

CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
September 23, 2014 - 8:30 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 information from Engineering Services and/or Kimley Horn regarding the citywide traffic study.
2. Receive a presentation from Wall Street Lofts.
3. Receive information from SAIC regarding Solid Waste Operations and Financial Review.

AGENDA FOR CITY COUNCIL MEETING
September 23, 2014 – 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 - Reverend 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. Receive Achievement of Excellence in Procurement Award from the National Procurement Institute.
 - b. Receive an Excellence and Financial Reporting Award from Government Finance Officers Association.
 - c. Present a Proclamation for Domestic Violence Awareness.

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 September 9, 2014.
6. Consider a resolution authorizing the purchase of an annual supply of

Ammonium Sulfate for treating City of Midland drinking water from Brenntag Southwest, Incorporated, at a total cost of \$20,348.00. (PURCHASING) (2014 - 335)

7. Consider a resolution authorizing the purchase of an annual supply of Liquid Copper Sulfate for treating City of Midland drinking water for a total price of \$143,400.00; the bid request resulted in two bids, however the lowest bid from Chemrite, Incorporated, did not meet the bid specifications; the City Manager recommends approving the purchase from the second low bidder, Hydro Plus, LTD., as the overall lowest and most responsible bidder meeting all the bid specifications. (PURCHASING) (2014 - 336)
8. Consider a resolution authorizing the purchase of twenty-five (25) tons of Powdered Activated Carbon for treating City of Midland drinking water from Brenntag Southwest, Incorporated, for a total cost of \$28,950.00. (PURCHASING) (2014 - 337)
9. Consider a resolution authorizing the purchase of an annual supply of Liquid Anhydrous Ammonia for treating City of Midland drinking water from sole bidder, Brenntag Southwest, Incorporated, at a total cost of \$224,800.00. (PURCHASING) (2014 - 338)
10. Consider a resolution authorizing the purchase of an annual supply of Polymer for dewatering to treat City of Midland drinking water from Polydyne, Incorporated, for a total price of \$39,732.00. (PURCHASING) (2014 - 339)
11. Consider a resolution authorizing the purchase of an annual supply of Potassium Permanganate for treating City of Midland drinking water from the low bidder, Brenntag Southwest, Incorporated, for a total price of \$18,890.00. (PURCHASING) (2014 - 340)
12. Consider a resolution authorizing the purchase of an annual supply of Polymer for treating City of Midland drinking water from Polydyne, Incorporated, for a total price of \$76,300.00. (PURCHASING) (2014 - 341)
13. Consider a resolution authorizing the purchase of an annual supply of Aluminum Sulfate for purifying City of Midland drinking water from the low bidder, Chameleon Industries, Incorporated, for a total price of \$499,900.00. (PURCHASING) (2014 - 342)
14. Consider a resolution authorizing the purchase of an annual supply of Chlorine for treating City of Midland drinking water from the sole bidder, DPC Industries, Incorporated, for a total cost of \$225,485.00. (PURCHASING) (2014 - 343)
15. Consider a resolution authorizing and directing the City Manager to issue a request for qualifications for the management of Senior Services for the

