

CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
January 13, 2015 - 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 and discuss a presentation from the General Services Department regarding proposed contract provisions relating to retainage, liquidated damages, and incentive payments for early completion.

AGENDA FOR CITY COUNCIL MEETING
January 13, 2015 – 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 - 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 of a Proclamation for Crime Stoppers Month.
 - b. Recognition of 2014 Christmas Parade Float Winners.
 - c. Receive a presentation from Midland Retired Seniors Volunteer Program.

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. Special Meeting of December 02, 2014.
 - b. Regular meeting of December 16, 2014.

6. Consider a resolution authorizing the execution of an agreement with NTB Associates, Incorporated for the purchase of software and Geodatabase Hosting Services necessary for the Cityworks server AMS Software and the SDE Geodatabase; said purchase was not bid but purchased as a sole source at a total cost of \$75,000.00. (PURCHASING) (2015 - 001)
7. Consider a resolution rejecting the single bid received for the Municipal Solid Waste Landfill Scale House and Entrance Facilities Construction Project; and authorizing the City Manager to re-bid said project. (PURCHASING) (2015 - 002)
8. Consider a resolution authorizing the execution of a contract with Exerplay, Incorporated for the purchase of playground equipment for Fasken Park through Buyboard, in the amount of \$194,376.15, plus contingencies of \$23,972.66 for a total cost of \$218,348.81; this item was not bid but purchased through a Cooperative Purchasing Program. (PURCHASING) (2015 - 003)
9. Consider a resolution authorizing the execution of a contract with Playgrounds, Etc., LLP, for the replacement of the pavilion at Washington Park through Buyboard, in the amount of \$75,852.00, plus contingencies of \$5,935.20 for a total cost of \$81,787.20; this item was not bid but purchased through a Cooperative Purchasing Program. (PURCHASING) (2015 - 004)
10. Consider a resolution authorizing the execution of a contract with Daktronics, Incorporated, for the replacement of video message boards at the Scharbauer Sports Complex through Buyboard, in the amount of \$148,773.00, plus contingencies of \$14,560.60 for a total cost of \$163,333.60; this item was not bid but purchased through a Cooperative Purchasing Program. (PURCHASING) (2015 - 005)
11. Consider a resolution accepting the retirement of the City of Midland Municipal Court Presiding Judge effective at 5:00 p.m. on April 15, 2015. (CITY ATTORNEY'S OFFICE) (2015 - 006)
12. Consider a resolution authorizing the posting of the City of Midland Municipal Court Presiding Judge position; and authorizing the acceptance of applications or resumes for said position; the City of Midland Municipal Court Presiding Judge position will become vacant on April 15, 2015. (CITY ATTORNEY'S OFFICE) (2015 - 007)
13. Consider a resolution authorizing the City of Midland to accept a donation in the amount of \$10,000.00 from Community National Bank for the Owner Occupied Housing Minor Repairs Program. (DEVELOPMENT SERVICES) (2015 - 008)
14. Consider a resolution authorizing the acceptance of a 0.07-acre public access easement located in Lot 3, Block 59, Original Town Addition, Midland, Midland County, Texas, from Parking Acquisition Co, LLC for the use and benefit of the

public for public access purposes; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (2015 - 009)

