

**CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
February 14, 2017 - 9:00 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. Presentation of the 2016 Midland Police Department Traffic Contact report by Dr. Eric J. Fritsch, Ph.D., Professional Development Institute, University of North Texas.
2. Receive a presentation from Information Services regarding update on the Request for Proposal Process for Public Safety Software.

AGENDA FOR CITY COUNCIL MEETING
February 14, 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 - 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:
 - a. Presentation of Retirement Commendation to Tommy T. Hudson.

CONSENT AGENDA

4. Consider a motion approving the following minutes:
 - a. Regular meeting of January 24, 2017.
5. Consider a resolution approving the purchase of five hundred (500) tons of asphaltic concrete patching material for the Transportation Division from CSA Materials, Inc., through TXSmartbuy at a total cost of \$55,000.00. (PURCHASING) (2017 - 028)
6. Consider a resolution approving the purchase of one (1) Caterpillar 826k compactor for the Garage Division from Warren Power & Machinery, Inc., through Buyboard at a total cost of \$726,990.00. (PURCHASING) (2017 - 029)
7. Consider a resolution approving the purchase of one (1) John Deere 444K 4WD loader for the Garage Division from Yellowhouse Machinery Company through Buyboard at a total cost of \$138,000.00. (PURCHASING) (2017 - 030)

8. Consider a resolution authorizing the execution of a Professional Services Agreement with Priority Power Management, LLC, for aggregation, consulting and negotiation services regarding the City's electricity supply. (PURCHASING) (2017 - 031)
9. Consider a resolution authorizing the issuance of a Request for Proposals for Software and Implementation Services for the expansion of the Shortel VOIP Telephone System; said system will replace the City-wide Nortel Phone System. (PURCHASING) (2017 - 032)
10. Consider a resolution authorizing the execution of a contract for the purchase of emergency medical dispatch software for the Communication and Information Systems Department from Priority Dispatch Corporation of Salt Lake City, Utah, at a total cost of \$145,910.00; and appropriating funds therefor. (PURCHASING) (2017 - 033)
11. Consider a resolution approving the purchase of Netvault back-up replication servers for the Communication and Information Systems Department from Dell Marketing, LP, through the Texas Department of Information Resources at a total cost of \$76,024.20. (PURCHASING) (2017 - 034)
12. Consider a resolution authorizing the issuance of a Request for Proposals for a new electronic medical records system for the City's Health Department. (PURCHASING) (2017 - 035)
13. Consider a resolution awarding a contract for the Bill Williams Softball Complex Improvement Project to Mid-Tex of Midland, Inc., in the amount of \$195,700.00; and approving \$1,824.00 for contingencies. (PURCHASING) (2017 - 036)
14. Consider a resolution approving the selection of RRC Power & Energy, LLC to provide professional services to assist the City with construction materials testing as needed; authorizing the City Manager to negotiate and execute Professional Services Agreements for said services; providing that no such agreement exceeding \$50,000.00 shall become effective until the City Council authorizes the execution of the agreement; and authorizing payment therefor. (PURCHASING) (2017 - 037)

15. Consider a resolution approving the selection of Dunaway Associates, L.P., Freese and Nichols, Inc., Maverick Engineering, Parkhill, Smith & Cooper, Inc., and Stantec Consulting Services, Inc. to assist the Engineering Services Department by providing professional engineering services, architecture services, landscape architecture services, land surveying services, real estate appraising services, and services provided in connection therewith on an as-needed basis; authorizing the negotiation and execution of a professional services agreement with each firm; providing that each agreement shall be for a term not to exceed three years; authorizing the negotiation and execution of task orders in accordance with such agreements; providing that the payment for each task order executed in accordance with such an agreement shall not exceed \$150,000.00; providing that the total cost to the City for all task orders executed each year in accordance with each agreement shall not exceed \$300,000.00 per agreement per year; and authorizing payment therefor. (PURCHASING) (2017 - 038)
16. Consider a resolution authorizing the execution of a second amendment to the Professional Services Agreement with Stantec Consulting Services, Inc. for traffic signal design services related to the reconstruction of the intersection of West Wadley Avenue and North A Street; said amendment extending the term of the agreement to December 31, 2018. (PURCHASING) (2017 - 039)
17. Consider a resolution authorizing the execution of a second amendment to the Professional Services Agreement with Maverick Civil & Survey, LLC, doing business as Maverick Engineering, for surveying and civil engineering design services related to the reconstruction of the intersection of West Wadley Avenue and North A Street; said amendment extending the term of the agreement to December 31, 2018. (PURCHASING) (2017 - 040)
18. Consider a resolution approving the Midland Development Corporation's appropriation of \$871,464.00 from the Fiscal Year 2015-2016 budget to be used for promotional purposes, as authorized by Chapter 504 of the Texas Local Government Code. (CITY MANAGER'S OFFICE) (2017 - 041)
19. Consider a resolution appointing Clifford Balzer and Price Robinson to the Board of Managers of the Midland Emergency Communication District. (CITY MANAGER'S OFFICE) (2017 - 042)
20. Consider a motion authorizing the execution of a sports agreement with the Boys and Girls Club of the Permian Basin, to administer programs, special events, and services related to flag football and soccer for youth ages eight through twelve. (COMMUNITY SERVICES) (010-2017)

