

CITY OF MIDLAND, TEXAS
AGENDA FOR CITY COUNCIL MEETING
April 12, 2016 – 10:00 AM
300 North Loraine
Council Chamber - City Hall
Midland, Texas

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 - Father Francis, St. Ann's Catholic Church
2. Pledge of Allegiance

PRESENTATIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Present Proclamation for National Infant Immunization Week
 - b. Present Proclamation for Fair Housing Month
 - c. Certification Presentation for Miss Midland Princess, Miss Midland PreTeen, Miss Midland Teen and Miss Midland

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 March 22, 2016.

6. Consider a resolution approving the purchase of 715 water meters in various sizes, at a cost of \$204,290.55; approving the purchase of said water meters from the bidder providing the best value to the City of Midland instead of the low bid, pursuant to Texas Local Government Code Section 252.043; and accepting the City Manager's recommendation regarding best value. (PURCHASING) (2016 - 093)
7. Consider a resolution approving plans and specifications and authorizing advertisement for bids for Asbestos Abatement at the Midland Center and the Midland Chamber of Commerce. (PURCHASING) (2016 - 094)
8. Consider a resolution ratifying and approving a contract with TEC Excavation, Inc. for emergency repairs to the Paul Davis water line in the amount of \$55,230.00; and authorizing payment. (PURCHASING) (2016 - 095)
9. Consider a resolution approving plans and specifications and authorizing advertisement for bids for pump and motor maintenance services for the Utilities Department. (PURCHASING) (2016 - 096)
10. Consider a resolution authorizing the execution of a Professional Services Agreement with Enprotec/Hibbs & Todd, Incorporated, for engineering services for the replacement of the gas ammonia purification system with a liquid ammonium sulfate purification system at the Water Purification Plant. (UTILITIES) (2016 - 097)
11. Consider a resolution authorizing the execution of an agreement with Parkhill, Smith & Cooper, Incorporated, for Professional Engineering and Architectural Services at Midland International Air & Space Port and Midland Airpark Airport, and to begin the design and bidding phases of the Runways 10/28, 16R/34L and Taxiways Rehabilitation Project; and appropriating necessary funds. (AIRPORTS) (2016 - 098)
12. Consider a resolution approving the Midland Development Corporation's appropriation of \$1,075,228.89 from the Fiscal Year 2014-2015 budget to be used for promotional purposes, as authorized by Chapter 504 of the Texas Local Government Code. (CITY MANAGER'S OFFICE) (2016 - 099)

13. Consider a resolution approving an amendment to the Reimbursable Physician Recruitment Agreement between the Midland Development Corporation and the Midland County Hospital District d/b/a Midland Memorial Hospital. (CITY MANAGER'S OFFICE) (2016 - 100)
14. Consider a motion on request by Schumann Engineering Co. Inc. to defer public utility improvements for Vista Del Pueblo, and to waive the corresponding financial security guarantee valued at \$1,031,638.34, an amount equal to the estimated cost of construction. The subject property is generally located on the east side of Todd Drive, approximately 4,400 feet south of East Loop 250 North, in the City of Midland, Midland County, Texas. (ENGINEERING SERVICES) (046-2016)
15. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and Trail Ridge Energy Partners II, LLC, regarding City-owned property described as Section 1, Block X, H.P. Hilliard Survey, Midland County, Texas. (ENGINEERING SERVICES) (2016 - 101)
16. Consider a resolution authorizing the City Manager to acquire, on behalf of the City of Midland, any real property interests necessary or appropriate, by any instruments of conveyance necessary or appropriate, for the use and benefit of the public for street, road, pedestrian access, drainage and public utility purposes, and for any other ancillary public use as is usual and customary in connection therewith at or near the following-described locations: from a point on State Highway 158 approximately 0.25 miles southeast of the intersection of State Highway 158 and North County Road 1247 to a point approximately 600 feet west of the intersection of Wadley Avenue and Callaway Drive; and from a point approximately at the intersection of State Highway 158 and North County Road 1247 to a point approximately 1,900 feet west of the intersection of Jal Draw and Crowley Boulevard; authorizing the City Manager to obtain appraisals, negotiate, execute and file all documents necessary to acquire said real property interests, purchase title insurance policies and hold the closings for said acquisitions; authorizing payment for said appraisals, title insurance policies and closing costs; and ordering the City Secretary to record, or ensure that the title company has recorded, all instruments of conveyance. (ENGINEERING SERVICES) (2016 - 102)
17. Consider a resolution authorizing the City Manager to execute, on behalf of the City of Midland, an instrument granting a 0.17-acre Utility Easement and right-of-way located in Lot 1-D, Block 1, Hillcrest Acres, Section 7, Midland County, Texas (Generally located approximately 250 feet west of Midland Drive and approximately 300 feet north of Princeton Avenue), to Oncor Electric Delivery Company LLC. (ENGINEERING SERVICES) (2016 - 103)

18. Consider a resolution of the City Council of the City of Midland, Texas, approving certain amendments to the general orders of the Midland Police Department; and providing that the City Council is the policymaking authority of the City of Midland. (POLICE) (2016 - 104)
19. Consider a resolution accepting a Fiscal Year 2016 grant award from the Southwest Border High Intensity Drug Trafficking Areas Program in the amount of \$156,600.00; said grant will be used to enhance and coordinate drug control efforts among Federal, State, and Local Law Enforcement Agencies; and appropriating funds. (POLICE) (2016 - 105)

