**CITY OF MIDLAND, TEXAS**
**BRIEFING SESSION AGENDA**
**July 11, 2017 - 9:30 AM**
BASEMENT CONFERENCE
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 a presentation from Buxton regarding the Retail Study and Analysis.

AGENDA FOR CITY COUNCIL MEETING
July 11, 2017 – 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 - Rev. 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:

    a. Presentation of a Retirement Commendation for Craig Matthews

## CONSENT AGENDA

4. Consider a motion approving the following minutes:

    a. Regular meeting of June 27, 2017

5. Consider a resolution ratifying and approving the payment of $67,640.08 to Warren Power & Machinery, Inc., of Odessa, Texas, for the replacement of the engine for the Unit 7917 Caterpillar 826H Trash Compactor for the Garage Division. (PURCHASING) (2017 - 181)

6. Consider a resolution authorizing the execution of a Professional Services Agreement with HDR Engineering, Inc., for permitting assistance services associated with the Water Pollution Control Plant Reuse Construction Project in an amount not to exceed $117,400.00. (PURCHASING) (2017 - 182)

7. Consider a resolution authorizing the execution of a Professional Services Agreement with HDR Engineering, Inc., for construction administration services associated with the Spraberry Farm and Plant Farm Project in an amount not to exceed $72,625.00. (PURCHASING) (2017 - 183)

8. Consider a resolution authorizing the execution of an Airport Fueling Agreement with W-T Hangar, LLC, in order to store and dispense all forms of aviation propellants and fuels from fixed and mobile dispensers only to W-T Hangar, LLC, aircraft at the Midland International Air & Space Port, Midland, Midland County, Texas. (AIRPORTS) (2017 - 184)

9. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the MAF Security Checkpoint Expansion Project at Midland International Air & Space Port. (AIRPORTS) (2017 - 185)

10. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the Construct Runway Incursion Mitigation Runway 10 End Project and the Construct Taxiway and Rehabilitate Ramp Area Project at Midland International Air & Space Port. (AIRPORTS) (2017 - 186)

11. Consider a resolution authorizing the execution of Amendment Number Five to the Professional Services Agreement with Parkhill, Smith & Cooper, Inc., for Professional Engineering Services at the Midland International Air & Space Port; said amendment to include the following projects: Professional Services for the Parking Lot Pavement Rehabilitation and Parking Equipment Replacement Project and the Development Park Programmatic Environmental Project; and appropriating necessary funds. (AIRPORTS) (2017 - 187)

12. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and Fasken Oil and Ranch, Ltd., regarding City-owned property described as Princeton Avenue, Section 30, Block 39, Township-1-South, Midland County, Texas. (ENGINEERING SERVICES) (2017 - 188)

13. Consider a motion on request by Schumann Engineering Co., Inc. to defer wastewater and water improvements and paving improvements for Freeland Addition, Section 11, and to waive the corresponding financial security guarantee valued at $104,199.00, an amount equal to the estimated cost of construction. The subject property is generally located approximately 340 feet south of East Golf Course Road on the west side of Elkins Road, inside the corporate limits of the City of Midland, Midland County, Texas. (ENGINEERING SERVICES) (058-2017)

14. Consider a motion on request by Schumann Engineering Co., Inc. to defer wastewater and water improvements and paving improvements for Cinco T Addition, and to waive the corresponding financial security guarantee valued at $116,645.00, an amount equal to the estimated cost of construction. The subject property is generally located approximately 3700 feet south and east from the Farm to Market 1788 and West County Road 72 intersection, outside the corporate limits of the City of Midland, Midland County, Texas. (ENGINEERING SERVICES) (059-2017)

15. Consider a resolution accepting a modification to the Fiscal Year 2017 grant award from the Southwest Border High Intensity Drug Trafficking Areas Program in the amount of $66,100.00; these funds will be directed to the Fiscal Year 2017 High Intensity Drug Trafficking Areas Grant Project 700224-005; and appropriating funds. (POLICE) (2017 - 189)

16. Consider a motion authorizing the execution of a Transit Working Capital Account Agreement between the City of Midland, the City of Odessa and McDonald Transit Associates, Inc.; and authorizing the appropriation of $200,000 from the General Fund non-departmental 2017 operating budget. (DEVELOPMENT SERVICES) (060-2017)

