

**CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
February 09, 2016 - 9:30 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. Presentation of the 2015 Midland Police Department Traffic Contact report by Dr. Eric J. Fritsch, Ph.D., Professional Development Institute, University of North Texas.

AGENDA FOR CITY COUNCIL MEETING
February 09, 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
2. Pledge of Allegiance

PRESENTATIONS

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

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 January 26, 2016.
6. Consider a resolution approving the purchase of twenty-one (21) Panasonic Laptops with corresponding three (3) year warranties for police vehicles for the Garage Division from PCMG, Incorporated, through Buyboard at a total cost of \$86,571.87. (PURCHASING) (2016 - 032)
7. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the Fiscal Year 2016 Mill and Inlay Project; said project will provide for the removal and replacement of two to five inches of asphalt pavement on certain roadway sections. (PURCHASING) (2016 - 033)

8. Consider a resolution authorizing the execution of a contract with Basin Electric & Technology of Midland, Texas, for the Aircraft Ramp Lighting System Improvements Project (7146) at the Midland International Air & Space Port in an amount not to exceed \$311,386.00; and appropriating funds in the amount of \$448,064.00. (AIRPORTS) (2016 - 034)
9. Consider a resolution authorizing the execution of a Mutual Termination and Release Agreement between XCOR Aerospace, Inc., and the City of Midland, Texas, regarding a certain city-owned 22,500 square foot tract of land located within Tract G, Section 5, Block 40, Township 2 South, T&P RR Co. Survey, Midland County, Texas. (AIRPORTS) (2016 - 035)
10. Consider a resolution authorizing the execution of a Lease Agreement between the City of Midland and the Midland Development Corporation regarding real property located at Midland International Air & Space Port and described as approximately 22,500 square feet of bunker space. (AIRPORTS) (2016 - 036)
11. Consider a resolution authorizing the execution of a Professional Services Agreement with Silverwing Enterprises, LLC, to provide professional services in support of the operation of the Spaceport located at Midland International Air and Space Port; and appropriating funds. (AIRPORTS) (2016 - 037)
12. Consider a motion authorizing the execution of a Sports Agreement with West Texas BMX to administer programs, special events, and services related to BMX (Bicycle Motocross) racing and riding. (COMMUNITY SERVICES) (018-2016)
13. Consider a motion authorizing the execution of a Sports Agreement with the Texas Cricket Club to administer programs, special events, and services related to cricket. (COMMUNITY SERVICES) (019-2016)
14. Consider a motion authorizing the execution of a Sports Agreement with Midland Softball Association, Incorporated, to administer programs, special events, and services related to softball for ages fifteen and older. (COMMUNITY SERVICES) (020-2016)
15. Consider a motion authorizing the execution of a Sports Agreement with the Midland Junior Baseball Association, Incorporated, to administer programs, special events, and services related to baseball for men ages nineteen and younger. (COMMUNITY SERVICES) (021-2016)

16. Consider a motion authorizing the execution of a Sports Agreement with the Midland Soccer Association, Incorporated, to administer programs, special events, and services related to soccer for adults and youth. (COMMUNITY SERVICES) (022-2016)
17. Consider a motion authorizing the execution of a Sports Agreement with Midland United Girls Softball Association, Incorporated, to administer programs, special events, and services related to softball for girls. (COMMUNITY SERVICES) (023-2016)
18. Consider a motion authorizing the execution of a Sports Agreement with the Greater Midland Football League to administer programs, special events, and services related to youth football. (COMMUNITY SERVICES) (024-2016)
19. Consider a motion authorizing the execution of a Sports Agreement with the Boys and Girls Club of Midland, to administer programs, special events, and services related to flag football and soccer for youth ages eight through twelve. (COMMUNITY SERVICES) (025-2016)
20. Consider a motion authorizing the execution of a Sports Agreement with First Baptist Church Upward Flag Football League, to administer programs, special events, and services related to flag football activities for youth and adults. (COMMUNITY SERVICES) (026-2016)
21. Consider a motion authorizing the execution of a Sports Agreement with Under the Lights Flag Football League to administer programs, special events, and services related to flag football for youth and adults. (COMMUNITY SERVICES) (027-2016)
22. Consider a motion authorizing the execution of a Sports Agreement with Stonegate Fellowship to administer services related to flag football for youth and adults. (COMMUNITY SERVICES) (028-2016)
23. Consider a motion on request by Schumann Engineering Co. Inc. to defer public improvements for Sunridge Ranch Estates Section 5, and to waive the corresponding financial security guarantee valued at \$345,303.00, an amount equal to the estimated cost of construction. The subject property is generally located approximately 2,050 feet northwest of the City of Midland corporate limits, on the southeast corner of the intersection of North County Road 1246 and West County Road 41 in the Extra Territorial Jurisdiction of the City of Midland, in Midland County, Texas. (ENGINEERING SERVICES) (029-2016)

