

**CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
November 03, 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. Discuss continuing to receive Council approval to authorize advertisement for bids on budgeted items.
2. Receive and discuss a presentation on a proposed increase in water and sewer tap fees.

AGENDA FOR CITY COUNCIL MEETING
November 03, 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 Jon Slayden, Second Baptist 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. (Please limit comments to three minutes or less.)

CONSENT AGENDA

5. Consider a motion approving the following minutes:
 - a. Special meeting of October 19, 2015.
 - b. Regular meeting of October 20, 2015.
6. Consider a resolution authorizing the City Manager to advertise a Request for Qualifications for professional services for on call engineering services for the Utilities Department; authorizing the City Manager to negotiate Professional Services Agreements for said services; and providing that said agreements shall not become effective until approved by the City Council. (PURCHASING) (2015 - 353)

7. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the Edgewood Booster Station Rehabilitation East and West Ground Storage Tanks Water System Improvements Project for the Utilities Department. (PURCHASING) (2015 - 354)
8. Consider a resolution approving plans and specifications and authorizing advertisement for bids for four (4) multi-purpose athletic fields at the Scharbauer Sports Complex. (PURCHASING) (2015 - 355)
9. Consider a resolution approving the purchase of three (3) 29 cubic yard commercial side loader refuse truck bodies from Kann Manufacturing Corporation through the Houston-Galveston Area Council at a total cost of \$305,292.00. (PURCHASING) (2015 - 356)
10. Consider a resolution approving the purchase of one (1) Spartan four-door custom full tilt aluminum cab pumper, stainless steel body, single axle, 1,250 gallons per minute pump, mid-mounted fire truck from Metro Fire Apparatus Specialists, Inc., through the Houston-Galveston Area Council at a total cost of \$661,950.00. (PURCHASING) (2015 - 357)
11. Consider a resolution authorizing the execution of an Interlocal Agreement with the local government purchasing cooperative operating as the Education Service Center-Region 19 Allied States Cooperative. (PURCHASING) (2015 - 358)
12. Consider a motion approving a Memorandum of Understanding between the Federal Aviation Administration (FAA) and the City of Midland for a Preliminary Design Reimbursable Agreement for the Runway 16L/34R Extension at Midland International Air & Space Port in Midland, Texas, and that the sum of \$50,000 is hereby appropriated from the Airport Operating Fund (500500) Unappropriated Fund Balance (35650) to the FAA Preliminary Design Project (900200-500). (AIRPORTS) (090-2015)
13. Consider a resolution approving an Economic Development Agreement between the Midland Development Corporation and Tenaris Global Services (U.S.A.) Corporation, as authorized by Chapter 501 of the Texas Local Government Code. (CITY ATTORNEY'S OFFICE) (2015 - 359)
14. Consider a resolution establishing the dates of the regular City Council meetings to be held during the calendar year 2016. (CITY MANAGER'S OFFICE) (2015 - 360)
15. Consider a resolution authorizing the execution of an Independent Professional Consultant Contract with Frances Stapp to provide curator management and other services to the Heritage District. (COMMUNITY SERVICES) (2015 - 361)
16. 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, for the City of Midland Paving: Alleys, Streets, and Sidewalks ("Compass") Project from a point at or near the intersection of South Baird Street and East Gist Avenue to a point at or near the intersection of South Baird Street and East Longview Avenue; from a point at or near the intersection of South Fort Worth Street and East Gist Avenue to a point at or near the intersection of South Fort Worth Street and East Peck Avenue; from a point at or near the intersection of South Terrell Street and East Gist Avenue to a point approximately 150 feet south of the intersection of South Terrell Street and East Longview Avenue; from a point at or near the intersection of East Montgomery Avenue and South Fort Worth Street to a point at or near the intersection of East Montgomery Avenue and South Terrell Street; from a point at or near the intersection of West Montgomery Avenue and South Goode Street to a point at or near the intersection of West Montgomery Avenue and Rankin Highway; from a point at or near the intersection of East Hicks Avenue and South Terrell Street to a point at or near the intersection of East Hicks Avenue and South Lamesa Road; from a point at or near the intersection of East Taylor Avenue and South Mineola Street to a point at or near the intersection of East Taylor Avenue and South Lamesa Road; from a point at or near the intersection of West Rhode Island Avenue and Cotton Flat Road to a point at or near the intersection of West Rhode Island Avenue and South L Street; from a point at or near the intersection of West New Jersey Avenue and West Rhode Island Avenue to a point at or near the intersection of West New Jersey Avenue and South Garfield Street; from a point at or near the intersection of South N Street and West Florida Avenue to a point at or near the intersection of South N Street and West Carter Avenue; from a point at or near the intersection of East Longview Avenue and South Baird Street to a point at or near the intersection of East Longview Avenue and South Terrell Street; from a point at or near the intersection of West Stokes Avenue and South Main Street to a point at or near the intersection of West Stokes Avenue and South Baird Street; and from a point at or near the intersection of West Wolcott Avenue and South Belmont Street to a point at or near the intersection of West Wolcott Avenue and South Baird Street; 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 appraisals, real property interests, 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 - 362)

