

**CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
March 28, 2017 - 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 a presentation from staff regarding the Information Technology Roadmap.

AGENDA FOR CITY COUNCIL MEETING

March 28, 2017 – 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 to Senior Link for National Service Recognition Day.
 - b. Presentation of Proclamation to Negro Business and Professional Women's Club of Midland for Women History Day.

CONSENT AGENDA

4. Consider a motion approving the following minutes:
 - a. Regular meeting of February 28, 2017.
5. Consider a resolution awarding a contract for a retail study and analysis for the Development Services Department to Buxton Company of Fort Worth, Texas; appropriating \$50,000.00; and authorizing payment therefor. (PURCHASING) (2017 - 065)
6. Consider a resolution awarding a contract for the FY 2017 High Density Mineral Bond Surface Treatment Project to the sole bidder, Andale Construction, Inc., of Wichita, Kansas, at a total cost not to exceed \$863,468.67; and authorizing payment therefor. (PURCHASING) (2017 - 066)

7. Consider a resolution authorizing the execution of a Professional Services Agreement with Transmap Corporation for professional services in connection with the Pavement Condition Index Survey; and authorizing payment therefor in an amount not to exceed \$149,497.68. (PURCHASING) (2017 - 067)
8. Consider a resolution awarding a two-year service contract for dry cleaning services to Carrasco Corrales DC, LLC, dba Pristine Cleaners, of Midland, Texas, at a total cost of \$190,177.10. (PURCHASING) (2017 - 068)
9. Consider a resolution authorizing the purchase of 8,750 pounds of cotton seed and 36,000 pounds of hay grazer seed for Spraberry Farm from Helena Chemical Company, of Stanton, Texas, at a total cost of \$66,565.00. (PURCHASING) (2017 - 069)
10. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the Spraberry Farm and Plant Farm Improvements Project for the Utilities Department. (PURCHASING) (2017 - 070)
11. Consider a resolution authorizing the execution of Change Order Number One with TEC Excavation, Inc., regarding the Utility Extension Program 02; said change order to provide for additional work based on the unit prices in the contract; and authorizing payment therefor in an amount not to exceed \$340,000.00. (PURCHASING) (2017 - 071)
12. Consider a resolution authorizing the appropriation of \$23,845.00 from the Airport Operating Fund to the Access Control System Software and Cable Upgrade Project. (AIRPORTS) (2017 - 072)
13. Consider a resolution approving an Interlocal Agreement between the Midland Development Corporation and the University of Texas of the Permian Basin, as authorized by Chapter 791 of the Texas Local Government Code, to advertise or publicize the City of Midland for the purpose of developing new and expanded business enterprises. (CITY MANAGER'S OFFICE) (2017 - 073)
14. Consider a motion authorizing the acceptance of additional grant funds from the U.S. Committee for Refugees and Immigrants in the amount of \$54,360.00 to assist the Health and Senior Services Division with the delivery of Refugee Immunizations; and authorizing the execution of acceptance documents. (COMMUNITY SERVICES) (032-2017)
15. Consider a resolution authorizing the Midland Chamber of Commerce to hold the annual Star Spangled Salute at Hogan Park on July 4, 2017; and authorizing the sale and consumption of alcoholic beverages at said event. (COMMUNITY SERVICES) (2017 - 074)

16. Consider a resolution approving the transfer of a certain Oil and Gas Well Permit from Trail Ridge Energy Partners II LLC (“Operator”) to Lario Oil & Gas Company (“Transferee”); and approving the transfer of the Road Repair Agreement regarding said Oil and Gas Well Permit from Operator to Transferee; the oil and gas well being Willow Lakes 191H; said oil and gas well being located in Section 19, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the east side of the North Fairgrounds Road Extension, south of the Mockingbird Lane Extension). (DEVELOPMENT SERVICES) (2017 - 075)
17. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and Navitas Midstream Midland Basin, LLC, regarding City-owned property described as Section 44, Block 38, Township 1 South, T&P RR Co. Survey, Midland County, Texas. (ENGINEERING SERVICES) (2017 - 076)
18. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and Enterprise Crude Pipeline, LLC, regarding City-owned property described as Sections 5 and 8, Block 38, Township 2 South, T&P RR Co. Survey, Midland County, Texas. (ENGINEERING SERVICES) (2017 - 077)
19. 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 in any portion of Midland County that is located within approximately one-half mile east to approximately one-half mile west of that portion of Business State Highway 349-C that begins at Mockingbird Lane and ends at the northern boundary of Midland County, Texas; 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; appropriating and reallocating funds; 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 has recorded, all instruments of conveyance. (ENGINEERING SERVICES) (2017 - 078)

SECOND READINGS

20. Consider an ordinance on second reading changing the zoning use classification of the property described as a 109,130-square foot portion of the south half of the northwest quarter of Section 42, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the south side of State Highway 191, approximately 1,300 feet east of North FM 1788), 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 theater 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) (9644)

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) (9645)
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) (9646)

