

CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
September 08, 2015 - 9:15 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 and discuss a presentation from the Transportation Division regarding the upcoming deployment of flashing yellow arrow left-turn displays at traffic signals.
2. Discuss Midland Center project status and future milestones, including but not limited to demolition, construction, funding, project timelines, etc.

AGENDA FOR CITY COUNCIL MEETING
September 08, 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 - 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:
4. Presentation of a retirement commendation for Sylvester Cantu.

PUBLIC COMMENT

5. 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.)

BUDGET- SECOND READING

6. Consider an ordinance on second reading of the City of Midland providing funds for the Fiscal year beginning October 1, 2015, and ending September 30, 2016, by approving the budget for said period and appropriating and setting aside the necessary funds out of the general and other revenues and unappropriated fund balance of the City of Midland for said Fiscal Year for the maintenance and operation of the various departments and for various activities and improvements to the city; and ordering publication. (FINANCE)(September 1, 2015)(9474)
7. Consider an ordinance on second reading fixing the tax levy for the City of Midland, Texas, for the Fiscal Year beginning on October 1, 2015 and ending on September 30, 2016. (FINANCE)(September 1, 2015)(9475)

CONSENT AGENDA

8. Consider a motion approving the following minutes:
 - a. Special City Council meeting of August 18, 2015.
 - b. Regular City Council meeting of August 25, 2015.
 - c. Regular City Council meeting of September 1, 2015.
9. Consider a resolution approving the Fiscal Year 2015-2016 budget of the Midland Development Corporation, a Type A Corporation as authorized by Chapter 504 of the Texas Local Government Code. (FINANCE) (2015 - 264)
10. Consider a resolution approving the Fiscal Year 2015-2016 annual budget for the Midland Football/Soccer and Baseball Complex Development Corporation, a Type B Corporation as authorized by Chapter 505 of the Texas Local Government Code. (FINANCE) (2015 - 265)
11. Consider a resolution allocating \$135,000.00 to the Emergency Medical Dispatch System Project (9136). (FINANCE) (2015 - 266)
12. Consider a resolution authorizing the execution of a contract for the renovation of two (2) elevators at the Police and Communications Building to the sole bidder, Thyssenkrupp Elevator Corporation, at a total cost of \$312,468.00. (PURCHASING) (2015 - 267)
13. Consider a resolution accepting the proposal submitted by the Texas Municipal League Multistate Intergovernmental Employee Benefits Pool for group health plan administrative services, pharmacy services, vision coverage, and long term disability, basic life, and voluntary life insurance; and authorizing the negotiation and execution of a contract. (PURCHASING) (2015 - 268)
14. Consider a resolution ratifying emergency purchases for the replacement of public safety servers from Dell Marketing, L.P. and Solid IT Networks at a total cost of \$153,788.63. (PURCHASING) (2015 - 269)
15. Consider a resolution awarding a contract for the Cured-in-Place Sewer Manhole Rehabilitation Project - Phase Two to the sole bidder, Infrastructure Rehabilitation USA, Inc. of Shreveport, Louisiana, at a total cost of \$305,750.00; and authorizing payment therefor. (PURCHASING) (2015 - 270)
16. Consider a resolution authorizing the execution of a contract for the lease of roll-off sludge filter containers to the sole bidder, Aqua-Zyme Disposal Systems, Incorporated, of Van Vleck, Texas, at a total cost of \$91,800.00. (PURCHASING) (2015 - 271)

