

CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
September 10, 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 a presentation from Community Services regarding renovations at Doug Russell Pool.
2. Review and discuss the creation of a Spaceport Development Corporation.

AGENDA FOR CITY COUNCIL MEETING
September 10, 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 Randy Thomas, St. Paul United Methodist 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 Proclamation for Direct Support Professionals / Personal Attendants Recognition Week.](#)
 - b. [Presentation of a Proclamation for Christmas in Action Day.](#)

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 August 20, 2013.](#)
 - b. [Regular meeting of August 26, 2013.](#)
 - c. [Regular meeting of August 27, 2013.](#)

6. Consider a resolution rejecting the single bid received for bid number 6606-13 for the Animal Services Building Renovation Project; and authorizing the City Manager to re-bid said project. (GENERAL SERVICES) (2013 - 278)
7. Consider a resolution authorizing the purchase of nine (9) Edge 2-4N-TX Camera Processors, eight (8) Vector Detector Assemblies, four (4) Vector 2 Channel Processors, and one (1) Vector Setup Tool iPad, from Iteris, Incorporated, of Santa Ana, California, for the Transportation Division; said purchase was not bid but purchased as a sole source; and the costs for the radios shall be approximately \$80,900.00. (GENERAL SERVICES) (2013 - 279)
8. Consider a resolution approving plans and specifications and authorizing advertisement for bids for concession stand expansion and an indoor batting cage facility at the Scharbauer Sports Complex. (GENERAL SERVICES) (2013 - 280)
9. Consider a resolution authorizing the appropriation of Passenger Facility Charge (PFC) Funds in the amount of \$311,483.00 to reimburse the airport operating fund for the expenditure of funds on PFC eligible projects at the Midland International Airport; authorizing the reimbursement of airport funds. (AIRPORTS) (2013 - 281)
10. 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) (2013 - 282)
11. 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) (2013 - 283)
12. 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) (2013 - 284)
13. 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) (2013 - 285)
14. Consider a resolution authorizing the execution of a contract with Midland College to promote economic growth and development. (CITY SECRETARY'S OFFICE) (2013 - 286)
15. 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) (2013 - 287)

16. 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) (2013 - 288)
17. Consider a resolution authorizing the execution of a contract with the Downtown Midland Management District to promote tourism and the convention and hotel industry in downtown Midland; City to award the sum of \$50,000.00 from hotel/motel funds. (CITY SECRETARY'S OFFICE) (2013 - 289)
18. 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) (2013 - 290)
19. 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) (2013 - 291)
20. Consider a resolution authorizing the execution of a contract with the Midland Soccer Association for the promotion and solicitation of soccer activities. (CITY SECRETARY'S OFFICE) (2013 - 292)
21. 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) (2013 - 293)
22. 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) (2013 - 294)
23. 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) (2013 - 295)
24. 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) (2013 - 296)
25. Consider a resolution authorizing the execution of a Community Development Block Grant Contract with Community and Senior Services of Midland, Incorporated, for the Southeast Senior Center Nutrition Program in the amount of \$45,000.00; the program will be provided daily in coordination with other

activities; the purpose of this program is to promote better mental and physical health for seniors through nutritious meals and socialization; the program will begin on October 1, 2013 and end on September 30, 2014. (DEVELOPMENT SERVICES) (2013 - 297)

26. Consider a resolution authorizing the execution of a Community Development Block Grant Contract with Casa de Amigos for a Home Cleaning Program in the amount of \$30,000.00; the purpose of this program is to provide home cleaning services to 200 indigent senior citizens and handicapped households; the program will begin on October 1, 2013 and end on September 30, 2014. (DEVELOPMENT SERVICES) (2013 - 298)
27. Resolution authorizing a Right-of-Way License between the City of Midland, Texas and Vitol Midstream Pipeline LLC; said Right-of-Way License is for entering the City of Midland's right-of-way for the purpose of placing, installing, 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 4, 9, 16, and 21, Block 37, T-3-S, T&P RR Co. survey, Midland County, Texas; the license term is for twenty (20) years, commencing with the date of this license and may renew at the end of the term for one additional twenty (20) year term upon 90 days written request prior to expiration. (ENGINEERING SERVICES) (2013 - 299)
28. Consider a resolution authorizing the execution of a Public Improvement Development Agreement with DJK, Inc. for water main improvements to West Terminal Addition, Section 2; and appropriating funds therefor; said agreement being authorized by Section 395.081 of the Texas Local Government Code. (ENGINEERING SERVICES) (2013 - 300)
29. Consider a resolution authorizing the execution of a Public Improvement Development Agreement with Chicory Court Midland, LP for paving improvements to Latta Street; and appropriating funds therefor; said agreement being authorized by Section 395.081 of the Texas Local Government Code. (ENGINEERING SERVICES) (2013 - 301)
30. Consider a resolution authorizing the execution of an addendum to the Public Improvement Development Agreement with Vineyard Reserve, LLC for development of Vineyard Addition; and appropriating funds in the amount of \$78,750 therefor; said agreement being authorized by Section 395.081 of the Texas Local Government Code. (ENGINEERING SERVICES) (2013 - 302)
31. ../../agdocs.aspx?doctype=agenda&itemid=3538
 - a. Consider a motion on a request by West Engineering Company of Midland, Inc. for the Southern Addition—Section 8, to approve items requested for

deferral in the amount of \$8667.00, and to enter into an agreement to accept funds in lieu of constructing public infrastructure. The subject property is generally located on the east side of South Fort Worth Street, approximately 50 feet south of Washington Avenue.

