

CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
June 25, 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. Receive an update from the Parks & Recreation Division regarding parks rebranding.
2. Receive a presentation from AMD Engineering regarding the conceptual layout for Tradewinds Boulevard Extension (Thomason Drive - Gateway Plaza Addition).

AGENDA FOR CITY COUNCIL MEETING

June 25, 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 Randell Everett, First 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 11, 2013.](#)
6. [Consider a resolution adding one \(1\) special meeting, on August 6, 2013, and two \(2\) regular meetings, one on August 20, 2013, and the second on August 26, 2013, to the City Council meetings scheduled for the 2013 calendar year. \(FINANCE\) \(2013 - 177\)](#)
7. [Consider a resolution approving the execution of an agreement for computer related consultation services through the Texas Department of Information Resources at a total cost of \\$139,505.00; and this item was not bid but purchased through a State of Texas Cooperative Program. \(GENERAL](#)

SERVICES) (2013 - 178)

8. Consider a resolution awarding a contract for the Water, Wastewater and Fire Hydrant Taps Project to TEC Excavation, Incorporated, of Midland, Texas, at a total cost of \$500,000.00; and appropriating funds. (GENERAL SERVICES) (2013 - 179)
9. Consider a resolution authorizing issuance of a Request for Qualifications for an engineering/architectural firm to analyze and develop the Hike and Bike Trail Plan for the Community Services Department. (GENERAL SERVICES) (2013 - 180)
10. Consider a resolution authorizing the purchase of seventeen (17) mobile radios in assorted configurations, with accessories, from Holsum Bakers, Incorporated, dba Caprock Communications of Midland, Texas; said purchase was not bid but purchased as a sole source; and the costs for the radios shall be approximately \$77,579.25. (GENERAL SERVICES) (2013 - 181)
11. Consider a resolution approving plans and specifications prepared by Parkhill, Smith and Cooper, Incorporated, and authorizing advertisement for bids for the Capital Improvement Projects described as Northwest Taxiway Extension Project - Phase II (7083); Perimeter Emergency Roadway and Gates Rehabilitation (7082); and Taxiway P Run-Up (7103) at the Midland International Airport. (AIRPORTS) (2013 - 182)
12. Consider a resolution authorizing a right-of-way license between the City of Midland, Texas and Atlas Pipeline Mid-Continent WestTex; said right-of-way license is for entering the City of Midland's right-of-way for the purpose of placing, constructing, operating, repairing, maintaining, replacing and removing one (1) pipeline, for the transportation of oil and gas materials and to have the right of ingress and egress at convenient points for such purpose; the pipeline is located within the City of Midland right-of-way, Sections 9 and 10, Block 38, T-2-S, T&P RR Co. Survey, Midland County, Texas; the license term is for five (5) years, commencing with the date of this license and shall automatically renew at the end of the term for one additional five (5) year term upon 120 days written request prior to expiration. (ENGINEERING SERVICES) (2013 - 183)
13. Consider a resolution authorizing a right-of-way license between the City of Midland, Texas and Atlas Pipeline Mid-Continent WestTex; said right-of-way license is for entering the City of Midland's right-of-way for the purpose of placing, constructing, operating, repairing, maintaining, replacing and removing one (1) pipeline, for the transportation of oil and gas materials and to have the right of ingress and egress at convenient points for such purpose; the pipeline is located within the City of Midland right-of-way, Section 10, Block 38, T-2-S, T&P RR Co. Survey, Midland County, Texas; the license term is for five (5) years, commencing with the date of this license and shall automatically renew at the

end of the term for one additional five (5) year term upon 120 days written request prior to expiration. (ENGINEERING SERVICES) (2013 - 184)

