

AGENDA FOR CITY COUNCIL MEETING
July 10, 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 - 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:

CONSENT AGENDA

4. Consider a motion approving the following minutes:
 - a. Regular meeting of June 26, 2018
5. Consider a resolution amending the authorized representatives of the City of Midland, Texas, regarding investments of Public Funds; adding Seth Boles, 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) (2018 - 236)
6. Consider a resolution authorizing the execution of a listing order with Real Estate One - Bill Scott to provide Real Estate Broker Services for the sale of City-owned property described as Lot One-A (1A), Block Forty-One (41), Original Town Addition, an addition to the City of Midland, Midland County, Texas. (PURCHASING) (2018 - 237)
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 Core & Main, LP, at a total cost not to exceed \$1,039,237.00. (PURCHASING) (2018 - 238)

8. Consider a resolution awarding a contract for the Business State Highway 349 Drainage Basins Project to Onyx General Contractors, LLC of Midland, Texas, at a total cost of \$943,725.50; and authorizing payment therefor. (PURCHASING) (2018 - 239)
9. Consider a resolution awarding a contract for the Woodcrest Drive Paving Project to Reece Albert, Inc. of Midland, Texas, at a total cost of \$663,646.10; and authorizing payment therefor. (PURCHASING) (2018 - 240)
10. Consider a resolution authorizing the execution of a Professional Services Agreement for Engineering Services with Enprotec/Hibbs & Todd, for the Wadley Elevated Storage Tank Improvements Project for a fee that shall not exceed \$135,000.00; and authorizing payment therefor. (PURCHASING) (2018 - 241)
11. Consider a resolution approving the purchase of a three-year renewal of the Microsoft Volume Enterprise Agreement from SHI Government Solutions, Inc. of Austin, Texas, through the Texas Department of Information Resources, for the Communication and Information Systems Department at a total cost of \$249,705.79 per year; and authorizing payment therefor. (PURCHASING) (2018 - 242)
12. Consider a resolution authorizing issuance of a Request for Proposals for Wrecker and Impound Services for the City of Midland's Garage Division. (PURCHASING) (2018 - 243)
13. Consider a resolution ratifying and authorizing payment to Red Deer Construction, LLC for emergency replacement and installation at Shell Tower in the amount of \$58,595.27. (PURCHASING) (2018 - 244)
14. Consider a motion authorizing payment of \$65,164.96 to Quality Systems, Inc. DBA NextGen Healthcare for the Electronic Medical Records System for the Health Department. (PURCHASING) (061-2018)
15. Consider a resolution approving specifications and authorizing advertisement for bids for the purchase of two (2) Class 4 1,500-gallon Aircraft Rescue Fire Fighting Trucks for Station 7 at Midland International Air & Space Port. (AIRPORTS) (2018 - 245)
16. Consider a resolution authorizing the execution of a contract with Foreman Electric in an amount not to exceed \$1,182,681.79 for construction improvements associated with the Access Control and CCTV Upgrade Project at Midland International Air & Space Port; approving the amount of \$118,268.00 for contingencies; and appropriating funds for said project. (AIRPORTS) (2018 - 246)

