

CITY OF MIDLAND, TEXAS
AGENDA FOR CITY COUNCIL MEETING
December 13, 2016 – 10:00 AM
Council Chamber - City Hall
300 North Loraine
Midland, Texas

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 - Rev. 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:
 - a. Presentation to the 2016 Management Award Recipients

CONSENT AGENDA

4. Consider a motion approving the following minutes:
 - a. Regular meeting of November 22, 2016.
5. Consider a resolution authorizing the City Treasurer to write off as uncollectible certain delinquent accounts for Emergency Medical Services Receivables and Health Department Receivables. (FINANCE) (2016 - 347)
6. Consider a resolution authorizing the City Treasurer to write off as uncollectible certain delinquent accounts for water, sewer, and sanitation services. (FINANCE) (2016 - 348)
7. Consider a resolution approving the City of Midland's Fiscal Year 2017 Investment Policy. (FINANCE) (2016 - 349)

8. Consider a resolution awarding a contract for the Utility Extension Program 02 to the sole bidder, TEC Excavation, Inc. of Midland, Texas, at a total cost not to exceed \$1,400,000.00; and authorizing payment therefor. (PURCHASING) (2016 - 350)
9. Consider a resolution approving the sole source purchase of eighteen (18) XG-75M Mobile Radios with accessories for public safety vehicles from Dailey-Wells Communications, Inc., at a total cost of \$82,552.50. (PURCHASING) (2016 - 351)
10. Consider a resolution awarding a contract for the purchase and installation of three (3) pivot irrigation systems for the Spraberry Farm to the sole bidder, Lamesa Irrigation Company, of Lamesa, Texas, at a total cost of \$272,426.08. (PURCHASING) (2016 - 352)
11. Consider a resolution authorizing the execution of a contract for the purchase of four complete new side wheel roll irrigation systems with 5/32" nozzles, ten 5" X 20" torque pipes complete with sprinkler, risers and levelers, and twenty 5" X 40" standard side wheel roll pipes complete with wheel, sprinkler, risers and levelers for use at the Spraberry Farm to the sole bidder, Mesa Irrigation Company, of Lamesa, Texas, at a total cost of \$66,600.00. (PURCHASING) (2016 - 353)
12. Consider a resolution authorizing the issuance of a request for qualifications for the Midland Center Design & Build Shoring Project. (PURCHASING) (2016 - 354)
13. Consider a resolution authorizing the execution of Amendment Number Four to the Professional Services Agreement with Parkhill, Smith & Cooper, Incorporated, for professional engineering services at the Midland International Air & Space Port; said amendment to include the following projects: Engineering Services for the Airfield Storm Sewer Project, Professional Services for the Security Checkpoint Expansion Project, Design and Bidding Phase Engineering Services for the MAF Airfield Marking Vehicle Project, Design and Bidding Phase Engineering Services for the Aircraft Lavatory Disposal Station Project, Design and Bidding Phase Engineering Services for the Access Control System and Cable Upgrade Project, Professional Services for the Terminal Airport Building Ramp Side Exit Stairs Project, and Spaceport Business Park Environmental Assessment (formerly known as the MAF Aerospace Development Park Programmatic Environmental Assessment); and appropriating necessary funds. (AIRPORTS) (2016 - 355)

14. Consider a resolution authorizing the City Manager to execute a renewal of the agreement with Fidelity Security for the purchase of stop loss insurance for the City of Midland's Group Health Plan, effective for the plan year commencing on January 1, 2017. (ADMINISTRATIVE SERVICES) (2016 - 356)
15. Consider a resolution authorizing the execution of a professional services agreement with Paradigm Management Services, LLC for certain medical management services; and authorizing payment therefor. (ADMINISTRATIVE SERVICES) (2016 - 357)
16. Consider a motion to receive and file the Consolidated Annual Performance and Evaluation Report for 2015/2016. (DEVELOPMENT SERVICES) (115-2016)
17. Consider a motion to accept the final report for the NE Midland Feasibility Study, prepared by Freese and Nichols, Inc. and authorized by the Midland City Council on April 12, 2016. (ENGINEERING SERVICES) (116-2016)

