

AGENDA FOR CITY COUNCIL MEETING
May 19, 2015 – 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 Robert Pase, Grace Lutheran 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 comments to three minutes or less.)

CONSENT AGENDA

5. Consider a motion approving the following minutes:
 - a. Special meeting of April 20, 2015
 - b. Regular meeting of April 28, 2015
 - c. Special meeting of April 30 - May 1, 2015
6. Consider a resolution approving plans and specifications and authorizing advertisement for competitive sealed proposals for the construction of Fire Station #6. (PURCHASING) (2015 - 128)

7. Consider a resolution rejecting the single bid received for brass valves and fittings for the municipal warehouse; and authorizing the City Manager to re-advertise for competitive bids for said items. (PURCHASING) (2015 - 129)
8. Consider a resolution approving plans and specifications and authorizing advertisement for competitive sealed proposals for the Greathouse Park Project. (PURCHASING) (2015 - 130)
9. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the Cured-in-Place Sewer Manhole Rehabilitation Project; said project will provide for the rehabilitation of 12 sewer manholes located within the northwest drainage channel (Jal Draw) between Midland Drive and Midkiff Road. (PURCHASING) (2015 - 131)
10. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the Entrance Roadway and Guidance Signage Rehabilitation Project; said project will mill and replace the upper asphalt surface along the entrance roads to the terminal building at Midland International Air and Space Port. (AIRPORTS) (2015 - 132)
11. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the Airfield Security Access Control Software and Cable Upgrade Project; said project will replace the transportation security administration's access control system with current equipment and software at Midland International Air and Space Port. (AIRPORTS) (2015 - 133)
12. Consider a resolution authorizing the appropriation of funds in the amount of \$31,500 from the airport operating fund (500) unappropriated fund balance (5650) to the Emergency Roadway and Gates Rehabilitation Project (7082) at the Midland International Air and Space Port. (AIRPORTS) (2015 - 134)
13. Consider a resolution authorizing the Midland Chamber of Commerce to hold the annual Star Spangled Salute at Hogan Park on July 4, 2015; and authorizing the sale and consumption of alcoholic beverages at said event. (COMMUNITY SERVICES) (2015 - 135)
14. Consider a resolution authorizing the execution of a Public Improvement Development Agreement with Real Property Resources, Inc. for public paving improvements to State Highway 349, adjacent to Lone Star Business Park, Section 2, City and County of Midland, Texas (Generally located on the east side of State Highway 349, between Green Tree Boulevard and Lone Star Lane); and appropriating funds therefor; said agreement being authorized by Section 395.081 of the Texas Local Government Code. (ENGINEERING SERVICES) (2015 - 136)

15. Consider a resolution authorizing the execution of a Public Improvement Development Agreement with Permian Homes for development of Daybreak Estates, Section 1, City and County of Midland, Texas (Generally located on the east side of State Highway 349, approximately 0.33 miles north of Mockingbird Lane); and appropriating funds in the amount of \$91,864.00 therefor; said agreement being authorized by Section 395.081 of the Texas Local Government Code. (ENGINEERING SERVICES) (2015 - 137)
16. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland, Texas and MRC Permian Company regarding City-owned property described as Sections 12 and 17, Block C-24, P.S.L. Survey, Loving County, Texas. (ENGINEERING SERVICES) (2015 - 138)
17. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland, Texas and Coronado Midstream LLC regarding City-owned property located in Sections 1, 11 and 12, Block "X", H.P. Hillard Survey, Midland County, Texas; and rescinding City of Midland Resolution No. 2015-090. (ENGINEERING SERVICES) (2015 - 139)
18. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland, Texas and Lone Star NGL Pipeline, LP, regarding city-owned property described as Section 9, Block 38, Township 2 South, and Sections 18, 19, and 30, Block 36, Township 3 South, T&P RR Co. Survey, Midland and Glasscock Counties, Texas. (ENGINEERING SERVICES) (2015 - 140)
19. Consider a resolution authorizing the execution of an amendment to the Right-of-Way License between the City of Midland, Texas and Crownquest Operating, LLC, regarding city-owned property described as Section 4, Block 37, T-3-S, T&P RR Co. Survey, Midland County, Texas. (ENGINEERING SERVICES) (2015 - 141)
20. Consider a resolution authorizing the execution of a Right-of-Way Improvements License Agreement with Vineyard Reserve, LLC for the purpose of installing and maintaining approximately 5,320 square feet of clay pavers within the Sherwood Drive right-of-way. (ENGINEERING SERVICES) (2015 - 142)
21. Consider a resolution authorizing the submission of an application to the office of the Texas Attorney General for Fiscal Year 2016-2017 Victim Coordinator and Liaison Grant Program Funding; this grant will designate an individual to serve as a representative to consult with the Texas Attorney General in order to ensure that victims, guardians of victims, or relatives of deceased victims are afforded the rights granted to them. (POLICE) (2015 - 143)
22. Consider a resolution authorizing the execution of an amendment to the Professional Services Agreement with HDR Engineering Inc., for oversight of the

