

CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
October 06, 2015 - 9:30 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 a presentation from Development Services on the status of the proposed zoning ordinance and the schedule for completion.

AGENDA FOR CITY COUNCIL MEETING

October 06, 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 Patrick Payton, Stonegate Fellowship
2. Pledge of Allegiance

PRESENTATIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Receive the Certificate of Achievement for Excellence in Financial Reporting.
 - b. Presentation of a Proclamation for National Night Out.
 - c. Presentation of a Proclamation for National Business Women's Week.

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 22, 2015.

6. Consider a resolution authorizing a new signatory and deleting certain signatories on Midland Municipal Court bank accounts. (FINANCE) (2015 - 331)
7. Consider a resolution authorizing the execution of a contract with a Rendon Ramirez Corporation dba RRC Construction, at a total cost of \$427,000.00, for the construction of a new enclosed stairwell at the Police and Communications Building; and appropriating funds. (PURCHASING) (2015 - 332)
8. Consider a motion authorizing the acceptance of reimbursement funds from the Texas Department of State Health Services in the following amounts for the following purposes: \$29,646.00 to assist the City of Midland Health and Senior Services Division (City) with the delivery of Refugee Immunization Services; \$150,358.00 to assist the City with the delivery of Immunization Services; \$111,630.00 to assist the City with the delivery of Local Public Health Services; \$102,190.00 to assist the City with the delivery of Public Health Emergency Preparedness Services; authorizing the City Manager or his designee to execute all necessary acceptance documents; and authorizing and directing the City Treasurer to deposit the funds into the General Fund. (COMMUNITY SERVICES) (084-2015)
9. Consider a resolution authorizing the acceptance of a 0.26-acre Utility Easement located in Lots 1 and 2, Block 2, West 191 Industrial Park, Section 3, Midland, Midland County, Texas, from One Ninety-One Properties, LLC; and ordering recordation by the City Secretary. (ENGINEERING SERVICES) (2015 - 333)
10. Consider a resolution authorizing the acceptance of a 0.005-acre Pedestrian Access and Traffic Control Easement located in Lot 1, Block 7, Providence Park, Section 3, Midland, Midland County, Texas, from Trinity School of Midland, Inc.; and ordering recordation by the City Secretary. (ENGINEERING SERVICES) (2015 - 334)
11. Consider a resolution authorizing the acceptance of a 0.358-acre Water Line Easement located in Section 4, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas, from Western-T Corporation; and ordering recordation by the City Secretary. (ENGINEERING SERVICES) (2015 - 335)
12. Consider a resolution approving the budget of the Midland Emergency Communication District for the Fiscal Year ending September 30, 2016. (POLICE) (2015 - 336)

SECOND READINGS

13. Consider an ordinance on second reading vacating and abandoning a 1.20-acre portion of Cotton Flat Road Right-of-Way adjacent to Lot 1, Block 1, Horseshoe Addition, City and County of Midland, Texas (Generally located northeast of Cotton Flat Road and South Garfield Street); adopting the appraisal by the City

Manager that the fair market value of said portion of Cotton Flat Road is less than or equal to the value of the west half of a 0.55-acre portion of North Baird Street adjacent to Blocks 38 and 39, Original Town Addition, City and County of Midland, Texas (Generally located between East Illinois Avenue and East Texas Avenue); retaining a general utility and access easement; providing that said vacation shall not be effective until said portion of North Baird Street is conveyed to the City of Midland; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES)(First reading held on August 25, 2015)(9467)