- b. Consider a resolution authorizing the execution of a Public Improvement Development Agreement with Rafael Olano for paving improvements to South Fort Worth Street; and appropriating funds therefor; said agreement being authorized by Section 395.081 of the Texas Local Government Code.
- 32. Consider a resolution authorizing the execution of Change Order Number One with TEC Excavation, Inc. regarding the water, wastewater and fire hydrant taps project; said change order to provide for additional work; appropriating funds; and authorizing payment in the amount of \$120,000.00. (ENGINEERING SERVICES) (2013 - 304)
- 33. Consider a resolution authorizing the execution of a Sanitary Sewer Discharge License Agreement with Baker Hughes, Incorporated, for the purpose of discharging treated wastewater at 2065 Market Street, Building A, Midland, Texas. (UTILITIES) (2013 - 305)
- 34. Consider a resolution authorizing the execution of a Sanitary Sewer Discharge License Agreement with Baker Hughes, Incorporated, for the purpose of discharging treated wastewater at 2101 Market Street, Building B, Midland, Texas. (UTILITIES) (2013 - 306)
- 35. Consider a resolution authorizing the execution of a Sanitary Sewer Discharge License Agreement with Baker Hughes, Incorporated, for the purpose of discharging treated wastewater at 2103 Market Street, Building C, Midland, Texas. (UTILITIES) (2013 - 307)
- 36. Consider a resolution authorizing the execution of a Sanitary Sewer Discharge License Agreement with Baker Hughes, Incorporated, for the purpose of discharging treated wastewater at 2105 Market Street, Building D, Midland, Texas. (UTILITIES) (2013 - 308)

SECOND READINGS

- 37. Consider an ordinance on second reading changing the zoning use classification of the property described as a 929 square foot portion of Lots 7-9, Block 58, Original Town, City and County of Midland, Texas (Generally located on the northeast corner of the intersection of West Wall Street and North Pecos Street), which is presently zoned C-1, Central Area 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) (9177)

38. 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 Lots 2 and 4, Block 8, Westridge Park Addition, Section 23, City and County of Midland, Texas, which is presently zoned PD, Planned District for Housing Development, in part, and LR-2, Local Retail District, in part, to be used as a PD, Planned District for a Housing Development (Generally located near the southwest corner of the intersection of Deauville Boulevard and Tradewinds Boulevard); 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) (9178)
39. Consider an ordinance on second reading providing the maximum time limit for parking on a portion of the south side of Ohio Avenue from the west curb line of Colorado Street west to the north/south alley to two hours; authorizing and directing the Traffic Engineer to erect appropriate signs; declaring any vehicle in violation of the provisions of this ordinance a nuisance and providing for the removal of same; 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) (9179)

PUBLIC HEARINGS

40. At approximately 10:30 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 a 9.10-acre tract of land which is presently zoned AE, Agriculture Estate District, to be used as an LR-2, Local Retail District; by permitting a 57.51-acre tract of land which is presently zoned AE, Agriculture Estate District, to be used as a PD, Planned District for a housing development; said tracts being out of Section 19, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the north side of East Loop 250 North, approximately 1/4 of a mile east of North Fairgrounds 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) (9180)
41. At approximately 10:33 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 5, Block 2, Westridge Park Addition, Section 8, City and County of Midland, Texas, which is presently zoned PD,

Planned District for a Shopping Center, to be used as an LR-1, Local Retail District (Generally located on the southeast corner of Andrews Highway 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) (9181)

MISCELLANEOUS

42. Consider a resolution authorizing the Mayor to negotiate and execute a contract with the Midland Hispanic Chamber of Commerce to promote the City's growth and development. (CITY SECRETARY'S OFFICE) (2013 - 309)
43. Consider a motion on a proposed preliminary plat of Sunset Ridge Addition, being a 66.61-acre tract of land out of Section 19, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the north side of East Loop 250 North, approximately ¼ mile east of North Fairgrounds Road.) (DEVELOPMENT SERVICES)
44. Consider an ordinance on a request for the vacation of portions of rights-of-way being 0.703-acres of Baca Circle, 0.103-acres of Baca Street, 0.181-acres of Cerrillos Avenue, 0.57-acres of Cerrillos Court, 0.123-acres of Conquistador Court, 0.014-acres of Gallop Court, 0.002-acres of Guadalupe Street, 0.614-acres of Magellan Street, 0.409-acres of San Francisco Avenue, 0.079-acres of St. Michael Court and 1.301-acres of adjacent alleys, all contained within Adobe Meadows, Sections 1, 3, 4 and 5, City and County of Midland, Texas.(Generally located on the east side of State Hwy 349, north of east extension of Mockingbird Lane.) (DEVELOPMENT SERVICES) (9182)
45. Consider an ordinance 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. 9042; 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) (9183)

46. [Consider a motion making appointments to various Boards and Commissions.](#)

EXECUTIVE SESSION

47. 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:

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.