

CITY OF MIDLAND, TEXAS
AGENDA FOR CITY COUNCIL MEETING
June 28, 2016 – 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 - Reverend Roy Smith, True Lite Christian Fellowship
2. Pledge of Allegiance

PRESENTATIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Recognize Public Information Office for receiving two first place awards at the 2016 Texas Association of Municipal Information Officers conference in Arlington.

PUBLIC COMMENT

4. Receive public comments where individuals may address the City Council on City related issues and projects not on the present agenda. Any deliberation of or decision by the City Council regarding the item being discussed shall be limited to a motion to place the item on the agenda for a subsequent meeting. (Please limit comments to three minutes or less.)

CONSENT AGENDA

5. Consider a motion approving the following minutes:
 - a. Regular meeting of June 14, 2016.
6. Consider a resolution approving plans and specifications and authorizing advertisement for bids for the Fiscal Year 2016 Frictional Asphaltic Surface

Preservation Treatment Project; said project will provide for the treatment of road surfaces to improve the frictional characteristics and extend the useful lives of the road surfaces. (PURCHASING) (2016 - 186)

7. Consider a resolution authorizing the purchase of 8,750 pounds of cotton seed for Spraberry Farm from the sole bidder, Helena Chemical, of Stanton, Texas, at a total cost of \$57,925.00. (PURCHASING) (2016 - 187)
8. Consider a resolution approving the purchase of core and network switches and a wireless controller and access points from Solid IT Networks, through the Texas Department of Information Resources at a total cost of \$83,473.82. (PURCHASING) (2016 - 188)
9. Consider a resolution approving a contract with ABCO Fire Protection, Inc., for the repair of the fire protection system at Grande Communications Stadium at a total cost of \$55,000.00. (PURCHASING) (2016 - 189)
10. Consider a resolution authorizing the execution of an Air Cargo Lease Agreement between the City of Midland, Texas and Southwest Airlines Co., for the lease of 3,614.80 square feet in the air cargo facility at the Midland International Air & Space Port. (AIRPORTS) (2016 - 190)
11. Consider a resolution authorizing the City Manager to execute, on behalf of the City of Midland, an instrument granting a 0.120-acre utility easement and right-of-way located in Section 30, Block 36, T-3-S, T&P RR Co. Survey, Midland County, Texas (Generally located immediately north of East County Road 230, approximately 3.5 miles southwest of East State Highway 158), to Oncor Electric Delivery Company LLC. (ENGINEERING SERVICES) (2016 - 191)
12. Consider a resolution authorizing the execution of a Right-of-Way License between the City of Midland, Texas and Plains Marketing, L.P., regarding City-owned property described as Sections 3 and 10, Block 37, T-3-S, T&P RR Co. Survey, Midland County, Texas. (ENGINEERING SERVICES) (2016 - 192)
13. Consider a motion on request by West Company to defer public improvements for Covington Addition, Section 4, and to waive the corresponding financial security guarantee valued at \$53,753.00, an amount equal to the estimated cost of construction. The subject property is generally located northwest of the intersection of Tower Road and Jordy Road located within the City of Midland corporate limits. (ENGINEERING SERVICES) (055-2016)

14. Consider a motion approving an Economic Development Agreement between the Midland Development Corporation and the Spaceport Development Corporation for certain infrastructure and improvements at the Spaceport Business Park located at Midland International Air and Space Port. (CITY MANAGER'S OFFICE) (056-2016)
15. Consider a motion approving plans and specifications for the Spaceport Business Park Roadway and Infrastructure Improvement Project; authorizing the City Manager to negotiate and execute an Interlocal Agreement between the City of Midland, the Spaceport Development Corporation, and the Midland Development Corporation regarding development management services and other matters necessary for said project; and authorizing the City Manager to negotiate and execute any and all documents necessary for said project. (CITY MANAGER'S OFFICE) (057-2016)
16. Consider a resolution adding three (3) special City Council meetings on July 25, 2016, August 2, 2016, and August 16, 2016; and adding one (1) regular City Council meeting on August 30, 2016, to the City Council meetings scheduled for the 2016 calendar year. (FINANCE) (2016 - 193)

SECOND READINGS

17. 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 1 and 2, Block 162, and the south 378 feet of Lot 1R, Block 163, Wilshire Park Addition, Section 9, City and County of Midland, Texas, which is presently zoned PD, Planned District for a Housing Development, in part, and PD, Planned District for a Shopping Center, in part, to be used as a PD, Planned District for a Housing Development (Generally located northwest of the intersection of Beal Parkway and Leisure 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)(First reading held April 12, 2016.)(9555)
18. Consider an ordinance on second reading granting a special exception for Lot 1 and the south half of Lot 2, Block 3, Grafaland Addition, City and County of Midland, Texas (Generally located northwest of the intersection of West Broadway Street and West Ohio Avenue), by permitting a detached accessory structure with open sides having a maximum height not to exceed 15 feet; 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)(First reading held on June 14, 2016.)(9576)

