat for Humanity, Incorporated, in accordance with Section 253.011 and Section 272.001 of the Texas Local Government Code; and authorizing the City Manager to execute all documents necessary to transfer ownership; the transfer of this property is not subject to the notice, bidding, and obtaining fair market value requirements of state law; and authorizing the City Manager to execute an agreement between the City of Midland and Habitat for Humanity, Incorporated. (Community Development) (Resolution No. 2012 - 077)

18. Consider a resolution authorizing the transfer of Lots 3A, 4A, 5A, 6A, 7A, 8A, 9A, 10A, 10B, 10C and 10D, Block 4, Glenn Frances Addition Section 2, City and County of Midland; Lots 6 through 18, Block 6, Glenn Frances Addition Section 2, City and County of Midland an addition to the City of Midland, Midland County, Texas, to Midland Community Development Corporation, Incorporated, in accordance with Section 253.011 and Section 272.001 of the Texas Local Government Code; and authorizing the City Manager to execute all documents necessary to transfer ownership; the transfer of this property is not subject to the notice, bidding, and obtaining fair market value requirements of state law; and authorizing the City Manager to execute an agreement between the City of Midland and Midland Community Development Corporation, Incorporated. (Community Development) (Resolution No. 2012 - 078)

19. Consider a resolution authorizing a right of way license with the City of Midland, Texas and Centurion Pipeline, L.P.; said right of way license is for the purpose of placing, operating, and maintaining a 12 inch and 16 inch crude oil pipeline; the pipeline is located within the City of Midland right of way within a portion of Todd Road, Section 32, Block 39, T-1-S, T&P RR Co., Midland County, Texas, and a portion of Cynthia Road, Section 30 and 31, Block 38, T-1-S, T&P RR Co., Midland County, Texas; the license term is for twenty-five (25) years, commencing with the date of this license and shall automatically renew at the end of the term for one additional twenty-five (25) year term upon 90 days written request prior to expiration. (Engineering) (Resolution No. 2012 - 079)

20. Consider a resolution authorizing the execution of a professional services agreement with Parkhill, Smith & Cooper, Inc. for engineering services in connection with the Market Street Paving and Water Utility Extension Project; and appropriating funds therefor. (Engineering) (Resolution No. 2012 - 080)

21. Consider a motion on a request by Landgraf, Crutcher & Associates (LCA) for Mayfield Place (Midland Bible Church), to approve items requested for deferral in the amount of $77,347, and to waive the associated public improvement guarantee. This subdivision is positioned in the City Limits, generally located on the east side of Whitman Drive approximately 1,600 feet north of Mockingbird Lane. The items to be deferred are street-paving improvements, water main improvements, wastewater main improvements and sidewalk improvements. (Engineering)

22. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the Community Development Block Grant Sidewalk Improvement Project; said project improvements will consist of constructing new sidewalks and ADA accessible ramps in order to provide a safe pedestrian route at intersections. (Engineering) (Resolution No. 2012 - 081)

23. Consider a resolution approving the City of Midland Fire Department's

application to solicit charitable contributions in roadways on behalf of the Muscular Dystrophy Association by participating in the "Fill-the-Boot" Fundraiser; this is authorized by Section 552.0071 of the Texas Transportation Code; the dates and times of the solicitation are April 11th, 12th, and 13th, 2012, from 8:00 a.m. to 6:00 p.m., alternate dates due to inclement weather are May 2nd, 3rd and 4th from 8:00 a.m. to 6:00 p.m.; the intersection locations at which the solicitations shall occur are Midkiff Road and Wadley Avenue, Midland Drive and Loop 250, Midland Drive and Andrews Highway, and Garfield Street and Golf Course Road; there will be fifteen (15) solicitors involved in solicitations at each location; and the Muscular Dystrophy Association, Incorporated is required to provide general liability insurance prior to the event and the Fire Chief shall ensure that the insurance is received and approved prior to the "Fill the Boot" Fundraiser. (Fire Department) (Resolution No. 2012 - 082)

24. Consider a resolution appropriating unclaimed or abandoned funds in the amount of $11,054.00 to the Midland Police Department; the proceeds will be used to purchase equipment and technology essential to the law enforcement function for the Midland Police Department. (Police Department) (Resolution No. 2012 - 083)

25. Consider a resolution accepting additional grant funding from the Southwest Border High Intensity Drug Trafficking Areas Program in the amount of $3,068.00; these funds will be directed to the Fiscal Year 2010 High Intensity Drug Trafficking Areas Project 7037; and appropriating funds. (Police Department) (Resolution No. 2012 - 084)

26. Consider a resolution authorizing the execution of a professional services agreement with Parkhill, Smith & Cooper, Incorporated, of Midland, Texas, for professional design and engineering services at the City Landfill; it is estimated that the design and engineering work shall cost $453,400.00; and appropriating funds. (Solid Waste) (Resolution No. 2012 - 085)