17. Consider a resolution authorizing the Mayor, City Manager, and City Attorney to accept and execute an amendment to Federal Aviation Administration (“FAA”) Grant Number 56 in the amount of \$105,071.00 upon receipt from the FAA; said grant-amendment funding will refund the Department of Airports for extra costs associated with work performed on the Rehabilitate Runways 10/28, 16R/34L and Taxiways Project at the Midland International Air & Space Port; said funds are to be deposited in the Airport Fund Rehabilitate Runways 10/28, 16R/34L and Taxiways Project upon receipt; and appropriating additional funds to the Airport Fund Rehabilitate Runways 10/28, 16R/34L and Taxiways Project. (AIRPORTS) (2018 - 247)
18. Consider a resolution authorizing the execution of an agreement with Rock the Desert Ministries, Incorporated, as authorized by Chapter 351 of the Texas Tax Code; finding that said agreement is for the promotion of tourism and the hotel and motel industry; finding that the funds provided under said agreement shall be expended in a manner directly enhancing and promoting tourism and the hotel and motel industry; and providing that approval of the agreement is not to be construed or interpreted as endorsing the message or activities promoted by Rock the Desert Ministries, Incorporated. (CITY SECRETARY'S OFFICE) (2018 - 248)
19. Consider a resolution authorizing the execution of an Advance Funding Agreement with the State of Texas, acting by and through the Texas Department of Transportation (“TxDOT”), for the Midland-Downtown Bike/Ped Infrastructure Project (the “Project”); said Project to provide for the construction of downtown bicycle and pedestrian enhancements; appropriating funds; authorizing payment to TxDOT therefor in an estimated amount of \$125,408.00 plus 100% of overruns; and authorizing and directing the City Secretary to certify a copy of this resolution to TxDOT. (DEVELOPMENT SERVICES) (2018 - 249)
20. Consider a resolution authorizing the City of Midland to accept a donation in the amount of \$2,500.00 from the West Texas National Bank for the Community Development Block Grant’s Minor Repair Program. (DEVELOPMENT SERVICES) (2018 - 250)
21. Consider a motion approving a proposed preliminary plat of Chase Five Addition being a plat of 41.945-acre tract of land out of T.F. Spencer Survey A-592, Midland County, Texas, (generally located on the east side of Farm-to-Market 1213, approximately 225 feet south of East County Road 132 - Extraterritorial Jurisdiction). (DEVELOPMENT SERVICES) (062-2018)
22. Consider a resolution granting Permian Basin Public Telecommunications, Incorporated, doing business as Basin PBS (“PBS”), a three-month extension of time to complete certain improvements to the property known as Ritz Theater; said improvements being required under the Economic Development Agreement by and between the Midland Tax Increment Reinvestment Zone No. 1 and PBS and approved by the City of Midland. (DEVELOPMENT SERVICES) (2018 - 251)

23. Consider a resolution authorizing the City of Midland in conjunction with Midland County to accept the Fiscal Year 2017 Justice Assistance Grant Funds totaling \$30,190.00; the City of Midland will receive \$18,114.00 (60%) and Midland County will receive \$12,076.00 (40%) of the grant funds; authorizing the execution of acceptance documents; and appropriating funds. (POLICE) (2018 - 252)
24. Consider a resolution authorizing the execution of a Sanitary Sewer Discharge License Agreement with Holly Energy Partners-Operating, L.P., for the purpose of disposing of wastewater at Commemorative Air Force, 9600 Wright Drive, Midland, Texas. (UTILITIES) (2018 - 253)

SECOND READINGS

25. Consider an ordinance on second reading changing the zoning use classification of the property described as a 2,957-square foot portion of the west 1.5 feet of Lot 3, Lots 4 through 6, and the east 24.25 feet of Lot 7, Block 65, Original Town Addition, City and County of Midland, Texas (generally located on the south side of West Wall Street, approximately 170 feet east of South Colorado Street), which is presently zoned C-1, Central Area 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 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 June 26, 2018.)(9781)
26. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 8, Block 44, Fairmont Park Addition, Section 27, City and County of Midland, Texas (generally located on the east side of West Loop 250 North, approximately 233 feet south 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 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 June 26, 2018.)(9782)
27. Consider an ordinance on second reading changing the zoning use classification of the property described as a 3,645-square foot portion of Lot 1, Block 2, ClayDesta Plaza, City and County of Midland, Texas (generally located on the east side of Desta Drive, approximately 235 feet north of West Wadley Avenue), which is presently zoned PD, Planned District for Mixed Use (office and retail), 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 June 26, 2018.)(9783)