14. 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 1A, Block 2, Grandridge Park Addition, Section 6, 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 west side of the intersection of Holiday Hill Road and North Loop 250 West); 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 22, 2015)(9481)
15. 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 3.3095-acre tract of land out of Lot 1A, Block 2, Corporate Plaza Addition, Section 7, City and County of Midland, Texas, which is presently zoned PD, Planned District for a transition District, to be used as an LR-2, Local Retail District (Generally located on the north side of Spring Park Drive, approximately 200 feet east of North Big Spring Street); 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 22, 2015)(9482)
16. Consider an ordinance on second reading changing the zoning use classification of the property described as a 3.3095-acre portion of Lot 1A, Block 2, Corporate Plaza Addition, Section 7, City and County of Midland, Texas (Generally located on the north side of Spring Park Drive, approximately 200 feet east of North Big Spring Street), which is presently zoned PD, Planned District for a transition District, and for which application for a zone change has been made to use said property as an LR-2, Local Retail District, by permitting said property to be used under a Specific Use Permit without Term for an indoor shooting range; 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 22, 2015)(9483)

17. Consider an ordinance on second reading changing the zoning use classification of the property described as Lots 17 and 18, Blocks 17 and 18, Gardens Addition, City and County of Midland, Texas (Generally located on the northeast side of Andrews Highway, approximately 375 feet west of Kent Street), which is presently zoned LR-2, Local Retail District, by permitting said property to be used under a Specific Use Permit without Term for a kennel; 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 22, 2015)(9484)
18. 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 2.171-acre tract of land out of Section 19, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Housing Development, to be used as an MF-1, Multiple-Family Dwelling District (Generally located southwest of the intersection of Sunshine Parkway and Idlewilde 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 22, 2015)(9485)
19. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 2A, Block 3, Gateway Plaza Addition, Section 7, City and County of Midland, Texas (Generally located on the north side of Starboard Drive, approximately 820 feet east of 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 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 22, 2015)(9486)
20. 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 29.222-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 Lane and Holiday Hill Road); and approving a Public Service Plan. (DEVELOPMENT SERVICES)(First reading held on September 22, 2015)(9488)
21. Consider an ordinance on second reading establishing the zoning classification of the area indicated as being a 29.222-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 Lane and Holiday Hill 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)(First reading held on September 22, 2015)(9487)

PUBLIC HEARINGS

22. Hold a public hearing and consider a resolution authorizing the temporary use of land for a philanthropic event on the west 51.5 feet of Lot 5, all of Lots 6-10, and the east 22 feet of Lot 11, Block 8, Loma Linda Replat, City and County of Midland, Texas (Generally located on the north side of Scharbauer Drive, approximately 160 feet west of Barber Street); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2015 - 337)
23. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Lot 4, Block 16, Kelview Heights, City and County of Midland, Texas (Generally located on the west side of North Big Spring Street, approximately 120 feet north of Alta Avenue), 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; repealing Ordinance No. 9372; 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) (9489)

DEVELOPMENT SERVICES

24. Consider an ordinance amending Title IV, "Building Regulations", Chapter 1, "Building Code", of the City Code of the City of Midland, Texas, and adopting the 2015 International Building Code as the Building Code of the City of Midland, Texas, for the purpose of regulating the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition of buildings and structures or any appurtenance connected or attached to such building or structure; providing for the inspection of said buildings or structures, providing for the issuance of permits for the construction, alteration, repair, equipment, use and occupancy, removal and demolition of said buildings or structures and collection of inspection fees therefor; establishing minimum floor elevations for certain structures; containing a cumulative clause; containing a savings and severability clause; providing for a maximum fine or penalty of two thousand (\$2,000.00) dollars; and establishing an effective date of January 1, 2016; and ordering publication. (DEVELOPMENT SERVICES) (9490)