PUBLIC HEARINGS

23. Hold a public hearing and consider an annexation of a 120.625-acre tract of land out of Section 38, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of Arlington Road, approximately 1800 feet south of State Highway 191.) This annexation item is a public hearing only. (DEVELOPMENT SERVICES) (033-2017)
24. Hold a public hearing and consider an annexation of a 36.36 -acre tract of land out of Section 35, Block 40, T-1-S, T&P, RR Co. Survey, Midland County, Texas. (Generally located on the north side of Brandy Hill Road, approximately 330 feet east of State Highway 158.) This annexation item is a public hearing only. (DEVELOPMENT SERVICES) (034-2017)
25. 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 a 2.59-acre tract of land out of Block 6, John and Moran Addition, City and County of Midland, Texas, which is presently zoned 1F-1, One-Family Dwelling District, to be used as an LR-2, Local Retail District (Generally located west of the intersection of Andrews Highway and West Cuthbert Avenue); 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) (9647)

26. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Lot 25, Block 5, Ranchland Hills Addition, City and County of Midland, Texas (Generally located northeast of the intersection of Lincoln Street and Magnolia Avenue), which is presently zoned 2F, Two-Family Dwelling District, by permitting said property to be used under a Specific Use Permit Without Term for an accessory building to be used for living or sleeping quarters; 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) (9648)
27. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as a 2,241-square foot portion of Lot 3A, Block 1, Gateway Plaza, Section 9, City and County of Midland, Texas (Generally located southwest of the intersection of Starboard Drive and Liberty Drive), which is presently zoned LR-3, 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) (9649)
28. Hold a public hearing and consider a resolution authorizing the Temporary Use of Land for a Performance on Lots 2, 3, and 4, and a 0.30-acre portion of North Marienfeld Street right-of-way located adjacent to said lots, all out of Block 29, Original Town Addition, City and County of Midland, Texas (Generally located north of the intersection of North Marienfeld Street and West Illinois Avenue); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2017 - 079)

MISCELLANEOUS

29. Consider an ordinance of the City Council of the City of Midland, Texas, approving a negotiated resolution between the Atmos West Texas Cities Steering Committee (“WTX Cities”) and Atmos Energy Corp., West Texas Division (the “Company”) regarding the Company’s 2016 rate review mechanism (“RRM”) filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached tariffs to be just and reasonable and in the public interest; establishing a process for renegotiating the RRM Tariff in 2017; requiring the Company to reimburse WTX Cities’ reasonable ratemaking expenses; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this ordinance to the Company and the WTX Cities’ Legal Counsel. (CITY MANAGER’S OFFICE) (9650)

30. Consider a motion approving a proposed Preliminary Plat of The Park at 1788 South, Section 1, being a 111.92-acre tract of land out of Section 29, Block 40, T-2-S, T&P RR Co Survey, Midland County, Texas (Generally located on the east side of Farm-to-Market Road 1788, approximately 500-feet north of County Road 150 ETJ, Extraterritorial Jurisdiction). (DEVELOPMENT SERVICES) (035-2017)
31. Consider a motion on request by Aaron Burrell Land Surveyors, LLC to defer public paving, water, wastewater, sidewalk, and drainage improvements for Alex Taylor Addition, and to waive the corresponding financial security guarantee valued at \$66,814, an amount equal to the estimated cost of construction. The subject property is generally located approximately 325 feet north of the City of Midland corporate limits on the north side of Highway 80, approximately 3,000 feet west of the intersection with Tradewinds Boulevard, in Midland County, Texas. (ENGINEERING SERVICES) (036-2017)
32. Consider a resolution rejecting all proposals received in response to the Requests for Proposals for Leases of City-owned Minerals in the following locations: in approximately 337.08 acres out of Section 15, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located north of West Wadley Avenue, east of North Garfield Street, south of Loop 250, and west of North A Street); in approximately 114.37 acres out of Section 14, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located north of West Wadley Avenue, east of North A Street, south of Loop 250, and west of North Lamesa Road); in approximately 68.61 acres out of Section 22, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located north of West Golf Course Road, east of North Garfield Street, south of West Wadley Avenue, and west of North A Street); in approximately 9.11 acres out of Section 23, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located north of East Golf Course Road, east of North A Street, south of West Wadley Avenue, and west of North Lamesa Road); and in approximately 6.74 acres out of Section 26, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located north of Illinois Avenue, east of North A Street, south of East Golf Course Road, and west of North Lamesa Road); and authorizing the City Manager to re-issue Requests for Proposals for Leases of said Minerals. (PURCHASING) (2017 - 080)

PUBLIC COMMENT

33. Receive public comments where individuals may address the City Council on City related issues and projects not on the present agenda. 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.)

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.
 - a.2. Discuss the sale, exchange, lease, or value of real property described as Sections 2, 3, 4, 9, 10, 11, 13, 14 and 15, Block 37, T-3-S, T&P Ry. Co. Survey, Midland County, Texas.
 - b. Section 551.087 Deliberation Regarding Economic Development Negotiations
 - b.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.