21. 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) (011-2017)
22. 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) (012-2017)
23. 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) (013-2017)
24. 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) (014-2017)
25. 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) (015-2017)
26. 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) (016-2017)
27. 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) (017-2017)
28. 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) (018-2017)
29. 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) (019-2017)
30. 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) (020-2017)

31. Consider a resolution approving the issuance of a permit to Diamondback E&P LLC (“Operator”) to drill an oil and gas well within the City limits located 306 feet from the south line and 2,145 feet from the west line, Section 8, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located approximately 405 feet north of the Green Tree Boulevard Extension and approximately 2,102 feet east of North Midland Drive); and providing that said permit does not require a new Road Repair Agreement but shall be consolidated under an existing Road Repair Agreement. (DEVELOPMENT SERVICES) (2017 - 043)
32. Consider a resolution approving the issuance of a permit to Diamondback E&P LLC (“Operator”) to drill an oil and gas well within the City limits located 306 feet from the south line and 2,175 feet from the west line, Section 8, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located approximately 405 feet north of the Green Tree Boulevard Extension and approximately 2,132 feet east of North Midland Drive); and providing that said permit does not require a new Road Repair Agreement but shall be consolidated under an existing Road Repair Agreement. (DEVELOPMENT SERVICES) (2017 - 044)
33. Consider a resolution approving the issuance of a permit to Diamondback E&P LLC (“Operator”) to drill an oil and gas well within the City limits located 306 feet from the south line and 2,115 feet from the west line, Section 8, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located approximately 405 feet north of the Green Tree Boulevard Extension and approximately 2,072 feet east of North Midland Drive); and providing that said permit does not require a new Road Repair Agreement but shall be consolidated under an existing Road Repair Agreement. (DEVELOPMENT SERVICES) (2017 - 045)
34. Consider a resolution approving the issuance of a permit to Diamondback E&P LLC (“Operator”) to drill an oil and gas well within the City limits located 306 feet from the south line and 2,085 feet from the west line, Section 8, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located approximately 405 feet north of the Green Tree Boulevard Extension and approximately 1,976 feet east of North Midland Drive); and providing that said permit does not require a new Road Repair Agreement but shall be consolidated under an existing Road Repair Agreement. (DEVELOPMENT SERVICES) (2017 - 046)
35. Consider a resolution authorizing the City Manager to negotiate and execute, on behalf of the City of Midland, agreements for leases of City-owned minerals located in tracts of land each having an area of no more than four acres, said agreements to prohibit drilling on the surface of City-owned property and require compliance with all applicable ordinances, laws, rules and regulations. (DEVELOPMENT SERVICES) (2017 - 047)

36. Consider a resolution authorizing the execution of a Surface Use Agreement between the City of Midland and Endeavor Energy Resources, LP, regarding City-owned property described as Sections 9 and 16, Block 37, Township 3 South, T&P RR Co. Survey, Midland County, Texas. (ENGINEERING SERVICES) (2017 - 048)
37. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and Navitas Midstream Midland Basin, LLC, regarding City-owned property described as Sections 18, 19, and 30, Block 36, Township 3 South, B. Lee Survey, Abstract Nos. 956, 501, and 957, Midland County, Texas. (ENGINEERING SERVICES) (2017 - 049)
38. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland and Navitas Midstream Midland Basin, LLC, regarding City-owned property described as Sections 18, 19, and 30, Block 36, Township 3 South, B. Lee Survey, Abstract Nos. 956, 501, and 957, Midland County, Texas, and Section 12, Block 37, Township 3 South, B. Lee Survey, Abstract No. 955, Midland County, Texas. (ENGINEERING SERVICES) (2017 - 050)
39. Receive the 2016 Midland Police Department Racial Profiling Analysis. (POLICE) (021-2017)

