

CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
October 20, 2015 - 9:30 A.M.
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 an update from representatives of the Bush Tennis Center regarding annual activities and programs.

AGENDA FOR CITY COUNCIL MEETING
October 20, 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 - 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. Presentation of proclamation proclaiming November 2-6 2015 as Municipal Court'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 October 6, 2015.
6. Consider a resolution approving plans and specifications and authorizing advertisement for bids for twenty-two police vehicles for the Garage Division. (PURCHASING) (2015 - 338)

7. Consider a resolution approving plans and specifications and authorizing advertisement for bids for three heavy duty tandem axle cab and chassis for the Garage Division. (PURCHASING) (2015 - 339)
8. Consider a resolution approving the purchase of one automated cart refuse truck from Rush Truck Center El Paso at a total cost of \$273,196.00. (PURCHASING) (2015 - 340)
9. Consider a resolution authorizing the execution of a contract for the purchase and installation of three pivot irrigation systems and parts for use at the Spraberry Farm to the sole bidder, Lamesa Irrigation Company, of Lamesa, Texas, at a total cost of \$235,380.14. (PURCHASING) (2015 - 341)
10. Consider a resolution authorizing the execution of a contract for the purchase and installation of four complete new side wheel roll irrigation systems with 5/32" nozzles, ten 5" X 20' side wheel roll torque side wheel roll pipes complete with sprinkler, risers and levelers, and twenty 5" X 40' standard side wheel roll pipes complete with wheel, sprinkler, risers and levelers for use at the Spraberry Farm to the sole bidder, Mesa Irrigation Company, of Lamesa, Texas, at a total cost of \$76,996.00. (PURCHASING) (2015 - 342)
11. Consider a resolution approving the purchase of one Toro Reelmaster 5510 from Professional Turf Products, LP, at a total cost of \$51,181.61. (PURCHASING) (2015 - 343)
12. Consider a motion authorizing the execution of Car Rental Terminal Concession Agreements at Midland International Air & Space Port between The Hertz Corporation; The Hertz Corporation d/b/a Dollar Rent A Car and Thrifty Car Rental; EAN Holdings, LLC d/b/a Enterprise Rent-A-Car; EAN Holdings, LLC d/b/a National Car Rental and Alamo Rent A Car; Avis Rent A Car System, LLC; Avis Budget Car Rental, LLC (ABCR); and the City of Midland, Texas. (AIRPORTS) (086-2015)
13. Consider a motion ratifying and approving the City Manager's execution on behalf of the City of Midland the Texas Department of Transportation Airport Project Participation Agreement Amendment No. 1. (AIRPORTS) (087-2015)
14. Consider a resolution approving the issuance of a permit to High Sky Partners, LLC ("Operator") to drill an oil and gas well within the City Limits located 275 feet from the north line and 1,140 feet from the east line, Section 10, Block X, H.P. Hilliard Survey, City 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). (DEVELOPMENT SERVICES) (2015 - 344)
15. Consider a resolution approving the issuance of a permit to High Sky Partners, LLC ("Operator") to drill an oil and gas well within the City Limits located 275 feet

from the north line and 1,090 feet from the east line, Section 10, Block X, H.P. Hilliard Survey, City 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). (DEVELOPMENT SERVICES) (2015 - 345)

16. Consider a resolution approving the issuance of a permit to High Sky Partners, LLC ("Operator") to drill an oil and gas well within the City Limits located 275 feet from the north line and 1,240 feet from the east line, Section 10, Block X, H.P. Hilliard Survey, City 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). (DEVELOPMENT SERVICES) (2015 - 346)
17. Consider a resolution approving the issuance of a permit to High Sky Partners, LLC ("Operator") to drill an oil and gas well within the City Limits located 275 feet from the north line and 1,190 feet from the east line, Section 10, Block X, H.P. Hilliard Survey, City 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). (DEVELOPMENT SERVICES) (2015 - 347)
18. Consider a resolution authorizing the City Manager to execute, on behalf of the City of Midland, an instrument granting an approximate 5,999-square foot non-exclusive access easement located in Section 5, Block X, H.P. Hilliard Survey, City and County of Midland, Texas, to Kent Distributors Incorporated. (ENGINEERING SERVICES) (2015 - 348)
19. Consider a resolution authorizing the execution of a Public Improvement Development Agreement with Olivia Management, LLC for development of Indian Acres Addition, City and County of Midland, Texas (Generally located northwest of the intersection of Interstate Highway 20 and Lamesa Road); and allocating funds in the amount of \$55,500.00 therefor; said agreement being authorized by Section 395.081 of the Texas Local Government Code. (ENGINEERING SERVICES) (2015 - 349)
20. Consider a resolution authorizing the collection of pro rata fees pursuant to Section 11-6-6 of the Midland City Code to reimburse Olivia Management, LLC ("Developer") for the installation of a 12-inch water main to service Indian Acres Addition; the cost of the City participation shall be \$55,500.00; and Developer's share of the cost is \$129,501.40. (ENGINEERING SERVICES) (2015 - 350)
21. Consider a resolution authorizing the City Manager to acquire, on behalf of the City of Midland, any real property interests necessary or appropriate, by any instruments of conveyance necessary or appropriate, for the use and benefit of the public for street, road, pedestrian access, drainage and public utility purposes, and for any other ancillary public use as is usual and customary in connection therewith, from the intersection of Fairgrounds Road and Loop 250 to the intersection of Fairgrounds Road and Pecan Avenue; authorizing the City