15. Consider a resolution authorizing the acceptance of a 0.07-acre utility easement located in Block 59, Original Town Addition, Midland, Midland County, Texas, from Parking Acquisition Co LLC for the use and benefit of the public for public utility purposes; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (2015 - 010)
16. Consider a resolution approving an Economic Development Agreement by and between the Midland Tax Increment Reinvestment Zone No. 1 (TIRZ) and White Star Energy, said agreement was previously approved by the Midland Tax Increment Reinvestment Zone No. 1 (TIRZ). (DOWNTOWN DEVELOPMENT) (2015 - 011)
17. Consider a resolution approving an Economic Development Agreement by and between the Midland Tax Increment Reinvestment Zone No. 1 (TIRZ) and Susie's South Forty Confections, said agreement was previously approved by the Midland Tax Increment Reinvestment Zone No. 1 (TIRZ). (DOWNTOWN DEVELOPMENT) (2015 - 012)
18. Consider a resolution approving an Economic Development Agreement by and between the Midland Tax Increment Reinvestment Zone No. 1 (TIRZ) and Rita Properties Corporation, said agreement was previously approved by the Midland Tax Increment Reinvestment Zone No. 1 (TIRZ). (DOWNTOWN DEVELOPMENT) (2015 - 013)
19. Consider a resolution approving an Economic Development Agreement by and between the Midland Tax Increment Reinvestment Zone No. 1 (TIRZ) and Permian Basin Public Telecommunications, Incorporated, dba Basin PBS, said agreement was previously approved by the Midland Tax Increment Reinvestment Zone No. 1 (TIRZ). (DOWNTOWN DEVELOPMENT) (2015 - 014)
20. Consider a resolution approving an Economic Development Agreement by and between the Midland Tax Increment Reinvestment Zone No. 1 (TIRZ) and Midland Community Theater, said agreement was previously approved by the Midland Tax Increment Reinvestment Zone No. 1 (TIRZ). (DOWNTOWN DEVELOPMENT) (2015 - 015)
21. Consider a resolution of the City Council of the City of Midland, Texas, approving certain amendments to the General Orders of the Midland Police Department; and providing that the City Council is the policymaking authority of the City of Midland. (POLICE) (2015 - 016)

SECOND READINGS

22. Consider an ordinance on second reading declaring certain structures located at 105 North Lamesa Road, 212 East Summit Avenue, 301 South Lamesa Road, 305 North Lee Street, 306 South Stonewall Street, 502 South Fairgrounds Road, a location on the west side of South Fairgrounds Road having a legal description of Lot 4, Block 26, Greenwood Addition, 506 South Fairgrounds Road, 505 South Tyler Street, 505 South Webster Street, 509 South Webster Street, 1207 East Nobles Avenue, 2305 East California Avenue, 3106 Delano Avenue, and 3708 Cedar Springs Drive to be dilapidated, substandard or unfit for human habitation and hazards to the public health, safety and welfare; ordering their destruction or removal; directing the City Secretary to publish notice; and directing the Building Official to deliver a copy of this ordinance to affected owners, lienholders and mortgagees; said ordinance being authorized by Chapter 214 of the Texas Local Government Code. (DEVELOPMENT SERVICES) (9365)
23. 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 Tract 10 and the South 416.98 feet of Tract 11, Wallace Heights Addition, City and County of Midland, Texas, which are presently zoned PD, Planned District for a Shopping Center, in part, and 1F-1, One-Family Dwelling District, in part, to be used as a MF-1, Multiple-Family Dwelling District (Generally located approximately 1,500 feet east of North Loop 250 West, between Andrews Highway and Sinclair Avenue); 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) (9366)
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 Lot 1, Block 1, Desert Thunder Raceway Addition, City and County of Midland, Texas, and a 28.60-acre tract of land out of Section 10, Block 40, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas, which are presently zoned PD, Planned District for a recreation center, to be used as a B, I-20 Business Park District (Generally located northwest of the intersection of South County Road 1250 and West Interstate Highway 20); 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) (9367)
25. 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 19.701-acre tract of land out of Section 12, Block 40, T-2-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 a BP, I-20 Business Park District (Generally

located southeast of the intersection of West Interstate Highway 20 and Antelope Trail); 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) (9368)

