

CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
July 12, 2016 - 8:30 A.M.
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 a presentation from Engineering Services regarding drainage issues and potential storm water fee options that may be implemented in 2017.
2. At approximately 9:30 a.m. in the Council Chamber Lobby recognize Occidental Petroleum, USA dedication of right-of-way for future public improvements.

AGENDA FOR CITY COUNCIL MEETING

July 12, 2016 – 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 Jon Slayden, Second 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 distinguished Budget Award
 - b. Presentation recognizing Occidental Petroleum for their donation of right-of-way for 6 linear miles of future roadways in North Midland

PUBLIC COMMENT

4. 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.)

CONSENT AGENDA

5. Consider a motion approving the following minutes:
 - a. Regular City Council meeting of June 28, 2016.
6. Consider a resolution authorizing the City Manager to negotiate and execute an agreement with Diamondback O&G LLC for the lease of City-owned minerals located in Section 5, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (Generally located north of West Loop 250, east of North Midland Drive,

south of Mockingbird Lane, and west of North Midkiff Road), said agreement to require compliance with all applicable ordinances, laws, rules and regulations. (PURCHASING) (2016 - 196)

7. Consider a resolution authorizing the City Manager to negotiate and execute an agreement with Endeavor Energy Resources, L.P. for the lease of City-owned minerals located in Section 33, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located north of Carter Avenue, east of South Midkiff Road, south of West Illinois Avenue, and west of South Garfield Street), said agreement to require compliance with all applicable ordinances, laws, rules and regulations. (PURCHASING) (2016 - 197)
8. Consider a resolution authorizing the City Manager to negotiate and execute an agreement with D.E. Operating LLC for the lease of City-owned minerals located in Section 24, Block 39, T-1-S T&P RR Co. Survey, City and County of Midland, Texas (Generally located north of East Golf Course Road, east of North Lamesa Road, south of East Wadley Avenue, and west of North Fairgrounds Road), said agreement to require compliance with all applicable ordinances, laws, rules and regulations. (PURCHASING) (2016 - 198)
9. Consider a resolution authorizing the City Manager to negotiate and execute an agreement with D.E. Operating LLC for the lease of City-owned minerals located in Section 13, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located north of East Wadley Avenue, east of North Lamesa Road, south of East Loop 250 North, and west of North Fairgrounds Road), said agreement to require compliance with all applicable ordinances, laws, rules and regulations. (PURCHASING) (2016 - 199)
10. Consider a resolution authorizing the City Manager to negotiate and execute an agreement with D.E. Operating LLC for the lease of City-owned minerals located in Section 25, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located north of South Street, east of North Lamesa Road, south of East Golf Course Road, and west of North Fairgrounds Road), said agreement to require compliance with all applicable ordinances, laws, rules and regulations. (PURCHASING) (2016 - 200)
11. Consider a resolution authorizing the City Manager to negotiate and execute an agreement with Midland Petro D.C. Partners, LLC for the lease of City-owned minerals located in Section 2, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located north of Interstate Highway 20, east of Rankin Highway, south of East New Jersey Avenue, and west of South

Lamesa Road), said agreement to require compliance with all applicable ordinances, laws, rules and regulations. (PURCHASING) (2016 - 201)

12. Consider a resolution authorizing the City Manager to negotiate and execute an agreement with Midland Petro D.C. Partners, LLC for the lease of City-owned minerals located in Section 3, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located north of Interstate Highway 20, east of Cotton Flat Road, south of Carter Avenue, and west of Rankin Highway), said agreement to require compliance with all applicable ordinances, laws, rules and regulations. (PURCHASING) (2016 - 202)
13. Consider a resolution authorizing the City Manager to negotiate and execute an agreement with Midland Petro D.C. Partners, LLC for the lease of City-owned minerals located in Section 34, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located north of Carter Avenue, east of Cotton Flat Road, south of West Illinois Avenue, and west of South A Street), said agreement to require compliance with all applicable ordinances, laws, rules and regulations. (PURCHASING) (2016 - 203)
14. Consider a resolution authorizing the City Manager to negotiate and execute an agreement with Midland Petro D.C. Partners, LLC for the lease of City-owned minerals located in Section 35, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located north of East New Jersey Avenue, east of South A Street, south of West Michigan Avenue, and west of South Lamesa Road), said agreement to require compliance with all applicable ordinances, laws, rules and regulations. (PURCHASING) (2016 - 204)
15. Consider a resolution authorizing the City Manager to negotiate and execute an agreement with Midland Petro D.C. Partners, LLC for the lease of City-owned minerals located in Section 36, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located north of Cloverdale Road, east of South Lamesa Road, south of South Street, and west of South Fairgrounds Road), said agreement to require compliance with all applicable ordinances, laws, rules and regulations. (PURCHASING) (2016 - 205)
16. Consider a resolution authorizing the City Manager to negotiate and execute a contract with Wells Fargo Bank, N.A. to provide primary depository and commercial banking services for the City of Midland. (PURCHASING) (2016 - 206)

