

AGENDA FOR CITY COUNCIL MEETING

June 23, 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 - Reverend Pat Bryant, Travis 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.

CONSENT AGENDA

5. Consider a motion approving the following minutes:
 - a. Regular meeting of June 9, 2015.
6. Consider a resolution authorizing the execution of a contract for the Greathouse Park Project, with the lowest and most responsible bidder, J.C. Roberts Construction Company, Incorporated, in the amount of \$294,777 for the contract, plus contingencies of \$29,478 for a total cost of \$324,255.00; and appropriating funds in the amount of \$128,624 for the purchase of playground equipment and safety surfacing for a total appropriation of \$452,879. (PURCHASING) (2015 - 178)

7. Consider a resolution authorizing advertisement of a Request for Proposals for development of City-owned property described as the Midland Executive Center (301 North Colorado Street; Lot 7A, Block 27, Original Town, Section 3), The Mid-America Building (310 West Illinois; Lot 13A, Block 27, Original Town, Section 3), and The Building of the Southwest (310 West Texas Avenue; Lots 7 and 8, Block 35, Original Town), all being located in the downtown area of the City of Midland, Texas; the City will consider the lease, sale or exchange of one or more of said properties. (PURCHASING) (2015 - 179)
8. Consider a resolution awarding a contract for the Cured-in-Place Sewer Manhole Rehabilitation Project to the sole bidder, Infrastructure Rehabilitation USA, Inc. of Shreveport, Louisiana, at a total cost of \$123,394.00; and authorizing payment therefor. (PURCHASING) (2015 - 180)
9. Consider a resolution authorizing the execution of an agreement with NewEdge Services, LLC, for the purchase of software and geodatabase hosting services necessary for the Cityworks Server AMS Software and the SDE Geodatabase. (PURCHASING) (2015 - 181)
10. Consider a resolution authorizing the execution of Amendment Number Nine to the Professional Services Agreement with Parkhill, Smith & Cooper, Incorporated, for improvements contained in the Airport Capital Improvement Program; said amendment to include the following project: additional site assessment services and regulatory closure services regarding the eastern most area of the Spaceport Business Park; and appropriating funds. (AIRPORTS) (2015 - 182)
11. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland, Texas and Crownquest Operating, LLC, regarding City-owned property described as Section 9, Block 37, Township 3 South, T&P RR Co. Survey, Midland County, Texas. (DEVELOPMENT SERVICES) (2015 - 183)
12. Consider a resolution authorizing the City of Midland to accept a donation in the amount of \$5,000.00 from West Texas National Bank for the Owner Occupied Housing Minor Repairs Program. (DEVELOPMENT SERVICES) (2015 - 184)
13. Consider a motion on request by Maverick Engineering LLC to defer public improvements for Original Town Addition Section 10, and to reduce the corresponding financial security guarantee by \$60,978, an amount equal to the full cost of construction. The subject property is located in Block 72 of Original Town Addition, the block being bound by East Wall Street, South Mineola Street, East Missouri Avenue and South Terrell Street, in the City of Midland. (ENGINEERING SERVICES) (056-2015)

14. Consider a motion on request by Maverick Engineering LLC to defer public improvements for South Midkiff Addition, and to waive the corresponding financial security guarantee valued at \$390,972, an amount equal to the estimated cost of construction. The subject property is generally located on the east side of South County Road 1210 approximately midway between West County Road 130 and West County Road 140 in the City of Midland ETJ, Midland County, Texas. (ENGINEERING SERVICES) (057-2015)
15. Consider a motion on request by Maverick Engineering LLC to defer public improvements for Spraberry Addition, and to waive the corresponding financial security guarantee valued at \$336,540, an amount equal to the estimated cost of construction. The subject property is generally located on the west side of FM 715 approximately 860 feet north of East County Road 120 in the City of Midland ETJ, Midland County, Texas. (ENGINEERING SERVICES) (058-2015)
16. Consider a resolution authorizing the execution of a Development and Escrow Agreement with VDC Compass Pointe, LP, GMAT Development, LTD., and J. Brian Martin and Associates for public water, sewer, and paving improvements to Wayside Drive and Gist Avenue, adjacent to Palermo Addition, Section 2, City and County of Midland, Texas (Generally located at 509 Wayside Drive); and appropriating funds therefor; said agreement being authorized by Section 395.081 of the Texas Local Government Code. (ENGINEERING SERVICES) (2015 - 185)