26. 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 are presently zoned MF-1, Multiple-Family Dwelling District, in part, O-2, Office District, in part, and LR-2, Local Retail District, in part, to be used as a PD, 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) (9369)
27. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 1, Block 16, Kelview Heights Addition, City and County of Midland, Texas (Generally located southwest of the intersection of North Big Spring Street and Neely Avenue), 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 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) (9372)
28. Consider an ordinance on second reading changing the zoning use classification of the property described as Lots 7 and 8, Block 183, Southern Addition, City and County of Midland, Texas (Generally located northeast of the intersection of West Dakota Avenue and South Big Spring 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 an electronic billboard; 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) (9373)
29. Consider an ordinance on second reading changing the zoning use classification of the property described as a 5.50-acre tract of land out of the northwest quadrant of Section 8, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located southeast of the intersection of West Interstate Highway 20 and Jasmine Road), 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; 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) (9374)

30. Consider an ordinance on second reading extending the boundaries of the City of Midland, Texas, by adding thereto certain areas adjoining the present City limits, being a 5.23-acre tract of land out of Section 37, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas (Generally located on the west side of Tradewinds Boulevard, approximately 170 feet south of Champions Drive); and approving a Public Service Plan. (DEVELOPMENT SERVICES) (9376)
31. Consider an ordinance on second reading establishing the zoning classification of the area indicated as being a 5.23-acre tract of land out of Section 37, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, as an AE, Agriculture Estate District; said tract is generally located on the west side of Tradewinds Boulevard, approximately 170 feet south of Champions 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) (9377)
32. Consider an ordinance on second reading granting a special exception for Tract 18, North Estates Addition, City and County of Midland, Texas (Generally located on the south side of Solomon Lane, approximately 300 feet east of Pine Needle Lane), by permitting an accessory structure to exceed the maximum size limit; 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) (9378)
33. Consider an ordinance on second reading vacating and abandoning a 0.55-acre portion of Baird Street right-of-way adjacent to Lots 1-6, Block 38, and Lots 7-12, Block 39, Original Town Addition, City and County of Midland, Texas (Generally located approximately 300 feet east of North Main Street, between East Illinois Avenue and East Texas Avenue); adopting the appraisal by the City Manager of \$23,958.00; waiving the fee for the cost of the right-of-way; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9379)
34. Consider an ordinance on second reading vacating and abandoning a 20-foot alley located on Block 37, Homestead Addition, City and County of Midland, Texas (Generally located approximately 170 feet east of North Carrizo Street, between West Michigan Avenue and West Tennessee Avenue); adopting the appraisal by the City Manager of \$6,000.00; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9380)

35. Consider an ordinance on second reading vacating and abandoning a 0.138-acre alley adjacent to Lots 1-12, Block 42, Belmont Addition, City and County of Midland, Texas (Generally located approximately 140 feet east of Belmont Street, between West Stokes Avenue and Wolcott Avenue); adopting the appraisal by the City Manager of \$3,602.64; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9381)
36. Consider an ordinance on second reading amending Title XI, "Planning and Development", Chapter 7a, "Revised Outdoor Sign Regulations", of the City Code of the City of Midland, Texas, so as to make comprehensive revisions to regulations pertaining to billboards and electronic billboards within the City of Midland, Texas; establishing illumination standards; establishing special control areas; prohibiting new billboards and electronic billboards within the special control areas; providing for a one-time replacement of an existing billboard located within a special control area; providing for a one-time replacement of an existing billboard located within a special control area with an electronic billboard if two other billboards or electronic billboards are removed from a special control area; requiring a Sign Permit and a Specific Use Permit with Term prior to constructing a new billboard or electronic billboard, or modifying a legally conforming billboard or electronic billboard; providing for notice, a public hearing, and 30-day comment period prior to the City council Coting on whether to grant a Specific Use Permit with Term; establishing minimum separation standards; establishing maximum sign area standards; establishing setback requirements; establishing an appeal procedure; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2000.00); and ordering publication. (DEVELOPMENT SERVICES) (9382)
37. Consider an ordinance on second reading amending Title VI, "Police Regulations", Chapter 2, "Animals and Fowl", Section 2, "Running at Large", and Section 10, "Impoundment Time, Notice and Costs", of the City Code of Midland, Texas; requiring a person who owns, keeps, possesses, harbors or maintains a dog, cat, ferret, livestock, poultry, other bird or other animal to prevent said dog, cat, ferret, livestock, poultry, other bird or other animal from being at large; negating and dispensing with the culpable mental state requirement; providing affirmative defenses; providing that each unlicensed dog, cat or ferret impounded shall be kept and maintained at the Department of Animal Control for a minimum of two days; providing for a maximum penalty or fine of five hundred dollars (\$500.00); containing a cumulative clause; containing a savings and severability clause; and ordering publication. (COMMUNITY SERVICES) (9383)
38. Consider an ordinance on second reading amending Title X, "Traffic Regulations", Chapter 1, "General Traffic Regulations", Section 3, "Truck Routes", and Section 4, "Hazardous Materials Truck Routes"; establishing truck routes, local truck routes, and hazardous materials truck routes 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) (9384)

