

**CITY OF MIDLAND, TEXAS
AGENDA FOR CITY COUNCIL MEETING
July 28, 2015 - 10:00 a.m.
300 North Loraine
Council Chamber - City Hall
Midland, Texas**

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:

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. Regular meeting of July 14, 2015.
6. Consider a resolution authorizing the execution of an amendment to the Professional Consultant Services Agreement with RCC Consultants, Inc. regarding Phase III of the Radio Replacement Project; and authorizing payment therefor in an amount not to exceed \$87,000.00. (PURCHASING) (2015 - 211)

7. Consider a resolution awarding a contract for the 2015 Microsurfacing Project to Viking Construction, Inc. of Georgetown, Texas, at a total cost of \$804,605.52; providing for a fifteen percent (15%) contingency amount; allocating funds; and authorizing payment therefor. (PURCHASING) (2015 - 212)
8. Consider a resolution awarding a contract for the 2015 Crack Seal Project to the sole bidder, Champion Infrastructure, LLC of Salado, Texas, at a total cost of \$452,700.00; providing for a ten percent (10%) contingency amount; allocating funds; and authorizing payment therefor. (PURCHASING) (2015 - 213)
9. Consider a resolution authorizing the execution of a contract for yard waste mulching to the sole bidder, S&M Business Inc. of Cedar Park, Texas, at a total cost of \$420,000.00. (PURCHASING) (2015 - 214)
10. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the lease of roll-off sludge filter containers. (PURCHASING) (2015 - 215)
11. Consider a resolution awarding a contract for environmental compliance sampling for the Utilities Department to Akana, at a total cost of \$67,884.22; and authorizing payment therefor; the project will include effluent sampling, ground water monitoring well sampling, and soil sampling of the land application areas at Spraberry and the Plant Farm. (PURCHASING) (2015 - 216)
12. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the Cured-In-Place Sewer Manhole Rehabilitation Project - Phase Two; said project will provide for the rehabilitation of 29 sewer manholes located within the northwest drainage channel (Jal Draw) between Loop 250 and Haynes Avenue. (PURCHASING) (2015 - 217)
13. Consider a resolution authorizing the execution of a contract with Jones Bros. Dirt & Paving Contractors, Inc., of Odessa, Texas, for the Rehabilitate Entrance Road Pavement and Guidance Signage Project (7113) at the Midland International Air & Space Port; the Council previously authorized advertisement for bids for the project; the total estimated cost of said project is \$1,546,901.13; and appropriating funds. (AIRPORTS) (2015 - 218)
14. Consider a resolution authorizing the execution of Amendment Number Ten 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 projects: 1) improvements to the aircraft ramp lighting system; 2) design and rebid project to upgrade the access control system and cable upgrade; 3) prepare an opinion of probable cost for the security checkpoint expansion; and appropriating funds. (AIRPORTS) (2015 - 219)

15. Consider a resolution authorizing the City Manager to advertise a Request For Proposals for Rental Car Agreements at the Midland International Air & Space Port; authorizing the City Manager to negotiate Rental Car Agreements; and providing that said agreements shall not become effective until approved by the City Council. (AIRPORTS) (2015 - 220)
16. Consider a resolution authorizing the transfer of funds from the Airport Operations 2015 operating budget to the HVAC Upgrade Project at Midland International Air & Space Port. (AIRPORTS) (2015 - 221)
17. Consider a resolution approving an Economic Development Agreement between the Midland Development Corporation and New Teraco, Inc., as authorized by Chapter 501 of the Texas Local Government Code. (CITY MANAGER'S OFFICE) (2015 - 222)
18. Consider a resolution adopting the City of Midland Consolidated Plan for Community Development and Housing Funds for Fiscal Years 2016 through 2020 (October 2015 to September 2020) and the 2015-2016 Action Plan to said Consolidated Plan; and authorizing the execution of an application for Community Development Block Grant funds. (DEVELOPMENT SERVICES) (2015 - 223)
19. 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 Sections 5, 8 and 9, Block 38, Township 2 South, T&P RR Co. Survey, Midland County, Texas. (ENGINEERING SERVICES) (2015 - 224)
20. Consider a motion on request by West Company of Midland Inc. to defer public improvements for Coyote Hills Addition Section 1 and to waive the corresponding financial security guarantee valued at \$738,955, an amount equal to the estimated cost of construction. The subject property is located on the north side of East County Road 130 approximately 770 feet west of the intersection with FM 715 in the City of Midland ETJ, Midland County, Texas. (ENGINEERING SERVICES) (066-2015)
21. Consider a resolution authorizing renewal of an operating certificate for Midessa Transportation, L.L.C.; setting forth conditions accompanying the certificate; and establishing the terms of the certificate. (POLICE) (2015 - 225)

SECOND READINGS

22. Consider an ordinance on second reading changing the zoning use classification of the property described as an 11,700-square foot portion of Lot 1, Block 3, Westridge Park Addition, Section 5, City and County of Midland, Texas

(Generally located southwest of the intersection of Andrews Highway and Tradewinds 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 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 July 14, 2015.)(9457)

23. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 1, Block 10, Lynside Addition, Section 2, City and County of Midland, Texas (Generally located southwest of the intersection of East Scharbauer Drive and North Tyler Street), which is presently zoned LR-3, Local Retail District, by permitting said property to be used Under a Specific Use Permit without Term for a wireless communication system; 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 July 14, 2015.)(9458)
24. 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 an 11.31-acre tract of land located within the Tradewinds Boulevard and Champions Drive rights-of-way, remainder of Lot 1, Block 6, Westridge Park Addition, Section 6, and Lot 2, Block 6, Westridge Park Addition, Section 19, 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 Champions Drive and Tradewinds 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 July 14, 2015.)(9459)
25. Consider an ordinance on second reading changing the zoning use classification of the property described as a 1.807-acre tract of land out of Section 5, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas (Generally located on the north side of West Loop 250 North, approximately 675 feet west of North Midkiff Road), which is presently zoned LR-2, Local Retail District, by permitting said property to be used under a Specific Use Permit with Term for an electronic billboard; 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 July 14, 2015.)(9460)

26. Consider an ordinance on second reading granting a special exception for Lot 4, Block 9, Berkshire Place, City and County of Midland, Texas (Generally located on the south side of Gulf Avenue, approximately 200 feet east of North Garfield Street), by permitting an encroachment into the required front yard setback for an accessory structure; 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 on July 14, 2015.)(9461)

PUBLIC HEARINGS

27. Hold a public hearing and consider a resolution authorizing the temporary use of land for heavy machinery sales and storage on a 37.33-acre tract of land out of Section 10, Block 40, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the north side of West Interstate Highway 20, approximately 400 feet west of South County Road 1250); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2015 - 226)

MISCELLANEOUS

28. Consider a resolution authorizing Edwin Jaquez to operate a concert in conjunction with the West Texas Blowout until 1:00 a.m. on August 8 (Saturday) and August 9 (Sunday), 2015 at the Scharbauer Sports Complex. (COMMUNITY SERVICES) (2015 - 227)
29. Consider an ordinance 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) (9462)
30. 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) (9463)

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

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.