CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
February 10, 2015 - 9:15 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 from Callon Petroleum Operating Company regarding land donation for a future fire station.

2. Presentation of the 2014 Midland Police Department Traffic Contact report by Dr. Eric J. Fritsch, Ph.D., Professional Development Institute, University of North Texas.

AGENDA FOR CITY COUNCIL MEETING
February 10, 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 - Pastor Robert Pase, Grace Lutheran Church.

2. Pledge of Allegiance

PRESENTATIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:

    a. Recognition of Stonegate and Crestview members who aided Midlanders after ice storm.

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. Regular meeting of January 27, 2015.

6. Consider a resolution accepting payment from the Midland Development Corporation in an amount not to exceed $100,000 in order for the City of Midland to enter into an agreement for Spaceport Support Services for Midland International Air and Space Port; providing that said Midland Development Corporation expenditure is an administrative expense as authorized by Chapter 501 of the Texas Local Government Code; and approving an amendment to the Midland Development Corporation's Fiscal Year 2014-2015 Budget. (FINANCE) (2015 - 026)

7. Consider a resolution authorizing the execution of a Professional Services Agreement with Silverwing Enterprises, LLC to provide professional services in support of the operation of the space port located at Midland International Air and Space Port; and appropriating funds. (AIRPORTS) (2015 - 027)

8. Consider a resolution approving the purchase of one hundred thirty (130) E-Z-Go Golf Carts, and the trade-in of one hundred thirty (130) E-Z-Go Golf Carts through buyboard at a total cost of $341,120.00; and this item was not bid but purchased through a Council of Governments. (PURCHASING) (2015 - 028)

9. Consider a resolution authorizing the execution of a two-year contract, renewable for up to three more years, for maintenance of water wells for production for the City's water supply with Valley Irrigation & Pump Service, Incorporated, of Seminole, Texas, at an estimated annual cost of $60,000.00. (PURCHASING) (2015 - 029)

10. Consider a resolution authorizing the appropriation of funds in the amount of $200,000.00 from the Unappropriated Fund Balance Account (5650) of the General Fund (001) and $200,000.00 from the Sanitation Fund (430), Landfill Division's (0405) 2015 Operating Budget to the Brush Cleanup Project (9122) for the Solid Waste Department. (PURCHASING) (2015 - 030)

11. Consider a resolution authorizing the execution of Amendment Number Seven to the Professional Services Agreement with Parkhill, Smith & Cooper, Incorporated, for improvements contained in the Airport Capital Improvement Program; said amendment to include the following projects: Access Control System and Cable Update and MAF Aerospace Development Park Programmatic Environmental Assessment, Phase I Environmental Site Assessment and Buildings PS-1 and PS-2 Asbestos Survey; and appropriating funds. (AIRPORTS) (2015 - 031)

12. Consider a resolution of the City Council of the City of Midland, Texas supporting the proposed Merritt Leisure Housing Development; the applicant is DDC Merritt Leisure, Ltd.; the proposed development is located at the northeast quadrant of Leisure Drive and South Texas Loop 250 West; providing an effective date; and authorizing and directing the City Secretary to certify the resolution to the Texas Department of Housing and Community Affairs. (CITY ATTORNEY'S OFFICE) (2015 - 032)

13. Consider a resolution of the City Council of the City of Midland, Texas recognizing prior adoption of the Midland Airport Corridor Community Revitalization Plan; supporting the proposed Merritt Leisure Housing Development; identifying the proposed Merritt Leisure Housing Development as the development in the 2015 Tax Credit Application Pool that contributes most significantly to the concerted revitalization efforts of the City of Midland, Texas; the applicant is DDC Merritt Leisure, Ltd.; the proposed development is located

at the northeast quadrant of Leisure Drive and South Texas Loop 250 West; providing an effective date; and authorizing and directing the City Secretary to certify the resolution to the Texas Department of Housing and Community Affairs. (CITY ATTORNEY'S OFFICE) (2015 - 033)

14. Consider a resolution of the City Council of the City of Midland, Texas committing to make a loan with conditions to DDC Merritt Leisure, Ltd. to pay for costs associated with the proposed Merritt Leisure Housing Development; the proposed development is located at the northeast quadrant of Leisure Drive and South Texas Loop 250 West; providing no waiver of governmental immunity or sovereign immunity; providing an effective date; and authorizing and directing the City Secretary to certify the resolution to the Texas Department of Housing and Community Affairs. (CITY ATTORNEY'S OFFICE) (2015 - 034)