24. Consider a motion on request by Schumann Engineering Co. Inc. to defer public improvements for Sunridge Ranch Estates Section 6, and to waive the corresponding financial security guarantee valued at \$269,785.73 an amount equal to the estimated cost of construction. The subject property is generally located approximately 690 feet north of the City of Midland corporate limits, on the north side of West County Road 44 approximately 280 feet west of the intersection with North County Road 1240 in the Extraterritorial Jurisdiction of the City of Midland, in Midland County, Texas. (City of Midland ETJ, Midland County) (ENGINEERING SERVICES) (030-2016)
25. Consider a resolution authorizing the execution of a six-month temporary Right-Of-Way License with Dawson Geophysical Company for seismic testing across City-owned property at Midland Airpark, Sections 14 & 15, Block 39, Township 1 South, Midland County, Texas. (ENGINEERING SERVICES) (2016 - 038)
26. Consider a resolution authorizing the execution of a six-month temporary Right-Of-Way License with Dawson Geophysical Company for seismic testing across City-owned streets and rights-of-way. (ENGINEERING SERVICES) (2016 - 039)
27. Consider a resolution authorizing an Operating Certificate for Midland Shuttle Services, Incorporated, to operate a taxicab business; setting forth conditions accompanying the certificate; and establishing the terms of the certificate. (POLICE) (2016 - 040)

SECOND READINGS

28. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 2, Block 1, Garden Twenty, Section 2, City and County of Midland, Texas (Generally located southeast of the intersection of East Interstate 20 and East State Highway 158), 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 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) (9531)

29. 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 3, Block 7, Westridge Park Addition, Section 16, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Shopping Center, to be used as an LR-3, Local Retail District (Generally located southwest of the intersection of Andrews Highway and Catalina 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) (9532)

30. Consider an ordinance on second reading changing the zoning use classification of the property described as a 2,460-square foot portion of Lot 2B, Block 52, Belmont Addition, Section 21, City and County of Midland, Texas (Generally located southeast of the intersection of Summit Avenue and Belmont 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) (9533)

31. Consider an ordinance on second reading ordering a special election to be held on May 7, 2016, for the purpose of voting for or against the extension of the imposition of the sales and use tax within the City of Midland at the rate of one-quarter (1/4) of one percent (1%), which is currently used for the Scharbauer Sports Complex Football/Soccer Stadium and Baseball Stadium, and related infrastructure, pursuant to Texas Local Government Code, Chapter 505, as amended ("Chapter 505"), in order to undertake projects authorized by Chapter 505; setting forth said projects herein; making provision for the conduct of such election; and setting forth other matters incident and related to such election. (CITY SECRETARY'S OFFICE) (9534)

PUBLIC HEARINGS

32. Hold a public hearing and consider an ordinance vacating and a 0.06-acre portion of alley right-of-way located in Block 143, Southern Addition, City and County of Midland, Texas (Generally located on the east side of South Fort Worth Street, approximately 150 feet north of East Pennsylvania Avenue); adopting the appraisal by the City Manager of \$5,227.00; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9535)

33. Hold a public hearing and consider an ordinance vacating and abandoning a 5.44-acre portion of right-of-way located in Blocks 3, 4, 21, and 22, East Midland Addition, and Blocks B, C, D, E, F, and G, Montgomery Addition, City and County of Midland, Texas (Generally located west of the intersection of Walnut Lane and Stonewall Street); adopting the appraisal by the City Manager of \$296,208.00; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9536)