14. Consider a resolution authorizing a right-of-way license between the City of Midland, Texas and Atlas Pipeline Mid-Continent WestTex; said right-of-way license is for entering the City of Midland's right-of-way for the purpose of placing, constructing, operating, repairing, maintaining, replacing and removing two (2) pipelines, for the transportation of oil and gas materials and to have the right of ingress and egress at convenient points for such purpose; the pipelines are located within the City of Midland right-of-way, Sections 4, 9, and 16, Block 37, T-3-S, T&P RR Co. Survey, Midland County, Texas; the license term is for five (5) years, commencing with the date of this license and shall automatically renew at the end of the term for one additional five (5) year term upon 120 days written request prior to expiration. (ENGINEERING SERVICES) (2013 - 185)
15. Consider a resolution authorizing a right-of-way license between the City of Midland, Texas and Atlas Pipeline Mid-Continent WestTex; said right-of-way license is for entering the City of Midland's right-of-way for the purpose of placing, constructing, operating, repairing, maintaining, replacing and removing one (1) pipeline, for the transportation of oil and gas materials and to have the right of ingress and egress at convenient points for such purpose; the pipeline is located within the City of Midland right-of-way, Sections 2 and 3, Block 37, T-3-S, T&P RR Co. Survey, Midland County, Texas; the license term is for five (5) years, commencing with the date of this license and shall automatically renew at the end of the term for one additional five (5) year term upon 120 days written request prior to expiration. (ENGINEERING SERVICES) (2013 - 186)
16. Consider a resolution authorizing a right-of-way license between the City of Midland, Texas and Atlas Pipeline Mid-Continent WestTex; said right-of-way license is for entering the City of Midland's right-of-way for the purpose of placing, constructing, operating, repairing, maintaining, replacing and removing one (1) pipeline, for the transportation of oil and gas materials and to have the right of ingress and egress at convenient points for such purpose; the pipeline is located within the City of Midland right-of-way, Section 44, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas; the license term is for five (5) years, commencing with the date of this license and shall automatically renew at the end of the term for one additional five (5) year term upon 120 days written request prior to expiration. (ENGINEERING SERVICES) (2013 - 187)
17. Consider a resolution authorizing a right-of-way license between the City of Midland, Texas and Atlas Pipeline Mid-Continent WestTex; said right-of-way license is for entering the City of Midland's right-of-way for the purpose of placing, constructing, operating, repairing, maintaining, replacing and removing one (1) pipeline, for the transportation of oil and gas materials and to have the right of ingress and egress at convenient points for such purpose; the pipeline is located within the City of Midland right-of-way, Sections 30, 32, and 41, Block

38, T-1-S, T&P RR Co. Survey, Midland County, Texas; the license term is for five (5) years, commencing with the date of this license and shall automatically renew at the end of the term for one additional five (5) year term upon 120 days written request prior to expiration. (ENGINEERING SERVICES) (2013 - 188)

18. Consider a resolution authorizing the execution of a Public Improvement Development Agreement with SBC, LP for development of Westridge Park Addition, Section 23, City and County of Midland, Texas (Generally located at the southeast corner of Avalon Drive and Deauville Boulevard); and authorizing payment in the amount of \$26,110.00 therefor; said agreement being authorized by Section 395.081 of the Texas Local Government Code. (ENGINEERING SERVICES) (2013 - 189)

SECOND READINGS

19. Consider an ordinance on second reading temporarily closing a portion of the east/west alleys abutting the north and south boundary lines of Lot 1, Block 1, Fairgrounds Addition, from the east right-of-way line of Fairgrounds Road east to their intersection with the north/south alley at Midland Draw and the north/south alley abutting the east boundary line of Lot 1, Block 1, Fairgrounds Addition at Midland Draw in the City of Midland, Texas; 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) (9151)

PUBLIC HEARINGS

20. At approximately 10:30 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 on the southwest corner of the intersection of Camp Street and Dakota Avenue); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2013 - 190)
21. At approximately 10:33 A.M. hold a public hearing and consider an ordinance establishing the zoning classification of the area indicated as being a 40.498-acre tract of land out of Sections 37, 38 and 48, 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 at the south extension of Avalon Drive, approximately 700 feet south of Hall of Fame 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) (9152)