17. Consider a resolution rejecting all bids received for the construction of Fire Station #6; and authorizing the City Manager to re-advertise for competitive sealed bids for the construction of Fire Station #6. (PURCHASING) (2015 - 272)
18. Consider a resolution authorizing the Mayor, City Manager, and the City Attorney to accept and execute Federal Aviation Administration Grant Number 55 in the amount of \$673,545.00; and appropriating necessary funds. (AIRPORTS) (2015 - 273)
19. Consider a resolution approving a change order to the Design Build Contract between the Midland Development Corporation and N.C. Sturgeon, LP regarding the construction of the Orbital Outfitters Ltd. Facility at the Midland International Air & Space Port; and approving the Midland Development Corporation's appropriation of additional funds in an amount not to exceed \$300,000.00 therefor. (CITY MANAGER'S OFFICE) (2015 - 274)
20. Consider a resolution approving a Mutual Termination and Release Agreement between the Midland Development Corporation and the City of Midland for the extension of Tradewinds Boulevard; and transferring unexpended funds to the Midland Development Corporation. (CITY MANAGER'S OFFICE) (2015 - 275)
21. Consider a resolution approving a second amendment to the Economic Development Agreement between the Midland Development Corporation and the City of Midland for improvements to Briarwood Avenue, as authorized by Chapter 501 of the Texas Local Government Code; and appropriating funds therefor. (CITY MANAGER'S OFFICE) (2015 - 276)
22. Consider a resolution authorizing the execution of a contract with Crime Stoppers of Midland, Incorporated, for the operation of a Crime Stoppers Program which will allow citizens to assist in the detection and resolution of crimes. (CITY SECRETARY'S OFFICE) (2015 - 277)
23. Consider a resolution authorizing the execution of a contract with Keep Midland Beautiful, Incorporated, for litter reduction, education, and beautification programs. (CITY SECRETARY'S OFFICE) (2015 - 278)
24. Consider a resolution authorizing the execution of a contract with Midland Teen Court, Incorporated, for the operation of a Teen Court Program. (CITY SECRETARY'S OFFICE) (2015 - 279)
25. Consider a resolution authorizing the execution of an agreement with the Permian Basin Community Centers for mental health, mental retardation, and substance abuse services. (CITY SECRETARY'S OFFICE) (2015 - 280)
26. Consider a resolution authorizing the execution of a contract with Midland College to promote economic growth and development. (CITY SECRETARY'S OFFICE) (2015 - 281)

27. Consider a resolution authorizing the execution of a contract with University of Texas Permian Basin - Small Business Development Center to promote economic growth and development. (CITY SECRETARY'S OFFICE) (2015 - 282)
28. Consider a resolution authorizing the execution of an agreement with the Arts Council of Midland for the encouragement, promotion, improvement and application of the arts in the City. (CITY SECRETARY'S OFFICE) (2015 - 283)
29. Consider a resolution authorizing the execution of a contract with COM Aquatics, Incorporated, for advertising, promotion and solicitation of aquatic activities in Midland. (CITY SECRETARY'S OFFICE) (2015 - 284)
30. Consider a resolution authorizing an agreement with Commemorative Air Force, Incorporated, High Sky Wing, to promote tourism and the convention and hotel industry in the City; and the City shall provide a maximum of \$50,000.00 in funding from the City's Hotel/Motel Fund. (CITY SECRETARY'S OFFICE) (2015 - 285)
31. Consider a resolution authorizing the execution of a contract with the George W. Bush Childhood Home, Incorporated, to promote tourism and the convention and hotel industry in the City of Midland. (CITY SECRETARY'S OFFICE) (2015 - 286)
32. Consider a resolution authorizing the execution of a contract with I-20 Wildlife Preserve and Jenna Welch Nature Study Center, Incorporated, to promote tourism and the convention and hotel industry in the City; and the City shall provide a maximum of \$15,000.00 in funding from the City's Hotel/Motel Fund. (CITY SECRETARY'S OFFICE) (2015 - 287)
33. Consider a resolution authorizing the execution of a contract with the Midland Chamber of Commerce for the Management of the Midland Center and Centennial Plaza. (CITY SECRETARY'S OFFICE) (2015 - 288)
34. Consider a resolution authorizing the execution of a contract with the Midland Chamber of Commerce to promote tourism and the convention and hotel industry in the City. (CITY SECRETARY'S OFFICE) (2015 - 289)
35. Consider a resolution authorizing the execution of a contract with the Midland Community Theatre, Incorporated for the promotion of the theatre arts in the City. (CITY SECRETARY'S OFFICE) (2015 - 290)
36. Consider a resolution authorizing the execution of a contract with the Midland County Fair, Incorporated, to promote tourism and the convention and hotel industry in the City of Midland. (CITY SECRETARY'S OFFICE) (2015 - 291)

