

**CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
April 24, 2018 - 9:00 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 an update from Enprotec/Hibbs & Todd regarding the water distribution system.
2. Presentation of the 2017 Midland Police Department Traffic Contact report by Dr. Eric J. Fritsch, Ph.D., Professional Development Institute, University of North Texas.

AGENDA FOR CITY COUNCIL MEETING
April 24, 2018 – 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 Bob Pase, Grace Lutheran Church
2. Pledge of Allegiance

PRESENTATIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Receive a presentation from the Midland Association of Retired School Personnel regarding volunteer hours for 2017.

CONSENT AGENDA

4. Consider a motion approving the following minutes:
 - a. Regular meeting of April 10, 2018
5. Consider a resolution awarding a contract for the Water Pollution Control Plant Primary Treatment Rehabilitation Project to Red River Construction Co. in the amount of \$8,807,040.00; approving \$2,201,760.00 for contingencies; and appropriating funds therefor. (PURCHASING) (2018 - 141)
6. Consider a resolution ratifying and approving an Emergency Contract for the remediation of the Security Ball Park Suites in the amount of \$69,724.14 and an Emergency Contract for the repair of the Security Ballpark Suites in the amount of \$242,132.94 for a total cost of \$311,857.08. (PURCHASING) (2018 - 142)
7. Consider a resolution authorizing the City Manager to negotiate and execute a contract with NorthStar Utilities Solutions, an unincorporated division of N. Harris Computer, of Nepean, Ontario, Canada, for Utility Billing Software for the Finance Department, at a total cost not to exceed \$770,250.00; and authorizing

- payment therefor. (PURCHASING) (2018 - 143)
8. Consider a resolution authorizing the execution of Change Order Number One with Boler Equipment Service, Inc. regarding the Utility Extension Program 03 Project; said change order to provide for additional work based on the unit prices in the contract and in said Change Order Number One; and authorizing payment therefor in an amount not to exceed \$625,000.00. (PURCHASING) (2018 - 144)
 9. Consider a resolution authorizing the execution of Change Order Number One with Red Deer Construction, LLC regarding the Water, Wastewater, & Fire Hydrant Taps Expanded Program 04 Project; 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 \$175,000.00. (PURCHASING) (2018 - 145)
 10. Consider a resolution approving the purchase of two (2) brush trucks from Houston Freightliner through the Houston-Galveston Area Council at a total cost of \$482,170.00. (PURCHASING) (2018 - 146)
 11. Consider a resolution authorizing the issuance of a request for proposals for a Third Party Benefits Administrator for the Administrative Services Department; said request for proposals including Self-Insured Medical and Dental Claims Administration, Large Case Management/Precertification, Preferred Provider Organization, Pharmacy Benefit Manager Retail/Mail Order, and Section 125 Claims Administration. (PURCHASING) (2018 - 147)
 12. Consider a resolution approving the purchase of disaster recovery and business continuity products for the Communication and Information Systems Department from EST Group, LLC, through Buyboard at a total cost of \$297,125.00. (PURCHASING) (2018 - 148)
 13. Consider a resolution authorizing the City Manager to approve the plans and specifications and advertise for bids for the Business State Highway 349 (Big Spring Street) Drainage Basin Project; said project to provide for the construction or modification of detention basins located adjacent to Business State Highway 349 between Tejas Street and the northern boundary of Midland County. (PURCHASING) (2018 - 149)
 14. Consider a resolution awarding a contract for the purchase and installation of Console Furniture for the Communication and Information Systems Department to the sole proposer, Watson Furniture Group, Inc. of Poulsbo, Washington, at a total cost of \$146,639.78. (PURCHASING) (2018 - 150)
 15. Consider a resolution awarding a contract for the Lamesa and Longview Mill and Inlay Paving Project to Jones Bros. Dirt & Paving Contractors, Inc. of Odessa, Texas, at a total cost of \$1,250,772.47; and authorizing payment therefor. (PURCHASING) (2018 - 151)

