

**CITY OF MIDLAND, TEXAS
AGENDA FOR CITY COUNCIL MEETING
May 22, 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 - Senior Pastor Steve Schorr, First Presbyterian Church
2. Pledge of Allegiance

PRESENTATIONS

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

CONSENT AGENDA

4. Consider a motion approving the following minutes:
 - a. Regular meeting of May 8, 2018
5. Consider a resolution awarding a Professional Services Agreement for the construction of a new animal shelter to Quorum Architects, Inc., in the amount of \$476,200.00; and appropriating funds therefor. (PURCHASING) (2018 - 179)
6. Consider a resolution authorizing and approving a reduction of the authorized budgets for the 2015 Senior Nutrition Program by \$10,000.00, the 2015 Greenwood Development Project by \$20,000.43, the 2016 OHAP Major Program by \$20,000.00, the 2014 OHAP Major Program by \$19,000.00, and the 2016 Contingency by \$30,000.00, an increase of the authorized budget for the CDBG 2017 Greenwood Infrastructure Improvement Project by \$99,000.43, and the transfer of funds to effect the same. (DEVELOPMENT SERVICES) (2018 - 180)
7. Consider a resolution awarding a contract for the Fiscal Year 2018 Community Development Block Grant Sidewalk Project to Speedcrete, Inc. in the amount of \$429,100.00; approving \$5,784.63 for contingencies; and authorizing payment therefor. (PURCHASING) (2018 - 181)

8. Consider a resolution approving the selection of Maverick Engineering; Parkhill, Smith & Cooper, Inc.; and Kimley-Horn and Associates, Inc. to assist the Engineering Services Department by providing professional engineering services, architecture services, landscape architecture services, land surveying services, real estate appraising services, and services provided in connection therewith on an as-needed basis; authorizing the negotiation and execution of a professional services agreement with each firm; providing that each agreement shall be for a term not to exceed three years; authorizing the negotiation and execution of task orders in accordance with such agreements; providing that the payment for each task order executed in accordance with such an agreement shall not exceed \$150,000.00; providing that the total cost to the City for all task orders executed each year in accordance with each agreement shall not exceed \$300,000.00 per agreement per year; and authorizing payment therefor. (PURCHASING) (2018 - 182)
9. Consider a resolution approving an agreement with NewEdge Services, LLC of Frisco, Texas, for the sole source purchase of Cityworks Server and ArcGIS Enterprising Cloud Hosting Services at a total cost not to exceed \$51,000.00. (PURCHASING) (2018 - 183)
10. Consider a resolution approving an agreement with Azteca Systems, LLC of Sandy, Utah, for the sole source purchase of Cityworks Software Licensing and Maintenance at a total cost of \$185,218.00. (PURCHASING) (2018 - 184)
11. Consider a resolution approving the purchase and delivery of flexible base caliche for the Transportation Division from CSA Materials, Inc., through TxSmartBuy at a total cost of \$68,710.50. (PURCHASING) (2018 - 185)
12. Consider a resolution approving the purchase of five hundred fifty (550) tons of Gypsum from BWI Companies, Inc., for the Spraberry Farm and Plant Farm at a total cost of \$144,210.00. (PURCHASING) (2018 - 186)
13. Consider a resolution authorizing a contract for the purchase and installation of a modular restroom facility at Dennis the Menace Park from Restroom Facilities Ltd. through Buyboard at a total cost of \$152,246.00. (PURCHASING) (2018 - 187)
14. Consider a resolution approving the purchase and installation of equipment to outfit twenty-two (22) police-package vehicles for the Garage Division from Cap Fleet Upfitters, LLC, through Buyboard at a total cost of \$331,193.17. (PURCHASING) (2018 - 188)
15. Consider a resolution authorizing the execution of a contract with Boler Equipment Services, Inc., in an amount not to exceed \$189,300.00 for the Lavatory Disposal Station and Concrete Pavement Project at Midland

International Air & Space Port; and appropriating funds for said project. (AIRPORTS) (2018 - 189)

16. Consider a resolution authorizing the Midland Chamber of Commerce to hold the annual Star Spangled Salute at Hogan Park on July 4, 2018; and authorizing the sale and consumption of alcoholic beverages at said event. (COMMUNITY SERVICES) (2018 - 190)
17. Consider a resolution accepting a grant award from the Texas "J" Regional Advisory Council in the amount of \$14,774.00, for funds to be used by the Midland Fire Department for training, equipment, and supplies. (FIRE) (2018 - 191)
18. Consider a resolution authorizing the acceptance of an approximate 0.68-acre Drainage Easement located in Section 12, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas; and ordering recordation by the City Secretary. (ENGINEERING SERVICES) (2018 - 192)
19. Consider a resolution creating a Capital Improvements Advisory Committee and establishing duties, qualifications, terms of office, methods for filling vacancies, and related organizational matters. (ENGINEERING SERVICES) (2018 - 193)
20. Consider a resolution authorizing the City Manager to execute, on behalf of the City of Midland, an instrument granting a utility easement and right-of-way located in an approximate 0.015-acre tract of land and an approximate 0.017-acre tract of land out of Section 44, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas, to Oncor Electric Delivery Company LLC. (CITY MANAGER'S OFFICE) (2018 - 194)

SECOND READINGS

21. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 13, Block 41, Belmont Addition, Section 24, City and County of Midland, Texas (generally located on the southeast corner of the intersection of South Rankin Highway and West Stokes Avenue), 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 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)(First reading held May 8, 2018)(9760)
22. Consider an ordinance on second reading changing the zoning use classification of the property described as a 4,189-square foot portion of Lot 4A, Block 1, North

