

**CITY OF MIDLAND, TEXAS**  
**AGENDA FOR CITY COUNCIL MEETING**  
Council Chamber - City Hall  
August 22, 2017 – 10:00 AM  
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 - Pastor Jon Slayden, Second 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 August 1, 2017.
  - b. Regular meeting of August 8, 2017.
  - c. Regular meeting of August 15, 2017.
5. Consider a resolution approving the Fiscal Year 2017-2018 Budget of the Midland Development Corporation, a Type A Corporation as authorized by Chapter 504 of the Texas Local Government Code. (FINANCE) (2017 - 226)
6. Consider a resolution approving an Economic Development Agreement between the Midland Development Corporation and Midland College, as authorized by Chapters 501 and 504 of the Texas Local Government Code, as amended. (CITY MANAGER'S OFFICE) (2017 - 227)

7. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the Petroleum Club Wastewater Rehabilitation Project; said project will provide for the replacement of the wastewater main located in the alley between Marienfeld Street and Pecos Street, from Missouri Avenue to Texas Avenue. (PURCHASING) (2017 - 228)
8. Consider a resolution rejecting all bids received for a Janitorial Services Contract for City Buildings; and authorizing the City Manager to re-advertise for competitive bids for said project. (PURCHASING) (2017 - 229)
9. Consider a resolution awarding a contract for crane and hoist inspection and repair services for the Utilities Department to the sole bidder, Evans Enterprises, Inc., of Wichita Falls, Texas, at a total cost not to exceed \$150,000.00. (PURCHASING) (2017 - 230)
10. Consider a resolution approving the sole source purchase of forty (40) Neptune fire-rated water meters for the Utilities Department from HD Supply Waterworks, Ltd., at a total cost of \$328,814.60. (PURCHASING) (2017 - 231)
11. Consider a resolution authorizing the execution of an amendment to the professional services agreement with HDR Engineering, Inc., for final design review services regarding plans and specifications for the construction of secondary improvements at the Water Pollution Control Plant; said amendment will authorize a fee increase of \$60,000.00 and an extension of the agreement term until December 31, 2017; and appropriating funds therefor. (PURCHASING) (2017 - 232)
12. Consider a resolution authorizing the execution of an amendment to the sole-source purchase agreement with HD Supply Waterworks, Ltd., for Neptune water meters and associated parts for the Customer Service Division of the Finance Department; said amendment to provide for a total cost not to exceed \$2,500,000.00. (PURCHASING) (2017 - 233)
13. Consider a resolution authorizing the Mayor, City Manager, and City Attorney to accept and execute Federal Aviation Administration (“FAA”) Grant Number 57 in the amount of \$10,234,368.00 upon receipt from the FAA; said grant will fund ninety percent (90%) of certain portions of FAA-eligible projects at the Midland International Air & Space Port; said grant funds are to be deposited in the airport fund upon receipt. (AIRPORTS) (2017 - 234)
14. Consider a resolution authorizing the execution of an agreement with the Commemorative Air Force, Inc., for the staging of an Airshow at the Midland International Air & Space Port; the Airshow will commence Friday, September 15, 2017, and conclude Sunday, September 17, 2017. (AIRPORTS) (2017 - 235)

15. Consider a resolution authorizing and approving a reduction of the authorized budget for the CDBG 2016 contingency project by \$20,000.00, an increase of the authorized budget for the Minor Repair Program Project by \$20,000.00, and the transfer of funds to effect the same. (DEVELOPMENT SERVICES) (2017 - 236)
16. Consider a resolution supporting the candidacy of Council Member John B. Love III for the position of President-Elect of the Texas Municipal League. (CITY ATTORNEY'S OFFICE) (2017 - 237)
17. Consider a motion on a request by Maverick Engineering for approval of a Preliminary Plat for Young 2nd Addition, being a plat 99.52-acre tract of land out of Section 16, Block 39, T-2-S, T & P RR Co. Survey, Midland County, Texas. (Generally located on the east side of South County Road 1210, approximately 390 feet north of West County Road 130. ETJ, Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES) (064-2017)
18. Consider a resolution authorizing the acceptance of a 0.30 acre utility easement located in Lots 1, 2, 3, and 4, Block 1, Whitson Realty Addition, City and County of Midland, Texas; and ordering recordation by the City Secretary. (ENGINEERING SERVICES) (2017 - 238)
19. Consider a resolution authorizing the execution of a Surface Use Agreement between the City of Midland and CrownqQuest Operating, LLC, regarding City-owned property described as Section 4, Block 37, Township- 3-South, T&P RR Co. Survey, Midland County, Texas. (ENGINEERING SERVICES) (2017 - 239)
20. Consider a motion on request by Schumann Engineering Co., Inc. to defer water, wastewater, paving and sidewalk improvements for Kickers Addition, and to waive the corresponding financial security guarantee valued at \$391,472.38, an amount equal to the estimated cost of construction. The subject property is generally located approximately 1,315 feet west of FM 1788 on the north side of West County Road 127, approximately 2,700 feet outside the corporate limits of the City of Midland, Midland County, Texas. (ENGINEERING SERVICES) (065-2017)
21. Consider a resolution authorizing the City of Midland to file a joint application with Midland County for Fiscal Year 2017 Justice Assistance Grant Program Funds totaling \$30,190.00, with the City of Midland to receive \$18,114.00 (60%) and Midland County to receive \$12,076.00 (40%); authorizing the execution of an agreement regarding the division of said grant funds; and authorizing the execution of all necessary documents. (POLICE) (2017 - 240)

