

**CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
June 09, 2015 – 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 - 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:
 - a. Presentation of a Proclamation for Juneteenth

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 May 19, 2015.
6. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the Animal Services Renovation Project Phase II. (PURCHASING) (2015 - 149)

7. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the 2015 Crack Seal Project; said project will provide for the sealing of cracks in streets to prevent water intrusion and defend against pavement deterioration. (PURCHASING) (2015 - 150)
8. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the Microsurfacing Project; said project will provide for a "quick set" preventative maintenance treatment that extends the lives of road surfaces and aesthetically improves roads. (PURCHASING) (2015 - 151)
9. Consider a resolution approving the purchase of seven (7) Wavetronix Matrix radar vehicle detection packages for use at traffic signal locations from Twincrest Technologies, Incorporated, through the Houston-Galveston Area Council at a total cost of \$129,175.00; this item was not bid but purchased through a Council of Governments. (PURCHASING) (2015 - 152)
10. Consider a resolution approving the purchase of traffic signal maintenance equipment from Paradigm Traffic Systems, Incorporated, through Buyboard at a total cost of \$140,687.20; this item was not bid but purchased through a cooperative purchasing program. (PURCHASING) (2015 - 153)
11. Consider a resolution awarding a contract for the FY2015 Mill and Inlay Project to Jones Bros. Dirt and Paving Contractors, Inc. of Odessa, Texas, at a total cost of \$2,028,011.57; and authorizing payment therefor. (PURCHASING) (2015 - 154)
12. Consider a resolution approving the purchase of twenty-five (25) Panasonic laptop computers for police vehicles from PCMG, Incorporated, through the Texas Department of Information Resources at a total cost of \$103,061.75; and this item was not bid but purchased through a State of Texas Cooperative Program. (PURCHASING) (2015 - 155)
13. Consider a resolution approving the purchase of twenty-five (25) XG-75M mobile radios for police vehicles from Dailey-Wells Communications, Incorporated, through the Texas Department of Information Resources at a total cost of \$114,656.25; and said radios were not bid but purchased as a sole source. (PURCHASING) (2015 - 156)
14. Consider a resolution authorizing the purchase of police vehicle equipment from Cap Fleet Upfitters, at a total cost of \$163,230.22. (PURCHASING) (2015 - 157)
15. Consider a resolution approving plans and specifications and authorizing advertisement for bids for yard waste mulching. (PURCHASING) (2015 - 158)
16. Consider a resolution approving plans and specifications and authorizing advertisement for competitive bids for environmental compliance sampling for

the City of Midland's Utilities Department; the project will include sampling and testing of soil and groundwater of the land application areas at Spraberry and the water pollution control plant. (PURCHASING) (2015 - 159)

17. Consider a resolution authorizing the execution of an Airport Use Agreement for a Non-Tenant (Off Airport) Ground Transportation Permit between the City of Midland, Texas and N.C. Sturgeon dba Premier Parking Company. (AIRPORTS) (2015 - 160)
18. Consider a resolution authorizing the execution of a contract with M. Hastey Construction, Co., Inc., of Plainview, Texas, for the Space Port Business Park Demolition Project (9111) at the Midland International Air & Space Port; the Council previously authorized advertisement for bids for the project; the total estimated cost of said project is \$324,999.36; and appropriating funds. (AIRPORTS) (2015 - 161)
19. Consider a resolution authorizing the employment of the law firm of Cotton, Bledsoe, Tighe & Dawson, P.C. to represent the City of Midland in the lawsuit styled in Re: Petition of Michael Hall, individually and on behalf of the estate of Barbara Hall; and Zachary Hall, individually (238th Judicial District Court, Midland County, Texas; Cause No. CV-51,165.) (CITY ATTORNEY'S OFFICE) (2015 - 162)
20. Consider a resolution authorizing the execution of an agreement with Rock the Desert Ministries, Incorporated, as authorized by Chapter 351 of the Texas Tax Code; finding that said agreement is for the promotion of tourism and the hotel and motel industry; finding that the funds provided under said agreement shall be expended in a manner directly enhancing and promoting tourism and the hotel and motel industry; and providing that the approval of this resolution should not be construed or interpreted as endorsing the message or activities promoted by Rock the Desert Ministries, Incorporated. (CITY SECRETARY'S OFFICE) (2015 - 163)
21. Consider a motion authorizing the extension of a five-year Lease Agreement with the Boys & Girls Club of Midland for the facility at Halff Park. (COMMUNITY SERVICES) (052-2015)
22. Consider a resolution approving the issuance of a permit to Callon Petroleum Operating Company ("Operator") to drill an oil and gas well within the City limits located 577 feet from the north line and 1,929 feet from the east line, Section 23, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the west side of Golden Gate Drive, approximately 577 feet south of Mockingbird Lane extension); 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) (2015 - 164)