27. Consider a resolution approving plans and specifications and authorizing advertisement for competitive bids for the Membrane Biological Reactor Satellite Reclaimed Water Production Facility Project; and the project will include the construction of a water reclamation facility to provide irrigation water to Midland College. (Utilities) (Resolution No. 2012 - 086)

28. Consider a motion authorizing the staff to proceed with the voluntary annexation process for approximately 145 acres of Schlumberger land and approximately 78 acres of Midland Development Corporation land, and approximately 30 acres of City owned land out of Section 11, Block 40, T-2-S, T&P RR. Co., Midland County, Texas. (Planning)

29. Consider a resolution approving an economic development agreement between the Midland Development Corporation and the City of Midland for the Market

Street Paving Project and the Market Street Water Line Project, as authorized by Chapter 501 of the Texas Local Government Code; and appropriating funds therefor. (City Attorney) (Resolution No. 2012 - 087)

SECOND READINGS

30. 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 1.075-acre tract of land out of Lot 1A, Block 33, Northgate Addition, Section 24, City and County of Midland, Texas, and more specifically described in Section One hereof, 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 West Loop 250 North and North Midland 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. (Planning) (8989)

31. Consider an ordinance on second reading establishing fees and charges of the City of Midland Community Services Department, Animal Services, Parks and Recreation, Hogan Park Golf Course, Health and Senior Services, and Utilities Department; and repealing ordinances specifically in conflict with such fees and charges established herein. (Community Services) (8990)

32. Consider an ordinance on second reading amending Title III, “Departments”, Chapter 1, “Water Department”, Section 2, “Rates,” Subsection (A), “Customers Inside of City Limits,” 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. (Utilities) (8991)

33. Consider an ordinance on second reading declaring certain structures located at 105 South Lamesa Road, 701 North Calhoun Street, 303 South Jefferson Street, 408 North Lee Street, 506 South Baird Street, 505 East Florida Avenue, 602 East Cuthbert Avenue, 700 South Benton Street, 806 South Loraine Street, 1211 Belmont Street, 907 South Dallas Street, 909 South Dallas Street, 911 South Dallas Street, 507 East Peck Avenue, 503 East Longview Avenue, 200 East Longview Avenue, and 2100 South Fort Worth Street to be dilapidated, substandard or unfit for human habitation and a hazard to the public health, safety and welfare; ordering their destruction or removal; directing the City Secretary to publish notice; and directing the building official to deliver a copy of this ordinance to affected owners, lien holders and mortgagees; said ordinance being authorized by Chapter 214 of the Texas Local Government Code. (Code Administration) (8907)

PUBLIC HEARINGS

34. Consider an ordinance extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City Limits, being a 28.31-acre tract of land out of Section 24, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, and being more specifically described by metes and bounds in Section One hereof (Generally located on the northwest corner of the intersection of Briarwood Avenue and Holiday Hill Road); and approving a public service plan. (Planning) (Ordinance No. 8992)

35. At approximately 10:30 a.m. hold a public hearing and consider an ordinance establishing the zoning classification of the area indicated as being a 20.21-acre tract of land out of Section 24, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, and being more specifically described by metes and bounds in Section One hereof, as an MF-1, Multiple-Family Dwelling District; said tract is generally located on the northwest corner of the intersection of Briarwood Avenue and Holiday Hill 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. (Planning) (Ordinance No. 8993)

36. At approximately 10:33 a.m. hold a public hearing and consider an ordinance establishing the zoning classification of the area indicated as being an 8.11-acre tract of land out of Section 24, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, and being more specifically described by metes and bounds in Section One hereof, as an LR-2, Local Retail District; said tract is generally located on the northwest corner of the intersection of Briarwood Avenue and Holiday Hill 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. (Planning) (Ordinance No. 8994)

37. Consider an ordinance extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City Limits, being a 108.453-acre tract of land out of Section 37, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, and being more specifically described by metes and bounds in Section One hereof (Generally located northwest of the intersection of Tradewinds Boulevard and Champions Drive); and approving a public service plan. (Planning) (Ordinance No. 8995)

38. At approximately 10:36 a.m. hold a public hearing and consider an ordinance establishing the zoning classification of the area indicated as being an 108.453-acre tract of land out of Section 37, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, and being more specifically described by metes and bounds in Section One hereof, as an FD, Future Development District; said tract is generally located northwest of the intersection of Tradewinds Boulevard and

Champions 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. (Planning) (Ordinance No. 8996)