34. Hold a public hearing and consider a resolution authorizing the Temporary Use of Land for a Tent Sale on Lot 7, Block 17, Skyline Terrace Addition, Unit 7, City and County of Midland, Texas (Generally located on the south side of West Loop 250 North, approximately 220 feet west of North Midkiff Road); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2016 - 041)

35. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Lot 1, Block 16, Haley Heights, City and County of Midland, Texas (Generally located southwest of the intersection of South Rankin Highway and Collins 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 an Electronic Billboard; changing the zoning use classification of the property described as a 2.86-acre tract of land out of Section 7, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the south side of Interstate 20, approximately 350 feet east of Lote Bush Drive), which is presently zoned BP, I-20 Business Park District, by permitting said property to be used under a Specific Use Permit with Term for a Billboard; changing the zoning use classification of the property described as all of Block 17, less 1,351 square feet, Original Town, City and County of Midland, Texas (Generally located northwest of the intersection of North Lamesa Road and East Front Street), which is presently zoned C-3, Commercial District, by permitting said property to be used under a Specific Use Permit with Term for a Billboard; changing the zoning use classification of the property described as a 7.98-acre tract of land out of Section 4, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the south side of Interstate 20, approximately 1,100 feet east of South 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 an Electronic Billboard; making said permits 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) (9537)

36. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as an 8,853-square foot portion of Lot 1A, Block 2, Grandridge Park Addition, Section 6, City and County of Midland, Texas (Generally located southwest of the intersection of Holiday Hill Road and League Drive), 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 lounge or nightclub 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. (DOWNTOWN DEVELOPMENT) (9538)
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 1, Green Acres, City and County of Midland, Texas, which is presently zoned AE, Agriculture Estate District, to be used as an LR-2, Local Retail District (Generally located on the west side of North State Highway 349, approximately 400 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) (9539)
38. Hold a public hearing and consider a request by Lamar Advertising, on appeal, for a Specific Use Permit, with Term, for a Billboard, on Lot 1, Block 1, Green Acres, City and County of Midland, Texas. (Generally located approximately 400 feet north of the intersection of North Highway 349 and Arapahoe Road). This is a public hearing only and no additional action will be taken. (DEVELOPMENT SERVICES) (031-2016)
39. Hold a public hearing and consider a resolution authorizing the Temporary Use of Land for Outdoor Retail Sales on Lot 1, Block 5, Park Place Addition, Section 3, City and County of Midland, Texas (Generally located on the north side of Andrews Highway, approximately 390 feet east of Whitney Drive); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2016 - 042)

MISCELLANEOUS

40. Receive the 2015 Midland Police Department Racial Profiling Analysis. (POLICE) (032-2016)

41. Consider an ordinance establishing intersection stops at various locations within the City of Midland, Texas; authorizing and directing the Traffic Engineer to install appropriate signs and markings at the designated locations; 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) (9540)
42. Consider an ordinance establishing yield right of way signs at various locations within the City of Midland, Texas; requiring and authorizing the posting of appropriate signs at said intersections; 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) (9541)
43. Consider an ordinance vacating and abandoning a 0.45-acre utility easement located in Section 33, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas (Generally located on the north side of State Highway 191, approximately one mile east of County Road 1275); adopting the appraisal by the City Manager of \$10,350.00; waiving the fee for the cost of the utility easement; and ordering recordation by the City Secretary. (ENGINEERING SERVICES) (9542)
44. Consider a resolution authorizing the execution of a Professional Services Agreement with Kimley-Horn and Associates, Incorporated, to provide design development, construction documents, bidding assistance, and construction oversight for the Washington Aquatic Center Pool and Bathhouse Renovation Project; and authorizing the appropriation of \$420,000.00 for said Professional Services Agreement. (PURCHASING) (2016 - 043)
45. Consider a resolution authorizing the execution of a contract for the purchase and installation of a pre-fabricated shade structure for the Hogan Park Golf Course with Playgrounds Etc, LLC, through Buyboard at a total cost of \$103,337.00. (PURCHASING) (2016 - 044)
46. Consider a motion making an appointment to the Hotel/Motel Tax Advisory Board or other various boards and commissions.

EXECUTIVE SESSION

47. 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 all of Block 7, Original Town Addition, Midland, Midland County, 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.