37. Consider a resolution authorizing the execution of a contract with the Midland County Public Library Foundation to promote tourism and the convention and hotel industry in the city; and the City shall provide a maximum of \$85,532.00 in funding from the City's Hotel/Motel Fund. (CITY SECRETARY'S OFFICE) (2015 - 292)
38. Consider a resolution authorizing the execution of a contract with the Midland Hispanic Chamber of Commerce to promote tourism and the convention and hotel industry in the City. (CITY SECRETARY'S OFFICE) (2015 - 293)
39. Consider a resolution authorizing the execution of a contract with the Midland Softball Association for the promotion and solicitation of United States Specialty Sports Association (USSSA) activities. (CITY SECRETARY'S OFFICE) (2015 - 294)
40. Consider a resolution authorizing the execution of a contract with Midland United Girls Softball for the promotion and solicitation of softball activities. (CITY SECRETARY'S OFFICE) (2015 - 295)
41. Consider a resolution authorizing the execution of a contract with the Museum of the Southwest to promote tourism and the convention and hotel industry in the City of Midland. (CITY SECRETARY'S OFFICE) (2015 - 296)
42. Consider a resolution authorizing the execution of a contract with the Permian Basin Petroleum Museum, Library and Hall of Fame, Incorporated, for advertising, promotion and solicitation of oil industry activities in the City of Midland. (CITY SECRETARY'S OFFICE) (2015 - 297)
43. Consider a resolution authorizing the execution of a contract with Restoration Farm Ministries to promote tourism and the convention and hotel industry in the City of Midland. (CITY SECRETARY'S OFFICE) (2015 - 298)
44. Consider a resolution authorizing the execution of a contract with Sibley Environmental Learning Center Foundation, Incorporated, dba Sibley Nature Center, to promote tourism and the convention and hotel industry in the City; and the City shall provide a maximum of \$1,500.00 in funding from the City's Hotel/Motel Fund. (CITY SECRETARY'S OFFICE) (2015 - 299)
45. Consider a resolution authorizing the execution of a contract with Promising Projects, Incorporated; said funds will be used to promote tourism in Midland through the Tall City Blues Fest. (CITY SECRETARY'S OFFICE) (2015 - 300)
46. Consider a resolution authorizing the execution of a Professional Services Agreement between the City of Midland, Texas and Midland Sports, Incorporated, in the amount of \$98,000.00, for professional marketing, promotion, and management services at the Scharbauer Sports Complex. (COMMUNITY SERVICES) (2015 - 301)

47. Consider a resolution approving Patriot Resources, Inc.'s ("Operator") transfer of certain Oil and Gas Well Permits to High Sky Partners, LLC ("Transferee"); the oil and gas wells are MCC #6, MCC #7, and MCC #8; said oil and gas wells are located in Section 11, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (Generally located on the west side of State Highway 349 and north of Mockingbird Lane.) (DEVELOPMENT SERVICES) (2015 - 302)
48. Consider a resolution authorizing the acceptance of a 4,030-square foot General Utility Easement located in Section 12, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas; and ordering recordation by the City Secretary. (ENGINEERING SERVICES) (2015 - 303)
49. Consider a resolution transferring the sum of \$2,028,011.57 from the General Fund (001) Engineering (080) Transportation (0085) Mill and Overlay (4240) Budget to the FY 2016 Mill and Overlay Project (9135); and authorizing payment to Jones Bros. Dirt and Paving Contractors, Inc. in accordance with the contract for the FY 2015 Mill and Inlay Project (also known as the 2015 Mill and Overlay Project). (ENGINEERING SERVICES) (2015 - 304)
50. Consider a resolution transferring the sum of \$1,500,000.00 from the General Fund (001) Engineering (080) Transportation (0085) Mill and Overlay (4240) budget to the Briarwood Avenue Extension Project (9017). (ENGINEERING SERVICES) (2015 - 305)
51. Consider a resolution ratifying and approving a contract with TEC Excavation, Inc., for the emergency repair of the Exeter Lift Station at a total cost not to exceed \$125,000.00; and authorizing payment therefor. (UTILITIES) (2015 - 306)
52. Consider a resolution amending the Water Conservation Plan for the City of Midland, Texas. (UTILITIES) (2015 - 307)