Wastewater Plant Upgrades Project with Pioneer Natural Resources Water Management LLC; said amendment will authorize a fee increase of \$50,000.00 and an extension of the agreement term until June 30, 2015. (UTILITIES) (2015 - 144)

SECOND READINGS

23. Consider an ordinance on second changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting Lot 9, Block 2, Amaron Addition, Section 8, City and County of Midland, Texas, which is presently zoned LR-2, Local Retail District, to be used as an O-2, Office District (Generally located northeast of the intersection of Camp Street and Crump 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)(First reading held on April 28, 2015.)(9438)
24. Consider an ordinance on second reading changing the zoning use classification of the property described as Lots 7 through 9, Block 183, Southern Addition, City and County of Midland, Texas (Generally located northeast of the intersection of South Big Spring Street and West Dakota 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 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)(First reading held on April 28, 2015.)(9439)
25. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 15, Block 7, Arbor Park Addition, Section 3, City and County of Midland, Texas (Generally located southeast of the intersection of Rainbow Road and Sunburst Drive), which is presently zoned PD, Planned District for a Housing Development, 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)(First reading held on April 28, 2015.)(9440)
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 Lots 2 and 3, Block 5, Westridge Park 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 O-2, Office District (Generally located

southeast of the intersection of Tradewinds Boulevard and Deauville Boulevard); 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 April 28, 2015.)(9441)

PUBLIC HEARINGS

27. At approximately 10:33 a.m. hold a public hearing and consider an ordinance changing the zoning use classification of the property described as an approximate 5,060-square foot portion of Lot 8A, Block 3, Westridge Park Addition, Section 18, City and County of Midland, Texas (Generally located northeast 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 and in a conference center 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) (9442)
28. At approximately 10:36 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 2, Grandridge Park 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 the intersection of Holiday Hill Road and North Loop 250); 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) (9443)
29. At approximately 10:42 a.m. hold a public hearing and consider a resolution authorizing the Temporary Use of Land for a Church Fair on Lot 1A, Block 19, Midland Heights Addition, Section 4, City and County of Midland, Texas (Generally located southwest of the intersection of Camp Street and Dakota Avenue); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2015 - 145)
30. At approximately 10:45 a.m. hold a public hearing and consider a resolution authorizing the Temporary Use of Land for a Community Event on Lots 7 through 9, Block 81, West End Addition, and on the 100 Block of North J Street, City and County of Midland, Texas (Generally located northeast of the intersection of West Wall Street and North J Street); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2015 - 146)

31. At approximately 10:48 a.m. hold a public hearing and consider a resolution authorizing the Temporary Use of Land for an outdoor amusement function on Lots 21 through 25, Block 82, Permian Estates Addition, City and County of Midland, Texas (Generally located on the north side of West Wall Street, approximately 510 feet west of Fasken Drive); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2015 - 147)
32. At approximately 7:00 p.m. hold a public hearing on the 2015-2016 Community Development Block Grant Program. (DEVELOPMENT SERVICES) (050-2015)

MISCELLANEOUS

33. Consider a resolution granting a variance for Vista del Pueblo Addition, City and County of Midland, Texas (Generally located on the east side of Todd Road, approximately 0.75 miles south of East Loop 250 North), by permitting construction of residences where no portion of any structure is closer than 250 feet of an oil and gas well; and authorizing issuance of building permits. (DEVELOPMENT SERVICES) (2015 - 148)
34. Consider a motion appealing the Building Official's denial of a sign permit application by Effective Images located on 5200 Cholla Road, Midland, Texas. (Generally located northeast of the intersection of Antelope Trail and Cholla Road.) (DEVELOPMENT SERVICES) (051-2015)
35. Consider an ordinance establishing temporary regulatory construction speed limits on portions of Briarwood Avenue and Holiday Hill Road for the duration of a Roadway Improvement Project by the City of Midland; authorizing installation of appropriate signs and markings; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two hundred dollars (\$200.00), except that the maximum penalty or fine shall be four hundred dollars (\$400.00) if an offense occurs in a construction or maintenance work zone when workers are present; and ordering publication. (ENGINEERING SERVICES) (9444)
36. Consider a motion making appointments to various Boards and Commissions.

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 551.072 Deliberation Regarding Real Property

- a.1. Discuss the purchase, exchange, lease or value of real property described as Block 71, East Midland Addition, Midland, Midland County, Texas.
- b. Section 551.087, Deliberate Economic Development Negotiations.
 - b.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.