PUBLIC HEARINGS

39. At approximately 10:30 A.M. hold a public hearing regarding a proposed Oil and Gas Permit to Callon Petroleum Company (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Pecan Acres 23 PSA1 #1H) located 2,140 feet from north line and 2,100 feet from east line, Section 23, Block 40, T-1-S, T&P RR Company Survey, City and County of Midland, Texas. (Generally located on the west side of Golden Gate Drive, approximately 2,140-feet south of extension of Mockingbird Lane.) (This is a public hearing. No action will be taken.) (DEVELOPMENT SERVICES)
40. At approximately 10:33 A.M. hold a public hearing regarding a proposed Oil and Gas Permit to Callon Petroleum Company (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Pecan Acres 23 PSA1 #2SH) located 2,140 feet from north line and 2,140 feet from east line, Section 23, Block 40, T-1-S, T&P RR Company Survey, City and County of Midland, Texas. (Generally located on the west side of Golden Gate Drive, approximately 2,140-feet south of extension of Mockingbird Lane.) (This is a public hearing. No action will be taken.) (DEVELOPMENT SERVICES)
41. At approximately 10:36 A.M. hold a public hearing and consider an ordinance changing the zoning use classification of the property described as the west 100 feet of the south half of Block 16, Loma Linda Addition, Section 4, City and County of Midland, Texas (Generally located southeast of the intersection of North Big Spring Street and West Oak Avenue), which is presently zoned LR-2, Local Retail District, by permitting said property to be used under a Specific Use Permit with Term for a Billboard; 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) (9387)
42. At approximately 10:39 A.M. hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Lots 1 and 2 of the east 100 feet of Block 4, Kelview Heights Addition, City and County of Midland, Texas (Generally located southwest of the intersection of North Big Spring Street and West Shandon Avenue), which is presently zoned LR-2, Local Retail District, by permitting said property to be used under a Specific Use Permit with Term for a Billboard; 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) (9388)

43. At approximately 10:42 A.M. hold a public hearing and consider an ordinance changing the zoning use classification of the property described as latitude 31.99248 and longitude -102.08063 out of Section 34, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the south side of West Front Street, approximately 75 feet southeast of South B 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; 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) (9389)
44. At approximately 10:45 A.M. hold a public hearing and consider an ordinance changing the zoning use classification of the property described as latitude 31.98714 and longitude -102.09102 out of Section 34, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the south side of West Front Street, approximately 180 feet southwest of South I 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; 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) (9390)
45. At approximately 10:48 A.M. hold a public hearing and consider an ordinance changing the zoning use classification of the property described as a 3,738 square foot portion of Lot 2, Block 11, Gardens Addition, City and County of Midland, Texas (Generally located on the north side of West Michigan Avenue, and southwest of Andrews Highway), which is presently zoned LR-2, Local Retail District, in part, and PD, Planned District for a Transition District, in part, 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) (9391)
46. At approximately 10:51 A.M. hold a public hearing and consider an ordinance granting a special exception for Lot 6, Block 27, High School Addition, City and County of Midland, Texas (Generally located southwest of the intersection of West Cuthbert Avenue and North D Street), by permitting an encroachment into the required side yard setback for an addition to a dwelling; 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) (9392)