15. Consider a resolution of the City of Midland, Texas requesting that the Texas State Legislature and the Governor of Texas take action to approve House Bill No. 80 which was introduced by the Honorable Tom Craddick in the regular session of the 84th Session of the Texas Legislature. (CITY MANAGER'S OFFICE) (2015 - 035)

16. Consider a resolution approving an Economic Development Agreement between the Midland Development Corporation and Midland College, as authorized by Chapters 504 and 501 of the Texas Local Government Code, as amended. (CITY ATTORNEY'S OFFICE) (2015 - 036)

17. Consider a resolution authorizing the execution of a Sports Agreement with West Texas BMX to administer programs, special events and services related to West Texas BMX racing and riding. (COMMUNITY SERVICES) (2015 - 037)

18. Consider a resolution authorizing the execution of a Sports Agreement with the Texas Cricket Club to administer programs, special events and services related to cricket. (COMMUNITY SERVICES) (2015 - 038)

19. Consider a resolution authorizing the execution of a Sports Agreement with Midland Softball Association, Incorporated, to administer programs, special events and services related to softball for adults ages fifteen (15) and older. (COMMUNITY SERVICES) (2015 - 039)

20. Consider a resolution authorizing the execution of a Sports Agreement with Midland Junior Baseball Association, Incorporated, to administer programs, special events and services related to baseball for men ages nineteen and younger. (COMMUNITY SERVICES) (2015 - 040)

21. Consider a resolution authorizing the execution of a Sports Agreement with Midland Soccer Association, Incorporated, to administer programs, special events and services related to soccer for adults and youth. (COMMUNITY SERVICES) (2015 - 041)

22. Consider a resolution 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) (2015 - 042)

23. Consider a resolution authorizing the execution of a Sports Agreement with the Greater Midland Football League to administer programs, special events and services related to football. (COMMUNITY SERVICES) (2015 - 043)

24. Consider a resolution authorizing the execution of a Sports Agreement with the Boys and Girls Club of Midland to administer programs, special events and services related to flag football and soccer for youth ages eight through twelve. (COMMUNITY SERVICES) (2015 - 044)

25. Consider a resolution 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 adults and youth. (COMMUNITY SERVICES) (2015 - 045)

26. Consider a resolution 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 activities for adults and youth. (COMMUNITY SERVICES) (2015 - 046)

27. Consider a resolution authorizing the execution of a Sports Agreement with Stonegate Fellowship to administer programs, special events and services related to flag football activities for adults and youth. (COMMUNITY SERVICES) (2015 - 047)

28. Consider a resolution authorizing the execution of a Lease Agreement between the City of Midland and the Midland Chamber of Commerce regarding Lot 6, Block 37, Original Town, City and County of Midland, Texas. (DEVELOPMENT SERVICES) (2015 - 048)

29. Consider a resolution authorizing the acceptance of a donation from Callon Petroleum Operating Company of a 5.00-acre tract of land out of Section 23, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, in fee simple, and a 7.57-acre tract of land out of Section 23, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, as an Easement Estate (said tracts being generally located on the northeast corner of Briarwood and Golden Gate); authorizing the City Manager to negotiate the donation of said property

and to execute and file all documents necessary to accept the donation of said property; authorizing the closing for the donation of said property to be held at Lone Star Abstract and Title Co., Inc.; and authorizing payment of all closing costs related to the donation of said property. (DEVELOPMENT SERVICES) (2015 - 049)

30. Consider a motion on request by Schumann Engineering Co. Inc. to defer public improvements for Mystic Acres Addition, and to discount the associated construction costs by $44,565, an amount equal to the full cost of construction. The subject property is generally located in Midland County on State Highway 349 (a.k.a., Rankin Hwy) near the intersection with East County Road 150. (ENGINEERING SERVICES)

31. Consider a motion on request by Schumann Engineering Co. Inc. to defer public improvements for Petro Lewis Addition Section 3, and to discount the associated construction costs by $99,200, an amount equal to the full cost of construction. The subject property is generally located in the City of Midland at 2907 Rankin Hwy (a.k.a., SH 349) at the northeast corner of the intersection with East County Road 114. (ENGINEERING SERVICES)

32. Receive and/or discuss the 2014 Midland Police Department Racial Profiling Analysis. (POLICE)

SECOND READINGS

33. 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 10.66-acre tract of land out of Section 9, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Housing Development, to be used as a 1F-1, One-Family Dwelling District (Generally located northeast of the intersection of Mockingbird Lane and Mayfield Place); 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 January 27, 2015.)(9404)