39. At approximately 10:39 a.m. hold a public hearing and consider an ordinance changing the zoning use classification of Lot 1 and the south 22 feet of Lot 2, Block 11, Skyline Terrace, City and County of Midland, Texas (Generally located on the east side of Skyline Drive, approximately 470 feet south of Haynes Avenue), 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. (Planning) (Ordinance No. 8997)

40. At approximately 10:42 a.m. hold a public hearing and consider a resolution authorizing the temporary use of land for motor home parking on Lot 1, Block 5, and the adjacent 0.26-acre vacated alley, Fairmont Park Addition, Section 2, and on a 0.96-acre tract of land out of Section 18, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the northwest corner of the intersection of North Midland Drive and Fairbanks Drive); and making said permit subject to certain special conditions and restrictions contained herein. (Planning) (Resolution No. 2012 - 088)

DEVELOPMENT SERVICES

41. Consider a resolution approving the issuance of a permit to Callon Petroleum Operating Company ("Operator") to drill an oil and gas well within the City Limits located 467 feet from the east line and 1,958 feet from the north line, Section 23, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the east side of Golden Gate Drive, approximately 3/4 of a mile north of Briarwood Avenue). (Planning) (Resolution No. 2012 - 090)

42. Consider a resolution approving the issuance of a permit to Callon Petroleum Operating Company ("Operator") to drill an oil and gas well within the City Limits located 467 feet from the east line and 1,983 feet from the north line, Section 23, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the east side of Golden Gate Drive, approximately 3/4 of a mile north of Briarwood Avenue.) (Planning) (Resolution No. 2012 - 091)

43. Consider a resolution approving the issuance of a permit to Callon Petroleum Operating Company ("Operator") to drill an oil and gas well within the City Limits located 467 feet from the east line and 2,008 feet from the north line, Section 23, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the east side of Golden Gate Drive, approximately 3/4 of a

mile north of Briarwood Avenue.) (Planning) (Resolution No. 2012 - 092)

44. Consider a resolution authorizing the execution of a road repair agreement with Callon Petroleum Operating Company regarding its applications to drill oil and gas wells within the City Limits in Section 23, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Planning) (Resolution No. 2012 - 089)

45. Consider a motion authorizing the HEB development to proceed with proposed demolition work under a previously approved site plan. The Council shall consider an interpretation of a Planned District Site Plan. HEB is located at 3325 West Wadley Avenue. (Development Services)

MISCELLANOUS

46. Consider a resolution nominating a candidate for the Midland Central Appraisal District Board of Directors; and directing the City Manager to deliver a copy of this resolution to the Midland Central Appraisal District. (Finance) (Resolution No. 2012 - 093)

47. Consider an ordinance extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City Limits, being a 40.46-acre tract of land out of Section 45, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, and being more specifically described by metes and bounds in Section One hereof (Generally located north of Midland International Airport); and approving a public service plan. (Planning) (Ordinance No. 8998)

48. Consider an ordinance extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City Limits, being a 96.28-acre tract of land out of Sections 43 and 44, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, and Sections 5 and 6, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas, and being more specifically described by metes and bounds in Section One hereof (Generally located northwest of Midland International Airport); and approving a public service plan. (Planning) (Ordinance No. 8999)

49. Consider an ordinance extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City Limits, being a 55.08-acre tract of land out of Section 8, 9, 16 and 17, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas, and being more specifically described by metes and bounds in Section One hereof (Generally located south of Midland International Airport); and approving a public service plan. (Planning) (Ordinance No. 9000)

50. Consider an ordinance extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City Limits, being a 2.25-

acre tract of land out of Section 10, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas, and being more specifically described by metes and bounds in Section One hereof (Generally located northeast of Midland International Airport); and approving a public service plan. (Planning) (Ordinance No. 9001)

51. Consider an ordinance extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City Limits, being a 3.88-acre tract of land out of Section 4, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas, and being more specifically described by metes and bounds in Section One hereof (Generally located southeast of Midland International Airport); and approving a public service plan. (Planning) (Ordinance No. 9002)

52. Consider an ordinance extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City Limits, being a 3.57-acre tract of land out of Section 13, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, and being more specifically described by metes and bounds in Section One hereof (Generally located on the north side of the Mockingbird Lane extension, east of Avalon Drive); and approving a public service plan. (Planning) (Ordinance No. 9003)

53. Consider a resolution authorizing the Midland Hispanic Chamber of Commerce to operate the Mex-Tex Family Fiesta Concert until 1:00 a.m. on Sunday, June 10, 2012 at the Scharbauer Sports Complex; and that Resolution No. 2012-005 is hereby rescinded. (City Manager) (Resolution No. 2012 - 094)

54. Consider making appointments to various Boards and Commissions.

EXECUTIVE SESSION

55. 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 551.071, Consultation with the City Attorney

a.1. Discuss with the City Attorney a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

Respectfully Submitted,

Courtney B. Sharp
City Manager