28. 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 0.712-acre tract of land out of Section 7, 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 1F-3, One-Family Dwelling District (generally located west of Fairgrounds Road, approximately 927 feet north of Arapahoe 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)(First reading held June 26, 2018.)(9784)
29. Consider an ordinance on second reading adopting a site plan for Tract 25, replat of Terrace Gardens Addition, City and County of Midland, Texas (generally located on the north side of West Illinois Avenue, approximately 890 feet east of North Powell Street); 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 June 26, 2018.)(9785)
30. Consider an ordinance on second reading granting a special exception for Lot 3, Block 20, 349 Ranch Estates, Section 3, City and County of Midland, Texas (generally located on the west side of Cisco Street, approximately 340 feet south of Arapahoe Road), 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)(First reading held June 26, 2018.)(9786)
31. Consider an ordinance on second reading amending Title X, "Traffic Regulations", Chapter Four, "Traffic Control Devices", Section 11, "School Zones", of the Midland City Code, so as 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. 9672; 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 June 26, 2018.)(9787)

PUBLIC HEARINGS

32. Hold a public hearing regarding the proposed granting of an oil and gas well permits to Parsley Energy Operations, LLC, for the drilling of oil and gas wells, being Hogan 1-24-2805H located 2,370 feet from the south line and 2,226 feet from the west line, Hogan 1-24-4205H located 2,400 feet from the south line and 2,226 feet from the west line, Hogan #H4305H located 2,430 feet from the south line and 2,226 feet from the west line, Hogan 1-24-2807H located 2,370 feet from the south line and 2,386 feet from the west line, Hogan 1-24-4207H located 2,400 feet from the south line and 2,386 feet from the west line, and Hogan 1-24-4307H located 2,430 feet from the south line and 2,386 feet from the west line Section 1, Block X, H.P. Hilliard Survey, City and County of Midland, Texas, (said wells are generally located between 2,226 feet and 2,386 feet east of Lamesa Road and between 2,125 feet and 2,185 feet north of Loop 250). This is a public hearing only. (DEVELOPMENT SERVICES) (063-2012)
33. Hold a public hearing regarding the proposed granting of an oil and gas well permit to Permian Deep Rock Oil Co., LLC, for the drilling of an oil and gas well, being Charger #H155UH located 110 feet from the south line and 720 feet from the west line Section 3, Block 39, T-2-S, T&P RR. CO. Survey, City and County of Midland, Texas, (generally located between 782 feet east of South Garfield Street and 327 feet north of West County Road 111). This is a public hearing only. (DEVELOPMENT SERVICES) (064-2018)
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 15, Block 2, and Lot 1, Block 3, Adobe Meadows, Section 2, City and County of Midland, Texas, which is presently zoned LR-2, Local Retail District, in part, and MF-1, Multiple-Family Dwelling District, in part, to be used as a PD, Planned District for a Housing Development (generally located at the northeast corner of the intersection of Mockingbird Lane and 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) (9788)
35. Hold a public hearing and consider an annexation of a 15.83-acre tract of land located in Section 35, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, (generally located at on the northeast corner of the intersection of North County Road 1247 and West State Highway 158 - Extraterritorial Jurisdiction). This is a public hearing only. (DEVELOPMENT SERVICES) (065-2012)
36. Hold a public hearing and consider an ordinance extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City limits, being a 43.97-acre tract of land out of the east half of Section 18, Block 40, T-1-S, and a 6.66-acre tract of land out of east half of Section 18 and the

southwest quarter of Section 8, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas (generally located on the west side of South FM 1788, approximately 187 feet north of West County Road 127); approving a Public Service Plan; and ordering publication. (DEVELOPMENT SERVICES) (9789)

37. Hold a public hearing and consider an ordinance extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City limits, being a 3.31-acre tract of land out of Section 24, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas (generally located on the north side of Briarwood Avenue, approximately 2,460 feet west of Holiday Hill Road); approving a Public Service Plan; ordering publication; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9790)

MISCELLANEOUS

38. Consider a motion making appointments to various Boards and Commissions.

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.)

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.