- Community Services Department. (PURCHASING) (2014 - 344)
16. Consider a resolution authorizing the execution of an agreement with Voya Financial for the purchase of stop loss insurance for the City of Midland's Group Health Plan, effective for the plan year commencing on October 1, 2014; and providing that said stop loss coverage shall have an annual cost of \$656,055.00. (ADMINISTRATIVE SERVICES) (2014 - 345)
 17. Consider a resolution authorizing the execution of an agreement with the Commemorative Air Force, Incorporated, for the staging of an airshow at the Midland International Airport; the agreement allows the Commemorative Air Force to host an airshow on Midland International Airport property, sets required insurance levels, and establishes requirements for emergency response personnel; the airshow will commence Friday, October 10, 2014, and conclude Sunday, October 12, 2014. (AIRPORTS) (2014 - 346)
 18. Consider a resolution changing the name of Midland International Airport to "Midland International Air and Space Port"; authorizing Midland International Air and Space Port to be identified by a logo as "Midland International Air & Space Port"; and authorizing and directing the Director of Airports to take all necessary and appropriate actions to effectuate said name change. (AIRPORTS) (2014 - 347)
 19. Consider a resolution authorizing the acceptance of Energy Tower LLC's notice to cancel the Purchase and Sale Agreement, as amended, regarding the property described as Block 55 and a portion of Loraine Street between Blocks 54 and 55, Original Town Addition, City and County of Midland, Texas (the former Midland County Courthouse); and authorizing the execution of all documents necessary for the termination of said Purchase and Sale Agreement, as amended. (CITY ATTORNEY'S OFFICE) (2014 - 348)
 20. Consider a resolution authorizing the posting of the City Attorney position; and authorizing the acceptance of applications or resumes for said position; the City Attorney position will become vacant on March 1, 2015. (CITY ATTORNEY'S OFFICE) (2014 - 349)
 21. 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 \$17,000.00 in funding from the City's Hotel/Motel Fund. (CITY SECRETARY'S OFFICE) (2014 - 350)
 22. Consider a resolution authorizing an agreement with the Commemorative Air Force, Incorporated 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) (2014 - 351)

23. 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 \$75,000.00 in funding from the City's Hotel/Motel fund. (CITY SECRETARY'S OFFICE) (2014 - 352)
24. Consider a resolution authorizing the City of Midland to accept donations from Bryan and Sharoll Sheffield in the amount of \$175,000.00 and Parsley Energy in the amount of \$75,000.00, totaling \$250,000.00, specifically for the renovation of the kennel area at Midland Animal Services, said renovation will include flooring, doors, roof, and ceiling improvements; said donations will require the City of Midland to provide support of matching funds in the amount of \$250,000.00; and appropriating funds. (COMMUNITY SERVICES) (2014 - 353)
25. Consider a resolution approving the issuance of a permit to Diamondback E&P LLC ("Operator") to drill an oil and gas well within the City limits located 490 feet from the north line and 990 feet from the east line, Section 8, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas (Generally located on the west side of North Midkiff Road, approximately 500 feet south of the extension of Greentree Boulevard); and providing that said permit does not require a new Road Repair Agreement but shall be consolidated under an existing Road Repair Agreement. (DEVELOPMENT SERVICES) (2014 - 354)
26. Consider a resolution approving the issuance of a permit to Diamondback E&P LLC ("Operator") to drill an oil and gas well within the City limits located 623 feet from the south line and 2,020 feet from the east line, Section 8, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas (Generally located on the north side of Mockingbird Lane, approximately 2,000 feet west of North Midkiff Road); and providing that said permit does not require a new Road Repair Agreement but shall be consolidated under an existing Road Repair Agreement. (DEVELOPMENT SERVICES) (2014 - 355)
27. Consider a resolution authorizing the appropriation of funds for the Home Buyer Assistance Program from the 2013-2014 contingency account into the 2013-2014 Home Buyer Assistance Program; and appropriating funds. (DEVELOPMENT SERVICES) (2014 - 356)
28. Consider a resolution approving the 2012 International Fire Code, with amendments, as a public record; and directing that said Code be filed in the Office of the City Secretary for a minimum of thirty (30) days for public comment and before any action is taken by the City Council. (FIRE) (2014 - 357)

SECOND READINGS

29. Consider an ordinance on second reading vacating and abandoning a 0.618-

acre portion of Stonebridge Drive right-of-way and a 0.907-acre portion of alley right-of-way located in Pavilion Park, Sections 1 and 2, City and County of Midland, Texas (Generally located on the southwest corner of Pavilion Parkway and Stonebridge Drive); adopting the appraisal by the City Manager of \$15,278.67; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES)(First reading held on September 09, 2014.)(9318)

