

**CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
April 25, 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 Engineering Services regarding updates to the "Jal and Midland Draw Watershed Study" prepared by Freese and Nichols, Inc.

AGENDA FOR CITY COUNCIL MEETING
April 25, 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 - Pastor Roy Smith, True Lite Christian Fellowship
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 2016.

CONSENT AGENDA

4. Consider a motion approving the following minutes:
 - a. Regular meeting of April 11, 2017
5. Consider a resolution authorizing the purchase of four (4) trash compactor wheels for the Garage Division from Terra Compactor Wheel Corporation, of Sheboygan, Wisconsin, at a total cost of \$82,760.00. (PURCHASING)(*Deferred from April 11, 2017 meeting.)(2017 - 087)
6. Consider a resolution awarding a contract for the Fiscal Year 2017 Community Development Block Grant Sidewalk Project to Onyx General Contractors, LLC of Midland, Texas, at a total cost of \$397,136.00; and authorizing payment therefor. (PURCHASING) (2017 - 109)
7. Consider a resolution approving the sole source purchase agreement for Neptune Water Meters and associated parts for the Customer Service Division of the Finance Department from HD Supply Waterworks, Ltd., at a total cost not to exceed \$500,000.00. (PURCHASING) (2017 - 110)

8. Consider a resolution approving the sole source purchase of sixty-five (65) MSA Safety, Inc., Self-Contained Breathing Apparatus (SCBA) Composite Cylinders and sixty-five (65) MSA Safety, Inc., SCBA Quick-Connect Adapters for the Fire Department from Casco Industries, Inc., at a total cost of \$57,655.00. (PURCHASING) (2017 - 111)
9. Consider a resolution approving the purchase of equipment to outfit twelve (12) police vehicles for the Garage Division from Cap Fleet Upfitters, LLC, through Buyboard at a total cost of \$170,102.97. (PURCHASING) (2017 - 112)
10. Consider a motion in support of the Safe2Save mobile app to encourage safe driving habits in Midland. (CITY MANAGER'S OFFICE) (038-2017)
11. Consider a resolution authorizing the submission of a nomination form for the Texas Department of Transportation's 2017 Transportation Alternatives Set-Aside Program in order to fund the construction of downtown pedestrian and bicycle infrastructure improvements on Loraine Street, Main Street, Texas Avenue, and Illinois Avenue; said program provides for a grant of Federal funds administered by the Texas Department of Transportation under which 80% of the cost would be funded by Federal funds and 20% of the cost would be funded by the City of Midland. (DEVELOPMENT SERVICES) (2017 - 113)
12. Consider a resolution approving an Economic Development Agreement between the Midland Development Corporation and the City of Midland for the expansion of Business State Highway 349-C, as authorized by Chapter 501 of the Texas Local Government Code. (ENGINEERING SERVICES) (2017 - 114)
13. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and Navigator BSG Transportation and Storage, LLC, regarding City-owned property described as Section 9, Block 37, Township 3 South, T&P RR Co. Survey, Midland County, Texas. (ENGINEERING SERVICES) (2017 - 115)

SECOND READINGS

14. Consider an ordinance on second reading changing the zoning use classification of the property described as a 3,152-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 beer and wine 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 11, 2017.)(9651)

15. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 1-F, Block 5, correction plat of Colony Place, Section 5, City and County of Midland, Texas (Generally located on the south side of West Wadley Avenue, approximately 670 feet east of North Garfield 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 11, 2017.)(9652)
16. Consider an ordinance on second reading changing the zoning use classification of the property described as the west 12.15 feet of Lot 3, and Lot 4, less the west 3 feet, Block 3, Scotsdale Addition, Section 3, City and County of Midland, Texas (Generally located on the north side of Cimmaron Avenue, approximately 165 feet east of Mark Lane), which is presently zoned 1F-2, One-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)(First reading held on April 11, 2017.)(9653)
17. Consider an ordinance on second reading extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City limits, being 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 1,800 feet south of State Highway 191); and approving a public service plan. (DEVELOPMENT SERVICES)(First reading held on April 11, 2017.)(9654)
18. Consider an ordinance on second reading extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City limits, being a 35.77-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); and approving a public service plan. (DEVELOPMENT SERVICES)(First reading held on April 11, 2017.)(9655)

PUBLIC HEARINGS

19. 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 8, Block 17, Skyline Terrace, Unit 7, 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 West Loop 250 North, approximately 720 feet west of North Midkiff 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) (9656)
20. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Lot 1-H, Block 5, correction plat of Colony Place, Section 5, City and County of Midland, Texas (Generally located southeast of the intersection of West Wadley Avenue and North Garfield Street), which is presently zoned LR-2, Local Retail District, by permitting said property to be used under a Specific Use Permit Without term for a Wireless Communication System; 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) (9657)
21. 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 2D, Block 33, Correction Plat of Northgate Addition, Section 21, 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 north side of West Loop 250 North, approximately 500 feet west of North 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) (9658)
22. Hold a public hearing and consider an ordinance establishing the zoning classification of the area indicated as being a 35.77-acre tract of land out of Section 35, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, as a 1F-1, One-Family Dwelling District; said tract is generally located on the north side of Brandy Hill Road, approximately 330 feet east of State Highway 158; 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) (9659)
23. 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 2, 349 Ranch Estates, 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 southeast of the intersection of North State Highway 349 and Tejas); 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) (9660)

24. Hold a public hearing and consider an ordinance establishing the zoning classification of the area indicated as being a 120.625-acre tract of land out of Section 38, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, as a 1F-3, One-Family Dwelling District; said tract is generally located on the west side of Arlington Road, approximately 1,800 feet south of State Highway 191; 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) (9661)
25. Hold a public hearing and consider an ordinance granting a special exception for 120.625-acre tract of land out of Section 38, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the west side of Arlington Road, approximately 1,800 feet south of State Highway 191), by permitting a reduced rear yard setback; 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) (9662)
26. 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) (2017 - 116)

MISCELLANEOUS

27. Consider a motion approving a preliminary plat of Grassland Estates West, Section 10, being a 35.77-acre tract of land out of Section 35, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located north of the intersection of Brandy Hill Road and Mosswood Drive). (DEVELOPMENT SERVICES) (039-2017)
28. Consider a motion approving a proposed Preliminary Plat of Legacy Addition, Section 5, being a 120.625-acre tract of land out of Section 38, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the west side of Arlington Road, approximately 1780-feet south of State Highway 191 ETJ, Extraterritorial Jurisdiction). (DEVELOPMENT SERVICES) (040-2017)

PUBLIC COMMENT

29. 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

30. 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 purchase, exchange, lease, or value of real property described as Lots 5 and 6, Block 49, East Midland Addition, City and County of Midland, Texas; a 10-acre tract located in Block 87, East Midland Addition, City and County of Midland, Texas; a 25-acre tract located in the southeast quarter of Section 2, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas; and a 160-acre tract located in Sections 17 and 19, Block 37, T-2-S, T&P RR Co. Survey, Midland County, Texas.
 - b. Section 551.071, Consultation with Attorney
 - b.1. Discuss a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code.

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.