

**CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
May 10, 2016 - 9:00 AM
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 by Verizon Wireless regarding Small Cells and possible locations.
2. Receive a presentation from Scott Hibbs of Enprotec Hibbs & Todd regarding the West Texas Water Partnership.

AGENDA FOR CITY COUNCIL MEETING
May 10, 2016 – 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 Robert 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. Proclamation presentation for Children's Mental Health Awareness Day
 - b. Presentation of Proclamation for Willy Nilly and Thumper Book Launch
 - c. Proclamation presentation for Police Memorial Week
 - d. Presentation of proclamation for South East Senior Center Day

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. Regular Meeting of April 26, 2016.

6. Consider a resolution authorizing the execution of a contract for the Airport Landscaping Project at the Midland International Air & Space Port Terminal Building to the sole bidder, Clint CO Corporation, of Midland, Texas, at a total cost of \$66,974.00. (PURCHASING) (2016 - 135)
7. Consider a resolution approving the purchase of three (3) Poweredge M630 Blade Servers and four (4) Dell Force10 MXL 10/40 GBE DCB blade switches from Dell Marketing, LP, through the Texas Department of Information Resources at a total cost of \$99,559.70. (PURCHASING) (2016 - 136)
8. Consider a resolution authorizing the execution of a Professional Services Agreement with Parkhill, Smith & Cooper, Incorporated, to provide consulting services for the first phase of the Dennis the Menace Park Renovation Project. (PURCHASING) (2016 - 137)
9. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the Fiscal Year 2016 Miscellaneous Concrete Program; said program will provide for the completion of various tasks for which concrete is needed. (PURCHASING) (2016 - 138)
10. Consider a resolution authorizing the issuance of a request for proposals for primary depository / banking services and secondary depository services; said request for proposals will provide for the selection of a bank to perform as the primary depository for the investment of City Funds and source of commercial banking services, and for the selection of a bank or banks to perform as a secondary depository or depositories for the investment of City Funds. (PURCHASING) (2016 - 139)
11. Consider a resolution authorizing the execution of Amendment Number One to the Professional Services Agreement with Parkhill, Smith & Cooper, Incorporated, for Professional Engineering and Architectural Services at the Midland International Air & Space Port and Midland Airpark Airport; said amendment to include projects described as the Reconstruct Runway 16L/34R, Terminal Building Checkpoint Queuing Expansion, and Airpark New Hangar Development Planning; and appropriating necessary funds. (AIRPORTS) (2016 - 140)
12. Consider a resolution approving an amendment to the permit issued to RSP Permian, L.L.C. ("Operator") to drill an oil and gas well within the City limits located 230 feet from the north line and 830 feet from the west line, Section 10,

Block X, H.P. Hilliard Survey, City and County of Midland, Texas (Generally located 806 feet east of North Garfield Street and 1,095 feet north of Passage Way Extension); said amendment authorizing two frac pit locations. (DEVELOPMENT SERVICES) (2016 - 141)

13. Consider a resolution authorizing the appropriation of funds in the amount of \$49,082.00 from the CDBG Contingency to the 2015-2016 Homebuyer Assistance Program. (DEVELOPMENT SERVICES) (2016 - 142)
14. Consider a resolution authorizing the execution of a Public Improvement Development Agreement with Real Property Resources, Inc. for Development of Lone Star Trails Addition, Sections 1, 2 and 5, City and County of Midland, Texas (Generally located on the east side of North Big Spring Street, approximately 2.2 miles North of Loop 250); and authorizing payment in the amount of \$195,837.40 therefor; said agreement being authorized by Section 395.081 of the Texas Local Government Code. (ENGINEERING SERVICES) (2016 - 143)
15. 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; authorizing and directing the City Manager to execute said agreement; and authorizing and directing the City Secretary to certify this resolution to the state of Texas and to transmit the executed agreement to the State of Texas. (ENGINEERING SERVICES) (2016 - 144)
16. Consider a resolution authorizing the City Manager to execute, on behalf of the City of Midland, an instrument granting a 0.038-acre utility easement and right-of-way located in Lot 4, Block 5, Westridge Park Addition, Section 6, City and County of Midland, Texas (Generally located on the north side of Champions Drive, approximately 0.25 miles west of Loop 250), to Oncor Electric Delivery Company LLC. (ENGINEERING SERVICES) (2016 - 145)
17. Consider a resolution authorizing the acceptance of a 62-square foot pedestrian access easement and a 122-square foot pedestrian access easement located in Lot 1A, Block 40, Belmont Addition, Section 18, Midland, Midland County, Texas; and ordering recordation by the City Secretary. (ENGINEERING SERVICES) (2016 - 146)

18. 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 from a point at or near the intersection of Business State Highway 158 (Andrews Highway) and Woodcrest Drive to a point at or near the intersection of Sinclair Avenue and Lindora Way; 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, 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) (2016 - 147)

19. Consider a resolution authorizing an Interlocal Agreement between the City of Midland, Texas and the City of San Angelo, Texas regarding cooperation between the Midland Fire Department and the San Angelo Fire Department for the completion of training required by the Texas Commission on Fire Protection Course on aircraft rescue and fire fighting. (FIRE) (2016 - 148)

SECOND READINGS

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 1A, Block 20, Northgate Addition, Section 25, City and County of Midland, Texas, which is presently zoned LR-1, Local Retail District, to be used as an LR-2, Local Retail District (Generally located on the east side of Holiday Hill Road, approximately 240 feet south of Briarwood 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)(First reading held on April 26, 2016)(9558)