34. Consider an ordinance on second reading changing the zoning use classification of the property described as Lot 2, Block 17, Northwest Acres Addition, City and County of Midland, Texas (Generally located on the north side of Humble Avenue, approximately 300 feet east of Western Drive), which is presently zoned 1F-1, One-Family Dwelling District, by permitting said property to be used under a Specific Use Permit Without Term for an Accessory Building to be used for living or sleeping quarters; 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 January 27, 2015.)(9405)

35. 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 2.83-acre tract of land out of Section 9, Block "X", H.P. Hilliard survey, City and County of Midland, Texas, which is presently zoned 1F-1, One-Family Dwelling District, to be used as an O-1, Office District (Generally located northeast of the intersection of Whitman Drive and Mockingbird Lane); 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 January 27, 2015.)(9406)

36. Consider an ordinance on second reading amending Title III, "Departments", Chapter 1, "Water Department", Section 27, "Septage Waste Hauler Discharges and Fees", of the City Code of Midland, Texas, so as to regulate the discharge of domestic septage at the City's water pollution control plant; incorporating a thirty cents ($0.30) per gallon septage hauler's discharge fee; providing for a maximum penalty or fine of one thousand dollars ($1,000.00); containing a cumulative clause; containing a savings and severability clause; and ordering publication. (UTILITIES)(First reading held January 27, 2015.)(9407)

PUBLIC HEARINGS

37. At approximately 10:30 a.m. hold a public hearing regarding a proposed Oil and Gas Permit to Endeavor Energy Resources, L.P. (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Nail "34" #1) located 467 feet from the north line and 467 feet from the east line located in Section 34, Block 38, T-1-N, T&P RR Co. Survey, City of Midland and County of Martin, Texas. (Generally located in the northeastern corner of Section 34, approximately 467 feet west of North County Road 1150.) This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES)

38. At approximately 10:33 a.m. hold a public hearing regarding a proposed Oil and Gas Permit to Endeavor Energy Resources, L.P. (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Nail "34" #2) located 1,980 feet from the north line and 467 feet from the east line located in Section 34, Block 38, T-1-N, T&P RR Co. Survey, City of Midland and County of Martin, Texas. (Generally located in the northeastern corner of Section 34, approximately 467 feet west of North County Road 1150.) This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES)

39. At approximately 10:36 a.m. hold a public hearing regarding a proposed Oil and Gas Permit to Endeavor Energy Resources, L.P. (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Nail "34" #3) located 1,980 feet from the south line and 467 feet from the east line located in Section 34, Block 38, T-1-N, T&P RR Co. Survey, City of Midland and County of Martin, Texas. (Generally

located in the northeastern corner of Section 34, approximately 467 feet west of North County Road 1150.) This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES)

40. At approximately 10:39 a.m. hold a public hearing regarding a proposed Oil and Gas Permit to Endeavor Energy Resources, L.P. (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (Nail "34" #4) located 467 feet from the south line and 467 feet from the east line located in Section 34, Block 38, T-1-N, T&P RR Co. Survey, City of Midland and County of Martin, Texas. (Generally located in the northeastern corner of Section 34, approximately 467 feet west of North County Road 1150.) This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES)

41. At approximately 10:42 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 49.32-acre tract of land out of Section 48, 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 Industry District (Generally located on the south side of State Highway 191, approximately 0.5 miles west of South Farm to Market Road 1788); 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) (9408)

42. At approximately 10:45 A.M. hold a public hearing and consider a resolution authorizing the Temporary Use of Land for a Tent Sale on a 27.31-acre portion of Lot 1, Block 17, Skyline Terrace Addition, Unit 2, City and County of Midland, Texas (Generally located southwest of the intersection of West Loop 250 North and North Midkiff Road); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2015 - 050)

MISCELLANOUS

43. Consider a motion appealing the Building Official's denial of a sign permit application Vineyard Development located at 5501 Sherwood Drive, Midland, Texas. (Generally located southeast of the intersection of Sherwood Drive and Sandstone Drive.) (DEVELOPMENT SERVICES)

44. Consider a motion making appointments to various Boards and Commissions, including appointments to the Midland Tax Increment Reinvestment Zone No. 1 (TIRZ) Board of Directors.

45. At approximately 1:00 P.M. recess and reconvene for a tour of the Wall Street Lofts located at 100 North Main Street, Midland, Texas.

EXECUTIVE SESSION

46. 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 551.074, Personnel Matters

a.1. Interview candidates for the position of the Presiding Judge of the City of Midland Municipal Court.

b. Section 551.087, Deliberate Economic Development Negotiations

b.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.

c. Section 551.072, Deliberation Regarding Real Property.

c.1. Discuss the purchase, exchange, lease or value of real property described as Block 007, All Lots, Original Town Addition, Midland, Midland County, Texas.

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.