25. Consider an ordinance amending Title IV, "Building Regulations", Chapter 2, "Electrical Code", of the City Code of the City of Midland, Texas, and adopting the 2014 National Electrical Code, so as to make a comprehensive revision of the electrical code of the City of Midland, Texas; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); establishing an effective date of January 1, 2016; and ordering publication. (DEVELOPMENT SERVICES) (9491)
26. Consider an ordinance amending Title IV, "Building Regulations", Chapter 3, "Plumbing Code", of the City Code of the City of Midland, Texas, and adopting the 2015 International Plumbing Code as the plumbing code of the City of Midland for the purpose of regulating the installation, alteration, and maintenance of all piping and plumbing within the corporate limits of the City of Midland; providing for the inspection of said piping and plumbing; providing for the issuance of permits for the installation of said piping and the collection of inspection fees therefor; providing for the bonding of persons engaged in the business of installing, repairing and maintaining said piping or plumbing; providing for appeals; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); establishing an effective date of January 1, 2016; and ordering publication. (DEVELOPMENT SERVICES) (9492)
27. Consider an ordinance amending Title IV, "Building Regulations", Chapter 4, "Gas Code", of the City Code of the City of Midland, Texas, and adopting the 2015 International Fuel Gas Code as the gas code of the City of Midland; providing minimum standards, provisions and requirements for gas piping and appliances; providing for the issuance of permits for the installation of said piping and appliances and the collection of inspection fees therefor; providing for bonding of persons engaged in the business of installing, repairing and maintaining said piping and appliances; regulating use of existing piping and appliances; providing for certificates of approval for piping work; providing for appeals; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); establishing an effective date of January 1, 2016; and ordering publication. (DEVELOPMENT SERVICES) (9493)
28. Consider an ordinance amending Title IV, "Building Regulations", Chapter 10, "Mechanical Code", of the City Code of Midland, Texas, and adopting the 2015 International Mechanical Code as the mechanical code of the City of Midland for the purpose of providing minimum standards, provisions and requirements for safe installation and maintenance of mechanical systems within the corporate limits of the City of Midland, Texas; providing for the inspection of said mechanical systems; providing for the issuance of permits for the installation of said mechanical systems and the collection of inspection fees therefor; providing for appeals; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand

dollars (\$2,000.00); establishing an effective date of January 1, 2016; and ordering publication. (DEVELOPMENT SERVICES) (9494)

29. Consider an ordinance amending Title IV, "Building Regulations", Chapter 11, "Residential Code", of the City Code of the City of Midland, Texas, and adopting the 2015 Edition of the International Residential Code, as the residential building code for the City of Midland, Texas, for the purpose of regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses in the City of Midland, Texas, providing for the issuance of permits, the review of plans, the inspection of footings and foundations and framing, the collection of inspection fees therefor; providing for appeals; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); establishing an effective date of January 1, 2016; and ordering publication. (DEVELOPMENT SERVICES) (9495)
30. Consider an ordinance amending Title IV, "Building Regulations", Chapter 12, "Energy Code", of the City Code of the City of Midland, Texas, and adopting the 2015 International Energy Conservation Code as the energy code for the City of Midland, Texas, for the purpose of regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of the building envelope, mechanical, lighting and power systems; adopting local amendments; providing for appeals; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); establishing an effective date of January 1, 2016; and ordering publication. (DEVELOPMENT SERVICES) (9496)

MISCELLANEOUS

31. Consider a motion to approve a proposed final plat of Lone Star Trails, Section 4, being a 63.58-acre tract of land out of Section 12, Block 39, T-1-S, T & P RR Company Survey, City and County of Midland, Texas (Generally located on the east side of State Highway 349, approximately 200-feet north of Arapahoe Road.) (DEVELOPMENT SERVICES) (085-2015)
32. Consider an ordinance amending Title II, "Commissions and Boards", Chapter 1, "Planning and Zoning Commission", of the City Code of the City of Midland, Texas; providing for the appointment of seven members and a maximum of two alternate members of the City Planning and Zoning Commission (the "Commission"); establishing the qualifications of members and alternate members of the Commission; establishing the terms of appointment of members and alternate members of the Commission; providing that four members of the Commission shall constitute a quorum; containing a cumulative clause; containing a savings and severability clause; and ordering publication. (CITY ATTORNEY'S OFFICE) (9497)

33. Consider a motion making appointments to various boards and commissions.

EXECUTIVE SESSION

34. 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.