

**CITY OF MIDLAND, TEXAS  
BRIEFING SESSION AGENDA  
August 23, 2016 - 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 on beautification and cleanup efforts in Midland from Code Compliance and Keep Midland Beautiful.

AGENDA FOR CITY COUNCIL MEETING  
August 23, 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 Daniel Stephens, Mid-Cities Community Church
2. Pledge of Allegiance

**PRESENTATIONS**

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to: No presentations.

**PUBLIC COMMENT**

4. 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.)

**CONSENT AGENDA**

5. Consider a motion approving the following minutes:
  - a. Regular meeting of August 9, 2016.
6. Consider a resolution approving the Fiscal Year 2016-2017 Budget for the Midland Spaceport Development Corporation, as authorized by Chapter 507 of the Texas Local Government Code. (FINANCE) (2016 - 249)
7. Consider a resolution approving the Fiscal Year 2016-2017 Annual Budget for the Midland Football/Soccer and Baseball Complex Development Corporation, a Type B Corporation as authorized by Chapter 505 of the Texas Local Government Code. (FINANCE) (2016 - 250)

8. Consider a resolution approving the Fiscal Year 2016-2017 Budget of the Midland Development Corporation, a Type A Corporation as authorized by Chapter 504 of the Texas Local Government Code. (FINANCE) (2016 - 251)
9. Consider a resolution approving the award of a contract for the Spaceport Business Park Roadway and Infrastructure Improvement Project - Phase 1 to Jones Bros. Dirt & Paving Contractors, Inc., in the amount of \$973,737.25, for the roadway improvements portion of said project. (PURCHASING) (2016 - 252)
10. Consider a resolution approving the award of a contract for the Spaceport Business Park Roadway and Infrastructure Improvement Project - Phase 1 to the sole bidder, TEC Excavation, Inc., in the amount of \$1,451,513.00, for the utility improvements portion of said project. (PURCHASING) (2016 - 253)
11. Consider a resolution awarding a contract for the Downtown Bus Transfer Station Improvement Project to Entrench, Inc. of Hobbs, New Mexico, at a total cost of \$145,437.15; and authorizing payment therefor. (PURCHASING) (2016 - 254)
12. Consider a resolution awarding a contract for the Cured-in-Place Sewer Manhole Rehabilitation Project - Phase Three to Infrastructure Rehabilitation USA, Inc. of Shreveport, Louisiana, at a total cost of \$697,388.00; and authorizing payment therefor. (PURCHASING) (2016 - 255)
13. Consider a resolution authorizing the execution of a contract with Lloyd D. Nabors Demolition, LLC, for the demolition of the Midland Center and the Midland Chamber of Commerce Buildings at a total cost of \$157,500.00; approving \$39,375.00 for contingencies; and authorizing the appropriation of \$6,925,000.00 for the Midland Center Project. (PURCHASING) (2016 - 256)
14. Consider a resolution approving the purchase of twelve (12) arbitrator camera systems and accessories for police vehicles from Austin Ribbon & Computer Supplies, Incorporated, through the Texas Department of Information Resources at a total cost of \$66,316.68. (PURCHASING) (2016 - 257)
15. Consider a resolution authorizing the execution of an amendment to the Professional Services Agreement with HDR Engineering, Inc., for Engineering

Services for the rehabilitation and improvements to Spraberry Farm and Plant Farm. (PURCHASING) (2016 - 258)

16. Consider a resolution authorizing the execution of a Public Improvement Development Agreement with COG Realty LLC for pedestrian crossing improvements at 600 West Illinois Avenue and the relocation of school zone flashing beacons; and appropriating funds therefor; said agreement being authorized by Section 395.081 of the Texas Local Government Code. (ENGINEERING SERVICES) (2016 - 259)
  
17. 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 negotiate, execute and file all documents necessary to acquire said real property interests, purchase title insurance policies and hold the closings for said acquisitions; appropriating and transferring funds in the amount of \$1,380,000.00 to the Woodcrest Drive Extension Project; authorizing payment for said real property interests, title insurance policies and closing costs in an amount not to exceed \$280,000.00; and ordering the City Secretary to record, or ensure that the title company has recorded, all instruments of conveyance. (ENGINEERING SERVICES) (2016 - 260)

## **SECOND READINGS**

18. Consider an ordinance on second reading vacating and abandoning a 0.138-acre portion of alley right-of-way located adjacent to Lots 1-24, Block 54, original town Addition, City and County of Midland, Texas (generally located on the north side of Wall Street, approximately 140 feet west of North Main Street); the City of Midland being the owner of all abutting property; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9589) (First reading held on August 09, 2016.)

