

**CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
October 23, 2012 - 9:00 AM**

City Hall 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 the Charlene Romero McBride of the Hispanic Cultural Center of Midland, regarding program updates and capital projects.
2. Receive an update regarding the Tradewinds Boulevard Status. (Cameron Walker)

AGENDA FOR CITY COUNCIL MEETING

October 23, 2012 – 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 Curtis Benninghoff, First United Pentecostal Church
2. Pledge of Allegiance

PRESENTATIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:

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 October 9, 2012.
 - b. Special Meeting of October 16, 2012.
6. Consider a resolution awarding a contract for the construction of the commons area fence at the Scharbauer Sports Complex to WR Construction, Incorporated, of Lubbock, Texas, at a total cost of \$194,000.00; and allocating funds. (GENERAL SERVICES) (2012 - 344)

7. Consider a resolution awarding a contract to provide and install seating at the Scharbauer Sports Complex to American Seating Company at a total cost of \$960,902.00. (GENERAL SERVICES) (2012 - 345)
8. Consider a resolution authorizing the execution of an agreement for the purchase of fertilizer of assorted types and in assorted volumes for operations at the Spraberry Farm, from Helena Chemical Company of Stanton, Texas, at an estimated total cost of \$114,750.00. (GENERAL SERVICES) (2012 - 346)
9. 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 \$505,000.00. (GENERAL SERVICES) (2012 - 347)
10. Consider a resolution establishing the dates of the regular City Council meetings to be held during the calendar year 2013; and changing the regular City Council meeting of December 11, 2012 to December 18, 2012. (CITY MANAGER'S OFFICE) (2012 - 348)
11. Consider a resolution appropriating funds from the General Liability Self-Insurance Fund to the Atmos rate review mechanism project (8923) in the amount of \$200,000.00; said funds represent reimbursement from Atmos for consulting/legal fees associated with the Steering Committee's analysis of their rate review mechanism costs; there is no impact to the General Fund. (CITY MANAGER'S OFFICE) (2012 - 349)
12. Consider a resolution authorizing the execution of an addendum to the agreement with Midland Sports, Incorporated for baseball park and office space at the Scharbauer Sports Complex. (COMMUNITY SERVICES) (2012 - 350)
13. Consider a motion on a request by Bradshaw and Associates, Inc. for Country Sky Addition (Section 16), to approve items requested for deferral in the amount of 18,745.00, and to waive the associated public improvement guarantee. (ENGINEERING SERVICES)
14. Consider a motion to create a one year blanket deferral for wastewater collection and paving improvements within the Country Sky Addition, and to waive the associated public improvement guarantee. (ENGINEERING SERVICES)
15. Consider a resolution authorizing the City Manager to advertise a request for qualifications for professional services for paving, utility and drainage improvements associated with the extension of Tradewinds Boulevard from Thomason Drive to the Gateway Plaza Addition; authorizing the City Manager to negotiate a professional services agreement for said services; and providing that said agreement shall not become effective until approved by the City Council. (ENGINEERING SERVICES) (2012 - 351)

16. Consider a resolution authorizing the City Manager to advertise a request for qualifications for professional services for the development of a drainage study for Midland Draw from "A" Street to Loop 349; authorizing the City Manager to negotiate a professional services agreement for said services; and providing that said agreement shall not become effective until approved by the City Council. (ENGINEERING SERVICES) (2012 - 352)
17. Consider a resolution authorizing the City Manager to advertise a request for qualifications for professional services for the development of a drainage study for Jal Draw from C.J. Kelly Park to Loop 349; authorizing the City Manager to negotiate a professional services agreement for said services; and providing that said agreement shall not become effective until approved by the City Council. (ENGINEERING SERVICES) (2012 - 353)
18. Consider a resolution of the City Council of the City of Midland, Texas, approving certain amendments to the General Orders of the Midland Police Department; and providing that the City Council is the policymaking authority of the City of Midland. (POLICE) (2012 - 354)
19. Consider a resolution appropriating \$78,000.00 to the re-evaluation of T-Bar and Paul Davis Well Fields Project and appropriating \$65,900.00 to the Spraberry Groundwater Project. (UTILITIES) (2012 - 355)

PUBLIC HEARINGS

20. 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 Lot 4A, Block 3, Westridge Park Addition, Section 15, 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 Tradewinds Boulevard, approximately 630 feet south of Andrews Highway); 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) (9074)
21. At approximately 10:33 A.M. hold a public hearing and consider resolution authorizing the temporary use of land for an outdoor amusement function on Lots 9 and 10, Block 2, Highland Addition, City and County of Midland, Texas (Generally located on the east side of North Big Spring Street, approximately 130 feet north of West Cuthbert Avenue); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2012 - 356)

MISCELLANEOUS

22. Consider an ordinance vacating and abandoning a 0.032-acre portion of West Ohio Street right-of-way adjacent to Lot 12, Block 26, Original Town Addition, City and County of Midland, Texas (Generally located on the southeast corner of the intersection of West Ohio Street and North Colorado Street); adopting the appraisal by the City Manager of \$2,100.00; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9075)
23. Consider a motion deferring consideration of the issuance of permits to RSP Permian, LLC to drill five (5) Oil and Gas Wells (#2603D, #2611D, #2612D, #2613D and #2614D) within the City limits, all located within Section 26, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas; and deferring consideration of the associated Road Repair Agreement and Right-of-Way License (Generally located on the south side of Briarwood Avenue, approximately 560 feet west of Roadrunner Trail). (DEVELOPMENT SERVICES)
24. Consider a motion making appointments to various Boards and Commissions.

EXECUTIVE SESSION

25. 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, Deliberation Regarding Economic Development Negotiations
 - a.1. Discuss business prospects that the City of Midland and/or the Midland Development Corporation 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.