19. Consider an ordinance on second reading amending Title V, "Business Regulations", Chapter 6, "Taxicabs", of the Midland City Code; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of five hundred dollars (\$500.00); and ordering publication. (CITY ATTORNEY'S OFFICE)(First reading held on June 14, 2016.)(9577)

PUBLIC HEARINGS

20. Hold a public hearing and consider an ordinance of the City of Midland, Texas, adopting the Tall City Tomorrow Comprehensive Plan as authorized by Chapter 213 of the Texas Local Government Code; said comprehensive plan illustrating the future development of the City; providing a savings and severability clause; and providing an effective date of August 1, 2016. (DEVELOPMENT SERVICES) (9578)
21. Hold a public hearing and consider an ordinance changing the zoning use classification of the property described as Tract 9, Morningside Addition, City and County of Midland, Texas (Generally located on the east side on North Big Spring Street, approximately 300 feet north of Scharbauer 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) (9579)
22. Hold a public hearing and consider an ordinance vacating and abandoning a 0.09-acre portion of South Fort Worth Street right-of-way located adjacent to Lot 1, Block 44, South Park Addition, City and County of Midland, Texas (Generally located on the south side of East Hicks Avenue, approximately 580 feet west of South Terrell Street); adopting the appraisal by the City Manager of \$7,646.00; and ordering recordation by the City Secretary. (DEVELOPMENT SERVICES) (9580)
23. 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 7.45-acre tract of land, being all of Lot 1, Block 1, Rolling Green Acres Addition, and a 6.25-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 CE, Country Estate District, in part, and AE, Agriculture Estate District, in part, to be used as an LR-1, Local Retail District (Generally located northwest of the intersection 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) (9581)

24. Hold a public hearing and consider a resolution authorizing the temporary use of land for a festival and concert on Lot 4, Block 5, Westridge Park Addition, Section 6, City and County of Midland, Texas (Generally located northeast of the intersection of Tradewinds Boulevard and Champions Drive); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2016 - 194)
25. Hold a public hearing and consider a resolution authorizing the temporary use of land for a gospel festival on Lots 13-24, Block 54, all of Block 55, the portion of North Loraine Street right-of-way located between West Texas Avenue and West Missouri Avenue, and the portion of West Wall Street right-of-way located between South Main Street and South Colorado Street, Original Town Addition, City and County of Midland, Texas (Generally located on the south side of the intersection of West Texas Avenue and North Loraine Street); and making said permit subject to certain special conditions and restrictions contained herein. (DEVELOPMENT SERVICES) (2016 - 195)
26. Hold a public hearing regarding a proposed Oil and Gas Permit to Diamondback E&P LLC (Operator), for a permit to drill an oil & gas well within the City Limits, (WHITEFISH UNIT 801LS) located 306 feet from the south line and 630 feet from the west line located in Section 8, Block 39, T-1-S, T&P RR Co. Survey, City of Midland and County of Midland, Texas (Generally located 470 feet north of Green Tree Boulevard extension and 586 feet east of North Midland Drive). This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES) (058-2016)
27. Hold a public hearing regarding a proposed Oil and Gas Permit to Diamondback E&P LLC (Operator), for a permit to drill an oil & gas well within the City Limits, (WHITEFISH UNIT 801WA) located 306 feet from the south line and 720 feet from the west line located in Section 8, Block 39, T-1-S, T&P RR Co. Survey, City of Midland and County of Midland, Texas (Generally located 470 feet north of Green Tree Boulevard extension and 675 feet east of North Midland Drive).

This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES) (059-2016)

28. Hold a public hearing regarding a proposed Oil and Gas Permit to Diamondback E&P LLC (Operator), for a permit to drill an oil & gas well within the City Limits, (WHITEFISH UNIT 801MS) located 306 feet from the south line and 690 feet from the west line located in Section 8, Block 39, T-1-S, T&P RR Co. Survey, City of Midland and County of Midland, Texas (Generally located 470 feet north of Green Tree Boulevard extension and 645 feet east of North Midland Drive). This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES) (060-2016)
29. Hold a public hearing regarding a proposed Oil and Gas Permit to Diamondback E&P LLC (Operator), for a permit to drill an oil & gas well within the City Limits, (WHITEFISH UNIT 801WB) located 306 feet from the south line and 660 feet from the west line located in Section 8, Block 39, T-1-S, T&P RR Co. Survey, City of Midland and County of Midland, Texas (Generally located 470 feet north of Green Tree Boulevard extension and 615 feet east of North Midland Drive). This is a public hearing only. No further action will be taken. (DEVELOPMENT SERVICES) (061-2016)

EXECUTIVE SESSION

30. 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.