17. Consider a resolution authorizing the execution of a contract for the purchase and installation of a sound system for Grande Communications Stadium at the Scharbauer Sports Complex with Daktronics, Inc., through Buyboard in the amount of \$153,947.00; and approving \$15,394.70 for contingencies. (PURCHASING) (2016 - 207)
18. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the Cured-In-Place Sewer Manhole Rehabilitation Project - Phase Three; said project to provide for the rehabilitation of 54 manholes. (PURCHASING) (2016 - 208)
19. Consider a resolution authorizing the City Manager to negotiate a contract with Lee Lewis Construction, Inc., with a guaranteed maximum price not to exceed \$33,139,259.00 for construction of the Midland Convention Center Building; and providing that the total project cost for said construction and all associated work shall not exceed \$42,839,259.00. (PURCHASING) (2016 - 209)
20. Consider a resolution authorizing the execution of a contract with Ron Osborn, Incorporated, dba Advanced Environmental Services, for asbestos abatement at the Midland Center and the Midland Chamber of Commerce; and authorizing the appropriation of \$57,200.00 for said contract. (PURCHASING) (2016 - 210)
21. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the demolition of the Midland Center and Chamber of Commerce Buildings. (PURCHASING) (2016 - 211)
22. Consider a resolution authorizing the execution of an amendment to the Professional Services Agreement with Parkhill, Smith & Cooper, Inc., for the Edgewood Ground Storage Tanks Rehabilitation Project; said amendment will authorize a fee increase of \$27,500.00. (PURCHASING) (2016 - 212)
23. Consider a resolution authorizing the execution of Amendment Number Two to the Professional Services Agreement with Parkhill, Smith & Cooper, Incorporated, for Professional Engineering and Architectural Services at the Midland International Air & Space Port; said amendment to provide for design and bid services for the Commemorative Air Force Ramp and Taxilane Project; and appropriating necessary funds. (AIRPORTS) (2016 - 213)

24. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the Rehabilitate Runway 10/28, 16R/34L and Taxiways Project at Midland International Air & Space Port; said project will reduce the creation of foreign object debris on the runway surfaces and will preserve the surfaces and reduce the rate of pavement oxidation to the taxiways and runways. (AIRPORTS) (2016 - 214)
25. Consider a resolution authorizing the Mayor, City Manager, and City Attorney to accept and execute Federal Aviation Administration ("FAA") Grant Number 56 in the amount of \$4,865,401.00 upon receipt from the FAA; said grant will fund ninety percent (90%) of the FAA-eligible portions of the Taxiway and GA Apron Areas A & B Construction Project at the Midland International Air & Space Port; said grant funds are to be deposited in the airport fund upon receipt. (AIRPORTS) (2016 - 215)
26. Consider a motion on request by Midland County, Texas, authorizing and giving consent for the Commissioners Court of Midland County, Texas, (i) to design and construct an extension of County Road 140 westerly from County Road 1210 for a distance of approximately 2.05 miles at a width of sixty (60) feet, (ii) to extend County Road 1230 southerly from the I-20 service road to connect with County Road 140 at a width of sixty (60) feet, and (iii) to exercise its rights of eminent domain, if necessary, in order to acquire property in connection with said extensions of County Road 140 and County Road 1230. (CITY MANAGER'S OFFICE) (062-2016)
27. Consider a resolution authorizing the City Manager to acquire, on behalf of the City of Midland, any real property interests necessary or appropriate in tracts of land each having an area not to exceed 0.25 acres, 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; 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 - 216)
28. Consider a motion on request by West Company to defer public improvements for Northview Addition, Section 14, and to waive the corresponding financial security guarantee valued at \$15,853.00, an amount equal to the estimated cost

of construction. The subject property is generally located on the north side of Bluebird Lane, approximately 620-feet east of North Midkiff Road located within the City of Midland corporate limits. (ENGINEERING SERVICES) (063-2016)

29. Consider a resolution authorizing an Operating Certificate for Permian Basin Taxi to operate a Taxicab Business; setting forth conditions accompanying the certificate; and establishing the terms of the certificate. (POLICE) (2016 - 217)

SECOND READINGS

30. Consider an ordinance on second reading of the City of Midland, Texas, adopting the Tall City Tomorrow Comprehensive Plan as authorized by Chapter 213 of the Texas Local Government Code; said comprehensive plan illustrating the Future Development of the City; providing a savings and severability clause; and providing an effective date of August 1, 2016. (DEVELOPMENT SERVICES)(First reading held June 28, 2016)(9578)
31. 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 June 28, 2016)(9579)
32. Consider an ordinance on second reading vacating and abandoning a 0.09-acre portion of South Fort Worth Street right-of-way located adjacent to Lot 1, Block 44, South Park Addition, City and County of Midland, Texas (Generally located on the south side of East Hicks Avenue, approximately 580 feet west of South Terrell Street); adopting the appraisal by the City Manager of \$7,646.00; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES)(First reading held June 28, 2016)(9580)

PUBLIC HEARINGS

33. Hold a public hearing and consider a resolution authorizing the temporary use of land for a festival on Lots 10-12, Block 93, all of Block 94, a 0.6-acre portion of Block 104, Lots 1-5, Block 105, the portion of South K Street adjacent to Blocks

93 and 94, and the portion of West Indiana Avenue adjacent to Blocks 93 and 96, West End Addition, City and County of Midland, Texas (Generally located on the south side of West Missouri Avenue, between South “J” Street and South “L” Street); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2016 - 218)

34. Hold a public hearing and consider a resolution expressing the intent of the Midland City Council to continue in effect Title VI, “Police Regulations”, Chapter 9, “Curfew hours for Minors”, of the Midland City Code pursuant to Texas Local Government Code Section 370.002. (POLICE) (2016 - 219)

MISCELLANEOUS

35. Consider a motion making an appointment to the Permian Basin Community Center for Mental Health and Mental Retardation Board.

EXECUTIVE SESSION

36. 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.