SECOND READINGS

17. 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 1.50-acre portion of Lot 1B, Block 43, Fairmont Park Addition, Section 44, City and County of Midland, Texas, which is presently zoned PD, Planned District for a shopping center, to be used as an LR-2, Local Retail District (Generally located on the south side of West Loop 250 North, approximately 1,500 feet east of 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. (DEVELOPMENT SERVICES) (9445)
18. Consider an ordinance on second reading changing the zoning use classification of the property described as a 10,350-square foot portion of the south 83.5 feet of Tract 18 and the north 167 feet of Tract 19, Morningside Addition, City and County of Midland, Texas (Generally located on the west side of North Main Street, approximately 350 feet north of West Golf Course Road), which is presently zoned 2F, Two-Family Dwelling District, by permitting said property to be used under a Specific Use Permit with Term for a day care center; 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) (9446)

19. Consider an ordinance on second reading changing the zoning use classification of the property described as a 3,432-square foot portion of Lot 33C, Block 3, Briarwood Addition, Section 16, City and County of Midland, Texas (Generally located on the north side of Briarwood Avenue, approximately 210 feet west of North Midland 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) (9447)
20. Consider an ordinance on second reading changing the zoning use classification of the property described as a 45.70-acre tract of land out of Section 31, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the north side of East Golf Course Road, approximately 1,500 feet east of Fairgrounds Road), which is presently zoned AE, Agriculture Estate District, by permitting said property to be used under a Specific Use Permit without Term for a Manufactured Home Park; 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) (9448)
21. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 13, Block 8, Westridge Park Addition, Section 27, City and County of Midland, Texas (Generally located southwest of the intersection of Tradewinds Boulevard and Windhaven Drive), 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) (9449)
22. Consider an ordinance on second reading changing the zoning use classification of the property described as a 1,920-square foot portion of Lot 2B, Block 52, Belmont Addition, Section 21, City and County of Midland, Texas (Generally located on the north side of West Longview Avenue, approximately 270 feet east of Belmont Street), 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) (9450)

23. Consider an ordinance on second reading vacating and abandoning a 0.06-acre portion of alley right-of-way adjacent to Lot 6 and the north 50 feet of Lots 7 through 12, Block 120, Southern Addition, City and County of Midland, Texas (Generally located on the west side of South Dallas Street, approximately 140 feet north of East New York Avenue); adopting the appraisal by the City Manager of \$5,600.00; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9451)
24. Consider an ordinance on second reading amending Title XI, "Planning and Development", Chapter 1, "Zoning", Section 10, "Specific Use Permits", Subsection (B) of the City Code of Midland, Texas, so as to allow the issuance of Specific Use Permits without Term for indoor shooting ranges in the LR-2, Local Retail District, or less restrictive districts; 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) (9452)

PUBLIC HEARINGS

25. Hold a public hearing to 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, Wilshire Park Addition, Section 9, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Shopping Center, 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) (9453)
26. Hold a public hearing to consider an ordinance changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting Lot 18B, Block 109, Wilshire Park Addition, Section 17, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Shopping Center, in part, and LR-2, Local Retail District, in part, to be used as an O-2, Office District (Generally located on the north side of West Illinois Avenue, approximately 250 feet east of North Loop 250 West); 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) (9454)

27. At approximately 10:30 A.M. hold a public hearing and consider a resolution authorizing an amendment to the 2014/2015 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 \$43,502.00 and related budget transfers; and a copy of said amendment documents shall be on file in the City Secretary's office. (DEVELOPMENT SERVICES) (2015 - 186)

MISCELLANEOUS

28. 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) (059-2015)
29. Consider a motion on request by Newton Engineering PC to defer public improvements for Hawk View Addition, and to reduce the corresponding financial security guarantee by \$3.18 million, an amount equal to the estimated cost of construction. The subject property is nearly the entire half section located on the west side of South County Road 1270 between West County Road 140 and West County Road 150 in the City of Midland ETJ, Midland County, Texas. (ENGINEERING SERVICES) (060-2015)
30. Consider a motion on request by Schumann Engineering Company, Inc. to defer public improvements for Melody Acres Addition Section 13, and to waive the corresponding financial security guarantee valued at \$523,975, an amount equal to the estimated cost of construction. The subject property is generally located on the west corner of the intersection of North Midland Drive and Mockingbird Lane in the City and County of Midland, Texas. (ENGINEERING SERVICES) (061-2015)
31. Consider an ordinance amending Title X, "Traffic Regulations", Chapter Four, "Traffic Control Devices", Section 11, "School Zones and Crossings", of the Midland City Code, so as to designate each school zone and school crossing within the City and regulate the speed and movement of traffic therein; authorizing and directing the Traffic Engineer to install appropriate signs and markings; repealing Ordinance No. 9304; 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) (9455)
32. Consider a resolution authorizing the execution of a Professional Services Agreement with Rhotenberry Wellen Architects & Planners, Inc. for architectural services for the renovation of the Midland Center; and appropriating funds therefor. (PURCHASING) (2015 - 187)

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

EXECUTIVE SESSION

34. 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.