22. At approximately 10:36 A.M. hold a public hearing and consider an ordinance establishing the zoning classification of the area indicated as being a 305.17-acre tract of land out of Section 37, Block 41, 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 LI, Light Industrial District; said tract is generally located on the north side of State Highway 191, west of North Farm-to-Market Road 1788; 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) (9153)
23. At approximately 10:39 A.M. hold a public hearing and consider an ordinance establishing the zoning classification of the area indicated as being a 2.47-acre tract of land out of Section 8, 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, as an IP-2, Industrial Park District; said tract is generally located on the west side of Wright Drive, approximately 850 feet south of Loop 40; 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) (9154)
24. At approximately 10:42 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 21, Block 3, Wydeewood Estates, Section 33, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Housing Development, to be used as an Amended Planned District (Generally located on the south side of Wadley Avenue, approximately 450 east of Sunburst 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) (9155)
25. At approximately 10:45 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 3, Block 3, the adjacent vacated 0.162-acre east/west alley, "A" Street Community Center, Section 3, and Lot 1C, Block 3, "A" Street Community Center, Section 7, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Community Center, in part, and PD, Planned District for a Shopping Center, in part, to be used as an Amended Planned District (Generally located near the southwest corner of the intersection of West Wadley Avenue and North "A" 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) (9156)

DEVELOPMENT SERVICES

26. Consider an ordinance amending Title V, "Business Regulations", Chapter 10, "Sidewalk Sales and Selling from Fixed Locations", Section 2, "Permit and License Required if Selling from a Fixed Location", and Section 9, "Duty of Police", so as to allow licensed food vendors to sell food at a location adjacent to the Midland County Courthouse; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of five hundred dollars (\$500.00); and ordering publication. (DEVELOPMENT SERVICES) (9157)

MISCELLANEOUS

27. Consider a resolution approving the issuance of a permit to Petroplex Energy, Inc. ("Operator") to drill an oil and gas well within the City limits located 467 feet from the north line and 2,058 feet from the west line, Section 8, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the east side of the extension of North Midland Drive, approximately 1 mile north of Green Tree Boulevard); and waiving the requirement of a Road Repair Agreement. (DEVELOPMENT SERVICES) (2013 - 191)
28. Consider an ordinance extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City limits, being a 40.498-acre tract of land out of Sections 37, 38 and 48, 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 at the south extension of Avalon Drive, approximately 700 feet south of Hall of Fame Boulevard); and approving a public service plan. (DEVELOPMENT SERVICES) (9158)
29. Consider an ordinance extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City limits, being a 305.17-acre tract of land out of Section 37, Block 41, 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 State Highway 191, west of North Farm-to-Market Road 1788); and approving a public service plan. (DEVELOPMENT SERVICES) (9159)
30. Consider an ordinance extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City limits, being a 2.47-acre tract of land out of Section 8, 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 on the west side of Wright Drive, approximately 850 feet south of Loop 40); and approving a public service plan. (DEVELOPMENT SERVICES) (9160)

31. Consider an ordinance vacating and abandoning a 0.13-acre portion of alley right-of-way adjacent to Lots 18-21, Block 166, a 0.25-acre portion of alley right-of-way adjacent to Lots 1-15, Block 165, a 0.14-acre portion of alley right-of-way adjacent to Lots 1-4, Block 167, a 1.78-acre portion of Leslie Drive right-of-way, and a 0.64-acre portion of Kristie Lane right-of-way, all out of Wilshire Park Addition, Section 11, City and County of Midland, Texas (Generally located on the southeast corner of the intersection of Leisure Drive and Beal Parkway); adopting the appraisal by the City Manager of \$192,073.50; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9161)
32. Consider a motion directing staff to begin the process of annexation for approximately 36 acres of land per the terms of an Agriculture Exemption Agreement which the owner now wishes to develop. (DEVELOPMENT SERVICES)
33. Continued consideration of an ordinance changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting a 1.011-acre tract of land being the north 141 feet of Block 1, Harrison Tract, City and County of Midland, Texas, and more specifically described in Section One hereof, which is presently zoned PD, Planned District for an Office Center, to be used as a PD, Planned District for a Transition District (Generally located on the east side of North Midland Drive, approximately 160 feet north of Shell Avenue); 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) (9149)
34. Discuss the City's legislative agenda in the 83rd Regular Session of the Texas Legislature. (CITY ATTORNEY'S OFFICE)
35. Consider a motion making appointments to various Boards and Commissions.
36. At approximately 12:00 noon, recess to Midland International Airport, 9506 La Force Boulevard, for lunch and an Airport Department update in the Airport Media Room.

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.