23. Consider a resolution approving the issuance of a permit to Callon Petroleum Operating Company ("Operator") to drill an oil and gas well within the City limits located 577 feet from the north line and 1,889 feet from the east line, Section 23, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the west side of Golden Gate Drive, approximately 577 feet south of Mockingbird Lane extension); 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) (2015 - 165)
24. Consider a resolution approving the issuance of a permit to High Sky Partners, LLC ("Operator") to drill an oil and gas well within the City limits located 428 feet from the north line and 1,000 feet from the east line, Section 1, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (Generally located approximately 428 feet south of Mockingbird Lane extension and 1,000 feet west of Fairgrounds Road extension); 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) (2015 - 166)
25. Consider a resolution approving the issuance of a permit to High Sky Partners, LLC ("Operator") to drill an oil and gas well within the City limits located 384 feet from the north line and 1,025 feet from the east line, Section 1, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (Generally located approximately 384 feet south of Mockingbird Lane extension and 1,025 feet west of Fairgrounds Road extension); 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) (2015 - 167)
26. Consider a resolution approving the issuance of a permit to High Sky Partners, LLC ("Operator") to drill an oil and gas well within the City limits located 298 feet from the north line and 1,076 feet from the east line, Section 1, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (Generally located approximately 298 feet south of Mockingbird Lane extension and 1,076 feet west of Fairgrounds Road extension); 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) (2015 - 168)
27. Consider a resolution approving the issuance of a permit to High Sky Partners, LLC ("Operator") to drill an oil and gas well within the City limits located 341 feet from the north line and 1,051 feet from the east line, Section 1, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (Generally located approximately 341 feet south of Mockingbird Lane extension and 1,051 feet west of Fairgrounds Road extension); 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) (2015 - 169)
28. Consider a resolution approving the issuance of a permit to High Sky Partners,

- LLC ("Operator") to drill an oil and gas well within the City limits located 2,416 feet from the north line and 1,943 feet from the west line, Section 1, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (Generally located on the north side of Solomon Lane extension, approximately 1,943 feet east of Lamesa Road); 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) (2015 - 170)
29. Consider a resolution approving the issuance of a permit to High Sky Partners, LLC ("Operator") to drill an oil and gas well within the City limits located 2,416 feet from the north line and 1,793 feet from the west line, Section 1, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (Generally located on the north side of Solomon Lane extension, approximately 1,793 feet east of Lamesa Road); and providing that said permit does not require a Road Repair Agreement but shall be consolidated under an existing Road Repair Agreement. (DEVELOPMENT SERVICES) (2015 - 171)
30. Consider a resolution approving the issuance of a permit to High Sky Partners, LLC ("Operator") to drill an oil and gas well within the City limits located 2,416 feet from the north line and 1,893 feet from the west line, Section 1, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (Generally located on the north side of Solomon Lane extension, approximately 1,893 feet east of Lamesa Road); 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) (2015 - 172)
31. Consider a resolution approving the issuance of a permit to High Sky Partners, LLC ("Operator") to drill an oil and gas well within the City limits located 2,416 feet from the north line and 1,843 feet from the west line, Section 1, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (Generally located on the north side of Solomon Lane extension, approximately 1,843 feet east of Lamesa Road); 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) (2015 - 173)
32. Consider a resolution authorizing the execution of a Professional Services Agreement with Parkhill, Smith & Cooper, Inc. to assist the Engineering Services Department with tasks related to the 2015 measurable goals required by the Texas Pollutant Discharge Elimination System Small MS4 General Permit TXR040000; and authorizing payment therefor in an amount not to exceed \$77,500.00. (ENGINEERING SERVICES) (2015 - 174)
33. Consider a resolution authorizing payment to Vineyard Reserve, LLC in the amount of \$25,800.00 in lieu of providing water taps to Fasken Land and Minerals, Ltd. on certain real property; said taps being consideration for certain real property interests transferred from Fasken Land and Minerals, Ltd. to the

City of Midland in accordance with Resolution No. 2007-257; Fasken Land and Minerals, Ltd. and Vineyard Reserve, LLC being affiliated entities. (ENGINEERING SERVICES) (2015 - 175)

34. Consider a resolution authorizing an Operating Certificate for Elite Taxi Service, to operate a taxicab business; setting forth conditions accompanying the certificate; and establishing the terms of the certificate. (POLICE) (2015 - 176)
35. Consider a resolution authorizing the City of Midland to file a joint application with Midland County for Fiscal Year 2015 Justice Assistance Grant Funds Program totaling \$26,966.00; and authorizing the execution of an agreement regarding the division of said grant funds; the City of Midland will receive \$16,180.00 (60%) and Midland County will receive \$10,786.00 (40%) of the grant funds respectively; this agreement does not supersede, modify or amend any other prior agreements. (POLICE) (2015 - 177)