SECOND READINGS

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 Lot 2 and the south 20 feet of Lot 1, Block 104A, Wilshire Park Addition, Section 9, City and County of Midland, Texas, which is presently zoned PD, Planned District for an Office Center, in part, and PD, Planned District for a Shopping Center, in part, to be used as a PD, Planned District for a Housing Development (Generally located northeast of the intersection of Beal Parkway and Leisure 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)(First reading held on March 22, 2015)(9545)
21. Consider an ordinance on second reading granting to Sharyland Utilities, L.P., its successors and assigns, an electric power franchise to use the present and future streets, alleys, highways, public utility easements, and public ways of the City of Midland, Texas, providing for compensation therefor, providing for an effective date and a term of said franchise, providing for written acceptance of this franchise, providing for the repeal of all existing franchise ordinances to Sharyland Utilities, L.P., its predecessors and assigns, and finding that the meeting at which this ordinance is passed is open to the public. (CITY MANAGER'S OFFICE)(First reading held on March 22, 2015)(9547)
22. Consider an ordinance on second reading amending the Official Municipal Budget for Fiscal Year 2015-2016 in order to provide additional funds to the Sports and Entertainment Association of Midland; the additional funding provided to the Sports and Entertainment Association of Midland will be used for upcoming events; the additional funds will allow for the promotion of tourism in

the City of Midland; and appropriating funds. (CITY SECRETARY'S OFFICE)(First reading held on March 22, 2015)(9548)

23. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 1, Block 1, Green Acres, City and County of Midland, Texas (Generally located on the west side of North Highway 349, approximately 400 feet north of the intersection of North Highway 349 and Arapahoe Road), which is presently zoned LR-2, Local Retail 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 on March 22, 2015)(9549)
24. Consider an ordinance on second reading changing the zoning use classification of the property described as the north 100 feet of the south 400 feet of the west half of Block 2, and the south 75 feet of the north 465 feet of the west half of Block 2, Brookshire Village, First Section, City and County of Midland, Texas (Generally located on the east side of North Big Spring Street, approximately 225 feet north of West Wadley Avenue), which is presently zoned LR-2, Local Retail 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 on March 22, 2015)(9550)

PUBLIC HEARINGS

25. 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 6A, Block 2, Amaron Addition, Section 6, 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 Rankin Highway, approximately 280 feet south of Wolcott Avenue); 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) (9551)
26. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as a 4,116-square foot portion of Lot 27A,

Block 46, Skyline Terrace West, Section 8, City and County of Midland, Texas (Generally located approximately 250 feet east of north Midland Drive, and approximately 170 feet north of Raleigh Court), which is presently zoned LR-2, Local Retail District, 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) (9552)

27. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Lot 13A, Block 28, Wyndwood Estates, Section 27, City and County of Midland, Texas (Generally located on the south side of West Wadley Avenue, approximately 240 feet east of Sunburst Drive), 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 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) (9553)
28. 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 7, Block 17, Skyline Terrace, Unit 7, 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 south side of West Loop 250 North, approximately 220 feet west of 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) (9554)
29. 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 and 2, Block 162, and the south 378 feet of Lot 1R, Block 163, Wilshire Park Addition, Section 9, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Housing Development, in part, and PD, Planned District for a Shopping Center, in part, to be used as a PD, Planned District for a Housing Development (Generally located northwest of the intersection of Beal Parkway and Leisure 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) (9555)

30. 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 3, less the east 45.84 feet, Lots 4-8, 11, and the west 8.8 feet of Lot 12, Block 6, Barberdale Addition, City and County of Midland, Texas, which is presently zoned PD, Planned District for an Office Center, in part, LR-2, Local Retail District, in part, and 1F-2, One-Family Dwelling District, in part, to be used as an LR-3, Local Retail District (Generally located southeast of the intersection of West Wadley Avenue and North Big Spring Street); 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) (9556)
31. Hold a public hearing and consider an ordinance vacating and abandoning a 0.087-acre portion of alley right-of-way located in Block 6, Barberdale Addition, City and County of Midland, Texas (Generally located on the east side of North Big Spring Street, approximately 140 feet north of West Shandon Avenue); adopting the appraisal by the City Manager of \$15,176.00; waiving the fee for the cost of the right-of-way; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9557)
32. Hold a public hearing and consider a resolution authorizing the temporary use of land for a festival and concert on Lot 4, Block 5, Westridge Park Addition, Section 6, City and County of Midland, Texas (Generally located northeast of the intersection of Tradewinds Boulevard and Champions Drive); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2016 - 106)
33. Hold a public hearing and consider a resolution authorizing the temporary use of land for a church festival on Lot 1A, Block 19, Midland Heights Addition, Section 4, City and County of Midland, Texas (Generally located on the southwest corner of the intersection of West Dakota Avenue and Camp Street); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2016 - 107)
34. Hold a public hearing and consider a resolution authorizing an amendment to the 2015/2016 Action Plan to the City of Midland Consolidated Plan for Community Development and Housing Funds per amendment documents on file with the City Secretary; said amendment to include the reallocation of \$82,615.64 and related budget transfers; and a copy of said amendment documents shall be on file in the City Secretary's Office. (DEVELOPMENT SERVICES) (2016 - 108)

35. Hold a public hearing and consider a resolution authorizing the temporary use of land for a church festival on the 100 Block of North J Street, West End Addition, City and County of Midland, Texas (Generally located on North J Street between West Wall Street and West Texas Avenue); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2016 - 109)
36. Hold a public hearing and consider a resolution authorizing the temporary use of land for an outdoor Visual Arts Event on Lots 1-12, Lots 16-18, a 0.32-acre portion of North Colorado Street right-of-way located adjacent to Lots 1-7, and a 0.14-acre portion of alley right-of-way located adjacent to Lots 1-12, Block 56, Original Town Addition, City and County of Midland, Texas (Generally located southwest of the intersection of North Colorado Street and West Texas Avenue); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2016 - 110)

EXECUTIVE SESSION

37. 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 §551.087 Deliberate Economic Development Negotiations
 - a.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.

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.