## **PUBLIC HEARINGS**

19. Hold a public hearing regarding a proposal establishing the ad valorem tax rate of \$0.403560 per \$100 taxable assessed valuation for the Fiscal Year 2016-2017. This is a public hearing only. No further action will be taken. (FINANCE) (065-2016)

20. Hold a public hearing and consider a resolution authorizing the temporary use of land for a fundraiser on a 1.12-acre portion of Lot 1, Block 4, A Street Community Center, Section 4, a 2.07-acre portion of Lot 1, Block 2, A Street Community Center, Section 5, Lot 2, Block 4, A Street Community Center, Section 6, and a 0.55-acre portion of Windlands Park, City and County of Midland, Texas (Generally located northwest of the intersection of Ventura Drive and North A Street); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2016 - 261)
  
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 a 7.45-acre tract of land, being all of Lot 1, Block 1, Rolling Green Acres Addition, and a 6.25-acre tract of land out of Section 42, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, which is presently zoned CE, Country Estate District, in part, and AE, Agriculture Estate District, in part, to be used as a PD, Planned District for a Transition District (Generally located northwest of the intersection of Todd Drive and East Highway 80); 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) (9590)
  
22. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as a 3,200-square foot portion of Lot 6A, Block 2, Amaron Addition, Section 6, City and County of Midland, Texas (Generally located approximately 420 feet west of Rankin Highway and approximately 465 feet south of Wolcott Avenue), 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) (9591)
  
23. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as a 3,700-square foot portion of Lot 5A, Block 7, Claydesta Plaza, Section 12, City and County of Midland, Texas (Generally located on the north side of West Wadley Avenue, approximately 220 feet west of Desta Drive), 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) (9592)

24. Hold a public hearing and consider a resolution authorizing the temporary use of land for a philanthropic event on the west 51.5 feet of Lot 5, all of Lots 6-10, and the east 22 feet of Lot 11, Block 8, Loma Linda Replat, City and County of Midland, Texas (Generally located on the north side of Scharbauer Drive, approximately 250 feet west of Lamesa Road); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2016 - 262)
25. Hold a public hearing and consider a resolution authorizing the temporary use of land for a fair and carnival on Lot 13, Block 71, West End Addition, Section 15, Lots 1-6, Block 77, West End Addition, and a 0.66-acre portion of West Texas Avenue right-of-way located between North N Street and North M Street, City and County of Midland, Texas (Generally located southeast of the intersection of West Illinois Avenue and North O Street); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2016 - 263)
26. 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 1, Wallace Heights, Section 2, City and County of Midland, Texas, which is presently PD, Planned District for a Transition District, to be used as an LR-2, Local Retail District (Generally located on the east side of North Loop 250 West, approximately 500 feet north of Andrews Highway); 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) (9593)
27. Hold a public hearing and consider a resolution authorizing the temporary use of land for a festival on Lots 7-9, Block 191, Southern Addition, City and County of Midland, Texas (Generally located northeast of the intersection of South Terrell Street and East Dakota Avenue); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2016 - 264)
28. Hold a public hearing and consider an ordinance vacating and abandoning a 20-foot alley right-of-way located in Block 32, Homestead Addition, City and County of Midland, Texas (Generally located on the north side of West Michigan Avenue, approximately 140 feet west of North Pecos Street); adopting the

appraisal by the City Manager of \$11,928.00; authorizing the execution of a Quitclaim Deed with COG Realty LLC, a Texas Limited Liability Company, from which the City reserves and excepts a non-exclusive utility easement and right-of-way until each easement user abandons its use of said easement; authorizing the execution of any documents necessary or appropriate to effect said transactions; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9594)

### **APPEAL HEARING**

29. Conduct a hearing and consider a motion appealing the Building Official's denial of sign permit applications by Texas Republic Signs for the Stripes located at 11200 Highway 191, Midland, Texas (Generally located on the northeast corner of the intersection of Farm to Market Road 1788 and Highway 191.) (DEVELOPMENT SERVICES) (066-2016)

### **MISCELLANEOUS**

30. Consider a motion approving a preliminary plat of Devon Addition, Section 6, being a 75.75-acre tract within the west half of Section 8, Block 40, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Wright Drive and State Loop 40.) (DEVELOPMENT SERVICES) (067-2016)
  
31. Consider an ordinance amending Title X, "Traffic Regulations", Chapter Four, "Traffic Control Devices", Section 11, "School Zones and Crossings", of the Midland City Code, so as to designate each school zone and school crossing 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. 9503; 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) (9595)

### **EXECUTIVE SESSION**

32. 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.