SECOND READINGS

40. Consider an ordinance on second reading ordering a Special Election to be held on May 6, 2017, 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)(First reading held on January 24, 2017.)(9636)

PUBLIC HEARINGS

41. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as a 1,140-square foot portion of the north half of Lot 11 and Lot 12, Block 187, Southern Addition, City and County of Midland, Texas (Generally located on the southeast corner of the intersection of

South Baird Street and East Florida 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 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) (9637)

42. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as an 8,319-square foot portion of Lots 16-18, Block A, Garrett Place Addition, City and County of Midland, Texas (Generally located on the north side of West Indiana Avenue, approximately 160 feet east of Carlton 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) (9638)
43. Hold a public hearing and consider a resolution authorizing an amendment to the 2016/2017 Action Plan to the City of Midland Consolidated Plan for Community Development and Housing Funds per amendment documents on file with the City Secretary; said amendment to include the reallocation of \$707,030.23 and related budget transfers; and a copy of said amendment documents shall be on file in the City Secretary's office. (DEVELOPMENT SERVICES) (2017 - 051)
44. Hold a public hearing and consider an ordinance granting a special exception for Lot 12A, Block 2, Kelview Heights, Section 10, City and County of Midland, Texas (Generally located southeast of the intersection of North Pecos Street and West Wadley Avenue), by permitting a reduced number of parking spaces; 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) (9639)
45. 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 1C, Block 33, Northgate Addition, Section 26, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Shopping Center, to be used as an Amended Planned District (Generally located

northeast of the intersection of Northgate Avenue and Northcrest 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) (9640)

46. Hold a public hearing and consider an ordinance vacating and abandoning a 0.046-acre portion of alley Right-of-Way located adjacent to Lots 1, 2 and 18, Tract 6, replat of Tracts 5 & 6, Lindsay Acres Addition, City and County of Midland, Texas (Generally located on the north side of Marlin Avenue, approximately 190 feet west of Rankin Highway); adopting the appraisal by the City Manager of \$4,007.52; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9641)
47. Hold a public hearing and consider an ordinance granting a special exception for Lots 1, 2 and 18, and a 0.046-acre portion of alley right-of-way located adjacent to said Lots, Tract 6, replat of Tracts 5 and 6, Lindsay Acres Addition, City and County of Midland, Texas (Generally located northwest of the intersection of Rankin Highway and Marlin Avenue), by permitting a reduced side yard setback and a reduced number of parking spaces; 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) (9642)
48. Hold a public hearing and consider a resolution authorizing the temporary use of land for a church family fair and a carnival on Lot 8, Block 7, Glendale Addition, and Lot 13A, Block 7, Glendale Addition, Section 2, City and County of Midland, Texas (Generally located northeast of the intersection of North Tyler Street and Garden Lane); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2017-052)

MISCELLANEOUS

49. Consider a resolution of the City Council of the City of Midland, Texas, supporting the proposed Chaparral Apartments and confirming that the City shall provide a loan, grant, reduced fee or contribution or other value of benefit in the nominal amount of \$10.00 for such development; the applicant is Midland Chaparral Associates, LP, an affiliate of the Michaels Organization; the proposed development is located at 4201 North Garfield Street; providing an effective date; and authorizing and directing the City Secretary to certify the resolution to the Texas Department of Housing and Community Affairs. (DEVELOPMENT SERVICES) (2017 - 053)

50. Consider an ordinance amending Title III, "Departments", Chapter 1, "Water Department", Section 2, "Rates," of the City Code of Midland, Texas, so as to amend the requirement that non-residential customers that use water for outside landscape irrigation purposes have a separate water meter for such purposes and so as to list current water and sewer rates; containing a cumulative clause; containing a savings and severability clause; ordering publication; and directing notification to customers outside the City limits as required by state law. (UTILITIES) (9643)

51. Consider a motion making appointments to various boards and commissions

PUBLIC COMMENT

52. 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.