17. Consider a resolution appointing individuals to serve as volunteers to enforce parking restrictions as authorized by Chapter 681 of the Texas Transportation Code. (POLICE) (2015 - 363)

SECOND READINGS

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 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-2, 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)(First reading held on October 20, 2015.)(9498)
19. Consider an ordinance on second reading 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)(First reading held on October 20, 2015.)(9499)
20. 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 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)(First reading held on October 20, 2015.)(9500)
21. 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 October 20, 2015.)(9501)
22. Consider an ordinance on second reading 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)(First reading held on October 20, 2015.)(9502)

23. Consider an ordinance on second reading 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)(First reading held on October 20, 2015.)(9503)
24. Consider an ordinance on second reading 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)(First reading held on October 20, 2015.)(9504)

PUBLIC HEARINGS

25. Hold a public hearing regarding a proposed oil and gas permit to Trail Ridge Energy Partners II LLC (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Willow Lakes 191H) located 250 feet from the North line and 1,130 feet from the West line located in Section 19, Block 38, T-1-S, T&P RR. Co. Survey, City and County of Midland, Texas (Generally located off Fairground Road Extension and East Mockingbird Lane extension.) This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES) (091-2015)
26. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Lot 8, Block 2, Westridge Park Addition, Section 20, City and County of Midland, Texas (Generally located northwest of the intersection of Deauville Boulevard and North Loop 250 West), 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) (9505)

27. Hold a public hearing and consider an ordinance granting a Special Exception for Lot 2, Block 1, Quail Ridge Addition, Section 2, City and County of Midland, Texas (Generally located on the west side of Chukar Lane, approximately 400 feet north of East Business Interstate Highway 20), by permitting an encroachment into the required front yard setback for an accessory structure; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); ordering recordation by the City Secretary in the deed records of Midland County, Texas; and ordering publication. (DEVELOPMENT SERVICES) (9506)
28. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as a 2,316-square foot portion of Lot 15F, Block 40, Fairmont Park, Section 40, City and County of Midland, Texas (Generally located on the north side of West Wadley Avenue, approximately 250 feet west of Sagemont 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) (9507)
29. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as a 5.01-acre tract of land out of Lot 1, Block 14, Oxford Heights, Section 4, City and County of Midland, Texas (Generally located approximately 570 feet east of north Midland Drive and approximately 460 feet north of West Illinois Avenue), which is presently zoned LR-2, Local Retail District, by permitting said property to be used under a Specific Use Permit without Term for utility storage; 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) (9508)
30. Hold a public hearing and consider a resolution authorizing the temporary use of land for outdoor Christmas tree sales on Lot 1, Block 1, Scotsdale Addition, Section 2, City and County of Midland, Texas (Generally located on the west side of North Midland Drive, approximately 160 feet south of West Dengar Avenue); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2015 - 364)
31. Hold a public hearing and consider an ordinance amending Title V, "Business Regulations", of the City Code of Midland, Texas, by establishing Chapter 12, "Transportation Network Companies", so as to establish a program to register

and regulate transportation network companies within the City of Midland; negating and dispensing with the culpable mental state requirement; providing for a maximum penalty or fine of five hundred dollars (\$500.00); containing a cumulative clause; containing a savings and severability clause; ordering publication; and establishing an effective date of January 1, 2016. (CITY ATTORNEY'S OFFICE) (9509)

MISCELLANEOUS

- 32. Discuss and review the purpose, functions, composition and roles of the City of Midland Boards, Commissions, and Committees.
- 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 §551.072 Deliberation Regarding Real Property.
 - a.1. Discuss the sale, exchange, lease, or value of real property related to potential mineral leases on City of Midland property.

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.