47. At approximately 10:54 A.M. 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 57.76-acre tract of land out of Section 29, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, which is presently zoned AE, Agriculture Estate District, to be used as a CE, Country Estate District (Generally located on the east side of Todd Drive, 0.75 miles south of East Loop 250 North); 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) (9393)
48. At approximately 10:57 A.M. 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 Addition, City and County of Midland, Texas, which is presently zoned AE, Agriculture Estate District, to be used as a PD, Planned District for an Industrial District (Generally located on the west side of North Highway 349, approximately 500 feet northwest 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) (9394)
49. At approximately 11:00 A.M. hold a public hearing and consider an ordinance adopting a site plan for Lot 1, Block 2, Southwest Crossing Addition, City and County of Midland, Texas (Generally located southwest of the intersection of Antelope Trail and Cholla Road); subject to certain conditions and restrictions; 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) (9395)
50. At approximately 11:03 A.M. hold a public hearing and consider an ordinance adopting a site plan for Lot 1C, Block 4, Gateway Plaza Addition, Section 8, City and County of Midland, Texas (Generally located on the west side of Tradewinds Boulevard, approximately 1,500 feet north of West Business Interstate 20); subject to certain conditions and restrictions; 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) (9396)
51. At approximately 11:06 A.M. 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 1R, Block 17, Skyline Terrace

Addition, Unit 2, 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 southwest of the intersection of West Loop 250 North and 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) (9397)

52. At approximately 11:09 A.M. hold a public hearing and consider an ordinance changing the name of Coyote Drive, adjacent to Lots 25 through 49, Block 5, Lone Star Trails Addition, Section 2, City and County of Midland, Texas (Generally located approximately 1,500 feet east of North State Highway 349, at the east end of Maverick Lane), to "Cowboy Drive"; containing a cumulative clause; containing a savings and severability clause; and directing the City Secretary to send the Midland Emergency Communications District a certified copy of this ordinance. (DEVELOPMENT SERVICES) (9398)
53. At approximately 11:12 A.M. hold a public hearing and consider an ordinance granting a special exception for Lot 1, Block 114, Wilshire Park Addition, City and County of Midland, Texas (Generally located southeast of the intersection of West Illinois Avenue and Stonybrook Avenue), by permitting an encroachment into the required side yard setback for two accessory structures; 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) (9399)
54. At approximately 11:15 A.M. hold a public hearing and consider an ordinance changing the zoning use classification of the property described as a 2.86-acre tract of land located in 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 West Interstate Highway 20, approximately 1,600 feet east of South Loop 250 West), 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; 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) (9400)
55. At approximately 11:18 A.M. 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 17, 349 Ranch Estates Addition, Section 18, City and County of Midland, Texas, which is presently zoned PD, Planned District for an Industrial District, to be used as an Amended Planned District (Generally located northeast of the intersection of North Highway 349 and 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) (9401)

56. At approximately 11:21 A.M. hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Latitude 31.98962 and Longitude -102.08630 out of Section 34, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the south side of West Front Street, approximately 190 feet southwest of South G 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; 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) (9402)

MISCELLANEOUS

57. Consider an ordinance making certain transfers in various funds of the 2013-2014 Fiscal Year Budget and making certain budget amendments; and ordering recordation. (FINANCE) (9403)
58. Consider a motion approving a proposed preliminary plat of Diaz Acres, being a 57.76-acre tract of land out of Section 29, Block 38, T-1-S, T&P R. R. Company Survey, City and County of Midland, Texas. (Generally located on the east side of Todd Drive, approximately 0.75-miles south of E. Loop 250 North. (DEVELOPMENT SERVICES)
59. Consider a motion making appointments to various Boards and Commissions.

EXECUTIVE SESSION

60. 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:

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.