SECOND READINGS

18. Consider an ordinance on second reading changing the zoning use classification of the property described as a 2,124-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 November 22, 2016.)(9621)
19. Consider an ordinance on second reading changing the zoning use classification of the property described as a 3,763-square foot portion of the west 24.25 feet of Lot 9 and all of Lots 10 through 12, Block 65, Original Town Addition, City and County of Midland, Texas (Generally located southeast of the intersection of North Colorado Street and West Wall 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 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 November 22, 2016.)(9622)

20. Consider an ordinance on second reading altering prima facie speed limits along certain streets in the city; authorizing installation of appropriate signs and markings; 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 November 22, 2016.)(9623)
21. Consider an ordinance on second reading amending Title IV, "Building Regulations", Chapter 8, "Dangerous and Dilapidated Buildings", of the City Code of Midland, Texas, by establishing Section 7, "Abatement of Substandard Buildings", so as to establish minimum standards for the continued use and occupancy of buildings and an abatement process for substandard buildings; requiring the vacation, relocation of occupants, securing, repair, removal, or demolition of substandard buildings; providing for notice and a public hearing; containing a cumulative clause; containing a savings and severability clause; establishing an effective date of January 1, 2017; and ordering publication. (CITY ATTORNEY'S OFFICE)(First Reading held November 22, 2016.)(9624)

PUBLIC HEARINGS

22. Hold a public hearing and consider a resolution of the City Council of Midland, Texas, making certain findings, pursuant to Chapter 26 of the Texas Parks and Wildlife Code, that there is no feasible and prudent alternative to the change in use of an approximate 2,876 square foot tract of land out of lots 18-21, Block 54, Original Town, City and County of Midland, Texas, from public park use to be used for the new Midland Center for public use; and making the same finding regarding the completion of improvements to include new staging, lighting, turf, trees, benches, sidewalks, and a splash pad in Centennial Park, for public use; said improvements to be located on Centennial Park located on lots 13-24, Block 54, Original Town, City and County of Midland, Texas (Generally located north of Wall Street, south of Texas Avenue, east of the site of the former Midland County Courthouse, and west of the Midland Center). (COMMUNITY SERVICES) (2016 - 358)
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 1A, Block 7, Town and Country Annex, Section 9, City and County of Midland, Texas, which is presently zoned PD, Planned District for

a Shopping Center, to be used as an LR-1, Local Retail District (Generally located on the south side of West Cuthbert Avenue, approximately 150 feet east 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) (9625)

MISCELLANEOUS

24. Consider an ordinance amending Title VI, "Police Regulations", Chapter 2, "Animals and Fowl", Section 7, "License and Fees; issuance of tags; penalties", Subsection (C), of the City Code of Midland, Texas, so as to require the neutering or spaying of a repeat animal-at-large before the owner may reclaim the impounded animal from the Animal Services Division; containing a cumulative clause and expressly repealing any ordinance or part thereof in conflict with this ordinance; containing a savings and severability clause; providing for a maximum penalty or fine of five hundred dollars (\$500.00); and ordering publication. (COMMUNITY SERVICES) (9626)
25. Consider an ordinance amending the unaltered impoundment fee of the City of Midland Community Services Department, Animal Services Division; and repealing prior ordinances or parts of ordinances in conflict with said fee set forth herein. (COMMUNITY SERVICES) (9627)
26. Consider a resolution authorizing the execution of an agreement between the City of Midland and Pioneer Water Management LLC regarding improvements to the Water Pollution Control Plant and the sale of reclaimed water. (UTILITIES) (2016 - 359)

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.)

MISCELLANEOUS (CONTINUED)

28. At approximately 12:30 p.m. the City Council will recess and reconvene at Pioneer Natural Resources Scott Sheffield Courtyard, located on the west end of the building, 3617 North Big Spring Street to hold a reception regarding the

agreement between the City of Midland and Pioneer Water Management relating to improvements to the Water Pollution Control Plant and sale of reclaimed water. (117-2016)

EXECUTIVE SESSION

29. 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.