## **SECOND READINGS**

22. 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 2.048-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 PD, Planned District for a Transition District, to be used as an Amended Planned District (Generally located on the northwest corner 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)(First reading held on August 8, 2017)(9687)
23. Consider an ordinance on second reading amending Title XI, "Planning and Development", Chapter 1, "Zoning", Section 10, "Specific Use Permits", Subsection (B) of the City Code of Midland, Texas, so as to allow the issuance of Specific Use Permits Without Term for for-profit plasma donation centers in the LR-3, Local Retail District, or less restrictive districts; 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 on August 8, 2017)(9688)
24. 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 Lots 4, 5, and 6, Block 3, Westridge Park Addition, Section 28, City and County of Midland, Texas, which is presently zoned PD, Planned District, to be used as an Amended Planned District (Generally located on the east side of Avalon Drive, between Andrews Highway and Deauville Boulevard); 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 on August 8, 2017)(9690)
25. Consider an ordinance on second reading changing the zoning use classification of the property described as an 8,590-square foot portion of Lot 18, Block 1, Providence Park, Section 2, City and County of Midland, Texas (Generally located northwest of the intersection of West Wadley Avenue and 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 all alcoholic beverages in a 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. (DEVELOPMENT SERVICES)(First reading held on August 8, 2017)(9691)

## **PUBLIC HEARINGS**

26. Hold a public hearing regarding a proposal establishing the ad valorem tax rate of \$0.408389 per \$100 taxable assessed valuation for Fiscal Year 2017-2018. This is a public hearing only. (FINANCE) (066-2017)
27. 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 3, Block 14, Claydesta Plaza, Section 13, City and County of Midland, Texas, which is presently zoned LR-2, Local Retail District, to be used as an O-2, Office District (Generally located on the north side of Veterans Airpark Lane, approximately 575 feet west of North 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) (9695)
28. 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 10.07-acre tract of land out of Section 37, Block 41, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, which is presently zoned LR-2, Local Retail District, to be used as an LI, Light Industrial District (Generally located northeast of the intersection of State Highway 191 and Candice 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) (9696)
29. 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 Lots 6B and 6C, Block 2, Westridge Park Addition, Section 24, 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 on the west side of North Loop 250 West, approximately 290 feet north of Deauville Boulevard); 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) (9697)
30. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Lots 20, 21, and 22, Block 26, Crestview Heights Addition, City and County of Midland, Texas (Generally located southeast of the intersection of North Midkiff Road and West Illinois Avenue), which is presently zoned LR-1, 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) (9698)

31. Hold a public hearing and consider a resolution authorizing the temporary use of land for a memorial event on a 15,570-square foot portion of Block 64 and a 0.56-acre portion of West Wall Street right-of-way located adjacent to Blocks 56 and 64, Original Town Addition, City and County of Midland, Texas (Generally located southeast of the intersection of North Big Spring Street and West Wall Street); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2017 - 241)
32. At approximately 6:00 p.m. hold a public hearing regarding a proposal establishing the ad valorem tax rate of \$0.408389 per \$100 taxable assessed valuation for Fiscal Year 2017-2018. This is a public hearing only. (FINANCE)

### **MISCELLANEOUS**

33. Consider a motion appealing the Building Official's denial of a sign permit application by Steve Findley on Lot 2B, Block 1, Mustang Industrial Park, Section 3, City and County of Midland, Texas. (Generally located at the northwest intersection of West I-20 and Market Street). (DEVELOPMENT SERVICES) (067-2017)

### **PUBLIC COMMENT**

34. Receive public comments where individuals may address the City Council on City related issues and projects not on the present agenda. Any deliberation 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.)

### **EXECUTIVE SESSION**

35. 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.