**SECOND READINGS**

17. Consider an ordinance on second reading granting a special exception for a 60.84-acre tract of land located in the west half of Section 6, Block X, H. P. Hilliard Survey, City and County of Midland, Texas (Generally located on the west side of Oriole Drive, approximately 200 feet north of Hilltop Drive), by permitting a reduced front yard setback; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars ($2,000.00); ordering recordation by the City Secretary in the deed records of Midland County, Texas; and ordering publication. (DEVELOPMENT SERVICES)(First reading held June 27, 2017)(9675)

18. Consider an ordinance on second reading changing the zoning use classification of the property described as Tract 9, Morningside Addition, City and County of Midland, Texas (Generally located on the east side on North Big Spring Street, approximately 300 feet north of Scharbauer 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)(First reading held on June 17, 2017)(9676)

**PUBLIC HEARINGS**

19. Hold a public hearing and consider an ordinance on first reading changing the zoning use classification of the property described as a 3,210-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 185 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 lounge

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) (9677)

20. Hold a public hearing and consider an ordinance on first reading changing the zoning use classification of the property described as a 4,344-square foot portion of Lot 1A, Block 2, Grandridge Park Addition, Section 7, City and County of Midland, Texas (Generally located west of the intersection of West Loop 250 North and Holiday Hill Road), 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 beer and wine in a lounge 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) (9678)

21. Hold a public hearing and consider an ordinance on first reading changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting the correction plat of Pavilion Park, Section 8, 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 north of Solomon Lane, approximately 840 feet east of North Lamesa 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) (9679)

22. Hold a public hearing and consider an ordinance on first reading vacating and abandoning a 0.048-acre portion of alley right-of-way located in Tract 11, the Gardens Addition, City and County of Midland, Texas (Generally located on the north side of West Michigan Avenue, approximately 242 feet west of Andrews Highway); adopting the appraisal by the City Manager of $5,275.60; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9680)

23. Hold a public hearing and consider an ordinance on first reading changing the zoning use classification of the property described as a 3,300-square foot portion of Lot 1, Block 1, Mesa Verde Addition, City and County of Midland, Texas (Generally located southwest of the intersection of north Midland Drive and Neely Avenue), which is presently zoned LR-2, Local Retail District, by permitting said property to be used under a Specific Use Permit without Term for a veterinarian clinic; 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) (9681)

24. Hold a public hearing and consider an ordinance on first reading granting a special exception for Lot 1, Block 2, Berkshire Place, City and County of Midland, Texas (Generally located southeast of the intersection of North N Street and Boyd Avenue), by permitting a reduced side yard setback; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars ($2,000.00); ordering recordation by the City Secretary in the deed records of Midland County, Texas; and ordering publication. (DEVELOPMENT SERVICES) (9682)

25. Hold a public hearing and consider an ordinance on first reading granting a special exception for Lot 4, Block 4, Dunagan Addition, City and County of Midland, Texas (Generally located northeast of the intersection of Princeton Avenue and Lanham Street), by permitting an increased height of a fence within the front yard setback; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars ($2,000.00); ordering recordation by the City Secretary in the deed records of Midland County, Texas; and ordering publication. (DEVELOPMENT SERVICES) (9683)

**MISCELLANEOUS**

26. Consider an ordinance on first reading establishing intersection stops at various locations within the City of Midland, Texas; authorizing and directing the Traffic Engineer to install appropriate signs and markings at the designated locations; 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) (9684)

27. Consider an ordinance establishing yield right of way signs at various locations within the City of Midland, Texas; requiring and authorizing the posting of appropriate signs at said intersections; 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) (9685)

28. Consider a motion for approval of a proposed Preliminary Plat of 1788 Industrial Park being 83.91-acres of land out of Section 32, Block 40, T-2-S, T&P RR Co. Survey, Midland County Texas (Generally located on the east side of South County Road 1270, approximately 575 feet north of West County Road 160. ETJ, Extraterritorial Jurisdiction.) (DEVELOPMENT SERVICES) (061-2017)

**PUBLIC COMMENT**

29. Receive public comments where individuals may address the City Council on City related issues and projects not on the present agenda. 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.)

**EXECUTIVE SESSION**

30. 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 551.074, Personnel Matters.

        a.1. Deliberate the employment, evaluation, and duties of the Municipal Court Presiding Judge.

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.