

AGENDA FOR CITY COUNCIL MEETING
May 23, 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:
4. Presentation of a Proclamation to XTO Energy Inc.

CONSENT AGENDA

5. Consider a motion approving the following minutes:
 - a. Regular meeting of May 9, 2017
 - b. Special meeting of May 9, 2017
 - c. Special meeting of May 10, 2017
 - d. Special meeting of May 16, 2017
6. Consider a resolution authorizing new signatories to City of Midland bank accounts. (FINANCE) (2017 - 133)
7. Consider a resolution amending the authorized representatives of the City of Midland, Texas, regarding investments of public funds; adding Mark Gonzales, Comptroller, as an authorized representative of the City of Midland on the Texas Local Government Investment Pool, Texpool/Texpool Prime; and Pam Simecka, Shelby Zuniga, and Mala Ramkissoon shall be authorized representatives of the City of Midland. (FINANCE) (2017 - 134)

8. Consider a resolution authorizing the execution of a Professional Services Agreement with Parkhill, Smith & Cooper, Inc., for Water Storage Tank Inspection Services for the Utilities Department. (PURCHASING) (2017 - 135)
9. Consider a resolution appropriating \$500,000.00 from the 2014 CO Fund Unappropriated Fund Balance to the Disaster Recovery Site Project. (CISD) (2017 - 136)
10. Consider a resolution approving an Advance Funding Agreement between the Midland Development Corporation and the Texas Department of Transportation for a Highway Safety Improvement Project to provide for the construction of main lanes and interchanges on system at the intersection of Loop 250 and County Road 1150 in Midland County, Texas. (CITY MANAGER'S OFFICE) (2017 - 137)
11. Consider a resolution authorizing the acceptance of a 0.316-acre drainage easement located in Section 2, Block 39, T-2-S, T&P RR Co. Survey, Midland, Midland County, Texas; and ordering recordation by the City Secretary. (ENGINEERING SERVICES) (2017 - 138)
12. Consider a resolution appropriating unclaimed or abandoned funds in the amount of \$17,531.00 to the Police Equipment and Technology Project (800922). (POLICE) (2017 - 139)

SECOND READINGS

13. Consider an ordinance on second reading 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)(First reading held on May 9, 2017.)(9662)
14. Consider an ordinance on second reading changing the zoning use classification of the property described as the east 75 feet of the west 175 feet of the remainder of the south half of Block 16, Loma Linda Addition, Section 4, City and County of Midland, Texas (Generally located on the south side of West Oak

Avenue, approximately 122 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)(First reading held on May 9, 2017.)(9663)

15. Consider an ordinance on second reading changing the zoning use classification of the property described as a 2,250-square foot portion of Block 1, replat of Blocks 1 and 2, Imperial Heights Addition, City and County of Midland, Texas (Generally located on the south side of West Wadley Avenue, approximately 270 feet east of North Midkiff Road), 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 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 May 9, 2017.)(9664)

PUBLIC HEARINGS

16. Hold a public hearing and consider a resolution authorizing the Temporary Use of Land for a festival and concert on Lot 4, Block 5, Westridge Park Addition, Section 6, City and County of Midland, Texas (Generally located northeast of the intersection of Tradewinds Boulevard and Champions Drive); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2017 - 140)
17. Hold a public hearing and consider an ordinance on first reading granting a special exception for Lots 7, 8, 9, and 10, Gardens Addition, Block 27, City and County of Midland, Texas (Generally located northwest of the intersection of West Illinois Avenue and Sunset Street), by permitting a reduced front 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) (9665)

18. Hold a public hearing and consider an ordinance on first reading granting a special exception for Lot 2, Block 1, Rocking M Ranch Addition, City and County of Midland, Texas (Generally located northeast of the intersection of Todd Drive and East County Road 77), by permitting the use of a manufactured home as a fixed dwelling; 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) (9666)
19. Hold a public hearing and consider a resolution authorizing the temporary use of land for a family festival and concert on Hogan Park, City and County of Midland, Texas (Generally located northeast of the intersection of North Lamesa Road and East Wadley Avenue); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2017 - 141)
20. Hold a public hearing and consider an ordinance on first reading granting a special exception for Lot 7, Block 5, Urbandale Addition, City and County of Midland, Texas (Generally located northeast of the intersection of North J Street and Douglas Avenue), by permitting a reduced side 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) (9667)
21. Hold a public hearing and consider an ordinance on first reading changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting Lot 2-A, Block 3, Corporate Plaza, Section 19, 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 south of Spring Park Drive, approximately 348 feet west of Edwards 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) (9668)
22. Hold a public hearing and consider an ordinance on first reading changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting Lot 4, Block 8, Brookshire Village Addition, Section 3, and a 2.4109-acre tract of land out of the west half of the southeast quarter of Section 14, Block 39, T-1-S, T&P RR Co. Survey, 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 northwest of the intersection of Fiesta Avenue and Edwards 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) (9669)

23. Hold a public hearing and consider an ordinance on first reading changing the zoning classification by amending Chapter One, Title XI, of the City Code of Midland, Texas, by permitting a 7.19-acre tract of land out of Sections 1 and 2, Block X, H.P. Hilliard Survey, 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 southeast of the intersection of Solomon Lane and North Big Spring 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) (9670)
24. Hold a public hearing and consider an ordinance on first reading vacating and abandoning 28.725 acres of right-of-way within Pavilion Park Addition, Section 2, City and County of Midland, Texas (Generally located southeast of the intersection of Mockingbird Land and Stonebridge Drive); adopting the City Manager's determination that the fair market value of said right-of-way is exceeded by the fair market value of 33.271 acres to be dedicated by the property owner to the City for right-of-way and drainage purposes; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9671)

MISCELLANEOUS

25. Consider an ordinance on first reading amending Title X, "Traffic Regulations", Chapter Four, "Traffic Control Devices", Section 11, "School Zones and Crossings", of the Midland City Code, so as to retitle Section 11 as "School Zones" and to designate each school zone within the City and regulate the speed and movement of traffic therein; authorizing and directing the Traffic Engineer to install appropriate signs and markings; repealing Ordinance No. 9595; 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) (9672)
26. Consider a motion selecting a backfill option for the site of the former Midland County Courthouse; authorizing the City Manager to execute a change order or other appropriate agreement therefor; and authorizing payment therefor from currently available funds. (041-2017) (PURCHASING)

PUBLIC COMMENT

27. 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.)

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.