SECOND READINGS

53. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 6, Block 2, South 349 Acres, City and County of Midland, Texas (Generally located on the northwest corner of the intersection of Rankin Highway and Iris Lane), which is presently zoned C-3, Commercial 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 August 25, 2015)(9468)

54. Consider an ordinance on second reading changing the zoning use classification of the property described as a 4,175-square foot portion of Lots 1C-1J, Block 5, correction plat of Colony Place, Section 5, City and County of Midland, Texas (Generally located on the south side of West Wadley Avenue, approximately 400 feet east of North Garfield 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)(First reading held on August 25, 2015)(9469)
55. 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 Lot 17A, Block 26, Wyndewood Addition, Section 25, City and County of Midland, Texas, which is presently zoned PD, Planned District for a shopping center, to be used as an amended Planned District (Generally located on the east side of North Loop 250 West, approximately 200 feet north of Sunshine Parkway); 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 August 25, 2015)(9470)
56. Consider an ordinance on second reading vacating and abandoning a 0.132-acre portion of alley right-of-way located in Section 19, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the south side of Sunshine Parkway, approximately 300 feet West of Idlewilde Drive); adopting the appraisal by the City Manager of \$14,374.80; retaining a general utility easement; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES)(First reading held on August 25, 2015)(9471)
57. Consider an ordinance on second reading amending fees and charges for Hogan Park Golf Course; and repealing prior ordinances or parts of ordinances in conflict with such fees and charges established herein. (COMMUNITY SERVICES) (9472)
58. Consider an ordinance on second reading 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. 9455; 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) (9473)

PUBLIC HEARINGS

59. Consider the following:
- a. Hold a public hearing and consider a resolution of the City Council of Midland, Texas making a finding, pursuant to Chapter 26 of the Texas Parks and Wildlife Code, that there is no feasible and prudent alternative to the change in use of an approximate 0.5-acre tract of land located on the northwest portion of Washington Park (approximately 64 feet south of Wall Street and 54 feet east of Adams Street) from public park use as tennis courts to a parking lot for public use and to serve Washington Park. (COMMUNITY SERVICES) (2015-308)
 - b. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the Washington Park Tennis Court to Parking Lot Renovation Project. (PURCHASING) (2015-309)
60. Hold a public hearing and consider a resolution authorizing the intent of the City of Midland to use Community Development Block Grant Funds to acquire fee simple title to real property for the development of affordable residential housing, said real property described as all of Block 71, East Midland Addition, City and County of Midland, Texas; declaring a public purpose; authorizing the City Attorney to determine ownership of said real property; and authorizing the City Manager to procure professional services for the appraisal services associated with the purchase of said real property. (DEVELOPMENT SERVICES) (2015 - 310)
61. Hold a public hearing and consider an ordinance vacating and abandoning a 0.1073-acre portion of alley right-of-way adjacent to Lot 4, Block 27, Greenwood Addition, City and County of Midland, Texas (Generally located west of South Fairgrounds Road, approximately 200 feet south of New York Avenue); adopting the appraisal by the City Manager of \$5,842.49; waiving the fee for the cost of the right-of-way; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9476)
62. Hold a public hearing and consider an ordinance vacating and abandoning a 0.0645-acre portion of Pennsylvania Avenue right-of-way adjacent to Lot 11, Block 28, and Lot 1, Block 41, Greenwood Addition, City and County of Midland, Texas (Generally located on the east end of Pennsylvania Avenue, approximately 190 feet east of Webster Street); adopting the appraisal by the City Manager of \$5,619.24; waiving the fee for the cost of the right-of-way; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9477)
63. Hold a public hearing and consider an ordinance vacating and abandoning a 0.1378-acre portion of alley right-of-way adjacent to Lots 1-12, Block 41, Belmont Addition, City and County of Midland, Texas (Generally located on the

south side of Stokes Avenue, approximately 140 feet west of Belmont Street); adopting the appraisal by the City Manager of \$12,005.14; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9478)