Manager to obtain appraisals, negotiate, execute and file all documents necessary to acquire said real property interests, purchase title insurance policies and hold the closings for said acquisitions; authorizing payment for said real property interests, appraisals, title insurance policies and closing costs; and ordering the City Secretary to record, or ensure that the title company records, all instruments of conveyance. (ENGINEERING SERVICES) (2015 - 351)

SECOND READINGS

22. Consider an ordinance on second reading 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)
23. Consider an ordinance on second reading 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)(First reading held on October 6, 2015)(9490)
24. Consider an ordinance on second 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)(First reading held on October 6, 2015)(9491)

25. Consider an ordinance on second reading 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)(First reading held on October 6, 2015)(9492)
26. Consider an ordinance on second reading 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)(First reading held on October 6, 2015)(9493)
27. Consider an ordinance on second reading 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)(First reading held on October 6, 2015)(9494)
28. Consider an ordinance on second reading 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)(First reading held on October 6, 2015)(9495)

29. Consider an ordinance on second reading 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)(First reading held on October 6, 2015)(9496)
30. Consider an ordinance on second reading 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)(First reading held on October 6, 2015)(9497)

PUBLIC HEARINGS

31. 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 1A, Block 7, Claydesta Plaza, Section 3, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Transition District, to be used as an LR-3, Local Retail District (Generally located on the north side of West Wadley Avenue, approximately 240 feet west of Desta 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) (9498)

32. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Lot 1, Block 41, Fairmont Park Addition, Section 2, City and County of Midland, Texas (Generally located northeast of the intersection of West Loop 250 North and Holiday Hill 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 the sale of all alcoholic beverages in a bowling center 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) (9499)
33. 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 1, Block 11, Kimber Lea Addition, Section 11, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Recreation Center, to be used as an O-1, Office District (Generally located northeast of the intersection of Midkiff Road and Maxwell 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) (9500)

MISCELLANEOUS

34. Consider a motion on request by West Company of Midland, Inc. to defer public improvements for OMG Addition, and to waive the corresponding financial security guarantee valued at \$4.47 million, an amount equal to the estimated cost of construction. The subject property is generally located on the northwest corner of the intersection of Farm to Market Road 715 and East County Road 140, approximately 3 miles south of the City of Midland corporate limits in the ETJ, Midland County, Texas. (ENGINEERING SERVICES) (088-2015)
35. Consider a motion on request by Maverick Engineering, LLC to defer public improvements for Ruckus Addition, and to waive the corresponding financial security guarantee valued at \$240,944.00, an amount equal to the estimated cost of construction. The subject property is generally located on the southeast corner of the intersection of East Loop 250 North and Fairgrounds Road, in the City and County of Midland, Texas. (ENGINEERING SERVICES) (089-2015)
36. 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) (9501)

37. 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) (9502)
38. 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. 9473; 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) (9503)
39. Consider a resolution awarding a contract for the Briarwood Avenue Paving and Drainage Project to the sole bidder, Jones Bros. Dirt and Paving Contractors, Inc. of Odessa, Texas; authorizing the City Manager to approve and execute change orders that do not involve an increase of the total contract price; appropriating funds; and authorizing payment therefor. (ENGINEERING SERVICES) (2015 - 352)
40. Consider an ordinance amending Title VII, "Fire Regulations," Chapter 1, "Fire Prevention Code," of the Midland City Code; designating the Fire Marshal as the Fire Code Official; adopting the 2015 Edition of the International Fire Code with certain amendments as the Fire Prevention Code of the City of Midland, Texas; repealing Ordinance Number 9348 and all other ordinances or parts of ordinances which are in conflict with this ordinance; containing a cumulative clause; containing a savings and severability clause; establishing an effective date of January 1, 2016; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); providing an appeal process; and ordering publication. (FIRE) (9504)
41. Consider a motion making appointments to various boards and commissions.

EXECUTIVE SESSION

42. 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.