16. Consider a resolution of the City of Midland, Texas, finding that the application of Oncor Electric Delivery Company, LLC (“Oncor”) for approval of a distribution cost recovery factor pursuant to 16 Tex. Admin. Code § 25.243 to increase distribution rates within the City should be denied; finding that the city’s reasonable rate case expenses shall be reimbursed by Oncor; finding that the meeting at which this resolution is passed is open to the public as required by law; and authorizing and directing the City Secretary to send copies of this resolution to Oncor and legal counsel for the Steering Committee. (CITY MANAGER’S OFFICE) (2018 - 152)
17. Consider a motion approving a proposed Preliminary Plat of Lone Star Trails, Section 11 being a 272.86-acre tract of land in Section 7, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located northeast of the intersection of Arapahoe Road and Fairgrounds Road.) (DEVELOPMENT SERVICES) (039 - 2018)
18. Consider a motion to approve a proposed Preliminary Plat of Parsley Addition, being a 66.929-acre tract of land out Section 12, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located northwest of the intersection of East County Road 120 and FM 715 - Extraterritorial Jurisdiction.) (DEVELOPMENT SERVICES) (040 - 2018)
19. Consider a resolution authorizing, approving and consenting to the Downtown Midland Management District’s annexation of approximately 0.442 acres of land and the inclusion thereof within the boundaries of the Downtown Midland Management District, said land being the south 220 feet of Block 60 1/2, Original Town Addition, and the north 65 feet of Lots 10, 11, and 12, Block 15, West End Addition, City and County of Midland, Texas. (DEVELOPMENT SERVICES) (2018 - 153)
20. Consider a resolution appropriating \$10,950,000.00 from the 2018 Road Bond Fund (178) unappropriated fund balance account (53650) to various projects. (ENGINEERING SERVICES) (2018 - 154)
21. Consider a resolution authorizing the execution of Change Order Number One with Onyx General Contractors, LLC regarding the Fiscal Year 2018 Midland Citywide Concrete Program; said change order to provide for vehicular and pedestrian traffic improvements associated with road bond projects at or near the intersection of Illinois Avenue and C Street, along Texas Avenue between N Street and M Street, and at or near the intersection of Thomason Drive and Wall Street; and authorizing payment therefor in an amount not to exceed \$250,000.00. (PURCHASING) (2018 - 155)
22. Consider a motion on request by Wireline Accessories and Sales, LLC to defer water, and reconfirm deferral of wastewater, paving and sidewalk improvements

for Ranchland Acres, Section 4, and to waive the corresponding financial security guarantee valued at \$328,128.00, an amount equal to the estimated cost of construction. The subject property is generally located on the south side of Interstate 20 approximately 400 feet west of Midland Drive, within the corporate limits of the City of Midland, Midland County, Texas. (ENGINEERING SERVICES) (041 - 2018)

23. Consider a resolution authorizing the execution of an instrument terminating the Public Improvement Development Agreement with Wireline Accessories and Sales, LLC for water distribution and wastewater collection improvements to Ranchland Acres Addition, Section 4, Midland County, Texas. (ENGINEERING SERVICES) (2018 - 156)
24. Consider a motion on request by Maverick Engineering to waive roadway pro-rata assessed by Resolution No. 2014-063 for Bush Tennis Center, Section 2 (Opportunity Park) valued at \$89,464.00, an amount equal to the plat frontage of 424 linear feet times the \$211.00 per linear feet pro-rata assessment. The subject property is generally located on the north side of Briarwood Avenue approximately 2,470 feet west of Holiday Hill, adjacent to the corporate limits of the City of Midland, Midland County, Texas. (ENGINEERING SERVICES) (042 - 2018)
25. Consider a resolution approving a Municipal Maintenance Agreement with the State of Texas to provide for the maintenance, control, supervision and regulation of certain state highways and portions of state highways in the City of Midland; approving an amendment to said Municipal Maintenance Agreement to provide for the furnishing, installing, operation and maintenance of cameras on state highway rights-of-way to monitor compliance with traffic-control signals; authorizing and directing the City Manager to execute said Municipal Maintenance Agreement and said amendment; and authorizing and directing the City Secretary to certify this resolution to the State of Texas and to transmit the executed Municipal Maintenance Agreement and amendment to the State of Texas. (ENGINEERING SERVICES) (2018 - 157)
26. Receive the 2017 Midland Police Department Racial Profiling Analysis. (POLICE) (043 - 2018)
27. Consider a resolution authorizing the execution of a right-of-way license between the City of Midland and Endeavor Energy Resources, LP, regarding City-owned property described as Sections 5 and 6, Block 39, Township 2 South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES) (2018 - 158)
28. Consider a resolution authorizing the execution of a right-of-way license between the City of Midland and Endeavor Energy Resources, LP, regarding City-owned property described as Sections 4 and 9, Block 39, Township 2 South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES) (2018 - 159)