Park Addition, Section 5, City and County of Midland, Texas (generally located at the northeast corner of the intersection of North Midkiff Road and West Loop 250 North), 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)(First reading held May 8, 2018)(9761)

23. 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 161, and Lot 2A, Block 165, Wilshire Park Addition, Section 9, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Housing Development, to be used as an Amended Planned District (generally located at the southeast corner of the intersection of South Loop 250 West and Leisure 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 May 8, 2018)(9762)
24. 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 18E, Block 14, Briarwood Addition, Section 20, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Shopping Center, to be used as an LR-2, Local Retail District (generally located at the northwest corner of the intersection of Briarwood Avenue and Northcrest 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 May 8, 2018)(9763)
25. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 1, Block 93, Permian Estates, Section 3, City and County of Midland, Texas (generally located on the west side of Thomason Drive, approximately 320 feet south of Anetta 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) (9764)

26. 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 2, Block 12, Kelview Heights, City and County of Midland, Texas, which is presently zoned PD, Planned District for an Office and Shopping Center as a Transition District, to be used as an LR-2, Local Retail District (generally located on the west side of North Big Spring Street, approximately 100 feet south of West Pine 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) (9765)
27. 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 6A, Block 2, Westridge Park Addition, Section 24, 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 east side of Westridge Boulevard, approximately 445 feet north of Deauville Boulevard); 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) (9766)
28. Consider an ordinance on second reading changing the zoning use classification of the property described as Lots 1 and 2, Block 24, Moody Addition, City and County of Midland, Texas (generally located on the southwest corner of East Illinois Avenue and North Lee Street), 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 bar and lounge 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) (9767)

PUBLIC HEARINGS

29. 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 the east half of Block 32, the south 75 feet of the southwest quarter of Block 32, Block 36, and the east half of Block 49, Homestead Addition, Lot 1, Block 32, Homestead Addition, Section 5, and Lot 1, Block 37, Homestead Addition, Section 11, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Transition District, in part, O-1, Office District, in part, and O-2, Office District, in part, to be used as a C-1, Central Area District (generally located southwest of the intersection of North Pecos Street and West Louisiana 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) (9768)

30. Hold a public hearing and consider an ordinance vacating and abandoning a 0.138-acre portion of alley right-of-way located in Block 36, Homestead Addition, City and County of Midland, Texas (generally located approximately 140 feet east of San Angelo Street, between West Michigan Avenue and West Tennessee Avenue); adopting the appraisal by the City Manager of \$7,514.00; retaining a nonexclusive utility easement; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9769)
31. Hold a public hearing and consider an ordinance vacating and abandoning a 0.551-acre portion of the San Angelo Street right-of-way located adjacent to Blocks 35 and 36, Homestead Addition, City and County of Midland, Texas (generally located south of the intersection of San Angelo Street and West Michigan Avenue); adopting the appraisal by the City Manager of \$30,000.00; retaining a utility easement; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9770)
32. Hold a public hearing and consider an ordinance vacating and abandoning a 0.26-acre portion of West Tennessee Avenue right-of-way located adjacent to Blocks 36 and 49, Homestead Addition, City and County of Midland, Texas (generally located west of the intersection of West Tennessee Avenue and South Carrizo Street); adopting the appraisal by the City Manager of \$14,000.00; retaining a nonexclusive utility easement; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9771)
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 7, Block 2, Amaron Addition, City and County of Midland, Texas, which is presently zoned LR-2, Local Retail District, to be used as an O-2, Office District (generally located on the east side of Camp Drive, approximately 250 feet north of Crump Street); 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) (9772)
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 Lots 1 and 2, Block 64, Permian Estates, City and County of Midland, Texas, which is presently zoned 1F-2, One-Family Dwelling District, to be used as an O-1, Office District (generally located at the southeast corner of the intersection of Thomason Drive and South Midland 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) (9773)

35. Hold a public hearing and consider a resolution authorizing the temporary use of land for a church family fair on Lot 1A, Block 19, Midland Heights Addition, Section 4, City and County of Midland, Texas (generally located southwest of the intersection of West Dakota Avenue and Camp Street); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2018 - 195)
36. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as a 6,052-square foot portion of Lot 1B, Block 2, Corporate Plaza Addition, Section 18, City and County of Midland, Texas (generally located north of Spring Park Drive, approximately 363 feet east of North Big Spring Street), 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) (9774)
37. 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 28, Plantation Hills, Section 14, 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 south side of Faulkner Drive, approximately 170 feet west of North Garfield Street); 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) (9775)
38. Hold a public hearing and consider a resolution authorizing the Temporary Use of Land for a Music Festival on a 0.70-acre portion of South Loraine Street right-of-way adjacent to Blocks 65, 66, 85, and 86, and a 0.51-acre portion of West Missouri Avenue right-of-way adjacent to Blocks 65, 66, 85, and 86, Original Town Addition, City and County of Midland, Texas (generally located at the intersection of South Loraine Street and West Missouri Avenue); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2018 - 196)

MISCELLANEOUS

39. Consider an ordinance amending the official Municipal Budget for Fiscal Year 2017-2018 in order to provide additional funds to the Animal Services Division; the additional funding provided will be used to cover increased animal care costs. (COMMUNITY SERVICES) (9776)

PUBLIC COMMENT

- 40. 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

- 41. 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 described as approximately 2,642 acres, being all of Sections 33, 34 and 36, Block 38, T-1-S, T&P RR Co. Survey, Martin County, Texas, and portions of Sections 5 and 8, Block 38, T-1-S, T&P RR Co. Survey, Martin and Midland Counties, Texas.

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.