64. Hold a public hearing and consider an ordinance vacating and abandoning a 65.10-square foot portion of East Wadley Avenue right-of-way adjacent to Lot 13, Block 1, Tanglewood Addition, City and County of Midland, Texas (Generally located on the north side of East Wadley Avenue, approximately 850 feet east of Edwards Street); adopting the appraisal by the City Manager of \$122.20; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9479)
65. Hold a public hearing and consider an ordinance granting a special exception for Lot 13, Block 1, Tanglewood Addition, City and County of Midland, Texas (Generally located on the north side of East Wadley Avenue, approximately 850 feet east of Edwards Street), 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) (9480)
66. Hold a public hearing and consider a resolution authorizing the temporary use of land for a tent sale on Lot 7, Block 17, Skyline Terrace Addition, Unit 7, City and County of Midland, Texas (Generally located on the south side of West Loop 250 North, approximately 500 feet west of North Midkiff Road); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2015 - 311)
67. Hold a public hearing regarding a proposed oil and gas permit to High Sky Partners LLC (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Mask Hz Unit No 1031WA) located 275 feet from the north line and 1,240 feet from the east line located in Section 10, Block X, H.P. Hilliard Survey, City of Midland and County of Midland, Texas (Generally located 1,240 feet west of North A Street extension and approximately 1,754 feet north of Silverton Drive.) This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES) (077-2015)
68. Hold a public hearing regarding a proposed oil and gas permit to High Sky Partners LLC (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Mask Hz Unit No 1032LS) located 275 feet from the north line and 1,190 feet from the east line located in Section 10, Block X, H.P. Hilliard Survey, City of Midland and County of Midland, Texas (Generally located 1,190 feet west of North A Street extension and approximately 1,754 feet north of Silverton Drive.) This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES) (078-2015)

69. Hold a public hearing regarding a proposed oil and gas permit to High Sky Partners LLC (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Mask Hz Unit No 1033MS) located 275 feet from the north line and 1,140 feet from the east line located in Section 10, Block X, H.P. Hilliard Survey, City of Midland and County of Midland, Texas (Generally located 1,140 feet west of North A Street extension and approximately 1,754 feet north of Silverton Drive.) This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES) (079-2015)
70. Hold a public hearing regarding a proposed oil and gas permit to High Sky Partners LLC (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Mask Hz Unit No 1034WB) located 275 feet from the north line and 1,090 feet from the east line located in Section 10, Block X, H.P. Hilliard Survey, City of Midland and County of Midland, Texas (Generally located 1,090 feet west of North A Street extension and approximately 1,754 feet north of Silverton Drive.) This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES) (080-2015)
71. Hold a public hearing and consider an annexation of a 29.22-acre tract of land out of Section 24, Block 40, T-1-S, T & P RR. Co. Survey, Midland County, Texas (Generally located on the southwest corner of the intersection of Mockingbird and Holiday Hill Road.) This is a public hearing only. No action will be taken. (DEVELOPMENT SERVICES) (081-2015)

MISCELLANEOUS

72. Consider a motion appealing the Building Official's denial of a sign permit application by The Kent Companies located on 6101 Andrews Highway, Midland, Texas (Generally located on the southeast corner of the intersection of Avalon Drive and Andrews Highway.) (DEVELOPMENT SERVICES) (081-2015)
73. Consider a motion making appointments to various boards and commissions.

EXECUTIVE SESSION

74. 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.