SECOND READINGS

36. Consider an ordinance on second reading changing the zoning use classification of the property described as an approximate 5,060-square foot portion of Lot 8A, Block 3, Westridge Park Addition, Section 18, City and County of Midland, Texas (Generally located northeast of the intersection of Catalina Drive and Deauville Boulevard), which is presently zoned PD, Planned District for a shopping center, by permitting said property to be used under a Specific Use Permit with Term for the sale of all alcoholic beverages in a bar and in a conference center 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 May 19, 2015.)(9442)
37. 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 1A, Block 2, Grandridge Park Addition, Section 6, 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 the intersection of Holiday Hill Road and North Loop 250); 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 May 19, 2015.)(9443)
38. Consider an ordinance on second reading establishing temporary regulatory construction speed limits on portions of Briarwood Avenue and Holiday Hill Road for the duration of a Roadway Improvement Project by the City of Midland; 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), except that the maximum penalty or fine shall be four hundred dollars (\$400.00) if an offense occurs in a construction or maintenance work zone when workers are present; and ordering publication. (ENGINEERING SERVICES)(First reading held on May 19, 2015.)(9444)

PUBLIC HEARINGS

39. At approximately 10:30 A.M. hold a public hearing for the 2015/2016 Community Development Block Grant Program and the 2015 - 2019 Consolidated Plan. This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES) (053-2015)
40. At approximately 10:33 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 1.50-acre portion of Lot 1B, Block 43, Fairmont Park Addition, Section 44, City and County of Midland, Texas, which is presently zoned PD, Planned District for a shopping center, to be used as an LR-2, Local Retail District (Generally located on the south side of West Loop 250 North, approximately 1,500 feet east of Holiday Hill 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) (9445)
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 a 10,350-square foot portion of the south 83.5 feet of Tract 18 and the north 167 feet of Tract 19, Morningside Addition, City and County of Midland, Texas (Generally located on the west side of North Main Street, approximately 350 feet north of West Golf Course Road), which is presently zoned 2F, Two-Family Dwelling District, by permitting said property to be used under a Specific Use Permit with Term for a day care center; 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) (9446)
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 a 3,432-square foot portion of Lot 33C, Block 3, Briarwood Addition, Section 16, City and County of Midland, Texas (Generally located on the north side of Briarwood Avenue, approximately 210 feet west of North Midland Drive), which is presently zoned PD, Planned District for a shopping center, 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) (9447)

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 a 45.70-acre tract of land out of Section 31, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the north side of East Golf Course Road, approximately 1,500 feet east of Fairgrounds Road), which is presently zoned AE, Agriculture Estate District, by permitting said property to be used under a Specific Use Permit without Term for a Manufactured Home Park; 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) (9448)
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 Lot 13, Block 8, Westridge Park Addition, Section 27, City and County of Midland, Texas (Generally located southwest of the intersection of Tradewinds Boulevard and Windhaven Drive), 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) (9449)
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 1,920-square foot portion of Lot 2B, Block 52, Belmont Addition, Section 21, City and County of Midland, Texas (Generally located on the north side of West Longview Avenue, approximately 270 feet east of Belmont 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) (9450)
46. At approximately 10:51 a.m. hold a public hearing and consider an ordinance vacating and abandoning a 0.06-acre portion of alley right-of-way adjacent to Lot 6 and the north 50 feet of Lots 7 through 12, Block 120, Southern Addition, City and County of Midland, Texas (Generally located on the west side of South

Dallas Street, approximately 140 feet north of East New York Avenue); adopting the appraisal by the City Manager of \$5,600.00; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9451)

47. At approximately 10:54 a.m. hold a public hearing and consider an ordinance 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 indoor shooting ranges in the LR-2, 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) (9452)

MISCELLANEOUS

48. Consider a motion on a proposed preliminary plat of Riverbend Addition, being a 119.47-acre tract of land out of Section 31, Block 38, T-1-S, T&P RR Company Survey, City and County of Midland, Texas (Generally located on the east side of North Fairgrounds Road, on the north side of East Golf Course Road.) (DEVELOPMENT SERVICES) (054-2015)
49. Consider a motion appealing the Building Official's denial of a sign permit application by Effective Images located on 5200 Cholla Road, Midland, Texas (Generally located northeast of the intersection of Antelope Trail and Cholla Road.) (DEVELOPMENT SERVICES) (055-2015)
50. Consider a motion making appointments to various Boards and Commissions. (CITY SECRETARY'S OFFICE)

EXECUTIVE SESSION

51. 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 551.072 Deliberation Regarding Real Property
 - a.1. Discuss the purchase, exchange, lease, or value of real property described as approximately 0.74 acres of land adjacent to Fairgrounds Road and located in Sections 30 and 31, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, 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.