30. 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 a 28.97-acre tract of land out of Section 13, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, which is presently zoned FD, Future Development District, to be used as a PD, Planned District for a Housing Development (Generally located approximately 245 feet west of Sandstone Drive, and approximately 1,620 feet north of Sherwood Drive); 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 September 09, 2014.)(9319)
31. 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 a 68.13-acre tract of land out of Section 13, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, which is presently zoned FD, Future Development District, to be used as a 1F-1, One-Family Dwelling District (Generally located northwest of the intersection of Sandstone Drive and Sherwood Drive); 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 September 09, 2014.)(9320)
32. Consider an ordinance on second reading changing the zoning use classification of the property described as a 3,145 square foot portion of Lot 1, Block 8, Polo Park Addition, Section 3, City and County of Midland, Texas (Generally located northeast of the intersection of North Garfield Street and West Loop 250 North), 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 September 09, 2014.)(9321)
33. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 3G, Block 6, Scotsdale Addition, Nineteenth Section, City and County of Midland, Texas (Generally located on the south side

of West Wadley Avenue, approximately 550 feet west of North Midland 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 September 09, 2014.)(9322)

34. Consider an ordinance on second reading extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City limits, being a 2.35-acre tract of land out of Section 31, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, and a 36.14-acre tract of land out of Section 32, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas (Generally located approximately 650 feet north of State Highway 191, and approximately 400 feet west of North County Road 1278); and approving a Public Service Plan. (DEVELOPMENT SERVICES)(First reading held on September 09, 2014.)(9323)
35. Consider an ordinance on second reading establishing the zoning classification of the area indicated as being a 2.35-acre tract of land out of Section 31, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, and a 36.14-acre tract of land out of Section 32, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, as a CE, Country Estate District; said tracts are generally located approximately 650 feet north of State Highway 191, and approximately 400 feet west of North County Road 1278; 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 September 09, 2014.)(9324)
36. Consider an ordinance on second reading changing the zoning use classification of the property described as the east 75 feet of the west 175 feet of the remainder of the south half of Block 16, Loma Linda Addition, Section 4, City and County of Midland, Texas (Generally located on the south side of West Oak Avenue, approximately 100 feet east of North Big Spring 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 September 09, 2014.)(9325)
37. Consider an ordinance on second reading changing the zoning use classification of the property described as a 3,932 square foot portion of Lot 1, Block 8, Polo

Park Addition, Section 3, City and County of Midland, Texas (Generally located northeast of the intersection of North Garfield Street and West Loop 250 North), 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 bar 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 September 09, 2014.)(9326)

38. Consider an ordinance on second reading amending Title XI, "Planning and Development", Chapter 2, "Plats and Subdivisions", Section 1, "General Provisions", Subsection (E), "Jurisdiction", of the City Code of Midland, Texas, by establishing Paragraph 9, so as to prohibit the issuance of septic permits for new or expanded septic systems for property for which a plat has not been approved; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine; and ordering publication. (DEVELOPMENT SERVICES)(First reading held on September 09, 2014.)(9327)
39. Consider an ordinance on second 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)(First reading held on September 09, 2014.)(9328)

PUBLIC HEARINGS

40. At approximately 10:30 A.M. hold a public hearing and consider a resolution authorizing the temporary use of land for an outdoor amusement function on Lots 7-9, Block 61, and a 150 foot Section of the 100 Block of South Carrizo Street, Original Town, City and County of Midland, Texas (Generally located northeast of the intersection of South Carrizo Street and West Missouri Avenue); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2014 - 358)
41. At approximately 10:33 A.M. hold a public hearing and consider a resolution authorizing the temporary use of land for a tent sale on a 27.31-acre portion of Lot 1, Block 17, Skyline Terrace, Unit 2, City and County of Midland, Texas (Generally located on the southwest corner of the intersection of West Loop 250 North and North Midkiff Road); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2014 - 359)

MISCELLANEOUS

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

EXECUTIVE SESSION

43. 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.