21. Consider an ordinance on second reading changing the zoning use classification of the property described as a 2,831-square foot portion of Lot 5, Block 1, Amaron Addition, Section 7, City and County of Midland, Texas (Generally located on the north side of West Interstate Highway 20, approximately 400 feet east of Johnston 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)(First reading held on April 26, 2016)(9559)

22. 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 64.96-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 1F-1, One-Family Dwelling District (Generally located on the east side of Avalon Drive, approximately 1,800 feet north of Briarwood 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)(First reading held April 26, 2016)(9560)
23. Consider an ordinance on second reading adopting a site plan for Lot 1, Block 10, Arbor Park Addition, Section 5, City and County of Midland, Texas (Generally located southwest of the intersection of Sunshine Parkway and Idlewilde Drive); subject to certain conditions and restrictions; 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 26, 2016)(9561)
24. Consider an ordinance on second reading changing the zoning use classification of the property described as a 4,300-square foot portion of Lots 21-25, Block 82, Permian Estates Addition, City and County of Midland, Texas (Generally located on the north side of West Wall Street, approximately 600 feet west of Fasken 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 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 April 26, 2016)(9562)
25. Consider an ordinance on second reading vacating and abandoning a 2.20-acre portion of a utility easement located in Lots 1, 2 and 14, Block 8, Sunridge Ranch Estates, Section 3, City and County of Midland, Texas (Generally located northwest of the intersection of North County Road 1240 and West County Road 44); adopting the appraisal by the City Manager of \$89,100.00; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES)(First reading held April 26, 2016)(9563)

26. Consider an ordinance on second reading granting a special exception for tract 4, less the south 31.3 feet, Parker Acres Addition, City and County of Midland, Texas (Generally located on the west side of Todd Drive, approximately 400 feet south of East Golf Course Road), by permitting a detached accessory building that is not incidental to another permitted use; 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 26, 2016)(9564)
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 a 7.00-acre tract of land out of Section 5, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, which is presently zoned AE, Agriculture Estate District, to be used as a PD, Planned District for a Transition District (Generally located on the west side of North Elkins Road, approximately 100 feet north of Crownridge 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 26, 2016)(9565)
28. Consider an ordinance on second reading changing the name of the portion of Northrup Drive that is adjacent to Lot 6, Block 1, and Lot 1, Block 2, Park Place Addition, Section 2, City and County of Midland, Texas (Generally located between Princeton Avenue and the southern terminus of Northrup Drive), to "Silver Star Way"; containing a cumulative clause; containing a savings and severability clause; and directing the City Secretary to send the Midland Emergency Communications District a certified copy of this ordinance. (ENGINEERING SERVICES)(First reading held April 26, 2016)(9566)

PUBLIC HEARINGS

29. Hold a public hearing regarding a proposed oil and gas permit to XTO Energy Inc. (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Robbie 2401BH) located 802 feet from the west line and 255 feet from the north line located in Section 24, Block 40, T-1-S, T&P RR Co. Survey, City of Midland and County of Midland, Texas (Generally located 645 feet east of Avalon Drive and 255 feet south of West Mockingbird Lane extension.) This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES) (050-2016)
30. 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 2, Block 10, Lynside Addition, Section 3, City and County of Midland, Texas, which is presently zoned LR-2, Local Retail District, to be used as an LR-3, Local Retail District (Generally located southeast of the intersection of East Scharbauer Drive and North Lamesa Road); 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) (9567)

31. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Lot 7, less the west five feet, and Lots 8, 9 and 10, Block 20, Belmont Addition, City and County of Midland, Texas (Generally located northeast of the intersection of Rankin Highway and West Francis Avenue), 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) (9568)
32. 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 45, Fairmont Park Addition, Section 10, 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 North Midland Drive, approximately 390 feet north of Fairbanks 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) (9569)
33. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as a 500-square foot portion of Lot 1, Block 1, Claydesta Plaza North, Section 4, City and County of Midland, Texas (Generally located southwest of the intersection of West Loop 250 North and 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) (9570)

34. Hold a public hearing and consider a resolution authorizing the temporary use of land for a carnival on Lots 1a, 7 and 8, Block 17, Skyline Terrace, Unit 7, City and County of Midland, Texas (Generally located on the south side of West Loop 250 North, approximately 300 feet west of North Midkiff Road); and making said permit subject to certain special conditions and restrictions contained herein; and providing that the chief of police shall ensure that all participants are licensed pursuant to Title V, Chapter 9 of the Midland City Code. (DEVELOPMENT SERVICES) (2016 - 149)
35. At approximately 7:00 p.m. hold a public hearing regarding the Fiscal Year 2016/2017 Community Development Block Grant funding application request. This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES) (051-2016)

MISCELLANEOUS

36. Consider a motion on a proposed preliminary plat of Bynum School Addition, being a 64.96-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 on the east side of Avalon Drive, approximately 1800-feet north of Briarwood Avenue.) (DEVELOPMENT SERVICES) (052-2016)
37. Consider an ordinance amending Title V, "Business Regulations", Chapter 12, "Transportation Network Companies", of the City Code of Midland, Texas, so as to amend the 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 June 1, 2016. (CITY MANAGER'S OFFICE) (9571)

EXECUTIVE SESSION

38. 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.