29. Consider a resolution authorizing the execution of a right-of-way license between the City of Midland and Endeavor Energy Resources, LP, regarding City-owned property described as Section 8, Block 39, Township 2 South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES) (2018 - 160)

SECOND READINGS

30. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 3, Block 45, Fairmont Park Addition, Section 13, City and County of Midland, Texas (generally located on the south side of West Loop 250 North, approximately 750 feet west of Henry Koontz 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 movie 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)(First reading held April 10, 2018.)(9754)
31. Consider an ordinance on second reading granting a special exception for Lot 27, Block 1, Country Sky Addition, Section 20, City and County of Midland, Texas (generally located on the west side of Coyote Trail, approximately 659 feet south of Briarwood Avenue), by permitting a detached accessory structure of a size that exceeds the total finished area of the principal structure and by permitting a metal skin exterior on a detached accessory structure that exceeds 400 square feet in area; 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)(First reading held April 10, 2018.)(9755)
32. 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 April 10, 2018.)(9757)
33. 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 April 10, 2018.)(9758)

PUBLIC HEARINGS

34. 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 1, Camelot Addition, City and County of Midland, Texas, which is presently zoned AE, Agriculture Estate District, to be used as an O-1, Office District (generally located on the west side of Elkins Road, approximately 610 feet north of East County Road 72); 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) (9759)
35. Hold a public hearing and consider a resolution authorizing the temporary use of land for an arts festival on Lots 9 through 12, Block 65, a 0.28-acre portion of North Colorado Street right-of-way adjacent to Blocks 55 and Block 56, a 0.25-acre portion of South Colorado Street right-of-way adjacent to Blocks 64 and 65, and a 0.87-acre portion of West Wall Street right-of-way adjacent to Blocks 55, 56, 64, and 65, Original Town Addition, and Block 55, Original Town Addition, Section 14, City and County of Midland, Texas (generally located at the intersection of North Colorado Street and West Wall Street); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2018 - 161)

MISCELLANEOUS

36. Consider a resolution granting a variance for a 26.92-acre tract of land out of Section 24, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (generally located northeast of the intersection of Briarwood Avenue and Avalon Drive), by permitting construction of commercial buildings and multiple-family residences where no portion of any structure is closer than 250 feet of an oil and gas well; and authorizing issuance of building permits. (DEVELOPMENT SERVICES) (2018 - 162)
37. 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 26.92-acre tract of land out of Section 24, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, which is presently zoned FD, Future Development District, to be used as a PD, Planned District for a Shopping Center (generally located northeast of the intersection of Briarwood Avenue and Avalon 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 April 10, 2018.)(9756)

38. Consider a motion approving a proposed Preliminary Plat of SCP Midland West, being a 26.92-acre tract of out of Section 24, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (generally located at the northeast intersection of Briarwood Avenue and Avalon Drive). (DEVELOPMENT SERVICES) (044 - 2018)

PUBLIC COMMENT

39. 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

40. 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.